

Review of the Community Occupancy Guidelines 2012

PART TWO: Review of New Zealand and international local authorities leasing practices

August 2018



Executive Summary

This report presents Part Two of a two-part summary of findings from the review of the *Community Occupancy Guidelines 2012* (the guidelines).

PART ONE: How have the guidelines been applied?

- Desktop assessment of 70 sport and recreation leases granted after 2012
- Targeted interviews with council staff and sport and recreation organisations

PART TWO: How do the guidelines compare with others?

- Literature review of community lease policies and guidelines of two New Zealand, three Australian and three Canadian local authorities

Part Two covers findings from a literature review to assess how Auckland Council's guidelines compare with community lease policies and guidelines of other local authorities in New Zealand, Australia and Canada.

Key findings

Overall, the results show that Auckland Council's guidelines are similar to the policies and guidelines of the other local authorities studied.

The greatest difference highlighted is the level of rent. Auckland Council charges a lower level of rent compared to the other local authorities. Some local authorities in New Zealand charge a much higher rent, but provide a subsidy if the site is open for public access.

	Rent determination scheme	Charge for 200m ² building on 500m ² land
Auckland Council	\$1 for land, no charge for buildings	\$1
Hamilton City Council	Charge per square metre for land and buildings, with a subsidy of 87.5% or more if provide public access	Up to \$2,595 for land and \$20,000 for building (without subsidy)
Wellington City Council	Charge per square metre for land and buildings, with a subsidy of 86.67% or more if provide public access	Up to \$700 for land and \$320 for building (without subsidy)

The table below summarises the similarities and differences and the approach undertaken by other local authorities.

Category	Summary of findings	Approach undertaken by others
Application process	Most use a similar application process as Auckland Council	<ul style="list-style-type: none"> A detailed application process map describing each stage of the process (The City of Calgary, Canada)
Assessment	<p>Most use similar assessment criteria as Auckland Council</p> <p>Some include additional criteria, with additional information to explain what the criteria mean</p>	<ul style="list-style-type: none"> Other criteria include: <ul style="list-style-type: none"> strategic alignment with respective sport codes or other umbrella organisation strategic directions (Wellington City Council) optimal use of land/building (Wellington City Council) such as a 'Sportville' or amalgamation model (Hamilton City Council) A set of questions provided for each criterion to step the lease advisors through the key components of each criterion (Wellington City Council)
Terms and conditions	Lease length – a range of lengths offered. Many do not give a right of renewal	<ul style="list-style-type: none"> Maximum lease term range between 4-15 years No right of renewal (Hamilton, Wellington, Toronto, Logan City, City of Stonnington, Brisbane and Calgary)
	Rent – most charge a higher level of rent compared to Auckland Council	<ul style="list-style-type: none"> Standard rent of \$10 per year (Toronto, Calgary and Vancouver) Standard rent of \$10 plus \$1000 for community groups with a liquor licence (Logan City) Different charges apply per square metre with a subsidy (Hamilton and Wellington) Rent subsidy grants (Brisbane)
	Sub-leasing – generally permitted subject to the council approval	<ul style="list-style-type: none"> Subleasing not permitted (Brisbane, Hamilton and Wellington)
	Commercial activities (including alcohol and gambling) – generally not permitted	<ul style="list-style-type: none"> Commercial activities permitted (Logan City, Toronto, Brisbane)
Monitoring and reporting	Reporting requirements – most request more information from community groups compared to Auckland Council	<p>Additional information required includes:</p> <ul style="list-style-type: none"> Utilisation data regarding membership numbers, one-off hirage, sub-leasing and shared-use with public and with other compatible community groups (Logan City, Hamilton and Wellington) Financial reports of the past and coming year (Vancouver, Hamilton and Wellington) Progress report of facility's lifecycle study (Calgary)
	Termination clause – some allow termination with written notice	<ul style="list-style-type: none"> Termination with written notice (Calgary and Vancouver) Termination clause in favour of council (Toronto)

Indigenous framework

Canadian local authorities were selected because of their approach to considering the rights of indigenous people. The results show many similarities with the Auckland Council approach in terms of:

- recognising the importance of indigenous peoples' treaty rights
- maintaining government-indigenous relationships
- the requirement to consult indigenous groups during the leasing process, particularly relating to land use planning and development processes.

Next steps

The Part Two summary of findings will be considered alongside Part One summary of findings to form recommendations on the council's future direction for community leases and any changes to the *Community Occupancy Guidelines 2012*.

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1. Introduction

1.1 Purpose of the literature review

The literature review aims to provide insights to national and international good practice for community leases.

In particular, it aims to:

- increase Auckland Council's understanding of how its guidelines compare with other local government authorities, both nationally and internationally
- identify the common lease components that define the community lease process and the rationale for the components selected
- provide an evidence base of good practice examples and implications for further policy work.

The findings of the literature review provide a range of suggestions to improve the guidelines and the current process for managing community leases. These should be considered alongside Part One summary of findings.

The literature review forms part of the analysis for the review of the *Community Occupancy Guidelines 2012*. Further information about the guidelines and the scope of the review is provided in section 1 of the Part One summary of findings.

Section 2 of this report presents the methodology used for the literature review.

Section 3 of this report presents details from the local authorities in New Zealand, Australia and Canada.

2. Methodology

The literature reviews involves a desktop analysis of community lease policies and guidelines of other local authorities. Information provided in the policies and guidelines for each stage of the lease cycle was compared to information provided in Auckland Council's *Community Occupancy Guidelines 2012*.

Selection of countries

Nine local government authorities were chosen for the literature review.

- New Zealand
 - Hamilton City Council
 - Wellington City Council

- Australia
 - Brisbane City Council
 - City of Stonnington
 - Logan City Council

- Canada
 - City of Calgary (Alberta)
 - Toronto City Council (Ontario)
 - City of Vancouver (British Columbia)

New Zealand local authorities

Wellington City Council and Hamilton City Council were chosen as they are considered most similar to Auckland Council. Christchurch City Council was not included due to lack of information available online.

The two city councils face similar urban issues as Auckland Council such as land supply constraints and lack of open space.

However, Auckland Council may face more complicated challenges. In particular:

- Auckland has a much larger number of leases (over 14,000), compared to around 100 leases in Hamilton.
- decision-making in Auckland is delegated to 21 local boards, which means maintaining consistency and transparency is more difficult compared to other New Zealand local authorities, where decisions are made by one governing body
- there is inconsistency amongst leases in Auckland due to different legacy council approaches.

Australian local authorities

Three urban Australian councils were chosen as they are considered to be similar to Auckland Council, compared to small local councils in outback communities. Similarities to Auckland Council include the rate of multicultural diversity, council consolidations, issues of urbanisation and intensification, and an emphasis on providing services to communities using local amenities.

Canadian local authorities

Three urban Canadian councils were chosen to study how their policies respond to the needs of indigenous people.¹

The Canadian municipalities have built a comprehensive system of leasing community spaces. The consistent aim of municipal lease policy is to establish guidelines for community leases that deliver services and programmes in alignment with municipality services and programmes.

Limitations

The literature review heavily relied on publicly available information on the internet.

Where possible, council staff have engaged with staff from other local authorities via email, skype conversations or questionnaires to gain qualitative information on the effectiveness of their policies and guidelines.

¹ The Canadian local council authorities are specifically focused on examples of community association and social recreation lease policies.

3. Key findings

3.1 Policies versus guidelines

3.1.1 New Zealand local authorities

Decision-making

Decisions for community leases are guided by different documents in the New Zealand local authorities included in the case studies:

Local authorities	Decisions are guided by
Auckland Council	Guidelines
Wellington City Council	Policy
Hamilton City Council	Both policy and guidelines

The key difference between policy and guidelines is the decision-maker is obligated to make decisions consistent with policy, but have discretion to deviate from their guidelines.

In Auckland Council, guidelines are used by the 21 local boards due their delegated responsibilities for local parks and reserves. Local boards have discretion to deviate from the guidelines and consider applications on a case-by-case basis.

Content

The content of the Wellington and Hamilton City Council policies are similar to Auckland Council's guidelines but include a set of principles to guide decisions.

The common themes for the principles in the Wellington and Hamilton City Councils include:

- best practice principles such as equity, fairness, transparency and consistency
- alignment with council's strategic goals
- delivery of community outcomes
- compliance with legislation and terms and conditions in the lease agreements
- promotion of shared use to ensure the council assets are effectively utilised.

Notable differences are:

- Wellington City Council requires:
 - community benefits to be maximised
 - collaborative relationship between council and lease, flexible approach to respond to changes and demand, and land and building to be responsibly managed.

3.1.2 International local authorities studied

Decision-making

Decisions for community leases are mainly guided by policies in the six international councils, with the exception of Brisbane City Council.

Decision-making delegation differs across the case studies:

- Logan City Council - decisions on new leases and renewals are made by the Community Services Manager, with recommendations from a lease advisory group
- Calgary and Vancouver - decisions are made by the councils.
- Toronto - decisions on new leases are made by the council but renewals decisions are delegated to the Chief Corporate Officer in consultation with other internal staff.

Content

The content covered in the policies and guidelines in the international councils are similar to Auckland Council guidelines. Most of them include principles similar to Auckland's such strategic alignment, outcome delivery, best practice and promotion of shared use.

3.2 Application process

3.2.1 New Zealand local authorities

Process

The application process is similar across the three New Zealand councils.

1. Community groups submit an applications to the council
2. Council staff meet with the community group to discuss the application
3. Council staff assess the applications based on the principles and assessment criteria outlined within the policies or guidelines (more information on the criteria is provided in section 3.3)
4. Council staff provide advice and recommendations to the relevant decision-making bodies (local boards or councillors)
5. The decision-making body makes decisions at a formal business meeting.

A notable difference is the Hamilton City lease policy requires the community group to make initial contact with a Council Property Officer.

Sometimes the process might involve extra steps depending on the land classifications of the reserves included in the leases. Additional time is required if:

- the land is not classified or the classification needs to change
- the reserve has no Reserve Management Plan
- if planned activity is not anticipated in the Reserve Management Plan or sits outside of the Council's delegations under the Reserves Act 1977.

Expression of interest (EOI)

Sometimes an application process starts with an EOI to generate a pool of interested applicants for a new or recently vacant site. The EOI process is similar across the three New Zealand councils studied:

- community groups wishing to apply for a community lease may register their interest by contacting the council
- when there is a new or vacant site identified, organisations on the council's interest register will be contacted directly. Other means of contacting potential applicants include online media, local papers and public advertisement
- councils have discretion to work with one community group if there is an obviously suitable applicant for the site
- existing leaseholders, especially those who own the building, can apply for a new lease without a public expression of interest (EOI)
- an EOI process is not always required unless there is significant public interest or it is requested by the local board. Councils often have discretion to work with one organisation without running an EOI process if that organisation is identified as a suitable candidate.

3.2.2 International local authorities studied

Process

The application process in the international councils is similar to the Auckland Council process. One notable difference is the Canadian examples provide specific process maps.

Expression of interest (EOI)

All international councils include EOI as part of the application process.

The Australian councils conduct a closed EOI process involving community organisations on council's interest registry.

The Canadian examples seek application through public advertisement and an open EOI process. It is unclear whether they also use an interest registry.

3.3 Assessment

3.3.1 New Zealand local authorities

The criteria for assessing lease applicant cover themes such as:

- meeting council objectives and delivering community outcomes
- utilisation of the land/building, including membership/user numbers
- good financial position and track records with council
- if on reserves, compliance with reserve classifications and reserve management plans

- suitability of the site, in terms of location, physical characteristics, accessibility, and potential impact on adjoining land and other users, statutory requirements, costs required to alter site to accommodate the group.

Notable differences are:

- Hamilton City Council also requires the services and activities to align with strategic directions of respective sport codes or umbrella organisations
- both Wellington City Council and Hamilton City Council stress optimal use of land and or buildings. Wellington City Council particularly encourages a 'Sportsville' or amalgamation model
- each of the Wellington City Council criterion is followed by a set of questions to step lease advisors through key components of the criteria, this helps provide additional clarity and transparency.

The table below summarises the type of criteria used by New Zealand councils

Topic	Auckland	Hamilton City	Wellington City
Council's strategic objectives	✓		✓
Delivery of community benefits	✓	✓	✓
Strategic alignment with sport codes			✓
Meeting the needs of local community	✓	✓	✓
Open membership	✓	✓	✓
Shared use	✓	✓	✓
Optimal use			✓
Financial viability	✓	✓	
Sound governance	✓		
Compliance with the Reserve Act	✓	✓	✓
Demonstrated good track records	✓	✓	
Suitability of the site	✓		✓

3.3.2 International local authorities studied

The criteria used to assess the six international councils covers themes similar to the three New Zealand councils studied.

Other criteria include: the ability to meet performance requirements, appropriate organisational structure, compliance with legislation, promotion of equal access, community collaboration and partnerships.²

Topic	Logan City	City of Stonnington	Brisbane City	Vancouver
Council's strategic objectives	✓	✓	✓	
Delivery of community benefits	✓	✓	✓	
Promotion of equal access		✓	✓	
Meeting the needs of local community	✓	✓	✓	
Compliance with legislation		✓		✓
Meet performance requirements	✓			
Demonstration of good track records				✓
Financial viability		✓	✓	✓
Appropriate organisation structure		✓		✓
Suitability of the site	✓	✓		
Optimal use			✓	
Community collaboration and partnerships			✓	✓

3.4 Terms and conditions

3.4.1 New Zealand local authorities

There are a number of differences between the three New Zealand councils in the terms and conditions of lease agreements. Notable differences are the length of lease terms and rental charges.

² Information for criteria used in Toronto and Calgary is not available online.

Length of lease terms

The three New Zealand councils offer different lengths of term. The key difference is Hamilton City Council does not offer a right of renewal.

	Auckland	Hamilton City	Wellington City
Standard Lease Term	<p>Five years plus a further five years of right of renewal for council owned land and building</p> <p>Ten years plus a further 10 years of right of renewal for council land with community group-owned building</p> <p>Shorter term for newly established community groups</p>	<p>Maximum occupancy five to 15 years</p> <p>No right of renewal</p>	<p>10 years plus 10 years of right of renewal</p>

Rent and maintenance fee

All three local authorities charge rental and maintenance fees. Auckland Council charges a lower level of rent compared to the other two New Zealand local authorities.

The methods used to determine the level of rent also differs. Auckland Council charges a standard \$1 dollar regardless of the size and condition of the land and building. In contrast, Hamilton City Council and Wellington City Council use a sliding scale method³ to charge rental per square metre, with a subsidy if public access is provided.

	Auckland	Hamilton City	Wellington City
Standard rent for land and building	\$1	<p>Charges per square metre, different rates apply for different categories of building (categories 1-6)</p> <p>Rent is subject to annual reviews</p>	<p>Charges per square metre</p> <p>Rent is subject to yearly review</p>
Rent Formula	None	Sliding Scale	Sliding Scale
Rent Subsidy	None	87.5% (more if the facility is open to the public)	87.67%
Maintenance fee	Charges apply per square metre for council building only. Different charges apply to exclusive and non-exclusive use	Maintenance fees are calculated on a proportional basis	Fees apply per square metre

Another notable difference is Hamilton City Council applies different rental charges depending on the quality of the building. For a category 1 building (high amenity, good location, high market value, good quality, good tenant demand) the charge per square metre is higher.

³ For example, the rental for 500m² of land would be calculated at \$1.60 for the first 250m² and \$1.20 for the remaining 250m². This equates to a rental of \$700 per annum plus GST or \$1.40 per square metre overall.

Hamilton City Council charges a higher rate per square metre compared to Wellington City Council. The table below compares the rental charge for a leasing a 200m² council building on 500m² council land.

	Charge for 200m ² building on 500m ² land
Auckland Council	\$1
Hamilton City Council	\$575 ~ \$22,600
Wellington City Council	\$156 ~ \$1,173

Other uses of sites

The approaches taken for other uses are similar across the three New Zealand councils. Subleasing and commercial activities (including gambling and alcohol sales) are generally permitted, but need prior approval. They must also be subject to compliance with the reserve classifications.

	Auckland	Hamilton City	Wellington City
Sub-leasing	Not permitted, needs approval Casual hires permissible, so long as they comply with Auckland Council's hirage policy	Not mentioned	Not permitted, needs approval
Commercial activities	Not permitted, need approval and need to comply with Reserves Act 1997	Not mentioned	Not permitted, needs approval and compliance with Reserves Act 1997
Gambling and alcohol	Needs approval, only on certain land classifications, mostly applied to sport clubs for members and visitors Special events need council's consent	Not mentioned	Needs approval, a special licence and council's consent required for variation
Casual hire	Permitted, but requires prior written approval of the council and the Sport, Leisure, and Facilities Manager	Permitted for approved purposes, subject to council approval.	Permitted hire of all halls on any day Commercial hire applies to all hall and meeting room bookings

3.4.2 International local authorities studied

The Australian and Canadian councils studied share similar lease agreement terms and conditions with the Auckland Council guidelines, except rent determination methods and length of term are different.

Length of lease term

The international councils show differences in the maximum length of term allowed and whether a right of renewal is provided.

Australian examples

	Logan City	City of Stonnington	Brisbane City
Standard Lease Term	A preferred term of five years	Standard term of five years, which is negotiable by considering particular circumstances of the facility and the tenant.	Maximum term four years, which is seldom negotiable Standard licence term is one year.

Canadian examples

	Toronto	Calgary	Vancouver
Standard Lease Term	Lease term varies (two years or five years) depending on the tenancy type (there are three types)	Maximum term of 15 years	Maximum term of five years, renewable for two further five-year terms Council approval is required for a lease with a term that exceeds ten years including renewals

Rent and maintenance fee

The levels of fees and charges vary across international councils studied. Most charge a low level of rent. A notable difference is Logan City Council, which charges \$1000 for organisations with a full liquor licence.

The methods used to determine fees and charges are different too. Some set a standard rent while others apply charges per square metre with subsidy. A notable difference is Vancouver Council which provides rent subsidy grants for non-profit agencies.

Australian examples

	Logan City	City of Stonnington	Brisbane City
Standard rent for land	\$1 for community organisations \$1000 increased by inflation on renewal of the lease term for organisations with a full liquor licence Special rate for organisations to which council has made significant capital contributions	Market rent	Eight different levels of fees and charges schedule Rent is determined on the basis of the facility type

	Logan City	City of Stonnington	Brisbane City
Rent formula	None	Not mentioned	Not mentioned
Rent subsidy	Rent subsidy applies (but not publicly available)	Subsidy available (peppercorn or discounted market rent) Level of subsidy depends on performance against criteria such as strategic alignment, public access, use of volunteers and external funding	Generally no rent subsidy but evidence of hardship may build the case for a rent subsidy
Maintenance fee	Audited every three years and determined by the Council	Council generally assumes some responsibility for facility maintenance costs but reserves the right to negotiate structural and other maintenance responsibilities and costs	Tenant responsibilities include repairs and maintenance of the facility Additional charges may also be applicable under each particular lease or tenure arrangement

Canadian examples

	Toronto	Calgary	Vancouver
Rent	\$10 payable in advance of the commencement date	\$10 payable in advance of the commencement date	\$10 payable in advance of the commencement date
Rent Formula	Not mentioned	Not mentioned	Not mentioned
Rent Subsidy	Not mentioned	Not mentioned	Rent subsidy grants available for non-profit agencies
Maintenance fee	Tenant agrees to make repairs and/or replacements to the premises arising from or caused by the operations of the lease	A lifecycle study for facility which specifies the repair and maintenance requirements	Fees apply per square metre

Other uses of the site

The international examples generally permit subleasing and commercial activities, subject to prior approval.

Notable differences are:

- Logan City Council charges \$1000 in rent per year for a full alcohol licence or \$230 per gaming machine

- City of Stonnington strictly prohibits gambling
- Brisbane City Council requires community groups to demonstrate the community benefits of commercial activities (for example, personal training, sports and fitness, and classes that could improve the life skills, health and well-being of participants).

Australian examples

	Logan City	City of Stonnington	Brisbane City
Sub-leasing	Permitted if approved by the council's lease advisory group	Permitted for approved purposes, subject to council approval	Lessees may not transfer, sublet, or dispose of their interest in a lease without prior written approval from the council
Commercial activities	Not mentioned	Not mentioned	Permitted subject to council approval and demonstration of community benefits
Gambling and alcohol	Permitted but needs to pay \$1000 in rent per year for a full alcohol licence or \$230 per gaming machine, whichever is higher	Gaming not permitted. Liquor licence applications require council approval and must only be applied after prior council consent.	Permitted, with terms and conditions which stipulate alignment with outcomes.
Casual hire	Not mentioned	Permitted for approved purposes, subject to council approval.	Permitted hire of all halls on any day Commercial hire applies to all hall and meeting room bookings

Canadian examples

	Toronto	Calgary	Vancouver
Sub-leasing	Permitted but subject to prior approval from the council Notices of lease and sublease required	Permitted but subject to the Public Use Policy such as facilities must be accessible to the public without discrimination and at a reasonable fee	Permitted
Commercial activities	Permitted subject prior approval from the Division Head	Not mentioned	No mentioned
Gambling and alcohol	Permitted but needs approval from the council	Not mentioned	Needs approval from the council, special licence and landowner consent required for variation

3.5 Monitoring and reporting

3.4.1. New Zealand local authorities

All three New Zealand councils require annual reporting or reviews, but the requirements vary:

- Both Auckland Council and Hamilton City Council require a community outcomes plan to monitor the delivery of community outcomes.
- Auckland Council requires organisations' annual reports with no specific requirements on the content whereas:
 - Hamilton City Council asks for forecast budget and reports on usage rates
 - Wellington City Council asks specific questions to ensure community groups continue to meet the criteria throughout tenure, such as detailed information about membership and usage, community events, hireage, financial information and work as scheduled in the maintenance plan.

Topics	Auckland	Hamilton City	Wellington City
Annual Reporting	Annual report plus Community Outcomes Plan, subject to annual performance reviews to ensure the community benefits identified in the Community Outcomes Plan are being realised	Annual accounts, next year budget, Community Outcomes Plan, report on usage rates	Annual reporting to ensure meeting criteria throughout tenure such as membership and usage, community events, hireage, financial information and work as scheduled in the maintenance plan
Termination clause	<p>Council reserves the right to investigate and terminate an occupancy agreement on notice if the land is required for another purpose or when a community organisations is found to:</p> <ul style="list-style-type: none"> • be in significant breach of agreement and relevant legislation • consistently fail to achieve the outcomes outlined in the agreed Community Outcomes Plan • have poor governance • undertake illegal activities 	Not mentioned	Shorter tenure if decline in activity, council anticipating alternative use, building life expectancy, new contracts, management plan

Common issue for monitoring and reporting

Discussion with staff at Wellington City Council and Hamilton City Council highlighted outcome measurement as a key challenge.

Hamilton City Council, which has a similar monitoring and reporting process as Auckland Council noted difficulty in drafting the community outcomes plan. Without clear guidance on how it should be written, staff and sport clubs often do not have the knowledge and capability to write a structured plan. Monitoring progress of the plans could then become a pure compliance exercise.

There is a general issue of limited staff capacity for carry out monitoring and reporting as agreed in the agreements. In the case of Hamilton City Council, a lease advisor is expected to oversee around 100 leases.

3.4.2. International local authorities studied

All international councils require annual reporting and reviews. Common elements in the annual reports are similar to the three New Zealand councils including:

- financial statements (previous and coming years)
- a summary of past and planned activities on the premise
- business plan
- evidence of facility maintenance.

Notable differences are:

- the Australian and Canadian examples include clauses that allow leases to be terminated with written notice (30-day notice for Calgary Council)
- evidence of activating spaces and engaging with local communities is required for Logan City Council
- financial statements are audited by Calgary Council. An Annual review is undertaken on the lifecycle study submitted by the tenant for maintaining and upgrading land and facilities
- annual reporting is done online in Brisbane City Council.

Australian examples

	Logan City	City of Stonnington	Brisbane City
Annual reporting	Annual reports detailing compliance with key performance indicators, legislation, evidence of activating spaces and engaging with local communities, financial statements and evidence of maintenance	Annual reports against the eligibility criteria	Completion of the Community Facilities Annual Evaluation and Committee Update online form, maintenance inspections and annual financial reports.
Termination clause	Not mentioned	Lease may be terminated at Council's request if unauthorised subletting by the tenant is found	Lease may be terminated at Council's request if unauthorised subletting by the tenant is found

Canadian examples

	Toronto	Calgary	Vancouver
Annual reporting	Annual report in a format determined by the council	Business plan, progress against lifecycle study and status of the repairs.	Financial statements for previous and coming years, summary of past and planned activities for the coming year, evidence of a functioning governing board
Termination clause	May be terminated at the discretion of the council upon 60 day written notice	May be terminated at the discretion of the council upon 30 day written notice	Agreement may be terminated with written notice (varies with type of lease arrangement)

3.5 Indigenous framework

Particular focus was placed on the Canadian councils for their approach to indigenous people. The results show many similarities with the Auckland Council approach in terms of:

- recognising the importance of indigenous people's treaty rights
- maintaining government- indigenous relationships
- the requirement to consult indigenous groups particularly relating to land use planning and development process.

Indigenous Policy Frameworks exist across the three Canadian examples as a guide to establish procedures to:⁴

- guide council on how best to listen to, learn from, and act on ways forward together with indigenous communities in planning, advising and decision-making
- strengthen council's understanding, relationships, and opportunities with Treaty 7 First Nations on matters of historical, traditional, and cultural significance due to their traditional territory
- strengthen council's understanding, relationships, and opportunities with indigenous communities on matters of contemporary significance.

	Toronto	Calgary	Vancouver
Indigenous engagement	Recognition of aboriginal peoples' a unique legal and constitutional position in Canada Affirmation of this unique position in the city's vision statement on access, equity and diversity	Indigenous Policy Framework Engagement clause: sustained dialogue with Treaty 7 First Nations and urban indigenous communities, leadership and organisations should assist in determining the nature of the matter of significance requiring engagement	City staff play an important role in helping indigenous communities gain access to services, overcome barriers, and have a voice in civic government

⁴ Toronto City Council (2015) *Statement of Commitment to the Aboriginal Communities of Toronto*

<https://www.toronto.ca/legdocs/mmis/2015/ex/bgrd/backgroundfile-85951.pdf>

Calgary City Council (2017) *Indigenous Policy Framework for The City of Calgary*

<http://wpmedia.calgaryherald.com/2017/04/indigenous-policy-framework.pdf>