

Te Manawataki o Te Papa - Governance Group Report to Council

12 December 2022

Purpose of the Report

Te Manawataki o Te Papa Governance Group (the Governance Group) fully supports and endorses the proposed resolutions set out in the Report to the Council presenting the preliminary designs and updated costings for Te Manawataki o Te Papa, being provided to Council on the 12 December 2022. By way of background, we note that the recommendations to the Council are as follows.

That the Council:

- (a) Receives the report "Te Manawataki o Te Papa – Preliminary design and cost report".*
- (b) Notes that at this stage of the design process, the projected cost has increased by \$4.5 million compared to the Long-term Plan Amendment budget.*
- (c) Notes that the overall cost estimate will be further refined during the detailed design phase of the programme.*
- (d) Reconfirms that the programme of works is subject to achieving 50% (\$151.5 million) of funding from sources other than rates-funded debt.*
- (e) Authorises the Chief Executive to enter into a Development Commitment with Willis Bond, to progress the developed and detailed designs at an estimated cost of \$21.3 million.*
- (f) Notes that the detailed design will be brought back to Council for approval, prior to entering into a Development Agreement, in accordance with the Tauranga City Council / Willis Bond Partnering Agreement.*

A summary of the role and functions carried out by the Governance Group since its establishment in July 2021 are set out below. The report is co-authored by Puhirake Ihaka, Chair - Otamataha Trust Kaumatua and John Brockies, Chair of the Te Manawataki o Te Papa Governance Group.

Governance Structure

The Governance Group convened a two-day Civic Precinct Programme workshop in January 2022. One of the key agenda items at that workshop was in relation to the governance structure to be implemented for the Project. The governance structure subsequently implemented is outlined in Attachment 1 of this report.

The Governance Group confirmed the following Key Performance (KPI's) Indicators for 2022.

- Achieve the intent of the Tauranga City Council and Willis Bond and Company (Tauranga) Ltd. Partnering Agreement (8 July 2018).
- Achieve the approved programme.
- Deliver the projects in accordance specifications and quality to ensure value for money.
- Ensure the performance of the Project Steering Groups.

The Governance Group consists of eight members including an independent chair. The remaining membership consists of three Council executive members; a mana whenua representative; an external property development consultant; a Willis Bond representative; and an independent Tauranga based accountant.

Five Steering Groups support the Governance Group. The four Steering Groups related to Te Manawataki o Te Papa are each chaired by a Commissioner. Other members of the Steering Group include several external specialists, Willis Bond representatives, relevant General Managers, Council's Director of Civic Development, relevant Programme Manager and Council operational staff. The Steering Groups meet monthly.

A Joint Chairs group meet fortnightly and is made up of Commissioners, Council's Chief Executive, General Manager City Development and Partnerships and Council's Director of Civic Development.

Design and Technical Reference Groups support each Steering Group. These each have an independent chair.

The Te Manawataki o Te Papa Cultural Advisory group meet regularly. Members include representatives of the two hapū (Ngai Tamarāwaho and Ngāti Tapu) from Otamataha Trust, a representative from Ngai Tamarāwaho and Council's Cultural Advisor, who is also a member of each of the Steering Groups.

Mana Whenua Engagement in the Design and Governance Process

The cultural significance of this area is very important to Mana Whenua as it provided the land where our ancestors lived and worked and also our connection to the moana e.g. where we moored and launched our waka. Our history and occupation goes back to the 14th century up to the year 1865 when we were substantially expelled from our traditional whenua through land confiscation.

We have always provided this cultural background in referencing our connection to this area to substantiate our "Ahi kaaroa" - (unbroken occupation) until 1865. However, some of our people even refused to move right through to the mid 1900's and continued to retain our Ahi Kaa.

A lot of this history has been provided by Mana Whenua to Council and the Architectural consultants to illustrate the elements for specific design features which have been implemented and used in the design planning process and we believe this meets the standards and requirements of adhering to our cultural design principles. Thus, it protects and enhances the integrity of our partnership with Council by ensuring that Mana Whenua design principles are embedded in the final product and helps to strengthen our relationship.

Input from Mana Whenua has been provided by our team comprising:

1. The Cultural Advisory Group (Governance/consultation body) made up of representatives from Otamataha Trust consisting of members from the two hapū - namely Ngāti Tapu and Ngai Tamarāwaho.
2. Te Kahui Toi (operational) - Our team of design artists and carvers.
3. Council Cultural Advisor - who facilitates and co-ordinates our processes and interaction with Council.

It is through the above Mana Whenua forum that we produce our design elements which reflects our unique cultural history and keeps us focussed and on track.

I wish to acknowledge the work and diligence of our team and in particular the input and advice provided by our kaumatua, particularly the late Peri Kohu.

Work of Governance Group and Endorsement of Recommendations

The Governance Group meet monthly and to date have met nine times this year. The work of the Group comprises a detailed review of project and programme updates, including highlights of the previous month and tracking of project budgets, timing, and emerging issues/risks and mitigating actions. It reviews the progress of Steering Group Meetings, including key actions and discussions arising therefrom and on special projects relevant to the Project.

Usual governance best practice is followed in the conduct of the meetings with all necessary documents enclosed with the notice of meeting and made available in advance of the meeting. The draft minutes of each meeting are sent to all members and then approved at the following meeting. Any action items and/or approvals required are noted and tracked until complete.

These processes, together with the underlying governance structure, has enabled the Governance Group to track and input into the progress of the Project. It has enabled the Governance Group to be assured that robust processes have been followed whilst the projects have progressed from concept to preliminary design. The Governance Group is assured that key stakeholders have been engaged and have had the opportunity to contribute where appropriate and necessary. Whilst there will inevitably be challenges given the nature and scope of the projects, particularly given current market conditions, it is confident that the Project is tracking well.

Overall, the Project has developed steadily and at pace from concept design stage to near completion of preliminary design within a short period of time and despite the lingering effects of COVID-19 and other challenging market conditions This is a credit to the enthusiasm, leadership and sustained work rate of the whole team.

It is on the basis of this work that the Governance Group supports the proposed resolutions set out in the Report.

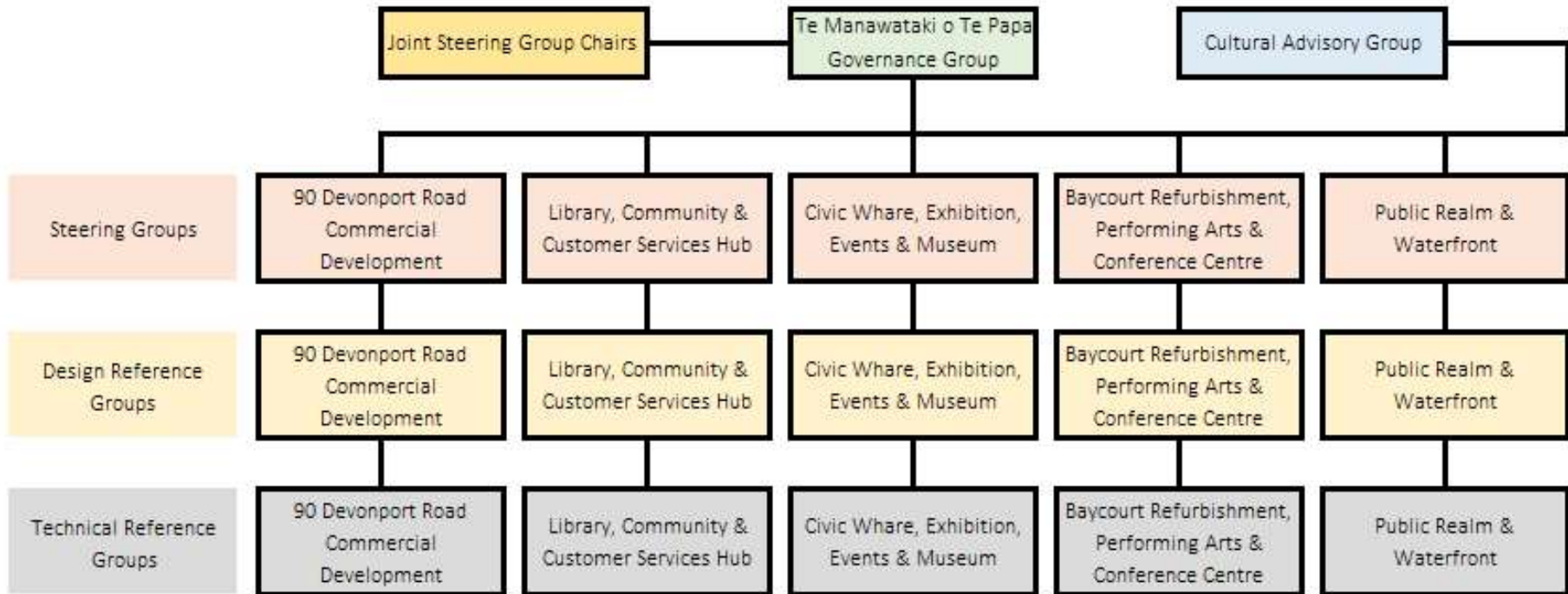
John Brockies

Chair - Te Manawataki o Te Papa
Governance Group

Puhirake Ihaka

Chair - Otamataha Trust Kaumatua

Attachment 1 - Governance Structure diagram





Terms of Reference

Te Manawataki o Te Papa Governance Group

Scope: To provide effective governance of the approved Civic Development Programme in accordance with the Partnering Agreement.

Objectives

- To provide leadership, management and governance process for the planning and implementation of the Te Manawataki o Te Papa Projects and any future projects within the CBD as directed.
- To oversee progress, risks, costs, planning and strategic alignment on the Te Manawataki o Te Papa and waterfront projects.
- Provide a decision path for the management, identification and allocation of risk to ensure timely decisions.
- Make recommendations to Commissioners/Elected Members for approval of the Stages of the Partnering Agreement for each project including: 1) Feasibility Assessment 2) Development Commitment 3) Confirmed Development Agreement.
- Provide guidance to the Council LTP, Annual Plan and budget requirements.
- To provide regular progress reporting to the Executive Leadership Team.
- To provide regular reports on the performance of the Project Steering Groups.
- To approve all Communications and Engagement Plans.
- To approve the procurement Strategy/Plans.
- To provide Commissioners assurance that the objectives of the programme are being met by providing 6 weekly reports to Council.
- Provide an escalation path for disputes.
- To give effect to Councils commitment to Te Tiriti o Waitangi.
- Give effect to Councils policies and make recommendations on leading practice on sustainability, wellness and accessibility.
- Awareness of and connection to projects within the wider CBD.

Governance Group Key Performance Indicators (KPI):

- Achieve the intent of the Tauranga City Council and Willis Bond and Company (Tauranga) Ltd. Partnering Agreement (8 July 2018)
- Achieve the approved programme.
- Deliver the projects in accordance specifications and quality to ensure value for money.
- Ensure the performance of the Project Steering Groups

Membership:

Independent Chair - John Brockies

Chief Executive - Marty Grenfell

Client Representative – Barbara Dempsey

Te Tiriti o Waitangi Advisor - Puhirake Ihaka

Commercial Lead - David Lambie

Development Lead – Wayne Silver

Financial Lead – Mohan De Mel

Gareth Wallis, Alistair McNeil, Mike Naude, Graeme Frith, Kerri Jones

Review:

- Governance Group participants will be reviewed 6 monthly by the TCC Executive to ensure relevance and effectiveness.
- A meeting quorum will be no less than 4 nominated members.

Reporting and delegations:

- All decision made will work within the limits of authority of the Chief Executive as approved by the Council or otherwise directed by the Council
- Project Progress Reports will be submitted to Governance Group at scheduled meetings.
- 6-Weekly Project Progress Reports will be submitted to Council Meeting

Frequency of Meetings:

- Meetings will be held monthly.
- Additional meetings may be convened to approve urgent approvals to maintain project continuity if deemed essential by the Chief Executive.
- 6-Weekly project update reports presented to Council

Administration:

- An agenda will be circulated 3 working days prior to the meeting.
- Project updates and other agenda items will be made available prior to the meeting to allow membership time for preparation.
- All significant projects will be supported by a Project Progress Report.
- Decisions, key advice and directions will be recorded and circulated by the Administrator.
- The PM's presenting will be responsible for providing notes of the discussion and decisions/actions to the Administrator.
- Agendas and minutes will be filed in <https://objective-prod.tauranga.govt.nz/documents/qA570392/details>.