I hereby give notice that an ordinary meeting of the Heritage Advisory Panel will be held on:

Date: Tuesday, 25 June 2019
Time: 5.30pm
Meeting Room: Level 2, Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Ngā Hui a te Rōpū Kaitohutohu Taonga Tuku Iho / Heritage Advisory Panel

OPEN AGENDA

MEMBERSHIP

Chairperson  Cr Mike Lee
Deputy Chairperson  Helen Geary
Members  Elizabeth Aitken-Rose
Graeme Burgess
John Burns
Leyton Chan
Rau Hoskins
Sally Hughes
Allan Matson
Claudia Page
Bill Rayner
Sherry Reynolds
David Veart
Lorraine Wilson

(Quorum 8 members)

Sonya Inger
Governance Advisor
19 June 2019
Contact Telephone: (09) 977 6050
Email: sonya.inger@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.
The terms of reference set out the purpose, role and protocols of the Panel. Panel members abide by the Code of Conduct for members of Auckland Council advisory panels.

**Purpose**
As one of council’s engagement mechanisms with diverse communities, the demographic advisory panels provide advice to the governing body and council staff within the remit of the Auckland Plan on the following areas:

- Auckland Council’s regional policies, plans and strategies
- Regional and strategic matters including those that Council-Controlled Organisations deal with any matter of particular interest or concern to diverse communities.

**Outcomes**
The panel’s advice will contribute to improving the outcomes of diverse communities and social cohesion as set out in the Auckland Plan. The panel will advise through their agreed strategic agenda and detailed work programme.

**Strategic agenda and work programme**
The panel must develop a work programme and set a strategic agenda for the term. The agendas should be focused and integrated across the panels for collaborative input into shared agendas, particularly on the Auckland Plan, the Long-term Plan and annual plans. The panel should advise on council’s organisational strategies relevant to diverse communities.
The governing body and council staff should work with the panel for the development of their strategic agendas and work programme. An appropriate committee will approve the panel’s work programme and any subsequent major changes to it.

**Submissions**
The panel must not make formal submissions to Auckland Council on council strategies, policies and plans, for example, the annual plan. In its advisory role to the council, the panel may have input to submissions made by the council to external organisations but do not make independent submissions, except as agreed with the council. This does not prevent individual members being party to submissions outside their role as panel members.

**Review**
The form and functioning of the panels may be reviewed prior to or after, the end of the panel’s term in September 2019.
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1 Apologies

Apologies were received from Members Graeme Burgess and Sherry Reynolds.

2 Declaration of Interest

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

3 Confirmation of Minutes

That the Heritage Advisory Panel:

a) confirm the ordinary minutes of its meeting, held on Tuesday, 30 April 2019, as a true and correct record.

4 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.”
AMETI Archaeological Survey Panmure

File No.: CP2019/11039

Te take mō te pūrongo
Purpose of the report
1. To provide a further update on progress with the AMETI (Auckland Manukau Eastern Transport Initiative) project.

Whakarāpopototanga matua
Executive summary
2. Staff will provide an update on the AMETI archaeological survey at Panmure.

Ngā tūtohunga
Recommendation
That the Heritage Advisory Panel:
   a) receive the update.

Ngā tāpirihanga
Attachments
There are no attachments for this report.

Ngā kaihaina
Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Noel Reardon - Manager Heritage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authoriser</td>
<td>John Duguid - General Manager - Plans and Places</td>
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</table>
Auckland cultural heritage institutions review

File No.: CP2019/10585

Te take mō te pūrongo
Purpose of the report
1. To provide Heritage Advisory Panel members with an update on the Auckland cultural heritage institutions review process.

Whakarāpopototanga matua
Executive summary
2. The Governing Body approved terms of reference for Stage 2 of this review at its meeting on 30 May 2019.
3. Attached is a report setting out the review background and proposed process as well as the terms of reference.
4. Links to relevant documents are also provided in the attached report.
5. Any comments that the panel wishes to make regarding the process can be passed on.
6. Further opportunities for panel engagement can be arranged once the project commences.

Ngā tūtohunga
Recommendation
That the Heritage Advisory Panel:
   a) receive the report.

Ngā tāpirihanga
Attachments

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<th>No.</th>
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Ngā kaihaina
Signatories

Author: Noel Reardon - Manager Heritage
Authoriser: John Duguid - General Manager - Plans and Places
Memorandum

To: Heritage Advisory Panel
Subject: Auckland cultural heritage institutions review
From: Edward Siddle, Principal Advisor, CCO Governance

Purpose

To provide an update on the Auckland cultural heritage institutions review. Governing Body approved terms of reference for Stage Two of this review at its meeting on 30 May 2019.

Summary

1. 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 Museum, Museum Of Transport And Technology, New Zealand Maritime Museum, and Stardome Observatory and Planetarium.

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

3. As stage 1 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 2 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 3).

4. The key purposes of stage 2 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.

5. The approved terms of reference for stage 2 are attached to this memo. 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.

6. Next steps include project establishment through 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. Staff from Auckland Council in the core team suggest keeping the Heritage Advisory Panel advised of progress as an interested stakeholder (see project diagram, “other stakeholders” box).
Context
7. Auckland Council invests more than $60 million each year in several major cultural heritage institutions and facilities including Auckland Museum, Auckland Art Gallery, Museum of Transport and Technology (MOTAT), Stardome Observatory and Planetarium and the New Zealand Maritime Museum. 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.

Stage one of the review
8. Stage one of the review began when governing body approved terms of reference in May 2017. The terms of reference 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.

9. Subsequently, council employed a consultant to provide advice on the issues and options for the sector. This report (the Stafford report) was received in October 2018 and can be viewed at http://knowledgeauckland.org.nz/publication/?mid=2666&DocumentType=1&.

10. While the conclusions and some of the report detail were not universally agreed with by the institutions (and have not been formally endorsed by council), 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.

11. One of the first tasks for stage 2 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.

12. 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.

Stage two of the review
13. 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. The terms of reference were approved by Governing Body on 30 May 2019:

   http://infocouncil.aucklandcouncil.govt.nz/Open/2019/05/GB_20190530_AGN_8398_AT.PDF

14. The 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 its investment, and to what degree it is already being undertaken by our institutions, and what may need to change.

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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.
15. Toi Whītiki (the Auckland Arts and Culture Strategic Action Plan, 2015) guides council arts, culture and heritage priorities. The strategic priorities which we expect to emerge from stage 2 of the cultural heritage review will sit at a lower level than Toi Whītiki.

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

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

18. Stage 2 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”. A report Council commissioned on this aspect can be viewed here: http://knowledgeauckland.org.nz/publication/?mid=2859&DocumentType=1&

19. 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.

20. 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.

Process for stage 2 of the review

21. The project structure is shown in the terms of reference document. The structure reflects the intended collaborative nature of stage 2. 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.

Out of scope of stage 2

22. 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.

23. Similarly, Auckland’s smaller institutions are part of stage 2 by way of the ‘other Auckland institutions’ group which will be established, so that these organisations can have input. When the programme moves into stage 3 (implementation of any changes), local boards are likely to have a particular interest as it affects institutions within their particular local board area.

24. Built heritage is not intended to be addressed directly, because the focus is on heritage collecting institutions. As the project develops however, the relationship of built historic heritage and heritage institutions can be considered. We would be interested in discussing this with the Heritage Advisory Panel at an appropriate time.

Next steps

25. The broad timeline for the review programme is included in the terms of reference. Recommendations on any significant changes will need to be consulted on through the 2021-2031 long-term plan process which will begin in late 2020.
26. The immediate next steps are to establish the project governance, working and stakeholder groups. This will occur over the next few months.
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 Planetarium1 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>
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<tbody>
<tr>
<td>By enabling institutions to act as kaitiaki for the collections of Tāmaki Makaurau and Aotearoa, the investment of Council:</td>
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<tr>
<td>• protects and enhances the collective memory of Tāmaki Makaurau and New Zealand</td>
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<tr>
<td>• lays the foundation for new ideas and delivers fresh insights</td>
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<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 Whiti^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

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2 Toi Whiti 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:
• 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.

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<tr>
<th>Milestone</th>
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<tbody>
<tr>
<td>Terms of reference approved</td>
<td>May 2019</td>
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<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>
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<tr>
<td>Planning for implementation of any changes, including approaching central government, if relevant</td>
<td>November 2020</td>
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<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.
Te take mō te pūrongo
Purpose of the report
1. To update Heritage Advisory Panel members on heritage items of interest.

Whakarāpopototanga matua
Executive summary
2. Plan Change 27: Additions to Schedule 14 Historic Heritage Schedule
   Two appeals have been received:
   WL Property Investment Ltd v Auckland Council
   This appeal relates to ID 02808 Bridgens and Company shoe factory (former) at 326 New North Road, Kingsland. The appellant is seeking a reduction in the extent of place relating to this place and for the windows and window frames within the existing window openings along the western façade to be identified as exclusions.
   The appellant has sought an adjournment of the appeal, to allow them to apply for resource consent to undertake modifications to the former shoe factory building. Council has agreed to this adjournment.
   Housing New Zealand Corporation v Auckland Council
   This appeal relates to ID 02812 First State Pensioner Housing at 6-12 Pelham Avenue, Point Chevalier. The appeal seeks the deletion of ID 02812 from Schedule 14.1 claiming the scheduling of the pensioner flats does not strike an appropriate balance between the protection of identified historic heritage values and the ongoing efficient use and development of the flats. The appeal states that the National Policy Statement – Urban Development Capacity requires “that a wide and thorough assessment of the plan change be undertaken to determine that the historic heritage value of the place is greater than the value of the development potential forgone due to the restrictions imposed on building because of the scheduling”.

3. Plan Change 10 Alterations to the Schedule
   One appeal has been received.
   Auckland Synagogue & Community Centre on Greys Avenue (ID#1975) from the Auckland Hebrew Congregation.
   The PC10 decision agreed with the congregation’s position that the Synagogue should be a Category B place, not a Category A place (being the Council’s position).
   The congregation argued this change in category would reflect the reduced heritage significance of this place following the extensive interior modifications that were undertaken in the mid-2000s.
   The PC10 decision however agreed with the Council on all other points, stating our approach “…result(s) in a more inclusive approach to the main exterior and interior features of the building”.
   The congregation’s appeal now seeks to exclude the majority of the interior from the scheduling and reduce the heritage values identified in Schedule 14.1.
4. **St James Church/Hall Mt Eden**
   Following the Environment Court decision to grant consent to demolish the Category B listed St James Church Hall the court has awarded costs against the Council to the order of $160,000.

5. **Proposed Plan Change 26 Special Character Areas Overlay - Residential**
   The Proposed Plan Change forms a policy response to Environment Court Declaration Auckland Council v London Pacific Family Trust regarding the Special Character Area Overlay – Residential, and its relationship with the relevant underlying zone, predominantly the Residential Single House Zone (SHZ). A memo to councilors setting out the background and proposed change is attached.

**Ngā tūtohunga**

**Recommendation**
That the Heritage Advisory Panel:

a) receive the Heritage Manager’s report.

**Ngā tāpirihanga**

**Attachments**

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**Ngā kaihaina**

**Signatories**

<table>
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<tr>
<th>Author</th>
<th>Noel Reardon - Manager Heritage</th>
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<tr>
<td>Authoriser</td>
<td>John Duguid - General Manager - Plans and Places</td>
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Memo

11th June 2019

To: Planning Committee Members
cc: John Duguid
From: Phill Reid – Auckland-wide Planning Manager, Plans and Places Department

Subject: Auckland Unitary Plan (Operative in Part) (AUP) Special Character Areas Overlay – Residential

Committee members may be fielding enquiries resulting from a public notification mail out associated with proposed plan change 26.

The purpose of this memo is to inform you about proposed plan change 26 to the Auckland Unitary Plan (Operative in part) (AUP). The proposed plan change relates to the provisions of chapter D18, the Special Character Areas Overlay – Residential (SCA Residential) and chapter E38 Subdivision - Urban. The proposed plan change was notified on 30 May 2019 and submissions close on 28 June 2019.

Background

The Proposed Plan Change forms a policy response to Environment Court Declaration Auckland Council v London Pacific Family Trust regarding the Special Character Area Overlay – Residential, and its relationship with the relevant underlying zone, predominantly the Residential Single House Zone (SHZ). The Court’s decisions on the Declaration proceedings clarified that unless there is a specific rule that allows it, overlay provisions do not replace those within the underlying zones, and that all rules relevant to an activity must be applied under the general rules of the Unitary Plan. The decision required a change in the Council’s approach to the relationship between the SCA Residential and the underlying SHZ. The Declaration requires that both sets of rules are considered in consent assessments, as it is not specified that the overlay prevails.

As a result of the Declaration, consent applications must be considered against the provisions of both the SCAR and the underlying zone. However, having two standards controlling the same effect (e.g. two different height in relation to boundary standards) is causing difficulty for assessments and for plan users, and it is unclear which provision should be used to determine the appropriate building envelope. More fundamentally, the SCAR provisions do not function as they were intended.
Overview of the proposed plan change

Key points:

- Proposed Plan Change does not amend the AUP provisions relating to additions and alterations to buildings within Special Character overlay areas;
- Proposed Plan Change does not amend the AUP provisions relating to demolition within Special Character overlay areas;
- Proposed Plan Change does not amend the spatial application of the Special Character overlay areas within the AUP maps; and
- Proposed Plan Change does not involve any fundamental policy shift for the AUP management of Special Character areas.

The purpose of the proposed plan change is to clarify the intended relationship of the SCA Residential with the relevant underlying zone. It is intended that where there are equivalent standards, then the standard in the SCA Residential will prevail over the underlying zone. The proposed changes are all contained within Attachment 6 - Proposed Plan Change 26: Amendments to Chapter D18 & Chapter E38, hyperlinked here for your convenience.

Proposed changes:

Activity table:
The preamble to the Activity Table is proposed to be modified and is to state that where the activity status of an activity specified in the Special Character Overlay chapter is different to the corresponding activity status in the underlying residential zone, then the activity status in the Special Character Overlay chapter takes precedence over the activity status in the underlying residential zone (whether or not that activity status is more restrictive).

Notwithstanding the following activities in the activity table remain unchanged:

- **Demolition of buildings**
  Demolition exceeding 30% or more, of buildings within a Special Character Overlay area will require a restricted discretionary resource reconsent be applied for.

- **Additions and alterations**
  External additions and/or alterations to a building within a Special Character Overlay area will require a restricted discretionary resource reconsent be applied for.

- **New Buildings**
  Construction of a new building within a Special Character Overlay area will require a restricted discretionary resource reconsent be applied for.
Following are the proposed additions to the activity table:

- **Fences and walls**
  (incorrectly omitted from the current Activity Table)
  - New fences and walls, and alterations to existing fences and walls that comply with the updated Special Character Overlay fences and walls standard are permitted.
  - New fences and walls and alterations to existing fences and walls that do not comply with the updated Special Character Overlay fences and walls standard will require a restricted discretionary resource reconsent be applied for.

**Development standards;**

The proposed plan change intends to make it clearer for people to understand which rule to apply to their developments on residential sites that sit under the Special Character Overlay.

For the following standards, those residential sites covered by the Special Character Overlay are to apply the rule from the Special Character Overlay chapter and disregard the corresponding rule found within the underlying residential zoning chapter. Each standard has been modified by adding a purpose statement.

**Building Height**
- Maximum height of 8m.
- This rule has been modified by adding a purpose statement.
- The rule and its specified height has not changed.

**Height in relation to boundary**
- Height in Relation to Boundary standard of 3m and a 45° recession plane to apply to sites with a road fronted boundary less than 15m in width.
- This standard has been modified by specifying the 15m front boundary length trigger.
- For sites 15m and wider, the underlying residential zone height in relation to boundary standard applies
- The Height in relation to boundary specified dimensions have not changed.

**Yards**
- The average front yard setback dimension and the 1.2m side yard standard is to apply.
- The 3m rear yard requirement is to be deleted deferring to the underlying zoning rear yard standard being 1m.

**Building Coverage**
- The standard stipulates building coverage maximums informed by the existing net site area.
- The rule and its specified coverages have not changed.

**Lanscaped area**
- The standard stipulates minimum required landscaped area percentages relative to the existing net site areas.
- The rule and its specified percentage coverages have not changed.
Heritage Advisory Panel
25 June 2019

Attachment A

Item 7

Maximum impervious area

- The standard stipulates Maximum impervious area coverage maximums informed by the existing net site area regardless of the corresponding Maximum impervious area standard.
- This rule in the Special Character Overlay chapter has been modified by substituting ‘impervious’ for ‘paved’.
- The percentage coverage maximums listed now include the building coverage and other impervious areas such as driveways.

Fences and walls

- The standard stipulates that any new fences to be constructed forward of the line of the front façade of the building are to be to a maximum height of 1.2m.
- All other fencing behind the line of the front façade of the building shall be 2m in height.
- This rule in the Special Character Overlay chapter has been modified by clarifying at what point the fence heights are different along the side fence.

Other changes:

- Additional matter of discretion & assessment criteria for restricted discretionary activities requiring that infringement of the aforementioned standards require additional assessment against the matters of discretion & assessment criteria of the underlying zoning.

Subdivision

- Those residential sites covered by the Special Character Overlay - Sub Areas (e.g. Isthmus A – North Shore Area A) are to apply the Special Character Overlay subdivision standards from the Subdivision - Urban chapter which stipulates minimum vacant lot site areas.
- This is to replace the corresponding minimum vacant lot site areas of the underlying residential zoning found in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.
- The rule and its specified minimum vacant lot site areas have not changed.

Phill Reid

Auckland-wide Planning Manager,
Plans and Places Department
Te take mō te pūrongo

Purpose of the report

1. To provide a record of correspondence for the Heritage Advisory Panel’s information as follows:
   - Letter to Mayor P Goff on 13 May 2019 regarding deputation from SOUL (Save Our Unique Landscape) on the development at Ihumātao.
   - Letter from Mayor P Goff in response to letter of 13 May 2019 concerning Ihumātao.

Ngā tūtohunga

Recommendation

That the Heritage Advisory Panel:

a) receive the correspondence.

Ngā tāpirihanga

Attachments

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Ngā kaihaina

Signatories

<table>
<thead>
<tr>
<th>Author</th>
<th>Sonya Inger - Governance Advisor</th>
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<tr>
<td>Authoriser</td>
<td>Noel Reardon - Manager Heritage</td>
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Councillors’ Office
13 May 2019

Hon Phil Goff
Mayor of Auckland
125 Albert Street
Auckland

Dear Mr Mayor,

Ihumatao

Auckland Council’s Independent Heritage Advisory Panel received a deputation at its meeting of 30 April from members of SOUL, ‘Save Our Unique Landscape.’

The presentation from SOUL provided an update on Ihumatao as a matter of urgency. The reason for the urgency is that Council permits allowing Fletchers to start work at Ihumatao Quarry Road came into effect on 6 May 2019. The Panel requested that a letter be sent to yourself setting out the Heritage Advisory Panel’s support for the objectives of SOUL as well as requesting active engagement on this issue from the Auckland Council.

At the meeting the Panel passed the following recommendation.

That the Heritage Advisory Panel

a) receive the presentation from SOUL and thank Farrell Cleary, Nicola Short and Brendan Corbett for their attendance.

b) request the Chair to provide a letter to the Mayor in support of SOUL’s objectives including the matters SOUL raised at the meeting.

The matters that SOUL raised included the following:

- the 20,000 signature SOUL petition to the Government and Auckland Council presented to the Hon Phil Goff Mayor of Auckland and Councillor Penny Hulse on April 9, 2019,
- that the Auckland Council Governing Body take action (in line with the 20,000 signature SOUL Petition) to protect Puketaapapa (SHA62) for future generations, either by contributing to the purchase of the land or mandating a process that produces an outcome that affected parties can live with,
- that Auckland Council engage with SOUL, updating them on what work is being undertaken by the Māori Cultural Heritage Project on both the Historic Reserve and the Puketaapapa blocks (SHA 62)
- Auckland Council to work with SOUL on assessing the cultural heritage landscape values at Ihumatao
- Auckland Council to engage with SOUL updating them on the current status of adding Māori heritage sites on private land by Council including work being undertaken on the Puketaapapa Blocks (SHA62)
After receiving the presentation the Panel wishes to confirm its firm support to the people of Ihumātao and Makaurau Marae for the preservation of this outstanding area.

I have attached for your information previous resolutions of the Heritage Advisory Panel relating to this matter.

Yours sincerely,

[Signature]

Cr Michael Lee
Chair Heritage Advisory Panel
Previous Minutes of the Heritage Advisory Panel

At the 5 May 2016 meeting of the Heritage Advisory Panel.
Resolution number HER/2016/12

MOVED by Chairperson ME Lee, seconded by Member L Wilson:

That the Heritage Advisory Panel:

a) receive with gratitude the presentation from Member D Veart on the case to protect Ihumatao.

b) confirm its ongoing support of the people of Ihumatao.

CARRIED

At the 16 June 2015 heritage Advisory Panel meeting a presentation was provided on the Ihumatao Special Housing Area. Accordingly the Panel moved as follows:

Resolution number HER/2015/32

MOVED by Member B Rayner, seconded by Member E Aitken-Rose:

That the Heritage Advisory Panel:

a) thank Qiane Matata-Sipu, Waimarie McFarland, Brendan Corbett and Farrell Cleary for their presentation to the Heritage Advisory Panel on the Ihumatao Special Housing Area

b) express its deep concern about the likely impacts of the Ihumatao Special Housing Area development and recommends to the Auckland Development Committee that in regards to the Ouarangi Road, Mangere Special Housing Area, a thoroughgoing investigation of the heritage values (including natural, cultural and historic heritage) be undertaken as part of the Plan Variation process

c) request the Auckland Development Committee to please grant a public input request to Save Our Unique Landscape group to speak at an upcoming meeting as a matter of urgency

d) requests the Auckland Council Housing Project Office to please communicate with the Save Our Unique Landscape group as a matter of urgency

e) requests a presentation from the Auckland Council Housing Project Office on the Ihumatao development and Special Housing Areas in general to the Heritage Advisory Panel.

CARRIED
15 May 2019

Councillor Mike Lee
Chair, Heritage Advisory Panel

By email: Mike.Lee@aucklandcouncil.govt.nz

Copy to: Heritage Advisory Panel

Dear Councillor Lee

LETTER FROM HERITAGE ADVISORY PANEL RELATING TO IHUMATAO

Thank you for your letter of 14 May 2019, outlining the presentation that members of SOUL (Save Our Unique Landscape) gave to the Heritage Advisory Panel, and the panel’s support to SOUL’s cause. I appreciate you taking the time to communicate the panel’s feedback and recommendations to me.

SOUL have requested that Auckland Council Governing Body take action to protect the 33 hectares located next to Otatara, “either by contributing to the purchase of the land, or mandating a process that produces an outcome that affected parties can live with”.

I acknowledge this request and genuine intent of the Heritage Advisory Panel to help achieve an amicable resolution. You will be aware that the council has previously tried to zone the site as Open Space through a Notice of Requirement, which was successfully challenged in the Environment Court in 2012. The council was directed to remove the designation for park and to rezone the land future development, meaning it could be developed for either residential or business purposes in future.

As staff advised at the March 2019 workshop, purchase of the site is outside the council’s criteria as the area is already well endowed with public open space and there would not be justification for expenditure of up to $40 million on purchasing an additional site. This would come at the sacrifice of open space in other parts of the city where deficits have been identified.

At this same workshop, the council stated that the 8.9 hectare Rennie Homestead Block, located on another side of the site, can be rezoned as public open space. This site is council owned and currently zoned for future development. The offer to rezone this land is a contribution by the council towards a satisfactory resolution for all parties.

As an outcome of this workshop, Councillor Penny Hulse and I wrote to Minister for Conservation Eugenie Sage on behalf of the Governing Body (attached). We asked for clarification of Government’s position in relation to the Oruarangi development, noting that the area’s designation as a special housing development is one that can only be changed by the Minister of Housing.

Our letter also conveyed SOUL’s request for the government to act as mediators to seek resolution to the dispute. To date, we have not received a formal response from the Minister’s office.
With regard to SOUL’s objectives regarding cultural heritage, a review of the management of the Ōtaraua Stonefields Historic Reserve is now underway. The council-owned Rennie Homestead Block is being assessed for inclusion within the Reserve and protection in perpetuity.

I trust that this information is of use to you and thank you again for bringing the views of the Heritage Advisory Panel to my attention.

Yours sincerely

Phil Goff
MAYOR OF AUCKLAND