

Date: Thursday 29 May 2014
Time: 9.30am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Governing Body

OPEN MINUTE ITEM ATTACHMENTS

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Auckland achievements

May 2014

- Inspirational visit from New York transport guru Janette Sadik-Khan who provided fresh thoughts on how to improve public and active transport and shared spaces in Auckland
- HackAKL – Auckland’s first civic hackling event at AUT involving hundreds of participants interested in utilising open government data to develop fresh ideas to help improve transport in Auckland
- The announcement of a 50 per cent increase in Auckland’s tourism targets at the TRENZ tourism conference at Queens Wharf to deliver 12,000 new jobs and \$7.2 billion annually in the Auckland visitor economy by 2021
- The announcement of a \$10,000 Writers Grant as part of the Auckland Writers Festival to give emerging and talented writers an opportunity to develop their work for a broader audience
- The opening of GridAKL – the new Auckland innovation precinct in the Wynyard Quarter - an ‘all in one’, collaborative innovation hub with flexible work spaces aimed to connect players from across Auckland’s innovation ecosystem
- The awarding of Lifetime Achievement Award to Che Fu at the 10th annual Vodafone Pacific Music Awards
- The purchase of a heritage property on Beach Road in Castor Bay which will allow the council to expand Kennedy Park well as protect the remnants of a coastal defence artillery and camp built during World War Two
- The recognition of architects, Sills van Bohemen, in the planning and urban design category at the recent New Zealand Architecture Awards for Takapuna’s Hurstmere Green which re-stitches the high street of Takapuna to the high water mark at one of the world’s best urban beaches

Appointment of local board members to the Tūpuna Maunga o Tāmaki Makaurau Authority

File No.: CP2014/10825

Confidentiality

Reason:	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
Interests:	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular, the report contains the names of possible appointees to the Maunga Authority
Grounds:	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

Purpose

1. To recommend the appointment of Simon Randall – Chair, Maungakiekie-Tāmaki Local Board, Glenda Fryer – Deputy Chair, Albert-Eden Local Board, and Kit Parkinson, Orakei Local Board member as the three local board members to the Tūpuna Maunga o Tāmaki Makaurau Authority (the Maunga Authority).

Executive summary

2. The Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Bill 2013 (the Bill) gives effect to certain matters contained in the deed entered into by the Crown and Ngā Mana Whenua o Tāmaki Makaurau Collective (the Tāmaki Collective). The Bill establishes the Tūpuna Maunga o Tāmaki Makaurau Authority (the Maunga Authority) and sets out matters relating to its membership, functions and powers, administration and procedures.
3. The Bill outlines that Auckland Council membership on the Maunga Authority shall consist of six members¹. At the February 2014 Governing Body meeting, it was recommended that council membership on the Maunga Authority consist of three Governing Body and three local board members.
4. At the meeting the Governing Body also recommended:
 - that Councillors Cashmore, Darby and Fletcher be appointed as the three Governing Body members to the Tūpuna Maunga o Tāmaki Makaurau Authority
 - that the eight local boards within whose area the maunga are located nominate three members to be appointed to the Tūpuna Maunga o Tāmaki Makaurau Authority by the Governing Body
 - the creation of a local boards forum which will engage with the Maunga Authority members on matters affecting the maunga.
5. Following the direction of the Governing Body, the relevant local board chairs (or their nominated member) met and agreed a process to appoint the three local board members to the Maunga Authority. As a result of the process, Glenda Fryer, Simon Randall and Kit Parkinson are recommended for appointment to the Maunga Authority.

¹ Membership of the Maunga Authority also consists of two members appointed by each of the three rūpū entities to which the 13 iwi and hapū constituting the collective associate, and one non-voting member appointed by the Minister for Arts, Culture and Heritage (for the first three years of the Maunga Authority)

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6. It is important to note that the third reading and subsequent processes for the Bill has been delayed. It is still hoped that the Bill will be passed before the end of this parliamentary term, but it is possible that it will not be. Despite this delay in progressing the Bill, officers will work with the Auckland Council Maunga Authority members and undertake tasks such as:
- establish working relationships with the Tamaki Collective
 - provide an overview of the roles, responsibilities and tasks the Maunga Authority will need to work through (e.g. an integrated management plan for the maunga)
 - preparation of documents required to be adopted by the Maunga Authority when formed.

Recommendation/s

That the Governing Body:

- a) appoint Glenda Fryer, Simon Randall and Kit Parkinson as the three local board members to the Tūpuna Maunga o Tāmaki Makaurau Authority.
- b) agree that the report and decision be restated in the open section of the minutes.

Comments

Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Bill 2013

7. The purpose of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Bill 2013 (the Bill) gives effect to certain matters contained in the Tāmaki Makaurau Collective Deed of Settlement entered into by the Crown and Ngā Mana Whenua o Tāmaki Makaurau Collective (the Tamaki Collective). The Bill provides shared redress to the Iwi and Hapū constituting Ngā Mana Whenua o Tāmaki Makaurau, including:
- restoring ownership of certain maunga and motu of Tāmaki Makaurau to the Iwi and Hapū, the maunga and motu being treasured sources of mana to the Iwi and Hapū
 - providing mechanisms by which the Iwi and Hapū may exercise mana whenua and kaitiakitanga over the maunga and motu
 - providing a right of first refusal regime in respect of certain land of Tāmaki Makaurau to enable those Iwi and Hapū to build an economic base for their members.
8. The maunga will be held in trust for the common benefit of Ngā Whenua o Tāmaki Makaurau and the other people of Auckland.
9. The Iwi / hapu who form the collective are:
- Ngāi Tai ki Tāmaki
 - Ngāti Maru
 - Ngāti Pāoa
 - Ngāti Tamaoho
 - Ngāti Tamaterā
 - Ngāti Te Ata
 - Ngāti Whanaunga
 - Ngāti Whātua o Kaipara
 - Ngāti Whātua Ōrākei
 - Te Ākitai Waiohū

- Te Kawerau ā Maki
- Te Patukirikiri
- Hapū of Ngāti Whātua

Tūpuna Maunga o Tāmaki Makaurau Authority

10. The Bill establishes the Tūpuna Maunga o Tāmaki Makaurau Authority (the Maunga Authority) and sets out matters relating to its membership, functions and powers, administration and procedures. The membership consists of:
 - two members appointed by each rūpū entity
 - six members appointed by council
 - one non-voting member appointed by the Minister for Arts, Culture and Heritage (for the first three years of the Maunga Authority).
11. The members appointed by the rūpū entities must appoint the chairperson and the members appointed by council must appoint the deputy chairperson. The Bill sets out further matters relating to standing orders, meetings, remuneration, delegations, conflicts of interest and a terms of reference.

Role of the Maunga Authority

12. The Maunga Authority will develop an integrated management plan for each maunga (and any additional land administered by the Maunga Authority). The Maunga Authority is an administering body for the purposes of the Reserves Act 1977 and the integrated management plan must comply with relevant provisions of this Act.
13. Each financial year the Maunga Authority and council must prepare, agree and adopt an operational plan to provide the framework for council to carry out its responsibilities for management of the maunga. A summary of the operational plan must be included in council's annual and long-term plans.
14. The Maunga Authority must have regard to the following when exercising its powers and carrying out its functions:
 - the spiritual, ancestral, cultural, customary and historical significance of the maunga to Ngā Mana Whenua o Tāmaki Makaurau
 - the maunga is held for the common benefit of Ngā Mana Whenua o Tāmaki Makaurau and the other people of Auckland.
15. More information on the roles of the Maunga Authority and council is available from the February 2014 Governing Body report entitled *Proposed Auckland Council membership on the Tūpuna Maunga o Tāmaki Makaurau Authority*².

Auckland Council membership on the Maunga Authority

16. The following table outlines the location of the maunga by local board and ward area:

Maunga	Local board area	Ward area
<ul style="list-style-type: none"> • Maungawhau / Mt. Eden • Owairaka / Mt. Albert • Te Kopuke – Titikopuke / Mt. St. John. 	Albert-Eden	Albert-Eden-Roskill
<ul style="list-style-type: none"> • Puketapapa – Pukewiwi / Mt. Roskill • Te Tatua-a-Riukiuta / Big King. 	Puketapapa	
<ul style="list-style-type: none"> • Maungauika / North Head • Takarunga / Mt. Victoria. 	Devonport-Takapuna	North Shore

² The report can be found here: http://infocouncil.aucklandcouncil.govt.nz/Open/2014/02/GB_20140227_AGN_4437_AT.PDF

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• Ohuiarangi / Pigeon Mountain.	Howick	Howick
• Maungakiekie / One Tree Hill • Maungarei / Mt. Wellington • Otahuhu / Mt. Richmond • Rarotonga / Mt. Smart.	Maungakiekie-Tamaki	Maungakiekie-Tamaki
• Mangere Mountain	Mangere-Otahuhu	Manukau
• Matukutururu / Wiri Mountain.	Manurewa	Manurewa-Papakura
• Ohinerau / Mt. Hobson.	Orakei	Orakei

17. At the February 2014 Governing Body meeting, it was decided that council membership on the Maunga Authority consist of three Governing Body and three local board members. This composition was recommended because it:
- enables shared representation from the Governing Body and local boards that reflects council's shared decision making model
 - allows for Governing Body members to account for the views from a regional perspective
 - allows local board members to reflect views from a local perspective, whilst also being responsible for taking a region-wide perspective in the administration of the maunga
 - provides flexibility and changes to the membership structure over time
 - enables stronger links between the Maunga Authority and local communities, many of whom are active in the stewardship of maunga.
18. At the meeting the Governing Body also decided that:
- Councillors Cashmore, Darby and Fletcher be appointed as the three Governing Body members to the Tūpuna Maunga o Tāmaki Makaurau Authority.
 - the eight local boards within whose area the maunga are located nominate three members to be appointed to the Tūpuna Maunga o Tāmaki Makaurau Authority by the Governing Body.
 - the creation of a local boards forum which will engage with the council members of the Maunga Authority on matters affecting the maunga.
19. Following the direction of the Governing Body, the relevant local board chairs (or their nominated member) a following process to appoint the three local board members to the Maunga Authority involved:
- each chair nominating a person from their local board to be considered for the Maunga Authority
 - the development of criteria to use in assessing nominees
 - establishing a panel to assess the nominees, comprising of the Governance Director, Local Board Services Manager, Te Waka Angamua Manager and the three local board chairs who did not put a nominee forward (in particular David Collings, Angela Dalton and Julie Fairey)
 - nominees completing expressions of interest based on the agreed criteria.
20. The five nominees were Mike Cohen, Simon Randall, Kit Parkinson, Lydia Sosene and Glenda Fryer. The criteria used to assess the nominees included capability in strategic matters, experience in iwi / public sector relationships, relationships with iwi and an understanding of local boards' issues in relation to the maunga. The need to have a geographic spread of members was taken into account, but this had a lower weighting than the other criteria.

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21. The panel reached a consensus, agreeing that Glenda Fryer, Simon Randall and Kit Parkinson be the three recommended local board members for the Maunga Authority.

Consideration

Local board views and implications

22. The maunga are significant landmarks and valuable local assets within their communities. Local boards have expressed a strong interest in being involved in the co-governance arrangements to ensure local communities remain involved in the planning and management of the maunga moving forward.
23. The Local Board Forum will provide an additional mechanism for local boards with maunga in their area to address the above issues and highlight their key priorities to the council members of the Maunga Authority.

Māori impact statement

24. Council staff have been involved in active and collaborative engagement with the Tamaki Collective to prepare for the establishment of the Maunga Authority and the matter which must be addressed at its first meeting. This process has served to reinforce the historical and cultural importance of the maunga to the Tamaki Collective and engendered a positive relationship between the Tamaki Collective and the Council.

Implementation

25. It is important to note that the third reading and subsequent processes for the Bill has been delayed. It is still hoped that the Bill will be passed before the end of this parliamentary term, but it is possible that it will not be. Despite this delay in progressing the Bill, staff will work with the Auckland Council Maunga Authority members and undertake tasks such as:
- establish working relationships with the Tamaki Collective
 - provide an overview of the roles, responsibilities and tasks the Maunga Authority will need to work through (e.g. an integrated management plan for the maunga)
 - preparation of documents required to be adopted by the Maunga Authority when formed.

Attachments

There are no attachments for this report.

Signatories

Authors	Tristan Coulson - Policy Analyst
Authorisers	Karen Lyons - Manager Local Board Services Grant Taylor - Governance Director Stephen Town - Chief Executive