

24 July 2024

File Ref: OIAPR-1274023063-28583

By mail: [REDACTED]

Tēnā koe [REDACTED]

### **Request for information 2024-148**

I refer to your request for information dated 4 July 2024, which was received by Greater Wellington Regional Council (Greater Wellington) on 4 July 2024. You have requested the following:

*“Whether iwi have requested, and if so what has council's response been, for:*

- s36B joint management arrangements. Have these been requested/discussed? Specifically, from my area - so from the ART confederation and their constituent iwi/hapu? Also, Muaūpoko.*
- Mana whakahono a rōhe - have iwi discussed these with you/made requests to initiate these? Specifically, from my area - so from the ART confederation and their constituent iwi/hapū? Also, Muaūpoko.*
- The minutes of Ara Tahi and reports considered by Ara Tahi. I can find these, or at least some of them. however, I am hopeful these are all filed neatly in one place, so you might be able to supply them all as a package easily?”*

### **Greater Wellington's response follows:**

*Whether iwi have requested, and if so, what has council's response been, for:*

- s36B joint management arrangements. Have these been requested/discussed? Specifically, from my area - so from the ART confederation and their constituent iwi/hapu? Also, Muaūpoko.*

Greater Wellington does not have any s36B joint management arrangements in place, we do however have other arrangements that share similarities with joint management arrangements.

Following our conversation we have provided information outlining the partnership approach and mechanisms.

### **Whitireia Park Board**

On 7 December 2012 Ngāti Toa Rangatira signed their Deed of Settlement with the Crown to settle their Treaty of Waitangi historical claims which included the Whitireia Park Redress.

Subpart 9 Whitireia Park redress 149 - 156 [Ngāti Toa Rangatira Deed of Settlement - Attachments 7 Dec 2012 \(tearawhiti.govt.nz\)](#)

The Ngāti Toa Rangatira Claims Settlement Act 2014 Subpart 9 Whitireia Park redress establishes a joint board whose members comprise three appointees each from the trustee of the Toa Rangatira Trust and Greater Wellington. The Board has a number of characteristics that align with s36B Joint management agreement provisions of the Resource Management Act 1991 (RMA).

Section 150 [Ngāti Toa Rangatira Claims Settlement Act 2014 No 17 \(as at 01 July 2022\), Public Act 150 Joint board established – New Zealand Legislation](#)

However, for the avoidance of doubt, the Settlement Act provisions specify that the joint board is not a committee or a joint committee for the purposes of the Local Government Act 2002.

Section 155: [Ngāti Toa Rangatira Claims Settlement Act 2014 No 17 \(as at 01 July 2022\), Public Act 155 Procedure and meetings of joint board – New Zealand Legislation](#)

Since 2014, the joint board has, in accordance with section 41 of the Reserves Act 1977, prepared and approved a management plan for the Whitireia Recreation Reserve and any additional reserve.

Section 154: [Ngāti Toa Rangatira Claims Settlement Act 2014 No 17 \(as at 01 July 2022\), Public Act 154 Management plan – New Zealand Legislation](#)

Currently, Greater Wellington has not entered into additional joint management arrangements with:

- Te Ātiawa ki Whakarongotai o Ngāti Raukawa ki te Tonga who are represented through Ngā Hapū o Ōtaki who are the remaining two of three ART confederation iwi partners;
- Muaūpoko.

### **Commitment to partnership**

Greater Wellington and our six mana whenua partners work together in a unique way. This partnership is important to us, as it ensures our partners can be recognised and supported in maintaining their role as kaitiaki (guardians) of their ancestral lands. Examples include:

### *Ara Tahī*

In 1991, Greater Wellington established Ara Tahī as the first formal collective relationship with the entities of six tangata whenua iwi. At the time of establishing this, the tangata whenua relevant to this request were:

- Ngāti Toa Rangatira represented by Te Rūnanga o Toa Rangatira Inc;
- Te Ātiawa ki Whakarongotai represented by Āti Awa ki Whakarongotai Inc; and
- Ngāti Raukawa ki te Tonga represented by Te Rūnanga o Raukawa Inc.

### *Charter of Understanding and the current Memorandum of Partnership*

In 1993, Council and six tangata whenua entities signed the collective Charter of Understanding (the Charter) as Te Tangata Whenua o te Upoko o te Ika a Māui, or simply the tangata whenua of the Region. The tangata whenua signatories relevant to this request were:

- Ngāti Toa Rangatira represented by Te Rūnanga o Toa Rangatira Inc;
- Te Ātiawa ki Whakarongotai represented by Āti Awa ki Whakarongotai Inc; and
- Ngāti Raukawa ki te Tonga represented by Te Rūnanga o Raukawa Inc.

The three remaining tangata whenua signatories of the region were:

- Te Ātiawa/Taranaki ki te Upoko o te Ika a Māui is represented by the Wellington Tenths Trust and Te Rūnanganui o Taranaki Whānui ki te Upoko o Te Ika a Māui Inc;
- Ngāti Kahungunu ki Wairarapa represented by Wairarapa Māori Executive Taiwhenua o te Rūnanganui o Ngāti Kahungunu;
- Rangitāne o Wairarapa represented by Rangitāne o Wairarapa Inc.

The signed Charter is included as **Attachment Three** and was refreshed in July 2000. Subsequently, the Charter evolved into the Memorandum of Partnership (the Memorandum) which was signed in 2013 (**Attachment Four**).

The mana whenua signatories to both documents have grown and evolved over time. Refer to the following Table:

**Table One: Showing mana whenua signatories from 1993 – 2013 relevant to this request.**

<b>Mana whenua</b>	<b>Tangata whenua signatories to the Charter of Understanding in 1993 and 2000</b>	<b>Tangata whenua signatories to the Memorandum of Partnership in 2013</b>
Ngāti Toa Rangatira	Te Rūnanga o Toa Rangatira Inc	Te Rūnanga o Toa Rangatira Inc
Te Ātiawa ki Whakarongotai	Te Rūnanga o Āti Awa ki Whakarongotai Inc	Te Ātiawa ki Whakarongotai Charitable Trust
Ngāti Raukawa ki te Tonga	Te Rūnanga o Raukawa Inc	Ngā Hapū o Ōtāki (delegated authority by Raukawa ki te Tonga)

**Table Two: Showing other tangata whenua signatories of the region 1993 – 2013**

<b>Mana whenua</b>	<b>Tangata whenua signatories to the Charter of Understanding in 1993 and 2000</b>	<b>Tangata whenua signatories to the Memorandum of Partnership in 2013</b>
Ngāti Kahungunu	Taiwhenua o te Rūnanganui o Ngāti Kahungunu	Ngāti Kahungunu ki Wairarapa
Te Ātiawa/Taranaki ki te Upoko o te Ika a Māui	The Wellington Tenths Trust/Ngā Tekau o Pōneke and Te Rūnanganui o Taranaki Whānui ki te Upoko o Te Ika a Māui Inc	Port Nicholson Block Settlement Trust/Taranaki Whānui ki te Upoko o te Ika
Ngāti Rangitāne	Rangitāne o Wairarapa Inc	Rangitāne o Wairarapa Inc

The partnership between Greater Wellington and its mana whenua partners has operated in two distinct ways.

1. First is the importance of each one-to-one relationship between each mana whenua and the Council. This is the pre-eminent relationship.
2. Second, within the collective forum of all the parties, known as Ara Tahi. This forum bought council and mana whenua together collectively

The partnership continues to evolve. Over time various iterations and agreements have built on the partnership in the following ways:

- Relationship, governance and partnership based on good faith, and that is of mutual benefit and solution focused.
- In 1993, it was focused on looking after the land and our waterways.
- In 2000, the Charter was a platform for what Greater Wellington could do beyond land, water.
- Renamed as the Memorandum of Partnership and signed by the parties in March 2013.
- This 2013 Memorandum is a structural and operational relationship between Greater Wellington and mana whenua, in the context of Te Tiriti o Waitangi and the legislation which gives functions, duties and powers to the Council.

At this time, Greater Wellington and mana whenua of the region are seeking to review and refresh our relationships at a regional level.

#### ***Te Upoko Taiao – Natural Resource Plan Committee***

The purpose of this committee is to promote the sustainable management of the region's natural and physical resources by overseeing the review and development of regional plans, changes and variations for the Wellington Region, as required under the Resource Management Act 1991.

The committee is an example of a co-governance approach to designing the Natural Resources Plan and operates as a subcommittee of the Council. Representation consists of six councillors and one representative from each of the six mana whenua partners. Representatives from the ART confederation took up leadership roles (Te Waari Carkeek, Chair 2014, and Hikitia Ropata, Co-Chair 2015). The committee has since become enshrined in the settlement of Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua meaning that this committee cannot be disbanded by Greater Wellington. Greater Wellington and the iwi of the region are working on the mechanisms for the committee as a condition of the settlement. The current Terms of Reference are included as **Attachment Five**.

#### ***Te Tiriti o Waitangi Komiti***

The purpose of this Komiti is to provide high quality policy and advice to enable Council, committees, and Greater Wellington to enact our Te Tiriti o Waitangi obligations, commitments, and responsibilities to ensure equitable outcomes for Māori across the Greater Wellington Rohe. This Komiti is designed to create a focus on Te Tiriti obligations and approaches for Greater Wellington. Although there are no current iwi members on the Komiti, workshops have been held in collaboration with mana whenua partners including:

- Ngāti Kahungunu ki Wairarapa and Rangitāne ki Wairarapa at Kohunui marae;
- Ngāti Toa Rangatira at Hongoeka Marae 7 May 2024; and
- Ngā Hapū o Ōtaki at Raukawa Marae 10 October 2023.

The Chair of the Komiti is currently Cr Hikitia Ropata, elected to represent the Porirua/Tawa constituency.

### **Long Term Plan committee**

In December 2022, Council established a committee for the purpose of developing the Long-Term Plan. For the first time, each of the six mana whenua of the region were provided a seat on this committee to co-design, agree the details for the plan and recommend its adoption to full Council. Members were formally appointed for the period of design and decision, and Council adopted the plan on 27 June 2024 [Greater Wellington Regional Council — 2024-34 Ko Te Pae Tawhiti | Long Term Plan \(gw.govt.nz\)](#). Previously mana whenua had been asked to contribute information to the process, which was compiled into a Mana Whenua partners section [Greater Wellington Regional Council Long Term Plan 2021-31 \(gw.govt.nz\)](#) Page 247-256.

### **Integrated Catchment Management Agreement**

The Integrated Catchment Management Agreement (**Attachment Six**) sets out a partnership approach to the management of the Otaki River catchment and agrees to set up an advisory group to develop a strategy for implementation (**Attachment Seven**). The agreement looks to where there are shared goals to be considered in the annual work programme of the catchment group and to provide an opportunity for cultural development of Greater Wellington staff working in the Otaki area.

*Whether iwi have requested, and if so what has council's response been, for:*

- *Mana whakahono a rohe - have iwi discussed these with you/made requests to initiate these? Specifically from my area - so from the ART confederation and their constituent iwi/hapu? Also, Muaūpoko.*

To date, none of the mana whenua partners of the Region have initiated a mana whakahono a rohe with Greater Wellington which includes the ART confederation partners and their hapū. Should they request this arrangement, Greater Wellington will follow the specific legislative requirements that are set out in the RMA.

In 2018 the Greater Wellington Regional Council received a letter inviting us to meet with Muaūpoko Iwi Tribal Authority to discuss our relationship with them.

On 14 February 2019, the Chief Executive, Greater Wellington proposed a shared meeting between Muaūpoko Iwi Tribal Authority and the four Councils who had received the same letter:

- Greater Wellington;

- Wellington City Council;
- Porirua City Council; and
- Kāpiti Coast District Council.

To date, Greater Wellington has received no response.

*The minutes of Ara Tahi and reports considered by Ara Tahi. I can find these, or at least some of them. however, I am hopeful these are all filed neatly in one place, so you might be able to supply them all as a package easily?*

### **Ara Tahi**

Minutes of meetings for Ara Tahi are not publicly available on our website due to the nature of the group (Ara Tahi is an advisory body and not a committee). As the minutes need to be retrieved from our archival storage and reviewed Greater Wellington considers it necessary to extend the timeframe for this part of your request to 29 August 2024.

This decision is made pursuant to section 14 of the Local Government Official Information and Meetings Act 1987 on the basis that your request is for a large quantity of information and meeting the original time limit would unreasonably interfere with our operations.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where appropriate. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



**Monica Fraser**

Te Pou Whakarae, Te Hunga Whiriwhiri

**Attachments:**

**Attachment One:** Letter to GWRC from Muaūpoko

**Attachment Two:** Response letter seeking collaborative hui with councils and Muaūpoko

**Attachment Three:** Charter of Understanding

**Attachment Four:** Memorandum of Partnership

**Attachment Five:** Te Upoko Taiao – Terms of Reference

**Attachment Six:** NHoO ICMA 2016

**Attachment Seven:** ICMA Final Draft Strategy Aug 2017

PROACTIVE RELEASE