

Attachment 6 – Māori contribution to decision-making

EXISTING ARRANGEMENTS

We acknowledge Māori as people with whom there is a special relationship. We are committed to giving effect to the principles and intent of the Treaty of Waitangi, and to engaging in genuine and appropriate consultation with Māori.

We have in place protocols for ensuring Takata Whenua are consulted in regard to decisions made under the Resource Management Act 1991, Local Government Act 2002, and in 2016 received and adopted an updated Memorandum of Understanding with Te Rūnanga o Moeraki to guide the ongoing relationship between Council and the Rūnanga. Council also has a Relationship Agreement with Waitaha Taiwhenua O Waitaki Trust Board.

Council will continue to:

- Encourage Māori contribution to decision-making processes of all our activities, not simply decisions under the Resource Management Act
- Reference to Māori rather than to Takata Whenua, thus including Mana Whenua and Taura Here
- Enable Māori's contribution to the decision-making process and foster Māori capacity to contribute.

We report back annually against the Memorandum of Understanding through our Annual Report.

STEPS THAT COUNCIL INTENDS TO TAKE

Over the life of this plan, we will work with Te Rūnanga o Moeraki to review the Memorandum of Understanding and with Waitaha Taiwhenua O Waitaki Trust Board through the Relationship Agreement to ensure the documents are working and remain relevant. We will continue to find ways to ensure that all Māori have the opportunity to contribute to decision-making, and will continue to liaise with Te Rūnanga o Moeraki in the first instance and Waitaha Taiwhenua O Moeraki Trust Board thereafter to guide protocol and process.

LEGAL CONSIDERATIONS

Section 81 of the Local Government Act 2002 states that:

- “(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).
- (2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to -
- (a) the role of the local authority, as set out in section 11; and
 - (b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments.”

Schedule 10 Part 1 Section 8 of the Local Government Act states that:

“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.”

GLOSSARY

Takata Whenua

People of the land.

Mana Whenua

The political and occupational authority over a particular area usually defined by natural boundaries. Kai Tahu hold mana whenua status in most of the South Island. The political centre of Kai Tahu within Waitaki District is Moeraki. Waitaki District Council recognises mana whenua through its relationship and engagement with Te Rūnanga o Moeraki and its Relationship Agreement with Waitaha Taiwhenua O Waitaki Trust Board. The Treaty of Waitangi, and legislative responsibilities under the Resource Management Act 1991 (RMA), the Local Government Act 2002 (LGA 2002), the Te Rūnanga o Ngāi Tahu Act 1996, and the Ngāi Tahu Claims Settlement Act (NTCSA), oblige local and territorial authorities to consult with Te Rūnanga o Moeraki.

Taura Here

Māori who do not identify with a mana whenua group in the Waitaki district. They may identify with iwi or hapū whose tribal rohe are elsewhere in New Zealand, or they may not have any particular tribal affiliations. They are sometimes referred to loosely as "urban Māori."