



Cabinet

CAB Min (09) 30/9

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Minute of Decision

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Local Government (Auckland Council) Bill: Options for Maori Representation and Participation

Portfolios: Local Government / Maori Affairs

On 24 August 2009, following reference from the Cabinet Committee on Implementation of Auckland Governance Reforms (AGR), Cabinet:

Background

- 1 noted that on 6 August 2009, following earlier Cabinet consideration, AGR:
 - 1.1 invited the Minister of Local Government and the Minister of Maori Affairs to submit a new paper to Cabinet which:
 - 1.1.1 outlines the fundamental decision to be made on the issue of Maori representation and participation on the Auckland Council, namely whether or not to have separate Maori representation on the Council and, if so, the nature of that representation (for example, direct representation on the Council or participation through advisory forums);
 - 1.1.2 discusses the nature of any direct representation (eg Maori or mana whenua);
 - 1.1.3 refines the option for promoting Maori representation and participation on the Auckland Council, including the option of having separate Maori "at large" wards;
- 2 noted that the paper under CAB (09) 482 puts forward options in response to two questions:
 - 2.1 should there be Auckland-specific legislative provisions to provide for direct representation for mana whenua or Maori on the Auckland Council;
 - 2.2 should there be Auckland-specific legislative provisions to enhance mana whenua and Maori participation in the Auckland Council's decision-making processes;

Mana whenua or Maori representation

- 3 noted that the term "representation" refers to specific legislative provision for mana whenua or Maori seats on the Auckland Council;

- 4 **noted** the respective views of the Minister of Local Government and the Minister of Maori Affairs on the options for mana whenua or Maori representation set out in the paper attached to CAB (09) 482;
- 5 **noted** that on 6 April 2009, Cabinet agreed that Maori representation should not be provided for within the new Auckland governance structure [CAB Min (09) 12/7];
- 6 **noted** that the Local Electoral Act 2001 provides a process for local authorities to establish Maori wards;
- 7 **confirmed** its previous decision referred to in paragraph 5 that Maori representation should not be provided for within the new Auckland governance structure;

Mana whenua and Maori participation options

- 8 **noted** that "participation" refers to the ability for mana whenua and Maori to influence policy and decision-making by the Auckland Council;
- 9 **noted** that the paper attached to CAB (09) 482 sets out the following options for providing for mana whenua and Maori participation in the governance of Auckland:
 - 9.1 Option 1 – use existing provisions under the Local Government Act 2002 and the Resource Management Act 1991;
 - 9.2 Option 2 – provide in legislation for the establishment of a statutory board;
 - 9.3 Option 3 – provide in legislation for the establishment of a Council committee;
- 10 **invited** the Minister of Local Government and the Minister of Maori Affairs to report back to AGR as soon as practicable on the details and implications of Options 2 and 3.

Rebecca Kitching
Secretary of the Cabinet

Reference: CAB (09) 482; AGR Min (09) 6/1

Distribution: (see over)

Proactively Released by the Minister of Local Government