

"He toa taki tini taku toa, E hara i te toa taki tahi" "My strength will only be achieved Because of the efforts of us all."

# Rātū 29 Haratua 2018

# Council Chambers, 175 Rimu Road, Paraparaumu 10.00 am

# **Committee Membership:**

Rupene Waaka (Ngā Hapū o Ōtaki) (Chair) Chris Gerretzen (Te Āti Awa ki Whakarongotai – Charitable Trust)

Carol Reihana (Ngāti Toa Rangatira) Mayor K Gurunathan (Kāpiti Coast District Council) Kirsten Hapeta (Ngā Hapū o Ōtaki) Andre Baker (Te Āti Awa ki Whakarongotai – Charitable Trust) Hohepa Potini (Ngāti Toa Rangatira) Cr James Cootes (Kāpiti Coast District Council)

| ITEM          |        | ORDER PAPER                | (*denotes paper attached)                         | PAGE |
|---------------|--------|----------------------------|---|------|
| 1             |        | Karakia                    |   |      |
| 2             |        | Apologies                  |   |      |
| 3             |        | Public Speaking Time       |   |      |
| 4             |        | Additional agenda items    |   |      |
| 5             |        | Confirmation of Minutes –  |   |      |
|               | *      | 6 Poutū-te-Rangi (M        | arch) 2018  | 2    |
|               | *      | 17 Paenga-Whāwhā           | (April) 2018                                      | 6    |
| <u>Update</u> | s / Ot | her Matters                |   |      |
| 6             | *      | Matters Under Action       |   | 11   |
| 7             |        | lwi updates                |   |      |
| 8             |        | Treaty Settlements – overv | iew from each iwi                                 |      |
| 9             | *      | Update: Public Arts Panel  | <ul> <li>Max Pedersen and Kat Cuttriss</li> </ul> | 12   |
| 10            |        | Update: Youth Developme    | nt Centre – Zeal Education Trust                  |      |
| 11            |        | Council update             |   |      |
| 12            |        | Correspondence             |   |      |
| 13            |        | Other Business             |   |      |

| MINUTES                  | MEETING HELD ON            | TIME     |
|--------------------------|----------------------------|----------|
| TE WHAKAMINENGA O KĀPITI | RATU 6 POUTŪ-TE-RANGI 2018 | 10.04 AM |

| MEMBERS       | Mr<br>Ms<br>Mr<br>Mr<br>Mayor<br>Cr    | R<br>K<br>C<br>A<br>K<br>J | Waaka<br>Hapeta<br>Gerretzen<br>Baker<br>Gurunathan<br>Cootes                        | Ngā Hapū o Ōtaki (Chair)<br>Ngā Hapū o Ōtaki<br>Te Ātiawa ki Whakarongotai Charitable Trust<br>Te Ātiawa ki Whakarongotai Charitable Trust<br>Koromatua<br>Mema o te Kaunihera   |
|---------------|--|----------------------------|--|--|
| IN ATTENDANCE | Mr<br>Mr<br>Ms<br>Ms<br>Ms<br>Ms<br>Ms | D W S M M C S M            | Te Maipi<br>Maxwell<br>Stevenson<br>Hakaraia<br>Whiterod<br>Schella<br>Todd<br>Baker | Kaumātua Te Tumuaki Rangatira Kaihautū Rautaki Kaiwhakahaere Tairangawhenua Te Āpiha Tairangawhenua Te Kaitohutohu Matua Whakānga, mo ngā Whakapātanga Te Kaiwhakahaere Hautu Ohanga Te Whakaminenga o Kāpiti LTP Representative |
|               | Ms<br>Ms                               | N<br>L                     | Williams Belcher   | Te Kaiwhakahaere, Kaupapa Here Rangahau<br>me Whakatakotoranga<br>Kaiwhakahaere Ratonga Manapori   |

The meeting opened with a karakia by Koro Don Te Maipi.

Te Whakaminenga o Kāpiti 18/03/148 **TUKU AROHA/APOLOGIES** 

There were no apologies.

Te Whakaminenga o Kāpiti 18/03/149

# **PUBLIC SPEAKING TIME**

Dr John Robinson spoke about driving on the sand spit at the mouth of the Waikanae River, in particular during white bating season. Mr Baker explained that Te Ātiawa ki Whakarongotai Charitable Trust had delegated investigation of Dr Robinson's concerns to their environmental committee who would come back with their response through Te Whakaminenga o Kapiti at the next meeting. The Chair confirmed that Mr Robinson would be receiving a response.

Te Whakaminenga o Kāpiti 18/03/150 ADDITIONAL AGENDA ITEMS

There were no additional agenda items.

| MINUTES                  | MEETING HELD ON            | TIME     |
|--------------------------|----------------------------|----------|
| TE WHAKAMINENGA O KĀPITI | RATU 6 POUTŪ-TE-RANGI 2018 | 10.04 AM |

Te Whakaminenga o Kāpiti 18/03/151 CONFIRMATION OF MINUTES – 23 January 2018

# **MOVED (Gurunathan/Hapeta)**

That the minutes of the meeting of Te Whakaminenga o Kāpiti on 23 January 2018 are confirmed as a true and accurate record of that meeting.

**CARRIED** 

# **Strategic Work Programme**

Te Whakaminenga o Kāpiti 18/03/152

PRESENTATION: Multicultural Councils of New Zealand – Mayor Gurunathan

Mayor Gurunathan asked that Te Whakaminenga o Kāpiti approve the move forward to formally constitute the Multicultural Council and for a representative to be nominated by Te Whakaminenga o Kāpiti. There was discussion that this could be a good mechanism of ensuring the Treaty receives attention from the other cultures. The Chair indicated that he would be happy to be considered as the nominee by Te Whakaminenga. There was also discussion as to whether there was in fact a need to attach Tangata Whenua and Mana Whenua to a multi cultural framework. Mayor Gurunathan invited members of Te Whakaminenga o Kāpiti to a meeting on 19th March to korero about a Kāpiti Multicultural Council and how this has worked in other areas.

No decision was reached. However, it was agreed that this topic would be discussed again at the next meeting of Te Whakaminenga o Kāpiti.

# **Updates / Other Matters**

Te Whakaminenga o Kāpiti 18/03/153 **MATTERS UNDER ACTION** 

Members discussed the matters under action.

Te Whakaminenga o Kāpiti 18/03/154

**UPDATE**: Economic Development Website – Sarah Todd

Sarah Todd spoke about the digital strategy and the development of a website that will allow the presentation of Kāpiti as a district to the rest of the country and the rest of the world. The focus will be Hospitality and Tourism. It will be a live document that reflects development in Kāpiti.

A welcome from iwi is very important.

There was discussion about future work by Ms Todd and Ms Hakaraia, with iwi, to ensure that the Economic Development Strategy and the Maori Economic Development Strategy dovetail appropriately.

| MINUTES                  | MEETING HELD ON            | TIME     |  |
|--------------------------|----------------------------|----------|--|
| TE WHAKAMINENGA O KĀPITI | RATU 6 POUTŪ-TE-RANGI 2018 | 10.04 AM |  |

Te Whakaminenga o Kāpiti 18/03/155

#### **UPDATE**: Appeals to the Proposed District Plan – Nicki Williams

Nicki Williams provided an update on appeals that have been received on the Proposed District Plan. There have been 18 appeals to the Environment Court. Ms Williams gave some examples of appeals relating to:

- Ngarara Zone and Ngarara Precinct, part of which relates to a Waihi Tapu site.
- Paraparaumu Town Centre around retailing and hierarchy of retailing as it relates to this
  area being the dominant retail area of the district.
- Rural areas relating to development, biodiversity and sub division rules.
- Flooding Issues on specific sites such as the Airport zone and Paraparaumu Town Centre.
- Network utility appeals from Spark and Amateur Radio.
- Coastal Ratepayers United appeal against policies and objectives relating to the area of Coastal Dominance.

Ms Williams committed to providing an Email written summary of the information provided in her verbal report.

Te Whakaminenga o Kāpiti 18/03/156

**UPDATE: ANZAC Day** 

Ms Belcher provided an update on Anzac Day. Te Whakaminenga o Kāpiti were invited to consider if they would like to lay a wreath during the civic parade ceremony on Anzac Day in Paraparaumu. It was agreed that there was merit in the idea and there would be further discussion. Potentially a different iwi could take a turn each year. It was agreed to confirm at the next meeting which iwi and the name of the person who would be laying the wreath.

Te Whakaminenga o Kāpiti 18/03/157 **IWI UPDATES** 

#### Ngāti Toa Rangatira

There were no updates.

#### Ngā Hapū o Ōtaki

There were no updates.

#### Te Ātiawa ki Whakarongotai Charitable Trust

Andre Baker thanked Elected Members and staff for the Waitangi Day 2018 event.

Mr Baker spoke to a report which he had provided to members and which will be attached to the minutes of this meeting.

Te Whakaminenga o Kāpiti 18/03/158

TREATY SETTLEMENTS - OVERVIEW FROM EACH IWI

#### Ngāti Toa Rangatira

There were no updates.

| MINUTES                  | MEETING HELD ON            | TIME     |
|--------------------------|----------------------------|----------|
| TE WHAKAMINENGA O KĀPITI | RATU 6 POUTŪ-TE-RANGI 2018 | 10.04 AM |

# Ngā Hapū o Ōtaki

There were no updates.

# Te Ātiawa ki Whakarongotai Charitable Trust

The trust has established a Treaty Claims Committee to respond the invitation from OTS to look at the mandate recognition process.

Mr Andre Baker left the meeting at 12.26pm and did not return.

Te Whakaminenga o Kāpiti 18/03/159

# COUNCIL UPDATE

Maia Whiterod gave a powerpoint presentation on Waitangi Day 2018.

There was discussion about the video documentary which is a part of the exhibition. There will be further discussion at the end of the exhibition tour as to how the exhibition may be made available for use in the future.

Te Whakaminenga o Kāpiti 18/03/160

#### CORRESPONDENCE

There was no correspondence.

Te Whakaminenga o Kāpiti 18/03/161

#### **OTHER BUSINESS**

MOVED (Gurunathan/Hapeta)

That the meeting move into In-Committee.

**CARRIED** 

#### **IN-COMMITTEE DISCUSSION**

The meeting held a discussion 'In-Committee' from 12.29pm and came back out of Committee at 12.54pm

| The meeting was closed at 12.55pm after a | he meeting was closed at 12.55pm after a karakia by Don Te Maipi. |  |  |  |  |  |  |
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| Chair                                     | Date  |  |  |  |  |  |  |

| MINUTES                  | MEETING HELD ON            | TIME  |
|--------------------------|----------------------------|-------|
| TE WHAKAMINENGA O KĀPITI | RATU 17 PAENGA-WHĀWHĀ 2018 | 10.04 |

| MEMBERS       | Mr<br>Ms<br>Mr<br>Mr<br>Sir<br>Mayor<br>Cr | R<br>K<br>C<br>A<br>M<br>K<br>J | Waaka Hapeta Gerretzen Baker Rei Gurunathan Cootes                         | Ngā Hapū o Ōtaki (Chair)<br>Ngā Hapū o Ōtaki<br>Te Ātiawa ki Whakarongotai Charitable Trust<br>Te Ātiawa ki Whakarongotai Charitable Trust<br>Ngāti Toa Rangatira<br>Koromatua<br>Mema o te Kaunihera   |
|---------------|--|---------------------------------|--|---|
| IN ATTENDANCE | Mr<br>Ms<br>Ms<br>Ms<br>Mr<br>Ms           | W<br>S<br>M<br>M<br>V           | Maxwell<br>Stevenson<br>Hakaraia<br>Whiterod<br>Fallon<br>Baker<br>Belcher | Te Tumuaki Rangatira<br>Kaihautū Rautaki<br>Kaiwhakahaere Tairangawhenua<br>Te Āpiha Tairangawhenua<br>Te Kaiwhakahaere Hōtaka whakaurunga,<br>Huanui Tōtika<br>Te Whakaminenga o Kāpiti LTP Representative<br>Kaiwhakahaere Ratonga Manapori |
| APOLOGIES     | Mr   | D                               | Te Maipi   | Kaumātua  |

The meeting opened with a karakia by Kirsten Hapeta.

Te Whakaminenga o Kāpiti 18/04/162

#### **TUKU AROHA/APOLOGIES**

**MOVED (Gerretzen/Cootes)** 

That apologies are received from Koro Don Te Maipi.

**CARRIED** 

Te Whakaminenga o Kāpiti 18/04/163

# **PUBLIC SPEAKING TIME**

- Cr Angela Buswell and Carmel Leonard spoke on behalf of Business Kapiti Horowhenua about the Electra Business Awards. The nomination period for the excellence and achievement award is now open and members were provided with flyers explaining the entry process. Business Kapiti Horowhenua would be open to discussion and suggestions from Te Whakaminenga o Kāpiti to potentially implement a Māori business award in some form in future years.
- Janine Davis and Janelle Tamihana of the Electoral Commission spoke about engaging with the community about the Maori Electoral Option and exercising the right to vote. Ms Davis and Ms Tamihana provided a proposal scoping the possility of collaborating with Te Whakaminenga o Kāpiti and Council. The final date to register a change in role is 2 August 2018. Ms Hakaraia, on behalf of the Iwi Relationships team, offered assistance to engage, for example to provide an area for the Electorial Commission engagement at an event which is being organised to celebrate Matariki.

| MINUTES                  | MEETING HELD ON            | TIME  |
|--------------------------|----------------------------|-------|
| TE WHAKAMINENGA O KĀPITI | RATU 17 PAENGA-WHĀWHĀ 2018 | 10.04 |

# Te Whakaminenga o Kāpiti 18/04/164 **ADDITIONAL AGENDA ITEMS**

There were no additional items.

#### **Updates / Other Matters**

Te Whakaminenga o Kāpiti 18/04/165

MATTERS UNDER ACTION

Members discussed Matters Under Action.

# Kahe Te Rau-o-te-rangi

During the broader discussion about Art in the district a question was raised regarding an Art installation at the Airport. The Mayor explained that there was a piece of Art on land owned by the Airport. Noel Robinson commissioned the Art in recognition of the original land owners who's land was taken under the Defence Act. The Artist liased with iwi and hapu in Kāpiti and in the Marlborough Sounds. There was discussion about the Public Arts Panel and it was suggested that Max Pedersen and his team attend the next meeting of Te Whakaminenga o Kāpiti in order to speak about the Panels Terms of Reference, how it works, the operation over the past couple of years and how the panel will operate moving forward.

#### Papakainga Housing Toolkit

It was raised that Te Atiawa ki Whakarongatai have signalled an interest in strategic direction in terms of Low Cost Housing and the increasing population of senior people and the increasing difficulty in accommodating them. The Chief Executive explained that as part of preparing this Long Term Plan the Council has indicated the desire for a planned comprehensive conversation on housing. This has been scheduled for the next financial year.

#### New Zealand Federation of Multi Cultural Councils

The Mayor provided an update on the first planning meeting for the Kāpiti Multi Cultural Council.

# MOVED (Rei/Hapeta)

That Te Whakaminenga o Kāpiti supports the establishment of the Kāpiti Multi Cultural Council.

#### **CARRIED**

#### MOVED(Rei/Gerretzen)

That Te Whakaminenga o Kāpiti nominates Rupene Waaka to represent Te Whakaminenga o Kāpiti on the Kāpiti Multi Cultural Council.

#### **CARRIED**

| MINUTES                  | MEETING HELD ON            | TIME  |
|--------------------------|----------------------------|-------|
| TE WHAKAMINENGA O KĀPITI | RATU 17 PAENGA-WHĀWHĀ 2018 | 10.04 |

#### Te Whakaminenga o Kāpiti 18/04/166

#### **IWI UPDATES**

### Ngāti Toa Rangatira

The Department of Conservation are looking for iwi involvement in the transfer of some birds from the Chathams to Kapiti Island.

#### Ngā Hapū o Ōtaki

There were no updates.

# Te Ātiawa ki Whakarongotai Charitable Trust

Pleased to confirm appointment of Mahina-a-rangi Baker as Pou Takawaenga Taiao.

Te Atiawa had initiated a coversation with the Guardians of the Marine Reserve in order to consider having a representative from Te Ātiawa attached to the group. However after assigning a consultant from Te Ātiawa the involvement had not met expectations and had created concerns such that Te Ātiawa have withdrawn from involvement with the Guardians of the Marine Reserve and will deal direct with Crown Agencies in relation to Kāpiti Island. The Mayor and Mr Baker agreed to discuss this further following the meeting.

### Te Whakaminenga o Kāpiti 18/04/167

#### TREATY SETTLEMENTS - OVERVIEW FROM EACH IWI

#### Ngāti Toa Rangatira

There were no updates.

### Ngā Hapū o Ōtaki

There were no updates.

# Te Ātiawa ki Whakarongotai Charitable Trust

Hearing dates for the WAI 2200 enquiry have been negotiated and three hearings, each a week in length, have been agreed. Support is being provided to the 17 Te Atiawa claiments that are both represented and unrepresented.

#### Te Whakaminenga o Kāpiti 18/04/168

#### COUNCIL UPDATE

The Mayor updated the meeting that with the end of the Air New Zealand flights from Kāpiti to Auckland, some of the original landowners attended a meeting at the Airport where they made clear that the land was taken taken for Airport puposes under the Defence Act and they would like the land to continue to be used as an Airport.

#### The Chief Executive spoke about :

- Work being undertaken by Council staff as a consequence of Air New Zealand withdrawing from providing flights from Kāpiti to Auckland. The work is ongoing.
- Council has approved and gone out to consultation on the draft Long Term Plan. The submission period closes on 23 April 2018.

| MINUTES                  | MEETING HELD ON            | TIME  |  |
|--------------------------|----------------------------|-------|--|
| TE WHAKAMINENGA O KĀPITI | RATU 17 PAENGA-WHĀWHĀ 2018 | 10.04 |  |

- Council members focussed on improving efficiency with a safety perspective in mind when dealing with Parking Approaches in Waikanae.
- The Strategy and Policy Committee received a report on appeals received on the proposed district plan.
- The Committee also received a report on Freedom Camping which showed that current problems are not sufficient as to require the undertaking of a Freedom Camping Bylaw. Ms Stevenson explained that there other tools that Council can use to manage the Freedom Camping Problem. The Government are looking at changes to legislation around Freedom Camping.
- A submission has been made to NZTA on the Ōtaki to the North of Levin Road option which supports the road being built but does not provide an opinion of where the road should be.
- The new Government has issued a new draft Government Policy Statement for transport. Top of the list is safety and they are setting a target of zero harm. While technically probably not possible to achieve it is seen by the Government as the only appropriate target. Councils are going to have to look at what the implications are for them. There is a lot less money to be spent on State Highways. In Kapiti the State Highway work is underway and so this will not be stopped.

Ms Hapeta raised that she had received feedback that making a submission on the LongTerm Plan, particularly on line, is not straightforward. It was clarified that Council is not allowed to use the entire Long Term Plan as a consultation tool. They must use a summary (the Consultation Document). Feedback on how improvements can be made with future consultation is welcome. It was noted that the particular concern was on line once you get to the submission form you still have to click backwards and forwards.

# Te Whakaminenga o Kāpiti 18/04/169 STATE HIGHWAY RENAMING UPDATE

Vince Fallon, the Expressway Integration Programme Manager, gave an update on the process on State Highway renaming and spoke to a PowerPoint presentation. Suggested names have been provided by the Iwi Working Party, key stakeholder groups, Community Boards, through consultation with Emergency Services and the Community for the sections of State Highway 1 which are to be renamed. There were 1077 submissions in total.

The changes cannot be implemented until revocation has been completed. A paper will be presented to Council for final decision on the names. Discussion with Council so far in relation to feedback indicates that seven names will be chosen as opposed to one name for the entire road.

There was discussion that the preference of the members of Te Whakaminenga o Kāpiti would have been for Council to consult solely with Te Whakaminenga o Kapiti as partners.

The Chair thanked Mr Fallon for his update.

Mr Baker left the meeting at 11.45am and did not return.

| MINUTES                  | MEETING HELD ON            | TIME  |
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| TE WHAKAMINENGA O KĀPITI | RATU 17 PAENGA-WHĀWHĀ 2018 | 10.04 |

| Te | Wha | kami | nenga       | o k | (āpiti | 18/04/ | 170 |
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| CO | RRE | SPO  | <b>NDEN</b> | CE  |        |        |     |

There was no correspondence.

Te Whakaminenga o Kāpiti 18/04/171 **OTHER BUSINESS** 

**MOVED (Cootes /Gerretzen)** 

That Te Whakaminenga o Kāpiti moves into Committee.

**CARRIED** 

# **IN-COMMITTEE DISCUSSION**

The meeting held a discussion 'In-Committee' from 12.05pm and came back out of Committee at 1.15 pm.

| The meeting was closed at 1.15pm after a karakia by Sir Matiu Rei. |      |  |  |  |  |
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| Chair  | Date |  |  |  |  |

# TE WHAKAMINENGA O KĀPITI 29 Haratua 2018

| Item                             | Action   | Person                            | Notes/Update  | Timeframe                   |
|----------------------------------|--|-----------------------------------|---|-----------------------------|
|                                  |  | Responsible                       |   |                             |
| Response to<br>Mr David<br>Moore | Mr Moore attended the 24 October meeting to speak about waste management and concerns about non-compliance of the Hokio Landfill with consent conditions.  | Rupene<br>Waaka                   | Update 17 April 2018. A draft response in the form of a letter is with the Chair for consideration.   | Next Meeting<br>29 May 2018 |
| Kahe Te Rau-<br>o-te-rangi       | Mr Baker asked for a response regarding the desire to honour Kahe Te Rau-o-te-rangi.   | Andre<br>Baker                    | A response was provided to the Trust. The Trust are to meet with Council staff and an artist. The Trust are to assemble a group of experts to consider the project.   | Next Meeting<br>29 May 2018 |
| Te Reo on<br>Local radio         | Ms Hapeta will to work with wānanga to arrange a discussion with BeachFM regarding opportunities.  | Kirsten Hapeta                    | Update 17 April 2018 - Ongoing  | Next Meeting<br>29 May 2018 |
| Papakainga<br>Housing<br>Toolkit | Ms Williams committed to talking with Regulatory Manager Natasha Todd to discuss approach to the production of a tool kit for people who are keen to move forward with Papakainga Housing. Ms Hapeta will be the point of contact and lead the work on such a Papakainga Housing tool kit through the ART Forum. | Nicki Williams/<br>Kirsten Hapeta | Update 17 April 2018 – Kirsten met with Nicki Williams, Emily and Sherilyn 12 April to note the housing needs for Māori, papakainga complexities and provisions, policy to enable easier pathway for establishing papakainga inc urban zones, sort of info to include in a guide. | Next Meeting<br>29 May 2018 |

#### PUBLIC ART PANEL TERMS OF REFERENCE

#### 2017

#### Goals

- 1. The Public Art Panel is appointed by the Kāpiti Coast District Council to act as an expert advisor on the Council's public art programme and to make decisions on the selection of public artworks that assist the Council to implement its public art programme and Public Art Policy.
- 2. By encouraging, providing and managing public art the Council aims to:
  - 2.1. promote Kāpiti Coast District's sense of community, civic pride and distinctive identity;
  - 2.2. acknowledge and celebrate the whakapapa and history of tangata whenua as well as matawaka cultural identity through toi Māori;
  - 2.3. provide opportunities for artists to work in and with communities in public places;
  - 2.4. encourage a culture of creativity and innovation in the public realm, which heightens people's understanding and enjoyment of art, including introducing work from noted artists living and/or working outside the District;
  - 2.5. contribute significantly to the development of cultural tourism and economic development in the District;
  - 2.6. acknowledge and celebrate the diverse communities within the District;
  - 2.7. provide opportunities for young people to lead or be involved in the creation of public art;
  - 2.8. integrate public art into public space design including town centres, facilities and open space.

#### Membership

- 3. The panel shall have five members, including dedicated roles for:
  - an arts professional nominated by Te Whakaminenga o Kāpiti
  - a representative nominated by Mahara Gallery Trust
  - an elected member of Council
- 4. Members will be selected for their artistic expertise, experience and networks, and to ensure that collectively the panel has the following skill areas:
  - credibility and relationships in the community, especially the creative community
  - experience in the commissioning of public art
  - · ability to identify strong artistic concepts
  - knowledge of local, national and international public art history
  - knowledge of Kāpiti's geography, local environments social and built heritage
  - appreciation of Kāpiti's changing demographics and diversity and the opportunities and challenges these pose to the development of the district

- a globally informed perspective of the role creativity plays in place-making and transformation
- commitment to understanding the principles of Te Tiriti o Waitangi
- knowledge of tikanga Māori and toi Māori
- 5. Council staff will manage the Council's public art programme, facilitate engagement, and provide secretariat support to the Public Art Panel.

# **Appointment Process**

- 6. Council will appoint one of its elected members to the panel.
- 7. The Public Art Panel will be appointed by the Council from a shortlist prepared by Council staff in response to expressions of interest and nominations from Te Whakaminenga o Kāpiti and Mahara Gallery.
- 8. Expressions of interest for two positions on the Public Art Panel will be called for through advertising.

#### **Tenure**

9. Members of the Public Art Panel are appointed for a three-year term that coincides with the then current Council triennium.

#### Roles and Responsibilities

- 10. The panel will appoint a Chair at its first meeting of each triennium.
- 11. The role of the Public Art Panel is to provide input into the Council's public art programme, including advising on:
  - Site priorities and selection;
  - Timelines;
  - Strategic aims;
  - Budget utilisation;
  - Artworks to be deaccessioned or relocated;
  - External proposals, bequests, donations or loans of artwork for public spaces;
  - Protocols for artwork opening/unveiling, relocation and removal.
- 12. The Public Art Panel is authorised to determine the following:
  - Commissioning processes, artist selection methods and brief development;
  - Selecting artists to respond to a brief, and reviewing expressions of interest;
  - Approving artist concepts and detailed designs for the production of public artworks.
- 13. Recommendations and progress reports to Council or delegated committee will be developed by Council staff with advice from the panel.

# Meetings

14. Meetings will be held as required.

- 15. The quorum of the meeting shall be a simple majority of the panel. Recommendations and decisions of the panel are made by a simple majority of those present, except that decisions about selection of a public artwork must be a unanimous decision of the full panel.
- 16. Each member has one equal vote.
- 17. Any member who is absent from three consecutive meetings of the panel without leave of absence from the panel, or without reason satisfactory to the panel, shall cease to be a member of the panel.
- 18. Meeting agendas, minutes and arrangements (notifications, room bookings and so on) will be made by Council staff. Meetings will not generally be open to the public (unless the panel chooses to make a meeting public).

#### **Process and Jurisdiction**

- 19. The Public Art Panel will provide advice and input for the development of Council's public art programme.
- 20. Once the public art programme has been approved the Public Art Panel have delegated authority to select public artworks provided that:
  - The location and priority for the artwork has been approved by the Council;
  - The cost of the artwork is within the approved budget;
  - The decision of the Public Art Panel is unanimous.
- 21. The Public Art Panel's recommendations and decisions must be developed with reference to and in accordance with the Council's Strategy for Supporting the Arts (April 2012), the Council's Public Art Policy (August 2013) and the Council's public art acquisitions budget and approved programme.
- 22. The Public Art Panel should ensure that recommendations and decisions are made with due regard to New Zealand laws including those regarding copyright, censorship and obscenity.
- 23. Council will enter into formal agreements with artists and suppliers.
- 24. The Public Art Panel can advise Council staff on public communications and engagement plans. The Public Art Panel cannot make public statements on behalf of the Council.

#### Remuneration

25. Membership is a voluntary role, and there will be no remuneration for members' time, or for attendance at meetings.

#### Resources and budget

- 26. Council will make available meeting rooms and any Council-owned presentation equipment required for meetings.
- 27. There is no Council operating budget allocated to the Public Art Panel. Council staff time will be met from existing operating budgets.

#### Fund sources and management

- 28. Council makes provision for the capital expenditure on public art in its Annual Plan process. The Council or the Public Art Panel may seek to secure additional funds from outside sources (e.g., central government agencies, corporate or private funders) for public art. Details of expenditure are included in the Council's regular financial reports.
- 29. Council will make payments to artists and suppliers associated with the agreed public art programme.

#### **Code of Conduct**

- 30. Members are required to declare any conflict of interest with any matter to be discussed by the panel.
- 31. Members are not permitted to directly or indirectly benefit from their participation in the Public Art Panel during their tenure, and for a period of 12 months following the completion of their term.
- 32. Members are required to:
  - prepare for and actively participate in meetings;
  - act in a courteous manner, respecting views and opinions of others;
  - respect the decision of the consensus view as adjudicated by the Chair;
  - publicly support recommendations made by the panel even if their personal view differs from the consensus view; and
  - treat information with sensitivity and confidentiality as appropriate.

#### **Evaluation and review**

- 33. Council may choose to alter these terms of reference at any time.
- 34. Council reserves the right to review the operations of, or need for, the Public Art Panel at any time.