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Committee Ara Tahi  
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## Te Ohu Kai Moana – Guide to Representation on Iwi Organisations

### 1. Purpose

To investigate the model used by Te Ohu Kai Moana as a process for deciding whether other groups should be invited to join Ara Tahi.

### 2. Background

The Greater Wellington Regional Council received a letter from Ngati Tama in September 2002. The letter expressed their desire to establish a Treaty partnership with Greater Wellington, including membership of its Maori governance committee.

The Charter of Understanding between Te Tangata Whenua o Te Upoko o Te Ika a Maui and Greater Wellington has provision for the possibility of new parties joining Ara Tahi. The Charter states that:

*“All parties remain open to the possibility of new parties joining Ara Tahi. If a new party communicates to the Council their desire to join Ara Tahi, their request will be brought to Ara Tahi. Ara Tahi will then decide on a process to determine whether such a group will be invited to be part of Ara Tahi and a signatory of the Charter.”*

The issue of Ngati Tama membership was first raised at Ara Tahi on 27 November 2002 (Report 02.715).

At that time, comment was made that the *Te Whanganui a Tara Me Ona Takiwa* – Report on the Wellington District, Waitangi Tribunal Report was due to be released in 2003 and that this would provide more information about representation in the Wellington area. Ara Tahi decided that:

*“Ara Tahi iwi members will deal with mandating issues themselves at a later date.”*

The matter was raised again at Ara Tahī on 26 February 2003 under General Business. The minutes from that meeting note:

*“Members agreed to leave a decision on this until they have sought the opinion of their own Iwi and reached some conclusions.”*

The *Te Whanganui a Tara me ona Takiwa* – Report on the Wellington District, Waitangi Tribunal Report was released on 17 May 2003. Greater Wellington then received a second letter from Ngati Tama. The letter referred to the report findings and stated that Ngati Tama ‘urgently request a meeting to discuss a Treaty partnership relationship with Wellington Regional Council.’

A report was presented to Ara Tahī at their meeting of 3 September (Report 03.492), requesting that Ara Tahī decide on a process to determine whether Ngati Tama should be invited to join Ara Tahī. At that meeting it was decided that:

*“Council officers investigate the Te Ohu Kai Moana model as a process for deciding whether a group should join Ara Tahī and report back findings to the next Ara Tahī meeting on 12 November 2003. Ara Tahī can then decide if this is an appropriate methodology.”*

### **3. The Te Ohu Kai Moana model**

Te Ohu Kai Moana has two levels of status in respect of iwi organisations that it recognises for allocation purposes. Mandated iwi organisations are the ultimate iwi organisations that Te Ohu Kai Moana will recognise for allocation. The second type of iwi organisation to be recognised are those described as ‘recognised iwi organisations’. These are iwi organisations that have yet to complete all the Commission’s allocation requirements, but are likely to progress towards becoming mandated iwi organisations. Ngati Tama is listed as one of these organisations.

Te Ohu Kai Moana has set standards to ensure that each representative iwi organisation is accountable, and remains accountable, to its members. The standards set particular constitutional requirements that each iwi organisation must meet before it is eligible to receive its share of allocated assets and distributed benefits from the fisheries settlement.

The Commission’s constitutional and structural requirements can be found in *He Tohu Arahi – a guide to representation on iwi organisations* (2001). This publication is attached as Attachment One to this report. The two main criteria are ensuring that iwi have a constitution recognised by the iwi members and having appropriate organisational structures to deal with the allocation of resources.

Another Te Ohu Kai Moana document, ‘*He Kawai Amokura – A model for allocation of the fisheries settlement assets*’ also contains references to their requirements for iwi organisations. In this document, structures and constitutional requirements include establishing separate legal entity, elected representatives, constitution and annual reporting. Again, these requirements

are designed to ensure accountability from the elected representatives of the iwi.

#### 4. Comment

Officers from Te Ohu Kai Moana have emphasised that their model was designed specifically for the allocation of fisheries resources and that Ara Tahi should be cautious about using it for other purposes.

While it may not be appropriate to use the Te Ohu Kai Moana process as a model for Ara Tahi, parts could be incorporated into a new process. A process could include, for example, the following criteria from the Te Ohu Kai Moana model:

- Affiliation to the iwi by whakapapa to a common ancestor.
- Requiring the Iwi to establish an Iwi register and mandating process.

Other things that Ara Tahi may wish to consider are:

- Any model adopted by Ara Tahi needs to be fair and existing Ara Tahi members should be able to meet the same criteria that are imposed on new members.
- The acknowledgement of an identified Takiwa (ancestral tribal area) within the greater Wellington Region.
- Identify marae and hapu within the greater Wellington Region.

#### 5. Recommendations

*It is recommended that Ara Tahi:*

1. **Receive** the report; and
2. **Note** the contents; and
3. **Decide** on a process that determines whether Ngati Tama is invited to join Ara Tahi or not.

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