





# TERMS OF REFERENCE

(VERSION 1.3)

## Knowledge Advisory Group: For kauri and myrtle ora

in relation to kauri dieback and myrtle rust

Authorised by:	
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# 1. Background and context

*Nā tō rourou, nā taku rourou, ka ora ai te iwi.*

With your basket of knowledge and my basket of knowledge, together our baskets become one.

MPI and DOC are committed to supporting a Knowledge Advisory Group<sup>1</sup> (KAG) in relation to kauri dieback and myrtle rust that satisfies the principles of Te Tiriti o Waitangi, the Biosecurity Act (1993), and Section 4 of the Conservation Act (1987), ultimately contributing to kauri and myrtle ora. This means the Crown and Māori working together in partnership. Group members commit to working in a manner that upholds rangatiratanga, ensuring an equitable partnership that demonstrates mutual trust, shared understanding, and facilitates an environment where pathway-based decision-making values both Māori and non-Māori worldviews.

This Group is committed to working towards the following strategic visions, consistent with delivering kauri and myrtle ora:

- By 2024, the mauri and integrity of kauri forests are sustained in the presence of *Phytophthora agathidicida*; we understand the disease; and tāngata whenua, communities and stakeholders are all active in the management of kauri dieback<sup>2</sup>.
- The mauri of myrtle plants and dependent ecosystems is safeguarded and sustained<sup>3</sup>.

The KAG will provide high-level recommendations to decision-makers on mātauranga Māori and science priorities and help coordinate research programmes for these two high profile plant pathogens. It has been formed for the following reasons:

- Both plant diseases have similar research needs, and there is a limited pool of scientists available. There are system-wide benefits from considering the [kauri dieback](#) and [myrtle rust](#) science plans together. By implementing both plans in parallel, the KAG will be able to identify synergies between the research programmes.
- Strong national coordination is needed to ensure that the most critical science can be undertaken, focusing on high-impact research that aligns well with and builds on national and international research leading to practical management applications.
- The KAG reaches across central and regional government agencies, Māori, and research providers to maintain oversight and ensure that kauri dieback and myrtle rust research is comprehensive and complementary.
- The KAG provides advice to funders and encourages research that will focus on delivering real-life management tools and outcomes to mitigate the impacts of kauri dieback and myrtle rust in Aotearoa New Zealand.
- The KAG reports to decision-makers as necessary, to ensure that high-level decisions are informed by the best knowledge available and aligned with the [kauri dieback](#) and [myrtle rust](#) national strategies.

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<sup>1</sup> This Group replaces two independent Strategic Science Advisory Groups (SSAGs) for myrtle rust and kauri dieback.

<sup>2</sup> Vision of the kauri dieback national strategy

<sup>3</sup> Vision of the myrtle rust national strategy

## 2. Purpose and functions of the KAG

### i) Purpose

The KAG provides independent national-level advice on the direction for research and knowledge generation and application into kauri dieback and myrtle rust management to:

- a. Review the Science Plans to ensure that they remain up-to-date and make changes as required based on the best information available
- b. Ensure kaupapa Māori approaches are supported and mātauranga Māori is appropriately embedded and protected
- c. Give confidence to decision makers, senior leaders, ministers, councils, Māori, stakeholders and the general public that the research efforts are strategically informed, fit for purpose and aligned with the two science plans
- d. Support the implementation of these plans by maintaining a high-level view of national science programmes<sup>4</sup> and identifying critical opportunities and barriers
- e. Influence funding decisions by communicating the science research, mātauranga Māori priorities and pathway for knowledge to impact as outlined in the science plans
- f. Support the growth of communities that enable connection, coordination and collaboration between all groups involved in kauri ora and myrtle ora
- g. Promote and support effective communication and feedback loops to enable successful implementation pathways between science research, mātauranga Māori, management approaches, and operational uptake.

### ii) Functions

The KAG operates at multiple levels, providing advice on high-level priorities, mātauranga Māori approaches, research themes, and operational matters. Examples include:

- a. Recommendations to decision-makers on the current state of knowledge, the priority needs in the context of current, completed and developing work, and the mitigation of risks, issues, knowledge gaps and emerging opportunities.

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<sup>4</sup> **Science programmes** means funded research projects that focus on myrtle rust or kauri dieback, such as Beyond Myrtle Rust, and broader funded initiatives and bodies such as the Ngā Rākau Taketake SSIF platform and the Kauri Rescue Project.

- b. Regular review and updates of the [kauri dieback](#) and [myrtle rust](#) science plans as needed.
- c. Oversight of current research programmes.
- d. Support and promotion of scientific symposia to communicate research, strengthen links between researchers, funders and users of science and mātauranga Māori, and to help grow kauri ora and myrtle ora communities.

The following functions are out of scope for the KAG.

- a. Decisions on allocation of research funding to achieve the agreed long-term goals.
- b. Management objectives for kauri and myrtle ora in Aotearoa New Zealand.
- c. Providing non-scientific information about kauri dieback and/or myrtle rust.

### iii) Relationships

The KAG maintains connections with iwi Māori, relevant advisory groups, and science programmes by inviting representatives to participate in scientific/knowledge related symposia and webinars, attend KAG meetings as guests or observers, and share communications, including meeting minutes and actions where appropriate.

## 3. Membership and participation

### i. Composition of the Group

- a. The KAG comprises a maximum of 12 members, including the two Co-Chairs. Members are not chosen as representatives of their respective organisations. Members are selected based on their skills and experience in one or more of the following areas as relates to the scope of the KAG:
  - Science investment
  - Biosecurity
  - Conservation
  - Forest ecosystem health
  - Māori leadership with an understanding of biosecurity
  - Mātauranga Māori
  - New Zealand science/social science
  - 2 x International plant disease(s)

### ii. Selection and addition of members

- a. Membership will be decided jointly by MPI and DOC after full engagement with appropriate Māori communities of interest. The initial membership will be

recommended by a panel comprising three Māori members, one DOC representative and one MPI representative, drawn from the previous Kauri dieback and Myrtle rust SSAGs.

- b. New members may be added as agreed by the KAG.
- c. In making decisions on membership, the needs across both kauri ora and myrtle ora will be considered.

**iii. Attendance and substitutions**

- a. Members are expected to treat meetings of the KAG as a high priority and attend as often as possible.
- b. Members who are not able to attend a meeting may be represented by a substitute or proxy but should notify both Co-Chairs in advance of the meeting.
- c. Members are responsible for fully briefing any substitute or proxy before the meeting.

**iv. Change of members**

- a. A member may resign from the KAG by notifying both Co-Chairs in advance of any meeting.
- b. New members will be considered based on the needs of the KAG at the time.

**v. Membership rights and obligations**

- a. Any person appointed as a member of the KAG must ensure that they are duly authorised by their organisation to participate, if applicable.
- b. All members should be guided by the Expected Standards of Conduct (refer to Appendix I).

**vi. Co-Chairing arrangements**

- a. The KAG will be Co-Chaired. One Co-Chair will be a DCSA from DOC or MPI. The other Co-Chair will be one of the Māori members; chosen by them.
- b. The Co-Chairs will commit to regular communications in addition to KAG meetings, including taking an equal share in developing agendas, approving minutes, and showing leadership on actions.
- c. The Co-Chairs may delegate responsibility to another member of the KAG if they are unable to attend a meeting.

**vii. Secretariat support**

- a. Secretariat services will be provided to the KAG by DOC or MPI, including circulation of the agenda and papers, preparation and circulation of meeting minutes and other support as agreed on a case-by-case basis.

**viii. Observers**

- a. The Co-Chairs may, with the agreement of the KAG, permit observers to participate in meetings.
- b. The MBIE manager in charge of kauri dieback and myrtle rust funding will hold a permanent observer position.
- c. An early career Māori research scientist will be invited to attend as an observer and provided appropriate mentoring and support.
- d. A member of the Tiakina Kauri Co-Governance Group will be invited to attend as an observer.
- e. Observers are required to comply with these terms of reference, including the requirements for confidentiality and management of conflicts of interest.
- f. The Co-Chairs may at any time ask observers to withdraw from a meeting of the KAG.

## **4. How the KAG operates**

**i. Meeting structure**

- a. Meeting agendas will reflect equal weighting for kauri and myrtle ora by giving equal time and attention to each (see Appendix IV for general operating principles).
- b. If there is a need for a stronger focus on either at any meeting, this will be discussed with the KAG in advance.

**ii. Meeting times and frequency**

- a. The KAG is expected to meet three times per annum, at a time and place determined by the Co-Chairs in consultation with the members. There may also be a need to participate in discussions via teleconference or review and comment on documents outside of meetings. This frequency will be reviewed annually.
- b. The KAG is expected to support scientific symposia or webinars at a time and place determined by the Co-Chairs in consultation with the members.

**iii. Tiriti-led consensus decision-making**

- a. The KAG will make decisions by consensus. If an impasse is reached members will adopt a pathways approach to reach consensus (refer to Appendix III). Where a consensus cannot be reached, this will be recorded in the notes of the meeting.
- iv. **Quorum**
  - a. A meeting quorum will be achieved by the presence of two-thirds of the members of the KAG.
- v. **Standards of conduct**
  - a. Members and observers are expected to comply with the standards of conduct set out in Appendix I.
- vi. **Fees and expenses**
  - a. Payment of fees and expenses will only be made to members whose cost of participation is not covered by or reimbursed as part of their employment.
  - b. Where eligible, a maximum daily fee of \$500 is available for members attending KAG meetings, including preparation. The rate for Co-Chairs is \$750. The fee payable is in line with the State Services Commission guidance on payment, the Cabinet Fees Framework (see Appendix II).
  - c. Eligible members (including Co-Chairs) will be reimbursed at the daily rate for meeting attendance when time involved is four hours or more, and the half-day rate will apply if the time involved is less than four hours. The remuneration applies to all work, including that performed outside of meetings (e.g. preparation, representing the group at other forums, or administrative work) that is required for the KAG to carry out its role.
  - d. Expenses for participation will be reimbursed for out-of-pocket travel, meals, and accommodation actually and reasonably incurred.
  - e. Any additional work carried out by members, beyond attendance, preparation, and follow-up to meetings, should be approved by the Co-Chairs, and KAG notified, before being carried out.

## 5. Confidentiality and information

- i. **General confidentiality requirements**
  - a. The KAG operates on an open basis<sup>5</sup> and members should assume that all information presented to the KAG, whether in written or oral form, is non-confidential and may be made public unless otherwise specified.
  - b. Any person presenting information to the KAG, whether written or oral, may request that that information be treated in confidence by the members and observers.
  - c. If there is a desire to release confidential information, the Co-Chairs will seek agreement from the supplier for confidentiality to be waived. If permission is not granted, it remains confidential.
  - d. Where information is already in the public domain (through no fault of a member or observer), the confidentiality requirements do not apply to that information.
- ii. **Privacy Act**
  - a. Members and observers must always comply with the requirements of the Privacy Act 1993 and keep information about identifiable individuals confidential.
- iii. **Official Information Act and Local Government Official Information and Meetings Act 1987**
  - a. All information provided to the KAG will be treated as official information under the Official Information Act (OIA) 1982. Subject to the requirements of that Act, it may be released to the public if there are no grounds for withholding it. Local Government has similar requirements under the Local Government Official Information and Meetings Act 1987.
  - b. If information is required to be released under the OIA it will be released to the extent necessary.
  - c. If information is being considered for release under the OIA, the agency involved in the request will attempt to consult with the person who provided the information before making a final decision on the release.
- iv. **Media and public forums**
  - a. The Co-Chairs will speak on behalf of the KAG for any official communication.

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<sup>5</sup> In accordance with the principles of NZGOAL (<https://www.data.govt.nz/manage-data/policies/nzgoal/>)  
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- b. Members and observers may identify themselves as part of the KAG but, unless prior agreement is received from the Co-Chairs, must refrain from representing the Group to the media and at public forums.
- c. The Co-Chairs may seek agreement from the KAG and other affected organisations to release a media statement on any matter related to these terms of reference.
- d. A member may comment on the business of the KAG, consistent with agreed key messages, but must notify the Co-Chairs and the Secretariat ideally before or, if not possible, immediately after the event.

## **6. Conflicts of Interest**

- i. **Definition of a conflict of interest**
  - a. A conflict of interest occurs when a member's or observer's private interest or professional obligation interferes or appears to interfere with an issue that is before the KAG.
  - b. A conflict of interest may be real or perceived.
- ii. **Declaration of conflict**
  - a. Members and observers are responsible for declaring any real or potential conflict of interest to the Co-Chairs as soon as the conflict arises.
- iii. **Management of conflict of interest**
  - a. At the discretion of the Co-Chairs, members and observers may participate in discussions about issues in which they have declared a conflict of interest.
  - b. Members and observers may not participate in any decision on an issue in which they have a direct conflict of interest.
  - c. Conflict with funding opportunities must be declared, and if the expertise on offer is unique and required for a research project, transparency in decision-making and open declaration of the conflict is required.
  - d. A register of Conflict of Interests will be maintained by the secretariat

## **7. Review of terms of reference**

- i. The terms of reference will be subject to review after the first year and every two years thereafter to ensure they remain fit for purpose, including when a KAG termination clause should be added.

## Appendix I: Expected standards of conduct

All members and observers are expected to adhere to the following principles:

1. **Diligence** – Members will use their best endeavours to attend meetings and to prepare thoroughly. Members are expected to participate fully, frankly, and constructively to discussions and to bring the benefit of their particular knowledge, industry perspective and skills to the table.
2. **Conflicts of Interest** – Conflicts of interest are identified and declared as soon as feasible.
3. **Corporate opportunities** – Each member must not exploit any opportunity discovered through access to information within the KAG for their own personal gain or that of the industry, sector, or organisation they represent.
4. **Transparency** – All information should be provided in a manner that is timely, precise, and easily understandable.
5. **Fair Dealing** – Members shall deal fairly with each other and shall not take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of material facts or any other unfair dealing practices.
6. **Advocacy** – Members should avoid actively promoting a standpoint or cause of their industry and should rather participate in meetings to reach an acceptable outcome to all members.
7. **State Services Standards of Integrity and Conduct** – All government staff have statutory demands under the State Services Standards of Integrity and Conduct. In the case of any conflict between the obligations outlined there and the ones in this document, those of the Standards and Integrity of Conduct shall preside.
8. **Alternative obligations** – Any alternative rules or statutes that govern members standards of conduct shall continue to do so, however in any case of conflicting duties, the Co-Chairs must be notified as soon as reasonably possible.
9. **Te Tiriti o Waitangi** – we are committed to a Tiriti-led, science-driven, user-focused and collaborative KAG which seeks to transform and protect our trees and forests for the benefit of our collective environmental and societal wellbeing.

## Appendix II: Fees guidance

This terms of reference uses the State Services Commission guidance on payment and the Cabinet Fees Framework to set fees (<https://ssc.govt.nz/our-work/fees/>).

### The Fees Framework

The Fees Framework is set out in the Cabinet Office Circular CO (19) 1 dated 29 January 2020-  
<https://ssc.govt.nz/assets/Legacy/resources/CO-19-1-Fees-Framework-for-members-appointed-to-bodies-in-which-the-Crown-has-an-interest.pdf>.

It sets out criteria and formulas to apply to enable appropriate fees to be determined. These include parameters based on skills, knowledge and experience required for members; function, level and scope of authority; complexity of issues; and public interest and profile. Based on these criteria and formulas, a score is applied to determine the appropriate fee range to use.

### Proposed fee ranges for the kauri dieback myrtle rust KAG

For the purposes of the KAG, the relevant category to apply from the Fees Framework is “Group 4: all other committees and other bodies”. This category covers various bodies from advisory committees, to technical review committees to professional regulatory bodies. They may be established by chief executives of departments to provide advice on a general basis or on specific areas or issues.

Applying the parameters listed in the Fees Framework to the KAG, the score for members of the groups means they would fall into the following fee range as set out in the table below. The fee range is presented on a daily rate basis.

Category	Factor applied	Score
<b>Skills, knowledge and experience</b>	Substantive: Substantial range of knowledge and experience in a field or professional discipline sometimes associated with senior level functional or technical leadership, executive management or governance roles. May include widely respected people with broad community support.	8
<b>Function, level and scope of authority</b>	Provides expert counsel and advice direct to Ministers, Government Department CEOs and/or multi-agency task forces on technical or major policy issues, where issues are of strategic importance.	4
<b>Complexity of issues</b>	Constructive: The development of new policy or advice is required where the issues are complex, multi- dimensional and involve substantial research, consideration of possible alternatives and their consequences. The body may commission research or utilise the findings to inform their policy development or advice.	4
<b>Public interest and profile</b>	Strong public and stakeholder interest and importance would be associated with these issues. Media interest would also be expected, but potential risk to personal or the body’s reputation is unlikely.	4

<b>Total score</b>	Group 4 Level 2	20
<b>Fee range (daily rate) – Co-Chair</b>		\$390-885
<b>Fee range (daily rate) - members</b>		\$290-560

Hourly pro-rata rates should be calculated by dividing the daily rate by eight and multiplying by the number of hours worked. The daily fee applies to all work, including that performed outside of meetings (e.g. preparation, representing the board at other forums, or administrative work) that is required for the body to carry out its role. All work that is required to be performed for the body by the member should be paid at the approved daily rate.

Work other than preparation for meetings/sittings must be approved and minuted by the body before it is undertaken. Individual members should not be in a position where they could be setting their own work programmes without the endorsement of the body.

The fees framework explains that public servants typically will not receive payment for being a member of a body, unless done in their own time, because they must not be double paid to do their job.

## Appendix III: Tiriti pathways approach to decision-making

We are cognisant of the status of Te Tiriti o Waitangi as New Zealand's founding document and the inequities in outcomes that exist for Māori.

The KAG agrees to adopt an innovative structure consistent with its commitment to be a Tiriti-led group. The group will operate in a manner that ensures Māori participate meaningfully as partners at all times. This means Māori and non-Māori views carry equal weight in governance discussions and consensus decision-making will be the practice.

Decision-making by consensus: differences are managed through negotiated compromise or a pathways approach (outlined below).

In order to achieve consensus decision making we will:

- Build and maintain a shared understanding of what everyone is trying to achieve
- Build the structures, processes, and understanding about how people will work together
- Involve people who have the right experience and capacity
- Be accountable and transparent about performance, achievements, and challenges
- Plan for financial sustainability and adapt as circumstances change.

### *Tiriti-led consensus decision-making*

The KAG's decision-making processes will be by consensus, with equal weight given to the Māori and non-Māori partners.

Consensus decision-making is straightforward when the partners agree on an issue. However, when the partners' views are dissonant, there are three possibilities: compromise, impasse, or pathway approaches. In such circumstances, the KAG will seek and endorse the Māori pathways approach in its decision-making.<sup>6</sup>

In this setting, a Māori pathways approach has three main features:

1. Pathways to outcomes - it addresses Te Tiriti o Waitangi implications from a Māori outcomes perspective
2. Pathways to capability - it specifically provides for Māori workforce development
3. Pathways to knowledge - it addresses the development of new knowledge from a kaupapa Māori and mātauranga Māori perspective.

The above pathways include a Māori pathway (outcome), equity pathway (capability), and an excellence pathway (knowledge). In this instance Tiriti considerations, equity, and merit have equal weight.

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<sup>6</sup> Māori pathways are increasingly commonplace and the health system in particular has been a leader in this regard; for example, they exist in Medical Education (University of Otago) and in some funding bodies (Health Research Council, Lottery Health) and workforce development funding (Te Rau Puawai, Te Rau Matatini, Māori Health Workforce Development administered by the Ministry of Health). Ka Hikitia (Māori Education Strategy) refers to Māori pathways in education. Te Ara Tauwhaiti (Māori Corrections Strategy) refers to a kaupapa Māori pathway to address recidivism.

## **Appendix IV: General operating principles**

### ***Giving equal weight to kauri and myrtle ora***

- The Co-Chairs will ensure that meetings generally include time for kauri, myrtle rust, and shared items.
- Agendas will rotate the order of items, so that kauri and myrtle ora are discussed first at alternate meetings.
- The Co-Chairs are responsible for ensuring that kauri and myrtle ora are each given appropriate attention and time.

### ***General meeting etiquette***

- The Co-Chairs will set the meeting agenda. Members or observers who wish to add agenda items must discuss these with both Co-Chairs in advance.
- Agenda and papers will be emailed to KAG members one week before the meeting.

### ***Etiquette for online aspects of meetings***

- Members attending online are asked to keep their cameras on to ensure that they are participating fully in the meeting.
- Where some members are together in the same physical location; one member will volunteer to ensure that the 'in-person' group does not chat among themselves in a way that is not able to be heard and understood by online meeting participants.
- Attendees will use the raise-hand function and chat-box to ensure that members do not speak over one another.
- The Co-Chairs and secretariat will manage the chat function to ensure that raised hands and comments are addressed.
- The members will use the chat box in a professional manner.