

Report 03.23
Date 13 January 2003
Files CFO/22/01/01
R/06/01/01
Committee Policy, Finance and Strategy
Author Rob Forlong, Divisional Manager, Landcare

East Harbour Regional Park – Iwi Involvement in High Level Management

1. Purpose

To seek agreement of the Greater Wellington Regional Council to pursue the implementation of a Working Group under Section 23 of The Charter of Understanding (Te Tutohinga o Te Whakaaetanga) in order to facilitate control and management of the Northern Block of East Harbour Regional Park.

2. Background

As part of a broad-based land rationalisation exercise, Greater Wellington has been in discussions with the Hutt City Council (HCC) regarding the future management of the land between Eastbourne and Wainuiomata (known as the “Northern Block” of East Harbour Regional Park).

On 31 January 2002 the Wellington Regional Council resolved to adopt a proposal for land rationalisation, subject to HCC also adopting the proposal (report PE 02.11). The effect of the resolutions were that if any variations were made to the approved proposal then they would need to be separately approved by the Wellington Regional Council.

Further discussions relating to the land rationalisation proposals took place in 2002, and on 3 December 2002 HCC resolved to:

Agree(s) to transfer the management of all properties owned or managed by the Hutt City Council as reserve within the Park boundary to the Wellington Regional Council, in order to allow the vision of the East Harbour Regional Park to be realised;

Note(s) that there are Treaty Claims over some of the properties in the Park;

Support(s) the desire of Maori wanting to be involved with high level governance of the East Harbour Regional Park; and

Make(s) it a condition of the transfer of the management that the Wellington Regional Council establish a method for appropriate Maori organisations who have an interest in the Park to contribute to the high level management and development of the Park.”

On 10 December 2002, the Wellington Regional Council considered the proposal and passed a number of resolutions relating to the land rationalisation exercise (report 02.777). Resolutions 5, 6, and 7 were as follows:

- (5) *Note that the transfer from Hutt City Council of control and management of the Northern Block (East Harbour Regional Park) is conditional on the Wellington Regional Council having a method to enable Maori groups with an interest in the Park to contribute to its high level management and development.*
- (6) *Instruct officers to consult with Hutt City Council and Tangata Whenua to determine the practical effect of the Hutt City Council condition noted in resolution 5 above and to negotiate a suitable agreement for subsequent council approval.*
- (7) *Instruct officers following the consultation, to report back with a recommendation on whether the Wellington Regional Council should accept control and management, and if so, the nature of any proposed agreement to give effect to the transfer.*

Following up on those resolutions, officers have had discussions with HCC officers to clarify HCC's intent for the HCC condition. HCC officers have written and advised us that the purpose of the HCC condition is

...to enable local Maori with an interest in the land inside the park boundaries to have their ideas and opinions heard by officers planning and managing the Park.

HCC officers further noted that the discussion in the HCC Committee meeting

...did not make reference to joint management of the Park, nor did it cover the matter of the Regional Council setting up a formal committee for planning and management of the Park.

It would appear that in passing control and management of the land to WRC HCC recognises that Greater Wellington will inherit a governance role for that land. However, the HCC condition does require a formal method/mechanism for consulting with Maori organisations over major decisions relating to the land.

Greater Wellington already has a number of mechanisms for involving Tangata Whenua in Council processes. These mechanisms are set out in the Charter of Understanding and other Greater Wellington policy documents.

3. Consultation with the Wellington Tenths Trust and Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui

On 19 December 2002 Councillor Laidlaw, Murray Waititi and I met with representatives of Wellington Tenths Trust and Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui to discuss the transfer of control and management of the Northern Block. Greater Wellington already has established relationships with these two groups who are the appropriate Maori organisations for the Park.

Neither group wants to be involved in the day to day management of the Park but both wish to have input at a strategic level. In short the Iwi representatives stated that they wanted to work with the Council to provide outcomes that benefit all sections of the community.

4. The working party concept

As part of the meeting with Iwi representatives we discussed what sort of method might be suitable for involving Iwi in the high level management of the Northern Block.

Clause 23 of the Charter of Understanding outlines a number of mechanisms to assist Tangata Whenua involvement in Greater Wellington decision making processes. Of those mechanisms a “working party” would seem to be the most appropriate.

The Charter states

Working parties will be established, with the mutual agreement of Council and tangata whenua, to facilitate Iwi input into the preparation and review of policies and plans.

In this case, an invitation could be made to the two Tangata Whenua groups by Greater Wellington to set up a working party to assist in the preparation and review the high level policies and plans relating to East Harbour Regional Park.

5. How would the working party operate?

As the matters covered by the HCC condition are matters of policy (rather than mechanics) it is appropriate that the Greater Wellington members of the working party be Councillors rather than officers. This would also follow the “Rangatira to Rangatira” principle outlined in Clause 21 of the Charter.

Following the discussions between Greater Wellington and Tangata Whenua representatives we would envisage that the membership of the working party would comprise two representatives of the Tangata Whenua and two Regional Councillors.

Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui and the Wellington Tenth Trust have advised that the Tangata Whenua representatives would be appointed by the Te Tatau I Te Po and Waiwhetu Marae trustees in consultation with Wellington Tenth Trust and Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui. Any views or recommendations made by the Maori representatives would need to be ratified by both sets of Marae Trustees before becoming “policy”.

A similar situation would exist for the Regional Councillors. As Greater Wellington is responsible for governance matters the Councillors on the working party would be charged with progressing any necessary issues at the Greater Wellington Council table.

As the working party is an initiative between Greater Wellington and Iwi groups it would be helpful if it shared (at least in part) a common membership with Ara Tahi. The working party will also need to include Councillors who are on the Landcare Committee. Accordingly, I have recommended that the Councillor Shields (as Council Chairperson, Ara Tahi Representative, and Landcare Committee member) and Councillor Laidlaw (as Landcare Committee Chairperson) be the representatives for Greater Wellington.

The working party would generally meet between two and three times a year to discuss matters of mutual interest relating to the Park. In most (if not all) years the working party would meet in February to become familiar with, and have input to, any planning and policy matters which relate to East Harbour Regional Park. That meeting or a subsequent one at the end of each financial year could provide a review of the previous year to monitor the achievement of those objectives which are of interest to members of the working party.

While the HCC condition only relates to the Northern Block of East Harbour Regional Park we envisage the working party would cover the whole of the Park. At this stage we recommend that the working party be set up as a trial with a review after 12 months. If it proves to be valuable for all parties then its life can be extended by the agreement following the review.

6. Management plans

If the working party concept was to be implemented then one early matter of business would be input into the East Harbour Regional Park Management Plan. The preparation of management plans is one key activity determining the high level policy for regional parks.

Thus far, Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui and the Wellington Tenth Trust have been providing input on the Regional Parks Draft Network Management Plan. The working party could determine how and what input the Tangata Whenua representatives would have in the development of the park specific management plan.

7. Next steps

While the discussions with Tangata Whenua representatives have been fruitful and positive, they were preliminary in nature. The establishment of any working party will need to be by agreement so further discussions will be necessary.

Should Councillors agree that a working party is appropriate, then we can formally invite Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui and the Wellington Tenth's Trust consider the option. If the Tangata Whenua groups agree with the working party concept, then Terms of Reference can be approved and the working party can begin operating.

8. Communication

Assuming the transfer is agreed to we will make an appropriate media release. However, the key communication will be later in the year when any transfer is given effect.

The transfer of control and management of the Northern Block of East Harbour Regional Park is a major milestone as it represents the creation of a “true” regional park. In the past East Harbour Regional Park has been based on a series of pieces of land under different management. We will arrange an appropriate (re)opening of the Park to acknowledge the efforts of all those people and groups who have contributed to its establishment as a functioning Regional Park.

9. Summary

If Greater Wellington wishes to effect the transfer of control and management of the Northern Block of East Harbour Regional Park then we are required to comply with the condition imposed by HCC on that transfer. The condition requires Greater Wellington to have a method to involve Iwi in the high level management and development of the Park.

A working party set up under clause 23 of the Charter of Understanding would seem to be the most effective and efficient mechanism to meet the HCC condition.

10. Recommendations

That the Committee:

1. *receive the report.*
2. *note the contents of the report.*

3. ***note** that there have been discussions between representatives of Iwi and the Greater Wellington Regional Council about how to give effect to the HCC condition relating to the transfer of control and management of the Northern Block of East Harbour Regional Park to Greater Wellington.*
4. ***note** that complying with the HCC condition will not alter the governance role of the Greater Wellington Regional Council in respect to the Northern Block.*
5. ***note** that Iwi representatives have been clear in articulating that their primary interest is to work with the Greater Wellington Regional Council on strategic issues relating to the Park.*
6. ***recommend** that the Greater Wellington Regional Council agree to the establishment of a working party (as set out in Clause 23 of the Charter of Understanding) as the mechanism to give effect to the HCC Condition of transfer.*
7. ***nominate** Councillors Shields and Laidlaw to be Greater Wellington Regional Council's representatives on the working party.*
8. ***recommend** that the Greater Wellington Regional Council authorise officers to formally invite Te Rūnanganui o Taranaki Whānui ki te Upoko o te Ika a Maui and the Wellington Tenth Trust to inaugurate the working party.*
9. ***recommend** that the Greater Wellington Regional Council accept Hutt City Council's offer of control and management of the Northern Block of East Harbour Regional Park.*

Report prepared by:

Rob Forlong
Divisional Manager, Landcare