



Water Services Authority
Taumata Arowai

Memorandum of Understanding and Terms of Reference

between
the Board and Māori Advisory Group
(Te Puna)

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1. Background and purpose

The Water Services Authority – Taumata Arowai Act 2020 (the Act) provides the governance arrangements for the Water Services Authority – Taumata Arowai (the Authority), establishes the Board and Māori Advisory Group (Te Puna), and sets out how the Authority must recognise, consider and provide for Māori interests.

The role of Te Puna is to advise the Board and the Authority on Māori interests and knowledge, as they relate to the Authority's objectives, functions, and operating principles and the Board's collective duties.

Section 17(4) of the Act requires the Board and Te Puna to jointly prepare a Memorandum of Understanding and agree on the Terms of Reference of Te Puna, identifying the scope of the advice that Te Puna will provide from a Māori perspective.¹

The Board and Te Puna agreed that a single document will be prepared to meet this statutory requirement. This document is the Memorandum of Understanding and the Terms of Reference required by section 17(4) of the Act and governs the Board and Te Puna.

2. Roles

The Board and Te Puna have distinct statutory roles to perform, while sharing an interest in the Authority's resources and capabilities to perform those roles.

3. The Board

The Board governs the Authority in accordance with the Act and the Crown Entities Act 2004. The Board must ensure that the Authority:²

- a. acts in a manner consistent with the statutory operating principles set out in the Act; and
- b. maintains systems and processes to ensure that, for the purposes of carrying out its functions, the Authority has the capability and capacity:
 - (i) to uphold the Treaty of Waitangi (Te Tiriti o Waitangi) and its principles; and
 - (ii) to engage with Māori and to understand perspectives of Māori.

The Board must:³

- a. take into account advice provided by Te Puna; and
- b. provide Te Puna with an opportunity to include commentary in the Authority's Annual Report on the role of Te Puna and the advice it has provided to the Authority over the period covered by the Annual Report.

4. Te Puna

Te Puna is a statutory group established under section 14 of the Act. Its role is to provide advice to the Authority's Board and the Authority on Māori interests and knowledge as they relate to:⁴

- a. the Authority's objectives, functions and operating principles; and
- b. the collective duties of the Board.

Te Puna will provide advice from a Māori perspective and within the scope of this document. This includes advice on:

- a. implementing the Authority's operating principles, including:
 - (i) partnering and engaging early and meaningfully with Māori, including to inform how the Authority can:
 - take relevant national directions and regional plans that relate to freshwater into account; and
 - understand, support, and enable the exercise of mātauranga Māori, tikanga Māori and kaitiakitanga.
- b. the Board's collective duty to maintain systems and processes to ensure that for the purposes of carrying out its functions, the Authority has the capability and capacity:
 - (i) to uphold the Treaty of Waitangi (Te Tiriti o Waitangi) and its principles; and
 - (ii) to engage with Māori and to understand perspectives of Māori.

1 Water Services Authority – Taumata Arowai Act 2020, section 17(2) and 17(4).

2 Water Services Authority – Taumata Arowai Act 2020, section 19.

3 Water Services Authority – Taumata Arowai Act 2020, section 17(3).

4 Water Services Authority – Taumata Arowai Act 2020, section 17(2).

5. Membership and composition of Te Puna

Members of Te Puna are appointed by the responsible Minister in accordance with the statutory requirements under the Act⁵ and the Crown Entities Act 2004. The responsible Minister will appoint one member as Chairperson of Te Puna. Te Puna will comprise of no fewer than three and no more than five members. Membership will, collectively, comprise the knowledge, skills and experience needed for Te Puna to perform its role, including a balance of expertise in te ao Māori and experience in water governance, public health, and regulation.

6. Role of dual member

The role of a dual member, in the event a member is appointed to both the Board and Te Puna, (Dual Member) is to strengthen and support the relationship between the Board and Te Puna. The Dual Member will:

- a. be a conduit between the Board and Te Puna as needed; and
- b. provide both Chairs with full and frank advice as requested, relating to the dual role.

7. Relationship between the Board and Te Puna

The Board and Te Puna will maintain a constructive, respectful, and forward-looking working relationship that supports the effective realisation of their statutory functions and the Authority's objectives. Regular joint meetings between Te Puna and the Board will, among other items, further support progress on Te Puna's priorities and the effective discharge of its advisory role. Te Puna provides independent advice and does not have decision-making authority unless delegated by the Board.

8. Advice from Te Puna

Te Puna will provide advice from a Māori perspective to the Board and the Authority on Māori interests and knowledge as they relate to the Authority's objectives, functions and operating principles, and the Board's collective duties and in accordance with this Memorandum of Understanding and Terms of Reference.⁶ The Board will take Te Puna's advice into account in accordance with the Act and this Memorandum of Understanding and Terms of Reference.⁷

9. Priorities and work programme

The Board and Te Puna will identify strategic priorities for Te Puna. The work programme may include responding to emerging issues or policy changes where required. Te Puna and the Board will annually discuss Te Puna's priorities for the upcoming year as follows:

- a. The Board and Te Puna will agree strategic priorities within the work programme that align with the Authority's strategic priorities and reflect current opportunities, concerns, or emerging needs relevant to Māori interests in the context of the Authority's work programme;
- b. these priorities will be discussed and agreed between the Board and Te Puna at a Joint hui convened for this purpose;
- c. The Board and Te Puna will aim to reach agreement by the end of May each year to align with the development and finalisation of the Authority's Statement of Performance Expectations, allowing activity on the priorities to commence from 1 July; and

⁵ Water Services Authority – Taumata Arowai Act 2020, sections 15 and 16.

⁶ Water Services Authority – Taumata Arowai Act 2020, sections 17(1) – (2).

⁷ Water Services Authority – Taumata Arowai Act 2020, section 17(3)(a).

- d. once agreed, Te Puna will develop advice on these priority areas throughout the year, using methods it deems appropriate including wānanga, research, and iwi engagement. The Authority will contribute as appropriate to this work, depending on the nature of the priority area, expertise and resources commitments for the organisation. Material resource requirements on the Authority over and above the allowed workplan payments and Sensitive Expenditure Policy to be discussed and approved by the Board Chair. A Charter will be developed to detail the processes through which the Authority's resources are allocated. Any procurement will be managed through the Authority's procurement team and undertaken consistently with the Authority's policies and processes.

If priorities change, the Board and Te Puna will discuss and agree any changes at a joint meeting, convened for this purpose.

Through joint agreement, the Board and Te Puna can collaborate on any emerging issues or opportunities that may not be explicitly outlined in their agreed priorities.

10. Reporting

Progress on each of the priorities will be reported to the Board twice yearly in a written report of Te Puna, in September/October and March /April. These reports will:

- a. provide updates on activities undertaken;
- b. summarise key insights or findings to date;
- c. outline any emerging issues or requests for support; and
- d. note alignment with the Authority's objectives and Statement of Performance Expectations.

These reports will form part of the broader governance reporting cycle.

11. Engagement and communication

Te Puna has a role to ensure meaningful engagement and influence in the Authority's strategy, operations, and regulatory functions, and supporting a transparent, enduring governance relationship between Te Puna, the Board, and the Authority.

Te Puna members are expected to:

- a. attend and actively participate in all meetings and joint engagements;
- b. prepare for meetings by reviewing papers and engaging with relevant material;
- c. lead or contribute to work on annual priorities; and
- d. maintain high standards of integrity, cultural safety, and collective accountability.

The Chair or a designated spokesperson may also represent Te Puna in joint communications or public engagements, as agreed by members.

12. Public and media engagement

For the purposes of engaging with the media:

- a. the Chair of the Board is the spokesperson for all Authority governance-related matters;
- b. the Chair of Te Puna may act as the spokesperson:
 - (i) on matters relating to Te Puna work and advice; and/or
 - (ii) on matters within the scope expressly requested by the Chair of the Board; and
- c. the Chief Executive is the spokesperson for all operational matters.

The Chairs will inform each other, where practicable, prior to communicating externally about matters affecting the Board, Te Puna or the Authority.

Interaction with the media, radio, press, TV, social media, and other media outlets, shall always be designed to present an accurate expression of matters relating to the Authority. It shall be consistent with the Authority's policy and Board decisions.

Members will ensure that anything they communicate via any form of media (including social media) in a personal capacity cannot be construed as representing the view of the Authority.

13. Annual Report

The Board will provide Te Puna with an opportunity to include commentary in the Authority's Annual Report. Te Puna's commentary will, from a Māori perspective, include:

- a. the advice Te Puna has provided during the reporting period; and
- b. progress against Te Puna's agreed priorities.

The Board will allow reasonable time and access to information to support Te Puna to prepare this commentary.

14. Information, Data Sharing and Confidentiality

The Board and Te Puna acknowledge that information of a highly confidential and commercially sensitive nature may be exchanged between them for the purposes of their roles.

Members must not disclose such information, except where the disclosure:

- a. is necessary to comply with this Memorandum of Understanding and Terms of Reference;
- b. is required by law (including the Official Information Act 1982, the Privacy Act 2020, and the Public Records Act 2005 and by court order);
- c. is permitted or required under any written agreement or arrangement between the Authority and another public agency or department that provides for information sharing;
- d. and has joint Chair approval beforehand.

A disclosure made under (a), (b), or (c) is lawful and does not constitute a breach of confidence or of any obligation under this Memorandum of Understanding and Terms of Reference. Where practicable, and unless prohibited by law or the relevant arrangement, the member will notify the Chairs in advance (or as soon as reasonably possible after the disclosure) and limit the disclosure to what is reasonably necessary.

15. Dispute Resolution

While conflicts are not anticipated, where they occur the Board and Te Puna will attempt to resolve issues in good faith and by consensus wherever possible. Unresolved matters will be escalated to the Chairs. Advice on resolving any issues can be sought from the Department of Internal Affairs as the Authority's monitoring agency, for matters of interpretation where relevant.

16. Review

The Board and Te Puna will review this Memorandum of Understanding and Terms of Reference jointly at intervals of not more than three years and agree on any amendments.

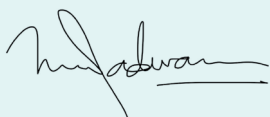
17. Publication

The Authority will publish this Memorandum of Understanding and Terms of Reference on its website once agreed and will maintain public access to this document.

This Memorandum of Understanding and Terms of Reference was approved on 14 April 2026

Signed by

Signed for and on behalf of
the Board by:



Raveen Jaduram

Signed for and on behalf of
the Māori Advisory Group by:



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