

Māori Engagement Framework

Glossary

Auckland Council	(AC)
Auckland Transport	(AT)
New Zealand Transport Agency	(NZTA)
Draft Maori Engagement Framework	(DMEF)
Independent Maori Statutory Board	(IMSB)
Project Management Framework	(PMF)

Purpose

The purpose of this report is to present AT's Draft Māori Engagement Framework, and to outline how Auckland Transport can meet its obligations to engage more effectively with Māori.

Executive Summary

AT has particular responsibilities to engage with Māori as mandated by its governing legislation:

- Treaty of Waitangi obligations under Land Transport Management, Resource Management, Local Government and Public Works acts
- legislation establishing Auckland Council and Auckland Transport noted the need to establish and maintain “processes for Māori to contribute to its decision-making processes”
- Statement of Intent with Auckland Council required Auckland Transport to acknowledge its responsibilities to Te Tiriti o Waitangi (Treaty of Waitangi) and give effect to Council's Māori engagement policy, strategic directions and Māori wellbeing outcomes.

AT's DEMF builds on the recommendation from NZTA to approach Māori engagement as a partnership, beyond just a specific project or work programme. The Māori Engagement Framework outlines principles for consultation and engagement at a strategy and project level, leading towards that long-term partnership.

Implementation of the Māori Engagement Framework includes:

- incorporation into AT's PMF, to guide project managers on the specific responsibilities and processes for Māori engagement
- training plan for all AT staff
- liaison with AC's Māori Strategy team to align with emerging policies and measures relating to Māori outcomes.

As part of its CCO monitoring by AC, it is anticipated that AT will report on its engagement with Māori and its contribution to defined Māori wellbeing outcomes.

Given the large number of projects underway, a business case has been prepared for additional resources to enable AT to meet its obligations to engage with Māori at an appropriate level.

Statutory Requirements

The legislation establishing AT particularly noted the “need to establish and maintain processes for Māori to contribute to its decision-making processes.”

Local Government (Auckland Council) Act, 2009, S.40(a).

AT acknowledges this responsibility in its Statement of Intent with AC.

“Council acknowledges its responsibilities in respect of Te Tiriti o Waitangi/Treaty of Waitangi as set out in its Māori Relations Framework and expects Auckland Transport to enable Māori aspirations and wellbeing by giving effect to council’s Māori engagement policy, strategic directions and outcomes in its plans.”

Auckland Transport Statement of Intent (Draft February 2012)

AT’s Research, Consultation and Engagement Policy (Draft June 2011) notes the legislative environment which requires AT to engage with its communities and to follow the principles of democracy. AT has particular responsibilities to engage with Māori as mandated by:

- Treaty of Waitangi
- Local Government Acts (including Auckland Council Amendment, 2009)
- Land Transport Management Act (including Land Transport Act and Public Transport Management Act)
- Resource Management Act
- Public Works Act

AC’s Māori Relations Framework (September 2011) notes the key legislative principles for engagement with Māori, as

- To take into account Te Tiriti o Waitangi/ Treaty of Waitangi (Treaty principles)
- Māori participation in Council (governing body and local board) decision-making processes
- Recognition of Māori cultural values and perspectives (tikanga Māori, kaitiakitanga)
- Council contribution to Māori capacity
- Council contribution to Māori well-being as part of the broader four well-beings; Cultural, Social, Economic and Environmental

Council also notes that it will need to take account of the existing Regional Mana Whenua Sustainability Framework (Te Kohao o Te Ngira, 2010) and individual Mana Whenua strategies and iwi management plans.

AC and its IMSB are developing a set of policies and measures relating to Māori outcomes that will eventually filter down to the CCOs as part of their monitoring. That policy framework and associated outcomes are being developed in conjunction with the Auckland Plan and the Long Term Plan. As each of these policies are adopted, it is assumed that Council’s CCO Monitoring unit will reflect them in performance targets for all CCOs, including AT.

Alignment with Government and Council Policy

AT's DMEF aligns with the equivalent Frameworks for AC and NZTA.

All frameworks outline protocols for consultation and engagement at strategy and project levels, assisting in the shift towards the "collaboration" status on the partnering continuum (as defined by the International Association for Public Participation).

As defined in AC's Maori Engagement Framework, AT will have to engage with three key groups of Māori stakeholders:

- Mana Whenua – indigenous population made up of the iwi of Tāmaki Makaurau
- Mataawaka – wider Māori population
- Independent Māori Statutory Board

NZTA's Framework for Engaging Effectively with Māori (July 2010) speaks of an obligation to "maintain and improve opportunities for Māori to contribute to land transport decision-making processes."

Auckland Transport upholds this obligation in its work of delivering land transport solutions, and this is reflected in its own the Māori Engagement Framework.

Draft AT Māori Engagement Framework

AT's DMEF builds on the principle recommended by NZTA to:

"Approach Māori engagement as a partnership with an emphasis on relationship building beyond the limits of a specific project or work programme."

Framework for Engaging Effectively with Māori (NZTA July 2010)

There is an emphasis on building strong relationships and moving towards a "second generation" partnership, rather than just transactions on an as-needed project basis. NZTA defines this as moving towards a co-management or co-governance arrangement, currently being explored under some Treaty settlements.

Key themes within AT's framework document include:

- Involving Māori in strategic and business decision-making
- Involving Māori early in the development of a project or work programme
- New relationships with AT need to be developed; distinct from, but building on, relationships with former Auckland entities (legacy councils, ARTA, ARC etc.)
- Acknowledging the more holistic view of Māori. Māori may want to discuss projects/issues they consider to be related but may be outside scope of a particular project
- Respecting Tikanga Māori – kanohi ki te kanohi (face to face) interactions are highly valued, leaders need to engage with leaders (chief to chief)
- Capacity for Māori to respond

The Framework also outlines AT's responsibilities to align with AC practices, in particular:

- Direct relationships with the 22 iwi authorities with Mana Whenua status across the Auckland region. Depending on the scale and location of the strategy or project, those authorities may choose to come together in confederation(s) or work individually with AT.
- Engagement with Mataawaaka (Māori residents and ratepayers) who may affiliate with Iwi or Hapu outside the Auckland area
- Relationship with the IMSB similar to that with the Local Boards (i.e. advisory not decision-making). This is in addition to other Treaty-based statutory drivers and is not seen as the default mechanism for all things Māori.
- Contribution towards Māori-focussed outcomes as defined in the draft Auckland Plan that positively impress on the well-being of all Māori residents and ratepayers. Those contributions will be explicitly stated in Māori Impact Statements for transport activities.
- Project management for all substantive projects to include consideration of engagement with Māori at the appropriate level, as recommended by the IMSB and AT's advisers.

AC is currently working with the IMSB on protocols for all council entities, including CCOs. AC and the IMSB are also developing policies and outcomes aligned with the draft Auckland Plan, with standardized measures and targets for achieving the Māori wellbeing priorities adopted by AC. These will become part of AC's performance monitoring of AT and other CCOs.

The DEMF forms the policy basis for AT's relationship with Māori. AT is also developing practice tools to enable it to comply with its legislative obligations and council's expectations.

Implementation

Short term measures are underway deliver the Māori Engagement Framework and to build capacity within the organisation:

- complete the Māori Engagement component of AT's PMF
- full training for all AT project managers on the purpose, protocols and practice for Māori engagement for a specific project.
- liaison with AC's Māori Strategy and Relations team to share resources, such as GIS information and stakeholder databases, issues papers prepared by Iwi as part of Council plans (Auckland Plan, Unitary Plan)
- collaboration between AT/AC LTP and AT's RLTP teams to streamline engagement with Māori for both long term plans (e.g. joint hui)
- work with AC's finance and governance teams on LTP processes to better measure and budget for defined Māori outcomes

A key tool to implement the Framework is AT's PMF. The PMF provides guidance for the successful management of all AT projects and programmes, throughout a project lifecycle.

The PMF guides project managers in stakeholder engagement, and an additional process document has now been developed for Māori engagement. This document outlines in more detail the specific responsibilities and processes for Māori engagement. Specific training for project managers will follow.

As noted, AC’s approach to engagement with Māori recognizes three key groups that it is obliged to work with under its responsibilities to the Treaty of Waitangi and the Local Government (AC) Amendment Act 2009. By definition, AT will also have to engage with these groupings. The three groups of Māori stakeholders are:

- Mana Whenua – indigenous population made up of the iwi of Tamaki Makaurau
- Mataawaka – wider Māori population
- Independent Māori Statutory Board

The following table outlines the respective role of each group representing Māori interests and how AT is expected to engage with each of those group

Role / Representation	AT Engagement
Mana Whenua	
<p>22 iwi authorities with Mana Whenua status in Auckland region</p> <p>Tamaki collective iwi currently finalizing settlement of Treaty claims that will include ownership and/or co-management of land currently held by council.</p>	<p>Iwi authorities with rohe (tribal boundaries) in Auckland Region include:</p> <p>Process for working with AC and AT being developed – may include sub-regional confederations. Council considering funding to assist with technical advice to iwi authorities during the preparation of the LTP, Auckland Plan and Unitary Plan.</p>
Mataawaka	
<p>Wider Māori population, residents and ratepayers</p> <p>Some representation by urban authorities (Waipareira, Manukau).</p>	<p>Relationship established with two urban authorities (Waipareira, Manukau).</p> <p>No formal relationships or reporting yet established.</p> <p>Multiple marae, kōhanga, service agencies (some captured on former ARC GIS maps)</p>
Independent Māori Statutory Board	
<p>Specific statutory role to assist AC to make decisions, perform functions and exercise powers by:</p> <ul style="list-style-type: none"> • developing a schedule of “Issues of Significance” to Mana Whenua groups and Mataawaka, and giving a priority to each issue. • advising the Council on matters affecting Mana Whenua groups and Mataawaka. • working with the Council on the design and execution of documents and processes to implement the Council’s statutory responsibilities towards Mana Whenua groups and Mataawaka. 	<p>Relationship similar to that with Local Boards (advising AC, not decision-maker).</p> <p>Must not be seen as default or replacement for engagement with Māori.</p> <p>Process for AT working with IMSB under development – CCOs may be expected to meet quarterly to outline programme and discuss “performance of its duties” (as required by council).</p> <p>IMSB requesting reports on projects of relevance to Māori, with ability to comment and advise.</p> <p>AT’s relationship with IMSB managed through AT’s own Māori Relationship Manager.</p>

As noted, a challenge for all AT’s project managers will be to understand and build on the existing relationships with Māori, particularly Mana Whenua, rather than treat each project as a separate transaction. It will also be important to understand the demands on Iwi to engage and contribute to projects.

Implementation – Resources

During the preparation of the Draft Long Term Plan, AT was asked to provide information about its contribution to the Māori wellbeing outcomes (as determined by the IMSB) and its related budget allocations. AT was able to identify the following resources dedicated specifically to Māori engagement:

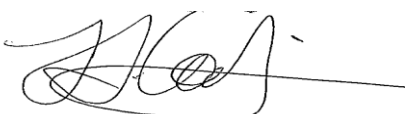

- dedicated relationships manager (1) with projects/consultants within Key Relationships cost centre
- proportion of project and programme budgets for stakeholder engagement, likely to be allocated for specific engagement with Māori and/or mitigation of effects from infrastructure development. Given that the LTP includes projects for the next 10 years, those specific line items could not yet be identified

There are already an extensive number of projects underway at AT that require engagement with Māori. Currently, in addition to some of the major projects (RLTP, AMETI, City Rail Link) AT’s Māori relationships manager is being asked to advise on and/or liaise with iwi on over 30 significant projects.

The section above outlines measures that are underway to engage with Māori and to build capacity within the organisation. The Executive is working on a business case to determine resource requirements to allow AT to better meet its’ responsibilities and reduce risk to the programme.

Recommendation

That this report be received.

WRITTEN BY	Tipa Compain Key Relationships - Māori	
RECOMMENDED by	Dr Stephen Rainbow Corporate Manager Key Relationships	
APPROVED FOR SUBMISSION by	David Warburton Chief Executive	