

Extraordinary Meeting Maori Standing Committee AGENDA

12.30pm - Friday 22 January 2016
Council Chamber, Wairoa District Council, Coronation
Square, Wairoa.

WAIROA DISTRICT COUNCIL

EXTRAORDINARY MEETING MAORI STANDING COMMITTEE

to be held at the Wairoa District Council, Queen Street, Wairoa

ON FRIDAY 22 JANUARY 2016 12.30PM

AGENDA

E Foster, K Hammond, G Hawkins, P Kelly, S Jury, N Lambert, H Nissen, G Symes, P Whaanga

COUNCILLORS

M Bird, H Flood

KARAKIA

APOLOGY

CALLS FOR CONFLICT OF INTEREST

CALL FOR ITEMS OF URGENT GENERAL BUSINESS NOT INCLUDED IN THE AGENDA AND NOTICES

PUBLIC FORUM

General Item

REPORT ON DRAFT MAORI POLICY

- Under Separate Cover - Attachment – Draft Maori Policy -

Maori Standing Committee

11 January 2016



Draft Maori Policy

Department

Office of the Chief Executive

Author & contact officer

Charlotte McGimpsey – Governance Advisor & Policy Strategist

1. Purpose

1.1 The Committee is asked to consider the changes made to the Draft Maori Policy and incorporate any further changes at this meeting so that the policy can be recommended to Council for their February Meeting.

Recommendation

The Governance Advisor & Policy Strategist RECOMMENDS that the Maori Standing Committee recommend to Council the changes to the Maori Policy as outlined in Appendix A.

2. Background

- 2.1 The policy is reviewed on a regular basis and the Maori Standing Committee has been tasked with reviewing the policy and making recommendations to Council on any alterations proposed by the Committee.
- 2.2 The current situation is that there have been two Maori Standing Committee workshops on this policy with changes suggested by the Maori Standing Committee. The alteration to this policy reflects changes proposed at these two workshops. There is one section that the Committee need to discuss and finalise prior to recommending this policy to Council this is the Working together principles.
- 2.3 The Maori Policy was adopted by Council at their meeting on 13 November 2012.
- 2.4 This policy is an important part of the Council's Vision and Community Outcomes as it sets an important part of the foundation for this Vision and the Community Outcomes.

3. 2015 Workshop outline

- 3.1 Committee members and Councillors were invited to a workshop at Huramua Marae on 28 October 2015. Those present discussed specific elements of the policy with a view to: updating it; making it easy for members of the public to understand; using Maori names where appropriate; and, using a local proverb.
- 3.2 The notes of the previous workshop held in 2014 were reviewed at this workshop, and points raised at this workshop were incorporated into the proposed changes.
- 3.3 The proposed changes include:
 - Updating information to reflect updated Census data
 - Using a Wairoa-specific opening proverb (exact proverb to be confirmed)
 - Inclusion of a definition of takiwa
 - Revision of the working together principles (suggestions and topics for discussion on this element

- are attached as Appendix B)
- Amendments to various sections in order to provide a clear, easy-to-read document
- Removal of specific outcomes to be included in a separate action plan to be formulated after the policy is adopted
- Inclusion of a reference to the tangata whenua provisions of Standing Orders of Council
- Effective Consultation section replaced with a reference to the Significance & Engagement Policy
- Amendments to the Advocacy section
- Amendment from Kaumatua to Pakeke
- Amendment to how the policy is reviewed
- Removal of specific appendices as it is more appropriate for these to be included on the Council's website as these change frequently
- Revision of Maori Standing Committee terms of reference
- 4.1 Appendix B contains comments and topics for discussion prepared by Kiwa Hammond for the Committee on the Working together principles.
- 4.2 Prior to formulating a recommendation to Council, the Committee should consider the comments and topics for discussion and advise the final amendments for this section (if any).
- 5.1 The options identified are:
 - a. Status quo recommend to Council that no changes be made to the policy; or,
 - b. Recommend to Council that the changes as outlined in the policy attached as Appendix A be adopted; or,
 - c. Recommend to Council that alternative changes be made than the ones proposed in Appendix A.
- 5.2 Option A this is a possibility if the Committee wish to recommend this to Council, as there is no requirement to change the policy as part of the review process. However, there are references to data and other documents that need to be updated to reflect the current situation – such as Census Data, Standing Orders and the Significance & Engagement Policy.
- 5.3 Option C if the Committee wish to propose an alternative set of changes to the document at this meeting then this will delay the review process. The changes in Appendix A have been included as a result of workshops and the need to update certain pieces of information to reflect the current situation. Any major alternative changes to the ones proposed will need to be checked against legislation and other Council policies to ensure compliance.
- 5.4 The preferred option is Option B, there are 2 areas of the proposed changes in Appendix A that need to be finalised

4. Working together principles

5. Options

by the Committee. However, the majority of changes requested at the workshop have been included in the policy attached as Appendix A.

6. Conclusion

- 6.1 The Committee has done a lot of work thus far on proposing amendments to the Maori Policy. Prior to making a recommendation to Council, it should consider Appendix B and any final amendments it wishes to make to the Maori Policy
- 6.2 The Committee may also want to consider a recommendation to Council regarding consultation on this policy. This would delay the final adoption of the policy by Council but it would allow tangata whenua and the wider public the opportunity to be more involved in the policy and decision-making process.

7. Corporate Considerations What is the change?

- 7.1 There are no significant changes to the policy direction, the alterations primarily update and revise the current layout of the policy.
- 7.2 This will not trigger a s17a review.

Compliance with legislation and Council Policy

- 7.3 Annual Plan costs associated with the Maori Standing Committee are included in each Annual Plan
- 7.4 Long Term Plan 2015-2025 costs associated with the Maori Standing Committee are included in each Long Term Plan
- 7.5 District Plan the changes will not have an impact on the District Plan
- 7.6 Economic Development Strategy this strategy is being developed currently
- 7.7 Other Council Policies no changes/impact identified
- 7.8 Relevant legislation this complies with current legislation

What are the key benefits? 7.9 The proposed changes have updated aspects of the policy and make it clearer for members of the public.

7.10 An action plan associated with the policy with give members of the public a clear idea of what actions are being conducted by Council under this policy.

What is the cost?

7.11 The costs associated with the Maori Standing Committee are included in the Long Term Plan and in each Annual Plan.

What is the saving? Who has been consulted? (please refer to significance and engagement

- 7.12 Not applicable.
- 7.13 Consultation was undertaken in 2012 when the policy was adopted by Council.
- 7.14 There has been no communication or consultation to date by Council.
- 7.15 The changes made do not trigger a requirement to

policy)

consult under the Significance & Engagement Policy; however, the Committee may wish to make a recommendation to Council to have a month-long consultation period facilitated by the Maori Standing Committee in order to gain feedback from tangata whenua and the wider public on the draft policy.

- 7.16 Tanagta whenua have not been consulted on this draft policy.
- 8. Significance (please refer to significance and engagement policy)
- 8.1 This has a low impact as there is no significant deviation from current practices or policy direction
- 8.2 History of public interest
- 8.3 The main financial impact is the resourcing of the Mari Standing Committee which is included in the Long Term Plan
- 8.4 This policy can be reversed if required.
- 8.5 There is no alteration of service levels of any council significant activity
- 8.6 There is no impact on any council strategic assets
- 8.7 This decision does not change the way in any significant activities are delivered
- 9. Risk Management Further Information

9.1 No strategic risks have been identified in the implementation of the proposed recommendation

Local Government Act 2002 Section 81

http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM1

72325.html

Treaty of Waitangi -

http://www.nzhistory.net.nz/politics/treaty/read-the-

treaty/english-text

Appendices

Appendix A – Draft Maori Policy

Appendix B – Working together principles: suggestions and

topics for discussion

Background Papers

Wairoa District Council Maori Policy 2012 -

http://www.wairoadc.govt.nz/docs/council_services/council_poli

cies/FINAL%20WDC%20Maori%20Policy%202012.pdf

References (to or from other Committees)
Confirmation of statutory compliance

Council – 13 November 2012

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and.

b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author: Charlotte Approved by: Fergus Power McGimpsey Chief Executive Officer

Governance Advisor & Policy Strategist



Maori Policy-2012 Department ADMINISTRATION Adopted 13 November 2012 Last Review Next Review 13 November 2014

Hutia te rito o te harakeke

Kei hea te komako e ko?

Ki mai ki ahau

'He aha te mea nui o te Ao?'

'Maku e ki atu

He Tangata, He Tangata, He Tangata, E!'

Comment [CM1]: Switch with Wairoa specific

1. STATEMENT OF INTENT

1.1 Context

The Wairoa District has the highest proportion of Maori of any local authority area in the country – over 61approximately 59%¹ of the district's 8,5007890 people. Maori are well involved at most levels of the community.

Section 81 of the Local Government Act 2002² requires Council to:

- (a) establish and maintain processes that to provide an opportunitiesy for Maori to contribute to the decision-making processes of [Council]; and
- (b) consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of [Council], and
- (c) provide relevant information to Maori for the purposes of paragraphs (a) and (b).

This gives the Wairoa District Council the ability to facilitate enhanced opportunities for Maori to be a part of contribute to local government Council's decision-making processes.

The development of this Maori policy defines a<u>outlines the</u> collaborative <u>relationship</u> <u>approach of Council's decision-making processes</u> that is within the spirit of the Tiriti o Waitangi/Treaty of Waitangi, while recognising limitations imposed by statutory <u>responsibilities</u>.

This policy does not prevent any individual, whanau, hapu or iwi from dealing directly with the Council concerning any issue that may affect them.

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1.2 Scope

The Council engages with ahi kaa throughout all of its operations and recognises the limitations of Council to address circumstances which impact on tangata whenua outside the scope as is defined by statute [see **Appendix 2**]. However, this This policy provides a foundation for establishing processes that provide for tangata whenua to contribute to Council's decision-making responsibilities making responsibilities.



This policy does not prevent any individual, whanau, hapu or iwi from dealing directly with the Council concerning any issue that may affect them.

Statistics New Zealand – Estimated Population 2006-2009 Census data 2013
 Page 38 of Council's Long Term Council Community Plan 2009-2019



1.3 Definitions

- Council refers to Wairoa District Council elected representatives and staff.
- District refers to the territorial authority area of the Wairoa District Council.
- Tangata whenua refers to whanau, hapu, and iwi who whakapapa to whenua in the Wairoa district and is inclusive of Maori organisations [see Appendix 1] and taurahere who have chosen to live in the district and be a part of the wider Maori community.
- Takiwa refers to Council-created ward areas for the purpose of having a set number of areas and therefore independent members as representatives on the Maori Standing Committee,
- Maori Standing Committee Member refers to members selected by their takiwa, each
 of whom bears an obligation to faithfully represent the views of their takiwa and,
 collectively as a committee, the interests of all Maori in the district.

1.4 Purpose

The purpose of this policy is to:

- establish aprovide a framework for relationships between tangata whenua and Wairoa
 District Council-and tangata whenua to achieve mutually beneficial outcomes for the
 community of Wairoa
- set upensure the provision of processes and procedures that facilitate effective communication between <u>tangata whenua and</u> Wairoa District Council and <u>Tangata</u> <u>Whenua o te Wairoa</u>
- enable a-Maori world-views to be incorporated into local government decision making, policies and procedures
- improve the degree to which Promote and facilitate Maori participate participation in Council/community consultation activities.

2. WORKING TOGETHER

i. Tika

A shared commitment to "do the right thing" – morally and ethically – by making certain that everyone is treated with equal respect and fairness.

ii. <u>Pono</u>

A shared commitment to ensure all decisions are underpinned by, and made with honesty, integrity and in good faith.

iii. <u>Manaakitanga</u>

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The mutual elevation of *mana* in encounters and when engaged in discourse as a means of seeking shared understanding based on the spirit of respect and dignity.

iv. Rangatiratanga

The duty of Council to accept and support *tangata whenua* in fulfilling their role as *manawhenua* over lands, resources and other *taonga tuku iho* within the local authority boundaries.



v. Kaitiakitanga

The duty of council to recognise and support *tangata whenua* in fulfilling their duty as *kaitiaki* of air, land, water and all other *taonga tuku iho*.

vi. Whakapapa

Mutual acknowledgement that council and *tangata whenua* share a common history in their duty of care for the area that is defined as the Wairoa district.

vii. Tohungatanga

Council recognises that *tangata whenua* have an embodied set of expertise and skills in providing a Maori world view.

viii. Whakawhanaungatanga

Council accepts that *tangata whenua* share a strong sense of responsibility and reciprocal obligation toward *taonga* as all *taonga* are inter-related, inter-connected and inter-dependent.

ix. Te Tiriti/Treaty [see Appendix 3]

The Tiriti o Waitangi/Treaty of Waitangi is the founding document of New Zealand. Council accepts the great importance of this living, dynamic document, and is committed to upholding the spirit of the Tiriti o Waitangi/Treaty of Waitangi principles [see **Appendix 4**].

x. Kotahitanga

Mutual acceptance and recognition of the unity of all things in the world and the multidimensional nature of existence – physical and metaphysical, tangible and intangible.

xi. Principle of Kaumatuatanga – Elder Knowledge

Mutual acceptance by Council of the importance of *Kaumatua/Kuia* within the *rohe* in offering guidance and advice (and there may also be young people with knowledge.)

xii. Ko te Reo Maori

Council acknowledges that Maori concepts are best expressed in *te reo Maori*, and the discourse on Maori issues is best understood by communicating in *te reo Maori*. Wairoa District Council is responsible for promoting the use of *te reo Maori* by:

Facilitating the ability to communicate in te reo Maori in appropriate situations.

Comment [CM2]: Kiwa to look at



2.1 Working with Council

Elected Representatives

Elected representatives represent the interests of residents and ratepayers by providing community leadership and guidance. Culturally aware elected representatives have the ability to achieve mutually beneficial outcomes for Council, tangata whenua and the community as a whole.

Outcomes Sought:

- 2.1.1 Elected representative participation in bicultural awareness training.
 Such training would allow elected representatives to develop a thorough understanding of:
 - Tiriti o Waitangi/Treaty of Waitangi
 - Maori Resource Management
 - LTCCP and Annual Plan objectives for Maori in the district.
- 2.1.2 Active engagement with tangata whenua by elected representatives.

Comment [CM3]: Remove and put into action plan

Executive Management

The Chief Executive Officer and the divisional managers (Administration, Finance, Engineering and Regulatory) are responsible for ensuring that the day to day operations of Council are carried out in an efficient and effective manner.

Outcomes Sought:

- 2.1.3 Facilitate and promote best practice in relation to programme and service provision for tangata whenua.
- 2.1.4 Work with the Maori Standing Committee/tangata whenua to facilitate and promote:
 - bicultural awareness training for Council officers and contractors
 - protocols to be used by Council in relation to:
 - roadworks
 - large-scale subdivisions, construction projects, etc.

Comment [CM4]: Remove and put into action plan

3. REPRESENTATION

Representation refers to the mechanisms which provide for individuals and groups authorised to speak for *tangata whenua* to participate in Council decision-making processes. *Tangata whenua* representation can be undertaken through a variety of mechanisms. These mechanisms take into account all of the Principles of Working Together and the diversity of *tangata whenua* in the district.



3.1 Tangata whenua provision in Standing Orders of Council

3.1 Database

To ensure there is a voice for all tangata whenual/Maori, the Council will ensure that a comprehensive database is developed as a reference for the Council both at governance and operational levels. Appendix G of the Council's standing orders outlines "Additional provisions for tangata whenua". This appendix outlines the process for tanagata whenua representatives in attending and speaking at meetings as part of their representation roles. These provisions are in addition to members of the public being able to speak/attend Council meetings as outlined in Appendix F (Public Forum) and Section 2.15 of standing orders (Public at meetings, access to agendas etc.). These provisions apply at Council and committee meetings (including the Maori Standing Committee) as defined on pg 8 of the Council's standing orders.

Outcomes Sought:

- 3.1.1 Develop and maintain a database of hapu, iwi, marae and Maori organisations in the Wairoa district.
- 3.1.2 Develop a framework to create a spatial mapping layer in the Council's GIS to showing "areas of influence" of iwi, hapu, Maori organisations and marae representatives in the Wairoa district.
- 3.1.3 Schedule regular hui to canvass tangata whenua contributions on district issues.
- 3.1.4 Promote and provide assistance to the development of iwi and hapu management plans.

3.2 Maori Standing Committee

The Maori Standing Committee is a standing-committee of the Council. The Maori Standing Committee acts as a check and balance on Council processes, especially on those matters requiring a Maori perspective, as well as an advisory body for Council on matters requiring a Maori perspective. This includes the development and revision of Council policies and strategies. Tangata whenua can take issues to their takiwa representative or the Maori Standing Committee, who can then advocate for the tangata whenua to Council or to other bodies (if appropriate). Recommendations from the Maori Standing Committee will be communicated through a report from the Chair and will be given due consideration by the Council when making decisions that directly impact on Maori and on all matters that require the perspective of te Ao Maori_as set out in the principles underpinning Section 2: Working Together.

Outcomes Sought:

- 3.2.1 Establish a Maori Standing Committee that is representative of tangata whenua.
- 3.2.2 Develop a Terms of Reference [see **Appendix 5**] for the Maori Standing Committee.
- 3.2.3 Ensure resourcing of the Maori Standing Committee is commensurate with the expected or actual workload including access to administrative support for the recording and distribution of minutes and reports where needed.
- 3.2.4 Support the selection process for tangata whenua representative appointments to the Maori Standing Committee.
- 3.2.5 Formalise the role of the Maori Standing Committee in Council's Local Governance

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Comment [CM5]: Put into action plan



Statement.

Comment [CM6]: Remove and put into action plan

4. EFFECTIVE CONSULTATIONSIGNIFICANCE AND ENGAGEMENT

Effective consultation should occur early and throughout the decision-making process, which requires openness about how, why and when tangata whenua are being consulted and how much influence they will have over the decisions being made. The Council's Significance and Engagement Policy lets both Council and the community identify the degree of significance attached to particular decisions, to understand when the community can expect to be engaged in Council's decision making processes, and know how this engagement is likely to take place. This provides Council with a tool that clearly guides the assessment of significance during decision-making and provides direction on the consideration of community views and the level of community engagement that might be desirable to enable Council to develop a clearer understanding of community views and preferences on an issue or

proposal. This policy includes a specific section about 'Engagement with Maori'.

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4.1 Engagement Process

Outcome Sought:

4.1.1 Where Council and/or external parties propose land development or similar initiatives in the district, the Maori Standing Committee shall be the first port of call for referral to the appropriate tangata whenua representative.

4.2 Negotiation

A negotiation process is used to confer with others in order to reach a compromise or agreement. The negotiation process should occur at the very beginning of a process, before anything has been developed. Negotiations take place to determine the overall purpose and direction of the project. Negotiation implies a more equal relationship where parties work through any conflict and "agree to disagree" if areas of conflict cannot be resolved.

Outcome Sought:

4.2.1 Before Council begins planning or addressing issues in the district, Council will need to meet with tangata whenua from the outset of the process.

4.3 Consultation

A consultation process is used to seek information, advice or an opinion, permission or approval for a proposed action. The consultation process would be used when approval of a programme, policy or service (something that has already been developed) is required.

Outcomes Sought:

- 4.3.1 The tangata whenua consultation process for consents that cover individual and multiple projects shall be determined by the Maori Liaison Officer and the Maori Standing Committee.
- 4.3.2 Moot and engage with tangata whenua as early as possible in the planning or issue process.
- 4.3.3 Ensure that sufficient time is allowed and appropriate information is provided for people to make a meaningful contribution to the issues under consideration.

4.4 Communications Plan

Communications include all written, spoken and electronic interaction between people. A communications plan can provide guidance on how, when and what communication tools are best used in certain situations.

Outcomes Sought:

4.4.14.2.1 Review and implement a strategy for dissemination of information to tangata whenua groups.

Comment [CM7]: Take out – in Significance and Engagement Policy



5. ADVOCACY

Advocacy is about influencing policy makers when they make laws and regulations, distribute resources, and make other decisions that affect people's lives. Advocacy is essentially all about three things:

- developing policies where the need has been identified
- · reforming harmful or ineffective policies
- ensuring good policies are implemented and enforced.

There are a number of decision-making processes that lie outside the scope of Council and are undertaken at a regional or national level.

It is expected that interaction and advocacy with external agencies on behalf of Council either by Councillors or Maori Standing Committee members would be with the full knowledge of Council. This does not prevent individuals (whether on the Maori Standing Committee or Council) from advocating on behalf of their own hapu or group as long as there is a declaration that they are not acting on behalf of Council.

An important role for the Maori Standing Committee is as an advocate for *tangata whenua* perspectives and issues to local, regional and national bodies.

Issues.

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5.1 Policy Review

A policy is typically described as a deliberate plan of action to guide decisions and achieve rational outcomes. While law can compet or prohibit behaviours (e.g. a law requiring the payment of taxes on income), policy merely guides actions towards those that are most likely to achieve a desired outcome.

Areas of concern within existing policies have the potential to impact on tangata whenua aspirations and require consideration under the principles of this policy.

Comment [CM8]: This is covered under the S & F Policy

Outcomes Sought:

- 5.1.1 Review frameworks to ensure that the Maori world view is incorporated in Council policies, plans and strategies.
- 5.1.2 **Maori Tourism** Cultural and spiritual values of tangata whenua to be a high priority when considering existing and future tourism initiatives and policies.
- 5.1.3 **Economic Development** Assist tangata whenua groups in building capacity skills, resource and expertise to develop sustainable business initiatives.
- 5.1.4 **Maori Land** Impact reports relating to multiple ownership and traditional use of Maori land to be considered when setting or reviewing rates.
- 5.1.5 **Signage** Recognise bicultural heritage through the naming of places and streets throughout the Wairoa district.
- 5.1.6 Cultural Landscape Recognition of tangata whenua cultural landscapes through the identification of places that have significance for tangata whenua and ensuring such places can be preserved and publicly acknowledged.



5.1.7 Facilitate tangata whenua contributions to the development of Council's Annual Plan, Long-term Plan and other significant issues and decisions as defined by the Local Government Act 2002.

Comment [CM9]: Put into separate Action Plan

Comment [CM10]: This is covered under S & E Policy

5.2 Policy Development

The process of developing policy is as important as making decisions. Policy is intended to affect the "real world" by guiding the decisions that are made. Whether they are formally written or not, most organisations have identified policies.



Outcomes Sought:

- 5.2.1 Develop iwi and hapu "state of the environment" and cultural indicators.
- 5.2.2 Develop local policy to give protection to all tangata whenua sites and places of significance.
- 5.2.3 Council and tangata whenua develop a range of consultation methods with the intent of maximising participation by Maori in the Council's decision-making processes.

Comment [CM11]: Put into separate action plan

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5.3 Local, Regional and National Advocacy

There are a number of functional areas that lie outside the scope of council and are administered at a regional or national level.

While there are protocols already in place to guide interaction with external agencies under Section 4 of the policy, it is expected that interaction and advocacy with external agencies on behalf of Council either by Council or Maori Standing Committee members would be with the full knowledge of Council.

This will not prevent individuals (whether on the Maori Standing Committee or Council) from advocating on behalf of their own *hapu* or group as long as there is a declaration that they are not acting on behalf of Council.

6. COUNCIL KAUMATUAPAKEKE

There are occasions where it will be appropriate for Council-run will requireactivities to have Kaumatua-Pakeke to be in attendance – for powhiri, tangihanga, hui etc. This is particularly important in complying within giving due respect to tikanga where a whaikorero/karanga/karakiais requiredappropriate.

Outcome Sought:

- 6.1.1 Approach Kaumatua and/or appropriate persons to represent Council in ceremonial matters.
- 6.1.2 Ensure that advice will be sought on issues pertaining to kaumatuatanga, tikanga, kawa, and whakapapa.
- 6.1.3 Facilitate the development of protocols with the Maori Standing Committee for a range of situations including:
 - powhiri for visitors to Council
 - kaikorero for Council and affiliates e.g. Wairoa Community Trust, Wairoa Primary Healthcare Organisation, Wairoa District Council Community Centre
 - karakia for official occasions, openings, etc.
 - karakia (whakanoa) where situations require cultural safeguards to be implemented (contractors working on or near waahi tapu)
 - hapu consultation
 - in attendance at inter-district, regional and national forums to maintain the mana of Wairoa.

Comment [CM12]: Put into separate

action plan

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7. KAITAKAWAENGA MAORI-MAORI LIAISON OFFICERRELATIONSHIPS MANAGER

Underpinning Council's commitment to the effective facilitation of Maori in decision making is the provision of dedicated staff and other resources. The aim of this is to increase Maori influence in the Council and foster greater understanding of Maori issues.

The position of *Kaitakawaenga Maori/*Maori Liaison OfficerMaori Relationships , Manager, has been established by Council as a means of facilitating and enhancing Maori involvement in decision making. The purpose of the position is to provide advice to, and liaise with, Council and its committees, Council staff and the community in respect to their relationship with, and impact on, *tangata whenua*.

Outcomes Sought:

- 7.1 That an appropriately skilled community officer is appointed to liaise between the Council and the Maori community.
- 7.2 Recommend to the Chief Executive Officer that the Chair of the Maori Standing Committee is involved in the interview panel for appointment of the Maori Liaison Officer
- 7.3 That the Maori Liaison Officer is sufficiently resourced to:
 - provide administrative support to the Maori Standing Committee
 - organise and facilitate hui across the district
 - undertake and participate in programmes and activities dealing with Maori issues
 - participate in training processes which enhance the understanding and awareness of the needs of Maori communities
 - advocate on behalf of tangata whenua to ensure the principles of this policy are upheld.
- **7.4** Ensuring the mana of Wairoa District Council is enhanced through an emphasis on manaakitanga.
- **7.5** The Chief Executive Officer will monitor the workload of the Maori Liaison Officer to ensure the expectations of the position are reasonable.

Comment [CM13]: Put into separate

8. MONITORING AND REVIEW

This policy will be monitored on an annual basis and an informal review will be undertaken each year by the Maori Standing Committee to assess its relevance and effectiveness.

A formal review of this policy will be undertaken <u>at least</u> every three years in line with the appointment of new members to the Maori Standing Committee following the triennial local government elections.

At all other times a review of this policy may be initiated at the request of the:

- Chief Executive Officer
- Council by resolution
- Maori Standing Committee by resolution
- tangata whenua

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• any person by submission.

Outcome Sought:

8.1 Develop an evaluation framework based on the Long-term Council Community Plan to enable the policy to be effectively reviewed.

Comment [CM14]: Put in separate action plan

9. REFERENCES

The following reference information has informed the development of this policy:

- Maori Standing Committee review of the Draft Purongo Maori Maori Policy 2008
- Wairoa District Council Long-term Council Community Plan 2009-2019
- Waitangi Tribunal www.waitangi-tribunal.govt.nz/treaty/principles.asp
- Various local government agreements with indigenous peoples.



GLOSSARY OF MAORITERMS

ahi kaa The continuous unbroken occupation of land by whanau, hapu or iwi over

successive generations.

hapuhuiGatheringiwiTribe

kaitaiki Whanau, hapu or iwi given the responsibility to care, maintain, manage and

protect taonga tuku iho (tangible and intangible) within their territorial

domain.

karakia Prayer

karakia (whakanoa)Prayer to remove tapukarangaCeremonial calling of visitors

kawa The specific protocols and processes that particular hapu or iwi engage to

formalise encounters with others. Kawa varies amongst hapu and iwi, however the kawa of the hosts will take precedence and will govern

proceedings

manaakitanga The expression and responsibility inherent to the mana of encounter or

engagement as in the reciprocal relationships between host and visitor

manawhenua The acknowledged authority, that a particular whanau, hapu or iwi has over

a particular area. This authority affords whanau, hapu and iwi rights as kaitiaki and obligations to manaaki. It also infers the obligation of other

groups to negotiate or consult for access rights to land and resources

powhiri Welcoming ceremony

tangihanga Funeral

taonga tuku iho The tangible and intangible resources or treasures that are important to the

cultural heritage of tangata whenua, taurahere, and the wider community

tapu Sacred restriction

taurahere The association of Maori individuals or groups who join together to fulfil a

common purpose or goal, that share similar aspirations and who live

outside their tribal area

waahi tapu Sacred place whaikorero Oratory

whakapapa Relates to the genealogy, not only of people but all things. It is the

relationships to and between all elements, tangible and intangible, such as

matter and energy, the universe, the gods, people and other forms of life

whenua Land



APPENDIX 1: MAORI ORGANISATIONS

Kahungunu Executive

Kahungunu Maori Wardens Sub Association

Ngati Kahungunu lwi Incorporated

Te Kura Kaupapa Maori o Ngati Kahungunu o Te Wairoa

Te Wharekura o Te Raua

Nga Kohanga Reo o Wairoa whanui

Maori Women's Welfare League

Marae Committees

Marae Trustees

Ngati Pahauwera Iwi Trust

Ngati Pahauwera Development and Tiaki Trust

Rongomaiwahine Iwi Trust

Te Ataarangi o Kahungunu ki te Wairoa

Te Kura Motuhake o Te Ataarangi

Nga Kaitiaki Hauora o Waikaremoana

Te Hauora o Ngati Pahauwera

Te Hauora o Te Wheke a Nuku

Te Hauora Maioha

Te Iwi o Rakaipaaka Incorporated

Tu Mai Development Trust

Te Taiwhenua o Kahungnu ki Te Wairoa

Tuhoe Waikaremoana Maori Trust Board

Wairoa Waikaremoana Maori Trust Board

Whakaki Lakes Trust

Lake Waikaremoana Hapu Restoration Trust

Comment [CM15]: Remove as an appendix due to the fluid nature of the list. Include this information on the website and put in action plan to update this as peoded.



APPENDIX 2: LIST OF STATUTES OF PRIMARY INTEREST TO MAORI

There are a number of statutes which are of primary interest to Maori. Some of these statutes are administered by Council while others are administered by other government agencies. Their impact on *tangata whenua* within the Wairoa district tends to be felt locally.

Resource Management Act 1991
Local Government Act 2002
Te Ture Whenua Maori Land Act 1993
Foreshore and Seabed Act 2004
Local Government (Rating Act) 2002
Historic Places Act 1993
Maori Community Development Act 1962
Maori Community Development Amendment Act 1996

Comment [CM16]: Remove appendix as this list changes with central govt and can differ between different tangata whenua groups



APPENDIX 3: TREATY OF WAITANGI – Maori and English Text

	V 1 7 1 1 3	
Maori Text	Kawharu Translation ³	English Text
PREAMBLE:	PREAMBLE:	PREAMBLE:
KO WIKITORIA te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga¹ me to ratou wenua, a kia mau tonu hoki te Rongo² ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira³ – hei kai wakarite ke nga Tangata maori o Nu Tirani – kia wakaaetia e nga Rangatira Maori te Kawanatanga o te Kuini ki nga wahikatoa o te wenua nei me nga motu⁴ – na te mea hoki he tokomhaha ke nga tangata o tona lwi kua noho ke tenei wenua, a e haere mai nei. Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kaua ai nga kino e puta mai ke te tangata Maori kit e Pakeha e noho ture kore ana. Na kua pai te Kuini kia tukua a hau a Wiremu Hopihana he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aianei amua atu kit e Kuini, e mea atu ana⁵ ia ki nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei. NOTES ON ENGLISH KAWHARU TRANSLAT . 'Chieftainship': this concept has to be uncolitical organisation as at 1840. The accep 2. 'Peace': Maori 'Rongo', seemingly as miss 'Word' – the message of peace and goodwi? Juterally 'Chief' ('Rangatira') here is of cour be a Maori, but the word could well have imere 'functionary'.	lerstood in the context of Maori social and ted approximation today is 'trusteeship'. ionary usage (rongo – to hear; ie, hear the II, etc)	HER MAJESTY VICTORIA Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour of the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorise me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant-Governor of such parts of New Zealand as may be or hereafter shall be ceded to her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.
 'Islands' i.e. coastal, not of the Pacific. Literally 'making' i.e. 'offering' or 'faying' – but not 'inviting to concur'. 		
KO TE TUATAHI	ARTICLE THE FIRST	ARTICLE THE FIRST
Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua Wakaminenga ka tuku rawa atu kit e kuini o Ingarani ake tonu atu – te Kawanatanga ⁶ katoa o o ratou wenua.	The Chiefs of the Confederation and all the Chiefs who have not joined that Confederation give absolutely to the Queen of England forever the complete government over their land.	The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without



Maori Text	Kawharu Translation ³	English Text
NOTES ON ENGLISH KAWHARU TRANSLATION: 6. 'Government': 'kawanatanga'. There could be no possibility of the Maori signatories having any understanding of government in the sense of 'sovereignty': i.e. any understanding on the basis of experience or cultural precedent.		reservation all the rights and power of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole sovereigns thereof.
KO TE TUARUA	ARTICLE THE SECOND	ARTICLE THE SECOND
intention to give them complete control connotation of 'quintessential". 8. 'Treasures': 'taonga'. 'Taonga' refers to material and non-material – heirlooms ar and whakapapa (genealogies).	 would emphasise to a chief of the Queen's according to their customs. 'Tino' has the all dimensions of a tribal group's estate, and wahi tapu (sacred places), ancestral lore 	Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat
Maori 'hokonga', literally 'sale and purchase'. 'Hoko' means to buy or sell. KO TE TUATORU ARTICLE THE THIRD		with them in that behalf. ARTICLE THE THIRD
Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini – Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.	For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties ¹⁰ of citizenship as the people of England ¹¹ .	In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.
10. Rights and duties': Maori at Waitangi in 1840 refer to Hobson being or becoming a 'father' for the Maori people. 11. There is, however, a more profound problem about 'tikanga'. There is a real sense here of the Queen 'protecting' (i.e. allowing the preservation of) the Maori people's tikanga (i.e. customs) since no Maori could have had any understanding whatever of British tikanga (i.e.the rights and duties of British subjects). This, then, reinforces the guarantees in Article 2.		
(Signed) William Hobson Consul and Lieutenant-Governor	(Signed) William Hobson Consul and Lieutenant-Governor	(Signed) William Hobson Consul and Lieutenant-Governor
Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei kei Waitangi ko matou	So we, the Chiefs of the Confederation of the subtribes of New Zealand meeting here at Waitangi	Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in



Maori Text	Kawharu Translation ³	English Text
hoki ko nga Rangatira nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu. Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.	having seen the shape of these words which we accept and agree to record our names and our marks thus. Was done at Waitangi on the sixth of February in the year of our Lord one thousand eight hundred and forty	Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof in witness of which we have attached our signatures or marks at the places and dates respectively specified. Done at Waitangi this Sixth day of February in the year of Our Lord one thousand eight hundred and forty.

3 Translation of the M\u00e4ori text of the Treaty in English by former Tribunal member Professor Sir Hugh Kawharu, published in Report of the Royal Commission on Social Policy.

Maori Version	English Translation of Maori			
KO TE TUAWHA	ARTICLE THE FOURTH			
HISTORICAL NOTE: At the first Treaty signing, two church leaders, Bishop Pompallier (Catholic) and William Colenso (Anglican), recorded a discussion on religious freedom and customary law. In answer to a direct question from Pompallier, Hobson agreed to the following statement which was read to the meeting before anyone signed: The English and the Maori text of the Treaty does not record this guarantee, but some rangatira, at the first and subsequent signings, signed the Treaty on the strength of Article IV alone, which they saw as guaranteeing continuance of their way of life.				
"E mea ana te Kawana, ko nga whakapono katoa, o Ingarani, o nga Weteriana, o Roma, me te me te ritenga Maori hoki, e tiakina ngataiatia e ia."	"The Governor says that the several faiths of England, of the Wesleyans, and of Rome, and also Maori custom shall alike be protected by him".			



APPENDIX 4: TREATY PRINCIPLES³

Principle of Tino Rangatiratanga – Self-management

The rights of Maori to exercise full authority and control over their lands, resources and taonga.

• Principle of Kawanatanga - Governance

The authority to make laws for the good order and security of the country subject to the duty imposed (on the Crown) to Maori under the Treaty.

Principle of Whakawhanaungatanga – Partnership

A partnership between Maori and the Crown which requires the parties to act reasonably and with the utmost good faith in accordance with the Treaty of Waitangi.

• Principle of Oritetanga - Equality and privileges of citizenship

The right of *tangata whenua* as individual citizens to receive, as a minimum, fair and equal access to the resources and benefits provided by the Crown.

• Principle of Kaitiakitanga - Stewardship

The responsibility of Maori to undertake their duty of custodianship, stewardship and guardianship over their lands, resources and *taonga*.

Principle of Whakatika i te mea he – Duty to remedy past breaches

The duty of the Crown to remedy past breaches of the Treaty and to prevent further breaches.

• Principle of Tuatiaki ngangahau - Active protection of taonga and Maori interests

The duty to ensure the active protection of *taonga* for as long as Maori wish it to apply.

• Principle of He here kia mohio - Duty to be informed

The duty of the Crown to make informed decisions through consultation with Maori.

Comment [CM17]: Remove and provide a link to this on our website and a link to this in the document

³ Sourced from Waitangi Tribunal Reports and Court of Appeal jurisprudence.



APPENDIX 5:

Wairoa District Council Maori Standing Committee

Terms of Reference

1. Status

The Maori Standing Committee is a standing-committee under clause 30(1)(ba) of Schedule 7 to the Local Government Act.

2. Purpose

The purpose of the Maori Standing Committee is to:

- · Advocate on behalf of tanagata whenua to local, regional and national bodies as appropriate
- consider Consider governance issues relating to Council obligations to tangata whenua
- investigateInvestigate and report to the Council on any issues that the Maori Standing Committee considers necessary that may have an implication for tangata whenua.

3. Membership

- The Maori Standing Committee members is an official standing committee of the Council, whose term of office shall expire at the end of the year in which the triennial local body elections are held.
- MIndependent membership of the Maori Standing Committee shall be determined at series of district-wide hui
 - of *hapu* of *takiwa*, <u>held after the triennial elections</u>, whereby those present will endorse representatives to the Committee.
 - 9 takiwa representatives 1 representative per takiwa (takiwa areas as defined by <u>Council</u>)
 - 1 representative (Wairoa Whanui) to represent Maori who whakapapa back to hapu/iwi outside of Wairoa
- The Maori Standing Committee shall consist of a specified number of members.
 - nine-ten (910) independent members and (with a minimum of seven (7) members) and appointed by the Wairoa District Council
 - His/Her Worship the Mayor ex-officio
 - two (2) Councillors to be nominated by the <u>Maori Standing CommitteeWairoa District-Council</u> and agreed to confirmed by the <u>Council Maori Standing Committee</u>.
- If the Maori Standing Committee has less than seven (7) independent members, the Maori Standing Committee shall have the power to co-opt. Co-opted members will have equal membership rights with all other members of the Maori Standing Committee.

4. Responsibilities

 The Maori Standing Committee shall nominate two (2) members of whom one will be Chair, to attend every scheduled ordinary, special—and extraordinary public meeting of Full Council.
 These representatives will have speaking rights. The Chair, or in their absence, their delegated Formatted: Character scale: 100%, Not Expanded by / Condensed by

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representative will be invited to the Council table and have speaking rights.

- The Maori Standing Committee shall nominate one (1) members as the representatives at
 every scheduled ordinary, special and extraordinary meeting of the Resource Management
 Committee committees chaired by Wairoa District Councilas indicated in the terms of reference
 of these committees.
- There is an expectation that members will make every effort to attend all Maori Standing Committeemeetings.



- Wherever possible, the Maori Standing Committee should determine matters by consensus decision. Where a consensus cannot be reached, a vote shall apply, with a two-thirds majority of those voting required for any decisions, and the Chair having a casting vote.
- If members believe they have a conflict of interest on a subject that will prevent them from reaching an impartial decision, they should declare that conflict of interest and withdraw themselves from any discussion of the subject.
- On occassion, individual members of the Maori Standing Committee may wish to abstain from some or all of the decision-making process because of strong personal, moral or religious reasons. Such abstentions shall not affect the approval process.
- The unconfirmed/confirmed minutes and Aall decisions recommendations made by the Committee will be forwarded for inclusionincluded in the next ordinary Council meeting agenda at the next Full Council meeting. All decisions by the Maori Standing Committee will be considered as recommendations with final approval afforded to Council (elected representatives) in accordance with the Local Government Act 2002.
- The Maori Standing Committee has full responsibility to make decisions regarding the expenditure of its budget.

5. Delegated Authorities

The Maori Standing Committee has the authority to:

- delegate to any subcommittee of the Maori Standing Committee any authorities that have been delegated by Council to the committee and to appoint members
- make recommendations to Council on all governance issues relating to the statutory functions, powers and duties within its terms of reference
- make recommendations on professional development opportunities which will enable members
 of the Maori Standing Committee to better contribute to its decision-making processes
- review and determine how the steps that Council will take to develop Maori capacity to
 contribute to decision-making processes should be described, planned and monitored in the
 draft and final <u>Council</u> Long-term <u>Council Community</u> Plan
- make submissions on Maori-related matters, except where the submissions may have an impact on Council's activities in conjunction with Council.

6. Meetings

- The Maori Standing Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under the Terms of Reference.
- All agendas and minutes are available to the public as per the requirements of the Local Government Official Meetings and Information Act 1981.
- No business shall be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted. The quorum shall be six (6) members, representing two thirds of the majority.
- As part of the accountability to their iwi/hapu/whanau for whom they represent, the meetings of the Maori Standing Committee to be open to the iwi/hapu/whanau and the public in general.

Comment [CM19]: Covered in SO and

Comment [CM18]: The committee is subject to Standing Orders

Comment [CM20]: Quorum is set

Comment [CM21]: SO

Legislation

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Minutes of all proceedings of the Maori Standing Committee shall be kept, and shall be circulated to the members and considered at the next meeting succeeding and, if approved by that meeting, or when amended as directed by that meeting, shall be signed by the Chair.

Minutes of proceedings shall be made available to the public for inspection.

Comment [CM22]: SO

Comment [CM23]: SO/Legislation

7. Election Year Transition

- In a local government election year, the Maori Standing Committee shall schedule district-wide
 hui for the selection process to decide the membership of the next Maori Standing Committee by
 the end of November.
- The next Maori Standing Committee shall be sworn in by the newly elected Council by February.
- The incumbent Maori Standing Committee shall remain in office until the succeeding Maori Standing Committee are sworn in by the newly elected Council.
- A robust introduction process should be developed will be in place for all incoming members of the Wairoa District Council's Maori Standing Committee.

8. Budget

- The Maori Standing Committee shall be responsible for its own budget as set through the Annual Plan process.
- Members of the Committee are allocated a budget for the financial year ending 30 June the budget shall cover the following items:
 - fair remuneration for Committee duties undertaken on behalf of the Council
 - travel allowance for members attending Committee meetings
 - the commission of expertise for advice, training and workshops
 - administration expenses including (but not limited to): materials, venue hire, catering.

9. Servicing

- The Maori <u>Liaison OfficerRelationships Manager</u> will be the primary contact for the Maori Standing Committee and shall coordinate staff and resources in accordance with the allocated budget.
- Other staff can be assigned by request through the Chief Executive Officer.