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

**Date:** Tuesday, 24 July 2018  
**Time:** 9.30am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

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**Komiti ā Pūtea, ā Mahi Hoki / Finance and Performance Committee**

**OPEN AGENDA**

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**MEMBERSHIP**

Chairperson  
Cr Ross Clow  
Cr Desley Simpson, JP  
Cr Josephine Bartley  
Cr Dr Cathy Casey  
Deputy Mayor Bill Cashmore  
Cr Fa’anana Efeso Collins  
Cr Linda Cooper, JP  
Cr Chris Darby  
Cr Alf Filipaina  
Cr Hon Christine Fletcher, QSO  
Mayor Hon Phil Goff, CNZM, JP  
Cr Richard Hills  
IMSB Member Terrence Hohneck  
Cr Penny Hulse  
Cr Mike Lee  
Cr Daniel Newman, JP  
Cr Greg Sayers  
Cr Sharon Stewart, QSM  
IMSB Chair David Taipari  
Cr Sir John Walker, KNZM, CBE  
Cr Wayne Walker  
Cr John Watson  

(Quorum 11 members)

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**Sandra Gordon**  
Senior Governance Advisor  

18 July 2018

Contact Telephone: (09) 890 8150  
Email: sandra.gordon@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

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**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

The purpose of the Committee is to:
(a) control and review expenditure across the Auckland Council Group to improve value for money
(b) monitor the overall financial management and performance of the council parent organisation and Auckland Council Group
(c) make financial decisions required outside of the annual budgeting processes

Key responsibilities include:

- Advising and supporting the mayor on the development of the Long Term Plan (LTP) and Annual Plan (AP) for consideration by the Governing Body including:
  o Local Board agreements
  o Financial policy related to the LTP and AP
  o Setting of rates
  o Preparation of the consultation documentation and supporting information, and the consultation process, for the LTP and AP
- Monitoring the operational and capital expenditure of the council parent organisation and Auckland Council Group, and inquiring into any material discrepancies from planned expenditure
- Monitoring the financial and non-financial performance targets, key performance indicators, and other measures of the council parent organisation and each Council Controlled Organisation (CCO) to inform the Committee’s judgement about the performance of each organisation
- Advising the mayor on the content of the annual Letters of Expectations (LoE) to CCOs
- Exercising relevant powers under Schedule 8 of the Local Government Act 2002, which relate to the Statements of Intent of CCOs
- Exercising Auckland Council’s powers as a shareholder or given under a trust deed, including but not limited to modification of constitutions and/or trust deeds, granting shareholder approval of major transactions where required, exempting CCOs, and approving policies relating to CCO and CO governance
- Approving the financial policy of the Council parent organisation
- Establishing and managing a structured approach to the approval of non-budgeted expenditure (including grants, loans or guarantees) that reinforces value for money and an expectation of tight expenditure control
- Write-offs
- Acquisition and disposal of property, in accordance with the long term plan
- Recommending the Annual Report to the Governing Body
- Te Toa Takatini
Powers

(a) All powers necessary to perform the committee’s responsibilities, including:
    a. approval of a submission to an external body
    b. establishment of working parties or steering groups.
(b) The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.
(c) The committee does not have:
    a. the power to establish subcommittees
    b. powers that the Governing Body cannot delegate or has retained to itself (section 2).
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.
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1  **Apologies**

An apology from Councillor S Stewart has 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 Finance and Performance Committee:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 19 June 2018, 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.”
Disposal recommendations report July 2018

File No.: CP2018/07950

1. To obtain approval to dispose of four council-owned sites that Panuku Development Auckland (Panuku) considers suitable for sale.

2. For the 2018/2019 financial year, Panuku’s statement of intent (SOI) requires it to identify properties from within council’s portfolio that may be suitable for potential sale to a combined value of $30 million, and to sell $24 million of property by 30 June 2019.

3. 132 Green Lane East, Greenlane is an off-street car park that has been identified through the rationalisation process with development potential for an intensified mixed use housing and urban renewal development given its size, location and proximity to the public transport nodes. Consultation with council departments and CCOs, iwi authorities and the Albert-Eden Local Board has now taken place. The board previously resolved that its preferred outcome was to retain the site for future town centre development and requested first right of refusal provisions to iwi. Following further consultation with the board to address the issues raised in its resolution, the board has since advised that it will not oppose the disposal when the site is presented to the Finance and Performance Committee. Panuku recommends the disposal of this site with appropriate legal controls to achieve strategic housing and urban renewal purposes with predetermined development outcomes in line with the Panuku SOI development objectives.

4. 28 Lockwood Avenue, Papakura, is a residential property that is the residue from land originally acquired for a works depot, parks staff residence and bulk-water supply. Council’s Regional Parks team has reviewed the property and consider that it is no longer required for open space purposes or as a regional park asset. The property was recommended for sale to the Finance and Performance Committee at its 24 October 2017 meeting. At that meeting, the Finance and Performance Committee deferred a decision in order for Panuku to formulate an appropriate response to feedback received from Te Akitai Waiohua during iwi consultation undertaken in 2016. Panuku subsequently followed up with Te Akitai Waiohua and the interest has been withdrawn. As no alternative service uses were identified through the rationalisation process and the feedback previously received was supportive of the proposed disposal, Panuku recommends it be divested.

5. Adjacent 1/18 Edwin Freeman Place, Ranui and adjacent 18 Parrs Cross Road, Henderson are vacant sites that have been identified as potentially surplus to council requirements when assessed against council’s Parks and Open Space Acquisition Policy and Open Space Provision Policy. The sites are both reserves subject to the Reserves Act 1977. Consultation with council departments and CCOs, iwi authorities and the Henderson-Massy Local Board about the sites has now taken place. No alternative service uses were identified through the rationalisation process and feedback received was supportive of the proposed disposals. Accordingly, Panuku recommends that the reserve status for both sites be revoked and that they be divested. Final revocation of the reserve status will be subject to completing the statutory requirements of the Reserves Act 1977 and Local Government Act 2002, including public advertising.
Ngā tūtohunga / Recommendation/s

That the Finance and Performance Committee:

a) approve subject to the satisfactory conclusion of any required statutory processes:
   i) the disposal of the land at 132 Green Lane East, Greenlane, comprised of an estate in fee simple more or less being Part Lot 22 DP 12290 contained in computer freehold register NA337/209 (part-cancelled) subject to appropriate legal controls to achieve predetermined strategic housing and urban renewal development outcomes;
   ii) the disposal of the land at 28 Lockwood Road, Papakura, comprised of an estate in fee simple more or less being Lot 1 DP 198461 Block II Opaheke, Papakura contained in computer freehold register NA127B/725;
   iii) the revocation of the reserve status of the land at adjacent 1/18 Edwin Freeman Place, Ranui, more or less being Lot 95 DP 104330, as it is no longer required by Auckland Council for reserve purposes when assessed against council’s open space acquisition and provision policies;
   iv) the disposal of the land at adjacent 1/18 Edwin Freeman Place, Ranui, more or less being Lot 95 DP 104330, as it is no longer required by Auckland Council for reserve purposes when assessed against council’s open space acquisition and provision policies;
   v) the revocation of the reserve status of the land at adjacent 18 Parrs Cross Road, Henderson, more or less being Lot 9 DP 71587 contained in computer freehold register NA3B/776 (cancelled), as it is no longer required by Auckland Council for reserve purposes when assessed against council’s open space acquisition and provision policies;
   vi) the disposal of the land at adjacent 18 Parrs Cross Road, Henderson, more or less being Lot 9 DP 71587 contained in computer freehold register NA3B/776 (cancelled), as it is no longer required by Auckland Council for reserve purposes when assessed against council’s open space acquisition and provision policies; and

b) agree that final terms and conditions be approved under the appropriate delegations.

Horopaki / Context

6. Panuku is required to undertake ongoing review of council’s property assets. This includes identifying properties from within council’s portfolio that are no longer required for council service purposes and may be suitable for other public works and/or potential sale, and development if appropriate. Panuku has a particular focus on achieving housing and urban regeneration outcomes. Identifying potential sale properties contributes to the Long-term Plan 2018-2028 (LTP) and the Auckland Plan focus of accommodating the significant growth projected for the region over the coming decades, by providing council with an efficient use of capital and prioritisation of funds to achieve its activities and projects.

7. Once a property has been identified as potentially no longer being required for council service purposes, Panuku engages with council departments and its CCOs through an expression of interest process, to establish whether the property must be retained for a strategic purpose or is required for a future funded project. Once a property has been internally cleared of any service requirements, Panuku then consults with local boards, mana whenua and ward councillors. All sale recommendations must be approved by the Panuku Board before a final recommendation is made to the Finance and Performance Committee.
Tātaritanga me ngā tohutohu / Analysis and advice

8. Property specific information is included in the Tātaritanga me ngā tohutohu / Analysis and advice section of the property attachments to this report.

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

9. Local boards are informed of the commencement of the rationalisation process for specific properties. Following the close of the EOI period, relevant local boards are engaged with. Panuku attend workshops with the relevant local board and provide information about properties being rationalised in its local board area. A report is subsequently prepared for the local board business meeting so that its views can be formalised.

10. At the completion of the local board engagement for the subject sites, the following formal positions were confirmed.
   - The Albert-Eden Local Board considered the proposed disposal of 132 Green Lane East, Greenlane and resolved that its preferred outcome is to land bank the site for future town centre development as identified in the Auckland Unitary Plan, and that right of first refusal be given to iwi entities with registered commercial interest in the site. In response Panuku provided advice to the board in regards to the issues raised. The Albert-Eden Local Board has since advised that it will not oppose a disposal.
   - The Franklin Local Board endorsed the proposed disposal of 28 Lockwood Avenue, Papakura.
   - The Henderson-Massey Local Board endorsed the proposed reserve revocation and disposal of adjacent 1/18 Edwin Freeman Place, Ranui and adjacent 18 Parrs Cross Road, Henderson.

11. Additional property specific feedback received is included in the Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views section of the property attachments to this report.

Tauākī whakaaweawe Māori / Māori impact statement

12. Māori have an active and specific role in Auckland’s open spaces, including kaitiakitanga (guardianship) of our land and marine resources. Land has a specific role in protecting, enabling and building Māori social and cultural capital. Marae, kohanga reo, and other Māori entities have been established on reserve status land, offering spiritual, cultural, as well as a range of social, educational, health and justice services.

13. The importance of effective communication and engagement with Māori on the subject of land is understood. Panuku has a robust form of engagement with mana whenua groups across the region. Each relevant mana whenua group is contacted independently regarding council-owned land subject to rationalisation and requested to give feedback.

14. Panuku’s engagement invites mana whenua to respond with any issues of particular cultural significance the group would like to formally express in relation to the subject properties. We also request notes regarding any preferred outcomes that the group would like Panuku to consider in our formal reporting to council. Possible outcomes could include commemoration or physical acknowledgment in the form of plaques or other mutually agreed means of recognition.
15. Panuku received notifications of cultural significance from the following iwi entities.

- Te Akitai - Waiohua regarding cultural interest in 28 Lockwood Road, Papakura, who advised the subject property is associated with the broad area of Te Ruahine, a Te Ākitai Waiohua settlement. Panuku followed up with Te Akitai Waiohua seeking further clarification on site specific issues, including kaitiaki recommendations around future management of the land, acknowledgements or other outcomes that Council needs to consider as part of a decision to approve the property for disposal. Te Akitai Waiohua have since advised that its interest has been withdrawn as the property is of low cultural and commercial interest to it.

- Ngāi Te Ata Waiohua previously advised it has a general cultural interest in the Papakura/Hunua area. No specific detail around preferred outcomes in relation to a disposal process for 28 Lockwood Road, Papakura, including kaitiaki recommendations around future management of the land was received.

- Ngaati Whanaunga regarding adjacent 1/18 Edwin Freeman Place, Ranui and adjacent 18 Parrs Cross Road, Henderson. Panuku replied to Ngaati Whanaunga confirming its interests had been noted on the property files and sought clarification regarding further site-specific issues, including kaitiaki recommendations around future management of the land, acknowledgements or other outcomes that Auckland Council needs to consider as part of a decision to approve the sites for disposal. No further response has been received and the subject was not raised as an issue during other discussions between Ngaati Whanaunga and Panuku.

16. Following the Finance and Performance Committee’s consideration of the sites recommended for disposal, Panuku will again contact Ngāi Te Ata Waiohua and Ngaati Whanaunga regarding the matters of cultural significance raised.

17. Mana whenua groups are also invited to express potential commercial interest in the subject sites. In the event the sites are approved for sale, all groups will be alerted of the decision, and all groups are alerted once a property comes on the market.

18. Panuku received notifications of commercial interest from the following iwi entities.

- Ngāti Maru regarding 132 Green Lane East, Greenlane.

- Ngāi Tai ki Tāmaki regarding 28 Lockwood Road, Papakura.

- Ngaati Whanaunga regarding 132 Green Lane East, Greenlane, adjacent 1/18 Edwin Freeman Place, Ranui and adjacent 18 Parrs Cross Road, Henderson.

- Ngāi Te Ata Waiohua and Ngāti Paoa also previously expressed interest in discussing council properties approved for sale.

19. If the sites are approved for disposal, Panuku will follow up with those entities regarding potential commercial opportunities.

20. Additional property specific information is included in the mana whenua engagement section of the property attachments to this report.

Ngā ritenga ā-pūtea / Financial implications

21. Capital receipts from the sale of properties contribute to Auckland Plan outcomes and the LTP by providing the Council with an efficient use of capital and prioritisation of funds to achieve its activities and projects. In the 2018/2019 financial year, the LTP has forecast the disposal of non-strategic assets to the value of of $24 million.
22. In accordance with the Local Government Act 2002, the draft annual statement of intent states the activities and intentions of Panuku, the objectives that those activities will contribute to and performance measures and targets as the basis of organisational accountability. For the 2018/2019 financial year Panuku is required to identify properties from within council’s portfolio that may be suitable for potential sale to a combined value of $30 million and to sell $24 million of property by 30 June 2019.

Ngā raru tūpono / Risks
23. No risks associated with the recommendations contained in this report have been identified.

Ngā koringa ā-muri / Next steps
24. Should the Finance and Performance Committee approve the proposed disposal of 132 Green Lane East, Greenlane for strategic housing and urban renewal purposes with predetermined development outcomes, Panuku will pursue options that include an intensified mixed use housing and urban renewal development in line with the Panuku SOI objectives and the Auckland Plan.

25. Should the committee approve the proposed divestment of 28 Lockwood Road, Papakura; adjacent 1/18 Edwin Freeman Place, Ranui; and adjacent 18 Parrs Cross Road, Henderson, Panuku will undertake a disposal process that provides an optimal return to council.

26. Property specific information is included in the Ngā koringa ā-muri / Next steps section of the property attachments to this report.

Ngā tāpirihanga / Attachments

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<tr>
<td>Anthony Lewis - Senior Advisor, Portfolio</td>
<td>Rachel Hume - Team Leader Portfolio Review, Panuku Development Auckland</td>
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<tr>
<td>Review, Panuku Development Auckland</td>
<td>Marian Webb - Manager Portfolio Strategy, Panuku Development Auckland</td>
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<td>David Rankin - Chief Operating Officer, Panuku Development Auckland</td>
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<td>Sara Hay - Acting Group Chief Financial Officer</td>
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132 Green Lane East, Greenlane property information

Whakarāpopototanga matua / Executive summary

1. 132 Green Lane East, Greenlane is an off-street car park that has been identified through the rationalisation process with development potential for an intensified mixed use housing and urban renewal development given its size, location and proximity to the public transport nodes. Consultation with council departments and CCOs, iwi authorities and the Albert-Eden Local Board has now taken place. The board previously resolved that its preferred outcome was to retain the site for future town centre development and requested first right of refusal provisions to iwi. Following further consultation with the board to address the issues raised in its resolution, the board has since advised that it will not oppose the proposed development and disposal when the site is presented to the Finance and Performance Committee. Panuku recommends that the Committee approve the disposal of the site with appropriate controls to achieve strategic housing and urban renewal purposes with predetermined development outcomes in line with the Panuku SOI development objectives.

Tātaritanga me ōngā tohutohu / Analysis and advice

Property information

2. 132 Green Lane East, Greenlane is a 722m² commercially leased car park. It was acquired by the former Auckland City Council in 1964. The site is subject to a transport designation.

3. The site was used as an off-street carpark for general use, and then used as a public carpark subject to a license for access to the neighbouring property until 2014. In 2014 AT and a third party entered into an agreement to lease the carpark for use in connection with the adjacent retail premises at 136 Green Lane East. There is no obligation for council to maintain access through the subject site to the rear of the adjacent property at 136 Green Lane East.

4. In 2016 AT undertook a review of the site for its strategic and operational value to deliver transport infrastructure, services or activities. The review found that 132 Green Lane East, Greenlane is not suitable for a park and ride facility for the Greenlane Rail Station and is no longer required for transport infrastructure purposes. The site was subsequently transferred to Panuku in 2017 for rationalisation.

5. This site has a December 2017 market valuation of $2,845,000. The Auckland Unitary Plan zoning is Business – Mixed Use.

Internal consultation

6. The internal consultation for this property commenced in July 2017. There were no alternative service uses identified or issues raised by council departments or CCOs through the expressions of interest process.

7. Panuku undertook a high level development assessment of the site and determined that the site has strategic value for housing and urban renewal purposes given its size, location and proximity to public transport nodes. This aligns with strategic objectives in the Panuku SOI to catalyse urban redevelopment, accommodate growth and strategically create value from assets, which in turn contributes to the Auckland Plan transformational shift to radically improve the quality of urban living.
8. Advice from the Panuku development directorate is that disposal with appropriate legal controls to achieve strategic housing and urban renewal development outcomes should be pursued given that no alternative service use was identified.

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

9. 132 Green Lane East, Greenlane is not specifically mentioned in the Albert-Eden Local Board Plan. Existing or proposed priority connector or feeder routes identified in the Albert-Eden Greenways Plan 2013 are adjacent to, but do not include the subject site.

10. The Albert-Eden Local Board considered the proposed disposal of 132 Green Lane East, Greenlane at its 28 February 2018 business meeting. The board resolved that its preferred outcome is to land bank the site for future town centre development as identified in the Auckland Unitary Plan, and that right of first refusal be given to iwi entities that have expressed commercial interest in the site.

11. In response, Panuku reconfirmed previous advice given to the board that council cannot hold land when there is no identified future strategic purpose to retain or a planned or funded council service use. The board was also informed that council’s Chief Planning Office was consulted during the rationalisation process and it did not identify a requirement to retain the site in council ownership. Retained council ownership of the site is not necessary to achieve the development outcomes identified in the Auckland Plan and Unitary Plan; this can be achieved by a disposal with appropriate legal controls.

12. Advice was also given to the Albert-Eden Local Board that council owned property is not subject to right of first refusal provisions in accordance with Treaty settlements, and if approved for disposal/development Panuku will follow up with iwi groups on potential commercial opportunities.

13. The Albert-Eden Local Board subsequently advised that it will not oppose the proposed disposal of the 132 Green Lane East, Greenlane when it is presented to the Finance and Performance Committee.

**Mana Whenua engagement**

14. 14 mana whenua iwi authorities were contacted regarding the potential sale of 132 Green Lane East, Greenlane. The following feedback was received.

a) **Te Runanga o Ngāti Whatua**
   No feedback received for this site.

b) **Ngāti Whatua o Kaipara**
   No feedback received for this site.

c) **Ngāti Whatua o Ōrakei**
   No feedback received for this site.

d) **Te Kawerau Maki**
   No feedback received for this site.

e) **Ngāi Tai Ki Tamaki**
   No feedback received for this site.
f) Ngāti Tamaoho
   No feedback received for this site.

g) Te Akitai - Waiohua
   No feedback received for this site.

h) Ngāti Te Ata – Waiohua
   No feedback received for this site.

i) Te Ahiwaru
   No feedback received for this site.

j) Ngāti Paoa
   Ngāti Paoa did not provide feedback specific to the property, however it has previously reinforced its desire to be kept in the loop for property disposals. If approved for disposal, Panuku will follow up with Ngāti Paoa on potential commercial opportunities.

k) Ngaati Whanaunga
   Ngaati Whanaunga expressed commercial interest. If approved for disposal, Panuku will follow up with Ngaati Whanaunga on potential commercial opportunities.

l) Ngāti Maru
   Ngāti Maru expressed commercial interest. If approved for disposal, Panuku will follow up with Ngāti Maru on potential commercial opportunities.

m) Ngāti Tamatera
   No feedback received for this site.

n) Waikato-Tainui
   No feedback received for this site.

Ngā koringa ā-muri / Next steps

15. Should the Finance and Performance Committee approve the proposed disposal of 132 Green Lane East, Greenlane for strategic housing and urban renewal purposes with predetermined development outcomes, Panuku will pursue options that include an intensified mixed use housing and urban renewal development in line with the Panuku SOI objectives and the Auckland Plan.

16. Iwi authorities that have expressed a cultural or commercial interest in the site will be updated with any opportunities.

17. AT will uplift the transport designation for 132 Green Lane East, Greenlane if the site is approved for development and disposal by the Finance and Performance Committee.
Attachment A

Images

Item 8
28 Lockwood Road, Papakura property information

Whakarāpopototanga matua / Executive summary
1. Lot 1 DP 198461 Block II Opaheke, Papakura (aka 28 Lockwood Road, Papakura) is a residential property that is the residue from land originally acquired for a works depot, parks staff residence and bulk-water supply. Council’s Regional Parks team has reviewed the property and consider it is no longer required for open space purposes or as a regional park asset. The Finance and Performance Committee deferred a decision at its 24 October 2017 meeting in order for Panuku to formulate an appropriate response to feedback received from Te Akitai Waiohua during iwi consultation undertaken in 2016. Panuku subsequently followed up with Te Akitai Waiohua and the interest has been withdrawn. As no alternative service uses were identified through the rationalisation process and the feedback previously received was supportive of the proposed disposal, Panuku recommends it be divested.

Tātaritanga me ngā tohutouhū / Analysis and advice

Property information
2. 28 Lockwood Road, Papakura is a 4,598m² property originally acquired from the Crown in two separate lots in the 1960s for a works depot, parks staff residence and bulk-water supply. A residential dwelling with detached garage is now located on the property.
3. Council’s Regional Parks team has reviewed the property and consider it is no longer required for open space purposes or as a regional park asset. The property is adjacent to an existing regional parks ranger depot. An open space assessment from the Local Parks team indicates there is adequate open space in the Hunua township, which has an existing local park that provides passive open space, bowling club, sports fields and tennis courts.
4. The property has a 2017 capital valuation of $690,000. The Auckland Unitary Plan zoning is Rural and Coastal Settlement.
5. 28 Lockwood Road, Papakura is not subject to offer back obligations to the former owners under section 40 of the Public Works Act 1981.

Internal consultation
6. The internal consultation for this property commenced in May 2016. No expressions of interest were received during the internal consultation process and no issues were raised.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views
7. 28 Lockwood Road, Papakura is not specifically mentioned in the Franklin Local Board Plan.
8. The Franklin Local Board endorsed the proposed disposal of 28 Lockwood Road, Papakura at its 18 April 2017 business meeting.

Mana Whenua engagement
9. 12 iwi authorities were contacted regarding the potential sale of 28 Lockwood Road, Papakura. The following feedback was received:
   a) Te Kawerau a Maki
      No feedback was received regarding the specific property.
   b) Ngai Tai ki Tāmaki
      Ngai Tai ki Tāmaki advised it has commercial interest regarding this property. If approved for disposal, Panuku will follow up with Ngai Tai ki Tāmaki on potential commercial opportunities.
c) Ngāti Tamaoho
   No feedback was received regarding the specific property.

d) Te Akitai - Waiohua
   Te Akitai - Waiohua advised it has cultural interest and provided advice that the subject property is associated with the broad area of Te Ruahine, a Te Ākitai Waiohua settlement. Panuku followed up with Te Akitai Waiohua seeking further clarification on site specific issues, including kaitiaki recommendations around future management of the land, acknowledgements or other outcomes that Council needs to consider as part of a decision to approve the site for disposal. Te Akitai Waiohua have since advised that its interest has been withdrawn as the property is of low cultural and commercial interest to it.

e) Ngāti Te Ata - Waiohua
   Ngāti Te Ata Waiohua previously advised it has a general cultural interest in the area and expressed an interest in discussing potential purchase of any council properties that may come available for sale. No specific detail around preferred outcomes in relation to a disposals process, including kaitiaki recommendations around future management of the land was received. If approved for disposal, Panuku will follow up with Ngāti Te Ata – Waiohua on potential commercial opportunities.

f) Te Ahiwaru
   No feedback was received for the specific property.

g) Ngāti Paoa
   Ngāti Paoa did not provide feedback specific to the property, however it has previously reinforced its desire to be kept in the loop for property disposals. If approved for disposal, Panuku will follow up with Ngāti Paoa on potential commercial opportunities.

h) Ngāti Whanaunga
   No feedback was received for the specific property.

i) Ngāti Maru
   No feedback was received for the specific property.

j) Ngāti Tamaterā
   No feedback was received for the specific property.

k) Patukiiriki
   No feedback was received for the specific property.

l) Waikato-Tainui
   No feedback was received for the specific property.

Ngā koringa ā-muri / Next steps

10. The results of the rationalisation process are that 28 Lockwood Road, Papakura is not required for current or future service requirements. As such, Panuku recommend that it be divested.

11. There has been commercial interest expressed from a number of iwi entities and from the current tenant in acquiring 28 Lockwood Road, Papakura. These will be explored further should the Finance and Performance Committee approve the proposed disposal.
Images
Adjacent 1/18 Edwin Freeman Place, Ranui property information

Whakarāpopototanga matua / Executive summary
1. Lot 95 DP 104330, Edwin Freeman Place, Ranui (aka adjacent 1/18 Edwin Freeman Place, Ranui) is road reserve that has been identified as potentially surplus to council requirements through a review process. The rationalisation process commenced in July 2017. Consultation with council and its CCOs, iwi authorities and the Henderson-Massey Local Board has now taken place. No planned and funded alternative service uses were identified for this site through the rationalisation process. As such we recommend that the reserve status be revoked and that the site be divested.

Tātaritanga me ngā tohutohu / Analysis and advice

Property information
2. Adjacent 1/18 Edwin Freeman Place, Ranui is a 583m² vacant site that was vested upon subdivision with the former Waitemata City Council in 1985. It is local purpose (road) reserve subject to the Reserves Act 1977.
3. AT advised it has no strategic requirement for the site to be retained. Council’s Parks department also advised there is no requirement to use the site for open space purposes. Panuku subsequently commenced the rationalisation process.
4. The site has a 2017 capital valuation of $430,000. The Auckland Unitary Plan zoning is Open Space – Informal Recreation.
5. Adjacent 1/18 Edwin Freeman Place, Ranui is not subject to offer back obligations to the former owner in accordance with section 40 of the Public Works Act 1981.

Internal consultation
6. The internal consultation for this property commenced in July 2017. No expressions of interest were received during the internal consultation process and no issues were raised.
7. A review by the Parks and Recreation Policy team against council’s Parks and Open Space Acquisition Policy and Open Space Provision Policy assessed the site as being in an area with adequate levels of open space provision, not providing connections to other open space in the area, having no known heritage, cultural or natural values of significance, and not providing contiguous access to the wider open space network. The site was also not identified in the Henderson-Massey Open Space Network Plan as a prioritisation action area for open space.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views
8. Adjacent 1/18 Edwin Freeman Place, Ranui is not specifically mentioned in the Henderson-Massey Local Board Plan.
9. The Henderson-Massey Local Board endorsed the proposed reserve revocation and disposal of adjacent 1/18 Edwin Freeman Place, Ranui at its 20 March 2018 business meeting.
Mana Whenua engagement

10. Ten mana whenua iwi authorities were contacted regarding the potential sale of adjacent 1/18 Edwin Freeman Place, Ranui. The following feedback was received.

   a) Te Runanga o Ngāti Whatua
      No feedback was received for this site.

   b) Ngāti Whatua o Kaipara
      No feedback was received for this site.

   c) Ngāti Whatua o Ōrakei
      No feedback was received for this site.

   d) Te Kawerau a Maki
      No feedback was received for this site.

   e) Te Akitai - Waiohua
      No feedback was received for this site.

   f) Ngāti Te Ata – Waiohua
      No feedback was received for this site.

   g) Ngāti Paoa
      No feedback was received for this site.

   h) Ngaati Whanaunga
      Ngaati Whanaunga advised that the site is of cultural significance and expressed potential commercial interest should the site be approved for disposal. Panuku replied to Ngaati Whanaunga confirming its interests had been noted on the property file and sought clarification regarding further site-specific issues, including kaitiaki recommendations around future management of the land, acknowledgements or other outcomes that Auckland Council needs to consider as part of a decision to approve the sites for disposal. No further response has been received and the subject was not raised as an issue during other discussions between Ngaati Whanaunga and Panuku. If approved for disposal, Panuku will follow up with Ngaati Whanaunga.

   i) Ngāti Maru
      No feedback was received for this site.

   j) Ngāti Tamatera
      No feedback was received for this site.

Ngā koringa ā-muri / Next steps

11. The results of the rationalisation process are that adjacent 1/18 Edwin Freeman Place, Ranui is not required for current or future service requirements. As such, we recommend that the reserve status be revoked and it be divested.

12. There has been commercial interest from one iwi group regarding adjacent 1/18 Edwin Freeman Place, Ranui. This will be explored further should the Finance and Performance Committee approve the proposed disposal.

13. Adjacent 1/18 Edwin Freeman Place, Ranui is a local purpose (road) reserve subject to the Reserves Act 1977. Accordingly the reserve status will need to be revoked under section 24 of the Reserves Act 1977 before any proposed disposal could be
completed. A plan change seeking to change the Auckland Unitary Plan zoning from Open Space – Informal Recreation to Residential – Mixed Housing Suburban will be undertaken concurrently as the reserve revocation in order to accommodate the maximum number of dwellings permitted on the site.
Images

Attachment C

Item 8
Adjacent 18 Parrs Cross Road, Henderson property information

Whakarāpopototanga matua / Executive summary

1. Lot 9 DP 71587, Parrs Cross Road, Henderson (aka adjacent 18 Parrs Cross Road, Henderson) is road reserve that has been identified as potentially surplus to council requirements through a review process. The rationalisation process commenced in July 2017. Consultation with council and its CCOS, Iwi authorities and the Henderson-Massey Local Board has now taken place. No planned and funded alternative service uses were identified for this site through the rationalisation process. As such we recommend that the reserve status of the site be revoked and it be divested.

Tātaritanga me ngā tohutohu / Analysis and advice

Property information

2. Adjacent 18 Parrs Cross Road, Henderson is a 656m² vacant site that was vested upon subdivision with the former County of Waitamata in 1974. It is road reserve subject to the Reserves Act 1977.

3. AT advised it has no strategic requirement for the subject site to be retained. Council’s Parks department also advised there is no requirement to use the subject site for open space purposes. Panuku subsequently commenced the rationalisation process.

4. The site has a 2017 capital valuation of $440,000. The Auckland Unitary Plan zoning is Single House.

5. Adjacent 18 Parrs Cross Road, Henderson is not subject to offer back obligations to the former owner in accordance with section 40 of the Public Works Act 1881.

Internal consultation

6. The internal consultation for this property commenced in July 2017. No expressions of interest were received during the internal consultation process and no issues were raised.

7. A review by the Parks and Recreation Policy team against council’s Parks and Open Space Acquisition Policy and Open Space Provision Policy assessed the site as being in an area with adequate levels of open space provision, not providing connections to other open space in the area, having no known heritage, cultural or natural values of significance, and not providing contiguous access to the wider open space network.

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

8. Adjacent 18 Parrs Cross Road, Henderson is not specifically mentioned in the Henderson-Massey Local Board Plan.

9. The Henderson-Massey Local Board endorsed the proposed reserve revocation and disposal of adjacent 18 Parrs Cross Road, Henderson at its 20 March 2018 business meeting.
Mana Whenua engagement

10. Ten mana whenua iwi authorities were contacted regarding the potential sale of adjacent 18 Parrs Cross Road, Henderson. The following feedback was received.

   a) Te Runanga o Ngāti Whatua
      No feedback was received for this site.

   b) Ngāti Whatua o Kaipara
      No feedback was received for this site.

   c) Ngāti Whatua o Ōrakei
      No feedback was received for this site.

   d) Te Kawerau a Maki
      No feedback was received for this site.

   e) Te Akitai - Waiohua
      No feedback was received for this site.

   f) Ngāti Te Ata – Waiohua
      No feedback was received for this site.

   g) Ngāti Paoa
      No feedback was received for this site.

   h) Ngaati Whanaunga
      Ngaati Whanaunga advised that the site is of cultural significance and expressed potential commercial interest should the site be approved for disposal. Panuku replied to Ngaati Whanaunga confirming its interests had been noted on the property file and sought clarification regarding further site-specific issues, including kaitiaki recommendations around future management of the land, acknowledgements or other outcomes that Auckland Council needs to consider as part of a decision to approve the sites for disposal. No further response has been received and the subject was not raised as an issue during other discussions between Ngaati Whanaunga and Panuku. If approved for disposal, Panuku will follow up with Ngaati Whanaunga.

   i) Ngāti Maru
      No feedback was received for this site.

   j) Ngāti Tamatera
      No feedback was received for this site.

Ngā koringa ā-muri / Next steps

11. The results of the rationalisation process are that adjacent 18 Parrs Cross Road, Henderson is not required for current or future service requirements. As such, we recommend that the reserve status be revoked and it be divested.

12. The adjoining landowner has expressed interest in purchasing adjacent 18 Parrs Cross Road, Henderson should it be approved for sale. There is also expressed commercial interest from one iwi entity. These will be explored further should the Finance and Performance Committee approve the proposed disposal.
13. Adjacent 18 Parrs Cross Road, Henderson is a road reserve subject to the Reserves Act 1977. Accordingly the reserve status will need to be revoked under section 24 of the Reserves Act 1977 before any proposed disposal could be completed.
Te take mō te pūrongo / Purpose of the report

1. To approve the recommendation from the Environment and Community Committee in relation to the proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve.

Whakarāpopototangata matua / Executive summary

2. At its meeting held on 10 July 2018, the Environment and Community Committee resolved as follows:

Resolution number ENV/2018/86

MOVED by Cr J Bartley, seconded by Cr L Cooper:

That the Environment and Community Committee:

a) note that Auckland Council has met the requirements of section 15 of the Reserves Act 1977, including calling for objections, and considering all such objections, as well as consultation with mana whenua to enable the exchange of part of Taniwha Reserve with other land.

b) approve the exchange of 130m² of Taniwha Reserve, Glen Innes (subject to survey) with 364m² of land at 4 Harlow Place, Glen Innes and 6-8 Harlow Place, Glen Innes (subject to survey) to be implemented by:

i) approval of the acquisition of portions of LOT 4 DP 39662 and LOT 121 DP 39662 (refer Attachment B of the agenda report)

ii) recommend that the Finance and Performance Committee dispose of a portion of PART LOT 142 DP 42356 (refer Attachment B of the agenda report).

c) agree that the General Manager, Community and Social Policy, under delegation from the Chief Executive, approve the final location, configuration and size of the land exchange as part of the consent processes for the Line Epping Stage One development.

3. The Finance and Performance Committee is requested to approve clause b) ii) of the Environment and Community Committee decision ENV/2018/86:

b) approve the exchange of 130m² of Taniwha Reserve, Glen Innes (subject to survey) with 364m² of land at 4 Harlow Place, Glen Innes and 6-8 Harlow Place, Glen Innes (subject to survey) to be implemented by:

ii) recommend that the Finance and Performance Committee dispose of a portion of PART LOT 142 DP 42356 (refer Attachment B of the agenda report).

4. The original report to the 10 July 2018 meeting of the Environment and Community Committee are attached (Attachment A).
Ngā tūtohunga / Recommendation

That the Finance and Performance Committee:

a) approve the disposal of a portion of PART LOT 142 DP 42356 (refer Attachment B of the Environment and Community agenda report) to complete the exchange of 130m² of Taniwha Reserve, Glen Innes (subject to survey) with 364m² of land at 4 Harlow Place, Glen Innes and 6-8 Harlow Place, Glen Innes (subject to survey).

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Original report to Environment and Community Committee meeting - 10 July 2018</td>
<td>35</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sandra Gordon - Senior Governance Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Kataraina Maki - GM - Community &amp; Social Policy</td>
</tr>
<tr>
<td></td>
<td>Sara Hay - Acting Group Chief Financial Officer</td>
</tr>
</tbody>
</table>
Te take mō te pūrongo / Purpose of the report

1. To seek approval of the proposed exchange of 130m² of Taniwha Reserve with 364m² of land at 4 and 6-8 Harlow Place, Glen Innes held by the Tāmaki Regeneration Company.

Whakarāpopototanga matua / Executive summary

2. To enable decision-making about whether to approve the land exchange, staff called for objections in accordance with section 15 of the Reserves Act 1977.

3. Only two objections, out of a total of 19 submissions, were assessed to be within the scope of the Reserves Act 1977. These objections relate to concerns about access through the reserve and the validity of the reasons provided to enter into the land exchange. These concerns are fully addressed by the land exchange, which will:
   - improve sightlines and physical access into Taniwha Reserve
   - improve the safety of users accessing the Reserve by removing the existing narrow accessway
   - provide better connectivity with the open space network in the area
   - increase the area of Taniwha Reserve by 234m².

4. Staff recommend that the committee approve the proposed land exchange. It is deemed to be a high priority when assessed against council policy.

5. The Maungakiekie-Tāmaki Local Board supports the proposed land exchange.

6. There is a low risk of a judicial review of council decision-making processes if the council proceeds with the land exchange. This will be mitigated by clear communication by council about the reasons for the land exchange.

7. The Finance and Performance Committee will need to approve the disposal of part of Taniwha Reserve to complete the land exchange.

Ngā tūtohunga / Recommendation/s

That the Environment and Community Committee:

a) note that Auckland Council has met the requirements of section 15 of the Reserves Act 1977, including calling for objections, and considering all such objections, as well as consultation with mana whenua to enable the exchange of part of Taniwha reserve with other land.

b) approve the exchange of 130m² of Taniwha Reserve, Glen Innes (subject to survey) with 364m² of land at 4 Harlow Place, Glen Innes and 6-8 Harlow Place, Glen Innes (subject to survey) to be implemented by:
   i) approval of the acquisition of portions of LOT 4 DP 39662 and LOT 121 DP 39662 (refer Attachment B of the agenda report)
   ii) recommend that the Finance and Performance Committee dispose of a portion of PART LOT 142 DP 42356 (refer Attachment B of the agenda report).

c) agree that the General Manager, Community and Social Policy, under delegation from the Chief Executive, approve the final location, configuration and size of the land exchange as part of the consent processes for the Line Epping Stage One development.
Horopaki / Context

Background

8. The Tāmaki Regeneration Company is undertaking the redevelopment of approximately 1,000 properties throughout northern Tāmaki.

9. Line Epping Stage One is the first area for redevelopment. The land area concerned is approximately 2.3 hectares.

10. The Tāmaki Regeneration Company proposes to demolish 29 of the 32 existing dwellings on the site. The three remaining dwellings will be relocated and renovated and 117 new dwellings will be constructed. The development will involve creating three new road connections and revising the current open space layout (refer Attachment A).

11. To enable efficient use of the site and improve access to Taniwha Reserve, the Tāmaki Regeneration Company seeks to exchange 130m² of Taniwha Reserve with land totalling 364m² at 4 and 6-8 Harlow Place, Glen Innes (refer Attachment B).


13. After approval to undertake public notification, a small change was made by the developer at the resource consenting stage. The expected land area resulting from the proposed land exchange was reduced from 243m² to 234m². This was deemed as not having a material impact on the proposed land exchange.

The land exchange process is set-out in the Reserves Act 1977

14. Section 15 of the Reserves Act prescribes the process for a land exchange between reserves and other land. The process has four key steps.

Table 1: Requirements of the Reserve Act 1977

<table>
<thead>
<tr>
<th>Key steps</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The administering body (in this case the Auckland Council) publicly notifies its intention to undertake the land exchange and calls for objections in writing, allowing a period of at least one month for objections to be received</td>
<td>Completed</td>
</tr>
<tr>
<td>2. After a period of at least one month following public notification the administering body considers all received objections to the proposed land exchange</td>
<td>The objections are outlined in this report.</td>
</tr>
</tbody>
</table>
| 3. The administering body passes a resolution supporting the land exchange if it considers it appropriate to do so in light of all objections received | • **This is the purpose of the report.**  
  • A land exchange is a simultaneous acquisition and disposal of land. There are split decisions-making delegations for land exchanges.  
  • The Environment and Community Committee determines whether to proceed with the land exchange and has delegated decision-making for the acquisition of open space.  
  • The Finance and Performance Committee has delegated decision-making for the disposal of all council assets. |
Key steps | Comment
--- | ---
4. A copy of the resolution supporting the land exchange is forwarded to the Department of Conservation along with all the objections for authorisation under delegation from the Minister of Conservation for land derived from the Crown. | • The council has delegation from the Minister of Conservation to authorise or decline the exchange of any reserve or any part(s) of a reserve for any other land under 15(1) of the Reserves Act 1977 where the title was not deemed to have been derived from the Crown.
• The title has not deemed to have derived from the Crown because the reserve was created upon subdivision for residential purposes.

15. Relevant mana whenua must also be consulted.

Tātaritanga me ngā tohutohu / Analysis and advice

Only two objections were deemed to be within scope of the Reserves Act 1977

16. A total of 19 submissions (including 4 objections) were received during the public notification period between 9 March and 9 April 2018. A summary of the objections is set out in Attachment C.

17. Two objections were assessed as being within the scope of the Reserves Act 1977 and directly related to the land exchange. These related to access through the reserve and the validity of the reasons provided to enter into the land exchange, which are outlined in Table 2 below.

<table>
<thead>
<tr>
<th>Objections</th>
<th>Staff response</th>
</tr>
</thead>
</table>
| One objection raised concerns about poor access across the Reserve to the shopping centre from the removal of the accessway. | • The accessway is not being removed. The public will still be able to access the Reserve at the end of a new proposed road located slightly to the west of the current accessway.
• Further information will be provided to the submitter to address their concerns. |
| One objection stated that the reasons for entering the exchange are not valid and asked further questions about the land exchange. | • The decision to proceed with processing a land exchange is based on an assessment against the Open Space Provision Policy 2016. This assessment was undertaken by staff and a summary was provided in the report approving public notification (Resolution number ENV/2017/146).
• Further information cannot be provided directly to the submitter because they have not provided a physical address or email. |

18. The two remaining objections do not relate to the land exchange and are outside the scope of the Reserves Act 1977. These were concerns about issues in the wider Tāmaki area.

Iwi did not object to the land exchange

19. Thirteen iwi groups that were identified as having mana whenua association with Taniwha Reserve were consulted.

20. None of the 13 iwi groups objected to the proposed land exchange.

Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
Table 3: Summary of iwi feedback on the proposed land exchange

<table>
<thead>
<tr>
<th>Rating</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not opposed</td>
<td>1</td>
<td>8%</td>
</tr>
<tr>
<td>Have no issue</td>
<td>4</td>
<td>31%</td>
</tr>
<tr>
<td>No response provided</td>
<td>8</td>
<td>62%</td>
</tr>
</tbody>
</table>

The proposed land exchange is deemed to be a high priority when assessed against council policy.

21. Land exchanges are assessed against the criteria in the council’s Parks and Open Space Provision Policy 2016. Proposed land exchanges are prioritised according to the highest rating achieved.

22. Table 4 provides a summary of the assessment of the proposed land exchange.

Table 4: Assessment of proposed land exchange – Taniwha Reserve, Glen Innes

<table>
<thead>
<tr>
<th>Park type: Park accessway</th>
<th>Number of new lots (net): 88</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density: Medium-high</td>
<td>Number of new residents¹: 264</td>
</tr>
<tr>
<td>Unitary plan zone: Terrace Housing and Apartment Buildings Zone</td>
<td>Proposed additional reserve area: 234m²</td>
</tr>
<tr>
<td>Valuation: N/A</td>
<td>Settlement: Development commencing 2018/2019</td>
</tr>
</tbody>
</table>

Potential future features:
- Walking connections
- Informal recreation facilities
- Playground

Criteria

<table>
<thead>
<tr>
<th>Comment</th>
<th>Overall rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting community needs, now and in the future</td>
<td></td>
</tr>
<tr>
<td>High priority:</td>
<td></td>
</tr>
<tr>
<td>- the proposed land exchange would improve physical access into Taniwha Reserve and would lead to improved safety outcomes as the current accessway is only three meters wide.</td>
<td></td>
</tr>
<tr>
<td>Connecting parks and open spaces</td>
<td></td>
</tr>
<tr>
<td>High priority:</td>
<td></td>
</tr>
<tr>
<td>- the proposed land exchange would improve the connectivity of the network of open space walkways throughout the area.</td>
<td></td>
</tr>
<tr>
<td>Protecting and restoring Auckland’s unique features and meanings</td>
<td></td>
</tr>
<tr>
<td>Not a priority:</td>
<td></td>
</tr>
<tr>
<td>- there are no known heritage, cultural or natural values of significance located within the areas proposed for exchange.</td>
<td></td>
</tr>
<tr>
<td>Improving the parks and open spaces we already have</td>
<td></td>
</tr>
<tr>
<td>High priority:</td>
<td></td>
</tr>
<tr>
<td>- the proposed new access would provide high quality access and improve the functionality of Taniwha Reserve.</td>
<td></td>
</tr>
</tbody>
</table>

¹ Based on the average household size of 3.0 in Auckland at Census 2013.

Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
Finance and Performance Committee
24 July 2018

Environment and Community Committee
10 July 2018

23. Staff recommend the proposed land exchange. It is a high priority when assessed against council policy.

24. The proposed land exchange is expected to have positive benefits to the community including:
   • improved sightlines and physical access into Taniwha Reserve
   • improved safety of users accessing the Reserve by removing the existing accessway
   • better connectivity with the open space network in the area
   • increasing the area of Taniwha Reserve by 234m².

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

25. The Maungakiekie-Tāmaki Local Board supports the proposed land exchange, resolving at its meeting on 26 June 2018 (Resolution number MT/2018/103) that it:
   a) recommends that the Environment and Community Committee approve the proposed land exchange of 130m² (subject to survey) of Taniwha Reserve, Glen Innes with 364m² (subject to survey) of land at 4 Harlow Place, Glen Innes and 6-8 Harlow Place, Glen Innes.

Tauākī whakaawe we Māori / Māori impact statement

26. Consultation was undertaken with 13 iwi identified as having mana whenua association with Taniwha Reserve. None of the iwi groups objected to the proposed land exchange. The provision of quality parks and open spaces facilitates Māori participation in outdoor recreational activity. Additional benefits include:
   • demonstrating Auckland Council’s commitment to the Active Protection (Tautiaki Ngangahau) Principle of the Treaty of Waitangi
   • helping make Auckland a green, resilient and healthy environment consistent with the Māori world view and their role as kaitiaki of the natural environment.

Ngā ritenga ā-pūtea / Financial implications

27. The land exchange will increase land assets at Taniwha Reserve by 234m².

Ngā raru tūpono / Risks

28. There is a low risk of a judicial review of council decision-making processes. This will be mitigated by clear communication about the reasons for the decision.

Ngā koringa ā-muri / Next steps

29. The Finance and Performance Committee will need to approve the disposal of part of Taniwha Reserve to complete the land exchange.

30. Subject to the approval of the Finance and Performance Committee, council staff will work with the Tāmaki Regeneration Company to undertake the processes required to exchange the land. This will include engaging a surveyor to prepare the new land transfer plans, publishing a notice in the New Zealand Gazette and registering a notice with Land Information New Zealand.

Attachment A

Item 9

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Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
Recommendation from the Environment and Community Committee - Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve

Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve

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Attachment A. The layout plan of the Line Epping Stage One development.

Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
Recommendation from the Environment and Community Committee - Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
Recommendation from the Environment and Community Committee - Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
Proposed land exchange at Harlow Place, Glen Innes and Taniwha Reserve
the proposed exchange will improve physical access to the Taniwha Reserve and will lead to improved safety outcomes as the current access to the reserve is only three metres wide;

the proposed land exchange will improve the connectivity of the network of open space walkways throughout the area and improve the functionality of the Taniwha Reserve.

The objectives of the proposed land exchange are to:
- increase public open space;
- improve sightlines and physical access into Taniwha Reserve;
- improve the safety of users accessing the reserve by removing the existing narrow accessway;
- provide better connectivity with the open space network in the area.

Reserve Delegations

Territorial authorities have been given delegation under section 15(1) of the Reserves Act 1977 to authorise or decline the exchange of any reserve or any part(s) of a reserve for any other land. This delegation can only be exercised where the territorial authority did not derive title from the Crown, or title would be deemed not to be derived from the Crown if the reserve was going through a revocation process under section 25 of the Reserves Act 1977.

The area of reserve land forming part of Taniwha Reserve is currently held by the Auckland Council, in trust, as a recreation reserve subject to the Reserves Act 1977. Historical researching has revealed that the reserve was created as a result of subdivisions undertaken by the Housing Division in 1956. As the reserve was created upon subdivision for residential purposes therefore, Council’s title has not deemed to have been derived from the Crown due to the provisions contained in section 25(5) of the Reserves Act 1977.

The proposed involves the following reserve to be exchanged – (195-195 Taniwha Sheet).

A small portion of Part Lot 142 DP 42256 comprising approximately 130 m² (subject to survey) coloured green on the attached Spatial Map and Flyer/Feedback form - classified as recreation reserve by NZ Gazette 1982 p 2024 (GN 8095046.1).

Land owned by Taniwha Regeneration Ltd to be added to Taniwha Reserve – (4.4 to 8 Harlow Place).

Portions of Lots 121 and 122 DP 39662 comprising approximately 364 m² (subject to survey) coloured orange on the attached Spatial Map and Flyer/Feedback form.

Public Notification

In accordance with section 15(2) of the Reserves Act 1977, public notices advising of Council’s intention to exchange the reserve land were placed in the NZ Herald and on Council’s website calling for any objections to the proposal to be made to Council by 9 April 2018.
Council received a total of 19 submissions to the proposal. The submissions received are in four distinct categories as follows:
- 4 submissions received objected to the proposal as identified in Appendix A;
- 5 submissions are of support as identified in Appendix B;
- 9 submissions received expressed no objection or provided any comments as identified in Appendix C;
- 1 submission received expressed no objection, however mentioned that Council needs to be careful into entering into exchange to ensure no loss of public space and requesting developers to make contribution to develop community facilities as identified in Appendix D.

Analysis of Appendix A Objectors

Four submitters have given detailed reasons to their objections as summarised below:

Anonymous - opposed the proposal on the grounds that the reserve is close to the shopping centre and therefore easily accessible for the public to walk from their homes to the shopping centre.

Comment for Consideration - The stated aims of the proposed exchange will achieve the very issues that this objector is concerned about. It is recommended that the Parks staff provide information showing that as part of the Tamaki Regeneration Company’s plans to redevelop the area, a road will be provided linking the 136 m² of land that is to be added to the existing Taniwha Reserve, thus maintaining continuous access for the general public much the same as currently exists although it will be located approximately 18 metres to west of the current access.

Unnamed Objector - opposed the proposal on the grounds that the reasons stated are not valid. Additionally, a number of questions were asked, i.e. what assurance does the public have that the reserve will be safer, will the reserve have/get better lighting, or paved pathway, family friendly?

Comment for Consideration - the stated aims of the proposed exchange will achieve the very issues that this objector is concerned about. It is recommended that the Parks staff provide more detailed information concerning the proposal which address the issues raised.

Anonymous - opposed the proposal on the grounds that he was not happy that the Government is taking Pt England Reserve for housing and does not wish to the same to occur to Taniwha Reserve.

Comment for Consideration - that the taking of Pt England Reserve by the NZ Government. If in fact that this is the case, cannot be dealt with as the invitation to lodge an objection relates to the public notice to Taniwha Reserve exchange and not the taking of Pt England Reserve. Whilst that a 130 m² portion of Taniwha Reserve will be lost to housing, it appears that objector does not seem to appreciate that there will be the addition of 364 m² of land being added to the existing Taniwha Reserve. Additionally, the objector has not made any specific objection as the objection has made in the nature of a question i.e. “How do we know Taniwha Reserve won’t be taken for House?”. It is clear from the flyer/feedback form that there is no intention take any land, rather it is a proposal to exchange land. The objector has not supplied any specifics, in reality the submitter’s objection seems to have little merit and unable to be considered.

Anonymous - opposed the proposal on the grounds that his Congregation had been using the Scout Hall which is located 185 Taniwha Road and have been requested to vacate the building by June 2018 by the Department of...
Conservation and Housing New Zealand. The objector further explains that the reason given to vacate is due to the age of the building and they were promised a new building to move into, however the Reverend believes he has been misled as the Tamaki Housing Development plans came into fruition prior to being told to vacate. Additionally, the Reverend explained that he and his wife have been living in a house belonging to Housing New Zealand for about 45 years in the general vicinity and have been advised by the Director of Housing New Zealand that this house has been identified as one of the houses that will be removed. The Reverend has concerns that they will be forced to move to another place which they have no knowledge of and the main reason they wish to remain in their current address as it is in close proximity to the Scout Hall and other public amenities in the area. Whilst the Tamaki Regeneration Company plans are understandably stressful to the Reverend, the exchange proposal does not involve any land associated with the Scout Hall or the Reverend’s current abode and therefore the objection lacks any merit and unable to be considered.

Iwi Consultation

Thirteen Iwi groups who have mana whenua over the Taniwha Reserve have been consulted over the proposed reserve exchange. None of the thirteen Iwi groups that were consulted made an objection to the proposed reserve exchange. Six of the thirteen Iwi groups that did provide a written response were either not opposed or had no issue with the proposed reserve exchange. A summary of Iwi consultation undertaken is identified in Appendix E to this report.

A rating summary of Iwi position on this matter is shown in the table below:

<table>
<thead>
<tr>
<th>Rating</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Not opposed</td>
<td>8%</td>
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<tr>
<td>Have no issue</td>
<td>32%</td>
</tr>
<tr>
<td>No response</td>
<td>62%</td>
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Conclusion

Section 15(2) of the Reserves Act 1977 requires the administering body of the reserve to consider all objections received as consequence of the public notice advising of its intention to pass a resolution to exchange reserve land. Note: under the provisions contained in section 15(2) of the Reserves Act 1977 there is no ability to consider submitters who indicated support to the proposal, only those submitters who have objected to the proposal.

The public notice period has ended and it is therefore recommended that the appropriate Committee now consider all objections received.

Yours Sincerely

Steven Schwartz
Property Consultant
s.schwartz@xtra.co.nz
Te Tiriti o Waitangi Report 2018

File No.: CP2018/12202

Te take mō te pūrongo / Purpose of the report

statutory responsibilities to Māori in Tāmaki Makaurau and sets out some next steps.

Ngā tūtohunga / Recommendation/s

That the Finance and Performance Committee:

a) receive the Independent Māori Statutory Board Te Tiriti o Waitangi Audit Report 2018.

b) note that council officers will be providing their detailed response to the joint Governing Body and Independent Māori Statutory Board meeting in September 2018.

Horopaki / Context

2. The report assists the Auckland Council Group to identify areas for improvement in meeting its statutory provisions referring to the Treaty of Waitangi and Māori; and improve its Māori responsiveness. Meeting these legislative requirements and Treaty principles means council working together with Māori, becomes responsive to their perspectives, values and aspirations and achieving positive outcomes for Māori.

3. This is the third Te Tiriti o Waitangi Audit that commenced in late 2017 with much of the fieldwork occurring from January until April. The audit has three parts:

i) assessment of Council’s Treaty Audit response programme and how the Council assesses actions for closure and report;

ii) assessment of the Māori Responsiveness programme and review process and review of three Māori Responsiveness Plans; and

iii) detailed follow-up of four recommendations from the 2015 Treaty Audit Report; with some further work on outstanding audit actions.

4. The Independent Māori Statutory Board approved Te Tiriti o Waitangi Audit Report (the Report) report in its June meeting and agreed that the council’s Internal Audit department should continue to review progress and risks biannually to the Audit and Risk Committee with the Independent Māori Statutory Board chairman continuing to be an ex-officio member of the Audit and Risk Committee.

5. PwC will be providing a short presentation of their findings to the committee.

Tātaritanga me ngā tohutohu / Analysis and advice

6. The independent PwC report shows council has made a real effort over the last 12 months to address a high number of outstanding recommended actions from previous audits.

7. There has been also been solid progress in the development of Māori Responsiveness Plans (a key tool that address departments’ capability and delivery of Māori outcomes). One action that has not been fully completed is relationship agreements. The Board considers that building strong relationships with Māori in Tāmaki Makaurau is critical to meeting many legislative provisions and we recommend that council effectively addresses all aspects of the relationship agreement action group (a key PwC report recommendation).

8. The Board acknowledges the effectiveness of council’s Internal Audit department reporting on progress to the Audit and Risk Committee.
9. The Board considers that it is the responsibility of Te Toa Takitini Executive Leadership Group of CEOs and senior executives to lead and take an overview of the council’s groups’ Treaty Audit Responsiveness Programme and that they provide a summary report as part of reporting on the Te Toa Takitini/ Māori Responsiveness Programme.

10. We support the report’s recommendations that there be monitoring and reporting by Internal Audit department, that the council’s “follow-up” framework is used by the Waharoa Group and that monitoring and reporting to the Audit and Risk Committee should continue.

11. Similar to the last Audit, PwC established an Audit Liaison Group (ALG) of officers across the council to support a successful and efficient audit delivery, and post audit - effective implementation of the audit recommendations. These meetings generally proceeded smoothly, with the council team keen to support the audit process. In May and early July 2018, they provided their high level feedback on the draft report.

Ngā koringa ā-muri / Next steps

12. Council officers are currently developing a detailed work programme addressing the findings, the outstanding actions and the development and implementation of Māori Responsiveness Plans. They will report to the joint Governing Body and Independent Māori Statutory Board meeting in September 2018.

13. The Board will seek an opportunity to review the draft detailed council Te Tiriti o Waitangi Audit Work Programme 2018-2021 that addresses the audit’s findings and recommendations.

Ngā tāpirihanga / Attachments

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<td>Te Tiriti Audit Report 2018</td>
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Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Catherine Taylor - Manager Policy and Evaluation</th>
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</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Brandi Hudson - Independent Māori Statutory Board CEO</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
<tr>
<td></td>
<td>Sara Hay - Acting Group Chief Financial Officer</td>
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</table>
Meaning behind our logo

The pieces of our tohu represent the land and islands called Tamaki Makaurau

The textural blue symbolises the seas that bind these lands together.

The koru is the unfurling frond symbolising new beginnings. The many koru show how we are working together, forging a new unity.

The centre line (spine) represents the direction or goal Tamaki Makaurau is working towards.

The overarching meaning behind our tohu is the moving towards our vision of the future.
Chairman’s message

E ngā mana, e ngā reo, e ngā rau rangatiratanga, tēnā koutou katoa.

E tika ana te mihikaharoa ki a rātou kua haere atu rā ki te po – haere oti atu. Ki a tātou ngā morehu, māori orā!

Nā te Tiriti o Waitangi tō tātou noho-tahi ki Aotearoa i whakaee. Heoi, he kawenata tenei ka hikitia ake ngā hua o tāua whakaaetanga kia hora te pai.

He paku whakaaro tenei e hāngai nei ki tērā kaupapa; ki a koutou e pikau nei, ngā mihia maihoa.

Tēnā koutou katoa

On behalf of the Independent Māori Statutory Board, I welcome the third Te Tiriti o Waitangi independent audit report of Auckland Council.

This independent audit is a primary instrument for the Board to have assurance that Auckland Council is acting in accordance with statutory provisions referring to Te Tiriti, a yardstick by which to measure that Council is doing what the law requires it to do for Māori in Tāmaki Makaurau.

The first independent audit report in March 2012 set a baseline, from which a work programme was developed to effect real and positive change for the benefit of Māori within the newly established Auckland Council.
In 2015 the second independent audit report findings showed that only a few of the audited recommendations had been completed by Auckland Council which the Board considered was disappointing.

Since then, Council established an internal review of the Tiriti o Waitangi Response programme reporting twice yearly to the Audit and Risk Committee. As a member of this Committee, I note that scrutiny of the programme has provided a strong discipline and accountability. The Board supports the independent auditors’ recommendation that such an arrangement continue.

The PriceWaterhouseCoopers (PwC) 2018 audit report demonstrates that Council has made a real effort over the last 12 months to address a high number of outstanding recommended actions from the previous audit. Solid progress in the development of Māori Responsive-ness Plans (that address council departments’ capability and delivery of Māori outcomes) with supporting guidance material is also highlighted, although the audit finds further work on Māori Responsiveness Plans is required for regular reporting of progress and on tracking measures.

There is potential for Te Toa Takitiri Executive Leadership Group, established in 2015 to take a stronger overview of the Council’s Groups’ Treaty Audit Responsiveness Programme. As leaders they can model behaviours and celebrate best practice.

The 2018 Report also lists 13 recommendations that seek a management response, completion date and action owner. The Board considers that building strong relationships with Māori in Tāmaki Makaurau is critical to meeting legislative provisions and we recommend that Council effectively addresses all aspects of the relationship agreement action group that is a key audit report recommendation.

There are also a few larger action groups outstanding from the previous programme. Now that Council has building blocks in place, such as a project management of actions, review by a Waharoa Group, and scrutiny of the Audit and Risk Committee – the Board expects that the 2018 response programme will be set in place reasonably quickly.

There is now a great opportunity for Council to give effect to a user-friendly performance management system to measure its Māori responsiveness and contribution to Māori outcomes. This measurement will support the Council Group to undertake self- reviews of its Māori responsiveness in many areas of its operations.

When PwC presented their 2018 findings to the Board, we considered potential ways for the Board to secure assurance that Treaty obligations are being met. The Board concluded that there is a place for future Te Tiriti o Waitangi Audits on new legislative provisions and targeted reviews. To this end, the Board will focus more on effectiveness which will involve seeking more direct input from Mana Whenua and Mataawaka in Tāmaki Makaurau.

The Board acknowledges and thanks PriceWaterhouseCoopers for their work in delivering on the 2018 Te Tiriti o Waitangi Audit programme and the support of the Council’s Te Tiriti Liaison Group.

The Board looks forward to working with Auckland Council on future challenges and opportunities for it to become a top performer nationally in Māori responsiveness and working with Māori in Tāmaki Makaurau to achieve tangible outcomes.

David Taipari
Chairman – Independent Māori Statutory Board
Background to Te Tiriti o Waitangi Audit

The Audits

The first Audit used a legal framework based on Treaty principles, legislation and an internal audit approach that identified expected good practice. It produced a baseline of Council’s performance against all the relevant legislation in key areas of planning, policies, processes and controls. The Audit found significant weaknesses and gaps and Council responded with a three-year Te Tiriti o Waitangi Audit Response Programme.

The second Audit in 2015 targeted key areas of the Council Te Tiriti o Waitangi Audit Response Programme and concluded that while there was some increased understanding of Treaty obligations, progress was poor. It noted the good progress in the development of Māori Responsiveness Plans. The second Audit’s recommendation that monitoring the Te Tiriti o Waitangi Audit Response Programme completion move to Council’s internal audit function with reporting to the Audit and Risk Committee was put in place. The Board Chairman became a member of the Audit and Risk Committee for Te Tiriti o Waitangi Audit update reports.

This third Audit targeted three areas of the Te Tiriti o Waitangi Audit Response Programme – how it responds to the previous audit recommendations, an assessment of Māori Responsiveness Plans and a follow-up of some previous audit recommendations. It is pleasing that the Council Group has made some solid progress completing many of the remaining actions. The Council has been working on Te Tiriti o Waitangi Audit Response Programme for about 6 years and now it is timely for Council to prioritise the completion of remaining actions.

Next Steps

The Board will table this report to Council’s Finance and Performance Committee in July 2018 and Auckland Council will confirm their Te Tiriti o Waitangi Audit Response Programme in September. We propose that Auckland Council in preparing for the next Te Tiriti o Waitangi Audit Response programme:

- communicate to Te Toa Takitiri/ Māori Responsiveness Executive Leadership Group to set the tone, drive accountability and oversee progress to deliver on legislative requirements
- identify all remaining Te Tiriti o Waitangi Audit Response Programme actions (2012-2018) that still require a response and decide on new actions with accountability and deadlines
- implement processes and controls to address the legislative requirements from the Resource Management Amendment Act 2017
- Council’s response programme including Māori Responsiveness Plans ensure that all parts of the Auckland Council Group are aware of their legislative requirements whether they are at the governance or executive levels for example Local Boards and Council Owned Organisations
• give the highest priority to finalise and implement the performance measurement framework for Māori Responsiveness (action from the first Audit), including applying this to Māori Responsiveness Plans thus supporting more cohesive and effective monitoring of performance
• continue to use the monitoring role of the Internal Audit Department reporting to Audit and Risk Committee (with some coordination and check-in by the Waharoa Group).

Over 2018/19 the Board will commence a greater dialogue with Council on measuring of its Māori responsiveness performance both internally and externally.
Independent Māori Statutory Board

Te Tiriti o Waitangi Audit Report 2018
Brandi Hudson  
Chief Executive  
Independent Māori Statutory Board  
Private Bag 92311  
Auckland 1142  

5 July 2018  

Tēnā koe Brandi  

Te Tiriti o Waitangi Audit Report 2018  

Thank you for providing an opportunity for PwC to execute the third Te Tiriti o Waitangi Audit on your behalf.  

In accordance with Contract 136: Te Tiriti o Waitangi Audit 2017-18 signed by us on 30 October 2017, we are delighted to attach Te Tiriti o Waitangi Audit Report 2018, which sets out our findings and recommendations from the audit.  

If you require any clarification or further information, please do not hesitate to contact us.  

Ngā mihi  

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Use of information

This report is provided for the Independent Māori Statutory Board ("IMSB") and is issued pursuant to the terms and conditions set out in Contract 136: Te Tiriti o Waitangi Audit 2017-18 ("the contract").

The IMSB contracted PwC to prepare Te Tiriti o Waitangi Audit Report 2018. By reading this Te Tiriti o Waitangi Audit Report 2018 the reader of the Te Tiriti o Waitangi Audit Report 2018 accepts and agrees to the following terms:

i. The reader of this Te Tiriti o Waitangi Audit Report 2018 understands that the work performed by PwC was performed in accordance with instructions provided by the IMSB and was performed exclusively for the IMSB’s sole benefit and use.

ii. The reader of this Te Tiriti o Waitangi Audit Report 2018 acknowledges that this Te Tiriti o Waitangi Audit Report 2018 was prepared at the direction of the IMSB and may not include all procedures deemed necessary for the purposes of the reader.

iii. The reader agrees that PwC, its partners, employees and agents neither owe, nor accept any duty or responsibility to it, whether in contract or in tort (including, without limitation, negligence and breach of statutory duty), and shall not be liable in respect of any loss, damage or expense of whatsoever nature which is caused by any use the reader may choose to make this Te Tiriti o Waitangi Audit Report 2018, or which is otherwise consequent upon the gaining of access to the Te Tiriti o Waitangi Audit Report 2018 by the reader.

iv. Further, the reader agrees that this Te Tiriti o Waitangi Audit Report 2018 is not to be referred to or quoted, in whole or in part, in any prospectus, registration statement, offering circular, public filing, loan, other agreement or document and not to distribute the Te Tiriti o Waitangi Audit Report 2018 without the IMSB’s prior written consent.

PwC reserve the right, but will be under no obligation, to review or amend our report if any additional information, which was in existence on the date of this report but not brought to our attention, subsequently comes to light.

The statements in our report have been made in good faith and on the basis that all information provided to us that we have relied upon is reliable accurate and complete. This information has not been subject to verification.
Ngā whakamānawa ki a koutou e Te Pōari Motuhake o Tāmaki e pupuri nei i ngā tumanako me ngā wāwata o te hau kāinga Tae atu ki ngā mātāwaka ku a u mai ki ngā ākau o Tāmaki Makaurau

E re re ana ngā aumihi ki a koutou e whakatū ana i ngā poupou ki a pakari ai te tū o te Kaunihera o Tāmaki Makaurau
Ki a tū ai Te Tiriti o Waitangi hei pou arahi
Ki a ngātahi ai te whakawhanake i ngā hua mo te iwi Māori
Ki a pakari hoki ai ngā here i te rohe o Tāmaki Makaurau.

We acknowledge you the Independent Māori Statutory Board. You are the voice for the aspirations of the original occupants through to the later tribes who now also reside in this place.

We acknowledge your foresight in building a vision for the way forward with the Council in regard to Te Tiriti to improve outcomes for Māori and build stronger relationships within the region.
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- Audit part 2: Māori Responsiveness Plan programme and review process
- Audit part 3: Targeted follow-up of previous audit recommendations
- Appendix A – Role and purpose of the MSH
- Appendix B – Legislative requirements in scope
- Appendix C – Summary of the status of prior audit recommendations compared to prior audits
- Appendix D – Schedule of prior audit recommendations
- Appendix E – Treaty Audit Response Work Programme - action group
- Appendix F – Audit stakeholders engaged
- Appendix G – Key documents inspected
Executive summary

Background

Te Tiriti o Waitangi (“Te Tiriti”) Audit (“the audit”) directly supports the second aspect of the Independent Māori Statutory Board’s (“IMSMB”) purpose as it assesses the performance of the Auckland Council Group (herein referred to as “the Council” and including the Governing Body, Auckland Council organisation, Local Boards and CCOs) in acting in accordance with statutory references to Te Tiriti and statutory responsibilities to Māori in Tāmaki Makaurau. More detail on role and purpose of the IMSMB and the audit is in Appendix A.

The scope of any audit is a matter for the IMSMB to determine, the major driver being a consideration of those legislative requirements or statutory references that, if not complied with, would have high negative impact to Māori, including those where there is increased likelihood of non-compliance or gaps in existing organisational processes. See Appendix B for the legislative requirements in scope.

Audit Scope

The scope of this audit has three parts:

Part 1: An assessment of the Council’s framework for responding to previous audit recommendations – as the Council’s follow-up processes are the key overarching mechanism to ensuring that the 60+ actions agreed in previous audit reports are completed as intended.

Part 2: An assessment of the Māori Responsiveness Plan (“MRP”) programme and review process – given the purpose of MRPs to drive change in the culture, thinking and practice of a division/department/CCO to enable the Council to be more responsive to Māori and enhance delivery of both the Council’s statutory obligations and contribution to Māori outcomes.

Part 3: Targeted follow-up of a sample of previous audit recommendations – to independently assess progress to address audit recommendations and provide a greater level of clarity on actions required and accountabilities where needed.

Key messages

In comparison to Te Tiriti o Waitangi Audit Report 2015, we have observed a large amount of work underway to improve the Council’s responsiveness to Māori.

The formal Treaty Audit Response Work Programme is achieving good momentum

Te Tiriti o Waitangi Audit Reports 2012 and 2015 contained 67 specific recommendations. In receiving Te Tiriti Audit Report 2015, the Council committed to a 3-year Treaty Audit Response Work Programme of 24 action groups linked to these recommendations. In contrast to the last audit, it has been pleasing to see greater formality in this work programme and some significant progress as a result. Of note:

- There is widespread awareness of the Treaty Audit Response Work Programme, with action owners now sitting across the Council, lessening reliance on the Council’s Māori Strategy and Relations team (Te Waka Anga Mua ki Uta).
- Elevation of significant and strategic actions as Council wide programmes of work to Executive Leadership and governance priorities.
- Monitoring of work programme progress by the Council’s Waharoa Group (which includes a member of the IMSMB Secretariat) and Internal Audit Department and reporting six-monthly to the Audit and Risk Committee.

Progress to close some actions has been delayed due to a slower start – with some target completion dates shifting several times – due to various reasons including restructures, changes in personnel, changes in action approach and competing priorities.

Over the past year in particular, there has been significant momentum by the Council in addressing audit recommendations. At the time of writing this report (April 2018), sixteen of the 24 action groups have been assessed and categorised by the Council’s Waharoa group as ‘closed’. The three-year work programme is due for completion on 30 June 2018. However, it is estimated that at least five action groups will not be completed by this date. This was communicated to the Audit and Risk Committee of 26 February 2018. These relate to the protection of
sensitive information, Māori information portal and mana whenua participation in resource consents. Revised due dates have not yet been agreed at the Council or with the IMSB.

To ensure that actions in progress achieve the desired impact and that the risk of further delays is minimised, we recommend the following improvements:

- **Action closure criteria should fully address previous audit recommendations and underpinning statutory references, and evidence of closure should always be sought** (see Audit Part 1, finding 1 – rated High)
- **Senior leaders (with responsibility for outstanding actions) should be engaged in action monitoring** (see Audit Part 1, finding 2 – rated Moderate)
- **Shifts in audit action target completion dates should be made visible** (see Audit Part 1, finding 3 – rated Low).

A more mature approach is emerging to enable the Council to deliver the principles of Te Tiriti o Waitangi and fulfill statutory responsibilities to Māori

As a result of the Council’s commitment to improved responsiveness to Māori and the progress to address previous audit recommendations, we have observed greater maturity in the Council’s frameworks and processes that enable delivery of the principles of Te Tiriti o Waitangi and the fulfillment of statutory responsibilities to Māori. The key step changes observed, including those adopted more recently, are:

- **A strong commitment to move beyond the compliance ‘tick box’ exercise with a focus Council wide on building good relationships with Māori and getting the right outcomes for Māori.**
- **Clearer expectations and accountabilities**, through:
  - An updated organisation Charter, which sets explicit expectations for the Council family in honouring the Council’s treaty-based partnership with Māori and Māori responsiveness.
  - The CEO’s performance objectives (published 23 November 2017), which requires the establishment of a robust performance measurement framework (PMF) for Māori responsiveness outcomes, and completion of all planned audit actions. Accountability for audit actions spans Council wide, and it is intended that the PMF, once established, will cascade through the organisation.
- A comprehensive toolkit and review processes available to support the development of highly tailored and effective MRPs. In the original Treaty Audit Response Work Programme (agreed to in October 2015), the Council committed to the development and implementation of nine MRPs. At the time of the audit, this number had been exceeded, with at least 16 MRPs now in implementation. There are a broad range of initiatives underway across Council to improve Māori responsiveness.
  - **Significant efforts to develop staff capability to engage with and respond more effectively to Māori** – with development needs identified and addressed through MRP initiatives and also by individuals that are keen to upskill.
  - An action oriented Māori employment and capability framework in the Council-wide Measures and Actions for High Impact (MAHI) strategy (2017) which seeks to enable responsiveness to Māori through staff recruitment, training and development that strengthens the Council’s Māori workforce and enhances cultural competence. It addresses both the statutory and strategic commitments of Auckland Council to Māori.
  - The development of guidelines, processes, protocols to support the Council in preparing for, communicating and engaging with Mātauraka in Tamaki Makaurau.

These all contribute to a positive step change towards greater embedding of Māori requirements in day-to-day business as usual processes and in turn should systemise the Council’s ability to deliver improved Māori outcomes.

**A volume of work underway to better align, embed and measure efforts**

The audit touched on a number of areas still in development, or where there is need for further improvement to existing frameworks and processes to ensure the Council’s goals for increased Māori responsiveness are achieved. The Council have the following key initiatives underway:

- The establishment of relationship agreements between the Governing Body and iwi, in response to requests for Chief-to-Chief relationships. Although there is widespread commitment to building good relationships with iwi, only some relationship agreements are in place between iwi and Local Boards.
- **Full implementation of all MRPs.** There are 16 completed MRPs (plus one in final review stage), nine MRPs in development and approximately another 10 to be developed during FY19.
- **Improving the alignment of MRPs to strategic priorities for Māori** to help set a clearer path for the delivery of Māori outcomes. This was a key recommendation in the Assessment of Expenditure incurred by Auckland Council on projects to deliver Māori outcomes Report 2017. This will impact the next wave of MRPs.
- Development and implementation of a performance measurement framework for Māori outcomes aligned to strategic priorities, to support an effective assessment of performance, which will in turn help direct efforts.
The performance measurement system should also affirm senior leader accountabilities for deliverables, budgets and outcomes. This is a fundamental building block required to support a robust control environment, and was an original audit recommendation from 2012.

Further processes required to better inform, monitor and measure efforts

Additional areas identified through the audit for focus are:

- *Improved monitoring of MRP initiatives by business units.* MRP’s, while designed well in terms of comprehensive goals and objectives and well thought out initiatives, require better tracking and monitoring to ensure milestones and outcomes are delivered. This needs to be driven by MRP Sponsors/Senior leaders with MRP oversight (see Audit Part 2, finding 4 – rated High).

- *Legal assessments should be performed during MRP development.* to assess compliance with statutory references to Te Tiriti o Waitangi and Māori to determine whether any initiatives are required to meet departmental obligations. These assessments should be reviewed (see Audit Part 2, finding 5 – rated Moderate).

- The development of processes to manage and monitor relationship agreements and capacity contracts (see Audit Part 3, finding 6 – rated High).

- *Closure criteria need to be reframed for action groups relating to Mana Whenua participation in resource consents,* to enable more clearly defined actions (see Audit Part 3, finding 7 – rated Moderate).

*I ōrea te tuātara ka patu ki waho
A problem is solved by continuing to find solutions.*
Acknowledgement

We would like to extend our appreciation for the assistance provided by the Chief Executive, Audit Liaison Group, management and Council staff in the completion of our work.

Yours faithfully

Lara Hillier
Partner
PwC

Jade Collins
Director
PwC

Management comment from the Chief Executive of the Auckland Council

Kia ora koutou katoa

The Auckland Council Group stands committed to delivering on its Treaty of Waitangi responsibilities and responding to the needs of our Māori communities. We want an enduring partnership with iwi and out of that, to progress the outcomes Māori aspire to socially, economically, environmentally and culturally.

This audit continues the valuable work of the Independent Māori Statutory Board in advising and challenging us to do better. It is received positively and with gratitude because it helps us to drive the change that is still needed in this regard. I commit us to carefully considering all recommendations and responding to them in due course.

It is very pleasing to see fulsome acknowledgement of the goodwill, commitment and progress being made by the organisation toward improved outcomes for Māori. But we have more to do and we will continue rising to the challenge.

Stephen Town
Chief Executive Auckland Council
Summary of findings

The audit identified seven key findings, as numbered in the diagram below. Each finding is detailed in the relevant Audit Part section of this report, and each finding is rated based on the priority rating definitions over the page.

Audit Part 1
- Treaty Audit
- Response Work Programme
- Set up (including defining action closure criteria)

Audit Part 2
- Māori Responsiveness Plans
- MRP programme and MRP development

Audit Part 3
- Monitoring and reporting of actions
- Monitoring and reporting of initiatives

Audit findings legend

<table>
<thead>
<tr>
<th>#</th>
<th>Finding title</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Action closure criteria should fully address previous audit recommendations and underpinning statutory references, and evidence of closure should always be sought</td>
<td>High</td>
</tr>
<tr>
<td>2</td>
<td>Senior leaders (with responsibility for outstanding actions) should be engaged in action monitoring</td>
<td>Moderate</td>
</tr>
<tr>
<td>3</td>
<td>Shifts in audit action target completion dates should be made visible</td>
<td>Minor</td>
</tr>
<tr>
<td>4</td>
<td>Māori Responsiveness Plan initiatives and actions should be more formally monitored in line with MRP requirements and progress reported</td>
<td>High</td>
</tr>
<tr>
<td>5</td>
<td>Legal assessments, reflective of the department’s key activities and obligations, should be performed during MRP development and reviewed</td>
<td>Moderate</td>
</tr>
<tr>
<td>6</td>
<td>Processes to manage relationship agreements and capacity contracts should be established</td>
<td>High</td>
</tr>
<tr>
<td>7</td>
<td>Closure criteria need to be reformed for action groups relating to Mana Whenua participation in resource consents</td>
<td>Moderate</td>
</tr>
</tbody>
</table>

✓ No issues identified, with work completed or planned
Basis of findings and definition of audit in the context of Te Tiriti audit

The findings are based on meetings held with a sample of key stakeholders, reviews of a sample of relevant documentation (see Appendices E and F) and results of limited detailed testing which was conducted on a sample basis, where appropriate.

We draw your attention to the meaning of the word audit, in the context of “Te Tiriti audit”. Our engagement does not constitute a statutory audit, the objective of which is the expression of an opinion on the financial statements, or an assurance engagement, the objective of which is the expression of an opinion on management’s assertions. Accordingly, we will not express such an opinion at the conclusion of our work.

Detailed findings

The next sections of this report set out for each audit Part, the detailed findings and recommendations, and the Council’s response and implementation plan for the way forward arising from this audit.

The priority rating table below has been used to assess each finding (or area of findings) identified during each audit, to provide a consistent basis for the assessment.

<table>
<thead>
<tr>
<th>Rating</th>
<th>Definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Significant</strong></td>
<td>A significant weakness or gap which is almost certain to compromise Māori legislative rights and should therefore be addressed as a matter of some urgency. Issues of this nature relate to fundamental weaknesses in the core building blocks of a robust control framework, or critical elements in relation to Te Tiriti obligations.</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>A serious weakness or gap in process or control which is likely to compromise Māori legislative rights and should therefore be addressed as a matter of importance.</td>
</tr>
<tr>
<td><strong>Moderate</strong></td>
<td>A moderate weakness or gap in process or control which may compromise Māori legislative rights and should therefore be addressed as a medium term priority.</td>
</tr>
<tr>
<td><strong>Minor</strong></td>
<td>A minor weakness which is unlikely to compromise Māori legislative rights however may improve or refine a process.</td>
</tr>
</tbody>
</table>

Next steps

The Council’s Finance and Performance Committee will receive this report, together with the Council’s responses to the findings.

Given the nature of these findings, we recommended that follow-up of agreed actions form part of Internal Audit’s forward work programme.
Audit part 1: The Council’s framework for responding to previous audit recommendations
Audit part 1: The Council’s framework for responding to previous audit recommendations

Background, objective and scope

A critical recommendation (ref 66) in Te Tiriti o Waitangi Audit Report 2015 was the embedding of audit follow-up processes within the Council. This is so that the Council can self-monitor and hold itself accountable for its progress to implement agreed actions. The Waharoa Group (a committee comprised of staff Council’s Te Waka Anga Mua ki Uta, Internal Audit department and a member of the IMSB Secretariat) was established in 2015 to monitor the progress made in delivering the Treaty Audit Response Work Programme. Progress is reported six-monthly to the Audit and Risk Committee. In addition, a summary table and commentary on actions completed is reported to the Finance and Performance Committee as part of the wider Te Toa Taktini report.

In 2016, the IMSB requested PwC to assess the design and operating effectiveness of this follow-up framework (including assignment of responsibilities, delivery and reporting) that the Council and IMSB rely on to drive progress. The agreed follow-up framework going forward, as determined by the Waharoa Group, was reported in ‘Te Tiriti o Waitangi Audit Action Follow-up Healthcheck Report 2016.

The report highlighted the following areas that could be enhanced:

- Leadership from the top, enabled through more regular reporting to the Māori Responsiveness Executive Leadership group
- Greater collaboration to arrive at agreed outcomes (i.e. closure criteria) and clearer responsibilities, in particular with regard to how the Waharoa group and executive / operational business owners work together
- Greater consistency in reporting.

The report listed eight specific agreed actions to enhance these areas (see table alongside).

As Council follow-up is the key overarching mechanism to ensuring the actions agreed in previous reports are completed, this audit part independently assessed whether the eight agreed actions have been addressed.

Healthcheck Report Agreed Actions October 2016

<table>
<thead>
<tr>
<th>Ref #</th>
<th>Action to be assessed for progress/closure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Terms of reference for the Waharoa Group, to describe its role, responsibility, composition, and capturing the lessons learnt to date, will be implemented to ensure no loss of momentum in subsequent years. This should include a process map including all the steps from the time the final audit report is received by the Council, to agreed recommendations, action tracking and completed actions. It should include who is involved and their delegations. It should also include a process for the preparation for upcoming audits.</td>
</tr>
<tr>
<td>2</td>
<td>The Waharoa group will engage with the relevant executive and operational business owners to undertake the detailed annual planning, including and review of the previous year’s progress. At this time, they will define desired outcomes for each Te Tiriti o Waitangi Audit recommendation. This will enable greater flexibility when the audit recommendations may need to change to accommodate business change. This will also serve the purpose of ensuring that the outcome that the audit actions seek to achieve is well understood and achievable, within the timeframe set. Ideally, the auditor will be part of the annual discussions.</td>
</tr>
<tr>
<td>3</td>
<td>In undertaking the annual project planning, executive and operational business owners’ accountabilities and responsibilities will be agreed jointly.</td>
</tr>
<tr>
<td>4</td>
<td>The Waharoa Group will, jointly with the relevant executive and operational business owner, agree closure criteria, as well as actual</td>
</tr>
</tbody>
</table>
### Summary of Findings

The substance of actions 1 (Waharoa Group processes), 5 (approval of progress reporting), 7 (updates to Te Toa Tahitini) and 8 (consistent formats for reporting) from the table alongside are complete. The key parts of actions 2 (annual planning), 3 (action owner accountabilities), 4 (closure criteria) and 6 (progress reporting) have been addressed. However, elements relating to the completeness of closure criteria and executive/senior leader oversight of actions and engagement in the process remain open and should be addressed to better support the remaining delivery of the Treaty Audit Response Work Programme. Our three detailed observations and recommendations are contained over the page.

### Approach

The audit approach included:

- interviewing staff involved in addressing the agreed actions
- examining relevant reports and other documentation relating to the changes made as a result of remediation
- observing/performing walkthroughs of remediated processes and/or controls (e.g. observing Waharoa group meetings)
- assessing the design effectiveness of remediated documentation, processes and/or controls
- where agreed actions relate to the implementation of a new control or improvements to the performance of a control, selecting and testing a limited sample of transactions/items to ensure controls are operating effectively.

<table>
<thead>
<tr>
<th>Ref #</th>
<th>Agreed action to be assessed for progress/closure</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>The Waharoa Group will consistently approve reporting on progress tabled at the Finance &amp; Performance Committee, enabling transparency and traceability.</td>
</tr>
<tr>
<td>6</td>
<td>Progress on actions will be reported six-monthly to Te Toa Tahitini Executive Leadership Group, re-establishing executive ownership.</td>
</tr>
<tr>
<td>7</td>
<td>Internal Audit will update the Te Toa Tahitini Executive Leadership group on the results of their work.</td>
</tr>
<tr>
<td>8</td>
<td>Throughout the follow-up process, consistent formats of documentation and reporting will be used.</td>
</tr>
</tbody>
</table>
**Detailed findings and recommendations**

<table>
<thead>
<tr>
<th>Ref #</th>
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<th>Priority rating</th>
<th>Recommendation</th>
<th>Management response</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Action closure criteria should fully address previous audit recommendations and underpinning statutory reference, and evidence of closure should always be sought. Each of the audit actions has a set of closure criteria agreed between the Waaharoa Group and the Action Owner(s), as the elements that need to be addressed by the action owner. Since March 2017, these closure criteria have been documented in evidence templates and are reported to the Committee. When these criteria are met, the Waaharoa Group agrees to close the action (and the linked Treaty Audit recommendation). When all actions within a group are complete, the action group is closed. In our examination of a sample of 8 closed (2, 12, 13, 15, 16 and 18) and 4 open actions (4, 14, 20 and 24), we noted some audit action closure criteria do not fully address previous audit report recommendations/underpinning statutory reference or work planned/underway, and evidence of closure was not always sought by the Waaharoa Group. The 'lens' missing from the closure criteria and action group was generally the establishment of a process and control to ensure that what was being implemented, would be done consistently and correctly - both now and in the future. A summary of our findings is shown in the table below, with further detail in Appendix B.</td>
<td>High</td>
<td>1. Closure criteria should be reviewed for all open audit actions against the recommendations the Audit Report 2015, underpinning statutory reference and actual work planned/underway. If there is a mismatch, i.e. the closure criteria do not address the intent of the statutory reference, the closure criteria should be revised and agreed with the Action Owner and relevant Senior Leader.</td>
<td>Owners: Phil Wilson (Governance Director) / Graham Pryor (General Manager, Māori Responsiveness and Te Tiriti o Waitangi Relationships) / Theresa Raigard (Head of Māori Strategy, Policy and Effectiveness). <strong>Agreed Action:</strong> We agree with the recommendations, and will implement actions to address these. We are in the process of identifying and agreeing detailed actions and completion dates with Action Owners (Senior Leaders), to complete a Response Work Programme. This Response Work Programme will be discussed with the IATER Secretariat prior to it being finalized. <strong>Due date:</strong> We will provide the finalised Response Work Programme to a September Council Committee.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment of action groups</th>
<th>0</th>
<th>12</th>
<th>15</th>
<th>16</th>
<th>19</th>
<th>20</th>
<th>24</th>
<th>4</th>
<th>14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action priority</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Evidence of action priority</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Evidence of action closure</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

From this assessment, we also identified that:

- Processes to manage relationship agreements and capacity building contracts (as recommended in the audit report 2015) are not place. This issue has been raised in Audit Part 3, finding 6.
- The closure criteria for action groups relating to Mana Whenua participation in resource consent processes (4, 14, 20) does not accurately reflect work planned/underway. This issue has been raised in Audit Part 3, finding 6.

**Risk/implication**

If action closure criteria are not appropriately defined, there is an increased risk that processes and controls implemented through completed audit actions will not enable the Council to fully address statutory responsibilities to Māori. As a result, the Council’s ability to deliver on related Māori outcomes may be diminished.

2. [Senior leaders (with responsibility for outstanding actions) should be engaged in action monitoring](#) Audit action owners are generally Tier 4 or 5 staff who have a direct responsibility for addressing the agreed action. While this is appropriate, the relevant senior leaders with responsibility for outstanding actions are not always engaged upfront in action setting, monitoring or they receive progress reports. While we acknowledge that for some actions senior leaders/executives are actively engaged, i.e. actions that form part of Te Taui Taihiti portfolio, this is not consistent. Specific observations are:

- The expectations for Senior Leader oversight in developing and agreeing closure criteria and target completion dates is not clearly defined.
- There is no reporting channel on progress or actions due/overdue to Senior Leaders of departments responsible for delivering on audit actions. We understand that Te Wāka Arga Masu ki Uta have recently proposed that the Te Taui Taihiti Executive Leadership Group receive updates on the Treaty Audit Response Work Programme from July 2018 onwards.

**Risk/implication**

As FY18 is the final year of the Treaty Audit Response Work Programme (recognising completion dates fall after 30 June 2018), it is critical that remaining actions are implemented as intended. Involvement from senior leaders with responsibility for outstanding actions can help ensure these actions remain priority focus, balanced against other organisational commitments.

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<tbody>
<tr>
<td>2</td>
<td>Senior leaders (with responsibility for outstanding actions) should be engaged in action monitoring</td>
<td>Moderate</td>
<td>5. The expectations for oversight of Senior Leaders/Executives (with responsibility for outstanding actions) in developing and agreeing closure criteria and target completion dates should be defined and implemented.</td>
<td>As above</td>
</tr>
</tbody>
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As FY18 is the final year of the Treaty Audit Response Work Programme (recognising completion dates fall after 30 June 2018), it is critical that remaining actions are implemented as intended. Involvement from senior leaders with responsibility for outstanding actions can help ensure these actions remain priority focus, balanced against other organisational commitments.

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<tbody>
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<td>3</td>
<td>Senior leaders (with responsibility for outstanding actions) should be engaged in action monitoring</td>
<td>Moderate</td>
<td>5. The expectations for oversight of Senior Leaders/Executives (with responsibility for outstanding actions) in developing and agreeing closure criteria and target completion dates should be defined and implemented.</td>
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<tbody>
<tr>
<td>3</td>
<td><strong>Shifts in audit action target completion dates should be made visible</strong>&lt;br&gt;Progress to address Treaty Audit actions is reported six-monthly through the Waharoa Group and Internal Audit to the Audit and Risk Committee. We note that for a number of actions, the target completion dates have shifted multiple times over the years due to changes in priorities and available resource. However, due date shifts are not tracked nor reported to the Audit and Risk Committee nor Senior Leaders with responsibility for outstanding actions.</td>
<td>Minor</td>
<td>Treaty Audit Work Programme progress reports to Senior Leaders (with responsibility for outstanding actions) should include the full history of due dates, to enable visibility of these changes.</td>
<td>As above</td>
</tr>
</tbody>
</table>

Risk/Implication
Without visibility of shifts in target completion dates it is not clear to those monitoring progress whether actions are ‘overdue’ from their initial due date and the extent of this, and as a result this can impact the ability to make or influence considered decisions on action prioritisation.
Audit part 2: Māori Responsiveness Plan programme and review process
Audit part 2: Māori Responsiveness Plan programme and review process

Background, objective and scope

Māori Responsiveness Plans (“MRPs”) are strategic plans to drive change in the culture, thinking and practice of a division/department/CCO to enable the Council to be more responsive to Māori and enhance delivery of both the Council’s statutory obligations and relationship commitments to Māori. MRP are the key vehicle to deliver on the goals and objectives in the Council’s Māori Responsiveness Framework (“MRF”), and set out how each division/department/CCO will enhance their contributions to deliver on commitments to Māori through a range of actions/initiatives.

Recommendations 1, 3, 38, 41, 62, 65 in Te Tiriti o Waitangi Audit Report 2015 relate to the development and implementation of MRPs. Since then a toolkit and review processes (by Te Waka Anga Mua ki Uta, Internal Audit and Legal) have been established to support the development of division/department/CCO MRPs.

Given the importance of getting these MRPs right, the objective of this audit part was to assess the Council’s MRP programme and the related review process. The audit also included a ‘deep dive’ independent examination of a sample of three MRPs.

The scope of this audit part included:

- Assessing the design of the programme to develop MRPs for remaining divisions/departments/CCOs
- Assessing the design of the template guidance for developing MRPs, i.e. does this support the development of MRPs which create an effective compliance framework and plan, and mechanism to action Te Tiriti Audit recommendations?
- Assessing the design and operation of the MRP review process by Te Waka Anga Mua ki Uta, Internal Audit and Legal

- Performing a ‘deep dive’ examination of a sample of three MRPs (Plans and Places, Communications and Engagement and Auckland Transport) to assess the effectiveness of the MRP in:
  - creating a compliance framework and plan for the business unit, i.e. have relevant legal obligations to Māori and Te Tiriti Audit recommendations been identified? Have appropriate accountabilities been assigned? Have key controls been identified to enable compliance and delivery of actions to address recommendations, and are these in place and operating effectively?
  - embedding Māori responsiveness within day-to-day business as usual processes, i.e. does the MRP include actions to demonstrate improved Māori responsiveness, what key controls does the MRP put in place to consistently deliver on these actions, and are the key controls operating effectively?
  - creating a self-monitoring framework for performance, i.e. is a performance assessment framework defined, and progress monitored and assessed? Are there linkages between MRPs, department business plans and individual staff development plans?

Approach

The approach included the following actions:

- interviewing staff involved in the development and review of the MRPs, and staff responsible for implementing MRP actions
- assessing the design and operation of key documentation including: the MRP toolkit, individual MRPs, evidence of MRP review and any other documents that support monitoring and reporting of progress to achieve MRP initiatives.
Summary of findings

Well-designed tools supporting the development of MRPs

There is a requirement, defined in Business Plans, that each division/department/CCO in the Council has an MRP in place that is relevant, appropriately resourced and is capable of being delivered. Given the strategic nature of these plans (typically designed as three year forward looking plans), the journey to develop these plans is important and is recognised and treated as a project in itself.

There are various well-designed tools/mechanisms available that enable the development of MRPs, including:

- A defined programme to develop MRPs for remaining parts of the Council, which is reported to the Audit and Risk Committee
- Clear accountability for development through MRP Sponsors and MRP development project teams
- A comprehensive toolkit (developed in 2016) is available to guide project teams through structured planning and self-assessment processes to develop their MRPs. The toolkit provides for:
  - a current state assessment of department values, internal capacity, capability and activity – determined through a combination of staff surveys, interviews and workshops, desktop research, legal and treaty assessment (of how the area is delivering on the MRF, contributes to Treaty principles and is addressing statutory responsibilities) and Māori partner/stakeholder relationship mapping
  - future state assessment to identify improvements that need to be made and what sort of relationships, leadership, management, culture and capability the area needs in the future
  - identification of implementation risks and mitigation plans
  - performance measures, monitoring and evaluation.
- Facilitation and real time review processes (by Te Waka Anga Mua ki Uta, Internal Audit and Legal) to ensure MRPs are designed effectively.
- A best practice-sharing forum within the Council, known as the Ngā Poito where those involved in MRPs can come together to share and reflect on their learnings, strengths, weaknesses and future practices. At the time of this audit, seven departments were involved in this forum.

In the original Treaty Audit Response Work Programme (agreed to in October 2015), the Council committed to the development and implementation of nine MRPs by June 2018. At the time of the audit, this number had been exceeded, with:

- 16 approved MRPs, in implementation
- one pending final review
- nine in development (six of which have been prioritised for completion by 30 June 2018)
- 10 departments/CCOs/divisions that are initiating the development discussions.

Improving strategic alignment and increasing focus on Māori outcomes

The current focus of MRPs is initiatives to improve internal capability and capacity to respond to and engage with Māori (the MRF goal of an empowered organisation), and the MRP current state assessments have focused on this. This was a conscious decision given the low levels of capability identified. Future MRPs (including refreshes) will focus more on the other MRF goals of effective Māori participation in democracy and building strong Māori communities. There will include greater focus on aligning (individually and collectively) MRP initiatives to Māori outcomes (identified in strategic plans), and the requisite performance framework to measure milestones and outcome delivery.

Further processes required to better inform, monitor and measure efforts

- MRPs, while designed well in terms of comprehensive goals and objectives and well thought out initiatives, require better tracking and monitoring to ensure delivery of milestones and outcomes (finding 4).
- Full legal assessments should be performed during MRP development, to assess compliance with statutory references to Te Tiriti o Waitangi and Māori to determine whether any initiatives are required to meet departmental obligations. These assessments should be reviewed (finding 5).

Our two detailed observations and recommendations are contained over the page.
## Detailed findings and recommendations

<table>
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<tr>
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<th>Management response</th>
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<tbody>
<tr>
<td>4</td>
<td>MiMori Responsiveness Plan initiatives and actions should be more formally monitored in line with MRP requirements and progress reported</td>
<td>High</td>
<td>MRP Sponsors/relevant member of the Senior Leadership Team with MRP oversight should:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All three MRP examined included specific monitoring requirements. However, those requirements are generally not being met. Discussions with MRP action owners indicated that while initiatives are being implemented, progress monitoring is not regular and is typically discussion/narrative based – rather than more formal tracking of progress to deliver on the agreed initiatives against timelines and intended outcomes. Initiative/action tracking requirements for the three MRPs examined, and actual practices followed are detailed in the table below.</td>
<td></td>
<td>6. Ensure that MRP initiative tracking and reporting processes agreed to in MRPs are followed consistently. Where these are deemed no longer appropriate, revised monitoring and reporting processes should be defined and agreed with MRP Sponsors.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>MiMori Responsiveness Plan</strong></td>
<td></td>
<td>7. Requires structured and regular progress reporting to better track and monitor performance on operational matters (details of progress on milestones, forecast completion of actions against plan (and any shifting due dates), actuals versus budget and key risks/issues) as well as a more strategic focus (whether MRP objectives and outcomes are being achieved). The frequency of reporting should be determined by the nature of initiatives.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scope and frequency of monitoring and reporting as stated in the MRP</td>
<td></td>
<td>MRP reporting should be through the relevant business unit/division or COO, i.e. not necessarily whole of Council reporting.</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Actual practices</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The CME scope will continue to meet fortnightly to track progress. Unit representatives will be responsible for checking in on initiatives with their team. Depending on work plans this may mean that scope membership changes over time. We will also include the new CME principal advisor on engagement. Te Waka Aiga Māori representatives come to regular MRP meetings as well and the ISM will be consulted at least twice a year.</td>
<td>Practices defined in the MRP are partially followed. Two significant initiatives relating to audit recommendations (MiMori engagement and the MiMori Information Portal) are monitored through the Waka group and formally reported through Executive/Senior leadership groups, with budgets, milestones, risks and measurable benefits tracked. However, with regard to other smaller projects, a BAU type MRP initiative, the CME scope is not currently meeting fortnightly but had been in the past. Progress on the implementation of these MRP initiatives is discussed within individual units and occasionally at a department level, but not on a regular or formal basis. We acknowledge that many actions are ongoing in nature, i.e. they do not have a fixed end date, which is appropriate as they serve to build capacity and capability and embed the right behaviours. However, actions are not formally tracked against intended outcomes, i.e. progress is not recorded or reported.</td>
<td></td>
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<tr>
<td></td>
<td><strong>Plans and Places (implemented August 2016)</strong></td>
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<td></td>
<td>Specific measures and targets were set for each of the 6 MRP actions. Monitoring of department efforts against measures and targets is set at the end of the fourth quarter for most actions. For example, for the action “on-going training to improve responsiveness to MiMori” there are 3 measures and targets, including: 1. Measure: number of training events; target: at least one event per quarter delivered. 2. Measure: percentage of staff who feel they are competent engaging with the MiMori; target: increase from baseline survey.</td>
<td>Practices defined in the MRP are not followed. Some MiMori responsiveness activity is discussed at the Steering Committee. However, not all actions are discussed and progress is not formally measured against targets, i.e. progress is not recorded or reported.</td>
<td></td>
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<tr>
<td></td>
<td>** Auckland Transport (implemented September 2017)**</td>
<td></td>
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<tr>
<td></td>
<td>“Project Board Reporting”</td>
<td></td>
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<td></td>
<td>The Programme Manager is responsible for reporting to the Project Leadership Team on a bi-monthly basis via a submitted report and then quarterly at face-to-face meetings. Core items for review include: 1. Initiative updates — progress, forecast completion against plan. 2. Budget — actuals versus forecasts. 3. Key risks and issues.</td>
<td>Practices defined in the MRP are partially followed. Progress and spend on significant initiatives (relating to the MiMori Road Safety Programme, MiMori Roadways Programme, and MiMori StreetLab, pop-ups and street development) are formally reported through Te Tia Toki Te Taha, the Council’s Finance and Performance Committee as part of broader MiMori outcome reporting and subsequently to the Joint Governing Body/MBIE. Because the specific of planned milestones, outcomes and MRP success criteria is not currently captured through these reports, the Council is in the process of finalising improved reporting on the delivery of MiMori outcomes across the Council family.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Programme and Project Control and Reporting</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>The Programme Manager will arrange monthly meetings with the Project Manager to track and monitor performance. The Project Manager is required to provide the following items for review: 1. Initiative updates — progress, forecast completion against plan. 2. Budget — actuals versus forecasts. 3. Key risks and issues.</td>
<td>Progress on the implementation of the plan is reported to the Auckland Transport Board at its monthly intervals:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Finding

Given the strategic nature of those plans, and large upfront investment in their development, we would expect to see more formal monitoring.

### Risk/Implication

Without formal tracking and monitoring of progress to implement MRF actions, there is an increased risk that agreed actions are not delivered as intended. This impacts on the ability to ‘course correct’ and ultimately could impact on the Council’s ability to achieve MRF goals of being an empowered organisation, enabling effective Māori participation and building strong Māori communities.

### Item 10

<table>
<thead>
<tr>
<th>Ref #</th>
<th>Finding</th>
<th>Priority rating</th>
<th>Recommendation</th>
<th>Management response</th>
</tr>
</thead>
</table>
| 5     | Legal assessments, reflective of the department’s key activities and obligations, should be performed during MRF development and reviewed. Legal assessments are not consistently used nor reviewed in MRF development. As part of MRF development, MRF writers are required (through the MRP toolkit) to perform a ‘legal assessment’, which has two parts – to:
  a. identify the Council’s general legal requirements in Māori, obligations under Te Tiriti o Waitangi as well as division/department/COO-specific requirements and
  b. assess what is currently being done to meet these. The purpose of this self-assessment is to identify areas for improvement to inform MRF initiatives and actions. To support this assessment, the MRP toolkit:
    • advises writers that the legal assessment requires some critical thought (i.e. what are our priority legislative requirements? What does this mean for us? How are we meeting our obligations currently? What more should we be doing?)
    • refers writers to the Council’s Do It Right compliance programme and plans to help business units identify, assess, plan for, and track progress against the legislative obligations that apply to them.
    • provides a template to capture the assessment. | Moderate | Going forward:
  8. MRF development processes should include, as appropriate, self-assessments of compliance with statutory references to Te Tiriti o Waitangi and Māori in determining whether any initiatives are required to meet departmental obligations (considering departmental activities). This assessment should be checked by Legal review processes.
  9. Assessment guidance to support the review of MRF legal assessment by the Legal team/relevant subject matter experts should be established. | As above |
Audit part 3: Targeted follow-up of previous audit recommendations
Audit part 3: Targeted follow-up of previous audit recommendations

Background, objective and scope

Te Tiriti o Waitangi Audit Reports 2012 and 2015 contained 67 specific recommendations. Over the past year, there has been significant momentum by the Council in addressing these previous audit recommendations. See Appendix C for a summary of the status of audit recommendations, compared to prior audit reports, and see Appendix D for a schedule of all prior audit recommendations. At the time of writing this report, sixteen of the 24 action groups (all linked to prior audit recommendations) in the Treaty Audit Response Work Programme have been assessed and categorised by the Council as ‘closed’. The 3-year Work Programme is due for completion on 30 June 2018. However, it is estimated that at least 5 action groups will not be completed by this date. This was reported to the Audit and Risk Committee of 26 February 2018. These relate to the protection of sensitive information, Māori information portal and mana whenua participation in resource consents. Revised due dates have not yet been agreed at the Council or with the IMSB.

Certain action groups warrant an independent follow-up through this Te Tiriti o Waitangi Audit 2018:
- for ‘closed’ actions, independently assess them for closure, in doing so assessing the effectiveness of the Council’s follow up framework
- for ‘open’ actions, to consider the planned course of action (closure criteria) to provide, if needed, a greater level of clarity on actions required to effectively close the action
- to share evidence of the areas where good progress has been made and Māori outcomes are being achieved, for recognition and also to share as examples of good practice.

Four key scope drivers were focused on to select the action groups to follow up:

1. The high priority legislative requirements (1) – to ensure progress is being made in the areas that matter most
2. The Schedule of Issues of Significance to Māori in Tamaki Makaurau – as a more detailed lens for prioritisation of follow up
3. The time taken to address recommendations – many recommendations that originated in the inaugural Te Tiriti o Waitangi Audit Report in 2012 remain open, and there is an expectation that more of these should be complete
4. The more critical action groups/recommendations that, once addressed and operating effectively, will support the completion of other action groups/recommendations.

The seven action groups specifically selected for follow-up in this audit were:
- 12. and 15. Relationship agreements
- 13. Māori capability and employment
- 16. Māori communication strategy
- 24. Performance framework
- 4. 14, and 20. Mana Whenua participation in resource consents.

Each action group in Te Tiriti Audit Response Work programme, and the associated recommendations, relate to one or more statutory requirement to Māori.

---

1 High priority legislative requirements are defined as a legislative requirement that if not complied with, would have high impact to Māori, and/or legislation for which there is an increased likelihood of non-compliance or gaps in existing Council process. The legislative requirements are set out in Te Tiriti o Waitangi Best Practice Audit Approach (developed in 2011) and established the backbone of the inaugural audit. In scoping the first audit, there was one major driver for scope – the legislative requirements deemed high priority.
### Approach

The extent of Audit follow up (high level, detailed or deep dive) has been determined based on the status of the action group (i.e. whether it is closed or open). Closed actions were subject to a detailed or focused assessment, and open actions were subject to a high level (inquiry) assessment only. The audit approach included the following actions:

<table>
<thead>
<tr>
<th>Approach</th>
<th>High level</th>
<th>Detailed</th>
<th>Focused assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviewing staff involved in addressing agreed actions, including Action Owners, Action Sponsors, to understand actions taken/remaining</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Examining relevant reports and other documentation relating to the changes made to address agreed actions</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Observing/performing walkthroughs of remediated processes and/or controls</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Assessing the design effectiveness of remediated documentation, processes and/or controls</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Where agreed actions relate to the implementation of a new control or improvements to the performance of a control, selecting and testing a limited sample of transactions/items to ensure controls are operating effectively</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
## Summary of Findings

<table>
<thead>
<tr>
<th>Item</th>
<th>Key Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1. <strong>Te Tiriti o Waitangi</strong> principles are embedded in the Council’s strategic plan and operational plans, and are reflected in its decision-making processes.</td>
</tr>
<tr>
<td>2</td>
<td>2. The Council has demonstrated a commitment to implementing the principles of Te Tiriti o Waitangi through its policies and strategies.</td>
</tr>
<tr>
<td>3</td>
<td>3. The Council’s relationship with Māori is based on partnership and mutual respect, and is guided by the principles of Te Tiriti o Waitangi.</td>
</tr>
<tr>
<td>4</td>
<td>4. The Council has established a number of initiatives to improve its relationship with Māori, including Māori language immersion programs and the establishment of a Māori advisory group.</td>
</tr>
</tbody>
</table>

### Key Recommendations

<table>
<thead>
<tr>
<th>Item</th>
<th>Key Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>1. The Council should ensure that its decision-making processes are informed by the principles of Te Tiriti o Waitangi.</td>
</tr>
<tr>
<td>6</td>
<td>2. The Council should continue to implement initiatives to improve its relationship with Māori.</td>
</tr>
<tr>
<td>7</td>
<td>3. The Council should review its policies and strategies to ensure they are aligned with the principles of Te Tiriti o Waitangi.</td>
</tr>
</tbody>
</table>

### Action Plan

<table>
<thead>
<tr>
<th>Item</th>
<th>Key Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>1. Develop a Te Tiriti o Waitangi training program for Council staff.</td>
</tr>
<tr>
<td>9</td>
<td>2. Establish a Māori advisory group to provide advice on Council decision-making.</td>
</tr>
<tr>
<td>10</td>
<td>3. Review and update Council policies to ensure they are aligned with the principles of Te Tiriti o Waitangi.</td>
</tr>
<tr>
<td>Action groups and tasks identified</td>
<td>Key performance measure</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>6. Māta Māta Whānau participation (QO, T, V) Bar 1, 2, 3, 4, 5, 6, 7</td>
<td>Clock the proportion of Māta Whānau participation in annual governance meetings</td>
</tr>
<tr>
<td>7. Māta Māta Whānau participation (QO, T, V) Bar 8</td>
<td>Clock the proportion of Māta Whānau participation in annual planning</td>
</tr>
<tr>
<td>8. Māta Māta Whānau participation (QO, T, V) Bar 9</td>
<td>Clock the proportion of Māta Whānau participation in annual planning</td>
</tr>
<tr>
<td>9. Māta Māta Whānau participation (QO, T, V) Bar 10</td>
<td>Clock the proportion of Māta Whānau participation in annual planning</td>
</tr>
</tbody>
</table>

Finding 7

A. Actions taken. These three action groups are being addressed collectively. However, the following actions have been taken:

1. A new action plan has been developed to address the remaining gaps.
2. A new team has been formed to coordinate the implementation of the action plan.
3. A new monitoring and reporting framework has been established to track progress.

B. Achievement of KPIs. The team has made significant progress towards achieving the KPIs. However, some gaps remain.

C. Recommendations. The team recommends the following:

1. The establishment of a new steering committee to oversee the implementation of the action plan.
2. The development of a new performance measurement framework.
3. The establishment of a new monitoring and evaluation system.

D. Compliance. The team is working closely with the relevant stakeholders to ensure compliance with the action plan.

E. Future steps. The team plans to continue working closely with the relevant stakeholders to ensure the successful implementation of the action plan.

F. Conclusion. The team is confident that the action plan will be successful in addressing the gaps identified and will lead to the achievement of the KPIs.

G. Next steps. The team will continue to work closely with the relevant stakeholders to ensure the successful implementation of the action plan.

H. Contact. For more information, please contact the team lead at [teamlead@organisation.com].
### Detailed findings and recommendations

<table>
<thead>
<tr>
<th>Ref #</th>
<th>Finding</th>
<th>Priority rating</th>
<th>Recommendation</th>
<th>Management response</th>
</tr>
</thead>
</table>
| 6     | **Processes to manage relationship agreements and capacity contracts should be established**  
**Relationship agreements (action group 12, audit recommendation 31)**  
Actions relating to relationship agreements were reported to the Audit and Risk Committee as closed in August 2017. At this point in time efforts are focused on local boards establishing and entering into agreements with iwi, however there are limited processes for oversight and management of these agreements and their deliverables.  
Our assessment of action group closure identified that while some aspects of the associated audit recommendation (and underpinning statutory requirement) were met, some remain unaddressed:  
* Processes to manage relationship agreements have not been established. There may be up to 90 agreements entered into (between iwi and local boards, iwi and the Governing Body) and therefore there is need for more formal management of these agreements.  
* There is no clear timeframe within which the Council are targeting the establishment of these agreements.  
Therefore aspects of action group 12 should be reinitiated.  
**Capacity building (action group 19, audit recommendation 57)**  
Actions relating to capacity building were reported to the Audit and Risk Committee as closed in July 2016. At this point in time capacity contracts have been established with 14 iwi, however there is limited monitoring on whether contractual obligations are being met by both Council and iwi.  
Our assessment of action group closure identified that while some aspects of the associated audit recommendation (and underpinning statutory requirement) were met, some remain unaddressed:  
* Processes to manage and monitor capacity contract deliverables have not been established. Given that both current year and backlog agreements can be entered into there is need for more formal management of these agreements.  
Therefore aspects of action group 19 should be reinitiated.  
**Risk/Implication**  
Without clear processes to manage and monitor relationship and capacity agreements and their outputs, there is an increased risk that the commitments and deliverables in these agreements are not met.                                                                                                                                                                                                 | High            | The Governance Director and Te Waka Anga Mua ki Uta should:  
10. Confirm the relationship agreement framework for relationship agreements between iwi and the Governing Body and local boards, their objectives, and set out the processes to manage relationship agreements for both groups and a timeframe for establishing these.  
11. Establish processes to manage capacity contracts and their deliverables.                                                                                                                                                                                                 | Owner: Phil Wilson (Governance Director) / Graham Pryor (General Manager, Māori Responsiveness and Te Tiriti o Waitangi Relationships) / Therese Roigard (Head of Māori Strategy, Policy and Effectiveness)  
Agreed Actions: We agree with the recommendations, and will implement actions to address these. We are in the process of identifying and agreeing detailed actions and completion dates with Action Owners (Senior Leaders), to compile a Response Work Programme. This Response Work Programme will be discussed with the Māori Secretariat prior to it being finalised.  
Due Date: We will provide the finalised Response Work Programme to a September Council Committee.                                                                                                                                            |
| 7     | **Closure criteria need to be reframed for action groups relating to Mana Whēnua participation in resource consents**  
The closure criteria for action groups relating to Mana Whānau participation in resource consents is not a complete and accurate reflection of work currently underway and planned to address these action groups, i.e. it does not refer to the research project underway which is a key step in addressing underpinning recommendations. Some closure criteria are quite broad/general and therefore it is difficult to know how this addresses the recommendation (e.g. Action Group 14, 5. only states ‘Communications’) and some criteria are no longer relevant (e.g. Action Group 20, 2. Refers to a working group from March 2015).  
On a positive note, work planned as described to us, appears designed to largely address the remaining relevant audit recommendations/underpinning statutory requirements.  
However, work planned does not include the establishment of policies for co-management/co-governance, as required by audit recommendation 9 (in Action Group 4).  
**Risk/Implication**  
If action closure criteria are not appropriately defined, there is an increased risk that processes and controls implemented through completed audit actions will not deliver on the criteria agreed, and importantly may not enable the Council to fully address statutory responsibilities to Māori. As a result, the Council’s ability to deliver on related Māori outcomes may be diminished.                                                                                                                                                                                                 | Moderate        | The Wahāra Group should:  
12. Work with the Principal Advisor to refine closure criteria for action groups relating to Mana Whēnau participation in resource consents.  
13. Ensure that responsibility for the establishment of policies for co-management/co-governance (audit recommendation 9 in Action Group 4) is assigned to the appropriate person, and progressed as part of the Work Programme.                                                                                                                                                                                                 | As above                                                  |
Appendices
Appendix A – Role and purpose of the IMSB

The role and purpose of the IMSB
We acknowledge the purpose of the IMSB. You exist to assist the Council to make decisions, perform functions and exercise powers by:

- promoting cultural, economic, environmental and social issues of significance for Mana Whenua and Mataawaka of Tāmaki Makaurau
- ensuring Council acts in accordance with statutory provisions referring to the Te Tiriti.

The IMSB also has general functions:
- to develop a schedule of issues of significance for Mana Whenua and Mataawaka of Tāmaki Makaurau, and give a priority to each issue, to guide the IMSB in carrying out its purpose
- to work with Council on the design and execution of documents and processes to implement the Council’s statutory responsibilities toward Mana Whenua and Mataawaka of Tāmaki Makaurau.

The IMSB has developed key working documents to enable and support the achievement of this purpose, in particular:
- the Schedule of Issues of Significance
- the Māori Plan for Tāmaki Makaurau
- Te Tiriti o Waitangi Best Practice Audit Approach (updated in 2014) and Recommended Audit Plan, together Te Tiriti Audit Framework
- Te Tiriti o Waitangi Audit Detailed Reports 2012 and 2015
- Reports on the Independent Assessment of Expenditure incurred by Auckland Council to achieve Māori Outcomes.

How the audit supports the IMSB’s role and purpose
Te Tiriti Audit Framework directly supports the second aspect of the IMSB’s purpose as it provides the IMSB with a framework for assessing Council’s performance in acting in accordance with statutory references to Te Tiriti and statutory responsibilities to Māori.

Te Tiriti Audit Approach covers the full legislative framework which impacts upon the Council as determined by the Board in conjunction with their legal advisors Atkins Holm Majurey Ltd (“AHM”) with input from Council’s legal team.

The Board and Council developed Te Tiriti Audit Approach with a view to establishing a detailed baseline from which Council could readily establish a new, more robust approach to respond to its statutory responsibilities to Māori. As such, this represents an agreed view on what would be considered expected good practice against which Council could be assessed through the audit.

The subset of the legislative framework to be included in any audit is a matter for the Board to determine. The major driver for scope is the legislative requirements deemed high priority. High priority is defined as a legislative requirement that if not complied with, would have high impact to Māori, and/or legislation for which there is an increased likelihood of non-compliance or gaps in existing organisational processes.
Appendix B – Legislative requirements in scope

Below is a heat map of the legislative requirements within the Te Tiriti o Waitangi Best Practice Audit Approach updated in 2014. Acts in red text are those which relate to the scope for Te Tiriti Audit 2018.

Impact to Māori as a result of gaps in process and non compliance with legislative requirements

Likelihood of non compliance/gaps in existing Council process (% chance of occurring)

Unlikely <15% Possible 50% Likely >75% Almost certain >90%

Te Tiriti o Waitangi

1 2 3

4 5

Major

High

Moderate

Minor

1. Local Government (Auckland Council) Act 2009

2. Local Government Act 2002

   Rating Valuation Act 1998

   Land Transport Management Act 2003
   Waitakere Ranges Heritage Area Act 2008
   Housing Accords and Special Housing Areas Act 2003
   Te Uri o Hau Claims Settlement Act 2002
   Ngati Whatu Kaiwaka Claims Settlement Act 2013
   Ngati Whatu Orakei Claims Settlement Act 2012
   Ngati Manukiri Claims Settlement Act 2012
   Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014

5. Local Government Rating Act 2002

PwC
The sections of each legislative requirement in scope are detailed in the table below:

<table>
<thead>
<tr>
<th>Act</th>
<th>Legislative provisions in scope</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government Act 2002</td>
<td>Section 4 – Te Tiriti o Waitangi</td>
</tr>
<tr>
<td></td>
<td>Section 14(1) (d) – Principles relating to local authorities</td>
</tr>
<tr>
<td></td>
<td>Section 40(1)(d) and (i) – Local Governance Statements</td>
</tr>
<tr>
<td></td>
<td>Section 77(1)(c) – Requirements in relation to decisions</td>
</tr>
<tr>
<td></td>
<td>Section 81 – Contributions to decision making processes by Māori</td>
</tr>
<tr>
<td></td>
<td>Section 82 – Principles of consultation</td>
</tr>
<tr>
<td></td>
<td>Schedule 7 (36)(2)(d) – Local authorities and community boards, and their members to be a good employer</td>
</tr>
<tr>
<td></td>
<td>Schedule 10 (35) – General</td>
</tr>
<tr>
<td>Resource Management Act 1991</td>
<td>Sections 6 – Matters of national importance</td>
</tr>
<tr>
<td></td>
<td>Section 7 – Other matters</td>
</tr>
<tr>
<td></td>
<td>Section 8 – Treaty of Waitangi</td>
</tr>
<tr>
<td></td>
<td>Section 33 – Transfer of powers</td>
</tr>
<tr>
<td></td>
<td>Section 36B – Power to make joint management agreement</td>
</tr>
</tbody>
</table>
Appendix C – Summary of the status of prior audit recommendations compared to prior audits

Te Tiriti o Waitangi Audit Reports 2012 and 2015 contained 67 specific recommendations, which were categorised into ten broad themes. These themes align to the fundamental structures within which a typical framework for internal control should operate. Each theme was rated for priority – see definitions on page 7. In receiving Te Tiriti Audit Report 2015, the Council committed to a 3-year Treaty Audit Response Work Programme of 24 action groups linked to these. The table below shows a summary of the 2018 status of the original recommendations and updated priority ratings. A full schedule of these recommendations and their status (as expressed by the Council) is over the page. Findings with an * relate to the development of Māori Responsiveness Plans.

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Not started</td>
<td>In progress</td>
</tr>
<tr>
<td>Knowledge of obligations</td>
<td>1 – 3</td>
<td>Significant</td>
<td>1*, 3*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Policies</td>
<td>4 – 27</td>
<td>Significant</td>
<td>6, 9, 22, 23</td>
<td>-</td>
<td>33%</td>
</tr>
<tr>
<td>Processes, systems &amp; data</td>
<td>28 – 36</td>
<td>High</td>
<td>31, 33, 34, 35</td>
<td>-</td>
<td>67%</td>
</tr>
<tr>
<td>Roles and responsibilities</td>
<td>37 – 45</td>
<td>High</td>
<td>38*, 39, 40, 41*</td>
<td>-</td>
<td>9%</td>
</tr>
<tr>
<td>Decision making</td>
<td>46 – 48</td>
<td>High</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Consultation and engagement</td>
<td>49 – 55</td>
<td>Significant</td>
<td>-</td>
<td>-</td>
<td>73%</td>
</tr>
<tr>
<td>Capacity</td>
<td>56 – 58</td>
<td>Significant</td>
<td>57, 58</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Training and awareness</td>
<td>59 – 62</td>
<td>High</td>
<td>62*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Communication</td>
<td>63 – 64</td>
<td>High</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Monitoring</td>
<td>65 – 67</td>
<td>High</td>
<td>65*, 67</td>
<td>-</td>
<td>33%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td>30%</td>
</tr>
</tbody>
</table>

**Status**

<table>
<thead>
<tr>
<th>Status</th>
<th>Description</th>
<th>Actions status definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not started</td>
<td>No substantial work has commenced</td>
<td></td>
</tr>
<tr>
<td>In progress</td>
<td>Substantial work has commenced</td>
<td></td>
</tr>
<tr>
<td>Complete</td>
<td>Actions to address all aspects of the previous findings are complete</td>
<td></td>
</tr>
</tbody>
</table>
## Appendix D – Schedule of prior audit recommendations

The table below shows the current status of the 67 recommendations from prior Audit reports, and the related action group in the Council’s Treaty Audit Response Work Programme (where applicable).

<table>
<thead>
<tr>
<th>#</th>
<th>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knowledge of significant obligations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Increase awareness and communicate Council’s Treaty of Waitangi defined position stated in the draft Auckland Plan. Council’s recently defined position on Te Tiriti o Waitangi within the draft Auckland Plan should be communicated throughout council and governing body to CCOs and local boards to ensure an increased awareness of the obligations and a consistent understanding of the impact of these requirements upon each staff member’s roles and responsibilities. This position should be included in all council policies and through induction, intranet, recruitment and performance management tools.</td>
<td>Closed</td>
<td>N/A – MRP programme</td>
</tr>
<tr>
<td>2</td>
<td>Council adopt legislative Framework regarding Māori legislative rights. Council should formally adopt a legislative framework, which contains the statutes and relevant sections or schedules that give rise to Māori legislative rights</td>
<td>Closed</td>
<td>N/A</td>
</tr>
<tr>
<td>3</td>
<td>CCOs and local boards identify a legislative framework. CCOs and local boards should formally identify a legislative framework for specific legislative obligations they have to Māori and assess the current state of compliance and impact on existing business.</td>
<td>Closed</td>
<td>N/A – MRP programme</td>
</tr>
<tr>
<td>Policies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Council and CCOs develop a policy framework, which sets out principles, rules and guidelines to direct council and CCO actions ensure compliance with Te Tiriti obligations and legislative obligations. AC group develop a policy framework, which sets principles, rules and guidelines to direct actions in pursuit of compliance with Te Tiriti obligations and legislative obligations to Māori.</td>
<td>Closed</td>
<td>Addressed by MRF</td>
</tr>
<tr>
<td>5</td>
<td>Develop policy on Te Tiriti o Waitangi. A policy on Council’s commitment to Te Tiriti should be drafted. This policy should include principles, rules and guidelines to direct the Council group’s actions giving effect to Treaty principles. This Treaty position should underpin all other policies and be specifically referenced in all Auckland Council group policies.</td>
<td>Closed</td>
<td>Addressed by MRF</td>
</tr>
<tr>
<td>6</td>
<td>Review Consultation and Engagement Policy. Consultation - The policy should include guidance to define Māori audience, criteria for significant decisions on land and water, receiving input into policies and plans, providing resources for input and address any specific Treaty legislation requirements e.g. Te Uru O Hau Settlement Act 2002. The policy should be progressed through the review process with a view to finalising this policy in the short term. CCOs and local boards should align their consultation and engagement policies to Council’s policy.</td>
<td>Closed</td>
<td>2</td>
</tr>
<tr>
<td>#</td>
<td>Relevant section</td>
<td>2018 status</td>
<td>2019 status</td>
</tr>
<tr>
<td>----</td>
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</tr>
<tr>
<td>7</td>
<td>Develop Māori policy</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>8</td>
<td>Wahi Tūpou and tūpou sites of significance</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>9</td>
<td>Develop Māori Partnership policy</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>10</td>
<td>Māori Land Management</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>11</td>
<td>Develop Māori Place Names</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>12</td>
<td>Develop Māori Place Names policy</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>13</td>
<td>Develop Māori Place Names policy</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>14</td>
<td>Develop Māori Place Names policy</td>
<td>Closed</td>
<td>Closed</td>
</tr>
<tr>
<td>15</td>
<td>Develop Māori Place Names policy</td>
<td>Closed</td>
<td>Closed</td>
</tr>
</tbody>
</table>

**Note:** The table above outlines the status of various initiatives related to the Te Tiriti o Waitangi Report recommendations as of 24 July 2018.
<table>
<thead>
<tr>
<th>#</th>
<th>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</th>
<th>2018 Status</th>
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</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Development of management of court order agreements policy. Management of court order agreements should be drafted including principles, rules and guidelines to direct the Auckland Council group’s actions in identifying, adopting, communicating and monitoring Court Order Agreements that may impact upon Council responsibilities to Māori.</td>
<td>In progress</td>
<td>N/A</td>
</tr>
<tr>
<td>18</td>
<td>Develop contribution of Māori in decision-making policy. Contribution of Māori in decision-making - a policy covering the contribution of Māori in decision-making should be drafted including the principles, rules and guidelines to direct the Auckland Council group’s actions in determining which decisions to seek contribution from Māori and should include consideration for Māori representation in decision making.</td>
<td>Closed</td>
<td>N/A</td>
</tr>
<tr>
<td>19</td>
<td>Update Local Governance Statement. Local governance statement - should be updated to include: - a record of Council’s position on the option of establishing Māori wards or constituencies, and the opportunity to change them; - policies on liaising with, and memorandum or agreements with, Māori.</td>
<td>Closed</td>
<td>3</td>
</tr>
<tr>
<td>20</td>
<td>Review significance policy. The significance policy should be reviewed and updated to include criteria for determining a significant decision on land and water.</td>
<td>Closed</td>
<td>Incorporated into Engagement Guidelines 2016 (pg. 12)</td>
</tr>
<tr>
<td>21</td>
<td>Develop policy on acquisition and disposal of Māori Freehold Land. Acquisition and disposal of Māori Freehold Land - a policy should be drafted covering the rules, principles and guidelines for the acquisition and disposal of MFL, and compliance with the following sections of the Public Works Act (s.17 - acquisition by agreement, S. 23 - Notice of intention to Take Land, S. 40 - disposal to former owner of land not required, S.42 - disposal in other cases of land not required for public work).</td>
<td>Closed</td>
<td>Refer to Māori Land Rates Remission and Postponement Policy</td>
</tr>
<tr>
<td>22</td>
<td>Develop joint management agreements policy. Joint management agreements - a policy on the establishment of joint management agreements with Māori should be drafted including the principles, rules and guidelines to direct the Auckland Council group’s actions and include the criteria for such agreements.</td>
<td>In progress</td>
<td>4</td>
</tr>
<tr>
<td>23</td>
<td>Develop Transfer of powers policy. A policy on the transfer of powers should be drafted including principles, rules and guidelines to direct the Auckland Council group’s actions when initiating and managing transfer of powers.</td>
<td>In progress</td>
<td>4</td>
</tr>
<tr>
<td>24</td>
<td>Review Hearings Policy. The hearings policy should be updated to include: - the requirements for Council to recognise tikanga Māori, where appropriate, and receive evidence written or spoken in Māori; who is responsible for determining when it is appropriate to recognise tikanga Māori; Guidance on when this is appropriate (this could be in process documentation); the need to protect sensitive information to avoid serious offence to tikanga Māori or to avoid the disclosure of the location of Wahi Tapu.</td>
<td>Closed</td>
<td>9</td>
</tr>
<tr>
<td>#</td>
<td>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</td>
<td>2018 Status</td>
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</tr>
<tr>
<td>25</td>
<td>The development of systems which allow information to be shared across the organisation. The gaps identified above be rectified to ensure a robust process is in place to manage each of these areas. Controls are also required to ensure the accuracy and completeness of data captured - including having central repositories and points of reference, restricting access and allocating responsibility for the collection and maintenance of information.</td>
<td>In progress</td>
<td>10</td>
</tr>
<tr>
<td>26</td>
<td>Council undertake a scoping and prioritisation exercise to determine what processes are to be designed and when. This should reflect the policy prioritisation process.</td>
<td>Closed</td>
<td>Addressed through development of TARWP</td>
</tr>
</tbody>
</table>

**Processes, systems and data**

<table>
<thead>
<tr>
<th>#</th>
<th>Description</th>
<th>2018 Status</th>
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</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Wahi Tapu information management. Council need to clarify processes, roles and responsibilities with regards to the collation and maintenance of Wahi Tapu and work together with Mana Whenua to: identify Wahi Tapu and sites of cultural significance; agree appropriate protocols for collation, storage, sharing and protection of sensitive information including remediation; agree resourcing options to ensure sufficient capacity is available to undertake work to identify Wahi Tapu and sites of cultural significance.</td>
<td>Closed</td>
<td>N/A</td>
</tr>
<tr>
<td>29</td>
<td>Values, interests, aims and aspirations of Māori information. Obtain information on Māori values, interests, aims and aspirations. Assign responsibility for capturing and maintaining it centrally, and clearly define processes to ensure the information is communicated, managed appropriately and accessible to those requiring it.</td>
<td>In progress</td>
<td>10</td>
</tr>
<tr>
<td>30</td>
<td>Māori consultation and engagement process and information management. Council should work together with Mana Whenua (and Mataawaka where appropriate) to establish - efficient Māori consultation processes, which do not overburden iwi. Processes may need to differ depending on the capacity of the iwi organisation being consulted with. Council should work together with Mana Whenua (and Mataawaka where appropriate) to establish effective resource options. Council should work together with Mana Whenua (and Mataawaka where appropriate) to establish an accurate and complete Mana Whenua contact list for consultation. Council should work together with Mana Whenua (and Mataawaka where appropriate) to establish a centralised system to track Mana Whenua, key contacts and their details, and to track current consultation activities. Further guidance should be provided on the use of Māori Impact Statements to report writers. Guideline on Māori engagement “a Practical Guide to Planning Public Participation and Māori Engagement” should be finalised once effective consultation processes are established and communicated to council staff tasked with decision making.</td>
<td>Closed</td>
<td>11</td>
</tr>
<tr>
<td>31</td>
<td>Agreements and contract management system. MoU, service agreements and co-management/co-governance agreements with Mana Whenua (actions) - Processes to support the effective management of MoU, service agreements and co-management/co-governance agreements with iwi should be developed. These should align to policies over these areas. A contract management system should be implemented to assist in ongoing management of agreements. Instances of lost agreements should be resolved in collaboration with Māori organisations, and a decision agreed to on whether to replace these agreements.</td>
<td>In progress</td>
<td>12</td>
</tr>
<tr>
<td>32</td>
<td>Court order agreements register. Processes and controls to support the capture, adoption, communication and monitoring of compliance with court order agreements should be developed.</td>
<td>In progress</td>
<td>N/A</td>
</tr>
<tr>
<td>#</td>
<td>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</td>
<td>2018 Status</td>
<td>Relevant action group</td>
</tr>
<tr>
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<td>----------------------</td>
</tr>
<tr>
<td>33</td>
<td>HR Recruitment process. Processes and controls which ensure council gives effect to these principles should be developed. Once implemented these controls should be monitored to ensure they are working effectively.</td>
<td>Closed</td>
<td>13</td>
</tr>
<tr>
<td>34</td>
<td>Resource consents process. The MS&amp;R Unit and Resource Consents team should work together with Mana Whenua to establish key contacts list for consultation on resource consent applications The MS&amp;R Unit and Resource Consents team should work together with Mana Whenua to establish guidance to staff to enable them to recognise and provide for the relationship of Māori and their culture with their ancestral lands, water, sites, waahi tapu and other taonga The MS&amp;R Unit and Resource Consents team should work together with Mana Whenua to establish monitoring processes for consents</td>
<td>In progress</td>
<td>14</td>
</tr>
<tr>
<td>35</td>
<td>Transfer of powers and joint management agreement process. Once policies are established, processes surrounding the transfer of powers and use of joint management agreements should be developed. These should include when such arrangements will be triggered and the considerations for establishing these.</td>
<td>In progress</td>
<td>4</td>
</tr>
<tr>
<td>36</td>
<td>Acquisition and disposal of Māori Freehold land processes. Processes, roles and responsibilities with regard to the acquisition and disposal of MFL should be clarified to ensure compliance with the PWA 1981. [Notes: where policies identified in section 2 require updates or are being created, processes should be developed in support].</td>
<td>In progress – partially addressed</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Roles and responsibilities

<p>| #   | Clear communication on the respective roles and responsibilities of the Māori Strategy and Relations Department and the IMSB. There is a need for clear communication on the respective roles and responsibilities of the MS&amp;R unit and the IMSB, distinct from Mana Whenua and Mataawaka. MS&amp;R and the Board should agree on a common message for that communication, which should be shared across the council group, Mana Whenua and Mataawaka. Clear communication on who Mana Whenua and Mataawaka are, who are mandated to represent Mana Whenua and Mataawaka and the context for contacting these representatives. There is a need for clear communication on who Mana Whenua and Mataawaka are, who are mandated to represent Mana Whenua and Mataawaka and the context for contacting these mandated representatives. | Closed      | N/A                   |
| 38  | The roles of the governing body, COOs and local boards should be further defined and clarified with regard to responsibilities for relationships and decision-making with Māori. There should also be a clear processes for allocating roles and responsibilities with regard to engagement and consultation with Māori when both parties are involved in a project or initiative. Amendments should be made to delegations and induction materials to reflect this. | Closed      | N/A – MRP programme   |
| 39  | Relationship framework between council and Māori should be established at a chief to chief, governance, service design and operational level across council. Feedback from the Mana Whenua hui indicate that a critical success factor for this relationship framework is for relationships between Māori and council to be built on respect and mutual understanding of the tikanga of each partner, that is the standing of Māori communities. This relationship should be reflected in any MoU or capacity contract that is established between council and Māori. | Closed      | 15                   |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>Clarity on who Mataawaka are, a schedule of organisations that can be used to consult with Mataawaka, and what their role is with regard to council decision making and consultation should be determined and communicated within the Auckland Council group who are likely to consult with Mataawaka. This relationship should be reflected in any MoU or capacity contract that is established between council and Mataawaka organisations.</td>
<td>Closed</td>
<td>16</td>
</tr>
<tr>
<td>41</td>
<td>Embed Māori requirements within the day to day business as usual approach and an effective compliance covering both Māori statutory requirements and other legal requirements. The reliance on the MS&amp;R unit for “all things Māori” will lessen with a more mature approach, which has Māori requirements embedded within day to day business as usual processes, and an effective compliance framework covering both Māori statutory requirements and other legal requirements. To achieve this, the recommendations identified throughout this report should be implemented. This would improve council’s ability to meet its statutory obligations and therefore enhance overall Māori outcomes.</td>
<td>Closed</td>
<td>N/A – MRP programme</td>
</tr>
<tr>
<td>42</td>
<td>Responsibility for Māori requirements should be clearly identified, determined and formally assigned. This may be multiple people across the AC group.</td>
<td>Closed</td>
<td>Addressed by MRF and MRP’s</td>
</tr>
<tr>
<td>43</td>
<td>A project to clarify and document process and roles with regard to the acquisition and disposal of land should be completed.</td>
<td>Closed</td>
<td>Parks and Open Space acquisition policy</td>
</tr>
<tr>
<td>44</td>
<td>CCOs and local boards should determine the services required by the MS&amp;R department or alternatively pursue external Māori support that is aligned with corresponding policies of the governing body. CCOs and LBs should determine the services required from the MS&amp;R unit and establish formal shared service agreements to incorporate these requirements. Alternatively, should MS&amp;R not fall part of the shared service arrangements, CCOs and LBs may choose to pursue external Māori support. However, such support should maintain alignment with the corresponding policies of the governing body.</td>
<td>Closed</td>
<td>17</td>
</tr>
<tr>
<td>45</td>
<td>Roles and responsibilities throughout CCOs and local boards for Māori consultation and engagement should be established and clearly defined. Responsibility for engagement with Māori should be embedded into business as usual processes, rather than reliance being placed on key individuals, and should align with the GB’s policies.</td>
<td>In progress</td>
<td>N/A – MRP programme</td>
</tr>
</tbody>
</table>

**Decision making**

46 Māori contribution to decision making should occur in the planning and service design stage  
Ensure that the Strategy set out in the Auckland Plan is reflective of Council’s legislative responsibilities as a local authority and reflected in key policy and procedural documents to ensure these principles are embedded in the organisation. Once the draft Auckland Plan is finalised council should ensure that the strategy set out in the AP is reflective of Council’s legislative responsibilities as a LA and reflected in key policy and procedural documents to ensure these principles are embedded in the organisation.  
Provide clarity over what constitutes a significant decision and how this is determined.  
Ensure processes to enable appropriate contributions to decision making in planning and service design processes by Māori are considered across
<table>
<thead>
<tr>
<th>#</th>
<th>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</th>
<th>2018 Status</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>council. Statutory input - consider having direct Māori representation on Auckland Council group decision making committees and forums. One option to achieve this objective may be to re-introduce a Mana Whenua Forum for Council.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Statutory input - The CCO Monitoring Unit, in conjunction with Watercare, should consider the opportunity to leverage the Māori Advisory Group/Kaitaki Board across other COOs.</td>
<td>Closed</td>
<td>18</td>
</tr>
<tr>
<td>48</td>
<td>Discretionary input - council should consider areas where discretionary input from Mana Whenua and Mataawaka could be sought, and provide guidance on this to staff.</td>
<td>Closed</td>
<td>MRF and MRP's</td>
</tr>
</tbody>
</table>

**Consultation and engagement**

<table>
<thead>
<tr>
<th>#</th>
<th>The consultation policy, supported by a consistent process to give effect to that policy, should be finalised</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>49</td>
<td>The consultation policy, supported by a consistent process to give effect to that policy, should be finalised</td>
<td>Closed</td>
<td>Significance and Engagement Policy</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Council should allow for proactive consultation with Mana Whenua and Mataawaka during the planning stage for the Unitary Plan</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>Council should allow for proactive consultation with Mana Whenua and Mataawaka during the planning stage for the Unitary Plan</td>
<td>Closed</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Clarify the process on the Māori consultation for the review of the Māori Freehold Land Rates and Remissions Policy. Further detail should be included in the MFL rates remission policy revision project plan on how engagement and consultation will work and who will be asked to participate, when, how and how or if Māori will be recompensed for that participation.</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>51</td>
<td>Clarify the process on the Māori consultation for the review of the Māori Freehold Land Rates and Remissions Policy. Further detail should be included in the MFL rates remission policy revision project plan on how engagement and consultation will work and who will be asked to participate, when, how and how or if Māori will be recompensed for that participation.</td>
<td>Closed</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Information and knowledge on Māori values, interests and aspirations should be collated, recorded and shared to ensure coordinated consultation efforts. This knowledge should be used to inform policy documents that council is required to develop. The consultation policy should also indicate how this information is to be used and when or if it is appropriate for this information to replace consultation.</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>52</td>
<td>Information and knowledge on Māori values, interests and aspirations should be collated, recorded and shared to ensure coordinated consultation efforts. This knowledge should be used to inform policy documents that council is required to develop. The consultation policy should also indicate how this information is to be used and when or if it is appropriate for this information to replace consultation.</td>
<td>Closed</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Council should clearly show how consultation has informed the development of policies or projects, and if it hasn’t, an explanation should be provided.</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>53</td>
<td>Council should clearly show how consultation has informed the development of policies or projects, and if it hasn’t, an explanation should be provided.</td>
<td>Closed</td>
<td>Part of Quality Advice / Māori Impact Statement work</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Centralised system should be implemented to track Māori key contacts and their details, and to track current consultation activities.</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>54</td>
<td>Centralised system should be implemented to track Māori key contacts and their details, and to track current consultation activities.</td>
<td>In progress</td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Feedback should be sought from the IMSB in regard to the policy, training and processes for implementation</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>55</td>
<td>Feedback should be sought from the IMSB in regard to the policy, training and processes for implementation</td>
<td>Closed</td>
<td>Ongoing</td>
</tr>
<tr>
<td>#</td>
<td>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</td>
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<td>----</td>
<td>-----------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------</td>
<td>-----------------------------------------------------------</td>
</tr>
<tr>
<td>56</td>
<td>Time - knowledge of council’s statutory obligations to Māori, the values and interests of Māori in Auckland and the development of processes and controls to ensure these obligations are met, should result in staff having a greater awareness of the time and effort required for effective consultation such that this can be properly planned for and factored into timelines for completion of plans and projects.</td>
<td>Closed</td>
<td>MRF, MRP and Consultation and Engagement policies</td>
</tr>
<tr>
<td>57</td>
<td>Expertise - council should support Māori with training in council language and process, information, council expertise or systems e.g. GIS to improve quality of Māori contribution to council decision making. Council should provide training to staff in Māori customs, interests and protocols, with input from Mana Whenua and Mataawaka organisations to improve council’s response to Māori.</td>
<td>In progress</td>
<td>19</td>
</tr>
<tr>
<td>58.a</td>
<td>Funded service agreements should be put in place to enhance iwi capacity and enable their contribution to council plans</td>
<td>In progress</td>
<td>19</td>
</tr>
<tr>
<td>58.b</td>
<td>With regards to resource consents applications should be investigated to determine how these can be used more efficiently and effectively, or is there an alternative solution</td>
<td>In progress</td>
<td>20</td>
</tr>
</tbody>
</table>

**Training and awareness**

<table>
<thead>
<tr>
<th>#</th>
<th>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</th>
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<tbody>
<tr>
<td>59</td>
<td>The gaps identified in the Māori Learning and Development Strategy should be considered by HR and MS&amp;R to ensure the Strategy is appropriately targeted, encompasses CCOs and local boards where appropriate, contains sufficient technical, soft skill on on-going training needs as well as training options and provision of resources for Māori.</td>
<td>Closed</td>
<td>21</td>
</tr>
<tr>
<td>60</td>
<td>Incorporation of training and awareness KPIs into staff performance objectives and competency frameworks. The strategy should also include details of how knowledge gained can be shared amongst teams. The L&amp;D Strategy should also include details of how knowledge gained can be shared amongst teams, e.g. train the trainer concepts, and the role Māori could have in the delivery of training, as well as the incorporation of training and awareness KPIs into staff performance objectives and competency frameworks.</td>
<td>Closed</td>
<td>22</td>
</tr>
<tr>
<td>61</td>
<td>The example of current good initiatives should be shared with the wider organisation, local boards and CCOs to promote awareness of other ways to upskill staff and increase awareness of Māori aspects.</td>
<td>Closed</td>
<td>17</td>
</tr>
<tr>
<td>62</td>
<td>Ensure training across the Auckland Council group is consistent and in line with policies.</td>
<td>Closed</td>
<td>N/A – MRP programme</td>
</tr>
</tbody>
</table>

**Communication**
<table>
<thead>
<tr>
<th>#</th>
<th>Te Tiriti o Waitangi Audit Report 2012 recommendations (summary)</th>
<th>2018 Status</th>
<th>Relevant action group</th>
</tr>
</thead>
<tbody>
<tr>
<td>63</td>
<td>The media for communication should include Te Reo options where possible and promoted in Council documents, signs and other communication tools. Consultation and engagement should be simplified to ensure the purpose of communication is clearly understood by Māori. Consultation should be two way, not only presentation based. An accurate and complete Mana Whenua list for consultation should be compiled for communication to all the Auckland Council group staff. Confirmation should be provided to all Māori organisations as to whether agreements with legacy councils have continued. Consider establishment of Mana Whenua/Kaitiaki Forums. Mechanisms such as Māori fora could aid communication efforts between council and Māori and ensure a consistent message is delivered.</td>
<td>N/A – raised through rec 6 and 46</td>
<td>N/A</td>
</tr>
<tr>
<td>64</td>
<td>Communication within the AC group - existing tools and policies should be communicated to the AC group staff to ensure these tools can be leveraged and efficiencies gained. There should be ongoing and consistent communication of: Obligations, both existing and new; policies and processes; roles and responsibilities and training plans</td>
<td>Closed</td>
<td>N/A – MRF and other frameworks</td>
</tr>
</tbody>
</table>

**Monitoring**

<table>
<thead>
<tr>
<th>#</th>
<th>Item</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>65</td>
<td>Monitoring the effectiveness of policies, processes and controls to ensure compliance with obligations to Māori - The governing body and council organisation should establish mechanisms to assess and monitor the effectiveness of the processes and controls to deliver compliance with: - statutory requirements and Treaty principles, MOU, service agreements and co-management agreements - Policies, plans, strategies and initiatives - Other key deliverables evidencing Māori consideration, such as - quality of Māori Impact Assessments - quality of cultural impact assessments - people performance against competency frameworks and performance objectives</td>
<td>Closed</td>
<td>N/A – MRP programme</td>
</tr>
</tbody>
</table>

Council should ensure that the ComplyWith software includes Treaty principles, and Treaty Settlement requirements, in addition to statutes, and council should provide guidelines to staff which set the criteria, i.e. minimum requirements, to satisfy compliance. Te Tiriti Audit Approach will be an extremely useful document in support of this exercise. Follow up of Te Tiriti audit recommendations: Consideration should also be given to monitoring CCO and local board performance in these areas. |

66 | Feedback and escalation processes are implemented | Closed | N/A – Waharoa Group establishment |

67 | Short term key performance indicators (KPIs) should be established to provide measures of the AC’s group performance. Mana Whenua and mataawaka should be involved in establishing KPIs with the AC group. When designing monitoring and reporting mechanisms, council should ensure that clear roles and responsibilities are allocated to staff that have capacity, knowledge and authority to perform such roles. | In progress | 24 |
### Appendix E – Treaty Audit Response Work Programme - action group status

<table>
<thead>
<tr>
<th>Item</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Independent review of Māori Responsive Plan pilots</td>
<td>Closed</td>
</tr>
<tr>
<td>2</td>
<td>Significance and Engagement</td>
<td>Closed</td>
</tr>
<tr>
<td>3</td>
<td>Governance Statement</td>
<td>Closed</td>
</tr>
<tr>
<td>4</td>
<td>Te Reo Framework</td>
<td>Open</td>
</tr>
<tr>
<td>5</td>
<td>Treaty Settlement framework</td>
<td>Closed</td>
</tr>
<tr>
<td>6</td>
<td>Māori Participation in resource consents</td>
<td>Closed</td>
</tr>
<tr>
<td>7</td>
<td>Treaty Management Policy</td>
<td>Open</td>
</tr>
<tr>
<td>8</td>
<td>Protection of sensitive information</td>
<td>Open</td>
</tr>
<tr>
<td>9</td>
<td>Hearings Policy</td>
<td>Closed</td>
</tr>
<tr>
<td>10</td>
<td>Māori Information Portal</td>
<td>Open</td>
</tr>
<tr>
<td>11</td>
<td>Quality Māori Responsive Advice</td>
<td>Closed</td>
</tr>
<tr>
<td>12</td>
<td>Relationship Agreements</td>
<td>Closed</td>
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<tr>
<td>13</td>
<td>Māori Capability and Employment</td>
<td>Closed</td>
</tr>
<tr>
<td>14</td>
<td>Māori participation in resource consents</td>
<td>Closed</td>
</tr>
<tr>
<td>15</td>
<td>Relationship Agreements</td>
<td>Closed</td>
</tr>
<tr>
<td>16</td>
<td>Māori Communication Strategy</td>
<td>Open</td>
</tr>
<tr>
<td>17</td>
<td>Good practice benchmarking</td>
<td>Closed</td>
</tr>
<tr>
<td>#</td>
<td>Treaty Audit Response Work Programme – action groups (summary)</td>
<td>Status</td>
</tr>
<tr>
<td>----</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>18</td>
<td>Regional Mana Whenua Kaitiaki Forum</td>
<td>Closed</td>
</tr>
<tr>
<td>19</td>
<td>Capacity Building</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Māori Education Plan</td>
<td>Open</td>
</tr>
<tr>
<td>20</td>
<td>Mana whenua participation in resource consents</td>
<td>Open</td>
</tr>
<tr>
<td>21</td>
<td>Nga Kete Akoranga</td>
<td>Closed</td>
</tr>
<tr>
<td>22</td>
<td>Nga Kete Akoranga</td>
<td>Closed</td>
</tr>
<tr>
<td>23</td>
<td>Monitoring Framework</td>
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</tr>
<tr>
<td>24</td>
<td>Performance Framework</td>
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</table>
## Appendix F – Audit stakeholders engaged

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Role</th>
<th>Areas of focus / legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phil Wilson</td>
<td>Governance Director</td>
<td>Te Tiriti o Waitangi Audit Sponsor</td>
</tr>
<tr>
<td>Mark Maloney</td>
<td>Head of Internal Audit</td>
<td>Treaty Audit Response Work Programme, Māori Responsiveness Plan reviews</td>
</tr>
<tr>
<td>Graham Pryor</td>
<td>General Manager, Māori Responsiveness and Te Tiriti o Waitangi</td>
<td>Māori Responsiveness Plan reviews, relationship agreements, capacity building agreements</td>
</tr>
<tr>
<td>Theresa Roigard</td>
<td>Head of Māori Strategy, Policy and Effectiveness, Te Waka Anga Mua ki Uta</td>
<td>Treaty Audit Response Work Programme, Māori Responsiveness Plan reviews, follow-up of prior audit recommendations</td>
</tr>
<tr>
<td>Kimberley Kilgour</td>
<td>Policy and Performance Analyst, Māori Strategy, Policy and Effectiveness, Te Waka Anga Mua ki Uta</td>
<td>Treaty Audit Response Work Programme, Māori Responsiveness Plan reviews, follow-up of prior audit recommendations</td>
</tr>
<tr>
<td>Dean Martin</td>
<td>Principal Advisor of Māori &amp; Te Tiriti Relationships and Governance</td>
<td>Relationship agreements</td>
</tr>
<tr>
<td>Rama Ormsby</td>
<td>Head, Māori Te Tiriti o Waitangi Relations and Governance</td>
<td>Relationship agreements</td>
</tr>
<tr>
<td>Karla Armstrong</td>
<td>Kaikatūtū – Huanga Māori, Tuwhono – Māori Outcomes, Te Waka Anga Mua ki Uta</td>
<td>Capacity building agreements</td>
</tr>
<tr>
<td>Helen Te Hira</td>
<td>Principal Advisor Te Tiriti &amp; Māori Capability, People &amp; Performance</td>
<td>Māori capability and employment</td>
</tr>
<tr>
<td>Phoebe Monk</td>
<td>Principal Advisor Māori Responsiveness, Regulatory Services</td>
<td>Mana whenua participation in resource consents</td>
</tr>
<tr>
<td>Tracey-Lee Repia</td>
<td>Senior Advisor Māori Responsiveness, Regulatory Services</td>
<td>Mana whenua participation in resource consents</td>
</tr>
<tr>
<td>Caitlin Borgfeldt</td>
<td>Kaikatūtū, Whakapapamā Māori Communication and Engagement</td>
<td>Communications and Engagement Māori Responsiveness Plan, Māori communication and engagement strategy</td>
</tr>
<tr>
<td>Kenneth Aiolapotea</td>
<td>Head of Citizen Engagement and Insights</td>
<td>Communications and Engagement Māori Responsiveness Plan</td>
</tr>
<tr>
<td>Jared Viljoen</td>
<td>Principal Advisor – Strategy and Policy, Te Waka Anga Mua ki Uta</td>
<td>Performance measurement framework</td>
</tr>
<tr>
<td>Kim Bollingham</td>
<td>Senior Solicitor, Legal</td>
<td>Māori Responsiveness Plan reviews</td>
</tr>
</tbody>
</table>
### Stakeholder Participation

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Role</th>
<th>Areas of focus / legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chris Levet</td>
<td>Senior Solicitor, Legal</td>
<td>Māori Responsiveness Plan reviews</td>
</tr>
<tr>
<td>John Duguid</td>
<td>General Manager Plans and Places, Chief Planning Office</td>
<td>Plans and Places Māori Responsiveness Plan</td>
</tr>
<tr>
<td>Ani Pitman</td>
<td>Principal Advisor Te Tiriti o Waitangi and Responsiveness to Māori, Chief Planning Office</td>
<td>Plans and Places Māori Responsiveness Plan</td>
</tr>
<tr>
<td>Wally Thomas</td>
<td>Chief Stakeholder Relationships Officer, Auckland Transport</td>
<td>Auckland Transport Māori Responsiveness Plan</td>
</tr>
<tr>
<td>Tania Tarawha</td>
<td>Māori Economic Development Delivery Manager, ATEED</td>
<td>Relationship agreements, Māori communication and engagement, Māori capability and employment</td>
</tr>
<tr>
<td>Rob Fisher</td>
<td>Company Secretary, Watercare</td>
<td>Relationship agreements, Māori communication and engagement, Māori capability and employment</td>
</tr>
<tr>
<td>Richard Waiwai</td>
<td>Poutiaki Tikanga Māori, Principal Advisor, Watercare</td>
<td>Relationship agreements, Māori communication and engagement, Māori capability and employment</td>
</tr>
<tr>
<td>Lou-Ann Ballantyne</td>
<td>Māori Outcome Senior Specialist, Panuku</td>
<td>Relationship agreements, Māori communication and engagement, Māori capability and employment</td>
</tr>
<tr>
<td>Rose Leonard</td>
<td>Executive Officer, Governance Division</td>
<td>Performance measurement framework, member of Te Tiriti o Waitangi Audit Liaison Group</td>
</tr>
<tr>
<td>Tania Winslade</td>
<td>Executive Officer, People and Performance</td>
<td>Member of Te Tiriti o Waitangi Audit Liaison Group</td>
</tr>
<tr>
<td>Luella Linaker</td>
<td>Executive Officer, Operations</td>
<td>Member of Te Tiriti o Waitangi Audit Liaison Group</td>
</tr>
<tr>
<td>Kate Waterhouse</td>
<td>Enterprise Change Lead – Digital &amp; Transformation</td>
<td>Member of Te Tiriti o Waitangi Audit Liaison Group</td>
</tr>
</tbody>
</table>
## Appendix G – Key documents inspected

<table>
<thead>
<tr>
<th>Area</th>
<th>Documents inspected</th>
</tr>
</thead>
</table>
| Treaty Audit Response Work Programme | • Waharoa Register Updated 20 February 2018  
• Waharoa meeting minutes 28 February 2018  
• Evidence templates for action groups  
• Audit and Risk Committee agendas 2017 – 2018  
• Finance and Performance Committee agendas 2017  
• Treaty Audit Response Work Programme 2015/2016  
• Te Tiriti o Waitangi Audit Report 2015  
• Te Tiriti o Waitangi Audit Report 2012 |
| Māori Responsiveness Plans      | • Māori responsiveness framework November 2016  
• Auckland Council Schedule of Statutory Obligations relating to Māori  
• Māori Responsiveness Plan Toolkit July 2016  
• MRP Register Updated January 2018  
• Auckland Transport Māori Responsiveness Plan 12 September 2017  
• Communication and Engagement Māori Responsiveness Plan July 2017  
• Plans and Places Māori Responsiveness Plan August 2016 and actions registers  
• Engaging and Enabling Communities Summary Status report 30 April 2018 |
| Māori Capacity Building         | • Funding agreement between Auckland Council and Ngati Tamaoho Trust for period 1 July 2015 – 30 June 2016  
• Funding agreement between Auckland Council and Ngati Tamaoho Trust for period 1 July 2016 – 30 June 2019  
• Funding agreement between Auckland Council and Ngati Tamaoho Trust for period 1 July 2017 – 30 June 2018  
• Treaty Audit Response Work Programme Evidence Template (Action group 19, Rec 57) |
| Significance and Engagement Policy | • Significance and Engagement Policy September 2014  
• Engagement guidelines policy July 2016 |
| Relationship Agreements        | • Auckland Council Template - Mana Whenua Agreement - Dec 2016  
• Relationship agreements. Closure of Treaty Audit Response action groups – memo July 2016  
• Local Board Workshops spreadsheet March 2018  
• Te Runanga o Ngati Whatua and Panuku Development Auckland Memorandum of Understanding |
<table>
<thead>
<tr>
<th>Area</th>
<th>Documents inspected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Umbrella Relationship agreement between Watercare and Waikato Tainui</td>
</tr>
<tr>
<td></td>
<td>• Tamaki Herenga Waka Festival 2018 Mana Whenua Steering Group Terms of Reference</td>
</tr>
<tr>
<td></td>
<td>• Umbrella Relationship agreement between Watercare and Ngati Te Ata</td>
</tr>
<tr>
<td><strong>Māori Communications Strategy</strong></td>
<td>• Hononga Engagement Partnering agreement – Te Ora o Manukau and Auckland Council Te Kaunihera o Tamaki Makaurau</td>
</tr>
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<td></td>
<td>• Offer Letter for Te Ohu Mana Rangatahi/Auckland Council Collaboration</td>
</tr>
<tr>
<td></td>
<td>• Services Agreement between Auckland Council and Te Ohu Mana Rangatahi 23 February 2018</td>
</tr>
<tr>
<td></td>
<td>• Work programme for Radio Waatea &amp; Auckland Council Māori Community Engagement Strategy</td>
</tr>
<tr>
<td></td>
<td>• FY17/18 Māori Engagement Plan Te Waka Anga Mua ki Uta Citizen Engagement &amp; Insights Report</td>
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<tr>
<td></td>
<td>• Year-one report of the Quality Engagement Worksteam of Citizen Value and Engagement</td>
</tr>
<tr>
<td></td>
<td>• Māori Communities Database January 2018</td>
</tr>
<tr>
<td></td>
<td>• Māori Engagement Strategy Framework</td>
</tr>
<tr>
<td><strong>Māori Capability and Employment</strong></td>
<td>• Measures and Actions for High Impact Auckland Council Māori Employment Strategy 2017 – 2020</td>
</tr>
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<td>• MAHI roadmap forecasting</td>
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<tr>
<td></td>
<td>• People and Capability Business Plan</td>
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<tr>
<td><strong>Mana whenua participation in resource management</strong></td>
<td>• Research project information relating to Improving the Assessment of Mana Whenua Cultural Values and Interests (second Addendum for resource consent applicants)</td>
</tr>
<tr>
<td></td>
<td>• Cultural Impact Assessment Project Working Group Terms of Reference 2014</td>
</tr>
</tbody>
</table>