



**Independent Māori Statutory Board
Māori Representation Position Paper
2022**

Position Summary

Independent Māori Statutory Board Issue of Significance (IoS)

The Schedule of the Issues of Significance identifies Māori representation as a matter of significance to Māori in Tāmaki Makaurau and provides directive actions to Auckland Council for the implementation of improved Māori representative arrangements of its governance structures.

Board actions from the advocacy position (across the next three years)

1. The Board will continue to strongly advocate to Auckland Council to ensure for implementation of Māori wards in 2025 including directing resource to support the electoral representation review process in 2023
2. The Board will advocate for the appropriate resourcing to support the establishment of Māori wards by 2025, including funding a targeted campaign to raise awareness and encourage Māori candidates to stand in the Local Government Elections
3. The Board will commission a report to consider Māori representation at the Local Board level, this will also provide an options analysis of Māori subdivisions in Local Board areas
4. The Board will continue to advocate to Auckland Council for the development of a policy to increase Māori representation on Council's decision-making bodies
5. The Board will advocate to support the appropriate resourcing of Auckland Council to support a targeted engagement and communications approach to increase Māori participation in the 2025 Local Government elections
6. The Board requires regular updates through the meeting of the joint Governing Body and Independent Māori Statutory Board to monitor the progress towards implementation of Māori wards by 2025.

Board Monitoring

7. Te Tiriti o Waitangi Audit response work programme
8. Kia Ora Tāmaki Makaurau measurement reporting
9. Kia Ora Tāmaki Makaurau Enablement and Programme Delivery Boards.

Communication of Position

10. Joint meeting of the Governing Body Independent Māori Statutory Board.

1 The Board Position

- 1.1 Te Tiriti o Waitangi centres the Māori-Crown relationship and ensures for Māori-Crown partnership in the development and governance of Aotearoa. The Waitangi Tribunal has recognised that the principle of Te Tiriti partnership requires the Crown and Māori to act reasonably, honourably and in good faith in discharging their Te Tiriti responsibilities.
- 1.2 The Tribunal has further acknowledged that to give effect to Te Tiriti o Waitangi, it requires the Crown to protect the rights and interests of Māori and to actively engage with Māori in any decision that impinges on their rangatiratanga.
- 1.3 The Review into the Future for Local Government has signalled that the Local Government sector requires significant reform to embed Te Tiriti o Waitangi into its legislative framework and ensure for the appropriate recognition and partnership with iwi and Māori in the delivery and discharge of its roles and responsibilities.
- 1.4 The Local Government Act 2002 recognises the responsibilities relating to Te Tiriti o Waitangi. It requires Local Government to take into account the principles of the Treaty of Waitangi in discharging their duties and actively improve opportunities for Māori to contribute to Local Government decision-making.
- 1.5 Auckland Council is enabled through the Local Government (Auckland Council) Act 2009, which created a shared governance model with one mayor, 20 ward councillors and 21 Local Boards. Notably, the current Auckland Council governance structure differs from the original recommendations of the Royal Commission on Auckland's Governance, which recommended establishing two Māori wards and an appointed mana whenua representative within the Governing Body. There is currently no legislative provision for Māori wards on the Auckland Council Governing Body nor Māori subdivisions at the Local Board level.
- 1.6 The Local Government (Auckland Council Act) established the Independent Māori Statutory Board (the Board) to assist Auckland Council in making decisions, performing functions and exercising powers by promoting cultural, economic, environmental and social issues for Māori in Tāmaki Makaurau. The Board also ensures Auckland Council acts in accordance with statutory provision referring to Te Tiriti o Waitangi. Two Board members sit with voting rights on Auckland Council's committees relating to the managing and stewardship of natural and physical resources.
- 1.7 The Board has a legislative requirement to develop and maintain a Schedule of Issues of Significance to Māori in Tāmaki Makaurau. The 'Issues of Significance' guides the Board's advocacy and work with Auckland Council.
- 1.8 Māori representation is identified as an Issue of Significance to Māori and is articulated as Māori are enabled to contribute to the long-term future of Auckland actively and meaningfully through representation on Council. The actions to deliver on this issue provides the directive to Auckland Council to ensure Māori representation is across and embedded into its Governance and Operational forums.
- 1.9 The Māori representation actions for Auckland Council include:
 - a) Council Controlled Organisations (CCO) and Council to develop a policy for increasing Māori representation in Auckland Council's decision-making bodies (Local Boards, CCO Boards, Council Committees).
 - b) CCO Board members meet annually with the Board members on their Māori Responsiveness Plans and Māori outcomes.
- 1.10 Tāmaki Makaurau has the largest Māori population in Aotearoa with Māori making up over 11.5 percent of the region's total population. Notably, nearly a quarter of the Māori population reside in Tāmaki Makaurau. Auckland Council currently recognises the interests of 19 mana whenua groups across the region. Auckland Council's governance arrangements must reflect its unique Māori population, and the implementation of Māori wards is an integral mechanism to enable this.

- 1.11 The Board has consistently advocated for implementing Māori wards on Auckland Council's Governing Body. The Board requires Auckland Council to actively promote and ensure the implementation of Māori wards on the Governing Body by 2025 and to secure the consideration of Māori subdivisions in Local Board areas.
- 1.12 The Board will also continue to advocate on promoting more comprehensive opportunities for Māori representation across Auckland Council Group governance layers.
- 1.13 The Independent Māori Statutory Board's Māori representation positions are as follows:
- a) The Board recognises that Local Government Māori ward representation does not replace Auckland Council's Te Tiriti o Waitangi obligations to partner and engage with iwi and mātāwaka in Tāmaki Makaurau.
 - b) The Board respects and acknowledges iwi and mātāwaka views towards their aspirations for Māori representation in Local Government.
 - c) Te Tiriti o Waitangi requires Local Government to ensure the active participation of Māori in its governance arrangements. Māori representation is an integral mechanism to deliver on this requirement.
 - d) The Board actively supports the implementation of, a minimum of two, Māori wards for the 2025 Local Government elections.
 - e) The Board's role is legislatively mandated and differs in nature from the role of Māori ward councillors, with the Board also ensuring the compliance of Auckland Council to its Te Tiriti obligations and advocating for regional issues of significance to Māori in Tāmaki Makaurau.
 - f) Local Government Māori ward representation is a transformational step-change towards Te Tiriti partnership and the Board recognises and supports the representative aspirations outlined in the publications of 'He Puapua' and 'Matike Mai'.

2 The Board's Advocacy

- 2.1 Actively work with Auckland Council to ensure Māori wards implementation in 2025, including directing resources to support the electoral representation review process in 2023.
- 2.2 Request regular updates through the joint meeting of the Governing Body and Independent Māori Statutory Board to ensure there is progress on the implementation of Māori wards by 2025.
- 2.3 Promote the Royal Commission Māori representation model for Auckland Council for implementation at the 2025 Local Government elections, or where this cannot be achieved, as a model for a long-term Māori representation arrangement.
- 2.4 Advocate to ensure robust engagement with iwi and mātāwaka to inform and raise awareness of Māori representation for the 2025 Local Government elections.
- 2.5 Advocate for the appropriate resourcing of Auckland Council to support Māori ward implementation by 2025, including funding towards a targeted campaign to encourage Māori candidates to stand in the Local Government elections.
- 2.6 The Board will advocate to support the appropriate resourcing of Auckland Council to support a targeted engagement and communications approach to increase Māori participation in the 2025 Local Government elections.
- 2.7 Advocate for the commissioning of a report to consider Māori representation at the Local Board level, including an options analysis to ensure Māori subdivisions in the Local Board areas.
- 2.8 Advocate that Auckland Council develop a policy to increase Māori representation in Council's decision-making bodies.

Appendix: Timeline for Māori Ward Implementation

December 2022

Governing Body to receive a progress report that provides:

- the feedback from iwi and mātāwaka engagement
- seek approval for further engagement through public consultation in line with legislative requirements
- seek confirmation of its preferred Māori Representation on Auckland Council model ahead of public engagement.

Note: Implementation of Māori wards is contingent on the ascent of the Local Government Electoral Legislation Bill which removes the membership limit on Auckland Council's Governing Body and enables the implementation of Māori wards in Tāmaki Makaurau. The Bill is currently before the Select Committee and due for ascent in early 2023.

February 2023

Governing Body to receive a report that seeks approval of the Māori Representation on Auckland Council engagement material in preparation for public consultation.

March 2023 – April 2023

Public consultation on the Governing Body's preferred Māori Representation on Auckland Council model for implementation in 2025. This engagement will run alongside the Council's Annual Budget consultation.

May 2023

Governing Body to receive a report outlining the themes from the public consultation on Māori Representation on Auckland Council and confirm its position for implementation at the 2025 Local Government elections.

June 2023

Governing Body to receive a report containing the representation review process for approval. This will be informed by any Māori Representation on Auckland Council arrangements decided in May 2023.

The Secretariat will engage with Council to ensure that a report on Māori representation is received by the Joint Governing Body Independent Māori Statutory Board in June 2023

June 2023 – June 2024

Representation review to occur to confirm Auckland Council's electoral structure for the 2025 Local Government elections including confirmation of the Māori Representation structure for implementation at the 2025 Local Government elections.