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

**Date:** Tuesday, 14 August 2018  
**Time:** 9.30am  
**Meeting Room:** Reception Lounge  
**Venue:** Auckland Town Hall  
301-305 Queen Street  
Auckland

---

**Komiti Taiao ā-Hapori Hoki** /  
**Environment and Community Committee**  
**OPEN AGENDA**

---

**MEMBERSHIP**

<table>
<thead>
<tr>
<th>Chairperson</th>
<th>Cr Penny Hulse</th>
<th>Mayor Hon Phil Goff, CNZM, JP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Chairperson</td>
<td>Cr Alf Filipaina</td>
<td>Cr Richard Hills</td>
</tr>
<tr>
<td>Members</td>
<td>Cr Josephine Bartley</td>
<td>Cr Mike Lee</td>
</tr>
<tr>
<td></td>
<td>IMSB Member Renata Blair</td>
<td>Cr Daniel Newman, JP</td>
</tr>
<tr>
<td></td>
<td>IMSB Member James Brown</td>
<td>Cr Greg Sayers</td>
</tr>
<tr>
<td></td>
<td>Cr Dr Cathy Casey</td>
<td>Cr Desley Simpson, JP</td>
</tr>
<tr>
<td></td>
<td>Deputy Mayor Cr Bill Cashmore</td>
<td>Cr Sharon Stewart, QSM</td>
</tr>
<tr>
<td></td>
<td>Cr Ross Clow</td>
<td>Cr Sir John Walker, KNZM, CBE</td>
</tr>
<tr>
<td></td>
<td>Cr Fa’anana Efeso Collins</td>
<td>Cr Wayne Walker</td>
</tr>
<tr>
<td></td>
<td>Cr Linda Cooper, JP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cr Chris Darby</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cr Hon Christine Fletcher, QSO</td>
<td>Cr John Watson</td>
</tr>
</tbody>
</table>

(Quorum 11 members)

---

Tam White  
Senior Governance Advisor  
9 August 2018

Contact Telephone: (09) 890 8156  
Email: tam.white@aucklandcouncil.govt.nz  
Website: www.aucklandcouncil.govt.nz

---

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

Responsibilities
This committee deals with all strategy and policy decision-making that is not the responsibility of another committee or the Governing Body. Key responsibilities include:

- Development and monitoring of strategy, policy and action plans associated with environmental, social, economic and cultural activities
- Natural heritage
- Parks and reserves
- Economic development
- Protection and restoration of Auckland’s ecological health
- Climate change
- The Southern Initiative
- Waste minimisation
- Libraries
- Acquisition of property relating to the committee’s responsibilities and within approved annual budgets
  - Performing the delegations made by the Governing Body to the former Parks, Recreation and Heritage Forum and Regional Development and Operations Committee, under resolution GB/2012/157 in relation to dogs
- Activities of the following CCOs:
  - ATEED
  - RFA

Powers
(i) 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.
(ii) 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.
(iii) 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.
<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Apologies</td>
<td>7</td>
</tr>
<tr>
<td>2</td>
<td>Declaration of Interest</td>
<td>7</td>
</tr>
<tr>
<td>3</td>
<td>Confirmation of Minutes</td>
<td>7</td>
</tr>
<tr>
<td>4</td>
<td>Petitions</td>
<td>7</td>
</tr>
<tr>
<td>5</td>
<td>Public Input</td>
<td>7</td>
</tr>
<tr>
<td>6</td>
<td>Local Board Input</td>
<td>7</td>
</tr>
<tr>
<td>7</td>
<td>Extraordinary Business</td>
<td>8</td>
</tr>
<tr>
<td>8</td>
<td>Update on Weiti development and wider catchment issues (Covering report)</td>
<td>9</td>
</tr>
<tr>
<td>9</td>
<td>Exchange of part of Margan Reserve for other land</td>
<td>11</td>
</tr>
<tr>
<td>10</td>
<td>Progress update on the Public Art Policy with recommended improvements</td>
<td>21</td>
</tr>
<tr>
<td>11</td>
<td>Open Space acquisition in the 2017/18 financial year</td>
<td>61</td>
</tr>
<tr>
<td>12</td>
<td>Appointment to TSB Bank James Wallace Arts Centre Joint Liaison Body</td>
<td>65</td>
</tr>
<tr>
<td>13</td>
<td>Submission to Developing a new strategy to prepare for an ageing population</td>
<td>101</td>
</tr>
<tr>
<td>14</td>
<td>Submission on Local Government Regulatory Systems Amendment Bill</td>
<td>115</td>
</tr>
<tr>
<td>15</td>
<td>Summary of Environment and Community Committee information - updates, memos and briefings - 14 August 2018</td>
<td>129</td>
</tr>
<tr>
<td>16</td>
<td>Consideration of Extraordinary Items</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>PUBLIC EXCLUDED</strong></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Procedural Motion to Exclude the Public</td>
<td>171</td>
</tr>
<tr>
<td>C1</td>
<td>Acquisition of land for open space - Whenuapai</td>
<td>171</td>
</tr>
</tbody>
</table>
1 Apologies

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

2 Declaration of Interest

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

3 Confirmation of Minutes

That the Environment and Community Committee:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 10 July 2018 as a true and correct record.

4 Petitions

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

5 Public Input

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

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

6 Local Board Input

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. To provide an interim report regarding sediment effects on the Long Bay Okura Marine Reserve.

Whakarāpopototanga matua / Executive summary

2. This is a late covering report for the above item. The comprehensive agenda report was not available when the agenda went to print and will be provided in an addendum agenda.

3. A public input presentation was presented at this committee at its 10 July 2018 meeting from the Long Bay Okura Park Society and resolved as follows:

Resolution number ENV/2018/85

That the Environment and Community Committee:

a) receive the public input presentation from the Long Bay Okura Great Park Society regarding sediment in the Long Bay Okura Marine Reserve and thank them for attending.

b) refer the presentation to staff and request an interim report to the Environment and Community Committee covering regulatory and environmental issues in August, with options for improved management of sediment discharge to the Long Bay Okura Marine Reserve and to also comment on the wider regional implications.

Ngā tūtohunga / Recommendation/s

The recommendations will be provided in the comprehensive agenda report.
Te take mō te pūrongo / Purpose of the report
1. To seek approval to publicly notify a proposed exchange of land between part of Margan Reserve, New Lynn, with other land under section 15(2) of the Reserves Act 1977.

Whakarāpopototanga matua / Executive summary
2. A decision is required by the Environment and Community Committee to notify a proposed land exchange under section 15(2) of the Reserves Act 1977.
3. A developer has proposed an exchange of 295m² of land at number 5 Clinker Place with 295m² of land at Margan Reserve, New Lynn under section 15 of the Reserves Act 1977.
4. The proposed land exchange aims to enable:
   - the provision of a road, pedestrian and cycle connection from Margan Avenue to New Lynn centre and the train station, in accordance with the New Lynn precinct plan
   - a fragmented piece of Margan Reserve to be incorporated into a larger strip along Margan Avenue.
5. Staff recommend that the committee approve public notification of the proposed land exchange. It is deemed to be a high priority when assessed against council policy.
6. The Whau Local Board supports the notification of the proposed land exchange.
7. There is a low risk of a judicial review of council decision-making processes if the council follows the statutory process.

Ngā tūtohunga / Recommendations
That the Environment and Community Committee:
   a) approve notification under section 15(2) of the Reserves Act 1977 of a proposed land exchange of 295m² of Margan Reserve, New Lynn (Pt Lot 1 DP 122011) for 295m² of adjacent land at 5 Clinker Place (Pt Lot 2 DP 122011) as shown in Attachment C of the agenda report.

Horopaki / Context
8. The Auckland Unitary Plan includes a precinct plan for New Lynn, known as the West Edge. It includes a new road connection from New Lynn to Margan Avenue (refer Attachment A).
9. The site through which the road connection will pass is part-owned by a developer. The road also passes through Margan Reserve, which is located adjacent to Margan Avenue and comprises two separate areas (refer Attachment B).
10. Margan Reserve is classified as a recreation reserve under the Reserves Act 1977. It does not have a reserve management plan in place.
11. To provide access to Margan Avenue in accordance with the precinct plan, the developer seeks to exchange 295m² of Margan Reserve with adjacent land totaling 295m² at 5 Clinker Place (refer Attachment C).
The land exchange process is set out in the Reserves Act 1977

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

- 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
- after a period of at least one month following public notification the administering body considers all objections to the proposed land exchange
- the administering body passes a resolution supporting the land exchange if it considers it appropriate to do so in light of the objections received
- a copy of the resolution supporting the land exchange is forwarded to the Minister of Conservation or their delegate along with the objections for authorisation.

13. Relevant mana whenua must also be consulted.

Tātaritanga me ngā tohutohu / Analysis and advice

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

14. Land exchanges are assessed against the criteria in the council’s Parks and Open Space Acquisition Policy 2013 and Parks and Open Space Provision Policy 2016. Proposed land exchanges are prioritised according to the highest rating achieved.

15. Table 1 provides a summary of the assessment of the proposed land exchange.

Table 1: Initial assessment of the open space configuration which would result from the proposed land exchange

<table>
<thead>
<tr>
<th>Acquisition criteria</th>
<th>Comment</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting community needs, now and in the future</td>
<td>High priority: • the proposed land exchange would facilitate improved physical access between Margan Avenue to New Lynn centre and the transport hub, which includes the train station.</td>
<td></td>
</tr>
<tr>
<td>Connecting parks and open spaces</td>
<td>High priority: • the proposed land exchange would improve the connectivity of the network of open space walkways throughout the area.</td>
<td>High priority</td>
</tr>
<tr>
<td>Protecting and restoring Auckland’s unique features and meanings</td>
<td>Not a priority: • 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>High priority: • the proposed land exchange will involve the loss of some vegetation to create the road however existing vegetation along Margan Avenue will be protected and a small, fragmented piece of the reserve will be connected to a wider and continuous strip.</td>
<td></td>
</tr>
</tbody>
</table>

16. Staff recommend that the committee approve public notification of the proposed land exchange. It is a high priority when assessed against council policy.

17. The proposed land exchange is expected to have positive benefits to the community including:

- provide a road, pedestrian and cycle connection from Margan Avenue to New Lynn centre and the train station, in accordance with the New Lynn precinct plan
• enable a fragmented piece of Margan Reserve to be incorporated into a larger strip along Margan Avenue.

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

18. The Whau Local Board supports notification of the proposed land exchange and requested additional investigation prior to public engagement.

19. Staff undertook further investigation and presented the findings to the local board’s satisfaction at a workshop on 12 June 2018.

20. The Whau Local Board resolved at its meeting on 22 November 2017 [WH/2017/140 refers] that it:
   a) support the public notification under section 15(2) of the Reserves Act 1977 of a proposed land exchange of 295m$^2$ of Margan Reserve, New Lynn (Pt Lot 1 DP 122011) for 295m$^2$ of adjacent land at 5 Clinker Place (Pt Lot 2 DP 122011)
   b) request that the ecological, transport and land value assessment be made available prior to public consultation in the new year
   c) request that prior to public engagement staff investigate
      i) moving the road crossing further eastwards
      ii) the opportunities for relocation of trees
      iii) footpath diversion around trees
      iv) higher level of protection including scheduling of native trees across the Crown Lynn site
      v) increased amenity and open space planting of larger native trees on the Crown Lynn site to strengthen the ecological connection between Manawa Wetlands and Olympic Park
   d) meet with Avanda to discuss the protection of trees on the Avanda site.

**Tauākī whakaaweawe Māori / Māori impact statement**

21. The land comprising the proposed land exchange does not contain known sites of significance and/or value to mana whenua.

22. Consultation with mana whenua will be undertaken as part of the statutory land exchange process.

**Ngā ritenga ā-pūtea / Financial implications**

23. The applicant will cover all costs associated with the land exchange.

**Ngā raru tūpono / Risks**

24. Risks to the council are minimised if the statutory requirements of the Reserves Act 1977 process are followed.

25. Some risks sit with the applicant, as there is no guarantee that the proposed land exchange will be:
   • approved by the governing body for notification
   • supported by mana whenua through the consultation process
   • supported by the public through the consultation process
   • supported by the governing body following public consultation
   • authorised by the Minister of Conservation or their delegate.
Ngā koringa ā-muri / Next steps

26. If approved, staff will work with the developer and begin the Reserves Act 1977 process as soon as practicable.

27. Land exchanges generally take a minimum of six to eight months to complete.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>New Lynn Precinct Plan showing the location of Margan Reserve</td>
<td>15</td>
</tr>
<tr>
<td>B</td>
<td>Margan Reserve</td>
<td>17</td>
</tr>
<tr>
<td>C</td>
<td>The proposed area of reserve to be exchanged</td>
<td>19</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Authorisers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emma Golightly - Team Leader - Parks and Recreation Policy</td>
<td>Kataraina Maki – General Manager - Community &amp; Social Policy</td>
</tr>
<tr>
<td></td>
<td>Dean Kimpton - Chief Operating Officer</td>
</tr>
</tbody>
</table>
Attachment A. New Lynn Precinct Plan showing the location of Margan Reserve within sub-precinct A.
Attachment B Margan Reserve

Exchange of part of Margan Reserve for other land
Attachment C. The proposed area of reserve to be exchanged.
Progress update on the Public Art Policy with recommended improvements

File No.: CP2018/14235

Te take mō te pūrongo / Purpose of the report

1. To seek approval to improve the Public Art Policy.

Whakarāpopototanga matua / Executive summary

2. Staff have undertaken a progress review of the Public Art Policy (the policy) to assess how we are tracking against the policy’s outcomes and measures.

3. Overall council has made good progress. Since the development of the policy:
   - all artworks created in the regional public art programme are in line with policy outcomes
   - 64 new public art works have been created in 17 local board areas, covering a range of types/genres and by a diverse range of artists
   - in addition to the regional public art programme budget (approximately $2.5m) significant investment has been committed through major city developments such as the City Rail Loop, Lower Queen Street and Wynyard Quarter
   - there has been a balanced programme of investment recognising high profile areas such as the CBD and in areas with limited public art.

4. There are opportunities to improve outcomes by:
   - streamlining the policy and making it easier to understand
   - increasing awareness and understanding of the policy
   - improving alignment of public art activity to the outcomes in the policy
   - improving evaluation and monitoring of the policy.

5. No significant changes to the policy outcomes or processes are proposed.

6. The risk of improved evaluation revealing shortcomings in the policy will be mitigated by highlighting the improved outcomes from identifying and rapidly addressing these issues.

7. Staff will work with stakeholders to ensure any changes to the policy address the key opportunities identified in the progress update.

8. Subject to approval, staff will work with internal and external stakeholders to implement improvements over the next 12 months and report back to the committee on implementation progress within 18 months.

Ngā tūtohunga / Recommendation/s

That the Environment and Community Committee:

a) approve recommended improvements to the Public Art Policy as follows:
   i) streamline the policy and make it easier to understand
   ii) socialise the policy and strengthen relationships for public art
   iii) improve evaluation of the policy.

b) direct staff, through the Chief Executive, to report back on implementation progress within 18 months.
Horopaki / Context

9. In 2013, the Public Art Policy was adopted to facilitate excellence, alignment and transparency in all public art activity across Auckland.

10. In 2017, a progress update of the policy was initiated. The scope of the progress update was to gain insight into how the policy is being applied, the outcomes being achieved and to identify areas for improvement for the policy and its implementation.

11. Key findings from the progress update are outlined below. Refer to the Public Art Policy Progress Update (Attachment A) for the full findings.

Tātaritanga me ngā tohutohu / Analysis and advice

We are making good progress on the development of public art that meets policy outcomes

12. The Public Art Policy directs council to develop public art that delights, engages and challenges, supports a diverse range of artwork types and practice, transforms public spaces and reflects Auckland’s unique identity, character and diversity.

13. Since the development of the policy:
   - all public art created as part of the council’s regional public art programme meets one or more of these policy outcomes
   - 64 new public art works have been created in 17 local board areas
   - a range of artworks encompassing different types or genres have been created by a diverse range of artists from different ethnicities and nationalities
   - there has been a strong focus on creating a balanced programme of investment recognising high profile areas such as the CBD but also investing in areas with limited public art
   - in addition to the regional public art programme budget (of approximately $2.5m) significant investment has been committed through major city developments such as the City Rail Loop, Lower Queen Street and Wynyard Quarter
   - public art is being integrated into new community facilities (such as the Devonport Library and Te Oro in Glenn Innes) to reflect local stories and transform public spaces.

The council is building stronger relationships to improve public art outcomes for Auckland

14. The council is building stronger relationships with CCOs and external stakeholders to improve public art outcomes in Auckland. This includes formalising working relationships and expectations.

Opportunities for improvement

There is a need to streamline the policy and make it easier to understand

15. The complexity of some of the language and definitions makes the policy difficult for some groups to understand and to recognise that they have a role in applying the policy.

16. To address this we recommend:
   - clarifying some of the language in the policy
   - incorporating process maps to better demonstrate roles and responsibilities
   - refining the definition of public art to better demonstrate what public art is in the context of developing permanent public art
   - incorporating a glossary into the policy
** Awareness and understanding of the policy could be increased  
17. Some groups could have better awareness and understanding of the policy – to ensure they use or align their work with the policy. 
18. To address this we recommend:  
   - using a roadshow to socialise the streamlined policy  
   - raising visibility of the policy across the organisation through regular communications and sharing examples of best practice  
   - building and strengthen relationships across the council, with CCOs and external stakeholders to increase awareness and buy-in to the policy. 

** Alignment to policy outcomes and processes could be improved in some areas  
19. Some public art activity is occurring that is not informed by or aligned with the policy. 
20. The alignment of public art activity to the policy’s outcomes and processes could be improved for some groups across the council and CCOs. 
21. We expect that streamlining the policy and increasing of awareness of it will address this issue. 
22. Other options to ensure groups across the council family implement the policy were explored. This included utilising powers under the Local Government (Auckland Council) Act 2009, such as statements of intent and section 92(2) directives. These processes have been reserved as the recommended improvements could be sufficient to achieve the desired result. 

** Evaluation of the policy could be improved  
23. The evaluation and monitoring measures could better align with the policy’s outcomes. Data collection could also be extended to provide a better understanding of how public art is meeting the policy’s outcomes. New methods for collecting evaluation and monitoring data could also be investigated. 
24. To address this we recommend:  
   - redeveloping the evaluation and monitoring measures to better align them with the policy’s outcomes  
   - investigating options for improved evaluation and monitoring data collection.

** Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views  
25. Local boards are key stakeholders in the development of public art projects. 
26. Achieving a balanced geographical spread of public art pieces across the Auckland region is an important priority of the regional public art programme. 
27. The location of public art works across local boards is an indicator to determine whether policy outcomes are being met. 
28. The regional approach of the public art programme allows for geographical gaps to be identified and prioritised for potential future public art projects. 
29. Feedback from the status update highlighted that the policy needs to be clearer on the:  
   - differentiation between the council’s regional public art programme and local public art  
   - the scope of opportunity for public art at the local board level. 
30. The recommended improvements will address these key themes. Staff will work with local boards to implement improvements.
Tauākī whakaaweawe Māori / Māori impact statement

31. Building and maintaining respectful relationships and partnerships with Māori, including valuing mātauranga Māori (the traditional Māori knowledge, wisdom and understanding) is a key principal in the policy.

32. The ethnicity, nationality and/or iwi that an artist identifies with is one of the indicators to determine whether policy outcomes are being met.

33. Since the policy was implemented, 34 per cent of the public artworks that have been created were made by artists that identify as being of Māori descent or affiliation.

34. Feedback from the status update highlighted that clarity is required regarding:
   - how the council should engage and work with mana whenua on public art in Auckland
   - the expectation and best practice of outcomes for mana whenua.

35. It was also identified that data collection for the evaluation and monitoring measures could be extended. This would help enhance the understanding of whether a public art work gives visibility and expression to mana whenua stories, history, Te Ao Māori and communities.

36. The recommended improvements incorporate addressing these identified key themes.

37. Staff will work with mana whenua and mataawaka to implement improvements.

Ngā ritenga ā-pūtea / Financial implications

38. Staff time and resources will be required to implement the recommended improvements. These will be met from within existing baselines.

Ngā raru tūpono / Risks

39. There is a reputational risk that the recommended improvements to monitoring and data collection will reveal shortcomings that require more substantial revision of the policy. This can be mitigated by highlighting the benefits of raising awareness of any issues, as well as a commitment to achieving improved outcomes by rapidly identifying and addressing any shortcomings.

Ngā koringa ā-muri / Next steps

40. Subject to approval, staff will work with internal and external stakeholders to implement improvements over the next 12 months.

41. Staff will report back to the committee on implementation progress within 18 months.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Public Art Policy: Progress Update August 2018</td>
<td>25</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Ben Brooks - Team Leader Community Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Kataraina Maki – General Manager - Community &amp; Social Policy</td>
</tr>
<tr>
<td></td>
<td>Dean Kimpton - Chief Operating Officer</td>
</tr>
</tbody>
</table>
Public Art Policy
Progress update August 2018
# Table of Contents

1 Purpose .................................................................................................................. 3
2 Key takeouts ............................................................................................................ 3
3 Background .............................................................................................................. 3
4 Key findings and recommended improvements ....................................................... 5
4.1 Summary .............................................................................................................. 5
4.2 Key findings ......................................................................................................... 5
4.3 Recommended improvements .............................................................................. 6
4.4 Next steps ............................................................................................................ 7
5 Methodology .......................................................................................................... 8
5.1 Scope of the progress update .............................................................................. 8
5.2 The council’s collection management data ......................................................... 8
6 Strategic context .................................................................................................... 8
7 The council’s approach to public art in Auckland .................................................... 10
7.1 Setting priorities for the regional public art programme .................................. 10
7.2 Regional public art investment ........................................................................... 12
8 The council’s progress against the policy’s outcomes and measures .................... 14
8.1 Progress against Outcome one in the policy .................................................... 14
8.2 Progress against Outcome two in the policy ..................................................... 19
8.3 Progress against Outcome three in the policy ................................................... 20
8.4 Progress against Outcome four in the policy .................................................... 21
9 Insights from interviews with key operational staff ............................................. 24
9.1 What is working well? ....................................................................................... 24
9.2 What could be improved? .................................................................................. 27
10 Recommended improvements .............................................................................. 32
11 Next steps ............................................................................................................ 33
12 Summary .............................................................................................................. 34
1 Purpose

This report:
- updates progress on how the Public Art Policy (the policy) is being implemented
- showcases successful work in line with the outcomes of the policy
- makes recommendations for improving the policy and its implementation.

2 Key takeouts

- Overall, the council’s regional public art programme is delivering public art that achieves against all outcome areas in the policy
- The council is building stronger relationships to improve outcomes for public art in Auckland
- There is a need to streamline the policy and make it easier to understand
- Awareness and understanding of the policy could be increased
- Alignment to policy outcomes and processes could be improved in some areas
- Evaluation of the policy could be improved in some areas to better determine whether the policy’s outcomes and measures are being met.

3 Background

Following amalgamation in 2010, the new Auckland Council inherited responsibility for the care and maintenance of Auckland’s public art collection, numbering well over one thousand works of public art spanning a large geographic region.

In 2013, the policy was adopted to facilitate excellence, alignment and transparency in all public art activity across Auckland. It was developed to clearly articulate why and how the council is involved in public art, the principles that guide the council’s actions and the context within which decision making for public art takes place. It also encourages the creative sector and Auckland’s communities to be involved in public art activity.

The majority of public art projects are delivered as part of the council’s regional public art programme, which is endorsed and approved by the Environment and Community Committee of the council. The regional public art work programme is led by the Public Art team in the council’s Arts and Culture unit.

Council Controlled Organisations (CCOs) including Auckland Transport, Panuku and Regional Facilities Auckland share responsibility with the council for the planning, delivery, care and maintenance of public works of art and are required to act in accordance with the
full purpose and objectives of the policy. The Arts and Culture unit also draws on the expertise of the Advisory Panel for Art in Public Places, Auckland. The panel provides expert advice and recommendations on a wide range of arts activity, including the art in public places annual work programme, proposals and gift offers and strategies to integrate art into major built environment projects.

Through the policy, the council seeks to ensure that all Aucklanders and visitors have the opportunity to experience thought-provoking, culturally vibrant, enjoyable, challenging and inspiring public art and public space that is distinctive and unique to Auckland. In support of this vision, the policy establishes four outcomes for public art. The policy’s outcomes are also coupled with evaluation and monitoring measures to understand whether the council’s approach to public art is making a real difference to Auckland.

### Outcomes

<table>
<thead>
<tr>
<th>Unique and distinctive: public art that responds to our place</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Number of site-specific commissions.</td>
</tr>
<tr>
<td>• Proportion of public art projects which give visibility and expression to:</td>
</tr>
<tr>
<td>• mana whenua stories, history, Te Ao Māori and communities</td>
</tr>
<tr>
<td>• Auckland’s Pacific diversity and richness</td>
</tr>
<tr>
<td>• Auckland’s diverse ethnic communities and cultures.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For all Aucklanders and visitors: public art that delights, welcomes challenges and inspires</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Percentage of Auckland residents satisfied:</td>
</tr>
<tr>
<td>• with the provision of public art</td>
</tr>
<tr>
<td>• that they have an active stake in the local public places that they live and work in through public art.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Known for its artistic quality, variety, depth and innovation: public art that celebrates cultural richness and creativity and models international best practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Number and variety of local artists and artists from throughout New Zealand and from overseas engaged in council’s public art</td>
</tr>
<tr>
<td>• Number of public works of art and variety of types of art commissioned.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Making a difference: public art that transforms Auckland’s public places</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Percentage of Auckland residents satisfied that public art has had a positive and transforming impact in place-making in Auckland.</td>
</tr>
</tbody>
</table>

![Figure 1 - The policy's outcomes and measures](attachment:image.png)
4 Key findings and recommended improvements

4.1 Summary

Since the policy was adopted in 2013, the council has made good progress against delivering public art projects that are aligned with the policy.

The policy is valued and is contributing to achieving significant public art outcomes for Auckland. The policy has been embedded into the practices of the council’s Arts and Culture unit. All public art that has been made as part of the council’s regional public art programme since the policy was implemented meets one or more of the policy’s outcomes.

Interviews with key operational staff identified that familiarity with and usage of the policy varied significantly across the council and CCOs. It was also identified that the policy could be clearer, particularly regarding public art definitions and roles and responsibilities for developing public art.

No significant changes to the policy outcomes or processes are proposed. However there is an opportunity to refine and streamline the policy to make it easier to understand and to better clarify roles and responsibilities for developing public art in Auckland. This will support engagement and communication efforts and allow for improved public art outcomes.

Better socialising the streamlined policy will raise awareness and understanding of the policy. This will help to ensure that relevant activities align with the outcomes of the policy.

4.2 Key findings

4.2.1 What is working well?

The policy and its impact is valued

Key operational staff that were interviewed across the council and its CCOs value and recognise the importance of having a policy for public art to inform and guide their work.

The council is making good progress in line with the policy

Analysis of the council’s public art collection data highlighted a range of work, completed or in progress, which are aligned with the policy.

The council has a dedicated public art team within the Arts and Culture Unit, focused on delivering public art projects for Auckland. This team takes a strategic, long-term approach to the creation of permanent public art in Auckland. The unit has embedded the policy into their practices and all public art they have created since the policy was implemented meets one or more of the policy’s outcomes.
The council is building stronger relationships to improve public art outcomes

Overall, council staff are building stronger relationships with CCOs and external stakeholders to improve public art outcomes in Auckland. This includes formalising working relationships and expectations through mechanisms such as memorandums of understanding.

4.2.2 What could be improved?

There is a need to streamline the policy and make it easier to understand

There was general agreement from staff of the need to streamline the policy and to make sure that it is clear. The complexity of some of the language and definitions makes the policy difficult for some groups to understand and to recognise that they have a role in applying the policy.

Awareness and understanding of the policy could be increased

Familiarity and understanding of the policy varied significantly across the council and CCOs. While some areas such as the Arts and Culture unit use it every day; some have never seen or heard of the policy, or do not have a thorough understanding of how and when to apply it to their work.

Alignment to policy outcomes and processes could be improved in some areas

Some parts of council have been developing public art without using or aligning their practices with the policy. Some of this public art is also not being documented or maintained.

Evaluation of the policy could be improved

The evaluation and monitoring measures in the policy could better align with the outcomes that the policy is aiming to achieve. Data collection could also be extended to provide a greater understanding of how public art is meeting the policy’s outcomes. New methods for collecting evaluation and monitoring data could be explored.

4.3 Recommended improvements

This report recommends three key improvements to better achieve the council’s strategic outcomes and priorities for public art, increase awareness and drive application of the policy across the council and CCOs.

Improvement 1: streamline the policy and make it easier to understand

- Clarify some of the language in the policy to ensure it is clear and concise
- Incorporate process maps to better demonstrate roles and responsibilities
- Refine the definition of public art to better demonstrate what public art is in the context of developing permanent public art
- Incorporate a glossary into the policy
- Develop case studies of best practice.

**Improvement 2: socialise the policy and strengthen relationships**
- Use a roadshow to socialise the streamlined policy
- Raise visibility of the policy across the organisation through regular communications and sharing examples of best practice
- Build and strengthen relationships across the council, with CCOs and external stakeholders to increase awareness and buy-in to the policy.

**Improvement 3: improve evaluation of the policy**
- Redevelop the evaluation and monitoring measures to better align them with the policy’s outcomes
- Investigate options for collecting evaluation and monitoring data.

### 4.4 Next steps

The recommended improvements relate mainly to implementation, with only minor changes to the policy to streamline it and make it easier to understand and apply. Staff from Community Policy and the Arts and Culture unit will work with internal and external stakeholders including Māori, local boards and CCOs to implement these improvements within existing resources.
5 Methodology

Two different methods were used to gain insight into how the policy is being applied across the council and its CCOs, and the outcomes being achieved. They were:

- analysis of the council’s public art asset management data to:
  - understand the current range of the council’s permanent public art collection
  - measure progress against the policy’s outcomes and measures
  - identify gaps, issues and opportunities for public art in Auckland.

- semi-structured interviews with key operational staff across the council and its associated CCOs to gain insight into how the policy is being applied. Interviews were structured around the following key themes:
  - familiarity with the policy
  - use and implementation of the policy
  - what is working well
  - any gaps, issues and suggested improvements for the policy or its implementation.

5.1 Scope of the progress update

The scope of the progress update does not include reviewing the fundamental policy positions or outcomes in the policy. Engagement was limited to key operational staff in the council and its CCOs whose work programmes align with or have relevance to the policy. Broader engagement on the policy in its entirety will be undertaken when a more comprehensive review of the policy is done at a later date.

5.2 The council’s collection management data

The data was drawn from the council’s collection management data which was correct as at 15 May 2018.

For a small number of public art works, specific data such as the year it was made and the ethnicity or nationality of artist was not available. Some public art works are also currently being stored which means they do not have a location or local board assigned to them.

6 Strategic context

The policy reflects the council’s long-term commitment to developing and supporting public art activities and caring for Auckland’s collection of public art. The policy aligns with Auckland’s vision of becoming a world-class city. Public art activity supports five outcomes in the Auckland Plan; however it specifically aligns with the Quality of Life focus area within the Belonging and Participation outcome. This focus area recognises the value of arts and culture to Aucklanders’ quality of life.
Public art also contributes to a wide range of other strategies and plans that support the Auckland Plan. This includes the Māori Plan for Tāmaki Makaurau, the Auckland Design Manual, the Auckland City Centre Masterplan, the Wynyard Quarter Public Art Strategy and the Auckland Unitary Plan.

The below figure demonstrates the strategic context of the Public Art Policy in the council.

Figure 2 - The strategic context of the Public Art Policy across the council
7 The council’s approach to public art in Auckland

Key take-outs:

- Public art projects are typically delivered by the council’s Public Art team as part of the council’s regional public art programme.
- Staff use the policy to take a strategic, long-term approach to creating permanent public art in Auckland.
- Total investment in public art is larger than the regional public art programme budget of $2.3m, as many opportunities are within the capital works of CCOs.
- We need to improve data capture to assess if the council is achieving the policy target of 1 per cent of capital expenditure for public art.

The majority of public art projects are delivered as part of the council’s regional public art programme, which is endorsed and approved by the Environment and Community Committee.

The regional public art work programme is led by the council’s Public Art team in the Arts and Culture unit, which incorporates dedicated resources for public art including:

- public art project managers with expertise in public art planning, project and asset management;
- a public art fund and funding guidelines for capital works projects.

7.1 Setting priorities for the regional public art programme

Since the adoption of the policy, the council’s approach to developing public art has shifted from a large number of smaller works to fewer, large-scale projects that aim to have more transformative results. This can be seen in the installation of The Lighthouse by Michael Parekowhai on Queens Wharf (as seen in case study three on page 27) and the identification of three large-scale projects in the Wynyard Quarter, as outlined in the Wynyard Quarter Public Art Strategy (2016).

The Arts and Culture unit take a strategic, long-term approach to the creation of permanent public art in Auckland. They are focused on delivering a varied programme of work across the Auckland region that achieves against the policy’s outcomes. Practice for developing public art is also aligned with the policy’s principles which includes:

- working with others;
- valuing Te Ao Māori;
- investing in the right expertise and capability;
- delivering best practice in all areas of public art activity.
7.1.1 The elements that contribute to setting priorities for the regional public art programme

The strategic, long-term approach for setting priorities for the regional public art programme involves taking into account multiple interconnected elements. These include:

Element one - the policy’s outcomes
The first element involves looking at the outcomes that are sought by the policy and the outcomes that are being met by the current collection. Identifying where there are outcome gaps in the collection highlights where the emphasis of activities needs to be over the rolling three year timeframe of the programme.

Element two - focusing activities
The second element of the approach is determining specifically where the focus of activities will be. This includes researching and forward planning to identify stand-alone and integrated public art opportunities, aligned with strategic priorities identified for public art.

This can include transformation areas such as Manukau and the City Rail Link. It also includes:
- determining the size and scale of projects and how, where and at what level the Arts and Culture unit will get involved
- identifying gaps in the public art collection, such as the geographical spread of pieces across the region, the different genres of public art (such as light art or sculpture) and artist demographics (as demonstrated in case study one on page 14).

Element three - Te Ao Māori
The third element of the approach is applying a Te Ao Māori lens to the programme. This can involve setting the priorities for public art by areas and projects at a programme level.
7.2 Regional public art investment

The regional public art budget is set and reviewed through the Long-term Plan process. Capital expenditure for public art projects across the 2017/18 public art capital work programme is around $2.3 million. Operational expenditure for maintenance and repairs of both indoor and outdoor art collections and assets is approximately $0.64 million per annum.

7.2.1 Investment in public art across the council family

Although it is currently difficult to quantify, investment in public art is larger than the financial resources of the regional public art programme (as demonstrated in case study three on page 27). Many public art opportunities take place within the capital work programmes and placemaking activities of CCOs and on land assets owned by CCOs or managed by CCOs on behalf of the council. For example, the Arts and Culture unit are managing the procurement of public art for Lower Queen Street (budget $1 million) and Wynyard Quarter (budget $1.6 million) on behalf of the City Rail Link Limited and Panuku respectively.

The City Rail Link has been identified as a significant opportunity to express the unique image of the city by way of integrated public art and design. Public art, both stand-alone and embedded in buildings and infrastructure, will contribute to defining Auckland’s image locally and internationally, and set the bar for future large-scale investment.

7.2.2 Improve data capture to measure progress towards 1 percent of capital expenditure for public art

The policy states that the level of capital public art funding will be based on a percentage of the council’s overall capital budget, working towards 1 per cent of capital expenditure, developed incrementally over the 10-year lifetime of the policy. Data is not currently available to measure how the council is tracking towards this.

To address this, a new measure on the percentage of eligible capital budget dedicated to public art has recently been created in the Long-term Plan. Work is currently being undertaken to determine the best method for capturing this information.
Case study one - the regional approach of the public art programme

Upon and Pond and Drop a Loop by Seung Yul Oh; 2017.
Located at Albany Stadium Pool

Inspired by blowing bubbles with bendy straws. ‘Upon a Pond’ (featured left) brings a sense of wonder and playfulness to the outside of the new Albany Stadium Pool facility. Clusters of bubbles stream from one end of each tube while fog puffs out the other end.

Upon a Pond is accompanied by ‘Drop a Loop’ (shown below) which is a series of eleven cloud shaped light boxes located at the entry of the pool building. Their illumination adjusts as natural light levels change and adds a colourful glow to an otherwise muted and angular building.

The pool facility was designed as a ‘fun in water and learn to swim’ pool – rather than a facility for competitive swim training. Delivering on this purpose, both Upon a Pond and Drop a Loop merge the fun, water and playfulness of a trip to the pool. Together, they showcase the different states of water that you find in a swimming pool and make art part of an everyday experience.

The project demonstrates how the regional approach of the council’s public art programme allowed for a geographical gap in the collection for the Upper Harbour area to be addressed in terms of recognised gaps in artwork media, practice and artist ethnicity.

Aligned with the policy’s outcomes; this project shows the potential to create highly distinctive and site-specific public art that contributes to transforming the appearance and experience of places making them more attractive and dynamic.
8 The council’s progress against the policy’s outcomes and measures

Key take-outs:
- The council’s public art collection data is used to determine how public art meets the policy’s outcomes and measures
- The regional public art programme is delivering public art that achieves against all outcome areas in the policy
- The council’s public art collection is made up of a broad range of types of public art across different localities in Auckland made by a range of local artists, artists across New Zealand and the world
- Data collection and the related measures could be improved to better determine whether the policy’s outcomes are being met.

All information related to the council’s public art collection is recorded and managed in the council’s Collection Management System. This includes information such as the geographical spread of public art pieces, when pieces were made and by whom, the type of art and maintenance and repair schedule. This information is used to assist in determining how the public art collection is meeting the policy’s outcomes and measures.

8.1 Progress against Outcome one in the policy

**Outcome one - unique and distinctive: public art that responds to our place**

<table>
<thead>
<tr>
<th>The policy's measures for outcome one</th>
<th>How this is measured</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number of site-specific commissions</td>
<td>The number, location and type of public art</td>
</tr>
<tr>
<td>The proportion of public art projects which give visibility and expression to:</td>
<td>The ethnicity, nationality and/or iwi that the artist identifies with</td>
</tr>
<tr>
<td>- mana whenua stories, history, Te Ao Māori and communities</td>
<td></td>
</tr>
<tr>
<td>- Auckland’s Pacific diversity and richness</td>
<td></td>
</tr>
<tr>
<td>- Auckland’s diverse ethnic communities and cultures</td>
<td></td>
</tr>
</tbody>
</table>

8.1.1 The number, location and type of public art works in the council’s collection

Site-specific commissioning allows for public art that responds to Auckland’s places, peoples and stories, and ensures our public art is unique, relevant and memorable. Site
specific commissions are measured by looking at the number, location and type of public art works in the council’s collection.

There are currently 346 works in the council’s public art collection.\(^1\) 64 of these public art works were created since the policy was implemented. A large proportion of public art in the collection is legacy public art that was developed before the policy was implemented.

Graph 1: Number and location of public art below demonstrates all of the council’s public artworks across each local board area made before and after the policy was implemented in 2013.\(^2\) Since 2013, public art works have been made across approximately 80 per cent of the local board areas. Prioritisation of public art is based on where areas have a high or low representation of public art. However, aligning with transformational opportunities and making site-specific commissioning work for the place is also a priority.

Graph 1: Number and location of public art

---

1. Some assets have not been classified as public art because they are legacy assets such as memorials and fountains, but they are being cared for within the collection due to the specialist knowledge of staff.

2. Some works do not have a local board assigned to them because they are in storage or otherwise, therefore they are not included in the graph.
The Waitāmatā Local Board has the highest number of public art works, which reflects its role as the city centre for the Auckland region. The higher proportion of public art in the Henderson-Massey Local Board reflects legacy public art investment made by the former Waitākere Ranges Local Board which placed a strong focus on public art.

The graph below shows the variety of types of public art that has been made since the policy was implemented in 2013. The high proportion of sculptures is to be expected as this is the most common form of permanent public art.

The diversity of public art types suggests that the policy is achieving the outcome of art that is unique and distinctive, and responds to place.

![Percentage share of public art types made since 2013](image_url)

**Graph 2: Percentage share of public art types**

**8.1.2 Ethnicity, nationality and/or iwi affiliation**

The ethnicity, nationality and/or iwi that an artist identifies with is an important indicator to determine the proportion of public art works that give visibility and expression to Auckland’s cultural richness.
Graph 3 below demonstrates the percentage share of artists that have been engaged in the council’s public art collection since the policy was implemented where they have identified their ethnicity and/or nationality. This shows that 34 per cent of public artworks made since the policy was implemented are by artists who identify as being from Māori descent or affiliation. This is a promising sign and suggests greater visibility of Te Ao Māori within the public art collection. The graph also shows that 12 per cent were developed by artists that identify as being Asian as well as 8 per cent being made by artists who identify as pacific peoples. Case study one on page 14 demonstrates how the regional approach to public art has allowed for a gap in the artists ethnicity to be addressed.

![Percentage share of public art works made since 2013 by ethnicity/nationality of artist](image)

Whether a specific public art work gives visibility and expression beyond the ethnicity, nationality and/or iwi that an artist identifies with is currently not being captured. Data

---

3 This list is not exclusive and provides a high level overview as an indication of the different ethnicities/nationalities involved in public art in Auckland. Where artists have identified their ethnicity and nationality, the ethnicity was recorded first as the majority of artists also listed their nationality as New Zealand. The ‘New Zealand’ statistics relates to artists where they have not identified any other ethnicity/nationality. Other nationalities may not have been disclosed.

4 More than one artist with different ethnicity/nationalities can be involved in a piece of public art therefore the quantities are greater than that of the public art collection.
collection could be extended to include if and how a piece of public art gives visibility and expression, beyond the artist’s ethnicity, nationality and/or iwi. This would enable a greater understanding of how public art is meeting the policy’s outcomes.

An example of giving visibility and expression to mana whenua stories, history, Te Ao Māori and communities is demonstrated in case study two on page 24. This case study also demonstrates how using the policy to inform processes for developing public art can achieve good outcomes for mana whenua and public art in Auckland.

Examples of public art in the council’s collection which meet Outcome one

![Figure 5 - A Māori Figure in a Kātiai Cloak, Molly Macallister, 1967](image)

![Figure 4 - TE HAERENGA “The Journey”, Ted Ngataki, Ngāti Tamaoho Trust, 2016](image)

![Figure 7 - From the Ground Up, Tiffany Singh, Wiremu Diamond, 2014](image)

![Figure 5 - Don’t Dream It’s Over, Janet Lilo, 2017](image)
8.2 Progress against Outcome two in the policy

*Outcome two - for all Aucklanders and visitors: public art that delights, welcomes challenges and inspires*

<table>
<thead>
<tr>
<th>The policy measures for Outcome two</th>
<th>How this is measured</th>
</tr>
</thead>
<tbody>
<tr>
<td>The percentage of Auckland residents satisfied:</td>
<td></td>
</tr>
<tr>
<td>• with the provision of public art</td>
<td></td>
</tr>
<tr>
<td>• that they have an active stake in the local public places that they live and work in through public art.</td>
<td>Data regarding Aucklanders satisfaction with public art is not currently being collected.</td>
</tr>
</tbody>
</table>

Redeveloping the measures so they better align with the policy’s outcomes would provide a greater understanding of how the policy’s outcomes are being met. This is further discussed in section 9.2.4 of this report and is one of the three key recommended improvements. However, as illustrated in the examples below, there is strong anecdotal evidence that this outcome is being met, even though better data is required for a more robust assessment.

**Examples of public art in the council’s collection which meet Outcome two**

![Wind Tree, 1972](image1)

*Figure 9 - Michio Ihara, Wind Tree, 1972*

![The Lighthouse, 2017](image2)

*Figure 9 - The Lighthouse, Michael Parekowhai, 2017*
8.3 Progress against Outcome three in the policy

*Outcome three - known for its artistic quality, variety, depth and innovation: public art that celebrates cultural richness and creativity and models international best practice*

<table>
<thead>
<tr>
<th>The policy measures for Outcome three</th>
<th>How this is measured</th>
</tr>
</thead>
<tbody>
<tr>
<td>The number and variety of local artists and artists from throughout New Zealand and from overseas engaged in council’s public art</td>
<td>The ethnicity, nationality and/or iwi that the artist identifies with</td>
</tr>
<tr>
<td>The number of public works of art and variety of types of art commissioned.</td>
<td>The number, location and type of public art.</td>
</tr>
</tbody>
</table>

The measures for this outcome are the same as Outcome one, and have been discussed in section 8.1.

**Examples of public art in the council’s collection which meet Outcome three**

![Figure 10 - Lisa Reihana, Justice, 2017](image1)

![Figure 11 - Lindsay Mackie of Archimedia and artists Bernard Nakoare, Martin Leung - Wei and Petelo Esekeliu, Te Oro, 2010](image2)
8.4 Progress against Outcome four in the policy

Outcome four - making a difference: public art that transforms Auckland's public places

<table>
<thead>
<tr>
<th>The policy measures for outcome four</th>
<th>How this is measured</th>
</tr>
</thead>
<tbody>
<tr>
<td>The percentage of Auckland residents satisfied that public art has had a positive and transforming impact in place-making in Auckland.</td>
<td>Data regarding Aucklanders satisfaction with public art is not currently being collected. This is further discussed in section 9.2.4 of this report and is one of the three key recommended improvements.</td>
</tr>
</tbody>
</table>

As illustrated in the examples below, there is strong anecdotal evidence that this outcome is being met, even though better data is required for a more robust assessment.

Examples of public art in the council's collection which meet Outcome four

Figure 12 - Lennie Hutchinson, Night / I Love You, 2015

Figure 13 - Katz Maahi, Te Ara I Whiti - The Lightpath, 2015
8.4.1 Exploring opportunities for extending public art data collection

Exploring new opportunities for collecting public art evaluation and monitoring data were suggested during the progress review. This included:

- finding ways to cost the benefit of public art, for example by talking to organisations regarding the value that incorporated public art has added to their business
- partnering with a university to do a study on capturing data on the benefits of public art
- capturing data via new means including social media, Google analytics and pop-up surveys
- measuring the percentage of funding that is contributed to public art from outside the council family.
Case study two: giving visibility and expression to mana whenua

*Te Huinga* by Chris Bailey; 2017

Located at Fearon Park, Mt Roskill

The public art piece *Te Huinga* is a series of five stone sculptural elements that reference the pre-colonial stone working traditions of mana whenua in the local area. The dynamic piece, featuring a number of different types of stone, honours the way Māori once utilised local materials such as karā (basalt stone) from the nearby maunga. These are set in an artist designed landscape feature also made from stone with native plantings.

Auckland Council worked with local iwi Ngāti Whātau, Orākei; Ngāi tāi Ki Tamaki; Te Akitai Watohua and Te Kawerau a Maki to ensure the piece contributed to the visibility and celebration of their stories and histories. The Hui involved the council and iwi representatives developing:

- a site visit
- the artists brief
- the artist selection process
- a list of artist names, reviewing expression of interest submissions and confirming artist selection
- co-briefing the artist with council
- reviewing the concept design.

*Te Huinga* demonstrates a unique and distinctive piece of public art which aligns with the outcomes of the policy. It responds to place and distinctively celebrates, expresses and gives mana to mana whenua stories, history, mātauranga Māori (traditional Māori knowledge, wisdom and understanding) and communities.
9 Insights from interviews with key operational staff

Key take-outs:
- Staff value having a policy for public art to inform and guide their work
- The council is making good progress in line with the policy’s outcomes
- Council staff are working to build strong relationships for public art in Auckland
- The policy needs to be streamlined and easier to understand
- Awareness, understanding and implementation of the policy could be improved
- The policy’s evaluation and monitoring measures could better align with the policy outcomes

9.1 What is working well?

9.1.1 The policy and its impact is valued

"It is a strength that we have a Public Art Policy"

All interviewed staff highlighted the value of public art in Auckland and the importance of having a policy to guide public art activity.

The policy supports excellence and alignment in public art activity and is facilitating public art action which is having a significant impact on public places and spaces in Auckland.

"We are proud to have a Public Art Policy"

9.1.2 The council is making good progress in line with the policy’s outcomes

The council has a dedicated team focused on delivering public art projects for Auckland. The Arts and Culture unit have embedded the policy into their practices and are working to achieve high quality public art projects that are responsive to the policy’s outcomes.

Analysis of the council’s public art asset management data highlighted a range of work, completed or in progress that are aligned with the policy. All public art pieces that have been created by the Arts and Culture unit since the policy has been implemented meet one or more of the policy’s outcomes.

The Arts and Culture unit are working across the council family to identify and leverage opportunities for public art within other capital works projects. The possibility to have a greater impact in public places and spaces is growing as the council’s public art programme aligns with these transformational opportunities, with Auckland’s public art works being visible on an international stage.

The pictures below provide some examples of public art in the council’s collection that meet one or more of the policy’s outcomes.

24
9.1.3 The council is building stronger relationships to improve public art outcomes for Auckland

The Arts and Culture unit work in partnership to deliver the regional public art programme with:
- Mana whenua
- Panuku development
- Auckland Transport
- private developers and philanthropic trusts.

This is further demonstrated in case study three on page 27.

9.1.3.1 Iwi, Māori creative practitioners and other Māori groups

The Arts and Culture unit is committed to working with iwi, Māori creative practitioners and other Māori groups. Processes are being developed to clarify roles and responsibilities, interdependencies and milestones and to define the roles of governance, operations and delivery.

9.1.3.2 CCOs

Many public art opportunities take place within the capital work programmes and placemaking activities of CCOs and on land assets owned by CCOs or managed by CCOs on behalf of the council. The Arts and Culture unit actively leverages and builds on these opportunities by:
- researching and forward planning to identify stand-alone and integrated public art opportunities aligned with strategic priorities for public art
- identifying opportunities and developing plans for permanent public art in conjunction with the Panuku transform and unlock projects, and also with Development Programme Office city and town centre upgrades
- providing an advisory and support function to CCOs and external partners regarding permanent public art projects.

The Arts and Culture unit is working to formalise relationships to improve outcomes for public art. For example, the council is working with Auckland Transport to develop a Memorandum of Understanding to set the framework for working collaboratively. This includes setting the process for art and maintenance with agreed levels of aesthetic standards for maintenance.
Case study three - leveraging opportunities for public art

The Lighthouse by Michael Parekowhai; 2017.

Located at Queens Wharf

The Lighthouse is just that – a house filled with light. Its exterior takes the form of a 1:1 scale traditional 1950s New Zealand home, based on a house on the Eden-Roskill border.

The highly reflective interior finish features clusters of neon lights that represent Māori star constellations which illuminate towards the ceiling. The coloured light implies the notion of ahi kā; that home fires are burning and the house is warm with people. Its interior also features a sculpture of Captain Cook, titled The English Channel. This version of Captain Cook is pensive. He faces toward the fire as if he’s warming his feet, but his gaze and mind are elsewhere.

The Lighthouse can be viewed on Queens Wharf or on the Waiheke or Devonport ferries. The artwork is part of the council’s public art collection and is the largest gift of public art that Auckland has ever received. The piece was donated to Auckland by Berfoot & Thompson and anonymous donors.

This unique and distinctive piece which challenges and inspires, demonstrates how opportunities for public art are greater than the financial resources of the council’s regional public art programme. Also, how leveraging opportunities for public art can have transformational effects.

The project shows how the regional approach of the council’s public art programme allowed for a gap in the collection of a major large scale contemporary piece, which aligns with international best practice, to be addressed.
9.2 What could be improved?

9.2.1 There is a need to streamline the policy and make it easier to understand

Across all of the interviews that were conducted, staff stated that the policy could be clearer and more succinct. Interviewees said that the complexity of some of the language and definitions in the policy makes the policy difficult to understand and limits the likelihood that groups identify as having a role in applying the policy. Specifically, it was identified that there could be greater clarity around the following:

- public art definitions
- governance and processes for public art.

9.2.1.1 Public art definitions

Staff stated that the broad and inclusive definition of public art in the policy caused confusion.

“The definition in the policy is not clear on what public art is. The definition needs to be simplified”

“The current wording defines public art as almost everything. This makes driving through the aim of the policy impossible”

The differentiation between the council’s permanent public art collection and what is placemaking also caused confusion. Some staff view temporary public art works and placemaking activities as aligning more with the broad objectives in the Toi Whiritiki Arts and Culture Strategic Action Plan. Others suggested temporary public art space needs to be more enabling and experimental and therefore does not necessarily need to be subject to the outcomes and expectations of the policy.

“The policy doesn’t deal with what the council’s role is in regards to temporary public art”

“Making art in the temporary space should be more enabling… can take more risks”
Interviewees also mentioned that clarity could be provided regarding best practice outcomes for mana whenua and the difference between how culture is expressed and public art.

Whether a piece is temporary or permanent, interviews highlighted the importance of taking into account the lifetime, longevity and durability of a piece as well as transparency and consistency of procurement processes from a customer perspective. Staff also suggested there was a need to describe the value of public art and how it can add to the amenity of public space.

9.2.1.2 Governance and processes for public art

Staff stated that governance and decision making for public art across the council and its CCOs could be clearer in the policy. Even though there is a dedicated section on the roles and responsibilities for public art in the policy, interviewees said that accountabilities were confusing and difficult to determine.

Different points are articulated at different stages throughout the policy which causes confusion and uncertainty. Public art processes and how and when to use the policy could also be better articulated. This included the council’s commitment to and how it should engage and work with mana whenua.

The policy states that there are local public art programmes with budget. However, in practice public art projects are typically developed and approved as part of the regional programme of work. Local boards have discretionary funding and can apply it to public art projects however this happens rarely.

Interviewees said the differentiation between the council’s regional public art programme, local public art and community public art could be clearer in the policy. Particularly around determining when a piece is deemed to be regionally significant compared to having local significance and the scope of opportunity for public art at the local board level.
9.2.2 Awareness and understanding of the policy could be increased

Familiarity with the policy varied significantly across the staff that were interviewed. While some areas, such as the Arts and Culture unit, have a strong understanding of the policy and use it every day to inform their public art activities; some groups had never seen or read the policy. This is leading to the development of public art being created that is not informed by or aligned with the policy. This is discussed further in the following section.

“The policy is not being implemented widely across council and it is not understood”

“The policy wasn’t socialised so no one knows about it”

There are some areas across the council and its CCCs that rely on the Arts and Culture unit to assist in the development of public art. However, some areas could have a better awareness and understanding of the role and responsibilities of the council’s Arts and Culture unit and their remit in the public art space. These groups were often confused or misinformed on what the regional public art budget can be used for. This is discussed further in the following section.

The Advisory Panel for Art in Public Places, Auckland (APAPPA) provides expert advice and recommendations in line with the policy. Improving staff awareness of APAPPA will help to ensure this resource is better used and help to achieve better outcomes.

“I often refer people to the policy but there is still a lack of understanding of the policy outcomes that a piece needs to contribute to and the priorities and resources for the regional public art programme”

9.2.3 Alignment to policy outcomes and processes could be improved in some areas

Interviews identified that some groups are creating public art without using the policy or aligning with its outcomes. These groups generally could have better awareness and understanding of the policy and often didn’t identify themselves as being required to use or align their work with the policy. It was also difficult to determine whether the way they are
developing public art aligned with the guiding principles in the policy to achieve best practice outcomes for public art. The principles include:

- working with others
- valuing Te Ao Māori
- investing in the right expertise and capability
- delivering best practice in all areas of public art activity.

Often this public art is not planned for at the forefront of a broader project and is ‘tacked on’ at the end. This results in artworks that are:

- problematic in scale and integration because adequate spacing and planning has not occurred at the outset
- not aligned with the policy
- not achieving quality outcomes for public art in Auckland.

Some of the public art that is being created outside of the policy is also not being documented or maintained. This makes it difficult to determine the scale of the issue and whether these works are meeting a policy outcome. Public art that is not being registered and maintained may also lead to the public perception that these pieces are deteriorating as a result of the council’s lack of maintenance.

In some instances, where artworks are made outside of the policy by other areas, the Arts and Culture unit are subsequently requested to incorporate items into the council’s collection so they can be managed, whether or not they align with the policy. The Arts and Culture unit have a limited budget for an ongoing programme of renewals, maintenance and repairs. Accessioning items into the council’s collection that are unplanned for and do not meet a policy outcome places additional burden on a stretched budget and limits funding for caring for other public art assets in Auckland.

“Unless Auckland Council has agreed to take ownership of the piece... or it is incorporated as part of the structure... or there is an agreement set up with an artist, a piece is not specifically maintained”

“If there was buy-in from the top, it would filter down to the project managers”
9.2.4 The policy requires clear measures that align with the outcomes

Generally, staff stated that the measures in the policy could be better aligned with the outcomes that the policy is trying to achieve. The measures also rely on the capture of quantity of public art projects rather than the quality in achieving the outcomes of the policy.

As previously mentioned in section 8.1, data relating to Aucklanders satisfaction with public art is not being collected. Interviews highlighted that it is a goal of one of the policy’s outcomes for public art to be challenging. Given this, the capture of data relating to satisfaction may not be the best measure of policy outcomes and may not provide a good understanding of how public art is making a difference to Auckland.

Staff mentioned that the measures are worded so they are about the whole collection, which does not allow for measurement of best practice processes or quality outcomes of a single piece. The lack of expressed targets for the measures also causes difficulty in determining whether or not they are being met.

Some staff also suggested that the outcomes in the policy could benefit from criteria or a weighting to show how public art is prioritised in a region.

“There is flatness in the outcomes with no hierarchy of what is more important than the other. It should already be assumed that artistic quality would happen”
10 Recommended improvements

The following three improvements have been identified to address the key issues identified in this report.

If we streamline the policy and make it easier to understand

By doing this:
- clarify language in the policy to ensure it is clear and concise
- incorporate process maps to better demonstrate roles and responsibilities
- refine the definition of public art to better demonstrate what public art is in the context of developing permanent public art
- incorporate a glossary into the policy.

This will achieve:
- the policy being more accessible, easy to read and more likely to be utilised
- a greater likelihood that groups will identify as having a role in applying the policy as part of their work
- the complexity of considerations that need to be taken into account when developing public art being better demonstrated.

If we socialise the policy and strengthen relationships

By doing this:
- roadshow to socialise the streamlined policy
- raise visibility of the policy across the organisation through regular communications and sharing examples of best practice
- build and strengthen relationships across the council, with CCOs and external stakeholders to increase awareness and buy-in to the policy.

This will achieve:
- groups will have better knowledge, awareness and understanding of the policy to implement best practice processes to achieve positive outcomes for public art
- greater buy-in to the policy
- behaviour change in practice and processes for developing public art
- better awareness of the activities and resources of the council’s regional public art programme.
If we improve evaluation of the policy

By doing this:
- redevelop the evaluation and monitoring measures to better align with the policy’s outcomes
- investigate new options for collecting evaluation and monitoring data.

This will achieve:
- better information on how the policy is being implemented
- a greater understanding of how the policy’s outcomes and measures are being met
- better demonstration of the value of public art and the impact that it is having in Auckland.

11 Next steps

The recommended improvements relate mainly to implementation, with only minor changes to the policy to streamline it and make it easier to understand and apply. Staff from Community Policy and the Arts and Culture unit will work with internal and external stakeholders including Māori, local boards and CCOs to implement these improvements within existing resources.
12 Summary

Since the policy was adopted in 2013, the council has made good progress against delivering public art projects that are aligned with the policy. The policy has been embedded into the practices of the council’s Arts and Culture unit. All public art that has been made as part of the council’s regional public art programme since the policy was implemented meets one or more of the policy’s outcomes.

The Arts and Culture unit take a strategic, long-term approach to the creation of permanent public art assets in Auckland. The regional programme perspective allows for activities to be focused on developing public art projects that have significant impact on the public realm in Auckland. It also facilitates a broader scale of opportunity by allowing for integrating public art opportunities into larger projects across the council family. This is helping to deliver a balanced programme of work across the Auckland region that achieves against all outcome areas in the policy.

Generally key operational staff across the council and its CCOs value and recognise the importance of having a policy for public art to inform and guide their work. However, familiarity with and usage of the policy varied significantly across the council family. It was also identified that the complexity of the language and definitions makes the policy difficult for some groups to understand and to identify as having a role in applying the policy. Evaluation of the policy could also be improved.

Some groups have been developing public art without using or aligning their practices with the policy. Some of this public art is also not being documented or maintained.

The Arts and Culture unit is working to build stronger working relationships across the council and its CCOs to improve public art outcomes for Auckland, however engagement is limited by the policy in its current form.

No significant changes to the policy outcomes or intent are proposed. However there is an opportunity streamline the policy and make it easier to understand, to increase awareness of the policy, to better align the policy’s outcomes and processes and to improve evaluation of the policy. This will support engagement and communication efforts and allow for better public art outcomes for Auckland.
Open Space acquisition in the 2017/18 financial year

File No.: CP2018/13519

Te take mō te pūrongo / Purpose of the report

1. To provide a summary of all open space acquisitions in the 2017/18 financial year.

Whakarāpopototanga matua / Executive summary

2. The open space acquisition budget for the 2017/18 financial period was $52.2 million. A total of $43.7 million was been spent, representing 84% of the overall budget.

3. A total of $29.7 million was spent on 13 new parks and open space, covering a land area of approximately 9.5 hectares. A further $14 million was spent on completing the acquisition of sports fields at Hobsonville ($13.3 million) and a further instalment for the acquisition of land at Monte Cecilia Park ($782,800).

4. Six new parks and open space covering a total land area of approximately 180.9 hectares were acquired at no capital cost. This included the acquisition of 180 hectares of land at Te Arai South. Annual unbudgeted maintenance costs of these parks are estimated to be $253,000 per annum; including $240,000 for the Te Arai South.

5. One acquisition was approved under delegated authority for $10,000 covering a land area of approximately 347m².

6. Staff recommend the development of a series of communication initiatives to highlight the new parks and open spaces acquired. These communication initiatives may help dispel the reputational risk that council is disposing of open space land.

Ngā tūtohunga / Recommendation/s

That the Environment and Community Committee:

a) approve the development of a series of communication initiatives to highlight the new parks and open spaces acquired in the 2017/18 financial year for Aucklanders’ use and enjoyment.

Horopaki / Context

Background

7. The open space acquisition budget for the 2017/18 financial period was $52.2 million.

8. A total of $29.6 million was spent on 13 new parks and open space, covering a land area of approximately 9.5 hectares.

9. A final payment of $13.3 million was made to settle the acquisition of sports fields at Hobsonville. An instalment of $782,000 was made towards the acquisition of Liston Village, which will be incorporated into Monte Cecilia Park once the acquisition is completed.

10. Table one below presents a summary of these new parks and open space.
11. Table 1: Open space acquisitions settled in 2017/18

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Suburb</th>
<th>Property location</th>
<th>Type of open space</th>
<th>Size (m²)</th>
<th>Capital Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Franklin</td>
<td>Beachland</td>
<td>110 Jack Lachlan</td>
<td>Neighbourhood Park</td>
<td>3000</td>
<td>430,000</td>
</tr>
<tr>
<td>Henderson-Massey</td>
<td>Whenuapai</td>
<td>40 Trig Road</td>
<td>Suburb Park (part of)</td>
<td>2555</td>
<td>1,860,000</td>
</tr>
<tr>
<td>Hibiscus &amp; Bays</td>
<td>Red Beach</td>
<td>Red Beach Road (Peninsula Golf Course)</td>
<td>Neighbourhood Park</td>
<td>8099</td>
<td>3,910,000</td>
</tr>
<tr>
<td>Hibiscus &amp; Bays</td>
<td>Silverdale</td>
<td>Bonair Crescent (Millwater Parkway)</td>
<td>Suburb Park</td>
<td>30,375</td>
<td>3,300,000</td>
</tr>
<tr>
<td>Hibiscus &amp; Bays</td>
<td>Silverdale</td>
<td>Milwater, Arran Point (Precinct 7)</td>
<td>Neighbourhood Park</td>
<td>3000</td>
<td>3,100,000</td>
</tr>
<tr>
<td>Hibiscus &amp; Bays</td>
<td>Orewa</td>
<td>West Hoe Heights &amp; Sunny Heights Road</td>
<td>Neighbourhood Park</td>
<td>7015</td>
<td>2,450,000</td>
</tr>
<tr>
<td>Howick</td>
<td>Flat Bush</td>
<td>171 Murphys Road (part of)</td>
<td>Sports Park</td>
<td>8255</td>
<td>6,500,000</td>
</tr>
<tr>
<td>Māngere-Ōtāhuhu</td>
<td>Mangere</td>
<td>545 Oruarangi Road</td>
<td>Neighbourhood Park</td>
<td>3000</td>
<td>1,590,000</td>
</tr>
<tr>
<td>Orakei</td>
<td>Orakei</td>
<td>5 Ngapipi Road</td>
<td>addition to Ngapipi Cliff Reserve</td>
<td>2327</td>
<td>1,875,000</td>
</tr>
<tr>
<td>Papakura</td>
<td>Hingaia</td>
<td>16 Derbyshire Lane</td>
<td>Neighbourhood Park</td>
<td>3020</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Papakura</td>
<td>Takanini</td>
<td>31 Airfield Road</td>
<td>Neighbourhood Park</td>
<td>2000</td>
<td>925,000</td>
</tr>
<tr>
<td>Puketapapa</td>
<td>Hillsborough</td>
<td>72 Hillsborough Road¹</td>
<td>part of Monte Cecilia Park</td>
<td>-</td>
<td>782,863</td>
</tr>
<tr>
<td>Rodney</td>
<td>Huapai</td>
<td>105 Oraha Road</td>
<td>Neighbourhood Park</td>
<td>4564</td>
<td>1,900,000</td>
</tr>
<tr>
<td>Upper Harbour</td>
<td>Hobsonville</td>
<td>129 Clark Road²</td>
<td>Sports Park</td>
<td>-</td>
<td>13,300,000</td>
</tr>
<tr>
<td>Waitakere Ranges</td>
<td>Piha</td>
<td>42 Seaview Road</td>
<td>addition to Waitakere Ranges Regional Park</td>
<td>18,767</td>
<td>340,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>95,977</strong></td>
<td><strong>43,762,863</strong></td>
</tr>
</tbody>
</table>

¹ Part of installment payments for land acquisition Monte Cecilia Park.
² Settlement payment made to complete the purchase of sports fields at Hobsonville.

12. Local boards have decision-making responsibility for the development of new parks and open space. This includes responsibility for maintenance.

13. Development and maintenance costs for new parks and open spaces were provided for in the Long-term Plan 2015-2025 as a percentage of the acquisition cost.

**Use of delegated authority**

14. One acquisition was approved by staff under delegated authority. This was for the acquisition of approximately 347m² of land from Watercare at a cost of $10,000 to improve the visibility and access into Church Street Reserve in Onehunga.

**Open space acquired at no capital cost**

15. Council acquired six new parks and open space, covering a total land area of approximately 180.9 hectares at no capital cost. The majority of the land acquired at no capital cost was at Te Arai South (180 hectares). Table 2 presents a summary of these acquisitions by local board area.
16. No development and maintenance costs are allocated for land acquired at no capital cost. These costs need to be met within existing budgets.

17. These ongoing costs need to be balanced against the acquisition of six new parks at no capital cost.

18. The Finance and Performance Committee [FIN/2017/1500 refers] allocated funding to meet the development and maintenance costs for Te Arai.

19. The costs of the five other parks can be met within existing baselines.

Table 2: Open space vested in the council at no capital cost in 2017/18

<table>
<thead>
<tr>
<th>Local Board</th>
<th>Suburb</th>
<th>Location</th>
<th>Type of open space</th>
<th>Size (m²)</th>
<th>Capital cost ($)</th>
<th>Operational cost ($) per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Māngere-Ōtāhuhu</td>
<td>Mangere</td>
<td>545 Oruarangi Road</td>
<td>Neighbourhood Park</td>
<td>3000</td>
<td>0</td>
<td>10,000</td>
</tr>
<tr>
<td>Papakura</td>
<td>Manukau</td>
<td>1V Great South Road</td>
<td>Four Pocket Parks¹</td>
<td>5879</td>
<td>0</td>
<td>3,500</td>
</tr>
<tr>
<td>Rodney</td>
<td>Te Arai</td>
<td>Te Arai South</td>
<td>addition to Te Arai Regional Park</td>
<td>1,800,000</td>
<td>0</td>
<td>240,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>1,808,879</td>
<td>253,500</td>
<td></td>
</tr>
</tbody>
</table>

¹Four pocket parks totalling 5879m² (1260m², 1775m², 1850m², 1000m²).

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe / Local impacts and local board views
20. This is a process report for reporting purposes only.

Tauākī whakaaweawe Māori / Māori impact statement
21. This is a process report for reporting purposes only.

Ngā ritenga ā-pūtea / Financial implications
22. There was a budget variance of approximately 16 per cent for the 2017/18 financial year. Council will carry forward the balance of $8.5 million to the 2018/19 financial year.

Ngā raru tūpono / Risks
23. There is a low financial risk arising from the unbudgeted $13,500 annual maintenance costs for five parks acquired at no capital cost. This is mitigated by additional funding allocated in the Long-term Plan 2018-2028 for consequential operating costs.

24. This report may help dispel the reputational risk that council is disposing of open space land.

Ngā koringa ā-muri / Next steps
25. Staff recommend the development of a series of communication initiatives to highlight the new parks and open spaces acquired in the 2017/18 financial year for Aucklanders' use and enjoyment. Existing channels such as Our Auckland and the council website will be used.

Ngā tāpirihanga / Attachments
There are no attachments for this report.

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Roma Leota - Policy Analyst</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Paul Marriott-Lloyd - Senior Policy Manager Kataraina Maki – General Manager - Community &amp; Social Policy Dean Kimpton - Chief Operating Officer</td>
</tr>
</tbody>
</table>
Appointment to TSB Bank James Wallace Arts Centre Joint Liaison Body

File No.: CP2018/12368

Te take mō te pūrongo / Purpose of the report

1. To appoint a representative onto the TSB Bank James Wallace Arts Centre Joint Liaison Body.

Whakarāpopototanga matua / Executive summary

2. Auckland Council is the owner of the Pah Homestead on Monte Cecilia Park. The James Wallace Arts Trust holds the largest private collection of modern art in New Zealand. The art collection is located in the homestead and is on public display.

3. The relationship between the trust and the council is based on a relationship agreement. A component of this agreement is a Joint Liaison Body which facilitates decision-making by the council and the trust.

4. The Joint Liaison Body is designed to support the partnership between the James Wallace Arts Trust and Auckland Council. It aims to meet quarterly to monitor the relationship opportunities and issues related to the operations of the TSB Bank James Wallace Arts Centre.

5. The council and the trust each appoint three members to the Joint Liaison Body. The relationship agreement set the initial council appointees to be a councillor, a Puketāpapa Local Board member and the Manager Community Development Arts and Culture (or nominee).

6. The former Arts, Culture and Events Committee appointed Councillor Clow to the Joint Liaison Body on 25 November 2015 after a vacancy occurred. The Environment and Community Committee confirmed the appointment of Councillor Clow at its meeting in February 2017.

7. Councillor Clow has resigned from the position by letter dated 26 June 2018. The committee is invited to appoint a member to the vacancy.

Ngā tūtohunga / Recommendation/s

That the Environment and Community Committee:

a) appoint a member to the TSB Bank James Wallace Arts Centre Joint Liaison Body.

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

8. The Puketāpapa Local Board is represented in the membership of the Joint Liaison Body.

Tauākī whakaaweawe Māori / Māori impact statement

9. This is an internal appointment procedure under the relationship agreement between the council and the James Wallace Arts Trust (see Attachment A). The relationship agreement notes a shared vision of valuing and fostering cultural diversity in line with the Auckland Plan. Council appointees to the Joint Liaison Body should ensure that the Arts Centre promotes Auckland Plan priorities that are meaningful to Māori.
Ngā ritenga ā-pūtea / Financial implications
10. There are no financial implications associated with this appointment as there is no remuneration associated with the position.

Ngā raru tūpono / Risks
11. There are no identified risks associated with the appointment.

Ngā koringa ā-muri / Next steps
12. Following the appointment, the trust will be notified.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Relationship agreement with the James Wallace Arts Trust</td>
<td>67</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Warwick McNaughton - Principal Advisor - Democracy Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Marguerite Delbet - General Manager Democracy Services</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
<tr>
<td></td>
<td>Dean Kimpton - Chief Operating Officer</td>
</tr>
</tbody>
</table>
RELATIONSHIP AGREEMENT

between

AUCKLAND COUNCIL

and

THE JAMES WALLACE ARTS TRUST

September 2014
Relationship Agreement dated the [insert date] 29/9/14.

Between Auckland Council ("Council")

and The James Wallace Arts Trust, a trust registered under the Charitable Trusts Act 1957 ("Trust")

BACKGROUND

A. The Council is the owner of the Pah Homestead (Homestead), an iconic Auckland heritage homestead located within Monte Cecilia Park (Park). The Council wished to see the Homestead and the Park become a citywide destination of international quality and adopted an arts theme in connection with the development of the Homestead and the Park.

B. The Trust owns the country's largest private collection of contemporary New Zealand art (Collection) and, in pursuit of its charitable objectives sought a suitable location to be the primary base to display the Collection and provide other related activities.

C. The parties agreed pursuant to a Memorandum of Understanding (MOU) that the Homestead is an ideal location for the Collection. Under the MOU the Council refurbished the Homestead to turn it into a gallery arts centre where the Collection could be on public display and to provide other arts centre related activities for the benefit of the public.

D. To financially assist the transformation of the Homestead into an arts centre, Council agreed a sponsorship arrangement with TSB Bank Limited (TSB) relating to TSB's association with the Homestead, the Collection and the arts centre including naming the Homestead the TSB Bank Wallace Arts Centre (Arts Centre).

E. The parties entered into an agreement to lease of the Homestead (Agreement to Lease), together with a relationship agreement (Relationship Agreement) with respect to the management of the arts centre at the Homestead, in order to give full and complete effect to the parties’ intentions in the MOU.

F. To facilitate the establishment of the Arts Centre and in consideration for the ongoing operation of it by the Trust in accordance with the requirements herein, the Council undertook restoration and refurbishment works for the Homestead (costing approximately $8 million) as well as making improvements to the Park over time. In addition, the Trust is charged only a peppercorn rental for its use of the Homestead pursuant to the Agreement to Lease, which the parties acknowledge represents a significant rent subsidy from Council to the Trust.

G. The parties have agreed to review and update the Relationship Agreement dated 24 May 2010.

H. This Relationship Agreement now sets out the agreed framework for the relationship between the Council and the Trust in respect of the operation of the arts centre to ensure that the public will continue to be delivered a consistently high quality experience over time. Key attributes that have been provided and are to be provided in the future by the Trust include:
(i) A changing programme of professionally curated Collection displays and touring exhibitions;

(ii) A high quality of presentation, including installation and display, lighting and furnishing;

(iii) Skilled and knowledgeable staff capable of delivering a quality public art gallery experience including the capacity to manage and deliver public and education programmes and facilitate touring exhibitions;

(iv) A marketing and promotion strategy that ensures public awareness of the gallery;

(v) A high quality of associated support materials, e.g. catalogues, pamphlets;

(vi) The maintenance of appropriate standards of Collection care and conservation; and

(vii) Re-investment in fit-out for display, collection management and administration facilities at a level reasonably acceptable to the Trust to ensure the experience meets the changing demands of the public, subject to the terms of the Lease.

THE PARTIES AGREE

1. INTERPRETATION:

   In this Relationship Agreement unless the context indicates otherwise:

1.1 Definitions:

   “Agreement to Lease” means the agreement to lease between the Trust and the Council as described in Background E.

   “Arts Centre” means the TSB Bank Wallace Arts Centre as described in Background D.

   “Audit” has the meaning given to it in clause 7.1.

   “Collection” means the Trust’s art collection as it exists from time to time (present and future).

   “Commencement Date” means the date this Agreement is signed “Confidential Information” means all of each party’s confidential information identified as such that comes into the other party’s possession or knowledge, and includes without limitation all information relating to business secrets, commercial information, processes, methods and other confidential information produced or obtained in connection with or related to the Services. For the avoidance of doubt, the Relationship Agreement, the Agreement to Lease and the resulting Lease, and the Agreement and Licence for Catering Functions and Café Operations at the Homestead and any variations of those agreements are not Confidential Information.

   “Force Majeure Event” means any unforeseen event or circumstance beyond the reasonable control of the party affected by the event, including (without limitation) any:

   (e) Earthquake, volcanic event, storm, landslide, fire, flood, and acts of God;
(b) Strike, lockout or other industrial disturbance by or amongst employees of a person other than the affected party;
(c) Act of public enemy, or declared or undeclared war or threat of war;
(d) Terrorist act, blockade, revolution, riot, insurrection, civil commotion or public demonstration (other than one caused by the affected party); or
(e) Governmental restraint, legislation or regulation.

“Homestead” means Papakura Homestead as described in Background A (and more specifically defined in the Agreement to Lease and the Lease), and within which the Arts Centre is located.

“JLB” means the joint liaison body referred to in clause 4.4 and Schedule 6.

“Lease” means the deed of lease to be signed by the parties pursuant to the Agreement to Lease.

“Key Attributes” means those key attributes for the operation of the Arts Centre, as set out in Schedule 1.

“Key Service Levels” means those key service levels, targets and operational requirements to be provided by the Trust, which the parties agree are key measures of the success of the Arts Centre, as set out in Schedule 2.

“Park” means Monte Cecilia Park, Hillsborough, Auckland, as described in Background A, within which the Homestead is located.

“Performance Review” has the meaning given to it in clause 7.2.

“Principal Sponsor” means the naming rights sponsor of the Arts Centre from time to time, as determined by Council. The first Principal Sponsor is TSB.

“Relationship Agreement” (also referred to as “this Agreement”) means this agreement together with the schedules attached to this agreement.

“Term” means the term of this agreement as set out in clause 3.

“TSB” and “TSB Bank” means TSB Bank Limited, the first Principal Sponsor of the Arts Centre.

“Working Day” means any day when banks are open for business in Auckland, and is deemed to commence at 9.00 am and end at 5.00 pm.

1.2 Defined Expressions: expressions defined in the main body of this Agreement have the defined meaning in the whole of this Agreement including the background;

1.3 Gender: words importing one gender will include the other genders;

1.4 Headings: section, clause and other headings are for ease of reference only and will not affect this Agreement’s interpretation;
1.5 **Negative Obligations:** any obligation not to do anything will include an obligation not to suffer, permit or cause that thing to be done;

1.6 **Parties:** references to parties are references to parties to this Agreement and include their respective successors and permitted assigns;

1.7 **Persons:** references to persons will include references to individuals, companies, corporations, partnerships, firms, joint ventures, associations, trusts, organisations, governmental or other regulatory bodies or authorities or other entities in each case whether or not having separate legal personality;

1.8 **Plural and Singular:** words importing the singular number will include the plural and vice versa;

1.9 **Schedules:** the schedules to this Agreement and the provisions and conditions contained in these schedules will have the same effect as if set out in the body of this Agreement;

1.10 **Sections, Clauses and Schedules:** references to sections, clauses and schedules are references to this Agreement’s sections, clauses and schedules;

1.11 **Statutes and Regulations:** references to any statutory provision will include any statutory provision which amends or replaces it, and any subordinate legislation made under it;

1.12 **Conflict with other agreements:** In the event of any ambiguity, conflict or inconsistency between the terms of the Relationship Agreement, the Agreement to Lease and the resulting Lease, and including any variations and further agreements with respect to the same, unless there is a relevant provision to the contrary, the various agreements between the parties shall prevail in the following order:

   (i) Agreement to Lease;

   (ii) Lease;

   (iii) Relationship Agreement.

2. **CONDITION PRECEDENT**

2.1 [Clauses intentionally deleted]

3. **TERM**

3.1 **Term:** The Term of this Relationship Agreement will be the same as the term of the Agreement to Lease and/or the resulting Lease. Should the parties extend the term of the Agreement to Lease or the Lease, the Term of this Agreement will be automatically be deemed extended contemporaneously for the same term.

4. **RELATIONSHIP**

4.1 **Shared Goal and shared vision:** The parties have a shared goal and shared vision for the Arts Centre, as follows:
4.1.1 **Shared goal:** to maintain the establishment and operation of the Arts Centre run by the Trust at the Homestead, which delivers a consistently high quality arts experience to the public, for the benefit of present and future generations; and

4.1.2 **Shared vision:** in alignment with the Auckland Plan for Auckland's Arts & Culture, the parties shared vision for the Arts Centre is that it will "thrive, unite, delight, challenge and entertain, and also drive wealth and prosperity for individuals and for Auckland." The operation of the Arts Centre should help to deliver on the strategic direction and priorities of the Auckland Plan for Auckland's Arts & Culture, to:

4.1.2.1 integrate arts and culture into Aucklander's everyday lives (Strategic Direction 3); and

4.1.2.2 value and foster Auckland Cultural diversity (Priority 1); and

4.1.2.3 value our artists, our creative sector and our cultural institutions (Priority 2).

The Council and the Trust mutually recognise and respect the heritage values inherent in the Park, the Homestead, and the Collection respectively; and agree that in combination these form a unique heritage destination for the public. The Council and the Trust will continue to work together productively to maintain and promote the heritage values of the site, including free public access to the Pah Homestead, the Arts Centre, and the Collection. The Council and the Trust will work together to identify and implement ways to support revenue generation from activities at the Arts Centre, recognising that such activities should not unreasonably erode the heritage values of the site or the Collection, and to engage communities and encourage a high level of public access to and enjoyment of the Park, the Homestead, and the Arts Centre.

4.2 **Good Faith:** The parties will at all times conduct themselves in a diligent and timely manner and act reasonably and in good faith towards one another in relation to this Relationship Agreement, the Agreement to Lease and the Lease, in order to achieve this Agreement's intent and purposes.

4.3 **No disrepute:** Each party shall not do anything which might in the reasonable opinion of an objective viewer, adversely affect or damage the reputation or the public's perception of the other party, the Arts Centre, the Park or the Homestead, or bring any of the same into disrepute, or cause the other party to be in breach of any rule of law.

4.4 **Joint Liaison Body:** With effect from the Commencement Date the Council and the Trust will re-establish a joint liaison body ("JLB"), as set out in Schedule 6, to operate as Council and the Trust's facilitation mechanism for managing their relationship and for discussions and decision making to give effect to their intentions under the Relationship Agreement, the Agreement to Lease and the Lease.
4.5 No Surprises Policy: The Council and the Trust will have a policy of no surprises between them and will consult with each other in relation to any significant or potentially contentious matters or dealings in relation the Trust, Collection, Arts Centre, the Park and the Homestead, and will provide information about the same as reasonably requested from time to time. In the operation of the no surprises policy the Trust acknowledges and will be mindful of the fact that the Council is a public body and will be sensitive to the demands placed on Council for information and public accountability.

4.6 2014 Relationship Agreement to Supersede the 2010 Relationship Agreement: This Agreement supersedes but for the most part perpetuates the provisions of the 2010 Relationship Agreement which initiated the following.

5. OBLIGATIONS OF THE TRUST

5.1 Arts Centre: In respect to the operation of the Arts Centre (including without limitation the gallery management and curatorial functions needed to provide a high quality experience to the viewing public), the Trust shall:

5.1.1 provide the Key Attributes set out in Schedule 1;

5.1.2 comply with and/or achieve the Key Service Levels set out in Schedule 2;

5.1.3 report to Council on the operation of the Arts Centre and other matters, as set out in Schedule 3;

5.1.4 [Intentionally deleted]

5.1.5 locate, display and maintain a significant part of the Collection at the Homestead, that part reflecting the fact that the Homestead is the premiere public base for the Collection. Any display of parts of the Collection at other locations will not materially reduce the quality of the viewing experience at the Arts Centre provided always that the Trust is permitted to continue to make rotational loans of any part of the Collection to universities, hospitals etc consistent with its charitable objectives and it is acknowledged that part of the Collection will continue to be displayed at Rannoch. The Trust may make loans from the Collection available on a commercial basis in order to support the income and activities of the Trust, provided that this does not materially reduce the quality of the viewing experience at the Arts Centre. In the event that a commercial opportunity arose which could have a materially reduce the quality of the viewing experience, the Trust must obtain Council's prior written approval before it may undertake the commercial opportunity;

5.1.6 meet all ongoing operational costs (save for those costs the Council has agreed to pay pursuant to the Agreement to Lease and resulting Lease, and the Agreement and Licence for Catering Functions and Café Operations) associated with providing a high quality art gallery experience to the public, the display of the Collection at the Homestead, the maintenance and storage of the Collection whether at the Homestead or otherwise and any related activities agreed between the Council and the Trust to be carried on by the Trust or its agents at the Homestead;
5.1.7 exercise all reasonable skill, care and diligence in managing the operation of the Art Centre, to the professional standards expected of a public art gallery;

5.1.8 provide all necessary equipment, materials and supplies required to operate the Arts Centre (save for those things the Council has agreed to provide pursuant to the Agreement to Lease and resulting Lease);

5.1.9 provide appropriately skilled and experienced personnel to undertake day-to-day management and operation of the Arts Centre; and

5.1.10 furnish to Council all information relating to the Arts Centre which Council may from time to time reasonably request.

5.2 Further Trust Obligations: The Trust also agrees:

5.2.1 to the Homestead being named the TSB Bank Wallace Arts Centre (or in the event the Principal Sponsor changes, the Principal Sponsor’s name will be changed accordingly in the name of the Arts Centre i.e. “[name of new Principal Sponsor] Wallace Arts Centre”) and to co-operate fully with the Council and take all reasonable steps to enable the Council to meet its obligations under its sponsorship arrangement with the Principal Sponsor. If there is a change to the Principal Sponsor, the parties agree that the terms of any new Principal Sponsor’s sponsorship will not impose any greater obligations or restrictions on the Trust than under TSB’s sponsorship (as outlined in Schedule 5) unless otherwise agreed between the parties, neither party’s agreement to be unreasonably withheld. The Trust confirms that it will meet its obligations to the TSB, including rotational access to the Collection for display at TSB’s head office and/or Queen Street branch on the same basis as such loans are presently made by the Trust to universities, hospitals etc and appropriate recognition of TSB’s sponsorship, as set out in the Schedule 5;

5.2.2 continue to provide for an artist in residence facility and programme on terms acceptable to the Trust at no cost to the Council. For the avoidance of doubt, the Trust shall not be required provide for more than one artist in residence facility and programme at any time;

5.2.3 to provide free public access to the Homestead and the Collection during usual gallery hours (though a reasonable entry charge may apply in respect of touring exhibitions, subject to the requirements in Schedule 2);

5.2.4 to provide ongoing recognition of the Council’s contribution to the establishment and operation of the Arts Centre by way of signage at the Arts Centre, acknowledgement of the Council’s contribution on the Arts Centre website, and other Arts Centre publications. For the purposes of this clause acknowledgement in other Arts Centre publications of the Council's contribution to the establishment of the Arts Centre, shall mean reasonably prominent placement of the Council's logo on pamphlets, brochures and catalogues together with an acknowledgement that "Auckland Council is a proud supporter the TSB Bank Wallace Arts Centre" (or such other wording as the parties may
agree from time to time), and in respect of Arts Centre signage and the website the final form of prominence and placement of the acknowledgement will be mutually agreed.

5.2.5 not seek or permit any form of sponsorship in connection with the Collection, the Arts Centre or the Homestead other than that provided by the Principal Sponsor (unless otherwise agreed with the Council) provided that it is acknowledged and agreed that the Trust may arrange other sponsorship of the Wallace Arts Awards and lesser levels of sponsorship in relation to particular events and activities at the Pah Homestead and Arts Centre provided such sponsorship does not materially conflict with the Principal Sponsor's sponsorship or that the sponsor does not operate in the same industry as the Principal Sponsor (i.e. in the case of TSB, no other sponsors from the banking or financial services sector are permitted);

5.2.6 to continue its Collection acquisitions programme, subject to clause 5.3;

5.2.7 to ensure that Collection is properly conserved and the condition of works within the Collection properly maintained and improved where practicable as works are rotated from being on loan or exhibition, so as to achieve a reasonable standard of Collection care.

5.2.8 to fully co-operate with the Council and the Principal Sponsor in respect of the use of the Homestead for:

5.2.8.1 the annual event to be developed and implemented in conjunction with Council at the Homestead/Park, in accordance with the requirements in Schedule 2, section 3 (Annual Programme);

5.2.8.2 Principal Sponsor's events (for up to two days per annum), and in accordance with any requirements agreed with the Principal Sponsor (i.e. Schedule 5: TSB Requirements).

5.2.9 that in addition to clause 5.2.8, Council shall be entitled to hold special events at the Homestead for up to two (2) days per annum.

5.2.10 that the Trust shall be entitled to recover all costs incurred by the Trust, over and above the Trust's usual operating costs for the Homestead, connected with the use of the Homestead for any of the events held pursuant to clauses 5.2.8 and 5.2.9 by the Council or the Principal Sponsor provided that the Trust shall not charge either the Council or the Principal Sponsor any venue hire fees. Any other use of the Homestead by Council, the Principal Sponsor or third parties will be subject to the Trust's normal booking requirements, terms and conditions of hire and venue hire fees.

5.3 Trust Income: If at any time the Trust has insufficient income to meet all of:

5.3.1 the costs of meeting its obligations under this Relationship Agreement, the Agreement to Lease and the resulting Lease:
5.3.2 the costs of maintaining its artwork acquisition programme at a materially equivalent level to what has been the case in the year immediately prior to the date of this Agreement;

5.3.3 the prize money and associated costs for the annual Wallace Art Awards and grants to institutions at a materially equivalent level, in aggregate, to what has been the case in the year immediately prior to the date of this Agreement;

5.3.4 salaries and associated costs of all employees of the Trust;

then the Trust will immediately advise the Council, providing all relevant details, including without limitation copies of the Trust’s financial records if requested by Council. The Trust must make all reasonable efforts to secure additional funding or make alternative arrangements to enable it to meet as much of those costs and expenses as possible. Any reduction in funds being applied to meeting its obligations under this Relationship Agreement, the Agreement to Lease, and the resulting Lease, must first be discussed with the Council and any view of the Council in respect to such matters must be given due consideration and weight in any final decision of the Trust. In the event of the Trust having insufficient income at the Pah, the Trust will use its best endeavours to maintain current service levels at Pah and the Council and the Trust will work collaboratively to find alternate funding sources. The Trust will proportionately increase its expenditure to prior levels as soon as it is able. The operation of this clause will not constitute a waiver of any material default by the Trust.

5.4 **Trust Assets:** The Trust agrees that it shall not resettle the Trust or transfer ownership of a substantial portion of the Collection without the prior written consent of Council (which shall not be unreasonably withheld).

5.5 **Compliance with laws:** The Trust shall comply in all respects with any relevant legislation, bylaws and regulations and applicable industry codes of practice relating to the Homestead and the Arts Centre (including without limitation the Health and Safety in Employment Act 1992) and the Trust shall:

5.5.1 provide Council with suitable and sufficient health and safety plan(s) that relate specifically to the Arts Centre and Homestead;

5.5.2 adhere to the standards detailed in the health and safety plan(s) referred to above;

5.5.3 notify Council immediately of:

5.5.3.1 any event which gives or may give rise to the Trust being in breach of any of the requirements of the Health and Safety in Employment Act 1992 or any other requirement in this clause 5.5;

5.5.3.2 any hazard that comes to the Trust’s attention and that is not already specified in the Trust’s health and safety plan, together with details of the proposed method of controlling that hazard;

5.5.3.3 all accidents and incidents of serious harm.
5.5.4 promptly pay all taxes and other levies that it is lawfully liable for in respect to its occupancy of the Homestead and its operation of the arts centre and any associated activities. Council shall not be liable for any corporate, personal or withholding taxes or other taxes or levies in respect of the Trust, its trustees, employees, contractors or agents. The Trust shall indemnify Council for any costs and liability incurred by Council as a result of a claim upon it by the Inland Revenue Department in relation to the same.

5.6 **Conflict of interest**: The Trust shall at all times take reasonable steps to ensure that it has no interest which may conflict with the interests of Council under this Agreement. Where there is potential for a conflict of interest, the Trust shall immediately notify Council of the nature of that conflict. Where the Trust has notified Council of a conflict of interest or a potential conflict of interest the parties shall negotiate with a view to resolving, eliminating or mitigating such conflict.

6. **OBLIGATIONS OF COUNCIL**

6.1 **Promotion**: The Council will promote the Homestead, the Collection and the Arts Centre (in consultation with the Trust) in accordance with its sponsorship obligations to the Principal Sponsor.

6.2 **TSB Contract**: The Council will be responsible for entering into and managing the sponsorship agreement and relationship with TSB (the first Principal Sponsor) on the terms outlined in Schedule 5.

6.3 **Homestead**: The Council has completed a heritage restoration of the Homestead. The Council will be responsible for the ongoing maintenance of the exterior of the Homestead, and for the asset renewal programme for the interior of the Homestead, to enable the operation of the Arts Centre in accordance with the Agreement to Lease, and the Lease.

7. **AUDIT AND PERFORMANCE REVIEW**

7.1 **Audit**: The Council may carry out operational and financial audits of the Trust and the Arts Centre (no more than two times a year) *(Audit)*.

7.2 **Performance Review**: Council may, during each year of the Term, carry out an annual review of the Trust’s performance against its obligations under the Relationship Agreement, Agreement to Lease and the Lease *(Performance Review)*.

7.3 **Inspection**: The Trust agrees to provide copies of relevant documentation requested by Council from time to time (including copies of its financial records) and give Council the right to inspect the Trust’s premises and other Trust property, records, and documentation at the Homestead (or such other location as the Trust may advise) upon reasonable notice from Council, as reasonably required for the purposes of an Audit or a Performance Review.

7.4 **Co-operation**: The Trust agrees to co-operate with any person or persons authorised by Council to carry out any Audit or Performance Review and to promptly answer any queries in relation to any aspect of the Audit or Performance Review.

7.5 **Annual Review Meeting**: As part of the Performance Review, the parties will meet annually (within 1 month following receipt by Council of the Trust’s Annual Report, or such other time as
may be agreed) specifically to discuss the Trust’s performance over the past year. In addition to
the Trust’s Annual Report, prior to the review meeting, each party will provide the other party with
any other information that it considers relevant to the review (including any adverse information).

7.6 Updating Key Attributes and Key Service Levels: As part of a Performance Review (or at such
other times as agreed), the parties will review and agree any revisions or updates to the Key
Attributes and Key Service Levels in Schedules 1 and 2. Neither party’s agreement under this
clause is to be unreasonably withheld or delayed. Any such agreed revisions and amendments
will be recorded in writing in accordance with clause 14.9.

8. CONFIDENTIALITY

8.1 Confidential Information: Subject to any contrary provision in this Agreement and to the Local
Government Official Information and Meetings Act 1987, each of the parties will treat as strictly
confidential and will not disclose to any person without the other party’s prior written consent, any
Confidential Information disclosed to it directly or indirectly, nor use any Confidential Information
for any use other than that for which it was provided. Such obligation of confidentiality will not
apply where the information comes into the public domain otherwise than as the result of a
breach of this clause, or where disclosure is required by law.

8.2 Public Statements: Any public statement or media release regarding the Relationship
Agreement, the Agreement to Lease or the Lease or their subject matter may only be made
following prior written agreement of the Council and the Trust. This obligation shall survive the
expiry or termination of this Agreement.

8.3 Obligations Survive: The obligations contained in this clause 8 shall survive the termination or
expiry of this Agreement.

9. TRUSTEES LIABILITY

9.1 Notwithstanding anything contained or implied in this Relationship Agreement the liability of the
trustees of the Trust (Trustees), being the contracting party under this Relationship Agreement,
shall be limited to the assets of the Trust in the hands of the Trustees for the time being in their
capacity as trustees of the Trust, and shall not be unlimited personal liability.

10. TERRITORIAL AUTHORITY

10.1 The Trust acknowledges that the Council is the territorial authority for the area in which the
Homestead is located and that the terms of this Agreement shall not restrict, affect or limit in any
way how Council may act in the exercise of its statutory and regulatory powers as the territorial
authority.

10.2 The Trust shall not be entitled to any compensation for loss or damage suffered as a result of the
Council properly exercising its statutory and regulatory powers as the territorial authority.

10.3 No consent or approval given to the Trust by the Council operating in its capacity as a territorial
authority will operate as a consent or approval under this Relationship Agreement, the Agreement
to Lease or the Lease.
11. FORCE MAJEURE

11.1 Neither party will be liable to the other party for any delays or failure to perform its obligations under this Agreement, the Agreement to Lease or the Lease caused by a Force Majeure Event, provided that each party has taken all reasonable steps to minimise any loss, damage or delay resulting from a Force Majeure Event.

11.2 If a Force Majeure Event affects either party, the affected party must immediately inform the other party of the circumstances and may request the other’s approval (such approval not to be withheld unreasonably) to extend time for the performance of the party’s obligations under this Agreement by a period of up to the same duration as the Force Majeure Event.

12. TERMINATION

12.1 This Agreement may be terminated by the non-breaching party if there is a material breach of any term of this Agreement and that breach is not remedied by the other party within a reasonable period, not to exceed 60 Working Days, following notice of such breach being given by the non-breaching party to the other party.

12.2 A material breach of the Agreement to Lease (and any resulting Lease) will be a material breach of this Relationship Agreement and vice versa.

12.3 The Council may terminate this Agreement, the Agreement to Lease (and the resulting Lease), in the event that the Trust becomes insolvent.

12.4 For the avoidance of doubt:

12.4.1 a default of any term of this Agreement is not in itself a material breach may become a material breach if it persists and is not rectified, following notice to do so, within a reasonable time taking into account the nature of the default; and

12.4.2 failure by the Trust to comply with or achieve the Key Service Levels in Schedule 2 will constitute a material breach if:

12.4.2.1 the failure is incapable of being rectified; or

12.4.2.2 if capable of being rectified, and having been given notice by Council to do so, the Trust fails to do so to the required standard within a reasonable time (taking into account the nature of the default);

12.4.3 a significant reduction in the value of the Collection or deterioration of the overall physical condition of the Collection, will constitute a material breach of this Agreement;

12.4.4 failure to meet any of the Key Service Levels due to circumstances beyond the reasonable control of the Trust will not constitute a material breach.

12.4.5 variance from any of the Key Service Levels, the amount or nature of which is not material, will not be deemed to be a material breach by the Trust provided it has met all its other material obligations under this Agreement.
13. **DISPUTE RESOLUTION**

13.1 **Process:** Subject to clause 13.8, unless a party has first complied with this clause 13, that party may not commence court proceedings or arbitration relating to any dispute arising from this Agreement (except where the party seeks urgent interlocutory relief in which case that party need not comply with this clause before seeking such relief) and where that party fails to so comply with those clauses, the other party need not comply with those clauses before referring the dispute to arbitration or commencing court proceedings relating to that dispute.

13.2 **Negotiation:** Either party (referred to in this clause as "the First Party") claiming that a dispute has arisen under this Agreement between the parties shall give written notice to the other party (referred to in this clause as "the Second Party") designating as its representative in negotiations relating to the dispute a person with authority to settle the dispute. The Second Party shall, upon receipt of the First Party's notice, promptly give written notice to the First Party designating as its representative in negotiations relating to the dispute a person with similar authority. The parties shall use their reasonable endeavours to procure that the persons designated under this clause shall, within ten (10) Working Days after the last designation, following whatever investigations each such person deems appropriate, seek to resolve the dispute by good faith negotiations.

13.3 **Mediation:** If the dispute is not resolved within the period referred to in clause 13.2 (or within such longer period as their respective representatives may agree is appropriate) either party may refer the matter to mediation. If the parties cannot agree on a mediator within ten (10) Working Days of the referral to mediation then either party may invite the chairperson of the New Zealand Chapter of Lawyers Engaged in Alternative Dispute Resolution to appoint a mediator to enable the parties to mediate and settle the dispute. All discussions in the mediation shall be without prejudice and will not be referred to in any later proceedings. The parties will bear their own costs in the mediation and will share equally the mediator's costs.

13.4 **Arbitration:** If the dispute is not resolved under clause 13.3 within a further twenty (20) Working Days after the appointment of a mediator (or such longer period as may be needed to schedule a mediation meeting), any party may then require the dispute to be referred to arbitration. In the event of a submission to arbitration pursuant to this clause:

13.4.1 The dispute will be referred to arbitration by a sole arbitrator in accordance with the Arbitration Act 1996;

13.4.2 The award in the arbitration will be final and binding on the parties; and

13.4.3 The parties' respective responsibilities for the cost of the arbitration shall be determined by the arbitrator.

13.5 **Continuing performance:** Pending final settlement of any dispute, the parties shall continue to perform their obligations under this Agreement in good faith so far as possible as if no dispute has arisen.

13.6 **Interlocutory relief:** Nothing in this clause will prevent a party from seeking urgent interlocutory relief or from commencing legal proceedings if the dispute resolution procedures are unsuccessful.
13.7 Termination not Grounds for Dispute: The parties acknowledge that the dispute resolution procedure contained in clause 13 is not applicable and will not be used to dispute or question any exercise by a party of its rights to terminate this Agreement under clause 12.

14. GENERAL LEGAL PROVISIONS

14.1 Notices: Any notice or other document required to be given, delivered or served under this Agreement may be given delivered or served:

   14.1.1 in any manner described in the Property Law Act 2007;
   14.1.2 by personal delivery;
   14.1.3 by pre-paid registered post; and
   14.1.4 by email,

and any notice or other document will when given or served pursuant to clause 14.1.3 will be deemed to have been given or served and received by the other party two (2) days after the date of posting and any notice or other document given or served by email pursuant to clause 14.1.4 will be deemed to have been given or served and received by the other party as soon as it is received in the recipient’s system (and there is no ‘office of office or message failure email generated by the system) if sent during a Working Day or otherwise on the next Working Day.

14.2 Address for Notices: For the purposes of clause 14.1, any notices between the parties under this Agreement, shall be sent to the following persons:

   14.2.1 Council: Manager Community Development Arts and Culture  
   Level 5, 360 Queen Street  
   Private Bag 92516, Wellesley Street  
   Auckland  
   Email: louise.mason@aucklandcouncil.govt.nz

   14.2.2 Trust: The Chairman  
   The James Wallace Arts Trust  
   PO Box 24657  
   Royal Oak  
   Auckland  
   Email: james.wallace@walliceartstrust.org.nz

14.3 Change of address: Either party shall be entitled to change their address for notice on not less than 3 Working Days written notice to the other.

14.4 Continuing obligations: The obligations in clauses 4.3, 5.5.4 (the indemnity), 7.1, 7.3 7.4, 8.1 and 8.2 shall survive termination or expiry of this Agreement.

14.5 No Partnership: Nothing contained in this Agreement shall be deemed to constitute the Trust as a partner, joint venture, agent or legal representative of the Council.
14.6 **Partial Invalidity:** If any part of this Agreement is, becomes or is deemed to be void, invalid or unenforceable, such part shall be deemed deleted from this Agreement (mutatis mutandis) and shall not affect the validity or enforceability of the remaining parts of this Agreement.

14.7 **Waiver:** Any waiver by a party of its rights and remedies under this Agreement, the Agreement to Lease, or the Lease will be effective only if it is recorded in writing and signed by a duly authorised representative of that party. A waiver shall only affect the matter that it expressly refers to and shall not apply to any other or later matter. No waiver of any breach, or failure or forbearance by any party to enforce its rights and remedies will in any way affect or limit a party’s right to subsequently require strict compliance in future with the terms of this Agreement, the Agreement to Lease, or the Lease.

14.8 **Entire agreement:** This Relationship Agreement, together with the Agreement to Lease and the Lease, constitutes the entire agreement between the parties in relation to the Collection, Arts Centre, Homestead and Park, and supersedes the MOU and the parties original relationship agreement dated 24 May 2010 and any other prior oral and written representations, understandings, arrangements and agreements between the parties relating to the subject matter herein.

14.9 **Amendment:** No amendment to this Relationship Agreement, the Agreement to Lease, or the Lease will be effective unless recorded in writing and signed by the parties duly authorised representatives.

14.10 **Further assurances:** Each party will do all things and execute all documents reasonably required to give full and complete effect to the provisions and the intent of this Agreement, the Agreement to Lease, and the Lease.

14.11 **Costs:** Each party shall pay its own costs and expenses incurred in connection with the negotiation, preparation and execution of this Agreement.

14.12 **No Assignment:** The rights of the Trust conferred by this Agreement are personal to the Trust and the Trust may not assign, transfer, or otherwise dispose of the Trust’s interest under this Agreement.

14.13 **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of New Zealand.

785236 1
SIGNING AS AN AGREEMENT

SIGNED for and on behalf of AUCKLAND COUNCIL by its Manager Community Development Arts and Culture under delegated authority:

[Signature]

SIGNED for and on behalf of THE JAMES WALLACE ARTS TRUST under delegated authority by:

[Signature]

[Signature]

[Signature]

Item 12
Schedule 1: Key Attributes

Key attributes for the Arts Centre provided and to be provided by the Trust include:

(i) A changing programme of professionally curated Collection displays and touring exhibitions;

(ii) A high quality of presentation, including installation and display, lighting and furnishing;

(iii) Skilled and knowledgeable staff capable of delivering a quality public art gallery experience including the capacity to manage and deliver public and education programmes and facilitate touring exhibitions;

(iv) A marketing and promotion strategy that ensures public awareness of the gallery;

(v) A high quality of associated support materials, e.g. catalogues, pamphlets;

(vi) The maintenance of appropriate standards of Collection care and conservation; and

(vii) Re-investment in fit-out for display, collection management and administration facilities at a level reasonably acceptable to the Trust to ensure the experience meets the changing demands of the public, subject to the terms of the Lease.
### Schedule 2: Key Service Levels

The following Key Service Levels are material contractual obligations to be complied with and/or achieved by the Trust:

<table>
<thead>
<tr>
<th>Objective</th>
<th>Key Service Levels</th>
</tr>
</thead>
</table>
| 1. Opening hours and charges | (a) The Arts Centre will be open to the public, at no charge (for exhibitions curated from the Collection), for the minimum core hours as set out the following:  
- Tuesday – Friday: 10.00am to 3.00 pm  
- Saturday & Sunday: 10.00am to 5.00 pm  
- Public holidays: 10.00am – 5.00pm, excluding Christmas Day, Boxing Day, 1 & 2 January, Good Friday, Anzac Day, and any public holiday that falls on a Monday.  
In addition, parts of the Arts Centre may be closed temporarily for the purpose of changing or arranging exhibitions or to facilitate maintenance of the Homestead, and reasonable endeavours should be used to minimise the period of any such closure during the core opening hours.  
(b) During a major touring exhibition, a portion of the rooms within the Art Centre will continue to be open for free public access, unless otherwise agreed by the JLB. |
| Maintain public access | NOTE:  
- the Arts Centre may also be closed at other times as agreed in advance by the JLB.  
- The café operator’s contract should, as a minimum, require the café to be open during the Art Centre’s opening hours.  
- For major touring exhibitions where both the costs incurred and the likely audience interest justifies it, a reasonable entry charge may apply in respect to access to the touring exhibition.  
- The changing and arranging of exhibitions and any maintenance of the Homestead, where possible, should be done outside of the core opening hours. |
| 2. Visitation | (a) The annual visitor number target for the Arts Centre from 1 July 2012 is 35,000 visitors per annum.  
(b) 85% or more visitors rate the Arts Centre’s exhibitions, service, and their overall experience, as good to excellent. |
| Achieve annual visitor number and visitor satisfaction targets | NOTE:  
The visitor targets will be reviewed periodically when Performance Reviews are undertaken (see clause 7.6 of the Agreement). |
### 3. Annual programme

Provide a regularly changing high quality programme of exhibitions, associated education and public programmes, and supplementary events

- Visitor satisfaction is based on a sample of visitors being surveyed. Visitor surveys will be carried out by Council (with the co-operation of the Trust) from time to time, but no more frequently than two times per annum.

(a) No fewer than seven exhibitions presented in the Arts Centre's galleries per annum, including:

1. One presentation of the Wallace Art Awards annually
2. At least 1 touring exhibition (from a professional agency/public institution) per annum from 1 July 2012.

(b) Annually at least one event will be developed and implemented in conjunction with Council at the Homestead/Park, with clear objectives related to the Arts Centre's own objectives and the Principal Sponsor's sponsorship requirements.

**NOTES:**

- It is the parties intention that the number of annual events referred to in (b) above will evolve over time into the development of an annual events programme.
- Information on upcoming exhibitions and associated education programmes should be sent to schools within the Auckland district.
- The Trust shall be entitled to recover all costs, over and above the Trust’s usual operating costs for the Homestead, incurred by the Trust connected with the use of the Homestead for the annual event, provided that the Trust shall not charge any venue hire fees.
- If the Trust has good reasons that a touring exhibition is not needed or is not practicable as part of its annual exhibition programme it may make a request to the JLB to waive this requirement (waiver will not to be unreasonably withheld), and if waived then the touring exhibition will be replaced by an exhibition from the Collection.
- Planning for the annual event is to be led by the Trust and should be commenced between 6-12 months out from the intended event date. The plan (and budget) for the annual event will be subject to approval by the JLB (and if necessary by the Trust’s Board and Puketapapa Local Board) prior to implementation.

### 4. Marketing and Communications

Provide effective public marketing and communications

(a) At least one printed brochure outlining the Art Centre's activities and location is to be produced by the Trust.

(b) Dedicated Arts Centre website is to be maintained by the Trust.

**NOTES:**

- The brochure should be produced and distributed to the public in a way that maximizes knowledge of and visitation to the Arts Centre.
- The brochure is to be re-printed in sufficient numbers and
updated periodically by the Trust, as required.

- The Arts Centre website must be separately searchable from the Trust own website with a URL identifying it as The TSB Bank Wallace Arts Centre.
- The Trust will maintain the website so all information is up to date at all times and all new exhibitions, events and programmes are promoted in advance. The Trust will inform the Council through the JLB of any significant changes to Arts Centre website.
- Trust and Council will co-operate with each other to find and leverage marketing initiatives of mutual benefit in relation to the Arts Centre and Homestead.
1. **Annual Planning**

In each year of the Term the Trust will develop and deliver to Council via the JLB an annual plan (Annual Plan), which will include without limitation, an overview of the Arts Centre's activities for the upcoming year (in accordance with the Key Attributes, Key Service Levels and other operational requirements of the Art Centre), the broad exhibition outline for the coming year with an indication of how this fits within the key service levels of the Agreement, an updated marketing and communication plan, and a detailed budget.

The Annual Plan will be developed annually in advance for the period from 1 April to 31 March in the following year (in line with the Trust's financial year). At a reasonable time prior to 1 April the Trust will provide a draft Annual Plan to Council by a mutually acceptable date for consultation (including presentation of the draft to the Puketepapa Local Board). The Council will provide any comments it may have on the draft to the Trust in writing for the Trust to consider and take into account before adopting the final Annual Plan by 1 April. The Trust will provide Council with a copy of the final Annual Plan adopted on or before 14 May each year.
2. **Reporting**

The Trust will provide the following reports to Council for each 12 month period during the term, as set out below:

(i) **First Quarter Report**

If requested the Trust will provide a short written report (or verbal presentation if required) to Council for its Puketapapa Local Board updating the Local Board on the Arts Centre’s activities for the preceding quarter (the first quarter period of its Annual Plan), and for the quarter ahead, within 20 working days of such request;

(ii) **Six-month Report**

The Trust will provide a written report to Council (via the JLB) in respect to the first six months of each Annual Plan period on the Trust’s performance against the Annual Plan (including the budget, and the targets and objectives), the Key Attributes and agreed Key Service Levels, and other relevant matters relating to the Collection and the management and operation of the Arts Centre, the Homestead, or the Trust’s obligations under this Agreement, the Agreement to Lease and the resulting Lease. The six-month report will be provided on or before 31 October;

(iii) **Third Quarter Report**

If requested the Trust will provide a short written report (or verbal presentation if required) to Council for its Puketapapa Local Board updating the Local Board on the Arts Centre’s activities for the preceding quarter (the third quarter period of its Annual Plan), and for the quarter ahead, within 20 working days of such request; and

(iv) **Annual Report**

On or before 30 June each year the Trust shall provide the Council and the JLB with a written annual report (Annual Report) on the operation of the Arts Centre in the preceding year. The Annual Report shall include, without limitation, an annual overview and assessment by the Trust of:

(a) its performance against the Annual Plan (including budget, and), and explanation of any variances and exceptions;

(b) its performance against the targets and objectives for each exhibition in the annual programme, and any associated education programmes (developed for primary/secondary school students) and public programmes;

(c) provision of the Key Attributes;

(d) achievement/compliance with the Key Service Levels;

(e) compliance (by exception) with the terms of this Agreement, the Agreement to Lease and the resulting Lease; and

(g) any other relevant matters.
Schedule 4: Intentionally deleted.
Schedule 5: TSB Requirements

Council and Trust commitments to TSB as naming rights sponsor of the Homestead/Arts Centre, for so long as TSB maintains its sponsorship contract with Council:

Naming rights
- The Homestead/Arts Centre will be named and branded the “TSB Bank Wallace Arts Centre”.

Logo and licences
- A new logo for the TSB Bank Wallace Arts Centre will be created by Council in consultation with TSB and the Trust and incorporating the TSB Bank and the Trust brands.
- Council will own the new logo and name and may register them as trademarks if desired.
- Trust and TSB are licensed to use the new logo and name in connection with the Arts Centre.
- TSB and the Council are licenced to use the Trust’s name and logo in connection with the Arts Centre
- Trust and TSB are licenced to use the Council’s name and logo in connection with the Arts Centre
- Council will obtain a licence from TSB for use of TSB’s name and logo by the Trust and Council in connection with the Arts Centre.
- TSB/Council shall have the right to produce a promotional DVD or on-line virtual tour of the Homestead/Arts Centre and Collection for distribution by TSB and Council.

Signage
- Street way-finding signs on major arterial routes, using the Homestead/Arts Centre’s new name
- On-site venue signage (street entrance, Homestead entrance, Arts Centre entrance (if clearly distinct and physically separate from Homestead entrance))
- Inclusion on any street banners promoting the Homestead/Arts Centre
- Opportunity to display signage at any exhibition openings provided that this will not be more than one freestanding sign (dimensions and artwork to be agreed but must be in reference to TSB Bank Wallace Arts Centre and not be generic TSB advertising) to be prominently displayed in the Arts Centre foyer

Hospitality
- Invitations to exhibition openings
- Use of the Homestead each year for a maximum of two (2) days per annum. TSB will not be required to pay any venue hire fees for such use provided that the Trust shall be entitled to recover all costs, over and above the Trust’s usual operating costs for the Homestead, incurred by the Trust connected with TSB’s use of the Homestead for these events, and otherwise on terms and at a frequency reasonably acceptable to the Trust and the Council giving due regard to the level of sponsorship by TSB.
- Other venue hire by TSB will be subject to the Trust’s normal booking requirements, terms and conditions of hire and venue hire fees.

Media profile
- Name and/or logo inclusion on all advertising related to the Art Centre and Homestead. This will be dealt with on a case by case basis with the name being sufficient in some instances and addition of the logo being appropriate in others
- Name and/or logo Inclusion on all promotional pieces (posters, flyers, brochures, tickets etc) related to the Art Centre and Homestead
- In the main printed brochure for the Art Centre produced by the Trust, TSB will be provided with one page of ad space within the brochure (towards the front) at no charge to TSB (save that TSB must provide the artwork and content)
- In addition, ad space will be offered to TSB for paid advertising (at TSB’s cost, on a most favoured nations basis with any other paid advertisers) in any exhibition programmes, promotional brochures, catalogues, website related to the Art Centre and Homestead
- A reasonable level of promotion of the Art Centre, Homestead and the Collection through all Council channels, including:
  - City Scene (170,000 circulation)
  - Web (210,000 page views a month)
  - E-newsletter (5,600 subscribers)
• Inclusion of TSB Bank name and/or logo in all Council media activity surrounding the Art Centre, Homestead and the Collection.
• Provision of content for the TSB Bank website
• Access to the Trust’s online searchable collection database, with links to/from the TSB Bank website
• Listing on Tourism Auckland’s website (500,000 page views a month)
• A reasonable level of promotion in Tourism Auckland’s e-newsletters:
  - Consumer (6,500 subscribers)
  - Industry (2,500 subscribers)
• Tourism Auckland FAQ on the attraction sent to concierge in Auckland, Tourism Auckland i-SITE staff and the call centre

**Product/Service integration**
• On-site ATM machine (subject to architect confirmation).
• On-site information distribution in a manner that is reasonably acceptable to the Trust giving due regard to the level of TSB’s sponsorship
• Opportunity to provide inserts into Trust-related mailings but at no cost to the Trust and subject to Privacy Act restrictions and such inserts being in a form that is reasonably acceptable to the Trust giving due regard to the level of TSB’s sponsorship

**Access to the Wallace Arts collection**
• Opportunity for selected artworks to be displayed within TSB Bank head office and/or Queen Street branch on the same basis as the Trust makes loans of artworks to universities etc
• Opportunity to profile Taranaki artists within the Collection

**Ancillary events/programmes**
• Opportunity, in conjunction with the Trust, to establish an Auckland schools programme around the Collection

**TSB staff benefits**
• Access to discounts, merchandise, invitations/tickets as staff benefits at no cost to the Trust
• Opportunity to create an event, day or programme specifically for staff at no cost to the Trust

**TSB First Rights**
• The initial term of TSB’s sponsorship ends on 31 March 2020. TSB shall have a first right of renewal at conclusion of TSB’s initial sponsorship for a further period of 10 years.
• First right of negotiation for involvement with any signature event planned within the park grounds.
### Schedule 6: Joint Liaison Body

#### JLB Governance Rules

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1. | **Mandate** | (a) The JLB will operate as the mechanism for liaison between the parties regarding matters relating to the Collection, Art Centre, Homestead and the Park and with respect to the parties obligations to each other in the Relationship Agreement, Agreement to Lease and the Lease.  
   
   (b) Both parties will regularly meet (at least quarterly) and will provide (in writing in advance) updates and agenda items for discussion by the JLB, outlining upcoming activities and progress on their respective tasks referred to in this Relationship Agreement, the Agreement to Lease or the Lease, and any material issues regarding the ongoing performance of the parties' obligations in relation to the same.  
   
   (c) Each of the JLB Members shall be deemed authorised to represent and bind the party who has appointed the relevant JLB Member (or alternate JLB Member) to the JLB, in respect of any matter within the powers of the JLB.  
   
   (d) Each Party is bound by all unanimous decisions made by the JLB in accordance with its powers and procedures provided for under this Agreement and these Rules.  
   
   (e) The JLB has no separate legal personality and cannot be the subject of any claims or proceedings by any party (or any other person).  
   
   (f) The JLB shall be established as and from the Commencement Date. |
|   | **JLB Members** | (a) The JLB will comprise a total of six JLB Members. Each of the Trust and the Council has the power to appoint and remove three JLB Members. That power shall be |
exercised by notice given by the Trust or Council (as the case may be) to the other party and each of the parties may rely upon any such notice until it has been superseded by a further notice. Each party shall ensure that it has at least one JLB Member appointed to the JLB at any given time. One of the Trust’s JLB Members shall be the person the Trust appoints as the director of the Arts Centre.

(b) The initial JLB Members shall comprise:

(i) For the Trust: The Trust chairperson, and members of the Trust’s Board or senior members of Trust’s management nominated by the Trust chairperson from time to time (being the Trust’s initial JLB Members); and

(ii) For Council: A Councillor, a Puketapapa Local Board member, and Manager Community Development Arts and Culture (or their nominee) (being the Council’s initial JLB Members).

(c) Each JLB Member shall serve as a JLB Member until such appointment is revoked by the party that appointed such JLB Member by notice given in accordance with 2(a) above.

(d) The JLB Members shall not be deemed to owe a fiduciary duty to the other JLB Members or to the other Parties, other than the Party that appointed such JLB Member.

(e) Each Party will ensure that each JLB Member it appoints is appropriately qualified and experienced to take on the responsibility and exercise the powers of a JLB Member.

(f) Each JLB Member is required to:

* keep themselves informed about the Arts Centre, Collection, Homestead and Park insofar as it is
relevant to the proceedings of the JLB;

• act reasonably and in good faith at all times;

• actively promote the smooth and reasonable operation of the JLB; and

• ensure decisions are not unreasonably withheld or delayed.

3. Chairperson

The Chairperson of the JLB will alternate from year to year, as follows:

(a) the Council will appoint one of the JLB Members as the Chairperson during the first year after the Commencement Date and each odd year thereafter; and

(b) the Trust will appoint one of the JLB Members as the Chairperson during the second year after the Commencement Date and each even year thereafter.

4. Meetings

(a) The JLB shall meet quarterly (each a Quarterly Meeting) or as is otherwise agreed by the JLB for the purpose of discussing the Trusts performance and any other relevant matters between the parties, including the forward calendar for special events at the Homestead and related matters.

(b) Each JLB Member may by written notice to the other JLB Members request a special meeting of the JLB (a Special Meeting).

(c) No meeting of the JLB may take place unless a quorum is present. The presence of at least two JLB Members appointed by each of the Council and the Trust constitutes a quorum for any meeting of the JLB.

(d) The Chairman shall ensure that he or she keeps (or procures the keeping of) proper minutes of all JLB meetings and other records of JLB activities as
| 5. Voting | (a) A resolution of the JLB is passed if it is unanimously supported by all JLB Members.  
(b) The Trust’s JLB Member(s) present at the meeting shall have 3 votes (in total) and the Council’s JLB Member(s) present at the meeting shall have 3 votes (in total).  
(c) If any JLB Member or that person’s duly appointed alternate is not present at the meeting, the remaining JLB Members for that party who are present at the meeting shall be entitled to cast the vote of that party’s JLB Member not present at the meeting.  
(e) The Chairperson shall not be entitled to a casting vote.  
(f) For the avoidance of doubt, except by unanimous resolution of the JLB Members, the JLB does not have any power to require any party to take any particular action in connection with the operation of the Relationship Agreement, Agreement to Lease or the Lease. |
| 6. Resolution in writing | A resolution in writing signed or assented to by all the JLB Members is as valid and effective as if passed at a meeting of the JLB. Any such resolution may consist of several documents (including facsimile or other similar means of communication) in similar form, each signed or assented to by one or more JLB Members. |
| 7. Alternates | (a) Each of the Trust and the Council shall be entitled to appoint one person to act as an alternate to any of its JLB Members at any meeting or meetings of the JLB and |
may at any time cancel that appointment.

(b) An alternate JLB Member shall only be counted in a quorum and vote if the JLB Member for whom he or she is the alternate is not present at the meeting, provided, however, no notices required to be delivered under these Rules need be given to such alternate JLB Members.

8. **Special Meetings**

Special meetings shall be held at the TSB Bank Wallace Arts Centre, on 10 Working Days’ written notice of a request for a special meeting, or such other period as the Parties may otherwise agree in writing.

9. **Notice of meetings**

(a) At least five Working Days’ prior written notice of each meeting of the JLB (specifying the date, time and (except in the case of a Special Meeting) place of the meeting), together with an agenda and relevant papers for the meeting, shall be given to each JLB Member (and copies to any alternate JLB Members) by the Chairperson, or (In the case of a Special Meeting only) by the JLB Member requesting the Special Meeting, provided that notice of any meeting or the agenda for any meeting or both may be waived in writing by all JLB Members.

(b) Notice to a JLB Member of a meeting may be:

(i) delivered to the JLB Member in person;

(ii) posted to the address given by the JLB Member to all other JLB Members for such purpose; or

(iii) sent by e-mail or facsimile to the e-mail address or facsimile number, as the case may be, notified by the JLB Member to the other JLB Members from time to time for such purpose.

(c) Additional items may be added to the agenda by any JLB Member if written notice of such additional agenda item is given to the JLB Members at least three Working Days prior to such meeting or if the JLB Members unanimously
agree to waive such notice in writing.

(d) A notice of meeting given to a JLB Member pursuant to this schedule is deemed to be given:

(i) in the case of delivery, by handing the notice to the JLB Member or by delivery of the notice to the address of the JLB Member;

(ii) in the case of posting, three Working Days’ after it is posted; or

(iii) in the case of e-mail or facsimile, at the time of transmission.

(f) An irregularity in the giving of notice of a meeting is waived if each of the JLB Members of the JLB either attends the meeting without protest as to the irregularity or agrees (whether before, during or after the meeting) to the waiver in writing.

| 12. Costs | Each party shall bear its own costs in relation to the operation of the JLB, including the costs and expenses of the JLB Members it has appointed. |
| 13. Access | The Trust shall grant access by the JLB Members to the Art Centre, Homestead and Park during normal working hours and upon reasonable notice as required to ensure the proper discharge by the JLB Members of their duties. |
Submission to Developing a new strategy to prepare for an ageing population

File No.: CP2018/11978

Te take mō te pūrongo / Purpose of the report
1. To approve the submission on the development of a Strategy for an Ageing Population.

Whakarāpopototanga matua / Executive summary
2. The council is submitting on the Office for Seniors’ Discussion Document on a Strategy for an Ageing Population (the Strategy). Elected members were provided with a draft submission for feedback and comment, including through a drop-in session.

3. Overall the council supports the development of the Strategy. Some of the key recommendations to improve the Strategy as it is developed are to:
   - include local authorities, older people and communities
   - better identify services to meet the diverse needs of older people
   - promote the positive and diverse portrayal of older people
   - target support to improve living standards for older people
   - give greater consideration to the role and specific needs of kaumātua Māori
   - put stronger emphasis on the need for accessible and affordable transport and housing
   - provide support to stay in work and transition to retirement.

4. There is a risk that the Strategy will be poorly implemented. The council will work with central government and partners to minimise this risk and improve its relevance to Auckland.

5. The submission will be made to the Office for Seniors by 24 August 2018. Staff will continue to engage and support the development of the Strategy.

Ngā tūtohunga / Recommendation/s
That the Environment and Community Committee:

a) approve the Auckland Council submission (Attachment A of the agenda report) to the Discussion Document on a Strategy for an Ageing Population, that will be lodged with the Office for Seniors by 24 August 2018.

b) delegate authority through the Chief Executive to the General Manager Community and Social Policy to make amendments to the submission to correct errors, omissions or to reflect decisions made by the Environment and Community Committee.

Horopaki / Context
6. Auckland has the largest population of older people in New Zealand.

7. The council is submitting (Attachment A) on the Office for Seniors’ Discussion Document on a Strategy for an Ageing Population. The final Strategy is expected to be completed mid-2019.

8. The purpose of the document is to discuss challenges and opportunities of an ageing population. It highlights issues identified by older people, advocacy groups and academics.
Tātaritanga me ngā tohutohu / Analysis and advice

9. Overall the submission outlines that council supports the development of the Strategy as:
   • Auckland has the largest population of older people in New Zealand
   • some 65+ face real hardship that is likely to increase in Auckland
   • the council has committed to becoming a member of the World Health Organisation Global Network of Age-friendly Cities and Communities
   • the intent of the document aligns to the outcomes set out in the Auckland Plan 2050.

10. Key submission recommendations to improve the Strategy as it is developed are to:
   • include local authorities, older people and communities
   • better identify services to meet the diverse needs of older people
   • promote the positive and diverse portrayal of older people
   • target support to improve living standards for older people
   • give greater consideration to the role and specific needs of kaumātua Māori
   • put stronger emphasis on the need for accessible and affordable transport and housing
   • provide support needs stay in work and transition to retirement.

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

11. Elected members were provided with a draft submission for feedback and comment. A drop-in session was held to support verbal feedback and questions.

Tauākī whakaaweawe Māori / Māori impact statement

12. The discussion document is largely silent on issues for kaumātua Māori. The council has recommended engagement with kaumātua and better focus on their wellbeing, given the general lower levels of wealth, income and health amongst kaumātua Māori.

Ngā ritenga ā-pūtea / Financial implications

13. There are no financial implications associated with making the submission.

Ngā raru tūpono / Risks

14. There is a risk that the Strategy will be poorly implemented. The council will work with central government and partners to minimise this risk and improve its relevance to Auckland.

Ngā koringa ā-muri / Next steps

15. The submission will be made to the Office for Seniors by 24 August 2018. Staff will continue to engage and support the development of the Strategy.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Positive Ageing Strategy - Auckland Council - Submission</td>
<td>103</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Rebecca Kruse - Policy Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Kataraina Maki – General Manager - Community &amp; Social Policy</td>
</tr>
<tr>
<td></td>
<td>Dean Kimpton - Chief Operating Officer</td>
</tr>
</tbody>
</table>
Submission to the Office for Seniors

Strategy for an Ageing Population Discussion Document

Auckland Council, August 2018
Mihimihi

Ka mihi ake ai ki ngā maunga here kūrero,
ki ngā pani whakarongo tahi,
ki ngā awa tuku kiri o ōna manawhenua,
ōna mana a-iwi taketakake mai, tauiri atu.
Tāmaki – mākau a te rau, murau a te tini, wenerau a te mano.
Kāhore tō rite i te ao

I greet the mountains, repository of all that has been said of this place,
there I greet the cliffs that have heard the ebb and flow of the tides of time,
and the rivers that cleansed the forebears of all who came those born of this land
and the newcomers among us all.
Auckland — beloved of hundreds, famed among the multitude, envy of thousands.
You are unique in the world.
Title: Submission on the Strategy for an Ageing Population Discussion Document

Introduction

1. This submission is from Auckland Council (the council) and has been approved by the Environment and Community Committee.

Overall position

2. The council supports the Office of Seniors intent to develop a Strategy for an Ageing Population because:
   - Auckland has the largest population of older people in New Zealand
   - while most of the current 65+ population are well-placed, some face hardship and this is likely to increase
   - the council has committed to becoming a member of the World Health Organisation Global Network of Age-friendly Cities and Communities
   - the intent of the document aligns to the outcomes set out in the Auckland Plan 2050.

3. A suggested vision for the positive ageing Strategy is: To make New Zealand a place where older people’s diversity is valued, they can access opportunities, participate and contribute to an equitable society.

Ngā tūtohunga / Recommendations

4. The council recommends:
   - that the Strategy and actions be developed in consultation with local authorities, older people and communities
   - strengthening the diversity section to recognise the need for culturally appropriate services to meet the diverse needs of older people
   - promoting the positive and diverse portrayal of older people in all media
   - strengthening discussion on the range of living standards experienced by older people and the need to target investment to support those most in need
   - greater consideration be given to the role and specific needs of kaumātua Māori
   - further consideration be given on how to support accessible and affordable housing choices for older people to enable ageing in place, including:
     - different tenure models
     - raising minimum standards in the built environment and strengthening the application of universal design
   - stronger emphasis on the need for accessible and affordable transport
   - that the Strategy reflects and supports the growing role of older people as volunteers, ‘teachers’ and caregivers
   - recognising older peoples’ changing work needs including supporting initiatives that enable older people to stay in the workforce and transition to retirement
that the Strategy reflects the importance of health and wellbeing investment in inclusive services, facilities and activities that enable life-long participation, intergenerational activity and social connections

- increased clarification on the role of local authorities in preparing for an ageing population.

Horopaki / Context

5. This Strategy is important to the council as Auckland has the largest population of older people in New Zealand and their geographic distribution is varied between urban and rural settings.

6. In the Auckland region, there are 163,161 older residents which represents 11.5 per cent of the population. The Auckland population of people 65+ is projected to reach 349,800 by 2033.

7. Compared to the rest of New Zealand, this group is significantly more ethnically diverse and less likely to own their own home. The 2013 Census shows that 43.1 per cent of older Aucklanders were born overseas compared with 27.5 per cent of older New Zealanders. Homeownership for Aucklanders aged 65+ is 69.6 per cent, compared to 74.5 per cent for older New Zealanders.

8. In Auckland, there are more older females than older males – an overall ratio of 120 females to 100 males.

9. The diversity of an ageing Auckland population presents challenges and opportunities in terms of infrastructure, transport, housing, healthcare, recreation, leisure, accessibility, social cohesion and work and labour force participation.¹

10. Managing many of these challenges and opportunities is the responsibility of Auckland Council. In Auckland local governance is shared between the Governing Body and 21 local boards. Local boards enable democratic decision making by and on behalf of communities within the local board area. Both bodies will be responsible for implementing the Strategy.

Tātaritanga me ngā tohutchu / Analysis and Advice

Culturally appropriate services required to meet needs of diverse older Aucklanders

11. Auckland’s older population is not a homogeneous group. Older Aucklanders identify with over 150 ethnic groups.²

12. Older people, particularly newer migrants, may face language and other barriers to culturally appropriate information and services – particularly in health and social services.

13. The discussion document makes very little mention of Pacific people. Auckland has New Zealand’s largest population of Pacific peoples; they make up six per cent of older Aucklanders. An understanding of their point of view, experiences and needs should be represented strongly in the Strategy.

¹ Auckland Council. (2013). Older Aucklanders: Results from the 2013 Census. RMU, p.3.

14. Many older Aucklanders have lived through a time when diversity and difference were not recognised and celebrated. These lived experiences can influence their current interactions with health care and support systems.

15. The council recommends strengthening the diversity area in the Strategy. The full spectrum of diversity (e.g. LGBTI, age and spirituality) needs to be included to ensure barrier-free access to services and facilities that cater to the needs of diverse populations.

**Older people may experience discrimination due to negative attitudes and stereotypes**

16. The council would like to reaffirm the importance of respect and inclusion.

17. Auckland is undergoing significant growth which brings significant challenges to communities. To ensure positive life experiences for all we need to be open to learning about and valuing differences.

18. There is a lack of positive imaging of older people which can lead to low self-esteem and prejudices. Positive imaging of older people helps to combat ageism and negative stereotypes by indicating to people that they are included and valued and that a service or activity is for them.

19. Council recommends promoting the positive and diverse portrayal of older people in publications and media.

**We need to address equity of outcomes and focus on those most in need**

20. The material wellbeing of a person as they enter older age has a significant impact on their quality of life. Some older people are at higher risk of material hardship and this proportion is likely to increase with declining home ownership rates and the rising cost of living.

21. In the future more older people may face constrained living standards. This may mean making trade-offs in essential services as well as experiencing greater health and housing needs.  

22. Māori and Pacific peoples and those in lower socio-economic areas of Auckland are more likely to experience significant inequities as they enter older age with fewer assets because they:  
   - are over-represented in lower-skilled and lower-paid occupations  
   - rent rather than own their own home  
   - live in poor quality and/or overcrowded housing  
   - experience poorer health outcomes.

23. As people age gender income inequities are more pronounced. It is important to acknowledge that women traditionally live longer than men and that income inequities disproportionality affect women. This disproportionality has an impact on women’s ability to accumulate wealth and access resources such as housing and health care.

24. Council recommends strengthening discussion on the range of living standards experienced by older people across New Zealand. Investment needs to reflect the different realities of older people to ensure that services are targeting those most in need.

---

3 Ministry of Social Development. Briefing to the incoming Ministers, October 2014, p.11.
Kaumātua Māori among those in most need

25. The discussion document is largely silent on issues for kaumātua (elder) Māori.

26. Kaumātua have significant experience and insight into the future direction of their people. The Strategy should provide ways to work collaboratively with kaumātua to co-design and deliver culturally appropriate services.

27. Older Māori have lower levels of wealth, income and rely heavily on superannuation. Focusing efforts in the Strategy on the wellbeing of older Māori is also warranted considering the health and socio-economic disparities faced by Māori across the lifespan.

28. The Māori world view of ageing does not take a ‘deficit’ view of ageing as deterioration, dependency and vulnerability. For many ageing is part of a positive life course transition that increases a person’s standing in a community. This view may not reflect the typical experience of older Māori and their whānau in Tāmaki Makaurau (Auckland).

29. The council recommends engagement with kaumātua about this Strategy, and including more specific reference to Māori and their role, experiences and needs.

Accessible and affordable housing is critical to positive ageing

30. The council agrees with the issues raised in the housing and place to call home sections of the discussion document. In particular acknowledging the need for affordable, healthy and accessible housing.

31. We recognise one of the key issues is the ability for people to “age in place”. For older people, the ability to stay living in their local community and preserve social connections are key factors in maintaining health and wellbeing. We recognise that this may be more difficult for those in rural or isolated communities.

32. Ageing in place and the opportunity to downsize can be hindered by a lack of options for smaller, affordable and accessible housing across all communities. The council supports the provision of greater housing options to support ageing in place. This includes intergenerational housing and support for those in more remote areas such as the Hauraki Gulf islands.

33. Council is ensuring successful delivery of healthy, affordable and accessible homes. The Auckland Plan 2050, focus areas particularly relevant to older people are to:
   a) accelerate quality development at scale that improves housing choices
   b) increase security of tenure and broaden the range of tenure models
   c) improve the built quality of existing housing, particularly rental housing.

34. Auckland has some of the highest housing costs in New Zealand. A decline in home ownership among today’s 30-50-year-old cohort, will likely mean more older people retiring into the private rental sector.

35. This is an issue for older people on a fixed income in Auckland where the demand for rental accommodation is high and landlords can be selective about whom they rent to and at what cost. For government, this may mean greater investment is needed to support financially vulnerable older Aucklanders and has unknown implications for demand on social housing, housing provided by community providers and care facilities.
36. The council would welcome further discussion with central government on different tenure models to enable greater housing security and improved outcomes for long-term renters.

37. Accessibility, both within the home and local area is key to participation, engagement and social inclusion. This issue is highlighted by older people as a critical barrier that impacts their everyday lives.

38. The use of universal design (including dementia friendly design) is an important step in removing these frequently cited barriers. Universal design is an internationally recognised discipline that designs for all and promotes best practice.

39. In the built environment for example, the Building Act and the Building Code are key mechanisms for ensuring minimum standards. Achieving universal design demands more commitment from multiple parties and requires raising minimum standards. Regulatory settings can also be applied to features within a home such as heating, energy efficiency and sustainable design.

40. Current regulatory settings and the planning system rely heavily upon good will and the encouragement of building owners, developers and architects to build beyond minimum standards. Private landlords may be unwilling to modify/increase accessibility in homes to enable or continue tenancies.

41. The Auckland Design Panel and the Auckland Design Manual are examples of best practice and demonstrate how this can be achieved. Despite this proactive approach in encouraging best practice in both public and private domains, this alone will not deliver sufficiently widespread change.

42. We strongly believe that there is enough evidence to make a case for further regulatory improvements and setting stronger building standards relating to accessibility and strengthening the application of universal design. This would also benefit all people including those with a disability.

**Older people want accessible transport to get where they want, when they want**

43. As people age their ability to move around can become more limited giving rise to concerns for safety and access to services and facilities.

44. A lack of accessible and affordable transport can limit access to essential services like supermarkets and health and care facilities as well as impede the maintenance of whānau and social connections. Transport is important to enabling older people to continue to carry out activities such as working, caring responsibilities, social participation and voluntary work. Accessible transport allows older people to maintain independence, combat isolation and continue health and wellbeing activities.

45. Research shows that the free travel provided by the Super Gold card is a motivator and enabler for exploring new areas as well as local activity.

46. We need to continue to encourage the use of public transport because it is fast, safe, reliable, accessible and affordable. So older people are familiar and confident users of public transport by the time they receive their Super Gold card.
47. Auckland Council and central government have worked together on transport planning for Auckland. The Auckland Transport Alignment Project (ATAP) sets the direction for the development of the transport system over the next 30 years.

48. ATAP aims to make transport safer, environmentally friendly and more accessible for all Aucklanders. For older people this means being able to provide high quality and affordable choices to all, regardless of age or ability. There is a need to ensure that this aim of affordable and accessible choices for transportation is reflected in the Strategy.

49. While it is essential to provide accessible transport options to enable older people to participate in the community, this must be supported in other aspects of planning, from designing for walkability, safety, mobility parking, electric mobility vehicle parking access to buildings and in development planning.

50. The redesign of the station at Karangahape Road, as part of the City Rail Link, is a good example of the efforts of both local and central government to ensure that the station is accessible for all Aucklanders.

51. The council recommends including discussion on accessible and affordable transport and mobility. This should contain the implementation of universal design principles to encompass the whole of journey experience. Including the movement of people between and through places and spaces including buildings, footpaths and access ways (e.g. pedestrian crossings, public toilets).

Older people make a significant contribution through voluntary activities and caring

52. Many older people participate in a wide range of unpaid activities for the benefit of families/whānau, communities and wider society.

53. The ageing population is a growing resource for the voluntary sector. Community connections can be made through participation and the sharing of knowledge and skills. Health and life satisfaction are positively supported by informal and formal volunteering.

54. For many families and cultures the passing down of knowledge by elders is an important function. Kaumātua have important functional and symbolic roles in relation to the transmission of ikuanga (customs and protocols), kaupapa (topic or issue), kaitiakitanga (guardianship of the environment) and whakapapa (genealogy). The role of kaumātua can be demanding in terms of time and personal resources to actively participate in community events such as tangihanga (funeral) and hui (gatherings).

55. Older people are also taking on more carer roles within families. There is a significant number of grandparents who are taking a significant burden of caregiving from parents. The legislative definition and recognition of ‘family’ needs to be flexible to ensure government support of the changing nature of families.

---


56. It is important that the Strategy reflects the growing role of older people as volunteers, ‘teachers’ and caregivers. As well as what can be done by organisations to support and actively encourage these roles and how the community values and makes the most of their contribution.

**Older people will be increasingly active in the labour market**

57. The labour market participation of older New Zealanders is increasing and with it their economic contribution.

58. The council appreciates that older employees can face ageism within their roles and finding new employment can be harder and take longer than for other age groups.

59. We also run the risk of older people exiting the labour market and taking their skills and knowledge. This potentially leaves gaps in some professions and trades if the transferring/passing on of expertise has not been provided for.

60. Council supports initiatives that will enable older people to upskill and retrain to continue in employment or to transition to retirement. This support can include flexible working arrangements as well as acting as mentors to younger employees as each group transitions through their life course.

61. Providing flexible working arrangements is a clear example of how both local and central government can role model behaviour to facilitate positive ageing.

62. The Strategy should recognise older peoples’ changing work needs. This includes supporting initiatives that enable older people to stay in the workforce and transition to retirement.

**Ageing population will see more facing poor health outcomes**

63. Health and wellbeing are key issues for older people as rates of poor health and disability increase with age.

64. There is a need for investment and innovation in preventative care and in dealing with the medical and functional needs of a dispersed ageing population. This includes accessible health information and the ability to travel easily to and from healthcare facilities, as well as strengthening the connection between health and social services for holistic primary care.

65. Dementia is one of New Zealand’s most significant and growing healthcare challenges. Increasing rates of dementia will increase public and private costs and necessitate the design of dementia-friendly services and spaces. People with dementia have challenges relating to confusion and disorientation that can be mitigated by design and raised awareness amongst staff working with sufferers.

66. Elder abuse is also an issue of concern and as the older population grows it is likely that cases of elder abuse will increase. The council supports initiatives that will reduce older people’s risk of abuse and harm, including technology-based scams.

---

"The World Health Organisation defines elder abuse as “a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person. This type of violence"
Social connections and participation are important to health and wellbeing

67. Loneliness and isolation are public health issues for older people. Research has found that social integration and social intimacy is a key predictor of a healthy life.

68. Social networks and the physical ability to participate socially can change as you age. Loneliness and social isolation can be due to socio-economic factors, language barriers, lack of transport and physical ability or lack of personal connections.

69. There is likely to be a growing need for community spaces and programmes to foster participation, wellbeing and personal connections.

70. The council continues to make an effort to ensure that its transport system, community facilities, parks and open spaces are able to be accessed by people of all abilities to enable physical activity and social connections.

71. In the Auckland Plan 2050 there is a focus on promoting participation in arts, culture, sports and recreation as a major contributor to our quality of life, particularly our general health and wellbeing. This includes focussed investment to address disparities and serve communities with the greatest need.

72. This focus on promoting participation is also reflected in the council’s Disability Operational Action Plan, the Community Facilities Network Plan, Toi Whānau and the Sports and Recreation Strategic Action Plan.

73. In Auckland, it is important that older people from diverse cultures and traditions are able to participate in a range of activities and customs that give expression to their cultural identity.

74. The Strategy needs to reflect the importance of health and wellbeing investment in inclusive services, facilities and activities that support life-long participation, intergenerational activity and social connection.

Local authorities play a significant role in improving outcomes for older people

75. The council has recently resolved to become a member of the World Health Organisation’s Global Network of Age-friendly Cities and Communities (Network).

76. The Network membership is a visible commitment to improving the outcomes for older people and raising awareness of their needs.

77. We would like to understand what influence the Office for Seniors affiliate membership to the Network will have on the Strategy.

---

constitutes a violation of human rights and includes physical, sexual, psychological; emotional; financial and material abuse; abandonment; neglect; and serious loss of dignity and ‘respect’ (WHO cite).


78. The responsibility of local authorities is referenced in the discussion document. It is recommended that a description of the role and responsibilities of local government in relation to the Strategy is given. This would provide greater clarity on how central government and the council work can together.

79. It is recommended that local government is involved in any relevant legislative changes as a result of the Strategy. This will help ensure legislation is well designed and clearly communicated, as changes will have an effect on how the council creates policy and delivers services.

Ngā koringa ā-muri / Next steps

80. The council would like to remain connected to the development of the Strategy. We welcome discussion on our submission to ensure the successful development of a Strategy for an Ageing Population that considers the impacts on local government and the communities we serve.

81. Council is committed to its leadership role in Auckland and as an employer and will continue to work with central government and others to improve the lives of older people.
Submission on Local Government Regulatory Systems Amendment Bill

File No.: CP2018/12966

Te take mō te pūrongo / Purpose of the report
1. To approve a submission on the Local Government Regulatory Systems Amendment Bill.

Whakarāpopototanga matua / Executive summary
2. The Local Government Regulatory Systems Amendment Bill is currently open for submissions to the Governance and Administration Select Committee. Submissions close on 17 August 2018.
3. A regulatory systems bill is an omnibus bill which amends various legislation. This bill amends legislation administered by the Department of Internal Affairs and which relates to local government.
4. The draft submission is attached in Attachment A.

Ngā tūtohunga / Recommendation/s
That the Environment and Community Committee:
a) approve the submission to the Governance and Administration Select Committee in Attachment A.
b) agree that the council does not wish to be heard.
c) authorise the General Manager Democracy Services to make any changes agreed to by the Environment and Community Committee, or to correct minor errors.

Horopaki / Context
5. The following statutes are amended:

Dog Control Act 1996
- replace the definition of disability assist dog
- align the notification requirements of local authorities with those in the Local Government Act 2002
- clarify which organisations are authorised to certify dogs as disability assist dogs.

Local Electoral Act 2001
- empower councils to improve representative and substantial participation in local elections, clarify when a successful candidate in a by-election may come into office.

Local Government Act 1974
- clarify the consultation and public notification requirements when designating a road as a pedestrian mall by aligning the requirements with those in the Local Government Act 2002.

Local Government Act 2002
- insert a definition of Internet site and updating or aligning other definitions:
- align the delegation and sub-delegation powers of local authorities:
- require digital public notices:
• remove the requirements to send copies of long-term plans, annual reports and annual plans to various entities and to have a statement on the quantified limit on rates within the long-term plans:
• enable the Secretary for Local Government to set requirements of form for documents or information that must be made publicly available.

**Local Government Official Information and Meetings Act 1987**
• update and clarify public notification requirements, particularly those for extraordinary or emergency meetings.

**Local Government (Rating) Act 2002**
• remove the requirement to send a copy of any resolution setting rates to the Secretary for Local Government, and instead require only that it be made publicly available.

**Rates Rebate Act 1973**
• update the definition of income to reflect changes arising from the Veterans’ Support Act 2014, and to clarify provisions relating to the eligibility of retirement village residents in relation to rates rebates.

**Tātaritanga me ngā tohutohu / Analysis and advice**

6. The draft submission makes the following comments:

**Local Electoral Act 2001**
7. The proposed change to the Local Electoral Act 2001 gives a mandate to promote participation in local elections. It does this by adding to the principles of the Act:

“(aa) representative and substantial electoral participation in local elections and polls”

8. The bill also adds to the duties of the electoral officer:

“(da) facilitating and fostering representative and substantial electoral participation”

9. Auckland Council, and a number of other councils, appoint as Electoral Officer an external provider of election services. The responsibilities of such people are to focus on conducting the elections. The council works closely with the Electoral Officer to ensure candidates and voters have access to resources they need to stand for election and to vote.

10. The council has had the role of raising general community awareness about an election taking place and encouraging participation, since the council has access to a greater variety of communications resources. The draft submission states that the responsibility for facilitating participation should lie with the local authority rather than the appointed Electoral Officer.

**Local Government Act 2002**
11. The bill changes the public notice definition to require a notice made under the Local Government Act 2002 to be published on a council’s website in addition to newspapers. This is currently the council’s practice and is supported.

12. The bill creates a new type of meeting, which is referred to as “emergency meeting”. Currently there is provision for an extraordinary meeting, which is a meeting for which the usual notice cannot be given to members. The current provision enables an extraordinary meeting to be called with notice of at least three working days, but if this is not possible, notice of 24 hours can be given. The bill proposes that in the latter case the meeting is called an emergency meeting. The reason for the proposed change is not clear, however the council has no reason to oppose it.
13. The bill makes clear that if a subordinate decision-making body sub-delegates powers (for example a committee delegates to a sub-committee or members) such a sub-delegation is subject to any constraints imposed by the primary delegation (for example from the governing body to the committee). This is for avoidance of doubt and does not change legislation. This is in keeping with council practice. For example, the terms of reference for committees constrain the setting up of sub-committee by those committees.

Local Government Official Information and Meetings Act 1987

14. The proposed changes reflect the changes to the Local Government Act 2002 in terms of public notice of meetings and provision for emergency meetings.

Submissions for additional changes

Local Government Act 2002

Temporary alcohol bans

15. Temporary alcohol bans for large-scale events can reduce litter, noise, public urination and violence from attendees.

16. The submission requests amendment to the Local Government Act 2002 (see Table 1) to enable quick adoption of temporary alcohol bans made by resolution for large-scale events.

17. At the moment temporary alcohol bans made by resolution must meet the same requirement as permanent alcohol bans. Staff consider that this requirement is contrary to the intent of the Local Government Act 2002. It is also excessive given the temporary nature of the alcohol ban and can result in unintended consequences including:

- increased compliance costs for Auckland Council and police
- decision-makers accepting the risk of legal challenge to temporary alcohol bans when the evidence requirement cannot be met
- events not going ahead or being relocated to existing alcohol ban areas
- public perception that large-scale events are unsafe.

Table 1 Recommended amendments to provisions for making temporary alcohol bans for large scale events

<table>
<thead>
<tr>
<th>Criteria for making or continuing bylaws (s147A)</th>
<th>Criteria for making resolutions relating to bylaws (s147B) incorporating suggested amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Before making a bylaw under section 147, a territorial authority—</td>
<td>(1) Before making under section 151 a resolution relating to a bylaw under section 147, a territorial authority must be satisfied that—</td>
</tr>
<tr>
<td>(a) must be satisfied that it can be justified as a reasonable limitation on people’s rights and freedoms; and</td>
<td>(a) must be satisfied that it can be justified as a reasonable limitation on people’s rights and freedoms; and</td>
</tr>
<tr>
<td>(b) except in the case of a bylaw that will apply temporarily for a large scale event, must also be satisfied that—</td>
<td>(b) except in the case of a resolution that will apply temporarily for a large scale event, must also be satisfied that—</td>
</tr>
<tr>
<td>(i) there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and</td>
<td>(a)(i) there is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and</td>
</tr>
<tr>
<td>(ii) the bylaw is appropriate and proportionate in the light of that crime or disorder.</td>
<td>(ii) the bylaw, as applied by the resolution— (i) is appropriate and proportionate in the light of that crime or disorder—the evidence; and</td>
</tr>
</tbody>
</table>

(ii) can be justified as a reasonable limitation on people’s rights and freedoms.
Local Electoral Act 2001

Election advertising and social media

18. Social media is used extensively by candidates for election. The question is sometimes raised as to whether a Facebook post, or even a ‘like’, constitutes electoral advertising. There is a need for certainty around this.

19. The submission recommends providing guidance in the LEA that is consistent with the guidance in the Electoral Act 1993 in section 3A, which states that an election advertisement does not include: “any publication on the Internet, or other electronic medium, of personal political views by an individual who does not make or receive a payment in respect of the publication of those views.”

Supplementary Roll/Deletions File

20. The Electoral Commission maintains what are known as supplementary rolls. These are electors who have enrolled after the close of the roll. This data is not currently available to local authorities.

21. Requests for this data have been rejected due to an apparent lack of specific authority for the Commission to supply information. In the absence of this information the electoral officer must send details of the requests to the Electoral Commission and wait for confirmation. Electoral officers have advised us that this process has delayed the declaration of final results by as much as three days in some local elections.

22. The Electoral Commission also maintain the deletions file – a list of people who have been removed from the roll. The same issues apply.

23. The submission recommends that the supplementary roll/deletions file should be made available to local authorities to avoid the delay of declaring final results.

Citizenship of Candidates

24. Candidates for local government election must be New Zealand citizens. Current practice is to require a candidate to sign a declaration that they are a citizen. It is possible that a candidate does this in good faith believing themselves to be a citizen and later find that in fact they are not, forcing a vacancy and by-election.

25. The citizenship provision could be made more certain by requiring each candidate to provide proof of their citizenship. This would be part of completing the nomination and would be required with the nomination papers prior to close of nominations.

26. The submission recommends that the Local Electoral Act 2001 should require proof of citizenship.

Matai title

27. The LEA in section 56 sets out the requirements for a candidate’s name. Part of this is a requirement that the name does not include a title.

28. Auckland Council has several candidates at elections from the Samoan community and the question of whether a matai title is caught by this prohibition has been raised.

29. The Council has noted that it is possible to change a name by deed poll to include a matai title and the use of a so-called ‘title’ is more akin to a name than the type of title envisaged in the legislation. The use of a matai title has been permitted in the past but there should be greater certainty around whether this is acceptable.

30. The submission recommends that the select committee enquire into this further.
Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe /
Local impacts and local board views
31. Local boards make resolutions to adopt temporary alcohol bans for large-scale events in their areas. Local board members have expressed concern about the criteria for the same reasons stated in this report. The recommended amendment would allow local boards to respond more effectively and efficiently to their communities’ needs.
32. The promotion of the elections is relevant to local boards, however the promotion of elections by Auckland Council is managed through Democracy Services and in collaboration with Local Board Services.

Tauākī whakaaweawe Māori / Māori impact statement
33. Iwi have been consulted widely on the use of alcohol bans and are supportive of them as a tool for reducing alcohol harm.

Ngā ritenga ā-pūtea / Financial implications
34. There are no financial implications to making this submission.

Ngā raru tūpono / Risks
35. If the recommended amendments are passed by Parliament, there is a risk that the number of requests for temporary alcohol bans may increase. This risk will be managed within existing resources.

Ngā koringa ā-muri / Next steps
36. The submission will be communicated to select committee secretariat prior to the closing date.

Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A8</td>
<td>Submission on the Local Government Regulatory Systems Amendment Bill</td>
<td>121</td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

Authors
Jennifer Davies - Principal Strategic Advisor Strategic Scanning
Warwick McNaughton - Principal Advisor - Democracy Services
Bonnie Apps - Policy Analyst

Authorisers
Marguerite Delbet - General Manager Democracy Services
Kataraina Maki – General Manager - Community & Social Policy
Dean Kimpton - Chief Operating Officer
### Mihimihi

<table>
<thead>
<tr>
<th>English</th>
<th>Māori</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cast your eyes over the sheltered haven that lies before you.</td>
<td>E whakamaru ō kamo ki te āhuru mōwai e hora ake nā i mua i a koe.</td>
</tr>
</tbody>
</table>
Ko te tāpaetanga o te Kaunihera o Tāmaki Makaurau
Auckland Council Submission

Auckland Council Submission to the Governance and Administration Select Committee on the Local Government Regulatory Systems Amendment Bill

Executive Summary

1. Auckland Council welcomes the opportunity to submit on the matters raised in the Local Government Regulatory Systems Amendment Bill (Bill).
2. We have included in our submission recommendations on additional matters which Auckland Council believes should be incorporated into the Bill.

Local Electoral Act 2001

Mandate to promote elections

3. The council strongly supports a clear mandate in the Local Electoral Act 2001 (LEA) to promote elections.
4. The proposed change to the LEA does this by adding to the principles in section 4 of the LEA: 
   “(aa) representative and substantial electoral participation in local elections and polls”
5. The Bill also adds to the duties of the electoral officer in section 15 of the LEA: 
   “(de) facilitating and fostering representative and substantial electoral participation”
6. Auckland Council, and the majority of New Zealand councils, appoint as Electoral Officer an external provider of election services. The responsibilities of such people are to focus on conducting the elections. They do this under contract with a focus on a particular election date. The council works closely with the Electoral Officer to ensure candidates and voters have access to resources they need to stand for election and to vote.
7. The council has had the role of raising general community awareness about an election taking place and encouraging participation, since the council has access to a greater variety of communications resources than the Electoral Officer. It does this more particularly in an election year but also throughout the term. It is more appropriate that the mandate for promoting participation in elections should lie with the local authority and not the Electoral Officer. This would not prevent the local authority from contracting the Electoral Officer to undertake the promotion if the local authority wished to do this.
Recommendation 1

Auckland Council supports the proposed addition to the principles in the Local Elections Act 2001 but submits that the duty to facilitate and foster representative and substantial electoral participation should lie with the local authority.


Public notices

8. The Bill amends the meaning of public notice in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 to require publishing a public notice on a council’s website as well as in newspapers. This is the council's current practice and so the council does not oppose this proposal.

9. Nevertheless, the council expresses concern that there is increasing inconsistency between requirements for public notices under different statutes:

   (i) The Resource Management Act 1991 defines public notice as publishing to the council’s website with a summary in the newspaper

   (ii) The Legislation Bill, currently before the House, defines a public notice to be either a notice published in the Gazette, published in a newspaper or published on a website. This definition will apply to all legislation where there is no over-riding definition.

Emergency meetings

10. The council notes that the proposed provision for an emergency meeting simply replaces an existing provision for an extraordinary meeting when such an extraordinary meeting is called at shorter notice than 3 working days.

11. The council does not oppose this proposal.

Recommendation 2

Auckland Council supports the proposed changes to the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 in relation to public notices and emergency meetings but notes its concern about inconsistent definitions in different statutes regarding the meaning of public notice and submits they should be aligned.

Submissions for additional changes

Local Government Act 2002

Temporary alcohol bans

12. The Local Government Act 2002 provides for temporary alcohol bans for large scale events to be made by a bylaw (section 147A) or by resolution relating to a bylaw (s147B). Auckland Council makes temporary alcohol bans by resolution relating to the Auckland Council Alcohol Control Bylaw 2014. This approach enables decisions to be made quickly in response to new large-scale events.
13. Auckland Council has made seventeen temporary alcohol ban requests for large-scale events at various locations since 2015, for example, the 2017 Ed Sheeran concert at Mount Smart stadium. Temporary alcohol bans at or in the streets surrounding large-scale events can reduce the risk of litter, noise, public urination and violence resulting from attendees consuming alcohol on their way to or from the event.

14. The Local Government Act 2002 intends that a precautionary approach be taken regarding temporary alcohol bans for large-scale events. The intent recognises that:
   - certain large-scale events can result in alcohol-related crime or disorder regardless of location
   - large-scale events can be held at locations with no past evidence of alcohol-related crime or disorder.

15. However, the Local Government Act 2002 provisions do not fully implement this intent. The provisions only allow a precautionary approach for temporary alcohol bans for large-scale events made by a bylaw (section 147A). Temporary alcohol bans by resolution are required to meet the same criteria as a permanent alcohol ban which requires past evidence of alcohol-related crime or disorder at the event location.

16. This evidence requirement fails to achieve the intent of the Local Government Act 2002, is excessive given the temporary nature of the alcohol ban, and can result in unnecessary or unintended consequences including:
   - increased compliance costs for Auckland Council and police to source evidence
   - decision-makers accepting the risk of legal challenge to temporary alcohol bans when the evidence requirement cannot be met
   - events not going ahead or being relocated to existing alcohol ban areas
   - decision-makers accepting the risk of alcohol-related harm by allowing events without a temporary alcohol ban
   - New Zealand Police waiting until alcohol-related harm occurs before being able to respond using powers under the Summary Offences Act 1981
   - public perception that large-scale events are unsafe
   - reputational risk for Auckland Council.

17. Auckland Council seeks an amendment to section 147B of the Local Government Act 2002 that allows councils to make temporary alcohol bans by using the same criteria as section 147A. Table 1 shows the recommended amendments to section 147B alongside the current wording of section 147A.

<table>
<thead>
<tr>
<th>Criteria for making or continuing bylaws (s147A)</th>
<th>Criteria for making resolutions relating to bylaws (s147B) incorporating suggested amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Before making a bylaw under section 147, a territorial authority—&lt;br&gt;   (a) must be satisfied that it can be justified as a reasonable limitation on people’s rights and freedoms; and</td>
<td>(1) Before making under section 151 a resolution relating to a bylaw under section 147, a territorial authority must be satisfied that—</td>
</tr>
</tbody>
</table>

5
Recommendation 3

Auckland Council recommends that the Select Committee add a change to the Local Government Act 2002 that allows councils to make temporary alcohol bans by using the same criteria as in section 147A of the Local Government Act 2002.

Local Electoral Act 2001

_Election advertising and social media_

18. Social media is used extensively by candidates for election. The question is sometimes raised as to whether a Facebook post, or even a 'like', constitutes electoral advertising. There is a need for certainty around this.

19. The council recommends providing guidance in the LEA that is consistent with the guidance in the Electoral Act 1993 in section 3A which states that an election advertisement does not include: “any publication on the Internet, or other electronic medium, of personal political views by an individual who does not make or receive a payment in respect of the publication of those views.”
Recommendation 4

Auckland Council recommends that the Select Committee add a change to the Local Electoral Act 2001 that is consistent with the definition of election advertisement in the Electoral Act 1993 and which makes clear that an election advertisement does not include a publication on the Internet, or other electronic medium, of personal political views by an individual who does not make or receive a payment in respect of the publication of those views.

Supplementary Roll/Deletions File

20. The Electoral Commission maintains what are known as supplementary rolls. These are electors who have enrolled after the close of the roll. This data is not currently available to local authorities.

21. Requests for this data have been rejected due to an apparent lack of specific authority for the Commission to supply information. In the absence of this information the electoral officer must send details of the requests to the Electoral Commission and wait for confirmation. Electoral officers have advised us that this process has delayed the declaration of final results by as much as three days in some local elections.

22. The Electoral Commission also maintains the deletions file – a list of people who have been removed from the roll. The same issues apply.

Recommendation 5

Auckland Council recommends that the Select Committee agree that the supplementary roll/deletions file should be made available to local authorities to avoid the delay of declaring final results.

Citizenship of Candidates

23. Candidates for local government election must be New Zealand citizens. Current practice is to require a candidate to sign a declaration that they are a citizen. It is possible that a candidate does this in good faith believing themselves to be a citizen and later found that in fact they are not forcing a vacancy and by-election.

24. The citizenship provision could be made more certain by requiring each candidate to provide proof of their citizenship. This would be part of completing the nomination and would be required with the nomination papers prior to close of nominations.

Recommendation 6

Auckland Council recommends that the Select Committee agree that the Local Electoral Act 2001 should include a requirement for candidates to provide proof of their citizenship.

Matai titles

25. The LEA in section 56 sets out the requirements for a candidate’s name. Part of this is a requirement that the name does not include a title.
26. Auckland Council has a number of candidates at elections from the Samoan community and the question of whether a matai title is caught by this prohibition has been raised.

27. The Council has noted that it is possible to change a name by deed poll to include a matai title and the use of a so-called 'title' is more akin to a name than a title. The use of a matai title has been allowed in the past but there should be greater certainty around whether this is acceptable.

Recommendation 7
Auckland Council recommends that the Select Committee enquire into whether the Local Electoral Act 2001 should be changed to give greater certainty to the use of matai titles by candidates on their voting documents, noting the need for consistency with the Electoral Act 1993 and the Births, Deaths, Marriages and Relationships Registration Act 1995.
Te take mō te pūrongo / Purpose of the report
1. To provide a summary of feedback to LGNZ on their draft sector position on climate change mitigation and a brief progress on Auckland Council’s development of an integrated, inclusive climate change action plan. (Attachment A).

2. To provide an update on several workstreams related to trees in Auckland’s urban areas. (Attachment B). The Chief Sustainability Officer will provide a presentation on this matter.

3. To note progress on the forward work programme (Attachment C).

4. To provide a public record of memos, workshop or briefing papers that have been distributed for the Committee’s information since 10 July 2018.

Whakarāpopototanga matua / Executive summary
5. This is regular information-only report which aims to provide public visibility of information circulated to committee members via memo or other means, where no decisions are required.

6. The following papers/memos were circulated to members:
   - 20180706_Process for finalising Regional Pest Management Plan
   - 20180706_Approach to Cat Management 2018
   - 20180720_Auckland Council Zero Carbon Bill Submission
   - 20180724_Briefing PFAS Testing Whenuapai
   - 20180720_Analysis of Auckland Council programmes against findings in Hauraki Gulf Forum’s State of Our Gulf 2017 report forum's report
   - 20180801_Memo – Long-term management of myrtle rust
   - 20180803_Global Activity Memo - August 2018
   - 20180807_Response to the petition presented to the 12 June 2018 meeting

Note that staff will not be present to answer questions about the items referred to in this summary. Committee members should direct any questions to the authors.

7. This document can be found on the Auckland Council website, at the following link: http://infocouncil.aucklandcouncil.govt.nz/
   - at the top of the page, select meeting "Environment and Community Committee" from the drop-down tab and click 'View';
   - under 'Attachments', select either the HTML or PDF version of the document entitled "Extra Attachments".

Ngā tūtohunga / Recommendation/s
That the Environment and Community Committee:

a) receive the Environment and Community Committee information report – 14 August 2018.
Ngā tāpirihanga / Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Update on Auckland’s climate change action plan</td>
<td>131</td>
</tr>
<tr>
<td>B</td>
<td>Aucklands urban trees update</td>
<td>151</td>
</tr>
<tr>
<td>C</td>
<td>Forward work programme</td>
<td>161</td>
</tr>
<tr>
<td>D</td>
<td>20180706_Process for finalising Regional Pest Management Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>20180706_Approach to Cat Management (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>20180720_Auckland Council Zero Carbon Bill Submission_Final</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>20180724_Briefing PFAS Testing Whenuapai (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>20180720_Analysis of Auckland Council programmes against findings in Hauraki Gulf Forum's State of Our Gulf 2017 report (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>20180801_Memo - long-term management of myrtle rust (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>J</td>
<td>20180803_Global Activity Memo - August 2018 (Under Separate Cover)</td>
<td></td>
</tr>
<tr>
<td>K</td>
<td>20180807_Response to the petition presented to the 12 June 2018 meeting (Under Separate Cover)</td>
<td></td>
</tr>
</tbody>
</table>

Ngā kaihaina / Signatories

Author: Tam White - Senior Governance Advisor
Authoriser: Dean Kimpton - Chief Operating Officer
Memo

To: Environment and Community Committee
Cc: Dean Kimpion, Chief Operating Officer
    Jim Quinn, Chief of Strategy
From: John Mauro, Chief Sustainability Officer
    Dr Sarah Anderson, Principal Specialist Climate Resilience
Subject: Feedback to LGNZ on draft sector position on climate mitigation and progress update on integrated climate action plan

1. Purpose
This memo provides a summary of feedback to LGNZ on their draft sector position on climate change mitigation and a brief progress update on our development of an integrated, inclusive climate action plan.

2. Background
In February 2018, the Environment and Community Committee committed Auckland Council to leading the development of an integrated climate change action plan, addressing both the rising emissions in the region and the impacts of our changing climate (ENV/2018/11). Development of the plan is being facilitated by Auckland Council, working with public, private and voluntary sectors and drawing in expert expertise as appropriate.

Given current and previous work to reduce emissions and prepare Auckland for climate change, Auckland Council is in a strong position to offer feedback to Local Government New Zealand (LGNZ) and their draft sector position on climate change mitigation (Attachment A). A number of councils, including Auckland Council, helped develop the draft position. Our feedback on the draft has been assembled from existing relevant policy positions.1

3. LGNZ Draft Sector Position
As part of their Climate Change Project, LGNZ has released a draft sector position on climate change mitigation and has requested input from members to inform a final version for an adoption decision by National Council. This builds on the Local Leaders Climate Change Declarations of 2015 and 2017, of which we are signatories.

The request for feedback is framed around four key questions with summarised answers for each, as shown in Table 1 below.

---

1 See, for example, Auckland Council’s submission to the New Zealand Productivity Commission’s Inquiry into the Transition to a Low-emissions Economy Issues Paper (October 2017): https://www.productivity.govt.nz/sites/default/files/sub-low-emissions-97-auckland-council-119689.pdf
Table 1: Summary of LGNZ Questions, Our Suggested Answers and Rationale

<table>
<thead>
<tr>
<th>Summary of LGNZ Question</th>
<th>Summary of Answer</th>
<th>Rationale/Evidence</th>
</tr>
</thead>
</table>
| 1. Do you agree with the described direction of travel on climate change mitigation? | Yes. Auckland Council agrees that:  
- Local government leadership and commitment in reducing organisational emissions and leading community emissions reduction strategies; approaches and efforts are both necessary.  
- Such efforts should be ambitious, maximise co-benefits, involve sharing best practice and include collaboration on a consistent approach for measurement and action to drive progress.  
- Alignment of mitigation with adaptation is crucial.  
- Central government legislative and policy barriers to local government action – especially those related to transport, urban form and spatial planning – must be removed or revised in collaboration with local government to provide consistent direction in delivering a net-zero emissions, climate-resilient future. | Auckland Council is acting to reduce our own organisational emissions and facilitating community-wide efforts to reduce emissions. This includes measurement and working toward targets, both organisational and regional, that are embedded in both organisational strategy and Low Carbon Auckland (soon to be superseded by Auckland’s Climate Action Plan, under development). Both efforts are coordinated and consider climate change mitigation and adaptation together.  
Collaboration has been a key tenet to our organisational and regional work at all scales, from deploying energy efficiency measures and climate finance like green bonds to establishing community recycling centres and leading alongside other C40 cities.  
Auckland Council has long advocated for changes to policy, frameworks and legislation to provide better incentives, direction and alignment to emissions reduction and the associated benefits.  

2. Is the craft sector position ambitious and specific enough? | Generally. We suggest:  
- Including organisational and local/regional emissions inventories and reduction targets to ensure and monitor progress.  
- Changing the language from “commit to exploring options for developing” a strategy and action plan to “commit to developing” a strategy and action plan (page 3).  
- Including language that calls for scrutinising decisions, projects or plans likely to have major impact on increasing emissions. | Auckland Council has either completed or is in the process of completing work on many of the commitments in the sector position. While we are likely to take more ambitious actions, we recognise the varying capacity and context of other councils in New Zealand to do so.  
Notwithstanding that difference, local progress to reduce emissions is unlikely without inclusion of some basic commitments to tracking, monitoring and actively reducing emissions.  |
| 3. Do you agree with the commitments – should any be added or omitted? | Yes. We suggest including strong consideration of both:  
- A just and equitable transition.  
- Inclusion of Māori and Te Tiriti o Waitangi obligations. | As considered by the Zero Carbon Bill and as per Auckland Council’s submission, progress on climate change should not preclude a just and equitable transition. Instead, it should help enable greater social and environmental justice and better outcomes (like better transport choices, healthier homes, reduced financial risk and exposure) for all.  
Likewise, action on climate change should consider obligations to Te Tiriti o Waitangi and the importance of placing iwi and Te Ao Māori at the centre of local climate planning, collaboration and implementation. |
| 4. Are there any other relevant matters that should be included and/or excluded? | | |

---

4. Overview of Current Progress on Auckland’s Climate Action Plan

Building the Evidence Base
Work continues to deepen our evidence base, including refinement of a Risk and Vulnerabilities Assessment to better understand social, economic and environmental risks and vulnerabilities across the region. Preliminary work was shared at a Committee workshop and at 19 local board workshops in June. A report and memo will be distributed to help inform a subsequent workshop with Committee and local board cluster workshops in September.

Refinement of emissions modeling scenarios to determine the scale and impact of necessary actions has begun with our technical consultants and in partnership with C40 Cities and World Bank using their CURB tool. We have also been coordinating methodologies with Government.

Aligning Auckland Council’s actions
The CSO presented a progress update and held a discussion on climate-related risk with the Executive Leadership Team (ELT) on 1 July with support for pilotting an approach to climate-related risk with the Parks team for potential wider organisational roll-out.

The ELT is also considering an item in August to support transitioning the current Energy Management Steering Group, meant to deliver on the energy efficiency collaboration agreement with the Energy Efficiency and Conservation Authority (EECA), into a wider climate change and energy group to help deliver on Auckland Council’s organisational climate commitments.

The CSO has had productive conversations with the CEO and ELT members on joining the Climate Leaders Coalition, a group of 60 New Zealand CEOs committed to action on climate change. The coalition representing approximately 50 per cent of NZ GDP, launched on 12 July with significant business, community and media attention.

Partnerships and Governance
The working group representing a wide range of council departments, CCOs, the Ministry for Environment (MfE) and Auckland-area District Health Boards continues to provide feedback, support and direction. They are currently helping to shape up subject-area workshops to be convened in August with sector experts to help shape the vision, potential actions and implementation approach as well as a Climate Summit later in October to showcase findings, more broadly engage the community and signal a landing point for the draft plan.

The central government/Auckland Council joint engagement launch event in June was a success as was collaboration on two Zero Carbon Bill events held in Auckland in June and July. The Committee endorsed our Zero Carbon Bill submission to Government on 10 July.

The Mayor- and Committee-appointed independent Advisory Group held its first meeting on 27 July, with an opening welcome from Councillor Hulse, context briefings from the Chief Sustainability Office team, and a workshop on opportunities, barriers and priorities.

A second session was held in July with the Mana Whenua Kaiākā Forum to discuss their role in leadership and governance as well as co-design of the plan with iwi.

Events and engagement
A Young Climate Leaders conference was held on 10 July with a guest visit from Energy Minister Megan Woods and a productive set of vision statements and actions to feed into the development of the climate action plan.

A new ‘digital democracy’ platform has been developed in partnership with ICT, an external vendor and the Comms/Engagement teams. The purpose is three-fold: 1) to engage a wide diversity of Aucklanders to gather and refine ideas for input into the plan, 2) to drive an Auckland-wide conversation on the vision, actions and priorities and 3) to pilot a new digital engagement approach with an aim for wider use. The site has just launched and can be located at ClimateAkl.co.nz.
5. Timeline and Next Steps

**August**
- Launch of digital engagement tool [ClimateAkl.co.nz](http://ClimateAkl.co.nz)
- Action development stakeholder workshops at GridAKL

**September**
- Committee workshop: targets, criteria, actions
- Additional workshops and stakeholder engagement
- Local Board Cluster workshops
- Mana Whenua Kaitiaki Forum

**October**
- Climate summit event to showcase priorities/actions and build community support
- Drafting plan

6. Attachments
- Committee workshop summary notes (4 July)
- LGNZ sector position
- Full draft feedback/response to LGNZ
Draft - Local government position on climate change mitigation

July 2018

Local government acknowledges that it has a role to play in contributing to emissions reductions, along with central government and every other individual, community sector and business in New Zealand. LGNZ is seeking feedback on this draft position by 30 August 2018.
Introduction

In 2017, local government released its Position Statement on Climate Change. In that Position Statement, local government recognised an urgent need for action to avoid future risks from climate change.

Since the release of the Position Statement in 2017, the national Government has committed to doing more to address the impacts of climate change, including by introducing a Zero Carbon Bill to Parliament in late 2018. It is widely held that this will set emissions reduction targets in law and establish an independent Climate Change Commission. Local government welcomes the Government’s commitment to greater action on climate change, and looks forward to the introduction of the Zero Carbon Act.

Notwithstanding the current lack of a coherent plan for New Zealand’s transition to a net-zero emissions economy, territorial and regional authorities have demonstrated commitment to contributing to the domestic reduction of greenhouse gas emissions (emissions) that New Zealand has committed to reducing, under the Paris Agreement. Councils have adopted a range of actions and strategies to reduce emissions within their organisations and their communities.

New Zealand’s communities are also increasingly acknowledging the challenges and opportunities that climate change presents and the need for action.

For local government, climate change adaptation is a significant challenge and key area of focus. However, councils acknowledge that they have a role to play in climate change mitigation. In fact, local government sees climate change mitigation and adaptation as intertwined — they both require joint strategy. The introduction of the Zero Carbon Act will further cement the need for local government to play a role in both adapting to and mitigating the impacts of a changing climate.

This Section Position on Climate Change Mitigation outlines the ambition that local government has for, and the commitments it makes to contributing to, the overall effort to reduce emissions in New Zealand. It also sets out the further support that local authorities need in order to enhance their contribution to emissions reductions. The Sector Position has been developed in light of the critical need for climate change mitigation if communities are to be prosperous and resilient, and in light of the anticipated increase in focus on climate change mitigation in coming months.

Local government’s vision for prosperous communities

Local government acknowledges that climate change will affect all current and future communities. The impacts that we observe today are the result of historical emissions and the increase in emissions in recent decades will lead to significant change in the coming years.

Local government has a shared vision for what prosperous communities will look like in 2050 and beyond. The 2050 vision encompasses the environmental, social, cultural and economic well-being of communities. Local authorities recognise that climate change creates both opportunities and significant challenges for achieving prosperity in these four areas.

Responsive leadership and a holistic approach to climate change mitigation that takes into account impacts on community well-being is therefore urgent. Emissions reductions are urgently needed at every level to ensure that communities continue to be prosperous. Local government has ambitions for the direction of travel that it will take to contribute to the achievement of emissions reductions.

Local government’s role in climate change mitigation

Local government acknowledge that it has a role to play in contributing to emissions reductions, along with central government and every other individual, community, sector, and business in New Zealand. Councils have a role to play in highlighting and helping communities understand the issues associated with climate change, and what people can do to address them.

Local government commits to fulfilling two key roles in contributing to emissions reductions, namely:

1. Councils reducing their own emissions; and
2. Councils taking a leadership role to encourage, support and coordinate efforts to reduce emissions within the city, district or region they represent.

Local authorities reducing their own emissions

Local authorities will demonstrate leadership and commitment to their communities by taking a holistic approach to reducing emissions reductions across all areas of their operations.

A stocktake completed in 2017 notes that a number of councils are already taking action to reduce their own emissions. Councils can and will continue to build on the work that is already underway by adopting strategies and taking actions to reduce their organisation’s emissions. Councils will draw on the best practice examples of actions already underway within the sector.

Councils acknowledge that there are areas where they can move on contributing to emissions reductions right now. Procurement, transport and waste management for example, are areas where councils know that they can have significant, influence and achieve progress towards reducing emissions.

Local authorities leading community emissions reduction efforts

Local authorities commit to taking a leadership role within the city, district or region they represent by encouraging, coordinating and supporting community-wide emissions reduction efforts. However, local government acknowledges that it cannot merely undertake such a role if it does not first demonstrate tangible commitment to reducing its own emissions.
Local government will continue to communicate with its community about the importance of reducing emissions, and the need for everyone to "do their bit" to contribute to emissions reductions. It will continue to advocate for, encourage and support wider uptake of action by its communities to reduce emissions. Councils will engage with a wide range of stakeholders to identify feasible options for reducing emissions within their cities, districts or regions, and will collaborate with stakeholder to maximise results. Local government acknowledges that local government can play a coordinating role by supporting local efforts to reduce emissions, such as working with local businesses to provide electric vehicle infrastructure or support for waste minimisation initiatives, among other things.

Greater action by local government on climate change mitigation

Local government recognises that if real progress on climate change mitigation is to be achieved, there is a need for greater activity by all facets of New Zealand society. Local government therefore commits to building on its existing efforts to reduce emissions and to the previous commitments that it has made in the Position Statement, and councils in particular:

1. Commit to exploring options for developing a corporate mitigation/emissions reduction strategy and action plan to guide internal decision-making

2. Commit to taking an ambitious approach to operational decision-making that promotes emissions reductions. Councils will, through the decision-making process, evaluate the potential of actions to contribute to, and give priority to those actions that will result in emissions reductions. Councils will maximise opportunities to reduce emissions which offer co-benefits, such as, but not limited to, cost savings, prudent financial management, option sequestration, improved water quality outcomes and water catchment security.

3. Will take a more proactive role in sharing knowledge, learning and resources that will further support the local government sector as a whole to learn from different initiatives and use that knowledge to contribute to emissions reductions.

4. Will take advantage of the range of opportunities that they are presented with to reduce emissions, both within their communities and organisations. For example, local government acknowledges that the Government’s Provincial Growth (Regional Economic Development) Fund and $1 billion trees scheme present opportunities for councils to take up actions that can contribute to emissions reductions and offsets.

Measuring emissions

Local authorities acknowledge that they will be better able to target efforts towards emissions reductions if they properly understand their councils and their city’s, district’s or region’s emissions. However, the complexity and cost of emissions profiling is a barrier preventing a large number of councils from measuring and properly understanding their emissions profile.

Local authorities commit to exploring options for sharing learnings, knowledge and resources with respect to frameworks and approaches for measuring emissions. Local government will continue to seek to work in partnership with central government to:

- Explore options for developing a nationally consistent approach to measurement of emissions, and provision of support for a framework that builds council capacity and capability in this area.
- Explore options for developing a framework that ensures equitable allocation of resources to support climate change mitigation learning.

Notwithstanding the difficulties that a number of councils currently face in understanding measurement and profiling of their emissions, local authorities commit to continuing to take actions and adopt strategies that are aimed at achieving emissions reductions.

Regional collaboration to address climate change mitigation

Approaches to and strategies for achieving emissions reductions will depend on local conditions and circumstances, and therefore vary across New Zealand’s regions.

Local government acknowledges that regional collaboration between territorial and regional authorities is one way that regions can coordinate opportunities to reduce emissions, share knowledge and achieve consistent outcomes that will work for the particular region.

Local authorities commit to exploring opportunities for regional collaboration on climate change action, and will encourage the involvement of stakeholders and other interested local parties or any regional climate change action groups that territorial and regional authorities choose to establish. Conversations about what can be done to reduce emissions need to be collaborative and involve a wide range of sectors and stakeholders.

Note: Climate change working groups have already been convened in Wellington and Canterbury regions.
Alignment of climate change mitigation and adaptation

Local government recognises that climate change mitigation and adaptation are interrelated. The emissions trajectory that we get locked into now will determine the extent of this adaptation challenge that New Zealand has to deal with. As such, there is a need to think in more holistic and integrated ways about how climate change can be addressed.

Councillors will take an integrated approach to climate change adaptation and mitigation strategy and planning. In particular, councillors must address their regions' trajectory hand-in-hand with increasing resilience. Councils will give priority to actions that simultaneously reduce emissions and better prepare their city, district or region for climate change impacts, by building resilience and enabling effective adaptation.

Barriers precluding local government from doing more

Local government has previously recognised in its Action Statement the value of explicitly incorporating climate change considerations, including emissions, into land-use decisions, district plans, urban design and development, energy use, transport planning and waste management, notwithstanding the existing lack of statutory mandate to do so. Councils have previously committed to:

- ensuring that low carbon, climate-resilient development is adopted as a key tenet of urban growth and development, and

- developing their understanding of the impacts of zoning and land use decisions on the emissions trajectory for their communities, in order to be able to make land use decisions that mitigate emissions.

Notwithstanding those commitments, and the work that a number of councils have been undertaking to fulfil them, existing legislative and policy frameworks prevent councils from doing more to deliver and contribute to emissions reductions, both directly (as a provider of infrastructure and services) and indirectly (through their influence over activities responsible for emissions).

A number of local government legislative and policy frameworks do not align well with, or make any provision for, the overarching goals of climate change mitigation and reducing emissions. Existing frameworks do not sufficiently enable councils to deliver or facilitate the achievement of emissions reductions, particularly in respect of matters such as spatial planning, urban form, transport and the built environment.

Central government policy settings and mandates must provide clear, consistent and enabling direction to ensure local government is making decisions and adopting actions that will contribute towards achieving a net zero emissions future.

There is an opportunity for cities, districts and regions to be supported by legislative and policy frameworks that encourage and support them to take different approaches to achieving emissions reductions, which would be more consistent with New Zealand’s overarching climate change mitigation goals. Local government would benefit from and will advocate for:

- A clear legislative mandate for councils to contribute to the achievement of emissions reductions through their strategic plans, over which they have reasonable control, and requiring actions to legislative and policy frameworks to ensure that they empower and support councils to take a wider range of mitigation actions. Examples to the Building Act and procurement frameworks to support, for example, would be better enable councils to contribute to emissions reductions.

- New policy tools that support councils to deliver and contribute to emissions reductions. Legislative provision for regional spatial planning and policies promoting quality compact urban form, for example, are powerful tools that would help councils to deliver integrated land use, infrastructure and transport planning, and achieve emissions reductions.

The local government sector intends to work to identify, in detail the aspects of existing legislative and policy frameworks which need to be reformed and updated in order to achieve better alignment with, and better support councils to contribute to, the achievement of the goal of net zero emissions in New Zealand.

Local government does however urge the Government to ensure that if it is considering making changes to existing legislation and policy to achieve alignment with mitigation goals, it must also be careful and work through those changes with local government and its communities first. Central government must work with local government to understand the implications of any changes it is considering and the support that councils would need to deliver on any changes.

To comment with feedback on this draft please email grace.kelli@lznz.co.nz by 30 August 2018.
10 August 2018

RE: LGNZ section position on mitigation

Dear Grace and Helen,

The transition to a climate resilient, low carbon economy and society is a priority for Auckland and Auckland Council. Such a transition presents a number of challenges to local and central governments as well as significant opportunities. For instance, funding the transition in the short term is likely to require additional capital spend — at least in the short term. Yet evidence and modelling support a direct connection between climate policy and economic growth, where action on climate change results in greater growth, productivity and overall well-being.

Moreover, a successful and productive Auckland, like any city, is predicated on a number of requirements with direct connections to the low emissions transition and to building resilience to climate change. These include transport choice, clean energy, public green space provision, and a high-quality and safe built environment. These have been shown to improve economic outcomes including agglomeration benefits, and lower and avoid costs.

While challenges exist to making the transition just and equitable, a low emissions and climate-ready transition done well is likely to help reduce the burden on our most vulnerable populations. A just transition can help to mitigate energy insecurity and projected cost escalation, reduce documented air quality and health costs associated with burning fossil fuels and from poor quality built environments, and help to reduce risk from the impacts of a changing climate like increased flooding, temperatures and sea level rise.

Auckland Council has long advocated for a unified voice of local government and stronger leadership from central government to support New Zealand’s transition to a low emissions and climate-ready future, including advocating for a clear government mandate to provide businesses with confidence to make long-term investment decisions, policies and legally binding targets.

---

financing mechanisms and monitoring of progress\(^1\). You will be aware that we have signed the Local Leaders Climate Declaration (2015 and 2017) and have participated with other local authorities as part of our partnership with LGNZ.

More specifically, Auckland has called for sector-based leadership from Government including but not limited to:

**Transport and land use**
- Targets and prioritised transport investment to reduce emissions, reflected in the Government Policy Statement (GPS) for Transport
- Integrated transport and land use outcomes across agencies through funding signals in the GPS and National Land Transport Plan (NLTP)
- Investigation and implementation of land value capture funding mechanisms to link infrastructure costs directly to the benefit/value created
- Acceleration and extension of low emission, rapid public transport and active transport networks
- Emissions standards and/or age limits for New Zealand’s vehicle fleet

**Built environment and energy**
- Addressing issues of competition in the building materials sector that impact on construction costs including for brownfield development
- Development of a social cost of carbon for inclusion in business cases across Government
- Review and update of the building code and allowing local governments to mandate higher standards
- Requirement of a minimum energy efficiency standard
- Mandatory building energy ratings to raise awareness and drive market demand
- Regulatory changes and considerations such as a more ambitious renewable energy target (up to 100 per cent renewable)

**Waste**
- A substantial increase to the waste disposal levy to facilitate movement toward a low emissions economy and better materials management, while creating employment and business opportunities from a more circular economy
- Targeted regulation to reduce commercial waste to landfill
- Product stewardship or “extended producer responsibility” (EPR) to shift responsibility for recovery, recycling and disposal of products to the manufacturer
- Amendment of the Waste Minimisation Act 2008 to either give greater control of waste reduction to councils or apply the same responsibilities to industry
- Regulatory changes and considerations such as a more ambitious renewable energy target (up to 100 per cent renewable)

Cities are a key part of the transition and play a critical role in helping countries meet and exceed emissions reduction targets of the Paris Agreement to avoid catastrophic climate change. Like other local governments, Auckland’s success in a zero carbon, climate-resilient transition is critical to New Zealand’s progress.

---

Zealand’s success – and vice versa. This is particularly true given Auckland’s size, emissions profile, economic and social roles, and current and future climate impacts.

Auckland is taking action on a number of fronts to plan, fund and build climate solutions to help deliver on national targets, often in partnership with central government. Our existing regional target of 40 per cent reduction of 1990-level emissions by 2040 is ambitious but new evidence suggests that those targets may not be significant enough to align with the national and global ambitions of the Paris Agreement to which C40 Cities like Auckland are committed to locally.

Auckland Council has been reviewing existing strategies, targets and action plans and is currently undertaking the development of an integrated climate action plan that tackles both adaptation to climate change and emissions reductions. We look forward to continued collaboration with LGNZ and local governments as we share lessons learned and coordinate approaches in the spirit of the draft sector position.

Feedback on Sector Position

Thank you for the opportunity to provide feedback on the draft sector position on climate change mitigation. We have crafted our feedback in line with your proposed questions.

Question 1: Agreement with direction of travel

Auckland Council agrees with the direction of travel on climate change mitigation as laid out in the sector position. Specifically that:

- Local government leadership and commitment in reducing organisational emissions and leading community emissions reduction strategies, approaches and efforts are both necessary.
- Such efforts should be ambitious, maximise co-benefits and involve sharing best practice.
- Collaboration on a consistent approach for measurement and regional approaches to action will help drive progress.
- Alignment of mitigation with adaptation is crucial.

Auckland Council has long advocated for changes to policy, frameworks and legislation to provide better incentives, direction and alignment to emissions reduction and the associated benefits4.

We believe that Central Government-level legislative and policy barriers to local government action – especially those related to transport, urban form and spatial planning – must be removed or revised to provide clear alignment and consistent direction in delivering a net-zero emissions and climate-resilient future. This includes working through changes carefully with local governments like Auckland Council.

Our feedback is based on and consistent with our actions. Auckland Council is acting to reduce our own organisational emissions and facilitating community-wide efforts to reduce emissions. This includes measuring emissions and working toward targets, both organisational and regional,

embedded in both organisational strategy and Low Carbon Auckland (soon to be superseded by Auckland’s Climate Action Plan, under development). Both efforts are coordinated and consider climate change mitigation and adaptation together.

Collaboration has been a key tenet to our organisational and regional work at all scales, from deploying energy efficiency measures and climate finance like green bonds to establishing community recycling centres and leading alongside other C40 cities.

Questions 2 and 3: Ambition, specificity and additional commitments

Auckland Council generally agrees with the specificity and ambition of the sector position, but offers a few suggestions and additions, including:

- Including organisational and local/regional emissions inventories and reduction targets to ensure and monitor progress.
- Changing the language from “commit to exploring options for developing” a strategy and action plan to “commit to developing” a strategy and action plan (page 3).
- Including language that calls for scrutinising decisions, projects or plans likely to have major impact on increasing emissions.

Auckland Council has either completed or is in the process of completing work on many of the commitments in the sector position. While we are likely to take more ambitious action, we recognise the varying capacity and context of other councils in New Zealand to do so.

Notwithstanding that difference, local progress to reduce emissions is unlikely without inclusion of some basic commitments to tracking, monitoring and actively reducing emissions.

Question 4: Other relevant matters

Auckland Council suggests including two additional matters as relevant to the sector position and that must be strongly considered:

1. A just and equitable transition. As considered by the Zero Carbon Bill and as per Auckland Council’s submission, progress on climate change should not preclude a just and equitable transition. Instead, it should help enable greater social and environmental justice and better outcomes (like better transport choices, healthier homes, reduced financial risk and exposure) for our more vulnerable populations.

2. Inclusion of Māori. Likewise, action on climate change should consider obligations to Te Tiriti o Waitangi and the importance of placing iwi and Te Ao Māori at the centre of local climate planning, collaboration and implementation.

Thank you again for the opportunity to provide our feedback into the sector position. Please don’t hesitate to contact us with any additional questions or need for further clarification. We look forward to working with you, central government and local governments around New Zealand to advance a zero-emissions, climate-resilient, and more prosperous future for all New Zealanders.

Sincerely,

John Mauro
Chief Sustainability Officer
Environment & Community Committee workshop: Development of Auckland’s Climate Action Plan

Summary notes

On 4 July 2018, the first of two workshops supporting development of Auckland’s Climate Action Plan (ACAP) was held, as agreed at the Environment and Community Committee on 20 February 2018.

The purpose of the session was to:

- Inform and update on climate risks, vulnerabilities, emissions and Local Board feedback.
- Gather insights and perspectives on next stages of plan development before wider stakeholder engagement.

Workshop two will take place 26 September to review actions and prioritisation.

These notes are a direct transcript of discussions held at the workshop and are not intended as a final report. All findings will be integrated into the on-going development of Auckland’s Climate Action Plan.

Part I. Introduction and framing of Auckland’s Climate Action Plan

Summary:

Auckland’s Climate Action Plan will set a path to rapidly reduce greenhouse gas emissions while ensuring Auckland is prepared for the impacts of climate change.

CSO gave an update and also shared the timeline of developing ACAP.

Comments/feedback:

No comments.
Part II. Auckland climate projections and risks & vulnerabilities assessment

Summary:
An overview of the NIWA climate projections report was given, a summary of which has previously been provided to Committee and is available through Knowledge Auckland. This project was led by the CSO in partnership with CCOs and DHBs. These projections are now underpinning a more detailed assessment of Auckland’s risks and vulnerabilities in a project led by our Research and Evaluation Unit (REU).

Comments/feedback:
Simple language. Point made around the importance of using simple language and ensuring all key terms are clearly defined.

Auckland v. New Zealand. Recognition that the climate change conversation will be different in Auckland given our different emissions profile to New Zealand.

EXERCISE 1. Climate Risks and Vulnerabilities

Councillors were provided with a map of draft findings of social vulnerability across the Auckland region. It is important to note that this represents current levels of understanding and is not a final representation. Feedback was requested on gaps in current knowledge of impacts and vulnerabilities in each Local Board area (informed by feedback from Local Boards to date and a full report will be provided in August).

Figure 1. Social vulnerability map
### Table 1: Feedback on risks and vulnerabilities across the region

<table>
<thead>
<tr>
<th>Geography</th>
<th>Additional observations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>North</strong></td>
<td></td>
</tr>
<tr>
<td>Albert-Eden</td>
<td>• Oakley Creek already caving in and dangerous in parts Örākei.</td>
</tr>
<tr>
<td></td>
<td>• Raise Tamaki drive</td>
</tr>
<tr>
<td></td>
<td>• Lack of infrastructure (stormwater systems)</td>
</tr>
<tr>
<td></td>
<td>• Water quality from ponell to St Heliers, especially Okahu Bay</td>
</tr>
<tr>
<td></td>
<td>• Cliff erosion</td>
</tr>
<tr>
<td></td>
<td>• Cultural impacts of flooding</td>
</tr>
<tr>
<td></td>
<td>• Coastal inundation and impacts on coastal properties especially on Tamaki drive</td>
</tr>
<tr>
<td>Waitākere</td>
<td>• One road</td>
</tr>
<tr>
<td></td>
<td>• Long-term viability of houses</td>
</tr>
<tr>
<td>Kaipātiki</td>
<td>• Flooding community facilities / road</td>
</tr>
<tr>
<td><strong>Upper Harbour</strong></td>
<td>• Wastewater overflows</td>
</tr>
<tr>
<td></td>
<td>• Local board – North shore orientated</td>
</tr>
<tr>
<td>Waitemata</td>
<td>• Commercial property value under threat</td>
</tr>
<tr>
<td></td>
<td>• Cultural impacts on culturally significant sites</td>
</tr>
<tr>
<td><strong>South</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Map is based on assumptions that are wrong</td>
</tr>
<tr>
<td></td>
<td>• Flooding and impact on low-lying homes – we will need to adapt but how quickly? (Māngere)</td>
</tr>
<tr>
<td></td>
<td>• Stormwater drains couldn’t handle storm events and flooding</td>
</tr>
<tr>
<td></td>
<td>• Wet and couldn’t mow the lawns – knock-on effect of this, can’t mow lawn then someone is out of a job</td>
</tr>
<tr>
<td></td>
<td>• Poorer areas are more adaptive because have close knit family support</td>
</tr>
<tr>
<td></td>
<td>• That said, poorer areas are more exposed to the cold and mould</td>
</tr>
<tr>
<td></td>
<td>• Need to look at home ownership / housing NZ – this will impact the resilience of communities</td>
</tr>
<tr>
<td></td>
<td>• More potholes aft the last storm</td>
</tr>
<tr>
<td></td>
<td>• Mangakiekie-Tamaki has some of the lowest % of tree coverage</td>
</tr>
<tr>
<td></td>
<td>• Marae have high adaptive capacity</td>
</tr>
</tbody>
</table>
EXERCISE 2. Emission reduction for Auckland

Councillors were provided with a poster for discussion as to how and where Auckland should focus on emissions reduction across the region. Key points raised are given below.

![Image of emission reduction poster]

**Electrification of transport.** Electrify bus fleet and increase EV charging

**Transport network.** Ensure people have safe commuting corridors. Pedestrianise the city centre.

**Behaviour change + affordability.** People often want things to change but are not ready to do their part to instigate the change. Therefore, it’s important to share positive stories how taking action can create change (e.g. by cycling more, we reduce emissions and improve health outcomes). Important that the behaviour changes we are encouraging are affordable.

**Challenging how we think.** What are the restrictions to our thinking? Some Samcan thinking should be incorporated into how we think about things.

**Cultural changes.** Do you really care for your environment? Is that part of your culture or is it not?

**Walk the talk.** Auckland Council and the Council-family must lead the way, e.g. Auckland Transport staff should all use public transport to get to work. Auckland Council building portfolio should be leading.

**Auckland Council Procurement.** What does Auckland Council procurement signal? Is it including sustainability and climate change metrics?
Recent rate change. Through the latest consultation on rate change Aucklanders chose for the highest environmental rate. Aucklanders recognise that they are investing in Auckland for Auckland. We want to encourage this – people are investing in the future and investing for people who need it.

Incentivize business to change. Need to incentivize businesses to change and to innovate in this space or else they will continue with business as usual. Work with ATEED to talk to business about the triple bottom line.

Carrot or stick? We want to give industry a discount for doing the right thing. Rather than charging for wrong.

Engaging with communities. We often don’t communicate with our communities in ways that they understand. Need to use different methods and to use plain simple language.

Cars off the road. Do we have function in getting cars off the road? Can we have a role in saying we don’t need them anymore and that there are too many. Could we establish a legal framework that sets car quotas?

Different messaging for different groups. For example, young people in the pacific understand climate change but older generations may not. Consider using different messages for different generations.

Changing how we work, commute, and live. People use their car because they have to, not necessarily because they want to. Position here for Council to plan so that people don’t have to work and operate like this.

New developments. Need to incentivize low-carbon plans for new developments and green developments. Have tried this in the past and it has not worked.

Making car-free easy. How do we make it easier for people to not use their cars? E.g. enable every child to either walk or bike to school.

Building retrofit. Supporting building change overs and retrofit – how do we do double glazing.

Regulatory process. Critical to ensure our regulatory processes encourage the development of green buildings.

Holding on to our green space. This will be critical for the future. Also need to ensure our open space policy links with the protection of our green spaces.
EXERCISE 3. What are the principles and goals you want instilled in the plan?

Councillors were asked to identify the key principles they would want to see underpinning the plan, including those listed below.

![Image of councillors at workshop]

*Figure 3: Councillors considering climate risks and principles to underpin the plan*

Key principles:
- Social Equity
- Kaitiaki
- People
- Other ways of thinking
- Green spaces
- Green businesses
- Healthy habitats
- Public health
- Seeking opportunities
- Purpose of the bill needs to be incorporated into the ACAP – Net zero emissions by 2050
- Resilience and innovation for both old and new infrastructure
- Need to also talk about the opportunities
- Capturing the health impacts from climate change
Minutes of the workshop of the Environment and Community Committee held on Wednesday, 4 July 2018 at 3.05pm, on Level 26, 135 Albert Street, Auckland.

Attendees

Members

Cr Penny Hulse
Cr Alf Filipaina
Cr Josephine Bartley
Deputy Mayor Bill Cashmore
IMSB Member Renata Blair
Cr Dr Cathy Casey
Cr Faanana Efeso Collins
Cr Linda Cooper, JP
Cr Richard Hills
Cr Greg Sayers
Cr Desley Simpson, JP
IMSB Member Glenn Wilcox

Apologies

Mayor Hon Phil Goff, JP
IMSB Member Renata Blair
Cr Ross Clow
Cr Chris Darby
Cr Hon Christine Fletcher, QSO
Cr Sharon Stewart, QSM
Cr Sir John Walker, KNZM, CBE
Cr Wayne Walker
Cr John Watson

Absent

Cr Mike Lee
Cr Daniel Newman, JP
Purpose: The purpose of the workshop is to:
- inform and update on climate risks, vulnerabilities, emissions and Local Board feedback.
- gather insights and perspectives on next stages of plan development before wider stakeholder engagement.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>TOPIC</th>
</tr>
</thead>
</table>
| 1    | Apologies  
Mayor Goff (for absence, on council business); Cr R Clow, Cr C Darby and Cr S Stewart (for absence) and Cr C Fletcher, Cr Sir J Walker and Cr V Walker (for leave of absence):  
Declaration of Interest  
There were no declarations of interest. |
| 2    | Staff presented presentations on the following:  
Update on progress in development of the ACAP  
Auckland’s climate risks and vulnerabilities  
What could the Zero Carbon Bill mean for Auckland’s Climate Action Plan?  
Auckland’s Climate Action Plan – Delivering an integrated approach  
Developing the vision and next steps |

The workshop ended at 4.35pm
Memorandum

3 August 2018

To: Environment and Community Committee
Cc: Jim Quinn, Chief of Strategy

Subject: Update on several workstreams related to trees in Auckland’s urban areas

From: Sietske Bouma (Natural Environment Strategy)
Matthew Blaikie (Chief Sustainability Office)
Ruth Andrews (Plans & Places)
Grant Lawrence (Research and Evaluation)
Howell Davies (Community Services)

Purpose
1. To provide the Environment and Community Committee with an update on several workstreams related to trees in Auckland’s urban areas.

Summary
- The Environment and Community Committee approved a Strategy for Auckland’s Urban Ngahere (Forest) on 20 February 2018. The strategy aims to increase our knowledge of Auckland’s urban ngahere and use that knowledge to protect, grow and maintain trees and other vegetation in Auckland’s existing and future urban areas.
- The strategy identified 18 high level implementation actions to achieve strategy outcomes (grouped under three themes ‘Knowing’, ‘Growing’ and ‘Protecting’), and recognised that collaboration, funding and partnerships are all fundamental to successful implementation.
- The Planning Committee received a report on the current and future regulatory and non-regulatory techniques of urban tree protection on 3 April 2018. Committee members endorsed the current approach to managing and protecting trees in Auckland, acknowledging that the Strategy for Auckland’s Urban Ngahere includes seven actions to better protect trees in urban areas and that the efficiency of regulatory tree protection in Auckland’s Unitary Plan will be reviewed as part of the Unitary Plan Monitoring project.
- This memo provides an update on several (but not all) workstreams covered by the 18 high level implementation actions included in the Strategy for Auckland’s Urban Ngahere. These updates were requested by the Environment and Community Committee (20 February 2018) and the Planning Committee (3 April 2018).
- Staff will provide an update on the Unitary Plan Monitoring project to the Planning Committee in September 2018 and prepare a full progress report on implementing the Strategy for Auckland’s Urban Ngahere for the Environment and Community Committee in August 2018.

Context/Background

Environment and Community Committee meeting of 20 February 2018
2. A well-managed, flourishing and healthy urban ngahere has a wide range of evidence-based benefits and is increasingly essential in counteracting the associated pressures of growth in urban Auckland. It plays a significant role in contributing to positive urban amenity and creating a healthy living environment with many social, cultural, economic and environmental benefits.
3. At its meeting on 20 February 2018, the Environment and Community Committee approved the Strategy for Auckland’s Urban Ngahere and authorised the Chair, Deputy Chair and an IMSB member to review, make minor revisions and approve the finalised strategy for public release.
4. The strategy aims to increase our knowledge of Auckland’s urban ngahere (e.g. status and trends, values and benefits, existing and future risks and pressures) and use that knowledge to protect, grow and maintain the existing and future urban ngahere. The strategy identified 18 high level actions to achieve strategy outcomes (see attachment 1) and recognised that collaboration, funding and partnerships are all fundamental to successful implementation.

5. At the time of approval of the strategy staff had mainly anecdotal evidence on the status and trends of Auckland’s urban ngahere. Staff informed committee members that six key actions have been identified to increase our knowledge of Auckland’s urban ngahere and made specific reference to the 2016-2017 LiDAR (Light Detection and Ranging) survey that is expected to enable identification of trends in urban forest canopy cover across the region between 2013 and 2016-2017.

6. Environment and Community Committee members resolved to request staff to report back to the Committee on the results of the LiDAR survey and an implementation plan for the strategy, which will include additional work on costs and benefits and funding sources, in August 2018, or earlier if possible subject to availability of LiDAR data.

Planning Committee meeting of 3 April 2018

7. Staff provided a report on the current and future regulatory and non-regulatory techniques of urban tree protection to the Planning Committee meeting on 3 April 2018.

8. Staff did not recommend any changes or additions to the current regulatory regime for tree protection and instead recommended that the status quo remain. This was principally because several initiatives are already underway to protect trees (and other vegetation) in the urban areas. Specific reference was made to:
   - the recently approved Strategy for Auckland’s Urban Ngahere (which includes seven high level actions to better protect the existing and future urban ngahere); and
   - the Unitary Plan Monitoring project which will develop indicators and measures for determining the efficacy and efficiency of regulatory tools (including those related to tree protection).

9. At this meeting Planning Committee members resolved to:
   - endorse council’s current approach to managing and protecting trees in Auckland taking into account the adoption of the Strategy for Auckland’s Urban Ngahere in February 2018;
   - request staff to initiate a discussion with Government in relation to options for the management, protection and restoration of trees and vegetation in Auckland and across New Zealand;
   - receive a further report to the Environment and Community Committee, with updated LiDAR and resource consents data, as part of reporting on the Strategy for Auckland’s Urban Ngahere by August 2018.

Update on workstreams related to trees in urban areas

10. Further to the 20 February 2018 Environment and Community Committee meeting and the 3 April 2018 Planning Committee meeting, and considering the implementation framework included in the Strategy for Auckland’s Urban Ngahere, an update is provided on:
   - finalising the Strategy for Auckland’s Urban Ngahere for public release;
   - area-specific implementation and funding opportunities;
   - the status and initial results of the 2016/2017 LiDAR survey;
   - further analysis of resource consent data related to tree removal;
   - initial discussions with Government in relation to options for the management, protection and restoration of trees and vegetation in Auckland and across New Zealand.

11. The updates cover several, but not all the 18 high level implementation actions identified in the strategy. They can be seen as an early progress report on implementing some of the actions identified in the strategy.
Discussion

Workstream 1: Finalising the Strategy for Auckland’s Urban Ngahere for public release

12. Finalising the draft strategy for public release is on-going. Progress has included the writing of a mihi and foreword, professional proof-reading of the draft text, translation of headings to te reo Māori and sourcing of images. Further design and layout work is required before the strategy can be presented to the Chair, Deputy Chair and IMSB member for approval in preparation for public release.

13. The Chief Sustainability Office and Natural Environment Strategy Unit are working with the Communication and Engagement Department and the Design Studio to finalise the strategy and prepare a communications plan for public release.

14. It is expected that the strategy will be presented to the Chair, Deputy Chair and IMSB member for their approval in September 2018.

Workstream 2: Area-specific implementation and funding opportunities

15. The strategy identifies the need for an area specific approach to implementation that requires engagement with local boards and key partners and stakeholders to discuss individual needs and drivers for growing and protecting Auckland’s urban ngahere.

16. Community Services staff explored the opportunity to prepare more detailed implementation plans in collaboration with local boards through the Locally-Driven Initiative (LDI) funding.

17. The following 13 local boards have agreed to fund a project that will support area-specific implementation of the urban forest strategy: Albert-Eden, Henderson-Massey, Hibiscus and Bays, Howick, Kaipātiki, Māngere-Ōtāhuhu, Maungakiekie-Tāmaki, Ōrākei, Ōtara-Papatoetoe, Puketāpapa, Upper Harbour, Waitakere and Whau.

18. Scoping of these area-specific projects is currently underway with delivery of project results expected in the 2018-2019 financial year.

19. In addition to seeking local board funding, staff have also started exploring opportunities to achieve strategy outcomes through planning processes for urban development (e.g. structure planning, place-based spatial planning and Supporting Growth), application of strategic principles to existing programmes (e.g. million trees programme) and inclusion of strategy outcomes in urban design manuals (e.g. Roads and Streets Framework).

Workstream 3: Status and initial results of the 2016-2017 LiDAR survey

20. The focus of this workstream is to use 2016-2017 LiDAR data to do region-wide urban forest canopy cover analyses. This will help to understand the status and trends in urban forest canopy cover between 2013 and 2016-2017. These results will guide and assist with the implementation of the urban forest strategy.

21. There has been a significant delay in the delivery of the 2016-2017 LiDAR data, but these data will be of higher quality compared to previous surveys. The new LiDAR data for the southern areas (south of the Mangere Inlet) has recently (July 2018) become available and the full dataset covering the entire region is expected to become available around September 2018.

22. Once these (large) datasets have been received quality control checks and analyses will be done to deliver:
- region-wide canopy cover status and trends analyses;
- status and trends analyses at local board scale to support area-specific implementation of the strategy (see workstream 2).

23. A preliminary assessment of 2016-2017 LiDAR data is presented in attachment 2. Within the southern half of the Auckland region, six representative suburbs were selected to assess the urban canopy cover change (Mellon’s Bay, Howick, Mangere Bridge, Mangere East, Flat Bush and East Tamaki Heights).
24. This preliminary analysis detected a 1% net increase in canopy cover across the six areas over the three-year period from 2013 to 2016. There were also significant losses of urban canopy cover in each area, but in all but one suburb (East Tamaki Heights) these losses were counter-balanced by the gains.

Workstream 4: Further analysis of resource consent data

25. As conveyed to the Planning Committee in April this year, there are challenges in extracting quantitative consent data from the NewCore / SAP platform. Following discussion with the Resource Consents department, Plans & Places has initiated a process outside of the SAP platform to collect and analyse consents data.

26. A trial of this process was undertaken, and the formal capture and analysis of the data commenced in early July 2018. The data will provide a granular breakdown of resource consent decisions against the rules of the Auckland Unitary Plan that they have triggered. Further, it will also provide a spatial aspect to consent activity. This information will be utilised in a number of ways, in particular to inform the monitoring of the Auckland Unitary Plan.

27. The new collected data will provide more accurate quantitative data for tree and vegetation removal, for example where vegetation alteration rules are triggered within wider land use consents for other activities.

28. As the process has only recently started, there is little data available as yet. It will take some time to collect, record and analyse the necessary information, and this will steadily become available as the project progresses.

29. Future work will focus on assessing the effectiveness of tree protection tools in the Auckland Unitary Plan through the Unitary Plan Monitoring project. Details of this project will be presented to the Planning Committee in September 2018.

Workstream 5: Initial discussions with central government on options for the management, protection and restoration of trees and vegetation in Auckland and across New Zealand

30. An initial discussion was held with the Ministry for the Environment (MfE) in May 2018. One of the workstreams currently underway in MfE’s ‘Urban Growth Pillar’ is focusing on urban development outcomes, including the role that urban trees play in a ‘quality-built environment’. There is an opportunity for council to have a role in these discussions.

31. On-going liaison with central government was identified as one of the high-level actions in the draft Strategy for Auckland’s Urban Ngahere. This is anticipated to be a long-term process and the outcomes of these discussions are best reported back as part of implementation of the strategy.

Next steps

32. The 18 high level actions included in the Strategy for Auckland’s Urban Ngahere (see attachment 1) will guide and direct future work relating to trees (and other vegetation) in Auckland’s existing and future urban areas.

33. The five workstreams described above give effect to several, but not all of the 18 high level actions. Staff will present a progress report on implementing the strategy covering all 18 high level actions to the Environment and Community Committee in August 2019.

34. Staff will present an update on the Auckland Unitary Plan Monitoring project to the Planning Committee in September 2018.
Attachment 1 High level actions identified in the Strategy for Auckland’s Urban Ngahere

The Engage and Manage mechanisms identified in the strategy framework run through all the high level actions and are central to their successful implementation.

**Knowing**

High level actions to support the following outcomes:
- better understanding of the status and trends on private and public land over time
- better understanding of the diverse values and benefits of Auckland’s urban forest
- better understanding of existing and future risks and pressures

<table>
<thead>
<tr>
<th>High level actions</th>
<th>Implementation timeframe (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Incorporate three-yearly LiDAR surveys in council work programmes.</td>
<td>1-2 3-5 Ongoing</td>
</tr>
<tr>
<td>2 Create database for existing assets within two years.</td>
<td></td>
</tr>
<tr>
<td>3 Integrate scientific knowledge of the urban ngahere with mātauranga Māori in partnership with mana whenua of the urban ngahere.</td>
<td></td>
</tr>
<tr>
<td>4 Quantify values and benefits (within 12-18 months).</td>
<td>✓</td>
</tr>
<tr>
<td>5 Determine survival rates of new council plantings.</td>
<td>✓</td>
</tr>
<tr>
<td>6 Identify key pressures and risks in partnership with mana whenua and local boards.</td>
<td>✓</td>
</tr>
</tbody>
</table>

**Growing**

High level actions to support the following outcomes:
- increase the average canopy cover to 30 per cent across Auckland’s urban area with no local board area having less than 15 per cent canopy cover
- increased resilience to existing and future pressures

<table>
<thead>
<tr>
<th>High level actions</th>
<th>Implementation timeframe (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Increase canopy cover in road corridors, parks and open spaces to support an average of 30 per cent canopy cover across Auckland’s urban area with no local board area having less than 15 per cent canopy cover.</td>
<td>1-2 3-5 Ongoing</td>
</tr>
<tr>
<td>2 Identify and prioritise locations for future planting on public land in partnership with mana whenua and local boards.</td>
<td>✓</td>
</tr>
<tr>
<td>3 Use science and ongoing engagement with local boards, mana whenua and communities to inform decisions in relation to types of planting.</td>
<td>✓</td>
</tr>
<tr>
<td>4 Increase the capacity of nursery programmes (including maraes) to increase the supply of eco-sourced plants.</td>
<td>✓</td>
</tr>
<tr>
<td>5 Leverage partnerships established through existing initiatives [e.g. the Mayor’s Million Trees programme].</td>
<td>✓</td>
</tr>
</tbody>
</table>
### Protecting

**High level actions to support the following outcomes:**
- no net loss of canopy cover at the scale of local board areas
- no loss of percentage of trees larger than 10 metres
- no net loss of notable trees

<table>
<thead>
<tr>
<th>High level actions</th>
<th>Implementation timeframe (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Complete a comprehensive review of tree protection under the Auckland Unitary Plan Operative in part.</td>
<td>1-2, 3-5, Ongoing</td>
</tr>
<tr>
<td>2 Explore potential for new regulatory tools to protect trees on private properties (e.g., working with central government).</td>
<td>✓</td>
</tr>
<tr>
<td>3 Increase landowner grants and incentive programmes (e.g., heritage tree fund for private property owners).</td>
<td>✓</td>
</tr>
<tr>
<td>4 Address current and future pressures to Auckland’s urban ngaheke and protection.</td>
<td>✓</td>
</tr>
<tr>
<td>5 Raise public awareness of the values and benefits of the urban ngaheke (e.g., status and trends, pressures, planting guidelines, proper tree care).</td>
<td>✓</td>
</tr>
<tr>
<td>6 Raise arboriculture maintenance programme from two to five years or until new plantings are well established (a target survival rate of 70-80 per cent).</td>
<td>✓</td>
</tr>
<tr>
<td>7 Establish a labelling programme for protected trees within 12 months (e.g., species, age and benefits).</td>
<td>✓</td>
</tr>
</tbody>
</table>
Attachment 2 Preliminary assessment of urban forest canopy cover between 2013 and 2016-2017 using LiDAR data

Methods
Within the southern half of the Auckland region, six representative suburbs (Mellon’s Bay, Howick, Mangere Bridge, Mangere East, Flat Bush and East Tamaki Heights) were selected to assess the change in canopy cover of urban forest. These areas combined made up approximately 8\% of the southern urban area. Suburbs were chosen to reflect a cross section in demography and baseline canopy cover ranging from low (~10\% cover of urban forest canopy 3m+ in height in this suburb) to high (>25\% canopy cover). The sample also contained two suburbs on the margins of the metropolitan area that are currently under-going significant change from rural to urban land-use: Flat Bush and East Tamaki Heights.

A common method for measuring urban canopy coverage is using LiDAR. The primary use of LiDAR for Auckland Council has been the generation of terrain models for stormwater modelling. We are able utilise the above ground LiDAR measurements for extraction and measurement of vegetation. By using the LiDAR flown in 2013 and 2016 we are able to assess vegetation distribution and height. This is not the only method available for measuring vegetation distribution. Other methods include high resolution satellite imagery classification and aerial imagery analysis, although LiDAR has the added benefit of both horizontal and vertical (height) measurements.

By using the pre-classified vegetation point cloud data for each 2013 and 2016 LiDAR flyover, we were able to create two respective canopy height models and compare them against each other to detect change. Change was assessed in each of the representative suburbs and broken down into tree height classes. An example of the type of data used to make these comparisons is presented in Figure 1. The red pixels show locations where tree canopy has been lost – usually through the loss of a discrete tree or group of trees.

![Figure 1: Snapshot of spatial data depicting the change in tree canopy cover between 2013 and 2016 LiDAR data. Red pixels show canopy loss, green pixels are canopy gain, and beige pixels show persistent canopy over the approximately three-year period between the two samples.](image-url)
Results
The results are to be treated as indicative only, as they have not yet been verified in detail. This preliminary study detected a 1% net increase in urban forest canopy cover across all six suburbs that we examined over the three-year period from 2013 to 2016 (Table 1). Five out of the six representative suburbs (Mellons Bay, Howick, Mangere Bridge, Mangere East and Flat Bush) showed a net gain in urban tree canopy cover (Table 1). East Tamaki Heights experienced a net loss (-4%) of urban tree canopy of the three-year period. This was largely the result of a single clearance event of large trees (20-30m in height) where exotic plantation forest in the rural fringe of the suburb was cleared and replaced by housing.

Table 1: The percentage cover of urban forest in 2013 and 2016 for a sub-sample of six suburbs from the south-eastern part of Auckland city.

<table>
<thead>
<tr>
<th>Suburb</th>
<th>Year</th>
<th>2013</th>
<th>2016</th>
<th>% change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mellons Bay</td>
<td></td>
<td>23%</td>
<td>24%</td>
<td>+ 1%</td>
</tr>
<tr>
<td>Howick</td>
<td></td>
<td>15%</td>
<td>17%</td>
<td>+ 1%</td>
</tr>
<tr>
<td>Mangere Bridge</td>
<td></td>
<td>11%</td>
<td>12%</td>
<td>+ 1%</td>
</tr>
<tr>
<td>Mangere East</td>
<td></td>
<td>10%</td>
<td>11%</td>
<td>+ 1%</td>
</tr>
<tr>
<td>Flat Bush</td>
<td></td>
<td>19%</td>
<td>20%</td>
<td>+ 1%</td>
</tr>
<tr>
<td>East Tamaki Heights</td>
<td>33%</td>
<td>35%</td>
<td>- 4%</td>
<td></td>
</tr>
<tr>
<td>TOTAL for all six suburbs</td>
<td>18%</td>
<td>19%</td>
<td>+ 1%</td>
<td></td>
</tr>
</tbody>
</table>

The overall net increase in canopy cover disguised significant change in urban forest cover. The data shows there were significant losses of urban canopy cover in each suburb, although in all but one suburb (East Tamaki Heights) these losses were counter-balanced by the gains (Table 2). These suburbs are effectively in a dynamic equilibrium between canopy cover loss from tree removal and development and canopy gains from tree canopy growth and new tree plantings. The two different types of canopy cover gain are clearly evident in Figure 1. The green ‘donuts’ show marginal growth of established trees, whereas the green ‘dots’ show where the canopy of a newly planted tree has grown above the 3m threshold for inclusion as part of the urban forest.

The greatest gains in urban forest canopy were experienced in Mangere East and Mangere Bridge (12% and 13% respectively). However, the low ‘starting point’ in terms of total urban forest cover in these two suburbs meant these relatively large increases in cover only translated to just over one percentage point gain in overall canopy cover (Table 1).

Table 2: Gains and losses of urban forest canopy between 2013 and 2016 in a sub-sample of six suburbs from the south-eastern part of Auckland city.

<table>
<thead>
<tr>
<th>Suburb</th>
<th>% loss of 2013 tree canopy cover from 2013 to 2016</th>
<th>% gain in new canopy cover (based on 2013 area) from 2013 to 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mellons Bay</td>
<td>20%</td>
<td>24%</td>
</tr>
<tr>
<td>Howick</td>
<td>24%</td>
<td>30%</td>
</tr>
<tr>
<td>Mangere Bridge</td>
<td>16%</td>
<td>29%</td>
</tr>
<tr>
<td>Mangere East</td>
<td>22%</td>
<td>34%</td>
</tr>
<tr>
<td>Flat Bush</td>
<td>14%</td>
<td>15%</td>
</tr>
<tr>
<td>East Tamaki Heights</td>
<td>19%</td>
<td>9%</td>
</tr>
<tr>
<td>TOTAL for all six suburbs</td>
<td>17%</td>
<td>18%</td>
</tr>
</tbody>
</table>
There has been a disproportional loss of tall urban forest canopy cover between 2013 and 2016. The loss of tree canopy cover in the larger height classes (i.e., taller trees) was clearly evident across all six suburbs (Figure 2). With only one exception (15 – 20m height class in Mangere East) net tree canopy >10m+ in height decreased across all six suburbs and net growth in tree canopy cover was confined to the two lower height classes. Flat Bush and East Tamaki Heights in particular were characterised by significant losses of large trees in the rural portions of these suburbs as these areas were cleared to provide ‘clean’ sites for new development.

Figure 2: Percentage change (gains and losses) of urban forest canopy in different height classes between 2013 and 2016. Data from a sub-sample of six south-eastern suburbs of Auckland city.
Enviroment and Community Committee
14 August 2018

This committee deals with strategy and policy decision-making that relates to the environmental, social, economic and cultural activities of Auckland as well as matters that are not the responsibility of another committee or the Governing Body.

Priorities for 2018 will be on initiatives which:

1. Clearly demonstrate that Auckland is making progress with climate change adaptation and mitigation and taking action to reduce greenhouse gas emissions
2. Enable green growth with a focus on improved water quality, pest eradication and ecological restoration
3. Strengthen communities and enable Aucklanders to be active and connected
4. Make measurable progress towards the social and community aspects of housing all Aucklanders in secure, healthy homes they can afford
5. Grow skills and a local workforce to support economic growth in Auckland

The work of the committee will:

- Deliver on the outcomes in the Auckland Plan
- Be focused on initiatives that have a high impact
- Meet the Council’s statutory obligations, including funding allocation decisions
- Increase the public’s trust and confidence in the organisation.

<table>
<thead>
<tr>
<th>Area of work</th>
<th>Reason for work</th>
<th>Decision or direction</th>
<th>Expected timeframes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic approach to Climate Change</td>
<td>To demonstrate that Auckland is making progress with climate change adaptation and mitigation and taking action to reduce emissions.</td>
<td>Strategic direction will be provided in the coming months. Progress to date: A summary of activities to prepare for climate change was given in the presentation on 8/8/17 meeting. Report was considered on 20/2/18, resolution ENV/2018/11 Dec 18 – approval for consultation Feb – Mar 19 – targeted public engagement Apr 19 – feedback presented to elected members Jun 19 – final strategy for adoption</td>
<td>Q2 (Dec)</td>
</tr>
<tr>
<td>Low carbon living</td>
<td>To deliver on Low Carbon Auckland Plan commitments by the design and implementation of awareness raising and incentives programmes to reduce household, community, business and schools carbon emissions by approximately 50% of current levels.</td>
<td>Strategic direction and endorse programmes as part of the Low Carbon Auckland Plan implementation. Progress to date: Report was considered at 20/2/18 meeting. Res ENV/2018/11 report back in Dec18 for a decision. Independent Advisory Group (IAG) was approved. Chairs Planning and Env &amp; Community Ctees, an IMSB member and the Mayor’s office to decide on the membership of the IAG.</td>
<td>Q3 (Feb)</td>
</tr>
</tbody>
</table>

Edited 3 August 2018
<table>
<thead>
<tr>
<th>Item 15</th>
<th>Urban Forest Strategy</th>
<th>Low Carbon Auckland / Climate Change Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allocation of the Waste Minimisation and Innovation Fund</td>
<td>Auckland’s water strategy</td>
<td>Four-yearly review of strategic action plan due in 2018; increased engagement with and commitments via C40 Cities membership; development of proactive policy agenda to central government emerging</td>
</tr>
<tr>
<td><strong>Climate Plan Workshop:</strong></td>
<td></td>
<td>- Committee workshop on risks and vulnerabilities</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Communication strategy for broader public engagement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Local Board workshops</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Mana whenua engagement (integrated throughout)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Stakeholder workshops</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Prioritisation criteria and identified actions (Jul/Aug)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Cost benefit and total value analysis</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Agree prioritisation criteria</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Review all actions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Draft plan</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Draft plan to committee (Dec 2018)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Consultation (linking to other plans, approach tbc)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Updates to action plan</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Adoption of updated plan by council (Proposed December 2018)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Final Adoption of Climate Plan (Mar 09)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decision and endorsement of strategic direction</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Progress to date:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Report was considered at 20/2/18 meeting. Res ENV/201811 report back in Dec18 for a decision. Independent Advisory Group was approved.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Workshops scheduled: 4/7/18 and 26/09/18. An update was on 12/06/18 meeting agenda.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decision on strategic direction and endorsement of strategy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Progress to date:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A workshop was held on 14/06/17. Report was considered on 12/09/17 ENV/2017116 a full draft of the strategy was considered 20/02/18, res ENV/201812 with a report back on the results of the LIDAR and an implementation plan on costs and benefits in Aug 2018. An updated memo was included in the 14 Aug agenda.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decision on annual allocation of the Waste Minimisation and Innovation Fund for the 2018-2019 financial year.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Progress to date:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decision: Approval of allocation of September 2016 funding round Resolution ENV/2016/19 Item C5. Approval of grants in Dec 17</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Decision and strategic direction and priorities as part of the Auckland Plan. Consider the development of an Auckland’s waters strategy to be adopted for consultation December 2018.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Progress to date:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A report was considered on 12/06/18 to approve the proposed scope, timeframe and budget for the development of the strategy. Res ENV/201879 Key milestones:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- June 2018 – develop a strategic summary of water related outcomes, identify integrated water outcomes,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- July-Oct 2018 – high level regional options are developed and assessed for the five draft themes – consultation with</td>
</tr>
</tbody>
</table>
### Regional Pest Management Plan Review

<table>
<thead>
<tr>
<th>Decision and strategic direction on weed and plants that will be subject to statutory controls. Consider submissions received on the draft plan in mid 2018 and adopt the final plan by December 2018.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Progress to date:</strong></td>
</tr>
<tr>
<td>Decision: Agreed to the inconsistencies in ACT at the 14 Feb 2017 ENV/2017/7 Item 12</td>
</tr>
<tr>
<td>Workshops held on 4/04/17, 3/05/17 and 27/09/17</td>
</tr>
<tr>
<td>Draft plan was approved for consultation in Nov 2017</td>
</tr>
<tr>
<td>Funding for implementation of the proposed RPMP through LTP. A memo was distributed and is attached to the July agenda.</td>
</tr>
<tr>
<td>Key milestones:</td>
</tr>
<tr>
<td>• workshops with local boards on public feedback – September - October 2018</td>
</tr>
<tr>
<td>• workshops with local boards on public feedback – September - October 2018</td>
</tr>
<tr>
<td>• engagement with mana whenua – September – October 2018</td>
</tr>
<tr>
<td>• workshop with Environment and Community Committee – October – November 2018</td>
</tr>
<tr>
<td>• formal feedback from local boards at business meetings – October – November 2018</td>
</tr>
<tr>
<td>• approval of final plan by Environment and Community Committee – March 2019</td>
</tr>
<tr>
<td>Q3 (Mar 19)</td>
</tr>
</tbody>
</table>

### Inter-regional marine pest pathway management plan

<table>
<thead>
<tr>
<th>Decision on the development of the discussion document for an inter-regional marine pest pathway management plan for public consultation.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Progress to date:</strong></td>
</tr>
<tr>
<td>A memo was distributed on 31/05/18 advising the committee on the Auckland Council’s participation in the development of a discussion document for an inter-regional marine pest pathway management plan, through the Top of the North Marine Biosecurity partnership.</td>
</tr>
<tr>
<td>Q2 (Nov/Dec)</td>
</tr>
</tbody>
</table>

### Allocation of the Regional Natural Heritage Grant

<table>
<thead>
<tr>
<th>Decision-making over regional environment fund as per the grants funding policy and fund guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Progress to date</strong></td>
</tr>
<tr>
<td>Allocation of the Regional Environmental Natural Heritage Grant for the 2017-2018 financial year was made on 6 Dec 2016_ENV/2016/11 Item 15</td>
</tr>
<tr>
<td>Q3</td>
</tr>
</tbody>
</table>
**National Policy Statement for Freshwater Management**

The National Policy Statement for Freshwater Management is being implemented, with periodic reporting to council committee on progress, and responding to ongoing central government refinement of the framework for achieving water outcomes. In December 2018 further decisions will be sought under the national policy statement, including:

- Approve final targets for swim-ability of major rivers in the Auckland region
- Approve the updated Progressive Implementation Plan for the National Policy Statement for Freshwater Management

**Progress to date:**

- Council submission was approved on Central Govt. Clean Water Consultation 2017 process: Minutes of 4 April ENV/2017/54 Item 12. Follow up is required for resolution b) – a workshop held on 14 June. A supplementary submission on the Clean Water Consultation package was made on 25 May 2017. Item 14 13/06/17


- A report was considered on 26/6/18 : Res ENV/2018/78
- June 2018: develop strategy
- July to Oct 2018 – High level regional options are developed and assessed for the five draft themes in consultation with mana whenua, local boards and key stakeholders.
- Dec 2018- Draft Auckland’s waters strategy presented to Environment and Community Committee for approval for release for public consultation
- Feb to Apr 2019 - Targeted public engagement on the draft Auckland's waters strategy in February to March 2019.
- Apr 2019 - Feedback analysed and presented to elected members in April 2019
- Jun 2019 - Final strategy presented to Environment and Community Committee for adoption

**Strategic direction** and oversight into council’s role to improve the natural environment, and to endorse proposed incentives. This may include endorsing:

- A framework to ensure planning and growth decisions are underpinned by relevant environmental data
- Proposed incentives for green growth
- Recommendations arising from current state statutory obligations review.

**Food Policy Alliance**

To consider food policy alliance

**Decision** on food policy alliance

<table>
<thead>
<tr>
<th>Q3</th>
<th>Q4</th>
<th>Q1</th>
<th>Q2 (Dec)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Mar)</td>
<td>TBC</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Auckland Growing Greener**

Statutory obligations under the Resource Management Act, Biosecurity Act and Local Government Act. Consideration of items to give effect to the adopted commitment of Auckland Council to grow greener.

**Strategic direction** and oversight into council’s role to improve the natural environment, and to endorse proposed incentives. This may include endorsing:

- A framework to ensure planning and growth decisions are underpinned by relevant environmental data
- Proposed incentives for green growth
- Recommendations arising from current state statutory obligations review.

**Hunua Aerial 1080 Operation**

Provide information on outcomes of the Hunua 1080 aerial pest control operation

To note outcomes of the Hunua 1080 aerial pest control operation.

<table>
<thead>
<tr>
<th>Q3</th>
<th>Q4</th>
<th>Q1</th>
<th>Q2 (Nov)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Parks, Sports and Recreation**

**Sport and Rec Strategic Partnership Grant to Aktive Auck Sports Rec**

Approval of $552,000 strategic partnership grant to Aktive Auck & Sport to deliver on agreed priority initiatives.

**To approve the $552,000 strategic partnership grant to Aktive Auckland Sport & Recreation for 2017/2018**

**Progress to date:**

- Report was considered 5/12/17 Resolution ENV/2017/186 – report back against KPI every six months.
- A report was considered on 10 July 2018 to approve the strategic partnership grant of $552,000 per annum for a Q1 (Jul)
<table>
<thead>
<tr>
<th>Item 15</th>
<th>Te Motu a Hiaroa (Puketutu Island)</th>
<th>Status update on the Te Motu a Hiaroa Governance Trust</th>
<th>To note further update on progress of the governance trust</th>
<th>Q1 (Jul)</th>
<th>Q2 (Oct)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports Investment Plan</td>
<td>Council’s strategic approach to outcomes, priorities and investment in sports</td>
<td>Decision on issues papers Draft Plan approval Finalise and adopt investment plan Progress to date: Evaluation of current sports facilities investments and proposed changes was adopted on 14 March, resolution ENV/2017/39 Item 13 with the final draft investment plan to be adopted prior to consultation. An outcome measurement tool to support the Sports Facilities Investment Plan was considered and agreed at the 4 April 2017 meeting. Resolution ENV/2017/50 Item 9 The findings of the pilot will be reported in mid-2019 seeking a decision on the roll-out model.</td>
<td>Q3 (2019)</td>
<td>Q1</td>
<td>Q2 (Nov)</td>
</tr>
<tr>
<td>Golf Investment Plan</td>
<td>Council’s strategic approach to outcomes, priorities and investment in golf.</td>
<td>Decision on issues papers Draft Plan approval Finalise and adopt investment plan Progress to date: Confidential workshop held 13/06/17. Another workshop to be held (date to be advised)</td>
<td>Q3</td>
<td>Q4</td>
<td>Q1 (Sep)</td>
</tr>
<tr>
<td>Indoor Courts</td>
<td>Strategic business case for indoor courts investment</td>
<td>Decision on investment approach</td>
<td>Q3</td>
<td>Q4</td>
<td>Q1 (Aug)</td>
</tr>
<tr>
<td>Western Springs Community School Partnership</td>
<td>Improve Community Access to school facilities</td>
<td>Decision on Business and Investment in indoor court facility at Western Springs Progress to date: The report was considered in May. Resolution ENV/2017/71 A business case will be prepared to outline the opportunity to fully invest in the indoor court development and can consider as part of the LTP 2018-2028</td>
<td></td>
<td></td>
<td>Q2</td>
</tr>
<tr>
<td>Growth Programme</td>
<td>Update on proposed growth funding allocation for 2018-2020</td>
<td>Decision on growth funding allocation</td>
<td></td>
<td></td>
<td>Q1</td>
</tr>
<tr>
<td>Item 15</td>
<td>Regional Sports Grants</td>
<td>Improving monitoring and evaluation of sports grants</td>
<td><strong>Decision</strong> on monitoring and evaluation framework</td>
<td>Q3</td>
<td>Q4</td>
</tr>
<tr>
<td>---------</td>
<td>------------------------</td>
<td>---------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>-----</td>
<td>-----</td>
</tr>
</tbody>
</table>

| Regional Sport and Recreation grants programme 2018/2020 | Review of previous grants allocation and recommendation for next round | **Decision** on sport and recreation grants programme objectives and approach | **Progress to date:** Approved on 12 Sept the 2018/2019 grants programme to proceed in accordance with the Community Grants Policy suggested outcomes and assessment matrix. Applications open 30/10/17 close 8/12/17 ENV/2017/119 Workshop in April 2018. Report was considered on 8/5/18 and resolved ENV/2018/57. Approved applications for 2019/2020 funding round on 25/1/2019 and close on 8/3/19 for allocation from July 2019. | Q3 | Q4 (May19) | Q1 (Sep) |

| Review of the Community Occupancy Guidelines 2012: TOR | The review will assess the efficacy of the guidelines in for the council to deliver the best possible outcomes for Auckland through community leases | **Decision** on the terms of reference for the review of the Community Occupancy Guidelines 2012 | **Progress to date:** The TOR was approved for the review to commence and will report back in May 2018 subject to TLP. An update memo was circulated in August 2017 in response to feedback from the July 2017 meeting. Joint workshop with local board chairs held 20/6/18. | Q4 | Q1 (July) |

| Active Recreation Investment and Visitor Experience | Council’s strategic approach to outcome, priorities and investment for active walking, cycling, waterways and visitor experience on open space, parks and regional parks | **Decision** on scope and phasing | Q3 | Q4 | Q1 (Aug) | Q2 |

| Takaro – Investing in Play discussion document | Development of a play investment plan | **Decision** on approval for public release | **Progress to date:** Approved on 16/05/17 for public release the discussion document and will report to E&C for approval in late 2017 Takaro was approved for release on 20 Feb 2018 A report back by August 2018 for approval to initiate public consultation | Q3 (Feb) | Q1 (Aug) | Q2 |

| Regional Parks Management Plan 2010 – variation to incorporate land at Piha into the Waitākere Ranges Regional Park | To approve variation to incorporate land purchased at Piha to be known as Taitomo Special Management Zone as part of the Waitākere Ranges Regional Park | **Decision** on approval to a variation | **Progress to date:** Approved on 20/2/2018 Res ENV/2018/18 report Manager, Regional Parks, will prepare an integrated vegetation management and fire–risk reduction plan in consultation with the local community and report back on the resourcing needs for its effective implementation. | Q1 (tbc) |
### ECONOMIC DEVELOPMENT

<table>
<thead>
<tr>
<th><strong>The Southern Initiative (TSI)</strong></th>
<th>Provide an update on the TSI approach, priorities and achievements.</th>
<th><strong>Strategic direction</strong> of the TSI approach to social and community innovation in south Auckland</th>
<th>Q3</th>
<th>Q4</th>
<th>Q1</th>
<th>Q2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Global Engagement Strategy</strong></td>
<td>Provide an update and direction of Auckland Council’s global engagement strategy and priorities. It has been three years since a new strategic direction was introduced, progress on this strategy will be presented.</td>
<td><strong>Strategic direction</strong> of Auckland Council’s global engagement strategy and priorities</td>
<td>Q3</td>
<td>Q4</td>
<td>Q1</td>
<td>Q2</td>
</tr>
<tr>
<td></td>
<td>Funded</td>
<td><strong>Progress to date:</strong> Monthly global engagement updates are published on each agenda.</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td><strong>Options to expand revenue streams for sport facilities investment</strong></td>
<td>Provide strategic direction to expand revenue streams to fund future sports facilities investment in the draft Sports Facilities Investment Plan</td>
<td><strong>strategic direction</strong> to expand revenue streams to fund future sports facilities investment in the draft Sports Facilities Investment Plan</td>
<td>Q3</td>
<td>Q4</td>
<td>Q1</td>
<td>Q2</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Progress to date:</strong> A report was considered in Aug. Res ENV/2017/121.</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
</tr>
</tbody>
</table>

### SOCIAL, COMMUNITY, CULTURAL INFRASTRUCTURE

<table>
<thead>
<tr>
<th><strong>Community Facilities Network Plan</strong></th>
<th>Update on progress and report back on strategic business case for central west.</th>
<th><strong>Decision</strong> on indicative business case for central west</th>
<th>Q3 (Mar)</th>
<th>Q4</th>
<th>Q1 (July)</th>
<th>Q2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Auckland Sport Sector: Facility Priorities Plan</strong></td>
<td>Develop and endorse the Sports Facilities Investment Plan to enable Auckland Council to take a more co-ordinated approach to its sports facilities investment.</td>
<td><strong>Decision</strong> on the Auckland Sport Sector: Facility Priorities Plan. <strong>Decision</strong> on sector’s investment priorities and investigate potential funding options.</td>
<td>Q1 (Sept)</td>
<td>Q2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Progress to date:</strong> The plan was endorsed on 12 Sept ENV/2017/118. Staff to report back on priorities and potential funding options.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Homelessness</strong></td>
<td>Implementing Regional Policy and Strategy resolution to progress work around Council’s strategic position on addressing homelessness (note this work will be informed by discussions at the Community Development and Safety Committee)</td>
<td><strong>Decision</strong> on scope <strong>Decision</strong> on role and direction addressing homelessness</td>
<td>Q3 (Feb)</td>
<td>Q4</td>
<td>Q1 (Aug)</td>
<td>Q2 TBC</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Progress to date:</strong> Approved the scope policy 14 Feb item 17 <strong>Report</strong> item 12. Staff to report back with an implementation plan. Resolution ENV/2017/118 of preferred position and role</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Facilities Partnerships Policy</strong></td>
<td>Identify the range of current council approaches to facility partnerships, issues, opportunities and agree next steps</td>
<td><strong>Decision</strong> on facility partnership approach <strong>Decision</strong> to adopt Facility Partnership Framework in December 2017</td>
<td>Q3 (Feb)</td>
<td>Q4</td>
<td>Q1</td>
<td>Q2 (Dec)</td>
</tr>
<tr>
<td>Item 15</td>
<td>Attachment C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizens Advice Bureaux Services</td>
<td>Review of the Citizens Advice Bureaux Services RSP decision in April 2016 (REG/2016/22)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social and Community Housing Strategy and initiatives</td>
<td>Strategic overview of social and community housing initiatives. Wider housing portfolio and spatial outcomes of council’s role in housing is led by the Planning Committee.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Affordable Housing Intervention</td>
<td>Understanding NZ and international interventions to address affordable housing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Te Kauroa – Library Strategy</td>
<td>Libraries and Information is carrying out a change programme (Fit for the future) to accelerate the implementation of this 2013-2023 strategy (approved by the Governing Body)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central library strategic review</td>
<td>A strategic review of the Central Library has been commissioned to understand how the current building can meet future need and demand for services, assess the Central Library’s current and potential future role in the region, and guide decision making about future investment and development opportunities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Libraries</td>
<td>Work around the integration with customer services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intercultural Cities Network</td>
<td>Consideration of a proposal to join the Intercultural Cities Network to support implementation and monitoring of progress on ‘Inclusive Auckland’ actions.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Progress to date:
- **Citizens Advice Bureaux Services**:
  - Update was given at 14 February meeting on Phase 1. Approval was given on the proposed timelines for Phase 2.
  - A report seeking approval to engage on a draft facility partnerships policy on 12/06/18, Resolution ENV/2018/74

### Decision on review results

### Progress to date:
- **Review of the Citizens Advice Bureaux Services RSP decision in April 2016**: Report was considered at 20 Feb meeting. Decision: lies on the table. A supplementary report was considered on 10 April 2018, Res ENV/2018/49 and with changes for an updated funding model to be agreed by 1 April 2019

### Decision on review results

### Progress to date:
- **Social and Community Housing Strategy and initiatives**: Report was considered at 20 Feb meeting. Decision: lies on the table. A supplementary report was considered on 10 April 2018, Res ENV/2018/49 and with changes for an updated funding model to be agreed by 1 April 2019

### Decision on future Auckland Council approaches to affordable housing interventions

### Direction relating to priorities and to receive update on strategic direction and implementation progress

### Approve an expanded and improved regional mobile library service

### Progress to date:
- **Te Kauroa – Library Strategy**: Workshop held on 7 March with local board chairs. Workshop notes were attached to the 10 April agenda

### Decide direction and receive the strategic review

### Decision on matters relating to regional aspects of the proposed integration (local boards will decide on local outcomes)

### Consider a proposal to join the Intercultural Cities Network to support implementation and monitoring of progress on ‘Inclusive Auckland’ actions.

### Decide whether Auckland should be a member of the network
| Item 15 | Investing in Aucklanders (Age Friendly City) | Identify issues and opportunities for an inclusive friendly city (Regional Policy and Strategy resolution REG/2016/92) | Strategic direction on the approach to a friendly, inclusive, diverse city.  
**Progress to date:**  
Update reports were circulated on 18 April 2018 and 14 Dec 2017. Staff report findings and the proposed next phase in 2018.  
A report on the Findings was considered on 12/06/18 meeting. Resolution ENV/2018/75 approval for up to five inclusion pilots.  
A report back on the advantages and any obstacles to Auckland becoming an Age Friendly City as part of the World Health Organisation’s Global Network. | Q3 | Q4 | Q2 | Q1 (July) |
| --- | --- | --- | --- | | | | | |
| Social Enterprise approaches for youth and long term unemployed | Improved understanding of social enterprise reach, impacts, costs and benefits | Strategic direction on councils approach to social enterprise. | Q3 | Q4 | Q1 (Jul) | Q2 |
| Youth volunteer programmes | Intervention assessment of youth volunteer programmes on long term education and employment – understanding impacts, costs and benefits | Strategic direction on interventions approach | Q3 | Q4 | Q1 (Jul) | Q2 |
| Events Policy | A review of what is working well and what isn’t | | Q3 | Q4 | Q1 (Sep) | Q2 |
| Grant Policy Monitoring | Audit of the application of the Grants Policy | Decision on audit results | Q3 | Q4 | Q1 | Q2 |
| Toi Whitiki Strategy | Targeted analysis of social return on investment on specific art and culture investment | | Q3 | Q4 | Q1 | Q2 (Dec) |
| Public Art | Review of the Public Arts Policy: what’s working what’s not. Decisions relating to major public arts | Decision on review results | Q3 | Q4 | Q1 | Q2 (Dec) |

**LEGISLATION/CENTRAL GOVERNMENT**

| National Environmental Standards | Council response on the National Direction for aquaculture expected following scheduled release of consultation document in April 2017. The National Direction is likely to address matters relating to re-consenting, bay-wide management, innovation and research, and biosecurity. | Direction  
Committee agreement to a council submission on the National Direction for Aquaculture | Q3 | Q4 | Q1 | Q2 |

**LAND ACQUISITIONS**

| Strategic acquisition issues and opportunities | Understanding current acquisition issues and options. | | Q3 | Q4 | Q1 | Q2 |
### Item 15: Land acquisition for stormwater purposes

**Delegated responsibility of the committee.**
To acquire land for stormwater management and development purposes, to either support a structure plan or ad-hoc development.

**Decision** to acquire land. Reports will come to committee as required.
Next report will be in Feb 2018 seeking authority to carry out compulsory acquisition of land in the Henderson area for a flood prevention project.

<table>
<thead>
<tr>
<th>Quarter</th>
<th>Q3 (Feb)</th>
<th>Q4</th>
<th>Q1</th>
<th>Q2</th>
</tr>
</thead>
</table>

### OTHER

**Long-term Plan**
Informing the development of the 2018-2028 Auckland Council Long-term Plan

<table>
<thead>
<tr>
<th>Quarter</th>
<th>Q3</th>
<th>Q4</th>
<th>Q1</th>
<th>Q2</th>
</tr>
</thead>
</table>
Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Environment and Community Committee:

a) exclude the public from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Acquisition of land for open space - Whenuapai

<table>
<thead>
<tr>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Particular interest(s) protected (where applicable)</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
<td>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). In particular, the report identifies land the council seeks to acquire for open space purposes.</td>
<td>s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</td>
</tr>
</tbody>
</table>