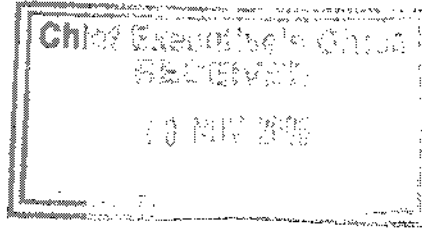


Tuesday, 7 November 2006

Harry O'Rourke
 Waitakere City Council,
 Private Bag
 Waitakere City



WAITAKERE CITY COUNCIL

10 NOV 2006

681417

Dear Mr O'Rourke,

Re: Councillor Representative to the Auckland Regional Facilities Working Party

The Auckland Regional Physical Activity and Sport Strategy (ARPASS) has had approved by the Strategic Partners Group the formation of a working party to progress the following.

Goal 4 Facilities

"Current and future regional facilities are planned, developed and managed to serve the current and future needs of all Aucklanders."

Strategy 4.1 - The development and management of regional facilities is planned collaboratively by partner organisations and key stakeholders.

- Develop a set of Regional Facilities principles that record the framework and guiding principles that local authorities, regional sports trust, codes and other key facility providers will use to work together to plan, develop and manage regional facilities.

Strategy 4.2 - Proactive and collaborative planning of new regional facilities in response to identified gaps is undertaken.

- Develop and prioritise an action plan for new regional facilities and amenities that are required within the Auckland Region over the next 20 years. This will include an equitable resourced implementation plan and detail of how the benefits can be delivered and shared across the region.

ARPASS is requesting from each Council partner a political representative to sit on a working party that will provide governance to the project.

ARPASS recommends that the current Council ARPASS representative or their alternate are nominated for reasons of clarity and consistent understanding of the strategy.

The regional working party will comprise representatives of Strategy Partners and Auckland Plus and Tourism Auckland representing economic development and tourism interests. The chair of ARPASS Mr Colin Dale will represent the ARPASS board and project sponsor Mr Harry O'Rourke will continue to provide the Joint CEO Forum and Mayoral forum linkages.

The current representative for Waitakere City Council is Cr Ross Dalow.

A secondary technical reference group comprising facility managers, national and regional sport codes, funders and relevant central government agencies (transport, education etc)

ARPASS, PO Box 56195, Dominion Road, Auckland

Tel: 09 315 4710 Fax: 09 315 4726

Email: info@arpass.co.nz

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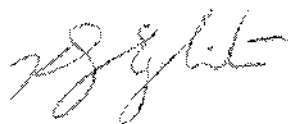
will be established to ensure co-ordination of outcomes to determine regional facility requirements. (refer diagram 1 - terms of reference)

It would be appreciated if the representatives could be forwarded to the Strategy Director by November 30th 2006 with a view to have a first workshop in early February 2007.

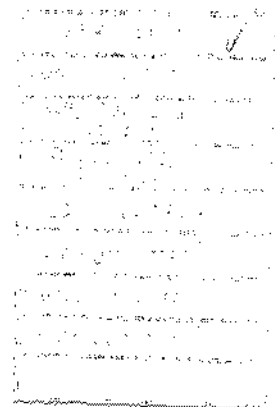
A terms of reference is attached. Any queries can be forwarded to the Strategy Director.

I thank you for your ongoing support and commitment to ARPASS and look forward to progressing this important regional project.

Kind Regards



Kelvyn Eglinton
Strategy Director





Terms of Reference

Working Party

Regional Facilities project.

1 OVERVIEW

1.1 *The Project Objective*

The project is in line with the Auckland Regional Physical Activity and Sport Strategy - Goal 4 Facilities -

"Current and future regional facilities are planned, developed and managed to serve the current and future needs of all Aucklanders."

Strategy 4.1

The development and management of regional facilities is planned collaboratively by partner organisations and key stakeholders.

Actions

- Develop a set of Regional Facilities principles that record the framework and guiding principles that local authorities, regional sports trust, codes and other key facility providers will use to work together to plan, develop and manage regional facilities.
- The framework will include a clear process for assessing and evaluating proposals for regional facilities based on:
 - the needs analysis of the proposals, the feasibility of the proposals, the assessment of options, the national and regional context and the social, cultural, environmental and economic benefits and costs.

Strategy 4.2

Proactive and collaborative planning of new regional facilities in response to identified gaps is undertaken.

Actions

- Develop and prioritise an action plan for new regional facilities and amenities that are required within the Auckland Region over the next 20 years. This will include an equitable resourced implementation plan and detail of how the benefits can be delivered and shared across the region.

1.2 *Working Party Primary Roles*

The working party is to comprise representatives from sectors across the region to provide governance on

- the scope and outcomes desired for the project,
- the planning process,
- standards, criteria and definitions of differing hierarchies of facilities
- implementation plan and associated funding plan .

The working party will act as the reference group for any study work completed through the project to ensure consistency with the identified outcomes and project scope.

1.3 The Outcomes

1.3.1 Regional Facility Planning Process

- An agreed process for determining the facility needs of physical activity and sport within the Auckland region now and into the future.
- Links to the work of the Metro City project and RWC work streams will be incorporated and links to National and Regional Sports Organisations and SPARC High Performance strategy.
- Definitions, criteria and standards for assessing proposals will be established.
- A regional network of regional facilities which will assist local authorities and funders align resources to agreed projects will be developed.

1.3.2 Auckland Region - Context and Issues

The Auckland Region had a population of 1,337,100 people in June 2005 – nearly one-third of the countries population. By 2050 the regions population is forecast to grow to 2 million people. Conversely the Auckland region is the smallest region in terms of land area except for Nelson. The Auckland region therefore has the ability to contribute largely to national sport and physical activity goals and these needs should be considered within the regional context.

There are distinctly regional issues relating facilities within the Auckland region to

- the sustainability of facilities across the region of a similar standard which compete for the same events to maintain them as viable facilities.
- lack of a regional approach to facility developments between local authorities, funders and national sporting organisation, high performance needs which has led to un-coordinated implementation and funding of facility projects.
- external funders and local authorities have no agreed plan to align support for projects, therefore many competing projects are diluting the available funding support often leading to facilities completed below required funding levels and operating at sub optimal standards.
- a lack of communication between key decision makers as to levels of investments into facility developments or cross boundary provision.
- lack of framework for assessing proposals in terms of appropriateness of spend, ability to determine levels of service, relating proposals in context to other facilities already servicing markets within the region.
- growth pressures are increasing the frequency of demand for use of some facilities and there is a lack of future provision plans.

A regional facility is a sport or physical activity venue that is used by or serves communities from across the Auckland Region, therefore cross-boundary focused. These are facilities that are likely to service or attract participants from across the entire Auckland region (and beyond) as opposed to the view of individual Local Authorities that service specific authority boundaries or communities within those boundaries.

The quality and specification of a regional facility will usually be high. Most regional facilities will be used for major regional, national and sometimes international events and competitions, therefore many regional facilities will have a spectator capacity. The current providers of regional facilities include local authorities, regional council, non-for-profit trusts, regional sport organisations and national sport organisations.

There is opportunity to capitalise on unique geographic features of the region, the scale of national population within the region, the high performance, programmes and events of national and international organisations based in the Auckland region.

In a region the size of Auckland with eight local authorities, there are issues around the provision, development and management of regional facilities. To ensure there are sufficient regional facilities to meet the needs of sport and physical activities in Auckland requires cooperation and collaboration on planning and development amongst the various providers and funders. This collaboration is also important to ensure there is not an oversupply or duplication of regional facilities which affects their sustainability.

Regional facilities are the most expensive to develop, manage and maintain but they deliver benefits to the region that are unable to be provided without shared funding. There needs to be a consistent attitude towards the provision of regional facilities across the Auckland Region. This strategy aims to provide a framework for the Auckland Region to work together on the provision of quality cross-boundary regional facilities.

This facilities provision will over time have to address all manner of facility types ie outdoor and indoor stadia, coastal requirements, specialist facilities ie motor sport, equestrian etc

A greater understanding of the regional sport and physical activity issues and opportunities will assist facilities provision. This will subsequently meet regional needs and assist in further enhancing and growing the region's economic and social well-being and provide a base for local authorities and funders to make informed decisions as to investment levels into proposals.

3 FACILITIES WORKING PARTY APPROACH

3.1 Range of Representatives

A working party is to be established to widen the sphere of influence to regional facility planning from sectors that have a vested interest in future facilities provision.

- Local and Regional Authorities of the Auckland region
- Economic / Business sector – Auckland Plus
- Tourism Sector – Tourism Auckland
- SPARC - high performance / events

A secondary technical reference group comprising facility managers, national and regional sport codes, funders, relevant central government agencies (transport, education etc) and events promoters will be established to ensure greater leverage across the region for outcomes to determine facility requirements.

4 PROJECT DEFINITION

4.1 Project Objective

The role of the working party is to developing an agreed process for the development of the Goal 4 Facilities strategies and actions identified above.

4.2 Project Assumptions

- ARPASS will provide the operational requirements for the working party and manage any consultant and communication requirements.
- A need to create seamless partnerships with a range of agencies and integrated projects. These could be regional, national or international in nature and include the

RWC work streams, the Metro City project and SPARC High Performance and Stronger Auckland project.

- The technical reference group will ensure practical and technical considerations are included ie demand and growth requirements, funding, operational and functionality, network cross the region and play a large role in consultation.
- Wider interest groups / agencies / facilities etc will have considerable opportunity to input during any research / consultative phase.

4.3 Project Tasks

The working party will identify the final project tasks however as a starting point;

- (a) Identify existing facilities provision across the region at a regional to international level :
- (b) Define via a report the significant regional issues of regional facilities provision across the Auckland Region.
- (c) Develop principles and criteria and standards for assessing regional facilities against a framework of identified facilities for the future
- (d) Determine a network plan for facilities across the Auckland region within the next 20 year period taking into account
 - Events / programmes of regional, national or international level.
 - International and nation trends in sport and physical activity
 - Potential development on existing sites – consolidate, optimise, invest
 - Existing facilities proposals and markets
 - Training or high performance sites and programmes
 - Identify network of provision ie regional to international standards
- (e) Ensure there is comprehensive appropriate engagement with vested interest sectors and agencies in the Auckland region.
- (f) Determine a draft process for assessing proposals for strategy partners to consider for adoption.

4.4 Project Management

The project would be managed by the ARPASS Strategy Director with the ability to prepare project briefs for the appointment of suitably qualified consultants to achieve project tasks defined by the working party.

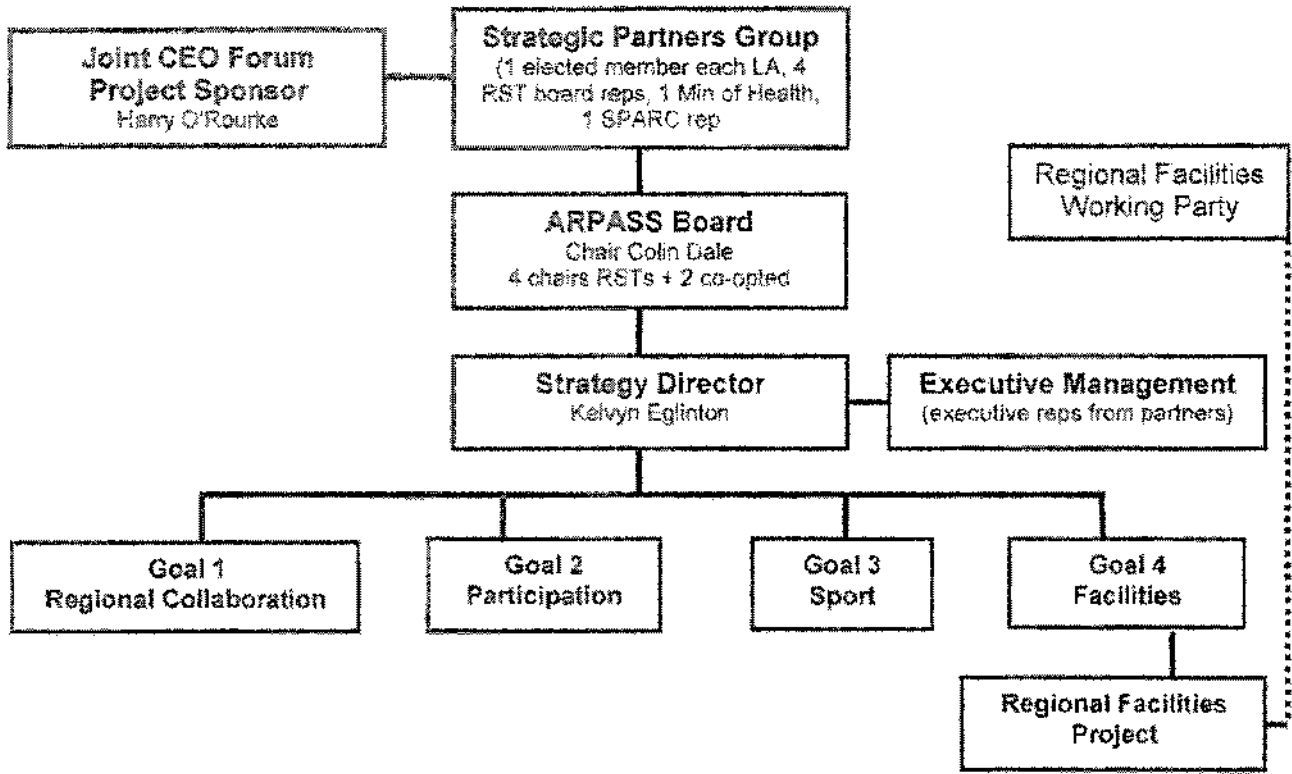
The Working Party will act as the governance group for the Regional Facilities Project and provide recommendations to Councils and agencies for consideration.

The ARPASS business plan 2006-07 has in 2007-08 has budgeted for this project commencing late 2006 and complete by November 2007. By utilising ARPASS there is a process to ensure that the resultant work is consistent with the ARPASS strategy and the Memorandum of Understanding as signed by all strategy partners and independently progressed.

Final reports and findings would have to be considered via respective strategy partners usual democratic processes before final adoption.

Kelvyn Eglinton
Strategy Director

Appendix 1 – Diagram of Regional Facilities Working party



Council

**Monday, 28 November 2005
Commencing at 10.00 am**

**Item 2: Maori in Local Government Decision
Making at Waitakere City**

**SUPPLEMENTARY AGENDA TO AN EXTRAORDINARY MEETING OF THE COUNCIL
TO BE HELD IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN,
WAITAKERE CITY, ON MONDAY, 28 NOVEMBER 2005,
COMMENCING AT 10.00 AM.**

2 MAORI IN LOCAL GOVERNMENT DECISION MAKING AT WAITAKERE CITY

PURPOSE OF THE REPORT

The purpose of this report is to provide background information and advice on best practice and to present options for making improvements to involvement of Maori in decision making at Waitakere City Council.

BACKGROUND

Te Taumata Runanga, which was first established in 1992, is a Standing Committee of the Council reporting directly to the Council, and has a role in the decision-making process on matters of concern and cultural significance to the Maori community.

It has responsibility:

- To ensure that Maori values are considered in the Council's decision making process;
- To assist the Council in meeting its obligation to Tangata Whenua;
- To ensure that the Council considers the needs of the Maori community and effective service provision;
- To enhance effective communication between the Maori communities of Waitakere City and the Council and its Committees;
- To ensure that the Councillors are aware of and sensitive to issues of concern to the Tangata Whenua and local Maori people;
- To provide the Council with a structure to facilitate input into the Council's decisions that have culture significance to Maori people; and
- To assist the Council into meeting its obligations to Maori under the Local Government Act 2002, including the obligations to provide opportunities for Maori to contribute to Local Authority decision making, and to consider ways in which it may foster the development of Maori capacity to contribute to Local Authority decision-making.

In general, Te Taumata Runanga is given an early opportunity to consider matters of special significance to Maori communities, so that other Committees and Council can consider their views.

Te Taumata Runanga is involved in:

- Considering projects involving effective service delivery;
- Consulting with tangata whenua and Maori communities before major policy decisions that significantly affect the Maori people;
- Providing input on decisions where Maori cultural values or knowledge is important;
- Advising the Council and its Committees about implications of policy issues for the Maori community;
- Developing a significant role in the Long-Term Council Community Plan/Annual Plan planning process.

Te Taumata Runanga comprises representatives from organisations selected by the Maori communities within the Waitakere Community and appointed by the Council, plus two Council Members appointed by the Council. The Mayor and Deputy Mayor are ex officio Members. The organisations represented are Hoani Waititi Marae, Kakariki Marae, Te Atatu, Te Kawarau A Maki, Te Piringa Tahiri O Te Maungarongo, Te Roopu Kaumatua O Waipareira, Te Roopu Puawai O Waitakere, Te Roopu Wahine Maori Toko I Te Ora, Te Runanga O Ngati Whatua, Te Whanau O Waipareira Trust.

The Finance and Operational Performance Committee on the 10 October 2005, whilst discussing recommendations on the Triennial Representation Review (Maori Ward/s) report, resolved in part:

"12 *Triennial Representation Review (Maori Ward/s)*

That the Council hold a workshop with Members of Te Taumata Runanga to explore ways for Maori to become more involved in Local Government decision-making through Te Taumata Runanga working alongside the Council and to review the capacity of Te Taumata Runanga to become more involved in Council decision making and that the workshop report to the next appropriate Council meeting.

1996/2005

That a report on the appointment of two representatives from Te Taumata Runanga to the City Development Committee, Finance and Operational Performance Committee and Planning and Regulatory Committee be presented to the workshop for consideration."

1997/2005

It is proposed that a workshop between Te Taumata Runanga and the Council will be held on Monday, 28 November 2005, as part of the Extraordinary Council meeting on that day, to consider this report on Involvement of Maori in Local Government Decision Making at Waitakere City, and subsequently to take any recommendations from that workshop back to that meeting for resolution.

STRATEGIC CONTEXT

Active Democracy is one of the Council's Nine Strategic Platforms identified in its Long-Term Council Community Plan. This platform supports involvement of citizens and Council's decision-making process through education, removing barriers, developing partnerships, improving information flows and supporting the communities' own ways on interacting with the Council.

In addition to the Active Democracy platform, the Council has statutory obligations to Maori under the Local Government Act 2002.

ISSUES

The Local Government Act 2002

The Local Government Act 2002 (LGA) requires local authorities to promote the social, economic, environmental and cultural well-being of communities, and to do so in a way that is sustainable now and for the future. In order to achieve this, the Act "promotes the accountability of local authorities to their communities" (Section 3(c)).

Section 4 of the Local Government Act 2002 states that "in order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to Local Government decision-making processes, Parts 2 and 6 provide principles and requirements for Local Authorities that are intended to facilitate participation by Maori and Local Authority decision-making processes".

Part 2 of the Local Government Act is concerned with the purpose role and powers of local authorities. Section 14 sets out in the principles relating to local authorities. Section 14(i)(d) states "that a local authority should provide opportunities for Maori to contribute to its decision-making processes". This obligation is in addition to the obligation under section 14(1)(c)(i) to take account of "the diversity of the community, and the community's interests within its district".

Part 6 of the Local Government Act 2002 deals with matters relating to the planning, decision-making and accountability of Local Authorities and requires local authorities to involve citizens in decisions that affect their lives. It sets out principles for consultation with communities, including obligations to ensure the contribution of Maori to decision-making (Section 81) and to consult with all interested and affected persons (Section 82). It also sets out a process for identifying and reporting on community outcomes.

Section 81 describes the contributions to decision-making processes by Maori as follows:

"(1) A Local Authority must:-

- (a) establish and maintain processes to provide opportunities to Maori to contribute to the decision-making processes of the Local Authorities;*
- (b) consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of the Local Authority; and*
- (c) Provide relevant information to Maori for the purposes of paragraphs (a) and (b)."*

(2) A Local Authority, in exercising its responsibilities to make judgements about the manner in which sub-section (1) is to be complied with, must have regard to: -

- "(a) the role of the Local Authority, as set out in Section 11;*
- (b) such other matters as the Local Authority considers on reasonable grounds to be relevant to those judgements."*

Section 11 describes the role of the Local Authority as:-

- "(a) to give effect, in relation to its district or region, to the purpose of Local Government as stated in Section 10;*
- (b) perform the duties, and exercise the rights, conferred on it by or under this Act or any other enactment."*

Section 10 describes the purpose of local government as being:

- "(a) to enable democratic local decision-making and action by, and on behalf of, communities; and*
- (b) to promote the social, economic, environmental, and cultural wellbeing of communities, in the present and for the future."*

The Local Government Act 2002 therefore requires Councils to become more proactive with Maori - not only in terms of consultation but in the development of Maori capacity to be effectively involved in decision-making. It also requires local authorities to report annually, actions and progress against these requirements. Plus, in addition to the raft of specific provisions relating to Maori, the requirement to consider social, environmental, economic and cultural matters in local authority decision-making is also very relevant to Maori.

The continued development of a long-term successful relationship between Maori and Waitakere City Council will involve (from both sides) patience and tolerance, a willingness to listen and learn, common sense, and most of all, leadership.

Appointment to Committees

One of the issues to be explored is the possibility of appointing representatives of the Maori community to Standing Committees of the Council (City Development Committee, Finance and Operational Performance Committee, Planning and Regulatory Committee).

Clause 31 of Schedule 7 of the Local Government Act 2002 provides as follows:

"(3) The Members of the Committee or Subcommittee may, but need not be, Elected Members of the Local Authority, and a Local Authority or Committee may appoint to a committee or subcommittee a person who is not a member of the Local Authority or Committee if, in the opinion of the Local Authority, that person has the skills, attributes, or knowledge, that will assist the work of that Committee or Subcommittee."

This clearly provides for the appointment of non Elected Members to Committees and Subcommittees. However, clause 31(4)(b) specifically excludes the appointment of an employee of the Local Authority in the course of his/her appointment as a member of any Committee. An employee may be appointed to a Subcommittee. A person appointed to a committee or subcommittee can be discharged by the Local Authority at any time (clause 31(1)). Although "member" is defined in Section 2 to mean an elected member, in this context "member" extends to include any person appointed to a committee or subcommittee.

For most other purposes there is no distinction between Members who are elected and those who are appointed to membership of committees and subcommittees. For example, the provisions of the Local Authorities (Members Interests) Act 1968 apply to all Members of committees or subcommittees, irrespective of whether they are elected or appointed. Similarly, the provisions of the Local Government and Official Information and Meetings Act 1987 apply to all Members. A person appointed to a committee or subcommittee is therefore bound to comply with the provisions of Standing Orders. The only area where there is any residual uncertainty is in relation to compliance with the Code of Conduct. It is recommended that if a decision is made to appoint Members of committees who are not elected, then those appointed Members should be asked to provide a written undertaking to comply with the requirements of the Code of Conduct. This action would remove any residual uncertainty in that regard.

The Council resolution seeks consideration for the appointment of two representatives of Te Taumata Runanga to each of the Standing Committees. One of the principle matters to be considered in relation to the appointment of the Members of the Maori community to Councils and other Standing Committees is the capacity of appointed Members to fill the role. It is suggested that in the first instance Te Taumata Runanga be asked to consider and make recommendations to the Council on persons they consider could suitably fit the role and make those contributions to the Council's decision-making processes that are desired. A process will need to be devised to allow the Council the opportunity to appoint the most suitable person who will be able to make a significant contribution to the work of that Committee.

The Roles of the Committees

Each of the Council's Standing Committees has different fields of activity and delegated powers and because of that may wish to consider the relevancy of each such appointment individually.

City Development Committee

The City Development Committee is required to develop policies and strategies for Council on behalf of the community for the social, economic, cultural and recreational wellbeing of the city and covers a wide range of specific area. As a policy Committee there is sound basis for the appointment of a representative of the Maori Community to provide input into the development of those policies and strategies and thus substantially fulfil the requirements of the Local Government Act 2002 in terms of input from Maori in to the principle decision-making processes.

Planning and Regulatory Committee

The Council may consider the Planning and Regulatory Committee in a slightly different light. The Planning and Regulatory Committee whilst covering much of the regulatory aspects of the legislation in terms of Policy Regulations and Bylaws also cover matters that are principally the domain of the Resource Management Act 1991.

Section 8 of the Resource Management Act 1991 requires that all persons:

"in relation to managing the use, development and protection of natural and physical resources shall take into account the principles of the Treaty of Waitangi".

The principal effect is that Councils are required to deal with Tangata Whenua/Iwi with respect to matters pertaining to Resource Management Act 1991.

In particular Section 35A of the Resource Management Act 1991 requires that:

"a Local Authority must keep and maintain, for each Iwi and Hapu in its Region or District, a record of -

- a) The contact details for each Iwi authority within the Region or District and any groups within the Region or District they represent Hapu for the purposes of this Act,*
- b) The planning documents that are recognised by each Iwi authority and lodge with the Local Authority,*
- c) Any area of the regional district over which one or more Iwi or Hapu exercise Kaitiakitanga."*

The Council has contracts with both Te Kawerau a Maki and Ngati Whatua to enable consultation on planning matters.

The Planning and Regulatory Committee does, however, have a much wider purview than simply planning matters and Maori involvement should be considered but the Council may choose not to make specific appointments of non Elected Members to this Committee. No consideration has been given to appointments to the Hearings Committee.

Finance and Operational Performance Committee

The Finance and Operational Performance Committee fulfils an operation and service delivery role and exercising powers on behalf of the Council and the community for financial management, tenders, procurement, the Long Term Council Community Plan (LTCCP) management of Council's Assets and the governance and performance Council Controlled Organisations. In this respect, because it does not fulfil a principal role in the development of strategies and policies which are more likely to be of a specific interest to Maori and the Waitakere Community, the Council may choose not to make specific appointments to this Committee of non Elected Members.

NZ Best Practice

The following summary has been taken from the "Quality of Life in New Zealand's Eight Largest Cities" to which Waitakere is a contributor:

North Shore City Council - recognises five iwi as being Tangata Whenua of North Shore. The Council's Annual Plan contains a key objective of ensuring that Council policy and services incorporate the principles of the Treaty of Waitangi. Council also works with Awataha Marae on community projects.

Auckland City Council - recognises three iwi groups who exercise ahikaa within Auckland City boundaries, Ngati Whatua o Orakei, Ngati Paoa and Ngati Rehua of Aotea-Great Barrier. The Council has worked steadily to foster positive relationships with local iwi and the wider Maori community. A dedicated Council team works to provide policy advice and support to the Council, to facilitate consultation and engagement with Tangata Whenua, to foster positive relationships with Maori communities and to provide bicultural and educational support for Auckland City Council.

The Council consults with eight Tangata Whenua groups on pre-resource consent applications. A Tangata Whenua Consultative Committee meets monthly to discuss resource consents that may affect them. By considering and dealing with consents in advance, the Committee has been able to save time and money. The Council and Tangata Whenua have worked together successfully on a number of Treaty-based projects.

Manukau City Council - has a commitment to Te Tiriti/Treaty of Waitangi shown through policy and legislative reviews, and through actively developing formal Tiriti/Treaty-based relationship agreements with the six mana whenua groups of Manukau. These relationship agreements were scheduled to be completed by December 2003 and will form the basis for future service level agreements with the business areas of Council.

Council has established an elected member Treaty of Waitangi Working Party to manage the development of the Council's response to the Treaty of Waitangi in Manukau and the region, a Tiriti/Treaty Corporate Team to guide the organisational response to Tiriti/Treaty, and a Tiriti/Treaty of Waitangi Unit to implement commitments of Council.

The Treaty of Waitangi Working Party is currently considering a range of possible structures that could lead to an increase in the representation and participation of Maori in Local Government decision-making processes.

Hamilton City Council - embraces the principles of the Treaty of Waitangi, acknowledges the importance of kingitanga in the Waikato, and values its partnership with both Mana Whenua and maataa waka. The partnership with Te Runanga O Kirikiriroa embodies a commitment by both parties to work toward a strong community for all people. It provides for the operation of a Joint Venture Committee (comprising Council and Te Runanga O Kirikiriroa representatives) to discuss partnership issues and oversee administration of Council's Maori Project Fund. Council recognises Nga Mana Toopu o Kirikiriroa as the representative of Waikato iwi with regard to natural and physical resource management issues under the Resource Management Act 1991.

Christchurch City Council - recognises the rights of Maori under the Treaty. The Council has a Maori Liaison Office, comprised of city Councillors, Ngai Tahu and other Maori representatives. The office contains an official who, amongst other duties, builds relationships between Council, Tangata Whenua and other Maori groups.

Wellington City Council - has a Memorandum of Understanding with the Ngati Toa Rangatira and the Wellington Tenth Trust. These memoranda outline how Mana Whenua participate in Council decisions on protocol, policy, regulatory and service delivery issues. Ngati Toa and Wellington Tenth Trust also have ex-officio membership on the Council's standing Committees.

In addition, a Council subcommittee, Te Taumata, provides advice on policy, governance and operational matters. Regular hui are held to discuss matters of mutual concern to the Council and Wellington Maori, partnerships are developed and Maori consulted on specific issues, and the Council's internal recruitment and training procedures aim to improve its capacity to deal with Maori issues appropriately.

Dunedin City Council - is developing existing relationships with Kai Tahu through a 'Maori Participation Working Party' that includes Councillors and representatives from Te Runanga o Otaku and Kati Huirapa ki Puketaraki Runanga. The terms of reference for the working party indicate the following issues will be considered; sustainable development, capacity and opportunity to participate in Council decision-making processes, the Council's Local Governance Statements, the role of a memorandum of understanding, and rating policies.

Other initiatives carried out at a department level include: a signed protocol with Kai Tahu ki Otago Limited for Resource Management Act issues; library programmes designed to build an improved understanding of, and respect for, Maori culture and language in the community; consultation on staff training issues; and a broad range of consultation on more detailed matters of policy development, involving formal and informal meetings, representation on committee and working parties, and hui.

RESOURCES

Additional resources will be required and have not been provided for in the current Annual Plan for the payment of salaries and/or meeting fees to appointed Members of Committees.

Any payments will be outside the pool provided for by the Remuneration Authority and the Council would need to determine the appropriate sum or sums involved. It is recommended that if appointments are made, that an annual salary payment of \$9,560 plus a meeting fee of \$195 per meeting be made to each appointed Member of the Committees. If an appointment is to be considered for the Hearings Committee that will be paid for on the same basis as any other Hearing Commissioner. Any one appointed to the Hearings Committee will have to undergo the same certification training requirements that all Councillors have undergone before taking their place on the Committee and that cost of training will be borne by the Council. The cost for each person is of the order of \$2,000.

The amount suggested to be paid to appointed Members, whilst rather arbitrary, can be equated to about one fifth of the salary of an Elected Member and about the equivalent of a Community Board Member.

CONCLUSION

This report is to be discussed by a workshop of the Council and any subsequent outcomes will be presented to the Council meeting immediately on that same day to consider the appointment of representatives of the Maori Community to Council's Standing Committees to enable the Maori Community to better participate in Council's decision-making processes, and to better meet the requirements of the Local Government Act 2002.

RECOMMENDATIONS

1. That the Maori in Local Government Decision Making at Waitakere City report be received.
2. That Council consider appointing Members of the Maori community to Council's Standing Committees.

Report prepared by: Darryl Griffin, Group Manager: Democracy and Support Services and Charlie Inggs, Democracy and Governance Team Manager.



TE TAUMATA RUNANGA REVIEW

PURPOSE OF THE REPORT

The purpose of this report is to inform Te Taumata Runanga regarding the Committee's triennial review process and the draft Terms of Reference for this review, including its proposed scope, process of implementation and timeframes. The report also summarises the key issues that arose from the last review of Te Taumata Runanga in 2004, as well as progress made towards addressing these.

BACKGROUND

Waitakere City Council has in place a Register of Delegations to Committees and Community Boards in order to 'allow the Council to delegate its powers and functions to the most efficient and effective levels'. The delegations as they relate to Te Taumata Runanga. The Operating Guidelines and Authorities as described in these delegations state that:

"Te Taumata Runanga will be formed on a three-yearly basis in line with the local government election cycle with a review of Te Taumata Runanga to be undertaken by the outgoing Taumata Runanga, and provided to the Council."

The next local government elections will be held in October 2007. Therefore it is timely that the Committee begins to consider the review process. The last such review was undertaken in 2004. It comprised of a workshop of Te Taumata Runanga, and a subsequent workshop between Te Taumata Runanga and the newly appointed Council to present the Committee's recommendations. These recommendations are summarised below:

Priority Areas of Work	Action
Delegated Powers of Te Taumata Runanga	Further report on extending delegated powers of Te Taumata Runanga.
Maori Representation on Other Standing Committee's	Further report on Maori representation on other Standing Committee's of the Council.
Joint Workshops	Te Taumata Runanga is invited to attend the Council and Community Board future workshops.
Rangatira to Rangatira Forum	The forums would include the Mayor, Deputy Mayor, Councillors appointed to Te Taumata Runanga, the Chairperson and Deputy Chairperson of Te Taumata Runanga. To be developed and be effective following October 2004 elections.
Honorarium	The Chairpersons honorarium is subject to a performance review process.
Remunerations	Further report on the remunerations and potential impacts for the Deputy Chairperson and the Chairperson's nominee.

In addition to priority areas of work, the following issues were raised:

Relationship between the Council and Te Taumata Runanga

Members suggested that:

- The Council provide details of Civic events and functions to Members to enable them to respond in a timely manner;
- Councillor and Community Board Members be invited to attend national Maori events with Members of Te Taumata Runanga;
- Joint workshops be developed for 2004/2005 between Members of the Council, Community Boards and Taumata Runanga;
- Role of Te Taumata Runanga at citizenships be clearly defined;
- Te Taumata Runanga be invited to attend Ministerial visits or other overseas events in support of the Council;

Representation on Te Taumata Runanga

The Committee Members expressed an interest for the Council to explore an inclusive model of representation that recognises the range of other Maori community groups that have emerged over the years, or existing groups that have strengthened their capacity. It was believed that this issue would be best dealt with at a number of levels; key Maori leadership, directly with iwi, and with the wider Maori community including those groups now seeking a "voice and role" on Te Taumata Runanga. It was thought that issue would require further consultation and should be considered as part of the Council's and Te Taumata Runanga's future work programme, where a range of options to maintain and improve opportunities for Maori to contribute to Local Government decision-making processes could be considered.

Te Taumata Runanga and its Recommendations

Members believed the process for Te Taumata Runanga reports and decisions to be forwarded on to the Council has not been fully utilised or given due consideration. Members felt that the Council may not appreciate the issues Te Taumata Runanga had considered or that the Council may be limited in its ability to clarify or seek additional information from the Committee. Members suggested that the Council should be given full reports regarding the Committee's recommendations to enable them to make informed decisions.

Te Taumata Runanga Induction

The Committee Members recommended that it was essential that every member, experienced or new, should undergo an induction process into the Committee's role and function, including standing orders, and the culture of the organisation, such as the Committee's administration processes and the Council's strategic direction.

Many of these issues have been included in Te Taumata Runanga Work Programme for 2005/2006. As a starting point for the review, it will be important to assess what progress has been made towards each of these recommendations, and for the Committee to reconsider their priority and relevance. A summary of progress since the last review is provided later in this report.

STRATEGIC CONTEXT

Local Government Act 2002

The Local Government Act 2002 makes the following provisions in terms of the relationship between Local Authorities and Maori:

Part 1 Section 4: "Treaty of Waitangi: in order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to Local Government decision making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Maori in local authority decision-making processes."

Part 2 Section 14: "(d) a local authority should provide opportunities for Maori to contribute to its decision-making processes."

Part 6 Section 77: "(1) A local authority must, in the course of the decision-making process,— "(c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga."

Though Te Taumata Runanga was established well before the amendments to the Local Government Act, the Committee is one of the key instruments via which the Council meets its legislative requirements as outlined above. It is therefore advisable that the Council continue to explore options for improving the way Maori contribute to its decision making processes. This is one of the key drivers for the review of Te Taumata Runanga.

Long Term Council Community Plan 2006-2016

The review of Te Taumata Runanga relates to the Council's Treaty of Waitangi strategic priority, which requires that the Treaty of Waitangi is upheld in all Council activities and planning. It also relates to the Council's Active Democracy strategic platform. This platform supports the involvement of citizens in the Council's decision-making process, through education, removing barriers, developing partnerships, improving information flows and supporting communities' own ways of interacting with the Council.

The review of Te Taumata Runanga links to the following Maori community outcomes:

Nga Manukura – Maori Leadership

- Maori determination and integrity;
- Sustained Iwi Maori leadership in Waitakere;
- Maintaining the vision;
- Mandate, accountability and transparency are consistent;
- Constant mentoring to maintain leadership capacity;
- Representation;
- Recognition of Iwi Maori leadership;
- A strengthened capacity for Iwi Maori to develop rangatahi (tuakana teina);
- Strong collaborative relationship between Iwi Maori and Civic leaders.

Te Mana Whakahaere – Autonomy

- Rangatiratanga (Whanau based self determination);
- Active protection of Maori interests in accordance with the Treaty and recognition of Iwi Maori;
- Maori participation and representation in decision-making;
- Maori focused policies or policies which contain a Maori component;
- Iwi and Maori determine needs, interests and resources;
- Recognition of Iwi Maori aspirations;
- Enhanced capacity of self governance through increasing representation in all sectors of the community.

Te Taumata Runanga Long Term Strategy and Action Plan

Te Taumata Runanga Long Term Strategy and Action Plan has a strategic emphasis on governance and participation and the need to support and widen community understanding and use of Te Taumata Runanga.

It is divided into four parts:

- Treaty of Waitangi;
- Governance and participation;
- Strengthening Te Taumata Runanga;
- Policy development.

Te Taumata Runanga Long Term Strategy and Action Plan outlines a number of key goals for each of these four areas. These goals will be worthwhile considering in the course of the review. Note however, that the strategic direction and work programme of Te Taumata Runanga will be addressed via a separate review process.

ISSUES

Progress Since Last Review

This is summarised in the table below. A more detailed description of Issues/Areas of Work is provided earlier in this report.

Issues/Areas of Work	Progress Since Last Review
Delegated Powers of Te Taumata Runanga	Incorporated into Te Taumata Runanga 2005/2006 Work Programme
Maori Representation on Other Standing Committee's	One member appointed to City Development Committee. This appointment is to be reviewed after 12 months
Joint Workshops	The Vision Day and Relationships with Maori workshops in 2005
Rangatira to Rangatira Forum	Incorporated into Te Taumata Runanga 2005/2006 Work Programme
Honorarium	Chairperson of Te Taumata Runanga
Remunerations	Committee Members meeting fees and travel costs
Relationship between the Council and Te Taumata Runanga	Encompassed in Terms of Reference for the upcoming Te Taumata Runanga Review
Representation on Te Taumata Runanga	Encompassed in Terms of Reference for the upcoming Te Taumata Runanga Review
Te Taumata Runanga and its recommendations	Encompassed in Terms of Reference for the upcoming Te Taumata Runanga Review
Te Taumata Runanga Induction	Incorporated into Te Taumata Runanga 2005/2006 Work Programme

It is recommended that those issues not already encompassed by this review are given consideration by Te Taumata Runanga as to whether they are still relevant. If so the respective recommendations will be automatically carried through to the current review recommendations.

Scope of the Review

The scope of the 2004 review of Te Taumata Runanga focussed on the following:

- Fields of Activity (as outlined in the register of delegations to Committees and Community Boards): The Committee was invited to provide feedback on whether the fields of activity of Te Taumata Runanga were relevant to the Committee or to the expectations of the Maori community in relation to effective Maori participation;
- Delegated Powers (as outlined in the register of delegations to Committees and Community Boards): Members explored the potential benefits and impacts of the delegated powers of the Committee;
- Membership: The Committee was invited to comment on its structure and the way in which membership is determined;
- Other Methods of Engagement: The Committee was invited to discuss other options of Maori participation in the Council's governance, such as co-option onto other Standing Committees, and the Committee's long term interest to increase Maori representation on the Council.

This review process is an opportunity for Members to evaluate Te Taumata Runanga, what is working well, what could be improved and so on. It is proposed that the scope of the upcoming review is broader than that of the last, and that input both from the Maori community and from the Council is sought. This is to ensure that the Committee is able to evaluate all areas of its activity, and that it is responsive to its key stakeholders. However, the review will focus on issues relating to the function and structure of Te Taumata Runanga as opposed to issues more appropriately incorporated into its Long Term Strategy and Action Plan, which will be reviewed separately.

Therefore it is proposed that the scope of the review encompass the following broad areas:

1. Structure of Te Taumata Runanga

- a. **Membership:** Since its inception, the range of Maori organisations represented on the Committee has been altered a number of times. Examples are the addition of Te Roopu Puawai o Waitakere to recognise a rangatahi perspective (formerly Te Roopu Rangatahi o Waitakere), and the removal of the Henderson Maori Committee, as this ceased to operate. Te Taumata Runanga may again like to review its membership to ensure that it reflects the breadth and depth of sectors within the Maori Community of Waitakere.
- b. **Delegated Authorities:** Te Taumata Runanga has from time to time come across limitations in the scope of its decision making ability. For example, the Committee has often discussed a desire to be able to allocate funding to Maori organisations, similarly to Community Boards and certain Subcommittees. In the context of providing opportunities for Maori to contribute to decision making, the Committee may want to consider whether the scope of its delegated authority is sufficient.
- c. **Representation on other Committees:** Te Taumata Runanga makes appointments to a range of external organisations and internal Committees. In the context of its own strategic priorities, the Committee may want to consider the relevance of these appointments, the process of appointments and whether there are other worthwhile appointments that can be made.
- d. **Subcommittees:** In order to allow focussed discussion and progress on areas of strategic importance to Te Taumata Runanga, particularly the Maori community outcomes and to create an opportunity for input from community members or experts, the Committee may like to consider the establishment of Subcommittees. From time to time Te Taumata Runanga establishes working parties to give attention and progress short term projects. Furthermore Te Taumata Runanga is also represented on steering groups for various projects, such as the development of Maori outcomes for the Long Term Council Community Plan, or the Maori Creative Sector Cluster. As part of Te Taumata Runanga deliberations on the establishment of its own Subcommittees, there is an opportunity for Te Taumata Runanga to provide leadership in areas of ongoing strategic importance to Maori, such as social wellbeing and economic development.

2. Capacity of Te Taumata Runanga

- a. **Capacity of Members:** The Committee has previously identified the need to provide an induction for new and existing Members covering a range of topics, including the Te Taumata Runanga Long Term Strategy and Action Plan, Council processes etc. The Committee has also recommended developing clear role descriptions, outlining its expectations of Members. Te Taumata Runanga may like to consider additional capacity building requirements of Members, how it can work to Members' strengths, whether there is a need for specialist skill or advice in certain areas and how this can be obtained.
- b. **Resourcing Participation:** Apart from provision of meeting fees for monthly meetings and reimbursement for travel expenses, participation of Te Taumata Runanga Members in various Council activities is on a voluntary basis. The Chairman's honorarium enables a degree of participation, but wider membership are still called on to support a number of activities. Te Taumata Runanga may like to consider how participation of Members can be adequately resourced in areas of strategic priority.

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3. Relationship between Te Taumata Runanga and the Waitakere Maori Community

- a. Awareness Raising: Te Taumata Runanga has previously identified the need to raise awareness within the Maori community regarding the Committee and its function. It has also identified the importance of encouraging awareness within member organisations, such that their representatives on the Committee are fully supported and are effective in their roles. The Committee may like to further consider strategies for achieving increased awareness within the community.
- b. Appointments: Te Taumata Runanga has successfully appointed members of the Maori community to various internal and external structures, particularly when those individuals have a particular interest or expertise in the given area. The Committee may like to consider establishing a register of individuals to facilitate appointments to such structures, or other ways of expanding Maori representation.

4. Relationship between Te Taumata Runanga and the Council

- a. Mutual Understanding: Te Taumata Runanga recognise the importance of maintaining relationships with Elected Members for a number of reasons; foremost of these is so that the Council is aware of Maori community issues and aspirations, and take these into account in their decision making. The Committee have recommended regular workshops with the Council to affirm this relationship, and to this end the Committee may want to outline a number of specific issues they would like to workshop with the Council, and invite the Council to do the same.
- b. Standing Committees: Te Taumata Runanga currently has one representative on the City Development Committee. Though this is to be reviewed in a separate process, Te Taumata Runanga may like to reflect on its representation on City Development Committee over past months and anticipate the opportunity for broadening this representation as part of this review.

5. Processes of the Council as they relate to Te Taumata Runanga

- a. Te Taumata Runanga may like to consider the way issues are identified, presented and followed through by officers, and how this process can be improved.
- b. The Committee may also like to consider how it can have more robust, strategic input into the policy programme of the Council.

6. Processes of the Council as they relate to the Maori Community

- a. Te Taumata Runanga may like to give consideration to any broad opportunities for the Council to improve participation by Maori in decision making and what this means in terms of the Council's processes.

Members are invited to comment on and review the proposed scope as outlined above.

Proposed Process for Te Taumata Runanga Review

1. Management of Review Process

The Maori Relationships Manager, supported by other Council staff as appropriate, will be responsible for managing the review.

2. Appointment of Consultant

Given the proposed scope of the review it is recommended that a consultant is engaged to support the Maori Relationships Manager in managing this process. The scope of services will be addressed in detail in a subsequent report, however in summary it will include:

- a. Organisation and facilitation of workshops and hui;
- b. Conducting interviews with key informants;
- c. Analysis of feedback;
- d. Preparation of a report summarising issues and recommendations;

In accordance with the Council's policy for procurement of specialised professional services, quotes will be invited from a minimum of three suppliers. A shortlist of suppliers will be prepared and presented to Te Taumata Runanga in a subsequent report.

Candidates will need to demonstrate the following competencies:

- a. Strong understanding of Local Government processes, particularly as they relate to Maori;
- b. Facilitation and event management;
- c. Research, report writing and analysis;
- d. Experience in Maori community engagement and consultation;
- e. Familiarity with Waitakere City Maori community networks.

3. Te Taumata Runanga Working Party

In order to assist the Committee to have an active role in guiding this review process, it is recommended that a working party is established. The Terms of Reference for the working party should be to provide guidance with respect to the implementation of the review, including issues such as workshop content, hui venues, key informants etc., and to discuss any other matters considered appropriate by the Maori Relationships Manager. The Committee may like to consider appointing Councillors to this Working Party to ensure there is a conduit of information between the Council and Te Taumata Runanga regarding the review.

4. Consultation with Mana Whenua

Discussions with representatives of Te Kawerau a Maki Trust, Te Runanga o Ngati Whatua and Ngati Whatua ki Orakei Maori Trust Board will be undertaken regarding the review, with any recommendations to be presented to the Committee for consideration.

5. Te Taumata Runanga Workshops

To allow the Committee to discuss issues outlined in the scope of the review in depth, it is recommended that a minimum of three workshops are held, and are open to both Members and their alternates. These workshops would be spaced across the duration of the review process, the first being in November 2006, and the final being held by July 2007.

6. Workshop with Councillors

In addition to the above workshops, it is recommended that a combined Te Taumata Runanga/Council workshop is held, to allow for input from Elected Members and to keep them informed of any potential outcomes of the review.

7. Community Hui

It is important that Maori living in Waitakere have an opportunity to contribute to the review, as the Committee is a vehicle for their participation in the Council's decision making. It is recommended that up to two hui are held, and at different venues, to provide adequate opportunity for members of the Maori community to attend.

8. Interviews with Key Informants

In order to ensure that the thoughts of key community leaders can be incorporated into the review, it is recommended that a number of interviews are held; for example with current and past Chairpersons, those who in the past have had a role in shaping Te Taumata Runanga, or leaders of key Maori organisations in the City.

9. Recommendations from the Review

Though opportunity should be provided for input from its key stakeholders, it is important that Te Taumata Runanga itself decide on which recommendations it adopts and how these are progressed. It is advisable though that the Council remain informed of key issues from the review, as they may have to ratify certain recommendations.

10. Presentation of Recommendations to the Council

The review process will culminate with the presentation of recommendations to the Council for their information, and where relevant, their approval.

Alongside this process, Council staff have started looking how Council can better support the work of Te Taumata Runanga, including the development of a broader programme of work for Te Taumata Runanga to consider.

Next Steps

The proposed next steps and timeframes for the review are outlined below:

Action	Timeframe
Review report received and working party established	October 2006
Preferred consultant selected	November 2006
First Te Taumata Runanga workshop	December 2006
Second Te Taumata Runanga workshop	February 2006
Community Hui	March-April 2006
Combined Te Taumata Runanga/Council workshop	April 2006
Third Te Taumata Runanga workshop	May 2007
Review recommendations approved at Te Taumata Runanga meeting	July 2007
Review report and recommendations presented to full Council	August 2007
Local Body Elections/Te Taumata Runanga goes into recess	October 2007
Report to newly elected Council recommending re-establishment of Te Taumata Runanga	November 2007

RESOURCES

The resources required for Te Taumata Runanga review have been provided for in the 2006/2007 Annual Plan.

CONCLUSION

Te Taumata Runanga is required under its delegations to undergo a review prior to each triennial local body election, and the outcomes from this review are to be forwarded to the Council for further consideration. The review is also an opportunity to evaluate itself, what is working well, what could be improved and so on. The Terms of Reference and the scope of the review outlined in this report is broader than the 2004 review, so that the Committee has an opportunity to consider the full spectrum of its activities to enhance the way it functions, and to invite contributions from its key stakeholders to this end. The proposed Terms of Reference for the review are provided for consideration by Te Taumata Runanga.

RECOMMENDATIONS

1. That Te Taumata Runanga Review report be received.
2. That the Terms of Reference for the review of Te Taumata Runanga, which outlines its proposed scope, process and timeframes, be approved.
3. That a working party be established to provide guidance to the Maori Relationships Manager with respect to the implementation for the review of Te Taumata Runanga, including issues such as workshop content, hui venues, key informants etc., and to discuss any other matters considered appropriate by the Maori Relationships Manager.

Report prepared by: Wayne Knox, Maori Relationships Manager.

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