

Terms of Reference
Auckland Council
Auckland City Centre Advisory Board
2019 - 2022

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Terms of Reference

The terms of reference sets out the purpose, role and protocols of the Auckland Council Auckland City Centre Advisory Board for the 2019-2022 term of the council. Board members must abide by the Code of Conduct for members of Auckland Council advisory boards (Appendix A).

Purpose

The board advises Auckland Council on the alignment of the city centre targeted rate investment portfolio to the needs of the city centre, provides advice on council's strategies, policies, plans, bylaws and programmes in relation to city centre development, as well as key issues and opportunities to support city centre outcomes.

Auckland Council includes:

- the governing body and its relevant committees
- Waitemata Local Board
- the wider council group.

Outcome

The Auckland City Centre Advisory Board will contribute to growing and consolidating the city centre's international reputation as:

- one of the largest generators of Gross Domestic Product (GDP) in New Zealand
- a high quality living urban environment
- one of the most popular destinations for Aucklanders and visitors to the region
- a world class centre for education, research, innovation and development.

Role of the Auckland City Centre Advisory Board

The role of the Auckland City Centre Advisory Board is to:

- advise on council strategies and plans that impact on Auckland city centre
- advise on the priorities of the City Centre Targeted Rate investment portfolio
- recommend any proposed changes to the Auckland City Centre Targeted Rate policy.
- advise on issues and opportunities to support city centre outcomes and its success
- as appropriate, members may participate on behalf of the board, as part of stakeholder reference groups to provide feedback to city centre projects and initiatives
- work with the council group staff to achieve shared outcomes for the city centre.

Membership

The board will include the following sectors:

<u>City Stakeholders</u>	<u>Representatives</u>
Corporate sector including financial and other professional services	3
Design (NZ Institute of Architects)	1
Tourism and travel sector	1
Business associations (Heart of the City and Karangahape Road Business Association)	2
Retail sector	1
Tertiary education (one from each of the University of Auckland and Auckland University of Technology)	2
Ngati Whatua representative	1
Additional Māori representative	1
Residents association/organisation	2
Property Council New Zealand	1
Arts and culture nominated by the Advisory Panel for Art in Public Places	1
Transport sector	1
His Worship Mayor Phil Goff (and Chair of an appropriate committee as an alternate)	1
Waitematā and Gulf Ward Councillor	1
Waitematā Local Board Member	1
Total number	20

The board will have between 15 and 21 members at all time including three elected members.

The board must have at least two members with lived experience in Te Ao Māori and knowledge of the contemporary issues facing the Auckland city centre.

The board will have one member from the City Centre Resident Group and one member from another residents' association in the Auckland city centre.

The Waitematā Local Board will select its representative to the Auckland City Centre Advisory Board.

The board's term ends one month prior to the next local government elections in 2022. The council will review the membership of the board before or after the end of the current term.

The membership of a board member will lapse if one or more of the disqualifying matters set out in Appendix B applies to the board member.

If a member fails to attend a significant number of meetings, breaches the code of conduct or otherwise underperforms in his/her duty as a member, the chair must raise the issue of expectations about performance with the member and, if necessary, with the lead officer. If under-performance continues, the chair can recommend to the Mayor that the member be removed from the board.

Selection process

The Mayor invites members of the city centre community to participate on the board having considered their:

- association with an Auckland city centre group or organisation
- ability to provide expert advice on Auckland city centre issues
- understanding of Auckland city centre issues
- commitment to the board.

All board members are representatives of sector groups or organisations and have a city centre focus. Board members may send a proxy if they are unavailable to attend a meeting.

Qualification of members is set out in Appendix B.

Resignation

When a member wishes to resign from the Auckland City Centre Advisory Board, the member is asked to:

- offer the chair written resignation by way of letter or email
- offer one month's notice so that a suitable replacement may be appointed.

The lead officer will then commence a process to assist the Mayor to select a replacement member in accordance with the criteria set out in these Terms of Reference.

Chair and Deputy Chair

The chair and deputy chair will be appointed by the Mayor.

The three elected members on the board are ineligible to be appointed as chair and deputy chair.

Meetings

The board will meet monthly, alternating between meetings and workshops, at a time deemed convenient to the majority of members.

Scheduled meetings are open to the public and any elected members of Auckland Council. Workshops are used for discussion between board members, governing body members and relevant council group staff.

Meetings will generally be of two hours duration unless an alternative duration is agreed beforehand.

Sub-groups may be formed to further advise on city centre issues, with board members taking responsibility for advising on particular projects or outcomes.

The resolutions in each meeting should clearly be shown in meeting minutes.

Quorum

The quorum required for the board meeting will be half the members if the number of members is even, and a majority if the number of members is odd.

Submissions

The board will advise on council strategies, policies and plans prior to any submission process, and will not make formal submissions to Auckland Council.

These terms of reference provide for the board to have its views incorporated into the development of Auckland Council proposals affecting the city centre. For this reason, the board is expected not to submit through parallel public consultation processes.

This does not prevent individual members being party to submissions outside their role as board members.

Engagement with Auckland Council

The Auckland City Centre Advisory Board may make recommendations to:

- governing body and its committees
- Waitematā Local Board
- Council Controlled Organisations including Auckland Transport, Panuku Development Auckland, the Regional Facilities Auckland and Auckland Tourism, Events and Economic Development

depending on which of these bodies has decision making authority over the matter(s) being reported on.

Where the board believes a direct communication needs to be provided to the council, its committees, or the chief executive, the chair should do so in writing and provide a copy of that communication for inclusion on the next agenda of the board.

Agendas

Board meeting agendas will be distributed three working days prior to the meeting date.

Meeting agendas will be set by the chair and/or the deputy chair in consultation with the lead officer.

A proposed agenda item may be submitted by a board member to the Governance Advisor 15 days prior to a board meeting. If the item is not accepted by the chair and/or deputy chair, the member will be advised of the reason prior to the agenda being circulated.

Minutes of the board meetings will be distributed to members and public no later than five working days after the board meeting.

Staff support

The Auckland City Centre Advisory Board is supported by the following council staff.

Lead Officer Support

The Lead Officer Support is the Auckland Council Development Programme Office General Manager who:

- facilitates development of the board's work programme
- follows up on meeting actions and resolutions
- acts as a conduit with relevant parts of the organisation for the board
- attends pre-meeting briefings with the chair if scheduled
- highlights potential issues and risks
- sits next to the chair in meetings to provide advice as appropriate
- ensures guidance and advice from the board is clearly captured
- provides subject matter expertise.

Deputy Lead Officer Support (if required)

The Deputy Lead Officer Support:

- supports the lead officer to develop the board's work programme
- updates board agendas and writes reports as necessary for board meetings
- performs delegated tasks from the Lead Officer Support.

Principal Advisor Panels

The Principal Advisor Panels:

- ensures appropriate processes and policies are in place for the board
- arranges the appointment process and induction of members.

Governance Advisor

The Governance Advisor:

- prepares for meeting agendas and schedule
- arranges board meetings
- takes meeting minutes and publishes them online
- acts as a first point of contact for board issues and refers inquiries or information to relevant council staff.

Additional support

To effectively deliver on the board's role of providing advice on Auckland city centre matters, representatives from the Auckland Council group are expected to attend whenever an item relevant to their operations is on the Board agenda for that meeting.

Resourcing

Auckland Council Democracy Services will support catering and administrative support for board meetings through the Governance Advisor.

Members will not be paid meeting fees as representatives of their respective organisations. However, the council will reimburse personal expenditure incurred in conducting board business, in line with the Auckland Council Expenses Policy.

Review

The form and functioning of the board may be reviewed prior to or after, the end of the year 2022.

Appendix A: Code of Conduct for members appointed to Auckland City Centre Advisory Board

1 Purpose

The Code of Conduct sets out expectations for the general conduct of members of Auckland City Centre Advisory Board of Auckland Council.

2 Principles

The principles underlying the expected conduct of members include:

2.1 Honesty and integrity

Members have a duty to act honestly and with integrity at all times.

2.2 Impartiality and accountability

Members should consider issues on their merits, taking into account the views of others. This means co-operating fully and honestly to ensure the best advice is provided to the council.

2.3 Openness

Members should be as open as possible about their actions and advice. This includes having an open mind and a willingness to listen to differing points of view. This means giving reasons for advice given; communicating clearly; not being close-minded and taking personal ownership of comments made publicly.

2.4 Respect

Members should treat others, including staff, with respect at all times. This means not using derogatory terms towards others, or about others, including in public-facing media; not misrepresenting the statements or actions of others (whether they be other individual members, the governing body, local boards, committees or staff); observing the rights of other people; treating people with courtesy, and recognising the different roles others play in local government decision-making.

2.5 Duty to uphold the law

Members should uphold the law and, on all occasions, act in accordance with the trust the public places in them.

2.6 Stewardship

Members should ensure that they and the council use resources prudently and for lawful purposes.

2.7 Leadership

Members should promote and support these principles by example.

3 Relationships

3.1 Chair

The chair is the presiding member at the meetings and is the spokesperson for the board.

3.2 All members

Members will conduct their dealings with each other in ways that:

- maintain public confidence in the board to which they have been appointed
- are open and honest
- focus on issues rather than personalities.

3.3 Employees of Auckland Council

Members will:

- recognise that employees of Auckland Council or any other organisation providing advice or services to the panels
- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- avoid publicly criticising any employee in any way
- raise concerns about an employee only through the employee's employer.

4 Media

4.1 Spokesperson

The chair is the first point of contact for the official view of the board on any issue. Where the chair is absent, any matters will be referred to the deputy chair when applicable.

No other member may comment on behalf of the board without having first obtained the approval of the chair.

4.2 Response to media enquiries

In the event that a board member receives a request for board comment directly from a journalist or media outlet, the member will forward the request immediately to the board chair. Board members must not respond directly to media without prior agreement.

Where a journalist or media outlet seeks an individual board member's views, the board member will:

- make clear that the views presented represent the personal views of the individual member
- ensure that information presented is consistent with information provided to the board
- maintain the integrity of the board and Auckland Council at all times.

4.3 Personal views

Members are free to express a personal view in public or in the media, at any time. When doing so, they should observe the following:

- comments must make clear that they represent a personal view and must not state or imply that they represent the views of the board
- where a member is making a statement that is contrary to a board policy, the member must not state or imply that his or her statements represent a majority view
- comments to the media must observe the other expectations of general conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.

5 Confidential information

If members receive information that is confidential they must ensure it remains confidential. Confidential information is normally deemed to be such because its public release will cause some harm, either to the council or to other parties.

6 Ethics

Members will:

- claim only for legitimate expenses
- not influence, or attempt to influence, any officer or employee to take actions that may benefit the member, or the member's family or business interests
- not use the resources of the board for personal business
- not solicit, demand, or request any gift, reward or benefit by virtue of the member's position.

7 Members' interests

Members act in the interests of the board and not in their own interests.

Members must declare any private interests or personal benefits relating to their public duties and take steps to resolve any conflicts of interest in such a way that protects the public interest. This means fully disclosing actual or potential conflicts of interest; avoiding any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

8 Complaints

A complaint about a member's conduct will be made to the chair of the board in the first instance, who will counsel the member concerned. Alternatively, concerns about the conduct of any member or chairperson may be raised with the Lead Officer Support, who will give advice on options available to resolve the concerns.

Appendix B: Qualifications of Members

To be a member of the Board, a person must

- a. be a natural person, and
- b. consent to being appointed to the board, and
- c. not be disqualified under sub clause (2).

The following persons are disqualified from being members:

- a. a person who is an undischarged bankrupt
- b. a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Securities Act 1978, or the Securities Markets Act 1988, or the Takeovers Act 1993
- c. a person who is subject to a property order under the Protection of Personal and Property Rights Act 1988
- d. a person in respect of whom a personal order has been made under that Act that reflects adversely on the person's
 - i. competence to manage his or her own affairs in relation to his or her property; or
 - ii. capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care and welfare
- e. a person who has been convicted of an offence punishable by imprisonment for a term of two years or more, or who has been sentenced to imprisonment for any other offence
- f. a current member of Parliament
- g. a person who is disqualified under another Act.