

## BUILDING MĀORI CAPACITY TO CONTRIBUTE TO COUNCIL DECISION MAKING

### 1.0 INTRODUCTION

The Local Government Act 2002 states that a Council must:

- Provide opportunities for Māori to contribute to Council's decision-making.
- Consider ways to foster development of Māori capacity to contribute to the Council's decision-making.
- Provide relevant information to Māori for these purposes.

### 2.0 THE IWI LIAISON COMMITTEE

The Iwi Liaison Committee is a standing committee of Council first established in 1993. The committee structure and membership is reviewed every three years, coinciding with the local body elections. The committee operates within the following framework:

- Mana Atua – spiritual dimension
- Mana Tipuna – ancestral dimension
- Mana Whenua – land dimension (landmarks of cultural and/or historical importance)
- Mana Tangata – community (social input) at waka, iwi and hapu levels

Its membership consists of elected representatives from the following Iwi:

- Tuhoë (three representatives)
- Ngāti Awa (three representatives)
- Tuwharetoa ki Kawerau (one representative)
- Ngāti Manawa (one representative)
- Ngāti Rangitihī (one representative)

- Ngāti Whare (one representative)
- Upokorehe (one representative).

The Mayor and two councillors are also members of the committee.

It functions under a terms of reference which outlines the following key points.:

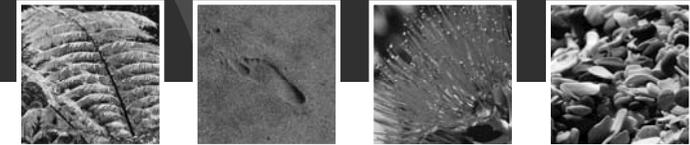
- Strengthen the relationship between hapu, iwi, and Māori and the Council;
- Maintain and improve the capacity of hapu, iwi and Māori to contribute to the Council's decision-making processes .
- Maintain and improve the Council's capacity to engage with hapu, iwi and /Māori; and
- Provide high quality advice and recommendations which guide the Council in applying the principles of the Treaty of Waitangi, recognising and providing for hapu and iwi perspectives and ensuring the wellbeing of Māori generally, in promotion of the social, economic, cultural and environmental wellbeing of the Whakatāne District;

The terms of reference recognises that:

- The Whakatāne District has a significant Māori population. In 2006 the population of the Whakatāne District was 33,300, with 13,332 (42.2%) of people identifying as Māori compared to 15.1% nationally.
- The Council has a duty to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi

and to maintain and improve opportunities for Māori to contribute to local government decision-making processes.

- Hapu, iwi, Māori perspectives and interests can be different and that hapu, iwi, Māori need the opportunity to represent themselves to the Council.
- The iwi and hapu within the Council rohe are unique to the Whakatāne District and their values, traditions and language require protection and fostering.
- Māori in the district are important in shaping the cultural and social fabric of the Whakatāne District, underlining approaches to the environment, and setting the economic direction of the District.
- Māori are significant ratepayers as individuals and as owners of multiply owned land, and as users of Council services.
- Māori land ownership structures are complex and different to ownership structures for general land.



## 2.1 Guidance, advice and recommendations

The committee is mandated (with appropriate delegations) to provide guidance, advice and recommendations to Council on:

- (a) Any matters affecting the social, economic, cultural and environmental well-being of whanau, hapu, iwi and Māori in the Whakatāne District.
- (b) Internal Council processes, consultation with whanau, hapu, iwi and Māori and alternative processes for consultation and engagement which may be required from time to time.
- (c) Opportunities to experience, celebrate and share hapu, iwi and Māori cultural events with the wider community.
- (d) Statutory acknowledgements arising from Treaty of Waitangi settlements.
- (e) The promotion and protection of Te Reo Māori me ōna tikanga within the rohe of the Whakatāne District Council.
- (f) Other options for developing hapu/iwi and Māori capacity to contribute to the Council's decision-making processes, particularly in respect to the Long-term Council Community Plan, Annual Plan, District Plan and the development and monitoring of community outcomes.

## 2.2 Review of policies, plans and proposals

The Committee can:

- (a) Make submissions as the Iwi Liaison Committee on the Council's Long-term Council Community Plan, the Annual Plan and the District Plan, on any matters affecting, or likely to affect, hapu, iwi, or Māori within the rohe of the Whakatāne District Council;
- (b) Make submissions as the Iwi Liaison Committee, on any matters being undertaken or proposed to be undertaken by third parties that may affect or hapu, iwi or Māori within the rohe of the Whakatāne District Council (e.g. government legislation or the actions of government agencies).
- (c) Formally receive iwi/hapu management plans, and oversee processes for the Council to receive, respond to and have due regard to those plans.

## 2.3 Discretionary fund

The Committee is given an annual discretionary fund to support Māori cultural events/initiatives, promote Māori cultural awareness, encourage and support Te Reo Māori, and to celebrate, promote and protect Māori culture and sports.

Groups/organisations and individuals have received funding to;

- compete in Waka Ama events
- attend Māori Performing Arts and/or Kapa Haka
- participate in the celebration of Matariki
- promote Māori Language Week

- support Mana Wahine week
- compete in the annual Rangatahi (Youth) Debate

## 2.4 Information Requests

The committee can request information from the Council on a topic or issue.

The Iwi representatives on the committee report back to their respective Iwi and bring issues from their Iwi to the Council for consideration. The types of issues raised have included effective consultation and engagement processes, and operational issues such as roading, rates, waste, capital works carried out by the Council, asset and resource management.

## 2.5 Tūtohunga

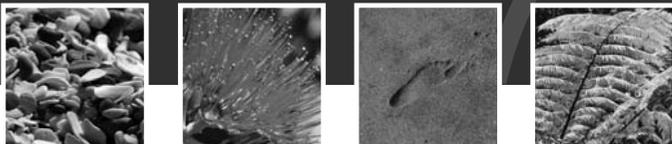
The members of the Committee have signed a Tūtohunga (Memorandum of Understanding) with the Council. The essence of the Tūtohunga is to formalise the commitment of Iwi and the Council to work together in good faith and gain an understanding and respect for one another's needs. The Tūtohunga is a living document, and will be reviewed after each local body election.

## 2.6 Hui on Marae

The committee aims to meet on Marae four times per year. This enables hapu to raise issues directly with the committee and the Council, and for different hapu to host the committee, councillors and staff. This also brings Council and staff into contact with different tikanga and kawa and improves knowledge of cultural protocols in the District.

## 2.7 Training for iwi representatives

Iwi members are offered training in local government processes and legislation. This enables iwi representatives to understand the framework that the Council is working within. Training is offered in relation



to the Local Government Act 2002 and the Resource Management Act 1991, and opportunities arise for further training as legislation is reviewed or other reviews occur.

### 3.0 CONSULTATION POLICY

A Consultation with Māori/Whanau/Hapu/Iwi Policy has been developed to provide clarity for the Council and Māori on good practice consultation to ensure it is an effective process. It distinguishes between Māori structures of whanau, hapu, Iwi and taurahere and how consultation with each can be different. The policy is to facilitate Māori engagement in Council decision making and to ensure legislative requirements are met.

The policy recognises obligations under the Local Government Act 2002 to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wahi tapu, valued flora and fauna, and other taonga, when making decisions.

The policy also focuses on the processes for consultation under the Resource Management Act 1991 in respect to resource consent applications and District Plan development.

### 4.0 CULTURAL PROTOCOLS

The Council is committed to increasing awareness and practice of Māori cultural protocols. It has written cultural protocols for powhiri (formal welcome) and mihi whakatau (semi formal welcome), tangihanga (bereavement/lying in state), blessings and whakawaatea (removal of tapu). The protocols are not only used for Council events they also educate councillors and staff about cultural protocols they will encounter when attending events hosted on Marae. The protocols also outline the koha policy of the Council

### 5.0 RESOURCE CONSENTS

The Council follows best practice to encourage early consultation with iwi and hapu to determine the effects of proposed projects on Māori, and their culture and traditions. While the Resource Management Act 1991 does not require consultation with iwi for resource consent applications, the Council has an obligation to consider potentially affected parties when a consent application is lodged. In a district with such diverse Māori history, consultation with iwi or hapu is important to clearly identify the impacts on cultural values.

The settlement of Treaty claims is leading to statutory acknowledgements being formalised through settlement acts. The Council must consider the effects of an application in, adjacent to, or directly affecting a statutory acknowledgment area.

These processes enable Māori to be involved in finalising an application and/or the decision making process as a submitter.

The Council will continue to work with Māori to identify the types of applications that need iwi or hapu input, and in what locations.

### 6.0 COUNCIL POLICIES AND PROJECTS

The Council undertakes many capital works projects each year, and develops strategic plans and policies. The Council relies on the Iwi Liaison Committee in the first instance, as a sounding board for what their respective iwi may think about a project or an issue and what further consultation is deemed necessary for the projects and policies planned each year.

The Council is committed to meaningful and ongoing consultation in advance of projects commencing. It will achieve this by providing the planned (capital expenditure) programme to the Iwi Liaison Committee

at the start of each financial year. The intention would be for Iwi Liaison Committee members to identify, after consultation with their Iwi and hapu, the projects that require further discussion. That further discussion is likely to be at hapu level, and follow the procedure identified in the consultation policy. The Council is aware that iwi and hapu have an interest in activities in particular rohe or that involve earthworks, gravel extraction, discharges to land, air or water, or involve works near known wahi tapu sites or within statutory acknowledgement areas.

### 7.0 MĀORI TRUSTEE TRAINING

Toi EDA offers, through the Eastern Bay of Plenty Enterprise Training programme funded from New Zealand Trade and Enterprise, free courses for Māori Trustee training. It provides training to trustees of Māori land to better understand their role and responsibilities. These courses have proved to be very popular, and are held in various locations as appropriate, including Marae. Funding availability limits the number of courses that can be run each year.