

CROWN/MĀORI RELATIONS HUI NOTES

Date of hui:	15 April 2018
Venue:	Tuahiwi Marae
Attendees:	Approx. 110 hui participants Hon Kelvin Davis, Minister for Crown/Māori Relations, Hon Eugenie Sage, Minister for Conservation Rino Tirakatene MP Nuk Korako MP Deborah Mahuta-Coyle, Senior Ministerial Advisor to Hon Davis Te Rau Kupenga, Crown Facilitator Officials from: <ul style="list-style-type: none">• the Crown/Māori Relations Roopu, Te Tāhū o te Ture / Ministry of Justice;• Te Puni Kōkiri.

These notes provide a broad overview of the key points raised by participants and do not represent minutes of the hui. The headings used in this note correlate with the information contained in the pamphlet “Te Ara Whakamua ā tātou -Crown/Māori relations” (which can be found at <https://www.justice.govt.nz/maori-land-treaty/crown-maori-relations/initial-proposals-from-government/>).

Main issues and opportunities raised at the hui

- *Local government* – there was a widespread view it was important for Ngāi Tahu to be ‘at the decision-making table’ of local government. It was noted that a key issue is water, and the request to be at the table also applied to water issues. Many speakers noted that they thought local government is an agent of the Crown but they are told they are not by the Crown and by the law that establishes them. An example discussed by a speaker noted that despite Ngāi Tahu significantly helping the community after the Kaikoura earthquakes Ngāi Tahu does not have a representative on the Kaikoura or Hurunui District Councils. Some concerns were raised that co-governance of natural resources was ‘voluntary’ and not a requirement set out in legislation. A couple of speakers expressed concerns that the RMA is a ‘box ticking exercise’. Several speakers also pointed to the lack of cultural competency of local government.
- *Environment Canterbury (ECAN) specific* - numerous speakers emphasised concern that the Ngāi Tahu representatives on ECAN will be removed when the council reverts to being fully elected in 2019 (when the law will remove all appointed representatives). Many speakers referred to the importance of representation on local authorities and saw this as a manifestation of ‘tino rangatiratanga’. Many speakers noted that ECAN worked better with Ngāi Tahu representation at the decision-making table and want this model applied to regional councils throughout the takiwa of Ngāi Tahu in the South Island.

- *Water* – numerous speakers brought up the issue of water, either in terms of water quality, the ownership/allocation of water, and access and control. Legacy issues in relation to water quality was raised by several speakers. There was an emphasis on the point that if water quality is not protected, that this is having (and will have) an impact on people – quality of kai, their health and whānau life.
- *Water quality* – Several speakers were concerned about the pollution of waterways in Canterbury, and that polluters should pay to fix this. A few speakers said funding was needed from the Department of Conservation (DoC) to support the health of lakes and wetlands, while some speakers said that Lyttleton Harbour being reshaped interfered with access to mahinga kai. There was concern about the quality of specific rivers including the Rakahuri (Ashley) and Hurunui Rivers with several people noting that they were no longer able to get kai from rivers due to pollution. A few speakers noted that farming cows had become more important than people.
- *Water ownership* - A few speakers asked who owns the water and noted that companies are making money by taking water and selling it (and therefore acting as if they own water). Several speakers talked about how ‘everyone seems to own water except us (Māori/Ngāi Tahu) and yet water is a taonga set out in Te Tiriti. Iwi / Māori rights and interests in water was an issue raised that many speakers said needed to be addressed with urgency. A few speakers said Ngāi Tahu should have riparian rights as the original- deed of purchase did not always include rights over waterways, and that this means riparian rights remain with the iwi.
- *Climate change* – there was concern about climate change and the plan for dealing with climate change by both central and local government.
- *Reserve Lands* - Several speakers noted the need for the devolution of powers to hapū/iwi on reserve lands (whether the reserve lands were controlled by local authorities, DoC or other government entities).
- *Education* – A few speakers noted that there is a good relationship with local education staff and Ngāi Tahu have been involved in writing the curriculum but that this is local initiative that should be wider. Many speakers recommended that the public needs to be taught about the Treaty and New Zealand’s history and that te reo should be included as a compulsory topic in the curriculum for primary and secondary school.
- *Lack of reciprocity in the relationship* - Several speakers noted that Ngāi Tahu are making a strong contribution to the economy but there are limited returns. Examples re: rates and capital gains tax limiting opportunities for growth, and signalling a lack of economic reciprocity which has a net, ongoing cost to Ngāi Tahu (e.g. no sewerage service at Tuahiwi). The lack of reciprocity in the relationship is also reflected in a lack of decision-making over resources/result of economic contribution. And the contrast between the significant contributions to the emergency response at Kaikoura compared to the lack of Ngāi Tahu inclusion in decision-making afterwards. Ngāi Tahu/mana whenua need devolution and control over reserved lands – there are currently too many limits on aspirations, including nature of Māori land title. Call for a ‘tribal title’ to enable new ways of utilising land and avoid issues/restrictions on land use.
- *Treaty settlements and post settlement issues* – A few speakers noted that the Lakebed of Lake Ellesmere/Te Waihora was returned to Ngāi Tahu as part of the Treaty settlement but this has ‘legacy issues’ which require ongoing support and financial assistance from local and

central government. Also noted is that settlement lands (at Waipapa and Ōmihi) are being impacted by post-earthquake works (e.g. the lands are being re-sized via Public Works Act ordinances to facilitate construction of amenity values and not for road and rail infrastructure recovery), therefore undermining the Treaty settlement.

- *Social wellbeing issues* – Several speakers noted the need and desire for locally defined solutions to locally defined issues (health, education and justice), addressed by the people who know the need/opportunities in their communities. Whānau Ora supported as a good example of responding to community needs.
- *Unnecessary imprisonment of Māori* – Several speakers noted the unnecessary imprisonment of Māori for warrant of fitness/parking fines – leads to complex issues that are disproportionate to the original issue.
- *Public service capability* - A few speakers noted that there needs to be more cultural competency across all the public service (including health, education, the police and others) with a key comment being “if you want a relationship with Māori you need to know Māori”. The same speakers suggested that institutional racism needed to be dealt with too.
- *Economic* - A key point made during the hui was that ‘Māori money should feed the Māori economy’, rather than support the Pākehā economy. The general point was also made that the economic contribution from the regions into the central government ‘coffers’ was not reciprocal with the government investment back into the regions.
- *Māori Electoral role* – A few speakers noted the need for more Māori to go on the Māori electoral roll and that this would further grow the influence of the Māori electorate.
- *Retention of the Constitutional Monarchy* - One speaker wished to retain the monarchy to ensure Māori citizenship rights were recognised and protected and expected the Crown to protect Māori as a Treaty partner.
- *Dealing with DoC* – Several speakers spoke of their frustration with dealing with DoC and that there was too much ‘red tape’.

The Crown’s intent

- *Changing the narrative relating to the Treaty of Waitangi* – one speaker asked the Minister for Crown/Māori Relations to stop his colleagues talking about a ‘post-Treaty future’ because this mischaracterises the relationship, “There is no such thing as a post-Treaty future, as the Treaty is a living document, that Māori endure, and that the Treaty needs to be at the heart of the relationship”.
- *Partnership beyond consultation* - Many speakers noted the need for the Crown to co-design policies and the need for more meaningful involvement of Māori beyond consultation/engagement.
- *Co-design of solutions and policies* - Many speakers said they wanted to be involved in the co-design policies and solutions (rather than being consulted on the options and treated as a stakeholder). Many speakers said engagement/consultation is not enough, instead iwi/Maori need to be involved right at the beginning – developing a shared understanding of the problems/issues, co-designing the options and solutions. Several speakers also suggested that Māori need to be involved in the development of regulatory changes at both the local and central government level.

Ngā uara: Values

- *Participation in decision-making* - a key concern raised at the hui was around iwi/Māori representation on local councils and the need for Māori to have a seat at the decision-making table.

What's the best way for the Crown and Māori to engage?

- *Including urban Māori*- a couple of speakers indicated that the Crown/Māori Relationship needs to be for all Māori, urban Māori included. And there was a call for a separate hui in Christchurch so these issues could be discussed.
- *Consultation is not enough* - many speakers emphasised that the Crown needs to co-design solutions with Māori at all levels of government and consultation or engagement is not sufficient. Engagement cannot only be on issues the Crown wants to engage on.
- *Being at the decision-making table* - a key theme at the hui was the need for Māori/iwi involvement in local government decision making processes – being at the decision-making table.
- *Kanohi ki te kanohi* – Several speakers supported engagement via 'kanohi ki te kanohi' (like this hui).

Possible Crown/Māori Relations Priorities

- *Local government* - many hui participants expressed concern that the Ngāi Tahu representatives on ECAN will be removed in 2019 and think there should be iwi representatives on regional councils. The suggestion was that the law needed to be changed to allow for this.
- *Water*- water quality, allocation and ownership are key issues that need to be prioritised. Māori rights and interests in water needs to be carefully considered.
- *Māori involvement in the co-design of policy and services* – many speakers wanted to see Māori involved in the co-design of policies and services, for example being involved in developing the education primary and secondary school curriculum to involve NZ history, Te Tiriti and te reo as compulsory topics.
- *Land issues*- Many speakers wanted more control over their land and less red tape. For example, Māori want it to be easier to deal with DoC over the conservation estate.
- *Improving public sector capability and cultural competency*- The government needs to put in place programmes to ensure that the cultural competency of officials significantly increases.

Actions:

- Norm Dewes (Te Rūnanga o Ngā Mātāwaka) – indicated he would seek a further hui in Christchurch with the Minister to discuss Crown/Māori Relations for ngā mātāwaka and Māori from other iwi living in the Canterbury region.
- 2 written submissions tabled and have been entered into the Ministry of Justice submissions database.