



Willie Jackson (left) and John Tamihere presenting submissions to the Auckland Governance Legislation Committee at Hoani Waititi Marae

We, John Tamihere and Willie Jackson are authorized by the National Urban Maori Authority to make this submission on their behalf.

Both of us are the Chief Executive Officers for our respective Organizations, Te Whanau O Waipareira Trust and Manukau Urban Maori Authority respectively.

Status

Our status to make this submission is supported by the Waitangi Tribunal report known as the Waipareira Report (Wai 414). You will be aware from this report that the Waitangi Tribunal recognizes Whanau such as Waipareira as a modern evolution of Maori traditional structures known as Iwi Hapu Whanau. Further it acknowledged Maatawaka whanau as having the right to express their Treaty entitlements outside their traditional tribal rohe from which they emanated.

Manukau Urban Maori Authority asserts exactly the same rights.

Mana whenua groups in Auckland are extraordinarily well resourced, organized and in fact on a per capita basis will be the richest groupings of Maori in the country post settlement. They have defined and discrete beneficiary basis for obvious reasons. Whilst we are supportive of them non mana whenua Maori are not subservient to them. We are respectful in our cultural

acknowledgements but we are not second class Maori solely because we do not whakapapa to mana whenua.

Our Treaty rights are ambulatory and they are vested in the flesh and blood of the people regardless of where they may reside.

Hoani Waititi Marae and the whare you are presently in are clear monuments to what I have stated above.

The Right to Maori Representation

The Treaty of Waitangi is an evolving process which is only being accepted within our constitutional development over this generation. Just because our rights entitlements and the obligation owed by our Treaty partner are only now being debated and being given some effect does not preclude our right to representation not just at a central government level but it must follow into local government.

We cannot be overridden by the spurious argument that minorities must always be overruled by the tyranny of the majority.

The wider New Zealand public are ignorant of the fact that Maori control thousands of hectares of land in this country under a separate Maori Land Court structure they are unaware that most land titles derive from a Maori Land Court whakapapa.

They are unaware of a huge range of customary rights that have yet to be debated but can only be applied by Maori people and no other. This is not discrimination and this is not separatism it is a fact born out of hundreds of years of constitutional probity applied by our United Kingdom fore fathers.

As Treaty jurisprudence continues to evolve it must follow that we have rights of representation in order to give substance to Articles 2 and 3 of the Treaty.

Article 2 reserved unto Maori Rangatiratanga over all their people, their lands, forests, fish and all other Taonga. Article 3 must be read subject to Article 2 where in Article 3 gives us equality and protection under the Auspices of the Crown.

We are not asking for a special entitlement and could argue that we deserve no less than 50% of all Seats on the Council. The fact that we are being dignified gracious and as usual not greedy and grasping should mean that we are given greater plaudits.

Accordingly this Legislation must have a Treaty clause clearly acting as a Bill of Rights provision protecting the interests of Maori throughout the totality of the Legislation eg. The Health and Disability Act 2002.

Because we will only have 3 Seats in the Council it is important that the Legislation acknowledge the Treaty obligations by ensuring Maori participation not only at the Council level but also into every Ward and every at large Council area cascading down into the Board and acknowledged through the totality of Administration.

These belts and braces are essential so that our representation is not firstly minimal but because we do have significant separate rights we must be protected by being represented throughout the system in particularly in the bureaucracy.

Every Maori will know that Advisory Committees or so called Maori standing Committees have merely being the Dial-a-Powhiri mob. The only substance received from Waitakere City over the last 20 years is a Sectioned off area of Waikumete Cemetery designated as an Urupa which we still have to play the right to a burial plot in. No one can point to one other outcome from the Taumata runanga at Waitakere City. There is no doubt that the Mayors always

have paid us a diplomatic, tactful but factuous acknowledgements without any authority or resource or power sharing.

Royal Commission of Inquiry

We unreservedly support the recommendation of the Royal Commission of Inquiry into the Supercity. We support the Commission given the significant and costly process undertaken. Consultation with Maori occurred with individual meetings across Auckland with a varied range of leaders in our Maori Communities covering Mana Whenua and Urban Maori such as ourselves. Further major consultation Hui were held in Marae across our region and public submissions from Maori were made notwithstanding this.

The net outcomes recommended as you will be aware were for 3 Seats. One (1) committed by appointment process by Mana Whenua and two (2) members to be elected by recourse to the Maori electoral roll covering the 7 cities.

It follows that as our members will be elected at large we support the Royal Commissions recommendations in regard to a mixed ward and at large representation.

We do this in support of at large members because we must start to concentrate on Auckland as a region and to advance this it would be inappropriate to continue to reward parochial behaviors presently entrenched in the present councils.

In fact the Supercity restructure will hopefully challenge entrenched organized vested behaviors where in a small group of people continue to capture the control of our local body cheque book and decision making processes.

Powers of the Mayor

It is important that the Mayor have a large range of executive powers. The last local government reformation of 1989 transferred far too much power to the

bureaucracy by way of the Chief Executive Officer wielding far more power than the elected Politicians. A re-balancing must take place

Further the Office of the Mayor and the Office of the Chief Executive must have well resourced Maori support directorates in their Office.

Right now across all seven (7) Cities deals are being done to protect the vested interest of a number of people who have controlled our Local Authorities for a long time as usual Maori are not at the table not thought of and therefore never counted.