

TE WHAKAMINENGA O KĀPITI

“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.”

AGENDA

Te Whakaminenga o Kāpiti Tuesday, 18 June 2024

I hereby give notice that a Te Whakaminenga o Kapiti meeting will be held on:

Date: Tuesday, 18 June 2024

Time: 9:30am

Location: Council Chamber
Ground Floor, 175 Rimu Road
Paraparaumu

Hara Adams
Group Manager Iwi Partnerships

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- 1 KARAKIA
- 2 WHAKAPĀHA | APOLOGIES
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 - 4.1 CONFIRMATION OF MEMBERSHIP

5 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

5.1 CONFIRMATION OF MINUTES

Author: Jessica Mackman, Senior Advisor, Democracy Services

Authoriser: Hara Adams, Group Manager Iwi Partnerships

TAUNAKITANGA | RECOMMENDATIONS

That the minutes of Te Whakaminenga o Kapiti meeting of 12 Hakihea 2023 (12 December 2023) be accepted as a true and correct record.

NGĀ ĀPITIHANGA | ATTACHMENTS

1. Minutes of Te Whakaminenga o Kapiti 12 December 2023 [↓](#)

TE WHAKAMINENGA O KAPITI MINUTES

12 DECEMBER 2023

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
TE WHAKAMINENGA O KAPITI
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON TUESDAY, 12 DECEMBER 2023 AT 9.35AM**

PRESENT: Mr André Baker (Ātiawa ki Whakarongotai), Mayor Janet Holborow, Ms Denise Hapeta (Ngā Hapū o Ōtaki), Ms Kim Tahiwai (Ngā Hapū o Ōtaki), Mr Huriwai Paki (Ngāti Toa Rangatira), Cr Martin Halliday

IN ATTENDANCE: Cr Sophie Handford, Cr Rob Kofoed, Cr Kathy Spiers, Cr Nigel Wilson, Mr Darren Edwards, Ms Kris Pervan, Ms Deanna Rudd, Ms Steffi Haefeli, Ms Anna Smith, Ms Jessica Mackman

WHAKAPĀHA | Ms Kirsten Hapeta (Ngā Hapū o Ōtaki), Te Rakauoteora Te Maipi (Koro Don Te Maipi), Ms Hara Adams

APOLOGIES:

LEAVE OF ABSENCE: There were none.

1 KARAKIA

The Chair, André Baker opened the hui and respectfully acknowledged members of the A.R.T. Confederation (Ātiawa ki Whakarongotai, Ngāti Raukawa ki te tonga, Ngāti Toa Rangatira) who had recently passed and their whanau at this time.

The Chair welcomed the rangatira o te Kaunihera o Kapiti, mana whenua, kaiwhiriwhiri and manuhiri in attendance.

2 WHAKAPĀHA | APOLOGIES

The Chair, André Baker noted apologies had been received from Hara Adams, Group Manager Iwi Partnerships, Kirsten Hapeta (Ngā Hapū o Ōtaki) and Te Rakauoteora Te Maipi.

APOLOGY**COMMITTEE RESOLUTION TWOK2023/29**

Moved: Ms Denise Hapeta

Seconder: Mr Huriwai Paki

That the apologies received from Hara Adams, Kirsten Hapeta and Te Rakauoteora Te Maipi be accepted.

CARRIED**3 HE WĀ KŌRERO KI TE MAREA | PUBLIC SPEAKING TIME**

Chris Webber highlighted the new government's proposed disestablishment of Te Aka Whai Ora (Māori Health Authority) and asked that Council take a proactive role in the health and wellbeing space as a result of this. Mr Webber also noted recent Te Tiriti o Waitangi debate and the need for Council to engage in the discussion constructively.

TE WHAKAMINENGA O KAPITI MINUTES

12 DECEMBER 2023

Mr Webber reiterated an earlier request made to Council advocating for a review of Te Whakaminenga o Kapiti to better understand how the voices of hapu could be heard and requested a meeting on behalf of the Paraparaumu Māori Committee.

Hariata Higgott acknowledged Cr Martin Halliday and Mayor Janet Holborow in assisting to have her art exhibited at Toi Mahara gallery. Ms Higgott requested she be informed of future arts, heritage and culture related kaupapa at Council so she can advocate for local artists.

4 HE TĀPIRITANGA KI TE RĀRANGI TAKE | ADDITIONAL AGENDA ITEMS

The Chair, André Baker acknowledged the elevation of whaea Denise Hapeta to Purutanga Mauri o Te Wānanga o Raukawa which was celebrated at a recent graduation ceremony at the Wānanga. The Chair noted that Piripi Walker was also inducted to the role of Purutanga Mauri and commended both on attaining that position.

Denise Hapeta noted the upcoming celebration of the 30 year partnership of Te Whakaminenga o Kapiti and the review of the Memorandum of Partnership given the significance of the milestone.

The Chair, André Baker requested an update on Budge House which was provided by Kris Pervan, Group Manager Strategy & Growth. Ms Pervan noted that Karl Webber, Ngāti Haumia has met with Ngāti Toa Rangatira who are consulting with Greater Wellington Regional Council (GWRC). GWRC have sought legal advice in relation to the honorary kaitiaki role and where that role should sit. Ms Pervan noted that a formal update was expected from GWRC before the year end and the Chair, with support of members, requested Ms Pervan convey the desire for this to be received.

Huriwai Paki left the hui at 10.10am and returned at 10.15am.

Kim Tahiwī left the hui at 10.15am and returned at 10.17am.

5 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

The Chair, André Baker introduced the item and suggested administrative changes to enhance the preparation of future minutes.

5.1 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION TWOK2023/30

Moved: Mr Huriwai Paki

Seconder: Ms Kim Tahiwī

That the minutes of Te Whakaminenga o Kapiti meeting of 31 Whiringa-ā-nuku 2023 (31 October 2023) be accepted as a true and correct record.

CARRIED

6 PŪRONGO | REPORTS

There were no reports scheduled on the agenda.

7 HE KŌRERO HOU MŌ NGĀ IWĪ | IWĪ UPDATES

Denise Hapeta noted it had been an active time for Ngā Hapū o Ōtaki and other large entities in Ōtaki and that tangihanga in recent weeks had lead to the need to defer Waitangi Tribunal hearings. Hearings would now be held March, April and May 2024.

Denise Hapeta noted the need to consider the celebration of partnership of Te Whakaminenga o Kapiti and the Memorandum of Partnership (MOP) and whether any changes need to be made to the MOP.

6 PŪRONGO | REPORTS

6.1 KĀPITI COAST AFFORDABLE HOUSING TRUST: TRUSTEE APPOINTMENT

Kaituhi | Author: **Stephen Cross, Housing Programme Manager**

Kaiwhakamana | Authoriser: **Kris Pervan, Group Manager Strategy & Growth**

TE PŪTAKE | PURPOSE

- 1 This paper confirms the appointment of a Te Whakaminenga O Kāpiti representative to the Kāpiti Coast Affordable Housing Trust Board Appointment Panel and appointment of Te Whakaminenga O Kāpiti Trustee on the Kāpiti Coast Affordable Housing Trust.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Not required.

TE TUKU HAEPAPA | DELEGATION

- 3 Te Whakaminenga O Kāpiti has authority to make this decision.

TAUNAKITANGA | RECOMMENDATIONS

That Te Whakaminenga o Kāpiti:

- A. **Note** that on 29 February 2024, the Kapiti Coast District Council Committee:
 - A.1 Resolved to establish an independent housing trust, which included approving in principle the Trust Deed and Relationship Framework Agreement.
 - A.2 Agreed to the placeholder name of the Trust as the 'Kāpiti Coast Affordable Housing Trust'.
 - A.3 The Trust Deed specifies the appointment process for a maximum of seven Trustees including one Council appointed Trustee, one Trustee appointed by Te Whakaminenga o Kāpiti and three to five independent trustees appointed by a Board Appointment Panel.
- B. **Note** that Iwi representatives of Te Whakaminenga o Kāpiti met and discussed a process for the appointment of a Trustee as follows:
 - B.1 Appointment of a representative on the Board Appointment Panel.
 - B.2 Confirmation of the individual to be appointed for the role of Trustee for the Kāpiti Coast Affordable Housing Trust.
- C. **Confirm** the appointment of:
 - C.1 Rawiri Faulkner of Ngāti Toa Rangatira to the Kāpiti Coast Affordable Housing Trust Appointment Panel only.
 - C.2 Kim Tahiwī of Ngā Hapū o Ōtāki as Te Whakaminenga o Kāpiti appointed Trustee to the Kāpiti Coast Affordable Housing Trust.
- D. **Note** that Kim Tahiwī will assume the role following the appointment of Independent Trustees by the Board Appointments Panel.

TŪĀPAPA | BACKGROUND

- 4 At the Council meeting on 29 February 2024, Council approved in principle the Trust Deed to establish an independent housing trust in Kāpiti and a draft Relationship Framework Agreement between the Council and the Trust.

- 5 The Trust Deed outlines the makeup of the Trust Board and the selection process to appoint Trustees. This includes the appointment of a trustee by Te Whakaminenga o Kāpiti. See appendix 1 for copies of the Trust Deed and Relationship Framework Agreement.
- 6 The rationale for the establishment of the Kāpiti Coast Affordable Housing Trust is to create an entity focused on providing permanent affordable housing opportunities for whanau and communities in Kāpiti Coast. The advantages of forming the housing trust include:
 - 6.1 The ability to hold land, transferred to it by Council or acquired on its own, for the purpose of delivering affordable or social housing. The Trust can utilise this land to create affordable housing solutions in partnership with iwi, community housing providers and other organisations.
 - 6.2 Access to a wider range of funding sources, particularly if it is registered as, or partnered with, a Community Housing Provider.
 - 6.3 Ability to consider and offer a wider range of housing services and tenure models, such as affordable rentals, rent-to-own and leasehold options.
 - 6.4 A singular focus and ability to attract assistance from suitable qualified trustees and staff, with the resources and expertise to develop and deliver housing projects.
- 7 The Trust Deed states the Trust will engage with local whānau, hapū and iwi, where appropriate, to ensure their needs are understood and recognised, and that housing for mana whenua is provided for through the Trust's housing development projects.

HE KŌRERORERO | DISCUSSION

- 8 Te Whakaminenga o Kāpiti were briefed on 26 March 2024 on the proposed size and composition of the Board and the processes for appointment, which are based on regulatory standards set by Community Housing Regulatory Authority "CHRA" and on our understanding of the way CHRA applies those standards. Even if the Trust does not progress to become a Community Housing Provider (CHP), it is useful to use the standards created by CHRA as they are considered to represent best practice.
- 9 Decisions about the size and composition of the Board considered how the Trust may change and grow over time, and therefore how its governance may need to adapt to ensure it is fit-for-purpose and that the entity is well-run.
- 10 The Trust Deed allows for a range in the number of Trustees, rather than a fixed number, to provide flexibility. It is proposed that the Trust Board is always comprised of a minimum of five Trustees, with a maximum of seven Trustees in order to provide capacity to bring in extra expertise if required.
- 11 The Trust Board is comprised as follows:
 - 11.1 **Council-Appointed Trustee:** One Council-Appointed Trustee, to be appointed by Council in accordance with the Council's Recruitment and Selection Policy, in accordance with the requirement of the Local Government Act.
 - 11.2 **Māori Trustee:** One Māori Trustee to be appointed by Te Whakaminenga o Kāpiti.
 - 11.3 **Independent Trustees:** A minimum of three and a maximum of five Independent Trustees.
- 12 Experience of other similar trusts has strongly supported the use of skills-based recruitment for all Trustees. This is to help ensure the board is comprised of suitably qualified people with the range of skills, expertise and experience required for good governance of a housing trust.
- 13 The Trust Deed lists in section 4.3 (b) of Schedule 2 the skills and experience that need to be always represented on the Board, these include: social tenancy management, property development, strategy development and business planning, financial management and literacy, and legal and risk management. These also cover the key areas of expertise that CHRA requires in a CHP Board.

- 14 Alongside these skills, the following expertise would be beneficial to have represented on the Trust's Board. These are listed at 1.1 *Interpretation* in the Trust Deed:
- Experience in community, social or affordable housing;
 - experience in management or governance in any or all of tenancy management, property development, asset management and social services;
 - experience in the operation and implementation of government funding programmes;
 - an empathy with the communities in locations where the Trust intends to provide community, social and/or affordable housing;
 - an understanding of the Charitable Purposes;
 - financial management experience
 - governance experience in either not-for-profit or business organisations;
 - legal experience in either not-for-profit or business organisations;
 - experience in strategy development, policy development, risk management or organisational change;
 - experience in operations or service delivery;
 - knowledge and understanding of Te Tiriti o Waitangi, Te Ao Māori and tikanga Māori;
 - financial literacy relevant to the financial and economic issues related to the Trust.

He take | Issues

Appointment and removal processes for Trustees

- 15 The Trust Deed specifies the appointment process for the Independent Trustees and the Chair. This appointment process is described in Schedule 2 of the Trust Deed.
- 16 The Trust Deed ensures that each appointing party (i.e. Council, Te Whakaminenga o Kāpiti and the Board Appointment Panel) has the right to remove their appointed Trustees at any point. The Trust Deed also provides other ways in which a Trustee may be removed from being a Trustee (including, for example, if they resign or fail to fulfil their Trustee duties).

Ngā kōwhiringa | Options

- 17 Iwi representatives of Te Whakaminenga o Kāpiti have met and discussed a process that involves the appointment of a representative to the Board Appointments Panel to work alongside the Council appointed Trustee and the specialist recruitment consultant to select Independent Trustees.
- 18 Rawiri Faulkner of Ngāti Toa Rangatira has been nominated as Te Whakaminenga o Kāpiti representative to the Kāpiti Coast Affordable Housing Trust Board Appointments Panel.
- 19 A separate nomination has been made for the appointment of Kim Tahiwī as a Trustee of the Kāpiti Coast Affordable Housing Trust by Te Whakaminenga o Kāpiti. Kim will assume the role following the appointment of Independent Trustees by the Board Appointments Panel.

Kōwhiringa Options	Hua Benefits	Tūraru Risks
<p>Option A: (Recommended option)</p> <ul style="list-style-type: none"> At this meeting of Te Whakaminenga o Kāpiti confirm the appointment of Rawiri Faulkner as a member of the Kāpiti Coast Affordable Housing Trust Board Appointment Panel. At this meeting of Te Whakaminenga o Kāpiti confirm the appointment of Kim Tahiwī as Te Whakaminenga o Kāpiti appointed Trustee to the Kāpiti Coast Affordable Housing Trust. Kim will assume the role following the appointment of Independent Trustees by the Board Appointments Panel. 	<p>Parallel process with the appointment of the Council Trustee.</p> <p>Enables appointment process of independent trustees to proceed.</p> <p>Ensures the skills and experience of the Trustee nominated by Te Whakaminenga o Kāpiti factor in to the wider consideration of skills and experience across the full board.</p>	<p>Insufficient time to identify all potential Trustees.</p>
<p>Option B:</p> <ul style="list-style-type: none"> Do not appoint identified nominees to the Panel and Trust. 	<p>Additional time to identify other qualified candidates.</p>	<p>Delay in process of appointing Independent Trustees and therefore establishment of the Trust.</p>

Mana whenua

- 20 To support the implementation of the Housing Strategy, Te Urunga Whakakāinga, a Kapiti Place-Based Housing Steering Group, with representation from Te Rūnanga O Toa Rangātira, Ngā Hapū o Ōtaki and Āti Awa ki Whakarongotai Charitable Trust and central government (including the Ministry for Housing and Urban Development, Kāinga Ora, and Te Puni Kokiri) has been formed.
- 21 Council staff have also proactively worked with Ngā Hapū o Ōtaki, Ngāti Toa Rangitira, and Āti Awa ki Whakarongotai Charitable Trust to understand their aspirations and current activity to support provision of housing in their communities.
- 22 These discussions confirmed that there was a strong willingness to partner, and that iwi and hapu were already well advanced in their thinking about the delivery of social and affordable housing.
- 23 The inclusion of specific principles, objectives and actions related to Māori housing within the Housing Strategy ensure that Council takes a supportive role in helping to deliver Māori housing solutions.
- 24 Initial feedback on the preferred option for an affordable housing entity was sought from Ngā Hapū o Ōtaki, Āti Awa ki Whakarongotai Charitable Trust, and Ngāti Toa Rangitira and has been incorporated into the establishment of the trust as proposed.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 25 The resilience and sustainability objective within the Housing Strategy considers that new homes meet or exceed Climate/Carbon measurements and Healthy Homes benchmarks. This will be built into the affordable housing trust approach when delivery of housing is

considered. Climate impact will be considered through greater housing options, a variety of transport connections, and ensuring that development considers natural hazard constraints.

Ahumoni me ngā rawa | Financial and resourcing

- 26 The Relationship Framework Agreement outlines support services that Council will provide to the Trust. These include an annual operating grant, and in-kind support such IT and administrative services on a transitional basis.
- 27 There is sufficient funding in Council's Housing budget to support the establishment of the Trust.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 28 Legal advice was sought for the preparation of the Trust Deed and Relationship Framework Agreement.
- 29 Further legal advice will be sought as Council considers transferring further assets / funding to the Trust following trust establishment.

Ngā pānga ki ngā kaupapa here | Policy impact

- 30 The community outcome '*our people have access to suitable quality housing in Kāpiti so that they can live and thrive*' was included in the Long-Term Plan 2021-41 due to the strong concern about the growing local housing issues and to guide Council's response to the district's challenges and opportunities.
- 31 The Kāpiti District Council Housing Strategy was approved by the Strategy and Operations Committee on 12 May 2022.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 32 Clear communication of the drivers and intent of establishing the Kāpiti Coast Affordable Housing Trust is important. There may be a perception in the community that the move to establish a Trust could be a way of Council of absolving itself of responsibility in responding to growing housing need.
- 33 A Communications Plan has been developed to support communications with the community and key stakeholders about the establishment of the housing trust.

Whakatairanga | Publicity

- 34 Council will use its established communications channels to inform the community of the key stages of the establishment of the Trust and the rationale for the decision to establish the Trust.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Trust Deed [↓](#)
2. Relationship Framework Agreement [↓](#)

6.2 2023-24 MĀORI ECONOMIC DEVELOPMENT FUND

Kaituhi | Author: **Deanna Rudd, Kaiwhakahaere-Hononga-ā-Iwi – Iwi Partnerships Manager**

Kaiwhakamana | Authoriser: **Hara Adams, Group Manager Iwi Partnerships**

TE PŪTAKE | PURPOSE

- 1 This report provides Te Whakaminenga o Kapiti with details of the 2023-24 Māori Economic Development Fund including:
 - i) The Ngāti Toa Rangatira representative to the Māori Economic Development Fund allocation sub-committee of Te Whakaminenga o Kapiti for the remainder of the 2022-25 Triennium.
 - ii) Details of the 2023-24 Māori Economic Development Fund, including the amount available for a contested grant process, and details of funding round applicants.
 - iii) Details of the 2023-24 Māori Economic Development Fund recipients, and allocation of funds.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 In 2013, Council adopted the Strategy for Māori Economic Development and Wellbeing in Kapiti to set out how Council will support Māori Economic Development in Kapiti with iwi and hapū with whom it has a relationship.
- 3 The Strategy was specifically developed to lay a foundation for future Māori Economic Development focusing on three themes of Manaakitanga, Kaitiakitanga and Kotahitanga.
- 4 The Māori Economic Development Fund aims to assist iwi, hapū and whānau allocation sub-committee with costs associated with the ongoing development of Māori Economic Development associated with the three themes of Manaakitanga, Kaitiakitanga and Kotahitanga.
- 5 The Māori Economic Development Fund sub-committee is a sub-committee of Te Whakaminenga o Kapiti, responsibly for assessing all applications and to allocate funds for the annual Māori Economic Development Fund.
- 6 In 2020, Council developed an Economic Development Strategy and Implementation Plan, developed under the guidance of an independent Economic Development Kotahitanga Board.
- 7 One of the future actions for consideration by Te Whakaminenga o Kapiti is to endorse the formation of working group to include the mana whenua members of the Economic Development Kotahitanga Board, who are also the members of the Māori Economic Development Fund subcommittee of Te Whakaminenga o Kapiti to review the 2013 Strategy for Māori Economic Development and Wellbeing in Kapiti.

TE TUKU HAEPAPA | DELEGATION

- 8 Under Part A, Section A.1 of the 2022-2025 Triennium Governance Structure and Delegations, Council's governance functions are guided by a partnership between elected members and tāngata whenua of the Kāpiti Coast District, namely, the iwi and hapū of Te Āti Awa ki Whakarongotai Charitable Trust, Ngā Hapū o Ōtaki (Ngāti Raukawa) and Ngāti Toa Rangatira (together forming the A.R.T Confederation).

TAUNAKITANGA | RECOMMENDATIONS

That Te Whakaminenga o Kapiti

- A. **Receive** this report.
- B. **Retrospectively Confirm** Waipuna Grace as the Ngāti Toa Rangatira representative to the Māori Economic Development Fund allocation sub-committee of Te Whakaminenga o Kapiti for the remainder of the 2022-25 Triennium replacing Huriwai Paki who had previously been confirmed as the Ngāti Toa Rangatira representative to the Māori Economic Development Fund allocation sub-committee of Te Whakaminenga o Kapiti for 2022-23 only.
- C. **Restrospectively Endorse** an amount of \$72,000 being made available for a contestable grant process with authority being delegated to the Māori Economic Development Fund allocation sub-committee to enable them to make decisions to assess all applications and allocate funds for the Māori Economic Development Fund.
- D. **Acknowledge and thanks** the members of the sub-committee for making themselves available at short notice and after-hours to receive, assess and allocate funds.
- E. **Recommend** the 2013 Strategy for Māori Economic Development and wellbeing be reviewed by Council.

TŪĀPAPA | BACKGROUND

- 9 The Māori Economic Development Fund aims to assist whānau, hapū and iwi, mātāwaka and Māori Business within the Kapiti Coast District with costs associated with the ongoing development of Māori Economic Activity; in particular activity associated with
 - i) Manaakitanga – leveraging the potential of rangatahi and building whānau capacity
 - ii) Kaitiakitanga – working with the whenua
 - iii) Kotahitanga – supporting whānau to achieve economic wellbeing – capacity, collaboration, innovation and Māori Business.
- 10 Applications are considered provided their application is endorsed as being consistent with and aligning with the strategic priorities of the 2013 Strategy for Māori Economic Development and Wellbeing in Kapiti by the Chair of one of the three iwi who are signed to the Memorandum of Partnership, and can show economic benefit for Māori.
- 11 It is noted the 2013 Strategy for Māori Economic Development and Wellbeing in Kapiti is now 11 years old.

HE KŌRERORERO | DISCUSSION

- 12 Five applications were received to the fund. Of those five, one was received outside of the closing period, and did not have their application endorsed by one of the three iwi who are signed to the Memorandum of Partnership as meeting the criteria of being consistent with the 2013 Strategy for Māori Economic Development and Well-Being in Kapiti. Two applications were from prior year grant recipients.
- 13 The successful 2023-24 Māori Economic Development Fund recipients are listed in Table 1 below.

Table 1: 2023-24 Māori Economic Development Fund Recipients.

Name of Business/Entity/Kaupapa	Kaupapa	Grant Amount
Te Wharetoi o Hori	To build a media studio connected to Hori Gallery, to be utilised as a production space for use by multi media artists of the Ā.R.T confederation to create online Māori content. The space will include a film studio, editing suite, and sound room.	\$20,000.00
Ha Pai Wellness	To invest in website platform and implement digital systems, marketing, branding, IP security.	\$14,000.00
Te Rongoā Collective of the Ā.R.T Confederation	To develop and market a Maramataka and its application, via the development of a supporting Maramataka education programme Set up of a website to promote and market the Maramataka and Education programme	\$30,000.00
Āhei Property Maintenance Services Ltd	To deliver a comprehensive kaupapa Māori property maintenance service for Te Reo Māori speaking whānau, hapū and iwi and to provide employment opportunities for whānau.	\$8,000

- 14 The sub-committee seek for Te Whakaminenga o Kapiti to consider whether a limit on the amount of times an applicant can apply to the fund be imposed to ensure the fund continues to support new Māori businesses to be established, rather than to support the ongoing sustainability or expansion of existing businesses.

He take | Issues

- 15 Some of the issues identified by the Māori Economic Development Fund subcommittee are
- The current sub-committee Terms of Reference do not provide and direction concerning imposing a limit on the amount of times an applicant can apply to the fund.
 - The current Strategy for Māori Economic Development and Wellbeing in Kapiti is now 11 years old, and overdue for review.

Ngā kōwhiringa | Options

- 16 A review of the terms of reference could be undertaken on behalf of Te Whakaminenga o Kapiti, but it would be practicable for any review of the terms of reference to be undertaken in line with a programmed review of the 2013 Strategy for Māori Economic Development and Wellbeing in Kapiti.

Mana whenua

- 17 In recognition of the Crown's responsibility under Te Tiriti o Waitangi, the Local Government Act 2022 sets out principles and requirements for Council to facilitate Māori participation in all decision-making processes, including to foster Māori capacity to contribute to the decision making processes, (refer S4, Parts 2 and 6 of the Local Government Act). Council's Long-Term Plan 2021-41 committed to an enduring relationship between Mana Whenua and Kaunihera a the heart of our activities for the community and wider relationships that surround us. As mana whenua of the Kapiti Coast District, Council has been informed and guided by the views of mana whenua iwi partners, and will consult with each iwi partner through their representatives, on any matters proposed in this report.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 18 As tangata whenua, the mitigation or adaption to the effects of climate change is relevant to mana whenua iwi as kaitiaki of te taiao and will be of consideration in terms of ensuring future Māori Economic Development is environmentally sustainable.

Ahumoni me ngā rawa | Financial and resourcing

- 19 The Māori Economic Development Fund is resourced through Te Whakaminenga o Kapiti work programme activities budget. Administration support to administe the funds and to support the sub-committee is provided by the Iwi Partnership Team.
- 20 Any programmed review of the 2013 Strategy for Māori Economic Development and Wellbeing in Kapiti would may require additional resourcing and costs and if they are unable to be absorbed within current budgets, additional operating budget to meet those costs will be sought in the next annual plan.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 21 No anticipated legal or organsitional considerations and risks have been identified.

Ngā pānga ki ngā kaupapa here | Policy impact

- 22 A future review of the 2013 Strategy for Māori Economic Development and Wellbeing in Kapiti may result in an impact on Māori Economic Development Strategy and Implementation Plan 2020-2023 currently under review.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**Whakatairanga | Publicity**

- 23 Council will use its established communication channels to inform the community of the 2023-24 Māori Economic Development Fund Recipients.

NGĀ ĀPITI HANGA | ATTACHMENTS

Nil

- 7 HE KŌRERO HOU MŌ NGĀ IWI | IWI UPDATES
- 8 NGĀ WHAKATAUNGA TIRITI - HE TIROHANGA WHĀNUI NŌ IA IWI | TREATY SETTLEMENTS – OVERVIEW FROM EACH IWI

9 HE KŌRERO HOU MŌ TE KAUNIHERA | COUNCIL UPDATE

9.1 REPRESENTATION REVIEW 2024 – PRELIMINARY COMMUNITY ENGAGEMENT AND INITIAL PROPOSAL OPTIONS

Kaituhi | Author: **Steffi Haefeli, Manager Democracy Services**

Kaiwhakamana | Authoriser: **Mark de Haast, Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 For Te Whakaminenga o Kāpiti to be updated on the representation review process underway as a result of Council deciding to establish a Māori ward on 14 November 2023.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Te Whakaminenga o Kāpiti note the update on the representation review process underway, in particular:
 - A.1 the analysis of the preliminary community engagement undertaken in March 2024,
 - A.2 the representation options presented to Councillors for consideration.

TŪĀPAPA | BACKGROUND

- 2 The Local Electoral Act 2001 (LEA) requires all local authorities to review their representation arrangements at least once every six years to ensure the arrangements continue to provide fair and effective representation of the district's communities of interest. The process and timeframes to carry out a representation review are mandated through the Local Government Act 2002 (LGA) and the LEA (primarily section 19).
- 3 Council carried out its last representation review in 2021 ahead of the 2022 local body elections. Under the standard 6-yearly cycle of representation reviews under the LEA, another review was scheduled in 2027 ahead of the 2028 local body elections. However, the LEA sets out circumstances where a review may be required earlier including where a territorial authority resolves to establish a Māori ward for the upcoming local body elections.
- 4 Council resolved on 14 November 2023 to establish a Māori ward for the 2025 local body elections, which under the provisions of the LEA triggers a representation review for 2024.
- 5 On 14 December 2023, Council further approved a staff-led approach to the representation review and approved a preliminary community engagement process be undertaken to obtain insight into how the community would like to be represented.
- 6 Preliminary community consultation was undertaken in March 2024 and the results of the engagement highlighted that the majority of submitters supported retaining the current representation arrangements and therefore, a representation option to include the Māori ward with minimal alterations to existing representation arrangements.
- 7 Further to the above, the new coalition government, committed in November 2023 to "restore the right to local referendum on the establishment or ongoing use of Māori wards, including requiring a referendum on any wards established without referendum at the next local body elections". On 21 May 2024, the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill (Bill) was introduced, passed its first reading on 23 May 2024 and has been referred to the Justice Select Committee. The Bill proposes to amend the LEA, which once passed, will:
 - 7.1 Re-introduce the requirement for polls for Councils wishing to establish a Māori ward and require all Councils that have established a Māori ward without a poll to hold one at the next local body elections in 2025.
 - 7.2 Offer Councils that have made a decision to establish a Māori ward without a poll, to rescind their decision (or disestablish the Māori ward) and:

- 7.2.1 Discontinue the representation review process currently underway and revert to existing representation arrangements, OR
 - 7.2.2 Decide to conduct a shortened representation review process instead.
- 8 The announcement directly affects the representation review process currently underway and affects 45 councils in New Zealand.
- 9 While the Bill has been introduced and referred to the Justice Select Committee, current legislative provisions remain in force until the Bill has passed through the house and is enacted. This means that under the current LEA, Councils do not have the ability to change their position on whether to establish a Māori ward or carry out a shortened representation review and are legislatively required to continue their current representation reviews until the Bill is enacted and legislation is changed.
- 10 There is currently no provision in force allowing Councils to rescind their decision to establish a Māori ward. The Bill proposes that this option will be available to Councils between the day after the Bill is enacted and 6 September 2024.
- 11 The Bill is expected to come into effect in late July 2024 which coincides with the deadline, under the current LEA, for Councils to set their initial representation proposals.

HE TAKE | ISSUES

- 12 As required by the LEA, Council officers have continued with the representation review, completed the preliminary community consultation and worked up representation arrangement options. The analysis of the consultation and the representation review options were presented to Councillors at public briefings in April and May 2024.
- 13 Given Council completed a comprehensive representation review in 2021, reconsidering all possible representation arrangements was not considered necessary. This aligns with the direction provided from Council when they resolved to establish a Māori ward. Hence, a streamlined approach to the preliminary engagement was completed to balance the legislative requirements together with other factors such as budget and resourcing.
- 14 Preliminary community engagement activities comprised the following:
- 14.1 A survey questionnaire was available from 4 March to 2 April (5pm) 2024. The survey and an accompanying frequently asked questions document were available in both hard copy at our libraries and service centres as well as online on Council's website in both Te Reo Māori and English.
 - 14.2 Drop-in sessions were held in each of the community board areas to provide the community with an opportunity to ask questions and get clarification ahead of responding to the survey questions.
 - 14.3 Engagement with mana whenua representatives to understand mana whenua views on representation arrangements.
- 15 The drop-in sessions and the survey questionnaire were advertised through Council's website, media releases, Council's Everything Kāpiti newsletter, newspaper advertisements and social media posts.
- 16 The survey aimed to understand the community's views on how it would like to be represented and specifically asked:
- 16.1 whether the community thought that the existing representation arrangements provided fair and effective representation and whether anything did not work well with the current arrangements.
 - 16.2 how the Māori ward should be included in the representation arrangements
 - 16.3 whether Ward Councillors should be appointed back to Community Boards and, if so, how.

- 17 After the close of submissions, the responses were analysed by Public Voice and summarised in a report as attached in Appendix 1.
- 18 Council received 285 submissions¹ with the key finding that the majority of respondents support the status quo and do not believe adjustments to the representation arrangements set in 2022 are required. The majority indicated a preference for minimal adjustments to incorporate a Māori ward.

NGĀ KŌWHIRINGA | OPTIONS

- 19 As a result of the engagement and discussions with Councillors during public briefings, Council officers developed three representation arrangement options in keeping with the LEA requirements, preliminary engagement and feedback from Council's public briefings:

Options	Details
Based on existing ward structure (2 districtwide councillors, 7 general ward councillors) and Māori ward	
<p>1 10 Councillors and the Mayor (recommended option)</p> <p>Retain the same number of Councillors by reducing the number of districtwide Councillors and including the Māori ward Councillor.</p> <p>The Māori ward boundaries will align with the district's boundaries.</p>	<p>One Mayor elected at large</p> <p>Two districtwide Councillors elected at large</p> <p>Seven general ward Councillors elected by ward</p> <p>One Māori ward Councillor elected by voters on the Māori electoral role from the entire district</p> <p>Five Community Boards with a membership of four elected representatives elected by the community board constituency plus councillor appointments (see paragraph 22)</p>
Based on existing ward structure (3 districtwide councillors, 7 general ward councillors) and Māori ward	
<p>2 11 Councillors and the Mayor</p> <p>Increase the number of Councillors to 11 by adding the Māori ward Councillor to the existing arrangements.</p> <p>The Māori ward boundaries will align with the district's boundaries.</p>	<p>One Mayor elected at large</p> <p>Three districtwide Councillors elected at large</p> <p>Seven general ward Councillors elected by ward</p> <p>One Māori ward Councillor elected by voters on the Māori electoral role from the entire district</p> <p>Five Community Boards with a membership of four elected representatives elected by the community board constituency plus councillor appointments (see paragraph 22)</p>
General ward (9 ward councillors); Māori ward (1 Māori ward councillor)	
<p>3 10 Councillors and the Mayor</p> <p>Retain the same number of Councillors but changed the ward structure to one general ward and one Māori ward. This would remove current ward boundaries</p>	<p>One Mayor elected at large</p> <p>Nine general ward Councillors elected by the voters on the general electoral roll of the entire district</p>

¹ One submission was not attributed a position in the charts and the percentage numbers, resulting in a total of 284 responses represented in the graphics and numbers, while the total number of submissions received remains 285.

and all councillors would be elected by all voters in the district.	One Māori ward Councillor elected by voters on the Māori electoral role from the entire district
The Māori ward boundaries will align with the district's boundaries.	Five Community Boards with a membership of four elected representatives elected by the community board constituency plus councillor appointments (see paragraph 22)
The Māori ward councillor would be elected by those on the Māori electoral roll and the nine general ward councillors by those on the general electoral roll.	

- 20 For both option 1 and 2, the ward boundaries at Te Horo and Emerald Glen are proposed to be adjusted to incorporate Te Horo into the Ōtaki ward and Emerald Glen into the Paekākāriki-Raumati ward. These boundary changes reflect concerns raised by members of the community in response to the Local Government Commission (LGC) determination in 2022 in relation to these two boundaries. The proposed changes are supported by the qualitative findings of the comprehensive community engagement undertaken as part of the 2021 representation review indicating these boundaries would best reflect the communities of interest for each area.
- 21 For option 3, the existing ward boundaries would be completely removed and replaced with one general ward and one Māori ward with both ward boundaries aligning with the districts' boundaries.
- 22 In relation to the appointment of ward councillors to community boards, to achieve a more fair and equitable appointment structure, it is also proposed that the current structure be retained, which is supported by the community feedback. It is proposed that the Māori ward councillor be appointable to community boards as an 'and/or' option. This community board appointment structure works with all three representation options and the ward boundary adjustments proposed earlier in the report and would allow Council to consider the most appropriate appointments to community boards at the start of each triennium based on councillors elected while balancing workloads. In practice this will mean, Council can consider appointing either the ward councillor or the Māori ward councillor or both to the community boards.

NGĀ MAHI PANUKU | NEXT STEPS

- 23 At the Council meeting on 25 July 2024, Councillors will be asked resolve an initial representation proposal.
- 24 The decision will be published through Council's usual channels and notified publicly in line with provisions in the LEA. The LEA mandates that Council's decision on its initial representation arrangements must be publicly notified within 14 days (no later than 8 August 2024) of the decision.
- 25 The public notice will be followed by a submission period of a minimum of one month in August and September. During this period, the public will have an opportunity to consider and make submissions on the initial proposal ahead of Council considering submissions and a final proposal decision which must be made no later than 3 November 2024.
- 26 Alternatively, once the Bill is enacted and the relevant provisions of the LEA are amended, Council will have the option to consider the following:
- 26.1 to continue to establish a Māori ward as planned and hold a poll on the future of the Māori ward at the next local body elections (in which case the representation review timeframes would remain the same as previously communicated to Council); OR
- 26.2 to rescind the decision to establish a Māori ward and either:

26.2.1 conduct a shortened representation review;² OR

26.2.2 cease the representation review process and revert to the existing representation arrangements.³

- 27 The draft Bill currently travelling through the House indicates that this decision will be possible during a transition period from the day after the Bill receives royal assent to the 6 September 2024.
- 28 If Council decided to rescind its decision to establish a Māori ward and decided to revert to existing representation arrangements, no further action is required this triennium (Council will then need to complete a representation review after the 2025 local body elections).
- 29 If Council decided to conduct a shortened representation review, the shortened review process, as prescribed in the draft Bill, would require Council to:
- 29.1 rescind its decision to establish a Māori ward by 6 September 2024
 - 29.2 resolve its initial representation proposal by 13 September 2024
 - 29.3 provide an opportunity for community submissions on the proposal for a minimum of three weeks in September/October (by 11 October 2024)
 - 29.4 within six weeks of the closing of submissions to resolve its final representation proposal
 - 29.5 provide an opportunity for community appeals/objections for a minimum of three weeks (latest date for appeal/objection period to close is 13 December 2024)
 - 29.6 forward any objections/appeals to the Local Government Commission by 23 December 2024

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Appendix 1 - Preliminary Community Engagement Analysis Report [↓](#)

² If Council decided to conduct a shortened representation review, the next representation review would be required under the LEA in 2030.

³ If Council decided to revert back to the existing representation arrangements, a further representation review would be required in 2027.

9.2 REVIEW OF OLDER PERSONS' HOUSING

Kaituhi | Author: **Stephen Cross, Housing Programme Manager**

Kaiwhakamana | Authoriser: **Kris Pervan, Group Manager Strategy & Growth**

TE PŪTAKE | PURPOSE

- 1 This paper provides an update on the review of Older Persons' Housing, an action identified in the Kāpiti Coast District Council Housing Strategy (2022).

TAUNAKITANGA | RECOMMENDATIONS

That Te Whakaminenga o Kāpiti:

A. **Note that:**

- A.1 The Kāpiti Coast District Council *Review of Older Persons' Housing Stage Two Report* (Appendix One) has been completed and that the report recommends Council assists an independent Community Housing Provider (CHP) establish in Kapiti and transfer ownership of the older persons housing portfolio to the CHP.
- A.2 Council resolved that potential changes to the ownership and management of the Older Persons' Housing Portfolio was a key issue for consultation for the Long-term Plan 2024-2034, and that consultation was completed during March / April 2024.
- A.3 The outcome of this consultation was strong community support for transferring Council's older persons' housing assets to a newly-established Community Housing Provider (CHP) with some level of council influence. However further details around what this looks like, and the opportunity to partner with others is yet to be confirmed.
- A.4 At its meeting of 23 May 2024, Council resolved to maintain its preference to transfer its older persons' housing to a new community housing provider.
- A.5 Next steps for officers include:
 - A.5.1 Initial discussions with the Ministry of Housing and Urban Development (MHUD) regarding access to IRRS and the Operating Grant, to ensure the community housing provider is able to expand the portfolio to meet growing demand for older persons' housing in the district.
 - A.5.2 Financial modelling to inform more in-depth discussions with MHUD.
 - A.5.3 Continuing to work with iwi to explore opportunities for greater cooperation in the delivery of the Older Persons' Housing service, including improving the application and allocation systems to improve access to housing for kaumatua.

TŪĀPAPA | BACKGROUND

- 2 The Kāpiti Coast District Council Housing Strategy was approved in May 2022 following the completion of a comprehensive Housing Needs Assessment for the Kāpiti Coast District. The strategy includes a number of actions for Council in order to help improve local housing outcomes.
- 3 Improving older persons' housing and the review of Council's Older Persons' Housing portfolio is a targeted action under the "*Implement the Housing Strategy*" priority for Council. Of note, the Council provides housing throughout the Kāpiti Coast to support eligible older persons to have access to affordable rental accommodation. The portfolio comprises 118 single-storey one-bedroom units in ten complexes that are owned, and managed, by Council.

- 4 On 31 October 2023, Te Whakaminenga o Kāpiti received an update following the receipt of the Review's Stage One Report that examined the current operation and considered how well the portfolio supports those most in need and whether the portfolio is set up to meet growing demand. Stage one of the review concluded that:
 - 4.1 The current operating model of the portfolio is not financially sustainable without ongoing rates-based funding.
 - 4.2 Redevelopment of the portfolio, and increasing its size is cost prohibitive without a change in operating model.
- 5 On 14 December 2023, Council received the Stage Two Report – Delivery Options, which examined a number of potential operating options to improve the financial sustainability of the portfolio whilst also enabling growth of the portfolio over time. Options included:
 - 5.1 Status quo – Council retain ownership and continues to manage the portfolio.
 - 5.2 Council assists an independent CHP to establish and transfers (or sell) ownership of the portfolio to the CHP.
 - 5.3 Council transfers or sells ownership to an existing CHP.
 - 5.4 Council leases the portfolio to a CHP.
 - 5.5 Full or partial divestment of the portfolio.
- 6 The report identified five key findings:
 - 6.1 The recommended delivery model is that Council establishes a Community Housing Provider and transfers ownership of the older persons' housing portfolio to the CHP.
 - 6.2 A mixed-model approach will be required.
 - 6.3 Redevelopment should be undertaken once the delivery model has been changed.
 - 6.4 Redevelopment should be undertaken using a staged approach.
 - 6.5 Investigate capital funding for portfolio expansion.

HE KŌRERORERO | DISCUSSION

- 7 Council resolved to consult with the community on future operating models for the Older Persons' Housing portfolio as part of the Long-Term Plan process. This consultation was completed during March and April 2024.
- 8 The consultation found that:
 - 8.1 59.7% of respondents favoured transferring the Council's older persons' housing assets to a newly-established Community Housing Provider (CHP) with some level of council influence.
 - 8.2 27.9% expressed a preference for transferring the assets to an existing CHP.
 - 8.3 12.4% felt the assets should continue to be owned and operated by the Council.
- 9 Most respondents felt that housing should not be managed directly by the Council and should be put in the hands of providers with greater expertise and experience in social housing management. There was, however, strong support for the Council maintaining some level of influence in the ongoing service provision. There is opportunity to consider wider partnership opportunities with others to achieve these goals over time.
- 10 As part of Long-term Plan submission deliberations at its meeting of 23 May 2024, Council resolved to maintain its preference to transfer its older persons' housing to a new community housing provider.

HE TAKE | ISSUES

- 11 A review of the Older Persons' Housing portfolio had not been undertaken for over 30 years and during that time the policy and funding settings for social housing in New Zealand had understandably changed significantly. Currently, the majority of social houses in New Zealand are provided by Kāinga Ora with a smaller, but growing, number provided and managed by CHPs.
- 12 As part of the Government directive to support the overall growth in social housing provision, CHPs can receive an operational supplement (OS) and an income related rent subsidy (IRRS) for each new tenant provided for, from the Ministry of Housing and Urban Development (MHUD). Councils, including Council Controlled Organisations, are currently ineligible for this funding and are funding the shortfall from subsidising rents to their tenants, as part of Council's operational budget.
- 13 Access to these subsidies is considered crucial to improve the operational sustainability of the portfolio and to support the growth in units in Kāpiti. The lack of support and funding from Central Government has led to many Territorial Local Authorities reviewing their provision of affordable housing.
- 14 Alongside work to review the Older Persons' Housing Portfolio, Council has been working to establish an Affordable Housing Trust. The review has been conducted without reference to the establishment of a Trust to ensure the outcome of the review was not predetermined. As both projects have progressed, particularly following the outcome of formal consultation as part of the development of the Long-Term Plan 2024-34, there may be advantages in the projects combining. The Trust Deed would allow Council the option to transfer ownership and management of the portfolio to the Trust, should this be the preferred approach for managing the portfolio.
- 15 Clear communication of the intent of the review of the Older Persons' Housing portfolio and the establishment of the Affordable Housing Trust is critical. A communication plan has been developed to ensure clear messaging and information is available to inform the local community on both matters.

NGĀ KŌWHIRINGA | OPTIONS

MANA WHENUA

- 16 Te Whakaminenga o Kāpiti continues to be engaged in the progress of implementing the Housing Strategy. The establishment of Te Urunga Whakakāinga, a Place-Based Housing Steering Group, is a key operational mechanism to proactively partner on day-to-day activity. This group has representation from local iwi and hapū represented by Te Rūnanga O Toa Rangātira, Ngā Hapū o Ōtaki and Āti Awa ki Whakarongotai Charitable Trust and lead central government agencies including the Ministry for Housing and Urban Development, Kāinga Ora, Te Puni Kokiri and Council.
- 17 As a result of engagement as part of the review of Older Persons' Housing to date:
 - 17.1 Iwi feedback has identified opportunities for greater cooperation in the delivery of the Older Persons' Housing service to better understand need in the community, and to better reflect aspects of Te Ao Māori;
 - 17.2 There is better awareness of demand for kaumatua housing options. It is now clear that this demand is not reflected in Council's current application register. There are opportunities to work with iwi to improve the application and allocation systems to improve access for kaumatua;
 - 17.3 There is better awareness of the portfolio's ability to meet universal accessibility standards; currently this is low, and we know that some eligible kaumatua with physical disability may not be able to access housing through Council. There is an opportunity to ensure any new units meet the necessary standards to remove this barrier.

NGĀ MAHI PANUKU | NEXT STEPS

- 18 Council has resolved to transfer its older persons' housing to a new community housing provider, with some level of Council influence. Further advice will be provided on what this looks like and the opportunity for partnership with others in this space.
- 19 Undertake initial discussions with the Ministry of Housing and Urban Development (MHUD) regarding access to IRRS and the Operating Grant, to ensure the community housing provider is able to expand the portfolio to meet growing demand for older persons' housing in the district. Financial modelling to be undertaken to inform more in-depth discussions with MHUD on these issues.
- 20 Officers will continue to work with iwi to explore opportunities for greater cooperation in the delivery of the Older Persons' Housing service, including delivering of services going forward, and improving the application and allocation systems to improve access to housing for kaumatua.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Review of Older Persons' Housing Stage 2 Report - Delivery Options [↓](#)

9.3 IWI PARTNERSHIPS TEAM UPDATE

Author: Deanna Rudd, Kaiwhakahaere-Hononga-ā-Iwi – Iwi Partnerships Manager

Authoriser: Hara Adams, Group Manager Iwi Partnerships

An update from the Iwi Partnerships Team.

10 KARAKIA WHAKAMUTUNGA