

# MAIN AGENDA



## NOTICE OF MEETING

### COUNCIL

I hereby give notice that an Ordinary Meeting of the Council will be held on:-

**DATE: Wednesday, 26 March 2003**                      **TIME: 5.30 pm**

**VENUE: Civic Centre, 6 Waipareira Avenue, Lincoln, Waitakere City**

to consider the business as set out herein and to take any necessary action connected therewith.

**NOTE: No Public Forum will precede the Council meeting this month.**

24 March 2003

Audrey Chan  
**COMMITTEE SECRETARY**

Telephone (09) 836 8000 extn 8603

#### **MEMBERSHIP:**

Mayor	RA	Harvey, QSO, JP
Deputy Mayor	CA	Stone
Councillors	DQ	Battersby, JP
	BA	Brady, JP
	JM	Clews, QSO, JP
	RP	Dallow, QPM, JP
	AC	Fenton
	OE	Hoskin, MNZM, JP
	PA	Hulse
	JP	Lawley
	GE	Nash, JP
	VS	Neeson, JP
	GB	Presland
	GW	Russell
	DA	Yates, JP

(Quorum 8 members)

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(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be construed, in any way, as Council policy until adopted.)

AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 26 MARCH 2003, COMMENCING AT 5.30 PM.

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**AGENDA FOR AN ORDINARY MEETING OF THE COUNCIL TO BE HELD IN THE  
CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON WEDNESDAY, 26 MARCH 2003, COMMENCING AT 5.30 PM.**

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**1 OPENING PRAYER**

Reverend George Langford and Bishop Donald Allen from the Good Fight of Faith Ministries will say the Opening Prayer.



**2 APOLOGIES**



**3 CONFIRMATION OF MINUTES**

Emergency - Monday, 23 September 2002  
Special (Strategic Review) - Monday, 23 September 2002

Special - Wednesday, 19 February 2003  
Ordinary - Wednesday, 26 February 2003

**RECOMMENDATION**

That the minutes of the Emergency Meeting of the Council held on Monday, 23 September 2002, the Special Meeting of the Council (Strategic Review) held on Monday, 23 September 2002, the Special Meeting of the Council (Various) held on Wednesday, 19 February 2003 and the Ordinary Meeting of the Council held on Wednesday, 26 February 2003, including the Public Excluded minutes, as circulated, be taken as read and now be confirmed.

**NOTE:** The minutes of the Emergency Meeting of the Council held on Monday, 23 September 2002 and the Special Meeting of the Council (Strategic Review) held on Monday, 23 September 2002 were not included on the October or subsequent agendas for confirmation.



**4 URGENT BUSINESS**

Section 46A(7) and (7A) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the item is a minor matter; and
- (ii) the Chairperson has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting; and
- (iii) the Council resolves to deal with the item.

No resolution, decision, or recommendation may be made in respect of the item except to refer the item to a subsequent meeting for further discussion.

**NOTE:** Urgent business need not be dealt with now and may be delayed until later in the meeting.



**PART A - RESOLUTIONS BY SPECIAL ORDER**

**5 AMENDMENT TO BYLAW NO. 7 1991, TRAFFIC - LINCOLN ROAD - BUS PRIORITY LANE**

The Waitakere City Council acting in pursuance and exercise of the power and authorities conferred on it by the Local Government Act 1974, the Transport Act 1962, Traffic Regulations 1976 the Bylaws Acts 1910 and all other powers and authorities in any way enabling it **HEREBY RESOLVES BY SPECIAL ORDER** the following amendment to Bylaw No. 7 1991, Traffic hereby:-

**1. SHORT TITLE**

The Short Title of this Bylaw shall be the Waitakere City Council Bylaw No. 7 1991, Traffic, Amendment No. 6, 2003.

**2. COMMENCEMENT**

This Amendment shall come into force on 30 April 2003.

**3. AMENDMENT**

Bylaw No. 7 1991, Traffic is amended by adding after clause 10 - CYCLE TRACKS the following clause entitled "BUS PRIORITY LANE"

**10A) BUS PRIORITY LANE**

10A.1 The Council or any duly delegated committee of the Council including a community board may at any time and from time to time by resolution determine that any part of street which shall be defined in such resolution shall be a 'bus priority lane' for the purposes of this Bylaw.

10A.2 The Council or any duly delegated committee of the Council including a community board may at any time by resolution prohibit, limit or restrict all classes of vehicle from using any 'bus priority lane' except for large passenger service vehicles, bicycles, police and traffic enforcement vehicles, emergency vehicles, and by any vehicle for a distance of not more than 50 metres for the purpose of turning into or out of side streets and properties.

10A.3 The Council or any duly delegated committee of Council including a community board may further and in like manner prohibit the parking of any vehicles in any bus priority lane in excess of a period fixed by such resolution.

10A.4 The Council shall maintain in or on the street a notice, traffic sign, marking or sign indicating a bus priority lane and the nature of such prohibition, limitation or restriction and purposes so determined.

10A.5 No person or driver in charge of any vehicle shall stop, stand or park it whether attended or unattended in any such lane where such a notice, traffic sign, marking or sign on the street is maintained except in conformity with the terms of such prohibition, limitation or restriction or for the purposes so determined.

2. **ADVERTISING**

That the Council duly advertise its intention to introduce the bylaw:

- (i) Not less than 21 clear days before confirming its intention to introduce the bylaw, and again,
- (ii) Not more than 14 days nor not less than 7 clear days before introducing the bylaw.

3. **CONFIRMATION**

That the Special Order be set down for confirmation at an ordinary meeting of Council scheduled for Wednesday, 30 April 2003, commencing at 5.30 pm.

**NOTE:** This resolution by Special Order recommences the statutory process to amend Bylaw No. 7 1991, Traffic - Lincoln Road - Bus Priority Lane because the confirmation was left off the February 2003 Council agenda.



6 **TODD AVENUE - CREATION OF PEDESTRIAN MALL**

**PURPOSE OF THE REPORT**

The purpose of this report is to seek Council's approval to commence Special Order procedures to declare Todd Avenue, New Lynn to be a pedestrian mall under Section 336 of the Local Government Act 1974.

**BACKGROUND**

The proposal is part of a larger plan known as the Todd Triangle Reserve Development Concept Plan and was submitted to the New Lynn Community Board on 3 February 2003. The Board resolved:

*"That the Board recommend to Council that Todd Avenue, New Lynn, as defined on the diagram attached at page A8 of the agenda report, be declared to be a pedestrian mall by Special Order under Section 336 of the Local Government Act 1974."*

49/2003

**STRATEGIC CONTEXT**

Council's current strategy stresses the importance of urban villages and with respect to the New Lynn Town Centre, current policy is to promote pedestrian movement around the town centre. The Todd Triangle Reserve development and in particular the proposed pedestrian mall are therefore consistent with Council's strategic direction in particular for the New Lynn Town Centre.

## ISSUES

The draft concept plan was widely circulated to local residents and businesses and a public meeting was held in August last year. At the same time, separate workshops were held with the New Lynn Village Business Association to discuss in particular how the development might contribute to sustainable business in New Lynn.

As a result of this public consultation, a second public meeting was held in November last year and agreement was reached on the changes necessary to the plan.

The final concept plan was published in the Western Leader in January 2003.

## CONCLUSION

In accordance with the New Lynn Community Board resolution, it is now requested that the Special Order procedures be commenced.

## RECOMMENDATIONS

1. That the information be received.
2. That Council resolve by way of Special Order that Todd Avenue, New Lynn, be declared a pedestrian mall under Section 336 of the Local Government Act 1972 as follows:

### **SPECIAL ORDER: DECLARATION OF TODD AVENUE AS PEDESTRIAN MALL**

“The Waitakere City Council acting in pursuance of its powers contained in Section 336 of the Local Government Act 1974 and all other powers in any way enabling it, **HEREBY RESOLVES BY SPECIAL ORDER** as follows:

- (i) THAT Todd Avenue, New Lynn, is declared to be a pedestrian mall with effect from 1 September 2003.
- (ii) THAT the driving, riding and parking of any vehicle or the riding of any animal on any part of the pedestrian mall shall be prohibited.”
3. THAT Council publicly notify its intention to declare Todd Avenue, New Lynn a pedestrian mall:
  - (i) Not less than 21 days before confirming its intention to make the declaration and again,
  - (ii) Not more than 14 days nor less than 7 days before making the declaration.
4. THAT the Special Order be set down for confirmation at an ordinary meeting for Council scheduled for Wednesday, 30 April 2003.

Report prepared by: Maurice Hieatt, Property Officer.

**NOTE:** The Council approved the creation of the Pedestrian Mall at its meeting on 26 February 2003 but the Special Order resolution to commence the process was not presented for actioning at the meeting.



**PART B - REPORT OF THE MAYOR**

The report of the Mayor will be circulated under separate cover with this agenda.



**PART C - TE TAUMATA RUNANGA AND COMMUNITY BOARDS**

**7 TE TAUMATA RUNANGA**

**I NOHO TE TAUMATA RUNANGA KOMITI MANE TE KAU MA WHITU O POUTU-TE RANGI 2002**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 17 MARCH 2003**

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**MATTERS CONSIDERED**

*1-5  
Part C*

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 5 in the supplement labelled Part C.

**NGA TAKE E WHIRIWHIRIA**

E whakatau ana Te Taumata Runanga i nga take i whakamanangia i te ture he whakaahua o nga tuhi kua tona ki nga mema o te Kaunihera.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of Te Taumata Runanga held on Monday, 17 March 2003 be received.

Te Warena Taua  
**CHAIRPERSON**



**8 NEW LYNN COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 3 MARCH 2003**

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**MATTERS CONSIDERED**

*6-12  
Part C*

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 6 to 12 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the New Lynn Community Board held on Monday, 3 March 2003 be received.

EG Francke  
**CHAIRPERSON**



9 **WAITAKERE COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON TUESDAY, 4 MARCH 2003**

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**MATTERS CONSIDERED**

13-17  
Part C

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 13 to 17 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Waitakere Community Board held on Tuesday, 4 March 2003 be received.

CA Shepherd, JP  
**CHAIRPERSON**



10 **MASSEY COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON WEDNESDAY, 5 MARCH 2003**

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**MATTERS CONSIDERED**

18-22  
Part C

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 18 to 22 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Massey Community Board held on Wednesday, 5 March 2003 be received.

RF Jessopp  
**CHAIRPERSON**



11 **HENDERSON COMMUNITY BOARD**

**THE BOARD SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING  
HELD ON THURSDAY, 6 MARCH 2003**

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**MATTERS CONSIDERED**

23-26  
Part C

The Board dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 23 to 26 in the supplement labelled Part C.

**The Board Recommends:**

That the report of the Ordinary Meeting of the Henderson Community Board held on Thursday, 6 March 2003 be received.

HM Jones

**CHAIRPERSON**



## **PART D - REPORT OF THE CHIEF EXECUTIVE**

### **12 AUCKLAND REGION CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP ESTABLISHMENT**

#### **PURPOSE OF THE REPORT**

The purpose of the is report is to enable the Council to:

1. Establish the Auckland Region Civil Defence Emergency Management Group as a joint standing committee of the local authorities of the Auckland Region as required by the provisions of the Civil Defence Emergency Management Act 2002; and
2. Formally appoint a representative and an alternative representative to the Auckland Region Civil Defence Emergency Management Group.

#### **BACKGROUND**

The Civil Defence Emergency Management Act 2002 (hereinafter "the Act") came into force on 1 December 2002. The Act puts in place a new legislative framework for Civil Defence Emergency Management, a significant aspect of which is a regional focus for Civil Defence Emergency Management arrangements.

The Act requires each regional Council and all territorial local authorities within that region to unite to establish a Civil Defence Emergency Management Group within the six months of the date of commencement of the Act. The Civil Defence Emergency Management Group will have principal responsibility for civil defence emergency management planning and activity within each region, including the management of hazards and risks in the region, and either undertaking reduction, readiness, response and recovery activities, or ensuring they are undertaken, to an adequate standard. It should be noted that each territorial authority remains responsible for the reduction, readiness, response and recovery arrangements for its own district required of it under the Act, the civil defence emergency management group plan and/or as otherwise agreed by the Group, to the standards agreed by the Group.

Planning to meet the requirements of the Act is well underway in the Auckland region. An Auckland Region Civil Defence Emergency Management Group has been operating as a committee of the Auckland Regional Council for a number of years, and work on a Group Civil Defence Emergency Management Plan (as required by the Act) is well advanced. A Co-ordinating Executive Group is in place and has been working with the existing committee to ensure the Auckland region is able to meet the requirements of the Act ahead of schedule.

The actions recommended by this report are a part of the programme to ensure legislative compliance. The intention of the existing committee is that the establishment process will be completed by the member Councils in order for the Civil Defence Emergency Management Group to be formally constituted under the Act in time for its meeting scheduled for 23 May 2003. All member Councils need to have taken the steps recommended by this report prior to that date in order to meet the timeline that has been established.

## STRATEGIC CONTEXT

Civil Defence Emergency Management is a function which local authorities are statutorily required to undertake. Civil Defence Emergency Management activities contribute to community wellbeing by reducing the risk and likely impact of disasters and emergency events, readying and building community resilience to the impacts of such events, developing Council's and the regions capability to respond to emergency events, and developing the regions recovery capability. Given the interconnected urban nature of the Auckland region, there are strong reasons for a regional approach to civil defence emergency management.

## ISSUES

As outlined above, the Act requires Council to unite with the other local authorities in the Auckland region to establish a Civil Defence Emergency Management Group as a joint standing committee under section 114S of the Local Government 1974. While the Local Government Act 2002 has been assented since the passing of the Act, the section relating to establishment of joint committees does not commence until 1 July 2003, meaning establishment of the Civil Defence Emergency Management Group must take place under the 1974 enactment. This action will continue to have effect under the Local Government Act 2002 – it contains a savings provision that provides for certain actions taken under the 1974 enactment to be treated as though they were taken under the 2002 legislation without further action. In addition, the Local Government Act 2002 amends the Act appropriately when the relevant sections commence on 1 July 2003.

*A1-A17* The existing Civil Defence Emergency Management Group Committee has considered and recommended to each of the Council's in the region, an Establishment Agreement, Functions and Powers document to enable establishment of the joint standing committee required by the Act. A copy of the document is attached at pages A1 to A17. At its meeting held on 14 February 2003 the Committee resolved:

*"That it be recommended to each of the Councils in the Auckland Region:*

- A1-A17*
- i. That the Auckland Region Civil Defence Emergency Management Group be established as a joint committee of the Auckland City Council, the Auckland Regional Council, the Franklin District Council, the Manukau City Council, the North Shore City Council, the Papakura District Council, the Rodney District Council and the Waitakere City Council in accordance with section 114S of the Local Government Act 1974 and section 12 of the Civil Defence Emergency Management Act 2002, with the functions and powers proscribed in the Civil Defence Emergency Management Act 2002 and the Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers document set out at pages A1 to A17.*

*A1-A17*

  - ii. That the Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers document set out at pages A1 to A17 be adopted as the Establishment Agreement, Functions and Powers of the Auckland Region Civil Defence Emergency Management Group and that approval be given for the document to be executed under common seal.*
  - iii. That each Council appoint a representative and an alternative representative to the Auckland Region Civil Defence Emergency Management Group in accordance with the Civil Defence Emergency Management Act 2002 with delegated authority to act on the Council's behalf in terms of the Council's functions and powers under the aforementioned Act and the provisions of the Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers document."*

These recommendations are now presented for consideration by each of the Councils in the region. There are a number of issues addressed in the establishment document, which have been considered at some length by the Co-ordinating Executive Group and/or the existing Civil Defence Emergency Management Group Committee, and these are highlighted for the attention of members.

### **Membership**

At the time of writing of the report, the status of Franklin District Council as a member of the Auckland Region Civil Defence Emergency Management Group had not been finally resolved. As the Franklin District Council lies partly in the Auckland region and partly in the Waikato, it is required under the Act to choose which Civil Defence Emergency Management Group it will join. Once made, this decision is irrevocable. A decision is required within two months of establishment of the Group.

The Franklin District Council has been working its way through a process to make this decision in accordance with Civil Defence Emergency Management Group representatives from both the Auckland and Waikato regions. A decision is expected by this meeting. Should Franklin determine to join the Waikato Region Civil Defence Emergency Management Group, the documentation attached to this report will need to be amended accordingly. Provision is made in the recommendations for this to occur.

The other issue relating to membership concerns the status and role of observers on the Civil Defence Emergency Management Group. While the Act provides for emergency services organisations (such as the Fire Service, Police, District Health Boards, etc) to be members of the Co-ordinating Executive Group, it does not provide for their representation on the Civil Defence Emergency Management Group. The existing Civil Defence Emergency Management Group Committee believes that emergency services and related organisations have an important role to play in assisting the Civil Defence Emergency Management Group to fulfil its duties and functions, and is proposing that these agencies be extended observer status. This would mean that they would not have voting powers at meetings, but would be able to attend as of right and participate fully in discussions. It is proposed that observer organisations and agencies be appointed by the Civil Defence Emergency Management Group.

### **Responsibilities of Members**

As noted above, the establishment document provides that each territorial authority remains responsible for the reduction, readiness, response and recovery arrangements for its own district required of it under the Act, the Civil Defence Emergency Management Group plan and/or as otherwise agreed by the Group.

### **Emergency Management Office**

Proposed in the establishment document is an Emergency Management Office to support the operations of the Civil Defence Emergency Management Group and the Co-ordinating Executive Group. It is proposed that this be domiciled with the Auckland Regional Council initially; however, it will be possible to shift its location in the future if necessary or desirable for any reason.

### **Funding**

The establishment agreement provides that the Civil Defence Emergency Management Group will agree a work programme and budget for recommendation to each member local authority in each year. It also provides that the Civil Defence Emergency Management Group will recommend a funding formula to the member authorities based on population to fund this work programme.

For the avoidance of doubt, the establishment agreement explicitly states that the Civil Defence Emergency Management Group shall not have the power to make funding decision that are binding on member authorities. This is in line with the provisions of the Act (section 16). The level of funding committed by each authority shall be determined through that authority's Annual Plan process.

### **Authority to Enter into Contracts**

It is proposed that authority to enter into contracts on behalf of the Civil Defence Emergency Management Group be delegated to the Auckland Regional Council, being the member of the Group that will establish and manage the Emergency Management Office, or to any member of the Civil Defence Emergency Management Group that subsequently assumes responsibility for managing the Emergency Management Office. The establishment document gives authority to the Auckland Regional Council to enter into contracts up to \$150,000 (net of GST) without further reference to the Civil Defence Emergency Management Group, if the goods or services being purchased are provided for in the Civil Defence Emergency Management Group's work programme and budget. If the amount is greater than \$150,000 (net of GST), or the goods and services to be procured are not in the work programme and budget, the Civil Defence Emergency Management Group must approve the expenditure by resolution prior to the Auckland Regional Council entering into the contract. In a State of Emergency, contracts may be entered into on behalf of the Civil Defence Emergency Management Group by the Controller or a member of the Police, in accordance with the provisions of Section 90 of the Act.

The provisions relating to entering into contracts during non-emergency periods are proposed for two reasons. Firstly, it is administratively and financially much more efficient to use the existing human resource, payroll, contractual and purchasing infrastructure of one of the member Council's than it is to create a stand alone infrastructure for the Civil Defence Emergency Management Group. Secondly, there is some legal doubt as to whether a joint committee has the legal standing to enter into contracts. While the Civil Defence Emergency Management Group has under the Act all power reasonably necessary for it to perform its functions, it has the legal status of a committee of a local authority, or in this case, a number of local authorities. It does not have the status of an incorporated entity. As the Civil Defence Emergency Management Group can delegate its powers to members, it is considered appropriate to delegate the power to enter into contracts to remove any question in this regard.

### **RESOURCES**

Resourcing for the Auckland Region Civil Defence Emergency Management Group is being considered as part of the Council's Annual Plan process. The actions recommended in this report are required by law and in themselves do not require additional resourcing to that currently allocated to Civil Defence Emergency Management activities.

### **CONCLUSION**

Council is required by law to join with the other local authorities in the region in establishing an Auckland Region Civil Defence Emergency Management Group, and to appoint a representative to that Group. Appropriate documentation to establish the Group has been prepared. Recommendations to achieve the legal requirements on Council are set out below.

The Emergency Services Special Committee considered this issue on 4 March 2003, and resolved:

*“That the Emergency Services Special Committee endorse the Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers document and recommend the document to Council for adoption.”*

284/2003

### **RECOMMENDATIONS**

1. That the information be received.
- AI-A17 2. That the Auckland Region Civil Defence Emergency Management Group be established as a joint committee of the Auckland City Council, the Auckland Regional Council, the Franklin District Council, the Manukau City Council, the North Shore City Council, the Papakura District Council, the Rodney District Council and the Waitakere City Council in accordance with section 114S of the Local Government Act 1974 and section 12 of the Civil Defence Emergency Management Act 2002, with the functions and powers proscribed in the Civil Defence Emergency Management Act 2002 and the *Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers* document as attached at pages A1 to A17 in the Agenda report.
- AI-A17 3. That the *Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers* document as attached at pages A1 to A17 in the Agenda report be adopted as the Establishment Agreement, Functions and Powers of the Auckland Region Civil Defence Emergency Management Group and that approval be given for the document to be executed under common seal.
4. That should the Franklin District Council choose to join the Waikato Region Civil Defence Emergency Management Group, the Chief Executive be authorised to amend the *Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers* document accordingly and have it executed under common seal.
5. That Councillor Battersby be appointed to the Auckland Region Civil Defence Emergency Management Group as this Council's representative under section 13(4) of the Civil Defence Emergency Management Act 2002 with delegated authority to act on the Council's behalf in terms of the Council's functions and powers under the aforementioned Act and the provisions of the *Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers* document and that this appointment be paid at Band 4 (100%) pending the introduction of the new remuneration proposed on 1 July 2003.
6. That Councillor Dallow be appointed as this Council's alternate representative to the Auckland Region Civil Defence Emergency Management Group in accordance with clause 6.5 of the *Auckland Region Civil Defence Emergency Management Group Establishment Agreement, Functions and Powers* document, to represent Council on the Group with the delegated authority given under 5 above when Councillor Battersby is unable to fulfil his role.

Report prepared by: Bill Morley, Manager: Emergency Management and Ross McLeod, Director: Corporate and Civic Services.



13 **AUCKLAND REGIONAL SPORT AND RECREATION STRATEGY**

**PURPOSE OF THE REPORT**

This report is to seek a nomination and an alternative nomination to represent Waitakere City Council on the reference group for the development of the Auckland Regional Sport and Recreation Strategy.

**BACKGROUND**

In 2001 the Ministerial Taskforce on Sport, Fitness and Leisure concluded that:

- The current recreation and sport structures are fragmented and lack integration, coordination and leadership.
- There is a clear need to change the organisation of recreation and sport and its delivery at national and regional levels.
- Regional delivery needs support, extension, greater local community integration, stronger linkages with the central body and clear support for volunteer development.
- Local government needs to play a more cooperative role with regional recreation and sport agencies.
- There is a lack of coordination, dissemination and use of research.

The Auckland Regional Sports Trust Alliance and the Auckland Local Authority CEOs Forum identified the need for a regional strategy. Colin Dale, Chief Executive of Manukau City Council, sponsored the development of the Terms of Reference for progressing the Strategy by a 'Scoping Group' of council officers and staff from the Regional Sports Trusts.

Preliminary work by the 'Scoping Group' identified a set of draft objectives for the development of the Strategy, recognising that further refinement of the terms of reference would be required. The group also identified that there was a need to maximise linkages to the Auckland Regional Growth Forum work and that the next step would be to organise a forum to enable Councillors, regional sport representatives, regional sports trusts and local and regional council officers to identify the primary issues to be addressed.

At its May 2002 meeting, the City Development Committee approved the Terms of Reference in principle, the contribution of staff time, and requested regular updates. The Committee also recommended that \$10,000 be included in the 2002/2003 Annual Plan to contribute to the project. Council subsequently adopted this in July 2002.

A forum was held on Friday, 27 September 2002 at Eden Park to consider the current situation for sport and active leisure in Auckland and identified the priority issues to be addressed.

Two representatives from the Council, Cr Fenton and Cr Brady, attended this forum to participate in the discussions.

At the forum, a structure for developing the strategy was presented and agreed upon by the participants and has since been approved at the Auckland Local Authority CEOs Forum.

## STRATEGIC CONTEXT

Council's 1994 Leisure Strategy sets the strategic framework for provision of Waitakere City leisure services, for the improvement of the well being of the City's people and communities by the provision and support of a diverse range of leisure opportunities.

Leisure facilities and activities contribute to the well being of the City's residents, by providing recreation opportunities that promote health and social cohesion. The Council's Leisure Strategy, Community Facility Plan, Parks Strategy and Funding Policy guide the provision of facilities and activities to ensure that they are available to all residents, responsive to changing demands and provided efficiently.

Council's strategic objective for leisure is that a comprehensive range of leisure, recreation and sports services and facilities is provided.

Partnerships with external parties enabling wider community development are a key component of the Well-Being Strategy.

## ISSUES

A key request from the forum was that the establishment of a 'Reference Group' be set up to build political ownership and advocacy for the Auckland Regional Sport and Recreation Strategy.

The Reference Group's membership will consist of one representative from each of the following organisations:

- Sport and Recreation New Zealand
- Auckland Regional Council
- Auckland City Council
- Manukau City Council
- North Shore City Council
- Waitakere City Council
- Franklin District Council
- Papakura District Council
- Rodney District Council
- North Harbour Sports Trust
- Counties Manukau Sports Foundation
- Auckland Sports Trust
- Waitakere Sports Trust
- Ministry of Health
- Ministry of Education

It is expected that the Reference Group will:

- Provide guidance and support to the work of the project team
- Ensure awareness of local needs
- Act as a communication channel between the work of the team and respective Councils and Trusts
- Provide guidance on determining strategic priorities and the necessary policy development.

It is expected that the Reference Group will meet quarterly for three to four hours duration, over the 18 months from April 2003. One or two additional meetings may be required as the draft strategy is finalised.

It is anticipated that the appointed Council nominee would be able to demonstrate extensive knowledge in the areas of:

- Sport and recreation issues in the Auckland region and their local area.
- An understanding of the wider sports and recreation environment.
- Networks into the sporting and recreation community in their local area.
- Experience in involvement across a wide range of sports and recreation activities.

## **RESOURCES**

Council has provided staff time and \$10,000 towards this project in 2002/2003. Council has committed a further \$15,000 through the Auckland Local Authority CEOs Forum as well as staff time in 2003/2004. Sport and Recreation New Zealand have committed \$200,000 over the next two years of the strategy.

## **CONCLUSION**

A forum was held on Friday, 27 September 2002 at Eden Park to consider the current situation for sport and active leisure in Auckland and identified the priority issues to be addressed in the Auckland Regional Sport and Recreation Strategy.

A key request from the forum was that the establishment of a 'Reference Group' be set up to build political ownership and advocacy for the Auckland Regional Sport and Recreation Strategy.

A nomination is sought to be Council's representative on the 'Reference Group' which will consist of one representative from each regional, city or district council in the Auckland region, one representative from each Sports Trust, and one representative from the Ministry of Education and Ministry of Health.

It is anticipated that the appointed Council nominee would be able to demonstrate extensive knowledge in the areas of sport and recreation issues at local and regional levels, networking and involvement across a wide range of sports and recreation activities.

## **RECOMMENDATIONS**

1. That the information be received.
2. That Council nominate a representative and an alternative to become a member of the Auckland Regional Sport and Recreation Strategy Reference Group and that this appointment be paid at Band 4 (100%) pending the introduction of the new remuneration proposed on 1 July 2003.

Report prepared by: Danny O'Donnell, Manager: Leisure Services.



14 **ANZAC DAY 2003**

**PURPOSE OF THE REPORT**

This report is to seek appointment of Council representatives to attend the City's RSA Anzac Day Parades.

**ISSUES**

This year, the City will host a Dawn Candlelight Parade at the Cenotaph commencing at 6.00 am with representatives from each RSA across the City parading. This Parade was extremely successful last year and is now becoming an annual event for the City. In addition to the Dawn Parade, each of the City's RSA will host their own Parade and have invited Council to nominate an official representative to lay a wreath on behalf of Council. The times of the Parades follow:

Swanson	9.00 am
New Lynn	9.30 am
Henderson	10.30 am
Titirangi	10.30 am
Hobsonville	10.40 am
Glen Eden	11.00 am
Te Atatu	9.40 am
Waitakere	11.00 am
Laingholm	10.30 am
Piha	2.00 pm

Members are welcome to attend any of the Parades, but it is customary to appoint official representatives to each parade

**RECOMMENDATIONS**

1. That the information be received.
2. That a Councillor be appointed to represent the City at each of the Community Anzac Day Parades as follows:

Swanson	9.00 am
New Lynn	9.15 am
Henderson	10.00 am
Titirangi	10.30 am
Hobsonville	10.40 am
Glen Eden	11.00 am
Te Atatu	9.40 am
Waitakere	11.00 am
Laingholm	10.30 am
Piha	2.00 pm

3. That the appointment of Community Board Members to the Services be referred to the appropriate Community Board.

Report prepared by: Tracy Haggio, Administration Clerk Democracy and Support Services.



## 15 REVIEW OF BASIS FOR ELECTION AND SEPARATE MAORI REPRESENTATION

### PURPOSE OF THE REPORT

To provide Council with an outline of its statutory obligations regarding the periodic review of the basis of elections, (boundaries and representation) and in particular the option to undertake the next review in either 2003 or 2006. Further to bring to the Council's notice that such a review would be required in the year before any triennial election in which it is proposed to implement any provision for a separate Maori ward or wards, and that the earliest Triennial Election at which it would be possible to implement such a provision would be 2007. Council is asked to resolve as to which option it will take up.

### BACKGROUND

#### Revised Statutory Requirements for Review

The Local Electoral Amendment Act 2002 extends the period between reviews of Basis of Election (as well as the mandatory concurrent review in respect of Community Boards) from three to six years. The same Act introduces provision for separate Maori representation on Local Authorities, for the first time. The Act is so structured as to provide that such separate ward or wards representation arrangements for Maori will first be able to be used in the Triennial Elections in 2007 or later.

The previous requirement to conduct a boundary and representation review the year prior to every Triennial Election, in terms of Section 101H of the Local Government Act 1974, was repealed by Section 53(d) of the Local Electoral Act 2002. Section 19H(2) of the Local Electoral Amendment Act 2002 clearly gives Territorial Authorities the option of conducting the first review in terms of the provisions of the Local Electoral Amendment Act 2002, either in 2003 or in 2006. Thereafter a Review is required every six years. In terms of S19J of the Local Electoral Amendment Act 2002, Territorial Authorities are also required to undertake a "Review of Community Boards" concurrently with a "Review of Basis for Elections".

Section 19H states:

- 1) "A territorial authority must determine by resolution in accordance with this Part, -
  - a) Whether the members of a the territorial authority (other than the mayor) are proposed to be elected-
    - i) by the electors of the district as a whole; or
    - ii) by the electors of 2 or more wards; or
    - iii) in some cases by the electors of the district as a whole and in other cases by the electors of each ward of the district; and
  - b) in any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and
  - c) in any case to which paragraph (a)(iii) applies,-
    - i) the proposed number of members to be elected by the electors of the district as a whole; and
    - ii) the proposed number of members to be elected by the wards of the district; and
  - d) in any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,-
    - i) the proposed name and the proposed boundaries of each ward; and
    - ii) the number of members proposed to be elected by the electors of each ward."

### Implications of New Statutory Provisions Enabling Separate Maori Representation

The Local Electoral Amendment Act 2002 also introduced, for the first time, provision for Councils to resolve to provide for separate representation arrangements for Maori voters in Local Authority elections. In respect of Territorial Authorities, this would take the form of a separate Maori ward or wards, provided there are sufficient numbers of registered Maori electors registered within the area of the Territorial Authority concerned. Any resolution to provide for the creation of a Maori ward or wards must be made no later than 23 November of the year that is two years before the next Triennial Election. If such a resolution is made later than that, the Local Electoral Amendment Act 2002 requires that this resolution will only take effect from next but one triennial election. This means that the Council could introduce Maori wards for the 2007 election at the earliest.

Should the Council fail to make a resolution on the issue of separate Maori representation, the electors can demand a poll on the issue. The implementation of the outcome of any poll would still be subject to the timescale referred to above, unless the demand is submitted no later than 28 February in the year preceding a Triennial Election. Such a demand would require the support of at least 5% of enrolled electors.

### Requirements Regarding Fair Representation

The Local Electoral Amendment Act stipulates strict criteria as to equity in representation, in terms of population per Councillor. Councils are nonetheless entitled to take into account the interest of isolated communities.

Section 19V states:

- 1) “ In determining the number of members to be elected by the electors of any ward...the territorial authority ...must ensure that the electors of the ward...receive fair representation...
- 2) For the purposes of... Subsection (1), *the territorial authority...and, where appropriate, the Commission must ensure that the population of each ward ...divided by the number of members to be elected by that ward... produces a figure no more than 10% greater or smaller than the population of the district...divided by the total number of elected members (other than the mayor...).*
- 3) Despite subsection (2), --
  - a) *If the territorial authority or the Commission considers that the effective representation of communities of interest within island...or isolated communities...so requires, wards ...may be defined and membership distributed between them in a way that does not comply with subsection (2):”*

### Introduction of New Option for a Mix Between Councillors Elected by Ward, and those Elected at Large

The Local Electoral Act 2002 introduces provision for a council to be elected by a combination of the ward and Council at large systems.

Section 19H states:

- 2) “A territorial authority must determine by resolution in accordance with this Part, -
  - a) Whether the members of a the territorial authority (other than the mayor) are proposed to be elected-
    - i) ... or
    - ii) in some cases by the electors of the district as a whole and in other cases by the electors of each ward of the district; and...

- b) *in any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,-*
- i) *the proposed name and the proposed boundaries of each ward;  
and*
  - ii) *the number of members proposed to be elected by the electors of each ward."*

### **Community Boards**

In terms of Section 19J of the Local Electoral Amendment Act 2002, Council is required to conduct a review of Community Boards concurrent with any review of the basis of elections. This concurrent review is to take into account, in particular, the principle of fair and effective representation, and to assess whether Community Boards are required to put this principle into effect, and if so required, their numbers, structure and boundaries.

Section 19T(c) provides "*that, so far as is practicable, ward boundaries coincide with community boundaries.*" Specific reference is made to using the criteria established in terms of Section 19V (the maximum 10% variance) where electoral subdivisions are used in the election of Community Board members, which is not currently the practice in Waitakere City.

### **STRATEGIC CONTEXT**

The conduct of elections and the representation arrangements associated therewith are a legislative requirement on the Council, and at the heart of the Council's commitment to active democracy, Agenda 21 and participation by the community in civic life.

Two strategic issues are relevant to Council's decision as to whether to conduct a review in 2003, or take the option of deferring it to 2006. These are whether this is necessary in the interests of fair representation, and whether Council is likely to have to undertake a review in 2006, in any event, in order to introduce a separate Maori ward or wards.

The Council may wish to take up the opportunity of a review in order to ensure that it complies with the requirements of Section 19V. The issue of disproportional ward representation, while examined by Council in 2000, may still be an issue of concern. The Council may also wish to take the opportunity of exploring the new option of electing the Councillors by a mix of the ward representation and Council at large systems.

The Council prides itself in being a leader in giving appropriate importance to Maori and Maori issues. Accordingly it will require that due consideration be given and appropriate consultation undertaken in respect of the new enabling provision for separate Maori representation. The Council would accordingly wish to determine whether or not separate Maori representation is in the best interests of the City, and its Maori population, before the first applicable triennial general election, i.e. the triennial general election to be held in 2007. By this time the issues concerned will have been well debated in the public forum at City, Regional and National level. In the interim, the City's Maori population will continue to grow, while its Pakeha population's understanding of Maori needs will also continue to broaden. There are nonetheless, also other alternatives with regard to Maori representation, including the option of appointing a Maori member of Te Taumata Runanga to each and every Council Standing Committee.

### **ISSUES**

It can be argued that the issue of Maori representation is likely to require a review in 2006, and hence Council should defer the review until then in the interests of avoiding duplication of effort and resources. However, there is as yet no clear indication that the City's Maori population will in fact be opting for this method of representation. The decision on the date of review therefore largely rests on the question of fair and transparent representation.

**Provisional Programme if the Council Decides to Proceed with the Review in 2003**

ACTION	ACTION DATE	CRITICAL DATE
Workshops for Councillors to consider process and Identify draft proposals.	First Workshop: Wednesday, 9 April 2003 (9.30 am)	
Report back to Council on process.	June/July 2003	
Council Resolution on Boundaries and Membership.	Wednesday, 30 July 2003	
Public notification determining size and scope of boundaries, specifying communities of interest considered and ratio of population to proposed members of each ward and reasons in terms of 19V(2) and (3).  Copy of Public Notices sent to Commission; Surveyor General; Government Statistician; Higher Salaries Commission/ Remuneration Authority, and Auckland Regional Council.	Before 13 August 2003 August 2000.	Within 14 days of making resolution, but no later than 8 September.
Closing of written objections and submissions.	No later than 13 September 2003.	Not later than 1 month after date of publication.
Special Council Meeting to receive report on assessment of objections and submissions.	Before 24 October 2003.	Within six weeks of closing of submissions (but allowing sufficient time for publication of notice, below, within that period).
Public Notice of Final Proposals including any changes.  Again sent to Commission; Surveyor General, Government Statistician, Higher Salaries Commission/Remuneration Authority, Auckland Regional Council.	Before 24 October 2003.	Within six weeks of closing of submissions.
Written Appeals and Objections from the Public.	Early December 2003.	Not earlier than one month after publication of proposals but not later than 20 December 2003.
Where appeals have been received, these together with the proposals are sent to the Commission for review.	Late December 2003.	No later than 15 January 2004.

Note:

1. The person responsible for implementing this programme will be the Manager: Democracy and Support Services.
2. A further programme will be drawn up with regard to consultations with Te Taumata Runanga, to enable Council to make a resolution on the question of a separate Maori ward or wards, before 23 November 2005 (the date stipulated by Section 19Z, if changes are to be implemented at the 2007 Triennial Elections).

## **RESOURCES**

Should Council opt to undertake the review in 2003, the major resource required will be staff inputs, plus workshop costs.

Adequate provision has been made in both the current Annual Plan and the 2003/2004 Annual Plan to cover this eventuality.

## **CONCLUSION**

It is open to the Council to determine whether it will undertake its review of the basis of election and representation in 2003 or in 2006. The key issue for this decision is whether the Council feels it has a fair basis of representation.

Should the Council make a resolution to undertake a review of the basis of elections in 2003, it may well be required to repeat the exercise in 2006, instead of waiting until 2009, should there be a desire to create a separate Maori ward or wards. However, after consultation with the Maori community of the City a further review may not be necessary.

It is, however, appropriate that Council ask Te Taumata Runanga to initiate the process of consultation regarding the establishment of a separate Maori ward or wards, as well as the possible appointment of Maori representatives to Council's Standing Committees.

## **RECOMMENDATIONS**

1. That the information be received.
2. That Council indicate its preference for the timing of its review of Basis for Election.
3. That the Council initiate the process of consultation on the advisability of introducing a separate Maori ward or wards, and other measures designed to improve Maori representation, such process to include referring the matter to Te Taumata Runanga for its consideration and recommendations.

Report prepared by: Charlie Inggs, Acting Senior Committee Secretary, Democracy and Support Services.



## 16 NORTH WEST SECTOR AGREEMENT REPRESENTATION

### **PURPOSE OF THE REPORT**

The purpose of this report is to propose that the meetings of elected representatives are re-established for the North West Sector Agreement, and for Council to select representatives.

### **BACKGROUND**

The North West Sector Agreement is a sub regional agreement, developed as part of implementing the Regional Growth Strategy (1999). The North West Sector Agreement was signed between the parties (Rodney District Council, North Shore City Council, Waitakere City Council, and the Auckland Regional Council) in October 2001.

This agreement sets out how the allocated growth capacities for these areas of the region can be accommodated in appropriate locations, form and sequencing over the next twenty years.

### **STRATEGIC CONTEXT**

The agreement commits the parties to working together on issues of strategic importance and regional significance. The agreement specifies joint actions regarding open space and green belts, water quality, transport including airbases, employment, and community facilities.

This process of regular meetings between political representatives of each Territorial Authority in the region offers a mechanism of discussing issues of shared concern while working on agreed action plans. Proposed agreements reached by the working party will be taken back to each Council for consideration.

### **ISSUES**

While staff continued meeting in 2002, the meetings for elected representatives were less regular.

It is proposed that three meetings be held in 2003, provisionally planned for April, July and November 2003. The first meeting would establish the issues and work plan for the year.

Council needs to appoint at least two representatives to these sub-regional meetings.

### **RESOURCES**

Staff have included regional growth strategy implementation staff time in current and future budgets.

Any planning or research budget and staff requirements will need to be met through either current levels of Regional Growth Strategy support, or through combining existing research budgets between the Councils in the agreement.

### **CONCLUSION**

The North West Sector Agreement offers a mechanism whereby issues of sub-regional and regional significance can be discussed with our immediate regional neighbours. It is proposed that there be three meetings of elected representatives in the 2003 year. Council will need to appoint at least two representatives to participate in these meetings.

## **RECOMMENDATIONS**

1. That the information be received.
2. That Council appoint two representatives to the North West Sector Agreement working party.

Report prepared by: Cathy Kenkel, Strategic Leader.



## **17 ECONOMIC DEVELOPMENT ASSOCIATION OF NEW ZEALAND CONFERENCE**

### **PURPOSE OF THE REPORT**

This report informs Council of a forthcoming Economic Development Association of New Zealand Conference and seeks approval for appropriate and interested Councillors to attend this conference.

### **BACKGROUND**

The Economic Development Association of New Zealand holds a biannual conference and professional development programme. The key target audiences for the conference are businesses, those working in the field of economic development in New Zealand and those who influence local and regional economic development, including local political leaders.

### **STRATEGIC CONTEXT**

Sustainable economic development is the key priority of this Council. This conference offers an opportunity to learn and exchange ideas, hear about best practice and network amongst relevant agencies and individuals. There is funding in the current budget to provide for this item - no air travel is involved and Council can cover up to two registrations.

### **ISSUES**

This year, in association with the North Shore Enterprise Agency, the Economic Development Association of New Zealand Conference and professional development programme is being held on 2 to 4 April 2003, at Spencer on Byron at 9-17 Byron Avenue, Takapuna. The theme of the conference is "Economic Development - Smart, Fast, Connected". The focus is on leadership, skills, innovation and infrastructure. Note that the conference proper covers the 2 days 3- 4 April 2003, but there are also events on 2 April that may be of interest to Council.

A18-A22

See a copy of the programme for the conference as attached at pages A18 to A21. See also relevant information from the January 2003 Economic Development Association of New Zealand newsletter as attached at page A22.

### **RESOURCES**

The cost to attend the conference is \$450, with a further \$75 to attend the conference dinner. This can be funded from the Economic Development Strategy budget.

## CONCLUSION

The Economic Development Association of New Zealand Conference and professional development programme is being held during 2-4 April 2003. It addresses issues of importance to this Council and Council may wish one or more of its members to attend.

## RECOMMENDATIONS

1. That the information be received.
2. That Council nominate two elected members to attend the Economic Development Association of New Zealand Conference and report back to Council.

Report prepared by: Rachael Trotman, Strategic Leader.



## 18 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE AND ANNUAL GENERAL MEETING

### PURPOSE OF THE REPORT

This report is to invite Council to consider:

- Elected Member representation at the Local Government New Zealand Conference in Queenstown;
- Early notification as to whether it wishes to send a remit to the Local Government New Zealand Annual General Meeting; and
- Council's delegates for the purposes of voting at the Annual General Meeting.

### BACKGROUND

The Local Government New Zealand conference will take place this year from Sunday, 27 July to Wednesday, 30 July 2003 in Queenstown. Historically Council has attended this conference each year and has sent the Mayor, Deputy Mayor, a number of other Elected Members and the Chief Executive.

As part of the annual conference Local Government New Zealand also holds its Annual General Meeting. When advice of the meeting is received it will be circulated to all Councillors.

### STRATEGIC CONTEXT

Membership of Local Government New Zealand has the potential to be of assistance to Council as it pursues a wide range of strategic and advocacy aims. Local Government New Zealand provides a vehicle through which Council's voice can be heard on the national stage as Local Government New Zealand undertakes its activities on behalf of its members.

The Conference provides an opportunity for Elected Members to discuss a wide range of Local Government issues and to network and share experiences with other Elected Members across the country.

## ISSUES

### Conference Attendance

The Conference theme for this year has yet to be announced. At time of writing no details were available of the proposed programme.

In the past years Council has authorised attendance at Conference for the Mayor, Deputy Mayor, a number of (other) Elected Members and the Chief Executive as follows:

2002	Crs Fenton, Brady, the Mayor and Deputy Mayor
2001	Crs Battersby, Hulse, Freeth and Davies
2000	Evelyn Taumaunu as Chairperson of the Taumata Runanga, the Mayor and Deputy Mayor
1999	Cr Riddell and Deputy Mayor
1998	Cr Battersby, the Mayor and Deputy Mayor

The cost of Conference attendance is not yet available but is estimated to be \$895 + GST per delegate (based on last years costs), plus accommodation and travel.

### Remits

A23-A25

Remits for consideration by the Annual General Meeting of Local Government New Zealand must be submitted to Local Government New Zealand by late May 2003. Remits are viewed as a vehicle for major strategic "issues of the moment" to be addressed. Local Government New Zealand requires that remits should have a national focus and represent the national voice of local government. Local Government New Zealand has adopted a number of criteria for considering remits, these are attached at pages A23 to A25. Remits are required to be supported by at least one Zone or Sector Group or five Councils.

Council uses a range of regional and national processes to advocate on behalf of its community and it is not considered that Council has any outstanding issues that meet the remit requirements for the Annual General Meeting at this time. However Council's advice on this issue is sought.

### Delegates to the Annual General Meeting

The Local Government New Zealand constitution was amended in 2001 and the administrative procedures for the Annual General Meeting changed. To attend and exercise Council's 5 votes at the Annual General Meeting it is necessary for Council to appoint and forward the names to Local Government New Zealand of its presiding delegate, alternate and other delegates attending the Annual General Meeting in advance of the meeting. Under the Constitution, Council is allowed to have no more than 4 delegates at the Annual General Meeting. Other Councillors at the Conference can attend as observers.

### Procedural Issues

There are a number of issues for Council to determine. These can be separated into two parts:

#### Conference

Council needs to determine attendance at Conference. Once attendance is resolved it would be opportune to resolve the question of presiding delegate, alternate delegate and other delegates for the Annual General Meeting.

## Remits

Should Council wish to send a remit to Conference then either the next Zone One meeting on 1 May 2003 will need to be asked to consider the issue or support will need to be gained through the Metropolitan Sector or from another four individual Councils.

## RESOURCES

Budget is available in the current Annual Plan to allow Elected Members to attend the Local Government New Zealand Conference.

## CONCLUSION

The Local Government New Zealand Conference provides an opportunity for elected members to share ideas and experiences with their colleagues across the country. The Annual General Meeting provides Council with an opportunity to influence the leadership and direction of Local Government New Zealand.

## RECOMMENDATIONS

1. That the information be received.
2. That the Mayor and the Chief Executive (or his nominee) attend the Local Government New Zealand 2003 Conference at Queenstown from 27 - 30 July 2003.
3. That the Deputy Mayor attend the Local Government New Zealand 2003 Conference at Queenstown from 27 - 30 July 2003.
4. That Council determine additional Councillor or other Elected Member representation to attend the Local Government New Zealand Conference.
5. That the Mayor be the Waitakere City presiding delegate for the purposes of the Local Government New Zealand Annual General Meeting on Wednesday, 30 July 2003 and be authorised to cast Waitakere's votes at the meeting.
6. That a Councillor be nominated as the alternate presiding delegate for the purposes of the Local Government New Zealand Annual General Meeting.
7. That up to 2 other Councillors be nominated as the delegates for the purposes of the Local Government New Zealand Annual General Meeting.
8. That Council consider whether it wishes to send any remits to the Local Government New Zealand 2003 Annual General Meeting.

Report prepared by: Darryl Griffin, Manager: Democracy and Support Services.

HV O'Rourke  
**CHIEF EXECUTIVE**



**PART E - STANDING COMMITTEE REPORTS**

**19 FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON MONDAY, 10 MARCH 2003**

**1. WAITAKERE PLAYHOUSE THEATRE TRUST - CONSIDERATION OF REVOCATION OF PART OF RESOLUTION 2974/2001**

**Your Committee Recommends:**

That pursuant to Standing Order 27.18, clause (d) of resolution 2974/2001 which reads:

*“That the Trustees and the Project Manager continue to liaise with Council’s Engineer during the refurbishment period to ensure expenditure remains within the contract sum established and any technical contract issues identified are addressed to Council’s satisfaction.”*

be revoked.

**2. OTHER MATTERS CONSIDERED**

1-13  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 1 to 13 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of the Finance and Operational Performance Committee held on Monday, 10 March 2003 be received.

JM Clews, QSO, JP  
**CHAIRPERSON**



20 **ENVIRONMENTAL MANAGEMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS ORDINARY MEETING HELD ON TUESDAY, 11 MARCH 2003**

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1. **DRAFT WASTE MANAGEMENT PLAN**

**Your Committee Recommends:**

That the draft Waste Management Plan be consulted through the Long-Term Council Community Plan process.

2. **DOG REGISTRATION FEES - 2003/2004**

**Your Committee Recommends:**

1. That all dog owners who book to sit the Dog Owner Licence test prior to the penalty date of 1st August 2003 pay the reduced fee within a week of passing the test; or pay the fee which they would have otherwise paid within a week of failing the test, otherwise the late fee applies to whatever category each dog falls into.
2. That for all newly acquired dogs (providing the owners have not been served an infringement notice), a reduced pro-rata fee based on the months of the year be applicable.
3. That where an adult dog is impounded and unregistered, or for which the owner is served an infringement notice, the full registration fee including the penalty be applied.

3. **ENERGY-WISE COUNCILS FORUM**

**Your Committee Recommends:**

That Councillor Lawley attend the Energy-Wise Councils Forum in Kaikoura during 27 and 28 March 2003.

4. **CONFERENCE - DEVELOPING AND IMPLEMENTING EFFECTIVE WASTE MANAGEMENT STRATEGIES AND PRACTICES**

**Your Committee Recommends:**

That Councillor Yates attend the conference entitled 'Developing and Implementing Effective Waste Management Strategies and Practices' in Auckland on 25 and 26 March 2003.

**5. OTHER MATTERS CONSIDERED**

14-23  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 14 to 23 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Ordinary Meeting of the Environmental Management Committee held on Tuesday, 11 March 2003 be received.

PA Hulse  
**CHAIRPERSON**



**21 CITY DEVELOPMENT COMMITTEE**

**YOUR COMMITTEE SUBMITS THE FOLLOWING REPORT OF ITS SPECIAL MEETING HELD ON TUESDAY, 18 FEBRUARY 2003, THE RECONVENED MEETING HELD ON WEDNESDAY, 26 FEBRUARY 2003 AND THE ORDINARY MEETING HELD ON THURSDAY, 6 MARCH 2003**

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**MATTERS CONSIDERED**

24-57  
Part E

Your Committee dealt with a number of items for which it has delegated powers to act and a copy of the minutes of the meeting is attached at pages 24 to 57 in the supplement labelled Part E.

**Your Committee Recommends:**

That the report of the Special Meeting held on Tuesday, 18 February 2003, the Reconvened Meeting held on Wednesday, 26 February 2003 and the Ordinary Meeting of the City Development Committee held on Thursday, 6 March 2003 be received.

CA Stone  
**CHAIRPERSON**



**PART F - PRESENTATIONS**

The signing of an agreement and a presentation will take place at 7.30 pm.

**22 SIGNING OF RANUI ACTION PLAN STAGE TWO AGREEMENT**

The signatories of the Ranui Action Plan Stage Two Agreement will be Mayor Bob Harvey on behalf of Council; Kaylene Parr, Chairperson, Ranui Action Project, and Alan Newman, Northern Region Manager, Department of Child Youth and Family. Diane Jennings, Project Manager: Ranui Action Project, will be in attendance.



**23 WAITAKERE HOSPITAL UPGRADE**

Ms Rachel Haggerty will be present to update the Council on the progress of the Waitakere Hospital upgrade.



**PART G - PROCEDURAL MATTERS**

**24 QUESTIONS**

Pursuant to Standing Order 39.2, any member of the local authority may at any ordinary meeting of the local authority at the appointed time, put a question to the Mayor as Chairperson of the local authority, or through the Mayor to the Chairperson of any standing or special committee, or to any officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.



**25 NOTICES OF MOTION**

Notices of motion shall be in writing by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive at least five clear days before such meeting.



**26 CLOSING PRAYER**



# **Auckland Region Civil Defence Emergency Management Group**

**Establishment Agreement, Functions and Powers**

**AUCKLAND CITY COUNCIL**

**AUCKLAND REGIONAL COUNCIL**

**FRANKLIN DISTRICT COUNCIL**

**MANUKAU CITY COUNCIL**

**NORTH SHORE CITY COUNCIL**

**PAPAKURA DISTRICT COUNCIL**

**RODNEY DISTRICT COUNCIL**

**WAITAKERE CITY COUNCIL**

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# **AUCKLAND REGION CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP - ESTABLISHMENT AGREEMENT, FUNCTION AND POWERS**

## **1 PARTIES**

Each of the following local authorities is a party to this agreement and member of the Auckland Region Civil Defence Emergency Management Group:

Auckland City Council  
Auckland Regional Council  
Franklin District Council  
Manukau City Council  
North Shore City Council  
Papakura District Council  
Rodney District Council  
Waitakere City Council

## **2 DEFINITIONS**

In this agreement:

- 2.1 "Act" means the Civil Defence Emergency Management Act 2002.
- 2.2 "Auckland Region" means the Auckland Region as defined in the Local Government (Auckland Region) Reorganisation Order 1989.
- 2.3 "Co-ordinating Executive Group" means the Co-ordinating Executive Group to be established under clause 23 of this agreement and Section 20 of the Act.
- 2.4 "Emergency Management Office" means Emergency Management Office to be established under clause 22 of this agreement.
- 2.5 "Group" means the Auckland Region Civil Defence Emergency Management Group.
- 2.6 "Group Controller" means a person appointed under clause 13 of this agreement and Section 26 of the Act as a group controller.
- 2.7 "Member" means a Local Authority that is a member of the Group or any civil defence emergency management group, as the context may require.
- 2.8 "Party" means a party to this agreement.
- 2.9 "Response Zone" means one of three response zones defined in the Auckland Region Civil Defence Emergency Management Group, being the "Central Response Zone" (comprising the Auckland City), the "North-West Response Zone" (comprising North Shore City, Rodney District and Waitakere City) and the Counties - Manukau Response Zone (comprising Manukau City, Papakura District and Franklin District).

### **3 TERM OF AGREEMENT**

- 3.1 This agreement shall commence once all the parties to this agreement have executed this agreement under common seal.
- 3.2 This agreement shall expire on the date on which the Act is repealed or on any other date specified in an enactment.

### **4 PURPOSE OF AGREEMENT**

- 4.1 The purposes of this agreement are to:
- (a) provide for the establishment of the Group in fulfilment of the parties' obligations under section 12 of the Act; and
  - (b) set out the functions, powers, and duties of the Group and members; and
  - (c) provide for the administrative arrangements of the Group.

### **5 PURPOSES OF THE ACT**

- 5.1 The purposes of the Act to which the Group is to have regard are to:
- (a) improve and promote the sustainable management of hazards (as that term is defined in the Act) in a way that contributes to the social, economic, cultural, and environmental well-being and safety of the public and also to the protection of property; and
  - (b) encourage and enable communities to achieve acceptable levels of risk (as that term is defined in the Act), including, without limitation,
    - (i) identifying, assessing, and managing risks; and
    - (ii) consulting and communicating about risks; and
    - (iii) identifying and implementing cost-effective risk reduction; and
    - (iv) monitoring and reviewing the process; and
  - (c) provide for planning and preparation for emergencies and for response and recovery in the event of an emergency; and
  - (d) require local authorities to co-ordinate, through regional groups, planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness, response, and recovery, and encourage co-operation and joint action within those regional groups; and

- (e) provide a basis for the integration of national and local civil defence emergency management planning and activity through the alignment of local planning with a national strategy and national plan; and
- (f) encourage the co-ordination of emergency management, planning, and activities related to civil defence emergency management across the wide range of agencies and organisations preventing or managing emergencies under the Act and the other Acts listed in clause 10 of this agreement.

## **6 ESTABLISHMENT AND MEMBERSHIP OF THE GROUP**

- 6.1 Pursuant to section 12 of the Act, and section 114S of the Local Government Act 1974, the parties, each having so resolved in accordance with Section 114S of the Local Government Act 1974, hereby establish the Auckland Region Civil Defence Emergency Management Group as a joint Standing Committee.
- 6.2 Franklin District Council, whose district is in the area of both the Auckland Regional Council and the Waikato Regional Council, has chosen to become a member of the Auckland Region Civil Defence Emergency Management Group. This choice is irrevocable under section 14(3) of the Act.
- 6.3 Under section 13(1) of the Act every party to this agreement must be a member of the Group.
- 6.4 The members of the Group will be the Auckland Regional Council and the following territorial local authorities: Auckland City Council, Franklin District Council, Manukau City Council, North Shore City Council, Papakura District Council, Rodney District Council, Waitakere City Council. Each member is to be represented on the Group by one person only, being an elected representative appointed by that local authority in accordance with Section 15(4) of the Act.
- 6.5 Each member shall also appoint an alternate representative to act in the absence of the representative appointed under 6.4 above. An alternate representative must be an elected person from that territorial authority or regional council under section 13(4) of the Act.
- 6.6 Under section 114S(4) of the Local Government Act 1974 the powers to discharge any representative on the Group and appoint his or her replacement shall be exercisable only by the member that appointed the representative being discharged.
- 6.7 The members of the Group wish to provide for other organisations and agencies involved in or contributing to Civil Defence Emergency Management in the Auckland Region to be able to be represented on the Group in an observer capacity. Observers are to be represented by one representative who shall be appointed by the observer organisation and shall be accorded speaking rights at meetings (but not voting rights). The Group may extend observer status to any organisations and agencies as it sees fit.

## **7 REPRESENTATIVES TO HAVE FULL DELEGATED AUTHORITY**

- 7.1 Each member agrees to confer full delegated authority on its representative and alternate representative on the Group to exercise the functions, powers, and duties of members under the Act.
- 7.2 At meetings of the Group each member's representative is to have full authority to vote and make decisions on behalf of that member without further recourse to that member except in relation to the ability to commit the member in terms of funding of Group activities unless specifically authorised to do so by resolution of that member.
- 7.3 For the avoidance of doubt, the Group is unable to bind members in terms of funding group activities. Such decisions remain the responsibility of each local authority through their respective Annual Plan processes.

## **8 MEMBERSHIP IN EVENT OF LOCAL GOVERNMENT REORGANISATIONS**

- 8.1 If a local government reorganisation-
- (a) creates new regional councils or unitary authorities; or
  - (b) redraws boundaries between regional councils or unitary authorities, or between regional councils and unitary authorities; or
  - (c) extends the area of a territorial authority into the area of another regional council or unitary authority,
- in a way that affects any party, then that party shall comply with section 22 of the Act.

## **9 REQUIREMENT TO MAINTAIN THE GROUP**

- 9.1 In accordance with section 12(2) of the Act, section 114P(5) of the Local Government Act 1974 must not be read as permitting any member to discharge or reconstitute the Group.
- 9.2 Upon members' representatives on the Group being discharged under section 114R(3) of the Local Government Act 1974, members shall as soon as practicable re-appoint representatives to the Group with the same delegated functions, duties and powers as their predecessors.

## 10 FUNCTIONS OF THE GROUP

- 10.1 As set out in Section 17(1) the functions of the Group, and of a member of the Group, are to-
- (a) in relation to relevant hazards and risks,-
    - (i) identify, assess, and manage those hazards and risks; and
    - (ii) consult and communicate about risks; and
    - (iii) identify and implement cost-effective risk reduction:
  - (b) take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management in the Auckland Region; and
  - (c) take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information, and any other resources for effective civil defence emergency management in the Auckland Region; and
  - (d) take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, capability to respond to and manage the adverse effects of emergencies in the Auckland Region; and
  - (e) take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of capability to carry out recovery activities; and
  - (f) when requested, assist other civil defence emergency management groups in the implementation of civil defence emergency management in their areas (having regard to the competing civil defence emergency management demands within the Auckland Region and any other requests for assistance from other civil defence emergency management groups); and
  - (g) within the Auckland Region, take steps to promote and raise public awareness of, and compliance with, the Act and legislative provisions relevant to the purpose of the Act; and
  - (h) monitor and report on compliance within the Auckland Region with the Act and legislative provisions relevant to the purpose of the Act; and
  - (i) develop, approve, implement, and monitor the Auckland Civil Defence Emergency Management Group plan and regularly review the plan; and
  - (j) participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan; and

- (k) promote civil defence emergency management in the Auckland Region that is consistent with the purpose of the Act.
- 10.2 The Group also has any other functions that are conferred or imposed by or under the Act or any other enactment.
- 10.3 For the purposes of clause 10.1(g) and (h) of this agreement, legislative provisions relevant to the purpose of the Act include, but are not limited to, the provisions in the following Acts that may be relevant to civil defence emergency management:
- (a) Biosecurity Act 1993; and
  - (b) Building Act 1991; and
  - (c) Fire Service Act 1975; and
  - (d) Forest and Rural Fires Act 1977; and
  - (e) Hazardous Substances and New Organisms Act 1996; and
  - (f) Health Act 1956; and
  - (g) Health and Safety in Employment Act 1992; and
  - (h) Local Government Act 1974; and
  - (i) Maritime Transport Act 1994; and
  - (j) Resource Management Act 1991; and
  - (k) any enactment passed in substitution for any of the Acts in paragraphs (a) to (j).

## **11 POWERS OF THE GROUP**

- 11.1 As set out in Section 18(1) of the Act, the Group has all the powers that are reasonably necessary or expedient to enable it to perform its functions, including the power to delegate any of its functions (as set out in 10 above) to members, the Group Controller, or any other person.
- 11.2 Without limiting the generality of clause 15.1 of this agreement, the Group may-
- (a) recruit and train volunteers for civil defence emergency management tasks; and
  - (b) conduct civil defence emergency management training exercises, practices, and rehearsals; and
  - (c) issue and control the use of signs, badges, insignia, and identification passes authorised under the Act, regulations made under the Act, or its civil defence emergency management plan; and
  - (d) provide, maintain, control, and operate warning systems; and
  - (e) provide communications, equipment, accommodation, and facilities for the exercise of its functions and powers during an emergency; and
  - (f) exercise any other powers that are necessary to give effect to its civil defence emergency management plan.

## **12 DUTY TO APPOINT PERSON WHO MAY DECLARE STATE OF LOCAL EMERGENCY**

- 12.1 In accordance with section 25 of the Act, the Group must appoint at least one elected representative of a member of the Group as a person authorised to declare a state of local emergency for the Auckland Region.
- 12.2 It is the intention of the Group to nominate additional members authorised to declare a state of local emergency for the Auckland Region to act, in sequence, in the absence of other named person.
- 12.3 In accordance with section 25(5) of the Act, the Mayor of a territorial authority or an elected member of the territorial authority designated to act on behalf of the Mayor or if the Mayor is absent, may declare a state of local emergency that covers the district of that territorial authority.

### **13 APPOINTMENT OF GROUP CONTROLLER**

- 13.1 In accordance with section 26 of the Act, the Group shall appoint either by name or by reference to the holder of an office:
- (a) a suitably qualified and experienced person to be the Group Controller for the Auckland Region; and
  - (b) a number of suitably qualified and experienced persons to exercise the functions, powers and duties of the Group Controller in the event of a vacancy in the office of Group Controller, or an absence from duty of the Group Controller.
- 13.2 A person appointed under clause 13.1 of this agreement shall have the functions set out in section 28 of the Act.

### **14 APPOINTMENT OF LOCAL CONTROLLERS**

- 14.1 In accordance with section 27 of the Act, the Group may appoint one or more persons to be a Local Controller.
- 14.2 It is the intention of the Group that, unless a territorial authority or response zone indicates otherwise, Local Controllers be appointed for each territorial authority in the Group.
- 14.3 Where all the territorial authorities in a response zone agree, a local controller or controllers may be appointed to a response zone.
- 14.4 Further, it is agreed by members that the number of Local Controllers to be appointed for each territorial authority or response zone (as the case may be), and the actual persons to be appointed, shall be appointed by the group on the recommendation of the particular territorial authority or response zone, provided that such a recommendation is forthcoming within three months of the adoption of this agreement, and subsequently within three months of any position of Local Controller becoming vacant. If a recommendation is not forthcoming within the three month period outlined above, the Group may appoint a suitably qualified and experienced person or persons as it sees fit.

### **15 DUTY TO PREPARE, APPROVE AND REVIEW CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP PLAN**

- 15.1 The Group must prepare, approve and review a civil defence emergency management group plan in accordance with the Act.

## 16 RESPONSIBILITIES OF MEMBERS

16.1 Each member of the Group will:

- (a) appoint one elected representative each to the Group in accordance with clause 6.4 of this agreement; and
- (b) appoint one elected representative each as an alternate to the elected representative appointed under 16.1(a) above; and
- (c) appoint its chief executive officer or a senior manager to the Coordinating Executive Group (CEG); and
- (d) appoint a senior manager as an alternate representative to the representatives appointed under 16.1(c); and
- (e) participate in the preparation of and agree to the civil defence emergency management group plan for the Auckland Region; and
- (f) contribute technical expertise and resources to maintain an effective group and local level response capability; and
- (g) provide to the Group the information or reports that may be required by the Group for emergency management purposes.

16.2 Each territorial authority member of the Group will be responsible for the reduction, readiness, response and recovery arrangements required of it under the Act, the civil defence emergency management group plan and or otherwise agreed by the Group, to the standards agreed by the Group.

## 17 POWERS OF MEMBERS

17.1 Each member of the Group may:

- (a) acquire, hold, and dispose of real or personal property for the use of the Group; and
- (b) remunerate its representative or alternate representative on the Group for the cost of that person's participation in the Group; and
- (c) exercise any powers or functions conferred on a member under the Act.
- (d) employ staff on behalf of the Group, if so agreed by the Group.

## **18 MEETINGS**

- 18.1 The New Zealand Standard for model standing orders (NZS 9202: 2001), or any New Zealand Standard substituted for that standard, will be used to conduct Group meetings as if the Group were a local authority and the principal administrative officer of the administering authority were its principal administrative officer. Representatives of members of the Group may agree to amend these Standing Orders or use other standing orders only in accordance with section 19(1) of the Act.
- 18.2 The Group shall hold all meetings at such times and place(s) as agreed for the performance of the functions, duties and powers delegated under this agreement.
- 18.3 The quorum shall consist of five (5) members.
- 18.4 Each member has one vote.

## **19 CHAIRPERSON AND DEPUTY CHAIRPERSON**

- 19.1 On the constitution or reconstitution of the Group members shall elect a Group Chairperson and Deputy Chairperson;
- 19.2 The Group's Chairperson and Deputy Chairperson will hold office for a term from the date of establishment of the Group under this document until the first meeting of the Group following the 2004 Local Government Triennial Election. The normal term for the office of Chairperson and Deputy Chairperson shall be three years, being from the first meeting of the Group following the Local Government Triennial Election until the first meeting of the Group following the subsequent Local Government Election. The term of office of an appointed chairperson or deputy chairperson ends if that person ceases to be a representative of a member of the Group.

## **20 CASTING VOTE**

- 20.1 The Chairperson shall have a deliberative vote and a casting vote in the event of an equality of deliberative votes on any issue.
- 20.2 As general statements of principle, the following shall apply:
- (a) the casting vote is to be used in the best interests of the Auckland Region represented by members considered together; and
  - (b) the casting vote is to be used in the best interests of all members considered together.
- 20.3 Members shall use their best endeavours to avoid use of a casting vote by obtaining consensus.
- 20.4 The casting vote shall not be used unreasonably in favour of one member.

## **21 ADMINISTERING AUTHORITY**

- 21.1 Under the section 23 of the Act the administering authority for the Group is the Auckland Regional Council.
- 21.2 Under section 24(2) of the Act the administrative and related services referred to in clause 21.1 of this agreement include services required for the purposes of the Local Government Act 1974, the Act, or any other Act, regulation, or bylaw that applies to the conduct of the joint standing committee under section 114S of the Local Government Act 1974.
- 21.3 The costs for the provision of administrative and related services that may be required of the administering authority under section 24 of the Act are to be met by members of the Group in accordance with the funding formula to be agreed under clause 24.3 below.

## **22 EMERGENCY MANAGEMENT OFFICE**

- 22.1 The Group agrees that the Auckland Regional Council will establish and manage on behalf of the Group, an Emergency Management Office. This may be reviewed and changed by the Group from time to time.
- 22.2 The Emergency Management Office may carry out such functions as are assigned to it by the Group.
- 22.3 The Auckland Regional Council will employ staff for the Emergency Management Office as authorised by the Group and to manage the office's expenditure in accordance with the principles of the Local Government Act 1974 and amendments. The Office shall be established in such a manner so as to make costs of the office transparent to members and limited to those costs which relate to activities authorised by the Group.

## **23 CO-ORDINATING EXECUTIVE GROUP**

- 23.1 In accordance with section 20 of the Act the Group will establish and maintain a Co-ordinating Executive Group consisting of:
- (a) the chief executive officer of each member or a senior person acting on that person's behalf; and
  - (b) a senior representative of the police assigned for the purpose by the Commissioner of Police; and
  - (c) a senior representative of the fire service assigned for the purpose by the National Commander; and
  - (d) the chief executive of each of the district health boards operating in Auckland, or a person acting on their behalf;
  - (e) any other persons that may be co-opted by the Group.

23.2 The functions of the Co-ordinating Executive Group shall include:

- (a) providing advice to the Group and any committees or subcommittees of the Group; and
- (b) co-ordinating and overseeing as appropriate the implementation of decisions of the Group by the Emergency Management Office or by individual members; and
- (c) overseeing the implementation, development, maintenance, monitoring, and evaluation of the civil defence emergency management group plan.

## 24 FUNDING

- 24.1 Each territorial authority member of the Group will be responsible for funding the reduction, readiness, response and recovery arrangements required in its district.
- 24.2 The Group shall agree a budget and work programme every year. The budget shall be prepared by the Co-ordinating Executive Group and approved by the Group at a meeting conducted in accordance with clause 18 of this agreement. The Group will then consult with member authorities on the work programme and budgets, before finalising the budget and work programme.
- 24.3 The agreed Group budget will be met by the members of the Group via a funding formula to be agreed by the Group. The formula can be reviewed by a majority decision by the Group, notwithstanding the right of each Council to determine its funding contribution through its own annual plan process.
- 24.4 The budget and work programme shall be subject to approval by each member. For the avoidance of doubt, the Group is not able to compel members to fund aspects of the work programme.

## 25 ENTERING CONTRACTS

- 25.1 The parties agree that the Auckland Regional Council, or any other member operating the Emergency Management Office subsequent to the Auckland Regional Council, may exercise the functions, powers and duties of the Group in relation to contracts for the provision of any goods or services up to a value of \$150,000 (net of Goods and Services Tax) without further reference to the Group, provided that such goods and services are provided for in the adopted Group budget and work programme for that year. Any contract which is for greater than this amount or which is not provided for within the work programme and budget shall require approval by the Group by resolution prior to the Auckland Regional Council entering into that contract on behalf of the Group.
- 25.2 Contracts entered into by the Auckland Regional Council (or any other member entering into contracts on the Groups behalf) that are of more than \$50,000 in value (net of GST) shall be reported to the next meeting of the Group for information.
- 25.3 The Auckland Regional Council will enter into contracts under clause 25.1 in its own name rather than the name of all members of the Group, notwithstanding that the contract is for the purposes of performing the functions, powers and duties of the Group.
- 25.4 Any financial liability which the Auckland Regional Council assumes under a contract entered into under clause 25.1 is to be met from the Group budget.
- 25.5 The Auckland Regional Council will use its own procurement processes to enter into contracts under Clause 25.1, providing such processes comply with any statutory requirements relating to contracting by local government agencies.
- 25.6 Ownership of copyright in any reports or other work commissioned by the Auckland Regional Council under clause 25.1 shall vest in the members jointly.
- 25.7 During a state of emergency contracts may be entered into on behalf of the Group by the persons set out in section 90 (1) of the Act and in accordance with the provisions of section 90 of the Act.

## **26 ARBITRATION**

- 26.1 Any dispute arising out of the interpretation of this agreement, including any question regarding its existence, validity or termination, shall be referred to arbitration.
- 26.2 If the parties are unable to agree upon the appointment of a single arbitrator within five (5) working days of the receipt by the principal administrative officer of written notification of the desire of a party to have a dispute arbitrated, or if any arbitrator agreed upon refuses or fails to act within fourteen days of his or her appointment then any party may request the President for the time of the Auckland District Law Society to appoint an arbitrator and the arbitration shall be carried out in accordance with the Arbitration Act 1996.
- 26.3 In this clause time shall be of the essence and the parties agree to be bound by any decision, determination or award given pursuant to the provisions hereof.

## **27 GOOD FAITH**

- 27.1 In the event of any circumstances arising that were unforeseen by the parties at the time of entering into of this agreement the parties hereby record their intention that they will negotiate in good faith to add to or vary this agreement so to resolve the impact of those circumstances in the best interests of:
- (a) the members of the Group collectively ; and
  - (b) the Auckland Regional community represented by the members of the Group collectively.

## **28 VARIATIONS**

- 28.1 Any member may propose a variation, deletion or addition to this agreement by putting the wording of the proposed variation, deletion or addition to a meeting of the Group
- 28.2 Once a proposed variation, deletion or addition to this agreement has been put to the Group, this agreement is not amended until each member executes under common seal a written amendment to the agreement giving affect to the proposed variation, deletion or addition.

**EXECUTED** by the parties on the

day of

2003.

THE COMMON SEAL of the )  
AUCKLAND CITY COUNCIL )  
Was affixed in the presence of )

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\_\_\_\_\_

THE COMMON SEAL of the )  
AUCKLAND REGIONAL COUNCIL )  
Was affixed in the presence of )

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\_\_\_\_\_

THE COMMON SEAL of the )  
FRANKLIN DISTRICT COUNCIL )  
Was affixed in the presence of )

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THE COMMON SEAL of the )  
MANUKAU CITY COUNCIL )  
Was affixed in the presence of )

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THE COMMON SEAL of the )  
NORTH SHORE CITY COUNCIL )  
Was affixed in the presence of )

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THE COMMON SEAL of the )  
PAPAKURA DISTRICT COUNCIL )  
Was affixed in the presence of )

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THE COMMON SEAL of the )  
RODNEY DISTRICT COUNCIL )  
Was affixed in the presence of )

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THE COMMON SEAL of the )  
WAITAKERE CITY COUNCIL )  
Was affixed in the presence of )

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# CONFERENCE

Spencer On Byron  
9 – 17 Byron Avenue, Takapuna

**“Economic Development – Smart, Fast  
and Connected.”**

**1<sup>st</sup> – 4<sup>th</sup> April 2003**

## Programme

**Host Agency:**

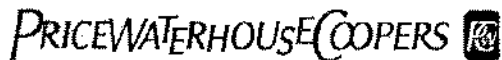


**Enterprise North Shore**  
The Economic Development Agency  
For North Shore City

**Supported By:**



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**RESEARCH  
SCIENCE &  
TECHNOLOGY**  
Tuapapa Rangahau Pitahao

**Media Partner – NBR**

**Sony NZ**

# EDANZ and the Nth Shore Enterprise Agency - “Fast, Smart and Connected”

## Bi-annual conference and professional development programme

### Tuesday, 1 April 2003

- 10:30 – 5:30 Cluster Workshop. This is a separate, free Industry New Zealand session open to everyone interested in cluster development. It is pitched at cluster facilitators, and EDA managers of cluster programmes who want to take their clusters further. It builds on last year's Palmerston North workshop. Register your interest by email with Alan Koziarski.  
([alan.koziarski@industrynz.govt.nz](mailto:alan.koziarski@industrynz.govt.nz))

### Wednesday, 2 April 2003

- 8:30 – 10:00 Cluster Managers/facilitators
- 10:30-12.00 **“EDA Programme”**
- EDANZ strategic focus and direction, -  
Work shopping the Issues
  - Caroline Saunders/ Paul Dalziel – Lincoln University, “The 12 key success factors in Economic Development”.
- 12:00 – 1:00 **New Members lunch hosted by the EDANZ Board**
- 1:00 – 2:45 **“The Year Ahead – Being Smart in Your Region”**  
**“Enhancing the Toolbox”**
- Managing the Skills Gap process – a case study around the role an EDA can play in taking this process forward.
  - Analysing businesses for growth
  - TechnologyNZ - SmartStart - a new initiative aimed at helping businesses to mitigate early stage barriers to tech. innovation.
- 2:45 – 3:00 **Afternoon tea**
- 3:00 – 5:30 **“Public/Private Partnerships”**  
- A joint presentation and workshop by PwC and Phillips Fox (Australia/NZ) of particular interest to Chief Executives, Economic Development Agencies, Mayors and Chief Executives of Local Authorities, Planners and Investors, and is limited to 80 places.
- 6:00 **Cocktail Party**

## Thursday, 3 April 2003

**Theme: Economic Development – Smart, Fast and Connected**

7:30 – 8:30 Sponsors Breakfast, with Keynote speakers in attendance

8:30 Mihi

9:00 **Welcome and Opening address – Hon Jim Anderton**  
Smart, Fast and Connected – “NZ Leading the World”

### **Theme - Leadership**

10:00 **Keynote Speaker:**  
Mark McCrindle, Director – The Australia Leadership Foundation  
“Engaging the Next Generation’s Workforce – the Challenges for Industry”

11:00 **Morning Tea**

11:30 **Theme - Skills to Die For:**  
Andrew West “What will NZ’s Industry Base and Skill needs look like in 2020?”

12:00 noon **Panel** – Mark McCrindle – “How do you train them!!”  
**Panel**– TEC – Max Kerr, “How EDA’s can lead from the front”  
**Panel** – INSTEP – an interactive programme where the Bay of Plenty  
“workforce and business owners of the future” come together to  
positively impact on student’s attitudes and career choices.

1:00 **Lunch**

2:00 **Theme: Innovation**

### **Keynote Speaker:**

Rosemary Howard – CEO, Telstra Clear – Leading Innovation.

2:30 **Workshop** – Peter Lennox (IndustryNZ) – “Building on Biotech”

**Workshop** – Peter Biggs (Clemenger BBDO) – Creativity and  
Innovation

**Workshop** – Mike Franklin (CEO Babcocks) - an Innovative approach  
to the Boatbuilding Industry (to be confirmed)

3:30 **Afternoon Tea**

4:00 **Adrian Orr – Capital Productivity and the barriers for Innovation**

7:00 pm **Conference Dinner and Entertainment**

## Friday 4 April

### **Innovation contd.**

#### ***Keynote Speaker:***

8:30 – 9:15 Emily Loughlan – (Clicksuite) – an Innovative Story

9:30 – 11:00 ***Workshop:*** Simon Barnett – Managing Director, OBO, Palmerston North – “Building niche markets”

***Workshop:*** Dr Kannan Subramaniam – Senior Vice President for Intrahealth, “Developing a product for export, raising capital and creating an offshore market.

***Workshop:*** “What will NZ look like in 2020” – a think tank with Felicity Bollen (Professional Services Manager, (Positively Wellington Business)and John Robertson (Futures Trust).

11:00 **Morning Tea**

11:30 ***Keynote Speaker***

Rod Oram – “Being Fast Smart and Connected – the Challenge for EDA’s.”

Workshop 4 Contd.

12:30 **Lunch**

1:30 **EDA Focus Groups**

2:30 **Conference Wind-up**

**Cluster Training**

for Cluster Facilitators and Managers with IndustryNZ



**2<sup>nd</sup> April**

**Professional Development**

for all Economic Development practitioners including the Chairs of Council Economic Development committees, Chief Executives and Council Planners. This will include a two and a half hour workshop with experienced personnel from Phillips Fox and PricewaterhouseCoopers around Private/Public Sector partnerships as well as “snapshots” of the quarterly training opportunities that will be available to you during the year.

Five further half hour presentations will focus on building the capability of staff in EDA’s around business assessment tools and will include two research proposals that will add value to the work that EDA’s are doing regionally.



**3<sup>rd</sup>/4<sup>th</sup> April**

**“Economic Development – Fast, Smart and Connected”**

The EDANZ conference proper, focussing around the themes of Leadership, “Skills to die for”, Innovation and “Infrastructures to take on the World”. Each of these themes will have a keynote speaker with follow-on workshops.

Mark McCrindle from the Australian Leadership Foundation will introduce the Conference around the theme “Engaging the Next Generation’s Workforce – the Challenges for Industry” and will focus on the characteristics of the Generation X’s and Y’s and how best to engage them in the workforce. Mark will pick up on this theme again in the Skills section and focus on the challenges for EDA’s in engaging with employers and local tertiary institutions.

**Where:** Spencer on Byron in Takapuna.

It is recognised that different parts of this 4 day programme will appeal to different audiences within, and/or associated with your organisation, and you may wish to involve staff at different times.

Registration forms and conference information is on the EDANZ website at [www.edanz.org.nz](http://www.edanz.org.nz)

The Conference itself is being hosted by Enterprise North Shore, and will be a “showcase” conference for EDANZ.

**September/ October 2003**

The Ministry of Economic Development will hold a Regional Economic Development Conference late in 2003. The Board has agreed in principle to a joint EDANZ/MED conference in Timaru (date to be confirmed). We will work with the Ministry to ensure that the conference’s first day is focused on EDA and EDANZ issues before widening its scope.

**Around and about the members:**

A number of new faces have joined EDANZ in the past months, and we welcome the following:

## **Remits**

### **Introduction**

We now invite member authorities wishing to submit proposed remits to do so, no later than **Wednesday 29 May 2002**. This is to ensure that we comply with Rule G3 of the Constitution, ie that remits are forwarded to the Chief Executive not less than two months before the date of the AGM. It is important to note that this year, the meeting dates for Zones have been scheduled to allow, and indeed encourage, members to raise issues of importance through the Zone meetings and then the National Council meetings rather than the AGM. We therefore encourage you to consider before submitting a remit, whether or not the issue could be better and more immediately dealt with through the Zone/National Council process.

Proposed remits should be sent on the *attached* form, or presented to include all the required information, to Suzanne Howard, Internal Governance Coordinator.

### **Remits Policy**

The primary route for members to propose areas of work for national action on legislative or policy matters is now well established as being through the process of developing the annual Work Programme. In addition, as mentioned above, members have zone meetings available to them throughout the year as a means of picking up particular problem issues as they arise and proposing action. Proposed remits, other than those relating to the internal governance and constitution of *Local Government New Zealand*, should address only major strategic "issues of moment". They should have a national focus and represent the national voice of local government articulating a major interest or concern at the national political level.

The criteria for considering remits, were reviewed in March 1999 and National Council adopted the following Remits Screening Policy:

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group (or an individual council).
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.
3. Remits must have formal support from at least one zone or sector group meeting, or five Councils, prior to their being submitted, in order for the proposer to assess support, clarity of the proposal etc.
4. Remits defeated at the AGM in two successive years will not be permitted to go forward.
5. Remits will be assessed to determine whether the matters raised can be actioned by alternative, *and equally valid*, means to achieve the desired outcome.
6. Remits that deal with issues or matters currently being actioned by *Local Government New Zealand* may also be declined on the grounds that the matters raised are "in-hand". This does not include remits that deal with the same issue but from a different point of view.
7. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should show:
  - the nature of the issue
  - the background to its being raised
  - the issue's relationship, if any, to the current Work Programme and its objectives
  - the level of work, if any, already undertaken on the issue by the proposer, and outcomes to date
  - the outcomes of any zone or sector meetings which have discussed the issue
  - suggested actions that could be taken by *Local Government New Zealand* should the remit be adopted.

## **Process**

We are shortly to commence the remits process. Under this:

- a remits committee (comprising the President, Vice Presidents and Chief Executive) is to be formed to review and assess proposed remits against the criteria described in this policy
- to allow time for the remits committee to properly assess remits, all proposed remits and accompanying information are forwarded to *Local Government New Zealand* within two months prior to the AGM, ie, no later than Wednesday 29 May 2002
- prior to their assessment meeting, the remits committee will receive a staff report on each remit. The reports will assess each remit against the criteria outlined in this policy
- proposers whose remits fail to meet the tests imposed by this policy will be informed prior to the AGM of the Committee's decision, alternative actions available, and the reasons behind the decision.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after 29 May 2002.

## **General**

Remits discussed at the AGM will be presented in the AGM Business Papers that will be with delegates not later than 2 weeks before 31 July 2002, as required by the Rules.