Pukekohe Cemetery Committee

Terms of Reference

Background:

The publication in 2020 of *No Maori Allowed: New Zealand's forgotten history of racial segregation*, and the 'No Maori Allowed' documentary that followed in 2022, brought public attention to historical racial discrimination and segregation in Pukekohe in the period c1920 to the 1960s.

Auckland Council was approached by a number of kuia and kaumātua who were raised in Pukekohe from the 1940s to the 1960s and who wished to have this history addressed. Meetings were held to acknowledge concerns and identify matters that Auckland Council might help undertake in response.

One acute concern has been the lack of acknowledge of the approximately 200 Māori, many of whom are children, buried in unmarked graves in the Pukekohe Cemetery.

Funding has been provided through Auckland Council's Māori Outcomes Fund for a memorial or equivalent to be built at the cemetery, with development of the memorial to led by the Pukekohe Māori community in collaboration with Auckland Council.

A sum of $200,000 has been budgeted for engagement, design, engineering and consenting in the 2023-24 financial year (Stage 1), and $500,000 has been earmarked for construction in the 2024-25 financial year (Stage 2). The exact budget for Stage 2 needs to be confirmed following an approved design.

On [28th November 2023the Franklin Local Board resolved to establish a sub-committee to lead and oversee the memorial project, with representatives from the local board and the Pukekohe Māori community as represented through Ngā Hau E Wha Marae and mana whenua who wish to be involved. The sub-committee is called the Pukekohe Cemetery Committee.

Purpose and responsibilities:

The purpose of the Pukekohe Cemetery Committee (the Committee) is to provide governance and guidance for the memorial project in the Pukekohe Cemetery, including decision-making responsibility in relation to the allocation of Māori Outcomes funding for the project.

Committee responsibilities include, but are not limited to:

- oversight of community engagement and communication
- commission and approving design for the memorial or equivalent (Stage 1), including decision-making on project budget
- approving and monitoring implementation of a project plan
- complete and approve a budget bid for Stage 2 as required
- undertake decision-making on the budget for Stage 2
- report to the Franklin Local Board and Māori Outcomes Fund as required.

Powers:

All powers of the Franklin Local Board necessary to perform the Committee's responsibilities, except powers that the Franklin Local Board cannot lawfully delegate.

Meeting Frequency:

The Committee will agree upon a meeting schedule at its first meeting.

Membership:

The Membership of the Committee shall be as follows:

(a) Pukekohe Māori Community: up to 7
(b) Franklin Local Board: 2

Appointment of the Pukekohe Māori Community members will be by resolution of Ngā Hau E Wha Marae Trust. Appointment of Franklin Local Board members will be by resolution of the Franklin Local Board.

Members can be reappointed.

Resignation is by written notice to the relevant member party. As a matter of courtesy, each member party will then inform the Committee of discharges, resignations and reappointments.

Alternate members:

If no Franklin Local Board representative can attend a meeting, an alternate member from the Franklin Local Board may attend the meeting on their behalf.

For the avoidance of doubt, Pukekohe Māori Community members cannot appoint an alternate member.

Chairperson and deputy chairperson:

The Kōmiti will appoint the chairperson and the deputy chairperson at the first meeting. The term of the chairperson and deputy chairperson will be for the duration of the project, or until a new chairperson and the deputy chairperson is appointed by the Committee.

Discharge of Kōmiti:

Unless the Franklin Local Board resolve otherwise, the Committee is deemed to be discharged and disestablished when the project is complete.

Kōmiti not discharged at triennial elections

The Committee is not discharged at the triennial local government elections (if not already discharged due to the project being completed). However, on coming into office following an election, the council may choose to review its appointments to the Committee

Quorum:

The quorum for a meeting of the Kōmiti is:

(a) at least five representatives, with
(b) at least one representative being from the Franklin Local Board

A minimum of five representatives needs to be present to make decisions.

Quorum includes attendance in person and by audio link or audivisual link.

Decision making:

The Committee will aspire to make all decisions by consensus. If decisions are required to be put to the vote, the chair or other person presiding at the meeting has a deliberative vote and does not have a casting vote. Therefore, in the case of an equality of votes, the matter is defeated, and the status quo remains.

Support and Attendance:

The Committee is entitled to invite guests and experts to attend any meeting, and at the request of the Committee, to engage in discussion and assist the Committee in its consideration of matters on the agenda.

Every meeting of the Committee is open to the public, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987 (such as when information might prejudice the commercial position of a person who supplied or is supplying the information, or to protect information which is subject to an obligation of confidence).

Local Board Services will provide administrative assistance to the Committee.

Standing Orders:

The Committee will refer to and apply the standing orders of the Franklin Local Board for formal decision-making but can otherwise adopt whatever tikanga it thinks appropriate for meetings. In the event of any inconsistencies between the standing orders and these terms of reference, the terms of reference will prevail.