

Building a Voice for Ngati Pahauwera Ngati Pahauwera Governance Entity Consultation

Napier/Mohaka/Gisborne/Palmerston
North/Wellington/Christchurch/Hamilton/Auckland
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Present Situation

- Since 1994 Ngati Pahauwera has been represented by the section 30
- Section 30 continues to be legally required to represent Ngati Pahauwera
- Ngati Pahauwera engaged in a number of projects:
 - Treaty settlements
 - River management issues
 - Customary rights order application
 - Hydro dam proposal

Need for a Governance Entity

- Now need for a body, fully accountable to Ngati Pahauwera, which can:
 - Receive settlement assets either through negotiations or remedies
 - To investigate possible commercial opportunities eg joint ventures
 - To ensure continuity of leadership if the section 30 representatives desire to undertake other activities
- Preparation of Discussion Booklet to enable discussion of issues

How do we do this?

- Section 30 developed Governance Entity Discussion Booklet
- Presently consulting with Ngati Pahauwera
- After feedback will finalise proposal and put to Ngati Pahauwera for ratification
- If ratified will set up Governance Entity

Requirements for Governance Entity

Any Governance Entity needs to be able to:

- Meet key leadership roles for Ngati Pahauwera
- Meet Crown requirements to receive settlement assets

Key Leadership Roles

- The ongoing governance of Ngati Pahauwera post settlement
- Receipt and management of assets received on settlement
- Distribution of benefits received by Ngati Pahauwera as a result of the Treaty claims
- Oversight of Treaty negotiations in respect of both the river and land claims
- Commercial negotiations (for example in relation to any future proposal for a hydro dam)
- Representing Ngati Pahauwera in discussions or negotiations with Government departments and/or local authorities as necessary
- Representing Ngati Pahauwera in discussions with other iwi and hapu

Crown Criteria

- Adequately represent and be fully accountable to all of Ngati Pahauwera confederation
- Have transparent decision-making and dispute resolution procedures
- Ensure the beneficiaries of the settlement and the beneficiaries of the governance entity are identical
- Be ratified by the claimant community
- Be efficient.

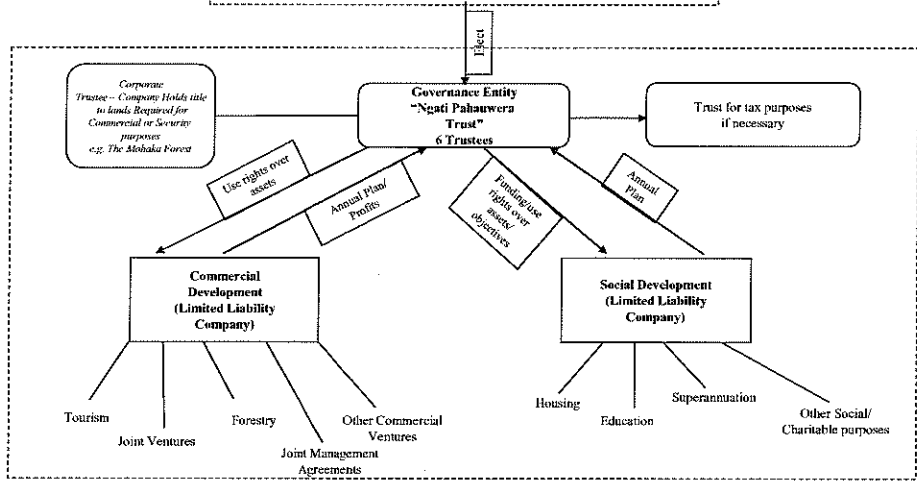
Key Considerations in Developing Proposal

- Simplicity
- Representation and Accountability
- Affordability
- Need to generate income
- Consistency with tikanga

Proposed Structure

Ngati Pahauwera Governance Structure
- Ngati Pahauwera Group

Ngati Pahauwera (over 18 years of age)
elect 6 representatives
(who become the Trustees)



Key Issues

- Structure
- Representation
- Definition of Ngati Pahauwera

Structure

- Trust allows direct election of representatives
- Separation of governance and operations
- Separation of assets and risk
- Most practical of structures available
- Used by other iwi

Representation

- Proposal is that the six elected representatives are the trustees, apart from the first term where there will be:
 - three elected representatives; and
 - three remaining active members of the section 30
- Trustees elected for the terms of two years, with the exception of the first term
- **Do we need more or less trustees?**
- **How long should they be elected for?**
- **Should the remaining section 30 have an ongoing role?**

Definition of Ngati Pahauwera

- Important, because it defines who the governance entity is representing
- The draft claimant definition used in the Discussion Booklet:

Ngati Pahauwera are those that descend from one or more of the hapu listed in [Appendix B] and who have exercised or descend from those who have exercised customary rights within Mohaka. Mohaka is defined as the area set out in the map in [Appendix C].
- **We need to know if this definition is too wide or too narrow**

NEXT STEPS

- November-December 2007:
 - Consultation hui – feedback and comments from iwi
 - Comments sought from OTS
- February-April 2008:
 - Proposal finalised and circulated
 - Wananga on Claimant Definition
 - Hui-a-iwi to approve core elements to go to ratification
- April-May 2008 :
 - Postal ballot held – claimant beneficiaries vote on proposal
- June 2008:
 - Governance Entity established

Contact

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