



SECTION FIVE COUNCIL POLICIES



Whangamata Harbour

- Development of Maori Capacity to Participate in Council Decision Making
- Equal Employment Opportunities



DEVELOPMENT OF MAORI CAPACITY TO PARTICIPATE IN COUNCIL DECISION-MAKING

Purpose

The Local Government Act 2002 requires Local Authorities to facilitate participation by Maori in the Council's decision making processes.

The Long-term Council Community Plan outlines how the Council might help Maori to participate in Council decision-making. The Council has adopted the following policy to assist Maori participation in such decision making:

Policy	Achievements
1. The Council will compile a database of those who wish to be considered Maori for the purposes of the Local Government Act 2002. The Council will maintain a process to ensure this database is current and up to date. contact	A contact list for consultation purposes is held by the Council and updated in July of each year.
2. That those persons who have identified themselves as Maori are specifically targeted for consultation when the Council decides that it wishes to consult. Where specific legislation requires specific consultation with Maori or tangata whenua, then the requirements of that specific legislation will over-ride this policy.	Those persons who have identified themselves as Maori for the purposes of the Local Government Act 2002 have been added to the Council contact list. A Public Forum is being held at the beginning of each Council and Community Board meeting to enable participation in decision making.
3. The Council will identify key issues of particular interest to Maori.	Iwi authorities for Ngati Hei and Ngati Maru have been afforded greater participation and interaction with the Council under agreed protocols relating to input into resource consent decisions. The iwi have access to a consent tracking database that alerts them to every application received in the district. Iwi then alert the Council planning officers to any issues that are considered to be relevant.
4. The Council will gather information on Maori perspectives about Council activities.	Broadband access has been supplied to Ngati Hei to allow greater participation and interaction with the Council under the Memorandum of Understanding.
5. The Council will consciously build on the good quality relationships that have already been established. Examples include the development of further Memorandums of Understanding and relationships developed through other processes such as the Resource Management Act, Coromandel Peninsula Blueprint project and Council's strategic work programme.	Staff are available to attend Ngati Hei's monthly meeting for liaison purposes. Blueprint Project: Two technical officers from Hauraki Whaanui are members of the Coromandel Blueprint Project Political Steering Group and Technical Working Group. These members have assisted the Council in the development of the Blueprint Framework for the Future and the scoping for the Local Area Blueprints.
6. The Council will identify a work programme to progress items 1-5 above.	Heritage Strategy implementation and District Plan development: Feedback was sought and provided.
7. The Council will progress the above work programme as staff time and funding allows.	The Council is currently scoping the work programme for policies 1-5. The draft work programme will estimate timing and costs.



Statement on Contributions to Decision-making Processes by Maori

Contributions to decision making processes by Maori.

Background

Section 81 of the Local Government Act 2002 requires the Council to make provision for Maori to contribute to the decision-making processes of Council. In general, terms under the Act the Council must:

- Establish and maintain opportunities for Maori to contribute to decision making processes
- Ensure processes are in place for consulting with Maori
- Consider ways in which they can foster the development of Maori capacity to contribute to decision making processes
- Provide relevant information to Maori.

A Long-term Council Community Plan must set out any steps that the Council intends to take, having considered ways in which it might foster the development of Maori capacity to contribute to the decision making processes of the Local Authority over the period covered by the plan.

Issue

A number of practices have evolved over time that could be considered to give effect to the requirements in the Local Government Act 2002. The Council included a policy in its 2006-2016 Long-term Council Community Plan but has now reviewed that policy and determined that a number of changes were required. This policy clearly sets out how Council intends to meet its obligations in terms of Section 81 of the Local Government Act 2002.

Options

A large number and range of options are available to the Council in giving effect to Section 81 of the Act. The Council has the responsibility to make judgements as to which options it will consider and put in place to give effect to this part of the Act. Options considered included:

- Establish on an ongoing basis who the relevant Maori stakeholders are in its District
- Identify and understand the needs and expectations of these stakeholders with respect to short medium and long-term issues. Determine and understand the context in which Maori stakeholders in the District work
- Determine and understand the constraints, risks and capacity limitation facing key Maori stakeholders
- Establish and maintain a trust base and durable relationships with key Maori stakeholders in the District
- Establish and maintain durable as well as consistent communication processes between Maori and Council.

Strategic Alignment

This policy is consistent with and gives effect to the requirements contained in the Local Government Act 2002.

Implementation

This policy will be implemented for the period covered by the Long-term Council Community Plan 2009-2019.

Risks

The Council is given authority under the Act to exercise its judgement responsibly in developing policy under Section 81 under the Act, therefore the risk to the Council is considered low. However, Maori and other groups may consider that Council has not adopted options that they feel may give better effect to Section 81 of the Act. This risk will be managed to a degree through the submission process to the Councils Long-term Council Community Plan. As long as the Council acts reasonably, there is low risk to the Council.



Measurement and Review

Clause 21 of the Tenth Schedule of the Local Government Act 2002 requires the Annual Report to include a report on the activities that the Local Authority has undertaken during the year to establish and maintain processes to provide for opportunities for Maori to contribute to the decision-making processes of the Council.

Policy Statement

In order to comply with Section 81(1) of the Local Government Act 2002, Council has adopted the following policy:

1. Council will compile a database of those who wish to be considered Maori for the purposes of the Local Government Act 2002. Council will maintain a process to ensure this database is current and up to date.
2. That those persons who have identified themselves as Maori are specifically targeted for consultation when Council decides that it wishes to consult. Where specific legislation requires specific consultation with Maori or Tangata Whenua then the requirements of that specific legislation will override this policy.
3. Council will identify key issues of particular interest to Maori.
4. Council will gather information on Maori perspectives about Council activities.
5. Council will consciously build on the good quality relationships that have already been established. Examples include the development of further Memorandums of Understanding and relationships developed through other processes such as the Resource Management Act, Peninsula Blueprint project and Council's strategic work programme.
6. Council will identify a work programme to progress items 1-5 above
7. Council will progress the above work programme as staff time and funding allows.

Implementation

The Council has identified the following work programmes as operational mechanisms to allow it to fulfil its obligation in respect of the Section 81(1) policy and Clause 21 of the Tenth Schedule reporting commitments as outlined above:

In relation to Policy 1:

- Compilation and maintenance of a database of Maori contacts including the primary tangata whenua and Maori authorities within the Council's administrative boundaries.
- Additional tasks include compiling a register of the date of annual general meetings of relevant iwi authorities and marae committees to ensure that a current record of key contacts can be maintained.

In relation to Policy 2:

- The Council specifically targets those persons and organisations who have identified themselves as Maori and/or tangata whenua. This is achieved through maintenance by the Policy and Planning Group of databases including project specific databases associated with key Council work programmes such as the Coromandel Peninsula Blueprint and the District Plan Review projects.

In relation to Policy 3:

- Direct engagement with Maori through various Council processes and in particular, the Coromandel Peninsula Blueprint and District Plan Review projects utilising hui and waanaga and informal networks to ensure the Council is kept abreast of the key issues that are important to Hauraki Maori and iwi.

In relation to Policy 4:

- To gather information on Maori perspectives in relation to its activities the Council seeks active engagement with Maori and iwi authorities through key Council work programmes such as:
 - Long-term Council Community Plan and Annual Plan processes: the Council specifically targets Maori and iwi authorities in terms of notification of submission dates and attends hui to disseminate information, and to encourage and facilitate feedback;
 - Coromandel Peninsula Blueprint Project: Hauraki Iwi have been joined to the project as one of the four key partners and sit at both the governance and technical officers level of the project. Participation is resourced at both levels with additional resourcing allocated to the translation of key documents into Te Reo; utilisation of Maori media outlets, such as Nga Iwi.FM, to disseminate project information; and the funding of consultative hui and waanaga.
 - District Plan Review Project: Upon commencement Maori and Iwi authorities have been contacted regarding the project and seeking input into how Maori and tangata whenua wish to be consulted. Earlier work includes informal hui with key contacts to build relationships and check-in on key issues.



- Infrastructural and reserve management work programmes: Maori and Iwi are engaged through appointment of representatives to reserve committees, project specific memoranda of understanding and the commissioning of Maori values assessments to capture concerns and perspectives.

In relation to Policy 5:

- In addition to the projects named above the Council is also progressing projects to:
 - Identify tribal rohe boundaries to enable better targeting of consultation particularly in terms of the direct referral of resource consent applications to the relevant iwi authority. The Council is currently trialing this project with Ngati Hei;
 - Scope a land identification project with the Marutuahu collective of tribes to identify individual tribal interests in the original Maori Land Court blocks within Thames-Coromandel and Hauraki District Council areas and to establish and maintain a register of the current iwi/hapu point of contact. It is proposed this project include other agencies with regulatory and management roles within the project's area of interest and includes the Waikato Regional Council, and government agencies such as the Department of Conservation and the New Zealand Transport Agency;
 - Engage with Hauraki iwi on significant issues likely to affect the relationship of Hauraki Iwi with the Council with the three most pressing issues deemed to be:
 - Post-Treaty of Waitangi settlement matters focusing on Hauraki Maori as substantial land-owners with economic and social development aspirations within Council's administrative boundaries;
 - Consideration of the new regime likely to result from an amended Foreshore and Seabed Act;
 - Greater participation by Hauraki Iwi in Council affairs at governance and operational levels.



EQUAL EMPLOYMENT OPPORTUNITIES POLICY

Purpose

Council is committed to providing equal employment opportunities for current and future staff.

Policy	Achievements
<p>1. This commitment is reflected in that every employee or potential employee is treated fairly regardless of:</p> <ul style="list-style-type: none"> ■ Race ■ Ethnic or national origin ■ Religion ■ Family responsibilities ■ Disability ■ Colour ■ Sex ■ Marital status ■ Sexual orientation ■ Age <p>2. All current staff are encouraged to attend training for technical and/or personal development. Budget for training is provided for in all operating units of the Council. From an organisational view, a budget is provided in the support services operating unit for training that benefits the organisation as a whole.</p>	<p>The Council's human resource policies and procedures are reviewed on a regular two-yearly cycle and/or when changes in legislation dictate.</p> <p>General and technical needs for staff have been identified by:</p> <ul style="list-style-type: none"> ■ Capturing information from the Performance Development Programmes ■ Observation and requests for training information ■ Discussion with staff and managers ■ Organisational development work ■ Workforce planning processes <p>This information is used to produce a two year training programme.</p> <p>Staff can receive training from scheduled in-house training and/or external training courses and programmes. The in-house training is customised primarily for Council staff using reputable training providers.</p> <p>The general training that has been held in-house between July 2009 and June 2010 includes:</p> <ul style="list-style-type: none"> ■ New and upgraded computer software systems ■ The Microsoft Office suite of applications ■ Health and Safety Representatives ■ Performance Development ■ Legislation Updates including Local Government Official Information Meetings Act 1987, Privacy Act 1993. <p>The two year training programme also includes the continuation of:</p> <ul style="list-style-type: none"> ■ Treaty of Waitangi ■ Te Reo, and ■ Harassment training <p>Training opportunities are approved on the basis that it has direct relevance to the employee's current position, or has the potential to benefit both the Council and the employee in the foreseeable future and will enhance the employee's overall contribution to the Council.</p>