

## **Current Mechanisms for Iwi Input into Council Processes**

### **Introduction**

The tangata whenua within the greater Wellington Region have worked hard with Greater Wellington to establish a framework and mechanisms for an ongoing working relationship. For more than a decade, the Council and tangata whenua have taken innovative paths to cement the relationship.

The relationship between the Council and tangata whenua works in two ways, firstly on a one to one basis between tangata whenua and Council and secondly within the collective forum of mana whenua tribes and Council.

### **Charter of Understanding**

In 1993, the Council signed a Charter of Understanding with tangata whenua who were mutually identified as having mana whenua. In 1999/2000, the terms of the Charter were reviewed and updated, and the Charter was signed in November 2000.

While the relationship between mana whenua and the Council under the original Charter was based on the obligations outlined in the Resource Management Act 1991, in practice the relationship has been much wider. A key change in the amended Charter was a formal recognition of that wider relationship, with the expansion of the Charter to include other areas of council business, including environmental management, land management, flood protection, regional parks, regional transport and regional water supply.

The Charter states that Iwi representation will be undertaken through a variety of mechanisms, which are discussed below. These mechanisms take account of the principles of the partnership and shared decision making, and the independence and diversity of Iwi organisations.

### **Ara Tahī**

Ara Tahī was formed in 1991, and provides a meeting of mana whenua to review broader policy and strategic management issues around the environmental management of the Region, and its interface with mana whenua.

Ara Tahī is not a standing committee of Council. However, Ara Tahī operates in a similar manner to a standing Committee with an Order Paper, meetings and minutes. A various times it has been acknowledged that Ara Tahī is a vehicle for both Iwi and the Council, however in practice nearly all written reports come from the Council.

Ara Tahī does not replace the Councils direct engagement with mana whenua in the processes around the development of annual plans, regional plans, the regional Policy Statement and other policy. Nor is Ara Tahī concerned simply with the activities of the Council under the RMA. Under the revised Charter of Understanding, Ara Tahī goes beyond environmental management under the RMA to include all the activities on Greater Wellington from the planning and management of rivers, parks and public transport, to water supply.

Greater Wellington provides the resources for Ara Tahi which meets six times a year, with the opportunity for additional meetings to be held, at the request of any Iwi representative or Council Member. Ara Tahi consists of representatives from each Iwi and members of the Policy and Finance Committee (i.e. all Councillors). Current practise is that the Chairperson of the Council and the Chairperson of the Environment Committee represent the Council. The Deputy Council Chairperson and the Deputy Environment Committee Chairperson are nominated as Deputies. All Councillors may attend and speak.

### **Iwi Representatives at Council Meetings**

Within the framework of Council standing orders, Iwi representatives have the right to address any committee meeting or meeting of the full Council. This right is in addition to the right that members of the general public have to make statements at Council meetings. This initiative may arise in two ways:

- Ara Tahi may identify matters to be raised and Iwi members of that group would present the matters to the appropriate Council meeting. In the past, the Ara Tahi Chair has presented reports from the Ara Tahi meeting to Council. While the opportunity to do this still exists, it does not currently occur.
- Representatives of one Iwi may have matters to raise at a Council meeting. Individual Iwi would not have to go through Ara Tahi to talk directly to Council. This has occurred from time to time.

### **Council Representatives at Iwi Meetings**

In implementing consultation on a “rangatira to rangatira” basis, Council and Iwi representatives may meet to discuss matters of mutual importance on the marae or other venue nominated by the tangata whenua.

This has happened on a number of occasions in the past, particularly in relation to the development of long term financial plans and the review of the Charter.

### **Māori Hearings Commissioners**

Greater Wellington has a policy that a Maori hearing commissioner sits as a full member of every resource consent hearing committee. Ara Tahi has nominated five Iwi representatives to be put forward for the pool of hearing commissioners.

### **Resource Consents**

Part II of the Resource Management Act 1991 requires Greater Wellington to take the principles of the Treaty of Waitangi and matters of national importance into account when exercising functions and powers under the Resource Management Act 1991. Greater Wellington has undertaken to formalise this consultation process with the mana whenua, in keeping with its commitments to mana whenua under the Charter of Understanding. To achieve this, the Council provides funding (on a per consent basis) to enable mana whenua to participate in the non-notified consent process.

## **Iwi Representatives on Council Advisory Committees**

Iwi representatives have participated in several Council advisory committees, including the Otaki, Waikanae, and Hutt River advisory committees. The advisory committees were instrumental in developing the floodplain management plans and acted as a forum for different parties to be involved in the process.

There is continuing Iwi representation on the Hutt River Advisory Committee, a sub-committee of Council's Landcare Committee.

## **Technical Workshops**

Technical workshops are designed so that Council staff and Iwi representatives can share information on current issues and come to a common solution or understanding. Greater Wellington provides the resources for the technical workshops which take place five times a year.

The most recent workshops have been on the following topics:

- Transfer of powers
- Consumptive use of water
- Management of water
- Gravel
- Emergency management
- Long Term Council Community Plan
- Monitoring
- Parks and reserves
- Geographic Information Systems (GIS)
- Sustainable region
- Wetlands
- Local Government Act 2002

## **Iwi Projects Fund**

Greater Wellington has acknowledged the need for tangata whenua to receive financial and other types of support, and has gradually increased the range of activities funded over the years. However issues remain around how to provide and use funding most effectively.

In the 2001/2002 and the 2002/2003 financial years, the council committed \$105,000 of the Iwi projects fund to support Iwi to improve their administrative capacity and thereby increase their ability to interact with the Council in an effective manner. This funding is reviewed annually.

In addition, the Iwi projects fund has been used for a range of projects, including marae protection and beautification work, the development of Iwi management plans, urupa fencing and planting, the development of an inventory and GIS database of heritage values and a waahi tapu database.

## **Working Parties**

Working parties can be established, with the mutual agreement of Council and tangata whenua, to facilitate Iwi input into the preparation and review of policies and plans. Working groups that are currently active in the Region include the Wairarapa Gravel Guardians, the Wairarapa Coastal Strategy Group and the new East Harbour Working Group.

## General Consultation

Greater Wellington consults with Iwi on a wide variety of issues, plans and policy. This includes both general consultation and specific contracts for consultation. Examples of consultation include:

- contracts to provide comments on the draft regional plans and Regional Policy Statement
- consultation on flood works and projects
- consultation on annual plans and the long term financial plans
- consultation on the take action programme, wetlands action plan, strategy for riparian management and various other documents; and
- contracts to provide comment on the draft parks management plans.

## Iwi Management Plans

The RMA requires that regional councils **shall**, when preparing or changing their regional policy statements and regional plans, **have regard to** any relevant planning document recognised by an Iwi authority affected by a regional policy statement or regional plan.

The Resource Management Amendment Act (No.2) 2003, which will come into force on 1 August 2003, has strengthened this requirement. The Amendment Act states that a regional council **must**, when preparing or changing a regional policy statement or regional plan, **take into account** any relevant planning document recognised by an Iwi authority, and lodged with the council, to the extent that its content has a bearing on resource management issues of the region.

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