



**Report**                    **04.41**  
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**Committee**            **Ara Tahī**  
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## **Meeting the requirements of the Local Government Act 2002**

### **1. Purpose**

To continue dialogue on the provisions for Māori in the Local Government Act 2002, and discuss a way forward.

### **2. Background**

The Local Government Act 2002 (the Act) contains a number of provisions that relate specifically to Māori. These are largely contained in Part 6 of the new legislation, and are primarily about Māori participation in decision making processes. The Act's provisions in relation to Māori stakeholders for consultation and contributions to the decision-making process are:

- to take into account the relationship of Māori where there is a “significant decision in relation to land or a body of water” to be made;
- to establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes;
- to consider ways in which the Council may foster the development of Māori capacity to contribute to the decision-making process; and
- to provide relevant information to Māori for the purposes of consultation and making a contribution to the decision-making process

See Attachment One to this report for the main provisions from the Act.

The use of the term “Māori” in the Act is new. The Act seeks to promote the active engagement of Māori with the system of local government. Therefore, the obligation placed on Council to develop relationships are expressed in a broad and inclusive way by reference to Māori, and not limited to those Māori in the Region who are tangata whenua.

### **3. Discussion**

Greater Wellington and iwi have had ongoing discussions about the provisions in the Act through Ara Tahi and joint iwi/Councillor workshops.

The workshop in March 2003 with Tom Bennion provided an opportunity to discuss the provisions in the Act and what they might mean for both the Greater Wellington and iwi. The joint workshop at Pipitea Marae last year was designed to investigate the Council's relationship with iwi, particularly in relation to input into decision making. The workshop included briefings on current mechanisms for iwi input into Council processes and Māori constituencies.

Both workshops were useful and allowed the Council and members of Ara Tahi to gain a better understanding of the Act and the opportunity to discuss the provisions. There is now a need to continue the discussion and explore the options for future consultation and decision-making.

### **4. Where to from here?**

Through the requirements in the Act, a process needs to be established that incorporates the views of the whole Māori community. While there is no doubt that tangata whenua have a special association with the natural environment, the Act requires that there be an avenue for 'other' Māori groups to express their views about Council business.

There are a number of options for establishing and maintaining processes to provide opportunities for Māori to contribute to the decision-making processes of Council. However, in past meetings and discussions, members of Ara Tahi have suggested that the preferred way forward may be for iwi to take a leadership role in their communities and introduce formal procedures for Māori to bring their views to the mana whenua. These views could then be brought to the Council.

The first technical workshop for the year is scheduled for Wednesday 7 April and it is suggested that this workshop would be a good opportunity for further discussion of this proposal and any other options that members may wish to propose.

## 5. Recommendations

*It is recommended that Ara Tahi:*

1. *receives the report;*
2. *notes the contents; and*
3. *agrees to hold a workshop to discuss Māori involvement in the decision-making processes of Council.*

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**Attachment 1:** Main provisions from the Act