

# FOSTERING MĀORI PARTICIPATION IN COUNCIL DECISION-MAKING THROUGH NGĀ IWI/COUNCIL PARTNERSHIP

## PURPOSE

This document outlines the actions Council intends to implement to support Iwi/Māori participation in Council decision-making processes over the period of Tasman's 10-Year Plan 2021 – 2031 and to improve the way Council staff and elected members work together with Iwi/Māori.

## BACKGROUND

The valued relationship between local government and Iwi is supported by a national level Memorandum of Understanding between Local Government New Zealand (LGNZ) and the Iwi Chairs Forum, signed in 2015.

Councils operate under a number of statutory regimes that require interaction and a relationship with Iwi/Māori. In order to uphold the principles of Te Tiriti o Waitangi/the Treaty of Waitangi, the Council needs to better understand the values, aspirations and interests of Iwi/Māori in Tasman District. A legislative platform to enable respectful engagement and joint decision-making is provided by the Resource Management Act 1991 (RMA), the Local Government Act 2002 (LGA) and other legislation, including that governing reserves, coastal management, flood management and transport.

As well as our statutory obligations, the Council aspires to be a trusted partner, making good community decisions in collaboration with Iwi/Māori across Te Tau Ihu o Te Waka-a-Māui.

Tasman District is home to nine Iwi (see Figure 1). Two marae are located within the rohe: Te Āwhina and Onetahua. Te Ao Māori/the Māori worldview is holistic and generally structured around four pou: environmental, cultural, social and economic. Each Iwi has a unique voice, history and aspirations.

Figure 1: The nine Iwi of Tasman District and their waka

Settlement Legislation	Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa of Te Waka-a-Māui Claims Settlement Act 2014				Ngāti Toa Rangatira Claims Settlement Act 2014	Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014			Te Rūnanga o Ngāi Tahu Act 1996
Waka	Tokomaru (Taranaki Iwi)		Tainui			Kurahaupō			Uruao
Iwi	Te Ātiawa	Ngāti Tama	Ngāti Rārua	Ngāti Kōata	Ngāti Toa Rangatira	Ngāti Kuia	Ngāti Apa	Rangitāne	Ngāi Tahu
Full name of Iwi	Te Ātiawa of Te Waka-a-Māui	Ngāti Tama ki Te Tau Ihu	Te Rūnanga o Ngāti Rārua	Ngāti Kōata	Te Rūnanga o Toa Rangatira	Ngāti Kuia	Ngāti Apa ki te Rā Tō	Rangitāne o Wairau	Ngāi Tahu
Name of Post Settlement Governance Entity	Te Ātiawa of Te Waka-a-Māui Trust	Ngāti Tama ki te Waipounamu Trust	Ngāti Rārua Iwi Trust	Ngāti Kōata Trust	Toa Rangatira Trust	Te Rūnanga o Ngāti Kuia Trust	Ngāti Apa ki te Rā Tō Trust	Te Rūnanga o Rangitāne o Wairau	Te Rūnanga o Ngāi Tahu (TRONT)



## LEGISLATIVE REQUIREMENTS

The LGA outlines the following principles and requirements for local authorities, aimed at facilitating the participation of Iwi/Māori in decision-making processes:

1. Development of Māori capacity to contribute to decision-making processes – the Long Term plan must set out any steps that the local authority intends to take, having undertaken the consideration required by section 81(1)(b) LGA, to foster the development of Māori capacity to contribute to the decision-making processes of the local authority over the period covered by that plan (Schedule 10(8) LGA).
2. A local authority must establish and maintain processes to provide opportunities for Māori to contribute to their decision-making processes; consider ways to foster the development of Māori capacity; and provide relevant information to Māori for both purposes (s81(1) LGA).
3. Consultation with Māori – a local authority must ensure that it has in place processes for consulting with Māori that are in accordance with the principles of consultation as set out by section 82(1) LGA.
4. Local authority decision-making - where, in the course of the decision-making process, a significant decision relates to land or a body of water, the local authority must take into account the relationship of Māori and their culture and their traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga (s77(1)(c) LGA).

Statutory responsibilities the Council enacts under the various Te Tiriti o Waitangi/the Treaty of Waitangi Settlements across the nine Iwi in the Tasman District derive from the:

- Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014
- Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014
- Ngāti Toa Rangatira Claims Settlement Act 2014, and
- Ngāi Tahu Claims Settlement Act 1998.

These Settlement Acts outline each area of interest – including statutory acknowledgements over land, water, sites, wāhi tapu, valued flora and fauna, and other taonga – for each of the nine Iwi. Deeds of Settlement also include various enactments:

- Overlay sites
- Statutory Areas (known as Statutory Acknowledgement Areas)
- Cultural Redress protocols
- Relevant Fossicking Areas
- Deferred Selection Properties
- Vest and Gift back to the Crown for public use
- Specified area Right of First Refusal (RFR) land
- Coastal and Maritime Instrument Areas
- Licensed Land property
- Conservation Kaitiaki Instruments
- Settlement Iwi RFR land
- General RFR land

## COUNCIL, IWI/MĀORI WORKING TOGETHER


There are many varied and nuanced ways in which the Council can work with Iwi/Māori. The Council is committed to growing and strengthening our working relationship and level of engagement with Iwi/Māori. These relationships are strategically important and are based on a range of statutory and non-statutory instruments, supporting opportunities for mutual benefit and advancement.

The Council consults and engages with Iwi/Māori on a regular basis. In certain cases, these are ongoing processes required by legislation such as the RMA, LGA and relevant Settlement Acts. Other cases are a way of recognising the spirit of partnership inherent in Te Tiriti o Waitangi/the Treaty of Waitangi.

The Council acknowledges that building relationships with Iwi/Māori is not simply a matter of complying with legislation, but rather one of understanding, partnership and trust. The table below outlines some of the actions the Council currently undertakes, and some new actions we will take, to further develop Iwi/Māori capacity to contribute to our decision-making processes.

*Table 1 – Ongoing work of Council with Iwi/Māori*

	Initiatives with Iwi/Māori
1	<p>Three key appointments have been made to facilitate enactment of the Council's responsibilities to Iwi/Māori:</p> <ul style="list-style-type: none"> <li>• Council Kaumātua assist the Mayor, elected members and Chief Executive with support around tikanga Māori at civic events, pōwhiri, blessings and other ceremonies.</li> <li>• The Council Kaihautū is a senior advisor to, and provides cultural support to, the Chief Executive, Leadership Team, Mayor, elected members and staff; and helps to enhance engagement between the nine Iwi of the Tasman District, the Council and the wider community, to help realise the partnership embodied in Te Tiriti o Waitangi/the Treaty of Waitangi. The Kaihautū plays a leadership role in the development of strategic and operational rangatira-to-rangatira relationships between the Council and Iwi, ensures tikanga Māori cultural policy is embraced by the Council, and works to ensure decision-making is fully and effectively informed by a Māori perspective.</li> <li>• The Mayor and Chief Executive have been appointed as Iwi/Māori liaison portfolio holders.</li> </ul>
2	Continuing to actively promote consultation and implement representation opportunities for Iwi/Māori on Council committees (e.g. the recent appointment to the Nelson-Tasman Civil Defence Emergency Management (CDEM) Group Joint Committee), Council hearing panels, Council owned organisations (e.g. the committees in charge of the Nelson Regional Sewerage Business Unit and Nelson Tasman Regional Landfill Business Unit - both jointly owned between the Council and Nelson City Council - as well as the Tasman Bays Heritage Trust) and Council projects (e.g. development of the Tasman Bio-Strategy, upgrade of the Motueka Wastewater Treatment Plant etc.).
3	Continuing to promote Iwi/Māori involvement in Nelson-Tasman CDEM Group work.
4	Continuing to provide Iwi with funding towards their contributions to Council decision-making processes (e.g. provision of professional input and advice to Council).



5	Continuing to hold regular hui/liaison meetings with Iwi on a wide range of matters, in order to develop our relationships further and to discuss specific and general issues of relevance to both parties. As an example, in October 2017 Council formed an Iwi Working Group consisting of a representative of each of the nine Iwi to support the process of plan changes and review. This group meets regularly to discuss RMA policy matters. Council is working with Iwi authorities to develop the Tasman Environment Plan (TEP) and identify resource management issues of concern and possible solutions to them, along with other relevant matters.
6	Through hui, working with Iwi/Māori to identify how best to gain input into issues of relevance, including the opportunity to be involved in relevant working groups.
7	Consulting with Iwi/Māori on the formation of the Council's Long Term Plan, the Annual Plan, reserve management plans, TEP, and other strategic documents or plans.
8	Continuing to actively participate in the Regional Inter-sector Forum (RIF) and Kotahitanga mō te Taiao Alliance.
9	<p>The eight Iwi of Te Tau Ihu worked together to develop 'Kia Kotahi te Hoe' - a strategy to advance their collective aspirations in response to the critical needs of whānau Māori in Te Tau Ihu. The strategy is based around key Covid-19 recovery priorities: employment, kai, housing and health. 'Te Kotahi o Te Tau Ihu Charitable Trust' was formed to lead the aspirations of the strategy. The Council will look for opportunities to support and align its work to that of this Trust.</p> <p>The Council also aims to align its work to the vision, intergenerational outcomes and the wellbeing framework of 'Te Tau Ihu Intergenerational Strategy' (launched in November 2020).</p>
Initiatives for Council staff and elected members	
10	<p>Providing staff with support and resources to assist the Council's relationships and capacity building with Iwi and all Māori living in Tasman. The resources will help to bridge the gap between Iwi, Māori, the Council, the wider community and the legislation pertaining to how we will work together. Examples of ways we are working on this include:</p> <ul style="list-style-type: none"> <li>• in conjunction with Iwi and training providers (e.g. NMIT, Te Ataarangi), continuing to provide structured training/familiarisation courses to improve elected members' and staff understanding of tikanga, kawa, te reo Māori, te Ao Māori, Te Tiriti o Waitangi/the Treaty of Waitangi, the nine Iwi of Tasman District, and Iwi culture and perspectives</li> <li>• continuing to provide He Waka Kuaka te reo Māori classes to staff</li> <li>• continuing to enable staff participation in cultural events (e.g. Waiata group), and</li> <li>• continuing to improve our induction process for staff and elected members, to build understanding of the unique differences between Iwi, and matters of importance to Iwi/Māori in our rohe.</li> </ul>

*Table 2 – New actions Council intends to progress over the next 10 years*

1	Entering into a Strategic Relationship Agreement to achieve mutually beneficial relationships (both at governance and management levels) with the nine Iwi, Nelson City Council and Marlborough District Council.
2	Identifying and implementing new representation opportunities for Iwi/Māori on the Council, including potential establishment of a Māori Ward for the 2025 local election and representation on Council subcommittees and joint-committees.
3	Participating in governance structures initiated by Iwi (e.g. a River and Freshwater Advisory Committee has been provided for through the Te Tau Ihu Treaty settlements, but is not currently operational – Iwi may decide to initiate this Committee in future).
4	Working together with Iwi/Māori to implement Te Mana o te Wai (the National Policy Statement for Freshwater Management describes this concept as the integrated and holistic well-being of the water).
5	Enhancing the process that was developed in 2019 during the Pigeon Valley fires and built upon in 2020 in response to Covid-19, for engaging Iwi in emergency centre operations and their inclusion in Nelson-Tasman CDEM Group decision making and governance.
6	Familiarise ourselves with Iwi aspirations and objectives contained within strategic documents produced by Iwi entities (e.g. their annual reports and medium to long-term planning documents) when developing new Council policies and plans.
7	Working together to co-design our response to major legislative/sector changes. The government has signalled significant reforms. Iwi input and influence into these changes and how they are implemented is fundamental. We recognise the need to better work together with Iwi and more effectively include them in decision-making.
8	Work alongside and in support of Iwi to start identifying the needs of maata waka in our rohe and actions to progress these needs.
9	Explore opportunities for in-kind support or other support to Iwi for specific projects, such as cultural mapping and development of Iwi management plans.
10	Engage with Iwi in a more meaningful way for the development of future Long Term Plans and Activity Management Plans - i.e. from the beginning of these processes.
11	Work together with Iwi Taiao staff to streamline the process for engaging on resource consents (e.g. investigate provision of an online portal to facilitate this).
12	Support kapa haka festivals in Te Tau Ihu, including: <ul style="list-style-type: none"> <li>the national primary schools competition in 2021</li> <li>the national secondary schools competition in 2024, and</li> <li>Te Matatini national competition in 2026.</li> </ul>