



6 Paenga-whāwhā 2021

File Ref: OIA 42867

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Tēnā koe Chris

Official Information Act request

Thank you for your information request dated 19 Poutū-te-rangi 2021. Your request has been considered in accordance with the Official Information Act 1982 (the Act).

Your questions and my responses are below.

1. *Kapiti Coast District Council says it uses TPK advice to limit its Maori consultation to three 'whakaminenga' groups in the kapiti area (Ati Awa, Toa, Raukawa) and has chosen to discharge its duties with - one of them being Te Ati Awa Charitable Trust. Since the 'mandated iwi authority' terms have recently turned up in RMA legislation, it seems councils are taking an iwi saying it is 'mandated' as an excuse to ignore other iwi groups/Maori and their relationship with the whenua, particularly with regard to the RMA. Under the official information Act would you provide any specific advice TPK has provided to KCDC regarding this over the past three years or whenever the 'mandated iwi authority' terminology from the RMA came into being (whichever is longer).*

The disclaimer available on Te Kāhui Māngai website advises that:

“Users should note that descriptions of rohe (tribal areas / areas over which iwi exercise kaitiakitanga for the purposes of the Resource Management Act 1991) are a record of information supplied by representative Māori organisations and have not been edited or changed by Te Puni Kōkiri in any way. Therefore, their presence on this site does not imply endorsement or any statement about the accuracy of that information by Te Puni Kōkiri or the Crown. This information should not be construed as advice from the Crown, nor any Crown agency, on which iwi authorities or hapū in a particular rohe should be consulted or engaged with on a particular matter. This is for users to determine depending on their statutory or other requirements.”

Te Puni Kōkiri has not provided any advice to Kāpiti Coast District Council in regards to iwi authorities and as such, this part of your request is refused under section 18(g)(i) as the information requested is not held.

2. *More particularly could you provide a copy of any information you have access to which explains how Te Ati Awa ki Whakarongotai Charitable Trust is regarded as an iwi authority for purposes of the RMA as noted on your website Te Kahui Mangai or any other formal channels that KCDC may be informed by.*

Te Kāhui Māngai gives information on iwi identified in the Māori Fisheries Act 2004, and those iwi/hapū that have begun the process of negotiating settlement of their historical Treaty of Waitangi claims; this includes their rohe, hapū, marae, and the organisations whose mandates to represent these iwi/hapū have been recognised by the New Zealand Government. These representative organisations are;

- Mandated Iwi Organisations and Recognised Iwi Organisations in the Māori Fisheries Act 2004; and
- Mandated bodies recognised for Treaty of Waitangi settlement purposes, including Treaty negotiations and post-settlement governance entities.

Te Kāhui Māngai also includes:

- Iwi authorities and Groups that represent hapū for the purposes of the Resource Management Act 1991;
- National and Urban Māori organisations that have statutory associations with representative iwi organisations ("Other Organisations"); and
- Urban and Institutional Marae.

3. *What process does TPK have in any such recognition (other than iwi groups self-claiming).*

Please refer to the response for question two.

4. *Aside from the disclaimer on the TKM website - what other information do you hold that would lead KCDC to report TPK has advised it to only deal with said trust instead of other Maori in the related rohe.*

None.

5. *What information do you hold regarding a process that enables other iwi or hapu groups to be recognised as authorities for RMA purposes?*

Please refer to the response for question two.

I trust my response satisfies your request.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that Te Puni Kōkiri publishes some of its OIA responses on its website, after the response is sent to the requester. The responses published are those that are considered to have a high level of public interest. We will not publish your name, address or contact details.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to email us at oiia@tpk.govt.nz.

Ngā mihi

A handwritten signature in blue ink, appearing to read 'G Short', is centered on the page.

Geoff Short
Hautū, Te Puni Kaupapa Here | Deputy Secretary, Policy Partnerships