



SPECIAL MEETING

OF

COUNCIL

(Submissions Hearing –
Draft Maori Policy)

TUESDAY

16 DECEMBER 2008

9.00am

WAIROA DISTRICT COUNCIL

**SPECIAL MEETING OF COUNCIL
(To Hear Submissions to the Draft Maori Policy)**

to be held in the Wairoa District Council Chambers
Queen Street, Wairoa

ON TUESDAY 16 DECEMBER 2008 AT 9.00AM

PART 1

A G E N D A

CHAIRMAN: His Worship the Mayor Mr L Probert

COUNCILLORS

B Cairns, D Caves, D Eaglesome, J Heron, B McKinnon, J Petersen

CIVIC PRAYER

APOLOGIES

CALLS FOR CONFLICTS OF INTEREST

General Items

1-3 **DRAFT MAORI POLICY CONSULTATION** **A28.01**

(Submissions Under Separate Cover)

Exclusion of the Public

Recommended: That pursuant to Section 48 (1) of the Local Government Information and Meetings Act 1987, the public be excluded on the following grounds:

That the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:

S7 (2)(b) Protect information where the making available of the information-

- (i) Would disclose a trade secret; or
- (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;

REPORT TO: SPECIAL COUNCIL	
DATE: 16 DECEMBER 2008	
SUBJECT: DRAFT MAORI POLICY CONSULTATION	FILE REF:A28.01
AUTHOR: JOY SCOTT, MAORI LIAISON OFFICER	ATTACHMENTS: Submissions
RELATED COMMUNITY OUTCOME: A Community that values and promotes its culture and heritage	RELATED COUNCIL ACTIVITY: Maori Liaison)

PURPOSE:

Provides an update on the recent consultations held in the community. Also provides an opportunity to reflect on progress of the policy.

CURRENT SITUATION:

The draft policy was made available for consultation during the period 16 October to 17 November for wider public input through the standard 30 day submission process of Council, closing at 5.00pm on 17 of November 2008.

As at that date 17 submissions had been received.

5 indicating the desire to speak at the hearing.

A number of cluster group hui were provided in the community for tangata whenua, the specific target group. While not being limited only to tangata whenua no submissions were received from non tangata whenua.

The numbers in attendance directly reflect the high number of tangi in the community over the Labour weekend period immediately prior to the start of the hui schedule.

In total 8 local hui were held, 2 extra to compensate for tangi, with 27 attendees in total. National advertising was circulated including advertising in the Wairoa Star. The meeting schedule was contained within the Statement of Proposal document for any interested parties to avail themselves of or indeed through direct contact with Council.

Summary of the Submissions

General

1. Generally the draft policy is endorsed and supported with minor amendments.
2. Section 83 Local Government Act 2002 is adhered to. I.e. "involved" in as opposed to "consulted".
3. At least 2 seek minor word amendments.
4. One indicating concern at the time frame of 30 days, (contrary to traditional time frames), in which to submit. This one however managed to submit within the time frame with 105 signatories endorsing it.

Areas of Concern

1. Voting Right (s83 Local Government Act 2002)

Council's position on the Maori Committee members voting right. A liberal reading of the Local Government Act 2002 embraces not only involvement in decision making but that this naturally extends to a voting right as well. Most particularly for issues which impact on tangata whenua.

2. Cluster Group Representation

It is accepted that not all parties would endorse this new structure. This new structure is contrary to traditional Maori forms of representation. At least 2 submissions identified their displeasure at this attempt to reduce the numbers on the Maori Committee, however without proposing a workable alternative.

One legitimate submission which was received from Lake Waikaremoana seeks their own cluster group due to geographic difficulties this poses for representation for them.

CONCLUSION

The original Maori Policy was written after the establishment of the Maori Committee and as a consequence accepted the need for the committee in that form. Now 12 years on the policy and committee has evolved into something more aligned with the Treaty and partnership principles. The draft espousing partnership in its truest form as intended by the Treaty.

There is no doubt that the overall achievement of the specific objectives set out in the existing Maori Policy has been satisfactory and the role of the Maori Committee in this has been a very important one.

However the area in which less visible progress has been made is in general policy development, decision making, the inclusion of Maori in that process, and overall responsiveness to Maori. The draft policy seeks to address this.

While Councillor members of the Maori Committee have been present involving matters such as the development of the Draft Annual Plan, the hearing of resource consent applications and the development of Financial Strategy it could be legitimately argued that Councillors cannot satisfactorily represent both points of view given their specific responsibilities as Councillors under the Local Government Act.

In addition the means of selecting and establishing the Maori Committee has not been totally successful. A selection and establishment process that works and reflects the committee's role could would need to be developed after the policy is adopted.

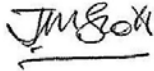
There is a need for a new policy direction and this can be achieved. The draft Maori Policy offers a way forward and can be utilised as its predecessor was as a foundation document when reviewed regularly.

RECOMMENDATION(S): That:

1. The report be received
2. The draft Maori Policy/ Purongo Maori is adopted with minor word amendments suggested.
3. Council confirms their desire to achieve the following outcomes:
 - (a) that Maori will be directly involved and participate in Council decision making and policy development processes.
 - (b) Communication and consultation with Tangata Whenua of the Wairoa District will be effective as assessed by Tangata Whenua.

RECOMMENDATIONS: (Cont'd)

4. That s83 of the Local Government Act be adhered to.
5. That another cluster group is created for the Lake due to reasons of geographical distance which also bring to bear questions of effectiveness of any member seeking to service the views of this cluster group well, or at all, given the distances involved.



J. M. Scott
MAORI LIAISON OFFICER