

MEMORANDUM OF UNDERSTANDING

Partners

Ngāti Tama ki Te Waipounamu Trust; Ngāti Koata Trust; Te Ātiawa o te Waka-a-Māui; Te Rūnanga o Ngāti Rārua; Ngāti Toa Rangatira Manawhenua Ki Te Tau Ihu; Te Runanga O Ngāti Kuia Trust and Tasman Bays Heritage Trust.

Tasman Bays Heritage Trust was established as a Council Controlled Organisation in 2000, by way of Memorandum of Understanding and by the enactment of a Trust Deed between Nelson City Council and Tasman District Council.

Te Tai Ao Komiti, Tasman Bays Heritage Trust

SECTION A - NAME AND PURPOSE

- A.1 The official name of this body shall be Te Tai Ao Komiti, Tasman Bays Heritage Trust.
- A.2 The Komiti exists as a partnership between the Mana Whenua of Whakatu, Motueka and Mohua, and Tasman Bays Heritage Trust and is coordinated through the office of the Chief Executive, Tasman Bays Heritage Trust.
- A.3 The purpose of the Komiti relates primarily to Kaitiakitanga (caretakership) and tikanga Māori (customs, protocols, life principles) of/for all taonga Māori (treasures and ancestors) cared for by Tasman Bays Heritage Trust at the Nelson Provincial Museum Pupuri Taonga o Te Tai Ao.
- A.4 The Komiti will advise, liaise and monitor the implementation of policies and practices relating to the acquisition, care, purpose, protection and utilization of taonga Māori by Tasman Bays Heritage Trust as related to Te Ao Māori (the Māori world). This role also includes matters relating to employment and training of Nelson Provincial Museum Pupuri Taonga o Te Tai Ao staff and volunteers.

TERMS OF REFERENCE

The Komiti will represent at all times the long-term interests of the Mana Whenua of Whakatu, Motueka and Mohua and Tasman Bays Heritage Trust, as reflected in the Tasman Bays Heritage Trust Deed. In particular, the stated Aim of the Trust:

“The aim of the Trust shall be to foster, promote and celebrate a sense of history and awareness of the importance of the region's heritage and identity and the relationship of the Tangata Whenua to their taonga.”

The Komiti will:

- Elect one of their Members to be their representative on the Tasman Bays Heritage Trust. The name of the elected person will be notified in writing to the Secretary of the Trust who will notify the Appointments Committee of the Joint Stakeholder Committee accordingly to seek ratification;
- Assist in identification of desirable policy outcomes for Tasman Bays Heritage Trust;
- Select two representatives for the Appointments Committee of the Tasman Bays Heritage Trust and notify stakeholder Councils accordingly;
- Help assess Iwi requirements;
- Provide perspectives on the establishment and maintenance of realistic and practical creative professional programmes;
- Participate in development and assist in the achievement of long-range programme and policy goals for Tasman Bays Heritage Trust;
- Contribute to/participate in special museum related project requests that pertain to Tangata Whenua;
- Assist in the maintenance of “best practice” standards;
- Provide information on new developments which may require changes in programme/tikanga;
- Aid provision of information and orientation to staff with regard to appropriate tikanga.

It is noted that as indicated in the Tasman Bays Heritage Trust Trust Deed:

The Trust and the Trustees have undertaken to abide by the Preamble and Articles of Te Tiriti o Waitangi [the Treaty of Waitangi] and be guided by the recommendations of the Waitangi Tribunal in any negotiations or discussions between the Trust and Tangata Whenua.

SECTION B - MEMBERSHIP

- B.1 The committee shall be made up of one appointed member of each Iwi and/or their proxy, and the Chief Executive Officer, Tasman Bays Heritage Trust or the CEO’s nominee.
- B.2 All komiti and proxy representatives are to be appointed by resolution of the applicable Iwi authority. Written confirmation of the appointment of the Iwi Komiti representatives and the Proxy Iwi Komiti representatives must be submitted to the Chief Executive Officer, Tasman Bays Heritage Trust by the Secretary of the Iwi Trust Board.
- B.3 The following Iwi are to be represented.
- Ngāti Tama ki Te Tau Ihu
 - Ngāti Koata
 - Te Ātiawa o te Waka-a-Māui

- Ngāti Rārua
- Ngāti Toa Rangatira
- Ngāti Kuia

The representatives of these iwi have a responsibility for liaison with the ahi kaa in their area.

B.4 Other people who may be invited to attend meetings of Te Tai Ao Komiti include:

- Members of Ko Te Pouaranga – the Advisory Komiti to The Suter Art Gallery
- The Director of The Suter Art Gallery
- Senior Maori staff of Nelson City Council and/or Tasman District Council
- Kuia, Kaumatua or Church Ministers
- Senior staff of Nelson Provincial Museum or The Suter Art Gallery as may be required to facilitate discussion of matters related to taonga, tikanga and matauranga

B.5 Notification of appointments, reappointment or changes to the Komiti shall be confirmed in writing by the appropriate Iwi authority.

B.6 The term of appointment to the Komiti will be until such time as the member either resigns, is removed by their iwi, or is subject to clause B.7.

B.7 Any member who absents themselves from three consecutive meetings, without just cause, will be deemed to have resigned from the komiti. The appropriate Iwi authority will be notified and required to appoint an alternate representative.

B.8 The term of a new Komiti member shall begin on the month of confirmed appointment by the appropriate Iwi authority.

B.9 The Komiti may from time to time second persons with specific expertise to provide additional advice to the Komiti.

SECTION C - PROCEDURAL REQUIREMENTS

C.1 Tasman Bays Heritage Trust shall supply a Minute Secretary, as required. All records will be maintained by the office of the Chief Executive Officer, Tasman Bays Heritage Trust.

C.2 Te Tai Ao Komiti is responsible for the recommendation to the Appointments Committee of the Tasman Bays Heritage Trust of an Iwi Representative to sit on the Tasman Bays Heritage Trust. As specified in the Deed of Trust; any vacancy in this role will be publically notified. Nominations will be called for by the Chief Executive of TBHT who is to ensure that all six Iwi Trusts receive notification of the call for nominations. Te Tai Ao Komiti will meet and decide on their preferred candidate. Candidates do not necessarily have to be members of Te Tai Ao Komiti. The name of the selected representative will be sent to the Secretary of TBHT who will forward the recommendation to the

Appointments Committee representing the Joint Stakeholder Council for ratification.

- C.3 The Appointments Committee of the Joint Stakeholder Council is made up of six representatives: two members from each stakeholder Council authority and two Iwi Representatives.

SECTION D - MEETINGS

- D.1 The Komiti will meet regularly, a minimum of four times per annum and at least one meeting will be a combined meeting with the Board of the Tasman Bays Heritage Trust.
- D.2 Costs for meetings will be borne by Tasman Bays Heritage Trust.
- D.3 Notice of Meetings and Meeting Agendas will be sent to the nominated representatives of the six Iwi, and made available to the Secretary of each of the Iwi and other Komiti Members as may be agreed from time to time, including the extended membership list noted in Clause B.4. In the first instance responsibility for liaison with the Iwi authority rests with their nominated representative.

SECTION E - ANNUAL PROGRAMME

- E.1 The Komiti will have the opportunity to formally comment on the Annual Strategic Plan, budget, performance indicators and Statement of Intent of Tasman Bays Heritage Trust prior to its finalisation.
- E.2 The Komiti will have the opportunity to comment on policy planning and draft policy statements of Tasman Bays Heritage Trust.
- E.3 The Tikanga policy and practices of Tasman Bays Heritage Trust and its divisions will be reviewed and formally commented on by the Komiti.
- E.4. Acting through its representative on Tasman Bays Heritage Trust Te Tai Ao Komiti will submit an annual written report to be included in the Annual Report of Tasman Bays Heritage Trust, which will be publically presented to stakeholders at the Annual Meeting of the Trust. The Komiti will be invited to sit with the Trust Board and stakeholder representatives from the two Councils at the Annual Meeting.

SECTION F - SUB-COMMITTEES

- F.1 As the need for standing and special committees arises, such committees may be appointed by the Komiti.
- F.2 Sub-committees shall report regularly to the Komiti either in writing or in person

10 August 2018

F.3 A sub-committee will automatically be discharged upon accomplishing the task(s) for which it was established.

SECTION G - AMENDMENTS

G.1 This Agreement and appended rules and procedures may be amended. The following steps must be followed to complete the process:

- The Komiti and Chief Executive will consider the recommendations for amendments.
- The CEO and delegated Komiti representatives will consider the legality and any implications of the amendment.
- If the proposed amendment does not cause legal or significant programme implications the amendment will be confirmed by the Komiti as a whole at the next regularly scheduled meeting.
- If however, the proposed amendment does cause a legal or significant programme implication, then a special meeting may be called with not less than seven days notice by a member of the Komiti, through the office of the Chief Executive.
- All significant or legal amendments will go to the Trust Board for agreement, in the spirit of partnership.
- An addendum will be added to the Memorandum of Understanding until the next formal review.
- A two-thirds majority vote of the iwi representatives will be needed to pass the amendment at the meeting.

Review of Agreement

The Memorandum of Understanding will be reviewed every three years.

10 August 2018

Signed on the 10th day of August 2018 for, and on behalf of:

Margie Liddle MR Liddle
.....
Ngāti Tama ki Te Waipounamu Trust

J. Pihon
.....
Ngāti Koata Trust

Cindy Best
.....
Te Ātiawa o te Waka-a-Māui

Atwell Olivia Hall
.....
Te Rūnanga o Ngāti Rārua

Van Ham
.....
Ngāti Toa Rangatira Manawhenua Ki Te Tau Ihu

CH Hemi
.....
Te Runanga O Ngāti Kuia Trust

Emma Thompson
.....
Tasman Bays Heritage Trust
Emma Thompson
Deputy Chair

Lucinda Blackley-Jimson
.....
Tasman Bays Heritage Trust
Lucinda Blackley-Jimson
Chief Executive

APPENDIX 1 Rules and Operational Matters

SECTION C - PROCEDURAL REQUIREMENTS

- C.2 The officer shall be the Chairperson, which will rotate.
- C.3 The Chairperson shall be appointed at the beginning of each meeting.
- C.4 Duties of the Minute Secretary shall be to:
- * Keep records of the attendance of members at meetings.
 - * Keep a record of discussion, recommendations and motions.
 - * Maintain a permanent record/file of Komiti activities.
 - * Distribute minutes and agenda of Komiti meetings and copies of other Komiti documents to Komiti members and Iwi.
 - * Distribute copies of the minutes of the Komiti meetings to Trustees of Tasman Bays Heritage Trust.
 - * Distribute copies of the Minutes of the Tasman Bays Heritage Trust to members of Iwi Komiti and Iwi.

SECTION D - MEETINGS

- D.3 Meeting dates should be set at the first meeting of the year; but the Komiti may call special meetings, as required, with not less than seven days' notice.
- D.4 Written notices and agendas of Komiti meetings shall be mailed, faxed, telephoned or e-mailed to all Komiti members and Iwi at least seven days prior to each meeting.
- D.5 A quorum will consist of four members.

**APPENDIX 2
KAUPAPA – THE BASIC PRINCIPLES**

- A building retains the Mauri (*life essence*) of all its experiences. Its life essence is shaped by the different people and things which come in contact with the building. It contains the history of the people, and deserves particular respect and conscious treatment.
- Māori arts and cultural icons also have a Mauri (*life essence*) which is sustained by close human contact.
- Te Reo me ona Tikanga (*Maori language and protocols*), ceremonies surrounding meetings, eating, opening and closing events, arrivals and departure of people, and arts and cultural items, are essential vehicles of Māori culture.
- Te Atea (*outside*) is the place for establishing purpose and intent while inside is influenced by Rongo to establish a place of harmony.
- Food is noa (*profane*). Māori arts and cultural items and icons may have some tapu (*restrictions*) and formality associated with them due to their significant status.
- The sharing of food is a significant social integrator which completes the ceremonial occasions.
- Koha (*a donation*) is a comfortable way for Māori to ensure that resources are maintained.
- Human closeness and contact is comfortable and welcoming at openings and active events.
- Whakapapa or identity, recognition and remembrance are prized.