

The Agreement

between the

Northland Mayoral Forum

and

Te Kahu O Taonui

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The Agreement

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Context of this agreement- Kupu whakataki

The Treaty of Waitangi / Te Tiriti o Waitangi is the founding document of this country and the beginning of a building of a new nationhood. It was signed in 1840 at Waitangi and sets the parameters for progressing the future of the relationship.

For Te Kahu o Taonui (Taitokerau Iwi Chairs Forum), The Treaty of Waitangi / Te Tiriti o Waitangi, together with He Whakaputanga o Te Rangatiratanga o Nu Tirenī (Declaration of Independence), provides the agreement to allow the beginning of a new nation, and the basis of Māori relationship with all New Zealanders as represented by government, including local government.

In November 2014, the Waitangi Tribunal found that Northland Māori who were signatories to Te Tiriti o Waitangi did not cede sovereignty¹ and this position has been held by successive northern Māori leaders. The Tribunal has also recognised the intention to establish a mutually beneficial relationship between Māori and the Crown, based on principles of The Treaty of Waitangi / Te Tiriti o Waitangi.

An historic first meeting was held between Te Kahu o Taonui and the Mayors of the three Northland district councils and the Chairman of Northland Regional Council (Northland Mayoral Forum) on Tuesday 13 June 2017 (the parties).

The meeting was sought by council leadership and Iwi leadership to foster a more cohesive and inclusive governance to governance relationship between Local Government and Iwi Authorities of Taitokerau.

This agreement encourages and supports a long-term relationship between the Northland Mayoral Forum and Te Kahu O Taonui in a manner that respects the indigenous heritage of the region.

The parties, while each bring their own perspective to the table, share common goals and aspirations for the environmental, social, cultural and economic wellbeing of the region.

The parties acknowledge that a relationship informed by the role of the region as the birthplace of our nationhood, could also be the blueprint for building a region that enables all communities to prosper and do well.

¹ Wai 1040: Te Paparahi o te Taki – Stage One.

The Agreement

1. Purpose- Whāingā

The purpose of this relationship is to work together and invest in an intergenerational relationship that is based on mutual respect, is enduring and provides continuity through a shared vision, purpose and goals for mutually beneficial outcomes.

2. Vision- Te Moemoea

This relationship seeks to progress the following shared vision:

Te Taitokerau – the birth place of the nation, a region that leads the way in caring for the wellbeing of its people and its environment.

3. Principles

Three principles are inherent to The Treaty of Waitangi / Te Tiriti o Waitangi; and the intent of these is preserved and advanced in this Agreement.

Partnership

Partnership is about mutual good faith and reasonableness. Local Government and Iwi Māori will act towards each other mutually and in good faith.

Participation and Decision Making

Both Local Government and Iwi Māori need to be equally and fully informed of each other's interests and views. When exercising the right to govern, decision makers must be equally informed. For the parties involved, full information will be provided in order to participate in the decision-making process. This is connected closely to the principles of good faith and active protection.

Active Protection

Active protection requires participating and informal decision making processes and judgement as to what is reasonable in the circumstances. This relates to Māori interests as part of the promises made in The Treaty of Waitangi / Te Tiriti o Waitangi, where there is a commitment that all Māori culture, traditions, and taonga will be protected.

In practice these principles mean:

- a) The parties, in pursuit of common goals and objectives both agree to work together to uphold the wellbeing of our communities so that none get left behind and all have an equal opportunity to contribute.
- b) The parties will work in a manner that recognises and respects the:
 - mana, authority and kaitiakitanga status of Iwi and the mana and authority of Councils who are parties to this agreement
 - the desire of the parties to enhance the cultural, social, economic, and environmental wellbeing of all people
 - shared desire to provide for effective participation by Iwi to provide for empowered and more effective Council governance and to provide for strong communities in Northland
 - shared obligation to sustainably manage the Northland environment for current and future generations.
- c) The parties will show the highest levels of integrity, transparency and flexibility towards each other.
- d) They will ensure there are no surprises but a proactive intent to engage early, constructively and positively on matters of shared priority and interest.

4. Leadership- Rangatiratanga

a. Te Kahu O Taonui - Tai Tokerau Iwi Chairs Forum

The Taitokerau Iwi Chairs' Forum, Te Kahu O Taonui comprises all Chairs from nine iwi authorities which are:

- Ngāti Kuri
- Te Aupouri
- Ngāi Takoto
- Te Rarawa
- Ngāti Kahu
- Ngāpuhi
- Whaingāroa
- Ngāti Whatua
- Ngāti Wai

The Chairs are supported by their respective Chief Executives.

b. Mayoral Forum - Kahui Koromatua

The Northland Mayoral Forum comprises the District Council Mayors and Regional Council Chairman for:

- Far North District
- Kaipara District
- Whangārei District
- Northland Region

The Councils are supported by their respective Chief Executives.

5. Common Goals- Ngā Whaingā Orite

Shared benefits sought through this relationship include:

- a) Achieving an enabling and consistent regional policy and regulatory environment across the region
- b) A relationship model that gives effect to the three principles.
- c) Better communications and collaboration between the parties to understand each other's perspective and develop more shared understandings
- d) Identifying and engaging in joint ventures of mutual benefit
- e) Joint advocacy to central government on shared regional priorities e.g. provision of digital infrastructure
- f) Equitable resourcing and meaningful engagement that facilitates increased involvement of both parties, together, increasing buy-in and minimising potential conflict and costly formal challenges later in the process.

6. Monitoring and evaluation- Aroturuki me te Arotake

6.1 Governance Meetings

The governance representatives of the parties will meet twice per year (generally to be held during the months of May and November) to maintain the relationship, progress projects of mutual benefit and review this agreement. Responsibility for hosting, chairing and administering these meetings will alternate between Te Kahu o Taonui and Northland Mayoral Forum.

6.2 Executive Management Meetings

The Iwi Local Government Agencies Chief Executives (ILGACE) will meet quarterly or half yearly to ensure ongoing working relationships are meaningful and consistent throughout respective organisations. ILGACE members and their working relationships will be guided by the ILGACE Terms of Reference.

7. Dispute resolution- Hakatatu Tawhā

The parties will endeavour to address any issues at the immediate time such issues arise. The meeting times set out above also provide strategic opportunities to address any ongoing relationship issues.

Where possible, issues will be dealt with kanohi ki te kanohi between staff representatives before involving governance bodies.

Where an issue cannot be resolved between the parties, that issue may be referred to an agreed third party to facilitate a resolution.

8. Amendment and termination- Hakarerekētanga me te Hakamutunga

This agreement shall become effective upon signature by all parties and shall remain in effect until such a time as agreed by the parties.

This agreement may be amended at any time by written agreement of the parties.

Either party may terminate this agreement but only after consultation with the other party.

Unless otherwise agreed in writing, any termination of this agreement shall not affect the validity or duration of activities undertaken pursuant to this agreement that have been initiated prior to, but not completed, at the time of such termination.

This statement of agreement demonstrates the willingness of parties to, in the best of mutual faith, pursue reconciliation and work for a better future for the wellbeing of all people.

IN WITNESS WHEREOF, the undersigned have signed this agreement.

DONE this ----- day of 2018.

FOR THE MAYORAL FORUM

_____ (Chairperson, NRC) _____

_____ (Mayor, Far North) _____

_____ (Mayor, Whangārei) _____

_____ (Mayor, Kaipara) _____

FOR TE KAHU O TAONUI

_____ (Chairperson) _____

_____ (Chairperson) _____

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