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Committee Ara Tahi
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Findings from the Iwi Environment Management Systems work for the State of the Environment Report

1. Purpose

To inform Ara Tahi of the main points emerging from the Technical Report on Iwi Environment Management Systems.

2. Background

Over the last year, officers have been working on technical reports for the State of the Environment Report (SER) which will be published at the end of 2005.

Technical reports are being written for each of the chapters in the Regional Policy Statement (RPS). The Iwi Environment Management Systems chapter of the RPS is the subject of a technical report.

The research and analysis carried out for the SER on the Iwi Environment Management Systems chapter of the RPS used two main sources of data:

1. Face-to-face interview data from interviews conducted with Greater Wellington staff, two Greater Wellington councillors and our iwi partners; and
2. Survey data from a survey of the consideration of the principles of the Treaty of Waitangi in consents hearings since 1999.

Officers will be reporting some of the main points that have emerged from the technical reports to the Committee between now and the release of the SER. In addition, the technical report on Iwi Environment Management Systems (along with all other reports) is expected to be available on the website within the next few months.

The technical reports cover the last five years of activity. A significant amount of activity that occurred prior to 2000 has influenced the Greater Wellington's relationship with iwi and the way in which Greater Wellington meets the objectives in the Iwi Environment Management Systems chapter. However, activities prior to 2000 are not explicitly considered in this technical report.

3. Comment

The Iwi Environment Management Systems chapter has four objectives:

- Objective 1: *A mutually satisfactory relationship is developed and maintained between the Wellington Regional Council and the iwi of the Region.*
- Objective 2: *The principles of the Treaty of Waitangi are taken into account in resource management.*
- Objective 3: *There are increased opportunities for tangata whenua to exercise kaitiakitanga in the Region.*
- Objective 4: *There are increased opportunities for the cultural aspirations and tikanga of tangata whenua with regard to natural and physical resources to be met.*

3.1 Objective 1

All our iwi partners and the Greater Wellington staff and councillors interviewed were positive about the relationship. The length of the relationship, the Charter of Understanding, funding and Ara Tahi were all noted as having led to improved relations over time. This was complemented by Greater Wellington staff reflections that there is increased trust between iwi and Greater Wellington. However, iwi noted that the relationship was not a “true partnership” and, in that regard, had room for improvement.

Iwi felt that improvements could be made in another revision of the Charter and increased resourcing and decision-making power for iwi. Both of these were seen as avenues to push outside of the confines of a RMA-based relationship. They recognised the need for iwi to increase their proactive involvement in Greater Wellington issues and decision-making. Greater Wellington interviewees felt that iwi lack the understanding of Greater Wellington issues and processes that would allow them to become more involved at this time.

The avenues by which involvement in decision-making could happen were contested, though there was some mention that Māori wards now need exploration. Iwi and Greater Wellington interviewees identified that our relationship still needs to progress to where it operates at all levels of Council and not just with certain staff members.

3.2 Objective 2

Iwi can see that efforts are being made by Greater Wellington to meet the principles. However, all iwi would prefer to use the actual Treaty text instead of the principles. If the principles are to be used, they should be a minimum requirement rather than an aspiration. This will require education and communication, and iwi do not see this occurring at present. Finally, the principles are not themselves consistently upheld by Greater Wellington in their resource management role.

For their part, most Greater Wellington staff are not sure what the principles are. However, they are conscious of the need to understand questions about the principles to be able to include them in resource management decision-making. However, to a certain extent, they presume that the use of iwi commissioners demonstrates a commitment to partnership from Greater Wellington. While the principles are considered and referred to in decisions on resource consents, whether or not they are taken into account seems confined to whether or not there has been appropriate consultation.

3.3 Objective 3

This objective drew the strongest criticism from iwi. Iwi feel that the way this objective is written implies that Greater Wellington believes it has the power to ‘allow’ iwi to exercise kaitiakitanga. However, iwi clearly stated that kaitiakitanga cannot be ‘allowed’ by Greater Wellington or any other organisation. Any suggestion to the contrary was met with extreme concern. In the opinion of iwi, tāngata whenua are the only group able to exercise kaitiakitanga as they are the guardians of tikanga. Their ability to do so is not influenced by Greater Wellington.

Most Greater Wellington interviewees did not recognise the offence this objective causes to iwi. Greater Wellington staff and councillors cited the consents process and other management opportunities as areas within which iwi could be involved.

3.4 Objective 4

Iwi comments on this objective were about tikanga, as they feel that cultural aspirations are a part of tikanga. Tikanga guides the way they expect to be involved in decision-making about natural and physical resources. The key to this is that iwi consider it their responsibility to dictate what is appropriate, but Greater Wellington currently decides which situations iwi will be involved in. The realisation of this objective has been piecemeal in iwi opinion.

Iwi hope that Greater Wellington will recognise a greater role for tikanga in the future. They recognise that negative portrayal of tikanga in media influences Greater Wellington’s openness to its inclusion. Greater Wellington interviewees want to understand tikanga, but are not sure as to how to pursue this. It was apparent among Greater Wellington staff and councillors interviewed that understanding the different world views of Māori and non-Māori is a confusing area. Greater Wellington understands the processes that Māori wish to go through (e.g. having karakia and mihihihi at significant events), but not that those processes are a reflection of a spiritual world view that will inject itself into all levels of decision-making.

4. Summary

In addition to the specific points about the objectives discussed above, the technical report found that there is a recognition by Greater Wellington and iwi that:

- the relationship is positive;
- some of Greater Wellington's initiatives have improved that relationship;
- the status quo has reached a plateau;
- no meaningful dialogue on transfers of powers or co-management has occurred; and
- Greater Wellington is not taking the principles of the Treaty into account in a systematic way.

An assessment of the methods in the RPS shows that the provisions of the Iwi Environment Management Systems chapter are not being implemented as well as they could. Implementing the actions consistently was seen as being more important.

Both Greater Wellington and iwi are currently involved in reviews that seek to move forward from our current relationship and to address the concerns identified in the technical report. These include the ongoing Iwi Relationships Review, the Consents Review and Hui-a-Ara Tahi.

5. Communication

A communications plan is being developed for the State of the Environment Report, which will be published in December of this year.

6. Recommendations

That Ara Tahi:

1. **receive** the report, and
2. **note** the contents.

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