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## **Council Kaunihera OPEN MINUTES**

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton and via Audio Visual link on Thursday 1 April 2021 at 9.38am.**

### **PRESENT**

<b>Chairperson</b>	Mayor P Southgate
<b>Heamana</b>	
<b>Deputy Chairperson</b>	Deputy Mayor G Taylor
<b>Heamana Tuarua</b>	
<b>Members</b>	Cr M Bunting (via Audio-visual Link) Cr M Gallagher Cr R Hamilton Cr D Macpherson Cr K Naidoo-Rauf Cr A O'Leary Cr R Pascoe (via Audio-visual Link) Cr S Thomson Cr M van Oosten Cr E Wilson

<b>In Attendance</b>	Richard Briggs – Chief Executive Sean Hickey – General Manager Strategy and Communication David Bryant – General Manager People and Organisational Performance Becca Brooke – Governance Manager Muna Wharawhara – Amorangi Maaori  Dale Ofoske – Managing Director, Election Services
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<b>Governance Staff</b>	Carmen Fortin, Narelle Waite and Tyler Gaukrodger – Governance Advisors
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*Tame Pokaia opened the meeting with karakia, Donald Turner (Waikato Tainui) gave a response.*

- 1. Apologies – Tono aroha**  
**Resolved:** (Cr Wilson/Cr Thomson)  
That the apologies for absence from Cr Forsyth, and for partial attendance from Cr Pascoe were accepted.
- 2. Confirmation of Agenda – Whakatau raarangi take**  
**Resolved:** (Mayor Southgate/Cr Bunting)  
That the Agenda is confirmed.

**3. Declarations of Interest – *Tauaakii whaipaaanga***

No members of the Council declared a Conflict of Interest.

**4. Public Forum – *Aatea koorero***

**Horiana Henderson** spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards and Maangai Maaori noting historic representation of Maaori on the Council. She responded to questions from Members concerning Maaori representation in the general Wards.

**Anna Casey-Cox** and **Rose Black** (Poverty Action Waikato) spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards noting the effects of colonisation on Maaori representation. They responded to questions from Members concerning He Pou Manawa Ora consultation and Te Tiriti o Waitangi.

**Reverend Peter Sampson** spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards noting Te Tiriti o Waitangi and history of Maaori representation in the Church. He responded to questions from Members concerning public consultation.

**Taitimu Maipi** spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards noting the New Zealand Land Wars.

**Hana Rawhiti Maipi-Clarke** spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards noting the history of Maaori protest.

**Tipa Mahuta** (Waikato Regional Council Councillor) spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards and Maangai Maaori, noting concerning Maaori representation models at Waikato Regional Council. She responded to questions from Members concerning maatauranga maaori in organisational and governance structures, constituency and representation, and public consultation.

**Donna Pokere-Phillips** spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards and Maangai Maaori noting her involvement in the representation review at Waikato Regional Council and her involvement in DONE (Decolonisation of Oppressive Names Everywhere) and presented a petition to the Council.

**Ezak Smith** spoke to item 5 (Consideration of Maaori Wards and Maaori Representation) in support of Maaori Wards noting the various impacts of colonisation.

**Written Submissions:**

**Tania Ashman** provided a written submission to Item 5 (Consideration of Maaori Wards and Maaori Representation). This was circulated to Council Members prior to the meeting and is attached to the minutes as appendix 1.

**Linda Te Aho** and **Donna Flavell** (Waikato Tainui) provided a written submission to Item 5 (Consideration of Maaori Wards and Maaori Representation). This was circulated to Council Members prior to the meeting and is attached to the minutes as appendix 2.

**Kelli Pike** provided a written submission to Item 5 (Consideration of Maaori Wards and Maaori Representation). This was circulated to Council Members prior to the meeting and is attached to the minutes as appendix 3.

## 5. Consideration of Maaori Wards and Maaori Representation

The Mayor introduced representatives from Hamilton City Council key Maaori stakeholder/partnership groups to present on the matter.

**Donna Flavell** and **Donald Turner** (Waikato Tainui) spoke in support of increased Maaori representation noting Waikato Tainui's strong advocacy for Maaori wards, Maangai Maaori and representation of mana whenua and hapuu. They responded to questions from Members concerning the number of representatives, political campaigning, constituency of Maaori Wards, and the Maaori electoral roll.

**Rawiri Bidois** (Te Haa o te whenua o Kirikiriroa (THaWK)) spoke in support of increased Maaori representation, in particular the establishment of Maaori wards and noted the establishment of THaWK and democracy's alignment with te ao maaori and tikanga, and the misalignment of territorial authority and hapuu boundaries.

**Olly Te Ua** (Te Runanga Ō Kirikiriroa (TROK)) spoke in support of the establishment of Maaori wards and increased Maaori representation noting the timing of Maaori Ward establishment. He responded to questions from Members concerning Maaori representation, general Wards and consultation.

**Hemi Rau** and **Norm Hill** (HCC Maangai Maaori) spoke in support of establishing Maaori wards and increased Maaori representation noting the success of the current Maaori representation arrangements in place. They responded to questions from Members concerning timelines for incorporating Maaori Wards, historic Maaori representation on the Council, and public consultation.

The General Manager Strategy and Communication and the Governance Manager took the report as read and introduced Dale Ofoske (Election Services). They responded to questions from Members concerning public consultation.

**Resolved:** (Cr Wilson/Cr Macpherson)

That the council suspends Standing Order 23.8 with reference to speaking rules for foreshadowed amendments.

**Motion:** (Mayor Southgate/Cr Hamilton)

That the Council:

- a) receives the report;
- b) approves to continue its commitment to strengthen meaningful representation and participation of Maaori across all levels of Council activity (including consideration of Maaori wards, strengthening the role of Maangai Maaori and/or other means) following the adoption of He Pou Manawa Ora and consistent with the direction of the strategy; and
- c) commits to maintain collaboration and engagement with iwi and the community throughout the process.

**Amendment:** (Cr van Oosten/Cr Gallagher)

That the Council:

- a) receives the report and;
- b) approves to establish Maaori wards for the 2022-25 triennium with consultation as

required by the wider representation review, and recommend the incoming Council retain the existing Maangai Maaori system upon the introduction of Maaori wards as part of determining the new governance structure for the 2022-2025 triennium.

**The Amendment was put.**

**Those for the Amendment:** Councillors van Oosten, Gallagher, Thomson and Macpherson

**Those against the Amendment:** Mayor Southgate, Deputy Mayor Taylor, Councillors Wilson, Hamilton, Bunting, Pascoe, O'Leary, and Naidoo-Rauf.

**The Amendment was declared LOST.**

**The Motion was then put and declared CARRIED.**

**Resolved:** (Mayor Southgate/Cr Hamilton)

That the Council:

- d) receives the report;
- e) approves to continue its commitment to strengthen meaningful representation and participation of Maaori across all levels of Council activity (including consideration of Maaori wards, strengthening the role of Maangai Maaori and/or other means) following the adoption of He Pou Manawa Ora and consistent with the direction of the strategy; and
- f) commits to maintain collaboration and engagement with iwi and the community throughout the process.

*Cr Pascoe joined the meeting (10.53am) during discussion of the above item. He was present when the matter was voted on.*

**The meeting adjourned during discussion of the above item from 11.05 to 11.26am.**

*Donald Turner closed the meeting with karakia.*

**The meeting was declared closed at 12.23pm.**

**Appendix 1**

**Appendix 1:**

Teena koe

I support Option 3 – Establish Maaori wards for the 2022-25 triennium with/without consultation with the wider community and recommend the incoming Council retain the existing Maangai Maaori system upon the introduction of Maaori wards as part of determining the new governance structure for the 2022-2025 triennium.

I support this option because

Council's key Maaori stakeholders - Waikato-Tainui, Te Runanga o Kirikiriroa and Te Haa o te Whenua o Kirikiriroa – have clearly stated through consultation hui their view that:

- The Council should establish Maaori wards;
- Maaori wards should be in place for the next triennium (2022-2025); and
- Their preference is to retain the Maangai Maaori system alongside Maaori wards.

Ngaa mihi nui

Na Tania Ashman

Appendix 2:

26 March 2021



Mayor Mylchreest  
Waipaa District Council  
Private Bag 2402  
TE AWAMUTU

Mayor Southgate  
Hamilton City Council  
Private Bag 3010  
HAMILTON

Mayor Sanson  
Waikato District Council  
15 Galileo Street  
NGAARUAWAAHIA

Teenaa koutou e ngaa Rangatira

**WAIKATO -TAINUI POSITION ON MAAORI WARDS**

*He hoonore, he kororia, he maungarongo ki te mana o te whenua, he whakaaro pai ki ngaa tangata katoa. Pai Maarire.*

The purpose of this letter is to confirm for you, once again, Waikato-Tainui's position on the introduction of Maaori wards across our rohe.

Waikato-Tainui celebrate the removal of legislative provisions that have allowed a percentage of the general public to deny Maaori from having guaranteed representation in local government. We acknowledge the swift action of Minister Nanaia Mahuta who has listened to the champions of this cause, despite trenchant opposition.

We are pleased that the amended legislation will be in effect for the next round of local body elections, and we encourage councils to be bold in the face of inevitable challenge. We note that Waipaa District Council has indicated that they will move to introduce Maaori wards to the Council in May 2021 and we congratulate Mayor Mylchreest and his councillors on this action.

Waikato-Tainui has advocated for representation at local government levels for many years. This work has been instrumental in establishing Maangai Maaori appointments at Hamilton City Council and Waikato District Council. Similar positions are in place at Waipaa District Council.

Maangai in these positions have voting rights on key committees, and the model works well because Maangai bring exceptional skills and experience. Their contribution also adds necessary diversity rendering local government more representative of the peoples in their communities and provides for more robust and sustainable decision-making.

We urge Councils to retain these positions even if they vote to establish Maaori wards. We look forward to discussing our views with councils in our rohe at our joint hui at our Tribal Parliament next week.

Local government decisions affect our everyday lives. The inclusion of Maaori in all levels of decision-making goes some way for Councils to act honourably and in accordance with the provisions of Te Tiriti o Waitangi. Inclusion also aligns with international Indigenous rights instruments adopted by the New Zealand government.

Maaori have rights to a decisive voice in decisions that affect us directly. Moreover, it makes sense for us to work together with local communities in the governance and management of the landscapes and ecosystems we live in and near. For these reasons, it is critical that Maaori are at the forefront of co-designing the proposed new legislative regime for resource management that is being progressed at haste

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**Appendix 2**

We commend this legislative change as a step in the right direction. Having said that, we would like to see further improvement.

Following a legacy of having been denied the right to vote, Maaori have guaranteed seats for Maaori in Parliament to ensure participation. We are of the view that there should also be guaranteed seats on every council. We have a successful model operating at Waikato Regional Council where two Maaori wards have been in place for some years and we recommend this model as a way forward for councils when they come to consider the establishment of wards.

This is an opportunity for local government to give effect to the promise of partnership.

Kia manawanui taatou.



Linda Te Aho  
CHAIR, TE ARATAURA  
TE WHAKAKITENGA O WAIKATO INC



Donna Flavell  
TUMU WHAKARAE  
TE WHAKAKITENGA O WAIKATO INC

**Appendix 3**

Kia ora e hoa,

I'm unable to attend public forum today (celebrating Frankton School's 110th birthday!) but would appreciate you forwarding this on to elected members.

Re: establishing Maaori wards

👉 My preference:

Option 3 – Establish Maaori wards for the 2022-25 triennium with/without consultation with the wider community and recommend the incoming Council retain the existing Maangai Maaori system upon the introduction of Maaori wards as part of determining the new governance structure for the 2022-2025 triennium.

👉 Why?

In the articles of Te Tiriti o Waitangi, Maaori would retain tino rangitiratanga and the same rights as British people - therefore the two should sit side by side to represent residents.

Maangai Maori should be retained to formally represent formal Iwi and Maatawaka partners.

You have made awesome progress lately with He pou manawa ora. It's my hope that the strategy is uplifted to be a lens for all decisions to be made. I believe we should aspire to replace the 4 well beings with these pou, the essence is the same, the symbolism much more.

I look forward to expediency in addressing the issue of inappropriate street names (and the statue), which I personally consider an insult to tangata whenua.

I can't help but think of the late Max Christoffersen as I write this; and while I don't know what he would think of this issue of Maaori wards, I can still remember a conversation where we talked about the fake democracy we live in. Unless we do bold things (he said burn the bus, but I won't go that far yet) we will not see the improvement in participation required for you to be representing the city well.

Establishing Maaori wards is a step in the right direction.

Happy to be contacted for clarification if required.

Ngaa mihi nui  
Kelli