

Adoption of Māori contribution to Council decision making policy

TO Thames-Coromandel District Council

FROM Scott Summerfield - Policy and Planning Manager

DATE 10 January 2018

SUBJECT **Adoption of Māori contribution to Council decision making policy**

1 Purpose of Report

This report provides Council with a proposed Māori Contribution to Council Decision Making policy for adoption as part of the 2018-2028 Long Term Plan.

2 Background

This policy is made to reflect the requirements of section 14 and 81 of the Local Government Act 2002 (the LGA), as below:

14 Principles relating to local authorities

(1) In performing its role, a local authority must act in accordance with the following principles:

(d) a local authority should provide opportunities for Māori to contribute to its decision-making processes

81 Contributions to decision-making processes by Māori

(1) A local authority must—

(a) *establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and*
 (b) *consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and*
 (c) *provide relevant information to Māori for the purposes of paragraphs (a) and (b).*

The LGA, in setting out requirements for the development of a Long Term Plan, includes the following section relating to the contribution of Māori to decision making:

8 Development of Māori capacity to contribute to decision-making processes

A long-term plan must set out any steps that the local authority intends to take, having undertaken the consideration required by [section 81\(1\)\(b\)](#), 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.

Council has an evolving relationship with Māori in the district, and is committed to an improved relationship with Hauraki iwi. The Treaty settlement process under way between the Crown and Hauraki iwi provides much of the background for this improved relationship. However, most legislation applying to local government and the relationship with Māori is targeted at a broader level than those groups involved in settlement negotiations, and certainly the reference to 'Māori' rather than iwi, hapū or iwi authority within the LGA operates at the broadest level. As a result, Council's obligation to provide distinct access to

decision-making for Māori in the district under the LGA includes all Māori stakeholders and organisations representing Māori.

A Māori organisation in other districts might include urban Māori authorities which represent rāwaho (Māori whose iwi affiliation is not to iwi who are mana whenua within the area). Māori stakeholders wishing to be considered as Māori for the purposes of the LGA might include, for example, the significant proportion of Ngāpuhi in the district, who wish to engage Council as Māori but do not have a mana whenua relationship within the district. Māori land trusts, whānau groups and hāpu who do have a mana whenua relationship within the district may wish to be identified as Māori for the purposes of the LGA, alongside iwi at a more global level, and then at a broader level Māori organisations like the Hauraki Collective and the Hauraki Māori Trust Board.

Council's existing policy was adopted as part of the 2012-2022 Long Term Plan. It was not reviewed as part of the 2015-2025 Long Term Plan process. A review of the policy is required as part of the 2018-2028 Long Term Plan.

3 Issue

Council is recommended to adopt the attached Māori Contribution to Council Decision Making Policy.

4 Discussion

The LGA requires that local authorities set out processes to provide opportunities for Māori to contribute to decision making processes. This Council has described these processes as part of a policy under the relevant long term plan which guides the operational business of staff and sets a direction for Council and Community Boards.

A reformatted version of the 2012-2022 policy is provided for adoption by Council. The existing policy is considered fit for purpose and is an appropriate basis on which staff and elected members will provide opportunities for Māori to contribute to Council decision making processes.

No consultation on the policy is required. The policy will be available online and in hard copy at our Council offices as part of the supporting documentation for the 2018-2028 Long Term Plan consultation document.

5 Suggested Resolution(s)

That the Thames-Coromandel District Council:

1. Receives the 'Adoption of Māori contribution to Council decision making policy' report.
2. Adopts the Māori Contribution to Council Decision Making Policy included as **Attachment A**.

References-Tabled/Agenda Attachments

Attachment A *Māori Contribution to Council Decision Making Policy*

Attachment A

2018-2028 Maori Contribution to Council Decision Making Policy