

**PĀNUI**  
**NOTICE OF MEETING**

**TE TAUMATA RUNANGA**

He tono tenei kia koutou katoa, ka tū te hui o Te Taumata Rūnanga a te:-  
I hereby give notice that a meeting of Te Taumata Runanga will be held on:-

**TE WĀ:**            **Mane,**                    **18 August 2008**                    **A TE RIMA**                    **5.00 pm**  
**DATE:**            **Monday,**

**KI HEA:**            **Te Whare Kaunihera: Waitākere Central, 6 Henderson Valley Road,**  
**Henderson, Waitākere**

**VENUE:**            **Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere**

Ko te kaupapa o te hui he whiriwhiri he kōkiri i nga take o te rohe me te whakatinana i nga mahi  
kia tutuki ai nga wawata.

to consider the business as set out herein and to take any necessary action connected therewith.

13 August 2008



Ngareta Delamere

**HEKERETARI O TE KOMITI**  
**COMMITTEE SECRETARY**

**Waea / Phone (09) 836 8000 extn 8552**

**NGA MEMA / MEMBERSHIP:**

**Māngai kōrero / Representative**

W Paki, JP (Heamana / Chairman)  
M Te Huia (Heamana tuarua / Deputy Chairman)  
T Watford  
TW Taua, MNZM  
W Hetaraka

D Hansen

T Bond

J Mariu

A Hudson

E Taumaunu

Cr LA Cooper, JP

Cr RI Clow

**Etahi atu māngai kōrero / Alternative Representative**

Rev J Cooper  
M Wellington  
W Andrews  
Ka tohua a te wa / To Be Advised  
A Lauese

J Brown

T Tangihaere

Ka tohua a te wa / To Be Advised

G Wilcox

N Glavish

Council

Council

Hoani Waititi Marae  
Te Atatu  
Kakariki Marae  
Te Kawerau A Maki  
Te Piringatahi o Te  
Maungarongo Marae  
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

Koromatua / Mayor: RA Harvey, QSO, JP (ex officio)

Whaea Matua Tuarua / Deputy Mayor: PA Hulse (ex officio)

(Kia ono te nuinga o te hui ka mana) (Quorum 6 members - one of whom must be a Councillor)

★★★★★★★★★★

(Ko nga Ripoata me nga tūtohu katoa o nga rārangi ritenga hui, ehara i nga Kaupapa o te Kaunihera kia  
whakamanahia ra ano).

(The reports and recommendations contained in all agendas are reports and recommendations only and are not to be  
construed, in any way, as Council policy until adopted).

KO TE RĀRANGI RITENGA MO TE HUI O TE TAUMATA RŪNANGA KA TŪ KI TE WHARE  
KAUNIHERA O WAITĀKERE, 6 HENDERSON VALLEY ROAD, HENDERSON.  
WAITĀKERE, A TE RĀPARE, 18 HERE-TURI-KOKA 2008, TIMATA I TE RIMA  
KARAKA I TE AHIAHI

AGENDA FOR A MEETING OF TE TAUMATA RUNANGA TO BE HELD AT WAITAKERE  
CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON, WAITAKERE,  
ON MONDAY, 18 AUGUST 2008, COMMENCING AT 5.00 PM

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**KO TE RĀRANGI RITENGA MO TE HUI O TE TAUMATA RŪNANGA KA TŪ KI TE WHARE  
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WAITĀKERE, A TE RĀPARE, 18 HERE-TURI-KOKA 2008, TIMATA I TE RIMA  
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**AGENDA FOR A MEETING OF TE TAUMATA RUNANGA TO BE HELD AT WAITAKERE  
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ON MONDAY, 18 AUGUST 2008, COMMENCING AT 5.00 PM**

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**1 KARAKIA / OPENING PRAYER**

**2 MIHIMIHI / GREETING**

E nga waka, e nga mana e nga karangatangamaha, tena koutou, tena koutou, tena koutou. E nga mate i tautini, he mihi aroha tenei ki a koutou, haere, haere, haere. E te hunga ora, rau rangatira ma tenei te kakano ka rua nei a morimoritia kia puawai ai. Hei aha? Hei maunga ringa ma nga whakatupuranga, kia kaha, kia manawanui, kia u. Kia mau hoki ki te whakapono, te tumanako me te aroha.

**3 PANUI WHAKAWATEA / APOLOGIES**



**4 DECLARATION OF MEMBERS**

In order to confirm their commitment to the good governance of Waitakere City, in terms of Section 4 and parts 2 and 6 of the Local Government Act 2001, members appointed to Te Taumata Runanga in terms of Clause 31(3) of Schedule 7 of the Act are requested to come before the Chief Executive Officer or her nominee, accompanied by the Mayor, to make and sign the Declaration in the form prescribed as follows:

*“Te Whakapuakitanga a te Heamana, te Mema rānei. Ko au a, ..... , Ko taku kupu tēnei. Ka tutuki i a au, ki tāku e pono nei, e tōtika nei, e mātau nei ngā kawenga katoa hei painga mō te rohe o Waitakere i runga i te mana kua riro mai i a au hei Mema o Te Taumata Runanga o Te Kaunihera o Waitakere i raro anō i te Ture Kāwanatanga ā-Rohe o te tau rua mano mā rua, te Ture Pārongo, Huinga Ōkawa ā-Kāwanatanga me ētahi atu ture rānei. I whakaritea i Waitakere i te rā tekau ma waru o Here-Turi-Koka rua mano ma waru o tenei tau - 2008.”*

*“I, ....., declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of Waitakere City, the powers, authorities and duties vested in, or imposed upon, me as a Member of Te Taumata Runanga by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”*

Declarations will be made as follows:

- Denis Hansen- Te Roopu Kaumatua o Waipareira
- Tom Watford - Kakariki Marae



**5 NGA KORERO O TE HUI MUTUNGA - TAUTOKOHIA / CONFIRMATION OF MINUTES**

Meeting Minutes - Monday, 14 July 2008

**TOHUTANGA / RECOMMENDATION**

It is recommended that the Te Taumata Runanga resolve to:

**Kua Whiwhi / Receive** the minutes of the meeting of Te Taumata Runanga held on Monday, 14 July 2008, as circulated, and that they be taken as read and now be confirmed.



**6 NGA TAKE KAUPAPA / URGENT BUSINESS**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 provides that where an item of business is not on the agenda, it may only be dealt with at the meeting if:

- (i) the Committee by resolution so decides; and
- (ii) the Chairman has explained at the beginning of the meeting (when open to the public) that the item will be raised for discussion and decision, why the item is not on the agenda, and why it cannot be delayed until a subsequent meeting.

The Committee may make a decision on a matter determined to be urgent.

**NOTE:** Urgent Business need not be dealt with now and may be delayed until later in the meeting.



**7 TE WHAI PANGA KI TE TAKE / CONFLICTS OF INTEREST**

The Council has acknowledged in its Code of Conduct that Elected Members need to be vigilant to stand aside from decision making when a conflict arises between their role as a member of the Council and any private or other external interest they might have. This note is provided as a reminder to members to check that no such conflicts arise in relation to any items on this agenda.



## 8 WAHANGA WATEA KI TE IWI WHANUI / PUBLIC FORUM

For guidance of Te Taumata Runanga Members, the Council's Standing Orders have the following provisions in regard to Public Forum.

- (i) members of the public wishing to address the Committee in Public Forum shall furnish their names to the Chairman at the beginning of the meeting; and
- (ii) the Chairman shall determine the order of speakers, and allow five minutes for speaking time;
- (iii) questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

Section 46(7) and (7A) of the Local Government Official Information and Meetings Act 1987 provides that no resolution, decision, or recommendation may be made in respect of any specific item of business not on the agenda except to refer the items to a subsequent meeting for further discussion. Therefore, no decision may be made on matters raised in Public Forum. However, written reports on matters raised may be requested from the Chief Executive Officer.



## 9 RIPOATA MAI I NGA KOMITI / COMMITTEE MEMBERS' REPORTS

Provision has been made on this agenda for Committee Members should they so wish to submit a report on their activities during the month in regard to matters within the scope and delegations of the Committee. However, to comply with the provisions of the Local Government Official Information and Meetings Act 1987, no decision may be made on matters raised in Committee Members' reports.

### TE TAUMATA RUNANGA APPOINTMENTS

OUTSIDE ORGANISATIONS	APPOINTMENT
Keep Waitakere Beautiful	Rev J Cooper
Mayoral Task Force on Family Violence	June Mariu Rev J Cooper (alternate) Ngaire Te Hira (alternate)
Safe Waitakere Alcohol Project	Warahi Paki
Safe Waitakere Injury Prevention Board	Mihi Te Huia Fred Holloway
Te Pai Park Reserve Management Plan Advisory Group	Mihi Te Huia
Crime Prevention Reference Group	Wihiria Mark
Te Taumata Runanga Long Term Strategic and Action Plan Working Party	Warahi Paki Mihi Te Huia Evelyn Taumaunu
West Coast Plan Liaison Group	Glen Wilcox
West Education Sector Trust	Awa Hudson Carol Ngawati
Te Atatu Marae Development Group	Warahi Paki Awa Hudson
City Safe Action Group	Warahi Paki
Henderson Ward Local Reserves Management Plan	Warahi Paki

OUTSIDE ORGANISATIONS	APPOINTMENT
Henderson Valley Park Reserve Management Plan	Warahi Paki
COUNCIL COMMITTEES	
Policy and Strategy Committee	Mihi Te Huia
Long Term Council Community Plan and Annual Plan Committee	Warahi Paki Mihi Te Huia (alternate)

**10 RIPOATA O TE KAIWHAKAHAERE MATUA / CHIEF EXECUTIVE OFFICER'S REPORT**

Provision has been made for the Chief Executive Officer, or her nominated representative, to report on the progress of other matters considered to be of significance to Te Taumata Runanga, including organisation and representation issues.

**11 SAFE WAITAKERE UPDATE**

**RARANGI KUPU / GLOSSARY**

Accident Compensation Corporation	(ACC)
Auckland Region Graffiti Free	(ARGF)
Auckland University of Technology	(AUT)
Community Action on Youth and Drugs	(CAYAD)
Crime Prevention Reference Group	(CRPG)
Crime Prevention Through Environmental Design	(CPTED)
Injury Prevention Through Environmental Design	(IPTED)
Mayoral Taskforce on Family Violence	(MTFV)
Member of Parliament	(MP)
Ministry of Health	(MoH)
Ministry of Justice	(MoJ)
Neighbourhood Support Waitakere	(NSW)
New Zealand Police	(Police)
Safe Homes for Pacific Kids	(SHFPK)
Safe Waitakere Alcohol Project	(SWAP)
Safe Waitakere Injury Prevention Project	(SWIP)
Stop Tagging Our Place	(STOP)
Town Centre Action Group	(TCAG)
Vehicle Crime Action Group	(VCAG)
Waitakere City Council	(the Council)
World Health Organisation	(WHO)

**KUPU WHAKATAKI / EXECUTIVE SUMMARY**

This report provides an update to Te Taumata Runanga on Safe Waitakere and provides a focus on some key activities that are currently being developed together with an update on activities already completed.

The history of Safe Waitakere is summarised within this report together with some relevant background information. The composition of Safe Waitakere is also explained and each project under the Safe Waitakere umbrella is then covered in more detail.

Safe Waitakere has developed significantly from the solid foundations which were laid in 1999, when Waitakere became New Zealand's first accredited 'Safe Community'. Since that point the staffing and funding picture has considerably expanded, as has the contribution and support provided by Waitakere City Council (the Council). A significant amount of funding that supports Safe Waitakere is sourced through external contracts. Waitakere now has a vibrant and healthy Safe Waitakere Team, integrated within Council, which is dedicated to community safety.

### **TOHUTANGA / RECOMMENDATION**

It is recommended that Te Taumata Runanga resolve to:

**Kua Whiwhi / Receive** the Safe Waitakere Update report.

### **KORERO WHARIKI / BACKGROUND**

#### **Safe Waitakere History**

1. Waitakere is proud to have been the pioneering New Zealand city in community injury prevention. Safe Waitakere had its origins in 1995 when a successful application was made by a multi-agency steering group, (supported and hosted by the Council) to the Public Health Commission, to take on the role of piloting community injury prevention in an urban setting. It was a significant task, as the pilot was rigorously evaluated with a view to being extended across the country.
2. The Safe Waitakere Injury Prevention Project (SWIP) was set up with a strong community development focus; the governance group was drawn from a wide range of agencies and from the key target populations. That model was to serve as a platform for the development of other projects established in Crime Prevention, the Safe Waitakere Alcohol Project (SWAP) and Community Action on Youth and Drugs (CAYAD). All the community safety projects have since operated under the Safe Waitakere banner. More recently Family Violence has been established as a project within Safe Waitakere reporting to the Mayoral Taskforce on Family Violence (MTFV).
3. In 1999, as a natural step in its evolution, Waitakere applied to become New Zealand's first World Health Organisation (WHO) accredited 'Safe Community'. Safe Waitakere organised the first Community Safety Conference in New Zealand, bringing together many agencies and communities from all over the country. The conference was held at the Kura Kaupapa at Hoani Waititi Marae. One outcome of the conference was the subsequent establishment of the Injury Prevention Network Aotearoa New Zealand. The culmination of the conference was the ceremony at which Waitakere was presented with its accreditation.
4. In accordance with WHO requirements Waitakere applied for re-accreditation as a 'Safe Community' in 2006. This application was successful and in December 2006 Waitakere was re-accredited with WHO Safer Community status at a celebration in the Council Chambers.

## NGA RITENGA WHAKATAUNGA / DECISION MAKING

### Nga Take / Issues

#### Safe Waitakere Overview

5. The primary functions of Safe Waitakere are structured on the principles of partnership and collaboration with a specific focus on community safety. The objectives of the team concentrate on achieving harm minimisation and preventative outcomes.
6. Within Safe Waitakere there are five portfolios: CAYAD, Crime Prevention, SWAP, SWIP and Family Violence. There are 10 staff positions in Safe Waitakere. Significantly, a substantial percentage of the funding supporting the activity of Safe Waitakere is sourced through long term contracts secured between the Council, the Ministry of Health (MoH) and the Ministry of Justice (MoJ).
7. Although Safe Waitakere is sited within the Community Wellbeing Directorate, the scope and scale of the work carried out by the team necessitates strong relationships of a cross-council nature. Safe Waitakere also works across the community and supports and promotes valuable connections and relationships between community and the Council, particularly in areas related to community safety.

#### Safe Waitakere Injury Prevention Project

8. SWIP continues to report to the MoH on a 6 monthly basis, as per the requirements of the contract. Feedback from MoH has been consistently positive. The current contract term concludes in June 2008; renewal for a further 3 year term is anticipated.
9. The SWIP governance board meets on a monthly basis, membership consists of:
  - Chairperson (Carolynne Stone);
  - Te Taumata Runanga (Reverend Fred Holloway & Mihi Te Huia);
  - Waitakere Pacific Board (Noora Samuela & Cheryl Talamaivao);
  - The Council (Councillor Brenda Brady);
  - Accident Compensation Corporation (Laura Ager);
  - Royal New Zealand Plunket Society Inc. (Lisa-May Gray/Caro Walker);
  - Waitemata District Health Board (Patsy Prior); and
  - Waitakere Ethnic Board (Ann Pala).

#### Key SWIP initiatives

10. **Waitakere Business Celebration:** A business celebration held during NZ Safety Week provided an opportunity to acknowledge the commitment of local businesses to injury prevention, not only in their workplace but also throughout the community with the support they have offered to many projects over a number of years. Three businesses identified as having provided outstanding support for community prevention initiatives were awarded certificates.

11. **Driveway Run-over Project:** In collaboration with the Regional Driveway Injury Project Group a driveway run-over resource was designed for use across the region to reduce child driveway run-over injuries and deaths. This was launched in September 2007 at Hoani Waititi Marae with the project partners including Counties Manukau Injury Free, Communities Living Injury Free Auckland, SWIP, Child Safety Foundation as well as Well Child Health providers and various community organisations. A fact sheet and strategies for prevention were developed to assist families and a visor clip with the message “Check where the kids are, there’s no going back” used as a gift for male drivers. Ongoing promotions since September 2007 have included attendance at community events, vehicle safety promotions at Te Kohanga Reo and driver licence courses. Evaluations of the resource are ongoing.
12. **Manawa Rawe Project:** The Manawa Rawe project is a joint pilot initiative with Sport Waitakere and the support of the Auckland University of Technology (AUT) School of Physiotherapy for people aged 50 years plus who are inactive and with a history of health related issues. The programme started in August 2007 with the first Marae based activity at Hoani Waititi Marae and at Te Maungaronga o Piringatahi Marae the following day. Every second week the group meet at the West Wave thermal pool for aquatic sessions, which were found to be of huge benefit to the project participants. Each participant that attended the first session was assessed by members of the Auckland University of Technology (AUT) School of Physiotherapy. This assessment was repeated in December 2007 and the information received forwarded for analysis. The preliminary report received from AUT researchers showed a vast improvement for the participants that had completed the pre and mid project assessments.
13. **Safe Homes for Pacific Kids:** The Safe Homes for Pacific Kids (SHFPK) coordinator of West Fono has been working with key Pacific providers in Waitakere as well as national and local injury prevention agencies to gain an understanding of their goals and strategies. This allowed for the coordinator to review available Pacific and mainstream resources in order to identify future requirements.
14. West Fono staff training will be a key component of the project going forward. The SHFPK contract for 2008/2009 is under development in consultation with a Pacific Injury Prevention specialist who has guided SWIP through the duration of the project. A checklist for West Fono staff was developed and staff received initial training on implementation of the checklist, with the goal of establishing improved injury prevention outcomes within the Pacific community.
15. **Safekids New Zealand Campaign:** Supporting the 2008/2009 national themes, including burns/fire and drowning prevention. This will involve working with Well Child Health Care providers, Te Kohanga Reo and Early Childcare Centres to disseminate information to whanau/family groups. There will be a training component for all partners providing assistance with the delivery of key messages and information.
16. **International Safe Communities Conference 2008:** SWIP have submitted three abstracts to the conference being hosted by Christchurch City.
17. **Falls Prevention:** Initiatives to reduce falls in the community will be an area of focus during the next financial year with several new projects under development involving community partners, including a Do It Yourself Falls project, a pedestrian project targeting ease of access around town centres and pre-school falls projects to improve care-giver awareness.

18. Other key initiatives included:
- SWIP Annual Plan;
  - SWIP 2008-2011 contract;
  - Water Safety project;
  - Puawairua Falls and Vehicle Safety project;
  - Hoani Waititi Marae Workplace Hazard Management;
  - Hoani Waititi Marae Safety Audit;
  - Injury Prevention Through Environmental Design (IPTED) training;
  - Falls in public places data collection;
  - Community collaboration with Wai Health during the whanau whanui event;
  - Hoani Waititi Marae Driver Licence Programme;
  - Representing SWIP on the Standards NZ Committee; and
  - Sport Waitakere: Safe travelling policies for Sporting coaches.

### **Crime Prevention Project**

19. The Crime Prevention Project continues to report to the MoJ on a 12 monthly basis as per the requirements of its contract. Feedback from MoJ has been consistently positive. In September 2007 MoJ committed to a 5 year strategic partnership with Council together with the provision of funding within a contract. The new contract was established following the expiration of a previous 3 year Crime Prevention contract; this established a solid platform for the development of the new contract.
20. Parallel to the establishment of the new contract Waitakere developed its Crime Prevention Plan 2007–2012, within which the key issues of Public Violence, Vehicle Crime, Graffiti Vandalism, Family Violence and Crime Prevention Through Environmental Design (CPTED) were prioritised.
21. Crime Prevention Reference Group: The Crime Prevention Reference Group (CPRG) is integral to the Crime Prevention Plan 2007-2012. CPRG meets on a quarterly basis and is made up of key stakeholders with an interest in Crime Prevention issues; the group is chaired by Deputy Mayor Penny Hulse.

### **Key Crime Prevention Initiatives**

22. **Maori Wardens:** Funding of \$100,000 was allocated within the 2007/2008 Annual Plan to fund street patrols by Maori Wardens. This followed a submission to Annual Plan and also took place after the implementation of Project Respect. Project Respect was a 6 month pilot project which focused on alcohol related violence; Maori Warden Patrols were a component of this successful project. A contract has recently been signed between Council and the Waitemata Maori Warden Trust Inc. As per the requirements of the contract, the Trust will provide 6 Wardens per day, 5 days per week, 5 hours per day. The deployment of the Wardens will be determined on a weekly basis in partnership with the New Zealand Police (Police) and will focus on key locations within the City.
23. **Pacific Warden Scheme:** The Pacific Warden scheme was also awarded \$30,000 through the 2007/2008 Annual Plan. The establishment of a specific trust, as a separate legal entity was necessary. The Trust has now been established and it is expected that Pacific Wardens will be active in the near future.

24. **Neighbourhood Support Waitakere:** Neighbourhood Support Waitakere (NSW) was established in May 2007. A paid part time area coordinator has now been employed. NSW received support to assist its establishment, and continues to receive support in terms of its development from Safe Waitakere, New Zealand Police, Civil Defence and the New Zealand Fire Service. Support for NSW was also provided by Councillors and Community Board representatives. To date NSW has signed up over 4,000 residences to the scheme and continues to grow. Safe Waitakere assisted NSW in the submission of a contestable funding application to MoJ. The application was successful and MoJ have provided NSW with funding (\$20,000) to deliver a graffiti education programme city-wide. NSW have prepared a 3 year strategic plan and are actively seeking funding from various bodies in an effort to become self sufficient.
25. **Vehicle Crime Action Group:** The Vehicle Crime Action Group (VCAG) continues to work collaboratively and has enjoyed an increase in membership over the 2007/2008 year. This includes the inclusion of a new initiative, the Town Centre Action Group (TCAG). TCAG brings together 5 major locations and entities namely, Westgate, Westcity, Lynn Mall, Kelston and Lincoln North. These locations incorporate major on-site parking facilities which inevitably attract vehicle crime issues.
26. VCAG launched Operation Speedo in December 2007, the operation continued during the summer period through into January 2008. Operation Speedo is a partnership between the Community, Council, Police, Rural Fire, Surf Life New Zealand, Auckland Regional Council Rangers, Waitakere City Council Rangers, Civil Defence and Council Parking Officers. The operation combats vehicle crime within our hot spot car parks out in the rural West Coast Beaches and Ranges. Last year's operation saw a reduction of vehicle crime in these areas by half. Operation Speedo received significant media coverage through the New Zealand Herald, the Western Leader and also the Police 10/7 television show.
27. **Graffiti Vandalism:** The Council continues to support the work of the Auckland Region Graffiti Free (ARGF) Project. The ARGF Project is a community safety partnership between the seven Territorial Local Authorities and the three Police Districts in Metropolitan Auckland that seeks to achieve the eradication of graffiti vandalism across the Auckland region by 2012. The Council provided funding to the regional project (\$19,000) during the 2007/2008 year as did all other councils within the Auckland Region. Members from Safe Waitakere and Tag Out Trust represent Waitakere on the ARGF Project. MoJ have also committed funding to the project and 4 priority work streams have been established; these include the development of a regional database, enforcement, local programmes and partnerships projects. One significant area of activity which is aligned to the partnerships project work stream is a rail corridor initiative.
28. **Rail Corridor Initiative:** This unique project brings together Council, the Department of Corrections and ONTRACK. The project operates on the rail corridor between Mt Lebanon Lane and Bruce McLaren Road, Waitakere. The aim of this initiative is to beautify and eradicate graffiti vandalism along this section of rail corridor over a 3 month period. The unique part of this project is the use of free labour provided by Department of Corrections.
29. **Crime Prevention Through Environmental Design:** Incorporating the three disciplines of CPTED, IPTED and Barrier Free Access as part of a Safety and Access by Design 2-day workshop recently proved very successful. This was measured through feedback received from delegates who attended the workshop. Delegates were mainly of council staff from various departments and disciplines who are in a position to influence a safer built environment for the community. Additional funding (\$10,000) has recently been received from MoJ to support further CPTED training.

30. **Car Park Safety Accreditation Scheme:** This scheme aims to promote CPTED principles within car parks and provide an accreditation/award scheme for car park owners and management. The scheme is supported by funding from MoJ and a pilot project has been established including three councils: Waitakere, Auckland and Upper Hutt. The scheme recently received approval from the Waitemata District Police Commander.

#### **Safe Waitakere Alcohol Project**

31. SWAP continues to report to the MoH on a 6 monthly basis. Feedback from the MoH has been consistently positive. The SWAP Contract was reviewed by the Ministry of Health in mid 2007 and has now been extended until 2010.

#### **Key Safe Waitakere Alcohol Project Initiatives**

32. **Review of the Control of Liquor in Public Places Bylaw:** Following concern from the community, business associations and Police regarding the amount of alcohol related incidents in public places, SWAP instigated a review of the Control of Liquor in Public Places bylaw. There have been 24 identified areas of concern within the City and these have been highlighted in a separate report to the Planning and Regulatory Committee.
33. **“Get into it not out of it” – Marketing Programme:** This was an initiative generated from the North-West Host Responsibility working party consisting of licensing inspectors from North Shore, Rodney and Waitakere, liquor licensing police personnel from North Shore and Rodney, Waitemata Police District Youth Coordinator, Accident Compensation Corporation (ACC) Injury Prevention Coordinator, Waitemata Alcohol Analyst and SWAP Project Leader. The project was funded by the ACC and Police national offices and was designed to reduce intoxication on licensed premises, raise the awareness of licensed premise staff and the general public around the requirements of the Sale of Liquor Act and also reduce the sale of alcohol to minors from on-licensed premises.
34. The campaigns activities included radio advertising, license premise promotional material, controlled purchase operations, targeted team policing activities on licensed premises and distribution of posters to key organisations. The project evaluation returned positive results and outlined the achievement of the key objectives.
35. **“It’s too late to cry” – Maori and Pacific Marketing Messages:** This initiative was instigated by SWAP together with a Maori advisory group, following an identified need for specific tailored messages, aimed at reducing the supply of alcohol by parents and whanau members, to young Maori. The messages were developed into posters and were disseminated to targeted community organisations and Marae throughout the Waitemata Police District.
36. Following consultation with the Waitakere Pacific Board the messages have now been translated into five Pacific languages to address supply issues in Pacific communities. The Waitakere Pacific Board has disseminated over 2000 copies to churches and pacific groups in Waitakere.
37. **Party Pack:** SWAP together with the North-West Host Responsibility group are developing an information pack aimed at reducing intoxication in the home. The pack will provide information on good host responsibility practices, including the provision of food, safe transport, lawful requirements, intoxication guidelines and monitoring tips.
38. **CAYAD Waitakere Needs Assessment:** SWAP is assisting CAYAD in undertaking a community wide needs assessment to identify gaps in service delivery and programmes in the alcohol and drug areas. A full explanation of the project is contained in the CAYAD project summary.

39. **Needs Assessment of Waitakere High Schools:** SWAP and CAYAD are undertaking a needs assessment of all high schools in Waitakere to identify gaps in programmes and education around alcohol and drugs. Principals have indicated their support for the project and initial meetings have been held with school counsellors and other key representatives.
40. **Controlled Purchase Operations:** SWAP works closely with the District Licensing Agency and local Police to conduct controlled purchase operations. The key aims of the operations are to reduce the sale of alcohol to minors from licensed premises by increasing licensee compliance in respect of viewing evidence of age documents.

#### **Community Action on Youth and Drugs**

41. CAYAD continues to report to the MoH on a 6 monthly basis, as per the requirements of the contract. Feedback from MoH has been consistently positive. The current contract term concludes June 2008. Renewal for a further 3 year term is anticipated.
42. CAYAD is one of 28 MoH funded sites around the country. CAYAD has been working within Waitakere since 2004 to improve the health and wellbeing of the population by minimising harm caused by illicit drug use. To achieve this goal CAYAD aims to increase community ownership and capacity to address these health issues.
43. There have been three key initiatives CAYAD have been involved in since the beginning of 2008; they are a 2008 Needs Assessment, a Waitakere High Schools initiative and the 'Kick It' Programme.

#### **2008 Needs Assessment**

44. CAYAD has been working in collaboration with SWAP to conduct a needs assessment. The purpose of the assessment is to identify current and emerging alcohol and drug issues within the Waitakere community and to develop a strong evidence base of effective community interventions.
45. The Needs Assessment has involved collecting information from a variety of community sources. This included meeting with a number of community agencies and organisations to gain their perceptions on current youth, alcohol and drug issues. CAYAD is currently in the process of conducting five youth focus groups to enable the youth to voice their concerns and viewpoints. Local and national media sources are being scanned to gain insight on current issues and trends. Finally, a literature review will be completed to highlight effective community based interventions that may address the concerns raised from the Needs Assessment.
46. The Needs Assessment is due for completion at the end of July 2008. The information gained from this assessment will directly input into the strategic direction of CAYAD for the next three years.
47. **Waitakere High Schools:** CAYAD staff have collaborated with SWAP to provide support to Waitakere High Schools. This group was identified during the needs assessment as a key link to Waitakere youth. Initial contact has been made with the schools and CAYAD staff are currently conducting further investigations into their needs and are gathering evidence of best practice.

48. **‘Kick It’ Programme:** CAYAD has been a strong supporter of the ‘Kick It’ programme for a number of years. Kick It is an alternative action programme for students who are found with drugs while at school. Instead of appearing before the Board of Trustees, the students make a vow of abstinence and continue to remain at school to receive their education. Once a student is contracted on to the ‘Kick It’ programme they are provided with ongoing support to address their drug issues and are randomly drug tested to ensure abstinence. ‘Kick It’ is currently only available in two Waitakere schools. However, as part of the work being conducted with the wider Waitakere high school group this number may increase.

### **Family Violence**

49. Mayor Bob Harvey has drawn together a MTFV, with the vision that “all families and whanau have healthy, respectful, stable relationships, free from violence”.
50. The MTFV, co-chaired by Mayor Bob Harvey and Dr Pita Sharples, is made up of people who are committed to supporting the people and agencies working to reduce family violence in Waitakere and to promoting peaceful strong and supported families in which family violence is not tolerated.
51. The MTFV do this enabling work by raising the City's profile, advocacy and using their agencies and networks to bring together resources, with the aim of "clearing the way" for the local agencies to deliver services on the ground.
52. The roles of the MTFV include:
- Advocating to support organisations and local community agencies working to realise the vision of Waitakere being family violence free;
  - Ensuring that the MTFV process meets the diverse needs of our multi-cultural community, using a partnership approach;
  - Working on behalf of Waitakere City to ensure that adequate resources are available to address family violence prevention;
  - Supporting community organisations to continue to be innovative in their approach, and to encourage them to deliver, monitor and share best practice;
  - Advocate for change at a national level to ensure that local and regional intervention programmes and proposals are as effective as possible;
  - Ensure that, in any initiative the MTFV undertakes, members will take full account of cultural, age, linguistic, faith, gender, sexuality and disability issues;
  - Provide leadership in MTFV members’ own organisations around Family Violence, including ensuring that organisational leadership continues to be present on the MTFV and membership is not delegated to staff who are not in leadership positions.
53. The MTFV is not an operational group. Their role is to be advocates, champions, lobbyists, to aid networking, cooperation and partnering, to provide the expertise of their agencies, to add momentum, to provide energy and raise the profile, when required, in support of those workers in the family violence community in Waitakere.

### Key Family Violence Initiatives

54. **Marchers Say Family Violence is Not OK:** More than 1,000 people took time out on 23 November 2007 to support the White Ribbon Day march from Waitakere Hospital to the Civic Square at Waitakere Central. The march, organised by the Waitemata District Health Board, the Police and the Council was at least twice as big as the previous year's march. Mayor Harvey led the march under the banner 'Family Violence - It's Not OK in Waitakere'. He was accompanied by the Honourable David Cunliffe (Minister of Health), Dr Pita Sharples (co-leader of the Maori Party), Labour Member of Parliament (MP) Lynne Pillay, Maori Party MP Hone Harawira, Council representatives Councillors Linda Cooper and Peter Chan and Inga Tuigamala. The latter, with Mayor Harvey and actress Robyn Malcolm, were also the faces of the first billboard campaign against family violence in Waitakere.
55. **Billboard Campaign:** This initiative utilises billboards across Waitakere and consists of high profile individuals promoting the family violence message "it's Not OK in Waitakere". The latest series of billboards launched in April 2008 included actor Annie Whittle, All Black great Michael Jones, television personality Pio Terei and Outrageous Fortune's Tammy Davis.
56. **Rubbish Bag Initiative:** This initiative involved the printing of the family violence "It's Not OK" information on the City's rubbish bags which when placed on the streets of Waitakere promoted the crucial campaign message.
57. **Stocktake:** The MTFV requested that a stocktake of family violence prevention services be undertaken in order to identify existing services and potential service gaps in Waitakere. The stocktake was undertaken by the Council Advocate for family-violence prevention. In the stocktake services were grouped according to whether they were working in primary prevention, secondary "at risk" or tertiary sectors. Additional services, that do not have family violence as their core business, but work in the area nonetheless, were also identified as part of this stocktake. The stocktake was presented at the MTFV meeting held on 9 June 2008.
58. The Safe Waitakere Team has developed significantly from the solid foundations which were laid in 1999, when Waitakere became New Zealand's first accredited Safe City. Since that point the staffing and funding picture has considerably expanded, as has the contribution and support provided by Council. Waitakere now has a vibrant and healthy Safe Waitakere Team, integrated within Council, which is dedicated to community safety.

### Te Whakaaro Ki Nga Tirohanga a Iwi / Consideration of Community Views

59. Safe Waitakere is closely connected to the community and considers the needs, views and opinions of the community within the Safe Waitakere programme of work. A number of advisory or steering groups support Safe Waitakere and these groups are made up of representatives from key stakeholder groups in the community.

### KORERO RAUTAKI / STRATEGIC CONTEXT

60. The work of Safe Waitakere is closely associated with the strategic priorities of First Call for Children and Safe City. The work of Safe Waitakere supports the Strong Communities Strategic Platform. The Active Democracy strategic platform also reinforces the concepts of the 'Waitakere Way'; the active involvement of multiple agencies, and of all communities in Waitakere, all of which are essential to safety issues within the City.

61. Safe Waitakere programmes also respond to the Community Outcomes of Strong Communities (He Iwi Kaha), Toiora (Healthy Lifestyles), Urban and Rural Villages (Nga Kainga Taone, Tua Whenua) Whaiora (Participation in Society) and Working Together (Te Mahi Tahī)

#### **MAHI WHAKAWHITI KORERO WHAKAARO / CONSULTATION**

62. This report has been created from input from all staff within the Safe Waitakere Team.

#### **NGA RAUEMI / RESOURCES**

63. Approximately 70% of the funding supporting the activity of Safe Waitakere in 2007/2008 was sourced through long term contracts secured between Council, MoH and MoJ. The level of this externally sourced funding (excluding one-off awards and contestable allocations) amounted to \$575,588. In addition to the longer term contracts Safe Waitakere also attracted funding from MoJ for a CPTED project (\$10,000) and ACC/Police funding for a regional alcohol related campaign (\$21,500). Safe Waitakere has recently submitted an application for funding to the MoJ in connection with the Government's Stop Tagging Our Place (STOP) strategy. If successful this application will assist the prevention and reduction of graffiti vandalism in Waitakere.
64. Council funding in 2007/2008 was made up of \$134,000 for Family Violence Coordination and associated initiatives; \$35,000 for crime prevention; \$100,000 for Maori Wardens street patrols; \$30,000 for the establishment of Pacific Wardens and a \$20,000 grant to Watersafe Auckland.

#### **WHAKAMAHIA NGA TAKE / IMPLEMENTATION ISSUES**

65. There are no implementation issues associated with this report.

**Report prepared by:** Mark Maxlow, Safe Waitakere Team Leader.



## **12 THE WAITAKERE RANGES HERITAGE AREA ACT 2008 AND LOCAL AREA PLANS**

### **RARANGI KUPU / GLOSSARY**

Auckland Regional Council	(ARC)
Local Area Plan/s	(LAPs)
Local Government Act 2002	(LGA)
Te Taumata Runanga	(the Committee)
Resource Management Act 1991	(RMA)
Rodney District Council	(RDC)
Waitakere City Council	(the Council)
Waitakere Ranges Heritage Area Act 2008	(the Act)
Waitakere Ranges Heritage Area Bill	(the Bill)
Waitakere Ranges Heritage Area	(Heritage Area)

### **KUPU WHAKATAKI / EXECUTIVE SUMMARY**

The Waitakere Ranges Heritage Area Act 2008 (the Act) was passed on Wednesday, 2 April 2008 and received royal assent on Tuesday, 8 April 2008. The Act allows for a greater level of protection for the heritage values of the Waitakere Ranges Heritage Area (the Heritage Area). The Waitakere Ranges Heritage Area Bill (the Bill), leading to the Act, was a local Bill jointly promoted by Waitakere City Council (the Council), the Auckland Regional Council (ARC), and Rodney District Council (RDC).

This report presents Te Taumata Runanga (the Committee) with an analysis of the Act, its implications, requirements and potential opportunities for its implementation by the Council. The Act will be predominantly implemented by the councils within the framework of existing legislation. Relevant legislation includes the Resource Management Act 1991 (RMA) and the Local Government Act 2002 (LGA). The Act must be considered in the preparation and review of the Auckland Regional Policy Statement, the Auckland Regional Growth Strategy, the Council District Plan, the RDC District Plan and in making

a decision on resource consents, designation and heritage orders in the Heritage Area (Sections 13 to 15). Pursuant to Section 17, the Act's purpose and objectives must be had regard to in making any decision that relates to the Heritage Area under the LGA.

Sections 29 to 32 provides for the Crown or councils to enter into a deed of acknowledgement with Tangata Whenua in respect of land in the Heritage Area to acknowledge any statement of particular historic, traditional, cultural or spiritual relationship with the land.

Section 33 sets out consultation processes that the Council, ARC and RDC must enter into with Tangata Whenua (namely Ngati Whatua and Te Kawerau A Maki) in relation to crown or other public land in addition to any specific opportunities for contribution identified in a deed of acknowledgement.

New tools are created under the Act to help recognise and promote the protection and enhancement of the Heritage Area including Waitakere Ranges Heritage Area covenants and Local Area Plans (LAPs). Specific requirements for consultation with Tangata Whenua (namely Ngati Whatua and Te Kawerau A Maki) are included in Section 26(d) for the preparation of LAPs.

The Act also requires compulsory monitoring and joint reporting by the Council, ARC and RDC on the state of the environment of the Heritage Area and progress to achieving its objectives.

### **TUTOHUTANGA / RECOMMENDATION**

It is recommended that Te Taumata Runanga resolve to:

**Kua Whiwhi / Receive** the Waitakere Ranges Heritage Area Act 2008 and Local Area Plans report.

### **KORERO WHARIKI / BACKGROUND**

#### **Purpose and Significance of the Act**

1. The purpose of the Act (Section 3(1)) is to:
  - (a) recognise the national, regional, and local significance of the Waitakere Ranges Heritage Area, and
  - (b) promote the protection and enhancement of its heritage features for present and future generations.
2. To achieve this, the Act (Section 3(2)):
  - (a) establishes the Waitakere Ranges Heritage Area; and
  - (b) states its national significance; and
  - (c) defines its heritage features; and
  - (d) specifies the objectives of establishing and maintaining the heritage area; and

- (e) provides additional matters for the Auckland Regional Council, Rodney District Council, Waitakere City Council, and certain other persons to consider when making a decision, exercising a power, or carrying out a duty that relates to the heritage area.

*A1-A31*

- 3. The Act recognises the national, regional and local significance of the Heritage Area, incorporating the Waitakere Ranges as well as the coastal villages (e.g. Piha, Karekare and Huia etc) and parts of the foothills (e.g. Oratia, Opanuku and Swanson, etc). A copy of the Act is attached at pages A1 to A25. A section by section analysis of the provisions of the Act is attached at pages A26 to A31.
- 4. The Act will meet the challenge of maintaining the character of the rural, coastal and bush areas of the Heritage Area on the doorstep of New Zealand's biggest and fastest growing City. The new legislation responds to concerns about the adverse cumulative effects that urban growth is having on the natural, rural and coastal landscape and the ecological, historic, and cultural heritage of the area, and the difficulties in managing such effects under the current regulatory framework.
- 5. The Act will function to develop a future benchmark of what the people of the Waitakere Ranges would like their communities and environment to be in 10, 50 and 100 years time, preserving the existing character of the communities and the transition from the City's urban areas to the Heritage Area's rural, bush and coastal areas.

#### **Requirements of the Act**

- 6. The Act will be implemented by the Council, ARC and RDC as well as other parties, including the Department of Conservation, landowners within and adjoining the Heritage Area, and Tangata Whenua. The Act operates predominantly within the framework of existing legislation, including the RMA and the LGA.
- 7. In relation to the RMA, the Act requires that its purpose and objectives are given effect to in the preparation and review of the district plans and plan changes (Section 12) and on decision making on designations and heritage orders (section 15). The Council must have particular regard to the Act's purpose and objectives in the consideration of applications for resource consents lodged since its enactment (Sections 13 and 14).
- 8. Under the Act, additional tools are created to help recognise and promote the protection and enhancement of the heritage area. The Act allows for the use of Waitakere Ranges Heritage Area covenants, to be entered into between a landowner and the relevant council (Section 23). Covenants are not compulsory and may include, amongst other things, contributions by the councils to assist with the management of the subject land in achieving the purposes of the Act and its objectives.
- 9. The Act requires compulsory monitoring (Section 34) including the state of the environment within the Heritage Area, the progress made in achieving the objectives of the Act and the impact on funding of giving effect to the Act. The Council, ARC and RDC must monitor and every five years jointly produce, and each adopt, the report on monitoring and state of the environment.
- 10. Pursuant to Section 17, the Act's purpose and objectives must be had regard to in making any decision that relates to the Heritage Area under the LGA.

### Deeds of Acknowledgement

11. Section 29 of the Act provides for the Crown or councils entering into a deed of acknowledgement with Tangata Whenua in respect of land in the heritage area to acknowledge any statement of particular historic, traditional, cultural or spiritual relationship with the land. Tangata Whenua is identified as Ngati Whatua and Te Kawerau A Maki. Deeds of acknowledgement must not relate to any water or to any private land in the heritage area, or be inconsistent with any registered interest in land to which it relates.
12. Section 30 sets out the purpose and effect of a deed of acknowledgement and states:

#### **Section 30 Purpose and Effect of Deed of Acknowledgement**

- (1) *The only purpose of a deed of acknowledgement is to identify opportunities for contribution by tangata whenua to the management of the land concerned by the Crown or the local authority concerned.*
- (2) *A deed of acknowledgement—*
  - (a) *does not affect the exercise of any power or the carrying out of any function or duty by any person under any enactment:*
  - (b) *must not be taken into account by any person in the exercise of any power or the carrying out of any function or duty under any enactment by the person:*
  - (c) *does not permit any person, when considering any matter or making any decision or recommendation under any enactment, to give any greater or lesser weight to the statement of relationship concerned than the person would give under the enactment if the deed did not exist:*
  - (d) *does not affect the lawful rights or interests of any person:*
  - (e) *does not have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind in relation to, any land referred to in the deed.*
13. Section 31 clarifies the relationship between a deed of acknowledgement under the Act and other deeds of acknowledgement. A deed of acknowledgement under the Act does not prevent the Crown or councils from entering into further deeds of acknowledgement with other Tangata Whenua.
14. Section 32 requires that a notice of any deed of acknowledgement entered into, or an amendment to, or revocation of, a deed of acknowledgement, be notified in the Gazette as soon as possible after the occurrence of the thing to which it relates.

#### **Consultation with Tangata Whenua**

15. Section 33 states that the councils must establish and maintain processes to provide opportunities for Ngati Whatua and Te Kawerau A Maki to contribute to decision making processes in the implementation of the Act. These are in addition to any specific opportunities for contribution identified in a deed of acknowledgement made under Section 29(5) of the Act. The consultation requirements in this section do not apply to Council decisions that relate to land held in fee simple by persons other than the Crown or Councils. Section 33 states:

### **“33 Consultation Processes with Tangata Whenua**

- (1) *In addition to any specific opportunities for contribution identified in a deed of acknowledgement under Section 29(5)(d), a local authority must establish and maintain processes to provide opportunities for Ngati Whatua and Te Kawerau A Maki to contribute to the decision-making processes of the local authority in its implementation of this Act.*
- (2) *For the avoidance of doubt, Subsection (1) does not apply to a decision of a local authority in relation to land that is held in fee simple by any person other than the Crown or a local authority (for example, a decision in relation to a consent, permit, or authorisation).”*

### **Local Area Plans**

16. The LAPs are a method for local planning introduced by the Act. LAPs are intended to contribute to achieving the purpose of the Act and its objectives, particularly those relating to the Heritage Area’s distinctive communities. They allow the recognition of the wellbeing and amenity of local areas and communities within the national interest expressed elsewhere in the Act. LAPs are not to be in conflict with that wider interest, but to have their own place within that framework.
17. LAPs are a new mechanism specifically framed around the geography, heritage and social conditions of the Heritage Area and the objectives of the Act. LAPs were included in the Act to allow the localising of the Act’s objectives and the identification of distinctive local heritage features. They will also recognise that there are different opportunities and constraints in each area and community, and quite different elements that contribute to the character and amenity of these areas.
18. LAPs will address and contribute towards the achievement of:
  - i) Long-term certainty about the character of the area and long-term consistency of approach by regulatory agencies and land-use planning.
  - ii) The avoidance of adverse cumulative effects of development on the amenity, environment and liveability of places in the Heritage Area.
  - iii) Defining “amenity” and “future amenity”, so that they have improved certainty of meaning. That is, so that ‘amenity’ is no longer treated as just an ephemeral, subjective, personal and changing matter, but one that can be measured, planned for, and used to give long-term confidence.
  - iv) Enunciating the parameters and boundaries of “transition” from historical but redundant rural character to new, vital rural character in the foothills to maintain a qualitatively different (non-urban) edge to metropolitan Auckland.
  - v) Providing for the limits to growth of isolated and confined coastal villages, the rural foothills and those parts of the Heritage Area inside the Metropolitan Urban Limits around Titirangi.
  - vi) Bridging the policy gap and making policy connections between land-use planning and social, economic, environmental and cultural wellbeing of communities in the Heritage Area.
  - vii) Ensuring the maintenance and enhancement of community distinctiveness, character and identity within the Heritage Area framework.
  - viii) Framing futures for these areas that take a sustainable development approach, where people are the centre of concern, and where people have the expectation to live healthy, productive lives in harmony with nature.

### **Content of a LAP**

19. A LAP does not have to be a large or complicated document. It needs to be written in a manner that allows it to inform other decision making processes and be readily accessible. It must fulfil the requirements of the Act, giving effect to the objectives of Section 8 while being relevant to that community. A LAP may be supported by a wide range of background investigations or technical reports.
20. Likewise, a LAP need not be restricted to environmental or resource management considerations. They are intended to be an integrated community planning tool, identifying local social, economic, cultural and environmental futures. As such, they may contain elements relevant to the LGA, RMA and other statutory responsibilities of Council. It is suggested that they may also include undertakings made by the community to be implemented through a community-based plan (similar to existing plans in some communities).

### **Sequencing of LAPs**

21. A report on the potential sequencing of the first LAPs was considered by the Policy and Strategy Committee on 7 August 2008. The outcome of this meeting will be verbally reported to the Committee.
22. Council needs to determine what areas are priorities for LAPs and the sequence in which the first or initial LAPs will be developed. The sequence of LAPs will depend on the urgency of the issues facing the area, whether there is a need to first test the LAP tool, and whether the necessary background work that informs the LAP is completed or underway.
23. To some extent the costs and benefits of preparing LAPs and the promotion of community outcomes are similar. LAPs are a long-term community planning tool which are designed to promote sustainable development at a local level. As such they are expected to deliver benefits in all the areas for which they are prepared, and to deliver on community outcomes.

### **Boundaries of a LAP**

24. A prerequisite for the development of a LAP is the identification of a geographic boundary in which the LAP will apply. This is important in establishing the extent of heritage features covered by the LAP and in incorporating the outcomes in the District Plan.
25. By definition the LAPs are "local" plans. The Council needs to determine, in consultation with the community and Tangata Whenua, where the boundaries of a LAP extend to. This can be determined in the development of individual LAPs with a broad indication of LAP boundaries illustrated in the proposed policy framework. Factors to be considered in determining the location and extent of a LAP include:
  - i) Extent of the local issues and heritage features that would benefit from the LAP.
  - ii) Existing natural and physical patterns.
  - iii) Distinctive communities e.g. Titirangi, Laingholm, Parua, Huia, Cornwallis, Piha, Karekare, Te Henga, Oratia, Opanuku, Swanson, Waiatarua.
  - iv) Sizing the LAP for efficiency and effectiveness.

### Criteria for Selection of Priority Areas for LAPs

26. The Council needs to determine where LAPs should be located and under what circumstances a LAP would be developed. It is unrealistic in the short to medium term for every location in the Heritage Area to be subject to a LAP, and in many cases it may not be necessary. All the potential LAPs can not be developed at once, it will be important to clearly communicate how the timing and under what circumstances LAPs will be developed.
27. There are a number of distinctive communities in the Heritage Area. A best case scenario could allow a LAP to be commenced every six months, requiring six to seven years to complete a LAP for each of the communities in the Heritage Area. This will be subject to annual budget commitments and available resources, along with the complexity of the issues within each community.
28. The following criteria for selecting and prioritising local areas were reported to the Policy and Strategy Committee for consideration at the meeting of 7 August 2008:
  - i) Whether local guidance is desirable to better protect the Heritage Area at this point in time, particularly in relation to:
    - managing the cumulative and precedent effects of development on the landscape, the desired future character and amenity of the area, and the ecological and biological environment;
    - maintaining a rural character for the communities in the foothills;
    - maintaining low density urban areas and coastal villages in which the built environment is subservient to the natural landscape;
    - managing activities adjacent to the boundary between urban and rural areas (particularly in relation to the Metropolitan Urban Limit boundary);
    - protecting heritage features.
  - ii) Are there issues or characteristics of the area that require the integrated approach now provided by LAPs?
  - iii) Are there other existing processes (statutory and non-statutory) that can now resolve the identified issues (e.g. a plan change) or are there issues and outcomes that can only be effectively managed through an integrated approach?
  - iv) Is there a need for more certainty now to assist in managing land use and subdivision activities/applications?
  - v) Is there an identified gap in, or a need to reinforce, the objectives or policies of the District Plan in a particular area?
  - vi) Does a LAP add value to other statutory and non-statutory strategies and processes in a particular area ahead of other areas?
  - vii) Is there an immediate need to articulate a vision for that community?
  - viii) Is there a willingness or urgency from the community to participate in the LAPs process?
  - ix) How do members of the community view LAPs? Is there a willingness to participate in the first LAPs?
  - x) What is the likely degree of complexity of the LAP process in that community and the availability of resources and information?

### Timeframes for LAPs

29. The length of time required for the development of a LAP is less certain and will be different for each community reflecting the complexity of issues, the background research and analysis that is required to inform the LAP process, statutory processes for consultation and hearings, and whether or not there are appeals under the RMA. As a guide timeframes could be:
- Research and development - three to six months;
  - First phase of public engagement and development of issues/vision/objectives - three months;
  - Notification of LAP and Plan Change for submissions, further submissions and hearing/decision - six to nine months; and
  - Potential Appeals under the RMA (twelve to thirty six months).
30. Because of the time involved in the stages for research, public consultation and preparation of the LAP, the Council can probably only undertake two a year.

### Community Engagement and Consultation Processes for Developing a LAP

31. There has been considerable community involvement to date in the Waitakere Ranges and Foothills Protection Project. The identification of issues and community desires will be important to developing local long term visions, as well in articulating that vision in the District Plan or other Council strategies.
32. Noting that a LAP is not a replacement for other existing processes (both under the RMA and LGA), the Council needs to provide clear protocols to guide community engagement and participation to ensure that community and Tangata Whenua input to the process is effective and addresses those matters relevant to the Act.
33. There are specific consultation requirements in the Act for Tangata Whenua, namely Te Kawerau A Maki and Ngati Whatua. These consultation requirements relate to opportunities to participate in the implementation of the Act where it relates to public land (Section 33) and in the Local Area Plan process (section 26). A partnership agreement exists between Council and Te Kawerau A Maki and the Mayor has written to Ngati Whatua seeking a discussion on their involvement in the implementation of the Act.
34. In preparing a LAP, Section 26 allows Council to decide for itself the process that it uses, but it must:
- (a) ensure that the process encourages interested or affected persons to participate in and contribute to the LAP's preparation, amendment, revocation, or replacement;
  - (b) comply with the principles of consultation in Section 82 of the Local Government Act 2002;
  - (c) consult with Tangata Whenua, namely Ngati Whatua and Te Kawerau A Maki.
35. There are three distinct processes involved in the development of a LAP. The first is engagement with the community, the second and third are statutory requirements involving decision making pursuant to Section 82 of the LGA and the First Schedule of the RMA. As there are a number of different opportunities for the community to participate (or be consulted), these need to be carefully managed to avoid consultation fatigue and ensure the effectiveness of the process.

## NGA RITENGA WHAKATAUNGA / DECISION MAKING

36. There are no decisions arising from this report.

## KORERO RAUTAKI / STRATEGIC CONTEXT

37. The purpose of the Act is to recognise the national, regional and local importance of the Heritage Area, and to promote the protection and enhancement of its heritage features for present and future generations.
38. The protection of the Heritage Area is a central objective of the "Green Network" Platform of the Council's Long Term Council Community Plan 2006-2016. The restricted growth and protection of this area is part of the Growth Management Strategy and the corollary to the urban intensification objectives of the Council. As the urban part of the City intensifies, the strategic importance of the unspoiled coast, the protected Ranges and the rural foothills will grow.
39. The Waitakere Ranges and Foothills Protection Project complements the Growth Management Strategy, the Auckland Regional Growth Strategy, and policies in the Auckland Regional Policy Statement. The Act seeks to avoid unplanned creeping urban expansion, beyond the Metropolitan Urban Limits, that would destroy the rural and natural character of the Heritage Area. At the same time, the continued existence and sustainable development of the diverse local communities in the area is also an objective of the Act.

## MAHI WHAKAWHITI KORERO WHAKAARO / CONSULTATION

40. Section 26(d) of the Act establishes that in preparing a LAP Council must consult with Tangata Whenua, namely Ngati Whatua and Te Kawerau A Maki. Council has a partnership agreement with Te Kawerau A Maki and the Mayor has written to Ngati Whatua seeking a dialogue on how a partnership can be developed around the Act. There is currently no agreed protocol for communication with either Iwi in respect to the Act. An agreement on such a protocol should be a priority. Officers will seek advice from both Te Kawerau a Maki and Ngati Whatua o Orakei via using existing consultation channels. A meeting is also to be arranged with Te Runanga o Ngati Whatua.

## NGA RAUEMI / RESOURCES

41. The implementation of the Act is funded in the Annual Plan 2008/2009 and planned for in the Long Term Council Community Plan 2006-2016. Funding for LAPs is \$100,000 per year for seven years.
42. Funding for implementation of LAPs will be considered on a year by year basis in the Annual Plan as the LAPs are developed in the implementation plan.

## WHAKAMAHIA NGA TAKE / IMPLEMENTATION ISSUES

43. Matters regarding implementation will be addressed in respect to requests for deeds of acknowledgement, protocols for consultation with Tangata Whenua and the development of the first LAP. These will be reported to the Committee where relevant.

**Report prepared by:** Mark Tollemache, Strategic Advisor: Waitakere Ranges.



## 13 REPRESENTATION - MAORI WARDS AND ELECTORAL SYSTEM

### RARANGI KUPU / GLOSSARY

Local Electoral Act 2001	(LEA01)
Local Government Act 2002	(LGA02)
First Past the Post	(FPP)
Single Transferable Vote	(STV)

### KUPU WHAKATAKI / EXECUTIVE SUMMARY

The purpose of this report is to consult with Te Taumata Runanga to provide advice to assist the Council to determine whether or not to introduce separate Maori Wards for electoral purposes and whether to retain the First Past the Post (FPP) electoral system or to change to the Single Transferable Vote (STV) electoral system for the 2010 local elections.

Te Taumata Runanga is requested to:

- acknowledge that the process for reconsideration of the issue of the introduction of Maori Wards may have the effect of triggering a representation review and/or a poll of electors, and to provide advice to the Council to assist the Council to determine whether to introduce Maori wards, or not; and
- provide advice to the Council to assist the Council to determine whether to retain FPP or change to STV for the 2010 local elections.

### TUTOHUTANGA / RECOMMENDATIONS

It is recommended that Te Taumata Runanga resolve to:

1. **Kua Whiwhi / Receive** the Representation Review - Maori Wards and Electoral System report.
2. **Tono Karanga / Invite** the Council to consider whether to introduce separate Maori Wards or not for the 2010 local elections.
3. **Tono Karanga / Invite** the Council to consider whether to retain the First Past the Post electoral system or change to the Single Transferable Vote system for the 2010 local elections.

### KORERO WHARIKI / BACKGROUND

1. The Council is required by Section 19H (2)(b) of the Local Electoral Act 2001 (LEA01) to conduct a review of its representation arrangements at least after every period of six years following the first determination. The Council's first determination was in 2006.
2. Should a decision be made that the current arrangements are not adequate and a further review is to be undertaken in 2009 (that is earlier than 2012 which is the next time that it must be done) then it is deemed appropriate to consider those aspects of the review that must be undertaken during the 2008 year (Maori Wards and Electoral System) in isolation from those aspects for which decisions do not have to be made until 2009 (Boundaries and Representation).
3. Should the Council agree that the current arrangements are adequate and appropriate, and the next review be undertaken in 2012, then it is still necessary to consider the aspects of Maori Wards and the electoral system during the 2008 year.

4. Te Taumata Runanga is being consulted on the aspects of the introduction of Maori Wards and the electoral system to be used and any advice will be referred to the Council at its meeting on Wednesday, 27 August 2008.

## **NGA RITENGA WHAKATAUNGA / DECISION MAKING**

### **Nga Take / Issues**

#### **Representation Review**

5. The LEA01 does not specifically require the Council to make a determination about its representation requirements this year.
6. The six year period referred to in section 19H(2)(b) of LEA01 is not a default position. There is no statutory requirement for a Council to resolve whether to undertake a review after three years or not. However, it is good practice for the Council to consider whether the current arrangements are still appropriate.
7. The Local Government Commission is recommending, in its report "Review of the Local Government Act 2002 and Local Electoral Act 2001" released 14 July 2008, that a local authority may only make representation determinations in the year preceding triennial elections to ensure determinations are not made before the end of the period for poll demands on Maori representation and the electoral system i.e. 28 February the year before a triennial election.

#### **Maori Wards**

8. The LEA01 provides that any territorial authority may resolve to establish Maori Wards. The establishment of a separate Maori Ward or Wards would require that there are sufficient numbers of Maori electors registered within the area of the territorial authority. Any Council resolution to provide for the establishment of a Maori Ward or Wards must be made no later than 23 November of the year that is two years before the next Triennial Election.
9. If a valid demand for a poll (from at least 5% of the registered electorate) on the issue of the introduction of Maori Wards is received before 28 February the year before a Triennial General Election then a poll must be conducted and the result of that poll will be binding and effective from the next Triennial General Election.
10. The Council itself may resolve to hold a poll, and if so, such a poll is required to be held no later than 21 May 2009 (the year before the next Triennial General Election), for it to take effect at the 2010 election, failing which it can only take effect at the next but one Triennial Election. The estimated cost of holding a poll is around \$200,000, covering as it will, the City at large.

#### **Electoral System**

11. The electoral system to be used in the 2010 local elections needs to be resolved at this time. The Council should make a decision whether to stay with the current (FPP) electoral system or whether to change to the alternative (STV) system for the 2010 elections. Whilst the LEA01 does not require the Council to formally decide on the issue it does require the Council to give public notice by 19 September 2008 of the right for 5% of electors to demand a poll on the electoral system to be used at the 2010 local elections. It is therefore good practice for the Council to determine this issue and to do so it must resolve the matter by 12 September 2008.

- A32-A42
12. The issues to be considered in determining the electoral system are many and complex. Dr Janine Hayward, Senior Lecturer, Department of Politics, University of Otago has prepared a guide entitled "*The Local Government Electoral Option 2008*" for the Department of Internal Affairs, the Society of Local Government Managers Electoral Working Party and Local Government New Zealand. This guide is attached at pages A32 to A42 to assist Te Taumata Runanga to reach a decision on whether to recommend that the Council stay with FPP or change to STV.
  13. The guide includes:
    - (a) a brief description of the two electoral systems including important differences;
    - (b) some commonly identified advantages and disadvantages of each electoral system; and
    - (c) responses to common concerns and questions councils and the public have raised about the electoral system best suited for their community.
  14. The guide is not intended to influence Te Taumata Runanga's decision but to present arguments for and against both systems. This will help Te Taumata Runanga to make an informed recommendation to the Council.

#### **KORERO RAUTAKI / STRATEGIC CONTEXT**

15. Active Democracy is one of the Council's nine strategic platforms identified in its Long Term Council Community Plan 2006-2016. This platform supports the involvement of citizens in the Council's decisionmaking process, through education, removing barriers, developing partnerships, improving information flows and supporting the communities' own ways of interacting with the Council.
16. The Council measures its success in meeting active democracy targets by conducting regular household surveys. Although the public's perception of engagement in the Council's decisionmaking processes has improved since surveys were first conducted in 2001/2002, (partly due to this Council's extensive community consultation processes), the voter turnout for Council elections remains low.
17. In addition to the Active Democracy Platform, the Treaty of Waitangi is one of the Council's overarching priorities, which must be affirmed in all the Council's activities and planning. Furthermore, the LGA02 (Part 6) requires the Council to establish and maintain processes to provide opportunities for Maori and to foster the development of Maori capacity to contribute to its decisionmaking processes. The Council's commitment to the Treaty of Waitangi, together with the requirements of the Local Government Act 2002 (LGA02), makes it incumbent upon this Council to consider the issue of appropriate Maori representation.

#### **MAHI WHAKAWHITI KORERO WHAKAARO / CONSULTATION**

18. The Council is consulting with Te Taumata Runanga regarding the optional issue of introducing Maori Wards and the electoral system. No other consultation has occurred however public notice of the decisions regarding the electoral system to be used and the introduction of Maori Wards will be given and 5% or more of the electors may demand a poll on either issue.

## NGA RAUEMI / RESOURCES

19. The cost of undertaking a representation review in 2009 has not been factored into the Annual Plan 2008/2009. In addition the Council does not include provision in its budgets for elections or polls outside of the triennial requirements (this is an audit requirement). The cost of a poll to cover the whole of the City, as would be required to canvass the community's views on the introduction of Maori Wards or a change to the electoral system, would cost in the vicinity of \$200,000. The cost of the representation review process would depend on the complexity of any issues sought to be redressed by the review, and the level of community engagement, but would likely be of the order of \$120,000 excluding any polls. The costs of undertaking a representation review in 2012 will be included in the Annual Plan 2011/2012.

## WHAKAMAHA NGA TAKE / IMPLEMENTATION ISSUES

20. Neither the Maori representation issue nor the electoral system issue are formally part of representation review but both need to be resolved before a representation review is commenced.
21. The decision by the Council will be publicly notified and should 5% or more of the electors demand a poll on either the introduction (or not) of Maori Wards or the electoral system to be used for the 2010 local elections then a poll will be required to be conducted early in 2009. The Electoral Office will need additional resources to run either poll and to contract services and the costs will be a first call on rates in the next financial year.

**Report prepared by:** Darryl Griffin, Group Manager: Democracy and Support Services and Electoral Officer.



## 14 TE TAUMATA RUNANGA REVIEW

### RARANGI KUPU / GLOSSARY

Te Taumata Runanga Review	(the Review)
Te Taumata Runanga Review Document	(the Review Document)
Mana Whenua	Tribal group that posses customary authority within a particular geographic area
Taurahere	Maori individual or group whose ancestral ties are outside their place of residence
Review of Te Taumata Runanga Membership	(the Membership Review)
Council Controlled Organisation	(CCO)
Local Government Act 2002	(LGA)
Long Term Council Community Plan	(LTCCP)
City Development Chairman	(the Chairman)
Te Taumata Runanga Appointee	(the Appointee)
Hui-a-lwi	Public Meeting
Wananga	Workshop
Royal Commission on Auckland Governance	(the Royal Commission)

## **KUPU WHAKATAKI / EXECUTIVE SUMMARY**

Te Taumata Runanga has recently been through a comprehensive independent review process. Te Taumata Runanga Review (the Review) focussed on how Te Taumata Runanga's effectiveness can be improved, within an overarching context of improving the Council's responsiveness to Maori and thus its contribution to the wellbeing of Maori in Waitakere.

The purpose of this report is to provide an overview of the Review, including those aspects that require decision making by the Council. In broad terms, these areas include:

- The development of a comprehensive Improvement Plan, that outlines how the recommendations of the Review will be addressed;
- The process for developing a Terms of Reference that clarifies the role of Te Taumata Runanga and the nature and basis of its relationship with the Council;
- The process for the Review of Te Taumata Runanga Membership (the Membership Review);
- The process for investigating the mandating of Te Taumata Runanga as a permanent standing committee of the Council, not subject to dissolution by subsequent Councils;
- Opportunities for increasing participation by Maori in Council decision making by way of making appointments from Te Taumata Runanga to other Council committees; and
- Recommended amendments to the delegated powers of Te Taumata Runanga.

A43-A83

The entire Te Taumata Runanga Review Document (the Review Document), prepared by Kaahu Communications Limited is attached at pages A43 to A83. The Review Document outlines a range of issues identified by key stakeholders, and presents a number of recommendations, which are summarised herein.

In addition to those recommendations that will be presented to the Council, some of the Review recommendations will be taken up at an operational level, and some by Te Taumata Runanga itself. The implementation of these recommendations will form a significant body of work, and will be captured in the proposed Improvement Plan.

## **TUTOHUTANGA / RECOMMENDATIONS**

It is recommended that Te Taumata Runanga resolve to:

1. **Kua Whiwhi / Receive** Te Taumata Runanga Review report.
2. **Kei Te Kitea E / Note** that the scope of the proposed Improvement Plan, which will outline how the recommendations from the Te Taumata Runanga Review will be addressed.
3. **E Whakae Ana / IAgree** to adopt the proposed process for development of a Terms of Reference for Te Taumata Runanga, which clearly describes the purpose of Te Taumata Runanga and the nature of its relationship with the Council.
4. **Kei Te Kitea E / Note** that the proposed process for the Review of Te Taumata Runanga membership.
5. **Kei Te Kitea E / Note** that the level of concern expressed in Te Taumata Runanga's Review that Te Taumata Runanga be mandated as a permanent structure within the Council, and that options will be investigated with the Local Government Commission.

6. **Kei Te Kitea E / Note** that the Council is being requested to incorporate the appointment of a Te Taumata Runanga representative to the Policy and Strategy Committee into the Delegated Powers of Te Taumata Runanga.
7. **Kei Te Kitea E / Note** that the Council is being requested to invite Te Taumata Runanga to nominate a representative for Council appointment to the Policy and Strategy Committee for the remainder of the current Council's term.
8. **Kei Te Kitea E / Note** that the Council is being requested to incorporate the appointment of a Te Taumata Runanga representative to the Culture and Community Committee into the Delegated Powers of Te Taumata Runanga.
9. **Kei Te Kitea E / Note** that the Council is being requested to invite a representative for Council appointment to the Culture and Community Committee for the remainder of the current Council's term.
10. **Kei Te Kitea E / Note** that the Council is being requested to approve that the Te Taumata Runanga representatives appointed to the Policy and Strategy Committee and Culture and Community Committee be paid a meeting fee aligned with those fees payable for resource consent hearings members (currently \$68 per hour of meeting and workshop time).
11. **Kei Te Kitea E / Note** that the Council is being requested to approve the following amendment to the delegated powers of Te Taumata Runanga, from:

*“Authority to develop and adopt goals, strategies, policies and programmes for adoption by the Council for matters within the Fields of Activity.”*

to:

*“Authority to develop and adopt goals, strategies, policies and programmes on behalf of the Council for the matters within this Committee's Fields of Activity, where not restricted by law or by resolution or policy of Council. Such goals, strategies, policies and programmes shall not be inconsistent with other decisions, policies and strategies of the Council.”*

## **KORERO WHARIKI / BACKGROUND**

### **Te Taumata Runanga Review**

1. The Te Taumata Runanga Operating Guidelines require that Te Taumata Runanga is reviewed on a triennial basis. The scope of the current Review was broader than that of previous reviews to ensure that all areas contributing to Te Taumata Runanga's effectiveness could be examined, and that key stakeholders could have the opportunity to contribute. Underlying the Review was a strong desire by Te Taumata Runanga and the Council to improve Te Taumata Runanga's effectiveness and thereby improve the responsiveness of the Council to Maori.
2. The scope of the Review encompassed the following broad areas:
  - i) Structure of Te Taumata Runanga, including:
    - Membership;
    - Delegated powers;
    - Representation on other committees; and
    - Feasibility of sub-committees.

- ii) Capacity of Te Taumata Runanga, including:
    - Capacity of members; and
    - The need to adequately resource participation.
  - iii) Relationship between Te Taumata Runanga and the Maori community, including:
    - Awareness raising; and
    - Broadening participation by the Maori community.
  - iv) Relationship between Te Taumata Runanga and the Council, including:
    - Promoting mutual understanding; and
    - Representation on other standing committees.
  - v) Processes of the Council as they relate to Te Taumata Runanga, including:
    - Identification, presentation and follow through of issues; and
    - Strategic input to policy development.
3. Though the initial scope of the Review was very broad, it was narrowed over the course of the review to focus on critical areas identified in the process of data collation.
4. The Review process included the following steps:
- Appointment of an independent consultant to perform the Review (Kaahu Communications Ltd);
  - Overview of the process by a working party of Te Taumata Runanga;
  - Interviews with representatives of Te Kawerau a Maki and Ngati Whatua o Orakei;
  - Four Te Taumata Runanga workshops;
  - Interviews with key informants, including past Chairmen of Te Taumata Runanga;
  - A Hui-a-Iwi (public meeting), hosted at Kotuku Marae, Rutherford College in Te Atatu;
  - Workshops with the Directors Group and the Maori Relationships Team;
  - A joint workshop between Te Taumata Runanga and the Council; and
  - A literature review of key internal documents undertaken by the consultant.
- A43-A83 5. The complete Terms of Reference can be found in the Review Document at pages A43 to A83.

#### **Review of Appointments to Council Committees**

6. A workshop between Te Taumata Runanga and the Council was held in November 2005 to consider involvement of Maori in Local Government decision making in Waitakere, including the appointment of Te Taumata Runanga representatives to the former City Development Committee, Finance and Operational Performance Committee and Planning and Regulatory Committee.
7. At the subsequent Extraordinary Council meeting, the Council resolved as follows:

*“That the Council invite Te Taumata Runanga to nominate a representative for Council appointment to the City Development Committee for a period of 12 months with a review regarding such appointments to be undertaken in 12 months.”*

8. Following the aforementioned review of this appointment, in November 2006 the Council resolved as follows:

*“That the Council approves the incorporation of the Appointment of a Te Taumata Runanga representative to the City Development Committee into the Delegated Authorities of Te Taumata Runanga, such that the appointment is reconsidered on a triennial basis, post Local Body Elections, and, that Te Taumata Runanga be invited to nominate a representative for Council appointment to the City Development Committee for the remainder of the current Council’s term.”*

2282/2006

9. At its Triennial Meeting in October 2007, the Council resolved as follows:

*“The appointment of Mihi Te Huia to the Policy and Strategy Committee as a representative of the Te Taumata Runanga be confirmed and the consideration of appointments of representations of Te Taumata Runanga Members to Council Committees be carried out in conjunction with the consideration of the review of Te Taumata Runanga.”*

3669/2007

10. At its meeting in December 2007, Te Taumata Runanga subsequently resolved:

*“That Te Taumata Runanga invites the Council to a workshop or meeting to discuss the appointment of representatives from Te Taumata Runanga to Council Committees prior to the presentation of the Final Review Report to the Council in February 2008.”*

3909/2007

11. The workshop requested by Te Taumata Runanga was held in May 2008. Though there were no formal resolutions from this workshop, it was requested that the Council have an opportunity to discuss the possibility of an appointment from Te Taumata Runanga to the Culture and Community Committee in conjunction with the final report on the Te Taumata Runanga Review. Therefore, recommendations regarding appointments to both the Policy and Strategy Committee and Culture and Community Committee are presented in this report.

## NGA RITENGA WHAKATAUNGA / DECISION MAKING

### Review Recommendations

12. In the analysis of data collected over the course of the Review the consultant identified a number of issues that, if addressed, will enable increased effectiveness of Te Taumata Runanga. These issues are laid out in detail in the attached Review Document, along with strategies for improvement.
13. A summary of key issues and related improvement strategies are presented below under the following four categories:
- (i) **Foundation:** fundamental issues requiring consideration by the Council;
  - (ii) **Structure:** Issues concerning the structure of Te Taumata Runanga, including their membership and their delegated powers. These issues will require attention by the Council, by Te Taumata Runanga and at an operational level;
  - (iii) **Operations:** Issues relating to the way in which Te Taumata Runanga is supported by the organisation; and

iv) **Other:** Issues requiring consideration by a range of stakeholders.

<b>FOUNDATION</b>	
<b>Issue</b>	<b>Improvement Strategy</b>
<ul style="list-style-type: none"> <li>No clear, agreed basis for the relationship between Te Taumata Runanga and the Council that reflects the history and goodwill of this relationship.</li> <li>Desire for affirmation that Te Taumata Runanga was established as a way of creating a partnership between Maori and the Council, and therefore has a unique status and is not simply another committee of the Council.</li> <li>Need for agreed principles as a communication tool to create clear understanding between Te Taumata Runanga and the Council and to guide future development.</li> </ul>	Develop, adopt and embed Terms of Reference for Te Taumata Runanga that set out the principles upon this partnership is based.
<ul style="list-style-type: none"> <li>Need to strengthen representation of Maori at the Council level.</li> <li>Maori seek authentic partnership, which includes participation in governance and decision making.</li> </ul>	Expand governance opportunities for Maori within the Council.
<ul style="list-style-type: none"> <li>Te Taumata Runanga able to be discharged by the Council.</li> <li>This contributes to a concern that Te Taumata Runanga is not stable, eroding the confidence and trust of Maori.</li> </ul>	Mandate the existence of Te Taumata Runanga as a permanent structure within the Council.

<b>STRUCTURE</b>	
<b>Issue</b>	<b>Improvement Strategy</b>
<ul style="list-style-type: none"> <li>Concerns that Te Taumata Runanga membership is not representative enough of the Maori community.</li> <li>Desire to attract and grow highly skilled and dynamic professionals and emerging leaders to contribute.</li> <li>Concerns that there needs to be a better balance of gender and age in terms of membership.</li> <li>Desire to provide for increased participation by appropriately skilled and enthusiastic people.</li> <li>Concerns that remuneration of Te Taumata Runanga members is inadequate.</li> </ul>	Develop and adopt an appropriate membership structure for Te Taumata Runanga (including selection, mandating and Council appointment processes).
<ul style="list-style-type: none"> <li>Delegations should enable Te Taumata Runanga to be effective in improving outcomes for Maori.</li> <li>A key way of doing this is through an ability to develop policy and strategy and through influencing Council spending.</li> </ul>	Review delegations, in particular the financial authorities and clarification of the policy development authority.

<b>OPERATIONS</b>	
<b>Issue</b>	<b>Improvement Strategy</b>
<ul style="list-style-type: none"> <li>• Need for improved planning, follow through and integration of Te Taumata Runanga strategic goals and objectives into Council activities.</li> <li>• Te Taumata Runanga has a strong desire to be proactive and contribute to improved outcomes for Maori.</li> </ul>	<p>Develop a three year strategic work programme and annual work programmes incorporating recommendations from the Review and relevant content from previous strategic work programmes.</p>
<ul style="list-style-type: none"> <li>• No link between Te Taumata Runanga strategic goals and objectives and Council investment.</li> <li>• Inadequate resources available to enable Te Taumata Runanga to be effective.</li> </ul>	<p>Negotiate direct link between strategic and annual work programmes and Council's Annual Planning and Reporting process.</p>
<ul style="list-style-type: none"> <li>• Lack of staff awareness of the role of Te Taumata Runanga and how to engage with Maori.</li> <li>• Need to adequately support and resource existing processes and implement new processes that will contribute to Maori wellbeing outcomes.</li> <li>• Need for organisation wide commitment and accountability towards achieving Maori outcomes, beginning at a senior management level.</li> <li>• Te Taumata Runanga often involved at later stages of relevant projects and sometimes not at all, diminishing the effectiveness of their participation.</li> <li>• Need for improved integration of Te Taumata Runanga strategic goals and objectives with operational processes.</li> </ul>	<p>Audit and improve the organisation's capacity and capability to be responsive and effective for Maori. Improvements should:</p> <ul style="list-style-type: none"> <li>i) Build the capacity of Council staff to engage effectively with Maori; and</li> <li>ii) Embed appropriate processes in the organisational framework to enable more effective and efficient engagement with Maori, including: <ul style="list-style-type: none"> <li>a) The Treaty of Waitangi Framework;</li> <li>b) Te Aho Tumanako (Maori Community Collaboration and Investment Plan being developed by Te Taumata Runanga);</li> <li>c) A performance management system relating to Maori responsibilities;</li> <li>d) Treaty responsibilities in the job descriptions and performance plans of the Chief Executive Officer and Directors (this has already been implemented into the Chief Executive Officers Key Performance Indicators);</li> <li>e) Amendments to existing organisational planning processes to prompt early involvement of Maori in initiatives;</li> <li>f) Align Te Taumata Runanga strategic and annual planning with Council's annual planning and reporting processes;</li> </ul> </li> </ul>

<b>OPERATIONS</b>	
<b>Issue</b>	<b>Improvement Strategy</b>
<ul style="list-style-type: none"> <li>• Lack of clarity around the purpose and role of Te Taumata Runanga and their relationship with the Council.</li> <li>• Meeting format sometimes inhibits constructive discussion, as it is very formal and the agenda tends to have items raised by the Council rather than by Te Taumata Runanga members.</li> <li>• Need for clarity around the role of members, so that members are clear what is expected of them, e.g. clarify whether members are expected to report to their respective organisations.</li> </ul>	<p>g) Review, amend, adopt and embed appropriate operating guidelines for Te Taumata Runanga which include:</p> <ul style="list-style-type: none"> <li>• An appropriate meeting format to better enable Te Taumata Runanga to fulfil both its “proactive” and “responsive” roles;</li> <li>• Member position descriptions and performance measures;</li> <li>• Provision for regular Te Taumata Runanga team building wananga; and</li> </ul>
<ul style="list-style-type: none"> <li>• Need for more informal opportunities for discussion and team building to promote collaboration and discussion.</li> </ul>	<ul style="list-style-type: none"> <li>• Involvement in determining meeting agendas.</li> </ul>
<ul style="list-style-type: none"> <li>• Concerns that Maori Relationships Team is overstretched and in need of more staff.</li> <li>• Need for the Maori Relationships Team to add value in strategic areas and also have a presence in the Maori community.</li> </ul>	<p>Audit and improve the Maori Relationships Team’s capacity and capability to be responsive and effective for Maori.</p>

<b>OTHER</b>	
<b>Issue</b>	<b>Improvement Strategy</b>
<ul style="list-style-type: none"> <li>• Need to support Councillors and senior management to develop awareness of key issues and priorities for Maori.</li> <li>• Need to communicate more effectively with Maori to inform them of the role of Te Taumata Runanga.</li> <li>• Te Taumata Runanga perceived as being ‘toothless’.</li> <li>• Need to increase responsiveness of the Council to Maori.</li> </ul>	<p>Build effective working relationships between Te Taumata Runanga with:</p> <ul style="list-style-type: none"> <li>• The Council (to increase participation in governance);</li> <li>• Senior management (to increase organisational support); and</li> <li>• Maori communities within Waitakere including Mana Whenua and Taurahere, groups and individuals (to increase the relevance of Te Taumata Runanga for its constituency).</li> </ul>
<ul style="list-style-type: none"> <li>• Some frustration with impediments to contribute at a decision making level, for example: the lack of significant delegated authority; the Council not having regard for advice from Te Taumata Runanga; a lack of adequate organisational support for Te Taumata Runanga initiatives.</li> </ul>	<p>Investigate options for creating a Maori representative entity independent of Council.</p>

### Improvement Plan

14. The next key step following on from the Review will be the preparation of an 'Improvement Plan', detailing how the recommendations outlined above and the further minor recommendations discussed in the additional data collection reports will be enacted. This plan will identify actions that need to be taken by the stakeholders identified in the Review Document as having an influence on the Review's intended outcomes, namely the Council, Te Taumata Runanga, Senior Management, the Maori Relationships team and the wider organisation.
15. This report outlines the recommendations from the Review that the Council and Te Taumata Runanga are able to consider and make decisions on immediately. It is important to note though that the recommendations from the Review are broad and will require a significant investment of time and resources to implement effectively.
16. It is estimated that the implementation of the proposed Improvement Plan will take three years to complete, though this timeframe could be reduced with adequate resource and prioritisation. During that time, it may be necessary to bring certain issues back to the Council and Te Taumata Runanga for consideration.
- A84 17. A broad sense of the scope of the Improvement Plan is provided by a diagrammatic overview attached at page A84. At the workshop with the Council held in May 2008, some indication was given as to priorities for work moving forward, including:
  - Development of a Terms of Reference for the relationship between the Council and Te Taumata Runanga;
  - Review of Te Taumata Runanga membership;
  - Investigation into options for the mandating of Te Taumata Runanga as a permanent structure; and
  - Consideration of appointments from Te Taumata Runanga to other committees.
18. Discussion on each of these priority areas of work is provided below.

### Terms of Reference for Te Taumata Runanga

#### Background

- 19 The development of a Terms of Reference for Te Taumata Runanga was recommended to address issues such as:
  - There being no clear, agreed basis for the relationship between Te Taumata Runanga and the Council that reflects the history and goodwill of this relationship;
  - Desire for affirmation that Te Taumata Runanga was established as a way of creating a partnership between Maori and the Council, as opposed to being a subordinate standing committee;
  - The need for agreed principles as a communication tool to create understanding between Te Taumata Runanga and the Council and to guide future development of Te Taumata Runanga and of the Council's relationship with Maori; and
  - The need for a clear statement of the purpose of Te Taumata Runanga as a way of communicating this to key stakeholders, including Elected Members, the community and staff.

20. The Review recommends that a Terms of Reference for Te Taumata Runanga is developed, adopted and embedded, which set out the principles upon which its partnership with the Council is based.

**Process**

21. **Research:** collate and analyse all existing documents, including:
- i) Operating guidelines, the Committees and Community Boards Delegations Register, the Local Governance Statement, Long Term Council Community Plan (LTCCP);
  - ii) Statements containing relationship principles e.g. partnering agreements, commitments made by the Council (e.g. Agenda 21); and
  - iii) Examination of other examples, e.g. principles of Treaty of Waitangi, United Nations Declaration on Indigenous Rights.
22. **Draft Terms of Reference:** A draft Terms of Reference would include clear statements in regard to the following areas:
- i) Relationship principles;
  - ii) Mutual objectives of the Council and Maori community;
  - iii) Roles and responsibilities of key stakeholders, particularly the Council, Te Taumata Runanga member organisations and the Maori community;
  - iv) Consideration of the policies and processes required to implement the Terms of Reference;
  - v) Some background on the history of Te Taumata Runanga; and
  - vi) Operating guidelines, including the process for appointing members, the period of regular Review of Te Taumata Runanga and other matters contributing to its effective operation.
23. **Workshops and Consultation:** a joint workshop between the Council and Te Taumata Runanga is recommended to discuss the draft Terms of Reference. Consultation with the Maori community may also be advisable, and this could occur in the first instance with the member organisations of Te Taumata Runanga.
24. **Update Council documents:** A number of key Council documents make reference to Te Taumata Runanga, including the LTCCP, the Local Governance Statement and the Committees and Community Boards Delegations Register. It will be important to reflect the proposed Terms of Reference in a consistent manner in these documents, as well as in any other references to Te Taumata Runanga as appropriate (e.g. internet, intranet).
25. **Ratification:** the Terms of Reference would be considered and ratified by both Te Taumata Runanga and the Council.
26. **Review and Monitor:** It is advisable that the Terms of Reference be reviewed from time to time to ensure it is up to date and relevant, much as the Council would review its partnering agreements periodically. It will also be important to monitor how the Terms of Reference is being adhered to, particularly in regard to the operational processes and policies required to enact it. This should occur at least once every triennial Council term.

## Review of Te Taumata Runanga Membership

### Background

27. A Review of Te Taumata Runanga Membership (the Membership Review) has been recommended to address issues such as:
  - Concerns that Te Taumata Runanga membership is not representative enough of the Maori community;
  - The desire to attract and grow highly skilled and dynamic professionals and emerging leaders to contribute;
  - Concerns that there is an imbalance of gender and age in terms of membership; and
  - The desire to provide for increased participation by appropriately skilled and enthusiastic people.
28. The original membership of Te Taumata Runanga was determined in 1991 by a process of Hui-a-Iwi, where key organisations and leaders from the Maori community were invited to a public meeting to discuss the establishment of an advisory committee to the Council.
29. Since the establishment of Te Taumata Runanga, there have been a number of changes to its membership structure. These changes have been ad hoc to respond to issues at the time. For example, member organisations such as Te Whau and the Henderson Maori Committee became inactive and were therefore removed as members. Conversely, the Te Roopu Puawai o Waitakere seat (originally Te Roopu Rangatahi o Waitakere) was established so that young Maori could have the opportunity to be exposed to civic leaders and processes and contribute to the decision making of the Council.
30. There has not been a comprehensive review of the Te Taumata Runanga membership structure. It is proposed that a focussed and robust Membership Review be undertaken to address the issues identified by the Review.

### Purpose

31. In light of the issues identified by the Review, it is proposed that the overarching purpose of the Membership Review be as follows:
32. To enhance the effectiveness of Te Taumata Runanga by establishing a membership structure that:
  - i) Appropriately reflects the diversity of the Waitakere Maori community; and
  - ii) Allows skilled and enthusiastic emerging leaders to participate in Council decision making.

### Process

33. The following steps are proposed to achieve the purpose of the Membership Review.
34. **Working Party:** a Te Taumata Runanga working party was established to oversee the Review. It is possible that the terms of reference for this working party be extended to encompass the Membership Review.

35. **Engagement of a consultant:** It is expected that the Membership Review will require significant investment of time. Therefore to expedite the Membership Review process, it is proposed that a consultant be engaged to assist with various aspects of the process, including research and consultation.
36. **Research:** Research on the following matters will be required:
- i) The demographic profile of Maori in Waitakere, including population, domicile, age, iwi affiliation, income and employment;
  - ii) The constituencies of current Te Taumata Runanga membership organisations;
  - iii) A profile of Maori community organisations in Waitakere;
  - iv) Consideration of ideal skill sets for Te Taumata Runanga members; and
  - v) Review of various membership models, including those utilised by committees of a similar nature to Te Taumata Runanga, e.g. the Manukau City Council Treaty of Waitangi Committee.
37. **Identification of Options:** A wide range of options for restructuring Te Taumata Runanga membership are available, including but not limited to the following:
- i) Review and strengthen status quo;
  - ii) Status quo plus additional membership, determined by:
    - Election at large, or election by those enrolled on the Maori Electoral Roll, in conjunction with Local elections;
    - Appointment of individuals that meet criteria to be defined by the Council and Te Taumata Runanga; or
    - Appointment of additional member organisations where there is a clear rationale and community support.
  - iii) Totally revised membership determined using a range of methods, including those outlined above.
  - iv) Revisiting and potentially increasing the level of Council representation on Te Taumata Runanga.
38. All options will need to be considered in terms of the extent to which they achieve the purpose of the Membership Review, contribution to the promotion and achievement of community outcomes, cost benefit etc.
39. **Consultation:** robust consultation with the Maori community will be required to achieve the purpose of the Membership Review. The proposed methods of consultation include targeted hui with specific Maori organisations or community sectors (e.g. with particular Iwi groups) and Hui-a-Iwi. Hui participants would be provided with a set of draft options and the assessment of those options, and asked to provide their views, including their preferred option.

### Timeframes

40. This will be the first structured review of Te Taumata Runanga membership since its establishment, and has been recommended with a view to improving Te Taumata Runanga's effectiveness and its relevance for Maori. Therefore it is important that the Membership Review be carried out in a considered way. Though more detailed planning is required to determine timeframes, it is anticipated that the Membership Review could take up to six months to complete.

## Ratification of Structure

41. Whilst Te Taumata Runanga should take a leadership role in the Membership Review and the determination of preferred options, it will be important to keep the Council informed of the Membership Review process. As changes to the membership structure of Te Taumata Runanga will require amendment of its delegations, and because the Council must determine appointments to its committees, the Council will ultimately be responsible for ratification of the revised membership structure.

## Mandate of Te Taumata Runanga

### Background

42. Te Taumata Runanga, though having endured since 1991, is subject to being discharged by the Council. This has contributed to concerns that Te Taumata Runanga is vulnerable and unstable, and members have continually advocated for the mandating of Te Taumata Runanga as a permanent structure.
43. A factor mitigating its dissolution is reference to Te Taumata Runanga in the LTCCP as one of the ways the Council fulfils its statutory obligation to improve Maori participation in its decision making. This means that the Council could be subjected to judicial inquiry if Te Taumata Runanga was discharged.
44. The Local Government Act 2002 (LGA) does not currently provide a mechanism whereby a local authority can mandate any of its committees as a permanent structure not subject to being discharged by present or future Councils. However, Schedule 7, section 30 (7) of the LGA states:

*“A committee, subcommittee, or other subordinate decision making body is, **unless the local authority resolves otherwise**, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision making body.” (emphasis added)*

45. As an immediate way of expressing its support for the permanence of Te Taumata Runanga, the Council resolved in September 2007 as follows:

*“That pursuant to Schedule 7, 30(7) of the Local Government Act 2002, the Council resolves that Te Taumata Runanga not be discharged as a Committee of the Council at the coming into office of Members of Council following each triennial general election.*

*That the Council convey to the incoming Council its strong support for the role of Te Taumata Runanga as a Standing Committee of the Council.”*

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46. This means that Te Taumata Runanga will not be discharged automatically following local body elections. This still does not prevent the Council from discharging Te Taumata Runanga at any time.

47. In its submission to the Royal Commission on Auckland Governance (the Royal Commission) in April 2008, Te Taumata Runanga recommended:

*“That provision is made (in the LGA) for the establishment of standing bodies along similar lines to Te Taumata Runanga, and that such bodies are not subject to dissolution by Council’s (i.e. are permanent).”*

48. In analysis of submissions in respect of Maori participation in Auckland governance, many propositions were put forward regarding elected representation of Maori at Council level (e.g. by way of Maori wards), and a number regarding the establishment of Maori standing committees, including the Council’s own submission. It is likely therefore that the Royal Commission will make findings and recommendations in this regard, and possible that these recommendations could suggest amendments to the LGA. The strategy adopted by the Council in seeking to mandate the permanence of Te Taumata Runanga will therefore likely be influenced by the Royal Commission’s findings.

### **Nga Whainganga Huarahi I Kitea / Options Identified**

49. As there is no way of mandating a committee such that it becomes a permanent structure available through the LGA, options for mandating Te Taumata Runanga will likely either require amendments to the LGA or relating to Te Taumata Runanga as a separate entity from the Council. Some preliminary options along these lines are outlined below:

50. **Council Controlled Organisation (CCO):** this would involve the transfer of undertakings of the Council to a CCO, whose functions would reflect the Fields of Activity of Te Taumata Runanga. CCO’s tend to have more of an operational focus and potentially have high operating costs. The relationship with the Council at an operational level would be more distant and potentially unclear, and the CCO would still be subject to dissolution by the Council.

51. **Community Board:** Community Board’s are less prone to being dissolved, as per Schedule 6, section 9(1) of the LGA, which states:

*“A community may be abolished or united with another community, and the boundaries of a community may be altered, by—*

- a. An Order in Council giving effect to a reorganisation scheme;*
- b. The territorial authority or Commission as part of a review of the territorial authority’s representation arrangements.”*

52. However, the LGA currently prohibits a constituted committee from overlapping with any other constituted community, vis-à-vis Schedule 6, section 1(2)), which states that:

*“A community may not be constituted for any part of a district if a community is already constituted for that part of that district.”*

53. Therefore, establishment of Te Taumata Runanga as a community board would require amendments to the LGA, and even then may not be the most appropriate way of achieving permanence. Furthermore, Community Boards tend to be more geared towards geographically defined rather than ethnically defined communities.

54. **Constitution of Te Taumata Runanga as a legal entity:** In this scenario, Te Taumata Runanga could be constituted as a separate entity to the Council, related by way of a partnering agreement and agreed work programme. This option could be perceived to be setting up a service provider that will compete with other Maori organisations. It is also likely to be a less effective and efficient way of promoting Maori input into decision making. Furthermore, partnering agreements are not necessarily permanently binding. However, investigating this option would go towards addressing the Review recommendation around creating a Maori representative entity independent of Council.
55. **Amendment of LGA:** It is possible that an amendment to the LGA could not only enable Maori standing committees and similar structures to be made permanent, but that such an amendment could provide Councils with a clear framework for developing robust structures and processes that provide for Maori input into decision making. Such amendments were proposed by Te Taumata Runanga in their submission to the Royal Commission.
56. **Amendment of the Local Electoral Act 2001:** An amendment to the Local Electoral Act 2001 could be sought to require councils to consider the establishment of Maori Standing Committees such as Te Taumata Runanga as part of the regular Representation Review, which occurs a minimum of every six years. As part of the Representation Review, councils are required to undertake full public engagement about fair and effective representation, having regard to population and communities of interest. Including Maori Standing Committee structures under the auspices of the Representation Review would require councils to at least consider this option. In this scenario, for those Councils that might decide to establish a Maori Standing Committee, the Local Government Commission would then need to be involved should that Council subsequently seek to discharge such a structure.
57. **Commitment in Terms of Reference:** One of the principles contained in the proposed Terms of Reference for Te Taumata Runanga could be a commitment by the Council to retaining Te Taumata Runanga as a permanent structure, with any changes to Te Taumata Runanga being undertaken in partnership and with an emphasis on improving participation by and outcomes for Maori. Though not binding, this is a short term possibility for strengthening the current position.

#### **Nga Tirohanga a Nga Huarahi / Assessment of Options**

58. At this stage more work is required to determine the feasibility of the identified options and to investigate other options. This work will include discussion with the Local Government Commission. When the Royal Commission's recommendations are released, the Council's approach may need to be revised accordingly.
59. In the meantime it will be recommended to the Council that the Council commits to retaining Te Taumata Runanga as a permanent structure in the proposed Terms of Reference.

#### **Appointments to Other Committees**

60. The Review identified a concern by Maori that there is inadequate representation of Maori at the Council level. Te Taumata Runanga continue to advocate for the establishment of Maori wards to enable representation at this level, and for the ongoing relevance of Maori standing committees and similar structures as means of providing for Maori input into decision making. Both these mechanisms are seen as ways of achieving an authentic partnership that is underpinned by the principles of the Treaty of Waitangi.

61. To address the issue of inadequate Maori representation, the Review recommended that governance opportunities for Maori within the Council be expanded. There are a number of strategies that can contribute to this outcome, including reconsideration of establishing Maori wards. The key matter for consideration at this stage though, as requested by the Council, is the possibility of making appointments from Te Taumata Runanga to other of the Council's committees.

### **Policy and Strategy Committee**

- A85-A91 62. An appointment from Te Taumata Runanga to the former City Development Committee was made in November 2005 in the context of the Council's consideration of Maori representation as part of the statutory Representation Review. This appointment was reviewed after a year, and the outcomes of the review were presented to the Council on 29 November 2006, entire report attached at pages A85 to A91. In summary, the following issues were identified:
- i) The former City Development Committee Chairman (the Chairman) and Te Taumata Runanga Appointee (the Appointee) agreed that the appointment was an effective way of improving Maori input into Council decision making;
  - ii) Presence of the Appointee provided the Council with insights into perspectives and approaches of the Maori community/Maori Worldview;
  - iii) Participation by the Appointee over the inaugural year allowed both the Council and Te Taumata Runanga to settle in to the new process. It is envisaged that this should make participation easier for any future appointments;
  - iv) Information provision to the Appointee was timely and adequate;
  - v) Staff and Elected Members provided good support to the Appointee, for example by way of pre-briefings with the Chairman;
  - vi) An induction for future Te Taumata Runanga Appointees, which provides an overview of Council processes and key staff, would be very valuable.
  - vii) The Chairman and the Appointee agreed that the Appointee's views were being taken into account in decision making. The Appointee felt confident in providing input to discussions.
  - viii) The appointment improved the provision of information to Te Taumata Runanga when appropriate; however there was no clear guideline as to what issues Te Taumata Runanga might be interested in to ensure that this happens in a more timely fashion;
  - ix) It was felt that the process of conveying information between the former City Development Committee and Te Taumata Runanga could be improved, e.g. what is the best format for the Te Taumata Runanga appointee to report back to Te Taumata Runanga - verbal or written, etc? It was suggested that this could be assisted by having more than one Te Taumata Runanga Appointee, and by support from Councillors who are members of Te Taumata Runanga;
  - x) In the Appointee's view with regard to any future appointments of this nature, the Appointee should be a full member of Te Taumata Runanga, as opposed to being appointed directly from the Maori community; and
  - xi) The role required significant commitment by the Appointee in terms of time and energy, and this should be taken into account when Appointees are selected in the future.

63. The appointment from Te Taumata Runanga to the former City Development Committee was subsequently incorporated into the delegations to Te Taumata Runanga. This affirmed the Council's view that the appointment had been effective, notwithstanding the areas for improvement identified by the review of the appointment.

64. Following the establishment of the Policy and Strategy Committee at the Council's Triennial Meeting on 31 October 2007, the Council resolved as follows:

*"The appointment of Mihi Te Huia to the Policy and Strategy Committee as a representative of the Te Taumata Runanga be confirmed and the consideration of appointments of representations of Te Taumata Runanga Members to Council Committees be carried out in conjunction with the consideration of the Review of Te Taumata Runanga."*

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65. According to the previous review of this appointment, the appointment has been an effective way of improving Maori input into Council decision making. Such appointments are an important way of expanding governance opportunities for Maori in the Council, as recommended in the Review.

66. In summary, the appointment from Te Taumata Runanga to the former City Development Committee, and subsequently the Policy and Strategy Committee has:

- i) Been an effective mechanism for ensuring Maori views, issues and aspirations are reflected in the decision making of the Policy and Strategy Committee;
- ii) Improved the effectiveness of Te Taumata Runanga in terms of provision of information regarding key projects and integration of advice from Te Taumata Runanga; and
- iii) Developed the capacity of the Appointee and consequently of Te Taumata Runanga to contribute to decision making processes, thereby also contributing to the development of Maori leadership in Waitakere.

67. It will be recommended to the Council that this appointment be retained and that further opportunities to strengthen the effectiveness of the appointment be considered as part of the wider process of expanding governance opportunities for Maori.

### **Culture and Community Committee**

68. At a joint workshop between the Council and Te Taumata Runanga held in May 2008, it was requested that the Council have an opportunity to discuss the possibility of an appointment from Te Taumata Runanga to the Culture and Community Committee in conjunction with the final report on the Te Taumata Runanga Review.

69. The Fields of Activity of the Culture and Community Committee are outlined below:

*"Planning and monitoring for the development of community heritage, arts (in the widest sense of that word), recreation and leisure within the City and the establishment and running of Citywide events and other related cultural programmes including responsibility for:*

- *Leisure, recreation, and community wellbeing collaboration, including the Wellbeing Collaboration Project;*

- *Use and hireage (both short term and long term) of community facilities and halls;*
- *Arts, events, culture and community wellbeing;*
- *Social Development partnerships including, health and education;*
- *Community Safety and Safe Waitakere;*
- *Community development;*
- *Recommendations to Council for service level changes and new initiatives in the areas of arts and events;*
- *Development of briefs for art works associated with major projects throughout the City;*
- *Sister City cultural projects;*
- *Development, review and formulation of the Arts Laureates Awards;*
- *Creative New Zealand funding policy and any other matters relating to the Creative Communities Scheme;*
- *Oversight of management and protection of heritage within the City;*
- *Monitoring and approving of Statements of Intent and/or Business Plans and/or Performance Agreements for:*
  - *Waitakere Arts and Cultural Development Trust;*
  - *Titirangi Community Arts Council;*
  - *Waitakere Central Community Arts Council;*
  - *Lopdell House Gallery/Society;*
  - *Lopdell House Arts Development Trust;*
  - *Corban Estate; and*
  - *Corban Estate Development Trust."*

*(Committees and Community Boards Delegations Register,  
Adopted 31 October 2007)*

70. Many of the Culture and Community Committee's Fields of Activity are of significant relevance and interest to Te Taumata Runanga. An appointment from Te Taumata Runanga to the Culture and Community Committee would contribute to the achievement of many of the objectives of Te Taumata Runanga.
71. For example, Te Aho Tumanako is a programme of work focussed on investment and collaboration in the areas of social, cultural, economic and environmental wellbeing. The cultural and social aspects of this work programme in particular would be better integrated into Council decision making processes by such an appointment.
72. Opportunities arising out of an appointment to the Culture and Community Committee could include the development of signature Maori events, increased visibility of Maori arts, improved partnerships with Maori in the area of social development, strategies for the conservation of Maori heritage and active participation in the Sister Cities programme. Such opportunities could contribute to the cultural richness of Waitakere and even promote economic development.
73. An appointment from Te Taumata Runanga to the Culture and Community Committee would be a substantive step towards expanding governance opportunities for Maori in the Council, and would enhance the effectiveness of both committees. It is therefore recommended that such an appointment be made.

### Planned Approach and Regular Review

74. Te Taumata Runanga is a strong foundation for integrating Maori views into Council's decision making. The Review has identified that expanding governance opportunities for Maori in the Council is an important way of strengthening and building on this foundation. It will be important for this to occur in a well planned manner, to allow the capacity of Te Taumata Runanga to grow and for the necessary operational processes to support various strategies to be developed.
75. Therefore, it is recommended that further work be done around options for expanding governance opportunities for Maori in the Council as part of the proposed Improvement Plan. It is also recommended that there is a regular process for reviewing the effectiveness of those options that are adopted, including appointments to other committees, within a context of improving Maori participation in Council decision making. This review process could be outlined in the proposed Terms of Reference for Te Taumata Runanga, and should occur at a minimum once every three years, perhaps in conjunction with the regular Te Taumata Runanga Review itself. The Council could also express its ongoing commitment to expanding governance opportunities for Maori in Te Taumata Runanga's Terms of Reference.

### Delegated Powers

76. The Review identified the following issues regarding the delegated powers of Te Taumata Runanga:
- That its delegations should enable Te Taumata Runanga to be effective in improving outcomes for Maori; and
  - That key ways of doing this are through the ability to develop and adopt policy and by influencing Council spending.
77. At a previous stage of the Review, the delegations to Te Taumata Runanga were revised and now read as follows:

#### *"Delegated Powers*

1. *Authority to develop and adopt goals, strategies, policies and programmes for adoption by the Council for matters within the Fields of Activity.*
2. *Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.*
3. *Responsibility to monitor Long Term Council Community Plan/Annual Plan implementation within the Fields of Activity.*
4. *Authority to make submissions to external bodies on behalf of Council in respect of matters within the Committee's Fields of Activity providing such submissions are not inconsistent with decisions of Council or the Council's strategic policy framework as set out in the Long Term Council Community Plan or in any other specific Council policy and strategy documents.*
5. *Authority to provide advice and recommendations to Council on matters within the Fields of Activity including:*
  - i) *Projects involving effective service delivery.*

- ii) *Proposals for consultation with Maori communities before major policy decisions are made by the Council.*
- iii) *Decisions where Maori cultural values or knowledge is important.*
- iv) *The implications of proposed policy issues for the Maori community.*
- v) *Programmes and initiatives recommended for inclusion in the Long Term Council Community Plan/Annual Plan planning process."*

*(Committees and Community Boards Delegations Register  
Adopted 31 October 2007)*

78. These delegations do provide some scope in regard to policy development and influencing Council spending. However, they can be further strengthened to reflect the desires of Te Taumata Runanga as set out in the Review.

79. The delegated power:

*"Authority to develop and adopt goals, strategies, policies and programmes for adoption by Council;"*

is somewhat ambiguous, and does not allow Te Taumata Runanga to adopt goals, strategies, policies and programmes in the same way as the Council's other committees are able to do. In keeping with the partnership approach sought by Te Taumata Runanga and emphasised by the Review, it is recommended that this delegation be amended to read as follows:

*"Authority to develop and adopt goals, strategies, policies and programmes on behalf of the Council for the matters within this Committee's Fields of Activity, where not restricted by law or by resolution or policy of Council. Such goals, strategies, policies and programmes shall not be inconsistent with other decisions, policies and strategies of the Council."*

80. This amendment would enable Te Taumata Runanga to adopt goals, strategies, policies and programmes, whilst ensuring that such do not contradict other of the Council's strategies and policies.

81. In regard to its authorities in respect of allocation of funding, Te Taumata Runanga has long sought the ability to provide advice in respect of community funding, similarly to Community Boards, who have the following delegated power:

*"Authority to assess applications for funds from within the Board's area for assistance from the Community Wellbeing Fund and determine allocations according to the eligibility criteria and priorities for support."*

*(Committees and Community Boards Delegations Register  
Adopted 31 October 2007)*

82. Further work is required to determine the feasibility of such a delegation to Te Taumata Runanga, and it is recommended that this work be done as part of the proposed Improvement Plan.

## Te Whakaaro Ki Nga Tirohanga a Iwi / Consideration of Community Views

83. The key community stakeholders affected by the Review and its recommendations are:
- i) Member organisations of Te Taumata Runanga;
  - ii) Mana Whenua; and
  - iii) The wider Maori community.
84. The views of Te Taumata Runanga members regarding the Review were sought on an individual basis via key informant interviews. Representatives of Te Kawerau a Maki and Ngati Whatua o Orakei were also interviewed via the Council's internal iwi consultation process. A Hui-a-Iwi was hosted at Kotuku Marae at Rutherford College in Te Atatu in July 2007 to allow the views of the wider Maori community to be expressed.
85. The views of all stakeholders are reflected in the issues identified under the 'Review Recommendations' section of this report, and are recorded in more detail in the Review Document.
86. It will be important to keep all key community stakeholders informed of progress with the Review, and to provide for their ongoing input into certain aspects of the Improvement Plan implementation, particularly the proposed Membership Review. Therefore, a robust Communication Plan will be an essential component of the Improvement Plan.

## KORERO RAUTAKI / STRATEGIC CONTEXT

### Local Government Act 2002

87. The LGA 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.*

88. Though Te Taumata Runanga was established well before the amendments to the LGA, Te Taumata Runanga 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.

### Long Term Council Community Plan (2006-2016)

89. 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.
90. The Review contributes to the promotion and achievement to the following Community Outcomes:
- Mauri Ora - Access to Maori Resources;
  - Strong Communities - He Iwi Kaha;
  - Nga Manukura - Maori Leadership;
  - Te Mana Whakahaere - Autonomy;
  - Whaiora - Participation in Society; and
  - Working Together - Te Mahi Tahī.

### MAHI WHAKAWHITI KORERO WHAKAARO / CONSULTATION

91. As outlined previously in this report, the views of the following community stakeholders have been incorporated into the Review:
- i) Member organisations of Te Taumata Runanga;
  - ii) Mana Whenua; and
  - iii) The wider Maori community.
92. The views of the Directors Group were also sought at an early stage of conducting the Review.
93. The Review has been presented a number of times to Te Taumata Runanga, and has been previously presented to the Council. Workshops with Te Taumata Runanga have also been held, as well as a joint workshop between Te Taumata Runanga and the Council.
94. Further consultation is anticipated in the development and implementation of the proposed Improvement Plan, which will include a Communication Plan.

### NGA RAUEMI / RESOURCES

95. The table below summarises likely resource requirements for different aspects of the Review encompassed by this report:

Area of Work	Resources	Estimated Cost
Improvement Plan (to develop plan only - does not include implementation)	Staff time Consultant	- \$10,000
Terms of Reference	Staff time Consultant	- \$5,000
Review of Membership Structure	Staff time	-

Area of Work	Resources	Estimated Cost
	Consultant Project costs such as meeting venues, catering etc.	\$15,000 \$3,000
Mandating of Te Taumata Runanga	Staff time	-
Appointments to Other Committees	Staff time Meeting fees and expenses (to be determined by the Council); Current fee for Policy and Strategy Committee appointment is \$68 per hour for meetings and workshops	- Estimated total \$5000 per annum for both appointments
Delegated Powers	Staff time only	-
<b>TOTAL ESTIMATED COST</b>		<b>\$38,000</b>

96. Adequate resource is available in the Annual Plan 2008/2009 to meet the costs outlined above.
97. It is important to note that there will be further areas of work developed in the Improvement Plan, and that the implementation of the Improvement Plan will take approximately three years. The Improvement Plan will outline work required at an operational level, which will also require the investment of staff time and resources. Therefore, ongoing resource requirements will need to be ascertained and incorporated into the LTCCP and Annual Plan process.

#### WHAKAMAHAIA NGA TAKE / IMPLEMENTATION ISSUES

98. Successful implementation of the recommendations contained in this report and of the overall Improvement Plan will require input from the following key stakeholders:
- i) The Council;
  - ii) Te Taumata Runanga;
  - iii) Senior Management;
  - iv) The Maori Relationships Unit;
  - v) Other areas of the Council as required, including Democracy and Support Services, Public Affairs, Social and Cultural Strategy, Long Term Planning;
  - vi) Member organisations of Te Taumata Runanga;
  - vii) Mana Whenua; and
  - viii) The wider Maori community.
99. It will also require adequate time and resource. As stated elsewhere in this report, it is estimated that the Improvement Plan will take around three years to complete. Preliminary scoping work will be done to assess the overall estimated cost of implementing the Improvement Plan and incorporated into the draft LTCCP and Annual Plan as appropriate.


**Report prepared by:** Wayne Knox, Maori Relationships Manager.



**15 RIPOATA O TE HEKERETARI O TE KOMITI / COMMITTEE SECRETARY'S REPORT**  
**TUTOHUTANGA / RECOMMENDATION**

It is recommended that Te Taumata Runanga resolve to:

**Kua Whiwhi / Receive** the Committee Secretary's Report for Te Taumata Runanga dated 18 August 2008.

Issue	Comments	Reporting Council Officer
<p>One Plan for Auckland - Workshop</p> <p>Resolution No. 1213/2008</p> <p>14 July 2008</p> <p>Te Taumata Runanga</p>	<p>At Te Taumata Runanga meeting held on Monday, 14 July 2008 the following was resolved:</p> <p>“2. <i><b>E Whakae Ana / Agree</b> that a workshop be held prior to Te Taumata Runanga meeting to be held on Monday, 18 August 2008 to further discuss and provide advice on the development of the One Plan, and that the maori community be invited to attend the workshop.</i></p> <p>3. <i><b>E Whakae Ana / Agree</b> that the outcomes from the workshop on the development of the One Plan be presented to the Policy and Strategy Committee meeting to be held on Thursday, 4 September 2008.”</i></p> <p style="text-align: right;"><i>1213/20087</i></p> <p>The workshop will be held on Monday, 18 August 2008 at 4.00 pm in the Waitemata Room, Civic Building, Waitakere Central, 6 Henderson Valley Road, Henderson, Waitakere.</p>	<p>Ngareta Delamere</p> <p> 836 8000 Ext: 8552</p>

<b>COUNCIL REPORTS FOR INFORMATION ONLY</b>		
Report Name	Committee	Attachment Pages
Henderson Youth Facility - Construction Status Update July 2008	Infrastructure and Works Committee	Pages A92 to A95
Community Waitakere Annual Report 2007/2008	Culture and Community Committee	Pages A96 to A111
Waitakere History Project	Culture and Community Committee	Pages A112 to A115
Waitakere City Education and Learning Plan	Culture and Community Committee	Pages A116 to A119
Relationship Agreement with Te Whanau o Waipareira Trust	Culture and Community Committee	Pages A120 to A141

**Report prepared by:** Ngareta Delamere: Committee Secretary.



**16 TE WA O TE HUI KEI TE HEKE MAI / NEXT MEETING**

The next meeting of Te Taumata Runanga will be held in the Council Chamber, Civic Building, on Monday, 15 September 2008, commencing at 5.00 pm.

A representative is invited to present Te Taumata Runanga report at the next meeting of Council to be held in the Council Chamber, Civic Building, on Wednesday, 27 August 2008, commencing at 5.30 pm.



**17 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

