

Date: 8 June 2021
From: Trustees of the Papawai Pā Trust
To: South Wairarapa District Council Māori Standing Committee
Subject: Concerns regarding the Council and the Committee



Introduction

1. This letter is submitted by the Trustees of the Papawai Pā Trust ("**the Trustees**") in respect of the South Wairarapa District Council ("**the Council**") and the South Wairarapa District Council Māori Standing Committee ("**the Committee**").
2. On 6 June 2021, the Trustees convened a meeting of trustees to discuss several concerns regarding the Council and the Committee (among other matters). This letter outlines and summarises these concerns as well as the Trustees' current position in relation to them.

Concerns of the Trustees

3. The Trustees have several concerns that require further understanding, discussion and consideration between us as a committee, with other Mana Whenua groups such as Rangitāne and Ngāti Kahungunu, and with Papawai Pā uri of whom we represent. Part of these discussions will be thinking about potential areas for improvement and solutions to these concerns.
4. However, it is important that the issues as we understand them are brought to the Committee's attention now in advance of its meeting scheduled for 8 June 2021, where the Committee intends to approve the draft Terms of Reference for the Committee. The Trustees are hopeful that our concerns are noted and taken on board by the Committee when considering areas for improvement and solutions going forward, including when considering the draft Terms of Reference for the Committee and any further amendments to them.
5. By way of summary, the Trustees' concerns include:
 - a) The delay and the lack of engagement with Mana Whenua by the Council and the Committee to consider the establishment of a Māori Ward (effectively resulting in a Māori Ward not being voted on by the Council);
 - b) That the Committee's mandate to represent Mana Whenua appears to be inadequate given that Rāwaho and Council members currently comprise a majority of the Committee's membership;
 - c) That it appears matters concerning Mana Whenua are not distinguishable from matters concerning Tangata Whenua more generally and that this is not necessarily reflected in decision-making powers (for example, taonga and natural resources);

- d) The need to review the relationship between the Council and the Committee to ensure it is effective, meaningful and works in the best interests of Mana Whenua;
- e) Uncertainty regarding the purpose, powers, functions, and decision-making processes of the Committee and whether the Committee is fit for purpose in the context of:
 - (i) the post Te Tiriti o Waitangi settlement era;
 - (ii) the reforms to the Local Government Act 2002 and the Resource Management Act 1991, including the strengthening of Mana Whakahono ā Rohe Agreements; and
 - (iii) the decisions of several other Councils around the country to establish Māori Wards, including the Masterton District Council.
- f) Unreasonable time constraints on Mana Whenua and Committee members to fully consider, discuss and form a position on the information provided in the meeting packs, which are provided only two days prior to Committee meetings;
- g) The current structure of the Committee, including that:
 - (i) it is a sub-committee with only advisory powers;
 - (ii) it is managed and administered by the Council;
 - (iii) it is directly accountable to the Council and governed by the Chief Executive;
- h) The lack of information provided to newly appointed Committee members including that there is no formal induction process;
- i) That ultimately, the relationship between the Council and the Committee has been ineffective in ensuring that Te Tiriti o Waitangi obligations are upheld. As a result, Mana Whenua such as Papawai Uri have not moved further along the spectrum towards Tino Rangatiratanga within the current Māori Standing Committee framework.

Current Position of the Trustees

6. At our meeting on 6 June 2021, the Trustees present concluded that:

- a) In regard to the concerns highlighted above at paras 4 (a) – (i), the Trustees are currently not confident that the Council or the Committee are effectively representing, advocating and implementing the views, rights and interests of Mana Whenua;
- b) A hui be convened to further understand, consider, and discuss these concerns including potential areas for improvement and solutions between Mana Whenua including Papawai Pā uri, Ngāti Kahungunu, Rangitāne and Kohunui Marae. Until that

hui is convened, the Trustees are unable to comment on, support or oppose the draft Terms of Reference for the Committee.

Conclusion

7. Based on these concerns, we think it is premature for the Committee to approve the draft Terms of Reference for the Committee at this stage.
8. As Trustees, we intend to hold a hui with other Mana Whenua groups including Papawai Pā uri, Ngāti Kahungunu, Rangitāne and Kohunui Marae to further understand, consider, and discuss these concerns further including potential areas for improvement and solutions.
9. We would be pleased to discuss this letter and our concerns with the Committee and the Council.

A handwritten signature in black ink, appearing to be 'Joseph Nuku', with a stylized flourish at the end.

Joseph Nuku
Chairperson
Papawai Pā Trust
papawai.marae@gmail.com