

Te Kārearea Strategic Partnership Standing Committee Supplementary Agenda

Date: Wednesday, 9 December, 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.

6. *Te Karearea Standing Agenda Item Kokiri*

5

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

6.1 Kokiri: Progressive Partnership Action

Meeting: Te Kārearea Strategic Partnership Standing Committee
Date of meeting: 9 December 2020
Reporting officer: Dominic Kula – General Manager Strategy & Democracy

1 Purpose

To introduce 'Kokiri' as a potential standing agenda item

2 Recommendation

That Te Kārearea Strategic Partnership Standing Committee:

1. Establishes the standing agenda item - 'Kokiri: Progressive Partnership Action'
2. Endorses a Marae based wananga to build capacity/understanding in Te Ao Māori

3 Background

Following hui between Te Kārearea and Te Huinga hapū have proposed the establishment of a standing agenda item on the Te Kārearea Agenda.

The intent of the item is to bring forward strategic topics or initiatives Te Huinga and Te Kārearea hapū members want to elevate with Council.

Titled "Kokiri" to denote progressive (strategic) action, the item provides an opportunity for collective discussion on initiatives aligned to the Committee's Terms of Reference.

4 Discussion

Te Kārearea Strategic Partnership Standing Committee Terms of Reference outlines key responsibilities under the 'Participation' section as:

- a) Developing pathways (and processes) that will achieve lasting and meaningful relationships between Māori and Council
- b) Ensuring the views of Māori are taken into account
- c) Recommending ways to develop Council capacity
- d) Recommending ways to develop Māori capacity to contribute to decision-making processes

In addition, the Committee has "Governance oversight of initiatives, Te Kārearea budget and resourcing to build capacity (both Council and Māori) and deliver on the Terms of Reference" and is tasked with developing a workplan to track progress on strategic initiatives.

Kokiri provides a mechanism for capacity building initiatives to be brought to the Committee for debate and the establishment of a collective view. It also provides for Committee oversight of, and direction on, these initiatives.

The intent is that the once established Kokiri would follow the normal agenda processes of and timeframes of Te Kārearea Standing Committee, with a different item or topic being worked through at each meeting.

4.1 Potential areas of focus?

As a foundation topic Te Huinga and Te Kārearea hapū members have proposed discussion of a Marae based wananga, to build capacity/understanding in Te Ao Māori. If supported, it is proposed that this be conducted early in March 2021.

Alongside this, and potentially an early initiative for Kokiri in the new year, is the potential for hapū technicians/practitioners to be engaged to provide technical input to key strategic issues/kaupapa.

Other areas of focus that hapū have identified for discussion under Kokiri that potentially fall under the committees Terms of Reference include:

| Kokiri Topic | Description | Timeframes? |
|---|--|-------------|
| Develop Council and Māori Capacity | Wananga to enhance Council knowledge in Te Ao Māori? Engagement of hapū technicians? Te Ao Māori decision making framework (included in Committee ToR) | |
| Māori representation | Māori wards? Other opportunities for Māori Representation? | |
| Treaty of Waitangi | Quarterly updates? Discussion of co-governance opportunities? Establish audit process (included in Committee ToR) | |
| Councils compliance on legislative obligations to Māori | Aligned to Audit processes, ongoing monitoring and reporting to the Committee | |

It is anticipated that the direction provided through Kokiri will feed into the Committee's workplan.

4.2 Resourcing

The working group involved in the establishment of Te Kārearea (which was comprised of three hapū and three councillors) proposed the budget/resourcing below for the new Committee, which was subsequently approved by Council:

| Outcome | Description | Total |
|-------------------------------|---|-----------------------------------|
| Te Kārearea Meeting Fees | Meeting fee set at \$280 per meeting | \$27,000 |
| Internal resourcing / support | 0.3 FTE Democracy resource to support committee meetings, agendas etc 0.5 FTE for internally resourced technical/secretariat support (yet to be allocated) | \$50,000 (internal staffing cost) |
| Systems/support | Systems support for kaupapa/initiatives including newsletters, photocopying printing etc. | \$3,000 |
| Te Kārearea/Hui a Hapū | Meetings on Marae, hapū update hui, travel, catering, koha etc | \$20,000 |
| Capacity building | Remaining budget to support hapū capacity (i.e. technical advice etc) | \$50,000 |
| TOTAL | | \$150,000 |

Within the budget \$50k is allocated for 'building capacity'. In addition to this internal resourcing was allocated. Recruitment for this position is currently being worked through. Going forward it is anticipated that this position will work with the partners on key initiatives, and be responsible for developing and driving the Committee's work plan.

5 Significance and engagement

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 Agenda publication on the website.

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.