

Māori contribution to decision-making processes

Council acknowledges that Treaty of Waitangi obligations rest with the Crown and seeks to uphold the mana of the Treaty of Waitangi Settlements of Te Tau Ihu by continuing to build its relationship with iwi. There are numerous pieces of legislation under which Council operates that recognise the Treaty of Waitangi and recognise or acknowledge iwi and Māori.

Council believes that by working in partnership with iwi and Māori it will create benefits for the whole community.

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

Ways of working together are being explored with Te Tau Ihu iwi post-settlement. These are described at the end of this section.

COUNCIL AND MĀORI WORKING TOGETHER

Nelson City Council's partnerships with Māori are 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 as set out in a variety of legislation.

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.

The Council Kaumatua (Māori elder) assists the Mayor and Council on official occasions providing cultural support for citizenship ceremonies and when welcoming dignitaries. The Kaumatua is another cultural support for the organisation as a whole.

The Council officer position of Kaihautū was developed to act as a conduit between Council and iwi. Council recognises the importance of this role, particularly post Treaty of Waitangi Settlements, and will continue to talk to iwi leaders of Te Tau Ihu (Top of the South) about the most effective use of this role.

The Council Kaumatua, like the Kaihautū position, is often asked to support community groups in their desire to recognise the tikanga and kawa of the haukāinga (home people).

Representatives of the Māori community are involved in Council working groups on relevant issues, and the Mayor (or the Mayor's nominated representative) is a standing member of the Whakatū Marae Management Kōmiti.

Statutory responsibilities Council enacts under the various Treaty of Waitangi Settlements across the eight iwi derive from the:

- Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014;
- Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014, and;

- Ngati Toa Rangatira Claims Settlement Act 2014.

The Treaty of Waitangi Settlements Acts above clearly outline each area of interest including statutory acknowledgements over land, water, sites, wāhi tapu, valued flora and fauna, and other taonga for the eight iwi.

Opportunities of mutual benefit to Council and iwi to work together in a post-settlement environment also exist in continuing to raise social, cultural and economic outcomes for iwi, Māori and the broader region.

The Iwi Working Group (IWG) has been established with the following role and purpose:

- Identify the strategic outcomes to lead the development of the Nelson Plan
- Identify resource management issues of significance to iwi
- Consider and comment on draft provisions of the Nelson Plan to ensure adequate cultural perspective is provided and outcomes and issues identified by iwi are addressed. Where necessary, the IWG will assist to develop appropriate responses with agreement of the Manager Environment.

There is a commitment to establish a Freshwater Committee with the eight iwi and the three unitary authorities across Nelson, Tasman and Marlborough.

TREATY SETTLEMENTS

The Crown has formally recognised and re-affirmed the relationship of the eight iwi of Te Tau Ihu¹ with the whenua (land), moana (sea), awa (river), maunga (mountains), wahi tapu (sacred sites) and puna waiora (spiritual wellbeing) through the Treaty of Waitangi Settlement process.

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 Resource Management Act 1991 processes and decision making. The Acts passed into legislation on 1 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, alongside the apology of the Crown, acknowledges that the iwi of Te Tau Ihu only received 2% of the value of what was taken from them as part of the Treaty of Waitangi Settlement process and appreciates the iwi position that this was a gift from the iwi of Te Tau Ihu to the region.

¹Ngāti Kūia, Rangitāne o Wairau, Ngāti Toa Rangatira, Ngāti Koata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, Te Ātiawa o Te Waka a Māui, Ngāti Apa ki te Rā Tō

Council seeks to work with the eight iwi of Te Tau Ihu on establishing relationships and fora which support implementation of the settlements and that provide input to Council's governance and decision-making processes. This is a work in progress.

LOOKING FORWARD - BUILDING CAPACITY AND OPPORTUNITIES

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

- Council's Kaihautū and Kaumatua positions assist Council's relationships and capacity building with iwi and all Māori living in Whakatū. The Kaihautū role will continue to help bridge the gaps between iwi, Council, the wider community and the legislation pertaining to how Council and iwi work together.
- Support for ongoing discussions with iwi and Māori.
- Delivery of Council overview to iwi to outline the breadth of Council's business, and to better understand the activities where iwi and Māori are most interested in participation. Council will continue to build readily accessible tools (such as the GIS layers for Statutory Acknowledgements).
- Discussions have begun with the eight iwi of Te Tau Ihu to assess how relationships between Council and iwi should look in a post settlement environment.
- A Māori world view on the Planning and Regulatory Committee by the appointment of a representative with an insight into Te Ao Māori.
- Representation at governance level on the Nelson Regional Sewerage Business Unit.
- The opportunity for iwi to be involved at the leadership level early in the process to create a Regional Growth Plan for te Tau Ihu; an initiative to align Nelson, Tasman, Marlborough, iwi, central government, and the business community thinking on what are the really important investment and economic development priorities for the region.
- The strategic plans of iwi reflect their desire for growth in the region. Iwi continue to grow commercially. However equally important for iwi is to consider their cultural growth, their kaitiaki obligations and their social obligations both to their beneficiaries and as part of the wider community of Te Tau Ihu.
- Council has a prescribed process and legislative obligations for its strategic and financial planning. Māori appreciate the opportunity for participation in that planning, and Council seeks to build in more time in the project plans for involvement, reflection and contribution. There may be issues around capacity restricting participation which will need to be addressed.
- Continuation of an Iwi Working Group to help guide, inform and provide meaningful contributions in the development of Whakamahere Whakatū – The Nelson Plan. These working groups are performing well. This shows that the opportunities are there to work together well in the community's interests.
- Council is seeking to establish a strategic framework for Chairs of Te Waka a Māui to work with Mayors across Te Tau Ihu. Similarly, a framework for Chief Executives will be established following this.

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

WAYS OF WORKING TOGETHER

Council accepts that capacity and capability must be built upon to have effective and meaningful partnerships with Te Tau Ihu iwi.

Council is committed to:

- Having effective, long-lasting, and genuine relationships/partnerships with all eight Te Tau Ihu iwi at both operational and governance levels.
- Supporting iwi to participate with local government
- Delivering local government functions in a manner which acknowledges the mana of Te Tau Ihu iwi
- Enabling iwi aspirations particularly for development post settlement.