

Huihuinga O Te Kāhui Māori O Taitokerau

Te Taitokerau Māori and Council Working Party
Thursday 12 November 2020 at 11.00am - 3.30pm

AGENDA

RĀRANGI TAKE

Rārangi Take O Te Kāhui Māori O Taitokerau **(Te Taitokerau Māori and Council Working Party Agenda)**

Meeting to be held in the Council Chamber
36 Water Street, Whangārei
on Thursday 12 November 2020, commencing at 11.00am - 3.30pm

Please note: working parties and working groups carry NO formal decision-making delegations from council. The purpose of the working party/group is to carry out preparatory work and discussions prior to taking matters to the full council for formal consideration and decision-making. Working party/group meetings are open to the public to attend (unless there are specific grounds under LGOIMA for the public to be excluded).

NGĀ MANA WHAKAHAERE **(MEMBERSHIP OF THE TE TAITOKERAU MĀORI AND COUNCIL WORKING PARTY)**

Co-Chair, Marty Robinson
Co-Chair, Te Whakaminenga O Te Hikutu Hapu-Whanau, Rudy Taylor

Councillor Penny Smart	Councillor Rick Stolwerk	Councillor Justin Blaikie
Councillor Jack Craw	Councillor Colin Kitchen	Councillor Amy Macdonald
Councillor Joce Yeoman	Ngāti Tara Victor Holloway	Te Roroa Thomas Hohaia
Patuharakeke Te Iwi Trust Board, Juliane Chetham	Te Uri o Hau Settlement Trust, Georgina Connelly	Te Rūnanga o Te Rarawa Rihari Dargaville
Ngāti Kuta, Patukeha, Michelle Elboz	Te Parawhau Hapū Authority Charitable Trust, Mira Norris	Te Rūnanga O Ngāti Rehia, Nora Rameka
Te Whakapiko Hapū, Rowan Tautari	Te Rūnanga o Ngāti Hine Pita Tipene	Te Rūnanga-Ā-Iwi-O-Ngāpuhi Janelle Beazley
Ngātiwai Trust Board Hadyn Edmonds	Te Rūnanga O Whaingaroa Toa Faneva	Te Rūnanga O Ngāti Whātua Alan Riwaka
Te Rūnanga Nui o Te Aupōuri Victor Goldsmith	Ngāti Hau, Mike Kake	

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An opportunity to raise issues not already covered or issues to be considered for discussion at a future meeting.

TITLE: Record of Actions – 10 September 2020

ID: A1379588


From: Sally Bowron, Strategy, Governance and Engagement Team Admin/PA

**Authorised by
Group Manager:** Ben Lee, GM - Strategy, Governance and Engagement, on date

Executive summary

The purpose of this report is to present the Record of Actions of the last meeting (attached) held on 10 September 2020 for review by the meeting.

Attachments/Ngā tapirihanga

Attachment 1: Unconfirmed Record of Actions for 9 September 2020 [↓](#) 

Te Taitokerau Māori and Council Working Party
10 September 2020

Tuhituhi o ngā Mahi O Te Kāhui Māori O Taitokerau **Te Taitokerau Māori and Council Working Party Record of Actions**

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Thursday 10 September 2020, commencing at 11.00am - 3.30pm

Tuhinga (Present):

Co-Chair, Marty Robinson
Co-Chair, Te Whakaminenga O Te Hikutu Hapu-Whanau, Rudy Taylor
Councillor Jack Craw
Councillor Colin Kitchen
Councillor Amy Macdonald
Councillor Penny Smart
Councillor Rick Stolwerk
Councillor Joce Yeoman
Patuharakeke Te Iwi Trust Board, Juliane Chetham
Ngāti Kuta, Patukeha, Michelle Elboz
Te Parawhau Hapū Authority Charitable Trust, Mira Norris
Te Whakapiko Hapū, Rowan Tautari
Te Rūnanga-Ā-Iwi-O-Ngāpuhi Janelle Beazley
Te Rūnanga o Ngāti Hine Pita Tipene
Te Rūnanga O Whaingaroa Toa Faneva
Te Roroa Thomas Hohaia (part meeting)
Ngāti Hau, Mike Kake

I Tae Mai (In Attendance):

Huihuinga i te katoa (Full Meeting)

NRC Chief Executive
Acting GM – Environmental Services
Kaiwhakahaere Honongā Māori – Māori Relationships Manager
Kaiārahi – Tikanga Māori
Kaiārahi – Kaupapa Māori
PA/Team Admin Strategy Governance and Engagement

Huihuinga i te wahanga (Part Meeting)

Northland Inc Chief Executive, Murray Reade
Acting GM – Strategy Governance and Engagement
Economist
Strategic Policy Specialist
Organisational Project Manager
Policy Specialist
Hunia Kingi (Te Waiariki)
Nicole Robson (Te Waiariki)
Chantez Connor-Kingi (Ngāti Kahu-o-Torongare)
Waimarie Bruce-Kingi (Te Waiariki)
Jeanette Walters ((Te Waiariki, Te Whānau Whero ki Whananaki)
Helen Jeremiah (The Opportunities Party)

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The meeting commenced at 11.10am.

Karakia / Whakatau

The karakia and mihi whakatau were done for the meeting in the non-elected members caucus session prior to the formal meeting.

Ngā Whakapahā/Apologies (Item 1.0)

Councillor John Bain
Councillor Justin Blaikie
Te Uri o Hau Settlement Trust, Georgina Connelly
Te Rūnanga o Te Rarawa Rihari Dargaville
Te Rūnanga O Ngāti Rehia, Nora Rameka
Ngāti Tara Victor Holloway
Ngātiwai Trust Board Hadyn Edmonds
Te Rūnanga O Ngāti Whātua Alan Riwaka
Te Rūnanga Nui o Te Aupōuri Victor Goldsmith

Ngā whakapuakanga (Declarations of Conflicts of Interest) (Item 2.0)

It was advised that members should make declarations item-by-item as the meeting progressed.

Record of Actions – 9 July 2020 (Item 3.1)

The Record of Actions was amended by noting Julianne Chetham as an apology and then approved as accurate.

Māori Elected Members on Council (Item 3.2)

Presented by: Auriole Ruka, Kaiwhakahaere Hononga Māori and Jonathan Gibbard, Acting Group Manager - Environmental Services and Māori Technical Advisory Group

Key discussion included:

- Acknowledgement of the effort and expertise that went into the paper and the significance of the topic
- The choice of speakers at council workshops aimed to provide a range of views to inform council before they vote at October's council meeting
- Multiple paths to Māori representation were discussed by TTMAC tāngata whenua when preparing their paper
- Their key recommendation is, however, for Māori to have a role in decision making that reflects Te Tiriti Partnership, not just an advisory role
- The poll provisions of the Local Electoral Act 2001 are unfair to Māori, as there is no equivalent poll provisions for other wards and constituencies
- Māori representation is conspicuous by its absence
- TTMAC input asks us to reflect on what will happen if there is a "no" vote on Māori seats.

Agreed action points:

- That the following recommendation and a supporting paper from the TTMAC tāngata whenua caucus be presented to council to inform their decision at October's council meeting:

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“That the TTMAC Maori Caucus seeks that the Northland Regional Council resolves to establish Māori constituencies for the 2022 local body election to support and grow existing participation and relationships with Te Taitokerau Māori and to enable compliance with Te Tiriti o Waitangi.”

- That the council write to the new Chair of Local Government New Zealand (LGNZ) to ask that LGNZ again requests the government remove sections 19ZA to 19ZG of the Local Electoral Act 2001 (LEA) that allows for polls on the establishment of Māori wards or constituencies. These provisions do not apply to other wards and constituencies and marks them as unfair to Māori and inconsistent with being Treaty partners
- That council also consider writing to the new Prime Minister, when elected, to ask that the unfairness caused by the poll provisions be addressed as a matter of importance.

Northland Inc Update (Item 3.3)

Presented by: Murray Reade, CEO Northland Inc. The presentation covered the general state of the economy, key performance indicators for, and current mechanisms to, support Māori economic development, funding updates and next steps.

Key discussion points:

- Northland Inc's (NInc) recent focus has been securing additional funding: Destination Marketing and Management (tourism), support for events, E350 and Crown Infrastructure
- NInc works alongside other agencies – such as Te Puni Kōkiri, Amokura, Iwi and Local Government Chief Executives (ILGACE) and Te Kahu o Taonui (TKoT) – and is guided by their respective kaupapa, ensuring effort is optimised not duplicated
- The tools for delivering Māori economic development are in place, ready for TTMAC input into the annual SOI process and direction of travel. The SOI should enable TTMAC to assist with Māori economic development
- TTMAC is keen to offer support to NInc to unlock opportunities for best development for and in Taitokerau
- The Māori Technical Advisory Group (MTAG) is selected from a resource management perspective. To have people with suitable expertise and share the workload, it was proposed to establish a sub-group of TTMAC members with economic development or similar relevant expertise.

Agreed action points:

- That a maximum six-member tāngata whenua subgroup, with economic development or other relevant expertise, be established to work with Northland Inc on input into their annual Statement of Intent and overall economic development strategy
- That Co-chairs work on prioritising agenda items by fitting them within the agreed six priority areas, allowing TTMAC to work more effectively within the available time.

Secretarial Note: The quorum was short by one member so it was agreed that endorsement for the actions be sought by email when the Draft Record of Actions was circulated.

Long Term Plan 2021-2031 (Item 3.4)

Presented by: Sheila Taylor, Kaiārahi – Kaupapa Māori.

The presentation covered TTMAC's request that the Māori Technical Advisory Group (MTAG) provide advice on the LTP 2021 – 2031, how MTAG then developed their advice, what barriers they

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encountered, and the resulting recommendations which are organised into five high-level, priority initiatives.

Key discussion points:

- Acknowledgement of the mahi that went into the recommendation from MTAG
- Consider phasing advocacy earlier to improve the efficiency of Māori participation across Tai Tokerau on shared kaupapa, as can be seen with the Joint Climate Change Committee and as proposed by the Tane Whakapiripiri report
- There's a need for a wholistic view of funding/resourcing so TTMAC can identify investment gaps and opportunities and then use phasing to prioritise the key initiative groups
- Prioritise programmes and budgets
- Organise the mahi into what NRC can control vs what we will need to strategically leverage through central government as a region
- MTAG are under pressure with a high workload and need adequate resourcing and funding.

Agreed action points:

- Staff to come back to TTMAC before the end of the year around council decisions on the Long-term Plan.

Secretarial Note: A quorum was not achieved so it was agreed that endorsement for the actions be sought by email when the Draft Record of Actions was circulated.

Overview of the government's action for healthy waterways package (August 2020) (Item 3.5)

Presented by: Strategic Policy Specialist

In early August, the Government released a 'package' of new rules and policy direction under the Resource Management Act 1991 intended to stop further degradation of water resources and improve water quality within 5 years, reverse past damage and bring freshwater resources, waterways and ecosystems to a healthy state within a generation.

The presentation provided an overview of the government's objectives, how the package is delivered, changes to the Resource Management Act, the new National Policy Statement for Freshwater Management (NPSFM), and the National Environmental Standards for Freshwater (NES Freshwater) and stock exclusion regulations. The key messages were:

- It's a significant challenge to improve water quality at landscape scale
- The timeframe is tight to deliver NPSFM regional plan content (end of 2024)
- There is significant resourcing required (engagement, science/data, mapping and monitoring wetlands, etc.)
- There are new consenting monitoring and compliance requirements (NESFW and stock exclusion).

Agreed action points: Nil.

Tāngata Whenua Water Advisory Group (Item 3.6)

Presented by: Acting GM, Strategy, Governance and Engagement

The paper was taken as read. It asked that expression of interest for the Tāngata Whenua Water Advisory Group be sought by: pānui to all contacts on council's tāngata whenua database; pānui to freshwater kaitiaki groups; asking known active freshwater kaitiaki; and tāngata whenua TTMAC members sending pānui through their forums.

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Agreed action points:

- It was agreed to seek endorsement for the item's recommendation by email when the Draft Record of Actions was circulated as a quorum was not present for the item.

Regional marae-based hui (Item 3.7)

Presented by: Kaiārahi – Tikanga Māori | Cultural Advisor

It was agreed that the updated schedule for the remaining TTMAC regional hui be as follows:

Date	Venue
Thursday, 8 October 2020	Regional marae-based hui Te Houhanga Marae, Ngāti Whātua, Te Roroa, Te Uri o Hau
Thursday, 10 December 2020	Regional marae-based hui Bay of Islands: Ngāti Rehia – Nora Rameka
Thursday, 11 February 2021	Regional marae-based hui Parapara Marae: Ngāti Tara – Victor Holloway
Thursday, 8 April 2021	Regional marae-based hui Hokianga: Te Hikutu – Rudy Taylor

Agreed action points:

- That TTMAC tāngata whenua members be asked for their feedback on the purpose of the hui and any response regarding the COVID-19 restrictions when the Record of Actions is circulated, as a quorum was not present for this item.

Updates from other working parties (Item 3.8)

Presented by: The Working Party Chairs.

In addition to the written records of Action, verbal updates were given by councillors Jack Craw, Chair of the Biosecurity and Biodiversity Working Party, Amy Macdonald, Chair of the Climate Change Working Party, and Joce Yeoman, Chair of the Planning and Regulatory Working Party. Feedback from members present about participation in working parties included that representatives gained helpful insight into some topics, felt included and that there was meaningful input. However there is a lot of reading and some meeting days (Wednesdays) mean that members are unavailable due to other commitments.

Agreed action points:

- That TTMAC tāngata whenua members be asked for their feedback about participation on working parties when the Record of Actions is circulated, to be fed into the October review of council's governance structure.

Any other business (Item 3.9)

Nil.

Conclusion

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The meeting concluded at 3.20 with karakia mutunga by Arama Morunga.

DRAFT

TITLE: **Māori Representation: Māori constituencies**

ID: A1380039

From: Auriole Ruka, Kaiwhakahaere Hononga Māori

Authorised by Ben Lee, GM - Strategy, Governance and Engagement, on date
Group Manager:

Whakarāpopototanga/Executive summary

The purpose of this report is to inform and update TTMAC about the decision made at the formal meeting of council held on Tuesday, 20 October 2020 and the legislative process as required by the Local Electoral Act (LEA) 2001 following their decision regarding Māori constituencies. This is an opportunity for TTMAC to discuss the legislative process that will inform the key decisions that council will undertake as per the LEA (2001).

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Māori Representation: Māori constituencies' by Auriole Ruka, Kaiwhakahaere Hononga Māori and dated 27 October 2020, be received.
2. That, should TTMAC tāngata whenua members require a further workshop to consider and provide feedback on the options regarding key decisions on Māori constituencies, staff will facilitate a follow up meeting by the end of November 2020.

Tuhinga/Background

Council decided at its 20 October 2020 meeting to establish Māori constituencies for the 2022 and 2025 local body elections. The decision was the culmination of a process which started in March this year and involved presentations from a range of perspectives.

The decision to establish dedicated Māori seats at the council table (where the important decisions are made for Northland, Te Taitokerau) recognises Northland's significant Māori population and the aspirations of tāngata whenua.

Māori representation in council governance is viewed as an important expression of council's commitment to tāngata whenua, ensuring council is reflective of the communities it serves and a reflection of the desire to improve the future growth and development of Te Taitokerau (as encapsulated in council's vision statement "Ko tatou o Te Taitokerau – Ka whai hua tātou" | Northland, together we thrive).

It was acknowledged by council that the change would strengthen the existing Māori / council partnership and support and enable council to better reflect Māori values, issues, priorities and aspirations as they relate to council roles and functions. Most of the feedback received by council supported the establishment of Māori seats as a positive step forward that would ultimately improve the economic, social, cultural and environmental well-being of all Northland – for all Northlanders and a commitment to the Treaty of Waitangi.

Council considered the following recommendations and as a result a majority vote in support of Māori constituencies was adopted:

1. *That pursuant to section 19Z of the Local Electoral Act 2001, council resolves to establish Māori constituencies for the 2022 and 2025 local body elections.*
2. *That staff be directed to undertake the required statutory process to establish Māori constituencies including notification of the public's right to demand a poll and development of an Initial Representation Arrangements Proposal by 31 August 2021. This will be followed by public consultation, development of a Final Representation Arrangements Proposal and subsequent appeals / objections process.*

The establishment of Māori constituencies will require a review of representation arrangements, which refers to the number of councillors and respective constituency names and boundaries. It should be noted that it is only the decision to establish Māori constituencies that was required by 23 November 2020. The subsequent representation review proposing the actual new constituencies, names and boundaries (including whether separate Māori constituencies or at large) does not have to be done until 31 August 2021. It will then be followed by a period of public consultation before a final decision is made by the Local Government Commission by 11 April 2022. These decisions would then apply to both the October 2022 and 2025 elections and statutory processes and timing are provided in the background of the paper. **Attachment 1.**

Process of Implementation

As council has resolved to establish Māori constituencies then there are a number of issues that will need to be worked through between now and 31 August 2021.

In particular, council will need to determine the optimum number of total councillors and then apply the legislative formula to determine the number of Māori and general councillors (Schedule 1A of the Local Electoral Act 2002). If this calculation is applied to the current total number of councillors (being nine), then two of these seats would become Māori seats and there would be seven general seats. Should council wish to increase the number of councillors to eleven, then there would be three Māori seats and eight general seats. All constituency boundaries would need to be re-drawn in either of these scenarios.

Council will also need to determine the boundaries of Māori constituency(s). Local authorities are required to consider the general requirements of sections 19U and 19V of the LEA relating to fair and effective representation arrangements, and must ensure that:

- the number and boundaries of constituencies will provide effective representation of communities of interest within the region;
- the constituency boundaries coincide with mesh block boundaries;
- constituency boundaries coincide with the boundaries of one or more territorial authority district in so far as is practicable; and
- the electors of every constituency receive fair representation (plus or minus the 10 percent rule).

In addition to the above requirements, in determining the number of constituencies and boundaries of Māori constituencies the provisions of section 6 to Schedule 1a of the LEA apply and council must also have regard to:

- the boundaries of any existing Māori electoral districts; and
- communities of interest and tribal affiliations.

If the council resolves to establish more than one Māori constituency, careful consideration will need to be given to the boundaries of those constituencies to ensure the legislative requirements are met in terms of the plus or minus 10 percent rule, and also to minimise splitting tribal areas.

Options on the future size of council

In order to proceed, council needs to determine the future size of council (optimum total number of councillors) and then apply the legislative formula to determine the number of Māori and general councillors.

If this calculation is applied to the current total number of councillors (being nine), then two of these seats would become Māori seats and there would be seven general seats. Should council wish to increase the number of councillors to eleven, then there would be three Māori seats and eight general seats. All constituency boundaries would need to be re-drawn in either of these scenarios. The calculations to derive the number of Māori seats in accordance with the Local Electoral Act (LEA) 2001 are included as **Attachment 2**.

No matter what the size of council, the Remuneration Authority sets the amount of salary to be paid to the Chairperson (as a separate stand-alone amount), and then another salary “pool” for all other councillors. Therefore, the total number of councillors does not impact on the quantum of the remuneration pool – the pool is just spread across the increased or decreased number of councillors.

The councillor (excluding Chairperson) pool is currently \$580,951. Assuming that the Deputy Chair continues to receive an additional allowance of \$7,500 and that all other councillors share equally in their roles and responsibilities, then the impact on councillor remuneration is as follows:

Number of seats	Remuneration
Seven general seats and two Māori seats (Total 9 councillors)	Deputy Chair \$79,181 All other councillors (excluding Chair) \$71,681
Eight general seats and three Māori seats (Total 11 councillors)	Deputy Chair \$64,845 All other councillors (excluding Chair) \$57,345
Nine general seats and three Māori seats (Total 12 councillors)	Deputy Chair \$59,632 All other councillors (excluding Chair) \$52,132

The broad advantages and disadvantages of these options will be discussed as part of the presentation.

Options on the number of Māori constituencies

In addition to the number of Māori seats (driven by the total size of council as explained above), council will also need to determine the number of Māori constituencies, their boundaries and names. Regardless of the number of Māori seats (either two or three), the options in relation to the new Māori constituencies are:

- 1) **One “all of Northland” Māori constituency** where the number of Māori councillors (either two or three depending on the total size of council) are elected “at large”
- 2) **Multiple Māori constituencies** (either two or three depending on the total size of council) where each Māori councillor stands in their own separate constituency. Under this option the LEA 2001 requirements for fair and effective representation (including the +/- 10% rule) must be met when deciding where the constituency boundaries will go, or
- 3) **Adopt a “phased approach”** – introducing Māori constituencies in the 2022 elections on an “at large” basis, conducting the appropriate consultation and due diligence on multiple constituencies during the first triennium, with the option available to then introduce multiple Māori constituencies in 2025 should cultural appropriateness, benefits and support for this option become apparent.

The broad advantages and disadvantages of these three options are outlined below:

Option 1 - One “all of Northland” Māori constituency (elected “at large”)

Advantages	Disadvantages
Iwi and hapū can nominate candidates based on factors relevant and appropriate to them to ensure fair and effective representation that is culturally appropriate and meaningful to tangata whenua.	Not strictly guaranteeing Māori councillors from different geographical parts of Northland. This is a similar situation to what we already have with the large Coastal North constituency which hasn't resulted in a barrier to fair and effective representation to date.
No need to try and draw and name multiple boundaries in Northland to meet the LEA +/- 10% rule that may be inconsistent with iwi and hapū boundaries. This may detract from the main premise of Māori constituencies and the issues facing Northland.	
Could be viewed as “step 1” in the introduction of Māori representation in Northland. The first election in 2022 could be held “at large” with a single Northland Māori constituency. The first triennium could be used to fully investigate the practicality, cultural appropriateness and effectiveness of multiple constituencies with a view to introducing them in 2025 should the consultation and research stack up.	
Most likely will be less contentious than starting out with multiple constituencies – therefore this option decreases the probability of negative submissions and multiple objections and appeals later in the process.	

Option 2 - Multiple Māori constituencies (either two or three depending on the total size of council)

Advantages	Disadvantages
Guarantees Māori councillors from different geographical parts of Northland – according to the requirements of the LEA. It should be noted that this may or may not be a meaningful consideration for Māori.	Likely not enough time to conduct the appropriate education and consultation with key stakeholders on the legislative process that council must follow to adopt boundaries and names for multiple constituencies. Initial Proposal must be adopted by 31 August 2021. This could result in council being unable to manage expectations leading to misunderstandings and dissatisfaction with the outcome.
Do it once and review in six years. Reduces complexity of a phased approach.	Loss of goodwill and/or risk of getting “lost in translation” as the legislative requirements of the LEA 2001 are forced over any other more meaningful or culturally appropriate way of identifying multiple constituency boundaries. This may cause misunderstandings and frustration and get the new setup off on the “wrong foot” - with additional time and effort then required to maintain enduring relationships now and in the future.

Advantages	Disadvantages
	Although not impossible, with the number of iwi / rohe in Northland, creating and naming multiple constituencies is likely a large and politically charged discussion that will not be compatible with the constraints of the LEA – at least in the lead up to the first election in 2022 with a very short time frame to work in.

3- Adopt a “phased approach”

Advantages	Disadvantages
Will allow time for appropriate stakeholder consultation and due diligence resulting in a better quality decision on whether single or multiple Māori constituencies in Northland will deliver the best result. This discussion not only includes where boundaries might go – but also what the names of constituencies will be.	Increased public education requirements as we inform people of one set of “ground rules” for the 2022 election (Māori representatives at large) and then maybe introduce different rules (Māori representatives per constituency) for the election in 2025.
Will provide council with the opportunity to educate / build capability of Māori in Northland to fully participate in the single vs multiple constituency debate. It’s potentially a “clash of cultures” between legislation and tikanga making it a big learning curve for everyone that should not be rushed if we want the best long term outcome for Northland.	Likely to be time and resource intensive during the first triennium to undertake appropriate consultation and develop options for multiple constituencies that meet both LEA requirements and also be acceptable / meaningful for tangata whenua.
Most likely will be less contentious than starting out with multiple constituencies – therefore this option decreases the probability of negative submissions and multiple objections and appeals later in the process.	Would require another full representation review in 3 years’ time (rather than the normal 6 year interval) ahead of the 2025 election.
Consistent with the current approach of taking it step by step with key iwi and hapū leaders from Te Taitokerau, Māori leaders incl. TTMAC and those who have ‘walked’ this journey in other parts of Aotearoa.	

Ngā tapirihanga/Attachments

Attachment 1: Statutory process and timing [!\[\]\(8d0f0e0fe25b320c33272c52aec1fbca_img.jpg\) !\[\]\(c1e4487e48462435243c9e117557e045_img.jpg\)](#)

Attachment 2: Council Workshop 4 November 2020 [!\[\]\(642aa997563f9a325b310230bb5078b7_img.jpg\) !\[\]\(9bef82f5a53106f2ad06a2de7acf5bcf_img.jpg\)](#)

Statutory process and timing

By 23 November 2020	A local authority MAY resolve to introduce Māori representation for the next triennial election.	Section 19Z of LEA
By 30 November 2020	IF a resolution has been made by a local authority to introduce Māori representation, a local authority MUST give public notice of the right of 5% of the electors to demand a poll on Māori representation.	Section 19ZA of LEA
By 21 February 2021	IF a resolution has been made by a local authority to introduce Māori representation, a certain period MUST be given following the public notice on Māori representation allowing electors to gather sufficient signatures to demand that a poll be held on Māori representation for the next two triennial elections. This is the last date for the council to receive a valid demand for a poll on Māori representation for the 2022 election.	Section 19ZC of LEA
By 21 February 2021	A local authority MAY resolve to undertake a poll of electors on a proposal that Māori representation be introduced for the next two triennial elections.	Section 19ZD of LEA
By 21 May 2021	If a successful demand has been received by 21 February 2021 to hold a poll or a local authority has made a resolution by 21 February 2021 on Māori representation, then a poll MUST be held within 82 days of notification. This is the last date to conduct a poll on Māori representation for the 2022 elections.	Section 19ZF of LEA
By 31 August 2021	Representation Arrangements Review completed by the local authority.	Section 19H of LEA
By 8 September 2021	A local authority MUST give public notice of the resolution containing the representation arrangements review proposals, including the proposed number, names and boundaries of constituencies. One month	Section 19M of LEA

	submission period.	
By 8 October 2021	Close of submissions.	Section 19M of LEA
By 19 November 2021	Submissions heard by the local authority.	Section 19N of LEA
By 19 November 2021	A local authority MUST give further public notice of its proposals. One month appeals/objection period.	Section 19N of LEA
By 19 December 2021	Close of appeals/objections to “final” representation arrangements.	Section 19O of LEA
By 11 April 2022	Determination by Local Government Commission.	Section 19R of LEA
October 2022	Local Body Elections	



Council Workshop

Title: Māori representation

From: Jonathan Gibbard and Auriole Ruka

Workshop date: 4 November 2020

Background

Following the council decision on 20 October to establish Māori constituencies for the 2022 and 2025 elections, there are a number of aspects that require further discussion and direction in order for staff to proceed.

The following items are proposed to be discussed at the council workshop on 4 November:

1. Overview of legislative process going forward;
2. Update on advertising and the public's right to demand a poll;
3. Options on the future size of council;
4. Options on the number of Māori constituencies; and
5. Workshop discussion points.

1. Overview of legislative process

Following are the key legislative steps and due dates:

By 23 November 2020	A local authority MAY resolve to introduce Māori representation for the next triennial election. NRC made this resolution on 20 October 2020.
By 30 November 2020	IF a resolution has been made by a local authority to introduce Māori representation, a local authority MUST give public notice of the right of 5% of the electors to demand a poll on Māori representation. Copy of NRC public notice and newspaper insertion schedule is attached.
By 21 February 2021 (effective 22 February 2022)	IF a resolution has been made by a local authority to introduce Māori representation, a certain period MUST be given following the public notice on Māori representation allowing electors to gather sufficient signatures to demand that a poll be held on Māori representation for the next two triennial elections. <u>21 February 2021 is the last date for the council to receive a valid demand for a poll on Māori representation for the 2022 election.</u>
By 21 May 2021	If a successful demand has been received by 21 February 2021 to hold a poll, then a poll MUST be held within 82 days of notification. <u>21 May 2021 is the last date to conduct a poll on Māori representation for the 2022 elections.</u>
By 31 August 2021	Representation Arrangements Review completed by the local authority. NRC must produce an Initial Proposal indicating the proposed new constituencies, their names and boundaries.
By 8 September 2021	A local authority MUST give public notice of the resolution containing the representation arrangements review proposals, including the proposed number, names and boundaries of constituencies. There is a one month submission period.
By 8 October 2021	Close of submissions.
By 19 November 2021	Submissions heard by the local authority.

By 19 November 2021	A local authority MUST give further public notice of its proposals. There is a one month appeals/objection period.
By 19 December 2021	Close of appeals/objections to “final” representation arrangements.
By 11 April 2022	Determination by Local Government Commission.
October 2022	Local Body Elections

2. Update on advertising and the public’s right to demand a poll;

A copy of the statutory notice of the council’s decision to establish Māori constituencies and the public’s right to demand a poll is included as [attachment 1](#). This also includes the insertion dates and the newspapers where the notice will be published between 29 October and 4 November 2020.

Electors have the right to demand a poll to countermand a council resolution to establish Māori constituencies. Note – the question here is not whether there should be Māori constituencies in Northland – the question would be whether people want to over turn the council’s decision and then make this decision themselves via a region wide poll. The council must pay for the poll and the cost is estimated to be \$240,000. This cost could be shared with other Northland councils’ should any be also needing to conduct a poll within the same timeframe.

To be valid, a demand by electors must satisfy all of the following criteria¹:

1. Must be made in writing;
2. Must be signed only by people qualified to act as electors for NRC and who are enrolled on either:
 - a) The local residential or ratepayer roll, or
 - b) The most recently established parliamentary roll at an address within the district or region of the local authority concerned; or
 - c) The address is confirmed by the Electoral Commission.
3. Must be signed by the specified number of electors². For Northland this is equal or greater than 6,027 (120,548 x 5%).
4. To be valid for the next election in 2022, the demand must be delivered to the principle office of the local authority (NRC Water St office) by 21 February 2021 (effective 5pm Monday 22 February 2021). Demands received after this date will not take effect until the 2025 triennial elections.
5. For each person qualified as an elector, the demand must include:
 - a) The elector’s signature;
 - b) The elector’s name; and
 - c) The elector’s address – meeting the eligibility requirements stated above.

The Chief Executive must, as soon as practicable, give notice to the electoral officer of every valid demand for a poll.

3. Options on the future size of council

In order to proceed, council needs to determine the future size of council (optimum total number of councillors) and then apply the legislative formula to determine the number of Māori and general councillors.

¹ LEA 2002 Section 19ZC

² Number of electors equal to or greater than 5% of the number of electors enrolled as eligible to vote at the previous triennial election – LEA 2002 Section 19ZC

If this calculation is applied to the current total number of councillors (being nine), then two of these seats would become Māori seats and there would be seven general seats. Should council wish to increase the number of councillors to eleven, then there would be three Māori seats and eight general seats. All constituency boundaries would need to be re-drawn in either of these scenarios. The calculations to derive the number of Māori seats in accordance with the Local Electoral Act (LEA) 2001 are included as [attachment 2](#).

No matter what the size of council, the Remuneration Authority sets the amount of salary to be paid to the Chairperson (as a separate stand-alone amount), and then another salary “pool” for all other councillors. Therefore, the total number of councillors does not impact on the quantum of the remuneration pool – the pool is just spread across the increased or decreased number of councillors.

The councillor (excluding Chairperson) pool is currently \$580,951. Assuming that the Deputy Chair continues to receive an additional allowance of \$7,500 and that all other councillors share equally in their roles and responsibilities, then the impact on councillor remuneration is as follows:

Seven general seats and two Māori seats (total 9 councillors)

Deputy Chair \$79,181

All other councillors (excluding Chair) \$71,681

Eight general seats and three Māori seats (total 11 councillors)

Deputy Chair \$64,845

All other councillors (excluding Chair) \$57,345

Nine general seats and three Māori seats (total 12 councillors)

Deputy Chair \$59,632

All other councillors (excluding Chair) \$52,132

4. Options on the number of Māori constituencies

In addition to the number of Māori seats (driven by the total size of council as explained above), council will also need to determine the number of Māori constituencies, their boundaries and names. Regardless of the number of Māori seats (either two or three), the options in relation to the new Māori constituencies are:

- 1) [One “all of Northland” Māori constituency](#) where the number of Māori councillors (either two or three depending on the total size of council) are elected “at large”; or
- 2) [Multiple Māori constituencies](#) (either two or three depending on the total size of council) where each Māori councillor stands in their own separate constituency. Under this option the LEA 2001 requirements for fair and effective representation (including the +/- 10% rule) must be met when deciding where the constituency boundaries will go; or
- 3) [Adopt a “phased approach”](#) – introducing Māori constituencies in the 2022 elections on an “at large” basis, conducting the appropriate consultation and due diligence on multiple constituencies during the first triennium, with the option available to then introduce multiple Māori constituencies in 2025 should cultural appropriateness, benefits and support for this option become apparent.

The broad advantages and disadvantages of these three options are outlined below:

Option 1 - One “all of Northland” Māori constituency (elected “at large”)

Advantages	Disadvantages
Iwi and hapū can nominate candidates based on factors relevant and appropriate to them to ensure fair and effective representation that is culturally appropriate and meaningful to tangata whenua.	Not strictly guaranteeing Māori councillors from different geographical parts of Northland. This is a similar situation to what we already have with the large Coastal North constituency which hasn’t resulted in a barrier to fair and effective representation to date.
No need to try and draw and name multiple boundaries in Northland to meet the LEA +/-10% rule that may be inconsistent with iwi and hapū boundaries. This may detract from the main premise of Māori constituencies and the issues facing Northland.	
Could be viewed as “step 1” in the introduction of Māori representation in Northland. The first election in 2022 could be held “at large” with a single Northland Māori constituency. The first triennium could be used to fully investigate the practicality, cultural appropriateness and effectiveness of multiple constituencies with a view to introducing them in 2025 should the consultation and research stack up.	
Most likely will be less contentious than starting out with multiple constituencies – therefore this option decreases the probability of negative submissions and multiple objections and appeals later in the process.	

Option 2 - Multiple Māori constituencies (either two or three depending on the total size of council)

Advantages	Disadvantages
Guarantees Māori councillors from different geographical parts of Northland – according to the requirements of the LEA. It should be noted that this may or may not be a meaningful consideration for Māori.	Likely not enough time to conduct the appropriate education and consultation with key stakeholders on the legislative process that council must follow to adopt boundaries and names for multiple constituencies. Initial Proposal must be adopted by 31 August 2021. This could result in council being unable to manage expectations leading to misunderstandings and dissatisfaction with the outcome.
	Loss of goodwill and/or risk of getting “lost in translation” as the legislative requirements of the LEA 2001 are forced over any other more meaningful or culturally appropriate way of identifying multiple constituency boundaries. This may cause misunderstandings and frustration and get the new setup off on the “wrong foot” - with additional time and effort then required to maintain enduring relationships now and in the future.
	Although not impossible, with the number of iwi / rohe in Northland, creating and naming multiple constituencies is likely a large and politically charged discussion that will not be compatible with the constraints of the LEA – at least in the lead up to the first election in 2022 with a very short time frame to work in.

3- Adopt a “phased approach”

Advantages	Disadvantages
Will allow time for appropriate stakeholder consultation and due diligence resulting in a better quality decision on whether single or multiple Māori constituencies in Northland will deliver the best result. This discussion not only includes where boundaries might go – but also what the names of constituencies will be.	Increased public education requirements as we inform people of one set of “ground rules” for the 2022 election (Māori representatives at large) and then maybe introduce different rules (Māori representatives per constituency) for the election in 2025.
Will provide council with the opportunity to educate / build capability of Māori in Northland to fully participate in the single vs multiple constituency debate. It’s potentially a “clash of cultures” between legislation and tikanga making it a big learning curve for everyone that should not be rushed if we want the best long term outcome for Northland.	Likely to be time and resource intensive during the first triennium to undertake appropriate consultation and develop options for multiple constituencies that meet both LEA requirements and also be acceptable / meaningful for tangata whenua.
Most likely will be less contentious than starting out with multiple constituencies – therefore this option decreases the probability of negative submissions and multiple objections and appeals later in the process.	Would require another full representation review in 3 years’ time (rather than the normal 6 year interval) ahead of the 2025 election.
Consistent with the current approach of taking it step by step with key iwi and hapū leaders from Te Taitokerau, Māori leaders incl. TTMAC and those who have ‘walked’ this journey in other parts of Aotearoa.	

5. Discussion points

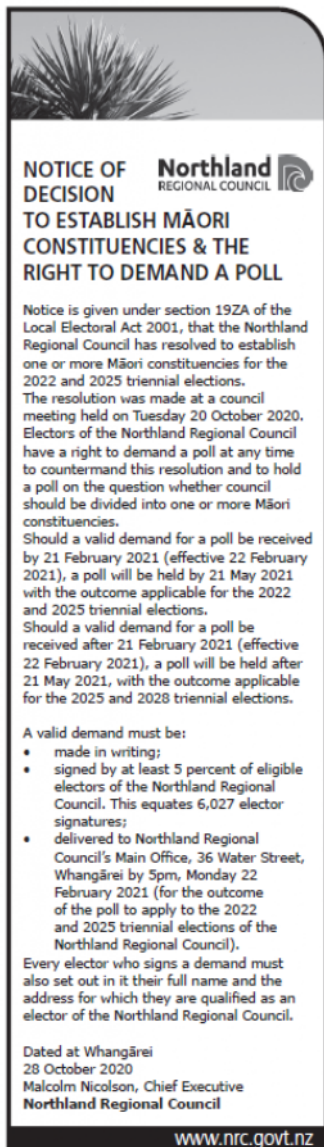
- 1) What are councillors’ thoughts on the size of council?
(7 general + 2 Māori = 9 or 8 general + 3 Māori = 11 or 9 general + 3 Māori = 12)
- 2) What are councillors’ thoughts on a single “at large” versus multiple Māori constituencies?
- 3) What are councillors’ thoughts on a phased approach of a single “at large” election for the Māori seats in 2022 with a possible move to multiple Māori constituencies in 2025 (subject to consultation in the intervening period)? Refer options 1 – 3 in the previous section.
- 4) What are councillors’ thoughts on the involvement of TTMAC / iwi and Māori leaders if council receives a demand for a poll and / or in the development of the Initial Proposal?

The Initial Proposal must be adopted by council by 31 August 2021 and must:

- comply with the requirements of the LEA 2001 in terms of providing fair and effective representation;
- include the proposed constituency boundaries; and
- include the proposed constituency name/s.

Attachment 1

Public notice and newspaper insertion schedule



NOTICE OF DECISION **Northland**
REGIONAL COUNCIL

TO ESTABLISH MĀORI CONSTITUENCIES & THE RIGHT TO DEMAND A POLL

Notice is given under section 192A of the Local Electoral Act 2001, that the Northland Regional Council has resolved to establish one or more Māori constituencies for the 2022 and 2025 triennial elections. The resolution was made at a council meeting held on Tuesday 20 October 2020. Electors of the Northland Regional Council have a right to demand a poll at any time to countermand this resolution and to hold a poll on the question whether council should be divided into one or more Māori constituencies. Should a valid demand for a poll be received by 21 February 2021 (effective 22 February 2021), a poll will be held by 21 May 2021 with the outcome applicable for the 2022 and 2025 triennial elections. Should a valid demand for a poll be received after 21 February 2021 (effective 22 February 2021), a poll will be held after 21 May 2021, with the outcome applicable for the 2025 and 2028 triennial elections.

A valid demand must be:

- made in writing;
- signed by at least 5 percent of eligible electors of the Northland Regional Council. This equates 6,027 elector signatures;
- delivered to Northland Regional Council's Main Office, 36 Water Street, Whangārei by 5pm, Monday 22 February 2021 (for the outcome of the poll to apply to the 2022 and 2025 triennial elections of the Northland Regional Council).

Every elector who signs a demand must also set out in it their full name and the address for which they are qualified as an elector of the Northland Regional Council.

Dated at Whangārei
28 October 2020
Malcolm Nicolson, Chief Executive
Northland Regional Council

www.nrc.govt.nz

Advertising proof & cost estimate

To: Christine	From: Elaine
Date: 28/10/2020	Size: 23cm x 28cm
Fuel job #: NR-2883	Client ref. #:

Approve by 11am Tuesday 26 October

By using the website, you have agreed to our understanding of the instructions received. It is the client's responsibility to thoroughly check the accuracy of the advertising content, plus for media and position prior to approval.



Publication	Run date	Position	BSW or colour	Est. cost (+GST)
Northland Age	Thursday, 29 October 2020	Public Notices	BSW	\$188.00
Northland Advocate	Thursday, 29 October 2020	Public Notices	BSW	\$237.00
Northland Now	Wednesday, 4 November 2020	Public Notices	BSW	\$388.00
Whangārei Leader	Wednesday, 4 November	Public Notices	BSW	\$112.00
Kapuni Observer	Tuesday, 3 November 2020	Public Notices	BSW	\$171.00
Web upload	NRC Website			\$25.00

Attachment 2

Māori constituency formula and calculations

Should Māori representation be introduced, the council would need to determine the optimum number of total councillors and then apply the following formula to determine the number of Māori and general councillors (Schedule 1A of the LGA 2002).

$$nmm = \frac{mepr}{mepr + gepr} \times nm$$

$$mepr + gepr$$

where:

nmm = the number of Māori constituency members

$mepr$ = the Māori electoral population of the region

$gepr$ = the general electoral population of the region)

nm = is the proposed number of members of the regional council (currently nine)

If this calculation is applied to the current total number of councillors (being nine), then 2 of these seats would become Māori seats. If we wanted to keep the current constituency boundaries with nine general seats, the total number of councillors would need to be increased to 12 (nine general seats and 3 Māori seats).

Based on the latest (2019) data (provided by Local Government Commission 14 October 2020)

47,350 = Maori electoral population ($mepr$)

142,280 = General electoral population ($gepr$)

189,630 = Total population

For a 9 member council

$$\frac{47,350}{189,630} \times 9 = 2.2 = 2 \text{ Maori seats}$$

189,630

For an 11 member council

$$\frac{47,350}{189,630} \times 11 = 2.7 = 3 \text{ Maori seats}$$

189,630

A 13 member council also results in 3 Maori seats.

TITLE: Freshwater Plan Change - Maori Engagement and Tāngata Whenua Water Advisory Group

ID: A1377230

From: Alison Newell, Policy Specialist

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

The Te Taitokerau Māori and Council Working Party (TTMAC) has previously recommended that council establish a “Tāngata Whenua Water Advisory Group” to be appointed by a joint council/tāngata whenua selection panel as part of council’s approach to Māori engagement in the freshwater plan change required by the National Policy Statement Freshwater Management that came into force on 3 September 2020.

This paper provides an update on the appointment of members to the Tāngata Whenua Water Advisory Group and Wai Māori Group and identifies the next steps in engaging with Māori in regards the freshwater quality plan change.

Ngā mahi tūtohutia/Recommended actions

1. That the report ‘Freshwater Plan Change - Maori Engagement and Tāngata Whenua Water Advisory Group’ by Alison Newell, Policy Specialist and dated 19 October 2020, be received.
2. That TTMAC endorse the Selection Panel’s recommendation to appoint twelve members to the Tāngata Whenua Water Advisory Group in addition to the three TTMAC members already selected, to make a total of fifteen members.
3. That TTMAC’s endorsement on the selection of fifteen members for the Tāngata Whenua Water Advisory Group be provided to the 17 November 2020 council meeting for approval by council.

Tuhinga/Background

An approach to Māori engagement in the freshwater quality plan change up to the point of formal public notification was proposed by the Māori Technical Advisory Group (MTAG), and subsequently endorsed by TTMAC in July and adopted by Council in August 2020. This included:

- Appointing three members of TTMAC to be members of the Tāngata Whenua Water Advisory Group (Nora Rameka, Rowan Tautari and Alan Riwaka/alternate Anthony Thompson);
- Sending out a pānui seeking Expressions of Interest as well as ‘shoulder tapping’ known active kaitiaki, soliciting additional members for the Tāngata Whenua Water Advisory Group; and
- Convening a panel of four TTMAC members (Mira Norris, Juliane Chetham, Justin Blaikie and Joce Yeoman) to review the Expressions of Interest and select the remaining members based on the criteria provided by MTAG and subsequently endorsed by TTMAC and Council.

Tāngata Whenua Water Advisory Group

A pānui¹ was sent out on the 24 September and known individuals were approached and encouraged to submit Expressions of Interest. A request was received asking for the deadline to be extended from the 9 October to 20 October to allow for discussions with hapū. Twelve Expressions of Interest were received as at 5pm 20 October and the selection panel convened on 23 October².

The panel decided that the applicants all brought different complementary skill sets and that there was considerable benefit in selecting all of them and increasing the membership of the water advisory group by three. This was based on several key factors:

- Collectively, the applicants (nine women and three men) have all the skills and experience envisaged by MTAG and TTMAC and endorsed by council, with all of the desired criteria³ being met, with the exception that no-one has a legal background⁴. There is good geographic spread and the group has a spectrum of younger-elder age groups.
- All the applicants are passionate about improving freshwater quality and come from diverse backgrounds including farming, forestry, planning, Māori land management, conservation, public health and communications. Including all of them provides council with an excellent opportunity to demonstrate its commitment to engaging with Maori, and to strengthening relationships with kaitiaki active in Te Taitokerau.
- To not select three would mean losing some of those skill sets or geographic spread.
- Having a larger membership to draw from will enable greater participation overall as everyone is busy and not all members of the group are likely to be able to participate in all the meetings all the time.
- The benefits of increasing the membership of the advisory group significantly outweigh any disadvantages.

As the council decided to establish the Tāngata Whenua Water Advisory Group, based on the advice of TTMAC and MTAG which proposed a membership of twelve, council would need to agree to change the number of members as recommended, from a procedural standpoint.

Wai Māori Group

Iwi leaders also appointed a four-member Wai Māori Group (Craig Hobson, George Riley, Victor Goldsmith and Geraldine Baker) at the Iwi and Local Government Chief Executives Forum's September meeting to provide input from an iwi perspective. The Iwi chief executives wanted the Wai Māori Group to be separate to the Tāngata Whenua Water Advisory Group.

Giving Effect to Te Mana o Te Wai

Staff are working on providing background thinking to assist in discussions as to broader implementation of Te Mana o Te Wai and on values frameworks in regards freshwater quality/management.

¹ <https://mailchi.mp/nrc/help-shape-the-future-of-freshwater-with-this-exciting-opportunity>

² Councillor Blaikie sent apologies noting his support for appointing all twelve applicants and increasing the membership of the advisory group.

³ Desired criteria included: whakapapa to Te Taitokerau, freshwater kaitiaki knowledge/experience, understanding of Te Ao Maori, knowledge of the Treaty and He Whakaputanga, diverse representation by gender and age, balanced geographical affiliation/connections, mix of experience from whanau to national level, and expertise in: legal/policy, on the ground experience, Māori land management, project management, and competency in Te Reo me ona tikanga/kawa o Taitokerau.

⁴ Council has budget available to provide legal advice if required.

The concept of Te Mana o Te Wai in the National Policy Statement recognises that the health and wellbeing of the wider environment is dependent upon protecting the health of freshwater. It places great emphasis on protecting the mauri of water and restoring degraded waterbodies.

The Tāngata Whenua Water Advisory Group provides an ideal platform for council to further explore what Te Mana o Te Wai means for Te Taitokerau, with funding already allocated for the group to research key aspects such as Mātauranga Māori, for example.

Next Steps

1. TTMAC to provide advice to council on the recommendation of the selection panel to appoint all twelve individuals who expressed interest in being a part of the Tāngata Whenua Water Advisory Group.
2. Council to decide at the 17 November meeting on increasing the membership of the water advisory group to fifteen and endorse selection of the twelve individuals to join the three TTMAC members already selected if so decided.
3. Once appointments to the Tāngata Whenua Water Advisory Group are confirmed, applicants will be advised, and a pōwhiri organised to welcome the group and a first meeting to agree a Terms of Reference/Scope of Work held (late November/early December).
4. Staff to contact Iwi Leaders Chair seeking direction for how best to support/engage with the Wai Māori Group.

Ngā tapirihanga/Attachments

Nil

TITLE: Endorsement of action from September's meeting regarding economic development sub-group

ID: A1382999

From: Sally Bowron, Strategy, Governance and Engagement Team Admin/PA

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

At September's Te Tai Tokerau Māori and Council Working Party meeting, one of the actions from Item 3.3, Northland Inc Update was:

"That a maximum six-member tāngata whenua subgroup, with economic development or other relevant expertise, be established to work with Northland Inc on input into their annual Statement of Intent and overall economic development strategy."

There was, however, no quorum of tāngata whenua members to endorse the action. It was agreed, therefore, by those remaining that endorsement could be given via email. An email was sent on 29 September, however, no responses were received.

For certainty, we now ask that tāngata whenua members endorse the action by confirming the recommended action reproduced in this paper. The action has been amended to request the names for the up to six-member subgroup. The group will need to convene relatively quickly in order to meet legislative timeframes for the preparation of Northland Inc.'s statement of intent (SOI). A draft SOI is required to be provided to council by the end of February 2021.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Endorsement of action from September's meeting regarding economic development sub-group' by Sally Bowron, Strategy, Governance and Engagement Team Admin/PA and dated 5 November 2020, be received.
2. That a maximum six-member tāngata whenua subgroup, with economic development or other relevant expertise, be established to work with Northland Inc on input into their annual Statement of Intent and overall economic development strategy:
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
 - f. _____

Ngā tapirihanga/Attachments

Nil

TITLE: Meeting schedule for 2021

ID: A1379966

From: Auriole Ruka, Kaiwhakahaere Hononga Māori

Authorised by Ben Lee, GM - Strategy, Governance and Engagement, on date
Group Manager:

Whakarāpopototanga/Executive summary

The purpose of this report is to confirm the meeting dates for this working party's formal meetings and workshops for 2021.

Formal meetings will be held in Council Chambers. For the workshops, staff will work with members to confirm the details and bring them to the first formal meeting in 2021 for TTMAC's endorsement.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Meeting schedule for 2021' by Auriole Ruka, Kaiwhakahaere Hononga Māori and dated 27 October 2020, be received.
2. That the meeting dates for 2021 are as follows (all fall on the second Thursday of the month):
 - 11 February (formal meeting)
 - 11 March (workshop)
 - 8 April (formal meeting)
 - 13 May (workshop)
 - 10 June (formal meeting)
 - 8 July (workshop)
 - 12 August (formal meeting)
 - 9 September (workshop)
 - 14 October (formal meeting)
 - 11 November (workshop)
 - 9 December (formal meeting).

Ngā tapirihanga/Attachments

Nil

TITLE: Regional Marae-based Hui

ID: A1379125

From: Arama Morunga, Cultural Advisor and Sheila Taylor, Kaiarahi - Kaupapa Māori

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

Regional marae-based hui (hui) are provided for in clause 14 of the Te Taitokerau Māori and Council Working Party (TTMAC) Terms of Reference (TOR). The TOR provides that:

- TTMAC will meet up to a maximum of 10 times a year
- Meetings will alternate between a formal meetings and regional marae-based hui (hui) focusing on local issues
- Working party members are welcome to attend hui
- Hui do not constitute formal working party meetings
- No working party actions can be agreed at regional marae-based hui
- All working party members attending council approved regional marae-based hui are eligible for meeting fee allowances and mileage.

The purpose of this report is to provide a high-level review of the 2020 hui programme including:

- Barriers to the delivery of the 2020 programme
- What worked well in 2020
- General constraints on regional marae-based hui, and
- Options as to how TTMAC may improve the delivery and effectiveness the 2021 regional marae-based hui work programme.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Regional Marae-based hui' by Arama Morunga Kaiārahi Tikanga Māori: Māori Cultural Advisor and dated 27 October 2020, be received.
2. That Te Taitokerau Māori and Council Working Party endorse:
 - a. the setting of the 2021 regional marae-based hui host as per the following schedule:
 - i. 13 May hui location to be agreed at the 11 February formal meeting
 - ii. 8 July hui location to be agreed at the 8 April formal meeting
 - iii. 9 September hui location to be agreed at the 10 June formal meeting
 - iv. 11 November hui location to be agreed at the 12 August formal meeting; or
 - b. Staff to work alongside the Māori Technical Advisory Group to provide recommendations as to how the effectiveness of marae-based hui can be improved.

Tuhinga/Background

2020 Marae based-hui programme

During the 2020 calendar year, one marae-based hui was undertaken on 8 October 2020. This hui was held at Te Houhanga-ā-Rongo Marae and was attended by seven elected TTMAC members, one appointed TTMAC member, four Northland Regional Council staff and four local hapū members. The focus of the hui was the Kaipara Water Storage Project and the Kaipara Moana remediation project (a Kaipara Uri perspective). The hui was followed by a site visit to Te Pou-tū te-rangi pā.

Barriers to the 2020 TTMAC regional marae-based hui programme

The primary barrier to the delivery of the 2020 regional marae-based hui programme has been covid-19. The 2020 droughts and floods also placed further pressure on the infrastructure of marae, hapū and iwi. In early 2020, marae infrastructure was utilised as water holding stations and their connections to the community were utilised to support/distribute water to those families most at risk of water poverty. Following the drought, the infrastructure of the marae and its people were utilised to identify members of Te Taitokerau communities that required support to provide the necessities for households. Procurement and distribution of food and hygiene products, cooked meals and psycho-social support services became the focus of tangata whenua networks. Due to the capacity constraints of these networks, planning and support for non-emergency hui was considered a low priority. This included TTMAC's regional-based hui.

Coupled with these capacity constraints, TTMAC recognised the vulnerability of many Te Taitokerau communities during the covid-19 pandemic. TTMAC determined that regional marae-based hui would be temporally cancelled until the perception and reality of the risk of community transmission was at a level that did not pose a risk to the hapū of the host marae.

What is working well

Although only one hui has been held this calendar year, what has worked well is hapū (via TTMAC appointment member) driving the agenda and discussion of the hui with elected members, the CEO and elected members are committed to attending the regional marae-based hui and local hapū showcased their projects and mahi in their rohe to council.

General constraints on regional marae-based hui;

There is an informal expectation that the TTMAC appointed member hosting the hui will:

- identify at the first formal meeting of the year, their desire to host a hui
- organise the agenda and facilitate the hui with administrative support from NRC staff. The time and effort of the host member of TTMAC is considered voluntary and assumes the member has capacity and resources to accommodate this arrangement; and
- only be eligible for a meeting fee and mileage allowance.

The two general constraints associated with these informal expectations are:

- TTMAC appointed member capacity to volunteer time to coordinate a hui; and
- Missed opportunity to address topical matters associated with a hapū not hosting a hui.

Another constraint identified in relation to the effectiveness of marae-based hui, is the expectation that hapū members are available, during the working week.

Options as to how TTMAC may improve the effectiveness of the 2021 regional marae-based hui

Below are options as to how we can improve the effectiveness of the 2021 marae-based hui programme:

- Council to identify opportunity for regional marae-based hui topics based on its upcoming work programme (e.g. alignment with LTP consultation);
- TTMAC appointed members to determine on a quarterly basis, hapū that may benefit from a marae-based hui based on the work currently being undertaken in and around their rohe (this allows some flexibility to be built into the work programme and will improve the effectiveness of both the hui and potentially hapū attendance);
- Align the marae-based hui with existing marae hui and wananga schedules (this may mean holding a formal meeting and a regional marae-based hui in close proximity)
- Opportunity for council to provide guidance to hapū on how best to make use of the hui;
- Multi-hapū led hui (e.g. the October hui was led by Te Roroa, Te Uri o Hau and Ngati Whatua)
- Utilisation of local media platforms (e.g. radio, social media etc) to promote council's regional marae-based hui.

To build flexibility into the regional marae-based hui schedule, staff recommend identifying the host for upcoming hui as per the following schedule:

Formal meeting to identify host	Regional marae-based hui
11 February 2021	13 May 2021
8 April 2021	8 July 2021
10 June 2021	9 September 2021
12 August 2021	11 November 2021

Attachments/Ngā tapirihanga

Nil

TITLE: Taitokerau water resilience

ID: A1379985

From: Jason Donaghy, Natural Resources Monitoring Manager and Ben Lee, GM - Strategy, Governance and Engagement

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

Earlier this year, Taitokerau endured one its most severe droughts on record, with many communities struggling for water.

The council's Acting Group Manager, Strategy Governance and Engagement and the Natural Resources Monitoring Manager will give a presentation on the current state of water resources, the outlook for this coming summer, and an overview on what is being done to reduce the risk of droughts.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Taitokerau water resilience' by Jason Donaghy, Natural Resources Monitoring Manager and Ben Lee, GM - Strategy, Governance and Engagement and dated 27 October 2020, be received.

Ngā tapirihanga/Attachments

Nil

TITLE: Update on the Long Term Plan

ID: A1380185

From: Sheila Taylor, Kaiarahi - Kaupapa Māori

**Authorised by
Group Manager:** Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

The purpose of this agenda item is to provide Te Taitokerau Māori and Council Working Party (TTMAC) with an update on the Long-Term planning process (LTP). A presentation will be provided outlining:

- LTP process to date
- Key priorities that are currently under consideration by council (as endorsed by TTMAC at the September meeting)
- What else is being proposed (key priorities only), and
- The remaining LTP process.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Update on the Long Term Plan' by Sheila Taylor, Kaiarahi - Kaupapa Māori and dated 28 October 2020, be received.

Ngā tapirihanga/Attachments

Nil

TITLE: Coastal Occupation Charges

ID: A1379620

From: Michael Payne, Policy Specialist

**Authorised by
Group Manager:** Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

A Policy Specialist will make a presentation on the possibility of introducing coastal occupation charges and seek some initial views from TTMAC.

There are over 3,500 coastal structures in Northland (the vast majority are moorings), from the small (such as steps and culverts) to the large (such as marinas and marine farms). Each of these structures provide benefits, some are public but many of the benefits of the structures are private.

The Resource Management Act enables regional councils to apply charges to structures that occupy space within the coastal marine area – known as ‘coastal occupation charges’. There are currently no coastal occupation charges in Northland.

Revenue from coastal occupation charges must be spent on the sustainable management of the coastal environment. This could be anything from helping to pay for navigation aids, supporting coastal kaitiaki or new coastal research.

The council is considering introducing coastal occupation charges. If council decided to pursue coastal occupation charges, it would require a ‘plan change’ to the Regional Plan. This would be a formal process where all members of the community have an opportunity to lodge submissions and have their say.

Ngā mahi tūtohutia/Recommended actions

1. That the report ‘Coastal Occupation Charges’ by Michael Payne, Policy Specialist and dated 27 October 2020, be received.

Ngā tapirihanga/Attachments

Nil

TITLE: Regional marae-based hui report
ID: A1379339
From: Arama Morunga, Cultural Advisor
Authorised by Ben Lee, GM - Strategy, Governance and Engagement, on date
Group Manager:

Whakarāpopototanga/Executive summary

The first regional marae-based hui for the current triennium took place at Te Houhanga -a-Rongo Marae on 8 October 2020.

Working party members in attendance were Co-Chair Councillor Marty Robinson, Chair Penny Smart, Councillors Amy McDonald, Collin Kitchen, Jack Craw, Rick Stolwerk, and Justin Blakie. Mike Kake and Georgina Connelly. Malcolm Nicholson, CEO, other senior managers and council staff also attended. They were welcomed and joined by Te Kuihi hapū members Sonny Nisbet, Narina Larsen and Carly Nisbet. Antony Thompson sent apologies.

Before the meeting commenced, Sonny Nisbet provided a historic kōrero of the area, marae and hapū. This was followed by discussion on two key themes and a site visit:

Water storage and use projects

Chris Frost of Williamson Water and Land Advisory, and Deborah Harding of Te Taitokerau Water Trust presented on the Kaipara Water Storage and Use Project and the Matawii Water Storage Reservoir (Kaikohe), discussing consenting, environmental principles, procurement through the Provincial Growth Fund, public benefit, and ways to improve the distribution of water.

Kaipara Moana Remediation Programme

Georgina Connelly and Sonny Nisbet provided a Kaipara Uri history and update, and also acknowledged the work of Ngāti Hine and the opening of Te Hononga on Friday 9 October, 2020.

Te Uri o Hau was the first hapū that settled and have many learnings from their twenty-year journey. Their key kaupapa continues to be restoring the mauri of the people and the moana. It was also noted that collaboration needs to include awareness of the other hapū in any korero as many are leading important remediation work in their areas.

Pou-tū-te-rangi – Te Haumoewhārangi Pā

The hui concluded with a site visit to Pou-tū-te-rangi – Te Haumoewhārangi Pā. Members learnt from Georgina Connelly, Sonny Nisbet, Carly Nisbet and Narina Larsen, about the its history of the loss of taonga, noting that one whānau returned 137 artifacts returned to Matakōhe Museum.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Regional marae-based hui report' by Arama Morunga, Cultural Advisor and dated 23 October 2020, be received.
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Ngā tapirihanga/Attachments

Nil

TITLE: Updates from other working parties

ID: A1379612

From: Sally Bowron, Strategy, Governance and Engagement Team Admin/PA

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on date

Whakarāpopototanga/Executive summary

The purpose of this report is to present a summary of the record of discussion and agreed actions of council's other working party meetings (that have occurred since the last Te Taitokerau Māori and Council Working Party (TTMAC) meeting). This paper provides an opportunity for working party Chairs, and TTMAC Māori members appointed onto those working parties, to provide a verbal update to TTMAC, and for TTMAC members to ask any follow up questions.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Updates from other working parties' by Sally Bowron, Strategy, Governance and Engagement Team Admin/PA and dated 27 October 2020, be received.

Tuhinga/Background

Biosecurity and Biodiversity Working Party* (Chair: Cr Jack Crow)

(TTMAC representatives: Juliane Chetham, Georgina Connelly, Barb Elboz, Nora Rameka)

The Biosecurity and Biodiversity Working Party met on Thursday 27 August 2020. The topics for discussion included:

- FIF Dune Lakes Herbicide Programme
- 2018 - 2019 Annual Report - Regional Pest and Marine Pathways Management Plan
- 2020 - 2021 Biosecurity Operational Plan draft.

Following discussion, the Biosecurity and Biodiversity Working Party agreed on the following next steps:

- Investigate wider distribution of the 2019-2020 Annual Report - Regional Pest and Marine Pathways Management Plan once finalised
- Revising wording of several KPIs for the 2020-2021 Biosecurity Operational Plan
- At a future TTMAC meeting, discuss the level of provision for Kauri Dieback works in iwi/hapu plan requirements
- Updated version of Operational Plan to be submitted to a council workshop.

Planning and Regulatory Working Party

(Chair: Cr Joce Yeoman, Juliane Chetham, Mira Norris, Rowan Tautari, Pita Tipene)

The Planning and Regulatory Working Party met on 28 October 2020. The topics for discussion included:

- Planning and policy work programme;
- Regulatory Services, Regional Plan and Freshwater Management Plan change updates;
- Efficient use of water – mechanisms for council; and
- Reducing the impact of plastic on our environment.

Following discussion, the Planning and Regulatory Working Party provided advice on the following next steps:

- Applicants for the Tangata Whenua Advisory Group to be notified that the formation of the group was being delayed to the procedural requirement for council to approve increasing its membership.
- The completed project and engagement plan for the Freshwater Management Plan Change to be taken to full council; given it was a significant piece of work.
- The 'picture of hot spots in Norhtland', based on how current water state aligned with the government's defined bands, to be brought back to the working party when complete.

Consideration to be given to council's submission on the government's proposals to reduce the impact of plastic on our environment including support for the phasing out of disposable coffee cups and single use plastic bags.

Water and Land Working Party* (Chair: Cr Justin Blaikie)

(TTMAC representatives: Janelle Beazley, Georgina Connelly, Victor Holloway, Mira Norris, Alan Riwaka)

The Water and Land Working Party met on Wednesday 28 October. The topics for discussion included:

- Review of Action Points from the last meeting
- Soil Conservation Programme
- Hokianga Harbour Project – Modelling Contaminant Loading
- Summary of new Land and Water Management Work

The presentations of the second and third topics were for information purposes. Discussion was focussed around the capacity to deliver the council's Soil Conservation Programme and the contaminant modelling work done for the Hokianga Harbour and if it could be applied to identify the most effective mitigation actions to improve water quality and the costs of those actions.

Ngā tapirihanga/Attachments

Nil