

I hereby give notice that an ordinary meeting of the Independent Māori Statutory Board will be held on:

Date: Monday, 5 August 2019
Time: 10.00am
Meeting Room: Ground Floor
Venue: 16 Viaduct Harbour Avenue
Auckland



Independent Maori Statutory Board

OPEN AGENDA

MEMBERSHIP

Chairperson	David Taipari
Deputy Chairperson	Glenn Wilcox
Members	IMSB Member Renata Blair
	IMSB Member James Brown
	IMSB Member Hon Tau Henare
	IMSB Member Terrence Hohneck
	IMSB Member Tony Kake
	IMSB Member Dennis Kirkwood
	IMSB Member Liane Ngamane

(Quorum members)

David Taipari
Chairperson

29 July 2019

Contact Telephone: 021 818 301
Email: brandi.hudson@imsb.maori.nz
Website: www.imsb.maori.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 Chief Executive Officer.



ITEM	TABLE OF CONTENTS	PAGE
1	Apologies	5
2	Declaration of Interest	5
3	Confirmation of Minutes	5
4	Extraordinary Business	5
5	Financial Management Report May 2019	7
6	Financial Management Report June 2019	15
7	Update Board Strategic Priorities Report - August 2019	23
8	Te Pae Raraunga Knowledge Exchange Steering Group	35
9	Kāinga Ora-Homes and Communities Bill	39
10	International Travel Approval	53
11	Retrospective International Travel Approval	55
12	Independent Māori Statutory Board Appointment to City Centre Masterplan Refresh.	59
13	Independent Māori Statutory Board Appointment to Review of Food Safety Bylaw 2013, options and proposed future direction.	61
PUBLIC EXCLUDED		
14	Procedural Motion to Exclude the Public	63
C1	Update on the Māori Plan Value Reports and Omnibus Report	63
C2	Research by Sapere: Public Transport and Usage and Fares	63
C3	Scoping Report on Freshwater Issues and Opportunities	63



1 Apologies

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

2 Declaration of Interest

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

3 Confirmation of Minutes

That the Independent Maori Statutory Board:

- a) confirm the ordinary minutes of its meeting, held on Monday, 8 July 2019, including the confidential section, 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.”



Financial Management Report May 2019

File No.: CP2019/14061

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receives the Financial Management Report to 31 May 2019

Te take mō te pūrongo Purpose of the report

1. the purpose of this report is to present the Independent Māori Statutory Board's (the Board) financial position as at 31st May 2019

Whakarāpopototanga matua Executive summary

2. The figures presented are exclusive of GST. The budget has been phased evenly over 12 months however, as the secretariat schedules the work to meet the Board's work plan, variances may occur. This report includes a visual representation of the Month to Date (MTD) spend and Year to Date (YTD) spend against budget.
3. Total expenditure is at 73.7%. We anticipate that the full budget will be spent by the end of the Financial year

Ngā tāpirihanga Attachments

No.	Title	Page
A	Financial Management Report May 2019	9
B	May 2019 MTD	11
C	May 2019 YTD	13

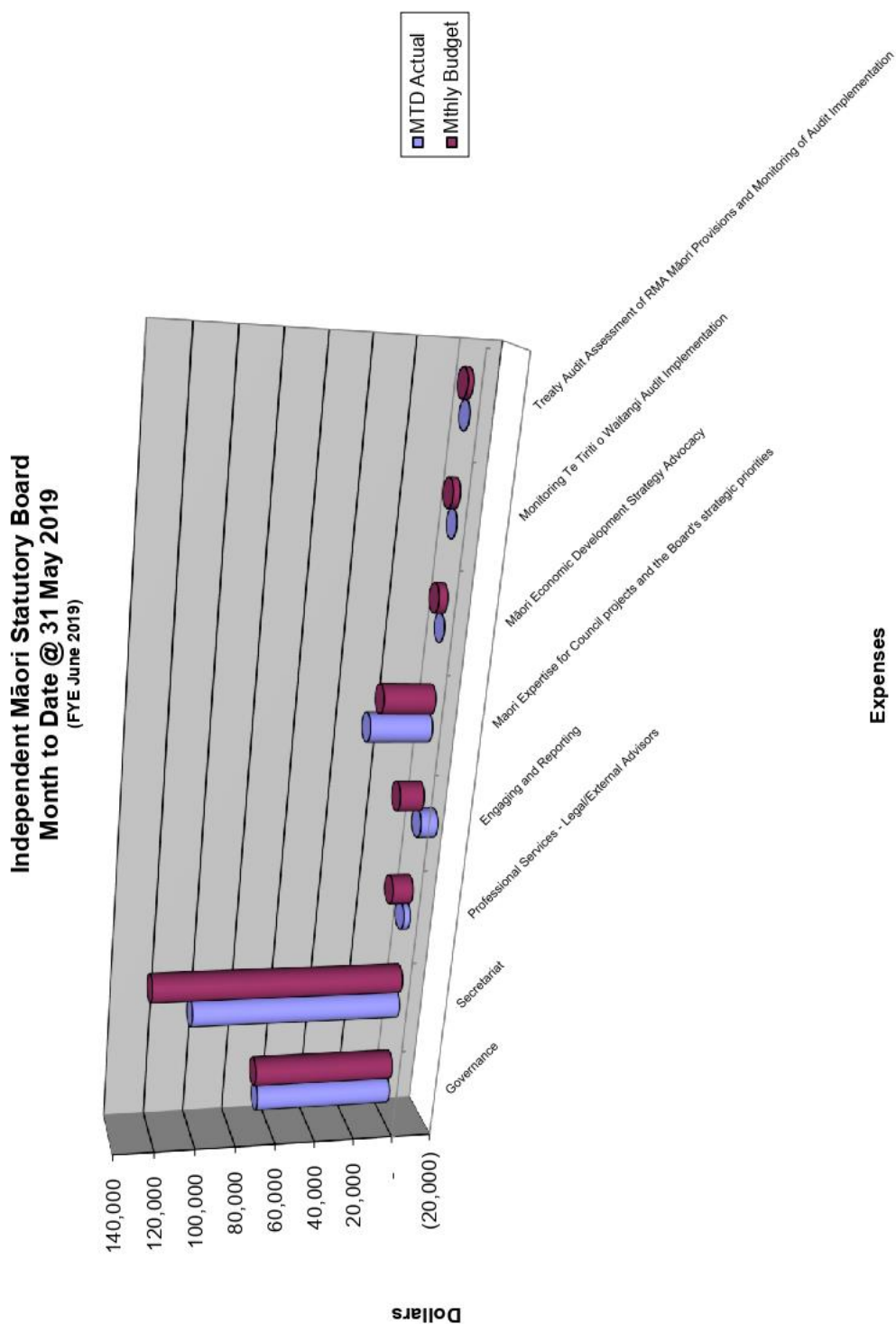
Ngā kaihaina Signatories

Authors	Kimiora Brown - Executive Finance and Office Manager
Authorisers	Brandi Hudson - Independent Maori Statutory Board CEO



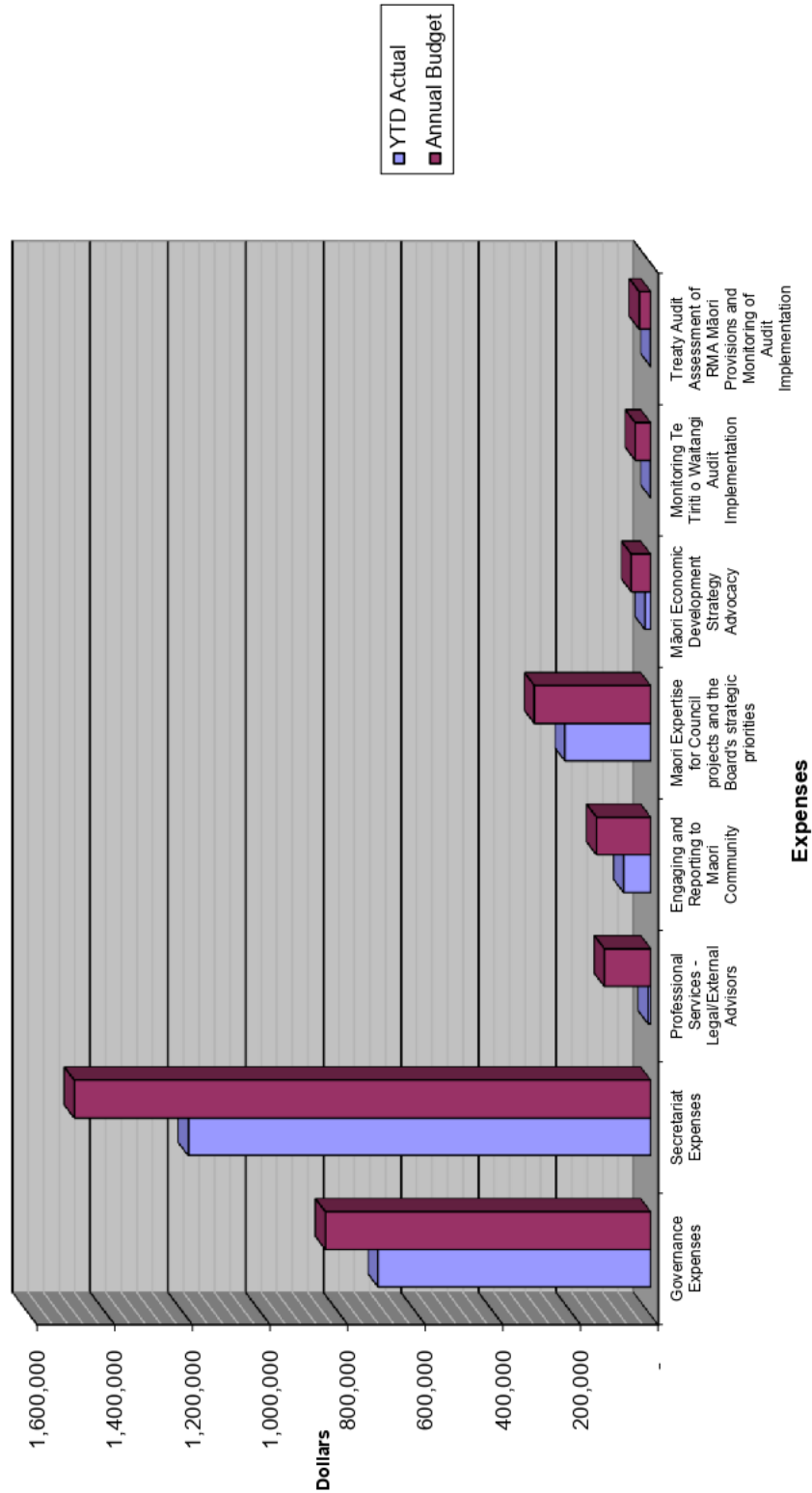
Financial Report for May 2019										
	Notes	Annual Budget Excl GST	Mthly Budget	May Expenses	Variance	% Variance	Previous YTD	Total YTD May 2019	Budget Remaining	% total budget
Governance										
Board Remuneration	1	740,760	61,730	65,048	(3,318)	-5.4%	613,717	678,765	61,995	91.6%
Expense Reimbursement		56,000	4,667	3,021	1,646	35.3%	19,839	22,860	33,140	40.8%
Training		42,000	3,500	0	3,500	100.0%	1,232	40,768	40,768	2.9%
Total Governance Expenses		838,760	69,897	68,069	1,827	2.6%	634,788	702,857	135,903	83.8%
Secretariat										
Temporary support				17,259			159,176	176,434		
Salary Expenses				86,487			831,600	918,088		
Totals to be covered by Secretariat Salaries		1,365,974	113,831	103,746	10,085	8.9%	990,776	1,094,522	271,452	80.1%
Office		119,000	9,917	15,950	(6,034)	-60.8%	80,992	96,942	22,058	81.5%
Total Secretariat Expenses		1,484,974	123,748	119,696	4,051	3.3%	1,071,768	1,191,464	293,510	80.2%
Professional Services	2									
Legal		60,000	5,000	3,133	1,867	37.3%	3,442	6,575	53,425	11.0%
Planning experts for monitoring Maori Provisions		60,000	5,000	-	5,000	100.0%	6,594	6,594	53,406	11.0%
Engagement & Reporting to Maori & Stakeholders		140,000	11,667	(8,347)	20,014	171.5%	78,566	70,219	69,781	50.2%
Total Professional Services		260,000	21,667	(5,214)	26,880	124.1%	88,602	83,388	176,612	32.1%
Work Program										
Maori Expertise for Council projects and the Board's strategic priorities		300,000	25,000	30,037	(5,037)	-20.1%	191,227	221,264	78,736	74%
Maori Economic Development Strategy Advocacy		50,000	4,167	-	4,167	100.0%	15,000	15,000	35,000	30%
Monitoring Te Tiriti o Waitangi Audit Implementation		40,000	3,333	-	3,333	100.0%	-	-	40,000	0%
Treaty Audit Assessment of RMA Maori Provisions and Monitoring of Audit Implementation		30,000	2,500	-	2,500	100.0%	-	-	30,000	0%
Total Operating Expenditure		3,003,734	250,311	212,589	37,722	15.1%	2,001,384	2,213,973	789,761	73.7%

Notes: 1 Board remuneration subject to any remuneration review as applied to council elected members.
2 In addition to the direct funding for Maori Specialist Expertise for Council Projects, \$130,000 will be held within council's budget with an agreed sign-off process between council and the IMSB to ensure there is no duplication of effort between the two organisations.
3 Our Service Level Agreement with Auckland Council covers to the value of \$454,891 and is not accounted for in this report





**Independent Māori Statutory Board
Year to Date @ 31 May 2019
(FYE June 2019)**





Financial Management Report June 2019

File No.: CP2019/14065

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receives the Financial Report to 30th June 2019

Te take mō te pūrongo Purpose of the report

1. The purpose of this report is to present the Independent Māori Statutory Board's (the Board) financial position as at 30th June 2019

Whakarāpopototanga matua Executive summary

2. The figures presented are exclusive of GST. The budget has been phased evenly over 12 months however, as the secretariat schedules the work to meet the Board's work plan, variances may occur. This report includes a visual representation of the Month to Date (MTD) spend and Year to Date (YTD) spend against budget.
3. Total expenditure is at 88.5% for the end of the Financial Year. We have yet to confirm the total expense from the Service Level Agreement from Auckland Council, last year it totalled \$335,135.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Financial Management Report June 2019	17
B	June 2019 MTD	19
C	June 2019 YTD	21

Ngā kaihaina Signatories

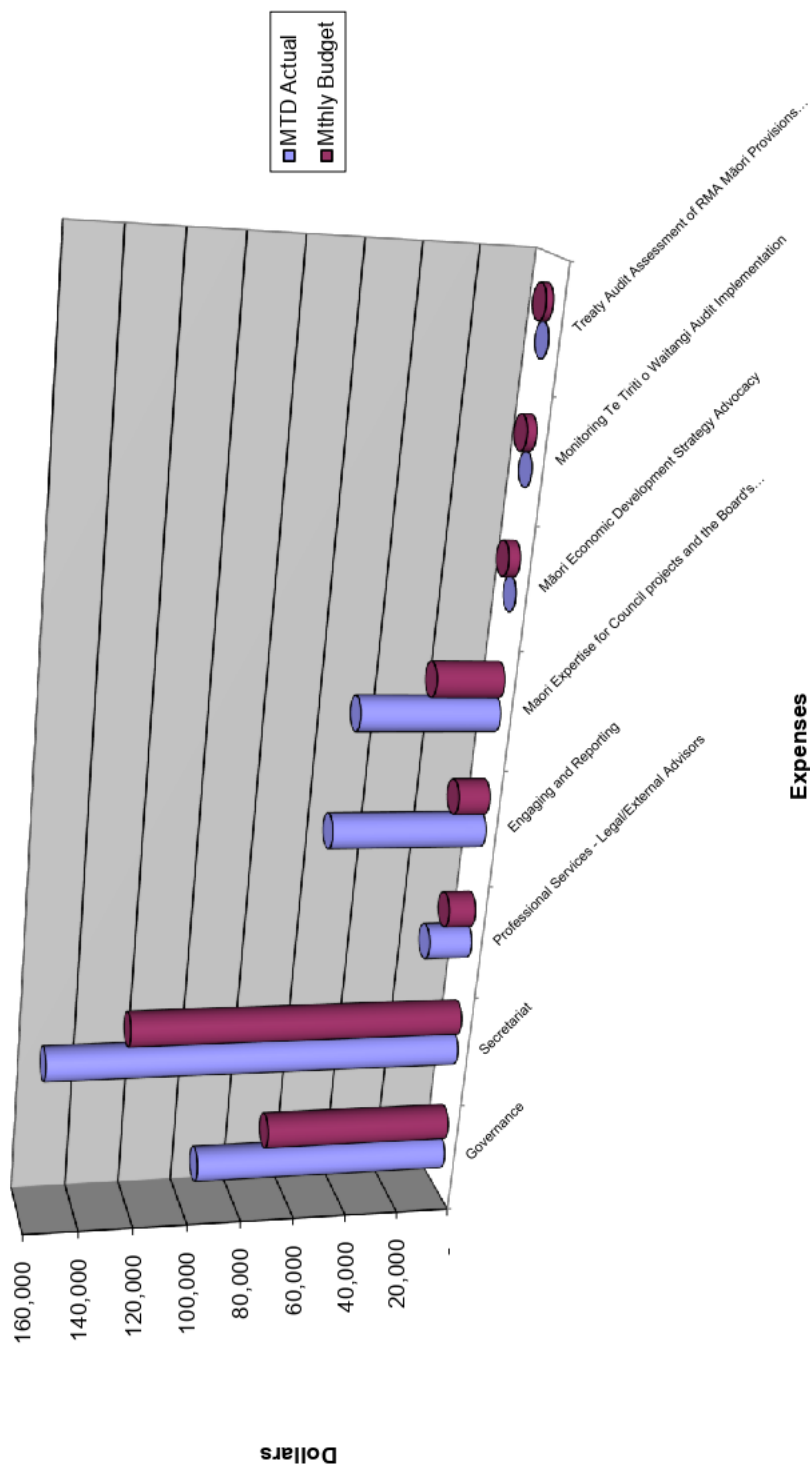
Authors	Kimiora Brown - Executive Finance and Office Manager
Authorisers	Brandi Hudson - Independent Maori Statutory Board CEO



Financial Report for June 2019										
	Notes	Annual Budget Excl GST	Mthly Budget	May Expenses	Variance	% Variance	Previous YTD	Total YTD June 2019	Budget Remaining	% total budget
Governance										
Board Remuneration	1	740,760	61,730	84,846	(23,116)	-37.4%	678,765	763,611	(22,851)	103.1%
Expense Reimbursement		56,000	4,667	7,623	(2,956)	-63.3%	22,860	30,483	25,517	54.4%
Training		42,000	3,500	2,941	559	16.0%	1,232	4,173	37,827	9.9%
Total Governance Expenses		838,760	69,897	95,409	(25,513)	-36.5%	702,857	798,266	40,494	95.2%
Secretariat										
Temporary support				32,940			176,434	209,374		
Salary Expenses				120,467			918,088	1,038,555		
Totals to be covered by Secretariat Salaries		1,365,974	113,831	153,407	(39,576)	-34.8%	1,094,522	1,247,929	118,045	91.4%
Office		119,000	9,917	70,181	(60,264)	-607.7%	96,942	167,122	(48,122)	140.4%
Total Secretariat Expenses		1,484,974	123,748	223,587	(99,840)	-80.7%	1,191,464	1,415,051	69,923	95.3%
Professional Services										
Legal	2	60,000	5,000	-	5,000	100.0%	6,575	6,575	53,425	11.0%
Planning experts for monitoring Maori Provisions		60,000	5,000	16,000	(11,000)	-220.0%	6,594	22,594	37,406	37.7%
Engagement & Reporting to Maori & Stakeholders		140,000	11,667	56,929	(45,262)	-388.0%	70,219	127,148	12,852	90.8%
Total Professional Services		260,000	21,667	72,929	(51,262)	-236.6%	83,388	156,317	103,683	60.1%
Work Program										
Maori Expertise for Council projects and the Board's strategic priorities		300,000	25,000	51,223	(26,223)	-104.9%	221,264	272,486	27,514	91%
Maori Economic Development Strategy Advocacy		50,000	4,167	-	4,167	100.0%	15,000	15,000	35,000	30%
Monitoring Te Tiriti o Waitangi Audit Implementation		40,000	3,333	-	3,333	100.0%	-	-	40,000	0%
Treaty Audit Assessment of RMA Maori Provisions and Monitoring of Audit Implementation		30,000	2,500	-	2,500	100.0%	-	-	30,000	0%
Total Operating Expenditure		3,003,734	250,311	443,148	(192,837)	-77.0%	2,213,973	2,657,121	346,613	88.5%
Notes:										
	1	Board remuneration subject to any remuneration review as applied to council elected members.								
	2	In addition to the direct funding for Maori Specialist Expertise for Council Projects, \$130,000 will be held within council's budget with an agreed sign-off process between council and the IMSB to ensure there is no duplication of effort between the two organisations.								
	3	Our Service Level Agreement with Auckland Council covers the value of \$454,891 and is not accounted for in this report.								



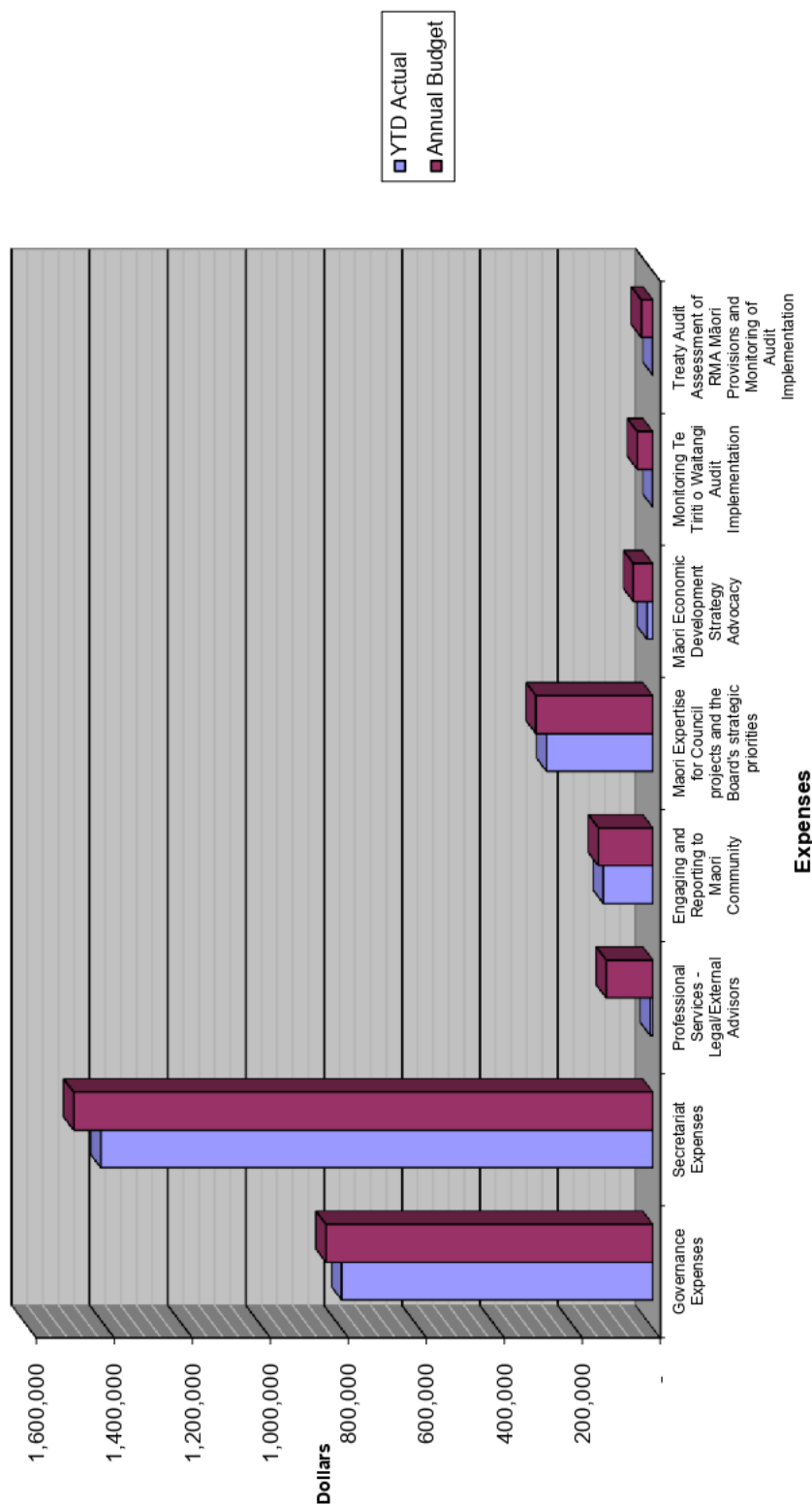
Independent Māori Statutory Board
Month to Date @ 3 Jun 2019
(FYE June 2019)



Expenses



Independent Māori Statutory Board
Year to Date @ 30 Jun 2019
(FYE June 2019)





Update Board Strategic Priorities Report - August 2019

File No.: CP2019/13943

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receive the Board Strategic Work Priorities Report August 2019

Te take mō te pūrongo Purpose of the report

1. The purpose of this update report is to update the Independent Māori Statutory Board (the Board) on its strategic work priorities

Horopaki Context

2. For 2019, this report has been organised to correlate with the Board's Long-Term Plan business cases and the Board's key documents. Secretariat staff will utilise opportunities across each of their respective work programmes to address a number of Board strategic priority outcomes in a pragmatic and collaborative way

Ngā tāpirihanga Attachments

No.	Title	Page
A	Update Board Strategic Priorities Report - August 2019	25

Ngā kaihaina Signatories

Authors	Awhina Kanohi - Senior Executive Advisor
Authorisers	Catherine Taylor - Manager Policy and Evaluation Brandi Hudson - Independent Maori Statutory Board CEO



UPDATE BOARD STRATEGIC WORK PRIORITIES AUGUST 2019		
Board priorities	Allied Work	Update Deliverables / Upcoming Issues
BUSINESS CASES		
<p>1. Māori Economic Development “establish a Māori Entrepreneur Fund to co-design and implement a Māori enterprise centric accelerator/innovation lab and eco-system connector”</p>	<p>Fund and Lab Increasing participation of Māori in Business Ecosystem</p>	<p>ATEED are over twelve months behind in their delivery of programmes for Māori economic development. Recently they promoted a staff member to the position of Manager Māori Businesses to focus on getting the work programme back on track.</p> <p>The Board recently recommended to ATEED’s board that they use their advocacy role to increase resources for initiatives that strongly increases a Unique Māori Identity in the city and region. At the July Whariki event a hangi enterprise was promoted in Takutai Square, to celebrate Matariki.</p> <p>Tourism The Parliamentary Commissioner for the Environment is investigating the environmental impacts of tourism growth. This focusses on the evolution of the New Zealand tourism system, how it has traditionally operated within the wider environmental management system, and what the future could hold in the face of changing environmental concerns and climate change.</p> <p>The Board secretariat provided advice aligned to the Board’s Tourism position paper and the Council submission on the Aotearoa/NZ Tourism Strategy.</p> <p>Auckland Destination Positioning and Narrative Project The Board continues to monitor the progress.</p> <p>Economic Development Board staff are liaising with TSI staff to identify and support Marae in Tāmaki Makaurau to get ready, and able to provide accommodation and activities for all of the major events in 2021, particularly Te Matatini. We continue to advise ATEED on ways to improve economic outcomes for Māori.</p>

1



		<p>Healthy Waters Sustainable Outcomes Toolkit - Procurement The Board provided advice to the Healthy Waters team who have developed a Healthy Water Sustainable Outcomes Toolkit.</p> <p>They are committed to achieving sustainable outcomes within their procurement of goods and services. The focus of the approach covers the four key areas of Social; Cultural; Economic; and Environmental. There is more buy-in from agencies external to Council and have provided advice and information on who in Council to work with to achieve the outcomes.</p>
<p>2. Unique Māori Identity <i>"co-design a programme with Māori to reflect the dimensions of "Hear, See and Experience"</i></p>	<p>Embed Te Reo Māori Language Strategy and Implementation Te Aranga Principles</p>	<p>This is being lead and monitored by the Te Toa Takitini Executive Leadership Group and will be reported to the Joint Meeting.</p> <p>The Busting Moves // Māori Designers And Their Work was launched in June. An exhibition on four lightboxes in Freyberg Square, featuring portraits and mahi of star designers, architects and makers.</p>
	<p>Signature Events</p>	<p>The Arts and Culture unit of Council delivered a very successful Matariki programme this year. The participation number from community are not yet known but the media coverage was good. There were a number of activities delivered in house for Council staff to raise awareness and participation, including a waharoa and whakairo in the level 3 cafeteria, inclusive waiata sessions and kapa haka performances from local primary schools.</p>
<p>3. Māori Sites of Significance and cultural landscapes <i>"establish a fund for site infrastructure development"</i></p>	<p>Māori Cultural Heritage Programme</p>	<p>1. MCHP Budget expenditure - YTD @ 30 Jun 2019 \$736K incl. salaries a. Full complement of staff (6 in total) since Oct '18. 2. Tranche 1 Proposed Plan Change 22 (AUP) & Modification 12 (HGI) a. Planner is preparing S42 report 3. MCHP – Governance hui was held 17 July 2019 – Mana Whenua support the following workstreams;</p>



		<p>a. Further investigation be undertaken to consider a second category of statutory schedule protection for sites that are not suitable for scheduling into S12.</p> <p>b. Development of a non-statutory Alert Layer (Senior Leadership ELT have approved inclusion in work programme)</p> <p>c. Proposed sequence of tranches of future plan changes</p> <p>d. Establishment of baseline information to setup and conduct a programme of Māori cultural heritage monitoring</p> <p>e. Testing of the Māori Cultural Landscapes modelling be initiated</p> <p>4. MCHP – Governance hui is scheduled for 14 November 2019 to report progress.</p>
	<p>Restore and enhance/innovative technologies</p>	<p>The Board have been advocating for the Auckland Unitary Plan decision to remove the moorings from Okahu Bay to be actioned. The Harbour Master has been keeping secretariat staff updated and moorings have now mostly been removed.</p>
<p>4. Rangatahi "establish a leadership forum, fund and scale up initiatives"</p>	<p>Supporting Better Futures for Rangatahi</p>	<p>Auckland Council organised a July Auckland Conversations panel on The Future of Auckland: Is density a dirty word? The rangatahi members asked questions specific to rangatahi in Tāmaki Makaurau and the answers they gave were aligned to the issues of significance for Māori.</p>
<p>5. Relationships Agreements "a co-governance work programme, dedicated resourcing/fund, increase council capability, refresh iwi management plans and funding for Whakahono a Rohe Agreements"</p>	<p>Co-governance Council capability</p>	<p>Effective Māori Participation programme – The Board secretariat provided feedback on the Māori Engagement Initiative provided by the Citizen Engagement and Insights in the governance division. These are a series of programmes focused on improving Māori participation in Council decision-making.</p> <p>Te Hōanga, s17a Māori engagement: This is a group-wide collaboration responding to the Communications and Engagement Service section 17a value for money, Māori Engagement recommendations.</p>



Attachment A Item 7

		<p>The programme aims to improve Māori engagement effectiveness, to reduce duplication and deliver a more integrated approach to Māori engagement, focusing first on Mana Whenua engagement. A programme has now been developed, with two new initiatives to be delivered with Mana Whenua:</p> <ul style="list-style-type: none"> • collaboration to improve effectiveness and cohesion of the operating model across our various Council group forums • developing a forward work programme to strategically plan and prioritise our work together
	Iwi Management Plans	The Spatial Guidance Note for Council practitioners includes a clear directive to engage iwi management plans in spatial planning processes.
	Relationship Agreements	<p>Relationship agreements currently in place are between Te Uri o Hau, Ngāti Tamaoho, Ngāti Manuhiri, Ngāti Paoa, Waikato-Tainui and the relevant local boards (Rodney, Upper Harbour, Māngere-Ōtāhuhu, Manurewa, Papakura, Ōtara-Papatoetoe, Puketāpapa and Maungakiekie-Tāmaki local boards).</p> <p>The Board secretariat will now liaise with Rama Ormsby to continue working on formalising Council's relationship agreement programme and discuss Mana Whakahono relationship agreements.</p>
<p>6. Empowered Marae and sustainable Papakainga "address needs identified"</p>	<p>Council's Māori Cultural Initiatives Fund and Marae Development Papakainga</p>	<p>Within the \$150 million 10 year LTP budget for Māori Outcomes, the Marae Infrastructure Programme has a ringfenced budget of \$60 million.</p>
<p>7. Quality Affordable Housing for Māori "a comprehensive intervention for affordable housing, a centre for Affordable Housing Innovation and a Centre of Excellence and Innovation".</p>	<p>Council's Māori Housing programme Panuku</p>	<p>No progress to report No progress to report</p>



<p>8. Regional Planning and the Auckland Regional Plan</p>	<p>Unitary Plan</p>	<p>Historic heritage staff are working on plan changes to amend schedule 14. The General Manager for Plans and Places will undertake steps to make operative in part Plan Change 10 to the Auckland Unitary Plan (operative in part).</p>
	<p>Plan Changes</p>	<p>The Board has submitted on Plan Change 20 Rural Activity Status. 231 submissions were received and summarised. Further submissions closed 4 July. We will progress work with our expert planner to prepare for next stages of the plan change.</p>
	<p>Regional Planning</p>	<p>The working group for the Waiheke Area Plan is having regular workshops to discuss issues to be considered and addressed in the area plan.</p> <p>Recently subdivisions, water quality, waste water and monitoring has been discussed. The first round of workshops has now finished. Council staff are focusing on preparing the draft area plan (over the next 2-3 months). A new round of workshops will start once the new local board has been confirmed in the upcoming election.</p>
	<p>Other Matters</p>	<p>Council staff were asked to investigate Converting Road Reserve, Unformed Legal Roads and Pedestrian Accessways to Open Space. The resolution for this item in the Planning Committee includes noting two priority aspirations for Māori are:</p> <ul style="list-style-type: none"> i) The return of land and resources ii) The restoration of authority <p>And; a request for Council staff to prepare a scoping report that identifies opportunities to offer unutilised areas of road reserve and unformed legal roads back to Māori former landowners to the appropriate committee of the incoming Council.</p>
<p>BOARD CORE INSTRUMENTS Treaty Audit 2017-18</p>	<p>Council Treaty Audit Response Programme</p>	<p>The Board secretariat is an active member of the Waharoa Group that monitors the delivery of the programme and assessing whether an action has been successfully completed.</p>



		<p>Council is starting to make progress in finalising the plans for some of the key actions and two further actions have been closed.</p> <p>This is partly a result of Council applying some more resource.</p> <p>In August there will be the biannual report to the Audit and Risk Committee on the Treaty Audit Response Programme. There has been slow progress on the development of the Performance Framework (a key action and a standard reporting item) and over the last month a new resource has been allocated to this work.</p>
<p>Council Treaty Audit Responsiveness Programme</p>	<p>Māori Responsiveness Plans</p>	<p>Planning is underway to address the monitoring and reporting of Māori Responsiveness Plans (in response to a Treaty Audit action).</p> <p>TWA is providing a presentation and advice to the Council on how to align the development of Māori Responsiveness Plans to the Long-Term Plan Māori outcome priorities.</p>
	<p>Māori Employment Strategy</p>	<p>This implementation plan is regularly reported to the Council executive team.</p>
<p>Monitoring and Evaluation</p>	<p>The Māori Report for Tāmaki Makaurau 2016</p>	<p>See the Update on the Value Reports and Omnibus Report on the agenda.</p> <p>The set of five Māori value reports will be completed by July 2019 with the final report (Wairuatanga) reported to this meeting. An Omnibus report that combines all value reports will be presented at the November 2019 Board meeting.</p>
	<p>Board's Data Strategy Implementation</p>	<p>See the update report on Te Pae Raraunga Knowledge Exchange Steering Group on the agenda. Once the five value reports are completed, the Board's Data Strategy will be reviewed. This will include processes for the Board's data management and the future schedule of Māori Plan and value reports, and so may coincide in time with the planned work by Te Pae Raraunga.</p> <p>Further, there is an initiative underway by Auckland Council who has issued a Request for Expressions of Interest (REOI) to be a strategic</p>



		<p>partner for the Council's Data Strategy. The Board secretariat will monitor this once the procurement process is finished.</p> <p>COUNCIL PROCESSES AND DOCUMENTS Te Toa Takitini</p> <p>Out of the \$150 million LTP budget the unspent amount in FY19 has been carried-forward and spread over FY21 and FY22. While the FY20 budget is the same as the LTP Year 2 level of \$14.2 million, the Māori Outcomes Steering Group (MOSG), which reports to the Te Toa Takitini ELG.</p> <p>The MOSG will be able to allocate up to \$20 million of project budget over the 2019/20 year if there is 'demand' (given the funding can be brought forward if need be from FY21). Over the next few months several new initiatives are expected to bid for budget allocation, subject to business case approval by the MOSG.</p>
Auckland Plan		<p>On 2 July 2019 the six monthly update of the implementation of the Auckland Plan was reported to the Planning Committee.</p> <p>It covered :</p> <ul style="list-style-type: none"> • central government reforms and initiatives relevant to the plan • anticipated data changes in the plan when the 2018 Census data is released • the Auckland Climate Action Framework series of reports on the risk and vulnerabilities that Auckland may face from climate change. • an update on the Auckland Plan 2050 – Annual Monitoring Report 2019, that uses 33 measures to measure general progress and trends across the six outcomes and the Development Strategy of the plan. <p>It noted that the availability and range of specific and enduring data sets for the Māori Identity and Wellbeing outcome are relatively limited. There are new metrics being developed internal to Council (Unitary Plan, Te Waka Anga Mua ki Uta) and external to Council (Stats NZ – Indicators Aotearoa New Zealand, Te Pou Matakana) that could potentially provide for more robust data sets.</p>

7



Attachment A **Item 7**

		<p>The Board, through the Māori Plan, continues to undertake work in this area that would further help to inform the Auckland Plan monitoring framework.</p> <p>Secretariat staff have provided advice on the development of the Māori Identity and Wellbeing – Whānau wellbeing measure and we provide further advice on potential data-sets for the measure.</p>
Annual Budget		<p>Nothing to add on the Annual Budget 2019/20. The Council's Annual Report for FY 19 is under development and will take a new approach in its format by using Māori design elements (e.g. kete graphic design, Te Reo and Whakatauki). We will review narrative relating to the Board and Te Toa Takitini before it is reported to the Finance and Performance Committee.</p>
CCO Strategy	Council's Statement of Intent (Sols) and Reporting Cycle	<p>Final Sols from the substantive CCOs were reported to the Finance and Performance Committee on 23 July. No concerns identified as the Board had already inputted to the draft Sols in March 2019.</p>
SUBMISSIONS	Kāinga Ora-Homes and Communities Bill	<p>Based on the Kāinga Strategic Action Plan, the Board provided input to a Council submission and made a separate 'greater depth' submission on the Kāinga Ora -Homes and Communities Bill; sent to the Select Committee office by deadline 11 July 2019.</p> <p>The submission highlights areas where the Bill could be strengthened to express and embed Treaty of Waitangi principles and kaupapa Māori in the urban development authority proposed to deliver improved housing outcomes.</p>



Communications Report	
Media	<p>Media activity for the reporting period has included:</p> <ul style="list-style-type: none"> • News media for June and July focussed on Climate change.
Website & Social	<p>LinkedIn</p> <p>The Chair's post following Auckland Council Climate Emergency vote received 437 views and remains a key driver of traffic to the Board website.</p> <p>Website</p> <p>At the time of drafting this report, in the period since the June Board report there 1,200 users of the website across 1,700 sessions.</p> <p>Web use remains stable with a visible spike in activity around 12 June in response to the Climate Change media release and link from the Chair's LinkedIn Post. There was also increased traffic to Kāinga and Housing Summit pages following the release of post summit report to stakeholders and placement of videos on the website.</p> <p>TinoAKL</p> <ul style="list-style-type: none"> • Content in the last month focussed on Matariki, Art in the City and Council promotion to rangatahi encouraging election participation. • The site membership continues to grow and is currently at 1,400 active followers. Posts reaches around 20,000 people in the last 28 days with post engagement sustained at about 1,700 active engagements on the pages. The highest reach for a single post was 7,500 in relation to a sculpture on Waiheke.
The Māori Report for Tāmaki Makaurau	<p>Most communication activity was in support of updating web content for the Kāinga Strategy and Auckland Māori Housing Summit and the final two Values Reports.</p>



Health and Safety August Update										
Risk Register	Description of hazard	Location or task	Potential Harm	Risk Rating	Significant Hazard	Control method E & M	Controls applied	Frequency of monitoring	Person Responsible	
	Change of floor levels in the entrance to tenancy		Possibility of slip / trip / fall		Y	M	Hazard Sign posted at front door Report lodged on Council system Vault 6/5/2016 ID18728 requested assessment & mitigation	Weekly	Kimiora Brown/Norelle Parker	
	Change of floor levels from tiled area (outside kitchen) to carpeted area (resource / hallway)		Possibility of slip / trip /fall			M	Report lodged on Council system Vault 6/5/2016 ID18728 requested assessment & mitigation	Weekly	Kimiora Brown/Norelle Parker	
	Hotwater tap	Kitchen	Burns		Y	M	Hazard sign posted in kitchen above sink	Weekly	Kimiora Brown/Norelle Parker	
	Doors to toilets – heavy to manage	Toilets	For small children/seniors					Weekly	Kimiora Brown/Norelle Parker	
Office Status Update										
Incident Injury Report	Nil									
New Hazards Report	Nil									
					First Aid course for staff completed. Workplace assessments for all staff have been completed.					
					The Health and Safety e-module has been completed successfully by all staff.					



Te Pae Raraunga Knowledge Exchange Steering Group

File No.: CP2019/13770

Item 8

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receive the report on Te Pae Raraunga Knowledge Exchange Steering Group

Te take mō te pūrongo Purpose of the report

1. To update the Board on the University of Waikato, Te Pae Raraunga Knowledge Exchange Steering Group around data challenges.

Whakarāpopototanga matua Executive summary

2. Te Pae Raraunga (TPR) is developing a collaborative, Māori-led program at the interface of data science and indigenous knowledge, with a focus on building a strategic infrastructure in Aotearoa to address Māori Data Sovereignty, and Māori Data Science and Data Capability.
3. Board Secretariat staff will participate in the program, which will be hosted by the University of Waikato. Funding is currently being sought by TPR from MBIEs Strategic Science Infrastructure Fund. Knowledge learned from involvement in this program will be advantageous to the Board's Māori values data advocacy.
4. Ngā Pae o te Māramatanga will provide the Governance structure for the platform.

Horopaki Context

5. Te Pae Raraunga has been advancing Māori interests in relation to data through the Māori Data Sovereignty kaupapa and efforts to get greater Māori involvement in data governance activities.
6. TPR recognises the need for greater involvement in the operational aspects of data science, and so has been engaging with crown agencies like Stats NZ, Social Investment Agency (SIA), Ministry of Social Development (MSD) and contributing to initiatives like the Integrated Data Infrastructure tikanga framework, to make the system more responsive to Māori values and improve Crown-Māori relations.
7. The Board has long expressed a need for building Māori capacity and capability through strategic partnerships, co-funded initiatives, and collaborative networking.
8. Further, the Board has previously underlined the importance of building key partnerships around practical solutions and for facilitating greater knowledge exchange, i.e. transfer of learnings out of projects and into operational and policy contexts.



Ngā koringa ā-muri Next steps

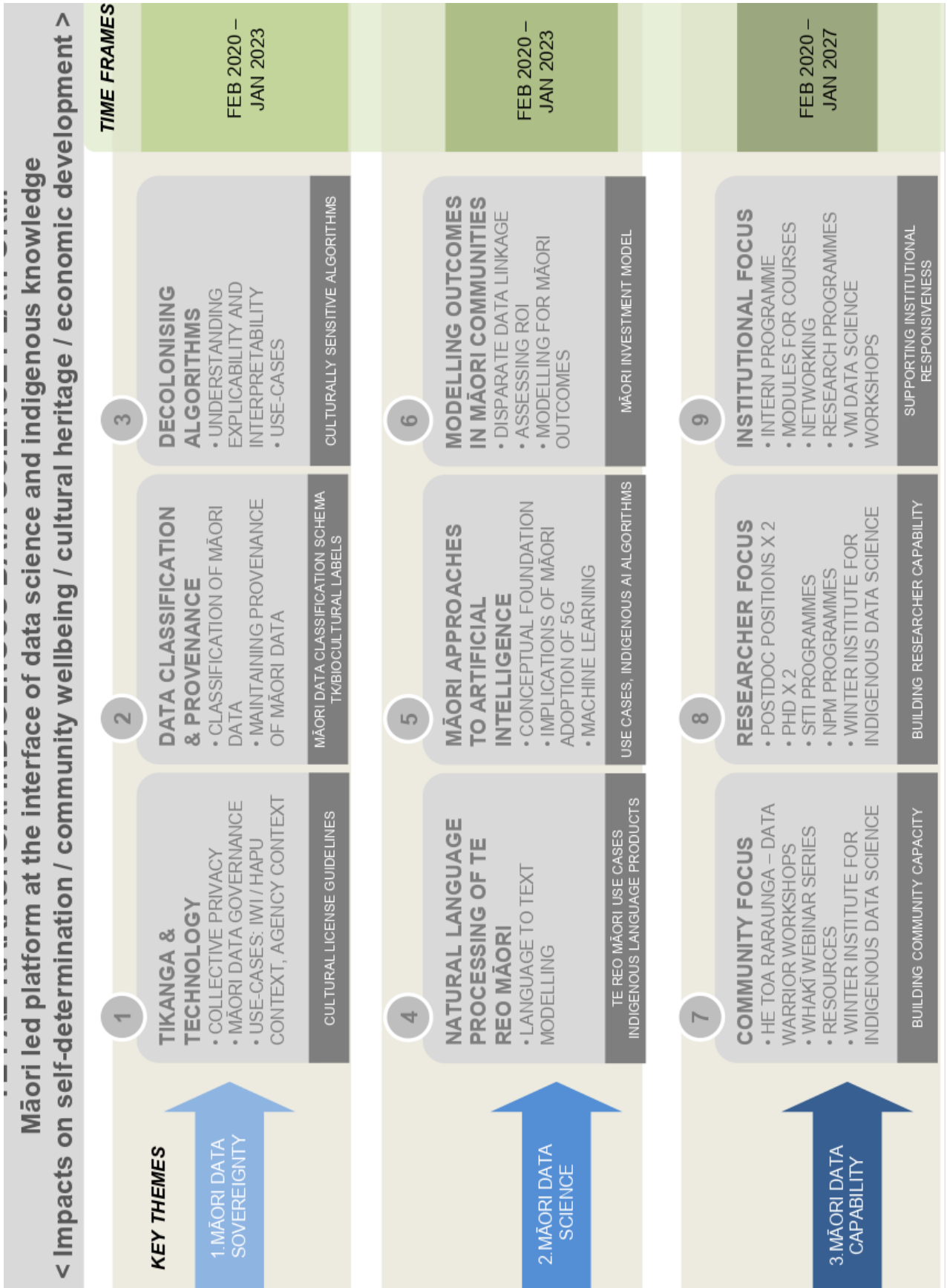
9. Participation in meetings with Te Pae Raraunga Knowledge Exchange Steering Group will mean an opportunity to collaborate with key stakeholders around Māori data challenges in general, and in particular around challenges as previously noted in the Board Māori value reports.
10. The proposed role of Te Pae Raraunga Knowledge Exchange Steering Group aligns well with the Independent Māori Statutory Board's Data Strategy and ongoing work with Māori values reports. As such, we have a shared interest in identifying best ways to create collective impact across the data ecosystem and support translation into policy and practice.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Te Pae Raraunga Indigenous Data Science Platform Outline	37

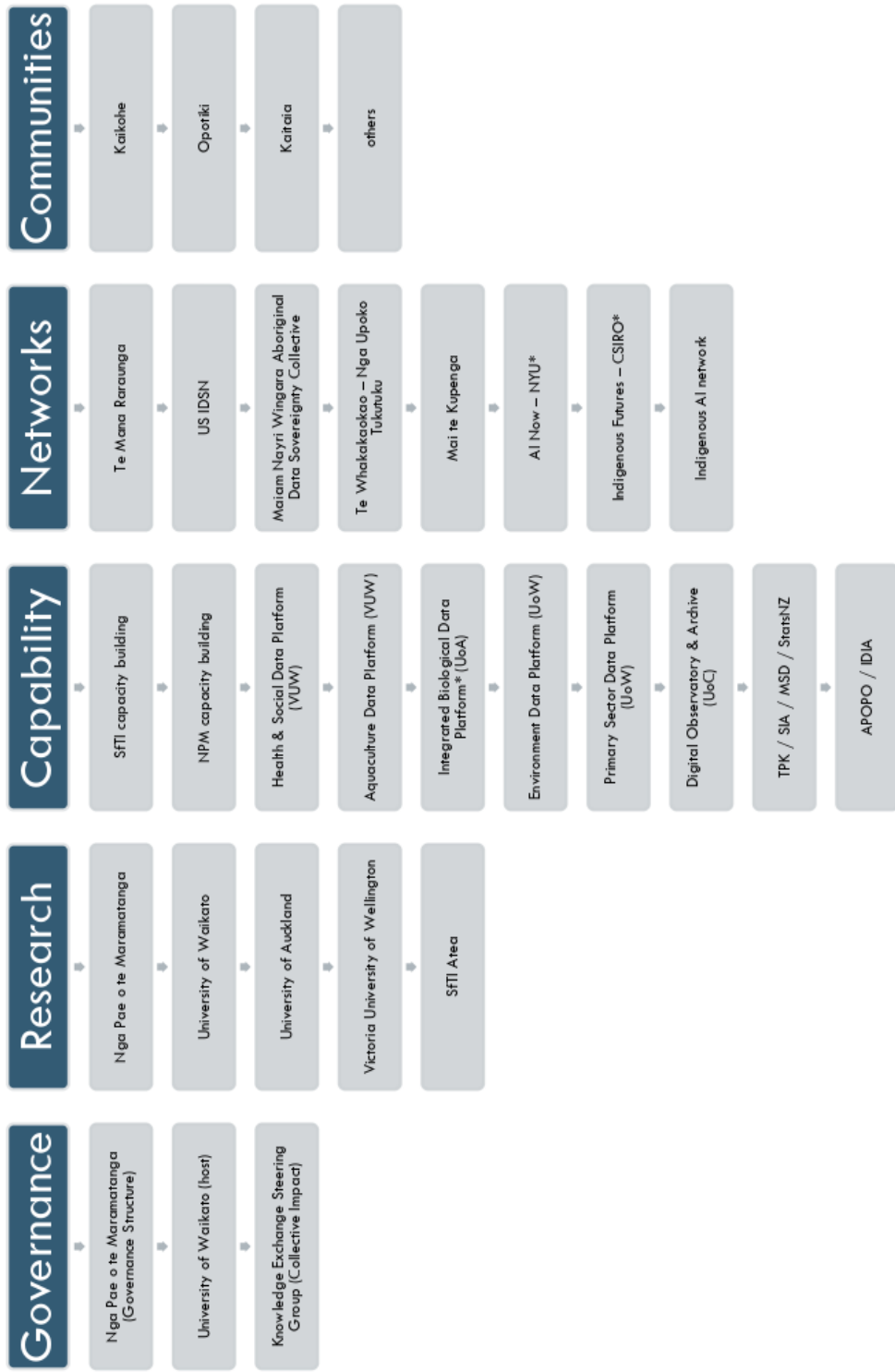
Ngā kaihaina Signatories

Authors	Catherine Taylor - Manager Policy and Evaluation
Authorisers	Brandi Hudson - Independent Maori Statutory Board CEO





STRATEGIC RELATIONSHIPS: CREATING IMPACT





Kāinga Ora-Homes and Communities Bill

File No.: CP2019/13771

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receive the report on the Kāinga Ora-Homes and Communities Bill (Kāinga Ora Bill)
- b) note the attached submission on the Kāinga Ora-Homes and Communities Bill.

Te take mō te pūrongo Purpose of the report

1. To provide the Board's submission on the Kāinga Ora-Homes and Communities Bill (Kāinga Ora Bill) (Attachment A) submitted on 11 July 2019.

Whakarāpopototanga matua Executive summary

2. The Kāinga Ora Bill had its first reading in Parliament on 30 May 2019 and subsequently opened for public submissions. This proposed bill creates an Urban Development Authority (UDA) called Kāinga Ora-Homes and Communities, principally by combining Housing New Zealand, Homes Land Communities, with the Ministry of Housing and Urban Development.
3. An important element of creating a UDA are the powers allocated to it. This bill excludes specific allocation of powers which will be the subject of a subsequent bill.
4. The Board has publicly expressed support for the creation of a UDA to support more efficient housing development, support partnership between the state and private/iwi sectors and drive improved outcomes for Māori.
5. The previously agreed Board positions and public statements, the Kāinga strategic action plan, and legal advice were used in preparing this submission.
6. Drawing on those sources the submission asserts that the Kāinga Ora Bill should:
 - a. enable and ensure secure future partnership opportunities for Māori in public sector housing development
 - b. achieve a meaningful aggregation of government housing functions
 - c. demonstrate public sector innovation/leadership on reflecting and implementing the Treaty of Waitangi;
 - i. Implement co-governance to ensure Māori/Crown partnership in decision-making
 - ii. Ensure senior leadership have obligations to deliver Māori outcomes
 - d. drive significantly improved housing outcomes for Māori through:
 - i. A clear and direct statement of the UDA operating as the primary near-future tool for achieving compliance with human rights obligations
 - ii. Sector and systemic change



- iii. Enhanced commitment to Māori outcomes including through targeted programs and through improvements to mainstream programs

Recognition of the critical nature of housing as a central element in emotional wellbeing and in cultural experiences of home, *kāinga*, *whānau*, and a window through which the world is experienced.

7. The submission considers how the Kāinga Ora-Homes and Communities Bill addresses these matters

Tātaritanga me ngā tohutohu Analysis and advice

8. The submission acknowledges the bill provides a structure and driver for partnership, while noting that partnership in development differs from Te Tiriti partnership and that co-governance is a substantive tested means to achieve the latter (3.2.4. – 3.2.6.).
9. The submission recognises the value in the aggregation of government functions proposed by the bill but expresses caution around the lack of separation between the development function and the tenancy management function. One very real risk is that the development function in a range of ways can come to *trump* the tenancy management function, potentially compromising whānau outcomes (3.3.4. – 3.3.9.).
10. Provisions relating to the appointment of the board of the UDA fall short of co-governance and fall short of requiring the Minister to appoint members with expertise in housing for Māori, Māori outcomes, or Te Tiriti. The submission notes that the skills-based approach proposed for appointing the board provides little security for Māori participation, and limited direction to Ministers to ensure that outcome. The submission proposes that these provisions could be strengthened with words like *matauranga* and *expertise*, for example (3.4.5. – 3.4.7.).
11. New legislation is the most significant opportunity to create, embed and drive Treaty obligations. The Kāinga plan has consistently elevated and signaled messaging around the future UDA and the expectations that it would strengthen Treaty of Waitangi outcomes in the area of housing and urban development.
12. The approach and wording in the bill on the proposed Treaty obligations of the Kāinga Ora UDA are limited. The bill lacks clarity around *who* (which ascertainable position in the UDA) will hold Treaty obligations, and it is not clear that these obligations fall clearly upon the proposed Kāinga Ora UDA board (3.4.11. – 3.4.13).
13. The submission proposes that legislation should house the clearest and strongest statements of obligations, and that the roles and responsibilities for delivering on such obligations should be clear and transparent - for example, by including an over-arching statement akin to section 4 of the Conservation Act (3.4.14. – 3.4.15).
14. Also following the Kāinga plan the submission identifies the absence of a statement of the right to adequate housing in the bill, as failing to provide adequately for that right (3.5.3 – 3.5.4.).
15. The submission notes the Board's support for a system level approach to understanding systemic failings in New Zealand's housing market at large.
16. The Board secretariat has also had the opportunity to read and provide feedback on Auckland Council's submission which included important points on Māori outcomes.



Ngā koringa ā-muri Next steps

17. The submission expresses the Board's willingness to present to the select committee on the matters raised in the submission. It is anticipated that this will result in an invitation to the Board to present, at the Board's discretion.
18. The select committee has already invited some core housing entities and advocates to present on July 17, and it appears that this bill is being treated with urgency. It is therefore possible this opportunity will precede the Board's August meeting.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Independent Māori Statutory Board Submission on the Kāinga Ora-Homes and Communities Bill	43

Ngā kaihaina Signatories

Authors	Brennan Rigby - Principal Advisor Social Outcomes
Authorisers	Catherine Taylor - Manager Policy and Evaluation Brandi Hudson - Independent Māori Statutory Board CEO



Independent Māori Statutory Board Submission on the **Kāinga Ora-Homes and Communities Bill**

Te Atua tōku piringa ka puta ka ora
Maumaharatanga ki ngā tini aitua o te motu haere koutou
Honohono tātou te hunga ora ki a tātou, pai marire
Panga atu te reo karanga ki ngā whā topito o Tāmaki nui tonu
Karanga atu rā

1. Introduction

1.1. The Independent Māori Statutory Board welcomes the opportunity to submit on the **Kāinga Ora-Homes and Communities Bill** (Kāinga Ora Bill) and would welcome the opportunity to present and discuss this with the Select Committee.

1.2. The purpose of the Independent Māori Statutory Board is to assist Auckland Council to make decisions, perform functions, and exercise powers by promoting cultural, economic, environmental, and social issues of significance for Mana Whenua groups and Mataawaka of Tāmaki Makaurau, and ensuring that the Council acts in accordance with statutory provisions referring to the Treaty of Waitangi.

1.3. Housing is a critical issue for Māori in Tāmaki Makaurau especially in regard to *kāinga* outcomes. The Independent Māori Statutory Board recognises the important role an Urban Development Authority will play in addressing those issues, and therefore the significance of this bill.

1.4. The Urban Development Authority has promise and potential to respond to Māori housing issues highlighted in the 'housing stocktake' report commissioned by the Minister of Housing and Urban Development in 2017¹:

“We must acknowledge the harsh effects the housing crisis has had on Māori. They have borne the brunt of rapidly rising house prices and skyrocketing rents. A crucial part of Government policy must help more Māori into their own homes, and there are great opportunities to partner with Māori organisations to do this”

HON PHIL TWYFORD Minister of Housing and Urban Development February 2018 (p2).

¹ Refer: A Stocktake of New Zealand's Housing — February 2018. Prepared by Shamubeel Eaqub, Alan Johnson, and Philippa Howden-Chapman.





“Recent housing policies have failed to address the housing problems of Māori and Pacific peoples. Rising housing costs have contributed to declining home ownership rates, greater housing instability, and Māori and Pacific peoples living in poor quality housing. By 2013, Māori and Pacific homeownership rates had declined relatively rapidly to 28% for Māori and 19% for Pacific peoples, compared with 57% for Europeans” (p5).

1.5. The Independent Māori Statutory Board has undertaken significant advocacy on *kāinga* and housing over the last two years including convening two Auckland Māori Housing Summits and developing the Kāinga Strategic Action Plan with strong elements of government support and alignment².

1.6. This submission highlights areas where the Kāinga Ora Bill could be strengthened to ensure the ultimate delivery of improved housing outcomes including with and for Māori.

2. The position of the Independent Māori Statutory Board

2.1. The Independent Māori Statutory Board strongly supports the progress toward the establishment of an Urban Development Authority (UDA) represented by the Kāinga Ora Bill. The Board believes the Kāinga Ora UDA is an opportunity to deliver increased and improved housing and urban outcomes, as well as express and embed the Treaty of Waitangi and its principles and kaupapa Māori and Māori values in approaches to housing.

2.2. The Independent Māori Statutory Board’s aspirations for an Urban Development Authority as discussed with various government agencies are that the UDA and its structure should:

- I. Enable and ensure secure future partnership opportunities for Māori in public sector housing development
- II. Achieve a meaningful aggregation of government housing functions
- III. Demonstrate public sector innovation/leadership on reflecting and implementing the Treaty of Waitangi;
 - a. Implement co-governance to ensure Māori/Crown partnership in decision-making
 - b. Ensure senior leadership have obligations to deliver Māori outcomes
- IV. Drive significantly improved housing outcomes for Māori through:
 - a. A clear and direct statement of the UDA operating as the primary near-future tool for achieving compliance with human rights obligations
 - b. Sector and systemic change
 - c. Enhanced commitment to Māori outcomes including through targeted programmes and through improvements to mainstream programmes

² Kāinga Strategic Action Plan can be sourced from: <https://www.imsb.maori.nz/publications/kainga-strategic-action-plan/>





- d. Recognition of the critical nature of housing as a central element in emotional wellbeing and in cultural experiences of home, *kāinga*, *whānau*, and a window through which the world is experienced.

2.3. The Independent Māori Statutory Board supports the Auckland Council submission on the Kāinga Ora Bill and acknowledges the inclusion of issues relevant to Māori in that submission.

3. Kāinga Ora-Homes and Communities Bill: assessment and analysis

3.1. This section provides commentary on each of the points raised in paragraph 2.2. above comprised of an assessment of the terms of the bill in regard to those aspirations.

3.2. Kāinga Ora-Homes Communities should: *Enable and ensure secure future partnership opportunities for Māori in public sector housing development*

3.2.1. **Clause 13(1)** provides that the functions of Kāinga Ora-Homes and Communities includes the need for Kāinga Ora-Homes and Communities 'to understand, support, and enable the aspirations of Māori in relation to urban development.'

3.2.2. **Clause 14(1)(k)** provides for collaboration and states that the Kāinga Ora entity must contribute to the social, economic, environmental, and cultural well-being of current and future generations by 'partnering ... with Māori and offering Māori opportunities to participate in urban development.'

3.2.3. The Independent Māori Statutory Board acknowledges these provisions among others as setting a strong basis for on-going and increasing development partnership between the Crown and Māori entities in the development of housing and urban space.

3.2.4. However, the Independent Māori Statutory Board also notes that partnership in development is generally a partnership of a commercial nature dominated by financial priorities and the management of development risk, as well as being characterised as operating in a competitive environment.

3.2.5. As such the Board differentiates this class of partnership from partnership in accordance with the Treaty of Waitangi which at times requires of the parties something more than financial investment and carries burdens and opportunities greater than financial risk or windfall.

3.2.6. Partnership under the Treaty of Waitangi remains an under-developed area in housing and urban development from development economics down to design implementation and notions of accessibility and understandings of place.



Ground Floor, 16 Viaduct Harbour Ave, Auckland City • Private Bag 92 311, Auckland 1142
phone 09 308 3262 • email natai@imesh.maori.nz • www.imesh.maori.nz



3.2.7. Co-governance is a means and model of decision-making partnership that will only thrive through legislative direction. The bill falls short of utilising this relatively recent governance innovation which is unique to New Zealand.

3.3. Kāinga Ora-Homes Communities should: *Achieve a meaningful aggregation of government housing functions*

3.3.1. The bill sets out the aggregation of government functions in a way that suggests there will continue to be improvements in coordination and efficiency which have already occurred to varying degrees through the establishment of the Ministry of Housing and Urban Development.

3.3.2. The Independent Māori Statutory Board acknowledges that between June and December 2018 the Board experienced firsthand a positive change in the dynamic of engaging with and being engaged by the government in regard to housing advocacy – and more is yet to be done.

3.3.3. The Independent Māori Statutory Board also identifies that there is a risk in combining certain functions in any organisation that places those functions in conflict with one another.

3.3.4. This bill combines in the Kāinga Ora-Homes Communities the functions of housing developer and tenancy manager which is a recognised risk in the housing sector, placing the functions into competition for resources in the pursuit of very different outcomes.

3.3.5. One potential unfavourable outcome of this approach is that messaging and clarity around any shortfall in housing places being experienced firsthand by the tenancy management function may be lost or diminished alongside the high cost, time intensive housing development function.

3.3.6. The implication of this is that Kāinga Ora-Homes Communities may not be in a position to openly, clearly and accurately state a deficit in housing stock as it is itself responsible for delivering that stock.

3.3.7. In order for New Zealand to have transparent insight into any public housing deficit at any time, in order – inter alia – to understand New Zealand’s compliance with the Treaty of Waitangi and human rights obligations, it will be necessary for New Zealand’s public housing tenancy manager along with others to be able to assess and report on that deficit.

3.3.8. Existing statistics indicate Māori are and will be in the future a large proportion of those facing waits due to an under-supply of public housing at any time in the future.

3.3.9. Transparency in this area is therefore critical in meeting demands for Māori outcomes expressed in community as well as cabinet papers, delegations such as those of Associate Minister Mahuta, and strategic documents such as the strategic intentions of the Ministry of Housing and Urban Development.



Ground Floor, 16 Viaduct Harbour Ave, Auckland City • Private Bag 92 311, Auckland 1142
phone 09 308 3262 • email natai@imsh.maori.nz • www.imsh.maori.nz



3.4. Kāinga Ora-Homes Communities should: *Demonstrate public sector innovation/leadership on reflecting and implementing the Treaty of Waitangi*

Implement co-governance to ensure Māori/Crown partnership in decision-making

3.4.1. As anticipated the Urban Development Authority is designed to be governed by an appointed board.

3.4.2. Co-governance has been successfully implemented as an expression and implementation of the Treaty of Waitangi in modern public sector business, including through the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 (Part 3 ss 106 – 116). These provisions bring together Mana Whenua and, in this case, Auckland Council, in a co-governance entity governed by an appointed board, *ensuring* Mana Whenua participation in decision-making directly through legislation.

3.4.3. In paragraph 3.2.7 above it is noted that this bill falls short of implementing a co-governance approach, in the context of an explanation of the need to understand development partnership as a separate outcome to Treaty of Waitangi partnership.

Appointment of the Kāinga Ora-Homes Communities board

3.4.4. Beyond failing to implement a co-governance arrangement to govern Kāinga Ora-Homes Communities it is necessary to consider the existing provisions for the appointment and make-up of the entity's board.

3.4.5. Membership of the board is provided for in **clause 10(2)**, which uses a relatively common form in stating that the '*Ministers must appoint members to the board who, collectively, have knowledge and experience of, and capability in*' a range of relevant areas.

3.4.6. This 'skills-based' approach provides no security for Māori participation on the Kāinga Ora-Homes Communities board at any time. Moreover, the absence of intensifiers in this clause such as 'expert', 'considerable' provides weak guidance to Ministers on the level of skill they should acquire or appoint, or put another way this gives Ministers little protection by way of reference to the bill that they should pursue a rigorous level of expertise.

3.4.7. The inclusion of Māori terminology such as 'matauranga' or other words would increase the onus on Ministers to appoint Māori, with relevant expertise, or at the very least individuals who have more than some knowledge, some experience, or some capability in the matters listed in clause 10(2).

Kāinga Ora-Homes Communities Treaty of Waitangi obligations

3.4.8. A great deal of legislation since 1985 in particular, includes **clear and direct obligations flowing from and relating to the Treaty of Waitangi, falling on ascertainable persons and positions of sufficient**





standing to ensure those obligations are met and/or liability is transparent, within the scope of the Act. This provides not only for Treaty of Waitangi obligations to be met, but also for Māori and the public to see clearly who is responsible for those obligations and accountable for failures to comply. For example, section 4 of the Conservation Act.

3.4.9. The Kāinga Ora-Homes Communities Bill appears to take a new and innovative approach to expressing the Treaty of Waitangi obligations envisioned for the entity; but the bill does not include a statement of clear and direct obligations flowing from and relating to the Treaty of Waitangi, falling on ascertainable persons and positions of sufficient standing to ensure those obligations are met.

3.4.11. **Clause 4** of this bill draws together the features of other clauses in the bill relating to obligations to Māori and the Treaty of Waitangi, overall creating a stark contrast between the complex and disjointed nature of this approach and the simplicity of the approach taken in legislation such as the Conservation Act.

3.4.12. Treaty of Waitangi obligations are systematised in the bill, meaning a system for complying with Treaty of Waitangi obligations is specified. This system relies on two tiers of the organisation, with the Board – the first tier - responsible for maintaining systems and processes to ensure that the entity itself – the second tier – has the *capacity and capability* to meet Treaty of Waitangi obligations.

3.4.13. This system is however an incomplete loop, as it is plainly possible within that system for both tiers to comply with their legislative role in the system, and for the organisation to appear to meet Treaty of Waitangi obligations. This arises specifically when the board is able to demonstrate its maintenance of systems and processes ensure the entity has *capacity and capability* but is not concerned with *compliance* itself.

Ensure senior leadership have obligations to deliver Māori outcomes

3.4.14. The Independent Māori Statutory Board relies on the contents of the Kāinga Strategic Action Plan as evidence that Māori are seeking increased Treaty compliance from the government in relation to housing, and this requires transparency around roles and responsibilities.

3.4.15. The Kāinga Strategic Action Plan also specifically seeks Treaty of Waitangi performance measures for agency Chief Executives. In the system proposed by this bill such improvements seem unlikely. Acknowledging that this bill should not be seen as the one and only opportunity to implement such changes, it is also abundantly clear that significant shifts in practice such as shifts toward seeking improved



Ground Floor, 16 Viaduct Harbour Ave, Auckland City • Private Bag 92 311, Auckland 1142
phone 09 308 3262 • email natai@imsh.maori.nz • www.imsh.maori.nz



outcomes for Māori signalled across cabinet papers and other guiding and strategic documents, should find their clearest and most explicit expression in the most binding and deliberate documents of government.

3.5. Kāinga Ora-Homes Communities should: *drive significantly improved housing outcomes for Māori*

A clear and direct statement of the UDA operating as the primary near-future tool for achieving compliance with human rights obligations

3.5.1. Human rights like other artefacts of international law including international treaties generally and the Treaty of Waitangi, require expression in domestic law in order to have binding effect and impact.

3.5.2. The Treaty of Waitangi was declared a legal nullity precisely because it could not (at that time) be legitimately considered by the courts in New Zealand without first being introduced into domestic legislation. While a series of Acts since 1975 have transformed the court's ability to legitimately consider the Treaty of Waitangi and put it into action, the universal human right to adequate housing remains in the legal sense null and void; not yet enshrined or adequately acknowledged in legislation.

3.5.3. Specifically, while there is an air of human rights about New Zealand's legal order, in practice each human right must find its own operational home in legislation impacting on matters with which the right itself is concerned or aligned.

3.5.4. The Kāinga Ora-Homes Communities Bill is such a home for the universal human right to adequate housing, and an expression of what this right means in New Zealand. This bill is concerned with the structure and functions of the Kāinga Ora entity and the structure must reflect a drive to meet New Zealand's human rights obligations, and a high priority among its functions must be securing and maintaining the compliance of the New Zealand state with this critical and agreed obligation.

3.5.5. The Independent Māori Statutory Board acknowledges that **clause 14(1)(c)** provides under the title "Housing supply meets needs" that the entity must manage its stock prudently. Assuming the needs referred to are the needs of vulnerable New Zealanders for housing, and therefore the needs of the Kāinga Ora entity to manage its supply astutely, managing stock prudently reaffirms the need to meet identified need. This in turn suggests a universal right to adequate housing could result, but only through an interpretive exercise.

Sector and systemic change

3.5.6. New Zealand needs a high functioning, flourishing housing sector, in order to move toward compliance with Treaty of Waitangi obligations, human rights obligations, and to simply ensure adequate housing for a higher number and proportion of New Zealand's vulnerable populations.





3.5.7. The Independent Māori Statutory board acknowledges that the Ministry of Housing and Urban Development is consolidating a range of housing activities that have recently increased responsiveness to local community voice and the government's capacity to operate in a responsive and place-based way.

3.5.8. Systems thinking in relation to the housing system quickly identifies that there remain systemic failings in the area of the system in which the population is at risk of homelessness. Investment in Housing First primarily targets rough sleepers, but from a system perspective investment is required to secure vulnerable tenures and tenancies to halt the flow of individuals and whānau into shelterlessness. From a system perspective, one without the other fails.

3.5.9. Systems thinking also quickly highlights the 'missing middle' as a critical area for urgent focus. In this group, whānau may have multiple workers and earn up to \$100,000 or more as a household, and yet remain locked out of home ownership and fall short of, or simply miss out on, KiwiBuild.

3.5.10. The lived context is critically important to highlight. Despite strong household incomes, in Auckland such a family is likely to be spending more than 35% of their income on rent, in order to live in poor-quality housing. Despite good earning, these circumstances create high risk of housing hardship, as well as poor housing and health outcomes. As one New Zealand researcher has suggested, in New Zealand the obsession with home ownership might be driven as much by the poor-quality alternatives as by investment or stability.

3.5.11. These elements of New Zealand's housing system must be better understood and acted upon. The Kāinga Ora Bill indicates the entity will concern itself with community building and community development, but the bill does not adequately describe or provide for these activities.

3.5.12. For Māori the concern is simple. There is a legacy of the government failing to deliver equitable, let alone good, outcomes. With the Māori population, as a result, lingering below the average income of the population at large, the successful commitment to and implementation of systems thinking across the housing sector would be one way to help the government target the Māori outcomes described in cabinet papers and in this bill.

Enhanced commitment to Māori outcomes including through more responsive mainstream programmes and through targeted programmes for Māori

3.5.13. Cabinet papers have expressed the government's desire to achieve improved housing outcomes for Māori through mainstream programmes being more responsive to Māori, and through targeted interventions for Māori.





3.5.14. The Kāinga Ora entity is a mainstream programme and as such it will be expected to deliver improved housing outcomes for Māori through an increased capacity to understand what those outcomes are, their inter-relationships, and how to achieve them.

3.5.15. It is important to recognise however that these Māori outcomes are not Treaty of Waitangi compliance (which is something the bill *includes*, subject to the discussion above) and nor are they engagement with iwi, or Treaty settlements. These housing outcomes for Māori are lived experience outcomes for whānau, which involve them experiencing better services and improved opportunities.

3.5.16. As the key delivery agency for government housing the make-up of targeted programmes for Māori is yet to be seen, notwithstanding on-going work on a Māori work programme in the Māori Housing Unit of the Ministry of Housing and Urban Development. To have been relevant to express in a cabinet paper, these targeted programmes must be additional to, and hopefully different, from what has gone before.

3.5.17. This bill would be improved by referencing these cabinet papers and explicitly adopting the language and two-pronged understanding of their approach to the conception and delivery of Māori outcomes.

Recognition of the critical nature of housing as a central element in emotional wellbeing and in cultural experiences of home, kāinga, whānau, and a window through which the world is experienced.

3.5.18. Finally, the Board wishes to express its view that housing is a central element in emotional wellbeing and in cultural experiences of home, kāinga, and whānau, and a window through which the world is experienced.

3.5.19. The broad use of the word kāinga, including in this bill, suggests there is some traction in these conceptions of housing at this time, and that New Zealand is indeed moving along the continuum of a shift toward recognising that the real value of housing is not as real estate.

3.5.20. Kāinga is not just about walls and beam's, it's about hopes and dreams. As has been noted elsewhere in this submission, notwithstanding the mainstream nature of this bill, explicit statements of social, emotional, Treaty of Waitangi and human rights aspirations and obligations should be incorporated in it. They will provide a fundamental basis for Kāinga Ora-Homes and Communities to be a success generally, and also strengthen its mandate to improve housing outcomes for Māori.





Item 9



Attachment A



International Travel Approval

File No.: CP2019/13768

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receives the report
- b) approves international travel for Member Tony Kake and Principal Adviser, Brennan Rigby to attend the Australian National Housing Conference in Darwin, Australia 27 – 30 August 2019

Te take mō te pūrongo Purpose of the report

1. To approve international travel.

Whakarāpopototanga matua Executive summary

2. This conference will promote and support continued activity and building the audience for the Kāinga Strategic Action Plan, and the Kainga summit kaupapa. It will also provide an opportunity to investigate practices in indigenous and mainstream housing in Australia, where there are many similarities - and some slight differences - in the regulatory environment and the market place compared to New Zealand.
3. The conference theme is intended to be broad in scope with a focus on long-term impact and goals. The conference highlights innovations, leading edge practice and new ideas underpinned by the latest research. The unique experiences, challenges and opportunities of Indigenous people will be showcased.
4. **Conference objectives are to:**
 - Learn from approaches to aligned issues in Australia (e.g. role of community housing, increasing social tenure security, reducing homelessness)
 - Build a new audience for Kāinga project, using Kāinga and Board collateral
 - Participate and engage with substantial New Zealand delegation attending
 - Actively report back to the Board, Māori, and Kāinga project interest groups
 - Use learnings directly in on-going Board advocacy
 - Assess the Kāinga project against different perspectives
 - Maintain traction in the Kāinga project through presence and communications
 - For more information: <https://www.nhc.edu.au/program/>
5. Estimate cost per person:

a. travel and accommodation (inc. transfers)	\$ 2200 x 2
b. registration	\$ 1600 x 2
c. food and beverage	\$ 300 x 2
d. Sub total	\$ 4100 (est.) per person
e. TOTAL	\$ 8200



Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Authors	Brennan Rigby - Principal Advisor Social Outcomes
Authorisers	Catherine Taylor - Manager Policy and Evaluation Brandi Hudson - Independent Maori Statutory Board CEO



Retrospective International Travel Approval

File No.: CP2019/13871

Ngā tūtohunga Recommendation/s

That the Independent Maori Statutory Board:

- a) receive the report
- b) approve retrospective international travel for the Board Chairman to Tokyo, Japan.

Te take mō te pūrongo Purpose of the report

1. To approve retrospective international travel for the Board Chairman to Tokyo, Japan in early August 2019 to attend a travel and tourism event and an official opening of Tuku Iho Japan.

Whakarāpopototanga matua Executive summary

2. ATEED World Travel and Tourism Council is co-hosting a travel and tourism leaders event in Tokyo with the NZ Ambassador to Japan at the NZ Embassy.
3. ATEED, Ngai Tahu Tourism, Air NZ and NZ Māori Tourism have all come together with Te Puia Rotorua, NZ Māori Arts and Crafts Institute and have invited the Board Chairman to attend this event and an official opening ceremony of Tuku Ihu/Living Legacy Japan (Attachment A).
4. The Travel and Tourism event will be attended by some of the world's most influential leaders in those sectors. The Tuku Iho event is NZ's foremost premier international showcase of Maori performing and material Arts and Crafts.
5. **Budget**
Travel and accommodation is estimated to be \$4000.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Chairman - Japan Invitation Letter	57

Ngā kaihaina Signatories

Authors	Brandi Hudson - Independent Maori Statutory Board CEO
Authorisers	Brandi Hudson - Independent Maori Statutory Board CEO



HEMO ROAD, P +64 7 348 9047
P.O. BOX 334, F +64 7 348 9045
ROTORUA, 3040, E INFO@TEPUIA.COM
NEW ZEALAND W WWW.TEPUIA.COM

17 August 2019

Mr. David Taipari
Chairman
Independent Maori Statutory Board
Private Bag 92311
Auckland 1142

RE: FORMAL INVITATION TO ATTEND THE OFFICIAL OPENING OF TUKU IHO JAPAN

Tenā koe David,

Ngā mihi nui ki a koe e te tiamana.

On behalf of the board and management of Te Puia | NZMACI, I would like to personally invite you to join me and other VIP dignitaries at the official opening ceremony of **Tuku Iho | Living Legacy Japan** at 21_21 Design Sight Museum in Roppongi, Tokyo Midtown next month on **1st August**.

I am hopeful this fits well with your impending attendance at the exclusive ATEED World Travel & Tourism Council (WTTC) dinner where some of the world's most influential travel and tourism leaders will be co-hosted by ATEED with our new Ambassador to Japan, Hamish Cooper, at the New Zealand Embassy, on the 2nd August.

Alongside the significant contribution from New Zealand INC agencies (TNZ, NZTE, MFAT, ENZ, TPK, NZ Story), leading entities such as ATEED, Ngāi Tahu Tourism, Air New Zealand and NZ Māori Tourism have all come together with Te Puia | NZMACI to maximise the market opportunity that is **Tuku Iho | Living Legacy**.

Notwithstanding any supporting collateral provided alongside this invitation, the key aspects to **Tuku Iho | Living Legacy** are;

- It is New Zealand's foremost premier international showcase of Māori performing and material Arts and Crafts;
- It is professionally managed and has a proven track-record of delivery across 7 countries and 10 cities since 2013;
- It is a proven catalyst that encourages high-level opportunities and outcomes across trade, government and consumers;
- It provides an exceptional platform for media, PR and event hosting through a unique fusion of cultural commerce;
- It is leveraged as a premier activation in any New Zealand in-market activations (such as China|NZ YOT) in November.

David, we look forward to pleasure of your company in attendance at these significant events. Kiri Atkinson-Crean (GM Sales & Marketing) is our point person across every aspect of **Tuku Iho | Living Legacy** and will be able to assist in regard to any queries or clarification you may require (her details are below).

Noho ora mai,

Harry Burkhardt
Chairman
Te Puia | NZ Māori Arts & Crafts Institute

cc.
Kiri Atkinson-Crean
General Manager - Sales & Marketing
kiri@tepuia.com or MOB +64297711316



Independent Māori Statutory Board Appointment to City Centre Masterplan Refresh.

File No.: CP2019/13749

Ngā tūtohunga Recommendation

That the Independent Maori Statutory Board:

- a) appoints a Board member onto the delegated group for the City Centre Masterplan refresh

Te take mō te pūrongo Purpose of the report

1. At the Planning Committee meeting on 2 July 2019, the delegated group for the City Centre Masterplan refresh was appointed.
2. The resolution to delegate to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board member the power to correct any identified errors or minor edits, and to give effect to changes requested by the committee.

Horopaki Context

3. At the Planning Committee meeting on 2 July 2019, the following resolution was made:

Item 8: City Centre Masterplan refresh

Resolution number PLA/2019/62

MOVED by Chairperson C Darby, seconded by Mayor P Goff:

That the Planning Committee:

- c) **delegate to the Chair and Deputy Chair of the Planning Committee and an Independent Māori Statutory Board member the power to correct any identified errors or minor edits, and to give effect to changes requested by the committee at this meeting.**

CARRIED

Ngā koringa ā-muri Next steps

4. For more information on this item, see item 8 on the Planning Committee Agenda.
5. An eight-month period of consultation will begin. Targeted engagement with Council group and external stakeholders will occur in July to shape and refine consultation material prior to wider public engagement.
6. A critical element of the CCMP refresh is the consideration and application of Te Ao Māori and Māori perspectives as part of the refresh process. Engagement will take place with Mana Whenua and Mataawaka before and during the consultation period.



7. Following the consultation period, a summary of the feedback received will be communicated widely to all submitters and stakeholder groups involved in the process.
8. This input will shape the development of the refreshed digital CCMP. The programme allows time for further targeted engagement as necessary from October to January. The complete digital CCMP will be presented to Planning Committee in February 2020.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Authors	Beth Tauroa - Principal Advisor
Authorisers	Catherine Taylor - Manager Policy and Evaluation Brandi Hudson - Independent Maori Statutory Board CEO



Independent Māori Statutory Board Appointment to Review of Food Safety Bylaw 2013, options and proposed future direction.

File No.: CP2019/13748

Item 13

Ngā tūtohunga Recommendation

That the Independent Māori Statutory Board:

- a) appoint a Board member onto the Review of Food and Safety Bylaw 2013, options and proposed future direction to attend 'Have Your Say' events as appropriate and to deliberate and make Recommendations to the Governing Body on public feedback to the proposal.

Te take mō te pūrongo Purpose of the report

1. At the Regulatory Committee meeting on 11 July 2019, the hearing panel for the Review of the Food Safety Bylaw 2013 was appointed.
2. The resolution to delegate authority to the chairperson of the relevant committee following the 2019 Local Body elections to:
3. Appoint a chair and two panel members selected from the Governing Body and the Independent Māori Statutory Board to attend 'Have Your Say' events as appropriate and to deliberate and make recommendations to the Governing Body on public feedback to the proposal.

Horopaki Context

4. At the Regulatory Committee meeting on 11th July 2019, the following resolution was made:
Item 10: Review of Food Safety Bylaw 2013, options and proposed future direction
Resolution number REG/2019/39
MOVED by by IMSB Member G Wilcox, seconded by Cr J Bartley:
That the Regulatory Committee:
 - e) **delegate authority to the chairperson of the relevant committee following the 2019 local body elections to:**
 - i) **appoint a chair and two panel members selected from the Governing Body and the Independent Māori Statutory Board to attend 'Have Your Say' events as appropriate and to make recommendations to the Governing Body on public feedback to the proposal**

CARRIED



Ngā koringa ā-muri Next steps

5. For more information on this item, see item 10 on the Regulatory Committee Agenda
6. Public consultation on the proposal will be undertaken. Public consultation is scheduled for late 2019 or early 2020. 'Have Your Say' events will take place during the public consultation period.
7. The panel will consider any feedback during a publicly notified deliberation meeting that the public can observe. The panel will make its recommendations to the Governing Body. The Governing Body will decide whether to accept the panel recommendations and officially make a new bylaw by May 2020.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Authors	Beth Tauroa - Principal Advisor
Authorisers	Catherine Taylor - Manager Policy and Evaluation Brandi Hudson - Independent Māori Statutory Board CEO



Exclusion of the Public: Local Government Official Information and Meetings Act 1987

That the Independent Maori Statutory Board

- 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 Update on the Māori Plan Value Reports and Omnibus Report

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment. In particular, the report contains s7(2)(f)(i) – The free and frank expression of opinions by or between or to members of officers or employees of any local authority, or any persons to whom section 2 (5) of this act applies, in the course of their duty.	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.

C2 Research by Sapere: Public Transport and Usage and Fares

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment. In particular, the report contains s7(2)(f)(i) – The free and frank expression of opinions by or between or to members of officers or employees of any local authority, or any persons to whom section 2 (5) of this act applies, in the course of their duty.	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.

C3 Scoping Report on Freshwater Issues and Opportunities



Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<p>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.</p>	<p>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.</p> <p>In particular, the report contains s7(2)(f)(i) – The free and frank expression of opinions by or between or to members of officers or employees of any local authority, or any persons to whom section 2 (5) of this act applies, in the course of their duty.</p>	<p>s48(1)(a)</p> <p>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.</p>