

Terms of Reference
Auckland Council
City Centre Advisory Panel
2022 to 2025

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2. About

The terms of reference sets out the purpose, role and protocols of the Auckland Council 'City Centre Advisory Panel' for the 2022-2025 term of the council. Panel members must abide by the Code of Conduct for members of Auckland Council advisory panels (Appendix A).

3. Purpose

The purpose of the City Centre Advisory Panel is to:

- Provide advice based on sector and industry expertise and lived experience to help the council group set strategic direction and priorities to deliver on the potential of the city centre as a thriving, vibrant centre for all
- Provide civic leadership, support for the case for change, and champion the city centre, both in terms of what it is now, and what it can be in the future
- Advocate best value for the City Centre Targeted Rate ratepayers

Auckland Council includes:

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

4. Outcome

The City Centre Advisory Panel will contribute to the realisation of the following outcomes, aligned to the city centre masterplan:

- **UNIQUE IDENTITY – TE TUAKIRI AHUREI:** Create a feeling of belonging for people to be proud of and express a point of difference.
- **INTEGRATED TRANSPORT – TE KŌMITITANGA O NGĀ WAKA:** Integrate strategies, for land use and transport, to design, plan and create safe, accessible city centre for all.
- **SUPPORTIVE COMMUNITY – HE HAPORI TAUTOKO:** Encourage connected, resilient places designed for all.
- **HEALTHY NATURAL ENVIRONMENT – TE TAIAO HAUORA:** Enable the regeneration of health and wellbeing for people, place and nature.
- **URBAN LIVING – TE NOHO Ā-TĀONE:** Provide residential choices to accommodate growth and promote low-carbon urban lifestyles.
- **PROSPEROUS AND ROBUST LOCAL ECONOMY – TE ŌHANGA Ā-ROHE PĀTATA E TŌNUI ANA, E RUARANGI ANA:** Adapt to change and prepare for future opportunities, nurturing prosperous places.

5. Role of the City Centre Advisory Panel

The role of the City Centre Advisory Panel is to work with the council group staff to achieve shared outcomes for the city centre.

They will do this by:

- Providing strategic advice and thought leadership on how best to respond to and address key challenges and opportunities facing the city centre, both in the short and the long term, through its advocacy on the council group's investment in infrastructure and environmental, social, economic and cultural initiatives.
- Providing advice on the future of our city centre and how the council group can best respond to this changing and evolving context through our regeneration programmes, including sector and industry trends and plans and how this can be applied to our programmes.
- Providing advice on the resolution of strategic tension and trade-offs in relation to realising the vision and outcomes of the city centre masterplan, and the pace of change and how these decisions could impact the community.
- Providing advice on determining priority outcomes from the City Centre Targeted Rate portfolio, set in the context of the wider council group funding framework.

6. Membership

The membership of the panel will be made up the following sectors:

Sector representatives	No.
Independent Chair	1
Corporate/Commercial sector	1
Tourism and travel sector	1
Business associations <ul style="list-style-type: none"> • Heart of the City • Karangahape Road Business Association 	2
Tertiary education sector: <ul style="list-style-type: none"> • University of Auckland • Auckland University of Technology 	2
Mana whenua: <ul style="list-style-type: none"> • Ngati Whatua representative • Additional mana whenua representative 	2
Residents' associations/organisations <ul style="list-style-type: none"> • City Centre Residents Group • Additional residents' association in the Auckland city centre 	2

Property sector	1
Urban design sector	1
Retail sector	1
Arts, culture and events	1
Climate change – Specialist advisor	1
Transport sector – Specialist advisor	1
Social sector representative – Specialist advisor	1
Elected Representatives <ul style="list-style-type: none"> • The Mayor • Waitemata and Gulf Ward Councillor • Waitemata Local Board Member 	3
Total number	21

The panel will have between 15 and 21 members at all times, including three elected members.

The panels term ends one month prior to the next local government elections in 2025. The council will review the membership of the panel before or after the end of the current term.

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

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

6.1. Chair and Deputy Chair

An independent Chair will be appointed to facilitate open and constructive discussion amongst the members, while also being able to drive discussion towards the provision of advice relevant to the challenges and opportunities faced by the city centre and the topic at hand.

A deputy chair will be nominated and appointed by the panel members.

6.2. Elected representatives

Three elected members will have a position on the panel. The role of the elected members is to act as a liaison between the panel and relevant council committees and the Waitemata Local Board. This liaison role is important in ensuring that opportunities for collaboration between panel and elected representatives are leveraged:

- The Mayor - may select a delegate or choose not to take up the position.
- The Waitemata Local Board - will select its representative to the City Centre Advisory Panel.
- The Waitemata Ward Councillor.

The three elected members on the panel are ineligible to be appointed as chair and deputy chair and are ineligible to vote on business matters of the panel.

7. Selection of members

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

- association with an Auckland city centre group or organisation
- ability to provide expert advice on city centre issues based on their sectorial knowledge or lived experience
- understanding of current and future issues facing Auckland and its city centre.
- commitment to the panel
- knowledge and understanding of urban regeneration of town centre or city centres and how this applies within the context of their sector expertise or lived experience.

The panel must have at least two members with lived experience in Te Ao Māori.

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

Qualification of members is set out in Appendix B.

8. Resignation

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

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

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

9. Meetings

Frequency and duration:

The Panel will meet every 2 months (bi-monthly) for three hours.

Format:

The format of meetings will be primarily workshop-based to enable collaborative discussion between panel members and staff, with a focus on debate of issues and advice based on the topic at hand.

Workshops will not automatically be confidential, unless appropriate for the subject matter.

Business meetings will be scheduled for specific items that need a formal resolution or position statement to be agreed. These resolutions will be clearly shown in meeting minutes.

Structure:

The work programme will be defined based on the programme to develop, prioritise and implement the regeneration plan for the city centre. Key topics for workshopping will be identified early (and where possible co-designed with the panel members), with clear links back to how these will shape and influence the regeneration programme for the city centre and the implementation of the CCMP.

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

10. Quorum

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

11. Submissions

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

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

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

12. Engagement with Auckland Council

The City Centre Advisory Panel may make recommendations to:

- Governing Body and its Committees
- Waitemata Local Board
- Council departments and Council Controlled Organisations including Auckland Transport, Eke Panuku Development Auckland, Tataki Auckland Unlimited

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

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

13. Agendas

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

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

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

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

14. Staff support

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

14.1. Lead Officer Support

The Lead Officer Support for the panel will be the Priority Location Director – City Centre (Eke Panuku)

Their role will be to:

- facilitate development of the panel’s work programme
- follow up on meeting actions and resolutions
- act as a conduit with relevant parts of the organisation for the panel
- attend pre-meeting briefings with the chair if scheduled
- highlight potential issues and risks
- sit next to the chair in meetings to provide advice as appropriate
- ensure guidance and advice from the panel is clearly captured
- provide subject matter expertise.

14.2. Deputy Lead Officer Support (if required)

The Deputy Lead Officer Support is the Head of City Centre Programmes (Development Programmes Office, Auckland Council):

Their role will be to:

- support the lead officer to develop the panel’s work programme
- update panel agendas and writes reports as necessary for panel meetings
- perform delegated tasks from the Lead Officer Support.

14.3. Principal Advisor Panels

The Principal Advisor Panels:

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

14.4. Governance Advisor

The Governance Advisor:

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

14.5. Additional support

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

15. Resourcing

Auckland Council Democracy & Engagement will support catering and administrative support for panel meetings through the Governance Advisor.

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

16. Review

The form and functioning of the panel may be reviewed prior to or after, the end of the year 2025.

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

1. Purpose

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

2. Principles

The principles underlying the expected conduct of members include:

2.1. Honesty and integrity

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

2.2. Impartiality and accountability

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

2.3. Openness

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

2.4. Respect

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

2.5. Duty to uphold the law

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

2.6. Stewardship

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

2.7. Leadership

Members should promote and support these principles by example.

3. Relationships

3.1. Chair

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

3.2. All members

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

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

3.3. Employees of Auckland Council

Members will:

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

4. Media

4.1. Spokesperson

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

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

4.2. Response to media enquiries

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

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

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

4.3. Personal views

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

- comments must make clear that they represent a personal view and must not state or imply that they represent the views of the panel

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

5. Confidential information

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

6. Ethics

Members will:

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

7. Members' interests

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

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

8. Complaints

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

Appendix B: Qualifications of Members

To be a member of the Panel, a person must

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

The following persons are disqualified from being members:

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