

## **Fostering Maori Participation**

For many years, Council has worked with iwi and Māori to ensure there are a range of opportunities to contribute to Council decision making. Iwi representatives, Councillors and staff continue to look for ways to adapt processes to ensure they work well. Improvements are drawn from feedback of those attending Kotahitanga hui, the partnership Komiti of Council and iwi leaders.

In 2009 Nelson City Council re-stated its commitment to build capacity, consult and involve iwi Māori in its decision making. That commitment remains and continues to be the basis of how Council plans to work for the next decade.

Nelson City Council acknowledges its primary Treaty obligation is with the Crown. It also understands its responsibilities around delivering relevant redress under any Treaty Settlement in terms of the Local Government Act 2002.

Council believes that by working in partnership with Māori it will create benefits for the whole community. Council grows this partnership by encouraging active participation in local government wherever possible. Council upholds the principles in the Memorandum of Understanding (MOU) with Tangata Whenua o Whakatū and mata waka, iwi Māori from other tribal areas.

### **Māori world view**

The principles in the MOU require the parties to act in good faith and entail an understanding of the Māori world view. This is based on relationships between people, the spiritual world, the natural world and included natural resources such as water.

Fundamental principles and values that guide the relationship between the Nelson City Council, the Whakatū iwi and mata waka include mana atua (spiritual authority), mana whenua, mana tangata (individual authority), rangatiratanga (authority), kaitiakitanga (guardianship) and manaakitanga (hospitality).

Council sees one role of Kotahitanga hui and the Kaihautū position as assisting to explain Te Ao Māori to Council staff and the community. Council looks to the Kotahitanga forum for advice on tikanga (values) and kawa (ways of doing things) for Nelson.

Any obligations under new legislation are discussed at Kotahitanga hui.

### **Council and Māori working together**

Nelson City Council's partnerships with Māori is based on the following principles: recognition of the contribution of Māori, common ground and

interests shared by Council with the original people of this area, Tangata Whenua o Whakatū, Council's responsibilities towards Māori under the Treaty of Waitangi, and legislative responsibilities. The rationale for this involvement is explained in the MOU with Tangata Whenua o Whakatū.

There are two distinctly different relationships between Council and Māori. The first is a partnership with local iwi, and the second is democratic consultation with all Māori living in Nelson.

## **Treaty settlements**

The Crown has formally recognised and re-affirmed the relationship of the eight iwi of Te Tau Ihu<sup>1</sup> with the whenua (land), moana (sea), awa (river), maunga (mountains), Wahi tapu (sacred sites), puna waiora (spiritual wellbeing) through the Treaty of Waitangi Settlement process.

The Te Tau Ihu Treaty of Waitangi Settlement Acts 2014 (the Acts) for the eight iwi of Te Tau Ihu provide statutory obligations for Council in respect to general decision making processes, and specifically in RMA process and decision making. The Acts passed into legislation on the 1st of August 2014. Each Act provides each of the eight iwi with redress for past grievances dating back to 1840 in the Top of the South with an apology from the Crown.

There are three types of redress provided for in the settlements:

- Cultural redress such as giving statutory kaitiaki over areas of crown land or changing place names
- Relationship redress such as the establishment of a river and freshwater advisory committee to provide input into Council decision making
- Financial redress which includes payments and commercial redress e.g. first right of refusal over certain properties.

Council has been working with the eight iwi of Te Tau Ihu on relationships establishment and implementation of the settlements in relation to Councils' governance and decision making processes. For asset management planning undertaken to inform this Long Term Plan Council held a workshop with iwi beginning a process of partnership and establishment of good working relationships for managing areas of significance, such as the coastal marine area, freshwater bodies and catchments, reserves management and heritage.

An important part of the settlements is the formal apology of the Crown to the eight iwi of Te Tau Ihu. While the Crown's apology was made from a central government perspective Council acknowledges its role in meeting the obligations of the apology and resulting legislation.

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<sup>1</sup> Ngāti Kuia, Rangitāne o Wairau, Ngāti Toa Rangātira, Ngāti Koata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, Te Ātiawa o Te Waka a Māui, Ngāti Apa ki te Rā Tō

Cultural Redress	Statutory kaitiaki over a number of Department of Conservation administered Crown lands and the Coastal Marine Area
	Vesting of sites in iwi ownership
	Overlay classifications which require the Crown to acknowledge iwi values in that area
	Statutory acknowledgments and deeds of recognition which are recognised under the RMA 1991 and Historic Places Act 1993
	Statements of association, place names changes, crown payment, pouwhenua and mineral fossicking rights
Relationship Redress	Promotion of the relationship between iwi and local authorities of Te Tau Ihu
	Protocols which encourage good working relationships on matters of cultural importance to iwi
	Letters of introduction to museums and film archives
	River and freshwater advisory committee to be set up and provide input into local authority decision making in relation to the management of rivers and freshwater under the RMA 1991
	Memorandum of Understanding between iwi and the Department of Conservation
Financial Redress	Financial settlement
	Commercial redress which involves properties being purchased by iwi and then leased back to the Crown, and first right of refusal over a number of properties

## Building capacity and opportunities

Following are the key initiatives to build Māori capacity to engage with Council and its decision making:

- Kotahitanga Hui, the primary conduit for 'rangātira to rangātira' discussions involving iwi leaders, mata waka representatives and Council leaders
- Increased capacity of staff to engage with Māori effectively, including better understanding of language and customs, Treaty workshops and marae visits
- The Kaihautu and Council Kaumatua positions assisting Council's relationships and capacity building with iwi Māori

These initiatives will continue to build strong ongoing relationships and will ensure the effective consideration of Te Ao Māori in all major Council decisions.

In 2011, Council suggested that representation for Māori should be considered in any reorganisation proposal to provide improved opportunities for Māori involvement in Council decisions. However, the 2012 poll result was against

establishing a Māori Ward. This means that a Māori ward proposal cannot be considered until after the 2016 election, according to the Local Electoral Act s19ZF(5).

## **More information**

A full history of Nelson/Whakatū can be found at the Nelson Provincial Museum (corner of Trafalgar and Hardy Streets) in Nelson. The Public Libraries have a large collection of books and records on Te Ao Māori. For more on Te Tiriti, the Treaty of Waitangi, the Local Government Act and other legislation, refer to the MOU with Tangata Whenua o Whakatū. For further information on the Māori world view, concepts and Te Tiriti, refer to:

- <http://www.waitangi-tribunal.govt.nz/treaty/> for general information on te Tiriti by the Waitangi Tribunal
- <http://www.teara.govt.nz/en/te-ao-marama-the-natural-world/1>