

Te Kārearea Strategic Partnership Standing Committee Agenda

Date: Thursday, 29 October, 2020
Time: 9:00 am
Location: Council Chamber
Forum North, Rust Avenue
Whangarei
Attendees: Cr Phil Halse (Chairperson)
Her Worship the Mayor Sheryl Mai
Cr Gavin Benney
Cr Ken Couper
Cr Greg Innes
Cr Anna Murphy
Cr Carol Peters
Cr Simon Reid
Delaraine Armstrong
Jade Kake
Tame Te Rangi
Jared Pitman
Mira Norris
Aorangi Kawiti
Deborah Harding
Len Bristowe

Recommendations contained in the agenda are not decisions of the meeting. Please refer to minutes for resolutions.

1. Karakia/Mihi	
2. Declaration of Interests	
3. Apologies	
4. Confirmation of Minutes	
5. Decision reports	
5.1. Te Karearea Strategic Partnership Standing Committee Meeting Schedule	5
5.2. Hapu Nominations - Joint Climate Change Adaptation Committee	11
6. Information reports	
6.1. Inaugural Te Kārearea Strategic Partnership Committee	27
6.2. Strategic work programme	29
6.3. Elections 2022 - Maori representation	35
7. Public excluded	
8. Closure of Meeting - Karakia	

Te Kārearea Strategic Partnership Standing Committee – Terms of Reference

Membership

Chairpersons

Council based meetings: Councillor Phil Halse

Marae based hui: to be determined from mandated hapū members*

Members

Her Worship the Mayor Sheryl Mai

Councillors Gavin Benney, Ken Couper, Greg Innes, Anna Murphy, Carol Peters, Simon Reid and Phil Halse

Eight mandated hapū representatives: Delaraine Armstrong, Jade Kake, Tame TeRangi, Jared Pitman, Mira Norris, Aorangi Kawiti, Deborah Harding and Len Bristowe

Meetings

Bi monthly for formal standing committee meetings, with hui on being held on a marae in accordance with Tikanga*

Quorum

8 comprised of 4 councillor and 4 hapū members

*note, marae based hui will be in accordance with Tikanga and as such are outside of standing orders adopted under the Local Government Act 2002

Preamble

Te Kārearea Strategic Partnership Forum was formed late in 2012 between Te Huinga (as advocates of the hapū of Whangarei) and Whangarei District Council. The desire to 'develop more robust partnership arrangements over time' was signaled in the 2014 revision of the Agreement. This partnership Committee Represents an important step in that process. While the Purpose, Key Responsibilities and Delegations form the basis for the Terms of Reference to determine what the Committee will do, it is important that the respective principles of each of the Partners continue to underpin the relationship, and that the relationship builds on the foundations outlined in the Agreement. The Statement of Principles for each of the Partners, as established in the foundation relationship agreement, is below.

Te Huinga Statement of Principles

He Whakaputanga o Te Rangiratanga o Nu Tirenī (Declaration of Independence – 1835) and Te Tiriti o Waitangi, 1840 provides the foundational doctrines of authority and partnership that are being sought after by the hapū of Whangārei as the relationship develops with the Whangārei District Council.

Te Huinga will work towards achieving the strategic intent.

Strategic Intent

- Vision/Te Pae Tawhiti: 'Ma nga hapū ano nga hapū e korero' - 'Hapū self reliance and prosperity'
- Mission/Te Kaupapa: 'Achieving hapū aspirations through effective and enduring relationships'
- Whangārei - Māori Community Outcomes:
 - a A rohe with a vibrant Māori culture
 - b A Māori community, which is healthy and highly educated

- c A society that protects and cares for all its members
- d A rohe with a flourishing Māori economy
- e A society that appreciates and cares for its natural environment
- Nga tikanga – Values
 - a Whanau – the extended family is the social unit that Māori identify with.
 - b Mana Hapū - Hapū are the cornerstone of the Māori community and identity.
 - c Mana Motuhake – self-determination, self-reliance and self-sustainability.
 - d Whakarite – Invest time and energy in building decision-making capacity and capability.
 - e Te Manawatoopu – Of one heart and mind. We are stronger working together.
 - f Kia maia – Providing leadership through courage.

Whangārei District Council Statement of Principles

In order to improve and enhance relationships with Māori, Council acknowledge a strategic platform is required upon which to continue to build strong relationships. Council is committed to collaboration with Māori organisations within the District.

Council has a contribution to make towards Māori wellbeing, be it environmental, social, cultural/spiritual or economic. Additionally, further collaboration and relationship building processes with Crown agencies and other local territorial authorities will continue as all such organisations make up part of the many services that impact on Māori wellbeing.

Whangārei District Council wishes to engage with Māori hapū and to recognize the Treaty of Waitangi. The Local Government Act 2002 outlines the obligations of local authorities around the Treaty of Waitangi.

Purpose

To enable the primary partners (Council and hapū of Whangārei) to work closely together to achieve the agreed vision 'He Whenua Rangatira - Whangārei, a district of prosperity, wellbeing and empowered communities' and mission 'Ka tūtuki te Kāwanatanga ā-rohe, ka puāwai hoki te kotahitanga me ōna tini kaupapa - Local Government that works through effective partnership and shared decisions to provide practical solutions'. Central to this is continued development of robust partnerships through learning conversations.

The Committee provides a platform for high level/strategic discussions and priority setting between the primary partners, with preference given to *kanohi ki te kanohi* (face-to-face) and preserving tikanga. Areas of focus include, but are not limited to;

- Identifying the cultural, economic, environmental, and social issues/decisions of Council that are significant for Māori¹ in the Whangarei District. (participation)
- Ensuring Council complies with statutory provisions that refer to Te Tiriti o Waitangi (the Treaty of Waitangi), including providing oversight of key processes and controls (assurance)
- To agree mutual strategic priorities (direction)

However, it is acknowledged that areas of focus/priorities may be beyond the direct control of the committee, meaning that in some areas it will be operating in an advisory capacity.

Recognising this, and to ensure clarity, the Working Group for Maori Participation in decision making (which was tasked with developing Terms of Reference) split the responsibilities of

¹ Māori in this context is defined as people that affiliate to a whanau, hapū, Iwi, mana whenua groups

the Committee into those where it provides advice and recommendations, and those where decision making powers would be delegated.

Key responsibilities – advice and recommendations

- 1) Participation
 - a) Develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and Council.
 - b) Ensure the views of Māori are taken into account.
 - c) Recommend ways to develop Council capacity
 - d) Recommend ways to develop Māori capacity to contribute to decision making processes
 - e) Governance oversight of initiatives, Te Karearea budget and resourcing to build capacity (both Council and Māori) and deliver on the Terms of Reference
 - f) Provide for equitable participation
- 2) Direction
 - a) Identify strategic priorities for the partnership
 - b) Provide advice on topics referred by Council and Māori
 - c) Advice to, and relationships with, other committees of Council
 - d) Recommendations on harbour and waterway matters (within the jurisdiction of WDC)
 - e) Advice and recommendations on 3 Waters and flood protection infrastructure
 - f) Oversight and advice on central government reform initiatives relating to strategic priorities of the partnership and Te Ao Māori including, but not limited to, three waters reform
 - g) Provide advice and recommendations on key strategic policies, plans and projects of Council, including but not limited to growth strategies, the Long Term Plan and the District Plan
 - h) Information sharing / discussions on Treaty Settlement processes and potential co-governance opportunities (where appropriate)
 - i) Identify matters of significance to Māori that may require joint positions/advocacy with external agencies (i.e. co-governance) or recommendations to Council
 - j) Recommendations on Maori Representation (i.e. under the Local Electoral Act)
- 3) Assurance
 - a) Develop a workplan and strategy log to monitor input to, and decision making/progress on, strategic priorities identified by the Committee
 - b) Monitor and advise on council's compliance with its legislative obligations to Māori, including under the Local Government Act 2002 and the Resource Management Act 1991.
 - c) Receive and consider audit reports on Council's compliance with its legislative obligations
 - d) Monitor and ensure that appropriate action is being taken
 - e) Monitor and assess the primary partner relationship against its vision and mission
 - f) Monitoring compliance with statutory provisions that refer to Te Tiriti o Waitangi (the Treaty of Waitangi), including providing oversight of key processes and controls

Key Responsibilities – under Delegated authority

- 1) Establishing Audit Processes for statutory provisions relating to Te Tiriti o Waitangi (the Treaty of Waitangi).
- 2) Establishing Council processes and templates for Mana whakahono ā rohe Agreements and Iwi/Hapu Environmental Management Plans
- 3) Developing a Te Ao Maori framework for decision making
- 4) Establishment of working parties or steering groups
- 5) Nominating hapū representatives to any Council committee, joint committee or working group (as required, noting that nominations to Council Committees or Joint Committees must then be appointed by full Council)
- 6) Developing collaborative relationships on strategic priorities/areas of focus

5.1 Te Kārearea Strategic Partnership Standing Committee Meeting Schedule 2020 - 2022

Meeting: Te Kārearea Strategic Partnership Standing Committee

Date of meeting: 29 October 2020

Reporting officer: N. Pestana (Team Leader Democracy)
 C. Brindle (Senior Democracy Advisor)

1 Purpose

To confirm the meeting dates of the Te Kārearea Strategic Partnership Standing Committee and the bi-monthly meeting dates of the Te Kārearea Strategic Partnership Hui.

2 Recommendation/s

That the Te Kārearea Strategic Partnership Standing Committee;

1. Confirms the November and December 2020 meeting dates are as follows:
 - Te Kārearea Strategic Partnership Marae based hui - 18 November 2020.
 - Te Kārearea Strategic Partnership Standing Committee - 9 December 2020.
2. Confirms the Te Kārearea Strategic Partnership Standing Committee will meet bi-monthly on the third Wednesday of every month.
3. Confirms the Te Kārearea Strategic Partnership marae based hui will take place bi-monthly on the alternate third Wednesday of every month.
4. Notes that the Council meeting schedule will be updated to include both the Te Kārearea Strategic Partnership Standing Committee and marae based hui meeting dates.

3 Background

On 24 September 2020, Whangarei District Council agreed to the establishment of the Te Kārearea Strategic Partnership Standing Committee for the 2019-2022 triennium and adopted the Terms of Reference of the Te Kārearea Strategic Partnership Standing Committee.

The Terms of Reference make provision for bi- monthly formal Te Kārearea Strategic Partnership Standing Committee meetings, alternated with hui held on a marae.

It is intended that the meetings of the formal Committee be held bi-monthly on the third Wednesday of the month with marae based hui taking place on the alternate third Wednesday of the month.

Amendments to the Council meeting schedule can be made by the Chief Executive, in consultation with the Chairperson of the relevant Committee. The attached 2021-2022 meeting schedules have been updated to include both the formal Te Kārearea Strategic Partnership Standing Committee meeting dates and the marae based hui dates.

The Committee are also asked to confirm the November and December 2020 meeting dates.

4 Significance and engagement

The decision or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via Agenda publication on the website.

5 Attachments

1. Council Meeting Schedule 2021
2. Council Meeting Schedule 2022

COUNCIL MEETING SCHEDULE 2021

Note: agenda deadlines specified are the Democracy Team (DT) deadlines, GM's require earlier

COMMITTEE	DAY	TIME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Infrastructure	2 nd Thursday	9am	-	11	11	8	13	10	8	12	9	14	11	9
Council Briefing	2 nd Thursday	10.30am												
Council Workshop	2 nd Thursday	1pm												
Agenda deadline - Items required by DT by noon on stated day				29/01	26/02	*24/03	30/04	28/05	25/06	30/07	27/08	01/10	29/10	26/11
Te Kārearea Strategic Partnership Standing Committee/Hui	3 rd Wednesday	9am	-	17	17 Marae	21	19 Marae	16	21 Marae	18	15 Marae	20	17 Marae	*8
Agenda deadline - Items required by DT by noon on stated day				5/02	5/03	9/04	7/05	04/06	09/07	06/08	03/09	08/10	05/11	*26/11
Strategy, Planning & Development	3 rd Thursday	9am		18	18	15	20	17	15	19	16	21	18	*15
Community Development	3 rd Thursday	11am	-											
Agenda deadline - Items required by DT by noon on stated day				05/02	05/03	02/04	07/05	04/06	02/07	06/08	03/09	08/10	05/11	03/12
Council	4 th Thursday	9am		25	25	22	27	24	22	26	23	28	25	*16
Agenda deadline - Items required by DT by noon on stated day			-	12/02	12/03	09/04	14/04	11/06	09/07	13/08	10/09	15/10	12/11	03/12
Risk and Audit	Quarterly	1pm	-	-	24	-	-	23	-	-	22	-	-	*8
Agenda deadline - Items required by DT by noon on stated day			-	-	12/03	-	-	11/06	-	-	10/09	-	-	26/11
*agenda required earlier due to Public Holiday *meeting date earlier due to Public Holiday														
Briefing/Workshop – reserved dates	DAY	TIME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Council Briefings/Workshops	1 st Wednesday	9.00am	-	3	3	7	5	2	7	4	1	6	3	1
Agenda deadline - Items required by DT by noon on stated day				22/01	19/02	*24/03	23/04	21/05	25/06	23/07	20/08	24/09	22/10	19/11

COUNCIL BRIEFINGS/WORKSHOPS - NOTE PROVISIONAL DATES ONLY – contact Democracy Team to book

COUNCIL MEETING SCHEDULE 2022

Note: agenda deadlines specified are the Democracy Team (DT) deadlines, GM's require earlier

COMMITTEE	DAY	TIME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Infrastructure	2 nd Thursday	9am	-	10	10	14	12	9	14	11	8
Council Briefing	2 nd Thursday	10.30am									
Council Workshop	2 nd Thursday	1pm									
Agenda deadline - Items required by DT by noon on stated day				28/01	25/02	01/04	29/04	27/05	01/07	29/07	26/08
Te Kārearea Strategic Partnership Standing Committee/Hui	3 rd Wednesday	9am	-	16 Marae	16	20 Marae	18	15 Marae	20	17 Marae	21
Agenda deadline - Items required by DT by noon on stated day				04/02	04/03	08/04	06/04	03/06	08/07	05/08	09/09
Strategy, Planning & Development	3 rd Thursday	9am	-	17	17	21	19	16	21	18	15
Community Development	3 rd Thursday	11am									
Agenda deadline - Items required by DT by noon on stated day				04/02	04/03	08/04	06/05	03/06	08/07	05/08	02/09
Council	4 th Thursday	9am		24	24	28	26	23	28	25	**22
Agenda deadline - Items required by DT by noon on stated day			-	11/02	11/03	*13/04	13/05	10/06	15/07	12/08	09/09
Risk and Audit	Quarterly	1pm	-	-	23	-	-	22	-	-	**21
Agenda deadline - Items required by DT by noon on stated day			-	-	11/03	-	-	10/06	-	-	09/09

*agenda required earlier due to Public Holiday

*meeting date earlier due to Public Holiday

Briefing/Workshop – reserved dates	DAY		TIME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Council Briefings/Workshops	1 st Wednesday		9.00am	-	2	2	6	4	1	6	3	7
Agenda deadline - Items required by DT by noon on stated day					21/01	18/02	25/03	22/04	20/05	24/06	22/07	26/08

COUNCIL BRIEFINGS/WORKSHOPS - NOTE PROVISIONAL DATES ONLY – contact Democracy Team to book

** 22 September – last scheduled council meeting before Local Body Elections 8 October

5.2 Hapū Nominations - Joint Climate Change Adaptation Committee

Meeting: Te Karearea Standing Committee
Date of meeting: 29 October 2020
Reporting officer: Bernadette Aperahama (Senior Strategic Planner)

1 Purpose

To seek the endorsement of Te Kārearea for the hapū nominations to the Joint Climate Change Adaptation Committee, as resolved by Te Huinga.

2 Recommendation

That the Te Kārearea Strategic Partnership Standing Committee endorses the hapū nominations made by Te Huinga to the Joint Climate Change Adaptation Committee being:

- Delaraine Armstrong – as the primary member; and
- Rosie Wellington – as the alternate member.

3 Background

Climate change is likely to pose the most significant risks to Northland's communities and environment in the coming decades. Our region has an extensive coastline that is home to numerous communities, a large amount of infrastructure and highly valued cultural and ecological sites – all of which are vulnerable to sea level rise to name just one threat. The impact of a drying climate on the regions water supplies, our primary production sector and unique ecology are other examples of where Northland is likely to be vulnerable. Whangarei District Council has been working in both the realms of climate change mitigation and climate change adaptation

Since mid-2018 staff from the four northern Councils have been working toward developing a regional wide consistent and collaborative approach for adapting to the impacts of climate change across Northland. This work includes a draft climate change strategy for Northland and an associated work programme that identifies and addresses priority issues at both a regional and district level. The working group is now referred to as the Climate Adaptation Te Taitokerau (CATT) Group. Terms of Reference for the group were endorsed by the Chief Executive Officers Forum in August 2018.

In November 2019, Whangarei District Council staff invited Te Huinga to nominate representatives to work alongside staff in the development of current climate change related projects. Accordingly, Delaraine Armstrong and Rosie Wellington were nominated by Te Huinga and have been working with staff on climate change projects such as the regional adaptation work with CATT.

While CATT has been functioning well, it was acknowledged that a joint council committee with elected members and representation of hapū and iwi was needed to provide governance oversight of climate change adaptation activity in Northland.

This item seeks endorsement of the hapū nominations made by Te Huinga to the Joint Climate Change Adaptation Committee. It is intended that a full overview of climate change work programme will be brought back to the Committee for consideration as part of the Strategic Work Plan (Item 2 of this Agenda). However, the Agenda from the Council meeting of 24 September 2020 (attached) provides relevant background information.

4 Discussion

The CATT put forward a proposal that each council:

- agrees to the establishment of a Joint Council Climate Change Adaptation Committee between the northern councils;
- adopts the draft terms of reference;
- nominate two elected members - one as their full/primary member and an alternate as a 'back-up' in the event the first nominee is unable to attend; and
- seek the nomination of two iwi/hapū representatives from their jurisdictions. Again, one as a full/primary member and one as an alternate.

In total there would be eight full time members of the committee. Four elected members from across the Northern Councils and four iwi or hapū representatives.

CATT has followed a process of seeking endorsement for the establishment of the joint committee and its Terms of Reference from the Chief Executives Forum, Northland Mayoral Forum and the respective tangata whenua forums that each Council engages with. Hapū/iwi nominations to the committee were also sought from the tangata whenua forums. In August 2020 Te Huinga supported the establishment of and participation within the committee and nominated Rosie Wellington and Delaraine Armstrong as the hapū representatives. With that endorsement, CATT sought approval to establish the committee and nominations for elected member representatives from each individual Council.

On 24 September 2020 Whangarei District Council agreed to the establishment of the joint committee and nominated Cr Anna Murphy as the primary member and Cr Greg Innes as the alternate member. The decision is included in **Attachment 1**, with the corresponding Addenda included as **Attachment 2**. To date, all four northern Councils have formally agreed to the establishment of a joint committee.

5 Significance and engagement

While the matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the Agenda publication on the website, Council has engaged with hapū on the proposal, receiving Te Huinga support for the:

- Establishment of the committee;
- Draft terms of reference; and
- Nominated members.

6 Attachments

Attachment 1: Resolution by Whangarei District Council

Attachment 2: Agenda Report to Whangarei District Council

6.2 Joint Climate Change Adaptation Committee

Moved By Cr Carol Peters

Seconded By Cr Nicholas Connop

That the Council:

1. agrees to the establishment of a Joint Council Climate Change Adaptation Committee between the Whangarei District Council, Far North District Council, Kaipara District Council and the Northland Regional Council, as provided for in the Local Government Act 2002 (Clause 30 and 30A Schedule 7);
2. adopts the draft terms of reference (Attachment 1) for the joint committee and acknowledges that this fulfils the requirements of 30A(1).
3. nominates two elected members to the joint committee. Councillor Anna Murphy as primary member and Councillor Innes (Deputy Mayor) as alternate member in the event Councillor Anna Murphy is unable to attend.
4. Notes that Te Huinga hapū nominations to the committee will be considered at Te Kārearea Strategic Partnership Standing Committee prior to being confirmed by Council.

Carried

6.3 Appointment to Northland Regional Council Urban Whangarei River Liaison Working Group

Moved By Cr Shelley Deeming

Seconded By Cr Greg Martin

That the Council approves the appointment of Councillor Vince Cocurullo to the Northland Regional Council Urban Whangarei River Liaison Working Group.

Carried

6.4 Consultation on the Draft Whangarei District Growth Strategy

Moved By Cr Greg Innes

Seconded By Cr Anna Murphy

That Council;

1. Endorses the Draft Whangarei District Growth Strategy (Attachment 1) for public consultation.
2. Authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Draft Whangarei District

6.2 Joint Climate Change Adaptation Committee

Meeting: Whangarei District Council
Date of meeting: 24 September 2020
Reporting officer: Bernadette Aperahama (Senior Strategic Planner)

1 Purpose

Seeking Council agreement to establish and participate in a joint standing committee of Northland councils to provide oversight of local government climate change adaptation activities in Northland.

2 Recommendations

That the Council:

1. agrees to the establishment of a Joint Council Climate Change Adaptation Committee as provided for in the Local Government Act 2002 (Clause 30 and 30A Schedule 7);
2. adopts the draft terms of reference (Attachment 1) for the joint committee and acknowledges that this fulfils the requirements of 30A(1).
3. nominates two elected members to the joint committee. Councillor Anna Murphy as primary member and Councillor Innes (Deputy Mayor) as alternate member in the event Councillor Anna Murphy is unable to attend.
4. Notes that Te Huinga hapū nominations to the committee will be considered at Te Kārearea (if established) prior to being confirmed by Council.

3 Background

3.1 National Climate Change Risk Assessment

The findings of New Zealand's first National Climate Change Risk Assessment (NCCRA) were released in August. The NCCRA is a national overview of how New Zealand may be affected by climate change-related hazards, and identifies the most significant risks and opportunities. You can read the full NCCRA here:

<https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/national-climate-change-risk-assessment-main-report.pdf>

Or the summary here:

<https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/national-climate-change-risk-assessment-new-zealand-snapshot.pdf>

Climate change is likely to pose the most significant risks to Northland's communities and environment in the coming decades. Our region has an extensive coastline that is home to

numerous communities, a large amount of infrastructure and highly valued cultural and ecological sites – all of which are vulnerable to sea level rise to name just one threat. The impact of a drying climate on the regions water supplies, our primary production sector and unique ecology are other examples of where Northland is likely to be vulnerable.

The NCCRA identified 43 priority risks across five domains highlighting the 10 most significant risks based on urgency. The 10 most significant risks are identified in Table 1 and include two Governance related risks.

Table 1: New Zealand's 10 most significant climate change risks, based on consequence and urgency

DOMAIN	RISK	RATING	
		Consequence	Urgency (44-94)
Natural environment	Risks to coastal ecosystems, including the intertidal zone, estuaries, dunes, coastal lakes and wetlands, due to ongoing sea-level rise and extreme weather events.	Major	78
	Risks to indigenous ecosystems and species from the enhanced spread, survival and establishment of invasive species due to climate change.	Major	73
Human	Risks to social cohesion and community wellbeing from displacement of individuals, families and communities due to climate change impacts.	Extreme	88
	Risks of exacerbating existing inequities and creating new and additional inequities due to differential distribution of climate change impacts.	Extreme	85
Economy	Risks to governments from economic costs associated with lost productivity, disaster relief expenditure and unfunded contingent liabilities due to extreme events and ongoing, gradual changes.	Extreme	90
	Risks to the financial system from instability due to extreme weather events and ongoing, gradual changes.	Major	83
Built environment	Risk to potable water supplies (availability and quality) due to changes in rainfall, temperature, drought, extreme weather events and ongoing sea-level rise.	Extreme	93
	Risks to buildings due to extreme weather events, drought, increased fire weather and ongoing sea-level rise.	Extreme	90
Governance	Risk of maladaptation ¹ across all domains due to practices, processes and tools that do not account for uncertainty and change over long timeframes.	Extreme	83
	Risk that climate change impacts across all domains will be exacerbated because current institutional arrangements are not fit for adaptation. Institutional arrangements include legislative and decision-making frameworks, coordination within and across levels of government, and funding mechanisms.	Extreme	80

¹ Maladaptation refers to actions that may lead to increased risk of adverse climate-related outcomes, including via increased greenhouse gas emissions, increased vulnerability⁴ to climate change, or diminished welfare, now or in the future. Maladaptation is usually an unintended consequence.

It is therefore essential that local government in Northland acts collaboratively to plan how we adapt to these threats to ensure an effective, efficient and coordinated approach is adopted across Taitokerau.

Collaborative inter-council arrangements have proven very effective at dealing with complex issues that benefit from cross-council coordination – these include those established for transport (Regional Transport Committee and Northland Transportation Alliance) and Civil Defense Emergency Management.

3.2 Council collaboration

In mid-2018 staff from Kaipara District Council (KDC), Whangarei District Council (WDC), Northland Regional Council (NRC) and Far North District Council (FNDC) agreed that a regional wide consistent and collaborative approach across the four councils was the preferred way forward for adapting to the impacts of climate change across the Northland Region. The first meeting of representatives from the administration of the four Northland Councils plus representatives from the administration of the Northland Transport Alliance (NTA) was held in Whangārei on the 23 July 2018. At this meeting it was agreed that a climate change adaptation working group be formed with the intent of collaborating on issues and approaches to responding to climate change. It was also agreed among attendees at the 23 July 2018 meeting that, to legitimise and give a mandate to a cross council climate change adaptation working group, that the endorsement by the Northland Chief Executive Officers and Mayoral Forums was required.

A draft Terms of Reference for a Northland wide climate change adaptation working group was submitted to the Chief Executive Officers Forum on 20 August 2018. The Chief Executive Officers Forum endorsed the Terms of Reference and appointed the Chief Executive Officer from KDC as the project sponsor. The membership of the working group includes staff representatives from FNDC, NRC, KDC, WDC, NTA and the Four Waters Advisory Group. In November 2019 hapū and iwi representatives attended the working group meeting for the first time and now have standing invitations to attend the quarterly meetings from herein.

The purpose of the working group as written in its Terms of Reference is ‘to develop a regional collaborative approach to climate change adaptation planning for local government in Northland. This will include a draft climate change strategy for Northland and an associated work programme that identifies and addresses priority issues at both a regional and district level’. The working group has undertaken a renaming exercise in recent months. This group is now referred to as the Climate Adaptation Te Taitokerau (CATT) Group.

The CATT Group has no delegated authority with recommendations of the group requiring approval by the relevant council(s) prior to the implementation or adoption of any strategy, plan or governance document like a term of reference.

Since its inception the CATT Group has been working towards the development of a regional wide climate change adaptation strategy. This has drawn heavily on the advice and direction provided by the Ministry for the Environment and case studies from across New Zealand.

While this group is functioning well, it is recommended that a joint council committee is also established to provide governance oversight of climate change adaptation activity. The committee would focus on climate change adaptation as this is where the majority of councils’ functions lie and where collaboration is most needed. The staff are also sharing information and approaches in the area of mitigation. In the short term, is likely to pursue more ‘bespoke’ approaches in emissions reductions.

A consistent message that has come from the work and analysis undertaken by the CATT Group is that the success of climate change adaptation initiatives relies heavily on having clear governance and oversight groups in place.

4 Discussion

4.1 Proposal for a joint standing committee

It is recommended that each council nominate two elected members - one as their full member and an alternate as a 'back-up' in the event the first nominee is unable to attend.

Each council is to also seek the nomination of two iwi/hapū representatives from their jurisdictions (again one as 'back-up' / alternate). In total there would be eight full time members of the committee. Four elected members from across the Northern Councils and four iwi or hapū representatives.

It is also recommended that iwi / hapū representatives should be remunerated for their participation and that remuneration is the responsibility of the nominating council.

The proposal was presented to and supported by the Chief Executives Forum at its meeting on Monday 3 February 2020, and subsequently endorsed by the Northland Mayoral Form at the meeting of 24 February 2020. Both the Mayoral Forum and Chief Executives Forum recommended that this committee have equal representation by Māori. Feedback from the Mayoral Forum on the paper was 'that while the concept was supported there needed to be more consultation with Māori advisory groups from each council before moving forward'.

In November 2019, staff invited Te Huinga to nominate representatives to work alongside Whangarei District Council staff in the development of current climate change related projects. Accordingly, Delaraine Armstrong and Rosie Wellington were nominated by Te Huinga and have been working with staff since.

Staff provided a written update to the July 2020 meeting of Te Huinga including the proposal to establish a joint climate change committee and the draft Terms of Reference for the committee. Staff attended the August 2020 meeting of Te Huinga in person which followed the August climate change briefing to Elected Members. Te Huinga supported the establishment of and participation within the committee and nominated Rosie Wellington and Delaraine Armstrong as the representatives.

While a resolution was passed in support of this (Attachment 2) it does not identify who will be the primary member, and who will be the alternate. Given this, and the role of the Te Kārearea Standing Committee in "nominating hapū representatives to any Council committee, joint committee or working group" under its draft Terms of Reference, it is proposed that nominations be considered at Te Kārearea (if established) prior to being confirmed by Council.

The proposal for a joint standing committee was raised with the Elected Members at the 6 May 2020 briefing. Elected members were provided more detailed information on the proposal at the 6 August 2020 briefing.

NRC and FNDC have formally agreed to the establishment of the committee. At the time of writing, it is intended that KDC will be considering the proposal in September.

Council	Elected Member	Tangata Whenua Nomination
FNDC	Cr Clendon	Not identified as yet.
NRC	Cr McDonald	Toa Faneva
KDC	Item to go to council at the end of September	
WDC	Item to go to council in September	To be

4.2 Statutory mechanisms

The formation of joint council standing committees is provided for in the Local Government Act 2002 (Clause 30 and 30A Schedule 7).

Clause 30A(1) states that a local authority may not appoint a joint committee under clause 30(1)(b) unless it has first reached agreement with every other local authority or body that is to appoint members of the committee. The joint committee will be positioned under NRC as it is exercising their standing orders, and they have provided dedicated funding and resourcing to support collaboration on climate change across the region.

Under Clause 30A(2), an agreement under subclause 30A(1) must also specify—

- a) the number of members each local authority or public body may appoint to the committee; and
- b) how the chairperson and deputy chairperson of the committee are to be appointed; and
- c) the terms of reference of the committee; and
- d) what responsibilities (if any) are to be delegated to the committee by each local authority or public body; and
- e) how the agreement may be varied.

Draft terms of reference for the committee are included as **Attachment 1** for consideration by Council – these include recommended purpose, responsibilities and representation arrangements. It is not proposed that the committee have decision making powers or delegations. Administrative and technical support would be provided by the Climate Adaptation Te Taitokerau group. The draft terms of reference attached address the requirements above and by each council resolving to adopt the terms of reference the requirements of Clause 30A(1) are considered to be met.

Clause 31 of Schedule 7 of the Local Government Act 2002 also allows a local authority to appoint non-elected members to a committee, if in the opinion of the local authority those persons have the skills, attributes or knowledge that will assist the work of the committee.

The committee will be headed by NRC which aligns with leadership role that NRC staff have with the work programme.

Considerations

No.	Option	Advantages	Disadvantages
1	No joint governance oversight of the climate change adaption work programme	<p>No costs associated with operation of the committee.</p> <p>Each council has full autonomy to decide its own approach.</p>	<p>No coordinated local government and Māori governance oversight of adaptation planning and activity across Northland.</p> <p>Less likelihood of effective communication of Northland adaptation initiatives.</p> <p>Greater potential for inconsistent approaches to climate change adaptation activity across the region.</p> <p>Lack of potential for cost savings for combined initiatives.</p>

2	A joint council committee is established with Māori representation	<p>Direct governance oversight, including Māori representation aligning with best practice.</p> <p>Single point of contact with dedicated committee of all councils.</p> <p>Improved communication / support for adaptation planning.</p> <p>Greater potential for inconsistent approaches to climate change adaptation activity across the region.</p> <p>Improved governance relationships with hapū and iwi.</p>	Costs (remuneration and staff reporting / admin time).
3	Councillor only committee (no Māori representation)	<p>Direct governance oversight.</p> <p>Single point of contact with dedicated committee of all councils.</p> <p>Improved communication / support for adaptation planning.</p>	<p>Risks missing issues important to Māori and may negatively impact on council / Māori relationship.</p> <p>Risks less effective communication with Maori communities.</p> <p>Not meeting best practice regarding governance representation in partnership with Māori.</p>

The recommended option is **Option 2**.

It is recommended that a joint standing committee of the Far North, Whangarei, Kaipara and Northland Regional councils be established and, that it include tangata whenua representation to ensure these outcomes are achieved in a coordinated and collaborative way across Taitokerau. The formation of joint council committees and appointment of non-elected members to such committees is provided for in the Local Government Act 2002 (Clause 30 and 30A Schedule 7). Draft terms of reference for the joint committee are **attached** for consideration and adoption by council.

4.3 Financial/budget considerations

The financial implications of the proposed committee are considered minor and generally limited to remuneration and administrative costs. The joint committee is project specific therefore costs will be accommodated in existing operational budgets for the climate change adaptation programme of work. It is proposed that the meeting fee for non elected members on the committee will be consistent with that proposed for Te Kārearea (\$280 per meeting), if established by Council. This can be met through budgets already allocated by Council.

Additional costs for climate change adaptation will need to be considered through respective councils' future Long Term Plans.

5 Significance and engagement

In relation to section 79 of the Local Government Act 2002, this decision is not considered to be of high significance when assessed against council's significance and engagement policy because it can be considered part of council's day to day activities.

This does not mean that this matter is not of significance to our hapū partners and/or individual communities, but that the Council is able to make decisions relating to this matter without undertaking further consultation or engagement. The establishment of a joint council committee will also improve the level of engagement for Māori and the community in relation to planning climate change adaptation.

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the Agenda publication on the website.

Council has engaged with hapū on the proposal through the Te Huinga forum which supported the draft terms of reference and nominated members to the joint committee. No significant adverse impacts on Māori were identified and none are expected as a result of the establishment of the joint committee. It is noted that council has not engaged more broadly at this stage and that a key role going forward for the joint committee will be to engage with tangata whenua and the community around climate change adaptation options.

6 Attachments

Attachment 1: Terms of Reference for the Joint Committee

Attachment 2: Resolution by Te Huinga

Attachment 1: Terms of Reference

Joint climate change adaptation committee Terms of Reference

August 2020

Background

Climate change poses significant risks to the environment and people of Te Taitokerau - local government has responsibilities in reducing the impact of climate change (adaptation). It is essential that councils, communities and iwi / hapū work collaboratively to ensure an effective, efficient and equitable response to the impacts of climate change. Work on adaptation has already started between council staff with the formation of the joint staff working group Climate Adaptation Te Taitokerau and the development of a Climate Change Adaptation Strategy for Taitokerau. The formation of a joint standing committee of the Far North, Kaipara and Whangarei district councils and Northland Regional Council elected council members and iwi / hapū is fundamental to ensuring these outcomes are achieved in a coordinated and collaborative way across Te Taitokerau.

Role and Responsibilities

- 1) Provide direction and oversight of the development and implementation of climate change adaptation activities by local government in Te Taitokerau
- 2) Receive advice and provide direction and support to Climate Adaptation Te Taitokerau
- 3) Make recommendations to member councils to ensure a consistent regional approach is adopted to climate change adaptation activities
- 4) Act collectively as an advocate for climate change adaptation generally and within the individual bodies represented on the Committee
- 5) Ensure the bodies represented on the Committee are adequately informed of adaptation activity in Te Taitokerau and the rationale for these activities
- 6) Ensure the importance of and the rationale for climate change adaptation is communicated consistently within Te Taitokerau
- 7) Receive progress reports from Climate Adaptation Te Taitokerau

Membership

The Joint Climate Change Adaptation Committee (the committee) is a standing committee made up of elected members from the Far North, Kaipara and Whangarei district councils, the Northland Regional Council and representatives from Northland hapū and iwi.

The committee shall have eight members as follows:

One elected member from:

Kaipara District Council
Far North District Council
Whangarei District Council
Northland Regional Council

Iwi / hapū members:

One representative from iwi / hapū nominated by each council from within their jurisdiction. Where possible, this nomination should follow recommendations from council Māori advisory groups or committees.

Each council shall also nominate one alternative elected member and one alternative iwi / hapū member who will have full speaking and voting rights when formally acting as the alternate.

Status

The Committee is a joint standing committee of council as provided for under Clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 and shall operate in accordance with the provisions of Clause 30A of that Act. The committee is an advisory body only and has no powers under the Local Government Act 2002 (or any other Act) other than those delegated by decision of all member councils. The joint standing committee shall operate under Northland Regional Council Standing Orders.

Committee Chair and deputy Chair:

The Chair and Deputy Chair is to be elected from members at the first meeting of the committee.

Quorum

At least 50% of members shall be present to form a quorum.

Meetings

The Committee shall meet a minimum of two times per annum.

Service of meetings:

The Northland Regional Council will provide secretarial and administrative support to the joint committee.

Draft agendas are to be prepared by Climate Adaptation Te Taitokerau and approved by the Chair of the Committee prior to the Committee meeting.

Remuneration

Remuneration and / or reimbursement for costs incurred by council members is the responsibility of each council.

Respective iwi / hapū representatives will be remunerated and reimbursed by the nominating council in accordance with the non-elected members remuneration policy of that council.

Amendments

Any amendment to the Terms of Reference or other arrangements of the Committee shall be subject to approval by all member councils.

Attachment 2: Resolution by Te Huinga

RESOLUTION: Joint Climate Change Adaptation Committee

Subject:	Te Huinga Meeting	
When:	Thursday 6 August 2020	
Where:	The Hub	
Chair:	Taipari Munro	
Secretariat:	Janelle Beazley	
Apologies:	Mylie George (late), Sandra Hawken	
Present:	i. Mike Kake	(left 1.20pm)) Ngati Hau
	ii. Sharon Kaipo	Ngati Horahia
	iii. Taipari Munro	Te Uriroro
	iv. Aorangi Kawiti	Te Waiariki, Ngati Takapari, Ngati Korora
	v. Janelle Beazley	Ngati Toki/Ngati Horahia
	vi. Delaraine Armstrong	(left 1.50pm))Te Orewai
	vii. Rose Wellington	Ngati Takapari
	viii. Deborah Harding	(left 1.50pm) Patuharakeke
	ix. Waimarie Bruce Kingi	(arrived 12.50pm) Ngati Kahu o Torongare
	x. Mylie George	(arrived 12.40p) Ngati Hine
	xi. Manuhiri	(WDC) Aperahama Edwards (WDC) Hamish Sykes (WDC) Injoo Riehl (WDC) Tony Horton (WDC) Bernadette Aperahama
Agenda Item		Action
1. Joint Climate Change Adaptation Committee Information shared to all by Bernadette and joined by Hamish and Tony about the new steps for the Climate Change Committee. Workshops will take place in September and members asked how would we prefer these – one day, visual and interactive. Bernadette will come back to TH to advise of the workshops. <i>It was resolved that Te Huinga members support and agree to participate in the Joint Climate Change Adaptation Committee</i> <div style="text-align: right;">T Munro/S Kaipo CARRIED</div> <i>It was resolved that Te Huinga reaffirm and nominate Delaraine Armstrong and Rose Wellington as the representatives for the Joint Climate Change Adaptation Committee.</i> <div style="text-align: right;">T Munro/S Kaipo CARRIED</div>		
2. Next Te Huinga Meeting – 3 September 2020		
3. Meeting closed with karakia at 3.45pm by Taipari Munro		Next Te Huinga Meetings: 3 Sept, 1 Oct, 5 Nov, 3 Dec

6.1 Inaugural Te Kārearea Strategic Partnership Standing Committee Meeting

Meeting: Te Kārearea Strategic Partnership Standing Committee
Date of meeting: 29 October 2020
Reporting officer: Dominic Kula – General manager Strategy and Democracy

1 Purpose

For the Partners to acknowledge the development of the longstanding relationship between hapū and Council, before starting discussion of ‘what strategic looks like’.

2 Recommendation/s

That Te Kārearea Strategic Partnership Standing Committee note the report.

3 Background

Councils are required under legislation to facilitate participation by Māori in local authority decision-making. This has taken a number of different forms across the Country.

In Whangārei Te Kārearea Strategic Partnership Forum was formed late in 2012 between Te Huinga (as advocates of the hapū of Whangarei) and Whangarei District Council (WDC). The desire to ‘develop more robust partnership arrangements over time’ was signaled in the agreement, which was superseded by a Strategic Relationship Agreement in 2014.

Since that time different representation and relationship structures have been in place alongside Te Kārearea. In September 2020 the Partners took the next step in the relationship, with Council resolving to establish Te Kārearea as a Standing Committee of Council.

4 Discussion

Since the beginning of this term (October 2019) there has been extensive korero between hapū and Council. A key theme has been a desire to be more strategic. This flowed through to the Terms of Reference for Te Kārearea which provide for the Committee to:

- *Identify strategic priorities for the partnership (clause 2 a); and*
- *Develop a workplan and strategy log to monitor input to, and decision making/progress on, strategic priorities identified by the Committee (clause 3 a).*

The first Te Kārearea Strategic Partnership Standing Committee Meeting provides an opportunity for the Partners to acknowledge the development of the longstanding relationship between hapū and Council, before starting discussion of 'what strategic looks like'.

To facilitate this staff have provided an overview of the current strategic work programme, and known areas of central government policy and reform (Item 2 on this Agenda). It is hoped that this will facilitate and support discussion of the strategic priorities of the Partners, which can then be used to develop a work plan and strategy log in support of these.

Suggested points for consideration of the Committee in working through the Agenda include:

- What are your strategic priorities?
- How do we form a collective view around these?
- What does a work plan look like?
- What should/shouldn't come to the Committee (i.e. matters that affect hapū across the District and kaupapa of interest within the rohe of a specific hapū)?
- How do the Partners support each other to build capacity and deliver on priorities?

5 Significance and engagement

The matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the Agenda publication on the website.

6 Attachments

6.2 Strategic work programme

Meeting: Te Kārearea Strategic Partnership Standing Committee
Date of meeting: 29 October 2020
Reporting officer: Tony Horton (Manager – Strategy)

1 Purpose

To update Te Kārearea Strategic Partnership Standing Committee on future strategic work programme and facilitate discussion of priorities.

2 Recommendation

That Te Kārearea Strategic Partnership Standing Committee notes the report.

3 Background

Creation of Te Kārearea Strategic Partnership Standing Committee provides an opportunity to work alongside hapu on strategic priorities. This report outlines:

- the key projects in Council's current strategic work programme
- overview of central government policy and future reforms (to the extent that these are known)

In doing so it provides an opportunity for discussion of the strategic priorities of the Partners, and how to work together on these.

4 Discussion

4.1 Work programme

The strategic work programme is largely driven by the legislative requirements. It is comprised of the following key projects:

Growth Management	Description	Timeframes
Draft Whangarei District Growth Strategy	Strategic document which outlines the key issues facing our District and how we will respond to those issues. Also aligns with the requirements of the	Consultation – underway Adoption – Late 2020 / Early 2021

	National Policy Statement on Urban Development.	Implementation – ongoing Reviewed every 3 years.
Housing Demand and Capacity Assessment	Requirement of the National Policy Statement on Urban Development. Assesses the demand for housing and ability to meet that demand over the next 30 years	First assessment by 31 July 2021. Reviewed every 3 years.
Future Development Strategy	Requirement of the National Policy Statement on Urban Development. Sets out how and where new homes and business will be built.	Programme to begin in 2022 Completed to inform the 2024-34 LTP
Inner city living	Programme to investigate opportunities to enable and encourage more inner-city living opportunities.	Underway and budget contribution in 2020-2021 Annual Plan

Place based Planning	Description	Timeframes
Placemaking Programme	Location specific plans created with the community to set out a 30 year vision. The plan will focus on future housing and development as well as infrastructure provision.	Hikurangi and Tikipunga Plans (Pilot schemes) – Early 2021 Then move through other areas such as Waipu and Parua Bay.
Waterfront Precinct Plan	The third of the City Centre precinct plans, this focuses on the Hatea and Waterfront areas. It aims to tie together existing projects as well as set direction for the long term.	Consultation – Late 2020 through to early 2021 Draft and finalise – mid / late 2021
Northland to Auckland Corridor Plan	Central government led spatial plan for the corridor between North Auckland and Whangarei (likely also to include Dargaville). Based on the model	Timeframes not confirmed yet by central government. But likely to start in 2021.

	established by the Hamilton to Auckland Corridor Plan.	
--	--	--

Climate Change	Description	Timeframes
Climate Action Plan	A plan focusing on District wide actions to reduce emissions as well as adaption to a changing climate.	Partner and stakeholder engagement – Underway Wider public engagement – March Finalise and implement through mid 2021
Climate Change Risk Assessments	Place specific risk assessments, linked to the region-wide programme. The assessments will identify risk and begin an approach with the community to identify solutions.	Dependant on LTP funding. To begin in late 2021

Statutory Policy and Bylaws	Description	Timeframes
Camping in Public Place Bylaw	Review of the 2017 bylaw to manage freedom camping across the District.	Consultation – Late 2020 Adoption – Early 2021
Water supply bylaw	Review of existing 2012 bylaw which protects the supply and quality of water for the District.	Consultation – Mid 2021 Adoption – Late 2021
Trade Waste bylaw	Review of existing 2012 bylaw which regulates the discharge of trade waste to the reticulate waste water network.	Consultation – Mid 2021 Adoption – Late 2021
Animals Bylaw	Review of existing 2017 bylaw which manages the keeping of animals in urban areas.	Consultation – Mid/ Late 2021 Adoption – Late 2021

--	--	--

Corporate Planning	Description	Timeframes
2021 – 31 Long Term Plan	Sets out the 10-year plan of programmes and projects as well as the revenue and budget.	Consultation – March 2021 Adoption – June 2021

District Plan	Description	Timeframe
Biodiversity (PC141)	This plan change will identify and map important indigenous vegetation and habitats and introduce provisions to protect biodiversity.	Preparation: 2020 Consultation on Draft: Early 2021 Notification: Mid-late 2021
Hazards (PC154)	This plan change will identify and map both natural and coastal hazards and introduce provisions to manage the hazards and limit the impact of hazards on development.	Preparation: 2020 – 2021 Consultation on Draft: Mid 2021 Notification: Mid – late 2021 *
National Planning Standards (PC146)	This plan change will reformat the district plan and align the district plan with National Planning Standards where Schedule 1 process is not required.	Preparation: 2021 Operative: 2021-early 2022
Tangata Whenua/ Mana Whenua (PC156)	This plan change will introduce information about Tangata Whenua / Mana Whenua within the Whangarei District. It will recognise hapū, document relationships with local, identify relevant planning documents and describe processes for hapū involvement and participation in resource management processes. A schedule 1 process is not required for this plan change.	Preparation: 2021 Operative: 2021-early 2022
Sites and Areas of Significance to Māori (PC157)	This plan change will identify and map sites and areas that are significant to Māori and establish provisions to support appropriate environmental and cultural management of the sites.	Preparation: 2021 Consultation on Draft: TBD **

<p>* Timing dependent on finalised Northland Regional Council mapping</p> <p>** Timing dependent on progress of draft plan change development during preparation phase.</p>		

4.2 Future government reform and requirements

Alongside the Council programme, central government reforms add additional programmes of work.

In July central government released the new National Policy Statements on Urban Development and Freshwater Management.

It is likely that there will be further policy statements released in 2021, which will result in further planning work over the next 12 – 24 months. This could include:

- National Policy Statement on Biodiversity
- National Policy Statement on Productive Land

In July the independent Resource Management Review Panel released a comprehensive review of the Resource Management system. The report's findings recommend a wide-ranging changes including the replacement of the Resource Management Act with the Natural and Built Environments Act (NBEA).

Although not endorsed by government at this stage, if reforms are undertaken this would have a dramatic impact on our work programme and priorities in the short and medium term.

An ongoing issue faced by continued reform and new central government policy direction has been the resources needed to respond. For example, the first iteration of the National Policy Statement on Urban Development Capacity required a large budget and staff resources to implement.

6.3 2022 Elections – Māori representation

Meeting: Te Karearea Strategic Partnership Standing Committee
Date of meeting: 29 October 2020
Reporting officer: Tracey Schiebli (Manager Democracy and Assurance)

1 Purpose

To brief members on the process for Council to consider Māori representation through the establishment of a Māori ward(s). Council will decide which option to adopt at the next Council meeting on 3 November 2020.

2 Recommendation

That the Te Karearea Strategic Partnership Standing Committee:

1. Notes the process for Council to consider Māori representation through establishment of Māori ward(s)

3 Background

The Local Electoral Act 2001 (LEA) allows for Council to decide on the establishment of Māori ward(s). Whangarei District Council does not currently have a Māori ward, so any decision to change the status quo, which would then take effect for the 2022 and 2025 elections, is required to be made by 23 November 2020.

The Te Kārearea Strategic Partnership Forum has previously recommended (through the 19 August meeting) that Council consider introduction of Maori Representation for the 2022 and 2025 Local Government Elections.

This inaugural meeting of the Te Karearea Strategic Partnership Standing Committee is an opportunity to provide advice to Council, ahead of Council's consideration of the options on 3 November 2020, noting that Councillors supporting advice or recommendations to Council need to keep an open mind throughout Council's decision making process.

4 Options for considering Māori representation

The options for the consideration of Maori representation for 2022 and beyond include:

4.1 Take no further action

It is a Council decision to introduce Maori ward(s), or to remain with the status quo. Council could decide to take no further action. In this case no public notice is required.

4.2 Resolve to adopt Māori representation

Council **may** resolve to introduce Māori representation for the next two triennial elections (2022 and 2025). If it decides to introduce Maori representation in time for the 2022 elections, it must do so no later than 23 November 2020, unless it decides to hold a poll of electors.

If this option is chosen, Council would then publicly advertise the resolution. The advertisement would also state that a public poll of 5% of electors (3,080 electors) would be required to overturn the decision.

4.3 Electors' right to demand a poll

If Council resolves to adopt Māori representation by 23 November 2020, it **must** give public notice of the right of electors to demand a poll on the matter. If Council passes a resolution under section 19Z of the LEA to introduce Māori representation, the public notice must include:

- (a) notice of the resolution; and
- (b) a statement that a poll is required to countermand (reverse) that resolution

Section 19ZB of the LEA allows 5% of the electors enrolled at the previous triennial election to demand a binding poll to be held on a proposal whether or not Māori representation is to be introduced for the next two triennial elections. The demand must be made in writing to the Chief Executive and can be made anytime, but to be effective for the 2022 elections, it must be made by 21 February 2021.

4.4 Council may decide to hold a poll of electors

Council can decide to hold a poll of electors at any time (but must decide no later than 21 February 2021 to be effective for the 2022 elections).

Public notice of the poll must be given no later than 21 February 2021 and the poll itself must be completed by 21 May 2021 to be effective for the 2022 elections.

The results of the poll are binding and will determine whether Māori representation is to be introduced for at least the next two triennial elections (2022 and 2025), and subsequent elections until either a further resolution under section 19Z of the LEA taken effect or a further poll is held.

Our Electoral Officer has indicated that the cost of a standalone poll for the Whangarei District would be approximately \$90,000. Additional expenditure for communications and advertising would also be required, estimated at \$15,000.

4.5 Conduct a poll of electors on the establishment of Māori ward(s) in conjunction with the 2022 elections

Council can decide to conduct a poll on the establishment of Māori ward(s), to be done at the same time as the postal vote for the 2022 elections.

The poll would be binding and if the result is for Māori ward(s) to be introduced, it would apply for the next two elections (2022 and 2025), and then continue until Council resolves otherwise.

Our Electoral Officer has indicated that the cost of incorporating this poll with the election voting papers would be approximately \$9,000 (about 10% of a standalone poll). Expenditure for communications and advertising would be incorporated into the election material and campaign.

5 Process and implications

A decision to introduce Māori ward(s) would trigger a Representation Review process, which would investigate the necessary changes to re-align ward boundaries and other detail.

The formal process for a Representation Review would start on 1 March 2021 at the earliest.

A Representation Review may result in:

- changes to the numbers of Councillors in the district
- One or more Māori wards
- Electors standing for a ward (part of district) or at large (whole district)

Schedule 1A of the LEA has a set formula to determine the number of Māori and General Councillors.

Based on population estimates as at 30 June 2020 (which are due to be released at the end of October 2020), and assuming that the total of 13 Councillors plus a Mayor remains, 3 Councillors would be required to be elected from a Maori ward(s), and 10 Councillors from the general wards. This is based on a Maori electoral population of 18,700 and a general electoral population 77,300, which increases the number of Maori elected members to 2.53 which is rounded up to 3 under the formula.

If Council ultimately establishes a Māori ward, candidates in future elections have an option to stand for the Māori ward or in a general ward. Candidates must be registered parliamentary electors. However, Māori ward candidates do not need to be on the Māori electoral roll (provided they're on the general electoral roll) and vice versa for candidates standing in the general ward(s).

Electors on the Māori electoral roll are then eligible to vote for candidate(s) in their Māori ward. Electors on the general electoral roll are then eligible to vote for candidate(s) in their general ward. Regardless of which roll an elector is on, an elector only has one vote (either for a Māori ward or a general ward). Every five years, electors have the opportunity to change from being on the general electoral roll to the Māori electoral roll and vice versa.

All electors can vote for the Mayor.

RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the information. {Section 7(2)(c)}
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court. {Section 48(1)(b)}.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied. {Section 7(2)(c)(i)}.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

Move/Second

"That _____ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item _____.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because _____.

Note:

Every resolution to exclude the public shall be put at a time when the meeting is open to the public.