I hereby give notice that an ordinary meeting of the Emergency Committee will be held on:

**Date:** Thursday, 7 May 2020  
**Time:** 10.00am  
**Meeting Room:** These meetings will be held remotely and can be viewed on the Auckland Council website  
**Venue:** [https://councillive.aucklandcouncil.govt.nz/](https://councillive.aucklandcouncil.govt.nz/)

---

**Te Kāhui Ngārahu / Emergency Committee**  
**OPEN AGENDA**

---

**MEMBERSHIP**  
**Mayor**  
Hon Phil Goff, CNZM, JP  
**Deputy Mayor**  
Deputy Mayor Cr Bill Cashmore  
**Councillors**  
Cr Josephine Bartley  
Cr Dr Cathy Casey  
Cr Fa'anana Efeso Collins  
Cr Pippa Coom  
Cr Linda Cooper, JP  
Cr Angela Dalton  
Cr Chris Darby  
Cr Alf Filipaina  
Cr Christine Fletcher, QSO  
Cr Shane Henderson  
Cr Richard Hills  
Cr Tracy Mulholland  
Cr Daniel Newman, JP  
Cr Greg Sayers  
Cr Desley Simpson, JP  
Cr Sharon Stewart, QSM  
IMSB Chair David Taipari  
Cr Wayne Walker  
Cr John Watson  
Cr Paul Young  
IMSB Member TBC

(Quorum 2 members)

**Sarndra O'Toole**  
Kaiarataki Kapa Tohutohu Mana Whakahaere / Team Leader Governance Advisors  
4 May 2020

Contact Telephone: +64 9 890 8152  
Email sarndra.otoole@aucklandcouncil.govt.nz  
Website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

---

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

Responsibilities

This committee is an ad-hoc committee of the whole of the Governing Body which is established in times of emergency. It will assume the functions and power of all governing body committees (and sub-committees), except for the Audit and Risk Committee, and its responsibilities include all the responsibilities of the Governing Body which can legally be delegated as well as the responsibilities of all the committees it assume the functions and power for.

Powers

(i) All the powers of the Governing Body which can legally be delegated, except those of the Audit and Risk Committee.
Exclusion of the public – who needs to leave the meeting

Members of the public

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

Those who are not members of the public

General principles

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

Members of the meeting

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

Independent Māori Statutory Board

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

Staff

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

Local Board members

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

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.
<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Apologies</td>
<td>7</td>
</tr>
<tr>
<td>2</td>
<td>Declaration of Interest</td>
<td>7</td>
</tr>
<tr>
<td>3</td>
<td>Confirmation of Minutes</td>
<td>7</td>
</tr>
<tr>
<td>4</td>
<td>Petitions</td>
<td>7</td>
</tr>
<tr>
<td>5</td>
<td>Public Input</td>
<td>7</td>
</tr>
<tr>
<td>6</td>
<td>Local Board Input</td>
<td>7</td>
</tr>
<tr>
<td>7</td>
<td>Extraordinary Business</td>
<td>7</td>
</tr>
<tr>
<td>8</td>
<td>COVID-19 briefing and Auckland Emergency Management status update</td>
<td>8</td>
</tr>
<tr>
<td>9</td>
<td>Auckland Unitary Plan (Operative in Part) – Request to make Plan Change 17, Improving consistency of provisions in the GIS Viewer, operative</td>
<td>9</td>
</tr>
<tr>
<td>10</td>
<td>Joint Auckland Council and Auckland Transport bids for the Waka Kotahi NZTA Innovating Streets for People pilot fund</td>
<td>10</td>
</tr>
<tr>
<td>12</td>
<td>Submission on the Local Government (Rating of Whenua Māori) Amendment Bill</td>
<td>12</td>
</tr>
<tr>
<td>13</td>
<td>Auckland response to the 2019/2020 drought (Covering report)</td>
<td>13</td>
</tr>
<tr>
<td>14</td>
<td>Summary of Confidential Decisions and related information released into Open</td>
<td>14</td>
</tr>
<tr>
<td>15</td>
<td>Consideration of Extraordinary Items</td>
<td>15</td>
</tr>
</tbody>
</table>
1 Apologies

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

2 Declaration of Interest

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

3 Confirmation of Minutes

That the Emergency Committee:

a) confirm the ordinary minutes of its meeting, held on Thursday, 30 April 2020, including the confidential section, as a true and correct record.

4 Petitions

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

5 Public Input

Standing Order 7.7 provides for Public Input. Applications to speak must be made to the Governance Advisor, in writing, no later than one (1) clear working day prior to the meeting and must include the subject matter. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders. A maximum of thirty (30) minutes is allocated to the period for public input with five (5) minutes speaking time for each speaker.

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

6 Local Board Input

Standing Order 6.2 provides for Local Board Input. The Chairperson (or nominee of that Chairperson) is entitled to speak for up to five (5) minutes during this time. The Chairperson of the Local Board (or nominee of that Chairperson) shall wherever practical, give one (1) day's notice of their wish to speak. The meeting Chairperson has the discretion to decline any application that does not meet the requirements of Standing Orders.

This right is in addition to the right under Standing Order 6.1 to speak to matters on the agenda.

At the close of the agenda no requests for local board input had been received.
7 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

(a)    The local authority by resolution so decides; and

(b)    The presiding member explains at the meeting, at a time when it is open to the public,-

       (i)    The reason why the item is not on the agenda; and

       (ii)   The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

(a)    That item may be discussed at that meeting if-

       (i)    That item is a minor matter relating to the general business of the local authority; and

       (ii)   the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but

(b)    no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”
Te take mō te pūrongo

Purpose of the report
1. To enable the committee to be briefed on the COVID-19 pandemic, Auckland Emergency Management status and council’s response.

Whakarāpopototanga matua

Executive summary
2. Ian Maxwell, Director Executive Programmes, as well as Kate Crawford or Mace Ward, Group Controllers, Auckland Emergency Management will provide a verbal briefing.

Ngā tūtohunga

Recommendation/s
That the Emergency Committee:

a) receive the report and thank Ian Maxwell, Director Executive Programmes, Kate Crawford and Mace Ward, Group Controllers, Auckland Emergency Management for the briefing on the COVID-19 pandemic and the Auckland Emergency Management status update.

Ngā tāpirihanga

Attachments
There are no attachments for this report.

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarandra O’Toole - Kaiarataki Kapa Tohutohu Mana Whakahaere / Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>

COVID-19 briefing and Auckland Emergency Management status update
Auckland Unitary Plan (Operative in Part) – Request to make Plan Change 17, Improving consistency of provisions in the GIS Viewer, operative

File No.: CP2020/05133

Te take mō te pūrongo
Purpose of the report
1. To make operative Plan Change 17, improving consistency of provisions in the GIS Viewer, to the Auckland Unitary Plan (Operative in Part).

Whakarāpopototanga matua
Executive summary
This report would normally go before the Planning Committee, however, in light of COVID-19, it must now be considered by the Emergency Committee.

2. Plan Change 17 is a council-initiated plan change developed to address errors and anomalies within the Auckland Unitary Plan (Operative in Part) Geographic Information Systems (GIS) viewer. The GIS viewer is the tool used to display the Auckland Unitary Plan maps on the council website.

3. Plan Change 17 was notified to directly affected parties (limited notification) on 29 November 2018, with 19 submissions and two further submissions received, and was heard and considered by independent hearing commissioners on 9 May 2019.

4. A decision was issued by the chairperson on behalf of the council on 27 June 2019 to accept the plan change with one modification to the mapping of the Vehicle Access Restriction Control – General at 71 and 75 Hingaia Road, Hingaia.

5. Two appeals were lodged in the Environment Court for Plan Change 17, in relation to the proposed amendment to the mapping of I211 – Viaduct Harbour Precinct at 32 Market Place. One appeal was lodged by Viaduct Harbour Holdings Limited and the other appeal was lodged by Tofini Auckland Limited. Two section 274 notices were also lodged in the Environment Court. Plan Change 17 can now be made operative with the Emergency Committee’s approval.

Ngā tūtohunga
Recommendation/s
That the Emergency Committee:

a) approve Plan Change 17 to the Auckland Unitary Plan (Operative in Part), under clause 17(2) of Schedule 1 of the Resource Management Act 1991

b) request staff to complete the necessary statutory processes to publicly notify the date on which the plan change becomes operative as soon as possible, in accordance with the requirements in clause 20(2) of Schedule 1 of the Resource Management Act 1991.
Horopaki

Context

6. Plan Change 17 addresses technical issues that have been identified in the Auckland Unitary Plan (Operative in Part) (AUP) Geographic Information Systems (GIS) viewer by plan users and council staff. The GIS viewer is the tool used to display the Auckland Unitary Plan maps on the council website.

7. Changes were required to ensure that the AUP will function in the way that it was intended. The scope of the plan change limited the amendments to address technical issues only and did not result in any substantive changes to the policy direction of the plan.

8. The amendments proposed in Plan Change 17 are to:
   - ensure the zoning of the site is consistent with surrounding sites
   - ensure the spatial application of zones and overlays has been applied correctly to the site, either wholly or partially
   - ensure that zone and precinct boundaries follow road or property boundaries
   - resolve identified inconsistencies in the mapping of controls and overlays
   - resolve identified inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitākere Ranges.

Plan Change 17 process to date

9. Plan Change 17 was notified to directly affected parties (limited notification) on 29 November 2018, with 19 submissions and two further submissions received, and was heard and considered by independent hearing commissioners on 9 May 2019.

10. A decision was issued by the chairperson on behalf of the council on 27 June 2019 to accept the plan change with one modification to the mapping of the Vehicle Access Restriction Control – General at 71 and 75 Hingaia Road, Hingaia.

11. The council decision, which contains the amendments for the plan change, can be read on the council website. The decision confirms a number of mapping changes to the AUP GIS viewer.

12. Two appeals were lodged, by Viaduct Harbour Holdings Limited (ENV-2019-AKL-000146), and Tofini Auckland Limited (ENV-2019-AKL-000158). The Parc Bodies Corporate, Lumina Body Corporate and Vibe Body Corporate, collectively referred to as the Bodies Corporate, served a section 274 notice of wish to be party to proceedings.

13. Clause 17(2) of the Resource Management Act (RMA) states that "a local authority may approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of". As the two appeals have been withdrawn the plan change can now be approved and made operative. The RMA states that this decision cannot be delegated to a sub-committee or council staff.

Tātaritanga me ngā tohutohu

Analysis and advice

14. As this report deals with a procedural matter, no additional information or advice is required.

Tauākī whakaaweawe āhuarangi

Climate impact statement

15. As this report is recommending a procedural step under the RMA, there are no impacts on climate change.
Ngā whakaaweawe me ngā tirohanga a te rūpū Kaunihera
Council group impacts and views

16. Plan Change 17 was led by the Plans and Places department.

17. Specialist advice was received from staff in Regulatory Services and Auckland Transport. These specialists provided advice on the proposed plan change and the supporting RMA section 32 report. Auckland Transport provided responses to a submission at the hearing.

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

Local impacts

18. The owners and occupiers of all properties which were subject to a proposed mapping change in Plan Change 17 were consulted prior to the plan change being notified.

19. The council was able to identify all of the persons directly affected by Plan Change 17 and served limited notification on these persons in accordance with cl 5A of Schedule 1 of the RMA on 29 November 2018.

20. The general principles used by council to determine directly affected persons was:
Directly affected persons to be served notice of Plan Change 17 include (but are not limited to):
- owners and occupiers of properties subject to a proposed change as a result of Plan Change 17
- owners and occupiers of properties which are directly adjacent to properties which are subject to a proposed change
- owners and occupiers of properties that are directly across a right of way or driveway from, or share a driveway with properties which are subject to a proposed change
- owners and occupiers of properties that are directly across the road from properties which are subject to a proposed change, where the properties subject to the change have a street frontage greater than 3m.

Local board views

21. In October 2017, a memo was sent to advise all local boards about the proposed plan change and invited local board members to advise Plans and Places staff of any technical issues that they had identified.

22. In August 2018, local boards were provided with a draft copy of Plan Change 17 to the Auckland Unitary Plan.

23. All local boards were also advised of the limited notification of Plan Change 17 on 29 November 2018.

24. Local board views were not sought for this report as making Plan Change 17 operative is a procedural matter.

Tauākī whakaaweawe Māori
Māori impact statement

25. On 3 October 2017, 19 mana whenua entities that were identified to have an interest in the area were sent a memo which advised about the proposed plan change and invited to advise Plans and Places staff of any technical issues that they had identified.

26. All 19 mana whenua entities were also consulted prior to public notification. The only response received was from Ngāti Whātua Ōrākei who were supportive of the plan change. A hui was held with the planning representative from Ngāti Whātua Ōrākei to discuss key points in the plan change.
27. One proposed amendment in Plan Change 17 took immediate legal effect from the date of notification. This amendment was to the Sites and Places of Significance to Mana Whenua Overlay (037 Wiri Stonefields North) at 151 Wiri Station Road, Manurewa, 11 Pukaki Drive, Manurewa, and 220 Wiri Station Road, Manukau Central.

Ngā ritenga ā-pūtea
Financial implications
28. There are no financial implications associated with making Plan Change 17 operative.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
29. There are no risks associated with making Plan Change 17 operative.

Ngā koringa ā-muri
Next steps
30. The final step in making Plan Change 17 operative is to publicly notify the date on which it will become operative, and to update the Auckland Unitary Plan.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Cosette Saville - Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>John Duguid - General Manager - Plans and Places</td>
</tr>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>
Joint Auckland Council and Auckland Transport bids for the Waka Kotahi NZTA Innovating Streets for People pilot fund

File No.: CP2020/05144

Te take mō te pūrongo

Purpose of the report

1. To provide the Emergency Committee with an overview of the Waka Kotahi NZ Transport Agency Innovating Streets for People pilot fund and its application processes, and to seek its endorsement for the first tranche of projects to be submitted for funding consideration.

2. To seek Emergency Committee approval for the proposed process for developing a recommended package of projects for the second funding round.

Whakarāpopototanga matua

Executive summary

The report would normally go before the Planning Committee, however, in light of COVID-19, it must now be considered by the Emergency Committee.

3. Waka Kotahi NZ Transport Agency (Waka Kotahi) announced a pilot fund in April 2020 that supports pilot projects and interim improvements for safe active transport. The Innovating Streets for People fund is intended to help councils create more people-friendly spaces through the application of tactical urbanism techniques such as pilots, pop ups and interim projects. While the fund is intended to support pilots that can be rolled out rapidly and at relatively low cost, projects should also be able to demonstrate a pathway to more permanent status should they prove successful.

4. The fund also supports projects in response to Covid-19 which temporarily enable physical distancing on footpaths and cycleways.

5. In addition to two set application rounds for the fund, qualifying organisations can also apply at any time for funding for Covid-19 related projects:
   - 1st application round from 3 April to 8 May 2020
   - 2nd application round from 8 June to 3 July 2020
   - Covid-19 response projects to be submitted at any time.

6. Auckland Council, Auckland Transport, Panuku Development Auckland and Kāinga Ora staff are working on joint packages for both application rounds. The proposed package for the first application round consists of initiatives that are part of existing or approved programmes managed by Auckland Transport. A more detailed list of proposed first round projects will be distributed under separate cover prior to the committee meeting.

7. Staff are currently developing a set of criteria for the assessment and prioritisation of Auckland Council led projects for potential inclusion in the second round funding bid. It will include criteria similar to those used by AT for round one but with the additional time available, there now is a chance to add to and/or refine these to include broader Auckland Plan objectives. Recommended criteria for assessing round two projects will be tabled at the Emergency Committee meeting.

8. Staff will engage with Councillors, Local Boards and Independent Māori Statutory Board members on the development of the second round package of projects.
Ngā tūtohunga
Recommendation/s

That the Emergency Committee:

a) endorse Auckland Transport and Auckland Council’s application for the first round of the Waka Kotahi NZ Transport Agency Innovating Streets for People pilot fund closing on 8 May 2020

b) approve the proposed process for developing a recommended package of projects for the second funding round closing on 3 July 2020

c) note that staff will seek endorsement of the recommended package of projects for the second round funding bid from a future Auckland Council committee meeting and at a time that will enable changes to be made prior to the 3 July deadline should the committee require it.

Horopaki Context

The Innovating Streets for People pilot fund

9. On 3 April 2020, Waka Kotahi NZTA (Waka Kotahi) released the Innovating Streets for People pilot fund, which supports council projects that aim to transition streets to be safer and more liveable spaces. The fund encourages the use of ‘tactical urbanism’ techniques, such as pilots and pop-ups - interim treatments that can be delivered within a short timeframe to test and help demonstrate the value of future permanent street changes that make walking and cycling easier. Projects that Waka Kotahi aims to support include:

- temporary, or semi-permanent, physical changes to streets
- improvements that test a permanent fix and prototype a street design
- activations that help communities re-imagine their streets.

10. The fund makes up to $1 million available for each project in 2020/21. Waka Kotahi will provide a financial assistance rate of up to 90 percent, as well as support for capability building for successful applicants. Applicants must provide at least a 10 per cent local share. Projects need to be delivered by 30 June 2021 but may stay in place for a longer period of time.

11. Initially, the fund allocated $7 million for projects across New Zealand. This cap was lifted on 12 April 2020 to an unspecified amount with the actual amount to be distributed dependent on the quality of the bids received. Depending on the ‘merit’ of the applications, current underspent monies from Waka Kotahi’s cycling activity class potentially could be applied to applications received via the pilot fund. However, Waka Kotahi has made it clear that there is no guarantee that this would occur.

12. There are two application rounds for the pilot fund. The first round opened on 3 April and closes on 8 May 2020. Successful applicants in round one are expected to be announced in June 2020. The second round opens on 8 June and closes on 3 July 2020, with successful applicants to be announced by the end of July. The expectation is that projects from either round will be delivered by the end of June 2021.

13. Short term projects delivered specifically in response to the immediate requirements of the Covid-19 crisis are considered a category of their own and do not fall into either of these two funding rounds. Projects of this nature can be submitted to Waka Kotahi for funding on a cost recovery basis at any time.

14. More information on the pilot fund, including webinar recordings from 15 April and 23 April, can be found on the Waka Kotahi programme information website.
Tātaritanga me ngā tohutohu
Analysis and advice
Auckland Council and Auckland Transport project proposals for the fund

15. The Innovating Streets pilot fund provides an opportunity for Auckland Council and Auckland Transport (AT) to catalyse positive change across Auckland in line with Auckland Council’s strategic goals of improving walking and cycling options and creating more people-friendly spaces. The techniques of tactical urbanism supported by the pilot fund represent an innovative change to the typical way in which projects are engaged upon, designed and delivered. Tactical urbanism entails piloting and testing key project elements on a temporary basis, that can generally be rolled out rapidly and at low cost. This constitutes a form of “engagement by doing” and enables the relative success of ideas to be assessed before they are committed to more permanently.

16. Auckland Council and AT are taking a joint approach to the funding application. Staff have begun collating funding proposals within their organisations and are currently developing an agreed approach to coordinate these processes for the second funding round.

17. As only councils and road controlling authorities are eligible to apply for the pilot fund, other CCOs and stakeholders are currently looking to partner with Auckland Council and AT to submit project proposals as part of an Auckland Council application package. Auckland Council and AT staff are presently working with Panuku Development Auckland and Kāinga Ora to develop a means of facilitating this.

Round one application

18. The proposed package for the first funding round comprises only interventions that are part of existing and approved AT work programmes, including tactical urbanism interventions. The proposed interventions are targeted at re-allocating street space using short term techniques such as pilots and pop ups to support mode shift or placemaking ahead of the larger, more permanent projects.

19. Projects were selected using a set of criteria to ensure alignment with AT and Auckland Council strategic transport objectives such as mode-shift, emissions reduction and improved transport safety. A prioritised list of specific projects will be distributed to committee members under separate cover prior to the meeting. The AT board is considering these projects on 6 May. No Auckland Council-led projects will be included in the first application round.

Round two application

20. The second round funding bid will include Auckland Council-led projects, as well as projects from AT and potentially other parts of the council family. Staff propose to issue a call for projects to relevant parts of council including (but not limited to): local boards (through Local Board Services); the Independent Māori Statutory Board; Ngā Mātārae; the Auckland Design Office; the Development Programme Office; Community Facilities; the Southern Initiative; Arts, Community and Events; Parks, Sports and Recreation; Plans and Places, and Panuku Development Auckland.

21. Candidate projects will then be assessed and prioritised against criteria that staff are currently developing (see paragraphs 24 to 27). A draft version of the criteria will be tabled at the committee meeting. A proposed package will be brought to a relevant committee for its endorsement in June and in sufficient time to enable changes prior to the 3 July deadline, should staff be directed to do so.
Covid-19 response projects

22. Covid-19 response projects are currently developed by AT’s Crisis Management Team. These projects are intended as a temporary response to the current situation that should be implemented as soon as possible to prioritise health and physical distancing for footpath and cycle path users. Covid-19 response projects include widening and segregation of footpaths and cycleways across Auckland.

23. The implementation of Covid-19 response projects is already ongoing and the funding application package for these interventions will be developed and updated as the projects evolve. AT is implementing a range of urgently needed Covid-19 response interventions to enable safe physical distancing for active transport users in Auckland. These will be submitted to Waka Kotahi for funding on a cost recovery basis.

Assessment

24. Waka Kotahi uses three key funding criteria to select projects for the pilot fund:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Description</th>
</tr>
</thead>
</table>
| Strategic fit with Innovating Streets objectives and council plans (40%) | • Improves safety, transport choices and liveability of a place  
  • Is effective at:  
    o reducing vehicle speed (to 30km/hr or less) and/or  
    o creating more space for people on our streets and/or  
    o making walking and cycling more attractive  
  • Aligns with existing council plan or strategy  
  • Includes a pathway to permanent change in the future  
  • May provide a response to Covid-19 by providing extra and safer space for walking and cycling during the lockdown or in recovery from the lockdown |
| Ability to deliver (40%)                      | • Has a strong likelihood of delivery by June 2021  
  • Demonstrates co-design approach with key stakeholders and community  
  • Has a project team, milestones and 10% local funding share  
  • Has clear process for monitoring and identification of risks and mitigation  
  • Is temporary or semi-permanent in nature |
| Value for money (20%)                         | • Amount requested is reasonable for the activities involved and expected benefits  
  • Demonstrates opportunity to improve efficiency, or de-risk future permanent upgrades |

Project prioritisation and selection process

25. AT developed criteria to prioritise candidate projects for potential inclusion in the first round funding bid. This firstly included mandatory elements around compliance with the NZTA criteria (see table above), availability of local share funding, and deliverability.

26. Candidate projects that met the above requirements were then prioritised against other criteria related to:

- the relative priority of candidate projects in AT’s existing work programme
- testing of, and generating community support for, key design elements that may inform the roll out of larger scale projects
- mitigating a clear safety problem
- supporting mode shift outcomes
- reducing emissions.
27. Staff are currently developing a set of criteria for the assessment and prioritisation of Auckland Council led projects for potential inclusion in the second round funding bid. It will include criteria similar to those used by AT for round one but with the additional time available, there now is a chance to add to and/or refine these to include broader Auckland Plan objectives.

28. Recommended criteria for assessing round two projects will be tabled at the Emergency Committee meeting.

**Tauākī whakaaweawe āhuarangi
Climate impact statement**

29. The transport sector is the largest contributor to greenhouse gas emissions in the Auckland region, accounting for around 40 per cent of Auckland’s total emissions. Increased support and prioritisation of zero and low emissions modes of transport, such as active transport and micromobility modes, will help reduce these emissions.

30. The interventions supported by the Innovating Streets for People pilot fund enable a reduction of transport emissions, which would support Auckland Council’s ability to achieve its climate goals and is well aligned with Te Tāruke-ā-Tāwhiri: Auckland’s Climate Action Framework and with the in-principle changes to this framework endorsed by the Environment and Climate Change Committee (ECC/2020/12).

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

31. Auckland Council and AT are following an aligned approach for the Innovating Streets for People pilot fund submission and are working together to develop joint application packages.

32. Relevant parts of the council as well as the wider Auckland Council family, including local boards (through Local Board Services); the Independent Māori Statutory Board; Ngā Mātārae; the Auckland Design Office; the Development Programme Office; Libraries; the Southern Initiative; Arts, Community and Events; Parks, Sports and Recreation; Plans and Places, and Panuku will be engaged to prepare and collate funding proposals for the second round.

33. If the application is successful there will be a need to implement, coordinate and monitor the outcomes of projects that are funded by the Innovating Streets for People pilot fund. This would be jointly coordinated by AT and staff from across the Auckland Council family.

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

34. The types of projects that Waka Kotahi seek to promote through this fund will have positive impacts on local communities in terms of the outcomes that are reflected in the assessment criteria. The intention is that the package of projects included in the second round bid come from across the region.

35. The Local Boards Services department is well placed to suggest projects that have been prioritised by local boards and that can subsequently be assessed against the purpose of the fund and Auckland Council’s own criteria.

36. Local boards will have the opportunity to provide feedback on the proposed list of second round projects, though responsibility for making changes and approving it will reside with a Governing Body committee.
37. Māori are likely to benefit from interventions that support safer and more accessible active transport in Auckland. This is because Māori are overrepresented in pedestrian-related crashes and tend to live in parts of Auckland where travel choice is poorest. To ensure these interventions benefit Māori equitably, they need to be complemented by meaningful access to active modes such as bicycles and micro-mobility devices, as well as supporting infrastructure such as secure bicycle parking outside main destinations.

38. The Innovating Streets fund encourages community-led interventions to transform urban spaces into safe and liveable spaces for people. There are opportunities to tap into the creativity and local knowledge of Māori communities in Tāmaki Makaurau to create urban interventions that address community needs and provide a strong sense of place.

39. Ngā Mātārae, the Southern Initiative and the Independent Māori Statutory Board will be engaged with in the second funding round to collate and assess funding proposals that support Māori outcomes.

40. Staff are also seeking to develop a criterion that will assess potential second round projects for their ability to contribute positively to Māori outcomes (for example, proposed interventions may rank positively if they improve streets frequently used by Māori such as routes to marae or papakāinga).

41. The funding provided by Waka Kotahi for piloting or testing of temporary interventions is likely to reduce design time and increase financial security for permanent improvements in the future. Trialling of real-life options for more permanent activities can also reduce or avoid potential costs associated with the redesign of interventions in case desired outcomes could not be achieved.

42. The proposed high levels of funding assistance from Waka Kotahi (up to 90 percent of a project’s value) will potentially result in savings for Auckland Council on any projects that may already have been planned and funded by Auckland Council prior to the pilot fund application.

43. There is a risk that Auckland Council may not be able to afford the local share of 10 per cent of the project cost needed to implement interventions under the Innovating Streets for People pilot fund, particularly given the present circumstances and the need to significantly amend the draft Annual Plan 20/21. At least in part, this risk will be mitigated by setting a prerequisite for local share availability before project submission to Waka Kotahi. The uncertain impacts of changing provisions of the Annual Plan on local share availability will remain a risk for Auckland Council.

44. Another risk is the possibility that the implementation of successful Auckland Council projects under the pilot fund will not lead to the desired outcomes for Auckland. To mitigate this risk, staff are proposing a set of assessment criteria for projects to ensure strategic alignment with Auckland Council objectives before projects are submitted to Waka Kotahi.

45. Waka Kotahi’s Criteria 2: Ability to Deliver requires a co-design approach with community and key stakeholders in the development and delivery of projects. The possibility that unified community support for local interventions cannot be achieved through the co-design process within the required timeframe poses an additional risk.
Next steps

46. AT staff are currently preparing the draft application for the first round of the fund and will finalise the application after endorsement from the committee.

47. The approved submission will be submitted to Waka Kotahi on 8 May 2020.

48. Preparation of the submission for second round funding will then commence in line with the processes set out in this paper and in time for the closing date of 3 July 2020.

Attachments

There are no attachments for this report.

Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Lisa Bloss - Transport Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Robert Simpson - Principal Policy Analyst, Strategic Planning</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Authorisers</th>
<th>Jacques Victor – General Manager Auckland Plan Strategy and Research</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo
Purpose of the report

Whakarāpopototanga matua
Executive summary
2. This item was deferred from the 30 April 2020 Emergency Committee agenda (EME/2020/44) for more work to be done on the submission.
3. The staff report will not be reproduced but the updated submission will be circulated under separate cover prior to the meeting.

Ngā tūtohunga
Recommendation/s
That the Emergency Committee:

a) approve Auckland Council’s draft submission on the draft Government Policy Statement on Land Transport 2021/22 - 2031/32 and draft National Rail Plan, inclusive of any changes agreed by the committee

b) delegate authority to the Chair and Deputy Chair of the Planning Committee and Chair of the Independent Māori Statutory Board member to authorise any minor amendments and corrections to the submission prior to lodgement on 11 May 2020.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Jim Fraser - Principal Transport Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Megan Tyler - Chief of Strategy</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>
Submission on the Local Government (Rating of Whenua Māori) Amendment Bill

File No.: CP2020/05348

Te take mō te pūrongo
Purpose of the report
1. To seek approval for the Auckland Council submission on the Local Government (Rating of Whenua Māori) Amendment Bill.

Whakarāpopototanga matua
Executive summary

The report was to be included on the Finance and Performance Committee 23 April 2020 meeting agenda; however, in light of COVID-19, it must now be considered by the Emergency Committee.

Subsequently the report was included on the Emergency Committee 16 April 2020 agenda and was deferred at that meeting.

2. Central Government has released the Local Government (Rating of Whenua Māori) Amendment Bill (the Bill) for feedback. The Bill is currently with the Māori Affairs Select Committee. Submissions will close on 17 May 2020.

3. This Bill intends to support the development of housing on Māori land and modernise rating legislation affecting Māori land. The Bill proposes legislative amendments to:
   - expand the categories of non-rateable Māori land
   - empower council to write off arrears that cannot be recovered
   - enable users of a part of a Māori freehold land rating unit to be rated separately and to access the rates rebate scheme
   - treat rating units of Māori freehold land used as a single economic unit as a single unit for rating purposes to reduce the number of fixed charges that apply
   - require council to consider offering rates remissions for Māori freehold land being developed
   - protect Māori freehold land that was converted to general land under the Māori Affairs Amendments Act 1967 (MAAA 1967)

4. The draft submission supports the Bill. The proposed amendments have a strong alignment to Council’s objectives for improving Māori outcomes. The proposed legislation will enable council to better work with and support Māori landowners, and address long standing issues such as the accumulation of arrears.

5. Nearly all the changes proposed are already delivered by Auckland Council through its rating policy and Māori land rates remission and postponement policy. The proposed amendments therefore have no significant financial impacts for council and no major changes for the relevant landowners. Nevertheless, it is still advantageous to amend the legislation and have consistent treatment nationally.
6. To ensure the equitable treatment of Māori freehold land with general land and between different kinds of land held in Māori ownership officers recommend that the Bill be amended to provide for:
   - unused parts of Māori freehold rating units to be treated as non-rateable
   - unused land returned for cultural redress and Māori freehold land converted under the MAAA 1967 to be treated as non-rateable
   - users of Māori freehold land converted under the MAAA 1967 to be rated separately and access the rates rebate scheme
   - residents of Maori housing developments to access the rates rebates scheme.

**Ngā tūtohunga**

**Recommendation/s**

That the Emergency Committee:

a) approve the submission on the Local Government (Rating of Whenua Māori) Amendment Bill (Attachment A of the agenda report).

b) delegate to the chair of the Finance and Performance Committee and Group Chief Financial Officer to authorise any minor amendments and corrections to the submission.

**Horopaki**

**Context**

**Purpose of the Bill and Proposals**


8. The purpose of the Bill is to:
   - support the development of, and provision of housing on, Māori land
   - modernise rating legislation affecting Māori land.

9. The proposed amendments to rating legislation provide:
   - additional protection to Māori freehold land
   - equitable treatment between land held in Māori freehold title and land held by Māori in other forms of title
   - equitable treatment between Māori freehold land and land held in general title.

10. The key amendments proposed by the Bill are summarised below. A comprehensive comparison of the amendments proposed in the Bill with current legislation and the council's approach to these issues is set out in Attachment B: Comparison of Amendments to Current Legislative and Council Policy.

11. The Bill makes the following changes to the rating of Māori land that the council has already implemented through its rating policy and its Māori freehold land rates remission policy:
   - all marae and urupā, and land subject to a Ngā Whenua Rāhui covenant is made non-rateable
   - unused land is made non-rateable
• Māori freehold land used as a single economic unit, for example a farm, can be treated as a single rating unit for the setting of rates
• Māori freehold land converted under the MAAA 1967 which continues to be owned by the original landowner or their descendants will be protected from rating sales by local authorities.

12. The Bill also:
• enables separate rating areas to be established for Māori freehold land where parts of the land are being used separately
• requires councils to consider applications for the remission of rates on Māori land under development
• empowers local authorities to write off arrears on land in general, not just Māori land.

Māori land in Auckland
13. Auckland has a relatively small amount of land remaining in Māori freehold land title. Council has identified 265 rating units covering 8,600 hectares. Total assessed rates for these properties in the current year was $910,000. While the majority of Māori landowners pay their rates, 57 properties are in arrears. Arrears for Māori land in Auckland is now $2.8 million, the majority of which is penalties. Detailed information regarding Māori land in Auckland can be found in Attachment C: Māori Land in Auckland.

Auckland Council Māori Freehold Land Rates Remission and Postponement Policy
14. Auckland Council's rates remission policy for Māori land offers five remission schemes. These are:
• full remission for land that is undeveloped and unused
• partial remission for land where the nature of the land or its ownership mean that the highest and best use for the land is unlikely to be achieved
• full remission for marae and urupā
• partial remission for land used for non-commercial purposes for the community benefit of Māori
• remission of rate arrears if current rates are paid for three years.

15. In 2019/2020 council remitted $123,000 in rates on 85 properties for unused Māori land. Five properties received remissions totalling $4,300 for land used for community benefit. One property received a full remission of arrears after completing their three-year payment arrangement.

Tātaritanga me ngā tohutohu
Analysis and advice
Support for the Bill
16. The draft submission supports the proposed amendments to legislation contained in the Bill. The proposals align with council’s current policies regarding Māori land rates. The Bill also provides council with new powers that will enable us to address longstanding issues with rating Māori land. The submission’s responses to the key amendments are summarised below.

Changes to rateability
17. The Bill makes all marae and urupā, and land subject to a Ngā Whenua Rāhui covenant non-rateable. It also makes Māori freehold land non-rateable where the rating unit is entirely unused.
18. Currently only some marae are non-rateable. There is a two-hectare limit for both marae and urupā, with the part of the land over the limit being rateable.

19. The draft submission supports these changes. Land used for marae, urupā or protected by Ngā Whenua Rāhui covenants provide benefits to the community and is not able to generate income to cover rates. Unused Māori freehold land is often a consequence of barriers to development including multiple owners, lack of succession, poor land quality and lack of road access. As rates are a wealth tax it is appropriate to recognise the limited economic potential of such land.

20. Auckland Council remission policy offers a full remission for marae, urupā and unused Māori land. The proposals will have no financial impact on the council.

**Enabling multiple Māori freehold land rating units to be treated as a single unit for rating purposes**

21. The Bill proposes that where rating units of Māori freehold land are used as a single economic unit, for example a farm, they can be treated as a single rating unit for the setting of rates. This will reduce the number of fixed charges that will apply to these properties. Currently multiple rating units are treated as a single unit for rating purposes where the land is in the same ownership and the land is adjoining or only separated by a road or a stream.

22. The draft submission supports these changes as Māori land often fails this test as ownership differs between blocks as a result of succession. Auckland Council remits additional fixed charges for Māori land on multiple rating units that is used as a single economic unit through its general rates remission policy. This scheme is also available to farms generally.

23. The effects of the proposed changes are already achieved by the council’s rates remission policy for Māori land. As such, the proposal will have no financial impact on council.

**Protecting Māori freehold land made general land under MAAA 1967**

24. The MAAA 1967 required Māori freehold land with less than four owners to have its status changed to general land. This change in status was made without owner knowledge or consent. The MAAA 1967 was repealed in 1973 but affected land remained as general land and is not protected from alienation unlike Māori freehold land. The current Bill proposes that where former Māori freehold land converted under the MAAA 1967 continues to be owned by the original landowner or their descendants, this land will be protected from rating sales by local authorities in the same way Māori freehold land is protected.

25. The draft submission supports these changes as they ensure this land is treated fairly with other Māori freehold land. Auckland Council has identified fourteen properties that possibly fit the above criteria. Such land is able to qualify for remission under the council’s remission policy for Māori land.

26. Council already adopts a conservative approach to dealing with such land. The proposed legislation helps formalise the legal status of the land. It is a step towards rectifying the negative effects of the Māori Affairs Amendment Act 1967 on Māori landowners.

**Empowering council to write off uncollectable arrears**

27. The Bill empowers local authorities to write off arrears on land in general, not just Māori land.

28. Currently local authorities are required to write off uncollectable arrears after six years for both Māori and general land. The effects of penalties on penalties quickly sees outstanding balances grow to unmanageable levels. Councils are able to adopt a remission policy to remit arrears prior to the six-year limit. Auckland Council’s remission policy for Māori land can remit all arrears if the current rates are paid for three years.
29. The draft submission supports these changes as while council offers a remission scheme for arrears, officers consider that unmanageable debt acts as a barrier to landowners approaching council. Writing off uncollectable arrears sooner will also improve council’s outstanding debt balance. The financial impact of writing off these arrears will be negligible as council already makes provision for these debts not being collected.

Enabling the creation of separate rating areas

30. The Bill enables separate rating areas to be established for Māori freehold land where parts of the land are being used separately. Local authorities will then be able to invoice the users of the land for their share of the rates. The Bill also amends the Rates Rebate Act 1973 so that the ratepayers of separate rating areas can access the rebates scheme.

31. The LG(R)A 2002 requires rates to be invoiced to the landowner unless a registered lease exists. Auckland Council is currently limited in its ability to assist the users of Māori land where they are not the ratepayer for the land.

32. The draft submission supports this amendment as it will enable the council to build relations with the occupiers of Māori land, by recognising them as ratepayers. It will clarify individual liability for rates where there are multiple occupiers of a rating unit. It will also enable occupiers who are liable for rates to access the central government’s rates rebate system.

Remission of rates for Māori freehold land under development

33. The Bill will require councils to consider applications for remissions for Māori freehold land that is being developed. The council is not required to remit rates but may choose to remit some or all of the rates after considering whether the development will benefit Auckland by creating housing, employment or providing support for marae.

34. The LG(R)A 2002 requires Auckland Council to have a rates remission and postponement policy for Māori land. Legislation does not currently prescribe what remissions options must be considered in deciding on the form of the policy.

35. The submission is neutral on this issue. Auckland Council does not currently offer rates remissions to support development of Māori land. The use of rates remissions to support development of Māori land was considered by council during the development of the current remission policy for Māori land. This option was rejected by council in favour of the development of a grants programme. Grants were preferred because they provided greater flexibility and transparency than remissions. The current grants programmes provide grants of up to $150,000 to support the development of marae and papakāinga (Māori housing developments). In comparison, the average rates for Māori freehold land in Auckland is $3,400.

Recommended changes to the Bill

36. The draft submission includes some matters officers recommend be changed. These are set out below.

Unused parts of Māori freehold land rating units

37. The draft submission supports amending the Bill to treat any residual rating area that is unused as non-rateable for Māori land that has been divided into separate rating areas. The Bill proposes that only rating units that are entirely unused are to be treated as non-rateable.

38. The Bill also proposes to enable occupiers or owners of Māori freehold land to request the property be apportioned into separate rating areas so they can be rated directly only for the part of the property they use. This process may create a residual rating area. If this residual rating area is entirely unused, then it should be treated as non-rateable.

39. Auckland Council’s remission scheme for unused Māori land can be applied to a part of the property. This has been used in circumstances where large parts of the property are in bush. 15 properties currently receive a remission for unused Māori land for part of the property.
40. In general, most categories of land use that qualify as non-rateable under Schedule One of the Local Government (Rating) Act 2002 can be applied to part of a property. Auckland Council frequently apportions properties where the non-rateability use applies to part of the property.

41. The option of treating unused parts of a property as non-rateable was not recommend by the Department of Internal Affairs due to the potential administrative burden and risk to finances for some local authorities. As Māori land only makes up a very small part of Auckland’s rating base this is not an issue for Auckland Council.

42. The draft submission notes that the administrative burden and financial risk could be reduced by limiting the application of non-rateability to any unused residual rating area for properties that have been apportioned into separate rating areas. The approach would have the following advantages:
   - additional administration would be minimal, as the unused part of the property would be assessed when the separate rating areas are created
   - provides an incentive for occupiers of Māori freehold land to establish separate rating areas, and enter a rating relationship with council
   - provides an incentive for land to be brought into part use without the risk of the whole property becoming rateable. This may result in a reduction of the number of fully unused rating units and an increase in the rating base.

Land returned for cultural redress

43. The draft submission recommends that land in general title that has been returned for cultural redress and is unused is treated as non-rateable.

44. Officers have identified five general land properties in Auckland that were returned under settlement for cultural redress which are unused. Of these properties, three are landlocked, and one is an islet. Such land has significant barriers to development. Some of these properties accrued significant rates arrears that have been addressed through council’s remission policy.

45. Council would not attempt to enforce rates collection against land returned for cultural redress, regardless of its legal status. The draft submission recommends that these categories of land be treated the same as Māori freehold land and be categorised as non-rateable where it is unused.

Māori freehold land converted to general title under the MAAA 1967

46. The Bill proposes to protect Māori freehold land made general land under the Māori Affairs Amendment Act 1967 from rating sales, where the land continues to be owned by the original landowner or their descendants.

47. Auckland Council has identified 14 properties in Auckland that may fit the above criteria. Of these, three are unused, one of which could be considered abandoned. The council has adopted a conservative approach in dealing with such land, largely treating it as it does Māori freehold land. Further clarification of the legal status of this land is welcome.

48. The draft submission recommends further alignment of rating of this class of land with Māori freehold land. Such land that remains in Māori ownership faces similar impediments to its use and development as land that remains in Māori freehold land title. These include multiple owners, lack of succession of owners and access issues.

49. If council is similarly proscribed from pursuing rating sales for Māori freehold land and land converted to general title under the MAAA 1967, then it would be equitable to offer similar mechanisms for preventing the accumulation of arrears on both classes of land. Officers recommend that land converted to general title under the MAAA 1967 should be:
   - treated as non-rateable if the land is unused
   - able have separate rating areas established where the land is used by separate occupiers.
Access to rates rebates for Māori housing developments and clarification of definitions

50. The draft submission recommends residents of Māori housing developments that use licence to occupy tenancies should be allowed access to the rates rebate scheme. The Rates Rebates Act currently allows for residents of retirement villages that use licence to occupy tenancies to access the scheme.

51. Auckland Council also requests clarification of the definition of unused land and the apportionment of rates charges to separate rating areas.

Implementation

52. Auckland Council is able to implement proposed legislative amendments if they proceed. The council’s submission requests six months lead in time before the amendments take effect to allow for implementation and testing of changes to our rating system.

Tauākī whakaaweawe āhuarangi
Climate impact statement

53. There is no climate impact from the issues considered in this report.

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

54. There will be no impacts on the council group as a result of the amendments proposed in the Bill. Views of the wider council group were not sought.

55. Feedback on the submission was received from Maori Outcomes Leads within the following departments:
   - Treasury and Financial Transactions
   - Development Programme Office
   - Chief Planning Office
   - Infrastructure and Environmental Services
   - Customer and Community Services
   - Te Waka Anga Mua ki Uta.

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

56. Rates are a regional responsibility. The amendments proposed in the Bill will not negatively affect individual local boards. Those boards with Māori land may see improved rating outcomes for local Māori if the Bill is adopted. While changes in rateability for Māori land may shift the rates burden, the effect will be minimal as such properties already qualify for rates remission. A list of Māori freehold land by local board can be found in Attachment C: Māori Land in Auckland to the report.

57. Feedback from local boards is appended to the submission in Attachment A to the report.

58. Mangere-Otahuhu Local Board supports the Bill. In particular the board supports the provision to enable arrears on Māori freehold land to be written off.

Tauākī whakaaweawe Māori
Māori impact statement

59. The impact on Māori has been considered in the body of this report.
60. Feedback was sought from the Independent Māori Statutory Board. Advice from board’s officers was considered in the development of council’s submission. The Independent Māori Statutory Board will not be providing a formal submission on the Bill.

61. Feedback was sought from the Kaitiaki forum. Any feedback received from the forum will be appended to the submission.

Ngā ritenga ā-pūtea
Financial implications
62. There are no financial implications in deciding to make a submission. There are no significant financial implications for the council associated with the implementation of legislative amendments proposed in the Bill.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
63. There are no risks in deciding to make a submission.

Ngā koringa ā-muri
Next steps
64. If approved, the Auckland Council submission on the Local Government (Rating of Whenua Māori) Amendment Bill will be sent by the deadline of 17 May 2020. If the council wishes to be heard a nominated elected member will present the submission at the Māori Affairs Select Committee.

65. The government will consider changes to the Bill as it moves through parliament during its second and third readings.

66. If the Bill is enacted, council will need to review its Māori Freehold Land Rates Remission Policy so that it is consistent with the provisions of the Bill.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Auckland Council submission Local Government (Rating of Whenua Māori) Amendment Bill</td>
<td>33</td>
</tr>
<tr>
<td>B</td>
<td>Comparison of Amendments to Current Legislation and Council Policy</td>
<td>43</td>
</tr>
<tr>
<td>C</td>
<td>Māori Land in Auckland</td>
<td>47</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Authors</th>
<th>Authors Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authors</td>
<td>Beth Sullivan - Principal Advisor Policy</td>
</tr>
<tr>
<td>Authorisers</td>
<td>Andrew Duncan - Manager Financial Policy</td>
</tr>
<tr>
<td>Authorisers</td>
<td>Kevin Ramsay - Acting Group Chief Financial Officer</td>
</tr>
<tr>
<td>Authorisers</td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>
Auckland Council submission

Local Government (Rating of Whenua Māori) Amendment Bill

17 April 2020
Auckland Council’s submission on Local Government (Rating of Whenua Māori) Amendment Bill

1. Auckland Council welcomes the opportunity to make a submission on the Local Government (Rating of Whenua Māori) Amendment Bill.

2. This submission has been approved by council’s Emergency Committee. The address for service is Auckland Council, Private Bag 92300, Victoria Street West, Auckland 1142.

3. Please direct any enquiries to Kevin Ramsey, Acting Group Chief Financial Officer, at Kevin.Ramsay@aucklandcouncil.govt.nz and/or on 021-656-884.
Introduction

Executive summary

1. Auckland Council supports the proposed amendments set out in the Local Government (Rating of Whenua Māori) Amendment Bill (the Bill). The proposals align with the council’s current policies regarding Māori land rates. The Bill also provides council with new powers that will enable us to address long standing issues with rating Māori land.

2. In particular, Auckland Council supports the proposed amendments to:
   - expand the categories of non-rateable Māori land
   - empower local authorities to write off arrears
   - treat rating units of Māori freehold land used as a single economic unit as a single unit for rating purposes to reduce the number of fixed charges that apply
   - enable Māori freehold land to be apportioned on request into separate rating areas so that separate occupiers of the land can be rated directly only for the portion of the land they use
   - enable occupiers of Māori freehold land to access the rates rebate scheme by establishing them as ratepayers for separate rating areas
   - increase protection for Māori freehold land that was converted to general title under the Māori Affairs Amendment Act 1967 (MAAA 1967).

3. Auckland Council recommends that the following changes are included in the Bill:
   - that an unused residual rating area of a Māori freehold land rating unit be treated as non-rateable, in the case where the unit has been apportioned into separate rating areas
   - that fixed charges applied on a per Separately Used or Inhabited Part (SUIP) only be applied to a residual rating area if the residual rating area is identified as a separately used part of the underlying rating unit
   - require notification of a change in circumstances that alter the ratepayer for separate rating areas
   - that land that in general title that has either been returned for cultural redress or that was converted under the MAA 1967 and remains in the same ownership, be treated as non-rateable where it is unused
   - that separate rating areas be able to be established for land in general title that was converted under the MAA 1967 and remains in the same ownership
   - that residents of Māori and social housing that use licence to occupy tenancies be able to access rates rebates
Submission

Māori land in Auckland

4. Auckland Council has 265 properties in Māori freehold land title, covering 8,800 hectares of land. This represents less than 0.1% of the Auckland rating base.

Amendments to the Local Government (Rating) Act 2002

5. The following sections set out Auckland Council’s response to the proposed amendments to the Local Government (Rating) Act 2002 (the Rating Act.)

Amendments to Schedule One: Categories of non-rateable land

6. Auckland Council supports the proposed amendments to Schedule One to make the following land non-rateable:
   - marae
   - urupā
   - meeting houses on Māori freehold land
   - unused Māori freehold land
   - land that is subject to a Ngā Whenua Rāhui covenant.

7. Land used for marae, urupā or protected by Ngā Whenua Rāhui covenants provide benefits to the community and is not able to generate income to cover rates. Unused Māori freehold land is a consequence of barriers to development including multiple owners, lack of succession, poor land quality and lack of road access. As rates are a wealth tax it is appropriate to recognise the limited economic potential of such land.

8. Auckland Council already achieves much of the effects of this proposal through its rates remission for Māori land. This provides a full remission of rates for Māori land that is:
   - undeveloped or unused (includes land that is subject to a Ngā Whenua Rāhui covenant)
   - used for a marae or urupā

Definition of unused Māori freehold land

9. Auckland Council seeks clarification whether section 4A (b)(iii) of the Bill excludes whanau camping and maintenance of the land. These activities could be considered to be consistent with section 4A (b) that “the entire rating unit is used in a similar manner to a reserve or conservation area.” Many reserves and some conservation areas allow visitors to camp, and more remote properties may not be accessible if camping is not permitted.

10. Auckland Council uses a similar definition for unused land as proposed in the Bill but also includes whanau camping and maintenance. The definition used by council allows the following uses:
   - the maintenance of the cultural traditions associated with the land, including visiting, cultural use, whanau camping, and the collection of kai, kai moana, medicinal, and cultural material
   - maintaining or improving the natural or historic heritage value of the land.

11. The ability to maintain the land was raised as a concern in submissions to the council’s remission scheme for unused Māori land.
Application to part of a rating unit

12. Auckland Council recommends the Bill be amended to treat any residual Rating Area that is unused as non-rateable for Māori land that has been divided into separate rating areas.

13. The Bill proposes that only rating units that are entirely unused are to be treated as non-rateable. The Bill also proposes to enable occupiers or owners of Māori freehold land to request the property be apportioned into separate rating areas so they can be rated directly only for the part of the property they use. This process may create a residual rating area. If this residual rating area is entirely unused, then it should be treated as non-rateable.

14. The Auckland Council remission scheme for unused land can be applied to a part of the property. This has been used in circumstances where large parts of the property are in bush. In Auckland, 15 properties currently receive a remission for unused Māori land for part of the property.

15. In general, most categories of land use that qualify as non-rateable under Schedule One of the Local Government (Rating) Act 2002 can be applied to part of a property. Auckland Council frequently apportions properties where the non-rateable use applies to part of the property.

16. The option of treating unused parts of a property as non-rateable was not recommend by the DIA due to the potential administrative burden and risk to finances for some local authorities. As Māori land only makes up a very small part of the Auckland rating base, this is not an issue for Auckland Council. Auckland Council acknowledges that districts with larger amounts of Māori freehold land may face greater difficulties in assessing parts of properties as non-rateable.

17. The administrative burden and financial risk could be reduced by limiting the application of non-rateability to unused residual Rating Areas for properties that have been apportioned into separate rating areas. The approach would have the following advantages:

- additional administration would be minimal, as the unused part of the property would be assessed when the separate rating areas are created
- provides an incentive for occupiers of Māori freehold land to establish separate rating areas, and enter into a rating relationship with council
- provides an incentive for land to be brought into part use without the risk of the whole property becoming rateable. This may result in a reduction of the number of fully unused rating units and an increase in the rating base.

Application to land not in Māori freehold land title

18. Auckland Council recommends that unused land in general title is treated as non-rateable where that land

- meets the criteria of the section 62 A (1) and (2) of the Bill for land converted to general title under the Māori Affairs Amendment Act 1967;
- was returned for cultural redress under an act of Settlement.
19. Auckland Council’s Māori land Rates Remission and Postponement Policy can be applied to land that is not in Māori freehold title, but which has similar characteristics to this land. The policy requires such land to be in multiple ownership by Māori and held in accordance with tikanga Māori values. This enables the policy to apply to:

- marae on general title land
- land that was formerly Māori freehold land, but which was converted to general title in 1967 under the Māori Affairs Amendment Act

20. Auckland Council has identified five general land properties within its region that were returned under settlement for cultural redress that is fully rateable but currently unused. Of these properties, three are land locked, and one an islet, so have significant barriers to development. There are a further three properties that are unused; one of which is land locked, that may meet the criteria of land converted to general title under the Māori Affairs Amendment Act 1967 (MAAA 1967). Whether these properties are still held by descendants of the original owners would need to be determined.

21. The Bill proposes to protect former Māori freehold land converted to general title under the MAAA 1967 from rating sales. It also seems unlikely that councils could successfully pursue such action for land returned for cultural redress. Given this, it would simplify administration and ensure equity of treatment if this land was treated the same as Māori freehold land where it is unused.

**Empowering local authorities to write off arrears**

22. Auckland Council supports the provision of powers to write off uncollectible arrears to local authorities. The total assessed rates for the 265 Māori freehold land rating units in Auckland was $910,000 in the current year. Most Māori landowners pay their rates. Currently 57 Māori freehold land properties in Auckland are in arrears. The total arrears for Māori freehold land in Auckland are $2.8 million, the majority of which is rates penalties.

23. Auckland Council offers a remission scheme for arrears on Māori land, where arrears will be written off if the current rates are paid for three years. This has encouraged a small number of landowners to enter into payment arrangements with council. However, feedback has been received that large arrears amounts are a barrier to landowners connecting with council. The power to write off uncollectable arrears will assist council with this issue.

**Rating units of Māori freehold land used as a single economic unit to be treated as single unit for rating purposes**

24. Auckland Council supports the amendment to enable Māori freehold land rating units that are used as a single economic unit to be treated as a single rating unit for the application of fixed charges. The council already achieves this outcome by offering a remission of fixed charges to Māori land used as a single unit. This is part of a general remission scheme that is also available to rating units used as a single economic farm.
Separate Rating Areas

25. Auckland Council supports the proposal to enable the creation of separate rating areas for parts of Māori land that are occupied or used separately from the remainder of the rating unit. Separate rating areas would enable council to establish a relationship with those using the land and to invoice them directly for an appropriate share of the rates. It would also enable the occupiers of such land to access the rates rebate scheme.

26. The council seeks clarification of how section 98B (d) interacts with section 98 (f) of the Bill. 98B (d) specifies that if a fixed charge is set on a per Separately Used or Inhabited Part (SUIP) basis, then the charge should be applied to each of the separate rating areas, and to the residual.

27. Section 98 (f) then specifies that the “the sum of the apportionments of all rates for the separate rating areas and any residual rating area must equal the sum of all rates that would apply to the underlying rating unit without apportionment”. It may be the case that without the apportionments, the residual part of the property would not attract a fixed charge on per SUIP basis.

28. For example, a property mostly in bush that has a cleared area with two dwellings would attract two UAGCs under Auckland Council’s rating policy. If two separate rating areas are to be created for the dwellings, with the bush area as the residual, section 98B (d) suggests that council should apply three UAGC charges, one for each Separate Rating Area, and one for the residual. This is then inconsistent with section 98 (f).

29. Auckland Council recommends that the fixed charges applied on a per SUIP basis are only applied to the residual rating area if that area is identified as a separately used part of the underlying rating unit.

Notification of change in circumstances

30. Sections 30 to 33 of the Local Government (Rating) Act 2002 require the owner and/or ratepayer to notify the local authority of any change circumstance that will alter the ratepayer for the property. Until notice of the change in circumstance is given, the ratepayer remains liable for rates under section 34.

31. The Bill does not propose any amendments to the above sections of the Rating Act. Auckland Council submit that a section should be added requiring the owner or ratepayer to give notice should there be a change in the person using the Separate Rating Area, or if the part of the property ceases to be used separately.

Remission of rates for Māori freehold land under development

32. Auckland Council does not offer a rates remission for Māori freehold land under development. This issue was considered during the development of Auckland Council’s rates remission policy for Māori land. At this time council considered grants to be a more effective mechanism for supporting Māori development. This is because grants offer greater flexibility in terms of the level and timing of support that is provided. They also offer greater transparency, as section 38 of the Local Government (Rating) Act 2002 restricts public access to information on individual remissions.

33. Auckland Council currently provides a grants programme specifically for marae and papaakāinga (Māori housing) development through its Cultural Initiatives Fund. This provides grants of up to $150,000 per applicant to support:
• development of new papakāinga and marae by assisting with planning, design and financial evaluation costs
• existing marae by assisting with improvements and/or extensions to core marae infrastructure and buildings.

34. The grants are available to a range of not for profit Māori organisations and can also be used for development on land that is not in Māori freehold title. With rates for Māori freehold land rating units currently averaging $3,400, grants allow council to provide greater assistance, targeted towards the specified activities that enable development of marae and papakāinga.

Increased protection for Māori freehold land made general land under the Maori Affairs Amendment Act 1967

31 Auckland Council supports the proposal to protect Māori freehold land made general land under the Maori Affairs Amendment Act 1967 from rating sales. It is a step in rectifying the negative effects of the Maori Affairs Amendment Act 1967 on the retention of Māori land.

32 Auckland Council has identified 14 properties in Auckland that may fit the above criteria. The council has adopted a conservative approach in dealing with such land, largely treating it as it does Māori freehold land. Further clarification of the legal status of this land is welcome.

33 Auckland Council recommends be given to further alignment of rating of this class of land with Māori freehold land. Such land that remains in Māori ownership as set out in section 62A(1)(b) of the Bill, faces similar impediments to its use and development as Māori freehold land. These include multiple owners, lack of succession of owners and access issues.

34 If council is similarly proscribed from pursuing rating sales, then it would seem equitable to offer similar mechanisms for preventing the accumulation of arrears on both classes of land. Consideration should be given to whether such land should be:

• treated as non-rateable if the land is unused
• able have separate rating areas established where the land is used by separate occupiers.

35 Auckland Council notes that it can be difficult to identify whether land meets the criteria set out in section 62A(1) of the Bill. Any assistance that can be provided will be appreciated.

Amendments to Other Acts
Amendments to Rates Rebate Act 1973

36 The council considers that the Bill should be amended to provide for the residents of Māori housing developments (such as papakāinga) held under a licence to occupy to have access to the rates rebate scheme.

37 Auckland Council notes that in 2018 the Rates Rebate (Retirement Village Residents) Amendment Bill was enacted. This Bill enabled residents of retirement villages who occupied their properties under a licence to occupy tenancy to access the central government’s rates rebate scheme.
38 In Auckland, there is increasing use of licence to occupy tenancies for new Māori housing developments, and for social housing developments. Currently residents of such properties are unable to access the rates rebate scheme, even if the tenants are liable for rates under their tenancy agreement. Auckland Council submits that the situation for these tenants is directly comparable to residents of retirement villages and the different treatment is inequitable.

Implementation and administration by council

39 Auckland Council is able to implement and administer the proposed legislative amendments. The amendments will require changes to the council’s rating system. Auckland Council submits that the adoption of the Bill allows for a lead time of at least 6 months before the start rating year in which the changes will take effect.
Appendix B: Comparison of Amendments to Current Legislation and Council Policy

1. The following tables summarises the key amendments proposed in Local Government (Rating of Whenua Māori) Bill. It also sets out the current legislative position and Auckland Council’s policy approach to the issue.

Amendments Proposed to the Local Government (Rating) Act 2002

<table>
<thead>
<tr>
<th>Proposed Amendments</th>
<th>Current Legislative Position</th>
<th>Auckland Council approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Bill makes the following categories of land fully non-rateable:</td>
<td></td>
<td>Auckland Council’s remission policy for Māori land offers a full remission for marae, urupa and unused Māori land. The remission for unused land also applies to Ngā Whenua Rāhui covenants. Remission can apply to Māori land not in Māori freehold title. The remission for unused land can apply to part of a property</td>
</tr>
<tr>
<td>• marae and urupa</td>
<td>Only marae on Māori reservations or Māori freehold land are non-rateable. Only the first two hectares of marae and urupa are non-rateable.</td>
<td></td>
</tr>
<tr>
<td>• Māori freehold land rating units that are entirely unused</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• land that is subject to a Ngā Whenua Rāhui covenant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Bill empowers local authorities to write off uncollectable arrears on land in general, not just Māori land</td>
<td>Uncollectable arrears outstanding more than six years must be written off. Local authorities can remit arrears before six years if they have a policy to do this. Rates cannot be written off in other circumstances. Local elected representatives are personally liable under the Local Government Act if the &quot;local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive&quot;.</td>
<td>Auckland Council’s remission policy for Māori land will remit all arrears on a Māori land rating unit if the current rates are paid for three years.</td>
</tr>
<tr>
<td>Proposed Amendments</td>
<td>Current Legislative Position</td>
<td>Auckland Council approach</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The Bill enables separate rating areas to be established for Māori freehold land where parts of the land are being used separately. Local Authorities will then be able to invoice the users of the land for their share of the rates. This amendment also amends the Rating Rebate Act 1973 so that the ratepayer of separate rating area can access the rebates scheme.</td>
<td>The introduction of the Rating Act in 2002 removed council’s ability to create separately rated apportionments for part of a property. Rates must be invoiced to the owner of the property unless there is a registered lease in place.</td>
<td>Auckland Council is currently limited in its ability to assist the users of Māori land where they are not the ratepayer for the land.</td>
</tr>
<tr>
<td>The Bill proposes that where rating units of Māori freehold land are used as a single economic unit, for example a farm, they can be treated as a single rating unit for the setting of rates. This will reduce the number of fixed charges that will apply to these properties.</td>
<td>Multiple rating units are treated as a single unit for rating purposes where the land is in the same ownership and the land is adjoining or only separated by a road or a stream. Māori land often fails this test as ownership differs between blocks.</td>
<td>Auckland Council remits additional fixed charges for Māori land on multiple rating units that is used as a single economic unit through its general rates remission policy. This scheme is also available to farms generally.</td>
</tr>
</tbody>
</table>
| Council will be required to consider applications for remissions for Māori freehold land that is being developed. The council may choose to remit some or all of the rates after considering whether the development will benefit Auckland by creating housing, employment or providing support for marae. | Auckland Council must have a rates remission and postponement policy for Māori land. Legislation does not prescribe what remissions options must be considered in deciding on the form of the policy. | Auckland Council does not currently offer rates remissions to support development of Māori land. The council instead offers grants programmes for marae and papakāinga development through its Cultural Initiatives Fund. This provides grants of up to $150,000 per applicant to support:  
  - development of new papakāinga and marae by assisting with planning and evaluation costs  
  - existing marae by assisting with improvements and / or extensions to core marae infrastructure. |
<table>
<thead>
<tr>
<th>Proposed Amendments</th>
<th>Current Legislative Position</th>
<th>Auckland Council approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide protection to Māori freehold land made general land under the Māori Affairs Amendment Act 1967 (MAAA 1967). The MAAA 1967 required Māori freehold land with less than four owners to have its status changed to general land. This change in status was made without owner knowledge or consent. The MAAA 1967 was repealed in 1973 but affected land remained as general land. The current Bill proposes that where former Māori freehold land converted under the MAAA 1967 continues to be owned by the original landowner or their descendants, this land will be protected from rating sales by local authorities in the same way Māori freehold land is protected.</td>
<td>The introduction of the Rating Act in 2002 removed council’s ability to create separately rated apportionments for part of a property. Rates must be invoiced to the owner of the property unless there is a registered lease in place.</td>
<td>Auckland Council has identified fourteen properties that possibly fit the above criteria. Such land is able to qualify for remission under the council’s remission policy for Māori land. Officers have adopted a cautious approach to such land, deferring action until land status and ownership can be clarified.</td>
</tr>
</tbody>
</table>
Appendix C: Māori Land in Auckland

Land status determined by the Māori Land Court

1. The following table shows properties whose land status has been determined by the Māori Land Court to be Māori land under the Te Ture Whenua Rating Act 1993 and which has been included in the Māori Land Online database.

<table>
<thead>
<tr>
<th>Māori Land Status</th>
<th>Rating Units</th>
<th>Land Area (Hectares)</th>
<th>Total Assessed Rates 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Māori Freehold Land</td>
<td>265</td>
<td>8604</td>
<td>$910,000</td>
</tr>
<tr>
<td>Customary Land</td>
<td>29</td>
<td>107*</td>
<td>0</td>
</tr>
<tr>
<td>General land owned by Māori</td>
<td>2</td>
<td>33</td>
<td>0</td>
</tr>
</tbody>
</table>

*A third of customary land properties have not been surveyed so are not included in the land area

2. Māori Freehold Land is land where the beneficial ownership has been determined by the Māori Land Court by freehold order

3. Customary land is land that is held by Māori in accordance with tikanga Māori. It is land that has never had freehold title. Customary land in Auckland consists of offshore rocks and small islets mainly around Great Barrier Island. It is fully non-rateable.

4. General land owned by Māori is land in general title that is beneficially owned by a Māori or by a group of persons of whom a majority are Māori. The above table only includes such land which has been formally recognised and recorded by the Māori Land Court. Māori owned land described in the next section would also be classified as general land owned by Māori.

Other Māori Land

5. Rates officers have also identified a small number of Māori land properties in general title as shown below. This list is not a complete list of Māori owned general land in Auckland. It is instead land that has been identified for rating purposes, for example because it is non-rateable, or eligible for rates remission.

<table>
<thead>
<tr>
<th>Land in General Title</th>
<th>Rating Units</th>
<th>Land Area (Hectares)</th>
<th>Total Assessed Rates 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crown land reserved for Māori</td>
<td>3</td>
<td>1</td>
<td>$6,800</td>
</tr>
<tr>
<td>Land returned for Cultural Redress</td>
<td>13</td>
<td>77</td>
<td>$4,100</td>
</tr>
<tr>
<td>Former Māori Freehold Land in Māori ownership – possibly converted under MAAA 1967</td>
<td>14</td>
<td>286</td>
<td>$16,800</td>
</tr>
<tr>
<td>Maunga</td>
<td>12</td>
<td>204</td>
<td>$123,700</td>
</tr>
<tr>
<td>Urupā/Marae/Papakāinga/Māori Community Use</td>
<td>7</td>
<td>12</td>
<td>$28,700</td>
</tr>
<tr>
<td>Crown owned Māori land</td>
<td>3</td>
<td>42</td>
<td>$8,200</td>
</tr>
</tbody>
</table>
Māori freehold land by Local Board

6. The table below shows Māori freehold land in each local board area that has such land.

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Rating units</th>
<th>Land Area (Hectares)</th>
<th>Total Assessed Rates 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Franklin</td>
<td>56</td>
<td>1,146.5</td>
<td>$119,016</td>
</tr>
<tr>
<td>Great Barrier</td>
<td>27</td>
<td>1,642.9</td>
<td>$32,466</td>
</tr>
<tr>
<td>Henderson-Massey</td>
<td>1</td>
<td>0.1</td>
<td>$2,321</td>
</tr>
<tr>
<td>Hibiscus and Bays</td>
<td>7</td>
<td>0.4</td>
<td>$12,293</td>
</tr>
<tr>
<td>Mangere-Otahuhu</td>
<td>22</td>
<td>10.3</td>
<td>$48,643</td>
</tr>
<tr>
<td>Orakei</td>
<td>18</td>
<td>65.7</td>
<td>$274,762</td>
</tr>
<tr>
<td>Otara-Papatoetoe</td>
<td>1</td>
<td>0.1</td>
<td>$1,997</td>
</tr>
<tr>
<td>Rodney</td>
<td>117</td>
<td>4,757.0</td>
<td>$232,325</td>
</tr>
<tr>
<td>Waiheke</td>
<td>6</td>
<td>980.2</td>
<td>$16,972</td>
</tr>
<tr>
<td>Waitakere Ranges</td>
<td>1</td>
<td>0.1</td>
<td>$2,867</td>
</tr>
<tr>
<td>Waitakere Ranges</td>
<td>9</td>
<td>0.3</td>
<td>$166,472</td>
</tr>
</tbody>
</table>
Auckland response to the 2019/2020 drought (Covering report)

File No.: CP2020/05421

Te take mō te pūrongo
Purpose of the report
1. To consider measures in response to the 2019/2020 drought.

Whakarāpopototanga matua
Executive summary
2. This is a late covering report for the above item. The comprehensive agenda report was not available when the agenda went to print and will be provided prior to the 07 May 2020 Emergency Committee meeting.

Ngā tūtohunga
Recommendation/s
The recommendations will be provided in the comprehensive agenda report.
Summary of Confidential Decisions and related information released into Open

File No.: CP2020/05180

Te take mō te pūrongo
Purpose of the report
1. To note confidential decisions and related information released into the public domain.

Whakarāpopototanga matua
Executive summary
2. This is a regular information-only report which aims to provide greater visibility of confidential decisions made which can now be released into the public domain.
3. The following decisions/documents are now publicly available:

<table>
<thead>
<tr>
<th>Date of Decision</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>16/4/20</td>
<td>Financial Position and Annual Budget 2020/2021 update report</td>
</tr>
<tr>
<td>16/4/20</td>
<td>Financial Position and Annual Budget 2020/2021 update PowerPoint Presentation</td>
</tr>
<tr>
<td>16/4/20</td>
<td>Emergency Committee confidential meeting minutes</td>
</tr>
<tr>
<td>23/4/20</td>
<td>Risk and Assurance update, approach to risk management and assurance activities during COVID-19 lockdown and recovery (Referred from the Audit and Risk Committee)</td>
</tr>
<tr>
<td>23/4/20</td>
<td>Emergency Committee confidential meeting minutes</td>
</tr>
</tbody>
</table>

4. The relevant decisions and documents for the above decisions can be found at the following link: [https://ourauckland.aucklandcouncil.govt.nz/articles/news/2020/04/auckland-council-to-consult-on-emergency-budget/](https://ourauckland.aucklandcouncil.govt.nz/articles/news/2020/04/auckland-council-to-consult-on-emergency-budget/)
5. Note that, unlike an agenda report, staff will not be present to answer questions about the items referred to in this summary. Emergency Committee members should direct any questions to the authors.

Ngā tūtohunga
Recommendation/s
That the Emergency Committee:
a) note the confidential decisions and related information that are now publicly available.
Ngā tāpirihanga  
Attachments  
There are no attachments for this report.

Ngā kaihaina  
Signatories

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author</td>
<td>Samdra O'Toole - Kaiarataki Kapa Tohutohu Mana Whakahaere / Team Leader Governance Advisors</td>
</tr>
<tr>
<td>Authoriser</td>
<td>Phil Wilson - Governance Director</td>
</tr>
</tbody>
</table>