

Tairāwhiti Piritahi: Fostering Māori Participation in Council Decision-Making

1. Statutory background

Local Government Act 2002 (LGA)

The Local Government Act 2002 recognises and respects the Crown's obligations under the Treaty of Waitangi by placing specific obligations on Councils. These obligations are intended to facilitate participation by Māori in local authorities' decision-making processes.

The Act includes requirements for Councils to:

- ensure they provide opportunities for Māori to contribute to decision-making processes;
- establish and maintain processes for Māori to contribute to decision-making;
- consider ways in which they can foster the development of Māori capacity to contribute to decision-making processes;
- provide relevant information to Māori;
- take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.

Resource Management Act 1991 (RMA)

The RMA promotes the sustainable management of natural and physical resources in a way that enables communities to provide for their environmental, social, economic and cultural well-being. The Act recognises Māori interests in natural and physical resources and contains specific provisions for consulting and working with tangata whenua.

2. Council's vision

Tairāwhiti!

Tairāwhiti Tāngata

Tairāwhiti Taonga

Tairāwhiti Wawata

Tairāwhiti First!

First to see the light

First choice for people and lifestyle

First choice for enterprise and innovation

First place for the environment, culture and heritage.

Council's vision articulates the connection of people to use their assets in order to fulfil their aspirations. Council has statutory and constituent obligations to empower Māori to participate in local government. Council in its rates collection, regulatory and service functions has considerable impact on Māori and their aspirations as

iwi, hapu/marae, whanau collectives and also as individuals. For example:

- Māori as ratepayers of Māori land (usually collectives who are whanau and/or hapu who have whakapapa to their land) and as ratepayers of general land;
- Māori as tangata whenua (usually whanau, hapu and iwi who have whakapapa to land and are the mana whenua and kaitiaki of natural and cultural resources in their traditional area);
- Māori as elected representatives on mandated iwi authorities;
- Māori as a community of interest (usually individuals, organisations with distinctive cultural aspirations).

3. Overview of Māori capacity (post-settlement/iwi, whanau, hapu, landowners, distinctive cultural perspectives)

The majority of iwi in the district (i.e. Ngati Porou, Rongowhakaata and Ngai Tamanuhiri as well as Nga Uri O Te Kooti Rikirangi) have now settled their Treaty of Waitangi Settlement claims and have well-established post-settlement governance entities working on being highly strategic operators who can deliver tangible benefits to their people.

In the post-settlement environment, hapu (including 68 marae in the district and whanau as Māori landowners) are also reclaiming their space as kaitiaki (guardians) for the natural and cultural resources in their customary areas.

Māori as a community of interest (i.e. individuals, businesses, organisations who usually are not whakapapa-based) have distinctive and rich cultural perspectives that Council can harness through strategic relationships and resource sharing.

This points to considerable opportunities for the district in terms of the potential for growth and development that is reflective of our bicultural community.

This requires Council to work collaboratively with Māori – including iwi, hapu/marae, whanau, landowners and Māori as community of interest - in innovative and mutually beneficial ways to encourage Māori participation in Council processes in ways that meet their needs and aspirations as well as our district's outcomes.

4. Council's focus is building Māori capability and capacity to participate in Council decision-making processes

The following areas of the Māori community have been identified together with how Council will support them:

Focus Areas	As an organisation we will enhance Māori understanding of Council processes by:
<p>Māori as ratepayers of Māori land (usually collectives who are whanau and/or hapu who have whakapapa to their land) and as ratepayers of general land.</p>	<p>Promote productive use of Māori land through strategic partnerships, workshops and resourcing;</p> <p>Implement <i>Strategic review of Māori land debt (April 2014)</i> recommendations which is to amend Council's rating policies to address outstanding land rates on Māori freehold land.</p>
<p>Māori as a community of interest (usually individuals, businesses, organisations with distinctive cultural aspirations).</p>	<p>Council commitment to promoting and implementing a bilingual district (Te Reo Māori me ona tikanga policy);</p> <p>Concerted communication strategy for Māori media including iwi radio, iwi panui, iwi and hapu hui.</p>
<p>Māori as tangata whenua (usually whanau, hapu and iwi who have whakapapa to land and are the mana whenua and kaitiaki of natural resources in their traditional area).</p> <p>Māori as elected representatives on mandated iwi authorities.</p>	<ul style="list-style-type: none"> • Delivering Council agendas to iwi stakeholders; • Co-ordinating all of Council approach to identified iwi issues; • Exploring and implementing iwi/hapu delegated decision-making opportunities such as RMA's transfer of powers, co-governance and co-management agreements, joint committees and advisory boards to assist the process of informed Māori decision-making; • Funding and facilitating Māori capacity building to engage in Council processes (e.g. Hearings Commissioner training, RMA statutory consent processes, joint planning initiatives); • Supporting and promoting forums/wananga and networks which bring together Māori and Council; • Hosting regular/annual wananga which promote Māori projects Council has supported and are involved in; • Participating and contributing to Māori hui and decision making; • Working with settled iwi to implement the Treaty Settlement provisions such as the Statutory Acknowledgments; • Working with Turanga iwi to establish the Local Leadership Body; • Providing opportunities for effective involvement on the scope and content of planning instruments and policies and strategies early on in development; • Enabling iwi and hapu input into reporting and monitoring so that it also reflects the values and priorities that they hold; • Supporting iwi management plans as these represent clear mandates and programmes of work. Working with iwi and hapu to ensure they recognise present day thinking and priorities; • Keeping an up-to-date Māori stakeholder list with ongoing stakeholder analysis and knowledge of capacity and interests of those on the list; • Holding regular relationship check-ins with iwi stakeholders to assess level and effectiveness of their participation in Council processes; • Direct funding—to support engagement in planning and consenting functions; • Contestable funding—to support iwi and hapu projects; • In-kind contributions such as making professional services available for iwi and hapu projects/secondments/using Council staff to deliver iwi and hapu relevant training; • Making data and information available and relevant to Māori to support decision-making.

5. Tairāwhiti Pirītahi (Council's internal strategic policy framework to effect Māori participation in the Council's planning and decision-making processes)

The framework for effecting Māori participation in Council planning and decision-making is derived from our statutory obligations, understanding our own organisational capacity needs and in recognition of our post-Treaty settlement environment.

The objectives are that the Council will:

a. Enable Te Tiriti o Waitangi/Treaty of Waitangi:

By supporting the spirit and implementation of our district's iwi Treaty settlements (which are now largely settled).

Te Tiriti o Waitangi is the guiding document in the relationship between Māori and the Crown.

b. Be an empowered organisation that values Te Ao Māori (the Māori world):

By acknowledging Māori values such as kaitiakitanga, tikanga, mana whenua, rangatiratanga, matauranga Māori and their role in solutions for our issues.

We will do this by supporting staff to build cultural knowledge about Māori through providing training opportunities such as Te Reo Māori me ona tikanga (basic and advanced courses) and networking and capability building opportunities to work with our Māori communities.

Understanding and recognising Te Ao Māori, its values, tikanga and decision-making frameworks is an essential step when developing policy and decision-making in Tairāwhiti settings in order for successful implementation.

c. Effect Māori participation in Council democracy:

By ensuring we are including the right people, at the right level, at the right time and on the right terms.

We will do this by allocating the time and resource Māori collectives require in order to make informed decisions about our processes. We will also make our information relevant and reflective of Māori audiences. In this way, Council recognises that Māori decision-making processes are collective in nature.

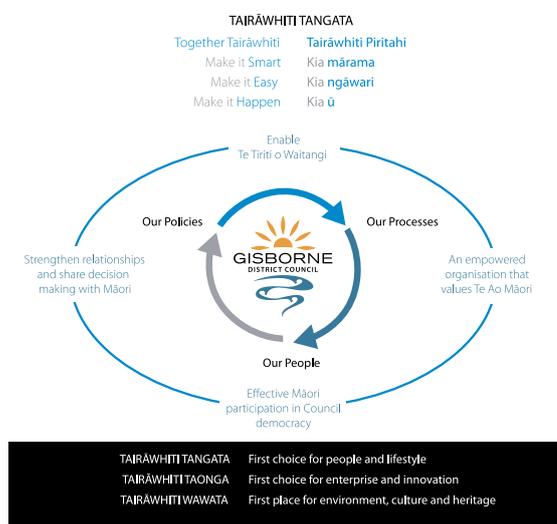
We have less one-off consultation and more collaborative partnerships and processes with agreed mutual outcomes.

d. Strengthen relationships and share decision-making with Māori:

By including all of the relevant sections of the Council in engagement processes we will support co-designed and co-located projects and processes.

This will result in more Council projects that have mutually beneficial outcomes for both the Council and Māori.

The following diagram shows the Council's objectives and how our organisation gives effect to them through our policies, processes and people (by way of information/tools).



Tairāwhiti Pirītahi framework illustrating Māori participation in Council decision-making processes.

e. Formal partnerships

Council is committed to fulfilling the following partnerships and will work towards further agreements where mutual priorities and outcomes can be reached.

Treaty Partnerships

Treaty of Waitangi settlements with our district's iwi are of great significance to the region. Council is committed to the spirit and implementation of our District's Treaty Settlements.

Council has the following formal agreements:

- i. Memorandum of Understanding with Te Runanganui o Ngati Porou and Ministry of Primary Industries demonstrating a 100-year commitment to collaboratively work with landowners to address the health of the Waiapu River Catchment;
- ii. Memorandum of Understanding with Te Runanga o Turanganui a Kiwa guiding the governance relationship as well as an operational agreement to work together towards the establishment of the Local Leadership Body.

Mana Whenua Agreements

The Council has in place relationship documents between Tangata Whenua, Māori and Council and the private sector. These relationship documents set out the protocols to enable effective working relationships with Tangata Whenua over specific sites. These include:

- The Tīfirangi Accord – Ngati Oneone and Council general relationship accord;

- A protocol for the Tifirangi Reserve between Ngati Oneone and Gisborne District Council;
- A protocol for the Heinz-Wattie site between the representatives of Te Whanau-ā-Iwi, Ngai Tāwhiri, Ngati Oneone, kaumatua, Gladiator Investments Limited and Gisborne District Council;
- A Memorandum of Understanding between Ngati Oneone and Gisborne District Council for on-site earthworks for the extension of Hirini Street.

Co-management Agreements

- Kopututea Trust and Gisborne District Council for Kopututea Blocks 1 & 2, more commonly known as the stretch of dune along Centennial Marine Drive.
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