

Date: Thursday 2 May 2024
Time: 10.00am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
 301-305 Queen Street
 Auckland

Tira Hautū / Governing Body

OPEN ATTACHMENTS

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Hon Mark Mitchell

Minister of Corrections
Minister for Emergency Management and Recovery
Minister of Police



26 March 2024

Wayne Brown,
Mayor, Auckland Council

Dear Mayor,

Delivery of categorisation, property buyouts and risk mitigation projects

Since coming into office late last year, I have visited each of the regions severely affected by the North Island Weather Events in early 2023 and have heard a range of issues and concerns that communities are facing. As I have spoken with affected homeowners, I have heard repeated concerns about the length of time that it is taking to categorise affected properties, complete property buyouts and provide clarity about risk mitigation projects. While appreciating that the recovery is locally led, and your considerable efforts, I am writing to you to set out my expectations for these processes.

More than a year on from those events, many property owners in the most severely affected areas still do not have certainty about their future housing situations. The uncertainty that this causes is creating a significant toll on those people and must be resolved as quickly as possible. I appreciate the complexities involved in categorisation and buyout processes, but this process must go faster. It is not acceptable that people are still waiting to be categorised and to have clarity on their pathway forward.

I expect that you will set clear dates for when categorisation will be finalised, and timeframes for buyout offers to be made. You should also be considering every possible option to speed up your processes and to identify any barriers and potential solutions. I invite you to discuss with me, or with my officials at the Cyclone Recovery Unit, any ideas or proposals that would help to provide resolution sooner and how we can work together to achieve these.

The government intends to monitor progress on a regular basis, for both the council-led buyout processes and for the Crown-led whenua Māori and marae pathway, and for other funded recovery activity, including transport projects and risk mitigation projects funded through cost-sharing agreements, and funding for sediment and woody debris removal. To ensure accountability to communities and transparency about how this work is progressing, this reporting will be made publicly available, so that affected homeowners have a full picture of progress in their communities.

I also expect that all procurement processes using Crown funding will be robust and ensure that procurement is conducive to competitive and cost-effective outcomes.

Scope of the categorisation framework and cost-sharing agreements

The framework for categorising properties and delivering buyout offers and risk mitigation solutions was established early in the recovery process. Cost-sharing arrangements, based on that framework, were agreed in October last year. This government is honouring those commitments, but we will not consider fundamental changes. Seeking to relitigate aspects of the framework, or to renegotiate agreed funding will only serve to delay the recovery process further.

To that end, I would like to make clear the following:

- The scope of the categorisation framework is unchanged. It is limited to properties impacted by three specific events – Cyclones Hale and Gabrielle, and the Auckland Anniversary floods. The government will not support any extension of this scope to damage caused, or exacerbated by, subsequent weather events.
- Councils will need to work within existing funding amounts, for the purposes for which they have been allocated. Aside from the provisions in your Funding Agreement that allow for renegotiation with the Crown, additional funding for buyout related costs, or for substantial changes to agreed risk mitigation projects, will not be considered.
- Any proposals to reallocate funds or make changes to existing Funding Agreements between the Crown and councils will only be considered where a change would make the recovery process move faster and provide greater certainty to affected homeowners. I would expect a very strong case that can demonstrate clear benefits before any proposal for change could be considered.

We all share the same concerns about the impacts on your affected communities and understand the need to speed up the recovery. I look forward to working with you further to progress this.

Yours sincerely,



Hon Mark Mitchell
Minister for Emergency Management and Recovery

cc Phil Wilson, Chief Executive, Auckland Council
Katrina Casey, Chief Executive, Cyclone Recovery

**Tira Hautū Committee
Forward Work Programme 2024**

The Governing Body deals with strategy and policy decision-making that relates to the environmental, social, economic and cultural activities of Auckland as well as matters that are not the responsibility of another committee. The full terms of reference can be found here: [Auckland Council Governing Body Terms of Reference](#)

Area of work and Lead Department	Pūnga / Reason for work	Committee role (whakatau / decision and/or tika / direction)	Expected timeframes Highlight the month(s) this is expected to come to committee in 2024												
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Statutory and Governance															
Chief Executive's Performance Objectives CE Office / Mayoral office	The Performance and Appointments Committee has the delegation to recommend performance objectives. The Governing Body must then consider the recommendations and make a decisions.	Decision to whakaae / approve revised performance objectives that reflect the new political term's priorities													
Chief Executive Remuneration Review Mayoral office	The chief executive's remuneration will be reviewed annually.	Decision to whakaae / approve a remuneration change. First review is a year from the appointment of the new CE.													
Committee Forward Work Programmes CE Office / Mayoral office	Responsibility for oversight of work programmes of all committee of the Governing Body.	Decision to tuhi ā-taipitopito / note that all committee have adopted a forward work programme. Reporting in April and October.													

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Terms of Reference Governance	The Terms of Reference enables the governing Body to delegate to committees those power necessary for them to carry out their responsibilities to the most efficient and effective levels. Any changes to the Terms of Reference must be done by the Governing Body.	Decision to whai / adopt the Terms of Reference Decision to whai / adopt changes to Terms of Reference Progress to date: Terms of Reference for Committees 17 November 2022 Link to decision Provision for decision-making continuity by Governing Body in periods of emergency 10 February 2023 Link to decision Amendment to the Governing Body Terms of Reference and to the Constitution of Ports of Auckland Limited 23 February 2023 Link to decision Amendments for Committees – new committee and membership changes 27 July 2023 Link to decision Amendment to membership for the Joint Governance Working Party 23 November 2023 Link to decision	As and when required													
Standing Orders Governance	Statutory requirement under the Local Government Act 2002, Schedule 7, clause 27 Originally adopted 16/12/2010	Decision to tapi / amend standing orders	As and when required													
Code of Conduct Governance	The Terms of Reference enables the governing body to adopt or amend the Code of Conduct. Any changes must be done by the Governing Body	Decision to whai / adopt the Code of Conduct Decision to whai / adopt changes to the Code of Conduct	As and when required													
Health, Safety and Wellbeing Group Services	The Auckland Council organisation is a person or organisation conducting a business or undertaking pursuant to the Health and Safety at Work Act 2015. All elected members are officers pursuant to the Health and Safety at Work Act 2015, and have legislated obligations in relation to their duties as officers. The Audit and Risk Committee will refer the health, safety and wellbeing report to the Governing Body.	Decision to whiwhi / receive quarterly Health, Safety and Wellbeing report, and refer it to Local Boards.														

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Auckland Council Enterprise Risk Report Governance	The Audit and Risk Committee will refer the enterprise risk report to the Governing Body every quarter.	Decision to tuhi ā-taipitopito / note the enterprise risk report and risk heat map Decision to whiwhi / receive quarterly reports													
Te Tiriti o Waitangi / Treaty of Waitangi Governance	The Crown negotiates settlements with iwi on a confidential basis and from time to time invites Council to express its views. The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working party is accountable to the Governing Body and reports its findings to the Governing Body.	Decision to whakaae / approve submissions to the Crown as and when required Decision to whakaae / approve establishment and on-going implementation of co-management and other governance arrangements	As and when required												
Climate Action Transport Targeted Rate (CATTR) CPO	Governance and Oversight Group Providing direction and endorsement of the annual CATTR programmes and projects	Receive annual reports Review governance and oversight arrangements as required													
Recovery Governance	Recovery performance reporting and risks	Receive progress reports and make decisions that feed into other programmes like annual plan and LTP. Progress to date: February Report 29 February 2024 Link to decision Storm Recovery update and request to set an end date for homeowners to opt in to the property risk assessment process 28 March 2024 Link to decision													
Governance Framework Review Customer and Community Services	Provide update on the Governance Framework Review	Receive an update on the development of Governance Framework Review workstreams, including the proposed funding equity model for local boards.													

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Finance and Performance														
CE and Group Financial Report CE Office / Finance	Chief Executive and Group Chief Financial Officer Report	Receive monthly performance and financial updates Progress to date: February Update 29 February 2024 Link to decision March Update 28 March 2024 Link to decision												
Performance reporting quarterly - parent Finance	Financial management	Monitor council parent financial and non-financial performance results on a quarterly basis, including Māori outcomes expenditure. Q2 (March), Q3 (May), Q4 (September), Q1 (November) Note: Reporting in September must be considered as a confidential report until results are sent to NZX at the end of September Progress to date: Auckland Council Group and Auckland Council Quarterly Performance Reports for the quarter ended 31 December 2023 – 28 March 2024 Link to decision												
Performance reporting quarterly – group Finance	Financial management	Monitor Auckland Council group financial requirements on a quarterly basis. Q2 (March), Q3 (May), Q4 (September), Q1 (November) Note: Reporting in September must be considered as a confidential report until results are sent to NZX at the end of September. Progress to date: Auckland Council Group and Auckland Council Quarterly Performance Reports for the quarter ended 31 December 2023 – 28 March 2024 Link to decision												

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10-year Budget (Long-term Plan) Finance	Statutory requirement	Decision to whai / adopt 10-year Budget (Long-term Plan)														
Tūpuna Maunga Operational Plan	Statutory requirement	Decision to whakaae / agree operation plan and summary for inclusion in consultation documents and supporting information for the 10-year Budget (Long-term Plan)														
Half yearly and annual reporting Governance	Statutory requirement and NZX listing requirement	Receive and approve half year (February) NZX release (delegation to deputy mayor) Decision to adopt annual report (September) Note: <ul style="list-style-type: none"> NZX announcements are presented to the Audit and Risk Committee There is a delegation from the Governing Body to the deputy mayor to approve the release of the interim and full year Auckland Council group financial results to the NZX for each reporting period through to 30 June 2025. Formal adoption of annual report is by the Governing Body 														
Independent Māori Statutory Board – Funding Agreement Governance	Statutory requirement	Decision to whakaae / approve funding agreement 2024/2025														

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Financial Policy Finance	Statutory requirement	<p>Development Contributions Policy</p> <ul style="list-style-type: none"> Decision to adopt draft policy for consultation including proposed changes arising from decisions on the Long-term Plan 2024-2034 and changes reflecting decisions to extend policy to cover investments beyond 2034 in Drury, the Inner Northwest (Redhills, Whenuapai, and Westgate), and the Auckland Housing Program areas (Mangere, Tamaki, and Mt Roskill) (August) Decision to adopt new policy (December) 												
Levy funding for Auckland Museum, MOTAT and ARAFA Governance	Statutory process	<p>Decision to approve the levy for ARAFA as an input to the annual plan.</p> <p>Progress to date: Consideration of 2024/2025 levy requests from Museum of Transport and Technology and Auckland Regional Amenities Funding Board 28 March 2024 Link to decision Auckland War Memorial Museum Funding Agreement and Levy Approval 28 March 2024 Link to decision</p>												
Eden Park Trust Board six monthly update Finance	Funding requirement	<p>Receive an update on the Eden Park loan facility (six-monthly)</p> <p>Progress to date: Presentation from Eden Park Trust Board 28 March 2024 Link to decision</p>												
Community led protection of open space in Ōrākei Customer and Community Services	CONFIDENTIAL – Update to previous report on community led protection of open space in Ōrākei	Receive the update on community led protection of open space in Ōrākei												

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Bylaws														
# public notification is required for bylaw reviews even if no change to the bylaw is recommended.														
Cemeteries and Crematoria Bylaw Control Community and Social Policy	To review the rules to manage activities at council cemeteries and crematoria relating to burial, cremation, disinterment, built structures and record-keeping under the Cemeteries and Crematoria Bylaw 2014.	Decision on form of updated bylaw control and whether formal public consultation is required. Decision late 2023 / early 2024												
Health and Hygiene Bylaw Control Community and Social Policy	To review minimum standards to protect public health associated with commercial services that pierce, risk breaking or risk burning the skin or tissue, therapeutic massage, colon hydrotherapy, swimming pools, water play parks and splash pads under the Health and Hygiene Bylaw 2013.	Decision on form of updated bylaw control and whether formal public consultation is required. Decision late 2023 / early 2024												
Traffic Bylaw Review Community and Social Policy	Legislative requirement to review the bylaw and policy after five years.	Decision to whakaae / approve statement of proposal # Decision to auaha/tapi/whakakore / Make/Amend/Revoke the bylaw Decision late 2023 / early 2024												
Government Reforms and Programmes														
Three Waters Local Water Done Well Chief Planning Office	Water Services Legislation Bill and Water Services Efficiency and Consumer Protection Bill	Decision to approve Auckland Council's submission												
Three Waters Local Water Done Well Chief Planning Office	Update of Government positions and consideration of Auckland Council positions	Decision to approve council's submission on the Water Services Legislation Bill and Water Services Economic Efficiency and Consumer Protection Bill was made on 23 February 2023. Report back from Select Committee to Parliament by 25 May 2023 and eventual passing of legislation. GB consideration to be confirmed. Minister for Local Government's confirmation of any amendments to the Three Waters Reform expected in April 2023.												

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Representation Review Governance	Representation Review including Local Board Reorganisation	Decision on whether to review representation and proceed with the consultation. Progress to date: Joint Governance Working Party update and recommendations 14 December 2023 Link to decision														
General Work Programme																
Making Space for Water I and ES	Making Space for Water	Decisions in regards to the Making Space for Water Programme.														
Review / Refresh of Workshops and Guidelines Governance	Consideration of November 2023 Ombudsman's Report	Decision in regards to how workshops are treated.														

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Completed

Area of work and Lead Department	Committee role	Whakatau / Decision
FIFA WWC 2023 Host City Closure Report Tataki Auckland Unlimited (TAU)	Decision to accept the final report from the government.	Memorandum – close out reports 28 February 2024 Link to report Link to decision

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