

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Council will be held on:

Date: Thursday 2 August 2018
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Item 20: Maaori Representation Review Proposal

Membership

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

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Governance Team Leader

27 July 2018

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Council Report

Committee:	Council	Date:	02 August 2018
Author:	Lee-Ann Jordan	Authoriser:	David Bryant
Position:	Governance Manager	Position:	General Manager Corporate
Report Name:	Maaori Representation Review Proposal		

Report Status	<i>Open</i>
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Purpose

- To seek the Council's approval to establish five Maaori representative positions to Council's three committees of the whole and the Regulatory & Hearings Committee, as set out in this report and supporting documentation.

Staff Recommendation

- That the Council:
 - approves the appointment of Maaori representatives to existing Council committees (Option 2 in the report) as follows:
 - Finance Committee – one seat for Iwi representative;
 - Growth & Infrastructure Committee – one seat for Iwi representative;
 - Community & Services Committee – one seat for Iwi representative and one seat for Maataawaka representative (i.e. two seats in total); and
 - Regulatory & Hearings Committee – one seat for Iwi representative,
 such appointments to have full voting and speaking rights under the Council's Standing Orders.
 - delegates the Chief Executive to complete negotiations and the execution of the following documentation:
 - The principal kawenata (overarching formal agreement) in relation to Maaori representation between the Council, Te Runanga o Kirikiriroa ('TROC'), Waikato Tainui; and
 - Individual kawenata (agreement) between the Council and individual external appointees to Council committees,
 noting that the content of the final version of the principal kawenata is to be substantially the same as the draft in Attachment 1 to this report.
 - notes the estimated funding for the proposed appointments above as follows:
 - Total remuneration costs of between \$53,920 and \$67,400 per year;
 - One-off technology costs of \$12,000

- d) notes that the inaugural candidates nominated for appointment to the above Council committees are expected to be presented for approval by the Council before the end of September 2018.

Executive Summary

3. On 18 October 2017, Council considered a report on establishing Maaori wards as the first stage of the Representation Review that all councils are required to undertake at least every six years.
4. That report also included options for other forms of Maaori representation.
5. The Council chose not to establish Maaori wards and instead requested staff investigate alternative models for Maaori representation and prepare a report for Council within the first half of 2018. This decision aligned with the preference of Council's Maaori stakeholders.
6. At that point, Council's legal requirement to consider Maaori representation via the establishment of Maaori wards concluded.
7. The resolution of Council to explore other forms of Maaori representation became its own stream of work, managed by a project team alongside but separate to the wider representation review.
8. Statutory timeframes do not apply to the Maaori representation stream of work.
9. While only Elected Members can be members of the Council, clause 31(3), Schedule 7 of the Local Government Act 2002 (LHA) empowers the Council to appoint external (i.e. non-elected) members to a committee if the Council believes that person has the skills, attributes or knowledge that will assist the work of the committee.
10. There were several options for alternative representation arrangements for Maaori suggested in the October 2017 Council report, including:
 - Incorporating Maaori representation into existing committees;
 - Incorporating Maaori representation by creating a new committee; and
 - Incorporating Maaori representation by creating an external board.
11. This report is the culmination of the work undertaken by staff since 12 October 2017, in consultation with the Council's key Maaori stakeholders. This work was focused on these three options for alternative Maaori representation arrangements and the implications of these options for the Council.
12. Staff recommend incorporating Maaori representatives into existing committees with full voting rights (Option 2 of this report).
13. Option 2 is recommended as the most practicable and meaningful mechanism to facilitate Council's legislative obligations to:
 - a. provide opportunities for Maaori to contribute to local decision-making processes; and
 - b. foster the development of Maaori capacity to contribute to those decision-making processes.
14. In summary, the model for alternative Maaori representation recommended in this report involves the appointment of five Maaori representatives to four Council committees as follows:
 - a. One Iwi seat on the Growth and Infrastructure Committee
 - b. One Iwi set on the Finance Committee

- c. One Iwi and one Maataawaka seat on the Community and Services Committee
 - d. One Iwi seat on the Regulatory and Hearings Committee.
15. Iwi, Mana Whenua and Maataawaka have been involved throughout the process and are united in their support for the recommended option.
 16. Attachment 1 to this report provides a robust legal framework for the relationship between Council and Maaori representatives under the recommended option.
 17. The issue of Maaori representation is one that can generate a great deal of public interest and debate.
 18. Local authorities have clear legislative obligations to work in partnership with their Maaori communities and the question for local authorities is how this is best achieved.
 19. Our Maaori stakeholders hold the strong view that the Council and the wider Hamilton community will benefit from Maaori participation in decision-making at a city governance level. This view is supported by the experiences of other local authorities with appointed Maaori representatives on their committees.
 20. The LGA gives councils the ability to appoint external members to standing committees of councils to provide skills, attributes and knowledge that councils deem will assist the work of their committees. There is no statutory requirement to consult with the public on such appointments.
 21. Additionally, there is precedent nationally for the appointment of Maaori representatives to council standing committees. Within this Council's governance structure, two external members are appointed to the Audit and Risk Committee and external members have also been appointed to the Regulatory & Hearings Committee for specific meetings.
 22. Staff believe the Audit and Risk Committee's inclusion of external members provides a strong reference point for the appointment of Maaori external members to the Council's committees of the whole.
 23. The Council retains ultimate authority regarding the appointment and discharge of any Committee member, while Waikato-Tainui and TROK would be jointly responsible for the nomination of candidates based on criteria set by the Council.
 24. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matters in this report have a low level of significance.
 25. Given the low level of significance determined, engagement is not required. Staff note that a robust consultation process has been undertaken with the Council's key Maaori stakeholders in accordance with the 18 October 2017 resolution of the Council. As always, the Council may opt to undertake further consultation on this matter if it chooses.

Background

26. The Council received a report on [18 October 2017](#) on Maaori wards and other options for Maaori representation.
27. The Council resolved:

That the Council:

 - a) *resolves to further explore Maaori governance representation options ('alternative representation models') other than Maaori wards and requests the Chief Executive to further investigate such alternative representation models including:*
 - (i) *consulting with key stakeholders (including Waikato-Tainui, Te Runanga o Kirikiriroa and Te Haa o te Whenua o Kirikiriroa); and*

- (ii) *assessing implications for the Council, including financial, legal, policy and process. (option 3 in the options table on page 25-27 of this report).*
- e. *notes that the additional work requested will align with the mid-term Governance Structure review, and that a report will be presented to the Council with recommended options before 30 May 2018.*
28. A small project team, led by the Governance Manager, has undertaken the work related to Maaori representation over the past 14 months, as a separate component of work but alongside the Council's wider representation review. This work has included:
- a. Ongoing consultation with Maaori stakeholders;
 - b. Benchmarking of other local authorities with alternative Maaori representation models;
 - c. Seeking specialist legal input (from Buddle Findlay) to ensure there would be a robust legal framework to codify and agree the nature of the relationship between the Council, Maaori stakeholders and individual external appointees to committees, and the detail of their respective obligations and responsibilities.
29. At a Briefing on 12 April 2018, Elected Members were provided with an update on the project team's work.
30. On 24 May 2018, the Council resolved to defer the staff report on alternative Maaori representation until 2 August 2018 to complete the 10-Year Plan and enable staff and Maaori stakeholders to complete discussions and analysis of options.
31. The project team's review of alternative Maaori representation models is intended to supplement existing arrangements between Council and Maaori at governance and management levels. These existing arrangements are:
- A Co-Governance Forum with Waikato-Tainui which was established in 2014 to, amongst other things, meet the obligations under the Council's Joint Management Agreement (JMA) with the Waikato Raupata River Trust.
 - A JMA which was a requirement of the Waikato-Tainui Raupata Claims (Waikato River) Settlement Act. This came into force in 2010 to give effect to the second deed of settlement between the Crown and Waikato-Tainui. The JMA outlines how Council works with the Trust in relation to resource management planning documents, resource consents, monitoring and enforcement, reserves and authorised customary activities, to the extent they relate to the Waikato River

Discussion

Introduction

32. The project team has investigated the alternative Maaori representation models discussed with Council at the meeting on 18 October 2017.
33. As previously noted to the Council, a key principle informing those investigations is the need for the model to be both:
- feasible (that is, compatible with the Council's governance structure and aligned to its principles as set out in the 2016-19 Governance Structure); and
 - meaningful (that is, that it extends the relationship between Council and our Maaori stakeholders beyond the status quo and enables Maaori to contribute to the Council's decision-making processes in an active rather than advisory capacity).
34. This work has included exploring models used by other councils in New Zealand, which has shown there is no one-size-fits-all approach. Each local authority requires a bespoke solution

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that works best for Maaori in their communities, the governance structure, and district, region, or city, as a whole.

35. To ascertain Maaori perspectives on representation options, the project team has been working closely with our key Maaori stakeholders representing Iwi, Hapuu and Maataawaaka. These stakeholders are united in their support of the recommended option put forward in this report (i.e. appointment to existing committees).
36. The Council has statutory obligations to support Maaori participation in its decision-making processes as detailed in key legislation, including the Local Government Act 2001 (LGA) and the Resource Management Act 1991 (RMA), reflecting the principles of Te Tiriti o Waitangi (the Treaty).
37. The Council's obligations under the LGA include a responsibility to foster the development of Maaori capacity to contribute to local decision-making.
38. Iwi and Mana Whenua note their historic and future stewardship and connection to Kirikiriroa, Hamilton. They feel that a key attribute their representatives will bring to Council committees is a long-term focus on the city's future:
Toi te mana, Toi te whenua, Toi te kupu - The permanence of land, people and history
39. Iwi, Mana Whenua and Maataawaka firmly believe that what is good for Maaori is good for all peoples of Hamilton and that their contribution via representatives on Council committees will reflect the needs of non-Maaori as well as Maaori.
40. There is increasing recognition of the economic and social influence of Maaori in Hamilton.
41. Maaori form a large and growing part of our city's population:
 - In 2016, Maaori made up 22% of the total Hamilton population.
 - By 2038, Maaori are projected to make up around 30% of the population.
 - In 2012, Maaori contributed to activities in the health & community services (\$115 million); property & business services (\$92 million); manufacturing (\$45 million); and 38 education (\$44 million) industries.
 - Waikato-Tainui contribute positively to many communities within Hamilton, through their investment in social initiatives that support education and training, housing and employment. In 20016/2017 financial year alone, they contributed \$11.06 million in benefits.
 - Waikato-Tainui has an important stewardship role over the environment to the benefit of all Hamiltonians.
 - TROK delivers a number of services that support both Maaori and Pasifika peoples and include services to kaumatua (elderly), pakeke (adult), taiohi (youth), tamariki (children) and a number of community wellbeing and housing, health, education and justice initiatives.

Options

42. The options explored by the project team were:
 - a. Status quo (Option 1)
 - b. Appoint representatives to existing committees (Option 2 – Recommended Option)
 - c. Establish, and appoint representatives to new committee (Option 3)
 - d. Establish external board (Option 4)

Comparison of these options is detailed in the table below (paragraph 45).

43. The project team have conducted in-depth assessments of these options. This work has included:
- a. Ongoing consultation with Maaori stakeholders – including multiple hui and correspondence.
 - b. A review of other local authorities’ models including, but not limited to Rotorua Lakes, Waipa District Council, and Auckland City Council.
 - c. Obtaining specialist legal input to draft contractual documentation between the Council and Maaori stakeholders, to provide a transparent, robust framework for effective representation and relationship management.
44. Having concluded this comprehensive review, Option 1 (status quo); Option 3 (new committee); and Option 4 (external board) are not recommended for the following reasons:
- a. *Option 1: Status Quo*
 - A legislative co-governance relationship exists between Waikato Tainui and Hamilton City Council, the Joint Management Agreement (JMA). This co-governance relationship is not representative of all Maaori in Hamilton City and does not cover the full responsibilities and services of the Council.
 - Additionally, the Co-Governance Forum does not actively contribute to the decision-making of the Council.
 - b. *Option 3: New Committee*
 - The establishment of a new committee for Maaori is not consistent with the principles of the Council’s current Governance Structure and its decision-making mechanisms. A new committee is likely to add an additional level of governance, creating ‘double-handling’ of issues which are likely to ultimately rest with one of the Council’s committees of the whole.
 - Alternatively, a stand-alone ‘Maaori committee’ is likely to have limited terms of reference (e.g. to address culturally significant matters for Maaori in Hamilton). This would potentially exclude Maaori participation in decision-making on the broad range of issues managed through the terms of reference of the other standing committees.
 - c. *Option 4: External Board*
 - An external board would be advisory only – members would sit outside the Council decision-making structure. Again, this acts against active participation by Maaori in local decision-making.
 - The external board established by Rotorua Lakes Council and Te Arawa can nominate Maaori representatives for some of the Council’s committees. In effect, this achieves the same outcome as the option recommended by staff (Option 2, appointment to existing committees), although with the added complexity of requiring the establishment of, and ongoing Council support for, an external body.

45. Staff's assessment of these options is summarised in the table below:

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	Options	Considerations
1	Status Quo <i>Co-Governance Forum with Waikato-Tainui</i>	<p>Meaningful engagement with Maori? - No</p> <ul style="list-style-type: none"> • Principally a discussion-based forum. Any recommendations from the forum need to be presented to the Council for approval. • Purpose is focussed on the Council's relationship with Waikato-Tainui and the obligations set out in their Joint Management Agreement. <p>Financial considerations</p> <ul style="list-style-type: none"> • Nil effect <p>Ease of Implementation</p> <ul style="list-style-type: none"> • Nil effect <p>Risks</p> <ul style="list-style-type: none"> • Potential for Council's relationship with Maori to be adversely impacted by not providing meaningful participation in the Council's decision-making processes. • The potential benefits of a more culturally diverse decision-making body are not captured.
2	Appoint Maori representatives to existing committees with voting rights	<p>Meaningful engagement with Maori? - Yes</p> <ul style="list-style-type: none"> • Maori would actively participate in local decision-making. • Enables a Maori perspective to be considered on a broad range of Council issues. • Supports the Council's obligation to foster the development of Maori capacity to contribute to Council's decision-making processes. <p>Financial considerations</p> <ul style="list-style-type: none"> • Total remuneration costs would be between \$53,920 and \$67,400 per year (for the proposed five representatives). Staff recommend a total remuneration of \$67,400 per year (refer to paragraph 54 below). • One-off technology set-up costs of \$12,000. • Ongoing support from Governance Unit could be managed within existing budgets. • Alterations to the Chamber to provide for up to two additional committee members noting that this could be managed within the renewal work budgeted for Year 1 of the 2018-28 10 Year Plan (\$240,000). <p>Ease of Implementation</p> <ul style="list-style-type: none"> • Requires only minor amendments to the Council's Governance

		<p>Structure and Code of Conduct.</p> <ul style="list-style-type: none"> • Work to upgrade the Chamber is already planned and could include the necessary work to accommodate additional committee members within the current budget. • Draft contractual agreements have been prepared outlining how Council and Maaori would work together and the roles and responsibilities of Maaori representatives. • Maaori stakeholders would be responsible for organising a robust selection process, independent of Council. The Council would be responsible for providing an induction to external appointees. • Council would approve the recommended appointments and retain the power to discharge any appointment to a Council committee. Contractual arrangements would clearly set out the behaviours expected of external appointees. <p>Risks</p> <ul style="list-style-type: none"> • There could be negative public feedback regarding a Council decision to appoint Maaori representation. However, as noted in this report, such a decision is lawful and there is precedence to support this approach. • The selection process may fail to yield suitable candidates who contribute constructively to committee decision making. However, Waikato Tainui and TROK are confident suitable candidates can be identified. <p><i>NB: Option 2 without voting rights creates costs for Council without the counter-balancing benefits so has been discounted as an option in itself.</i></p>
3	Appoint Maaori representatives to new committee	<p>Meaningful engagement with Maaori – Partial</p> <ul style="list-style-type: none"> • Could potentially enable Maaori to have some decision-making powers but likely to be on limited issues only. • Effect of any decisions by the new committee will be diluted if required to be recommended to another committee or the Council for approval. • Supports the Council’s obligation to foster the development of Maaori capacity to contribute to Council’s decision-making processes. <p>Financial considerations</p> <ul style="list-style-type: none"> • Annual remuneration costs likely to be similar to, if not more than, Option 2 (on the assumption that there are at least 5 external appointments to the new committee). • May require additional governance staff support (though likely to fall within existing allocated resources). <p>Ease of Implementation</p> <ul style="list-style-type: none"> • This option is not supported by Maaori stakeholders for the reasons outlined in paragraph 44(b) above.

		<ul style="list-style-type: none"> Likely to require the most substantial changes to the Council’s Governance Structure across all the options, to ensure clarity in terms of reference and correlation to other committees. <p>Risks</p> <ul style="list-style-type: none"> Adverse impact on relationship with Maaori in not providing meaningful participation in the Council’s decision-making processes. <p>NB: <i>Option 3 without voting rights creates costs for Council without the counter-balancing benefits so has been discounted as an option in itself.</i></p>
4	Establish an external board	<p>Meaningful engagement with Maaori – No (not by itself)</p> <ul style="list-style-type: none"> Does not involve Maaori directly in the Council’s decision-making processes – the Board would have an advisory status only. To avoid extensive double-handling of issues, the Board’s scope is likely to be limited to either fewer but key issues or a narrow topic range. Somewhat supports the Council’s obligation to foster the development of Maaori capacity to contribute to Council’s decision-making processes. <p>Financial considerations</p> <ul style="list-style-type: none"> The Council would be expected to contribute to the costs in the establishment and ongoing support of that committee. As an example, Rotorua Lakes Council supports the Te Arawa Board by way of an annual payment of \$250,000 (except for Te Arawa elections every three years, when the payment is \$290,000). Additional staff resource may be required to support and respond to requests from the Board. <p>Ease of Implementation</p> <ul style="list-style-type: none"> Appointing suitably qualified Maaori representatives is likely to be difficult due to this option not being seen as meaningful participation by Council’s Maaori stakeholders. Even if agreement was obtained, significant discussion would be required to document the establishment of the Board and its connection to the Council’s Governance Structure. If the Board was able to nominate candidates to the Council’s committees, there is an additional layer of bureaucracy for the Council to achieve the same outcome as noted in Option 2. <p>Risks</p> <ul style="list-style-type: none"> Potential to detract from the Council’s relationship with Maaori by not providing meaningful participation in the Council’s decision-making processes. Potentially the most expensive option to successfully establish and maintain.

46. Staff recommend Option 2 as the only option which is feasible and meaningful. It provides meaningful engagement with Maaori, effectively fulfils the Council's legislative obligations to Maaori, is relatively easy to implement, and meets the expectations of Maaori stakeholders. This recommendation is supported by our Maaori stakeholders.
47. The Project Team assessed the following considerations in recommending Option 2:
48. **Legal and Policy Considerations**
49. The Council has statutory obligations to provide opportunities for Maaori to contribute to local government decision-making processes. This is embedded in key legislation such as the Local Government Act (LGA) and the Resource Management Act (RMA) (including the recent introduction of Mana Whakahono a Rohe arrangements between local authorities and Iwi).
50. Option 2 strengthens and extends our existing relationships with Maaori stakeholders, facilitates greater co-operation, and provides the opportunity to participate in decision-making in a meaningful way. Whilst Hamilton City Council and Maaori are able to work successfully together, other councils have found that including Maaori representatives in local decision-making has reduced the incident and potential for disputes, particularly legal disputes relating to consent issue arising between a council and Maaori stakeholders.
51. Relationship framework documentation has been prepared to provide a transparent and robust process to implement Option 2. This comprises:
- i. A draft agreement (kawenata) between Council and Maaori of which Waikato-Tainui and TROK would be signatories on behalf of all Iwi, Hapuu and Maataawaka (a draft of which is attached as Attachment 1).
 - ii. A draft agreement (kawenata) for individual Maaori representatives appointed to committees, outlining their roles and responsibilities in the context of the overarching agreement. There is further work to be done on this document as it must reflect and expand on the content of the organisational relationship contract in (i) above and ensure that operational considerations are appropriately addressed.

It should be noted that if Council approves this option, staff recommend that the Chief Executive is delegated authority to complete these documents.

52. The two kawenata cover the following:
- a. Waikato-Tainui and TROK are responsible, at their own cost, for nominating suitable candidates meeting agreed criteria.
 - b. External representatives are required to fulfil specified responsibilities as a Committee member.
 - c. The appointments are to be in place for this triennium, with the Council and Maaori stakeholders to review the arrangements in the new triennium.
 - d. The Council retains ultimate authority for the appointment and discharge of any Committee member.
53. **Financial Considerations**
54. Remuneration costs: The table below details options for annual remuneration for Maaori representatives appointed to specific committees. The staff are recommending remuneration is managed as an annual fee per appointee per Committee. Figures contributing to the annual fee are the estimated amount of time required, number of meetings and hourly rate. Maaori stakeholders have been consulted and agree that these rates are fair and reasonable.

55. Staff recommend Scenario 3 as the annual remuneration for Maaori representatives appointed to Council committees (i.e. total \$67,400), which aligns with the fee payable to Elected Members sitting on an RMA or ATA Panel hearing.

Committee	Time + No. of Meetings	Scenario 1 (S1) \$80 p/h	Scenario 2 (S2) \$90 p/h	Scenario 3 (S3) \$100 p/h	Draft Annual Fee per Committee
Growth & Infrastructure (one rep)	20 hrs @ 9 mtgs	\$1600	\$1800	\$2000	(S1) \$14,400 (S2) \$16,200 (S3) \$18,000
Community and Services (for two reps)	16 hrs @ 9 mtgs	\$1280 per mtg	\$1440	\$1600	(S1) \$23,040 (S2) \$25,920 (S3) \$28,800
Finance (one rep)	14 hrs @ 9 mtgs	\$1120 per mtg	\$1260	\$1400	(S1) \$10,080 (S2) \$11,340 (S3) \$12,600
Regulatory and Hearings (one rep)	10 hrs @ 8 mtgs	\$800 per mtg	\$900	\$1000	(S1) \$6400 (S2) \$7200 (S3) \$8000
Draft annual cost of Maaori Representation		\$53,920 p/a	\$60,660 p/a	\$67,400 p/a	

**Fees are all inclusive and include compensation for attendance at briefings, public events, voluntary services to working parties, committee meeting preparation and attendance and reporting back to stakeholders.*

**All figures noted in the above table are gross figures.*

56. Other costs will include:

- Chamber alterations: The Council's Facilities Manager has advised this could be included within the scope and budget of the planned Chamber upgrade (\$240,000, Year 1 2018-28 10 Year Plan).
- Provision of equipment: Approximately \$12,000 in total.
- Provision of governance support to external appointees: likely to be managed within existing support structure at no extra cost.

57. These costs would be able to be met within existing budgets.

58. **Cultural and Sustainability Considerations**

59. Maaori stakeholders clearly stated that they are here for the long term and will act for the long-term benefit of the city.

60. Maaori represent a significant community of interest in Hamilton, with a growing population and a considerable economic and social contribution to the city (refer to paragraph 41 above).

61. **Implementation of Recommended Option**

62. Should the Council approve the staff's recommended option, following discussion with Maaori stakeholders, staff suggest the following steps to implement this option:

- a. The project team will provide an update to Council as soon as possible with specific details around the process for nominating candidates and timeframes.
 - b. The principal kawenata document will be finalised and signed by all parties.
 - c. Maaori stakeholders will run an independent selection process to find candidates that met the agreed criteria.
 - d. A staff report will then be presented to Council to seek approval to the appointment of external representatives.
 - e. Appointed external representatives will sign an individual kawenata with the Council, be inducted and then commence duties.
63. The project team suggest that these steps are taken to enable Maaori representatives to be appointed before the end of 2018, to provide an opportunity to assess the arrangements for Maaori representation within the current triennium.
64. **Summary**
65. The alternative Maaori representation model proposed in this report is a significant step toward enhancing the Council's response to its legal and partnership obligations, which acknowledges that Maaori interests are intricately intertwined with the myriad issues on which Council is required to make decisions.

Risks

66. If the recommended option is not approved, Maaori stakeholders believe a significant opportunity to make a meaningful contribution to Council decision-making will be lost together with the benefits that this involvement would bring for the long-term sustainability of Hamilton.
67. The recommended option relies on a selection process run independent of Council. However, the kawenata between the Council and Maaori stakeholders set out the Council's clear expectations on the criteria on which candidates should be assessed. As noted, Council also retains the ultimate authority on who it appoints to any of its committees.
68. This is a topic which is likely to generate public debate, both positive and negative. As noted in this report, the approach taken to date aligns with external appointments to Council committees – both in this and previous triennium.

Significance & Engagement Policy

69. **Significance**
70. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matters in this report have a low level of significance.
71. **Engagement**
72. Staff have completed a robust consultation process with key stakeholders in accordance with the Council's 18 October 2017 resolution. Therefore, for the purposes of this report, no further consultation is required. However, the Council has the discretion to undertake further consultation if it so chooses.

Attachments

Attachment 1 - Draft Kawenata in relation to Maaori Representation .

Attachment 1

**DRAFT KAWENATA IN RELATION TO
MAAORI REPRESENTATION**

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**WAIKATO-TAINUI
AND
TE RUNANGA O KIRIKIROA
AND
HAMILTON CITY COUNCIL**

He Mihi
He hoonore he kororia ki te Atua
He maungarongo ki te whenua
He whakaaro pai ki ngaa taangata katoa
E mihi ana ki a Kīngi Tuheitia e pupuru ana ki te Mana Motuhake
Ki a koutou katoa ngaa mana me ngaa maunga kōrero
Teena koutou, teena koutou, teena koutou katoa.

We acknowledge the creator of all things
May his peace cover the land, with goodwill to all
We acknowledge the keeper of Mana Motuhake King Tuheitia
To everyone who hold our rich heritage
We acknowledge you all.
Tēna koutou, tēna koutou, tēna koutou katoa.

*E whakawhiti atu ai i te koopuu maania o Kirikiriroa
Me oona maara kai, te ngaawhaa whakatupu ake o te whenua moomona*

Across the smooth belly of Kirikiriroa
Its gardens bursting with the fullness of good things.



Sample photo only

DATE:**PARTIES**

1. **Waikato-Tainui**
2. **Te Runanga o Kirikiriroa ('TROK')**
3. **Hamilton City Council ('the Council')**

(together, the '**parties**').

PART A: BACKGROUND

1. Te Whakakitenga O Waikato (Waikato-Tainui) is the recognised authority for the five Mana Whenua Hapuu who exercise traditional authority over the lands upon which Hamilton City is built; namely, Ngaati Wairere, Ngaati Maahanga, Ngaati Hauaa, Ngaati Tamainupoo and Ngaati Korokii-Kahukura. For the purposes of this agreement, Waikato-Tainui represents these five Hapuu.
2. Te Runanga o Kirikiriroa (TROK) was formally established in 1988 as the urban Maori authority. Mandated by both the late Maori Queen, Te Atairangikaahu and the Mayor of the time, the late Sir Ross Jansen, TROK represents and is representative of Maaori (Maataa Waka) and Pasifika peoples living in Hamilton City and surrounding areas. As a result of this mandate, TROK has maintained a collegial relationship with the Hamilton City Council and has a history of advocating for Maaori representation at the Council table in keeping with the principles of the Treaty of Waitangi.
3. The Council is a local authority under the Local Government Act 2002 and is based in and responsible for Hamilton City.
4. Waikato-Tainui and TROK are seeking *He painga moo ngaa miro katoa I raro I te mana o te kaihanga*. English Translation: All peoples are valued, respected and flourish under the authority/mantle of the creator.
5. The Council is seeking to provide opportunities for Maaori to contribute to its decision-making processes in a meaningful and effective manner and based on a partnership approach that reflects the principles of the Treaty of Waitangi.
6. The Council resolved on 18 October 2017 to explore alternative representation arrangements for Maaori that provide an opportunity for meaningful engagement and the parties have worked together to develop a preferred model as reflected in this kawenata.
7. The parties acknowledge that they have a broader and ongoing relationship across many aspects of the Council's operations, and that this kawenata and the representation model embraces and reflects that broader relationship.

8. The parties have entered into this kawenata to reflect their overarching relationship and to record their specific agreements as to that representation model.

PART B: VISION AND PURPOSE

9. The collective vision of all parties is captured by the proverbial saying of Kingi Pootatau Te Wherowhero, 1858, which inspires people to acknowledge their connections and their distinctive identities, with a commitment to working together for the good of all.

Kotahi ano te kohao te ngira E Kuhuna ai te miro ma, te miro whero me te miro pango. A muri I a au kia mau ki te ture, ki te whakapono, ki tee aroha. Hei aha te aha! Hei aha te aha!

English translation: There is but one eye of the needle through which the white, red and black threads must pass. After me, obey the commandments, keep faith and hold fast to love and charity. Forsake all else.

10. The purpose of this kawenata is to:
- (a) identify the partnership values and principles that underpin the relationship between the parties; and
 - (b) identify a representative model through which Maaori will be provided the opportunity to contribute to the Council's decision-making processes.
11. More specifically, the intention of this kawenata is to:
- (a) provide a framework for the parties to work together towards improving Hamilton;
 - (b) provide mechanisms and resources that assist Maaori to participate in Council decision-making processes; and
 - (c) assist the Council with its decision-making and other processes and exercise of functions and powers in order to:
 - (i) assist Council meet its Long-Term Plan commitments;
 - (ii) improve the delivery of Council's legal and statutory obligations to Maaori;
 - (iii) identify strategic opportunities to work closely together for improving Hamilton City;
 - (iv) build Maaori capacity and capability to partner with the Council; and
 - (v) support the Council to grow its capacity and capability to effectively and meaningfully engage with Maaori.

PART C: CONTENTS OF AGREEMENT

12. This kawenata covers the following matters:

- (a) **Part A:** Background;
- (b) **Part B:** Vision and purpose;
- (c) **Part C:** Contents;
- (d) **Part D:** Waikato-Tainui Aspirations;
- (e) **Part E:** TROK Aspirations;
- (f) **Part F:** Council Aspirations;
- (g) **Part G:** Values and Principles;
- (h) **Part H:** Appointments to Council Committees;
- (i) **Part I:** Expectation of the Parties;
- (j) **Part J:** Indemnity and Insurance;
- (k) **Part K:** Relationship Hui;
- (l) **Part L:** Communication Protocols;
- (m) **Part M:** Resolution of Issues;
- (n) **Part N:** Amendment and Termination;
- (o) **Part O:** Other Matters; and
- (p) **Part P:** Definitions and Interpretation.
- (q) **Part Q:** Glossary

PART D: WAIKATO-TAINUI ASPIRATIONS

13. Waikato-Tainui's aspirations in entering into this kawenata are as follows:

- (a) To work collaboratively with Hamilton City Council to achieve their tribal vision and strategic goals and to ensure that the aspirations of Waikato-Tainui influence and inform Council decision-making and are in the best interests of their tribal members and the wider Waikato community.
- (b) For Mana Whenua, specifically, Ngaati Hauaa, Ngaati Korokii Kahukura, Ngaati Maahanga, Ngaati Tamainupoo and Ngaati Wairere, the aspirations are to participate in, and add value to, the Council's decision-making processes through representation on Council's committees with full voting and speaking rights in decision-making roles within the committees.

- (c) To provide for an enduring relationship between the parties through:
 - (i) A commitment to being open, honest and transparent in communication;
 - (ii) A commitment to work together in the spirit of cooperation, compromise and good faith;
 - (iii) Respect of the mana whakahaere rights and responsibilities of Waikato-Tainui and the five Hapuu they represent in this agreement being Ngaati Hauaa, Ngaati Korokii Kahukura, Ngaati Maahanga, Ngaati Tamainupoo and Ngaati Wairere; and
 - (iv) An ongoing commitment to further exploring potential opportunities for partnership with the Council.

PART E: TROK ASPIRATIONS

14. TROK's aspirations in entering into this kawenata are to advance the aspirations encapsulated in its constitution, including:
- (a) The development of an effective working partnership with local authorities with respect to issues affecting Maori and Pacific peoples in Hamilton city;
 - (b) Encouraging, promoting, assisting and developing the social, educational, cultural and political advancement of its members;
 - (c) Involvement with Article III matters of the Treaty of Waitangi; in particular the principles of participation, partnership, protection, advocacy and representation.

PART F: COUNCIL'S ASPIRATIONS

15. The Council's aspirations in entering into this kawenata are as follows:
- (a) To honour its legislative obligations under the Local Government Act 2002 (LGA) and the Resource Management Act 1991 (RMA), guided by the principles of Te Tiriti o Waitangi (the Treaty);
 - (b) To incorporate the unique perspective of Maaori in decision-making at the committee level;
 - (c) To provide a meaningful role for Maaori within Council's governance structure; and
 - (d) To better meet the current and future needs of the city's communities, of which Maaori make up a growing proportion.

PART G: VALUES AND PRINCIPLES OF KAWENATA

Values

16. The parties agree to honour the following values when working together under this kawenata:

- (a) **Kiingitanga:** we acknowledge Kiingitanga, its history in unifying Maaori and its rich history as the Maaori monarch established to unify Maaori and bring peace and protection to all people;
- (b) **Tikanga and Kawa:** we respect and practise Tainui tikanga and kawa;
- (c) **Mahitahi:** we work together towards a shared vision, we value diversity and promote collaborative solutions;
- (d) **Tika:** we recognise that each partner has autonomy, different lines of accountability and we enable each party to develop and grow in its own way while recognising and acknowledging each other's independence;
- (e) **Pono:** we will create an environment of trust, goodwill and respect towards each other, recognising and understanding the capabilities and constraints each party brings to the relationship;
- (f) **Tauutuutu:** we recognise and value balance and reciprocity; and
- (g) **Te Tiriti o Waitangi:** we respect the intent, the full text, the principles, and application of Te Tiriti o Waitangi.

Principles

17. The parties agree to honour the following working principles when working together under this kawenata:
- (a) We work together in good faith to safeguard and promote the mutual interests of the parties in order to improve outcomes for the people of Hamilton City;
 - (b) We act in ways that honour the Treaty of Waitangi principles including partnership, participation and active protection;
 - (c) We create and foster a high trust relationship and environment that allows the parties to work together while growing within their own tikanga (customs, obligations and conditions) and pursuing their own interests and priorities;
 - (d) We work towards solutions with rationality and honesty of purpose;
 - (e) We resolve any differences simply, effectively and in a manner that supports a long-term, intergenerational partnership;
 - (f) We seek opportunities to share skills, knowledge and information; and
 - (g) We acknowledge the shared interests of the parties in the development and promulgation of strategy, policy and legislation/by-laws that affect the people of Hamilton City.

Guiding principles for good governance

18. Both Waikato-Tainui and TROK also acknowledge the Council's guiding principles of good governance for members of Council committees:
- (a) **Community pride:** decisions made will be in the best interests of Hamilton City, and will assist in ensuring that the Hamilton City continues to be one where people want to live, work and play;
 - (b) **Leadership:** committee members should engage enthusiastically and empathetically with the community to learn and act upon issues of local concern;
 - (c) **Consensus:** committee members are encouraged to strive towards reaching an agreed view/position on decisions and objectives so as to be able to show support of the unified culture of the Council;
 - (d) **Collective responsibility:** committee members should give regard to the agreed view/position of the Council by ensuring they express fairly and in a positive and supportive manner when representing the Council both in written and oral presentations;
 - (e) **Honesty and integrity:** committee members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour;
 - (f) **Respect for others:** committee members should promote equality by not discriminating unlawfully against any person, and shall always treat people with respect; and
 - (g) **Community engagement:** committee members should regularly communicate/engage with citizens, individuals and groups in Hamilton.

PART H: APPOINTMENTS TO COUNCIL COMMITTEES

19. In taking any action or making any decision under this Part [H], the parties will at all times act in accordance with the values and principles set out in this kawenata.

Membership

20. There will be Maaori representatives on the following Council committees:
- (a) One seat for Iwi on the Growth and Infrastructure Committee;
 - (b) One seat for Iwi on the Finance Committee;
 - (c) Two seats on the Community and Services Committee - one seat for Iwi and one seat for Maataa Waka; and
 - (d) One seat for Iwi on the Regulatory and Hearings Committee.

Nomination and appointment

21. The parties agree that:
 - (a) Waikato-Tainui and TROK are responsible for nominating suitable candidates for the positions on committees referred to above; and
 - (b) The Council will make the final decision on those appointments.
22. The process for Waikato-Tainui and TROK to nominate candidates is a matter for those parties in accordance with tikanga.
23. Waikato-Tainui and TROK must ensure that candidates that are nominated for appointment meet the essential criteria set out in [Appendix One].
24. The role for the Maaori members appointed to committees is as set out in [Appendix Two].
25. The Council will receive candidate nominations for approval from Waikato-Tainui and TROK.

Term and reappointment

26. The appointments referred to in clause [20] will continue for the remainder of the 2016 to 2019 triennium, subject to any changes that may be made at the discretion of the Council during that triennium in accordance with clause [29].
27. At the commencement of each triennium the Council will:
 - (a) Engage with Waikato-Tainui and TROK in relation to the arrangements for Maaori representation on Council committees under this kawenata;
 - (b) Decide on the Maaori representation to be provided for during that triennium (if any);
 - (c) Communicate that decision to Waikato-Tainui and TROK; and
 - (d) Act in a manner that reflects the values and principles set out in this kawenata throughout that process.
28. The parties acknowledge that Council retains the right and discretion to review the positions of Maaori representatives on the committees at any time during a triennium, and to discharge members if that is considered appropriate in the circumstances.

29. During a triennium:
- (a) Waikato-Tainui and TROK may request that a Maaori member be replaced, and in doing so provide nominations to the Council in relation to a replacement member; and
 - (b) The Council may request that a Maaori member be replaced, in which case the Council may discharge that member and seek nominations from Waikato-Tainui and TROK in relation to a replacement member.
30. Waikato-Tainui and TROK will meet all of their own costs associated with the process for nominating Maaori candidates to the Council under this kawenata.
31. The Council will meet all of its own costs for appointing those Maaori members.

PART I: EXPECTATIONS OF THE PARTIES

32. The Council agrees to:
- (a) Comply with this kawenata and act in accordance with the values and principles expressed in it;
 - (b) Comply with its obligations under legislation to support Maaori participation in its decision-making processes; and
 - (c) Provide support to Maaori representatives of Council committees as set out in individual agreements with those representatives.
33. Waikato-Tainui and TROK agree to:
- (a) Comply with this kawenata and act in accordance with the values and principles expressed in it;
 - (b) Ensure nominated candidates have the skills, attributes, or knowledge that will assist the work of the Council committee(s); and
 - (c) Provide appropriate support to appointed Maaori representatives to fulfil their responsibilities as Committee members and enable them to connect back with their communities; and

PART J: INDEMNITY AND INSURANCE COVERAGE FOR EXTERNAL APPOINTEES – RESPONSIBILITIES AND COSTS

34. The Council holds professional indemnity insurance which will include protection for claims against the Council arising from the activities of Maaori representatives appointed to Council committees. This provision requires individuals to report potential issues involving legal action (or the threats thereof) against Hamilton City Council immediately. It should be noted that the protections afforded by this cover do not extend to the individuals in their personal capacity.

35. The Council will provide an appropriate indemnity to Maaori representatives undertaking activities in their capacity as Committee members.

PART K: RELATIONSHIP HUI

36. This kawenata reflects and records a commitment to a long-term ongoing relationship. The parties acknowledge that over time the nature and focus of the relationship will evolve to reflect changing circumstances.
37. The parties agree to meet solely for the purpose of reviewing this kawenata at least every three years and within one month of the start of a new Council triennium, or otherwise as mutually agreed.
38. The parties may at any time and by mutual agreement amend this kawenata to reflect:
- (a) Changes to the vision or purposes of the relationship as they reflect changing circumstances; and
 - (b) Any other changes that parties consider and agree are necessary and appropriate.

PART L: COMMUNICATION PROTOCOLS:

39. The parties agree that:
- (a) Neither party may make a statement in relation to this kawenata or the representation arrangements, or on another party's behalf, without the agreement of all parties;
 - (b) This kawenata does not restrict Maaori stakeholders from presenting views or submissions on Council's policies, plans or in other Council processes;
 - (c) Unless required by law, by mutual agreement or if any party requests information relating to this kawenata remains confidential, all information relating to this kawenata will be open to the public; and
 - (d) The Council and its committees are subject to the Local Government Official Information and Meetings Act 1987, and the representation arrangements and work of the committees will be undertaken in compliance with that Act.

PART M: RESOLUTION OF ISSUES

40. The parties will act at all times in good faith, in accordance with the values and principles of this kawenata, and with the goal of preserving and enhancing their relationship.
41. However, in the event of a dispute, the parties agree to the following process:
- (a) In the first instance, the agreed representatives of the parties will meet and attempt to resolve the dispute;

- (b) If that process does not resolve the dispute, the matter will be referred to a group comprising:
 - (i) The Mayor and chief executive of the Council;
 - (ii) The Board Chair and chief executive of Waikato Tainui; and
 - (iii) The Board Chair and chief executive of TROK;
- (c) That group will work together to explore all options and approaches to resolving the dispute; and
- (d) That group may, by agreement, appoint a facilitator or mediator to assist in resolving the dispute.

PART N: AMENDMENT TO AND TERMINATION OF KAWENATA

- 42. The parties may agree from time to time and in writing to amend this kawenata.
- 43. Any party may terminate this kawenata by giving not less than one months' notice in writing to the other parties.
- 44. Prior to giving any such termination notice, all parties will in good faith and in accordance with the values and principles of this kawenata:
 - (a) Engage with the other parties to identify and work through any issue of concern;
 - (b) Explore constructive solutions that avoid the need for termination; and
 - (c) Provide time for that process to be worked through before resorting to termination.

PART O: OTHER MATTERS

- 45. The parties intend to be legally bound by this kawenata.
- 46. The parties will do all things that are reasonably necessary to implement or support the implementation of this kawenata.
- 47. No amendment to this kawenata will be effective unless it is in writing and signed by all the parties.
- 48. This kawenata may be executed in any number of counterparts (including facsimile or scanned PDF counterpart), each of which will be deemed an original, but all of which together will constitute the same instrument. No counterpart will be effective until each party has executed at least one counterpart.

PART P: DEFINITIONS AND INTERPRETATION

Definitions

- 49. In this kawenata, unless the context requires otherwise:

- (a) **Code of Conduct** means the Council's Code of Conduct (including any amendments or substitutions) as required under the Local Government Act 2002.
- (b) **'kawenata'** means this agreement;
- (c) **Iwi** refers to the 70, 000 beneficiaries, 66 marae and 33 Hapuu of Waikato Tainui.
- (d) **Standing Orders** means the Council's Standing Orders (including any amendments or substitutions) as required under the Local Government Act 2002.

Interpretation

50. In this kawenata, unless the context requires otherwise:

- (a) Anything required by this kawenata to be done on a day which is not a working day may be done effectually on the next working day;
- (b) Headings appear as a matter of convenience and do not affect the construction of this kawenata;
- (c) A reference to a party to this kawenata or any other document includes that party's personal representatives/successors and permitted assigns;
- (d) A reference to a person includes a corporation sole and also a body of persons, whether corporate or unincorporate;
- (e) Where a word or expression is defined in this kawenata, other parts of speech and grammatical forms of that word or expression have corresponding meanings;
- (f) Any appendices form part of this kawenata;
- (g) The singular includes the plural and vice versa, and words importing one gender include the other genders;
- (h) A reference to an enactment or any regulations is a reference to that enactment or those regulations as amended, or to any enactment or regulations substituted for that enactment or those regulations;
- (i) Any reference to time is to New Zealand time; and
- (j) Any reference to 'written' or 'in writing' includes all modes of presenting or reproducing words, figures and symbols in a tangible and permanently visible form.

PART Q: GLOSSARY OF TERMS

Hapuu	<i>Sub-tribe.</i> For the purpose of this agreement, refers to Ngaati Wairere, Ngaati Maahanga, Ngaati Hauaa, Ngaati Tamainupoo and Ngati Korokii Kahukura
Iwi	<i>Tribe.</i> For the purpose of this agreement refers to the 70,000 beneficiaries, 66 marae and 33 Hapuu of Waikato-Tainui
Kawa	<i>Protocol</i>
Kawenata	<i>Covenant</i>

Kiingitanga	<i>Maaori Monarchy</i> - one of New Zealand's most enduring political institutions, the Kiingitanga - was founded in 1858 with the aim of uniting Maaori under a single sovereign.
Kirikiroa	<i>Long-gravel road</i> - Kirikiriroa is the original name for the area that is now known as Hamilton City.
Maaori	<i>Indigenous people of New Zealand</i> - for the purposes of this agreement the term Maaori refers to Iwi, Hapuu and Maataa Waka as a collective of Hamilton City.
Maataa Waka	<i>Ancestral canoe, Ethnic origin</i> - for the purposes of this agreement Maataa Waka are representative of Maaori who live in Hamilton but descend from an Iwi other than Waikato Tainui.
Mahitahi	<i>Collaboration.</i>
Pono	<i>Honest/true.</i>
Tauutuutu	<i>Reciprocate.</i>
Tikanga	<i>Values, beliefs.</i>
Tiriti o Waitangi	<i>Treaty of Waitangi.</i> The Treaty of Waitangi signed by Maaori and the British Crown on February 6, 1840, at Waitangi in the Bay of Islands.

EXECUTED BY THE PARTIES

SIGNED by and on behalf of
WAIKATO-TAINUI:

[to insert]

[to insert]

Attachment 1

SIGNED by and on behalf of
TE RUNANGA O KIRIKIROA:

[to insert]

[to insert]

Item 20

SIGNED by and on behalf of
HAMILTON CITY COUNCIL:

[to insert]

[to insert]

APPENDIX ONE

ESSENTIAL CRITERIA FOR CANDIDATES

1. The essential criteria for candidates to be nominated are set out below.
2. The candidate must:
 - (a) Have relevant experience and acumen for the appointment to the relevant Council committee (e.g. financial, local government planning, transport and infrastructure, community services etc) and the ability to apply this technical capability to the role required by the Council;
 - (b) Have the ability to engage in effective relationships with elected members, the Council staff, the Council's stakeholders (including members of the public) on an ongoing basis;
 - (c) Have proven experience in participating in governance-level decision making at organisations with public accountability requirements;
 - (d) Not be in a position, or be directly related to someone in a position, whether financially or otherwise, that will create an ongoing conflict with the interests of the Council and/or the relevant Council committee to which the individual is nominated to be appointed. For example, a person who is a member of the senior management team at Tainui Group Holdings would be likely to have ongoing conflicts if appointed to the Growth and Infrastructure Committee or the Finance Committee;
 - (e) Understand good decision-making requirements for a local authority, the relevant Committees' delegations and terms of reference, as well as the roles and responsibilities of the mayor, elected members, chief executive and staff;
 - (f) Recognise that the governance role does not extend to operational matters or to the management of any implementation;
 - (g) Have a good understanding of the Council processes set out in the Standing Orders that determine how council meetings are run;
 - (h) Be willing and able to develop and maintain a working knowledge of Council services, management processes, powers, duties and constraints;
 - (i) Have strong and effective communication skills; and
 - (j) Have competence and understanding of Council's needs relating to committee requirements, and of the issues and risks facing the Council.

APPENDIX TWO

ROLE DESCRIPTION FOR MAAORI APPOINTEES TO COUNCIL COMMITTEES

Representation and Advocacy

1. In terms of representation and advocacy, the role of the Maaori appointees will be:
 - (a) To bring the views of Maaori residing in Hamilton into council decision-making processes;
 - (b) To maintain contact with the [Maaori stakeholder groups/appointment bodies] on a regular basis; and
 - (c) To participate in any relevant consultative processes with the local community and/or other organisations as a member of the relevant committee(s).

Governance

2. In terms of governance, the role of the Maaori appointees will be:
 - (a) To participate constructively and effectively in the good governance of the Council as a whole and, specifically, for the Committee(s) to which the appointee is appointed, acting in the best interests of Hamilton city at all time;
 - (b) To understand and respect the differing roles of Mayor, Deputy Mayor, Committee Chairs and Councillors;
 - (c) To recognise that the governance role does not extend to operational matters or to the management of any implementation of Committee decisions;
 - (d) To be familiar and comply with:
 - (i) The Council processes set out in the Standing Orders that determine how the Council meetings are run;
 - (ii) The Council's Code of Conduct; and
 - (iii) The statutory and policy requirements that apply to members of a Council committee (including in relation to pecuniary interests and official information);
 - (e) To be familiar with and maintain awareness of the Council's statutory functions, powers and responsibilities, particularly as they relate to the terms of reference for the committee(s) to which the appointee has been appointed;
 - (f) To develop and maintain a working knowledge of council services, management processes, powers, duties and constraints;
 - (g) To participate in the setting and monitoring of council policies, budgets, strategies and service delivery in accordance with the delegations and terms of reference of the committee(s) to which the appointee has been appointed; and

- (h) To identify, be aware of and declare any potential personal conflicts of interest, whether of a pecuniary or non-pecuniary nature, in accordance with legislation and the Council's Code of Conduct and Standing Orders. The appointee must complete a declaration of interest on appointment, and update the declaration every six months in accordance with the Council's Code of Conduct.

Committee and other meetings

- 3. In terms of committee and other meetings, the role of the Maaori appointees will be:
 - (a) To attend an induction programme within an agreed timeframe following the appointment of the appointee;
 - (b) To attend all committee meetings (except where absence has been noted with written agreement from the appointee's organisation and the Chair of the committee);
 - (c) To attend all Council briefings where there are items discussed which fall within the terms of reference of the committee(s) to which the appointee has been appointed (except where an apology has been provided in accordance with Standing Orders);
 - (d) To attend meetings of any taskforce to which the appointee has volunteered to be a member of, as a member of the committee; and
 - (e) To read, and be familiar with, the agendas and other documentation circulated to Committee members prior to any of the meetings to which the appointee is required to attend under this kawenata.

Other

- 4. The appointee will comply with the Council's health and safety and network security policies and processes (copies of which are to be provided to appointees on appointment).