



8th April 2009

NC10-02

Terms of Reference for the Maori Advisory Committee to National Council

Purpose

To outline the Terms of Reference for a Maori Advisory Committee, *Te Roopu Kaitohutohu Maori*, to *Local Government New Zealand's* National Council.

Background to the Committee

The 2008 *Local Government New Zealand* Annual General Meeting (AGM) passed the following remit:

That *Local Government New Zealand*:

1. **Agree** in principle to establish a group of Maori elected members to provide advice to the *Local Government New Zealand* National Council for the purposes of:
 - a) promoting increased representation of Maori as elected members of local government
 - b) enhancing Maori participation in local government processes
 - c) providing support for councils in building strong relationships with Iwi, Hapu and Maori groups
 - d) providing Maori input on development of future policies or legislation relating to local government.

2. **Agree** to establish and resource a working group comprising five Maori elected members of local authorities in New Zealand, selected by their peers, and the National Council portfolio holder for Council-Maori engagement, to bring a proposal to the *Local Government New Zealand* National Council that covers:
 - a) the recommended structure of the group (referred to in 1) and its relationship to the *Local Government New Zealand* National Council, that reflects the principles of partnership under the Treaty of Waitangi
 - b) a draft group plan and budget for approval
 - c) a plan for establishment of the group in time for it to become operational by 1 July 2009.

A Working Group was established and National Council approved a proposal at its meeting of 27th March 2009. The resulting Terms of Reference for the Committee are detailed in this document. The following sections address: principles of engagement; committee purpose; functions; membership and composition; relationships and accountability; working arrangements; budget and work plan. A timeframe for establishment of the Committee is also included.

Terms of Reference for the Maori Advisory Committee to National Council

1 Principles of engagement

In establishing the Committee, the remit requires consideration of the Treaty principle of partnership. As such it is proposed that the Committee and *Local Government New Zealand* recognise, acknowledge, and operate in accordance with the Treaty of Waitangi and the spirit of partnership as follows:

- the parties (the National Council and the Advisory Committee) are required to act towards the other reasonably, honestly, and with the utmost good faith
- the relationships and structures need to be adaptable to meet new circumstances
- the courtesy of early consultation is a partnership responsibility
- building a meaningful relationship that both parties acknowledge, recognise and respect
- long-term commitment to the relationship at all levels
- strengthening *Local Government New Zealand* through shared vision, strategy and goals while enhancing understanding of respective roles and responsibilities.

The National Council recognises that the principles of engagement outlined here are standard practice for all National Council Committees.

2 Committee Purpose

The purpose of the Committee has been set in the remit as follows:

...to establish a group of Maori elected members to provide advice to the *Local Government New Zealand* National Council for the purposes of:

- promoting increased representation of Maori as elected members of local government
- enhancing Maori participation in local government processes
- providing support for councils in building strong relationships with Iwi, Hapu and Maori groups
- providing Maori input on development of future policies or legislation relating to local government.

3 Functions

In order to achieve its purpose the Committee will need to undertake a number of functions including:

1. providing advice to National Council on effective ways to achieve the four objectives (noted above)
2. developing, implementing, reviewing and monitoring projects set out in the work plan
3. initiating and promoting dialogue with National Council on matters of interest
4. suggest and convey matters for the attention of National Council, and highlight those matters that National council should be informed about
5. considering matters referred by National Council and provide a timely response
6. support and give advice to councils to engage with Maori
7. acting as a conduit and liaison between elected Maori councillors, councillors and National Council.

Rules E30-E40 of the Rules of the New Zealand Local Government Association, relating to National Council Committees, are also relevant to the functions of the Committee.

4 Membership and composition

Eligibility to participate:

- all elected Maori councillors from councils belonging to *Local Government New Zealand* are eligible to be nominated for the Committee
- all elected Maori councillors from councils belonging to *Local Government New Zealand* are eligible to vote for representatives to the Committee.

Committee composition:

Committee composition is as follows:

- the Committee will consist of 7 Maori councillors one from each of the 7 Parliamentary Maori electorates
- the members will be elected by their peers (ie other elected Maori Councillors Maori councillors from councils belonging to *Local Government New Zealand*) who reside in the same Maori electorate (i.e. those elected Maori councillors living in the Waiariki electorate will vote for the candidates standing from the Waiariki electorate)
- the Committee will elect a Chair from among its membership
- should there be no member elected in an electorate (due to there being no elected Maori councillors in the electorate, or none who stand), one further call for nominations and a subsequent vote will be undertaken. Should this not result in a representative being elected then the Committee may consider co-opting a Maori elected member to fill that seat
- the power to co-opt is available to enable numbers to achieve a committee of 7 and/or to add skilled expertise as required by the committee
- a co-opted member shall not have voting rights
- the National Council portfolio holder on Council-Maori engagement will hold an ex-officio position to act as liaison with National Council.

Nomination process:

- candidates for election will be nominated by a council or councils. Nominations will need to be received by *Local Government New Zealand* in the approved form and by the due date
- councils will not be required to pass a resolution nominating a specific candidate; rather they may resolve to delegate the mayor, chief executive, a sub-committee, or other appropriate person or group, the responsibility to nominate a candidate.

Selection process:

- voting will be carried out by ballot, cast by eligible voters (elected Maori councillors from councils who are members of *Local Government New Zealand*)
- the ballot will be held electronically or by post, as determined by *Local Government New Zealand*.

Term of office:

- members of the Committee will be appointed for a three year term, coinciding with the local electoral cycle (except for the first term which will be only 11 months from establishment in July 2009 until the end of the current triennium in October 2010)

- the membership of the Committee will be reviewed after the local government elections and new elections for the Committee will be held. These elections need to be completed by the 28 February in the year following the local government elections.

Disestablishment of the Committee:

- as the Committee has been formed through a remit to the AGM, it can only be disestablished through an AGM remit.

5 Relationships and Accountability

It is proposed that relationships and accountabilities between the Committee, National Council, and other key stakeholders be maintained through:

- networking as required with zones and sectors, elected Maori councillors and other key groups (such as Maori MPs)
- publicising the Committee's work or initiatives through Key Issue Report, LGNews, other *Local Government New Zealand* publications, mailouts, as required
- transparent sharing of information between the parties
- the outgoing Committee will provide a report to National Council at the conclusion of its term outlining its activities and any proposed review or changes to the Committee
- the Committee will be reviewed triennially from 2013 with a report back (including review recommendations) made to the AGM in the year of the local government elections (i.e. July 2013 etc.)
- *Local Government New Zealand* will provide the Committee with relevant information required by the Committee to undertake its functions
- committee members will need to be able to offer free and frank advice to the National Council (and vice versa) and maintain discretion about that advice in wider circles
- maintaining connections with the National Council through tabling minutes of Committee meetings, providing specific reports as required, face to face meetings as required, and the National Council portfolio holder for Council-Maori engagement acting a liaison.

6 Working arrangements

Local Government New Zealand is committed to ensuring that the Committee provides a genuine forum for two-way communication and engagement and to adequately fund the Committee to allow this to occur:

- the Committee will have administrative support from *Local Government New Zealand*
- funding for the Committee will cover meeting costs, travel, and some project funding
- the Committee will meet three times a year with workshops, additional meetings, or phone conferences, as required, and possible within the budget
- the first meeting date of each term will occur before the end of April in the year following the local government elections (except in 2009 when the first meeting will be held in July), and is to include an induction for Committee members undertaken by *Local Government New Zealand*
- meetings dates will be set following consultation with Committee members
- in line with Rule E35 of the Constitution, the Chair of the Committee or the Chief Executive may convene a meeting for urgent business.

- the quorum will be set at Committee membership divided by two plus one, i.e. 4 for a committee of 7 or 5 for a committee of 8 (note that this quorum requirement differs from that for other National Council Committees under Rule E.37 of the constitution where not less than one third of membership constitutes a quorum)
- the Committee can invite people with skills or qualifications to provide information and advice to the Committee for specific purposes (within the limits set by the budget).

7 Budget

The following budget for the Committee for 2009/2010 was approved by National Council at its meeting of 27th March (within the context of approving the 2009/2010 budget for *Local Government New Zealand*).

Budget per meeting:	
Travel for 7 members @ \$600 average	\$4,200
Catering	\$200
<u>Total per meeting</u>	<u>\$4,400</u>
Total budget for 2009/2010	
Annual total for meeting costs (3 per annum)	\$13,200
Projects	\$2,000
<u>TOTAL BUDGET for 2009/2010</u>	<u>\$15,200</u>

The Committee will have a small project budget to undertake specific initiatives during the year. The Committee would also look to effect change by influencing the work programmes and practices of *Local Government New Zealand* and other agencies or groups.

8 Work plan

- hold three meetings per annum.
- contribute to development of 2010/11 *Local Government New Zealand* work programme concerning matters identified within the Committee Purpose (section 2 above)
- provide advice to National Council on ways to achieve the objectives of
 - promoting increased representation of Maori as elected members of local government
 - enhancing Maori participation in local government processes
 - providing support for councils in building strong relationships with Iwi, Hapu and Maori groups
 - providing Maori input on, and opportunities for, the development of future policies or legislation relating to local government
- identify (and implement where appropriate) opportunities, initiatives, processes or projects to meet these objectives
- receive briefings on relevant issues from *Local Government New Zealand*, consider topical issues and provide advice to National Council, considering matters referred by National Council and report back, and promote discussion with National Council on matters of interest.
- act as a link between elected Maori councillors and National Council and promote understanding of the Committee and its work amongst the local government sector.

9 Timeframe for establishing the Maori Advisory Committee

	Term	
	2009-2010	2010-2013
Local government elections	N/A	October 2010
Send out post-election survey	N/A	November 2010
National Council approval	March 27 th 2009	N/A
Send out letters to councils/councillors inviting registrations and nominations	9th April 2009	November 2010
Publicise process to councils	April- May 2009	Nov 2010 - Feb 2011
Post- election survey completed	N/A	End January 2011
Roll closes	15 th May 2009	End Feb 2011
Nominations close	15 th May 2009	End Feb 2011
Voting papers issued	End May 2009	Mid March 2011
Elections close	Mid June 2009	End March 2011
Notification of results	Late June 2009	Early April 2011
Establishment and first meeting	July 2009	April 2011