I hereby give notice that an ordinary meeting of the Governing Body will be held on:

Date: Thursday, 30 May 2019
Time: 9:30am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Tira Kāwana / Governing Body
OPEN AGENDA

MEMBERSHIP

Mayor
Hon Phil Goff, CNZM, JP
Deputy Mayor
Deputy Mayor Cr Bill Cashmore
Councillors
Cr Josephine Bartley
Cr Dr Cathy Casey
Cr Ross Clow
Cr Fa’anana Efeso Collins
Cr Linda Cooper, JP
Cr Chris Darby
Cr Alf Filipaina
Cr Hon Christine Fletcher, QSO
Cr Richard Hills
Cr Penny Hulse

(Quorum 11 members)

Sarndra O’Toole
Team Leader Governance Advisors
27 May 2019

Contact Telephone: (09) 890 8152
Email:sarndra.otool@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

Those powers which cannot legally be delegated:

(a) the power to make a rate
(b) the power to make a bylaw
(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long term plan
(d) the power to adopt a long term plan, annual plan, or annual report
(e) the power to appoint a chief executive
(f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement
(g) the power to adopt a remuneration and employment policy.

Additional responsibilities retained by the Governing Body:

(a) approval of long-term plan or annual plan consultation documents, supporting information and consultation process prior to consultation
(b) approval of a draft bylaw prior to consultation
(c) resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer
(d) adoption of, and amendment to, the Committee Terms of Reference, Standing Orders and Code of Conduct
(e) relationships with the Independent Māori Statutory Board, including the funding agreement and appointments to committees
(f) approval of the Unitary Plan
(g) overview of the implementation and refresh of the Auckland Plan through setting direction on key strategic projects (e.g. the City Rail Link and the alternative funding mechanisms for transport) and receiving regular reporting on the overall achievement of Auckland Plan priorities and performance measures.
Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

Council Controlled Organisations

- Representatives of a Council Controlled Organisation can remain only if required to for discussion of a matter relevant to the Council Controlled Organisation.
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PUBLIC EXCLUDED
1 Affirmation

His Worship the Mayor will read the affirmation.

2 Apologies

At the close of the agenda an apology had been received from Cr J Bartley.

3 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.

4 Confirmation of Minutes

That the Governing Body:

a) confirm the ordinary minutes of its meeting, held on Thursday, 2 May 2019 and the extraordinary minutes of its meeting, held on Wednesday, 22 May 2019, as a true and correct record.

5 Petitions

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

6 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.

6.1 Public Input: Infrastructure New Zealand Asia Trip March 2019

Te take mō te pūrongo

Purpose of the report

1. Stephen Selwood, Chief Executive Infrastructure New Zealand and Alan McDonald, General Manager – Advocacy Employers and Manufacturers Association (EMA) will be in attendance to address the Governing Body.

Ngā tūtohunga

Recommendation/s

That the Governing Body:

a) receive the presentation from Stephen Selwood, Chief Executive on behalf of Infrastructure New Zealand and Alan McDonald, General Manager – Advocacy on behalf of the Employers and Manufacturers Association (EMA) regarding the Infrastructure New Zealand Asia Trip March 2019 and thank them for their attendance.
7 **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.

8 **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.”

9 **Notices of Motion**

Under Standing Order 2.5.1 a Notice of Motion has been received from Councillor Lee for consideration under item 14.
Approval of terms of reference for cultural heritage review stage two

File No.: CP2019/01877

Te take mō te pūrongo
Purpose of the report

1. To approve the terms of reference for stage two of the Tāmaki Makaurau cultural heritage institutions review. This responds to guidance given by councillors at a workshop in October 2018.

Whakarāpopototanga matua
Executive summary

2. In May 2017, Auckland Council approved the establishment of a review of the major cultural heritage institutions (museums and galleries) to which the ratepayers and residents of Auckland contribute funding. These are Auckland Art Gallery, Auckland War Memorial Museum, Museum of Transport and Technology, New Zealand Maritime Museum, and Stardome Observatory and Planetarium (the five main institutions).

3. Auckland’s main museums and galleries operate under varying governance, accountability and funding structures.

4. As stage one of the review, council commissioned a review report (‘the Stafford report’) providing analysis and options about how to achieve better outcomes from the investment in these cultural institutions. The cultural institutions, and councillors (at two workshops), suggested that stage two should consist of a collaborative process to move from a ‘review’ process to one which develops the future strategic priorities for the museums and galleries sector, and begin to consider what institutional structures will best support achieving those priorities. Implementation would be stage three.

5. The key purposes of stage two are:
   • to confirm and agree the evidence base and issues, as initiated in the Stafford report
   • to develop a strategy to determine council and sector priorities, allowing clear decisions on future investment
   • to respond to aspirations of mana whenua for greater formal involvement in the institutional cultural sector and its priority-setting
   • to respond to a range of opportunities and challenges arising from the growth and diversity of Auckland.

6. The draft terms of reference for stage two are attached to this report for approval (Attachment A). The key outputs of the review will be a strategy setting out sector priorities, and any recommendations on new governance and funding options to support achieving the sector priorities.

7. Staff have also considered other options such as:
   • stopping the review and continuing with the status quo
   • implementing the Stafford report recommendations without significant additional analysis
   • seeking central government support for imposing a solution.

8. Staff do not consider that any of these options will deliver the range of long-term benefits that a collaborative process will produce, will not respond to Māori aspirations, and may not be implementable.
9. The terms of reference anticipate establishment of governance and working groups to include:
   - the five main institutions
   - Regional Facilities Auckland
   - Auckland Council
   - the Mana Whenua Kaitiaki Forum.

10. Consultation involving wider stakeholders such as Auckland’s smaller institutions and central government organisations (including Ministry for Culture and Heritage and Te Papa) will also be provided for.

11. Next steps include project establishment through to the middle of 2019, recommendations on strategic priorities to a new Auckland Council early in 2020, and final recommendations prior to the beginning of the Long-term Plan 2021-2031 process in late 2020.

Ngā tūtohunga
Recommendation/s

That the Governing Body:

a) approve the terms of reference for stage two of the cultural heritage review

b) note that the five main institutions participating in the review (Auckland Art Gallery, Auckland War Memorial Museum, Museum of Transport and Technology, New Zealand Maritime Museum, and Stardome Observatory and Planetarium), Regional Facilities Auckland and the Mana Whenua Kaitiaki Forum all support the terms of reference and the collaborative review process which it establishes, and thank those organisations for their participation and commitment thus far.

Horopaki
Context

Current governance framework

12. Auckland Council invests more than $60 million each year in several major cultural heritage institutions and facilities including Auckland War Memorial Museum, Auckland Art Gallery, Museum of Transport and Technology (MOTAT), Stardome Observatory and Planetarium\(^1\) and the New Zealand Maritime Museum. These institutions manage facilities and collections which cater to local and international audiences and are kaitiaki of more than seven million taonga and collection items. Collectively they deliver a range of education and public programmes, exhibitions, collections care and research.

13. At amalgamation in 2010, arrangements for the cultural sector were not comprehensively examined. This meant legacy arrangements were largely carried over and combined with the newly established council-controlled organisation system. These arrangements are set out in the diagram below.

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\(^1\) Stardome is not strictly a cultural heritage institution and does not hold collections. It has a strong focus on education and public programmes in common with the other organisations. The review is intended to encompass institutions with a focus on science, technology and ecology, where there is an overlap of functions and interest with Auckland’s core cultural heritage institutions.
14. Three pieces of legislation are of particular note in supporting these arrangements.
   - Auckland War Memorial Museum Act 1996
   - Museum of Transport and Technology Act 2000
   - Auckland Regional Amenities Funding Act 2008

15. This legislation responded to a situation prior to amalgamation where regional organisations were not funded equitably by the (then) councils in the Auckland region. Each of the statutes provided for systems where the institutions could levy the multiple councils for annual funding, in specific proportions according to council size and property values. Central government also instituted similar (but less prescriptive) levy systems for Otago and Canterbury Museums.

16. At amalgamation, these systems were largely carried over into the unified Auckland Council structure. This was recognised by both Auckland Council and the government as an issue to be looked at again. In his ‘Briefing Paper to the Incoming Government’ of 2011, Mayor Len Brown noted that:

   “Governance and funding arrangements for the Auckland War Memorial Museum, MOTAT and for the ten Auckland Regional Amenities Funding Act entities need to be reviewed and aligned with the new governance structure for Auckland. This has previously been acknowledged by Cabinet (CAB (10) 332).”
Work so far on the review

17. The table below sets out recent key milestones in considering whether there are alternatives to the current arrangements:

<table>
<thead>
<tr>
<th>What?</th>
<th>When?</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>Investing in Auckland’s cultural infrastructure, A strategic framework report</strong></td>
<td>October 2015</td>
<td>This report was commissioned by Regional Facilities Auckland and Auckland Museum. It recommended adoption of a detailed strategic planning framework, with a focus on Auckland’s points of difference, stimulating participation and learning, generating sustainable cultural value, and moving beyond single purpose institutions.</td>
</tr>
<tr>
<td><strong>Toi Whitiki, Auckland’s Arts and Culture Strategic action plan</strong></td>
<td>November 2015</td>
<td>Toi Whitiki was endorsed and launched by council in late 2015. This strategy sets goals and priorities for the cultural sector, with a focus on working collaboratively to achieve the objectives.</td>
</tr>
<tr>
<td><strong>Approval to establish cultural heritage review and a terms of reference</strong></td>
<td>May 2017</td>
<td>Council’s governing body agreed a terms of reference for a review of its investment in major cultural heritage institutions in May 2017 (ENV/2017/64). This had a focus on the need to first establish what council’s key strategic priorities for the cultural heritage institutions (museums and galleries) should be, before trying to assess what the appropriate structural arrangements would be.</td>
</tr>
<tr>
<td><strong>Formation of ‘Museums of Auckland’ coalition</strong></td>
<td>Mid-2017</td>
<td>During 2017, some of Auckland’s cultural institutions (Auckland Art Gallery, MOTAT, Howick Historical Village, Auckland Museum, Torpedo Bay Navy Museum, Stardome, New Zealand Maritime Museum, and joined also by Heritage New Zealand) formed the Museums of Auckland group. This group has been exploring and implementing opportunities for collaboration on marketing, ticketing, staff development and collections.</td>
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<tr>
<td><strong>Receipt of final version of Auckland Cultural Heritage sector review report (the Stafford report)</strong></td>
<td>May to October 2018</td>
<td>Auckland Council received and made public the report prepared by consultants Stafford Strategy. The key recommendations are outlined in paragraph 20 below. Over two workshops, councillors gave guidance for officials to work towards establishing a collaborative process with the key affected institutions to take the review forward and to develop a new terms of reference for this ‘stage two’ of the review.</td>
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<tr>
<td><strong>Receipt of report: The cultural heritage sector: Assessing options for further establishing Māori identity as Tāmaki Makaurau’ point of difference in the world</strong></td>
<td>February 2019</td>
<td>The Mana Whenua Kaitiaki Forum which advises Auckland Council commissioned its own discussion paper in response to the cultural heritage review. This report was the first step in supporting the Forum’s future formal involvement in the review. This report is attached, and its main points are discussed in the ‘Analysis and Advice’ section of this report.</td>
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</table>
18. The Stafford report made a number of recommendations. While the conclusions were not universally agreed with by the institutions (and have not been formally endorsed by the Governing Body), the report represents a useful first step and an input into the review process. The Stafford report process also made clear the need to work closely with the institutions to achieve better outcomes in the cultural sector.

19. One of the first tasks for stage two of the review will be to confirm and agree a common view of the issues, opportunities and challenges faced by the sector and a solid evidence base from which strategic priorities can be considered.

20. The key recommendations of the Stafford Report were:
   - for Auckland Council to develop a centralised cultural policy and coordination function
   - to simplify cultural heritage sector governance, so council can be to be confident its priorities will be delivered
   - Mana Whenua to have a clear governance and advisory role in any new structure
   - noting that change may take time, encourage Regional Facilities Auckland to appoint board members with a stronger cultural background, and strengthen the Museums of Auckland coalition.

21. Taking all this context together, there are three key issues which have emerged from the work done so far:
   - lack of strategic clarity in what Auckland Council’s investment in cultural heritage organisations is trying to achieve
   - the need to ensure our cultural institutions are responsive to Māori and particularly mana whenua aspirations in Auckland, and meet the commitment to celebrate Māori and their culture as a point of difference in Auckland
   - taking the opportunities and meeting the challenges afforded to the cultural heritage institutions by the growth and diversity of Tāmaki Makaurau.

Tātaritanga me ngā tohutohu
Analysis and advice

22. The advice of councillors when considering the Stafford report in October 2018 was to work collaboratively with the institutions, using the Stafford report as a starting point. The scope of the new terms of reference are described below. The terms of reference have been developed with the institutions, which have endorsed them at a meeting on 9 May 2019.

Determining a strategy for council’s investment in cultural heritage institutions

23. The draft terms of reference propose that council and the institutions clearly identify “by way of a clear vision and strategy, the outcomes Tāmaki Makaurau is seeking from the cultural heritage sector, against which proposals to refresh our current infrastructure or make new investments can be tested”. It is important to understand what council wants to achieve with our investment, and to what degree it is already being undertaken by our institutions, and what may need to change.

24. Toi Whītiki guides council arts, culture and heritage priorities. The strategic priorities which council and the institutions expect to emerge from stage two of the cultural heritage review will sit at a lower level than Toi Whītiki, and be guided by its high level goals. Toi Whītiki has a focus on increased participation, Auckland’s unique cultural identity, cultural infrastructure, investment in arts and culture, and building a strong creative economy. More particularly in relation to the cultural heritage institutions, it included objectives and actions to:
   - grow and deliver strategic investment in arts and culture
   - support a network of complementary arts and cultural institutions and facilities
• ensure governance and funding arrangements of council-funded institutions enable them to operate sustainably and collaboratively

• establish mana whenua co-governance models in major cultural institutions.

25. Auckland’s institutions have all made significant efforts to align their own individual strategies and plans with Toi Whītiki and also the Auckland Plan 2050. Despite this, the Stafford report noted that the institutions do not feel that council provides clear guidance on what it wants from its ongoing investment in them, and that Toi Whītiki does not provide sufficient detail in this regard. This reflects the current governance and accountability relationships between council and the institutions, which vary from ‘arms-length’ to statutory independence (in the case of the museums).

26. Council does not currently have the ability to require performance objectives against an agreed strategy, which means that it has largely been left to the institutions themselves to design their own priorities under the high-level priorities set out in Toi Whītiki and the Auckland Plan.

Opportunities for enhanced role for mana whenua in the cultural institutions of Tāmaki Makaurau

27. The initial stage of the cultural heritage review has clearly revealed that a more systematic and committed approach to meeting the cultural aspirations of Māori in Auckland is required.

28. Stage two of the review gives the opportunity to consider how mana whenua and iwi Māori governance can be enhanced in the cultural sector, and this is reflected in the proposed terms of reference: “a sector that can model the Treaty of Waitangi partnership and genuinely reflect a mana whenua and te ao Māori world view, with Māori having an integral governance role”.

29. The Mana Whenua Kaitiaki Forum considered the terms of reference at its 18 April 2019 meeting and endorsed its key features, including the focus on improving Māori governance.

30. The issue of the future role of Mana Whenua in the cultural sector has emerged over the last year. Council staff briefed the Mana Whenua Kaitiaki Forum on several occasions during and after the preparation of the Stafford report. The Forum commissioned a report supplementing the Stafford report, to describe the formal and informal ways in which the Auckland cultural heritage institutions engage with Māori (Attachment B).

31. Some of the key findings of this report are outlined below.

• The Auckland Museum legislation (1996) was ground-breaking in establishing a formal role for Māori in museum governance in the form of the Taumata-a-iwi, which advises the Museum’s board. However, its mana whenua representation is limited, and it is at least arguable that since then, Auckland’s cultural governance arrangements have not evolved to meet broader changes in society.

• In other contexts (such as management of Auckland’s maunga and Tikapa Moana) co-governance bodies have been established, recognising Māori interests in those areas. This presents a challenge as to whether something similar should be considered in the museum sector. As noted above, Toi Whītiki directly suggested that such models be considered in the cultural sector.

• Despite some of the institutions having good relationships with Māori and advisory committees, this is largely dependent on personal relationships rather than formal structures that would survive changes in personnel.

• Both the original Auckland Plan and the Auckland Plan 2050 recognise Auckland Council’s responsibilities to all the different iwi and hapu with mana whenua status in Auckland.
• A range of other factors have created expectations of a different role for Māori in cultural governance. These include the Tāmaki Collective settlement of 2012, and the Ko Aotearoa Tenei (Wai 262) report of 2011 (about law and policy relating to Māori culture and identity).

Taking the opportunities created by growth in Auckland

32. The original terms of reference for the cultural heritage review discussed some of the more institutional and bureaucratic drivers of the review. These included long-standing infrastructure challenges at MOTAT, potential location issues for Maritime Museum and Stardome and council’s dissatisfaction with the levy systems enshrined in legislation for Auckland Museum and MOTAT.

33. These issues remain, but as a way of responding to them and in discussion with the institutions, the focus has shifted to developing a positive response to opportunities afforded to the region because of its growth and diversity.

34. These opportunities are outlined in the proposed terms of reference for stage two and include:

- an integral governance role for Māori (as discussed above)
- a sector that conserves, develops, reflects and shares the Tāmaki Makaurau story in a collaborative way, with each institution having its own unique contribution
- a sharing of resources to make the most of strengths, where that makes sense, with each institution financially secure and sustainable, but also flexible to changing circumstances
- structural arrangements which will give council (and government) the confidence to invest further in the sector, because there is clear strategic thinking across the collective entities rather than the development of isolated investment proposals
- a sector which is internationally distinctive and internationally connected, reflecting Auckland’s role in New Zealand.

Options considered

35. Reviewing the cultural sector arrangements inherited at amalgamation has been proposed on a regular basis since the formation of Auckland Council. It has been well recognised that the arrangements have been successful in ensuring financial sustainability of some of the institutions, but it has been harder to seek approval to resolve some of the more pressing infrastructure or location issues without a clear sense of a broader sector strategy.

36. In this context, a collaborative approach involving all the main institutions, Regional Facilities Auckland, the Mana Whenua Kaitiaki Forum, and Auckland Council is recommended as having the best chance of long-term success. The last few months have seen the development of the foundations of this approach, with a nascent governance group being formed, and a significant amount of bilateral discussions between council staff and individual institutions.

37. As is noted above, council spends more than $60 million every year on these main cultural heritage organisations. This investment covers a range of organisational types and subject matters, including an encyclopaedic museum (Auckland Museum), a traditional civic art gallery with a broad collection that is nationally significant, and collections focussing on technology, science and Auckland’s marine heritage. Council considers that it makes sense to consider this portfolio as a whole, and whether there are strategic gaps which we should seek to understand and respond to. We can only do this with the input and expertise of the organisations which deliver cultural services.
38. However, alternatives do exist to the recommended approach. These are set out in the table below, with relevant considerations noted.

<table>
<thead>
<tr>
<th>Option</th>
<th>Advantages</th>
<th>Disadvantages</th>
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<tbody>
<tr>
<td>Stop the review, continue with status quo</td>
<td>Certainty and familiarity with current system</td>
<td>Does not resolve multiple issues raised over time by institutions, council, and mana whenua – it is fundamentally unsustainable to do nothing</td>
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<td>Less disruptive</td>
<td>Lack of strategy makes long-term decisions difficult</td>
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<td>Museums of Auckland coalition has already established and could deliver some of the desired changes</td>
<td>Does not respond systematically to external challenges e.g. growth</td>
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<td>Museums of Auckland coalition still new, and not clear how enduring and whether it could address the bigger context questions</td>
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<td>Without a review it is likely to be impossible to consider new options for ARAFA or smaller organisations which council funds</td>
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<td>Implement recommendations of stage one</td>
<td>Ready-made set of recommendations</td>
<td>The recommendations are not comprehensive and more work is needed anyway</td>
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<td>(Stafford report)</td>
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<td>Mana whenua were not involved and not reflected sufficiently</td>
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<td>Institutions do not support elements of the analysis</td>
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<td>Not clear what the implementation pathway is</td>
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<td>Advocate to central government to impose a</td>
<td>Traditional council-facing policy process could be undertaken</td>
<td>Without a strategy, not obvious what ‘solution’ we would advocate for</td>
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<td>solution</td>
<td>May solve some council interests</td>
<td>Likely to be significantly opposed by institutions, and damaging to relationships</td>
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<td>Could potentially be quicker</td>
<td>May be publicly controversial</td>
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<td>Central government unlikely to support this approach</td>
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<td>Likely to have less enduring and less valuable outcomes than a process agreed with our institutional partners</td>
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<td>Has effectively been tried before by requests by former mayor – not successful</td>
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</table>
### Option | Advantages | Disadvantages
--- | --- | ---
Collaborative process taking a portfolio approach *(recommended)* | Institutions seen as key delivery partners in cultural sector – respects their expertise  
Agreed outcomes means any changes also likely to be supported  
Central government more likely to support an agreed Auckland approach  
Mana whenua involved closely – respects their aspirations and council responsibilities to them | Will require careful management to ensure inclusion of all stakeholders and ongoing commitment to process

### Process for stage two of the review

39. A project structure including Auckland Council, the main five institutions, and the Mana Whenua Kaitiaki Forum will be established. This is shown in the diagram below. The structure reflects the collaborative nature of stage two. While this approach has the ongoing risk that one or more parties may wish to withdraw, all the organisations have indicated their desire to participate and take the opportunity to shape the cultural heritage sector of the future in the region.

40. The governance group will include the main project participants and meet approximately bi-monthly. This group may also include some independent members as required for their expertise or experience in areas not otherwise covered by the membership. The purpose of this group will be to guide the work and establish workstreams, and, in the establishment phase, confirm membership of the different project groups.

41. A working or reference group will be established and meet more frequently (monthly), along with consultation groups and relationships with the wider sector (including Auckland’s smaller museums and galleries) and stakeholders such as central government (including Ministry for Culture and Heritage and Te Papa). A core team of council staff will be responsible for producing reports and other materials for the project, as well as undertaking project administration.
Out of scope of stage two

42. The governance group will consider the relationship of the project to organisations such as Auckland Zoo. There are commonalities in the activities of the Zoo with museums and galleries, and in some overseas cities, zoos are often grouped with heritage collecting institutions (such as San Diego). However, there are of course differences, which is why the Zoo is not directly involved at this time.

43. Similarly, Auckland’s smaller institutions are part of stage two primarily by way of the ‘other Auckland institutions’ group which will be established, so that these organisations can have input. Staff have already had several informal consultation meetings with organisations such as Te Tuhi, Corbans Estate and Te Uru.

44. In stage one of the review, the Auckland Regional Amenities Funding Act (ARAFA) system has been raised by councillors. The initial focus of stage two is not on structural arrangements, but first and foremost on council and the sector’s strategic priorities. Later in stage two, the implications of any proposed changes on the ARAFA system will be considered. Therefore, given the broader purposes of ARAFA – which also includes several performing arts and community safety organisations – including a comprehensive review of the ARAFA system is not recommended. This would risk the review losing a tight focus on where the biggest benefit can be gained and make it less manageable from a practical point of view.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views

45. Regional Facilities Auckland (RFA) has an important role in the review. RFA has the Auckland Art Gallery and New Zealand Maritime Museum as part of its portfolio of cultural facilities. It also has a wider role to promote cultural outcomes in Auckland, as well as a mandated role as council’s adviser and agent in the levy processes for Auckland Museum and MOTAT.
46. RFA supports the approach being taken in the review and the proposed terms of reference. Both RFA corporate staff and also staff from its cultural business units have been represented at meetings held so far. RFA has consistently affirmed its support for the review through its Statement of Intent and has expressed its openness to the outcomes of the review.

47. The Stafford report referred to the need to involve ATEED more closely in economic development opportunities around culture and linking the sector better with other tourism activity in Auckland. The key focus of the review remains delivering cultural value, which is the primary role of cultural organisations. ATEED has not therefore been consulted directly on the terms of reference, but the governance group will consider the appropriate time to involve ATEED as it proceeds through the strategic work.

48. While the other cultural institutions which are part of the review are not part of the council group, council substantially funds them. Auckland Museum, MOTAT and Stardome are all supportive of the review and the proposed terms of reference. Staff and board members from these organisations have been present at meetings held so far, and endorsed the terms of reference at a 9 May 2019 meeting.

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

49. As a programme of work dealing with strategy for regional institutions, the sponsor of the review is Auckland Council’s governing body. However, local boards still have an important governance role to play in inputting to regional decisions and strategy-making, and this is represented in the project structure diagram above.

50. The core team will take responsibility for keeping local boards informed of the stage two process and ensuring that feedback from local boards is incorporated within the work. As a first step, local boards are being sent an information memo about the stage two terms of reference.

51. When the programme moves into stage three (implementation of any changes), local boards are likely to have a particular interest as it affects institutions within their local board area. This is especially the case for the many smaller cultural institutions in Auckland, and also if the Te Papa Manukau proposal is advanced in any form by central government.

Tauākī whakaaweawe Māori
Māori impact statement

52. This report has discussed how the review process has shifted since the initial terms of reference (May 2017) to now include responding to mana whenua as a primary driver of the review.

53. If the terms of reference are approved by council, this will formally endorse mana whenua as part of the process. This will ensure that mana whenua priorities and perspectives are integral to the work undertaken.

54. By involving mana whenua as key partners alongside the institutions at this stage of the review, it is intended to guarantee that Māori outcomes are prioritised for delivery through the review process, including implementation and delivery phases.

Ngā ritenga ā-pūtea
Financial implications

55. Stage two of the review will largely be resourced by staff from within Auckland Council, Regional Facilities Auckland and the cultural institutions. A project budget will be established to ensure that any independent members of the governance group, and Mana Whenua Kaitiaki Forum members can be paid for the time they spend on the project. This has been anticipated in existing budgets.
56. Stage two of the review will not affect the levy processes for Auckland Museum, MOTAT or ARAFA. These processes are separate and will continue according to the procedures set out in the legislation.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

57. An informal risk assessment has been undertaken as part of preparing this report. It is anticipated that a more formal risk assessment exercise will be undertaken by the core project team as part of project establishment.

58. If the proposed terms of reference are approved, the primary risk is a reputational one for council. Council could be perceived as trying to ‘attack’ or ‘take over’ institutions which are seen by Aucklanders as an important and valued part of the cultural life of the region, or that council’s motivations are primarily financial rather than strategic.

59. This risk will be mitigated in two main ways. Firstly, the collaborative process which is proposed by the terms of reference demonstrates that the institutions and other project partners understand the reasons for the review, the opportunities for the future, and are supportive of it. In this context, council should not be seen as acting alone in somehow imposing a process where one is not required. Secondly, we will work closely with communications staff within council and the institutions to ensure that the public understand what the process is seeking to achieve.

60. There is a wider risk that council is not able to maintain the cohesive and co-designed process that is proposed in this report. This risk will be managed by ensuring sufficient resource is applied to the process, and by maintaining an open and collaborative style of governance, at the right levels. Council has already sought to involve members of boards of the institutions, as well as management staff, so that commitment to this process is engaged at a high level from the beginning.

61. Finally, there is a risk that the process and any changes will not be supported by central government. This risk will be mitigated by involving central government in the consultation groups, but also by maintaining informal relationships at various levels (governance, senior staff) as the process progresses.

Ngā koringa ā-muri

Next steps

62. The broad timeline for the review programme is included in the terms of reference. It is anticipated that recommendations on strategic priorities for the sector are brought back to council in early 2020. Recommendations on any more significant changes will likely need to be consulted on through the 2021-2031 Long-term Plan process which will begin in late 2020.

63. The immediate next steps are to establish the project governance, working and stakeholder groups. This will occur over the next few months, with the precise membership being guided by the governance group itself, noting that the process is intended to be fluid and involvement and membership not too rigidly defined.
Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
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<tbody>
<tr>
<td>A</td>
<td>Draft Terms of Reference, Tamaki Makaurau cultural heritage sector review, 9 May 2019</td>
<td>23</td>
</tr>
<tr>
<td>B</td>
<td>Discussion paper: Assessing options for further establishing Maori identity as Tamaki Makaurau' point of difference in the world</td>
<td>31</td>
</tr>
</tbody>
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Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Edward Siddle - Principal Advisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Alastair Cameron - Manager - CCO Governance &amp; External Partnerships</td>
</tr>
<tr>
<td></td>
<td>Phil Wilson - Governance Director</td>
</tr>
<tr>
<td></td>
<td>Stephen Town - Chief Executive</td>
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</tbody>
</table>
**Cultural Heritage sector review, Stage 2: Terms of Reference**

**Review background**

The collections, buildings and expertise of Tāmaki Makaurau cultural heritage institutions provide a unique contribution to diverse cultural life in Tāmaki Makaurau.

Auckland Council invests more than $60 million annually in several cultural heritage institutions and facilities including Auckland Museum, Auckland Art Gallery, Museum Of Transport And Technology (MOTAT), Stardome Observatory and Planetarium\(^1\) and the New Zealand Maritime Museum. These institutions manage facilities and collections which cater to local and international audiences, and are kaitiaki of more than 7 million taonga and collections items. Collectively they deliver a range of education and public programmes, exhibitions, collections care, and research.

Investment in cultural heritage in Tāmaki Makaurau enables value to be delivered in a number of ways, including:

<table>
<thead>
<tr>
<th>Cultural value – can only be delivered by cultural activity (intrinsic benefits)</th>
</tr>
</thead>
<tbody>
<tr>
<td>By enabling institutions to act as kaitiaki for the collections of Tāmaki Makaurau and Aotearoa, the investment of Council:</td>
</tr>
<tr>
<td>• protects and enhances the collective memory of Tāmaki Makaurau and New Zealand</td>
</tr>
<tr>
<td>• lays the foundation for new ideas and delivers fresh insights</td>
</tr>
<tr>
<td>• supports the development of a locally authentic but globally distinctive identity for Tāmaki Makaurau.</td>
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<table>
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<tr>
<th>Social and economic value – delivered by cultural activity but also by other activities</th>
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<tr>
<td>• offers education and learning, entertainment, leisure and wellbeing benefits, and</td>
</tr>
<tr>
<td>• contributes economic value to the city and New Zealand through employment, tourism, and support for innovation and other economic activity.</td>
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In May 2017 Council approved a review of Tāmaki Makaurau key cultural heritage institutions, to consider whether Council and the organisations could deliver better value for Aucklanders across the elements of cultural, social and economic value identified above.

In October 2018, Council received a report from Stafford Strategy, which had been appointed to provide independent advice on the cultural heritage strategy and governance framework for Tāmaki Makaurau institutions. This built on an earlier report by Tim Walker Associates (October 2015), which set out recommendations on a strategic framework for investing in Tāmaki Makaurau cultural infrastructure.

These reports set out several key issues, which will now be addressed in the ‘second stage’ of the review process (“the review”), beginning in May 2019.

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\(^1\) Stardome is not strictly a cultural heritage institution and does not hold collections. It has a strong focus on education and public programmes in common with the other organisations. The review is intended to encompass institutions with a focus on science, technology and ecology, where there is an overlap of functions and interest with Auckland’s core cultural heritage institutions.
Issues

The Walker and Stafford reports have identified a range of issues to be addressed. These issues include (but are not limited to):

- a lack of clear vision and strategy for the Tāmaki Makaurau cultural heritage sector that embraces Toi Whîtiki\(^2\) aspirations and is inclusive of mana whenua and guided by a mana whenua world view
- clear performance expectations and indicators enabling councillors and the public to have a transparent understanding of the value received for the investment
- the lack of a sophisticated understanding of the Tāmaki Makaurau point-of-difference
- a variable level of engagement with te ao Māori and response to the aspirations of mana whenua in Tāmaki Makaurau, including Treaty of Waitangi partnership
- lack of a genuine cultural ecosystem between institutions, exacerbated by diverse governance structures
- lack of confidence of council to invest in what is currently a fragmented sector
- there are specific aspirations and proposals (e.g. Māori cultural facility, Te Papa Manukau) which are not referenced within a region-wide strategy that would inform overall investment priorities.

The opportunity

Reviewing how Tāmaki Makaurau’s cultural heritage institutions are governed and how Auckland Council contributes to their funding opens up a range of opportunities for the future.

- a sector that can model the Treaty of Waitangi partnership and genuinely reflect a mana whenua and te ao Māori world view, with Māori having an integral governance role
- a collaborative and complementary range of cultural and related experiences each with its own unique positioning which combine to create the Tāmaki Makaurau ‘story’
- a sector where all institutions are financially secure and sustainable, but flexible to changing circumstances over time
- a sector that can share resources to make the most of collective strengths, and can grow and maintain a pool of skilled staff and leaders, especially Māori
- new investment—new facilities and other initiatives as determined by the review
- a sector which is internationally distinctive and internationally connected

\(^2\) Toi Whîtiki Auckland’s Arts and Culture Strategic Action Plan, 2015
• maintaining and enhancing the attractiveness of the sector to work with and draw contributions from donors and other philanthropic funders.

Objectives
The objectives for the review are to clearly identify:

• by way of a clear vision and strategy, the outcomes Tāmaki Makaurau is seeking from the cultural heritage sector, against which proposals to refresh our current infrastructure or make new investments can be tested

• a current state assessment recognizing the existing institutional and collections strengths, identifying and agreeing any gaps in cultural heritage offering, including any specific needs, including infrastructure

• future investments which could be made to meet the gaps and the outcomes, taking a region wide “portfolio” perspective

• what specific changes to governance and or funding mechanisms will ensure the long-term delivery of strategic outcomes, and provides flexibility to future circumstances in a rapidly growing and changing city-region.

Scope of the Review
The review should take a wide view of cultural heritage provision in Tāmaki Makaurau. This should focus on the important functions and services to be delivered, rather than have a narrow focus on organisations and traditional divisions or separations between material forms. It should reflect at an early stage the world view and aspirations of mana whenua.

This should allow:

• new opportunities for sector and institutional development, including options for collaboration, joint ventures, and functional alignment (perhaps building on the Museums of Auckland collaboration, for example)

• Māori identity to be developed as the Tāmaki Makaurau point of difference, reflecting a mana whenua and te ao Māori view encompassing tangible, intangible and even landscape heritage

• more opportunities for alignment between organisations which may have complementary collections and functions - eg the taonga Māori collections of Auckland Museum, Auckland Central Library, Auckland Art Gallery and other (eg University of Auckland) collections.

• greater likelihood of collective strategic thinking rather than development of isolated institutional investment proposals.

This will include the five institutions which were the subject of the Stafford Strategy report and the role of Regional Facilities Auckland in respect of cultural facilities. However, it should also be broad enough to encompass:
Attachment A

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- the opportunities for collaboration provided by Te Papa’s proposed investment in South Auckland
- the activities of Auckland Zoo and its relationships with other organisations and functions
- the relationship with Auckland Libraries and its heritage collections
- future support and work with the wider ecosystem of medium-sized and smaller cultural heritage organisations in Tāmaki Makaurau, particularly those funded by Auckland Council but also including nationally-funded institutions such as the Navy Museum (Devonport)
- Implications of any proposed changes for the Auckland Regional Amenities Funding Act system
- Alignment with any nationally agreed strategic priorities for the cultural heritage sector.

The following issues are excluded from consideration:

- The quantum of funding for the cultural sector provided by Council. The review is not a mechanism for determining funding allocations, though long-term capital and operational requirements of the sector will be a factor in the analysis, particular in respect of investment needs.
- Built heritage.

**Deliverables & Workstreams**

The review will reflect a changed Auckland governance context since amalgamation in 2010 and other changes impacting on the review such as Treaty settlements and Treaty of Waitangi obligations. The work will comprise two distinct stages:

- The development of a region-wide cultural sector strategy, to be completed by **February 2020**
- Consideration of governance and funding options and development of a blueprint, taking into account the imperatives arising from the strategy, to be completed by **August 2020**

In parallel with these two major deliverables, the review will also advance the following work:

- Consideration of the recommendations of the Stafford report on immediate activations which can be put in place, and implement a series of actions to give effect to agreed items.
- What, if anything, the nature of collaboration with Te Papa on its proposal to invest in South Auckland will be, to ensure that the positive impacts of this investment (if it proceeds) are fully reflected in the underlying analysis and content of the strategy.

The review will bring a strong focus on building a robust empirical evidence base to inform the strategy and decision-making. This will include an analysis of:

- current markets in Auckland, including attendance performance and forecasts
- the future demands on the sector, based on both quantitative and qualitative analysis of what Aucklanders and visitors are expecting from the sector
• the asset renewal and capital transformation requirements of the sector to meet the needs of a growing region
• the financial forecasts of each institution.

This analysis will be critical to determining how the market in Auckland should be served, both now and into the future.

**Governance and methodology**

Auckland Council will establish a project governance/steering group and a reference group to progress the review. The reference group will agree a methodology and this will be agreed by the governance group. This is likely to involve co-design processes or other policy development tools.

The project will operate on a ‘no surprises’ basis with respect to public communications between Council and the institutions subject to the review.

An important part of the work will be building an evidence base to support policy thinking. This will include, as relevant and reflecting the different scale of institutions, audience and market analysis, and research undertaken by individual institutions and national bodies on the value of the sector.

**Process**

The review has the following key phases:

1. Commissioning and scoping (completed, including Stafford report)
2. Establishing main project (current)
3. Designing a strategy for the sector (encompasses building the evidence basis and determining future sector objectives, confirming and agreeing the strategy)
4. Planning for implementation – what structures (governance and funding) will allow the strategy to be achieved
5. Implementation leading to new business as usual.

Milestones within these phases are expected according to the following timeline.

<table>
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<tr>
<th>Milestone</th>
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<tr>
<td>Terms of reference approved</td>
<td>May 2019</td>
</tr>
<tr>
<td>Project establishment</td>
<td>May/June 2019</td>
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<tr>
<td>Agree short-term actions to implement</td>
<td>July 2019</td>
</tr>
<tr>
<td>Recommendations on strategic priorities to Council</td>
<td>February 2020</td>
</tr>
<tr>
<td>Initial recommendations on any preferred governance/funding structural changes</td>
<td>August 2020</td>
</tr>
<tr>
<td>Planning for implementation of any changes, including approaching central government, if relevant</td>
<td>November 2020</td>
</tr>
<tr>
<td>Long-term Plan 2021-2031 consultation if required</td>
<td>2021</td>
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**Mandate for the review**
The Auckland Plan 2050, and Toi Whitiki, the Auckland Arts and Culture Strategic Action Plan provide the overarching strategic directions for the review.

In particular:

- Ensure we’re meeting the needs of diverse communities and their access to cultural activity (Toi Whitiki 1.1.1)
- Ensure governance and funding arrangements of council-funded institutions enable them to operate sustainably and collaboratively (2.1.1)
- Investigate demand for facilities and meet gaps in provision, potentially including conservation and storage facilities and other operational needs of the museum sector (3.1.1)
- Celebrate Maori and their culture as a point of difference (5.1) and in particular establish mana whenua co-governance and partnership models consistent with the Treaty (5.1.5).

The mandate for the review is the decisions taken by Auckland Council Governing Body in March and May 2017. This mandate is to be renewed by Governing Body approval of these terms of reference.

The project sponsors are the Mayor of Auckland and the chair of the Environment and Community Committee. The ‘home’ committee for the review is the Governing Body.

The review will be organized as set out in the diagram on the following page.

The governance group will consist of nominees from Auckland Council, the main institutions included in the review, Regional Facilities Auckland, and the Mana Whenua Kaitiaki Forum which works with Auckland Council. It is intended that the governance group can co-opt independent members from time to time to ensure it has the perspectives and expertise it considers necessary to ensure the success of the project.

The core project team will be based in Auckland Council and consist of the project lead, and other staff as required to deliver the work. The core team will be responsible for the production of discussion materials, Council reports, fortnightly reporting to the project, and other project outputs as required.

The working/reference group, similar to the governance group, will consist of representatives of the five institutions, Council and the Mana Whenua Kaitiaki Forum. This group will be required to provide major input and guidance to the review. This group will drive the thinking and development of the project’s output.

The core team will also maintain relationships with key stakeholders, including smaller institutions of Tāmaki Makaurau, council’s Pacific Advisory Panel, central government organisations (MCH, Te Papa), Museums Aotearoa, and groups which support Auckland’s institutions.
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Governing Body
30 May 2019

Approval of terms of reference for cultural heritage review stage two

PROJECT SPONSOR
Auckland Council (Governing Body/the Mayor)

Auckland Council (Local Boards)

GOVERNANCE GROUP
Chair (Cr Penny Hulse initially), representatives of Mana Whenua Kaitiaki Forum, Auckland Museum, MOTAT/Stardome, RFA + independent members

CORE PROJECT TEAM
Council staff (Governance, Policy, Strategy) + others co-opted as required

WORKING/REFERENCE GROUP
Auckland Art Gallery
Auckland Museum
MOTAT
New Zealand Maritime Museum
Stardome Observatory and Planetarium
Mana Whenua Kaitiaki Forum

OTHER AUCKLAND INSTITUTIONS (non-exclusive list)
Auckland Libraries
Auckland Zoo
Navy Museum
Te Tuhi, Te Uru, Corbans, Howick Historical Village

OTHER STAKEHOLDERS (non-exclusive list)
MCH
Te Papa
Museums Aotearoa
MOTAT Society
AWMM Institute
The cultural heritage sector: Assessing options for further establishing Māori identity as Tāmaki Makaurau’ point of difference in the world

DISCUSSION PAPER
February 2019

1. Executive Summary

- This paper outlines:
  - An assessment of the current state of Auckland Council funded cultural heritage organisations and processes. This is based on interviews with key staff based on a set of questions signed off by the Forum representatives – Te Warena Taua and Tame Te Rangi.
  - A high-level assessment of the Auckland Cultural Heritage Sector Review (final version) 2018 (The Stafford Report) and, in relation to that document, a desk research-based outline of national and international governance models, national and international indigenous partnership governance models and indigenous identity-based development accords and frameworks.
- Compared to many countries, cultural heritage governance and operational arrangements in Aotearoa New Zealand have been more reflective of a partnership principle when working with indigenous people – based on the Treaty of Waitangi. But in most instances the sector has yet to implement fully the principles of international law, and especially those of UN Declaration on the rights of indigenous peoples (DRIP), in policies and approaches within the sector.
- In the 1980s and 1990s the New Zealand GLAM (Gallery, Library, Archives and Museums) sector advanced in terms of their relationships with iwi Māori (though this was from a low base). Over this period Te Māori (1984), the development of Te Papa Tongarewa Museum of New Zealand (Act 1992- opening 1998) and the Auckland War Memorial Museum Act (1996) - which established the Taumata-a-Iwi - defined a period of very significant change within the sector in terms of relationships with Māori.
- While good progress has been made by some institutions on some fronts, in many respects the advances of the late 20th century remain the benchmark - two decades into the 21st century. The current Tāmaki context provides a timely opportunity for progress.
- The Stafford report looked at the governance arrangements of five institutions - Tāmaki Paenga Hira Auckland Museum, Auckland Art Gallery Toi o Tāmaki, MOTAT, Stardome and the NZ Maritime Museum. The report recommends that “Mana whenua has a clear governance and

2 The Te Pape Manukau project is also included given its regional relevance
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advisory role at least as strong as provided in current arrangements but makes little or no substantive comment on:

- The legislative and strategic conventions that should properly frame the question of governance in relation to mana whenua – including the Treaty of Waitangi (including WAI 262), the Tāmaki Makaurau settlement process, the UN Declaration on the rights of Indigenous peoples (DRIP) and the Auckland Plan. (these are further outlined on p 7-9)
- The specificity and complexity of mana whenua structures, rights and responsibilities, and how the dynamic nature of these is reflected
- How mana whenua rights and responsibilities might be best reflected in the governance, senior leadership and operation of the cultural heritage sector in Tāmaki.

- Interviews and desk research were undertaken in relation to sixteen Tāmaki cultural heritage institutions and programmes to assess the individual and collective Te Ao Māori initiatives and relationships with mana whenua (high level results see p 10-12. Table of results see Appendix 2).
- An assessment of the findings suggests a reshaped and more integrated approach to cultural heritage, in combination with greater partnership with mana whenua, offers considerable opportunities for the sector to play a defining role in further establishing Māori identity as Tāmaki’s point of difference. Key to success will be a focus on approaches to governance, leadership and operations that:
  - Ensure appropriate mana whenua involvement at all levels
  - Strategic approaches and priorities that take due account of Te Ao Māori
  - Maximise the opportunities to all organisations and initiatives that may be available through more joined-up approaches within the sector
  - Leverage the opportunities available through partnerships with organisations and agencies outside the sector
- The term ‘cultural heritage’ has different meaning to different people, and this often determines what is deemed to be included within the category – or not. Mana whenua definitions of cultural heritage, which in line with international law relating to indigenous peoples will be of particular significance in framing future thinking about the arrangement, governance, leadership and operations of the sector in Tāmaki Makaurau.
- This also applies to the question of governance and governance models. Māori academic Dr Robert Joseph notes that "Specific universal good governance elements or principles rightly espoused by [Inuit, indigenous rights expert] Dr Dalee Dorough include transparency; responsiveness; consensus; equity and inclusiveness; effectiveness and efficiency; accountability; participation; consultation and consent; human rights and the rule of law. Dr Dorough added that 'whether considered as part of the rule of law or in their own right, respect and protection for human rights are key principles essential for good governance and must be consistent with the United Nations declaration on the rights of indigenous people which affirms the distinct status and human rights of Indigenous peoples.'

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2 Indigenous Peoples’ Good Governance, Human Rights and Self-Determination in the Second Decade of the New Millennium – A Māori Perspective: Dr Robert Joseph of Te Mata Hautū Taketake – the Māori and Indigenous Governance Centre, University of Waikato, New Zealand
• The report outlines best practice exemplars of multi-institutional governance models (these are in addition to models outlined in the Stafford report) and examples of approaches to working with mana whenua or first peoples (see p 15-26) in:
  ○ New Zealand
  ○ Australia
  ○ The United Kingdom
  ○ North America

• As possible points of reference for Tāmaki, a range of national and international Indigenous identity-based development accords and frameworks are provided (see p 27-35) within and outside of the cultural heritage sector:
  ○ Matapopore - the mana whenua voice in recovery and is responsible for ensuring Ngāi Tūāhuriri/Ngāi Tahu values, aspirations and narratives are realised within the recovery of Christchurch
  ○ The New Zealand waterways co-governance and co-management
  ○ British Columbia – The 10 principles; reconciliation framework
  ○ The Aboriginal Cultural Heritage framework, NSW
2. Introduction

Compared to many countries, cultural heritage governance and operational arrangements in Aotearoa New Zealand have been more reflective of a partnership principle when working with indigenous people – based on the Treaty of Waitangi. But in most instances the sector has yet to implement fully the principles of international law, and especially those of UN Declaration on the rights of indigenous peoples (DRIP), in policies and approaches within the sector.

In the 1980s and 1990s the Aotearoa New Zealand GLAM (Gallery, Library, Archives and Museums) sector advanced in terms of their relationships with iwi Māori (though this was from a low base). Over this period Te Māori (1984), the development of Te Papa Tongarewa Museum of New Zealand (Act 1992- opening 1998) and the Auckland War Memorial Museum Act (1996) - which established the Taumata-a-Iwi - defined a period of very significant change within the sector in terms of relationships with Māori.

At this time our institutions were significantly more evolved than their counterparts in Australia. In 2019, while there have continued to be advances on a number of fronts, this is no longer always the case. For example, a comparison between Auckland Art Gallery and Sydney’s Museum of Contemporary Art (MCA) in terms of partnership and working relationships with indigenous peoples and mana whenua, suggests the latter has over time developed a deeper, more comprehensive and ‘measurable’ commitment to relationships and equity.4

While the 1980s and 1990s saw the sector make significant moves to begin to redress the absence of Māori (tikanga, staffing, protocols, relationships with iwi etc), recent decades have seen relatively fewer developments. Auckland institutions would be wrong to be complacent that their arrangements in relation to mana whenua, and Māori in general, are ‘ahead of the game’ internationally. In key respects the advances of the late 20th century remain the benchmark - two decades into the 21st century. The current Tāmaki context provides a timely opportunity for progress.


The report correctly identifies ‘stronger recognition of the rights of indigenous first peoples’ as one of twelve international trends and best practice models which have implications for the museum and

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4 See page 17

5 ‘The rights of first peoples and decolonisation: Museums and galleries in New Zealand, Australia and Canada have led the world in embracing the rights of first peoples, and the responsibilities of museums and galleries to them. While the initial trends have been around repatriation of human remains and secret and sacred material, there are more pervasive changes now occurring. Progressive institutions have significantly shifted their perspective around collections of materials created by first peoples. Rather than “owning” such collections, these institutions see themselves as “custodians” of these collections for the creator communities and their descendants. Custodianship brings significant obligations to work with those communities. In particular, within museum and gallery exhibitions the descriptions of the objects should increasingly be in the words of the first...

TIM WALKER ASSOCIATES
gallery sector in Auckland. The report recommends that “Mana whenua has a clear governance and advisory role at least as strong as provided in current arrangements” but makes little or no substantive comment on:

- The legislative and strategic conventions that should properly frame the question of governance in relation to mana whenua – including the Treaty of Waitangi (including WA1 262), the Tamaki Makaurau settlement process, the UN Declaration on the rights of indigenous peoples (DRIP) and the Auckland Plan.
- The specificity and complexity of mana whenua structures, rights and responsibilities, and how the dynamic nature of these is reflected
- How mana whenua rights and responsibilities might be best reflected in the governance, senior leadership and operation of the cultural heritage sector in Tamaki.

It is noted that the report was premised in part on the earlier report *Investing in Auckland’s cultural infrastructure: a strategic framework* which recommended an ‘Auckland Plan plus Mana Whenua worldview’ partnership approach to framing issues of sector governance, leadership and investment. (an outline of the framework is provided as Appendix 4).

![Diagram: The Auckland's cultural infrastructure; a strategic framework recommended model](image)

This has not been adopted as a frame of reference by the authors of the Stafford report. Indeed, under the outline of twelve ‘Major issues and challenges’ the report makes no mention of any matters relating to mana whenua or Māori. Under the subsequent list of five ‘Other issues and challenges’, the report defines ‘5. Working with Auckland’s Iwi’ and notes “There is no consistent approach amongst the five organisations in how they engage with the Māori communities and Iwi of greater Auckland. Each of the five organisations has a particular way of engaging with what they perceive to be their key Māori stakeholders. In the case of Auckland Museum, there are three Iwi represented on the Taumata-a-Iwi

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5 In the interests of transparency, I note I was the author of this report – which was commissioned by RFA and the Auckland Museum, with a steering group that included reps from mana whenua (Te Aroha Morehu, Ngāti Whatua Ōrākei and Paul Majurey, Maunga Authority), Auckland Council, ATEED, Pānuku, MOTAT.

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*people communities that created them. The "voice" in the exhibition space should be an indigenous voice* Stafford report p.26.
(Māori Advisory Board). In the case of the Auckland Art Gallery, it has sought to establish and maintain a Māori advisory board that is broadly representative of iwi in greater Auckland and further afield. There are no recommendations or national/international models provided that might inform a way ahead in this critical area.

The Stafford report includes a general (and at times inaccurate) outline of ‘Māori and biculturalism’ as they relate to the five organisations the report is focused on (see appendix 1). In line with the overall approach taken, the international governance exemplars include only one that has a first peoples’ dimension to its organisation – The Western Australian Museum (and in this case the provisions in relationship to first peoples are not outlined).

The report’s view of Tāmaki’s cultural heritage was defined by its terms of reference. It does mention the Auckland Zoo and Auckland Central Library, however, and usefully suggests broadening the scope for how Auckland thinks about and organises ‘cultural heritage’. It is likely that an overarching definition of cultural heritage, in which the world views of mana whenua are equally weighted with those of the current governance and leadership ethos, would provide a useful frame for considering this. Such an approach has the potential to:

- Open up opportunities for a more expansive approach to sector and institutional development, including a fresh approach to considering options for joined-up functional alignments (The report refers to shared collection storage and the value of the Museums of Auckland collaboration being further developed to greater effect)
- Enhance the strategic value of investment in Tāmaki’s cultural infrastructure to create potential to ensure/explore:
  a. Māori identity being developed as Tāmaki’s point of difference (noting that the ‘cultural heritage’ sector broadly encompasses both tangible and intangible tāonga integral to that identity and the resources and funding required for their ongoing tūhia, expression and leverage).
  b. greater alignment between and access to organisations and their functions - eg the tāonga Māori collections of Auckland Museum, Auckland Central Library, Auckland Art Gallery and other (eg University of Auckland) collections.
  c. greater likelihood of strategic ‘and’ thinking rather than ‘either/or’ outcomes (eg: a $150m investment in a Maritime Museum or a $100m Māori cultural centre within the same precinct; the further development of the Auckland Zoo or MOTAT within the same precinct – rather than looking at approaches which apply a ‘world views’ approach at a high level to look at aligned co-development options)
  d. an approach to classification of tāonga and material culture that is more holistic and interconnected, and less taxonomically classified and separated (eg: art being seen as separate from whakairo in terms of how it is considered, acquired, registered, researched etc)

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7 This is incorrect. Heerewa, the Gallery’s Māori Advisory Group currently includes a single mana whenua member, but mana whenua connection is not a requirement of membership to the group.
8 Tāmaki Paenga Hira Auckland Museum, Auckland Art Gallery Toi o Tāmaki, NZMM, MOTAT, Stardome.
9 The report’s suggestions re splitting MOTAT are taxonomic and seem unlikely to realise Western Spring’s potential
4. Strategic context

As noted above there are a number of legal and strategic conventions and frameworks that should be considered in discussing future governance and operation model(s) for the Tāmaki cultural heritage sector which take full account of the rights, responsibilities and obligations of mana whenua.

4.1 Treaty of Waitangi

The Treaty of Waitangi is not considered part of New Zealand domestic law, except where its principles are referred to in Acts of Parliament. However, it is commonly accepted that the intention, spirit or principles of the Treaty are based on a principle of a partnership between the Crown (and its agencies) and iwi Māori. The Auckland War Memorial Museum Act (1996) and the Museum of Transport and Technology Act (2000) both include, under their Boards’ duties, functions and powers the requirement to observe and encourage the spirit of partnership and goodwill envisaged by the Treaty of Waitangi, the implications of mana Māori, and elements in the care of Māori cultural property that only Māori can provide”. As such the Treaty has a key role to play in reframing the governance, leadership and operation of the ratepayer-funded cultural heritage sector in Auckland.

In this respect the principles outlined in the following section from a paper on freshwater management may usefully be applied: “If we use the Treaty as the basis for developing strong relationships in a collaborative process and in [sector] management, a meaningful partnership would regard Māori knowledge, values, and issues as having equal validity with other non-Māori knowledge systems, values and issues. Evidence of good co-governance will involve Māori equally in the selection of members, setting of the terms of reference, ensuring opportunities for those not actually present, and the empowering of others by implementing robust outcomes reached through consensus”[10].

As noted in section 6.3.2 (page 25), models of the co-governance and co-management of freshwater in Aotearoa New Zealand offer ideas and approaches that might be useful in the cultural heritage sector.

4.2 The Tamaki Makaurau Treaty settlement process

Ngā Mana Whenua o Tāmaki Makaurau (the Tāmaki Collective) signed the Tāmaki Makaurau Collective Redress Deed with The Crown on 5 December 2012, replacing the original Ngāti Whataua Ōrākei settlement process. A major component of this settlement was redress in the form of the Maunga being returned, and that has resulted (directly and indirectly) in new arrangements and governance bodies being put in place – The Tūpuna Maunga o Tāmaki Makaurau Authority, The Hauraki gulf forum (and others). This in turn has reinforced the new understanding for Council, that it has to deal with the multiplicity of iwi in the region, and with the complexity of interrelationships.

4.3 UN Declaration on the rights of indigenous peoples (DRIP) – 2007

The NZ Government endorsed the Declaration in 2010. Its provisions relate directly to questions of the definition, governance, leadership and operations of cultural heritage:

- The Preamble states “Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources”.
- Article 31 notes that “Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions ... [including] oral traditions, literatures, designs ... and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.”
- The Declaration also allows for Indigenous peoples to assert their right to development that is consistent with their spiritual, cultural and historically unique needs and aspirations for the present and future (See in particular DRIP Articles 3, 11, 23, 26(2), 31, 32). “Three major principles predominate: (1) respect for indigenous peoples’ own laws; (2) indigenous peoples’ right to repatriation of and control over their heritage; and (3) indigenous peoples’ right to be free from discrimination. Naturally, these principles are interrelated - individually their significance is minimal; collectively they carry great weight.”

4.4 WAI 262 claim – 2011

The Ko Aotearoa Tēnei; A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity (or WAI 262) report notes that:

- The DRIP addresses indigenous peoples’ individual and collective rights in respect of their culture, identity, language, employment, health, education, and other issues. These principles speak directly to the issues at the heart of this claim. They provide valuable guidance on those issues and reflect in many ways the spirit of the principles of the Treaty of Waitangi. The promise in the Māori text of authority and control over all of their treasured things seems to us much more appropriate.
- There is no doubt that mātauranga Māori and taonga works are treasured things. This wording fits with both the subject matter and an approach consistent with Māori custom. It allows for mātauranga Māori and taonga works to be shared, provided the kaitiaki retain an appropriate level of authority and control over the sharing. This allows kaitiaki to protect the integrity of the mātauranga or taonga work.

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11 https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?article=1384&context=bjll
12 Ko Aotearoa Tēnei; A Report Into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity 2011
It also allows them, in appropriate situations, to control at least in some measure the use and development of these things. We begin then with two propositions. First, taonga works are covered by the Treaty reference to taonga. secondly, in this area the Treaty speaks in the Māori text of authority but not necessarily exclusivity. That is, all things being equal, the legal framework should deliver a reasonable measure of kaitiaki control over the use of taonga works and mātauranga Māori...”

4.5 The Auckland Plan 2050 – 2018

Auckland Council’s long-term spatial plan for Auckland looks ahead to 2050. It considers how the city will address its key challenges of high population growth, shared prosperity, and environmental degradation. The Auckland Plan has six outcome areas, one of which is Māori identity and wellness:

- Māori culture and identity are celebrated by Aucklanders and is our point of difference in the world. It brings visitors to our shore, attracts investment, and builds a sense of belonging and pride.
- Auckland embraces its uniqueness founded on te Tiriti o Waitangi and shaped by its Māori history and presence.
- Te Tiriti recognises the rangatiratanga of Auckland’s hapū and iwi, and the inseparable bond between Tāmaki Makaurau the people and Tāmaki Makaurau the place.
- Māori, the indigenous people of Aotearoa New Zealand have lived in Tāmaki Makaurau for over 1000 years.
- Today, the population of Māori in Tāmaki Makaurau is diverse and dynamic. They comprise nearly 12 per cent of Auckland’s population, and number around 160,000 people. Over half are under 25 years and nearly a third under 15 years.

The Plan also notes that “Māori continue to be important to Auckland’s success, and successful outcomes can be achieved when we create opportunities for:

- Māori self-determination and expression
- shared efforts between Māori and with others
- the integration of Māori values into planning, decision-making and delivery.

The strengths and contributions Māori bring to Auckland will fuel growth and advance Māori social, cultural, economic and environmental wellbeing”. 
5 The current situation in Tāmaki

In order to assess the individual and collective nature of the culture heritage sector organisations in relation to mana whenua, Te Ao Māori and further establishing Māori identity as Tāmaki Makaurau’ point of difference in the world Interviews and desk research have been undertaken in relation to the following institutions and programmes:

- Tāmaki Paenga Hira Auckland Museum
- Auckland Art Gallery Toi o Tāmaki
- MOTAT
- NZ Maritime Museum
- Regional Facilities Auckland
- Auckland Zoo
- Te Papa Manukau
- Auckland Libraries
- The Tāmaki Hērenga Festival (ATEED)
- Te Tuhi
- Te Uru
- Stardome
- Howick Historic Village.
- Auckland Council’s:
  - Cultural landscapes team
  - *Te Kete Rukuruku programme*
  - Arts & Culture Public Art strategy

The interviews covered questions developed with Te Warena Tawa and Tame Te Rangi of the Kaitiaki Forum covering:

- Governance
- Strategy, policy and budget
- Mana Whenua partnership/relationship arrangements
- Leadership and staffing
- Collections
- Facility development, projects and initiatives

The full list of questions and the results of these interviews are provided as Appendix 2. An assessment of the findings suggests a series of issues, including:

1. Governance & strategy
   - There is no sector-wide Māori governance in Tāmaki, meaning there is no sector-wide Te Ao Māori (as framed by mana whenua) strategic point-of-view in terms of sector direction, principles, priorities, approaches and investment.
   - There is a lack of adequate levels of, or appropriately structured, Māori governance within any part of the sector – notwithstanding the governance arrangements at Tāmaki Paenga Hira Auckland Museum, which ensure one representative of the Taumata-a-Iwi sits on the Board
   - There is an absence of governance – sector-wide and in any single organisation - that appropriately reflects the interests, rights and responsibilities of Tāmaki mana whenua groups as currently defined
   - There is a low involvement of Māori/mana whenua individuals within sector governance in Tāmaki, and few opportunities to gain governance experience.

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19 In addition to the Director and senior staff this included the Taumata-a-Iwi’s representative on the Board of Trustees Martin Maraisouz. It has not been possible to meet with the Taumata-a-Iwi chair to date.

24 *Te Kete Rukuruku* involves the collection and telling of the unique stories of Tāmaki Makaurau and the reclamation or identification of new Māori names and narratives across Tāmaki Makaurau.
In the absence of an overarching sector-wide strategic approach involving mana whenua, the opportunities to further establish Māori identity as Tāmaki point of difference through investment in major new cultural facilities and services are less likely to be transformative, and more likely to result in less-than-the-sum-of-the-parts outcomes.

2. Leadership and staffing

- Tāmaki Paenga Hira Auckland Museum and Auckland Libraries stand out as playing leadership roles in relationship to Te Ao Māori. Tāmaki Paenga Hira, in particular, was cited by numerous regional institutions as providing excellent collegial professional support. Auckland Libraries have adopted Te Ao Māori principles across key strategic areas and major structural change.
- However, the potential impact of this leadership across the sector is constrained by a lack of integrated Māori and mana whenua strategic planning in relation to tikanga Māori, operational planning and delivery, professional development, collection and public engagement practices.
- The Museums of Auckland (MOA) initiative has addressed this in key areas – eg: Te Reo Māori immersion courses and other initiatives being shared across a number of institutions – but as yet these do not impact significantly in joined-up strategic planning.
- While some organisations (notably Auckland Libraries) have Māori staff professional development programmes that would be of great value to others, these are not known across the sector.
- Māori staff tend not to have opportunities to work collegially with Māori peers across the sector - but there are clear opportunities for this to occur more, through a more strategic and joined-up structural and operational approach.
- Professional development for all staff in relationship to Te Ao Māori is largely focused on Te Reo Māori classes (often through MOA initiatives) and, less commonly, waiata and tikanga.

3. Working with mana whenua, and Māori in general

- A significant majority of institutions:
  - Have no clarity about how to identify who are mana whenua in a specific place or situation, or how to make connections with or engage with mana whenua. In the absence of this clarity, organisations within the former Auckland City Council region often assume Ngāti Whatua ʻOrākei are the sole mana whenua group - even if this may not be correct.
  - Have no formal relationships with mana whenua (relationships, where they exist, are often held by individual staff members - meaning there is a risk that when they leave the relationships are broken).
  - Are unaware of mana whenua tikanga appropriate to their location or operation.
- All institutions expressed a strong interest in a single, funded mana whenua entity that could provide strategic and operational advice.
- The often-low levels of attendances and uptake of services by Māori – and the widely experienced difficulty in attracting Māori to work in the sector – raise some questions about the perception, awareness and relevance of the sector and the services and products it offers, and how these are developed in relationship to iwi Māori.
- Some organisations acknowledge that where Māori participation rates are higher this is often through targeted low-decile schools programmes – whereby the level of participation is due to
social circumstance rather than as a result of prioritising programmes targeted to Māori audiences.

- For many organisations the focus is on bilingual exhibition and wayfinding labelling and signage. This is an example of what would have been seen in the sector as standard by the early 1990s now being seen as 'progressive'.

4. Resource allocation

- With the exception of ringfenced programmes (eg: Auckland Council's Te Kete Rukuruku and Cultural Landscapes projects and ATEED's Te Herenga Waka festival) there are not dedicated sector-wide or organisation-wide budgets for Te Ao Māori. Budgets are, instead, allocated on a case-by-case basis. Auckland Libraries has a dedicated budget for Māori acquisitions.
- Organisations often see this approach as reflecting their view that Te Ao Māori is 'embedded' into their overall strategic planning and operational programmes. There has been no analysis to assess the efficacy of this approach in terms of delivery of Te Ao Māori/mana whenua outcomes.

5. Collections

- Tamaki Paenga Hira Auckland Museum, Auckland Art Gallery and Auckland Libraries have a specified focus on the acquisition and care of Māori collections within their overall collection development and management programmes.
- At present the separate governance and management structures present in the different collection-based organisations creates a single collection resource. In the 21st century there are increasing opportunities to further improve the ability to manage and offer users the ability to search — Māori collections in a more joined-up way.
- The lack of Tamaki-wide and sector-wide planning results in gaps in the availability and provision of specialist cultural heritage management knowledge. Notwithstanding the very real resource constraints, a more joined-up approach may provide opportunities to ensure staff expertise and skills collectively funded by Auckland ratepayers better ensure sector-wide and region-wide outcomes irrespective of the home location of individual staff.15

This assessment of the current state suggests that a reconsidered and more integrated approach to cultural heritage, in combination with greater partnership with mana whenua, offers considerable opportunities for the sector to play a defining role in further establishing Māori identity as Tamaki’s point of difference. Key to success will be a focus on governance, leadership and operations that:

- Ensure appropriate mana whenua involvement at all levels
- Strategic approaches and priorities that take account of Te Ao Māori
- Maximise the opportunities to all organisations and initiatives that may be available through more joined-up approaches within the sector
- Leverage the opportunities available through partnerships with organisations and agencies outside the sector

15 In one instance discussed during the interview process a 18th C pounamu tāonga was damaged after being dropped onto a concrete floor in a suburban art gallery. Expertise in the best practice processes required to prevent this occurring exists within the publicly funded cultural heritage sector in Auckland but was not sought by, or available to, the art gallery. Similarly, there are numerous works-on-paper conservation facilities across the sector but no overall approach to service delivery.
6 ‘Cultural heritage’

The term cultural heritage has different meaning to different people, and this often determines what is deemed to be included within the category – or not. Of particular relevance here is the question of what constitutes cultural heritage for mana whenua, in the context of exercising their rights, responsibilities and obligations and in respect to further establishing Māori identity as Tāmaki Makaurau’ point of difference. Mana whenua definitions of cultural heritage will be of particular significance in framing future thinking about the arrangement, governance, leadership and operations of the sector in Tāmaki Makaurau.

As outlined in terms of international law 26 “To understand the language used to describe the protection of indigenous heritage is to understand much about the substance and development of the international movement centred on its development. Until very recently, the terms ‘cultural property’ or ‘intellectual property’ were used to describe objects of cultural importance to native peoples. It is now recognized that those terms are too limited in their scope, and do not conform with indigenous thought”. The laws of indigenous groups vary greatly, but in 1997 a UN expert on indigenous rights, Erica-Irene Daes noted one principle common to virtually all indigenous groups is that of communal property rights.

"Indigenous peoples regard all products of the human mind and heart as interrelated, and as flowing from the same source: the relationships between the people and their land, their kinship with the other living creatures that share the land, and with the spirit world.... The term international lawyers have agreed upon, in order to give credence to this unique characterization, is 'heritage.' "Heritage" is everything that belongs to the distinct identity of a people and which is theirs to share, if they wish, with other peoples. It includes all of those things which international law regards as the creative production of human thought and craftsmanship, such as songs, stories, scientific knowledge and artworks. It also includes inheritances from the past and from nature, such as human remains, the natural features of the landscape, and naturally-occurring species of plants and animals with which a people has long been connected."

In a similar vein, Bradford Morse of the University of Waikato 28 notes “the expectations of people to have ready access to state collections is challenging the priority that many curators had given, or were ordered to provide, to the preservation of records and artifacts as the main, if not sole, priority. "[The issue is increasingly becoming] to connect these changes occurring more generally with the concrete concerns of Indigenous peoples to implement their inherent right of self-determination as peoples and to press the state to live up to its responsibility as guardians and trustees of indigenous traditional knowledge when this wisdom and cultural values are held within state libraries, museums and archives.

27 Erica-Irene Daes; Protection of the heritage of indigenous peoples UN E 97 XIV.3 (1997)
28 Bradford W Morse; Indigenous human rights and knowledge in archives, museums, and libraries: Some international perspectives with specific reference to New Zealand and Canada University of Waikato research commons 2012 https://researchcommons.waikato.ac.nz/handle/10289/6350
Developments in policy and legislation especially over the past two decades have influenced how state institutions are dealing with indigenous traditional knowledge. Some national and regional libraries, museums and archives have incorporated indigenous values and principles directly in their governance structures and procedures. The very foundational philosophy of many of these government ‘owned’ protectors of the legacy of the past for the illumination of the future have been redesigned by the desire, if not necessity, to engage with Indigenous peoples and their different perceptions. 

7 Governance

An approach to governance and sector organisation which takes due account of mana whenua views and approaches is the most likely to deliver value in terms of further establishing Māori identity as Tāmaki’s point of difference. All literature on governance acknowledges that 1) western and first peoples’ views of governance are often different and 2) no single governance model is right in every instance – context is everything.

From a Māori perspective, Dr Robert Joseph\(^1\) notes that “Not surprisingly, there are differences of view as to what governance and good governance mean. Indeed, governance is as old as humanity and is reflective of multiple societies and cultures across the world. Its ontological roots can be traced to the original Latin terms, ‘gubernare’ or ‘gubernator’, each an apt allusion for some indigenous people to the navigation of a ship or captain. Governance has also been defined as the process through which institutions, businesses and citizens articulate their interests, exercise their rights and obligations and mediate their differences. Fundamentally, governance is about power, relationships and accountability – who has influence, who decides, and how decision-makers are held accountable which applies to nation-state Governments and Indigenous peoples’ institutions”.

“Specific universal good governance elements or principles rightly espoused by [Inuit, indigenous rights expert] Dr Dalee Dorrough\(^2\) include transparency; responsiveness; consensus; equity and inclusiveness; effectiveness and efficiency; accountability; participation; consultation and consent; human rights; and the rule of law. Dr Dorough added that ‘whether considered as part of the rule of law or in their own right, respect and protection for human rights are key principles essential for good governance and must be consistent with the DRIP which affirms the distinct status and human rights of Indigenous peoples.’ The international community has reaffirmed that ‘human rights, the rule of law and democracy are interlinked and are mutually reinforcing and they belong to the universal and indivisible core values and principles of the United Nations.’

“Still, it is important that Indigenous traditions and values be recognised and accommodated but in a way that contributes to good governance rather than undermines it. For constructive discourse to take place, it is important that different governance traditions, institutions and values are acknowledged.

\(^1\) Indigenous Peoples’ Good Governance, Human Rights and Self-Determination in the Second Decade of the New Millennium – A Māori Perspective: Dr Robert Joseph of Te Mata Hauiti-Taketake – the Māori and Indigenous Governance Centre, University of Waikato, New Zealand

and understood but are applied in a good governance manner. It behoves nation-states and Indigenous peoples then to acknowledge, understand, adopt and perhaps even celebrate these good governance principles along with ‘other’ cultural governance traditions and to apply them within their formal governance institutions. For Indigenous peoples, good governance principles are equally important in their relationship with their respective nation-state, but also within Indigenous communities themselves. But good governance principles and human rights must be applied!

“A crucial example of the need for equal application of the rule of law and for the protection of human rights is the right of Indigenous peoples to self-determination. This core right of all peoples is regarded as a pre-requisite to the exercise and enjoyment of all other human rights. Nation-states must therefore equally respect and recognise the right to self-determination of Indigenous peoples in order to protect and promote all of their individual and collective human rights fundamentally in their relationship with Indigenous peoples and with the good governance of Indigenous communities.”

8 National and international best practice exemplars and baseline examples

This section looks at best practice exemplars of multi-institutional governance and examples of partnership-based and more ‘baseline’ approaches to working with mana whenua or first peoples. Where relevant comments are provided on relationships with Indigenous peoples.

8.1 National and international governance models

In addition to the models provided in the Stafford report the following are noted:

8.1.1 Museums Victoria (MV)

Museums Victoria is Australia’s largest public museum organisation. A single Trust Board oversees the Melbourne Museum (incorporating Bunjilaka Aboriginal Cultural centre), the Immigration Museum and Scienceworks. MV also manages the Royal Exhibition Building and a storage facility in Melbourne’s City of Moreland. The structural model sees a CEO. While its strategic plan identifies as one of its transformational moves ‘Place first peoples’ living cultures, histories and knowledge at the core of MV practices’ the organisation has no dedicated first people roles on its board nor any aboriginal people on its board.

Partnerships with first peoples are now developed for specific exhibition projects.21 A new role was advertised in 2018 for a Head of First Peoples to provide strategic leadership and oversight for a newly created First Peoples departments. The role’s key responsibilities are to:

- Develop and implement a strategy that ensures MV, in partnership with Australia’s First Peoples, inclusively sets First Peoples’ living cultures, histories and knowledge at the core of MV’s practice

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21 A First Peoples Yulendj Group was facilitated by Melbourne Museum staff members for the development on the long-term Bunjilaka Aboriginal Cultural Centre

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Museums Victoria Organisational structure 2018 (see the strategic plan framework Appendix 5)
8.1.2 Museum of Contemporary Art (MCA) Sydney

The MCA is included as an example of a leading Australasian contemporary art institution. It takes a proactive and strategic approach to working with the First Peoples of Australia – the Aboriginal and Torres Strait Islander peoples.

There is not representation at Board level but the MCA has:


**Note:** the MCA approach, if adopted in Auckland across the Auckland Art Gallery, Te Tuhi, Te Uru etc would increase the specificity and qualitative/quantitative level and rigor of partnership and relationships with mana whenua and Māori.

8.1.3 Experience Wellington (formerly Wellington Museums Trust)

The Trust operates and manages:

- City Gallery Wellington
- Capital E
- Museums Wellington:
  - Wellington Museum (including the Plimmer’s Ark Gallery)
  - Cable Car Museum
  - Naírn Street Cottage
  - Space Place at Carter Observatory
- New Zealand Cricket Museum (jointly with the New Zealand Cricket Museum Trust)

The Experience Wellington organisational structure is based on directors leading each of the constituent museums/gallery – reporting to the CEO and Board. The Trust receives ‘bulk funding’ from Wellington City Council and provides services under a single governance model, supported by a CEO and executive staff. The Experience Wellington Board includes one Māori member.

8.1.4 Liverpool Museums

There seven public museums within the NML family under a single Board of Trustees:

- World Museum (formerly Liverpool Museum) – William Brown Street, Liverpool;
- Walker Art Gallery - William Brown Street, Liverpool;
- Merseyside Maritime Museum – Albert Dock, Liverpool;
• International Slavery Museum – Albert Dock, Liverpool;
• Lady Lever Art Gallery – Port Sunlight Village, Bebington, Wirral;
• Sudley House – Mossley Hill Road, Liverpool
• Museum of Liverpool – Albert Dock, Liverpool opened in 2011.

The Liverpool model arranges multiple museums/galleries by functional departments
8.1.5 Glasgow Life, Scotland

Glasgow Life is an innovative approach to the governance and leadership/delivery of the City’s arts, music, sports, events and festivals, libraries, community development, learning programmes and youth services. It operates as a charity delivering these services on behalf of the City Council. The organisation also manages 167 buildings across the city.

The experience of the Glasgow City Council’s organisational change in how it supported its museums as part of this approach is viewed as one of success, particularly in helping the city redefine its image enhancing its economic wellbeing and developing its cultural infrastructure. Glasgow Life has avoided the need for large-scale closures of services such as libraries and museums and has been able to maintain or increase capital investment in new and refurbished facilities, despite the City being under financial pressures similar to those experienced by most UK local authorities.

The overseeing entity, Culture and Sport Glasgow, is governed by a Board of 14 Directors (8 Independent, 5 Partner and an Executive Director). The Board meets 5 times per year with trustees and senior management present. Decisions are taken to set the overall strategy for the business as well as to monitor its activities. The work of the Board is supported by sub-committees whose responsibilities include Audit and Health and Safety, as well as a Nominations Committee. Operationally a Director of Cultural Services oversees arts and music, museums and collections and leads on key initiatives such as volunteering and equalities. This role also plays a lead role for the city’s arts sector – building partnerships and enabling artists and arts organisations to develop.

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**The Glasgow Life Governance structure**

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[22] https://strathprints.strath.ac.uk/63138/
8.1.6 North American approaches

In 1988 the Assembly of First Nations and the Canadian Museum Association organised a landmark conference to discuss how to address/redress competing perspectives. An outcome of this meeting was the development of a joint Task Force on Museums and First Peoples (1992). Adoption of the Task Force’s recommendations meant many museums significantly modified their approach to include Aboriginal Peoples, both collectively and through some staff positions, in the redevelopment of museum practices and policies. The Task Force also advocated for a “co-operative model guided by equal partnership, [as] the recommended basis of a guiding framework whereby each party adheres to moral, ethical and professional responsibilities”. This recommendation was not, and has not been, adopted.

Canadian national museums and art gallery

The Corporation des musées nationaux du Canada (CNCC), a federal government entity operating four Crown corporations (SOEs), oversees four Crown corporations as follows:

- **Canada Science and Technology Museum** and its affiliate museums
  - Canada Agriculture and Food Museum
  - Canada Aviation and Space Museum
- **Canadian Museum of History** and its affiliate museum
  - Canadian War Museum
- **Canadian Museum of Nature**
- **National Gallery of Canada** and its affiliate museum
  - Canadian Museum of Contemporary Photography

The Canadian Museum of History (formerly the Canadian Museum of Civilisation) is governed by a Board of Trustees, who are accountable to Parliament, through the Minister of Canadian Heritage, for the stewardship of the Museum. There is an Aboriginal Advisory Group.

Although collection of Indigenous art, cultural objects, totem poles, longhouses, photographs, clothing and extensive records, its management pre-1990 included no involvement by Indigenous people. This has progressively changed since 1990 due to legislation:

- **The Native American Graves Protection and Repatriation Act (NAGPRA) 1990**: this altered the relationship between many federal entities and Indian Nations in the United States. The Act:
  - requires all federal museums and other institutions that receive federal funding to return ‘cultural items’ in their possession to those tribes originally connected to the items. The scope of this obligation is on human remains, funerary objects, sacred objects, and other objects of cultural patrimony in the possession of these institutions.
  - confirms tribal ownership of any objects found on federal, tribal and some state lands after the Act came into force. In addition, the Act provides funds to assist in repatriation and mandates the U.S. Secretary of the Interior to impose civil penalties on museums that do not comply and creates a crime for 30 trafficking in these cultural items.

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23 Formerly the Canadian Museum of Civilisation
Governing Body
30 May 2019

Approval of terms of reference for cultural heritage review stage two

- compels all of the affected institutions to develop an inventory of relevant objects and seek their proper return.
- **Nisga’a Treaty, 1999:** In addition to the repatriation agreements reached during negotiations with the Nisga’a Nation of British Columbia and the Labrador Inuit Association, the Nisga’a also made Custodial Arrangement Agreements with CMCC that provided for shared possession on a rotating basis of objects of Nisga’a origin remaining in the CMCC collection. The Treaty is the most extensive re-ordering of usual practices by the museums. It:
  - recognises the importance to the Nisga’a of retaining their traditional and sacred connection to their significant treasures regardless of where they are.
  - confirms Nisga’a ownership of ‘any Nisga’a artefact discovered within Nisga’a Lands’
  - allocates ownership of certain specified ‘artifacts’ that have been in the possession of the CMCC as well as the Royal British Columbia Museum to the Nisga’a

**Canadian Libraries and Archives**

The Library and Archives of Canada Act (LAC) is silent on the place of Aboriginal peoples as consumers, suppliers, subjects and co-managers of its materials and as owners of documents originating in their possession. However, after extensive consultation process the LAC Management Board issued a document in March of 2005 intended to guide the overall development of its collection, which included the following commitments:

- LAC recognizes the contributions of Aboriginal peoples to the documentary heritage of Canada, and realizes that, in building its collection of these materials, it must take into account the diversity of Aboriginal cultures, the relationship the Government of Canada has with Aboriginal peoples, and the unique needs and realities of Aboriginal communities.
- The development of a national strategy will be done in consultation and collaboration with Aboriginal communities and organizations, and will respect the ways in which indigenous knowledge and heritage is preserved or ought to be preserved and protected within or outside of Aboriginal communities.
- In order to develop its collection of Aboriginal materials, or to ensure their preservation by other means, LAC will:
  - define or characterize "relationships," "consultations," and "partnerships" in the context of working with Aboriginal communities;
  - develop an outreach strategy and a consultation framework;
  - develop models guiding any "memorandum of understanding" or like document developed by LAC in collaboration with Aboriginal communities in order to support an approach or acquisition strategy;
  - identify and develop relationships with outside institutions, including cultural centres;
  - identify local, regional or territorial collections through research and through the development of a user needs study;
  - conduct inventories of existing LAC collections to identify materials by or about Aboriginal peoples, and develop a global view of the existing collection;
  - develop a baseline of information and further tracking mechanisms or tools to monitor collection development;

**Attachment B**

Item 10

(TIM WALKER ASSOCIATES)
o review LAC programs, services and expertise that impact Aboriginal peoples or the
documentary heritage of these communities; and
o prioritize collection development activities according to the results of the activities
above (Library and Archives Canada 2005).

While Canadian agencies have adopted a more proactive approach since 1990 they retain “exclusive
control and custody of the vast majority of indigenous objects; but they are now willing to consult,
involve Aboriginal peoples in the handling of artefacts and consider requests for repatriation of a limited
array of objects as well as human remains”24. At a legislative level Canada has yet to embrace a more
direct and inclusive approach toward Aboriginal involvement, or control of the institutions or any part
of their collections.

National Museum of the American Indian, Smithsonian Institution, Washington

The Board of Trustees is made up of 25, the majority of whom are representatives of first peoples across
the United States of America. The Museum’s New Your Board of Director has 23 members, 5 of whom
are Native Americans. The current strategic plan includes a focus on:

- Enhance our reciprocal relationships with the indigenous peoples of the Americas, including
  communities, educators, advocates, artists, and Native Nations.
- Reunite Native communities with elements of their heritage under our care through long-term
  loans, digital access, study visits, and repatriation.
- Cultivate high-performing advisory and governing boards, communicate to them effectively,
  and draw upon their skills and advice.
- Lead national and international dialogue about present, past, and future issues of significance
to indigenous communities.
- Partner with others to educate the public about the importance of respect for the cultural
  patrimony of indigenous peoples and to improve protocols and policies for repatriation.
- Recognize and support the work of Native contemporary artists through scholarship, symposia,
  publications, and exhibitions. Train and mentor future generations of museum professionals to
  care for and interpret Native cultural material.
- Help to create, in collaboration with other institutions, a training program for aspiring Native
  American museum professionals.
- Amplify the civic discourse on issues affecting Native Americans by conducting twenty seminars
  and symposia on matters of public interest.
- Increase the pace of our repatriation efforts and be an example to other museums and the
  international community in the conduct of relations with Native people.
- Decide all existing issues concerning the return and reburial of human remains in our


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24 Bradford W Morse op cit
8.2 National and international indigenous partnership governance models

8.2.1 Auckland Museum

The Auckland War Memorial Museum Act (1996) set a new international benchmark for formally involving indigenous people in governance. In clause 16 (1) the Act notes “there shall be a Maori Committee known as the Taumata-a-Iwi consisting of not less than 5 persons appointed by the Board”. In clause 1(c) the Act notes that one of the 10 Board members “shall be a representative who shall be appointed ... by the Taumata-a-Iwi”. The Act does not specify how membership of the Taumata-a-Iwi is defined. In 1997 the Auckland Museum Trust Board invited Ngāti Whatua Ōrākei to form the Taumata-a-Iwi, who decided that for the purposes of the Auckland Museum whenua comprises Ngāti Whātua, Ngāti Pāoa and Tainui. The Taumata-a-Iwi developed Governance principles and Guiding principles.

The Act in clause 16 (b) requires the Board to seek advice from the Taumata-a-Iwi on ways of ensuring that the Board’s policies relating to:
a) Custodial policies and guardianship of all Maori taonga of whatever kind and tribal source;
b) Staffing policies, including taking affirmative action in recruitment and training programmes, which will lead Maori people into professional careers in New Zealand’s culturally integrated museums;
c) Display policies, including presentation of Maori taonga to the public in a culturally appropriate and informative manner; and

d) Development policies, including protection of both the substance and status of Maori taonga in any museum plan, give proper regard to Maori values, and those matters provided for in the Treaty of Waitangi.

The Auckland Museum describes its relationship with Māori as follows:

“AWMM’s commitment to Māori and its Treaty of Waitangi responsibilities is legislated in the AWMM Act 1996. The Taumata-ā-Iwi is the first legislated Indigenous governance body for a museum in the world. It was established on the basis of a pre-Treaty iwi strategic and political alliance in Tamaki. The Taumata-ā-Iwi is based on a tikanga Māori, relationship-based approach and is unique from other models. The Taumata-ā-Iwi is the legislated Māori Advisory Board to the Auckland Museum Trust Board. Membership is based on the principle of mana whenua and members are nominated by their iwi and appointed by the Museum Trust Board.

“The Taumata includes representatives from Ngāti Whātua, Ngāti Pāoa and Waitakaro Tainui. It reflects an historical, tikanga-based relationship between the three iwi based on their whakapapa and relationship to Puketawa, The Domain and Auckland. The Taumata-ā-Iwi appoints 1 member to the Museum’s Trust Board. The Taumata-ā-Iwi acts in a trustee and conduit role representing the interests of iwi and Māori, advising the Trust Board on matters of custodial policy and guardianship of taonga held by the Museum. The Taumata also provide advice on Māori protocol within the Museum and externally where the Museum has a presence. The other bodies (RFA and AMI) that appoint members to the Museum Trust Board may appoint
With the agreed assistance of wider Ngāti Whataua, Waikato and Ngāti Pāoa the Taumata-a-īwi governance principles and policies were developed. The Kaupapa was ratified by the Taumata on 23 September 1998. The Taumata-a-īwi principles are a foundation of the Museum’s He Korahi Māori, described as “a cultural philosophy based on the spirit of partnership and goodwill envisaged by the Treaty of Waitangi that leads our vision to be a bicultural Museum. The document sets out a strategic pathway to embed He Korahi Māori as our unique proposition; underpinning our status as a cultural leader, a place of learning and discovery and a museum of international significance” 26

8.2.2 Museum of New Zealand Te Papa Tongarewa

Under its Act the Minister must "in making appointments to the Board, the Minister must have regard to the need for members to have knowledge and experience of, and commitment to, the functions of the Board, and the specific activities of the Museum". In performing its functions, the Board shall—

- have regard to the ethnic and cultural diversity of the people of New Zealand, and the contributions they have made and continue to make to New Zealand’s cultural life and the fabric of New Zealand society;
- endeavour to ensure both that the Museum expresses and recognises the mana and significance of Māori, European, and other major traditions and cultural heritages, and that the Museum provides the means for every such culture to contribute effectively to the Museum as a statement of New Zealand’s identity;
- endeavour to ensure that the Museum is a source of pride for all New Zealanders

The principle of Mana Tāonga underpins Te Papa’s operations in relation to iwi Māori and Tāonga Māori. In his book *Museums and Māori* (2011) Conal McCarthy notes "The concept was developed by Api Mahuika, from the advisory group Ngā Kaiwaha, and endorsed by the board in 1992, becoming a corporate principle in 2003. It means simply the power and authority arising from and pertaining to tāonga, although it has several applications in a museum context. Cath Nesus of Te Papa wrote This concept provides iwi and communities with the right to define how taonga within Te Papa should be cared for and managed in accordance with their tikanga or custom.‘ The policy was disputed by some critics – for example, Māori writer Dr Paul Tapsell who argued that it usurps a traditional Māori concept and overrides local tribal authority with a government mandate. The policy was partly a pragmatic solution to the problem of enabling nationwide tribal involvement in a national museum without the veto of local mana whenua. Originally seen as a way of enabling Māori co-management of their tāonga in museums, the mana tāonga concept has been extended to facilitate the collaboration of all source communities in the use of their cultural heritage" 27

Te Papa works collaboratively with successive iwi to develop exhibitions with kaumatua (elders) in residence, to work with iwi through providing training and funding so that they can develop their own

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26 Tamaki Paenga Hira Responds to Tim Walker, (response to the questions outlined in appendix 2) December 2018

collections, and through supporting the Karanga Aotearoa Repatriation Programme to repatriate human remains from overseas.

8.2.3 Whanganui Regional Museum

The Museum’s governance model is based on the principles of partnership and two cultures development arising from the Treaty of Waitangi. The Governance of the Museum is carried out by a Joint Council that operates much like a conventional board, except that decisions require the approval of two partners represented as Tikanga Groups on the Joint Council. Decisions are made by consensus. Joint Council or subcommittee decisions require the agreement of the majority of both partners.

Tikanga Groups - Ngā Ohu Tikanga

A Civic House and a Tikanga Māori House represent their communities and operate according to their own tikanga (cultural protocols). They bring forward policy proposals or other matters to the Joint Council which requires that any proposals coming from either group, or jointly from both, need to have passed two tests 1) consistency with the Treaty of Waitangi, and 2) adequate consultation between the partners. The tikanga groups may also respond to matters put to them by the Joint Council.

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Box 30: Diagram of Whanganui Regional Museum Governance

- Board Subcommittee
- Board/Joint Council
- Board Subcommittee
- Tikanga Māori House
- Civic House


Whanganui Regional Museum governance model

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TIM WALKER ASSOCIATES
8.2.4 Canterbury Museum

The Canterbury Museum is a registered Charitable Trust. Its board consists of members appointed by (from website):

- Christchurch City Council (4)
- Hurunui and Waimakariri District Councils jointly (1)
- Selwyn District Council (1)
- University of Canterbury (1)
- Canterbury Branch of the Royal Society of New Zealand (1)
- Te Rūnanga o Ngāi Tahu (1)
- Association of Friends of Canterbury Museum (1)
- Canterbury Pilgrims’ and Early Settlers’ Association (1)

The Board has five standing committees:

- Audit and Risk Committee
- Investment Committee
- Employment Committee
- Executive Committee
- Ohaki O Ngā Tipuna (Iwi Liaison Committee) – comprises 3 board members, one of whom is the Te Rūnanga o Ngāi Tahu appointee, two representatives from Ngāi Tahu, two representatives from Nga Maata Waka and two representatives from the Museum staff, one of whom is the Director. This committee provides guidance and assistance with respect to policies and kaitiakitanga of Maori taonga, and aspects of tikanga Maori.
8.3 Indigenous identity-based development accords and frameworks

This section looks at a range of accords and frameworks, within and outside of the cultural heritage sector.

8.3.1 Matapopore

As defined on their website “Matapopore27 is the mana whenua voice in recovery and is responsible for ensuring Ngāi Tūāhuriri/Ngāi Tahu values, aspirations and narratives are realised within the recovery of Christchurch. Matapopore do this by bringing together teams of Ngāi Tūāhuriri and Ngāi Tahu experts in natural heritage, mahinga kai, te reo Māori, whakapapa, urban design, art, architecture, landscape architecture, weaving and traditional arts to work alongside central and local government.

“The Matapopore design teams provide advice and interpretation on the Ngāi Tūāhuriri/Ngāi Tahu historical narratives and, key kaupapa and values such as whakapapa, mahinga kai, manaakitanga, mana motuhake and ture wairua to achieve design outcomes which meet the Ngāi Tahu objectives of the Recovery Plan and are ultimately more meaningful and respectful of the history and cultural landscape in which the projects are located. Founding kaupapa for Ngāi Tūāhuriri are contained in the words of their ancestor Tūāhuriri as recounted by his descendants. “Kia atawhai ki te iwi” “Care for the people”

“For Ngāi Tūāhuriri, this means ensuring design embraces the following core principles consistent with Ngāi Tūāhuriri/Ngāi Tahu historical narratives:

- **Whakapapa;** Identity and connection to place.
- **Mahinga Kai;** The knowledge and values associated with customary food-gathering places and practices.
- **Mana Motuhake;** Being able to act with independence and autonomy – being ourselves in our places.
- **Manaakitanga;** The extension of charity, hospitality, reciprocity and respect to others.
- **Ture Wairua;** Being able to exercise faith and spirituality”

8.3.2 Waterways co-governance & co-management models

The co-governance and co-management models developed between iwi and national and local government in relation to the management of natural resources are of note. Co-governance describes the processes and structures by which people participate in direction setting, decision making, power sharing, and monitoring outcomes. Co-Management describes the day to day decisions and implementation.

Co-governance and co-management both recognise mana whenua interests, acknowledging different world views and providing for:

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- Participation at all levels of decision-making that affect natural resources; and
- Negotiated arrangements by defined, identifiable Māori groups and Crown agencies, regional government, and/or territorial authorities.

A review of co-governance and co-management of water resources notes that "For Indigenous groups, their governance and jurisdictional control is also subject to many external conditions imposed by the wider societies in which they live. For Tangata whenua wanting to engage in collaborations the principles identified can form the basis of criteria that provide a starting point for assessing governance in practice:

- Power—its scope and exercise;
- Cultural geography and legitimacy—how workable cultural legitimacy is designed, refined and sustained;
- Leadership—how leaders and decision-makers (male and female) are selected, monitored, held accountable and replaced;
- Decision-making—processes, consensus orientation, events and outcomes;
- Organisational performance—how governance structures and goals are established and reviewed, organisational capacity to formulate and deliver policies and services to meet need for transparency, and for stability, innovation and risk management;
- Strategic direction—how communities and organisations develop long-term perspective of their social, economic and cultural development along with a sense of what is needed for such development;
- Participation and voice—the extent of involvement in decision-making; the respect of Indigenous constituents and of the state, for Indigenous governance institutions;
- Accountability—internal and external
- Resource governance—the extent and management of resources and economic development;
- The ‘governance of government’—government’s capacity to formulate and implement enabling policy and service delivery frameworks; funding mechanisms; downwards accountability;
- The governance environment—the relationships with external parties, impact of wider regional, state and national environment; and
- Governance capacity development—processes for, relevance and outcomes”.

The report provides two tables:

- Outlining the UN Development Programme’s good governance principles applied to the co-governance of water (p 22)
- A summary of different levels and types of indigenous engagement in environmental management (p 23)

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## GOVERNANCE COMPONENTS & PRINCIPLES

### THE PEOPLE
- Strategic Vision
- Meaningful Information Sharing
- Participation in Decision Making

#### MEANINGFUL INFORMATION SHARING
Meaningful information sharing recognises that information is power. Information ensures power is also shared. Meaningful information sharing occurs when the exchange of information occurs frequently, openly and in all directions.

#### PARTICIPATION IN DECISION MAKING
Indigenous communities engage in decision making in many different ways. What is important is that Indigenous communities determine the best way(s) for their communities to contribute to important decisions, and that the process of decision making be open, inclusive, appropriate to the community, and understood and endorsed by all members of the community.

### THE LAND
- Territorial Integrity
- Economic Realization
- Respect for the Spirit of the Land

#### TERRITORIAL INTEGRITY
The deep connection to the Land is vital to Indigenous communities as their authority and identity come from the Land. It is the Land that gives a deep sense of place and a sense of self. It is vital to extend connections across the areas utilized historically.

#### ECONOMIC REALIZATION
Effective governments possess the right and tools to develop their Land into sustainable economies. They realize wealth through development and through leveraging those resources to access additional sources of revenue. Customary rights and interests include an inescapable economic component. This is a legal right that Indigenous communities must realize to benefit their citizens and finance their governments.

#### RESPECT FOR THE SPIRIT OF THE LAND
Indigenous communities are positioned to take back their legitimate place on the Land. This will be accomplished by asserting rights to protect the Land and its resources, and by optimizing the economic opportunities the Land provides.

### LAWS and JURISDICTION
- Expansion of Jurisdiction
- Rule of Law

#### EXPANSION OF JURISDICTION
Expansion of jurisdiction refers to exercising authority beyond the current limited parameters of a nation’s laws. The expansion of jurisdiction can be done in different ways: through accepting offers of delegated authority, through negotiation, and through exercising the right of self-governance. Authority can be assumed incrementally and gradually, or come suddenly through a significant legislative change. What is important is that jurisdiction is appropriately expanded consistent with achieving the vision.

#### RULE OF LAW
Rule of Law provides clear instruction on acceptable behaviour – behaviour that benefits the community – and the recourse when behaviour is unacceptable. The Rule of Law exists to minimize conflict, between individuals, corporate entities, and individuals and corporate entities. The latter is critical to the realization of successful economic development projects on Indigenous communities.

### INSTITUTIONS
- Transparency and Fairness
- Results-Based Organizations
- Cultural Alignment of Institutions
- Effective Inter-Governmental Relations

#### TRANSPARENCY AND FAIRNESS
Transparency and Fairness make certain that institutions and the ways they operate are understood by those they are designed to serve. Fairness does not mean that all decisions will be the same, but that set criteria will be applied consistently in making all decisions. It is in the implementation of a policy that its fairness is revealed. Transparency minimizes the opportunity for preferential treatment and the advancement of private interests over collective good.

#### RESULTS-BASED ORGANIZATIONS
Results-Based Organizations are imperative for any governing body to measure the effectiveness of its governance. In measuring the effectiveness of Indigenous governance, a key result would be the extent to which the structures have moved toward their strategic vision.

#### EFFECTIVE INTER-GOVERNMENTAL RELATIONS
Effective inter-governmental relations result in productive and satisfying working relationships where the goal is a “win-win”; the collaborative advancement of the interests of all governments whenever possible.

### RESOURCES
- Human Resource Capacity
- Financial Management Capacity
- Performance Evaluation
- Accountability and Reporting
- Diversity of Revenue Sources

#### HUMAN RESOURCE CAPACITY
Human resource capacity speaks to the skills and abilities of the people that govern communities and implement community programmes and services. With the right to govern comes the responsibility to govern well. The expansion of human resource capacity, including the professional development of the next generation of leaders and managers, is a necessary investment to see that Indigenous communities possess the knowledge, skills and abilities to govern effectively.

#### FINANCIAL MANAGEMENT CAPACITY
Financial Management Capacity ensures that activities are supported by an ability to plan, monitor, and account for financial resources, enabling long-term, multi-year planning and proactive decision making.

#### PERFORMANCE EVALUATION
Performance Evaluation allows for the recognition of achievement, while identifying the adjustments to be implemented. Parallel to the significance of evaluating performance, is the need to report results back to the community. Through rigorous and transparent systems of Accountability and Reporting partners were provided with the information they need to participate in informed decision-making.

#### DIVERSITY OF REVENUE SOURCES
Expanding the Diversity of Revenue Sources is critical to financial management.

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The UN Development Programmes principles of good governance applied to water management.
In Māori values and perspectives to inform collaborative processes and planning for freshwater management (2015) Mahuru Robb, Garth Harmsworth and Shaun Awatere of Landcare Research outline the roles Māori, as Treaty partners, play in freshwater management. They note “evidence of good co-governance will involve Māori equally in the selection of members, setting of the terms of reference, ensuring opportunities for those not actually present, and the empowering of others by

implementing robust outcomes reached through consensus. Successful collaboration for freshwater management in New Zealand will therefore be built on two pillars:

- the Treaty of Waitangi (and principles)
- a strong equitable governance organisation.

In the diagram below the authors outline a “Treaty of Waitangi-based partnership supported by an appropriate governance structure to illustrate how discourse between two world views can be brought together to achieve planning and management goals. For many Māori, the notion of governance is heavily based on culture, and includes an understanding and alignment with Māori values, traditions, institutions, and cultural norms that make Māori governance based much more on values rather than rules. The Māori world view and the many values (e.g. rangatiratanga, kaitiakitanga, manaakitanga, wairuatanga, etc.) that govern behaviour, values, and practices are interrelated with tikanga or rules and need to be integrated into these models to influence and shape governance structures and processes.”

![Diagram of Treaty-Based Planning Framework](image)

The chart on page 29, from the same report, is a useful summary of the different levels of engagement between mana whenua and the ‘state’ (be it the Crown, the City etc).
Figure 3 Co-management arrangements and the varying levels of community involvement in resource management (Local Government New Zealand 2007).

This table may be a useful way of defining the ideal level and format of mana whenua involvement in the governance and operation of Tāmaki cultural heritage.
8.3.3 **British Columbia**

Principle 4 of the Province of British Columbia's *10 principles of reconciliation framework* 30 recognises "that Indigenous self-government is part of Canada’s evolving system of cooperative federalism and distinct orders of government. This principle affirms the inherent right of self-government as an existing Aboriginal right within section 35 of the Constitution Act, 1982. Recognition of the inherent jurisdiction and legal orders of Indigenous nations is therefore the starting point of discussions aimed at interactions between federal, provincial, territorial, and Indigenous jurisdictions and laws.

"As informed by DRIP, Indigenous peoples have a unique connection to and constitutionally protected interest in their lands, including decision making, governance, jurisdiction, legal traditions, and fiscal relations associated with those lands. Government-to-government relationships, including treaty relationships, therefore include:

- developing mechanisms and designing processes which recognize that Indigenous peoples are foundational to Canada’s constitutional framework;
- involving Indigenous peoples in the effective decision making and governance of our shared home;
- putting in place effective mechanisms to support the transition away from colonial systems of administration and governance; and
- ensuring, based on recognition of rights, the space for the operation of Indigenous jurisdictions and laws”.

8.3.4 **Aboriginal Cultural Heritage (ACH), New South Wales, Australia**

A State legal framework, the ACH31 is being reformed in discussion with first peoples. The review process is based on major limitations with the current framework, including:

- regulating Aboriginal cultural heritage under flora and fauna legislation is outdated, offensive to Aboriginal people, and out of step with approaches in other states
- the absence of a formal role for Aboriginal people to make decisions about how cultural heritage is protected and managed
- narrow legal definitions of "Aboriginal cultural heritage" that are limited to objects and places and do not recognise other aspects such as stories, lore, ancestors and living practice
- the absence of formalised local arrangements for coordinating cultural knowledge, creating uncertainty and complexity for both Aboriginal communities and those seeking to consult meaningfully with those communities
- an approach to regulation that is largely reactive, and doesn’t support the type of upfront planning approaches that are better at preventing harm and driving positive conservation action
- complexity, uncertainty and delays for those undertaking development

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the absence of formal processes for resolving disputes when they occur, which can lead to challenging relationships, difficult negotiations, and in some cases costly court proceedings.

Table 1: Aims and key proposals

<table>
<thead>
<tr>
<th>Aims</th>
<th>Key proposals</th>
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<tbody>
<tr>
<td>A. Broader recognition of Aboriginal cultural heritage (ACH) values</td>
<td>Statutory objects to guide interpretation of the draft legislation</td>
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<td></td>
<td>A new definition of ACH</td>
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<td>Legal acknowledgement of Aboriginal ownership of cultural heritage</td>
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<td>B. Decision-making by Aboriginal people</td>
<td>ACH Authority</td>
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<td>Local consultation panels</td>
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<td>Local coordination and support</td>
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<td>Ministers and agencies</td>
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<td>C. Better information management</td>
<td>Aboriginal Cultural Heritage Information System</td>
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<td>ACH mapping products and processes</td>
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<td></td>
<td>Strategic plans</td>
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<td>Monitoring and reporting</td>
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<td>D. Improved protection, management and conservation of ACH</td>
<td>Conservation tools</td>
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<td></td>
<td>Repatriation</td>
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<td></td>
<td>Funding for ACH conservation</td>
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<tr>
<td>E. Greater confidence in the regulatory system</td>
<td>A new assessment pathway</td>
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<td></td>
<td>Aboriginal Cultural Heritage Management Plans</td>
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<td>Integration with development assessment</td>
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<td>Dispute resolution</td>
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<td>Appeals and reviews</td>
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<td>Compliance and enforcement</td>
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_ACH aims and key proposals 2018_

The NSW Government is committed to implementing new standalone legislation that respects and protects Aboriginal cultural heritage for current and future generations and provides clear and consistent processes for economic and social development in New South Wales. The draft Bill seeks to achieve this outcome by delivering on five key aims:

- to better recognise ACH values
- to enable decision-making by Aboriginal people
- to provide better information gathering and management
- to improve protection and conservation of ACH
- to provide greater confidence in the regulatory system.
### Improvements for industry proponents

- Greater certainty – Better information and up-front assessment of Aboriginal cultural heritage values will minimise the chance of unexpected discoveries, and reduce project delays and associated costs (Aims C and E)
- Tailored assessment pathways respond to different levels of risk - rather than the current ‘one-size-fits-all’ approach (Aim E)
- One point of contact to access Aboriginal cultural knowledge holders who can speak for Country – rather than having to consult with a number of Aboriginal parties. This will simplify consultation processes and reduce project delays (Aim B)

### Improvements for Aboriginal people

- Aboriginal people will be recognised in law as the rightful owners of their cultural heritage. (Aim A)
- New structures that make Aboriginal people responsible for decisions about their cultural heritage (Aim B)
- Stories, lore, ancestors, places and living practice will all be recognised in new legal definitions that encompass the full breadth of Aboriginal cultural heritage – extending conservation beyond just the physical objects and artefacts that are currently protected (Aims A and D)
- Better information gathering and culturally sensitive information management systems will give Aboriginal people control over information about their cultural heritage, and enable them to proactively identify, manage, conserve and celebrate that heritage (Aims C and D)
- A new Aboriginal cultural heritage fund will consolidate and improve resourcing arrangements for Aboriginal cultural heritage planning and management across NSW (Aim D)
- Aboriginal cultural heritage will be considered early in the development process, providing opportunities for proposed developments to be designed in ways that avoid or minimise harm to Aboriginal cultural heritage values (Aim E)

### Improvements for planning authorities

- Better integration of Aboriginal cultural heritage considerations with development assessment pathways will reduce uncertainty and complexity (Aim E)
- Strategic plans developed by consultation panels will clearly signal conservation priorities to public authorities (Aim C)
- Consultation panels will be the recognised source of cultural authority at the local level – simplifying consultation procedures and ensuring more consistent information and advice about Aboriginal cultural heritage values (Aim B)

*ACH – improvements sought for parties*
### APPENDIX 1: ‘Māori and biculturalism’ provisions – the Stafford report

<table>
<thead>
<tr>
<th>Auckland Museum</th>
<th>MOTAT</th>
<th>Auckland Art Gallery</th>
<th>NZ Maritime Museum</th>
<th>Stardome</th>
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<tbody>
<tr>
<td>The museum’s commitment to Māori and biculturalism is enshrined in the Museums Act, particularly through the Taumata. A bicultural approach pervades the museum’s programming and is anchored in the museums treasured Taonga. Mana Whenua are involved in gallery renewal projects in a range of ways. Specific in-museum training programs are focused on raising the competence and confidence of Museum people in general around all aspects of Māori.</td>
<td>Focuses on past present and future Kiwi technology starting with tangata whenua. Corporate vision is aligned with the Māori worldview. Iwi see and understand the importance of technology and innovation. Has won awards for use of Te Reo in exhibitions and events.</td>
<td>The gallery has a strong Māori advisory group and through this works with the 19 Iwi of Auckland. The gallery is the custodian of Taonga within its collection.</td>
<td>Strongly recognises and supports Māori and bicultural principles and works in partnerships with relevant Māori groups in programs and exhibition development.</td>
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</tbody>
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**Note:**

32 This is centred around the whakataukī *Ka mua, ka muri*.

33 This is incorrect. Neither the Gallery nor Haerewa, the Māori advisory group, have defined working relationships with the 19 mana whenua o Tāmaki.
APPENDIX 2: summary of interviews with cultural organisations and programme leaders 2018-19 (undertaken by Tim Walker)

NOTE: the response to all questions from Tāmaki Paenga Hira Auckland Museum is provided separately as Appendix 3

Governance

<table>
<thead>
<tr>
<th>Organization</th>
<th>How are Māori involved in the governance of your organisation?</th>
<th>Are there plans to enhance this?</th>
<th>What relationships (if any) exist between governance in your organisation and governance across other Auckland cultural institutions or initiatives?</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOTAT</td>
<td>No (“Nearest is CE” - Michael Frawley, who has Tainui affiliations)</td>
<td>From management’s point of view this is desired, but it is limited by the Board provisions of the Act (3 are elected by MOTAT Society and 6 by RFA)</td>
<td>No relationships at governance level</td>
</tr>
<tr>
<td>Regional Facilities Auckland</td>
<td>No formal Māori role on Board. No Board members appear to have iwi affiliations</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(RFA)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RFA: Auckland Art Gallery</td>
<td>No Board, comes under RFA Board.</td>
<td>No</td>
<td>RFA is an Auckland Council CCO</td>
</tr>
<tr>
<td>RFA: NZ Maritime Museum</td>
<td>The Zoo has recently appointed John Perrett*[^1] (Unitec) to its Ethics (statutory) and Welfare (internal) Committees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RFA: Auckland Zoo</td>
<td>Stardome is operated by an independent Trust. Active recruitment of new trustees will see</td>
<td>Yes; have asked the Maunga Authority to nominate a trustee.</td>
<td></td>
</tr>
<tr>
<td>Stardome</td>
<td></td>
<td>Informal relationships with Museums of Auckland – marketing, public programmes and HR</td>
<td></td>
</tr>
</tbody>
</table>

[^1] Māori; he has now left Unitec
Attachment B

Item 10

<table>
<thead>
<tr>
<th>Governing Body</th>
<th>30 May 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval of terms of reference for cultural heritage review stage two</td>
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</table>

| ATEED | Mike Taitoko (Ngāti Maniapoto) is an ATEED Board member. | Unsure | ATEED is an Auckland Council CCO |
| ATEED: Tāmaki Hōrenga Waka | The Event team are developing a relationship with Mana Whenua Kaitiaki Forum (governance and operational – but there is a lack of clarity of scope at present) for all events – will lead on behalf of all iwi. | MWK Forum will be the strategic sounding board at a governance level. | The ATEED events are managed collectively under the governance of the ATEED Board. |
| How are Māori involved in the governance of your organisation? | Are there plans to enhance this? | What relationships (if any) exist between governance in your organisation and governance across other Auckland cultural institutions or initiatives? |
| Auckland Council | The make-up of the Auckland Council is defined by elections of 20 Councillors by 13 wards. There are no provisions for Māori representation. | Unsure | “In setting up Auckland Council, Parliament established the Independent Māori Statutory Board (IMSB). This board provides advice to the council to assist the council with its decision-making by promoting matters of significance to Māori and ensuring the council meets its statutory obligations relating to Māori and the Treaty of Waitangi, and also nominating members to council committees that deal with the management and stewardship of natural and physical resources”35. |

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<table>
<thead>
<tr>
<th>AC: Auckland Libraries</th>
<th>Governance is Auckland Council.</th>
<th>It is proposed that a governance group will meet quarterly and membership will be made up of representatives of mana whenua, kaumātua, kaimahi Māori and lead team members. The numbers and the selection process will need to be determined. Resource will be allocated to support the operating costs of the group. Libraries need guidance on mana whenua strategic guidelines and what their strategic aspirations are. Key question “to what extent is it a pressing issue for mana whenua?”</th>
</tr>
</thead>
<tbody>
<tr>
<td>How are Māori involved in the governance of your organisation?</td>
<td>Are there plans to enhance this?</td>
<td>What relationships (if any) exist between governance in your organisation and governance across other Auckland cultural institutions or initiatives?</td>
</tr>
<tr>
<td>AC: Cultural Landscapes</td>
<td>Governance is Auckland Council. Programmatically an annual Māori Cultural Heritage hui is held with governance from 19 iwi – to confirm expectations and priorities, 10 year plan. Interim meetings are held with this group to discuss progress.</td>
<td>Systemically the cultural landscapes team noted there is no relationship between 1) a cultural facility 2) the cultural landscape it occupies, and 3) the narrative of that site (“silod under current arrangements”)</td>
</tr>
<tr>
<td>AC: Arts &amp; Culture</td>
<td>Governance is Auckland Council.</td>
<td>Arts &amp; Culture have developed a Council + Mana Whenua partnership co-governance approach in relation to commissioning works of public art. Arts and Culture work closely with Local Boards across Auckland</td>
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<td>Item 10</td>
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<tr>
<td><strong>How are Māori involved in the governance of your organisation?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Are there plans to enhance this?</strong></td>
<td></td>
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<td><strong>What relationships (if any) exist between governance in your organisation and governance across other Auckland cultural institutions or initiatives?</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**AC: Te Kete Rukuruku**
Governance is Auckland Council. Jane Aitkin, as project lead, has established a project-specific Governance and operational model. The Governance model involves a relationship between the MWK Forum and the Te Toa Taktini Executive Leadership Group. Decision-making rests with Council as governing body and 21 local boards.

Jane Aitkin is keen to identify how a more focused and business-like roopu ‘reference group to get sign-off’ and mandate (as opposed to 19 reps).

IMSB (Te Toa Taktini) Maunga Authority also involved in signing off names. 21 Local Boards.

**Te Tuhi**
Te Tuhi is operated by the Te Tuhi Contemporary Art Trust. It is funded and support by the Auckland Council. There are no provisions for Māori on the board (and no current Māori members).

Director (Māori, with affiliations to Ngāti Kahungunu) would welcome Māori as board members.

Work with Te Tuhi, Corbans Estate Arts centre, Pah Homestead to align funding agreements/KPIs to Council’s Toi Whaitiki Arts & Culture Strategy

**Te Uru**
Te Uru Waitakere Contemporary Gallery Incorporated is a registered charity responsible for the governance of Te Uru. It is funded by

The Board is open to Māori involvement.

Work with Te Tuhi, Corbans Estate Arts centre, Pah Homestead to align funding agreements/KPIs to
<table>
<thead>
<tr>
<th>Howick Historic Village</th>
<th>There are no provisions for Māori on the board (and no current Māori members)</th>
<th>Council’s Tāi Whāki Arts &amp; Culture Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No mana whenua or Māori involvement. Operated by a charitable Trust. Buildings owned by Howick &amp; District Historical Society. Long-term lease of land from Council.</td>
<td>Participates in the Museums of Auckland discussions as resources allow. Relationships with Heritage NZ, other museums, other heritage properties (Highwic, Alberton, Ewerme Cottage)</td>
</tr>
<tr>
<td>Te Papa Manukau</td>
<td>Under its Act the Minister must “in making appointments to the Board, the Minister must have regard to the need for members to have knowledge and experience of, and commitment to, the functions of the Board, and the specific activities of the Museum”. In performing its functions, the Board shall—</td>
<td>Not at present</td>
</tr>
<tr>
<td></td>
<td>• (a) have regard to the ethnic and cultural diversity of the people of New Zealand, and the contributions they have made and continue to make to New Zealand’s cultural life and the fabric of New Zealand society;</td>
<td>No formal relationships</td>
</tr>
<tr>
<td></td>
<td>• (b) endeavour to ensure both that the Museum expresses and recognises the mana and significance of Māori, European, and other major</td>
<td></td>
</tr>
</tbody>
</table>
| traditions and cultural heritages, and that the Museum provides the means for every such culture to contribute effectively to the Museum as a statement of New Zealand’s identity:  
| (c) endeavour to ensure that the Museum is a source of pride for all New Zealanders. |
### Strategy, policy & budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Answer</th>
</tr>
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<tbody>
<tr>
<td><strong>MOTAT</strong></td>
<td>How is Māori identity / Te Ao Māori reflected in your organisation’s strategy, policies, operational programmes?</td>
<td>The MOTAT vision is based on Māori worldview “Walking backwards into the future”. All programmes factor in Te Reo “as appropriate”. An intent to move beyond ‘literal’ programming, to develop programme partnerships around Māori innovation and entrepreneurship, eg Kauri polymer.</td>
</tr>
<tr>
<td></td>
<td>What is the organisation’s specific provisions in relationship to Mana Whenua in this respect?</td>
<td>David Rankin (Ngāpuhi) is the unofficial kaumatua; there is an informal relationship with Hoani Waititi marae; MOTAT is “way down” on Ngāti Whatua ōrākei list of priorities (“we have tried”).</td>
</tr>
<tr>
<td></td>
<td>How is budget allocated to achieve success in these areas?</td>
<td>Budget allocation for use of Te Reo Māori in signage</td>
</tr>
<tr>
<td></td>
<td>What are your specific responsibilities in relation to iwi Letters of Commitment, and how are these managed?</td>
<td>No material in collection under Letters of Settlement</td>
</tr>
<tr>
<td><strong>RFA</strong></td>
<td>Mahere Aronga Māori responsiveness Plan (see xxx). All RFA organisations need to report against this monthly.</td>
<td>Not specified</td>
</tr>
<tr>
<td></td>
<td>No specific budget allocation (each of its institutions needs to act on RFA Māori responsiveness plan)</td>
<td>Related to each organisation under RFA</td>
</tr>
<tr>
<td><strong>RFA: Auckland Art Gallery</strong></td>
<td>Haerewa (Māori advisory group), established 1994(^\text{36}) Every opening is commenced with a mihi whakatau (staff learn waiata to support this).</td>
<td>One member of Haerewa is mana whenua (Bernard Makaore, Ngāti Whatua).</td>
</tr>
<tr>
<td></td>
<td>Haerewa (Māori Advisory Group) costs (fees, travel, accommodation) Koha is paid through consulting line. Otherwise there is no specific budget line for Māori.</td>
<td>As required</td>
</tr>
</tbody>
</table>

\(^{36}\) Comprising pre-eminent Māori artists, academics and cultural figures. Haerewa is a voice for Māori artists and Māori art. The group’s aim is to provide cultural advice to the Gallery, to raise the profile of Māori in the Gallery and to foster an environment that encourages Māori to use and enjoy the Gallery. [https://www.aucklandartgallery.com/about/communities/haerewa](https://www.aucklandartgallery.com/about/communities/haerewa)
<table>
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<tr>
<td><strong>Significant investment in Te Ao Māori for events such as the Lindauer tour to San Francisco.</strong> 2-3% of visitors are Māori.</td>
<td><strong>activities – this is seen as a positive by AAG because “a bicultural paradigm is being serviced to a high degree across the organisation”</strong></td>
</tr>
<tr>
<td><strong>How is Māori Identity / Te Ao Māori reflected in your organisation’s strategy, policies, operational programmes?</strong></td>
<td><strong>What is the organisation’s specific provisions in relationship to Mana Whenua in this respect?</strong></td>
</tr>
<tr>
<td><strong>How is budget allocated to achieve success in these areas?</strong></td>
<td><strong>What are your specific responsibilities in relation to iwi Letters of Commitment, and how are these managed?</strong></td>
</tr>
<tr>
<td><strong>RFA: NZ Maritime Museum</strong></td>
<td></td>
</tr>
<tr>
<td>A Māori name Hui Te Ananui A Tangaroa was gifted by Sir Hugh Kāwharu. A KPI requires the museum to “Work to establish relationships and advisory capacity with Māori, especially local iwi, to improve our efforts to respect and honour Te Tiriti Ō Waitangi”.</td>
<td>No developed relationships. Ngāti Whatua o Ōrākei have been involved on some occasions. Museum has approached Auckland Museum Taumata-a-iwi for advice but this was said to be inappropriate channel.</td>
</tr>
<tr>
<td>No dedicated budget</td>
<td>No material in collection under Letters of Commitment</td>
</tr>
<tr>
<td><strong>RFA: Auckland Zoo</strong></td>
<td></td>
</tr>
<tr>
<td>Kaitiaki included as a value. Annual plan translated in te reo. Programmes main focus: • <em>Matauranga Māori</em> schools programme in relation to Te Wao nui (flora and fauna) • Schools outreach • Increasingly in the naming of buildings and wayfinding (te reo) Guided by DOC, the zoo works with numerous iwis in relation to</td>
<td>A number of years ago the Zoo engaged with 9 mana whenua groups in relation to taking water from the lake. But current relationship is intermittent and only with Ngāti Whatua Ōrākei (see next section). In future the zoo aims to have the internal capacity and mana whenua links to manage</td>
</tr>
<tr>
<td>No dedicated budget</td>
<td>n/a</td>
</tr>
<tr>
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<td>What is the organisation’s specific provisions in relationship to Mana Whenua in this respect?</td>
</tr>
<tr>
<td><strong>Stardome</strong></td>
<td>Some Māori interpretation. Stardome are looking to increase this and to offer a cultural dimension of Maungakiekie.</td>
</tr>
<tr>
<td><strong>ATEED</strong></td>
<td>The ATEED statement of intent identifies Māori economic outcomes and a Māori responsiveness plan</td>
</tr>
<tr>
<td><strong>ATEED: Tāmaki Hērenga Waka</strong></td>
<td>Was established as a signature Māori event for Auckland. Developed in partnership with mana whenua. Plus Māori dimension built into all other events—including Diwali etc. Te Ao Māori across all ATEED activities – 2 x Māori with mana whenua links on the Māori responsiveness team (have links with MWK Forum)</td>
</tr>
<tr>
<td>How is Māori Identity / Te Ao Māori reflected in your organisation’s strategy, policies, operational programmes?</td>
<td>What is the organisation’s specific provisions in relationship to Mana Whenua in this respect?</td>
</tr>
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</tbody>
</table>
| **Auckland Council** | Tol Whitiki Arts and cultural strategy:  
  - Mana whenua are listed as one of the groups Council will work with in implementing the plan.  
  - 5.1 - Celebrate Māori and their culture as a point of difference | | |

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<p>| AC: Auckland Libraries | Within Auckland Libraries Māori were involved in the <em>Fit for the future</em> strategic reshaping of the service, described as “a programme of work to evolve its libraries to better meet the growing demand for digital and online services and at the same time make sure that the services offered at each location are based on the needs of the communities they serve’ Te Kauroa, Te Kauhanganui, <em>Fit for the future, Local Govt Act</em>, Whakatipu i te reo Māori. <em>Fit for the future</em> is based on a number of objectives including ‘strengthening our commitment to delivering on Māori outcomes’ – “our roles, structures and services must meet the aspirations of Māori in Tāmaki Makaurau. Māori outcomes are integrated into all parts of Libraries services and structures... Delivering on Māori outcomes is built into leadership accountabilities to move from words to action. Together we will build capability and confidence to deliver on Te Kauhanganui” | Project-based, individual special collections and individual facilities across Tāmaki. <em>Karanga ahu karanga</em> (community engagement approach) was developed with representatives of some mana whenua iwi. This will be followed by an action plan in place of Māori responsiveness plan. Hui held at marae (Hoani Waititi, Te Pūia, Ruapotaka) and at MIT (to close loop) | As required | As required |
| AC: Cultural Landscapes | 10-year plan agreed by Mana Whenua governance hui – interim meetings to discuss progress, issues. Forward programme is mapped by Unitary Plan and direction from mana whenua. ‘Structure planning’ is now required to make provision (Cultural landscapes are still in Unitary Plan) eg large spatial projects (eg Warkworth, CRL) – “have you spoken with relevant mana whenua, CVA assessment etc. Individual hui with mana whenua followed up at Governance hui – to gain mandate for investigation and identification. | Annual budget from Council. | With ADO (if Cultural Values Assessment (CVA) requirements are triggered). Going forward will work more closely with ADO (history has been siloed). |
| AC: Arts &amp; Culture | Departmental strategy documents frame the work of Arts &amp; Culture. Recent leadership has placed a priority on progressing Māori and mana whenua outcomes. Māori outcomes are delivered through programming of regional galleries, commission of public art and events. Relationships with mana whenua have been initiated through the Council’s processes. A mana whenua/Council partnership programme with progressively identify a programme of investment in works of public art which express Te Ao Māori/Māori Identity as Tāmaki Makaurau’ point of difference in the world. | There is a dedicated budget. | n/a |
| AC: Te Kete Rukuruku | The programme has been defined with Māori from the outset and its entirely focused on Te Ao Māori/Māori identity as Tāmaki Makaurau’ point of difference. | The programme has a dedicated budget. | n/a |
| Te Tuhi | Strategic objective to ‘honour Treaty’ and ‘reflect cultural diversity’. Director “uses her Dad” (Ngāti Kahungunu ki Wairarapa). Would welcome a new approach | Principally through % commitment to Māori programming and education. | n/a |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
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<td>How is Māori identity / Te Ao Māori reflected in your organisation’s strategy, policies, operational programmes?</td>
<td>What is the organisation’s specific provisions in relationship to Mana Whenua in this respect?</td>
<td>How is budget allocated to achieve success in these areas?</td>
</tr>
<tr>
<td>Te Uru</td>
<td>The 2018 revised ‘Rules’ of the society formalise acknowledgement of the Treaty</td>
<td>There is a regular but informal relationship with Kawerau a Maki</td>
</tr>
<tr>
<td>Howick Historic Village</td>
<td>The collection policy is aligned to the Treaty</td>
<td>There is a regular but informal relationship with Ngāi Tai</td>
</tr>
<tr>
<td>Te Papa Manukau</td>
<td>Outlined elsewhere.</td>
<td>Potential partnership opportunities for Auckland iwi to develop iwi exhibitions at the facility (Te Papa are open to discussion about this)</td>
</tr>
</tbody>
</table>
### Mana Whenua partnership/relationship arrangements

<table>
<thead>
<tr>
<th></th>
<th>What partnership/relationship arrangements with Mana Whenua?</th>
<th>How do you interact with Māori (including specific reference Mana Whenua) in terms of management, governance and tikanga?</th>
<th>How do you engage with the wider Māori community and are there plans to enhance this?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MOTAT</strong></td>
<td>None</td>
<td>David Rankin (Ngāpuhi) is the unofficial kaumatua</td>
<td>Focus on Te Reo and through education/ programming. 90% audiences are Auckland families. Māori, Pacific and Asian seen as area of “huge potential growth”</td>
</tr>
<tr>
<td><strong>Regional Facilities Auckland (RFA)</strong></td>
<td>There are no requirements for any members of Haerewa to be mana whenua. The Haerewa Chair (not mana whenua) has informed the way in which the Gallery’s relationship with mana whenua has been negotiated. Staff view is that “if mana whenua is happy with the mana of Haerewa members then they will hopefully defer to them” (Gallery have suggested a hui to discuss this) Nigel Borell (Curator, Māori) will at times liaise with mana whenua staff through Council’s arts &amp; culture team. Nigel has wide network of personal connections in Māori world. As a</td>
<td>Haerewa provide advice to the Gallery staff. Nigel Borell gives advice to Ngāti Whatua Te Kāhui Toi (arts advisory group) In 2016 Gallery supported Tāmaki Hērenga Waka festival (replicas of Lindauer portraits of mana whenua subjects repatriated to iwi)</td>
<td>Nigel Borrel (Curator, Māori) has wide network of connections across Māori community</td>
</tr>
<tr>
<td>Attachment B</td>
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<thead>
<tr>
<th>RFA: NZ Maritime Museum</th>
<th>No developed relationships. Ngāti Whatua o Ōrākei have been involved on some occasions. Museum is very interested in there being a mandated mana whenua governance/advisor body. It wants to ‘do the right thing’. Limited to Ngāti Whatua Ōrākei on an intermittent basis at present.</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFA: Auckland Zoo</td>
<td>A number of years ago the Zoo engaged with 9 mana whenua groups in relation to taking water from the lake. But current relationship is intermittent and only with Ngāti Whatua Ōrākei see &gt;&gt;&gt; Ngāti Whatua Ōrākei are increasingly involved in openings. Ngāti Whatua Ōrākei approached the zoo to invest in te reo, this will grow in the future. The relationship with Ngāti Whatua Ōrākei is personal, with Phil McGowan, Head of Visitor experiences (ex NZ Maritime Museum). Limited to Ngāti Whatua Ōrākei on an intermittent basis at present. The Zoofari programme is aimed at low decile schools in Auckland and Northland - so Māori youth visit for Northland as a result. Zoo accepts this isn’t a targeted or strategic way of building Māori audiences.</td>
</tr>
<tr>
<td>Stardome</td>
<td>No partnership. Looking to a closer relationship with the Maunga Authority. On a case by case basis (for opening, Matariki etc) Main focus is education programmes. Active low decile schools programme has high Māori use. Kōhanga Reo is a focus – with thread of Te Reo through the interpretive pack provided</td>
</tr>
<tr>
<td>ATEED: Tāmaki Hīrenga Waka</td>
<td>Relationship with MWK Forum is seen as way to ensure a strategic view at a governance level. &quot;ATEED will continue to build and lead stronger collaborations across the range of agencies and organisations that deliver Māori economic development such as TPK. Focus on Māori audience (mana whenua and matāwaka) engagement, across all festivals.</td>
</tr>
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<tr>
<td><strong>Relationship will be maintained and developed with individual iwi.</strong></td>
<td><strong>MBIE and non-government organisations that work in Māori communities”, ATEED SOI</strong></td>
</tr>
<tr>
<td><strong>What partnership/relationship arrangements with Mana Whenua?</strong></td>
<td><strong>How do you interact with Māori (including specific reference Mana Whenua) in terms of management, governance and tikanga?</strong></td>
</tr>
<tr>
<td>Auckland Council</td>
<td></td>
</tr>
<tr>
<td><strong>AC: Auckland Libraries</strong></td>
<td>Project-based, individual special collections and individual facilities across Tāmaki</td>
</tr>
<tr>
<td><strong>AC: Cultural Landscapes</strong></td>
<td>Given mandate at Māori Cultural Heritage hui of Mana Whenua governance. Project-by-project relations with iwi.</td>
</tr>
<tr>
<td><strong>AC: Arts &amp; Culture</strong></td>
<td>Relationships have been initiated through the Council’s processes.</td>
</tr>
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## Approval of terms of reference for cultural heritage review stage two

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<td><strong>AC: Te Kete Rukuruku</strong></td>
</tr>
<tr>
<td>The current approach to agreement is with the Chair of each iwi authority and multiple CEs on Council agencies. Can there be a more direct connection between Council and Mana Whenua Governance?</td>
</tr>
<tr>
<td>What partnership/relationship arrangements with Mana Whenua?</td>
</tr>
<tr>
<td>How do you interact with Māori (including specific reference Mana Whenua) in terms of management, governance and tikanga?</td>
</tr>
<tr>
<td>How do you engage with the wider Māori community and are there plans to enhance this?</td>
</tr>
<tr>
<td><strong>Te Tuhi</strong></td>
</tr>
<tr>
<td>Te Uru has a longstanding and ongoing connection with Pita Turei (Ngāi Tai ki Tāmaki, Ngāti Pāoa, Ngā Rauru Kitahi). Te Tuhi’s name was gifted by local tangata whenua Ngāi Tai and is in reference to their ancestor Manawatere.</td>
</tr>
<tr>
<td>Principally through exhibitions and schools programmes (focus on primary schools; low % of Māori teachers). There will be more Te Reo on the new website (Use Stephanie Tibble in Wellington for Te Reo translation).</td>
</tr>
<tr>
<td><strong>Te Uru</strong></td>
</tr>
<tr>
<td>There is a regular but informal relationship with Kawerau a Maki</td>
</tr>
<tr>
<td>Principally through exhibitions and schools programmes</td>
</tr>
<tr>
<td><strong>Howick Historic Village</strong></td>
</tr>
<tr>
<td>There is a regular but informal relationship with Ngāi Tai</td>
</tr>
<tr>
<td>Plan to work with Ngāi Tai to develop a Māori audience strategy</td>
</tr>
<tr>
<td><strong>Te Papa Manukau</strong></td>
</tr>
<tr>
<td>In the past 2 attempts to progress this project Te Papa have worked with mana whenua though the Tāmaki Collective. On this occasion their focus is on ascertaining if Govt funding support is likely before progressing discussion with mana whenua (rather than waste their time). Subject to funding decision Te Papa will seek to engage in early 2019.</td>
</tr>
<tr>
<td>Te Papa has well established and extensive relationships with iwi Māori and Māori in general nationally</td>
</tr>
</tbody>
</table>

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**Attachment B**
### Leadership and staffing

<table>
<thead>
<tr>
<th></th>
<th>Are there dedicated staff for Māori / Mana Whenua?</th>
<th>Who looks after the Māori collection and how is it managed, in terms of tikanga?</th>
<th>What programmes are in place to build the capability of:</th>
</tr>
</thead>
</table>
| MOTAT           | No. CE has Tainui iwi affiliations. Recruiting Māori staff is seen as a priority. | No significant Māori collections. | - Māori in key areas across the organisation?  
- All staff in relationship to tikanga etc |
| RFA             |                                                  | Te Reo classes                                                                  | Museums of Auckland (MOA) member                        |
| RFA: Auckland Art Gallery | One dedicated Māori role; Curator Māori Art – held by Nigel Borell (Pirirākau, Ngāi Te Rangi, Ngāti Ranginui, Te Whakatōhea) | Nigel Borell as Curator, Māori Art, in association with Haerewa, ensures collections are looked after in relation to tikanga. Tikanga is consistently applied across all relevant activities. | Other Māori staff currently are 1 x security guard, 4-5 x gallery assistants, 1 x education assistant. Haerewa are strong advocates for Māori staffing. |
| RFA: NZ Maritime Museum | No                                               | General staff.                                                                  | Close relationship with Auckland Museum and MOTAT.     |

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**Attachment B**

**Item 10**
<table>
<thead>
<tr>
<th>RFA: Auckland Zoo</th>
<th>Are there dedicated staff for Māori / Mana Whenua?</th>
<th>Who looks after the Māori collection and how is it managed, in terms of tikanga?</th>
<th>What programmes are in place to build the capability of:</th>
<th>What relationships (if any) exist between staff in your organisation and staff working across other Auckland cultural institutions or initiatives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Small Māori staff – 3 Māori educators focused on Māori programmes. The new Comms manager is Māori and is identifying further strategic development areas</td>
<td>This is managed on a case-by-case basis. There is no strategic or operational oversight of tikanga.</td>
<td>Aspires to address low confidence and capability in relation to Te Ao Māori by recruiting a senior strategic advisor to the staff – to build capacity of the staff, address tikanga more cohesively and contribute to zoo becoming a more ‘distinctly NZ experience’. Youtube programmes on Te Reo available to staff. Morning radio checks between staff are increasingly in Te Reo only. No cultural behaviours guidelines across zoo (eg sitting on tables etc). Unaware if these exist in other organisations.</td>
<td>Work with regional parks in relation to Matauranga Māori education (run by Māori staff). Rotoroa Island Trust. Increasingly talking with MOTAT about a ‘Western Springs precinct’. Zoo has never aligned with Matariki but sees potential to do so. Zoo is investigating how a new senior Māori role at zoo might work with similar roles across RFA institutions, and possible more widely across sector.</td>
</tr>
<tr>
<td>Stardome</td>
<td>No.</td>
<td>n/a</td>
<td>‘Piggy-back’ on Auckland Museum Te Reo immersion classes</td>
<td>Informal relationship through Museums of Auckland</td>
</tr>
<tr>
<td>ATEED: Tāmaki Hērenga Waka</td>
<td>No dedicated staff in the Events Team who work just on Māori issues, or posts specifically</td>
<td>No collection</td>
<td>ATEED has a Māori Responsiveness team for the whole of ATEED with two full</td>
<td>Auckland Museum Auckland Art Gallery (Nigel Borrel)</td>
</tr>
<tr>
<td>AC Auckland Libraries</td>
<td>4 staff are specialist Pou kōkiri</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Māori staff – Te Pumaomao (4 specialists hui and 2 kaimahi hui per annum); all staff receive Te Rū.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>All tier 5 staff went through Te Pumaomao (opportunity to build this across Council)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Libraries partnered with Te Wānanga o Raukawa on Heke Punamaumahara programme. 11 staff graduated with diploma. Has been a gamechanger (staff humble about what it meant)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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38 https://www.aucklandlibraries.govt.nz/Pages/maori-staff.aspx

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<table>
<thead>
<tr>
<th>Are there dedicated staff for Māori / Mana Whenua?</th>
<th>Who looks after the Māori collection and how is it managed, in terms of tikanga?</th>
<th>What programmes are in place to build the capability of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Māori staff increased from 15 to 29 as a result of the Fit for the future review of Libraries in 2017-18. 27/29 Māori staff are mana whenua. Website is arguably the best-in-class (across Auckland cultural institutions) interface for Māori - “We have reo speaking kaimahi Māori kairangahau, amorangi hāpaiti o with diverse interests”38</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fit for the future resulted in mobile library to reach remote areas (Māori one key area of focus).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>NZ Maritime Museum Council events team Pānuku and RFA (land and venue respectively)</th>
<th>What relationships (if any) exist between staff in your organisation and staff working across other Auckland cultural institutions or initiatives</th>
</tr>
</thead>
</table>

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<table>
<thead>
<tr>
<th>Attachment B</th>
<th>Item 10</th>
</tr>
</thead>
</table>

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<table>
<thead>
<tr>
<th>Governing Body</th>
<th>30 May 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval of terms of reference for cultural heritage review stage two</td>
<td></td>
</tr>
</tbody>
</table>

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56
| AC Cultural Landscapes | Have struggled to recruit a Māori mobile librarian. | for them). New cohort starting next year. (has potential to involve other staff across Auckland cultural sector). Māori staff within libraries felt isolated - wānanga organised. *Fit for the future includes strategy for career pathways for Māori role* | • International Indigenous Librarians Forum  
• Te Rōpū Whakahau  
• National Library
Informal relationships across Auckland Council, including archives, Te Kete Rukuruku, and informally with Museum and Art Gallery staff |
|---|---|---|---|
| AC Arts & Culture Public Art | Are there dedicated staff for Māori / Mana Whenua? | Who looks after the Māori collection and how is it managed, in terms of tikanga? | What programmes are in place to build the capability of:  
• Māori in key areas across the organisation?  
• All staff in relationship to tikanga etc |
<p>| | 3 dedicated staff. Trying to maintain an overview across all relevant projects but not enough resource to align access with Te Waka Angamua | Consent ing - need to build opportunities to grow cultural competency (who can make assessments, are they appropriate?) | What relationships (if any) exist between staff in your organisation and staff working across other Auckland cultural institutions or initiatives |
| AC: Te Kete Rukuruku | Dedicated Māori staff team within Council. | Mana whenua will own stories, and their IP. Agreement will allow Council access to an index | Conscious but unwritten idea of employment and development of Māori staff |</p>
<table>
<thead>
<tr>
<th>Item 10</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>of the stories, and obliges Mana Whenua to care for and look after their stories.</td>
</tr>
<tr>
<td></td>
<td>Large Auckland Libraries staff group have contributed to TKR Māori comms portal within Council</td>
</tr>
<tr>
<td></td>
<td>What programmes are in place to build the capability of:</td>
</tr>
<tr>
<td></td>
<td>- Māori in key areas across the organisation?</td>
</tr>
<tr>
<td></td>
<td>- All staff in relationship to tikanga etc</td>
</tr>
<tr>
<td></td>
<td>What relationships (if any) exist between staff in your organisation and staff working across other Auckland cultural institutions or initiatives</td>
</tr>
<tr>
<td></td>
<td>Treaty workshops for staff. Talking about Te Reo classes.</td>
</tr>
<tr>
<td></td>
<td>Work with Te Uru, Corbans Estate Arts centre, Pah Homestead to align funding agreements/KPIs to Council’s Toi Whakiti Arts &amp; Culture Strategy.</td>
</tr>
<tr>
<td></td>
<td>Te Uru relies on sector leadership and advice from Auckland Museum. Auckland Art gallery offers little support regionally.</td>
</tr>
<tr>
<td>Te Tuhi</td>
<td>No. Current director is Māori and there is one other Māori staff member. Experience has been that Te Tuhi “can’t get Māori applicants for any jobs”</td>
</tr>
<tr>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Te Uru</td>
<td>No.</td>
</tr>
<tr>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Howick Historic Village</td>
<td>No.</td>
</tr>
<tr>
<td></td>
<td>Small collection of tāonga</td>
</tr>
<tr>
<td></td>
<td>Museums of Auckland have started courses in Te Reo (Auckland Museum)</td>
</tr>
<tr>
<td>Te Papa Manukau</td>
<td>Director places kawakawa leaves on waka every day.</td>
</tr>
</tbody>
</table>
### Collections

<table>
<thead>
<tr>
<th>MOTAT</th>
<th>Regional Facilities Auckland (RFA)</th>
<th>RFA: Auckland Art Gallery</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Māori collections</td>
<td>Increased focus on Te Reo.</td>
<td>The Gallery’s collection of over 6,000 items includes 355 by Māori artists – mainly collected since the 1980s. The Gallery has in recent decades dedicated resources to collecting works by Māori artists. There is a complementary relationship with the Auckland Museum in terms of collecting contemporary practice across ‘art’ and ‘craft’ areas. Gaps including moving image.</td>
</tr>
</tbody>
</table>

What is the nature and state of your Māori collection? What is your strategic intent vis a vis the Māori collection, and how is that reflected in the organisation’s strategic plan, policies and budget? What processes and guidelines do you follow in terms of how the public interact with Māori collections — including research, exhibitions, publishing, online use, managing copyright and other forms of public access?
<table>
<thead>
<tr>
<th>Attachment B</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>RFA: NZ Maritime Museum</strong></td>
<td>No significant Māori collections (tāonga on display are mainly from Auckland Museum collection)</td>
</tr>
<tr>
<td></td>
<td>What is the nature and state of your Māori collection?</td>
</tr>
<tr>
<td><strong>RFA: Auckland Zoo</strong></td>
<td>Native species, while legally ‘owned’ by the Crown are seen as having a kaitiaki relationship with iwi Māori.</td>
</tr>
<tr>
<td><strong>Stardome</strong></td>
<td>n/a</td>
</tr>
<tr>
<td><strong>ATEED: Tāmaki Hērenga Waka</strong></td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Auckland Council</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AC: Auckland Libraries</strong></td>
<td>All libraries include Mātauranga Māori collections. In addition, special collections, research centres, TKM are available, principally through the Central Library. In 2019 will launch Kura; heritage collections online (650,000 items). iwi and hāpū searches now possible (google search will find through Library portal).</td>
</tr>
<tr>
<td><strong>AC: Cultural Landscapes</strong></td>
<td>Covered elsewhere</td>
</tr>
<tr>
<td><strong>AC: Arts &amp; Culture</strong></td>
<td>Arts and culture manage the city’s public art collection. These have</td>
</tr>
</tbody>
</table>

Governing Body
30 May 2019

Attachment B
### Approval of terms of reference for cultural heritage review stage two

<table>
<thead>
<tr>
<th>Attachment B</th>
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</tr>
</thead>
<tbody>
<tr>
<td>recently been fully catalogues. Māori items are itemised.</td>
<td>being evolved in concert with Mana Whenua.</td>
</tr>
<tr>
<td><strong>What is the nature and state of your Māori collection?</strong></td>
<td><strong>What is your strategic intent vis a vis the Māori collection, and how is that reflected in the organisation’s strategic plan, policies and budget?</strong></td>
</tr>
<tr>
<td><strong>AC: Te Kete Rukuruku</strong></td>
<td>The collection is of stories and oral histories of place(s).</td>
</tr>
<tr>
<td><strong>Te Tuhi</strong></td>
<td>No Māori collections.</td>
</tr>
<tr>
<td><strong>Te Uru</strong></td>
<td>No Māori collections.</td>
</tr>
<tr>
<td><strong>Howick Historic Village</strong></td>
<td>Small collection of taonga Māori – 2 waka, 3 (replica) buildings</td>
</tr>
<tr>
<td><strong>Te Papa Manukau</strong></td>
<td>As a national institution, Te Papa’s philosophy of Mana Taonga defines the relationship between it and each iwi, hapū and whanau. The principle of Mana Taonga co-exists with specific relationships with Mana Whenua. The presumption is that Mana Taonga would underpin a Manukau operation.</td>
</tr>
</tbody>
</table>
## Facility development, projects and initiatives

<table>
<thead>
<tr>
<th>Facility</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOTAT</td>
<td>$50m development plan in place, not funded. Māori responsiveness aims outlined in RFA plan.</td>
</tr>
<tr>
<td>Regional Facilities Auckland (RFA)</td>
<td>Māori responsiveness aims outlined in RFA plan.</td>
</tr>
<tr>
<td>RFA: Auckland Art Gallery</td>
<td>No current facilities development plans.</td>
</tr>
<tr>
<td>RFA: NZ Maritime Museum</td>
<td>Will need to relocate. Looking at 4 waterfront sites. $150m CAPEX – land available (Council owned); not funded</td>
</tr>
<tr>
<td>RFA: Auckland Zoo</td>
<td>Within 2 years Zoo will develop plans for a $1012m new main entrance which it wants to express a ‘distinctively NZ’ experience. This may include Karanga when gates for open each morning etc. Are looking for engage with mana whenua to develop this. Described as a real opportunity to work with the zoo to create a visitor experience ‘of this place’ (whenua, history, world views).</td>
</tr>
<tr>
<td>Stardome</td>
<td>Cornwall Park Maungakiekie is seen as the best long-term home for Stardome having assessed other possible locations. Light pollution (in other sites) is a key issue. Being part of a larger science centre is seen as a possibility.</td>
</tr>
<tr>
<td>Auckland Council (AC)</td>
<td></td>
</tr>
<tr>
<td>AC: Auckland Libraries</td>
<td>Redevelopment of Auckland Central Library as a ‘future library’ is an aspiration. $25,000 budget for Māori responsiveness capability development. $19,000 budget for Te Wananga o Raukawa courses.</td>
</tr>
<tr>
<td>AC: Arts &amp; Culture</td>
<td>CAPEX investment in immediate future is largely in public art.</td>
</tr>
<tr>
<td>AC: Te Kete Rukuruku</td>
<td>Long-term CAPEX programme and staff and mana whenua capability development programme</td>
</tr>
<tr>
<td>Te Tuhi</td>
<td>Long-term aspiration to relocate to central city as a contemporary art facility</td>
</tr>
<tr>
<td>Te Uru</td>
<td>Te Uru occupy a purpose-designed and recently built building. No development plans.</td>
</tr>
<tr>
<td>Howick Historic Village</td>
<td>New orientation gallery being developed</td>
</tr>
<tr>
<td>Te Papa Manukau</td>
<td>2018 is the 3rd attempt at progressing the development of a collections and public access facility in Manukau. Te Papa do not see the likelihood of funding as high.</td>
</tr>
</tbody>
</table>
**Attachment B**

**Item 10**

<table>
<thead>
<tr>
<th>Governing Body</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Other issues/comments</th>
<th>Other issues/comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MOTAT</strong></td>
<td>A mandated mana whenua group available to all Auckland cultural organisations/activities is needed and would make a “huge difference”</td>
</tr>
<tr>
<td><strong>Regional Facilities Auckland (RFA)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>RFA: Auckland Art Gallery</strong></td>
<td>The Curator, Māori Art noted that “freedom and autonomy of Auckland Art Gallery is critical to opening up from traditional structure” of Māori art. Gallery can “cut across politics through its relationships”. How can the importance of relationships with mandated parties be emphasised, and how can sector staff’s relational skills be improved and networked across the cultural sector? Unaware of any conversation about a Māori cultural centre/campus on the waterfront. Mana Whenua are being asked to provide a level of service delivery they aren’t capable of and/or resourced to deliver. An urgent need to build capability.</td>
</tr>
<tr>
<td><strong>RFA: NZ Maritime Museum</strong></td>
<td>A single, clear and mandated mana whenua governance and advisory entity would be of real value.</td>
</tr>
<tr>
<td><strong>RFA: Auckland Zoo</strong></td>
<td>Ambition is to fulfil potential as a ‘cultural organisation’ true to this place. First priority is to create senior Māori role, and then to see how that role might work in joined-up way with peers across RFA and wider sector. Key issues are ‘where to start’ and ‘how to start’? Zoo would like to engage with a pan-iwi mana whenua body across a number of areas, including species management and resource consents etc. A single, clear and mandated mana whenua governance and advisory entity would be of real value. A more ‘joined-up’ approach with DOC is critical. (any approaches developed within Auckland should align with DOC approaches). Zoo is interested in thinking about how it might represent exotic species in the context of being HERE- with a greater sense of ‘whakapapa’ rather than ‘traditional zoo’ terms) – to build value and interest for mana whenua, locals, visitors and international tourists. Seek a natural evolution of thinking and practice rather than a paradigm shift.</td>
</tr>
<tr>
<td><strong>Stardome</strong></td>
<td>Would welcome a mandated mana whenua body to talk openly about concerns, initiatives and opportunities</td>
</tr>
<tr>
<td><strong>ATEED: Tāmaki Hērenga Waka</strong></td>
<td>A waterfront Māori cultural centre should be a no-brainer.</td>
</tr>
</tbody>
</table>
### Auckland Council (AC)

- **Library**: Libraries are showing significant leadership strategically and operationally. Ironically, while this suggests they have a leadership role to play, because they are within Council they are often overlooked as a ‘cultural collections organisation’.

- **Cultural Landscapes**: The real challenge is to come up with an evidence-based argument for re-introduction to Unitary Plan. Heritage NZ (archaeological values) at odds with cultural values. Archaeologists might say ‘protected’ but Heritage NZ may say ‘fine to develop as long as destruction is documented’.

### AC: Arts & Culture

- Evolving partnership approach with mana whenua has potential to inform and/or align with a similar approach across the sector.

### AC: Te Kete Rukuruku

- Project is seen as addressing lack of capability and overlapping interests – and history of bad practice on Council’s part of managing culturally sensitive information.
- High level of frustration evident – Local Boards with mana whenua, and vice versa etc.
- Would be good if there was an opportunity to liaise with a slightly clearer mana whenua Governance group (eg Culture + Identity poa). A group with a clear mandate would assist Council being able to stand back and allowing the process to play out.

### Te Tuhi

- Consolidated, paid, mana whenua liaison/advice across whole sector would be the best approach.

### Te Uru

- Consolidated, paid, mana whenua liaison/advice across whole sector would be the best approach.

### Howick Historic Village

- Would welcome further progress in terms of how Auckland’s cultural heritage sector interfaces with mana whenua.

### Te Papa Manukau

- The key issue is if it will proceed. If funding is not granted on this, its 3rd iteration, it is likely to ‘die’
Attachment B

Item 10

Appendix 2: Tamaki Paenga Hira Auckland Museum response

Double click in the box below to open full PDF.

Tamaki Paenga Hira responds to Tim Walker
Appendix 4: Auckland’s cultural infrastructure; a strategic framework 2015

This report, prepared by Tim Walker Associates working with a cross-sector steering group\(^\text{40}\), provides a criteria-based framework to guide investment in cultural infrastructure, the Framework was developed to:

- Assist ‘Auckland\(^\text{42}\) to make strategic prioritised decisions about which cultural infrastructure projects to invest in
- Assist parties who are developing or proposing infrastructure projects, by clarifying the decision-making criteria by which they will be assessed
- Assist in identifying where a different approach to the provision of services through existing infrastructure might result in better outcomes – including through further investment, new or developed partnerships and increased collaboration

**The framing question/purpose**
What approaches to investment in (remedial/additive/new) cultural infrastructure will create transformative value for Auckland?

**The outcome (long term)**
- Auckland is the world’s most liveable city

**The outcomes (short term)**
1. Express an Auckland point-of-difference
2. Strengthen social cohesion
3. Stimulate participation and learning
4. Generate sustainable value
5. More than the sum of the parts

1. **Express an Auckland point-of-difference**
The proposal will:
- Have a conceptual/operating model\(^\text{42}\) that is locally authentic and globally distinctive AND
- Support a distinctive Auckland story\(^\text{42}\) and sense of place AND
- Deliver benchmarked world-class physical &/or digital &/or social infrastructure

2. **Strengthen social cohesion**
The proposal will:
- Acknowledge, draw on and strengthen the mana of Māori cultural values and world view AND

---
\(^{40}\) Commissioned by RFA and the Auckland Museum, with a steering group that included reps from mana whenua (Te Aroha Morehu, Ngāti Whatua Ōrākei and Paul Majurey, Maunga Authority), Auckland Council, ATEED, Pānuku, MOTAT.

\(^{41}\) The definition of how the Framework is arbitrated and by whom will be key to its success

\(^{42}\) Outlining what it will be and how it will operate

\(^{43}\) This will be aligned as closely as is useful to the ATEED Framework

---
3. **Stimulate participation and learning**

The proposal will:

- Demonstrate a genuine and generous responsiveness to specific targeted groups’ evolving social, recreational and learning needs, preferences and values **AND**
- Deliver an appropriate, sophisticated level of intellectual rigour and engagement **AND**, wherever relevant **AND**
- Enhance the access to and use, development and valuing of taonga/tangible & intangible knowledge, artefacts and information **AND**, wherever relevant **AND**
- Deepen Aucklanders’ understanding of the histories, cultures and biodiversity of Auckland and New Zealand

4. **Generate sustainable value**

The proposal will:

- Deliver a clear values-based value proposition underpinned by measurable social &/or cultural &/or economic &/or environmental outcomes **AND**
- Be financially and operationally viable and sustainable **AND**, wherever relevant **AND**
- Deliver a defined and measurable GDP outcome

5. **More than the sum of the parts**

The proposal will:

- Play a clear and integrated sector-specific role **AND**
- Contribute to clearly defined and measurable ecosystem outcomes within a wider social/cultural/economic/environmental and/or regional/national/international context
Appendix 5: Museums Victoria strategic framework 2018

TRANSFORMATIONAL THEMES

1. Place First Peoples’ living cultures, histories and knowledge at the core of Museums Victoria’s practice
2. Develop a set of foundation narratives that tell the story of the Universe, Life and Humans
3. Develop an audience-centred Digital Life that delivers experiences beyond our walls

STRATEGIC OBJECTIVES

1. Museums Victoria provides unmissable experiences for all audiences
2. Museums Victoria has the primary material collection that inspires and allows excellent enquiry into our region’s big contemporary and historical questions
3. Museums Victoria engages with, welcomes and celebrates all communities
4. Museums Victoria is a centre for technological and scientific expertise and fosters innovation to build economic value
5. Museums Victoria is a sustainable and thriving organisation

BACKBONE FOR DELIVERY

Knowledge
- World’s oldest living culture
- Research + collections
- Digital Life
- Melbourne Museum + IMAX
- Scienceworks + Planetarium
- Immigration Museum
- Bunjilaka
- Royal Exhibition Building
- Outreach

Spaces
- Melbourne Museum + IMAX
- Scienceworks + Planetarium
- Immigration Museum
- Bunjilaka
- Royal Exhibition Building
- Outreach

ENABLERS

- People and culture
- Investment in technology
- Partnerships
- Leveraging our assets

TIM WALKER ASSOCIATES
Te take mō te pūrongo
Purpose of the report
1. To approve the high-level summary of Auckland Council’s submission on the Ministry of Business, Innovation and Employment’s Building System Legislative Review discussion paper.

Whakarāpopototanga matua
Executive summary
2. The Ministry of Business, Innovation and Employment (MBIE) released a discussion paper in April 2019, outlining proposed changes to building legislation including the Building Act, and has called for submissions by 16 June 2019.
3. While the discussion paper clearly articulates many of the problems and limitations of the current building legislation, the view of staff is that the discussion document does not contain sufficient detail about the proposals or the timeframes for implementation and many of the proposals do not go far enough to address these issues.
4. Auckland Council has previously submitted on many of the issues raised in the discussion paper. The proposed submission points outlined in this report have been informed by previous advocacy positions.
5. The report recommends that council supports:
   • expanding the purpose of the Building Act to include the regulation of building products and methods and their use
   • changing the licencing building practitioners scheme to raise the competence standards and broadening the definition of restricted work
   • introducing an insurance and guarantee product to protect homeowners
   • expanding the way in which the chief executive of MBIE can use the levy to include stewardship
   • increasing maximum financial penalties and introducing higher penalties for organisations.
6. With respect to many of these matters, the report recommends that council advocates for further change including:
   • introducing a mandatory national product register
   • having an exam for Licensed Building Practitioners (LBP) to ensure consistent standards
   • making the insurance and guarantee product mandatory (no opt out provision) and apply it to commercial as well as residential buildings.
7. The report recommends that council does not support:
   • reducing the building levy
   • the proposal to leave the liability settings for defective building for Building Consent Authorities (BCA) unchanged. The submission should advocate to replace ‘joint and several’ liability with proportional liability; however, if joint and several liability is retained, the suggestion that liability for councils could be capped at 20 per cent should be supported.
**Ngā tūtohunga**

**Recommendation/s**

That the Governing Body:

a) approve the high-level summary of the council submission on the Ministry of Business, Innovation and Employment's Building System Legislative Review discussion paper

b) delegate final approval of the submission to the Mayor, Chair of the Planning Committee and Chair of the Regulatory Committee.

**Horopaki**

**Context**

8. The Ministry of Business, Innovation and Employment (MBIE) has signalled that major changes to New Zealand’s building laws are needed to improve the quality of building work. A discussion paper was released in April 2019, with proposals for some changes that would affect people, products and practices across the sector. Submissions close on 16 June 2019. Auckland Council’s Building Consents Department, with support and input from the wider council, is preparing a submission on the discussion paper.

9. The key changes that are proposed in the discussion paper are:

- Expand the Building Act from regulating building work to also regulating the processes and products underlying that work
- Raise the competence standards of Licensed Building Practitioners (LBPs) and introduce a new licensing scheme for engineers
- Require a guarantee and insurance product for residential buildings that homeowners can opt out of
- Retain joint and several liability for building defects rather than shifting to proportional liability, however further explore the idea of a cap on liability for BCAs of 20 per cent
- Allow MBIE to spend the levy funds on broader stewardship of the building sector
- Increase the maximum financial penalties for individuals and organisations, extend the time enforcement agencies can lay a charge and modify the definition of ‘publicly notify’.

10. Council has previously advocated or submitted on many of the issues raised in the discussion paper. For example, the council has strongly advocated for proportional liability for building defects to replace the current system of joint and several liability. The leaky building crisis imposed significant cost on local authorities under the current liability settings because councils are often the ‘last man standing’.

**Tātaritanga me ngā tohutohu**

**Analysis and advice**

11. This report provides an analysis of the key proposals in the discussion paper and the recommended council response to these proposals. The recommended responses are based on:

- a review of council’s previous submissions/advocacy
- interviews with council staff from relevant divisions/departments
12. While the discussion document reflects some of the changes for which the council has previously advocated, in many cases the changes do not go far enough. For example, while the council has supported an insurance and guarantee product, council staff’s view is that this should be mandatory.

13. **Building products and methods (part 2)**

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Discussion and analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Clarify roles and responsibilities for building products and methods</strong></td>
<td>The proposed changes would expand the Building Act from regulating building work to also regulating the processes and products underlying that work.</td>
</tr>
<tr>
<td><strong>Require manufacturers and suppliers to provide information about building products</strong></td>
<td>These proposals reflect that building products, methods and building work are changing in ways that were not expected when the Building Act came into effect in 2004. Changes include modern methods of construction (MMC) and a significant increase in imported building products. Regulation needs to be flexible enough to support innovations that increase productivity and ensure that buildings are safe and durable.</td>
</tr>
<tr>
<td><strong>Strengthen the framework for product certification</strong></td>
<td>While these changes are a step in the right direction, staff consider that they do not go far enough. For example, the proposals would still leave the council as the assessing and approving agency for new building products and techniques, which is problematic because council does not have a product testing laboratory or engineering/construction evaluation test facility.</td>
</tr>
<tr>
<td><strong>Make consenting easier for modern methods of construction, including off-site manufacture</strong></td>
<td><strong>Recommended council response</strong></td>
</tr>
<tr>
<td></td>
<td>• Support expanding the purpose of the Building Act to include the regulation of building products and methods and their use</td>
</tr>
<tr>
<td></td>
<td>• Request that more work is done in relation to proposed definitions of building products and building methods and building systems, particularly given modern methods of construction and the importation of overseas products</td>
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<tr>
<td></td>
<td>• Note that minimum information requirements do not go far enough and need to be expanded e.g. to include statements as to whether the product meets the Building Code. Information should also be provided in a standardised format</td>
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<tr>
<td></td>
<td>• Request that definitions for variations are clarified and expanded for clarity and consistency</td>
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<td></td>
<td>• Request that a mandatory national product register be managed by an independent Crown entity, in addition to the proposals in the discussion document.</td>
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<tr>
<td></td>
<td>• Request that the Building Code is amended to acknowledge that some Māori buildings and structures such as Marae are developed using traditional construction techniques. These types of structures and techniques are not specially considered in the consultation document. Auckland Council proposes that the Building Code acknowledges these traditional techniques.</td>
</tr>
</tbody>
</table>
## Occupational regulation (part 3)

| Proposal | Change the Licensed Building Practitioners scheme to raise the competence standards and broaden the definition of restricted building work  
| | Introduce a new licensing scheme for engineers and restrict who can carry out safety-critical engineering work  
| | Remove exemptions that allow unlicensed people to carry out plumbing, gasfitter and drainlaying work |

| Discussion and analysis | The objectives of the proposed changes are:  
| | to address regulatory gaps in the system of occupational regulation  
| | make sure that restrictions on building work are proportionate to the risks to public safety  
| | make sure that those who are licensed to undertake restricted work have the right level of competence and are held accountable for substandard work. |

The proposals will rebalance risk in the building process by making sure that those who are best able to manage risks will be held to account for substandard work and give the public and those involved in the building process greater assurance that building work has been carried out by competent people with reasonable care and skill to enable a more efficient consenting process.

While these changes are supported in principle, staff consider that they do not go far enough. For example, the proposals would still leave the council assessing the competency and experience of Engineers who submit attestations confirming project work has been designed in accordance with the Building Code. The proposed engineers register does not accommodate reporting the engineer’s current areas of practice and experience.

| Recommended council response | Address the lack of skills, training and ethics of LBPs  
| | Support further work on the definition of Restricted Building Work  
| | Support fit and proper person test and code of ethics for LBPs  
| | Support a mandatory engineers certification scheme rather than a proposed voluntary scheme  
| | Support assessment of licensed engineer’s competence (within the scope of their licence) by an independent third party – do not support self-assessment  
| | Develop a single LBP Board incorporating the Plumbers, Gasfitters and Drainlayers Board |
### Risk and Liability (part 4)

#### Proposal
- Require a guarantee and insurance product for residential new builds and significant alterations and allow home owners to actively opt out of it

Leave the liability settings for Building Consent Authorities unchanged.

#### Discussion and analysis
The objectives of the proposed changes are to provide protections for homeowners and incentives to builders and designers to produce high-quality building work.

The view of staff is that the proposals are unlikely to achieve these objectives because the discussion document recommends retaining joint and several liability for building defects instead of changing to proportional liability. This means that councils as BCAs will continue to bear a disproportionate liability burden.

The discussion document also asks for feedback on the option of limiting BCA liability by placing a cap of 20 per cent on BCAs.

#### Recommended council response
- Support an insurance and guarantee product for residential new builds and significant alterations but submit that the product must be mandatory and apply to both residential and commercial work
- Request that MBIE considers whether any changes are needed to company structures to support insurance and guarantee projects (that is, shelf companies that wind up once construction is finished)
- Do not support leaving the liability settings for BCAs unchanged (that is, retaining joint and several liability)
- Support the suggestion of a 20 per cent liability cap for BCAs

### Building Levy (part 5)

#### Proposal
- Reduce the building levy from $2.01 including GST to $1.50 including GST (per $1,000)
- Standardise the building levy threshold at $20,444 including GST
- Allow MBIE to spend funds raised by the building levy on broader stewardship of the building sector

#### Discussion and analysis
The proposed changes will reduce cost, standardise the levy threshold, and support stewardship of the building sector. The Ministry of Business, Innovation and Employment proposes that its chief executive should be able to spend the levy on activities related to stewardship of the building sector. Stewardship requires MBIE to analyse the building environment, understand where the future might take us and assess whether the building regulatory system is equipped to cope with the future. ‘Stewardship’ in this instance means actively planning for and managing the medium to long-term development and improvement of the building regulatory system as a whole.
### Building Levy (part 5)

Council staff support the proposal to enable the chief executive of MBIE to spend the levy on building sector stewardship. Staff do not support lowering the levy, as the money collected could be used more effectively providing guidance, training and systems to support the building sector.

**Recommended council response**
- Do not support reducing the building levy
- Support expanding the way in which the chief executive of MBIE can use the levy to include stewardship
- Request that stewardship activities be further defined to include authorisation to use the levy on areas such as national investigations of building and construction practices and products
- Use some of the $43 million to set up an independent Crown entity to manage a National Product Register

### Additional suggested responses to matters covered in discussion document

<table>
<thead>
<tr>
<th>Topic</th>
<th>Discussion</th>
<th>Proposed council response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Statutory days</strong></td>
<td>The current 20-day Statutory Clock is not reflective of the diverse and complex nature of current building designs and construction methodology</td>
<td>Adjust statutory days to reflect different complexities of projects such as:</td>
</tr>
<tr>
<td></td>
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<td>• 10 business days for a R1-R2 house</td>
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<td></td>
<td>• 20 business days for a R3–C1 house &amp; C1 commercial buildings</td>
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<td>• 30 business days for C2 buildings</td>
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<td>• 40 business days for C3 complex buildings</td>
</tr>
<tr>
<td><strong>LBP Building Code exam</strong></td>
<td>All LBPs should have a common understanding of the New Zealand Building Code and specifically their area of practise within the sector</td>
<td>Request that MBIE introduces a mandatory Building Code exam</td>
</tr>
<tr>
<td><strong>Universal design</strong></td>
<td>A universal design approach recognises human diversity. It designs for life scenarios, such as pregnancy, childhood, injury, disability and old age. Universal design is design for inclusivity and independence. This means more than just basic accessibility. It avoids having to retrofit or modify buildings.</td>
<td>Introduce universal design standards for residential buildings</td>
</tr>
</tbody>
</table>
Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera
Council group impacts and views
14. Consultation was undertaken with the following council teams:
   - Regulatory Services (including Building Consents)
   - Urban Growth and Housing
   - Legal and Risk
   - Chief Planning Office
   - Commercial and Finance

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe
Local impacts and local board views
15. The short timeframes for consultation have not allowed for local board input to the submission.
16. The proposals have region wide application and do not affect particular local board areas.

Tauākī whakaaweawe Māori
Māori impact statement
17. As noted, the proposed submission will request that the Building Code is amended to acknowledge that some Māori buildings and structures such as Marae are developed using traditional construction techniques.
18. Input has been sought from council’s Māori Housing and Marae Infrastructure Development projects.

Ngā ritenga ā-pūtea
Financial implications
19. The proposals contained in the consultation document do not alter the current financial liabilities of the council.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations
20. The proposals contained in the consultation document do not alter the current risks and liabilities for the council.

Ngā koringa ā-muri
Next steps
21. Staff will progress the detail of the submission for final approval by the Mayor, Chair of Planning Committee and Chair of Regulatory Committee.
Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Andrew Minturn – Meeting Demand Programme Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorisers</td>
<td>Ian McCormick – General Manager Building Consents</td>
</tr>
<tr>
<td></td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Deputy Mayor’s Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation

File No.: CP2019/07647

Te take mō te pūrongo
Purpose of the report
1. The Deputy Mayor, Councillor Bill Cashmore, will provide a verbal and written report on his trip, representing Auckland Council, to Singapore, Hong Kong, Beijing and Shanghai.

Whakarāpopototanga matua
Executive summary
2. The Building Cities: Infrastructure New Zealand delegation to Singapore, Hong Kong, Beijing and Shanghai was undertaken from 16 – 30 March 2019.
3. Deputy Mayor Bill Cashmore accompanied a record number of business leaders from the construction and civil sectors, along with Central Government officials from Treasury, Ministry of Transport, Housing, Environment and Internal Affairs.
4. The trip focused on planning, delivery systems and governance. The common theme of the four cities visited was their rapid expansion over the past 50 years in population, standards of living and Gross Domestic Product (GDP).
5. Appended as Attachment A is a report of the trip. Attachment B contains the delegate handbook.
6. This report was deferred from the Governing Body meeting on 2 May 2019.

Ngā tūtohunga
Recommendation/s
That the Governing Body:

a) receive the verbal and written report (Attachment A of the agenda report) from Deputy Mayor Councillor Bill Cashmore, regarding his trip representing Auckland Council as part of the Building Cities: Infrastructure New Zealand delegation to Singapore, Hong Kong, Beijing and Shanghai undertaken 16 – 30 March 2019.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
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<td>Deputy Mayor’s Report: Building Cities: Infrastructure New Zealand delegation to Singapore, Hong Kong, Beijing and Shanghai</td>
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<tr>
<td>B</td>
<td>Delegate Handbook: Building Cities</td>
<td>123</td>
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</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarandra O’Toole - Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
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</tbody>
</table>
Deputy Mayor Cashmore

Building Cities. Infrastructure NZ delegation to Singapore, Hong Kong, Beijing and Shanghai.

16-30 March 2019

A very busy itinerary which was daunting but a record number of business leaders from the construction and civil sectors signed up along with Central Government officials from Treasury, Ministry of Transport, Housing, Environment and Internal Affairs.

Two days were spent in Singapore, Hong Kong, Beijing and Shanghai. The focus was on planning, delivery systems and governance. The four cities did have a common theme in that they have rapidly expanded over the past 50 years in terms of population, standards of living, and GDP.

Singapore

Our first city was Singapore which is run as a democracy but has been a virtual one-party state for much of its history. Singapore is a city state of 700 square kilometers and 5.6 million people with no natural resources.

Singapore’s GDP in 1965 was $500 per person and in 2018 that figure had grown to $75,000 per person. This economic miracle was driven by a long-term vision, a 50-year plan and Singapore designing itself as a business and trade hub. GDP growth has averaged 3%pa and the state is consistently second in the world for its “ease of doing business”. Land ownership held by the state has been a big factor in Singapore’s success. Property can be leased by private companies of up to 99 years, but the value up lift in lease values is captured by the state and in turn this has assisted in the funding of infrastructure.

Singapore’s port is one of the largest in the world and is currently shifting its site for the second time. The vacated land is currently being developed in stages and the Marina Bay Sands hotel complex is also on this site.

Land transport is focused on PT with car ownership rates being one of the lowest of any developed country and still decreasing. One of the ways that this rate of ownership is so low is that registering a new car can cost up to $80,000. Singapore is introducing Electronic Road Pricing which starts next year. With 957,000 cars on the road, ERP2 will be a tool that charges on distance traveled at varying rates depending on the levels of congestion at the time. The average cost per car is estimated at $150 pa plus fuel taxes and ownership registrations. Also in Singapore freeways are being progressively under grounded to allow for more public space above ground.

The rail network is increasing from 230 to 360 kilometers with the aim to have 80% of all rail trips under 60 minutes and all people to be no more than 10 minutes’ walk from a station. One third of the land mass in Singapore is covered by infrastructure with roading making up 12% of this.

80% of the population live in public housing through a 2-3year ballot waiting list system with the state redeveloping housing continually in partnership with the private sector. 25,000 apartments are built each year, with the off-site building of housing components running at 70%. This is
enabling cost savings and greater build efficiency with a 40% labor saving. An example of this is a 243-room hotel, 10 stories high built in 26 days.

The city is planned, modeled, and exhibited to the public by actual models of what is currently there and what will be built, and public support runs at 75%.

The decision-making flow chart runs from the President to the Cabinet to 16 Ministries and finally to 67 Statutory Boards who are responsible for the delivery.

State control is a large factor in the city's success with a strong focus on delivering housing with a social focus. Transportation is focused on PT for all as car ownership is considered a privilege. Singapore is a strongly government led country with limited consultation and no rights of appeal. The universal good overrides the rights of any individual.
Hong Kong

Hong Kong is a state of China. One country with two systems and a population of 7.4 million. As with Singapore the government retains all land ownership and Hong Kong has its own taxation system.

China in its latest 5-year plan has one area of focus being the Pearl River Delta. This area includes HK, Macau, Guangzhou and 16 other cites, totaling a population of 68 million. There is substantial spend currently underway on improving connectivity as an economic driver.

Car ownership is even lower in Hong Kong than Singapore with only one car per 4.5 dwellings with a very heavy reliance upon rail as the PT option. High speed trains are reducing travelling times from 2 hours to 20 minutes. The HK to Macau bridge costing USD$6 billion has opened and although experiencing some teething problems is an example of extreme engineering and determination to make things happen.

With heavy reliance on PT, value capture around stations is a very real gain for the state. An overview of the system is below;

- Identify the station site, process scope for development, identify the funding gap, allocate the land required to fill the funding gap by development up-lift.
- Government purchase the lease rights from existing lease holders [compulsory if necessary], sell development rights to developers.
- Capture property lease value increases shared with transport agencies, housing agencies and government.
- Population densities deliver the infrastructure required by development and value increases of the leases.

Hong Kong has a rugged topography with only 24% of land built on meaning housing density is extreme. A 60-square meter apartment would be in the top 15% of property value. The cost of the average 40 square meter apartment is US$1 million.

Again, planning is long term and controlled by the state, with the Government completing in sequence; Master plan, Detailed plan, Business Plan, Tender Development package, JV Agreements. Then supervises the actual development and shares in the profit and underwrites the risks.
Beijing and Mainland China

China has 1.4 billion people. The economy is lead from the top down - Central government cabinet, to local and provincial planning, to special plans, to development plans to specific plans at even village level. Transparency is improving performance with weaknesses identified through the project delivery evaluations.

China accounts for 30% of world-wide GDP growth. There is a conscience government decision to counter the economic downturns by investment in infrastructure in China.

What was once a 22-hour standing train ride is now 3 hours in a high-speed train in a lounge chair. China is pushing ahead with country wide 5G rollout with the hard and soft infrastructure budgeted at 28 trillion RMB or $5.4Trillion $NZ from 2018 to 2040.

China is currently delivering on its 13th 5-year plan and building the 14th plan. These plans are flexible, and every 5 years there is an audit on what has been achieved with resources reallocated if necessary.

There is an equal focus on improving the environment, with 22 cities in China being on the world’s 50 most polluted cities list. They told us this to emphasize their determination to solve the problem. To achieve less pollution industries are being shifted away from cities and are having new technologies integrated to reduce pollution outputs.

New energy sources are a real focus, especially wind energy. Coal is being planned and phased out over time and new water treatment plants are going into many cities. Continual investment is seen as a method of insuring living standards improve.

There are still very real challenges facing the Chinese; population is aging, GDP income per capita is still low by western standards, eastern China is far more developed than the western provinces. The forth coming 5 year plans will have an increased focus on the western states.

A new City, Xiongan, is being built 35 km from the capital with this new town being the home for the functioning of the civil service with a population 10million. The city is master planned and currently being built, road and rail connections are in, water plants are built, and 11 million trees have been planted in two years. The local lake is being cleaned up and additional water diverted from Yangsee river. The original land occupiers have been re-employed or are planting trees or have moved elsewhere. All were offered a new home in the new city and retraining. You have to see it to understand the scale of this project.
Shanghai

Shanghai is one of the world’s biggest cities with a resident population of 24 million and a further 15 million workers arriving from satellite cities. Shanghai is an international city with a high standard of living by Chinese standards and a city with a determination. It has the long-term plans of other cities but has a greater emphasis on delivering what its population wants. Shanghai has also decided not to allow any more expansion of its city boundaries. Shanghai is a trading and financial hub in China. Average population densities run at 20,000 people per square kilometer.

Each year 400 million tonnes of freight is transported from Shanghai by road, 42 million tonnes by water, and 4.2 million by air. There are 60 million air passengers through the airports, 640 million car trips annually, 45 million ferry trips, 3.7 billion rail passengers and 2.1 billion bus trips.

In Shanghai all buses are electric, progress is being made with autonomous cars and all PT and taxis are paid by mobile phone apps. Traffic densities are controlled by road tolls on elevated roads, car licensing charges and high parking charges. PT fares are heavily subsidized. $0.50 for 6 km on rail or bus.

Decisions are made from the top by the Shanghai Peoples Government down through the different delivery agencies. Planning agencies are well located and visited by an interested public. A model of the whole of Shanghai is one of the most popular sites in the city.
Summary - What can we learn from the Asian cities?

There are similarities but also vast cultural differences.

The concept of all land being state owned is foreign to NZ. The idea that housing is a social investment rather than a financial investment is equally not universally held in NZ. The proposal that the state knows best, and the individual rights count less than the whole populace is different. The court system attached to our planning does not exist in these countries.

There are things that we do the same;

- Long term plans that are reviewed
- Economic and environmental focus
- Desire better outcomes for the citizens of our cities.

Have we as a country and a city placed too much power in the hands of individuals? That is a debate that perhaps we should have.

What we should emulate is the greater illumination of our plans and what our city is going to look like. We have some great graphics and visuals that we should use more in public places. Use models of the city centers that demonstrate their transformation from the tired old centers to places invigorated by people and open spaces. Have visuals of our proposed transport network.

Show where we were, where we are going and how it will look.

Sell the future opportunity to Aucklanders
## DELEGATE LIST

<table>
<thead>
<tr>
<th>WEEK ONE</th>
<th>WEEK TWO</th>
<th>FULL DELEGATION</th>
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</thead>
<tbody>
<tr>
<td>Hon Shane Jones, Infrastructure, Regional Economic Development and Forestry Minister</td>
<td>Matt Allen, RCP</td>
<td>Sally Bunce, Infrastructure NZ</td>
</tr>
<tr>
<td>Daniel White, Private Secretary to Hon Shane Jones</td>
<td>Ian Becke, Bell Gully</td>
<td>Bill Cashmore, Auckland Council</td>
</tr>
<tr>
<td>Lesley Boddon, Ministry for the Environment</td>
<td>Carl Blanchard, PwC</td>
<td>Jenny Chu, NZ Delegation Support</td>
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<tr>
<td>Paul Blustow, Kensington Swan</td>
<td>Andrew Booker, Housing New Zealand</td>
<td>John Dalzell, Silk Road Management Limited</td>
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<td>Hugo Ellis, Cameron Partners</td>
<td>Josh Cauns, Simpson Grierson</td>
<td>Craig Davidson, AECOM</td>
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<td>Tom Fall, MinterEllisonRuddWatts</td>
<td>Glen Connelius, Harrison Grierson</td>
<td>Changyun Ding, China Construction Yangtze River (NZ) Co Ltd</td>
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<td>Bryn Gandy, Ministry of Transport</td>
<td>Laura Harris, Bank of New Zealand</td>
<td>Ralph Fauche, Stantec New Zealand</td>
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<td>Richard Haney, Tonkin + Taylor</td>
<td>Tom Hunt, Russell McVeagh</td>
<td>Hamish O’Lear, Infrastructure NZ</td>
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<td>Angela Harford, Bell Gully</td>
<td>Mel Farm, Johnson, Russell McVeagh</td>
<td>Jon Grayson, The Treasury</td>
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<td>Duncan Kenderdine, Downer</td>
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<td>Wei Lu, China Construction Bank</td>
<td>Leigh Krissik, Chapman Tripp</td>
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<td>Deen Kippton, Auckland Council</td>
<td>Louise Marsden, ACC</td>
<td>Sarah Lang, Infrastructure NZ</td>
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<td>Susan Lucking, Bank of New Zealand</td>
<td>Nicky McTobie, Kensington Swan</td>
<td>André Lovett, Auckland Airport</td>
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<tr>
<td>John Markier, Deeloot</td>
<td>Keith Miller, Department of Internal Affairs</td>
<td>Amanda Lu, ICBC NZ</td>
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<tr>
<td>Natalie McClyne, PwC</td>
<td>Chris Morrey, EY</td>
<td>Andy Matthews, Wellington City Council</td>
</tr>
<tr>
<td>Grant McKeown, China Construction Bank</td>
<td>Patrick Mulligan, Buddle Findlay</td>
<td>Alan McDonald, Employers &amp; Manufacturers Association (Northern) Inc</td>
</tr>
<tr>
<td>Amanda Moran, Ministry for the Environment</td>
<td>Tommy Parker, Fletcher Construction</td>
<td>Raynor McMahon, Westpac Institutional Bank</td>
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<td>Peter Owles, Buddle Findlay</td>
<td>Jesse Philips, KPMG</td>
<td>Karl Hicholson, ANZ Institutional Bank</td>
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<tr>
<td>Speed Post, Jasmax</td>
<td>Peter Roan, Tonkin + Taylor</td>
<td>Duncan Olde, Macquarie Capital</td>
</tr>
<tr>
<td>Ian Purdy, ACC</td>
<td>Tracey Ryan, Beqa</td>
<td>Andrew Parsons, Hamilton City Council</td>
</tr>
<tr>
<td>Fraser Robertson, RCP</td>
<td>Sarah Sinclair, MinterEllisonRuddWatts</td>
<td>John Rea, National Infrastructure Advisory Board</td>
</tr>
<tr>
<td>Andrew Stevenson, Infrastructure NZ</td>
<td>Warren Ussaele, Department of Internal Affairs</td>
<td>Stephen Selwood, Infrastructure NZ</td>
</tr>
<tr>
<td>Gareth Steven, Housing New Zealand</td>
<td>Simon Vannin, Simpson Grierson</td>
<td>Sean Wynne, Crown Infrastructure Partners</td>
</tr>
<tr>
<td>Richard Ward, Department of Internal Affairs</td>
<td>Brad Ward, Ministry of Housing and Urban Development</td>
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<tr>
<td>Stephanie Ward, KPMG</td>
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<tr>
<td>Darryl Lee Wendelborn, Beqa</td>
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<td>Karen West, Harrison Grierson</td>
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<tr>
<td>Helen Wyn, Department of Internal Affairs</td>
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</tbody>
</table>
PROGRAMME

SUNDAY 17 MARCH - SINGAPORE
Casual Attire

DELEGATES TO ARRIVE IN SINGAPORE BY THEIR PREFERRED FLIGHTS AND OWN TRANSFER
The Westin Singapore
12 Marina View, Asia Square Tower 2, Singapore

6.00pm Lobby Lounge Welcome Reception
Level 32, The Westin Singapore

7.00pm Delegation Welcome Dinner and Briefing
Level 3, The Westin Singapore
NZ High Commissioner H.E Jo Thidall

MONDAY 18 MARCH - SINGAPORE
Business Attire

8.30am DELEGATES TO MEET IN HOTEL LOBBY

8.30am DELEGATES DEPART AND WALK TO VENUE

8.45am DELEGATES ARRIVAL AT VENUE
EY Wavemaker, Level 32, 77 Robinson Road, Singapore 068896

8.50am Daily Logistics Briefing
Sarah Lung, Project Director, Infrastructure NZ

Welcome and introduction to the Economy of Singapore and Role of Infrastructure in National Development

9.00am • How is the economy of Singapore performing?
• What is the role of infrastructure in Government policy to support employment and economic growth?
• How does the Government fund and finance its infrastructure programme, including an overview of the taxation system?
Lynn Tho, ASEAN Infrastructure Advisory Leader, EY

Singapore’s National Development and Infrastructure Priorities

9.45am • What are Singapore’s infrastructure priorities and key national development priorities?
• How are these priorities identified across all the infrastructure sectors?
• Who are the key government bodies responsible for planning and delivering infrastructure and development?
• How are major projects procured in Singapore?
Michael McCowan, Director – Transport & Resources Leader and Region Board Member, Arup

10.30am MORNING TEA - PROVIDED BY EY

10.55am Infrastructure NZ Welcome and Delegation Overview to LTA
Stephen Selwood, CEO, Infrastructure NZ

Land Transport Master Plan 2040

11.00am • How is transport planned, funded and operated in Singapore and what is the role of LTA?
• How does Singapore move people and goods currently and what is the plan to move them in the future?
• What key transport technology is Singapore investigating?
• How is transport policy integrated and aligned with housing and development policy?
Ganesan Subramaniam, Manager, Policy Division, Land Transport Authority, Singapore

Road Pricing

11.45am • What is Singapore’s current road pricing system and why is it being replaced?
• What is the new scheme and what outcomes are expected?
• How will the new scheme be rolled out and is it expected to be successful?
• What are the key barriers and lessons for other countries looking at road pricing?
Victor Shu, Deputy Director ERP2 Development, Land Transport Authority, Singapore

*This programme was accurate at time of print. Infrastructure New Zealand requests your understanding for any programme changes due to late notice speaker cancellations or substitutions.
12.30pm LUNCH - PROVIDED BY EY

Singapore Construction Productivity
  - How much does it cost to construct housing in Singapore and what are the typical construction techniques?
  - Is construction productivity improving or not and why?
  - What technologies are used today and what are the priority technologies for tomorrow?

1.30pm Site Visit - Housing and Development Board LIVINGSPACE
  - What is the role of the HDB and which other agencies are involved in housing and development in Singapore?
  - How does Singapore ensure enough housing is built at the right time and right price for residents?
  - How is infrastructure funded to support housing?
  - How much do HDB homes cost to build and buy?
  - What technologies and approaches are being employed to keep housing construction costs down and productivity up?

3.00pm COACH DEPARTS FOR HOUSING AND DEVELOPMENT BOARD
  - HDB Hub, 482 Lor 6 Toa Payoh, Singapore 319480

5.00pm COACH TRANSFER TO HOTEL

5.30pm DELEGATE FREE TIME

TUESDAY 19 MARCH - SINGAPORE

8.45am DELEGATES TO MEET IN HOTEL LOBBY

9.00am DELEGATES DEPART AND WALK TO VENUE

9.15am DELEGATE ARRIVAL AT URBAN REDEVELOPMENT AUTHORITY (URA) ROOM, 45 Maxwell Rd, The URA Centre, Singapore 068518

9.20am Daily Logistics Briefing
  - Sarah Lung, Project Director, Infrastructure NZ

9.30am Welcome and Introduction to the URA
  - Seow Kah Ping, Dean, URA Academy

Singapore's Urban Planning System
  - How does Singapore plan for and deliver urban growth and which agencies are involved?
  - What are the major planning documents and how will Singapore accommodate future growth?
  - How are resilience and climate change accounted for in urban planning?
  - How is transport and urban development integrated to support movement and affordable living?
  - What is the process for considering major projects and development?
  - Can residents oppose new projects or development and how are existing land uses managed when planning for new development?
  - Case study: Marina Bay

Tour of Singapore City Gallery

12.00pm COACH DEPARTS FOR BECA OFFICES
  - Beca, 1 Gateway Dr, #12-01 Westgate Tower, Singapore 609631

12.45pm LUNCH - PROVIDED BY BECA

1.30pm Welcome and Introduction to Beca Singapore
  - Steve Perkins, Technical Director, Beca

1.35pm Smart Cities and the Beca Innovation Hub
  - What is Singapore's approach to the Smart City and Smart Nation opportunity?
  - What technologies are emerging in the Smart City and buildings landscape?
  - What are the exemplars for new buildings and construction?

3.00pm AFTERNOON TEA - PROVIDED BY BECA
  - VIRTUAL REALITY DEMONSTRATION

Governing Body

Deputy Mayor's Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation
Deputy Mayor's Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation

## Governing Body
30 May 2019

### BUILDING CITIES INFRASTRUCTURE NEW ZEALAND DELEGATION TO SINGAPORE, HONG KONG, BEIJING & SHANGHAI
MARCH 2019

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>3.45pm</td>
<td>Delegation Debrief and Discussion</td>
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<tr>
<td></td>
<td>Discussion facilitated by Stephen Selwood, CEO, Infrastructure NZ</td>
</tr>
<tr>
<td>4.30pm</td>
<td>COACH DEPARTS FOR MARINA BAY</td>
</tr>
<tr>
<td>5.00pm</td>
<td><strong>Tour of Marina Bay</strong>&lt;br&gt;• What is the Marina Bay development?&lt;br&gt;• Why was it conceived?&lt;br&gt;• Is it delivering on expectation?&lt;br&gt;• Who is in charge and who is paying?&lt;br&gt;• What is the Marina Barrage?&lt;br&gt;• What is the role of transport in the development?</td>
</tr>
<tr>
<td>7.00pm</td>
<td>COCKTAILS AT THE MARINA BAY SANDS HOTEL - SPONSORED BY WSP OPUS</td>
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**DELEGATE FREE TIME**

### WEDNESDAY 20 MARCH - SINGAPORE TO HONG KONG

**Cultural Attire**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>6.45am</td>
<td>DELEGATES TO CHECK OUT AND MEET IN HOTEL LOBBY WITH LUOOGAE</td>
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<tr>
<td>7.00am</td>
<td>COACH DEPARTS FROM HOTEL FOR AIRPORT</td>
</tr>
<tr>
<td>9.55am</td>
<td>FLIGHT FROM SINGAPORE TO HONG KONG&lt;br&gt;<strong>Singapore SQ815</strong>&lt;br&gt;Departure Time: 0935&lt;br&gt;Arrival Time: 1155</td>
</tr>
<tr>
<td></td>
<td>COACH TRANSFER FROM AIRPORT TO HOTEL Mandarin Oriental No 5 Connaught Road Central, Hong Kong</td>
</tr>
<tr>
<td>5.00pm</td>
<td>DELEGATE FREE TIME&lt;br&gt;OPTIONAL SHOPPING/ACTIVITY</td>
</tr>
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### THURSDAY 21 MARCH - HONG KONG

**Business Attire**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>8.30am</td>
<td>DELEGATES TO MEET IN HOTEL LOBBY</td>
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<tr>
<td>8.45am</td>
<td>DELEGATES TO DEPART AND WALK TO VENUE</td>
</tr>
<tr>
<td>8.45am</td>
<td>DELEGATE ARRIVAL AT HSBC&lt;br&gt;Level 15, HSBC Main Building, 1 Queens Road Central, Hong Kong</td>
</tr>
<tr>
<td>9.00am</td>
<td><strong>Daily Logistics Briefing</strong>&lt;br&gt;Sarah Lang, Project Director, Infrastructure NZ</td>
</tr>
<tr>
<td>9.00am</td>
<td><strong>Welcome and Overview of the Chinese Economy: Five Key Macroe Themes</strong>&lt;br&gt;• How is the economy of Hong Kong and China performing?&lt;br&gt;• What are the key drivers for the Hong Kong and China economy in 2019?</td>
</tr>
<tr>
<td>9.45am</td>
<td><strong>Governance Across the Greater Hong Kong Region</strong>&lt;br&gt;• What is the development vision and strategy for Hong Kong and the Bay area and what is the role of infrastructure in delivering the strategy?&lt;br&gt;• What is the role of the Chinese Government and Hong Kong Government in infrastructure policy and planning and how do all governments across the Bay work together to achieve the vision?&lt;br&gt;• What are the key projects and initiatives for Hong Kong and the Bay area?</td>
</tr>
<tr>
<td>10:30am</td>
<td>MORNING TEA - PROVIDED BY HSBC</td>
</tr>
<tr>
<td>11.00am</td>
<td>COACH DEPARTS FOR HONG KONG-ZHUHAI-MACAU BRIDGE&lt;br&gt;Hong Kong-Zhuhai-Macau Bridge Clearance Building</td>
</tr>
<tr>
<td>12.00pm</td>
<td>SITE VISIT: Hong Kong-Zhuhai-Macau Bridge&lt;br&gt;• What is the project and why was it built?&lt;br&gt;• How was it delivered, including procurement strategy?&lt;br&gt;• Who paid for construction and how will the benefits be measured?&lt;br&gt;• Is it performing to expectation and what outcomes are ultimately expected?</td>
</tr>
<tr>
<td>2.00pm</td>
<td>COACH DEPARTS FOR WEST KOWLOON&lt;br&gt;LUNCH PROVIDED ON COACH</td>
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</tbody>
</table>
Deputy Mayor’s Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation

Item 12

**FRIDAY 22 MARCH - HONG KONG**

**Business Attire**

- **8:15am** Delegates to Meet in Hotel Lobby
- **8:30am** Coach departs from Hotel for EY
- **8:45am** Coach arrives at EY
  - EY, 22F CITIC Tower, 1 Tim Mei Ave, Hong Kong
- **8:50am** Daily Logistics Briefing
  - Sarah Lang, Project Director, Infrastructure NZ
- **8:55am** Welcome by EY
  - Bill Banks, Global Infrastructure Leader, Transaction Advisory Services, EY

**Hong Kong Integrated Transport and Development**

- **9:00am** Hong Kong Integrated Transport and Development
  - How do Hong Kong and China anticipate plan for and deliver development to meet affordability, movement and equity needs on time?
  - Is the Hong Kong region doing all it can to supply affordable housing?
  - What is the relationship between land value and transport access?
  - Professor Bo-Sun Tang, University of Hong Kong

**Hong Kong Rail and Property Model**

- **9:45am** Hong Kong Rail and Property Model
  - How does Hong Kong’s transport system fund its rail model work?
  - What proportion of rail costs are covered by development?
  - Are the rail costs covered by development and who are the authorities doing to get the balance right?
  - Steve Yiu, Principal Advisor, Property and Planning, MTR Corp.

- **10:30am** Morning Tea - Provided by EY
- **10:45am** Delegates to Walk to City Hall
  - 3 Edinburgh Pl, Central, Hong Kong

**Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2020**

- **11:00am** Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2020
  - What is Hong Kong’s growth challenge and how does the city anticipate it will provide the necessary jobs and homes it needs?
  - How is planning across Hong Kong and the wider Bay area joined up?
  - How is funding aligned with plans to ensure timely infrastructure delivery?
  - Winnie Y.Y. Lau, Chief Town Planner, Planning Department of Hong Kong
  - W.C. Lo, Senior Town Planner, Planning Department of Hong Kong

- **11:45am** Tour of City Gallery

- **12:30pm** Lunch
  - Delegates to arrange own lunch and walk back to EY by 2:00pm
  - EY, 22F CITIC Tower, 1 Tim Mei Ave, Hong Kong

**The West Kowloon Cultural and Urban Redevelopment**

- **1:30pm** The West Kowloon Cultural and Urban Redevelopment
  - What is the West Kowloon Redevelopment project?
  - Why is it being delivered and who is delivering it?
  - Who is paying for it and who is paying for it?
  - What is the role of public/private capital and who carries development risk?
  - William Chan, Chief Executive Officer, West Kowloon Cultural District Authority
  - Richard Tao, Chief Financial Officer, West Kowloon Cultural District Authority

**The West Kowloon Rail Terminal**

- **2:30pm** The West Kowloon Rail Terminal
  - What is the West Kowloon Rail Terminal and how does it fit into the wider West Kowloon transport strategy?
  - Who paid for the station and how?
  - How has the project been designed to integrate with development?
  - What were the key challenges in designing a station in a dense urban area?
  - Dr. Morgan Yang, Vice President, Civil Infrastructure, Greater China, AECOM

- **3:00pm** Delegation Discussion and Debrief
  - Discussion facilitated by Stephen Selwood, CEO, Infrastructure NZ
4.30pm  DELEGATES TO DEPART AND WALK TO HOTEL

DELEGATE FREE TIME

6.45pm  DELEGATES TO MEET IN HOTEL LOBBY AND WALK TO RESTAURANT

7.00pm  Week One Farewell Dinner - SPONSORED BY AECOM
        MOTT SJ 4-4a Des Voeux Road Central, Hong Kong (Next to HSBC Building)  
        APAC President Sean Chiao, AECOM

SATURDAY 23 MARCH - HONG KONG TO BEIJING

Casual Attire

WEEK ONE DELEGATES: MAKE OWN ARRANGEMENTS FOR ONWARD TRAVEL

FULL DELEGATION DELEGATES: FLIGHT FROM HONG KONG TO BEIJING

8.45am  DELEGATES TO CHECK OUT AND MEET IN HOTEL LOBBY WITH LUGGAGE

9.00am  COACH DEPARTS FROM HOTEL FOR AIRPORT

12.30pm  FLIGHT FROM HONG KONG TO BEIJING
        Air China CA102
        Departure Time: T230
        Arrival Time: 6.40

COACH TRANSFER FROM AIRPORT TO HOTEL
        The Westin Beijing
        SC Financial Street, Xi Chong District, Beijing 100140, China

DELEGATE FREE TIME

SUNDAY 24 MARCH - BEIJING

Casual Attire

8.45am  DELEGATES TO MEET IN HOTEL LOBBY FOR GREAT WALL OF CHINA TOUR (OPTIONAL) - SPONSORED BY ICBC

4.00pm  DELEGATE FREE TIME

6.00pm  Welcome Dinner, Week Two Launch and Briefing
        The Westin Beijing
        H.E. Clare Fearon, New Zealand's Ambassador to the People's Republic of China and Mongolia

MONDAY 25 MARCH - BEIJING

Business Attire

8.00am  DELEGATES TO MEET IN HOTEL LOBBY

8.15am  DELEGATES TO DEPART AND WALK TO VENUE

8.30am  DELEGATE ARRIVAL - VENUE PROVIDED BY CHINA BANKING ASSOCIATION
        China Banking Association, Floor 11, 5 Building, No 1 Yeletan St, Xicheng Qu, Beijing Shi, China

8.30am  Daily Logistics Briefing
        Sarah Lang, Project Director, Infrastructure NZ

FOLLOWING SESSIONS COORDINATED BY CHINA BANKING ASSOCIATION AND SPONSORED BY ICBC

8.45am  WELCOME AND INTRODUCTION BY CHINA BANKING ASSOCIATION

Introduction to China’s National, Regional and City Governance
- How is governance for economic and infrastructure development structured in China?
- What is the long term development plan?
- Which agencies are responsible for planning national and regional development, which are responsible for funding and which are responsible for implementing plans?
- How are they all aligned to each other?
- What is the role of transport in the development plan and what is the future of China’s transport system?
- What role does the Chinese government play in housing and ensuring enough land is developed?
Deputy Mayor’s Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation
Deputy Mayor’s Report on Trip to Singapore, Hong Kong, Beijing and Shanghai as part of the Building Cities: Infrastructure New Zealand Delegation

# Delivering Xiongan
- What is the role of OCTEB in Xiongan?
- What are the key plans and development projects being delivered to ensure the success of the city and how are they being pursued?
- What building construction technologies are being used to deliver rapid, lower cost buildings?
- What has been the health and safety performance for construction?

10:00 pm
- 30 May 2019
- Long Taihe Industry Co.

# Land Development in Xiongan and China
- How does the development process work in Xiongan and China?
- Who takes development risk and who funds infrastructure?
- How does development planning and construction work?
- How does the government work with private companies like Long Taihe to deliver successful cities?

2:00 pm
- Afternoon tea - provided by China Construction Third Engineering Bureau

# WEDNESDAY 27 MARCH - BEIJING TO SHANGHAI

**Business Attire**

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<thead>
<tr>
<th>Time</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>6:45 am</td>
<td>Delegates to check out and meet in hotel lobby with luggage</td>
</tr>
<tr>
<td>7:00 am</td>
<td>Coach transfer from hotel to southern train station</td>
</tr>
<tr>
<td>9:00 am</td>
<td>High speed train to Shanghai (7:30)</td>
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<tr>
<td></td>
<td>- Fuxing East High-Speed Bullet Train</td>
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<td></td>
<td>Delegates to organise own lunch on train</td>
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<tr>
<td>12:00 pm</td>
<td>Following session coordinated by China Construction Bank (CCCB)</td>
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<tr>
<td>1:30 pm</td>
<td>Site visit: Hongqiao integrated transport centre</td>
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<tr>
<td>2:30 pm</td>
<td>Coach transfer to hotel, Grand Kempinski Hotel Shanghai (288 Lujiazui Ring Road, Pudong, Shanghai at 200100)</td>
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<tr>
<td>3:30 pm</td>
<td>Delegates free time (optional tours (including shopping) Yu Gardens, East Nanjing Road)</td>
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# THURSDAY 28 MARCH - SHANGHAI

**Business Attire**

<table>
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<tr>
<th>Time</th>
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<tbody>
<tr>
<td>8:00 am</td>
<td>Delegates to meet in hotel lobby</td>
</tr>
<tr>
<td>8:15 am</td>
<td>Delegates to depart and walk to China Construction Bank (CCCB)</td>
</tr>
<tr>
<td>8:30 am</td>
<td>Delegate arrival at China Construction Bank (CCCB)</td>
</tr>
<tr>
<td></td>
<td>River Tower Square 2, 9-9 Yinhe Road, Pudong, Shanghai, China</td>
</tr>
<tr>
<td>8:35 am</td>
<td>Daily Logistics Briefing</td>
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<td>Sarah Lang, Project Director, Infrastructure NZ</td>
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<tr>
<td>8:45 am</td>
<td>Introduction and welcome from China Construction Bank (CCCB)</td>
</tr>
<tr>
<td>9:00 am</td>
<td>Shanghai urban growth vision and plan - Shanghai masterplan</td>
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<td>- How fast has Shanghai grown in recent times and what is the outlook for future growth?</td>
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<tr>
<td></td>
<td>- What is Shanghai’s masterplan and what are the key growth challenges?</td>
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<td>- Who plans Shanghai, who implements plans and how does the city ensure alignment of planning and delivery?</td>
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<td>- How are environmental challenges like climate change, air and water quality being managed?</td>
</tr>
<tr>
<td>10:30 am</td>
<td>Morning tea - provided by China Construction Bank (CCCB)</td>
</tr>
</tbody>
</table>
Shanghai Transport Strategy and Plan

- How does Shanghai move people and goods today and how will they be moved in the future?
- Who is responsible for planning, funding and operating Shanghai’s transport system and how do different levels of government work together?
- What are the big transport challenges facing the city and region and what technologies is the city preparing for?
- What is the relationship between transport funding and development and how do authorities ensure new growth is accessible?

10:00am
Shanghai Municipal Transportation Commission

Rental Finance Initiative

- What is the rental finance initiative?
- How does it work and how will it support housing delivery and affordability?

12:30pm
China Construction Bank (CCB)

10:00pm
DELEGATES WALK TO LUNCH

2:15pm
COACH TRANSFER TO WEST BUND
Shanghai West Bund Development Group, 2559 Longheng Ave, Xuhui District

Site Visits: West Bund Redevelopment

- What is the history of the West Bund area and why is it being redeveloped?
- What is the development vision for West Bund?
- Who is leading the redevelopment and how is infrastructure being funded?
- What are the major transport elements and how have these influenced the development opportunity and outcomes?

3:00pm
Shanghai West Bund Development Group Co., Ltd.

5:00pm
COACH TRANSER TO HOTEL

6:00pm
DELEGATES TO MEET IN HOTEL LOBBY AND WALK TO RESTAURANT

6:30pm
RIVER SIDE SHANGHAI STYLE DINNER - SPONSORED BY CHINA CONSTRUCTION BANK CO, LTD
Kong Yi Ji, Grand Banquet Restaurant, No. 3100 Rm, Jiang Avenue, Pudong New District, Shanghai

FRIDAY 29 MARCH - SHANGHAI

Business Attire

7:45am
DELEGATES TO MEET IN HOTEL LOBBY

8:00am
DELEGATES TO DEPART ON COACH FOR TRANSFER TO NANCHUI
Lingang Group, 955 Anyuan South Rd, Pudong District, Shanghai
Daily Logistics Briefing for Coach
Sarah Lang, Project Director, Infrastructure NZ

10:00am
MORNING TEA

FOLLOWING SESSIONS HOSTED BY LINGANG SHANGHAI ECONOMIC DEVELOPMENT GROUP AND CHINA CONSTRUCTION THIRD ENGINEERING BUREAU

Nanhui New City

- Why has a new satellite city been planned at Nanhui?
- What is the vision for the new city and what is the development timetable?
- How has the development performed to date and what has the Government done to ensure the project is a success?

10:30am
Lingang Shanghai Economic Development Group Co., Ltd.

- Who is responsible for planning, funding and delivering Nanhui?
- What is the transport plan and role of transport in the Nanhui vision, including the relevance of the port and airport?
- What transport technologies are being trialled at Nanhui?
- What construction technologies are being employed to improve productivity and building quality?

12:30pm
LUNCH

1:30pm
Delegation Brief and Synthesis
Facilitated by Stephen Selwood, CEO Infrastructure NZ

3:00pm
COACH TOUR AROUND NANHUI AND RETURN TRANSFER TO HOTEL

6:00pm
DELEGATES TO MEET IN HOTEL LOBBY FOR TRANSFER TO RESTAURANT

6:30pm
Delegation Farewell Function - SPONSORED BY ANZ, BNZ AND WESTPAC
POP Bar & American Brasserie, 3rd Floor, THREE ON THE BUND, No.3 Zhong Shan Dong Yi Road

SATURDAY 30 MARCH - SHANGHAI

Casual Attire

DELEGATION CONCLUDES
DELEGATES TO MAKE OWN ARRANGEMENTS FOR ONWARD TRAVEL
Te take mō te pūrongo

Purpose of the report

1. To note the progress on the forward work programme appended in Attachment A.

Whakarāpopototanga matua

Executive summary

2. This is a regular information-only report which aims to provide greater visibility of information circulated to Governing Body members via memo-briefing or other means, where no decisions are required.

3. This document can be found on the Auckland Council website, at the following link:
   http://infocouncil.aucklandcouncil.govt.nz/
   - at the top left of the page, select meeting/Te hui “Governing Body” from the drop-down tab and click “View”;
   - under ‘Attachments’, select either the HTML or PDF version of the document entitled ‘Extra Attachments’.

4. Note that, unlike an agenda report, staff will not be present to answer questions about the items referred to in this summary. Governing Body members should direct any questions to the authors.

Ngā tūtohunga

Recommendation/s

That the Governing Body:

a) note the progress on the forward work programme.

Ngā tāpirihanga

Attachments

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<th>Title</th>
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<tr>
<td>A</td>
<td>Forward Work Programme</td>
<td>135</td>
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</table>

Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarndra O'Toole - Team Leader Governance Advisors</th>
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<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
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</tbody>
</table>
### TIRA KĀWANA / GOVERNING BODY FORWARD WORK PROGRAMME 2016 – 2019 TERM

The Governing Body 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.

The Mayor may require any matter that would otherwise be reported to a committee, to be reported to the Governing Body. If that matter is already on a published agenda for a committee meeting, that meeting will not consider that matter unless invited by the mayor to make a recommendation to the Governing Body.

<table>
<thead>
<tr>
<th>Lead Area of work</th>
<th>Reason for work</th>
<th>Governing Body role (decision or direction)</th>
<th>Budget/ Funding</th>
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</table>
| **Chief Financial Office** | Annual Budget 2019/2020 (Annual Plan) | The Local Government Act 2002 requires each local authority to consult on and adopt a long term plan every three years. In each intervening year local authorities are required to consult the community on any significant or material changes to the relevant year of the long term plan through the Annual Budget consultation document. Legislation also requires that the council’s consultation document include a summary of key matters from Local Board Agreements and the Draft Tūpuna Maunga Authority Operational Plan for the Annual Plan year. | Adopt consultation document and supporting material  
Approve Annual Budget  
**Progress to Date:**  
Public Consultation 13/12/18 GB/2018/205  
Adoption of consultation material 13/2/19 GB/2019/2 & GB/2019/3  
Decision-making meeting 22/5/19 |
| **Chief Operating Office** | Americas Cup 2021 | Location, infrastructure and funding | Approve preferred location  
Agree strategy for progressing resource consent applications  
**Progress to Date:**  
Report considered 14/12/17 and approval of Wynyard Basin option GB/2017/172 and agreed single hearing process through direct referral  
Report and revised decision and approval of Wynyard Hobson proposal 29/3/18 GB/2018/63  
Workshop – 6/12/18  
Report and decision on additional funding 6/12/18 GB/2018/199 |
| **Chief Executive’s Performance Objectives** | The Appointments, Performance Review and Value for Money Committee has the delegation to set performance objectives. The Governing Body must then consider the recommendations and make a decision. | Approve performance objectives.  
**Progress to Date:**  
Recommendations considered 22/11/18 in confidential, open decision GB/2018/193 |
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<tr>
<th>Item 13</th>
<th>Lead</th>
<th>Area of work</th>
<th>Reason for work</th>
<th>Governing Body role (decision or direction)</th>
<th>Budget/ Funding</th>
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<tbody>
<tr>
<td>13</td>
<td>City Rail Link</td>
<td>Construction of the City Rail Link in the central city</td>
<td></td>
<td>Approve City Rail Link Heads of Agreement Approve matters association with City Rail Link Note any matters raised by the Audit and Risk Committee about the project</td>
<td>q4 q1 q2 q3</td>
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<td>Progress to Date: Heads of Agreement approved 14/9/16 Conf</td>
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<td>Appoint chair of City Rail Link 15/12/16 Conf</td>
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<td>Note sponsors agreement and establishment of new entity City Rail Link Limited 29/6/17 Conf</td>
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<td></td>
<td>Report confirming role of Audit and Risk Committee 25/10/18 GB/2018/175</td>
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<td>Report on funding commitment 2/5/19 GB/2019/33</td>
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<td>Chief Financial Office</td>
<td>Annual Report</td>
<td>Statutory requirement</td>
<td>Adopt Annual Report</td>
<td>q4 q1 q2 q3</td>
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<td>Progress to Date: Initial report was considered 22/2/18</td>
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<td>Approval 22/2/18 for review GB/2018/37</td>
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<td>Workshop – 15/3/18</td>
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<td>Workshop – 26/11/18</td>
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<td></td>
<td>Report 13/12/18 and deferral GB/2018/209 to new political term</td>
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<td></td>
<td>Governance</td>
<td>Review of Code of Conduct</td>
<td>The experience of working with the current Code of Conduct indicates that it could be further improved. In particular, it could be clearer about complaint, investigation and resolution processes, as well as available sanctions</td>
<td>Adopt new Elected Members Code of Conduct</td>
<td>q4 q1 q2 q3</td>
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<td>Progress to Date: Initial report was considered 22/2/18</td>
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<td>Report 13/12/18 and deferral GB/2018/209 to new political term</td>
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<td>Amend due of disestablishment of ACIL and two committee amendments 26/7/18 GB/2018/115</td>
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<td>Amend to add Cr Paul Young to Committee’s 22/11/18 GB/2018/190</td>
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<td></td>
<td>Mayoral Office Governance</td>
<td>Terms of Reference</td>
<td>The Terms of Reference enables the governing Body to delegate to committees those power necessary for them to carry out their responsibilities to the most efficient and effective levels. Any changes to the Terms of Reference must be done by the Governing Body.</td>
<td>Adopt the Terms of Reference</td>
<td>q4 q1 q2 q3</td>
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<td>Progress to Date: Amend due of disestablishment of ACIL and two committee amendments 26/7/18 GB/2018/115</td>
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<td>Amend to add Cr Paul Young to Committee’s 22/11/18 GB/2018/190</td>
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<td>Lead</td>
<td>Area of work</td>
<td>Reason for work</td>
<td>Governing Body role (decision or direction)</td>
<td>Budget/ Funding</td>
<td>Expected timeframes</td>
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</table>
| Governance      | Accountability Review of council-controlled organisations | The accountability review are to increase the accountability and value for money of CCOs by:  
• increasing the transparency of CCO decision-making  
• increasing the responsiveness of CCOs to the public and council  
• improving the recognition of ratepayer funding for CCO activity  
• increasing the ability to align CCOs to the direction set by the council. Reporting on a quarterly basis | Approve objectives as basis of review  
Approve scope and timing  
Progress to Date:  
Approve objectives, scope and timing 23/2/17  
Memorandum 9/4/18 to councillors with an update | Within timelines and budgets | Q4 Q1 Q2 Q3 |
| Governance      | Independent Māori Statutory Board funding          | The Local Government (Auckland Council) Act 2009 (LGACA) requires Auckland Council to meet the reasonable costs of the Independent Māori Statutory Board (IMSB) board’s operations, secretariat, the establishment of committees, and seeking and obtaining advice (Schedule 2, clause 20, sub-clause 1, LGACA) | Approve 2019/2020 funding agreement  
Progress to Date:  
Report on funding 2/5/19 and funding approval GB/2019/35 | | Q4 May Q1 Q2 Q3 |
| Co-governance   | Tūpuna Maunga o Tāmaki Makaurau Operations Plan    | Section 60 of Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 requires the Tūpuna Maunga o Tāmaki Makaurau Authority (Tūpuna Maunga Authority) and Auckland Council to annually agree an operational plan as part of the annual or long-term plan process.  
This requires the council to consult on a summary of the Draft Tūpuna Maunga o Tāmaki Makaurau Operational Plan (the Draft Tūpuna Maunga Plan).  
The Governing Body is also required to adopt the final plan. | Adopt Operational Plan and summary  
Progress to Date:  
Report to approve draft 13/12/18 GB/2018/204 | | Q4 Q1 Q2 Q3 |
| People and Performance | Health, Safety and Wellbeing                   | The Governing Body has the role of the person or organisation conducting a business or undertaking. | Receive the quarterly Health, Safety and Wellbeing Report  
Progress to Date:  
August 2018 report received GB/2018/147  
December 2018 report received GB/2018/203  
February 2019 report received GB/2019/15 | | Q4 Jun Q1 Q2 Q3 |
<table>
<thead>
<tr>
<th>Item</th>
<th>Lead</th>
<th>Area of work</th>
<th>Reason for work</th>
<th>Governing Body role (decision or direction)</th>
<th>Budget/ Funding</th>
<th>Expected timeframes if known</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Social Policy and Bylaws</td>
<td>Dog management Bylaw and Policy on Dogs</td>
<td>Legislative requirement to review bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. ¹ public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
<td>Q4 Q1 Q2 Q3</td>
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<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Solid Waste Bylaw Review</td>
<td>Legislative requirement to review bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. ¹ public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
<td>Q4 Q1 Q2 Q3</td>
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<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Trade Waste Bylaw Review</td>
<td>Legislative requirement to review bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. ¹ public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
<td>Q4 Q1 Q2 Q3</td>
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<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Signage Bylaw Review</td>
<td>Legislative requirement to review bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. ¹ public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
<td>Q4 Q1 Q2 Q3</td>
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<tr>
<td></td>
<td>Social Policy and Bylaws</td>
<td>Alcohol Control Bylaw Review</td>
<td>Legislative requirement to review bylaw and policy after five years.</td>
<td>Approve statement of proposal # Make/Amend/Revoke the bylaw. ¹ public notification is required for bylaw reviews even if no change to the bylaw is recommended.</td>
<td>Within current baselines.</td>
<td>Q4 Q1 Q2 Q3</td>
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<tr>
<td>Lead</td>
<td>Area of work</td>
<td>Reason for work</td>
<td>Governing Body role (decision or direction)</td>
<td>Budget/ Funding</td>
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<tr>
<td>Social Policy and Bylaws</td>
<td>Cemeteries and Crematoria Bylaw Review</td>
<td>Legislative requirement to review the bylaw and policy after five years.</td>
<td>Approve statement of proposal</td>
<td>Within current baselines.</td>
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<td>Amend/Revoke the bylaw.</td>
<td>Q4</td>
<td>Q1</td>
<td>Q2</td>
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<tr>
<td>Social Policy and Bylaws</td>
<td>Freedom Camping</td>
<td>Explore the need for and options for regulating freedom camping in Auckland</td>
<td>If regulatory response required: Approve statement of proposal Make the bylaw</td>
<td>Review is within current baselines. Funding proposals will be required for any recommendations that require capital or operational upgrades.</td>
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<td>Regulatory response may be required following completion of research and pilot</td>
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<td>Q4</td>
<td>Q1</td>
<td>Q2</td>
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<tr>
<td>Mayoral Office</td>
<td>Mayoral Housing Taskforce Steering Group</td>
<td>Oversee the progress and implementation of the June 2017 Mayoral Housing Taskforce report.</td>
<td>Setup, agree and approve membership of group Receive six-monthly updates</td>
<td></td>
<td>Q4</td>
<td>Q1</td>
</tr>
<tr>
<td>Governance</td>
<td>Auckland Council Top Risk Register</td>
<td>The Audit and Risk Committee will refer the risk register to the Governing Body every quarter.</td>
<td>Note the top risk register and risk heat map Receive quarterly reports</td>
<td></td>
<td>Q4</td>
<td>Q1</td>
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<tr>
<td>Governance</td>
<td>Te Tiriti o Waitangi / Treaty of Waitangi</td>
<td>The Crown negotiates settlements with iwi on a confidential basis and from time to time invites Council to express its views. The Te Tiriti o Waitangi / Treaty of Waitangi Settlement Working party is accountable to the Governing Body and reports its findings to the Governing Body.</td>
<td>Approve submissions to the Crown as and when required Approve establishment and on-going implementation of co-management and other governance arrangements</td>
<td></td>
<td>Q4</td>
<td>Q1</td>
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<td>Item 13</td>
<td>Lead</td>
<td>Area of work</td>
<td>Reason for work</td>
<td>Governing Body role (decision or direction)</td>
<td>Budget/ Funding</td>
<td>Expected timeframes</td>
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<td><strong>Finance</strong> Approve terms of reference for reviews</td>
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<td><strong>Q4</strong></td>
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<td>Value for Money</td>
<td>Required under section 17A of the Local</td>
<td>Group Procurement Report 27/6/18 decision</td>
<td><strong>Q1</strong></td>
<td><strong>Q2</strong></td>
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<td>Reviews (s17A)</td>
<td>Government Act 2002</td>
<td>GB/2018/98</td>
<td><strong>Q3</strong></td>
<td><strong>Q4</strong></td>
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<td>Group Financial Services Report 27/9/18 decision</td>
<td>Within current baselines.</td>
<td><strong>FY18/19</strong></td>
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<td></td>
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<td>GB/2018/146</td>
<td><strong>FY19/20</strong></td>
<td><strong>Apr-Jun</strong></td>
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<td>Legal and Risk Management Report 22/11/18 decision</td>
<td><strong>Jul-Sep</strong></td>
<td><strong>Oct-Dec</strong></td>
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<td></td>
<td></td>
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<td>GB/2018/189</td>
<td><strong>Nov</strong></td>
<td><strong>Jan-Mar</strong></td>
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<td>Human Resource Management Services Report</td>
<td><strong>Feb</strong></td>
<td><strong>Mar</strong></td>
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<td>28/3/19 decision GB/2019/21</td>
<td><strong>Mar</strong></td>
<td><strong>May</strong></td>
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<td><strong>Jun</strong></td>
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<td>Item 13</td>
<td><strong>COMPLETED</strong></td>
<td>Q3 FY17/18</td>
<td>Q4</td>
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<td><strong>Governance</strong></td>
<td>2018 Local Government New Zealand Conference and Annual General Meeting</td>
<td>The Governing Body sends representatives to the conference and as delegates to the Annual General Meeting</td>
<td><strong>Approve</strong> presiding delegate to Annual General Meeting</td>
<td><strong>Approve</strong> three other delegates to Annual General Meeting</td>
<td><strong>Approve</strong> councillors to attend conference</td>
<td>Progress to Date: Report was considered 22/3/18</td>
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<tr>
<td><strong>People and Performance</strong></td>
<td>Remuneration Policy</td>
<td>The current Remuneration Policy was adopted in 2014. The policy provides high-level guidance for all remuneration decisions made by the council. The policy is also supported by operational guidelines and policies. Under the Local Government Act 2002 (Schedule 7, section 36A) the policy must be reviewed every three years.</td>
<td><strong>Approve</strong> the change to the policy.</td>
<td>Progress to Date: Report considered 22/3/18</td>
<td>Approved 22/3/18 GB/2018/42</td>
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<td><strong>Chief Planning Office</strong></td>
<td>Auckland Plan Refresh</td>
<td>The Auckland Plan was approved in 2012 and a commitment made to a refresh within six years. A refresh will ensure that the Auckland Plan remains current and will inform Long-term Plan 2018-2028 prioritisation and budget decisions.</td>
<td><strong>Approve</strong> refresh of Auckland Plan</td>
<td>Progress to Date:</td>
<td>Various workshops throughout 2017/2018</td>
<td>Adopted summary information 21/2/18 GB/2018/25</td>
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<tr>
<td><strong>Chief Financial Office</strong></td>
<td>Long-term Plan 2018-2028</td>
<td>Statutory Process • Consultation process – including hearings for community to be heard and local board engagement meetings (Have Your Say events). Approach to communication of investments in local board areas to be considered • Elected members consideration of feedback • Decision-making for Long-term Plan 2018-2028 • Long-term Plan 2018-2028 adoption</td>
<td><strong>Adopt</strong> consultation document and supporting material</td>
<td><strong>Adopt</strong> Long Term Plan and set rates</td>
<td>Progress to Date:</td>
<td>Various workshops throughout 2017/2018</td>
</tr>
<tr>
<td>Item 13</td>
<td>Attachment A</td>
<td>Chief Financial Officer</td>
<td>Regional Fuel Tax Proposal</td>
<td>Auckland Council consulted on its 10-year Budget 2018-2028 (LTP), part of which asked if there was support for a Regional Fuel Tax. A report on the consultation undertaken is required by legislation to be submitted to the Ministers of Transport and Finance.</td>
<td>Approve a Regional Fuel Tax for Auckland</td>
<td>Progress to Date:</td>
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<tr>
<td>Governance</td>
<td>Advisory Panels</td>
<td>The Governing Body appoints members to advisory panels, as required.</td>
<td>Approve appointments to advisory panels</td>
<td>Progress to Date:</td>
<td>Initial appointments to demographic panels 23/3/17 Conf</td>
<td>Appointments to the Youth Advisory Panel 25/5/17 Conf</td>
</tr>
<tr>
<td>People and Performance</td>
<td>Chief Executive’s Employment Review Process</td>
<td>Under the Local Government Act 2002, a local authority Chief Executive is appointed for a five year term. Schedule 7 of the Act gives the option of a two year extension if Council undertakes a formal employment review at least six months before the expiry of the current contract. The Governing Body is responsible for the review.</td>
<td>Approve performance objectives</td>
<td>Agree to the review of the chief executive performance before 30 June 2018</td>
<td>Delegate the review if desired</td>
<td>Decision on chief executives contract</td>
</tr>
<tr>
<td>Governance</td>
<td>Independent Maori Statutory Board funding</td>
<td>The Local Government (Auckland Council) Act 2009 (LGACA) requires Auckland Council to meet the reasonable costs of the Independent Māori Statutory Board (IMSB) board’s operations, secretariat, the establishment of committees, and seeking and obtaining advice (Schedule 2, clause 20, sub-clause 1, LGACA)</td>
<td>Approve 2018/2019 funding agreement</td>
<td>Progress to Date:</td>
<td>Report received 27/6/18 and funding approved GB/2018/94</td>
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<tr>
<td>Governing Body</td>
<td>Item</td>
<td>Progress to Date</td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
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<td>Chief Financial Office</td>
<td>Annual Report</td>
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<td>Adopt Annual Report</td>
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<td>Q2</td>
<td>Q3</td>
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<td>Mayoral Office Governance</td>
<td>Terms of Reference</td>
<td></td>
<td>Adopt the Terms of Reference</td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
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<tr>
<td>People and Performance</td>
<td>Health, Safety and Wellbeing</td>
<td></td>
<td>Receive the quarterly Health, Safety and Wellbeing Report</td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
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<td>Governance</td>
<td>Accountability Review of council-controlled organisations</td>
<td></td>
<td>Approve objectives as basis of review</td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
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<tr>
<td>Governance</td>
<td>Representation Review</td>
<td></td>
<td>Approve the process for conducting the review of representation arrangements</td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
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**Summary of Governing Body information memorandum, briefings and Forward Work Programme - 30 May 2019**

**Attachment A**

**Item 13**
<table>
<thead>
<tr>
<th>Item 13</th>
<th>Attachment A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Social Policy and Bylaws</strong></td>
<td><strong>On-site Wastewater Bylaw</strong></td>
</tr>
</tbody>
</table>
| Legislative requirement to review legacy bylaws by 31 October 2020. | Approve statement of proposal #
Make/Amend/Revoke the bylaw. *Public notification is required for bylaw reviews even if no change to the bylaw is recommended. |
| **Progress to Date:** | Q1 | Q2 | Q3 | Q4 |
| Approve the statement of proposal 26/7/18 GB/12018/121 | | | | |
| Hearings Panel report 25/10/18 and decision GB/2018/174 | | | | |
| Within current baselines. | | | | |
| **Financial Strategy and Planning** | **Contributions Policy** |
| The Local Government Act requires Council to review the policy every three years. Consultation and adoption must be done by 1 July 2018 | Adopt policy |
| **Progress to Date:** | Q1 | Q2 | Q3 | Q4 |
| Agree to consultation 30/4/18 GB/2018/79 | | | | |
| Agree extension until new policy in place 27/6/18 GB/2018/96 | | | | |
| Workshop – 15/10/18 | | | | |
| Report for consultation 18/10/18 GB/2018/166 | | | | |
| Stakeholder Submissions | | | | |
| Workshop – 23/11/18 | | | | |
| Feedback Session – 28/11/18 | | | | |
| Workshops – 29/11/18 and 6/12/18 | | | | |
| Report on feedback and adoption 13/12/18 GB/2018/206 | | | | |
| **Social Policy and Bylaws** | **Health and Hygiene Bylaw** |
| Legislative requirement to review the bylaw and policy after five years. | Approve statement of proposal #
Make/Amend/Revoke the bylaw. *Public notification is required for bylaw reviews even if no change to the bylaw is recommended. |
| **Progress to Date:** | Q1 | Q2 | Q3 | Q4 |
| Approve the statement of proposal 26/7/18 GB/2018/120 | | | | |
| Hearings Panel Report and confirm the bylaw 22/11/18 GB/2018/187 | | | | |
| **Social Policy and Bylaws** | **Public Safety and Nuisance Bylaw Review** |
| Legislative requirement to review bylaw within five years. Committee resolution to “commence the review of the Public Safety and Nuisance Bylaw 2013 at an early date”. | Approve statement of proposal #
Make/Amend/Revoke the bylaw. *Public notification is required for bylaw reviews even if no change to the bylaw is recommended. |
<p>| <strong>Progress to Date:</strong> | Q4 | Q1 | Q2 | Q3 |
| Report to Approve the statement of proposal 27/9/18 GB/2018/148 | | | | |
| Panel report to approve bylaw 28/3/19 GB/2019/22 | | | | |</p>
<table>
<thead>
<tr>
<th>Governance</th>
<th>2019 Local Government New Zealand Conference and Annual General Meeting</th>
<th>The Governing Body sends representatives to the conference and as delegates to the Annual General Meeting</th>
<th>COMPLETED</th>
<th>Q4</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governance</td>
<td>Advisory Panels</td>
<td>The Governing Body appoints members to advisory panels, as required.</td>
<td>Approve</td>
<td></td>
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<tr>
<td></td>
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<td>appointments to advisory panels</td>
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<td>Progress to Date:</td>
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<td>Replacement members appointed to Youth Advisory Panel open process report</td>
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<td></td>
<td></td>
<td></td>
<td>25/10/18 GB/2018/177 decision made in confidential</td>
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</tbody>
</table>
Notice of Motion - Councillor Lee - Civic Administration Building

File No.: CP2019/08301

Whakarāpopototanga matua
Executive summary

1. Councillor Mike Lee has given notice of a motion that he wishes to propose.
2. The notice of motion, signed by Councillor Mike Lee and Councillor John Watson as seconder, is appended as Attachment A.

Motion

That the Governing Body:

a) instruct Panuku – Development Auckland to suspend any sale or transfer of ownership of the historic City Administration Building until the Council has been provided with a full report of the commercial details of the proposed transaction, including the price, and how the outstanding heritage concerns relating to this Category A listed building have been resolved.

Ngā tāpirihanga
Attachments

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A0</td>
<td>Signed Notice of Motion</td>
<td>149</td>
</tr>
</tbody>
</table>

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sarndra O'Toole - Team Leader Governance Advisors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>Stephen Town - Chief Executive</td>
</tr>
</tbody>
</table>
Councillors’ Office

27 March 2019

Stephen Town
Chief Executive Officer
Auckland Council
135 Albert Street
Auckland, 1142.

Dear Stephen

Notice of Motion – Civic Administration Building

In terms of Standing Order 2.5.1 I give notice that we wish to move the following motion at the Governing Body Meeting of 2nd May 2019.

That Auckland Council instructs Panuku - Development Auckland to suspend any sale or transfer of ownership of the historic Civic Administration Building until the Council has been provided with a full report of the commercial details of the proposed transaction, including the price, and how the outstanding heritage concerns relating to this Category A listed building have been resolved.

Mover: Michael Lee
Auckland Councillor
Waitematā & Gulf

Seconder: John Watson
Auckland Councillor
Albany
Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Governing Body

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 Civic Administration Building - sale and redevelopment

<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>
</table>
| 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. | s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.  
s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest. | 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. |

In particular, Civic Lane Limited has spent significant time and investment to date and is still finalising its funding arrangements to undertake the redevelopment. Release of the information in the report and/or councillor’s debate on the development agreement and the redevelopment of the Civic Administration Building may affect Civic Lane Limited’s commercial position on pre-sales of the apartments and/or its funding approvals and the development agreement requires the parties to keep the development agreement and all information in relation to the redevelopment opportunity in confidence and breach of this obligation may result in Civic Lane Limited, or other like developers, from disclosing similar information.