

SUPPLEMENTARY STAFF REPORT FOR ITEM 4.5

TO: Mayor and Councillors

FROM: Susan Edwards, Strategic Development Manager

REFERENCE: A503-3

DATE: 14 December 2008

SUBJECT: LTCCP Statement on Fostering Maori Participation in Council Decision-Making

PURPOSE OF THE REPORT

To provide Councillors with further information relevant to the item on the Council agenda concerning the *Statement on Fostering Maori Participation in Council Decision-Making* for inclusion in the Long Term Council Community Plan (LTCCP).

BACKGROUND

As noted in the report on the agenda (Item 4.5), I met with Iwi based at the Te Awhina Marae on Monday 8 December to discuss the draft *Statement on Fostering Maori Participation in Council Decision-Making*, as I was asked to do by the Council following discussion on the Statement at the workshop on 24 November. The purpose of the discussion was to get Iwi feedback on the methods the Council considered desirable for inclusion in the Statement.

TE AWHINA FEEDBACK ON METHODS

The methods identified by Council for inclusion in the Statement were:

- a) Committing to regular hui/liason meetings with Iwi and Maori to develop the relationship further and to discuss issues of relevance to both parties.

Te Awhina representatives supported the inclusion of this method, subject to the addition of the words “specific and general” between the words “discuss” and “issues”.

They requested that the relationship be formalised through a Memorandum of Understanding between Iwi in the District and the Council. Wording could be added to the method to achieve this request. Suggested wording is attached is Appendix 3 to this Supplementary Report.

- b) Assistance to Iwi to prepare an Iwi Management Plan.

Te Awhina representatives supported this method.

- c) Involve Maori in groups working on issues of specific relevance to Iwi and Maori.

This was the method the Iwi representatives had the most difficulty with. They were concerned about one Iwi/Maori representative being expected to represent all Iwi/Maori on a working group. They were also concerned about the capacity of Iwi/Maori to engage effectively in the process due to the numerous demands placed on their members. They suggested a range of alternatives from the Council establishing an Iwi Committee that the Council could liaise with comprising all 9 Iwi in the District, to Maori representatives on Council Committees, to the Council liaising with existing committees based at the Marae.

Based on the feedback, it seems that there is no single method for gaining Iwi/Maori input into specific policy issues. Therefore, we recommend amending the method, along the lines of *Through the hui in a) above working with Iwi/Maori to identify how to gain input into issues of relevance to Iwi and Maori, including the opportunity to be involved in relevant working groups.* We recommend that this method becomes b) in the list, before the Iwi management plan method.

- d) Have one or two Councillors appointed as Maori/Iwi portfolio holders.

This method was strongly supported by the Te Awhina Representatives present and they were very pleased that the Mayor had volunteered for this role.

- e) In conjunction with Iwi providing some future structured training/familiarisation courses to improve Councillors and staff understanding of Iwi perspectives.

This method was supported by Te Awhina representatives.

- f) Modify Council policies so that the need for Iwi consultation and involvement is clearly part of the decision-making process of Council, where relevant.

This method was in the 2006 Statement. Councillors did not identify it as a method they wanted included in the 2009 Statement at the workshop in November. Marama Takao from the Department of Internal Affairs and Te Awhina representatives identified it as a very important method from their perspectives. The Iwi representatives are of the view that it is important for their views to be considered by the Council at the time when Councillors decide on policies that may affect Iwi or Maori.

There is a statutory obligation for Council “to provide opportunities for Maori to contribute to the decision making processes of the local authority. The 2006 statement is somewhat vague and how it might be applied could result in uncertainty for both Council and Iwi. One option could be to make the method specific to what is known such as *Consulting with Iwi on the formation of the Long Term Council Community Plan, the Annual Plan and on relevant changes to the Tasman Resources Management Plan*. However, it could be debatable as to whether this narrow focus meets our statutory obligation.

The wording for both options is included in (f) in Appendix 3 for the Council to choose which option it prefers.

CONCLUSION

The current *Statement on Fostering Maori Participation in Council Decision-Making* should be amended to reflect the discussion at the workshop and feedback from Te Awhina representatives. The amended wording is highlighted in bold and italics in Appendix 3 to this supplementary report.

RECOMMENDATION

That in accordance with Schedule 10(5) of the Local Government Act 2002 the Council agrees to the *Statement on Fostering Maori Participation in Council Decision-Making* outlined in Appendix 3, as attached to this Supplementary Report, for inclusion in the 2009 – 2019 Long Term Council Community Plan.

Report prepared by:

Susan Edwards
Strategic Development Manager

Proposed 2009: Statement on Fostering Maori Participation in Council Decision-Making

Appendix 3

Purpose

This statement outlines the steps Council intends to take to foster Maori capacity to contribute to Council decision-making processes over the period of this LTCCP, as required by Schedule 10(5) of the Local Government Act 2002.

Background

For some time, Council has been increasingly aware of the importance of furthering a close working relationship between the District's Maori community and itself. The Council recognises the wealth of special values that the tangata whenua hold for the places, the resources, the history and the long term sustainability of the District. Council further recognises that its activities and services impinge daily on these values and that in order to make appropriate decision, Council must account for the values of Maori as a special set of community values. Council consult and engage with Maori on a regular basis. In certain cases, these are ongoing processes required by legislation such as the Resource Management Act 1991. Other cases are a way of recognising the spirit of partnership inherent in the Treaty of Waitangi.

Steps Council is taking to foster Maori participation in Council Decision-Making

The Local Government Act 2002 places a number of obligations and responsibilities on Council in regard to Maori. These include the need to establish and maintain processes to:

- Provide opportunities for Maori to contribute to the decision-making processes of Council.

- Consider ways in which we may foster the development of Maori capacity to contribute to the decision-making processes of Council.
- Provide relevant information to Maori for the above purposes.

There are a number of methods being put forward by Maori and local authorities around New Zealand to improve their relationships. The methods set out below are not exhaustive, but represent some of the steps that could be considered following meetings with each Iwi and Maori, to improve our relationship:

- (a) Committing to regular hui/liaison meetings with Iwi and Maori to develop the relationship further and to discuss **specific and general** issues of relevance to both parties **and to formalise this relationship in a Memorandum of Understanding.**
- (b) **Through the hui in a) above, working with Iwi/Maori to identify how to gain input into issues of relevance to Iwi and Maori, including the opportunity to be involved in relevant working groups.**
- (c) Providing assistance to Iwi to prepare an Iwi Management Plan.
- (d) Appointing a Councillor as a Maori/Iwi portfolio holder.
- (e) In conjunction with Iwi **continue** providing some future structured training/familiarisation courses to improve Councillors and staff understanding of Iwi perspectives.
- (f) **(i) Modifying Council policies so that the need for Iwi consultation and involvement is clearly part of the decision-making process of Council, where relevant; or (ii) Consulting with Iwi on the formation of the Long Term Council Community Plan, the Annual Plan and on relevant changes to the Tasman Resources Management Plan.**