

If calling, please ask for Democratic Services

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## Te Tiriti o Waitangi Komiti

Tuesday 20 May 2025, 9.30am

Taumata Kōrero - Council Chamber, Greater Wellington Regional Council  
100 Cuba St, Te Aro, Wellington

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Quorum: Seven Members

### Members

#### Councillors

Hikitia Ropata (Chair)

Daran Ponter (Deputy Chair)

David Bassett

Ros Connelly

Quentin Duthie

Penny Gaylor

Chris Kirk-Burnnand

Ken Laban

David Lee

Thomas Nash

Yadana Saw

Adrienne Staples

Simon Woolf

**Recommendations in reports are not to be construed as Council policy until adopted by Council**

## **Te Tiriti o Waitangi Komiti** (A Committee of the Whole)

### **1 Purpose**

Enable Council, committees, and Greater Wellington to implement robust decisions that uphold Te Tiriti o Waitangi obligations, commitments, and responsibilities to ensure equitable outcomes for Māori.

### **2 Specific responsibilities**

- 2.1 Apply Council's Te Tiriti o Waitangi principles when conducting the Committee's business and making decisions.
- 2.2 Influence Council, committees, and Greater Wellington decision-making across strategies, policies, plan, programmes, initiatives, and indicators through application of Council's Te Tiriti o Waitangi principles, which are as follows:
  - a **Pātuitanga | Relationships and Partnerships** – ensure decisions are based on shared knowledge, expertise and values maintained and sustained through active relationships and partnerships with mana whenua. These relationships and partnerships will influence Greater Wellington's core business services, functions, and systems to develop and deliver our shared aspirations across our Greater Wellington rohe
  - b **Kōwhiringa | Options** – actively partner with mana whenua to enable effective governance decision making that is informed by kaupapa Māori and mātauranga Māori analytical frameworks and knowledge systems in identifying feasible and meaningful options and solutions
  - c **Tino rangatiratanga | Self Determination** – position Greater Wellington to give effect to Te Tiriti o Waitangi and uphold the interests of mana whenua in exercising their tino rangatiratanga in planning and promoting quality services that enable self-determination for whānau and community
  - d **Whakamaru | Active protection** – assess how decisions work towards protecting mana Motuhake (rights and interests of mana whenua) thorough relevant mutually beneficial strategies, policies, plans, programmes and initiatives
  - e **Oritetanga | Equity** - uphold the principle of fairness in the design and distribution of Greater Wellington's resources and services through the Long Term Plan to meet the needs and aspirations of whānau within our Greater Wellington rohe.
- 2.3 Oversee the development of a work programme across Greater Wellington to improve outcomes and uphold the priorities for mana whenua and Māori.
- 2.4 Review and monitor the implementation of this work programme using Te Tiriti o Waitangi principles.
- 2.5 Consider and recommend to Council on negotiation issues for Treaty settlements in the Wellington Region, and on the upholding of Greater Wellington's commitments under concluded settlements.

- 2.6 Review and monitor (every six months) the performance of Council and Greater Wellington in giving effect to statutory responsibilities to Te Tiriti o Waitangi, and recommend to Council on initiatives and changes to enhance effectiveness.
- 2.7 Consider and recommend to Council on the transfer of Council's statutory functions, duties, and powers to mana whenua.
- 2.8 Provide, for consideration by Council, direction on Māori representation and partnership structures or initiatives with mana whenua, including a recommendation to Council on the establishment of Māori constituencies under the Local Electoral Act 2001.

### **3 Delegations**

The Committee has the authority to approve submissions to external organisations for matters pertaining directly to the Committee's purpose.

### **4 Members**

All thirteen Councillors.

### **5 Quorum**

Seven Councillors.

### **6 Meeting frequency**

The Committee shall meet four times a year, with additional meetings as required.

# Te Tiriti o Waitangi Komiti

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Tuesday 20 May 2025, 9.30am

Taumata Kōrero - Council Chamber, Greater Wellington Regional Council  
100 Cuba St, Te Aro, Wellington

## Public Business

No.	Item	Report	Page
1.	Apologies		
2.	Conflict of interest declarations		
3.	Public Participation		
4.	Confirmation of the Public Minutes of the Te Tiriti o Waitangi Komiti meeting on Thursday 15 August	24.437	5
5.	Te Tiriti o Waitangi Komiti Work Programme Update	25.214	9
6.	Auditor General's Report on Treaty Settlements	25.216	17
7.	Submissions, Positions and Implications on Māori Rights and Interests	25.215	24
8.	Pathways to Partnership: Kaupapa Investment Model	25.218	32

Please note these minutes remain unconfirmed until the Te Tiriti o Waitangi Komiti meeting on 20 May 2025

Report 24.437

## **Public minutes of the Te Tiriti o Waitangi Komiti meeting on Thursday 15 August 2024**

Taumata Korero - Council Chamber, Greater Wellington Regional Council  
100 Cuba St, Te Aro, Wellington at 1.01pm.

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### **Members Present**

Councillor Ropata (Chair)  
Councillor Ponter (Deputy Chair)  
Councillor Bassett  
Councillor Connelly  
Councillor Duthie  
Councillor Gaylor  
Councillor Kirk-Burnnand  
Councillor Laban  
Councillor Lee  
Councillor Nash  
Councillor Saw  
Councillor Staples  
Councillor Woolf

### **Karakia timatanga**

Te Komiti Chair opened the meeting with a karakia timatanga.

### **Public Business**

#### **1 Apologies**

There were no apologies

#### **2 Declarations of conflicts of interest**

There were no declarations of conflicts of interest.

### **3 Public participation**

Nikau Wi Neera, Ngāti Toarangatira, Kāi Tahu, spoke to agenda item 5 – Māori Constituency Matters, and expressed support for the affirmation of Council's resolution to establish a Māori constituency.

Benjamin Wynyard-Terry, Trustee, Port Nicholson Block Settlement Trust, spoke to agenda item 5 – Māori Constituency Matters, and expressed support for the affirmation of Council's decision to establish a Māori constituency.

### **4 Confirmation of the Public minutes of the Te Tiriti o Waitangi Komiti meeting of 10 October 2023 – Report 23.523**

Moved: Cr Saw / Cr Connelly

That Te Komiti confirms the Public minutes of the Te Tiriti o Waitangi Komiti meeting of 10 October 2023 – Report 23.523.

The motion was **carried**

### **5 Māori Constituency Matters – Report 24.406**

Francis Ryan, Head of Governance and Democracy, Brett Cockram, Director Māori Outcomes, and Tania Parata, Director Mana Whenua Partnerships, spoke to the report.

Moved: Cr Ropata / Cr Nash

That te Komiti:

- 1 Notes that in 2023 Council voted unanimously to put in place a Māori constituency for the Wellington Region.
- 2 Notes that the unanimous decision by the 13 directly elected regional Councillors reflected the best interests of the Wellington Region as well as the views of the communities represented by those regional Councillors.
- 3 Notes that the unanimous decision of Council came following unanimous support from the six mana whenua groups in the Wellington Region.
- 4 Notes that no formal objection to a Māori constituency was received from the public at the time Council made its decision.
- 5 Agrees that the Government has taken an unfortunate approach with its recent legislative amendment which overrides the Council's democracy and adds significant cost for ratepayers.
- 6 Disagrees with the need for a poll on the Māori constituency that it has already democratically agreed to.
- 7 Affirms its resolution of 26 October 2023 to establish a Māori constituency for the 2025 and 2028 triennial local elections, subject to the outcome of any further engagement with mana whenua prior to the 27 August 2024 Council meeting.

- 8 Notes that the proposed name of the Māori constituency – “Te Upoko o te Ika a Māui Māori Constituency” has previously been communicated to mana whenua (March 2024) with no alternative name having subsequently been received.
- 9 Adopts “Te Upoko o te Ika a Māui Māori Constituency” as the name of the Māori constituency in its initial representation proposal for the 2025 triennial local elections.
- 10 Invites the Chair, Te Tiriti o Waitangi Komiti, and the Council Chair to forward a copy of the invoice for the cost of holding the poll to the Minister of Local Government.

With the agreement of the mover and seconder, and the consent of the meeting, part 10 of the motion was withdrawn.

The updated motion was then put to the vote.

That te Komiti:

- 1 Notes that in 2023 Council voted unanimously to put in place a Māori constituency for the Wellington Region.
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- 9 Adopts “Te Upoko o te Ika a Māui Māori Constituency” as the name of the Māori constituency in its initial representation proposal for the 2025 triennial local elections.

The motion was **carried**.

## **Karakia whakamutunga**

Te Komiti sung a waiata, Te Aroha, and then Te Komiti Chair closed the meeting with a karakia whakamutunga.

The public meeting closed at 2.00pm.

Councillor H Ropata

**Chair**

Date:

For Information

## TE TIRITI o WAITANGI KOMITI WORK PROGRAMME UPDATE

### Te take mō te pūrongo Purpose

1. To provide Te Tiriti o Waitangi Komiti (te Komiti) with an update on Te Hunga Whiriwhiri work programme deliverables and the next steps to include Te Tiriti Komiti work programme into the Te Whāriki strategic plan development.

### Te horopaki Background

2. Te Komiti developed a work programme in collaboration with Te Hunga Whiriwhiri staff that focused Te Pane Matua Taiao, Greater Wellington on the areas of importance to the komiti and to mana whenua and māori of the Wellington Region. The work programme was approved by te Komiti on 7 May 2024.
3. The work programme objectives arrived at the following three focus areas:
  - a. Ahikaa, Whenua and Kaitiakitanga - Restore and Reconnect Iwi:
  - b. Build a programme of work that restores Mana whenua and iwi Māori connections to whenua, wai and te Taiao.
  - c. Te Whāriki - Monitoring Greater Wellington Performance
  - d. Develop a monitoring framework of Greater Wellington's performance in relation to Iwi aspirations, Tiriti obligations across our rohe
  - e. Te Mana o te Tiriti o Waitangi Komiti - Partnership and Relationships
  - f. Provide support for a series of wānanga across the rohe to build strong and enduring relationships, that enable robust discussion and analysis
4. During the time the work programme was developed, Te Hunga Whiriwhiri was in the process of implementing their new operating model, functions and recruitment for new and existing roles. A total of eight roles were recruited at the same time.
5. Over the past eight -months, Te Hunga Whiriwhiri has onboarded the new roles and implemented a new work delivery structure to supports how we prioritise, plan, deliver and report our work.
6. Te Tiriti o Waitangi Audit report recommendations and Greater Wellington's Change Programmes objectives have been used to guide us on which deliverables we work on first.

7. To date, Te Hunga Whiriwhiri has been involved in supporting Te Komiti work programme in several ways:
  - a. Mana whenua partnership initiatives through:
  - b. System-led change for partnership ways of working, underpinned by Tiriti-led practice, which has shifted our ways of working. This is evident in our Kahui Taiao (Te Roopū Taiao and Te Hunga Whiriwhiri Directors) mahi together, and shifts in our ways of working with Metlink.
  - c. Investment approaches
  - d. Innovative project design and two-way transfer projects.
  - e. Co-design pathways have started to provide key development for outcomes.
  - f. Mātauranga frames remain key fixtures in our design and delivery work
8. Ways of working at place partnership work with mana whenua
  - a. Te Whāriki Māori Outcomes Framework: Greater Wellington organisation change programmes integration, specifically catchment approach and strategy implementation
  - b. Upholding our commitment to Tiriti and our partners by actively responding and engaging across the sector on Government reforms.
  - c. Te Whāriki Strategic Plan development including monitoring and reporting
  - d. Te Hunga Whiriwhiri leadership role and participation as subject matter experts on specific topics of relevance to include partnership and Māori outcomes.

### **Update for Te Tiriti Komiti**

9. Te Hunga Whiriwhiri have led and supported the following initiatives and work deliverables in alignment to Te Tiriti Komiti work programmes three focus areas of Ahikaa, Whenua and Kaitiakitanga – Restore and Reconnect Iwi, Te Whāriki – Monitoring Greater Wellington’s Performance and Te Mana o Te Tiriti o Waitangi Komiti – Partnerships and Relationships:

#### ***Ahikaa, Whenua and Kaitiakitanga – Restore and Reconnect Iwi***

##### ***Mauri Tūhono – Te Kaipupuri ki te ao Whānui (framework)***

10. In 2018, Greater Wellington initiated the development of a regional biodiversity framework in partnership with mana whenua and the Department of Conservation (DOC) to join up efforts for biodiversity across the region.
11. In the 2021-2031 Long Term Plan (LTP), Council approved funding of \$300,000 for the external implementation of the framework annually and this was reconfirmed in the 2024-2034 LTP. This funding is not for internal implementation.
12. Executive Leadership Team (ELT) members and Council have endorsed the framework and including the Chief Executive identifying it in a Council meeting in April 2023 as Greater Wellington’s ‘restoration ethos’ going forward.
13. There are two parts of the project – internal and external implementation.

- a. In this first internal implementation plan, we are looking for opportunities to shift some of those systemic challenges to achieve outcomes for te taiao, and outcomes with mana whenua and Māori.
- b. The focus of the external project is to establish Mauri Tūhono as an independent entity. To ensure its success, Verian has been engaged to provide research and insights to establish an evidence base from which to guide decision making about the purpose, structure, mana whenua involvement in the entity governance, partnership, and activities and services to be provided.

#### *Two-way Knowledge System – Iwi Management Plans*

14. Greater Wellington and mana whenua continue to innovate in sharing skills and knowledge together. This has been the basis of our two-way knowledge projects that see council officers at place with mana whenua in their offices to share technical knowledge and skills. To date we have seen our regulatory team work at place with iwi.
15. Iwi environmental management plans (IEMP) are important documents and give the opportunity for mana whenua to provide invaluable information for resource management activities. At the time of writing this report, Greater Wellington had informally received an IEMP from Rangitāne Tū Mai Rā Trust, which will be officially lodged in the coming weeks. Te Rūnanga o Toa Rangatira is in the process of developing their IEMP.

#### *Iwi nurseries with mana whenua partners*

16. External Department of Internal Affairs (DIA) Better-Off Funding for Nursery Development was obtained to support Greater Wellington mana whenua partners to establish nurseries to support their aspirations expressed through the 2024-34 LTP development.
17. The purpose of the nurseries is to provide opportunities for education and employment, skill development and an economic return for mana whenua partners. This initiative also contributes to providing mana whenua, Greater Wellington and others with the plants needed for restoration projects while offering greater opportunities for collaboration or collectiveness across iwi/hapū/marae/whānau as kaitiakitanga.
18. The benefits of this initiative will be felt region wide and aim to encompass aspects of nursery operation, localised eco-sourcing seeds and regeneration, rongoa and maara kai initiatives, traditional tikanga, and Mātauranga Māori.

#### ***Te Whāriki – Monitoring Greater Wellington’s Performance***

##### *Te Tiriti o Waitangi Audit Report*

19. In November 2023 Price Waterhouse Coopers (PWC) delivered the inaugural Treaty Audit for Greater Wellington. The Audit provided a baseline measurement of our organisational statutory compliance against key Te Tiriti o Waitangi legislative provisions. The audit also provided a number of recommendations on how to improve our responsiveness. Te Hunga whiriwhiri and Risk and Assurance have built an initial monitoring process for the Audit recommendations.

20. Furthermore, their needs to be consideration of clear accountability for performance in accordance with these obligations specific to roles, and for leaders to have oversight of delivery of these.

#### *Te Whāriki Māori Outcomes Framework*

21. A significant focus for Te Hunga Whiriwhiri is refreshing our strategic approach to the implementation of Te Whāriki across the organisation, including a focus on how we measure and report on progress. In the first quarter of the 2026/27 financial year (FY) we will commence a refresh of our Te Whāriki strategic plan. This will provide a clear line of sight from the priority initiatives covered in this report to the long-term outcomes in Te Whāriki. It will improve organisational understanding of what Te Hunga Whiriwhiri will lead and what we will support other groups to lead, provide sequencing and prioritisation of initiatives along the way, and how the plan will be resourced, governed, measured and evaluated.
22. The ability to deliver Te Whāriki outcomes relies on a capable workforce. Te Hunga Whiriwhiri is currently re-designing the capability training and resources for the organisation and linking it through to Te Whāriki outcomes to deliver the right capability to the right areas. This includes an understanding of our settlement obligations and how we give effect to Te Tiriti.
23. Te Hunga Whiriwhiri has established Kāhui across the organisation. Kāhui groups are led by Te Hunga Whiriwhiri leadership and includes other leadership teams in key business groups across the organisation. Each Kāhui group will develop shared work programmes and priorities and use this space for shared decision-making. The pending Te Whāriki strategic plan will integrate Kāhui with the Te Whāriki governance structure and align work in the Kāhui with the priorities of the strategic plan.

#### *Te Tiriti o Waitangi Policy development*

24. The need for clear policy guidance around Te Tiriti o Waitangi and our statutory obligations was the significant priority in the PWC audit (recommendation 2). Te Hunga Whiriwhiri has workshopped and drafted a policy that, when fully implemented, will address this recommendation as well as elements of most of the other audit recommendations. The policy provides a clear, actionable commitment to embedding Te Tiriti o Waitangi into the core of how we work at the operational and management level. The policy is required to help drive progress on our strategic priority in the LTP and towards achieving the long-term outcomes in Te Whāriki. This will be a primary piece of policy and will guide our strategy, policies, and implementation, to ensure that we are well aligned with Te Tiriti in all aspects of our work. It will provide a policy platform that aligns with our level of ambition and clearly articulates our understanding and commitment to Te Tiriti.
25. The Executive Leadership Team will consider the final policy in the first quarter of FY 2026/27. In parallel, through the Te Whāriki Strategic plan refresh we will scope and plan the mechanisms, guidelines and communications approach required to successfully implement and embed and monitor and evaluate the impact of the policy across the organisation.

## ***Te Mana o Te Tiriti o Waitangi Komiti – Partnerships and Relationships***

### ***Regional Wānanga***

26. Work has been undertaken to design and deliver regional wānanga which enable mana whenua and councillors to come together and discuss important issues, this triennium the focus has been on developing a set of coherent opportunities and proposals for the incoming council to consider when designing the governance structures for the next triennium.

### ***Central Government reforms***

27. The volume and nature of the reforms that have been announced over the last 12 months has been significant, Te Hunga Whiriwhiri has been leading input and advice on Māori rights and interests across Greater Wellington priority submissions where capacity allows. A separate report is on the agenda for this meeting for this issue (refer to Submissions, Positions and Implications on Māori Rights and Interests – Report 25.215).

### ***Upholding Treaty Settlements***

28. We are undertaking a current state assessment of our policy, systems, processes and lines of reporting and accountability to deliver on our Treaty settlements. This review will help us scope improvements to this system in the FY 2026/27 so we can build a stronger organisational wide understanding of our settlement commitments, their status, and who is responsible for them.

### ***Additional work from the Triennium***

29. Although it didn't appear in the work programme, te Komiti created opportunities for Council to interact and develop relationships with mana whenua across the region through holding meetings and workshop at marae and including mana whenua. These wānanga created deliberate opportunity to hear directly from mana whenua what is important to them.
30. The recommendation for the Māori constituency was a significant milestone for the te Komiti and was the result of significant work with mana whenua to establish a clear position on the establishment of the Māori constituency.

## **Ngā tūāoma e whai ake nei**

### **Next steps**

31. Te Hunga Whiriwhiri will include Te Komiti work programme deliverables in the development of Te Whāriki strategic plan.
32. Officer will provide regular reporting to Te Tiriti Komiti on the progress of deliverables in the work programme as a regular agenda item.

**Ngā āpitihanga**  
**Attachments**

<b>Number</b>	<b>Title</b>
1	Tiriti Komiti work programme

**Ngā kaiwaitohu**  
**Signatories**

Writers	Brett Cockeram – Hautū Hua Māori
Approvers	Ana Nicholls – Pou Whakarae (acting)

<p style="text-align: center;"><b>He whakarāpopoto i ngā huritaonga</b>  <b>Summary of considerations</b></p>
<p><b><i>Fit with Council's roles or with Committee's terms of reference</i></b></p> <p>This report details the range of work undertaken across GWRC in relation to te Komiti work programme.</p>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>The Work outlined in this paper is directly related to Te Whāriki and therefore has contributions to annual and long term plans.</p>
<p><b><i>Internal consultation</i></b></p> <p>This report was developed across Te Hunga Whiriwhiri work programmes.</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>N/A</p>

Focus area	Intended deliverables	Actual deliverables	Notes
<b>Ahikaa, Whenua and Kaitiakitanga - Restore and Reconnect Iwi</b>	Define the intent of the work programme and outline the intended outcomes	Te Whāriki Strategic Plan development	The strategic plan will bring together all our focus areas to ensure a deliberate approach to achieving our long term outcomes for mana whenua and Māori.
	Build/Co-construct? framework that enables us to meet our Tiriti commitments through A clear intent and process for whenua/ land disposal, ownership, acquisition and first 'right of refusal' over council land	An organisational Te Tiriti Policy and guidelines.	This work is programmed into THW's business plan. Future work including more detailed whenua policy will be planned as part of the Strategic plan refresh. To date THW has been providing specialist advice on land transactions.
	Research, Scan and identify current land ownership (GW and Māori land) to provide current state picture based on catchments and Whaitua.	Te Whāriki Strategic Plan development	This work requires significant tech capability and capacity and will be considered as part of Te Whāriki Strategic Plan refresh.
	Identify the operational policy settings that need updating or changing	Will be planned in Te Whāriki Strategy refresh.	PWC audit response work touched on this, conversations with legal and procurement held but work hasn't progressed beyond this this work is programmed into THW's business plan
	Monitor the implementation of Whaitua reports across the rohe.	Implementation plans have not been developed yet	THW and Environment group are working together on the Whaitua plans providing bespoke approaches that are driven through partnership. Kapiti Whaitua has formed a ART Confederation and Council governance group.
<b>Te Whāriki - Monitoring GW Performance</b>	Work alongside Organisation to develop performance indicators	THW has started to develop indicators specific to Te Whāriki, there is still work to be done to ensure alignment with strategic approach and multi year outcomes, this remains a focus for THW.	Performance indicators need to be refined though the Te Whāriki strategic plan so that they can capture audit recommendations (PWC/OAG) as well as respond to the needs of the Tiriti policy and other priority initiatives.
	Implications for Māori measure and capability focus	Te Iti Kahurangi review underway to ensure alignment with Te Whāriki and the PWC/OAG audit and ensuring that recommendations around capability build are able to be achieved.	
	Work with committee chairs to signal significant issues to FRAC	Worked with risk and assurance to create understanding between committees of the overlap between FRAC and Tiriti Komiti. Continues to progress particularly through PWC and OAG audit.	Currently THW and Risk and Assurance teams are working together to ensure that FRAC receives information on audit progress and treaty risks across the organisation.
	Establish a 6 monthly (or annual?) audit of council decision making to ensure consistency with Te Tiriti principles	At pre-design stage, plans to include this deliverable within THW business plan.	This is programmed into THW's business plan, we are currently exploring options to get the audit designed.
	Ensure that the findings of the PWC Te Tiriti o Waitangi audit report are implemented and provide regular reports on progress	PWC audit response ongoing, initial approach of understanding which recommendations are underway and who owns them, update provided to FRAC on progress. Rec 2, Te Tiriti Policy is underway and on track to be delivered in the first quarter of 25/26	The Kāhui space is targeted for the continued refinement of audit response across the organisation
<b>Te Mana o te Tiriti o Waitangi Komiti - Partnership and Relationships</b>	Deliver 2 (or less/more) Wānanga over the next 18 months to enable iwi, Councillors and GW to come together to discuss important issues	Delivered 1 wānanga with Mana whenua, planning underway for 2nd before end of triennium	This work will be completed by the end of the triennium and provide recommendation to the incoming council.
	Identify existing Committees and representation arrangements to ensure we are "fit for purpose" and meet the capacity of iwi partners to participate	Workshops with mana whenua and council have identified the existing committees and representation arrangements that could be improved to better meet Māori outcomes	This work will be completed by the end of the triennium and provide recommendation to the incoming council.
	Review and analyse the implications of public policy reforms in relation to the impacts on whenua, wai and whānau including the impact of reforms, insight from National Iwi Chairs Forum – influence other committees within GWRC	Significant amount of analysis and advice on implications of reforms and a number of submissions made	This has been a significant amount of work for THW, the volume of changes and the speed at which they are delivered is placing strain on the current resource, addition resource is being recruited to deliver the required work.
	Recommend the approval (to full council) of submissions that take into account Iwi mātauranga māori and GWRC responsibilities in relation to shared aspirations	A number of submissions made on government reforms	
	Meeting our Statutory Responsibilities Advice to Council on membership informed by Te Tiriti o Waitangi principles and settlement context. Ongoing advice and guidance on GW's responsibilities for upholding the mana of any deed of settlement and enabling legislation	OAG audit response work underway, Tiriti policy developed, and analysis and advice provided to council (through other functional areas at times). Initial work to identify and collate all of GRWC's settlement obligations has been undertaken.	Work underway to develop a system and process to monitor and report on settlement obligations. Next step is to provide a current state report.

For Information

## AUDITOR GENERAL'S REPORT ON TREATY SETTLEMENTS

### Te take mō te pūrongo

#### Purpose

1. To update you on the findings of the Auditor General's report on how public organisations are fulfilling Treaty settlements.

### Te tāhū kōrero

#### Background

##### *Background to the audit*

2. The first historical Treaty settlement was concluded in the late 1980s. There are now 150 public organisations responsible for some 12,000 individual contractual and legal commitments, from around 80 settlements with about 70 different groups. Te Pane Matua Taiao (Greater Wellington) is responsible for approximately 50 of these settlement commitments across four settlements.
3. In December 2022, then Minister for Māori Crown Relations Hon Kelvin Davis noted that 'agencies were struggling to meet their settlement commitments' and that this risked 'undermining a number of the settlements that [have] been negotiated'.<sup>1</sup> Subsequently, He Korowai Whakamana, was developed. He Korowai Whakamana is a framework to strengthen the oversight and monitoring of settlement commitments across public organisations.
4. The Auditor General's report *How Public Organisations are fulfilling Treaty Settlements* was tabled in Parliament on 10 April 2025. This is the first in depth review of how well Treaty Settlements are being implemented. The process involved a performance audit of two key organisations responsible for system oversight and support (Te Arawhiti (now Te Puni Kōkiri) and the Public Service Commission) and six public organisations responsible for delivering settlement commitments, including Te Pane Matua Taiao. The Office of the Auditor General also engaged with three post settlement governance entities, including Te Rūnanga o Toa Rangatira.
5. In the audit, the office of the Auditor General sought to establish whether:
  - a Public sector arrangements effectively support public organisations to fulfil their settlement commitments as intended.

<sup>1</sup> Quoted in Auditor General, *How Public Organisations are Fulfilling Treaty Settlements*, 10 April 2025, p. 3.

- b Public organisations are well positioned to meet their legal and contractual commitments and understand any associated risks.
6. The Auditor General found:
- a Public sector arrangements do not adequately support public organisations to meet commitments or fulfil the overall intent of settlements.
  - b The Government does not fully understand the risk to durability of settlements and there is a lack of effective accountability.

### ***Greater Wellington's involvement***

- 7. Greater Wellington was brought in scope of the audit through the Ngāti Toa settlement. Greater Wellington actively engaged in the audit process, overseen by Te Pou Whakarae Te Hunga Whiriwhiri, with input from Corporate Risk and Assurance, Legal and the Office of the Chief Executive.
- 8. The review was conducted in strict confidence. Officers were restricted in our ability to share the preliminary and draft findings and related correspondence. Greater Wellington's involvement included audit interviews with the Chief Executive and Pou Whakarae Te Hunga Whiriwhiri. We also responded to the preliminary audit in December 2024 and the draft audit in February 2025.
- 9. Greater Wellington sought to drive messaging in the following key areas:
  - a There is a need for strengthened system level oversight, monitoring and guidance.
  - b More ongoing resource, support and advice is needed for mana whenua and for local government.
  - c Accountability arrangements (e.g. for resolution of issues) need to be designed in collaboration with local government so that it is functional for us as well.
  - d That the report is clear that public organisations are not expected to automatically shift to engage exclusively with PSGEs when settlements are concluded.
- 10. Our feedback helped shape the final recommendations in all the above areas. However, the final report held to the position that ongoing resourcing for implementation of settlements is the responsibility of the implementing organisations. This is longstanding government policy. Te Pane Matua Taiao broadly welcomed and accepted the draft findings which have largely carried over to the final report.

### ***Audit Recommendations***

- 11. This section provides an overview of the report's findings and recommendations and our response. The Auditor General's report emphasises that fulfilling settlement commitments is a significant responsibility. Public organisations need to move beyond siloed, transactional and compliance-based ways of working to ensure settlements are durable. To do this, we must strive to deliver on the holistic

intent of settlements, to support a renewed partnership between the Crown and hapū, whānau and iwi.

12. Greater Wellington will monitor the following recommendations. There are no direct actions for us at this point:
  - a **R1** - Te Puni Kōkiri, working with other public organisations as appropriate, develop a framework to guide public organisations to achieve settlements' holistic intent.
  - b **R4** - Land Information New Zealand works to ensure that there is a system in place so that right of first refusal memorials are correctly placed on land titles.
  - c **R6** - Te Puni Kōkiri consider improvements to the quality and accuracy of the information that Te Haeata collects and reports. (Te Haeata is a database that provides a partial record of Treaty Settlement commitments and a landing portal for organisations to report status of delivery).
13. The following table provides an overview of the key recommendations which directly affect Greater Wellington, how the organisation is responding, and an initial summary of the gaps and opportunities for further improvement:

Recommendation	What is Greater Wellington doing?	Is there a gap?
<b>R2</b> - All public organisations with settlement commitments review how they plan to meet and monitor their commitments	Assessing the current state of our policy, systems, processes, lines of accountability and reporting to ensure we deliver on our commitments and the holistic intent of settlements.	Yes – awareness across the organisation can be improved. There is an opportunity to set up one system to assign responsibility and accountability and track status and delivery against all our commitments.  We would need to include an assessment of the resourcing required across the organisation to deliver on settlements (in negotiations and post settlement)
<b>R3</b> - Responsible Ministers, the Public Service Commission, and the governing bodies of Crown entities, local authorities, and other non-core Crown agencies with settlement commitments strengthen expectations on public organisations about meeting their commitments in performance agreements with chief executives and in other relevant mechanisms	CE Focus Area: Active mana whenua partnerships and improved outcomes for Māori.	Yes – and beyond CE performance expectations there is a strong platform to build on to raise the profile and accountability over settlement commitments including the Te Tiriti Komiti, Finance, Risk and Assurance Committee and our partnership arrangements.

<p><b>R5</b> - the Public Service Commission and the governing bodies of Crown entities, local authorities, and other non-core Crown agencies strengthen ongoing development for chief executives so that they can lead their organisations to effectively meet settlement commitments</p>	<p>Current CE KPI: The CE is enabling Greater Wellington to position itself to give effect to Te Tiriti o Waitangi which creates the conditions for tino rangatiratanga and mana motuhake. Greater Wellington, through Te Whāriki, is lifting:</p> <ul style="list-style-type: none"> <li>• <b>Partnership, Equitable Outcomes, Thriving Māori Communities, and Cultural Capability by growing Te Iti Kahurangi</b> capabilities at both the <b>organisation</b> and <b>individual</b> level.</li> </ul>	<p>Yes – the organisation is about to refresh the Te Whāriki strategic plan including finalising the monitoring and reporting framework and is currently reviewing Te Iti Kahurangi.</p>
<p><b>R7</b> - all public organisations with settlement commitments improve the information that their annual reports provide about their progress in meeting their commitments, including by clearly explaining:</p> <ul style="list-style-type: none"> <li>• the types of commitments that they are responsible for (for example, what proportion are land redress or relational redress);</li> <li>• what different status updates mean; and</li> <li>• their achievements and any significant settlement issues.</li> </ul>	<p>When and how we implement this will be covered in the Te Whāriki strategic plan refresh.</p>	<p>Yes – Including settlements in the annual plan and report needs to occur after the systems and processes to report and plan are finalised.</p>
<p><b>R8</b> - Te Puni Kokiri and the Public Service Commission work together, and with others as needed, to consider how to extend He Korowai Whakamana to relevant Crown entities, local authorities, and other non-core Crown agencies, to ensure that:</p> <ul style="list-style-type: none"> <li>• those agencies have adequate advice, guidance, and support to meet their commitments; and</li> <li>• Te Puni Kokiri collects information about the status of those agencies' commitments.</li> </ul>	<p>How we report on status internally and to Te Puni Kokiri is in scope for Treaty Settlements Current State Assessment.</p>	<p>Yes – we can better understand what advice and support (capacity/capability) is required to deliver on our commitments and holistic intent of settlements.</p>
<p><b>R9</b> - Te Puni Kokiri regularly assess the public sector's progress with</p>	<p>How we report on status internally and to Te Puni Kokiri is in scope for</p>	<p>Yes - We are reliant on Te Puni Kokiri extending reporting</p>

meeting settlement commitments, whether it is achieving each settlement's holistic intention, and any significant risks and achievements, and: <ul style="list-style-type: none"> <li>regularly report that assessment to the Minister for Maori Crown Relations and other responsible Ministers; and</li> <li>report on those matters annually to the Maori Affairs Select Committee.</li> </ul>	Treaty Settlements Current State Assessment	requirements to local government but in the meantime, we can explore ways to report up voluntarily.
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## Te tātaritanga Analysis

14. Settlements are intended to redress historical breaches of Te Tiriti o Waitangi and establish a renewed relationship between the Crown and whānau, hapū and iwi. They also provide an economic platform for future growth and prosperity. However, the challenges in the process for whānau, hapū and iwi are well known. They include: the timing and length of the process; the constraints of the policy framework to fully compensate for the loss and fully deliver on settlement aspirations; and the division among groups that can result from the process.
15. The findings are not unexpected. It is common knowledge across the Treaty sector that the system has not delivered on its settlement commitments and that this poses a significant risk to the Māori Crown relationship. The establishment of Te Arawhiti: the Office for Māori Crown Relations in January 2019 was designed to strengthen system oversight of Treaty Settlements and drive forward improvements in the Māori Crown relationship. The resources applied to this agenda were limited. While progress has been made, significant gaps remain.
16. It is crucial that settled groups who have worked very hard to settle their claims and often waited a long time to do so, are supported to shift their focus to resetting their relationships with the Crown and not subjected to a fresh set of grievances through a lack of Crown delivery on settlements. Public organisations must prioritise settlement implementation and coordinate to make it easy for settled groups to engage.
17. The report is impactful as it places this issue formally on Parliament's agenda for consideration. The findings and recommendations will drive improved accountability across public organisations through annual performance audits.
18. The report is also timely given the current policy shift away from a focus on upholding Te Tiriti, and the transfer of responsibility for oversight of Treaty settlement commitments to Te Puni Kōkiri in February 2025.
19. The recommendations complement those of the independent Te Tiriti o Waitangi audit (the PWC audit) of Te Pane Matua Taiao and provide helpful further detail on opportunities for continuous improvement in the settlements space.

20. Greater Wellington's work to build and invest in our partnerships with mana whenua over the past 30 years, and more recently, to develop and implement Te Whāriki and reset Te Hunga Whiriwhiri, means we have a strong foundation and system to build from in relation to this audit.
21. Our response to the recommendations is largely underway as part of our transformation and in some cases preceded the audit. The overall response will be planned and refined, implemented and monitored in an integrated way, as part of the pending Te Whāriki Strategic Plan refresh.

## **Ngā tūāoma e whai ake nei**

### **Next steps**

22. We will further develop our organisational response through the Te Whāriki Strategic Plan refresh and associated projects and keep this Komiti updated as requested. We also intend to brief the Finance, Risk and Assurance Committee on the report and our response at its next meeting in August 2025.
23. The Hautū Hua Māori will oversee implementation of our response in collaboration with multi-team colleagues, including Corporate Planning and Corporate Risk and Assurance.

## **Ngā āpitihanga**

### **Attachments**

Number	Title
1	How public organisations are fulfilling Treaty Settlements - <a href="https://www.oag.parliament.nz/2025/treaty-settlements/docs/treaty-settlements.pdf">https://www.oag.parliament.nz/2025/treaty-settlements/docs/treaty-settlements.pdf</a>
2	Te Pane Matua Taiao responses to the preliminary and draft audits are available on request.

## **Ngā kaiwaitohu**

### **Signatories**

Writers	Verity Smith - Āporei te Tiriti, Te Hunga Whiriwhiri
Approvers	Ana Nicholls - Acting Pou Whakarae, Te Hunga Whiriwhiri

<p style="text-align: center;"><b>He whakarāpopoto i ngā huritaonga</b> <b>Summary of considerations</b></p>
<p><b><i>Fit with Council's roles or with Committee's terms of reference</i></b></p> <p>The topic is highly relevant to the purpose of the Komiti and its responsibility to monitor the performance of Council and Greater Wellington to give effect to its statutory responsibilities to Te Tiriti o Waitangi, and, make recommendations to enhance effectiveness.</p>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>The topic aligns with Komiti workplan, Te Whāriki Māori Outcomes Framework, Long Term Plan Strategic Focus Area One (active mana whenua partnerships for improved outcomes for Māori) and features in the Te Hunga Whiriwhiri Business plan 25/26.</p>
<p><b><i>Internal consultation</i></b></p> <p>The report is based on content developed with input from Corporate Risk and Assurance. The draft report was shared with Legal, Office of the Chief Executive, Strategy (Corporate Planning and Reporting) and Corporate Risk and Assurance.</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>Nil identified, as this is not a decision report.</p>

## For Decision

# SUBMISSIONS, POSITIONS AND IMPLICATIONS ON MĀORI RIGHTS AND INTERESTS

## Te take mō te pūrongo

### Purpose

1. To provide Te Tiriti o Waitangi Komiti (te Komiti) with an update on the implications for Māori and mana whenua rights and interests of the Government's legislative reform programme, and Greater Wellington Regional Council's (Greater Wellington) response and positioning to date.

## He tūtohu

### Recommendations

That the Komiti:

- 1 **Notes** the current and proposed Government reforms and their potential impacts on Māori rights and interests.
- 2 **Notes** Greater Wellington's ongoing approach to ensure Māori rights and interests are taken into account in submission opportunities.
- 3 **Notes** Greater Wellington's ongoing commitment to uphold the integrity of our partnerships.

## Te horopaki

### Context

2. The Government is advancing a broad legislative reform programme that will reshape key aspects of local government. While these changes will affect councils, they also have significant impacts on Māori rights and interests, and therefore directly impact our mana whenua partners. In this context, our role is to support and uphold the integrity of those partnerships. Reforms, such as the Treaty Principles Bill, the Treaty Clauses Review, and the 'Back to Basics' approach for local government signal a shift away from frameworks that support shared decision-making with Māori. Collectively, these changes are likely to reduce the legislative levers that enable councils to partner effectively with Māori. This may challenge existing partnership commitments—but it also presents an opportunity to reaffirm them. With a growing and youthful Māori population, including the kōhanga reo generation stepping into leadership, we anticipate increased

rangatahi engagement and long-term momentum for Māori participation in governance.

3. The reforms are broad, and this paper focuses on where Greater Wellington has prioritised and responded to legislative and policy changes that are expected to have higher impact for Māori and for our partners. To date, Te Hunga Whiriwhiri has been involved in the following submissions<sup>1</sup>:
  - a Fast-Track Approvals Act by Greater Wellington – 18 April 2024
  - b Principles of the Treaty of Waitangi Bill by Greater Wellington – 18 December 2024
  - c Worked with Ngā Kairapu to influence the Te Uru Kahika submission on the Resource Management Bill 2 – 10 February 2025
4. Local Government (Water Services) Bill through:
  - a Wellington Metro Councils' submission – 21 February 2025
  - b Local Government (Water Services) Bill by Greater Wellington – 21 February 2025
  - c Councillor Ponter's oral submission to Select Committee – 17 March 2025
  - d National Wastewater Environmental Performance Standards by Greater Wellington – 23 April 2025.
5. We are anticipating further legislative changes from Government that will need to respond to:
  - a Regulatory Standards Bill
  - b Review of Treaty Clauses (either as a whole or as each piece of relevant legislation is introduced)
  - c Treaty of Waitangi Act (role of the Tribunal)
  - d Replacement of the Resource Management Act
  - e National Environmental Standards
  - f Local Government Act
  - g Marine and Coastal Area (Takutai Moana) Amendment Act (introduced in 2024).
6. The Greater Wellington approach to the reforms has been to weave a cohesive and consistent narrative throughout our submissions and communications, which highlight matters of importance to Māori and support our partners' positions where possible. We have also collaborated with the regional government sector – through Ngā Kairapu (The Māori Special Interest Group, part of Te Uru Kahika) and other interest groups where possible – to raise awareness of implications for mana whenua rights and interests across the reforms and encourage the sector to raise them.

<sup>1</sup> <https://www.gw.govt.nz/your-council/council-and-councillors/council-advocacy/>

7. Greater Wellington's commitment to invest in our mana whenua partnerships over the past 30 years and more recently, to develop and implement Te Whāriki Māori Outcomes Framework and reset Te Hunga Whiriwhiri means we have a strong foundation and system to support and respond to the reforms.
8. The role of Te Hunga Whiriwhiri has been to work across the organisation with other groups, to advise on which reforms are likely to be of high interest to mana whenua and require Greater Wellington focus, and to lead positioning and guide analysis on the implications for Māori rights and interests as guaranteed in Te Tiriti o Waitangi (Te Tiriti) including for our mana whenua partners.
9. Te Hunga Whiriwhiri has reached out to our mana whenua partners to share our submissions, provide some information on the planned resource management changes and to ask if they would like our support in any way. Some but not all have requested some support or further information. Te Rūnanga o Toa Rangatira has invited us to exchange knowledge and experience on upcoming submissions. They also expressed they were pleased to see our stance on the Water Services Bill submission.

## **Te tātaritanga Analysis**

### ***Summary of cumulative impacts on Māori rights and interests as guaranteed by Te Tiriti o Waitangi***

10. Many of the Government's broader reforms, including the Resource Management Act (RMA), Fast Track Approvals, and water reforms including Te Mana o te Wai, may not be Treaty compliant, both in process and outcome. Our partner Ngāti Toa shares this view in their submission on the Water Services Bill: *'The entire RM reform process appears to be arbitrary and subject to political whim and lobbying without a strong evidence base. We consider that the Bill is another piecemeal change to resource management law'*<sup>2</sup>.
11. Taken together, the reforms are expected to have a significant impact on Māori rights and interests. Based on the announcements and policy positioning to date these implications could include the following:

#### ***Erosion of Māori participation and decision-making***

12. There is a reduction in the levers that previously enabled or required councils to involve Māori in shared decision-making. For example, the repeal of legislation that allowed councils to establish Māori wards or constituents without triggering a public referendum, which diminished the structural support for Māori involvement.
13. Changes to decision-making frameworks (such as those in Part 2 of the RMA) that could limit recognition of Māori values and interests at all stages of the resource management system.

<sup>2</sup> Submission of Te Rūnanga o Toa Rangatira on the Local Government (Water Services) Bill, 21 February 2025

14. Standardised zoning and permitting rules could undermine existing Treaty settlements and roles currently held by mana whenua, reducing their ability to exercise rangatiratanga.
15. The potential implications of the Regulatory Standards Bill and the review of the Treaty clause across legislation are significant. In addition, the review of the Tribunal's scope is particularly important, as the Tribunal has been a key forum for holding successive governments to account. Notably, during this term, it has granted more urgent inquiries into government legislation than ever before.

*A rise in anti-Māori sentiment impacting Māori communities*

16. As anticipated, anecdotally we have seen an increase in anti-Māori sentiment in communities which may increase as we prepare for the October 2025 Local Government elections and Māori constituency poll. While there have been challenges, there are also growing signs of broader Aotearoa galvanising behind Māori on these issues. In particular, support for Māori participation in water management emerged as a central theme during public consultation on the Water Done Well initiative.

*Lack of meaningful engagement with mana whenua*

17. Reforms are being implemented at speed without genuine consultation. Ngāti Toa noted this in their Water Services Bill submission, criticising the process as politically driven and lacking a strong evidence base.

*Fragmented legislative approach*

18. Different reform packages are being developed in isolation, leading to inconsistencies. For example, the Water Services Bill, proposed national water performance standards, the removal of Te Mana o te Wai and changes to Taumata Arowai lack adequate and consistent Treaty protections.

*Weakening of Treaty provisions*

19. There is a clear shift away from strong operative Treaty clauses toward weaker, descriptive ones. While promoted as clarifying obligations, this undermines established legal protections for Māori.
20. Cabinet has ruled out a general operative Treaty clause in the RMA replacement.
21. The Waitangi Tribunal in its Ngā Mātapono Report<sup>3</sup> found that the Treaty clause review process was predetermined and lacked proper consultation with Māori.
22. The shift away from Treaty clauses toward references to Treaty settlements risks eroding Māori rights and creating inconsistency across legislation. The Fast-Track Approvals Act 2024 focuses on settlement obligations only and excludes direct reference to Te Tiriti o Waitangi, consistent with a broader policy shift away from Treaty principles in law.

<sup>3</sup> <https://www.waitangitribunal.govt.nz/en/news/tribunal-releases-report-on-treaty-principles-bill>

### *Restriction of Māori involvement in planning*

23. The introduction of National Environmental Standards will raise the thresholds for activities requiring resource consent and the centralisation of decision-making to central government will limit local input on a range of issues. Together, these changes are expected to limit opportunities for Māori to participate in planning and consenting processes, impacting on existing Treaty settlement redress. It is unclear how this might affect Te Upoko Taiao and the Wairarapa Moana Statutory Board redress.
24. Mechanisms such as Mana Whakahono ā Rohe, joint management agreements and transfer of powers are also under review.
25. These changes may reduce opportunities for Māori participation, including iwi that have yet to settle, in areas such as taonga, wāhi tapu, wāhi whakahirahira, planning, policy, governance, joint management, and consenting. These changes may reduce pressure on the sector to provide opportunities for Māori participation, and we will need to navigate carefully through the complexity.

### *Review of existing Treaty Settlements*

26. Cabinet<sup>4</sup> has indicated that the scope of current reforms may require the renegotiation of existing Treaty settlement arrangements. This creates a lot of uncertainty for mana whenua.
27. Treaty settlements, while intended to be full and final, were negotiated within specific legislative contexts, particularly the RMA, and included mechanisms for ongoing Māori participation in environmental decision-making.
28. Reopening these settlements would have a profound impact on Māori. Many iwi and hapū entered into these agreements in good faith, believing them to be enduring. Being forced to revisit settlements undermines their finality, but also imposes additional burdens – emotional, legal and financial – on Māori communities.
29. From a policy perspective, this could create challenges for the implementation of the RMA reforms. It introduces legal risks, disrupts partnership agreements and may delay reform outcomes due to the need to renegotiate.

### *Water allocation and Māori rights*

30. The current "first-in, first-served" system has long disadvantaged Māori. While the Government acknowledges this and will explore a staged approach to developing a new framework, there is no firm commitment to recognising Māori water rights and Cabinet has indicated there could be challenges with the approach recommended by the Expert Advisory Group. Engagement is planned with select Māori groups, including the National Iwi Chairs' Forum and Te Tai Kaha.
31. The Crown has long promised to address these issues, often only after being challenged through the Waitangi Tribunal or taken to court. Despite repeated

<sup>4</sup> [CAB-25-MIN-0080.01 para 87](#)

findings that the existing system breaches Treaty principles, meaningful reform has been slow and contested.

## **Ngā tikanga whakatau**

### **Decision-making process**

32. The matter requiring decision in this report was considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

## **Te hiranga**

### **Significance**

33. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of these matters, taking into account Council's *Significance and Engagement Policy* and Greater Wellington's *Decision-making Guidelines*. Officers consider that these matters are of low significance due to their administrative nature.

## **Te whakatūtakitaki**

### **Engagement**

34. Due to the low significance of the decision, community engagement was not required.

## **Ngā tūāoma e whai ake nei**

### **Next steps**

#### ***Proposed positioning moving forward: Submissions and Partnerships***

35. As we move forward, there are still several proposed legislative changes to prepare submissions for. These are critical opportunities to ensure Māori rights and interests under Te Tiriti o Waitangi are properly considered and safeguarded. In this context, it is important that in our submissions we reflect the perspectives of our mana whenua partners, alongside broader stakeholder interests.
36. To ensure that our submissions reflect the impacts on Māori rights and interests, Te Hunga Whiriwhiri will continue to work closely with our wider Greater Wellington teams, and other special interest groups such as Te Uru Kahika and Ngā Kairapu.
37. Greater Wellington has a long history of commitment to our mana whenua partners, which have been formalised through a range of commitments such as our Memorandum of Partnership, Te Whāriki and Tūāpapa and Kaupapa Investment Agreements. We will continue to strengthen these partnerships by maintaining regular communication and trying to align our key messaging where appropriate through the submissions process.
38. While we remain deeply committed to our partnerships, there are significant challenges and risks involved in maintaining these relationships. These include differences in priorities, resource constraints and tensions in decision-making. To navigate these complexities well, it's important we proactively engage in open

dialogue. We will continue to work with our partners to identify areas of mutual interest and strength, seeking opportunities that can lead to innovative and culturally appropriate solutions. These opportunities are not only about managing risks but also about fostering deeper partnerships that empower Māori communities to take ownership of decision-making in ways that align with their values and aspirations.

39. We will continue to keep Te Kōmiti updated on key developments related to the submission process, as well as ongoing partnership efforts and challenges. Regular updates will ensure that Te Kōmiti remains informed and can provide guidance as needed to navigate the complexities of the legislative landscape.
40. We recognise the importance of keeping all parties involved in the process, and ensuring that feedback and contributions from Te Kōmiti are incorporated into the ongoing discussions and decision-making.

## **Ngā kaiwaitohu**

### **Signatories**

Writers	Tawhiwhirangi Skipper – Senior Māori Advisor
Approvers	Ana Nicholls – Acting Te Pou Whakarae

<p style="text-align: center;"><b>He whakarāpopoto i ngā huritaonga</b>  <b>Summary of considerations</b></p>
<p><b><i>Fit with Council's roles or with Committee's terms of reference</i></b></p> <p>The topic is highly relevant to the purpose of the Komiti and the commitment to our mana whenua partners and to give effect to Te Tiriti o Waitangi.</p>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>This aligns with Komiti workplan, Te Whāriki Māori Outcomes Framework, Long Term Plan Strategic Focus Area One (active mana whenua partnerships for improved outcomes for Māori) and Te Tiriti Audit report.</p>
<p><b><i>Internal consultation</i></b></p> <p>The report is based on content developed with input from Rōpū Taiao and Strategy Group.</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>Nil identified, as this is not a decision report.</p>

## For Decision

## PATHWAYS TO PARTNERSHIP: KAUPAPA INVESTMENT MODEL

### Te take mō te pūrongo Purpose

1. To update Te Tiriti o Waitangi Komiti (the Komiti) on Te Pane Matua Taiao, Greater Wellington Regional Council's strategic investment model for pathways to partnerships.

### He tūtohu Recommendations

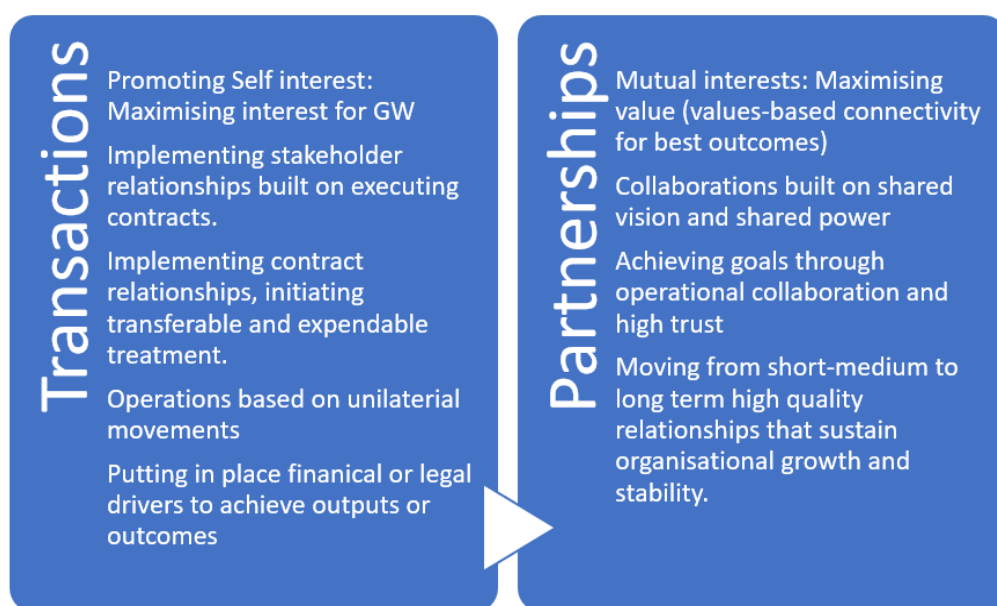
That the Komiti:

- 1 **Endorses** Te Pane Matua Taiao, Greater Wellington's approach for mana whenua priorities to lead the way we partner and invest in impactful results in striving for partnership excellence.
- 2 **Notes** the shifts in funding model to support shared outcomes and co-design with Mana whenua as part of Te Pane Matua Taiao, Greater Wellington's dynamic partnering conditions.
- 3 **Notes** Mana whenua here (at the meeting) standing beside Te Pane Matua Taiao to endorse partnerships ways of working.

### Te tāhū kōrero Background

2. Te Pane Matua Taiao (Greater Wellington) is an organisation that works hard at partnering, it deeply values its relationships with mana whenua of the region. Working in partnership with mana whenua is an expression of our kawanatanga values, embedded in our organisational practices and strategic plans.
3. Local government legislation also plays a significant role in defining Greater Wellington's partnership responsibilities and continues to shape our developing journey to partnering excellence, these include:
  - Resource Management Act 1991
  - Local Government Act 2002
  - Conservation Act 1987
  - Reserves Act 1977

- Biosecurity Act 1993
  - Land Transport Act 1998
4. Over the years, strategic insights, independent audits, continuous learning and mana whenua themselves, have driven Greater Wellington to re-think how it goes about authentic partnering. This has been the catalyst for shifting away from transactional ways of working to partnering for shared outcomes with mana whenua.



5. At Greater Wellington, *Te Whariki*, Māori outcomes framework and the *Memorandum of Partnership* remain Greater Wellington's foundation for unlocking partnership potential and driving results for;
- a effective partnering.
  - b strong prosperous Māori communities.
  - c engagement for equitable outcomes; and
  - d a capable workforce.
6. To deliver on our commitments to be a good partner, Greater Wellington has introduced new ways of working through systems-led change to build a blueprint for shared outcomes, development and understanding of the local environment that features co-design, co-delivery and mātauranga-led evaluation to inform our work together. This approach builds on our maturing partnership which started over 30 years ago with:
- Ngā Hapū o Ōtaki
  - Te Ātiawa ki Whakarongotai

- Te Rūnanga o Toa Rangatira
  - Taranaki Whānui
  - Rangitāne o Wairarapa
  - Ngāti Kahungunu ki Wairarapa
7. The next section of the report showcases Kaupapa Investment and the shifts from funding Mana whenua to partnering, through:
- Shared purpose and mutual recognition of interests
  - Value-based, principled approaches
  - Agreed process
  - Co-created solutions with shared decision-making and leadership

## Te tātaritanga Analysis

### *Transforming Partnerships through Strategic Investment*

8. With any transformation work, design and strategic insights shape change, this is no different for Greater Wellington's strategic investment approach. For Greater Wellington, *Te Whariki* remains our north-star to partnership excellence alongside our motivated to be a good Tiriti partner, this has been the genesis to design, build and deliver a product that provides an end-to-end partnership experience with mana whenua.
9. The following table outlines our markers for accelerating partnership outcomes.

Tiriti-centric ways of working	What this looks like in Action at Greater Wellington
Our kawanatanga (crown and local government) obligations are to <b>protect</b> the rights and interest of Māori.	Enabling conditions of partnership for mana whenua through, decision making, prioritising, planning, policy, implementation and evaluation
Mana Whenua exercising <b>tino Rangatiratanga</b>	Our role in working in partnerships with mana whenua, recognising and putting in place resourcing opportunities for iwi-led innovation, iwi-led authority and responsibility over matters Māori. This looks like kaupapa Māori solutions to lead partnership work
Our role in <b>equitable</b> outcomes	Addressing current systems and policy settings that create disparities and disadvantage
The recognition of <b>te ao Māori values</b>	Mātauranga Māori and Māori-led values inform the way we work. Māori worldviews are respected as legitimate pathways to partnership

### **Putting words into action**

10. For the past year, building on the legacy of Te Hunga Whiriwhiri's work in reframing our partnering approach, Kahui Taiao (Greater Wellington's cluster of Roopū Taiao (Environment Group) and Te Hunga Whiriwhiri Directors) worked together to bring systems change-thinking for investment outcomes forward. Using design platforms based on existing funding models, soft infrastructure to build a narrative and coordinate extensive work programmes, resulting in a Greater Wellington eco-system of opportunities for investing in shared priorities.
11. This approach moved us from the status-quo of procuring our partners to deliver on goods and services to re-framing mahi to look to co-design and co-develop for delivering on our shared outcomes as partnering organisations that have shared interests and responsibilities for environmental outcomes and community resilience and wellbeing. The significant shifts are outlined in the table below:

<b>Previous models of funding</b>	<b>Kaupapa Investment</b>
Where we have come from to where we are heading	
Statement of Work contracts by nature are transactional agreements based at individual teams' low-level strategic activities and operations	The Kaupapa investment model is based on coming together over strategic outcomes and priorities for operational level activities.
We have used models of funding that promoted single topic issues and opportunities which can block work flows and prohibits mana whenua from prioritising and forecasting for outcomes; stanches innovative design for holistic outcomes across facets of community resilience and Taiao betterment; keeps reactive solutions at the fore of our shared work instead of responsiveness and proactivity.	Working in an investment framework enables co-design and co-delivery upfront in alignment with shared outcomes.  Through this way of working, we can expect to see iwi-led and innovative solutions take place that exceed expectations.
Sometimes there is under-performance in planning and funding of programmes and projects because planning is not done together	This way of working ensures that planning is done together at the design and delivery and in some cases at the development phase.
There is no united platform for Greater Wellington to operate as a collective across significant projects. Greater Wellington is competing for priority status based	Kaupapa Investment agreements have been designed to be the platform for collective operation across the Environment Group, this allows for prioritisation to take place based on Mana whenua capacity and desires.

on timing and Greater Wellington demand.	
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### ***Rolling out Investment ways of working***

12. The 2024/25 financial year has seen the roll out of the strategic Kaupapa investment model, with refinements to agreements, supported by the development of internal systems that integrate and coordinate work programmes framed in both organisations strategic outcomes.
13. A sample set of these components are attached as Appendix One of this report and is intended to show alignment throughout strategic and operational levels.
14. Our approach for putting in place, is outlined below:
 

<i>Step one</i>	<b>Mana ki te mana</b> conversations across both organisations at General Manager and Chief Executive levels to work through shared outcomes ways of working, strategic alignment and priorities.
<i>Step two</i>	Followed by <b>iwi-by-iwi co-design</b> and <b>co-delivery</b> sessions to ascertain deliverables against both sets of priorities in partnership.  <b>System-wide reporting</b> mechanisms evaluation has also been implemented to assist in dual reporting and evaluation for continuous improvement.
<i>Step three</i>	Kaupapa investment agreements are in place, partnership ways of working are underway
15. Please note that an invitation has been extended to Mana whenua to address the Komiti, as it is pivotal that our partners can share their insights on our new ways of working.

### **Ngā hua ahumoni**

#### **Financial implications**

16. There are no financial implications to implement this decision as Kaupapa investment funding is drawn from existing budgets for co-design and co-delivery.
17. It is important to note that significant work from our legal, procurement and financial groups have supported this work to bring this investment model into fruition.

### **Ngā Take e hāngai ana te iwi Māori**

#### **Implications for Māori**

18. Multiple agencies and councils seek to engage with mana whenua and provide multiple funding and contracts that support this engagement. Whilst the funding and contracts are a step in the right direction between mana whenua and agencies, there are several unintended consequences of this approach:

- Multiple contracts are an administrative burden for mana whenua whose resources are limited; this approach was seen by Mana Whenua as unsustainable.
  - Does not enable iwi to express their expectations for the contracts because the process is specific to iwi providing a particular service for agencies to do their work.
  - Statements of work contract across individual teams within Greater Wellington can create duplication within the scopes of the contracts.
19. In terms of Greater Wellington, not only are we one of the multiple agencies offering contracts, we also offered multiple contracts at all levels of the organisation. Therefore, we not only exacerbated this issue at an agency level, we also compounded it at an operational level.
20. Collectivising and getting our own house in order has been a key component of our shift to being partner ready. This supports a more integrated approach so that our relationship enables two-way partnerships that are reciprocal, productive and enduring.

### **Te huritao ki te huringa o te āhuarangi**

#### **Consideration of climate change**

21. We know that climate change and resilience remain a priority for Mana whenua it is a challenge and threat to the balance with te taiao that may impact future generations. This calls for holistic approaches as an intrinsic way of working, by streamlining and improving Greater Wellington's partnering capability and capacity our work will have meaningful impacts across all taiao outcomes.

### **Ngā tikanga whakataua**

#### **Decision-making process**

22. The matter requiring decision in this report was considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

### **Te hiranga**

#### **Significance**

23. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of these matters, taking into account Council's *Significance and Engagement Policy* and Greater Wellington's *Decision-making Guidelines*. Officers consider that these matters are of low significance due to their administrative nature.

### **Te whakatūtakitaki**

#### **Engagement**

24. Due to the low significance of the decision, community engagement was not required.

## **Ngā tūāoma e whai ake nei**

### **Next steps**

25. To provide reports and updates on partnership matters, as requested by the Komiti.

## **Ngā āpitihanga**

### **Attachment**

<b>Number</b>	<b>Title</b>
1	Sample set of Outcomes-driven work in action for Kaupapa Investment


## **Ngā kaiwaitohu**

### **Signatories**

Writer	Tania Smith-Parata - Hautū Tuhonohono Mana Whenua
Approver	Ana Nicholls – Acting Pou Whakarae

<p style="text-align: center;"><b>He whakarāpopoto i ngā huritaonga</b> <b>Summary of considerations</b></p>
<p><b><i>Fit with Council’s roles or with Committee’s terms of reference</i></b></p> <p>The Komiti has the authority to consider this matter as set out in the Te Tiriti o Waitangi Komiti Terms of Reference.</p> <p style="text-align: center;"><i>Te Tiriti o Waitangi Komiti has responsibility for:</i></p> <p style="text-align: center;"><i>2.2 Influence Council, committees, and Greater Wellington decision-making across strategies, policies, plan, programmes, initiatives, and indicators through application of Council’s Te Tiriti o Waitangi principles, which are as follows:</i></p> <ul style="list-style-type: none"> <li><i>a) Pātuitanga / Relationships and Partnerships</i></li> <li><i>b) Kōwhiringa /Options</i></li> <li><i>c) Tino Rangatiratanga/Self Determination</i></li> <li><i>d) Whakamaru/ Active protection</i></li> </ul>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>Partnership with Mana whenua remains one of our strategic goals as outlined in our overarching planning documents including the Long term Plan, Annual Plan and Te Whariki.</p>
<p><b><i>Internal consultation</i></b></p> <p>The kaupapa investment approach has been developed and refined over the years to support partnership and the move away from transactional interactions, this has been delivered as part of our new way of working internally with the Environment Group and Te Hunga Whiriwhiri in the Kāhui Taiao. This will be rolled out across other groups using co-design</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>As noted in the report, significant work from our legal, procurement and financial groups have supported this work to bring this investment model into fruition.</p>

Appendix One: Sample set of Kaupapa Investment documentation mapping mana whenua priorities to Greater Wellington strategic outcomes and our Environment Group frameworks before settling into outcomes and delivering together.

TROTR Intergenerational Prosperity Matrix	GW Strategic Outcomes	EG Strategic Framework	Kaupapa Outcomes	Kaupapa	Description
<p><b>Tikanga</b> - Ngāti Toa Rangatira are able to observe their tikanga in relation to Te Taiao and this is widely recognised. Tikanga approach are also sought as mainstream management tools (e.g. rāhui)</p> <p><b>Whakapapa</b> - The relationship between Ngāti Toa Rangatira and Te Taiao is recognised, valued and respected and that connection is visible in day-to-day interaction with Te Taiao.</p> <p><b>Rangatiratanga</b> - Ngāti Toa Rangatira are able to exercise their Rangatiratanga across their role in relation to Te Taiao and their rights and interests in freshwater are recognised and provided for</p> <p><b>Mātauranga</b> - The support and application of mātauranga Māori is strong, particularly regarding monitoring</p> <p><b>Kawa</b> - Ngāti Toa Rangatira are able to exercise cultural responsibilities and</p>	<p><b>Te Whāriki</b></p> <p><b>Key principles:</b></p> <ol style="list-style-type: none"> <li><b>Partnership</b> – Mana whenua as partners and kaitiaki are actively involved in decision making from beginning to end.</li> <li><b>Opportunities focused</b> – Realise innovative opportunities to progress partnership aspirations in the dynamic Crown and Māori environment.</li> <li><b>Effective participation</b> – Mana whenua and Māori are resourced and enabled to participate in decision making.</li> <li><b>Evidence based decision making</b> – Mātauranga Māori is an integral part of our policy, planning and implementation.</li> </ol> <p><b>Focus areas:</b></p> <ul style="list-style-type: none"> <li>Effective partnering</li> <li>Engagement for equitable outcomes</li> </ul>	 <p>Safeguarding and restoring ecosystems and natural environments across our rohe</p> <p>Air, land, ecosystems, freshwater bodies, the coastal marine area and the indigenous species that live in these environments throughout catchments are enabled to thrive in an integrated and connected way.</p>	<p>TROTR are able to lead the co-design of catchment planning across their rohe.</p> <p>Catchment planning and implementation strongly reflect te ao Māori and mātauranga Māori perspectives</p>	<p><b>Whaitua (Catchment) planning and implementation</b></p>	<p>Porirua Harbour Accord</p> <p>Holistic, integrated planning of mahi in Kāpiti</p> <p>Kāpiti Whaitua Implementation Programme development</p> <p>Te Mahere Wai implementation</p>
			<p>Regulatory changes are increasingly planned, made and implemented in partnership with TROTR to ensure alignment with iwi values, tikanga and environmental priorities.</p>	<p><b>Plan Change engagement (tbc for out-years)</b></p>	<p>NRP and RPS changes, Whaitua Kāpiti plan change and PC1 engagement. <i>Funding is for the duration of the plan change</i></p>
				<p><b>Compliance approach</b></p>	<p>Scoping mana whenua partnership opportunity in compliance education, enforcement (e.g. restorative justice), monitoring of consents, and incident response</p>
			<p>Development of Te Awarua o Porirua monitoring &amp; research, and flood and groundwater modelling across the rohe and is influenced and led by TROTR and more strongly influenced by application of mātauranga.</p>	<p><b>Modelling</b></p>	<p>Flood Modelling Groundwater Modelling (scoping required)</p>
				<p><b>Kaitiaki monitoring</b></p>	<p>Co-design of a monitoring and research programme for the Porirua Harbour. Potential to put some of this funding towards co-delivery as required</p>