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

1. Purpose

To inform the Committee of the main points emerging from the technical report on Iwi Environmental Systems prepared as part of the development of the State of the Environment Report.

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 by the end of 2005. Technical reports have reported on the objectives of each of the chapters in the Regional Policy Statement (RPS).

This report covers the findings of work done for the Iwi Environmental Management chapter.

3. Iwi environmental management objectives

In the early 1990s, when the RPS was being developed, our relationship with iwi was very new and there were no systems in place to guide us in how to work together. To write the iwi environmental management chapter, Greater Wellington talked to representatives of all iwi in the region about resource management issues of importance to tangata whenua - and what to do about these issues.

Together, we set the objectives for the chapter, and the Council adopted policies and methods to achieve those objectives. Iwi also contributed to other chapters – although only the Coastal Environment chapter includes an objective specifically recognising tangata whenua.

The RPS has four objectives for iwi environmental management. These reflect the requirements of the Resource Management Act 1991 (RMA), and iwi expectations. To report on these objectives we used two main sources of data:

1. Face-to-face interviews with Greater Wellington staff, two Greater Wellington councillors and our iwi partners.
2. An assessment done for Local Government New Zealand in 2002 about how five local authorities, including Greater Wellington, were meeting their Treaty obligations.

3.1 The relationship

All those interviewed were positive about the relationship. Iwi noted that the length of the relationship, the Charter of Understanding, capacity funding, iwi project funding, and Ara Tahi have led to improved relations over time. Greater Wellington staff commented that there is increased trust between iwi and Greater Wellington. However, some iwi noted that the relationship was not a “true partnership” and, in that regard, had room for improvement.

There were both iwi and Greater Wellington interviewees who commented that in the early days of the relationship, councillors and iwi had robust arguments and discussions that helped us grow and learn about each other. There was some feeling that things have quietened down and the relationship is no longer growing.

Iwi felt that improvements could be made in another revision of the Charter. They identified a need for iwi to increase their involvement in Greater Wellington issues and decision-making.

3.2 The principles of the Treaty of Waitangi

The RMA requires the principles of the Treaty to be taken into account in resource management decisions.

The preference of all iwi was that the objective should refer to the actual Treaty text, instead of the principles, but that the principles provide a good starting point. Two iwi commented that the central principle was partnership, and one said the basis of partnership was a good relationship. Another felt that despite genuine efforts, the partnership principle still wasn't taken into account in resource management decision-making. For example, Maori have always been against discharging sewage to water, and Greater Wellington could demonstrate partnership by standing with Maori on this matter.

Two iwi felt that education and awareness of the Treaty principles need to be improved for both iwi and Greater Wellington, so they can genuinely be considered from a common understanding. Another felt that education should extend to the public as well.

For their part, the response from Greater Wellington interviewees ranged from a professed ignorance of the principles through to acknowledgment that we don't accommodate them in any procedural way. No one thought the principles were fully understood and taken into account in a systematic way.

Publicly notified resource consent applications are decided by a hearing committee and, since 2000, Maori commissioners have sat on a large number of hearings. Some Greater Wellington interviewees saw the involvement of Maori commissioners as demonstration of taking the principles into account. Apart from the use of Maori hearing commissioners, it seems that consultation is the measure by which many at Greater Wellington consider we accommodate Treaty principles.

3.3 Opportunities to exercise kaitiakitanga

Kaitiakitanga is an inalienable part of what it means to be tangata whenua – being a kaitiaki is not so much a role as an identity. The iwi view was that kaitiakitanga is and always will be their own responsibility. Therefore Greater Wellington's role in this process will always be limited. They felt Greater Wellington shouldn't get involved in processes it has no control over.

The responses from Greater Wellington people generally reflected that they could not see any ways for Greater Wellington to increase opportunities for tangata whenua to exercise kaitiakitanga. One thought we could take steps towards this objective by integrating water management plans with Iwi Management Plans, but acknowledged that to date, there had been no moves to do this.

3.4 Opportunities for cultural aspirations and tikanga

The exercise of tikanga over natural resources is clearly bound to kaitiakitanga, and taken together, the two represent a way of articulating the Maori environment management system. Iwi comments on this objective revolved around tikanga, as they feel that cultural aspirations are a part of that concept. Tikanga guides everything they do as Maori – and it is their responsibility to dictate what is appropriate, and for what circumstances.

Iwi hope, not only that Greater Wellington will recognise a greater role for tikanga in the future, but for a clearer Maori expression of life in all areas of Greater Wellington's business in the future.

Greater Wellington interviewees wanted to understand tikanga, but were unsure as to how to pursue this. It was clear from Greater Wellington staff and councillor interviews that understanding the different world views of Maori and non-Maori can be difficult. Greater Wellington understands the processes that Maori wish to observe, such as karakia and mihimihi at significant events, but not all Council officers recognise those processes as a reflection of a spiritual world view that will integrate into all levels of decision-making.

4. Summary

For more than a decade, the region's tangata whenua and Greater Wellington have worked hard to build the framework for an ongoing working relationship.

Continuity of leadership in Greater Wellington, both at the governance level and among senior council officers, has been critical. There are sometimes tensions in the relationship at both governance and operational levels, but there is also a reservoir of goodwill on which the parties draw to manage those tensions. The tangata whenua consider that Greater Wellington is showing very real leadership to city and district councils in the region.

Over the past decade, critical innovations have been:

- establishment of the Ara Tahi Committee
- development of the Charter of Understanding
- establishment of the Maori Hearing Commissioners
- technical workshops for Ara Tahi
- establishment of two Maori Policy Advisor positions
- extension of the Treaty response by Council to areas of Council activity outside the RMA.

Areas for improvement are:

- Greater Wellington needs to improve the processes it uses to take the principles of the Treaty into account in resource management decision-making.
- More education and awareness of the Treaty principles so that they can be taken into account more effectively.
- Better communication with iwi about how their views have been taken into account or acted on.

5. Communication

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

6. Recommendations

That the Committee:

1. **Receive** the report, and
2. **Note** the contents.

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