

Delivering on Obligations to Maori: Proposed Design for Ministry Services to 2014

Chief Executive Consultation with Staff and Tangata Whenua

November 2009



This is a proposal...

Tena koe i o tātou aituā maha e ngapu nei te whenua i to rātou hinganga.

Heoi ano, e taea te aha atu i te tangi, i te maumahara ki a rātou i mahi ai?

No reira, waiho rātou ki a rātou, ko tātou, tēnā ano koe.

- This is a proposal. I value your views and comments on the proposed approach to our arrangements for services to meet our obligations to Maori so that we can meet today's and tomorrow's challenges.
- This design is about more than structure. It includes ways we need to change our focus and processes to deliver on Government priorities and obligations.
- There are many aspects of the way we do things now that are good and we need to build on these. This proposal looks to do this.
- In the 2 years since I commenced as Chief Executive I have met with many staff and tangata whenua who are focused on all aspects of the obligations MFish has on behalf of the Crown. These derive from our Treaty partnership, the Deed of Settlement, legislation and regulations.
- I recognise the importance of fisheries to tangata whenua and the opportunity that exists for improving input and participation into managing our fisheries.
- We have made good progress since 2004 in establishing ways to deliver on our obligations to Maori. With the clarity of Fisheries 2030, our Fisheries Treaty Strategy and delivering on input and participation, the revised objectives-based fisheries planning approach and recent Ministry organisation changes we can now look forward to the next 5 years to ensure we continue to improve on our services to deliver on our obligations.

- In recent years the Ministry has assisted iwi to establish regional forums, implement customary regulations, train kaitiaki and tangata tiaki, process applications for customary management tools, and develop iwi management plans. The work to date provides a very good foundation to build on.
- The current national and international environment is challenging and all Government departments are being asked to be more effective, with the same or less resources. Fisheries is no different. This year we have reduced our budgets as a result of line-by-line reviews and reprioritisations. Next year and for a number of years following we do not expect to have any more resources to apply to meeting our obligations. We must find ways to be more effective in our engagement with tangata whenua, and maximise the progress that can be made.
- The review of the Ministry's organisation design in the first half of 2009 has created a different Ministry with new focus on managing fisheries. We will need to be more productive and better integrated, and be more efficient in our engagement. It is now appropriate to review and propose improved arrangements for delivering on our obligations to Maori.

Heoi ano

Naku noa

Na

Wayne McNee
Chief Executive

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Treaty obligations and tangata whenua partnership in fisheries management

- The Crown has fisheries obligations to tangata whenua with respect to:
 - providing for input and participation in fisheries management and having regard to Kaitiakitanga
 - customary non-commercial fishing (use and management rights)
 - commercial fishing (allocation, use and consultation rights)
 - aquaculture (commercial through the 2004 settlement; non-commercial through Foreshore and Seabed Act)
 - Treaty of Waitangi settlements with individual iwi and hapu (protocols)
 - Foreshore and Seabed negotiations with individual iwi
- These obligations are the drivers for the services that the Ministry delivers and are the foundation for this proposal.

Our ways of engagement with iwi/hapu need to change

- With the number of regional forums now operating, moves to establish a national forum, and take up of customary regulations, MFish needs to be more effective in its engagement. We will need to do more with our current resources. Maintaining the current level of engagement cannot be sustained. When delivering our services and undertaking our role we will need a clear rationale for why we are engaging, who we are engaging with and what the mode of engagement is. Only a small proportion of engagement is *required* by legislation, the Treaty of Waitangi, or settlement obligations. Engagement needs to be effective and efficient for both the Ministry and tangata whenua.
- Our increased focus on fisheries management with simplified fisheries planning will impact on future engagement required with tangata whenua and stakeholders, and the amount of resources we can deploy in this area. Face to face engagement will lessen but be more focussed and in future may be supplemented by increased use of electronic tools and online information provision. Opportunities for improving information sharing (eg customary catch reporting information) and other fisheries information will need to be developed by the Ministry.
- Our engagement will begin and be focused at the iwi level, through supporting the development of Iwi Fisheries Plans (IFPs). These will be the basis for participation into sustainability decisions, and guide their non-commercial customary management.
- The Ministry is looking to consolidate the current different regional forums.
- The Ministry also seeks a national iwi fisheries forum representing Maori non-commercial customary and commercial interests, because of the increased focus on the national framework and national fisheries plans. This will complement and reinforce the direct input of iwi/hapu into fisheries management via their iwi fisheries plans. We would like feedback from iwi representatives on how a national iwi fisheries forum should be constituted and achieved over time.
- Where possible, the Ministry will seek to further develop a wider whole-of-government approach to engagement.

Findings from our analysis

- The achievements of the last 5 years mean that the arrangements that enabled these now need to be revised to suit the next stages of development
- The Ministry's fisheries planning framework has changed, and so the way we work with iwi/hapu also needs to change
- Within the Ministry, we need a clearer management and accountability framework. There is a lack of role clarity, MFish delivery varies between regions and the roles of the Pou Hononga and Pou Takawaenga have been merging
- There is a lack of integration between iwi customary and commercial interests
- MFish internal processes lack the clarity and coherence required (between frontline managers, the spatial team, customary relationship team staff etc) and the ratio of Pou staff with other MFish Groups is unbalanced.
- There is scope to improve integration between Crown agencies (ie whole-of-government approach)
- Freshwater issues have the potential to require more resource over the next few years
- We do not always demonstrate that we understand our obligations. We have opportunities to better integrate Maori advice into fisheries management and decision-making
- We have the capabilities required: political and senior level commitment, experienced staff skilled in engaging with Maori, and technical staff to deliver on policies and plans
- We have uneven response to engaging with Maori. The regional forums are good, and would benefit by providing a more direct link to MFish management
- We need to communicate more effectively, and we need to strengthen current bridges
- While iwi generally think that the Pou Hononga and Pou Takawaenga do a good job, they have varying degrees of satisfaction with the overall results achieved

Focus for the next five years to 2014

- The five years to 2014 will see significant progress being achieved in implementing Fisheries 2030, our Fisheries Treaty Strategy, objectives-based fisheries plans, and settling historical grievances.
- In July 2009 we completed and advised staff and tangata whenua of our approach to meeting our Obligations to Maori through the Treaty Strategy, and specifically the approach to input and participation. The vision for the Treaty Strategy is:

Tangata whenua and the Crown working in partnership to provide for the utilisation of fisheries resources while ensuring sustainability; having particular regard to Kaitiakitanga; with the Crown meeting its obligations to Maori.

- Underpinning the proposal are the following design parameters:
 - The Ministry will work with tangata whenua at a national, regional and local level; our preference will be to work with iwi/hapu representatives as the prime point of engagement at national and regional levels, while recognising the need to also work at local levels.
 - Iwi-developed Iwi Fisheries Plans will be the most effective means of determining iwi aspirations for input into managing fisheries, to integrate iwi customary and commercial interests and provide a framework for non-commercial customary management.
 - We will set ourselves targets to achieve over the next five years that demonstrate progress and enabling input and participation.
 - Prioritisation of our work will be essential as we must manage within limited resources, that will not be increased over the five years ahead.

Focus for the next five years to 2014

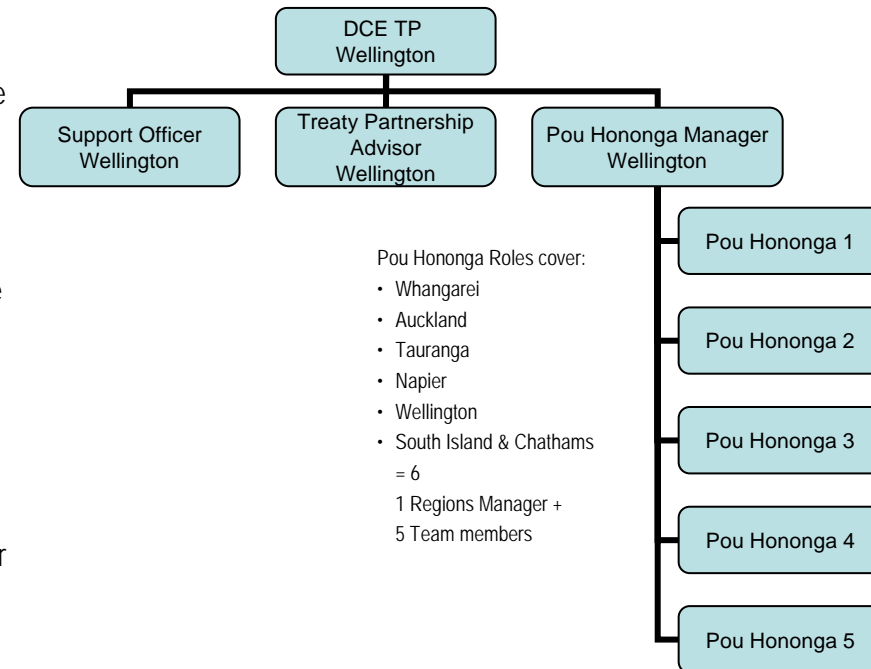
- Substantial progress is expected to be achieved in the Crown delivering on its obligations to Maori through:
 - Integrated Iwi Fisheries Plan (IFP) development for approximately 60 iwi/hapu (>85% complete, and maintained)
 - Customary regulation implementation (>80% gazettal); enhanced tangata kaitiaki and tangata tiaki training programme implemented
 - Disputes settled in a timely manner
 - National Iwi Fisheries Forum of iwi leaders covering customary and commercial interests contributing to national issues
 - Regional forums aligned with FMAs as the core unit at which fisheries management decisions are made (regional forums rationalised to 6-8 FMA aligned forums)
 - Iwi/hapu effecting greater management control of customary fisheries
 - Up to 70 individual iwi protocols implemented, including the 11 already signed (also based around IFP development)
 - No contemporary Treaty grievances
 - Commercial fisheries obligations delivered as new species introduced into the QMS
 - Aquaculture “pre-commencement” settlements completed, and new space delivered

The Proposed Changes

For the Ministry to be an effective Treaty partner we must realign our resources to obtain the most efficient and effective arrangements. The proposal is to arrange the current level of resources and services in a more integrated way, to connect up our internal processes more effectively, and to ensure that our fisheries managers and decision-makers are more accessible and have a better understanding of the aspirations of tangata whenua.

Deputy Chief Executive Treaty Partnership

- o In the recent decisions on the Ministry's organisation design I created the position of Deputy Chief Executive Treaty Partnership. Ben Dalton has since been appointed to this role and will commence with the Ministry at the beginning of 2010. This is a significant leadership appointment for the Ministry and tangata whenua.
- o Ben will be accountable for ensuring that all Ministry groups understand our obligations to Maori, maintaining and building clarity within the Ministry on these obligations, acting as the liaison with the Iwi Leaders Group and chairing the Ministry's Obligations to Maori governance committee, providing support to me and assisting me to hold Strategic Leadership Team (SLT) members to account for delivery on obligations.
- o To provide Ben with an effective means to undertake this role I am proposing Ben head a team of staff responsible for developing and maintaining long term relationships with tangata whenua through our national and regional forum structures. Ben will have the support of five Pou Hononga and a Pou Hononga manager. He will also have a Treaty Partnership advisor responsible for assisting him in evaluating delivery on obligations across the Ministry.



Note: The original title proposed was DCE Treaty Partnership and Obligations to Maori (DCE TP & OTM). I am intending to shorten this to DCE Treaty Partnership (DCE TP).

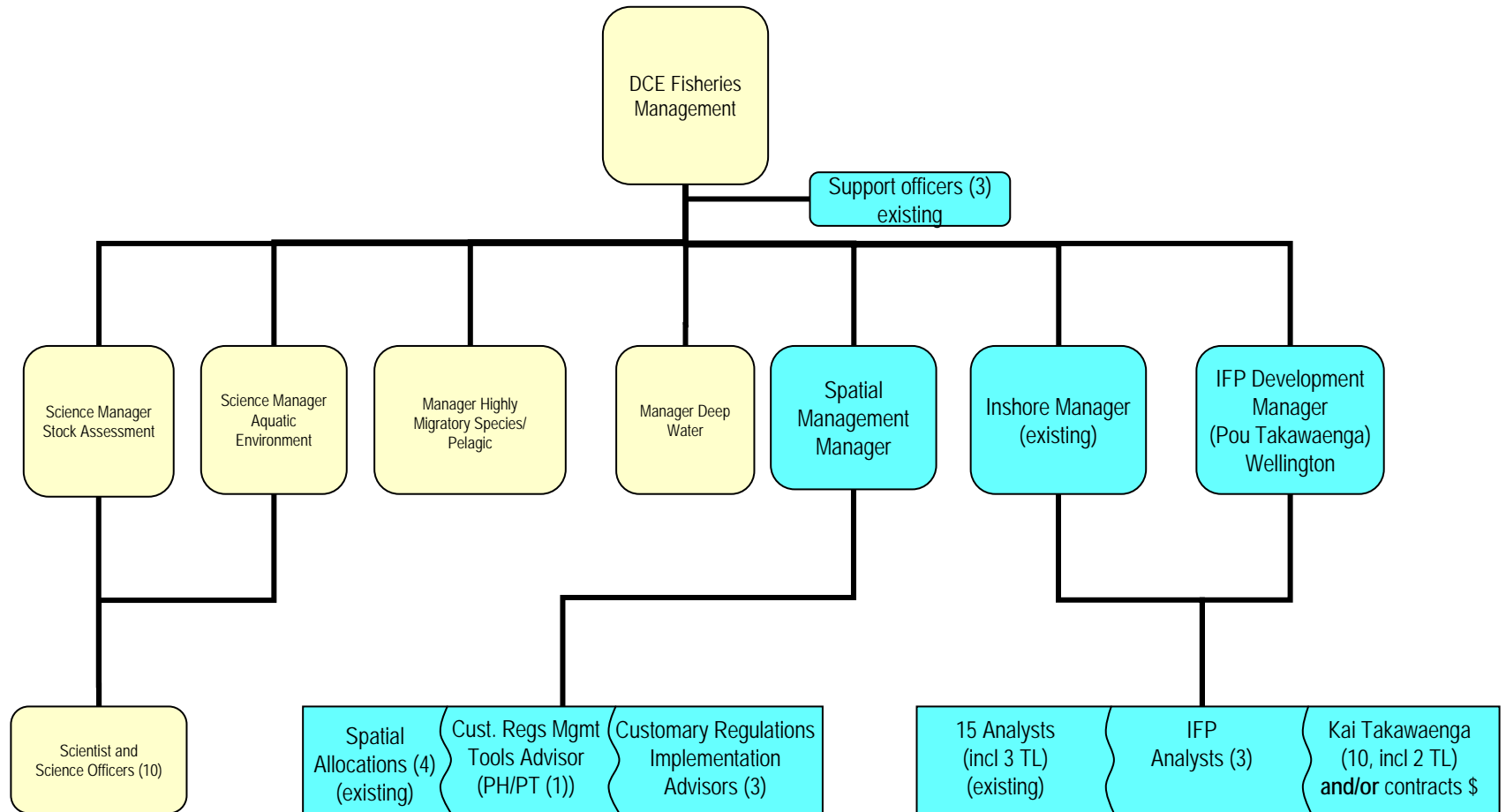
- The Pou Hononga in the DCE TP team will support the national and regional forums; continue and improve MFish-iwi relationships; provide monitoring by way of feedback from iwi on the Ministry's delivery of obligations; and evaluate that feedback.
 - The Pou Hononga role is an important service for the Crown to effectively deliver its obligations, however the Pou Hononga are best placed to provide monitoring and evaluation to the DCE TP on the delivery of services by the rest of the Ministry.
 - The monitoring of the Pou Hononga delivery of service will be the responsibility of the Ministry's Evaluation and Risk Team to ensure the delivery of this service is adequately monitored and there is no 'self-monitoring' of roles.
- The Treaty Partnership advisor would need to understand the Treaty Strategy, and the whole of the fisheries planning system in order to be able to provide advice to the DCE TP.
- Policy advice will be provided via the Strategy group.

Deputy Chief Executive Fisheries Management

The Fisheries Management group will have front line service delivery responsibility for giving effect to input from tangata whenua through iwi-developed integrated iwi fisheries plans.

- o Within this group I propose to have a dedicated team of staff available to assist iwi develop their integrated iwi fisheries plans. This team will comprise the majority of the current Pou Takawaenga staff and will be deployed on a prioritised basis over the next five years to assist iwi complete 45-60 individual iwi fisheries plans. This assistance can be through one of three means, through the new Kai Takawaenga role, seconded expertise from the Ministry to Forums, or contract for service with Forums. This team will be headed up with a manager and initially eleven Kai Takawaenga, and a budget of \$300,000 per year for service contracts. The Manager IFP Development will be responsible for managing secondments and contracts. I envisage this team will reduce in size over time as more resources are deployed through medium term (12-18 months duration) direct iwi contracts for the development of iwi fisheries plans.
- o To provide more direct integration between IFP with fisheries managers and fisheries plans, I propose to create three Iwi Fisheries Plan analyst roles within the Inshore team. They will also have a responsibility to support the Deep Water and Highly Migratory Fisheries teams, and be available to other business groups seeking to understand the aspirations of iwi (as set out in IFPs) in order to inform their work. These positions will form part of a pool of expert capability, and may rotate with Kai Takawaenga.
- o Spatial process management will be more tightly integrated with Customary Management Tools. The current Spatial Processing team will be augmented with an additional position (Customary Regulations Management Tools Advisor) to ensure aspirations and values of customary management are available to that team. They will work alongside a team of three staff who will support Customary Regulations Implementation, with services covering notifications, appointments, gazetting, dispute resolution and mediation services. A new role of Spatial Management Manager will head this unit.
- o Newly negotiated Treaty settlement protocols will also be delivered through IFPs (developed by IFP team). Individual Fisheries Managers will have responsibility for ensuring the views expressed in the IFPs are given particular regard in the development of fisheries plans (and other work as appropriate) and sustainability decisions.

Fisheries Management – proposed



Pou Hononga

- The current Pou Hononga team is proposed to be split into 2 groups
- 7 Pou Hononga (including 1 with a managerial role) will move to the DCE TP team:
 - Focused on national and regional forum support, relationship building and monitoring
 - Those staff would be located in each of the following 6 regions: Whangarei, Auckland, Tauranga, Napier, Wellington, South Island (location TBD)
 - This includes a new Treaty Partnership advisor role (based in Wellington)
- Spatial Management and Customary Regulations Implementation
 - 1 Pou Hononga role will move to the Spatial Management unit to assist in processing of spatial tool applications and relationships, and to work on the backlog of applications for spatial tools, including freshwater. This service would be preferably based in Wellington due to the link in role with the remainder of the Spatial Allocations team
 - The Deed of Settlement Implementation Programme (DOSIP) manager and 2 Pou Hononga will move to the new Customary Regulations Implementation team:
 - 1.5 FTE positions will be responsible for dispute resolution/mediation and customary regulation education. These roles would be located in the areas where their services are most needed. The intent is to reduce notification delays to achieve >80% regulation coverage in the North Island
 - 1.5 FTE resourcing for gazette processing (kaitiaki appointments). Again, it is not necessary that this service is provided out of Wellington
 - This is an increase of 2 FTE above the current levels of dedicated resources, and releases work from the remaining Pou Hononga roles

Why are resources moving to the Spatial Allocation Team?

- The non-commercial customary services that are currently provided to tangata whenua and which are proposed for inclusion of services proposed in the Spatial Allocation Team have a strong spatial element to them:
 - Gazettal of kaitiaki under the customary regulations is based on iwi rohe and is the precursor for use of spatial management tools
 - The gazette notification delays under the customary regulations generally relate to spatial disputes. The focus of resources on resolving disputes will make available the benefits of the regulations.
 - The integration of Pou Hononga capabilities within this team will bring skills and relationship development to assist with processing the backlog of applications for spatial management tools (eg mataitai and s186a under the Fisheries Act 1996)
 - Focused resources on dispute resolution/mediation relating to gazette of kaitiaki and mataitai and customary regulation education will assist the Ministry to work more effectively with tangata whenua and potentially reduce the number and level of disputes

Pou/Kai Takawaenga

- The Pou Takawaenga group is proposed to become the Iwi Fisheries Plan development group to service the focused development of iwi fisheries plans with iwi. The current overall level of resourcing for the group will remain the same.
- The manager of this group will be the Pou Takawaenga, the team members will be Kai Takawaenga. The role of the Kai Takawaenga is to assist iwi/hapu to complete their IFPs.
- It is estimated that an IFP will take approx. 12-18 months to complete by 1 Crown-funded FTE with iwi input into the plan development. 70 FTE capacity allocated over 5 years, equates to 45-60 IFPs. There is no plan for long term Crown funding of this development service; however ongoing maintenance of IFPs is expected to be supported (at lower levels).
- The way in which the delivery of this service is provided will be flexible with the ability for funding to be provided to fund MFish staff to work with iwi to develop IFPs, secondments of MFish staff to iwi to develop IFPs, or contracting for iwi to develop IFPs.
- 12 FTE funding will be moved into Iwi Fisheries Plan team
 - One position will be responsible for managing the delivery of services for this function/role/team and could be based in Wellington or Auckland
 - It is expected that the funding will be split into 2 general regions: North Island (6 FTE) and Central/South Island (4 FTE)
 - Of the funding allocated to servicing North Island iwi 4 staff will be based out of Auckland and 2 staff based out of Napier
 - Of the funding allocated to servicing central and South Island iwi one staff will be based out of Wellington, one based in the top of the South Island, and a further two roles based in either Christchurch or Dunedin
- Three staff would move into the Inshore Fisheries Management team but would be available for all Fisheries Managers to utilise. They would be dedicated iwi fisheries plan analysts ensuring information provided in IFPs is in a form that can input into fisheries plans and that fisheries plans have regard for kaitiakitanga expressed within the IFPs. They would be available to advise other groups in the Ministry as required. It is expected that 1 staff member would be based in each of Wellington, Auckland and Dunedin

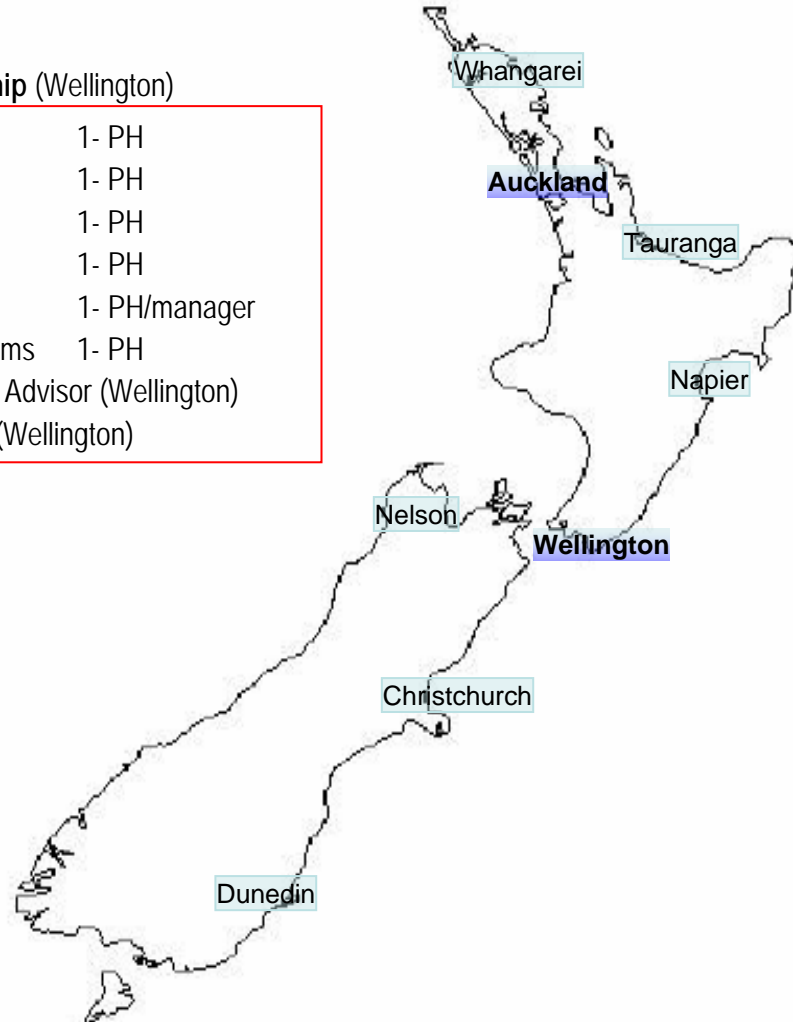
Why is the Iwi Fisheries Plan team located within Fisheries Management?

- The responsibility for development of Fisheries Plans and delivery of objectives-based fisheries management sits within the Fisheries Management group
- Iwi Fisheries Plans are an effective way for tangata whenua to develop objectives which express Kaitiakitanga, to participate in Fisheries Plans that will deliver sustainability processes, and to have their views given particular regard.
- The Fisheries Managers within the Fisheries Management group are responsible for the ongoing management of their fishery. Iwi Fisheries Plans will input directly into the development of those plans and the overall fisheries framework, therefore the alignment of resources developing the plans with the Fisheries Managers is essential.
- It is proposed that 3 dedicated iwi fisheries plan analysts sit within the Inshore Fisheries team with the role of ensuring information provided in IFPs, including information on Kaitiakitanga, is understood and given due consideration in fisheries plans. Although these analysts sit within the Inshore Fisheries team, they will be available and expected to contribute to the other fisheries plans (deepwater and pelagic) and other groups such as Strategy, who need to consider tangata whenua views set out in IFPs.

Foreshore and Seabed Agreements, and Historic Treaty Settlements

- The future requirements of the location and extent of services and resourcing that may be required to support Foreshore and Seabed Agreements, and Historic Treaty Settlements, remain uncertain.
- I expect that any future decisions about staffing to meet these will fit within the structure proposed, and other Ministry groups as appropriate.

Where is it proposed that the Pou Hononga & Kai Takawaenga would be geographically?



DCE Treaty Partnership (Wellington)

Whangarei	1- PH
Auckland	1- PH
Tauranga	1- PH
Napier	1- PH
Wellington	1- PH/manager
South Island & Chathams	1- PH
+ 1 Treaty Partnership Advisor (Wellington)	
+ 1 executive support (Wellington)	

DCE Fisheries Management (Wellington)

Inshore Auckland	1- IFP analyst
Inshore Wellington	1- IFP analyst
Inshore Dunedin	1- IFP analyst

TBD: 3-Cust. Regs Impl'n Advisors

Wellington - 1 Cust. Mgmt. Tools Advisor

Kai Takawaenga / contracts

Auckland	4 KTW
Napier	2 KTW
Wellington	1 KTW
Nelson	1 KTW
ChCh/Dunedin	2 KTW
+ 1 Manager (Wellington or Auckland)	

Other groups

Deputy Chief Executive Field Operations

- Field Operations has an extensive network of staff through the country building and maintaining relationships to enable education and enforcement services. This group is accountable for delivery of Kaitiaki / Tangata Tiaki training. I will be challenging this team to review opportunities to expand the training options to move into iwi fisheries management, development of integrated iwi fisheries plans, and generic training in available customary management tools.

Strategy, Organisation Services and Office of the Chief Executive

- Strategy is accountable for completing the development of the Treaty Strategy over the next five years, supporting all of government initiatives to settle historic grievances, and ensuring that the views of tangata whenua are considered in developing fisheries management frameworks. The work of this group needs to be better integrated into the work of other Ministry groups delivering services to Maori.
- Organisation Services and the Office of the Chief Executive are not impacted by this proposal
- Maori Aquaculture “pre-commencement” settlement will continue to be managed by Organisation Services. Management of future space will be determined following the Aquaculture legislative review.

Alternatives Considered

- In developing this proposal the review team evaluated a continuation of the current approach, an internally focussed fully integrated ministry model, a fully iwi focussed model and a reduced services model.
- The proposal is a blend of the Ministry and iwi focussed models, as this is expected to offer significantly better internally connected services though to decision-makers, and one that reflects the important role of engagement with iwi though forums and at an iwi level.
- No overall reduction in resources is proposed. The current establishment for the roles covered by this review is 29, the number of staff currently employed (excluding casual staff) is 25, and the proposal has 27 positions, plus funds for contracts with Forums. However it must be anticipated that over time there will be reductions in our staff numbers as we are expected to fund internally cost pressures, and we expect a greater level of direct contracting for services with forums over the next five years.

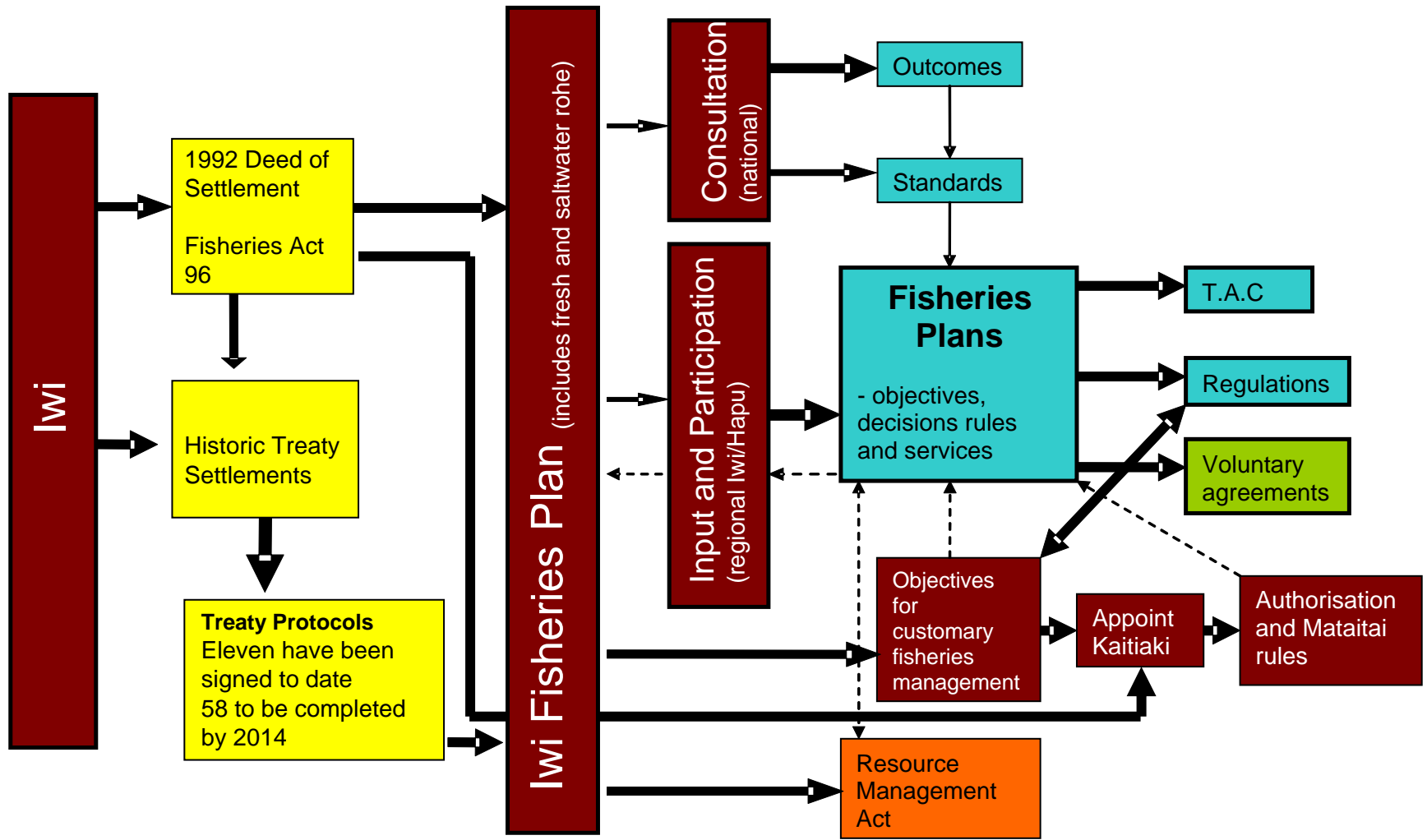
Draft Position Descriptions

- Draft position descriptions have been prepared to assist in understanding the proposed roles. Feedback on these is sought.
- These position descriptions are in the new Ministry style. More detailed descriptions of accountabilities will be developed with staff at a suitable time.

What does the Ministry's new approach to fisheries management mean in practice?

- The new approach to fisheries management is an emphasis on the development of the framework to guide the setting of objectives and standards for the development of fisheries plans. Sustainability decisions will be guided by, and made in the context of, national fisheries plans for inshore, freshwater, deepwater and pelagic species, subject to the information available.
- Only engagement that is required is likely to be provided. The obligation to provide for input and participation of tangata whenua is a statutory requirement that requires participation into sustainability decisions such as setting total catch limits and fisheries regulations (increasingly made through fisheries plans).
- Integrated iwi fisheries plans will enable iwi to identify their own objectives that would serve as a more effective tool for input and participation into the development of fisheries plans, and will guide their local non-commercial customary management.
- Processes for integrated/coordinated participation at iwi/hapu, regional, and national levels will be developed to allow for more effective input from tangata whenua in the development of frameworks, eg outcomes, which will set limits within which fisheries management objectives can be developed.
- Realigning current resources within the Ministry to ensure core services such as Fisheries Management sustainability decisions and spatial applications processing will result in improved connections between iwi/hapu, Forums, Pou/Kai staff and Ministry decision making processes.

A diagrammatic view of Input and Participation between Tangata Whenua and the Ministry of Fisheries is shown below



What services are required to support the new approach?

- Iwi Fisheries Plan development through Kai Takawaenga and contracts
- Input and participation into Sustainability Decisions and Regulatory interventions.
- Support for non-commercial customary management, particularly within the framework of Iwi Fisheries Plans:
 - Ongoing mediation services for disputes, ie kaitiaki appointments and gazettals, under the customary regulations
 - Continued provision of customary regulation education, training and information (eg application of the Kai 1&2 unit standards and the development of further standards where required)
 - Processing of applications for mataitai and area closures
- Support for regional forums and consolidation over time to FMA regions
- Establishment of a national forum over time, and interim developments.
- Capability building of MFish staff to engage with tangata whenua, and to be aware of and meet protocol obligations
- Relationship management through Pou Hononga as part of the DCE TP team
- Regular monitoring, evaluation and reporting on the Ministry's delivery on the Crown's obligations to Maori

How will this impact iwi?

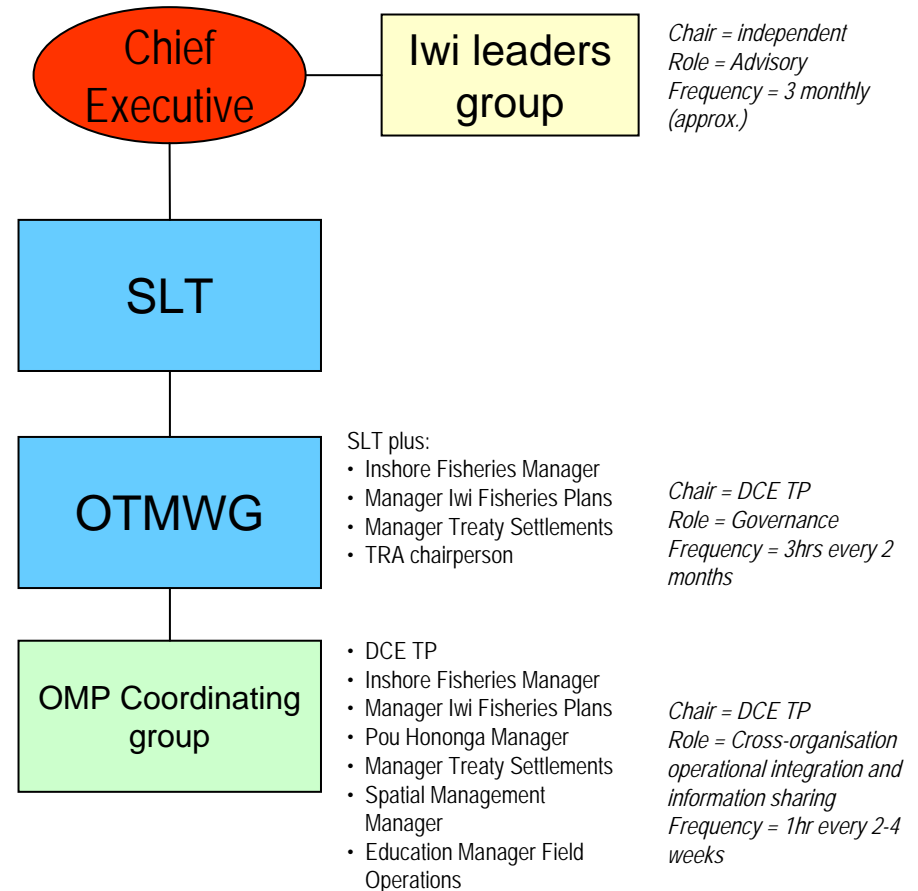
- Clear identification about who has what responsibilities within MFish
- Better regard for kaitiakitanga in sustainability processes and decisions
- More efficient and effective input and participation into Fisheries Plans through the consideration of information provided in iwi fisheries plans (IFPs)
- Ability to bring together and prioritise commercial and customary interests at an iwi level instead of having the Crown make those trade-offs
- Ability to apply for either MFish staff, secondments or funding to develop IFPs depending on the iwi's capability and capacity
- More transparent and connected processes, and regular monitoring and reporting on the Ministry's delivery of services to meet the Crown's fisheries obligations to Maori

Regional Forums and Customary Regulations Implementation

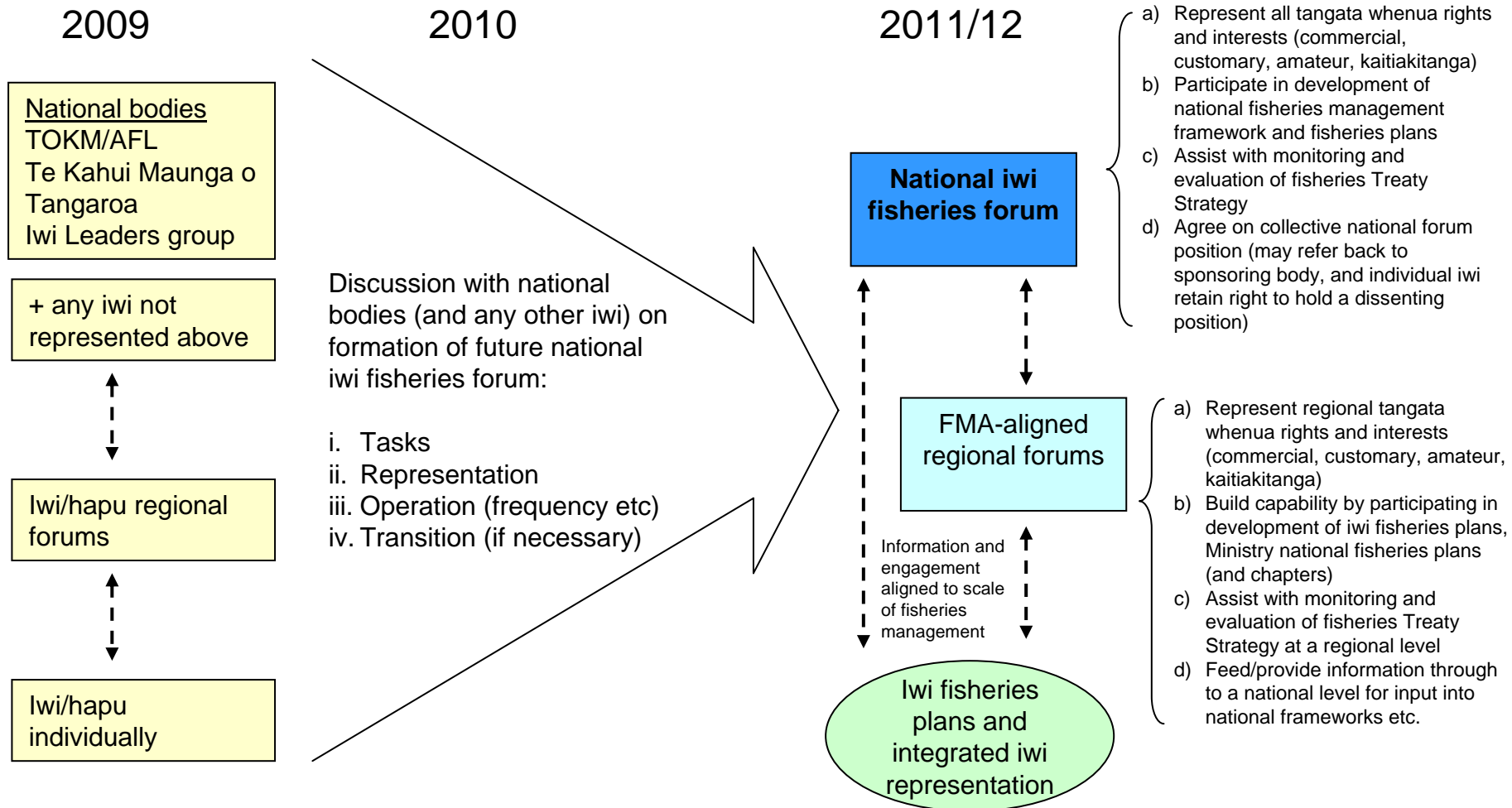
- Focus shift from input on a case by case basis for fisheries to developing iwi fisheries plans that integrate commercial and customary interests for all fisheries in fresh and saltwater rohe
- Opportunity to access funding to develop IFPs that allow for prioritising interests and input into fisheries management processes more effectively and efficiently for both iwi and MFish
- Ability to input, participate and engage on framework processes and development at a National level in a more integrated and coordinated manner
- Continued gazettal under the Customary Regulations, in alignment with IFP development, will provide a more planned approach to managing fisheries interests and potentially reduce disputes

MFish internal governance arrangements

- The importance placed by MFish on fulfilling the role of Treaty Partner and ensuring consistent and effective delivery on Obligations to Maori has been recognised by the creation of the role of the DCE TP as a member of the Ministry's Strategic Leadership Team (SLT)
- This requires effective governance and operational coordination. Governance mechanisms to facilitate this are:
 - The continuation of a specific SLT Obligations to Maori working group
 - The continuation of the recently established Obligations to Maori Coordinating Group



Evolution to the proposed National Iwi Fisheries Forum



Feedback and questions

How to provide feedback

- Feedback can be sent to korero@fish.govt.nz
- There is a template that sets out a format for feedback at the end of this pack and also on the MFish website. Providing your feedback in this format will assist in collation and identifying the key points.
- We expect there will be many questions – this is different to what we have now.

What to do if you have questions

- The design has a number of changes in it and it is likely that you will have questions. We want to ensure that answers are given as quickly as possible.
- Email the korero mailbox – korero@fish.govt.nz

I am keen to get feedback from iwi, staff, and unions on this proposal so that I can consider it in making my final decision. A number of hui are being arranged to discuss this proposal.

Date	Group	Planned venue
12-13 Nov	MFish Customary Relationship Team staff	Devonport Marae
16 Nov	Iwi Leaders Group	MFish, Wellington
17-27 Nov	Meetings with protocol iwi	Various
24-27 Nov	Upper North Island iwi	MFish, Auckland
24-27 Nov	Lower North Island iwi	MFish, Wellington
TBD	Te Tau Ihu	Blenheim/ Picton
TBD	Ngai Tahu	Christchurch

The timeframe for providing feedback is until 4 Dec 09.

I look forward to hearing from you.

Wayne McNee

Next steps:

I will consider feedback and then decide on the final organisation design. I intend to announce my decision in mid December 2009. Implementation timelines will be determined and communicated after I have made my decision.

Supplementary material and attachments

- Summary of process
- Discussion framework for focus groups
- Key messages from Ministry focus groups and tangata whenua feedback

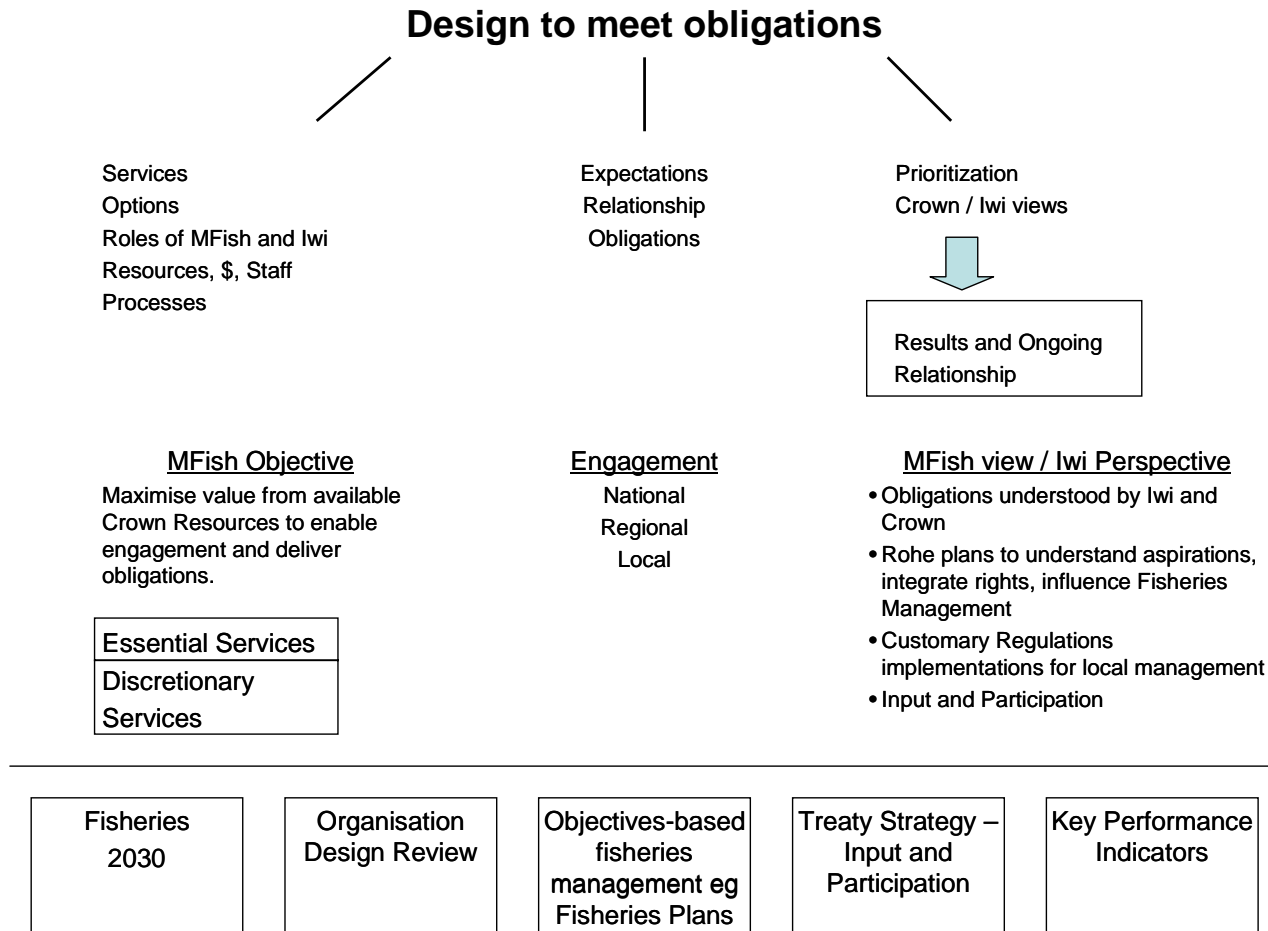
How we've got here – process to date

- MFish Organisation Design Review began in Jan 09, with changes implemented by 1 Oct 09 for the Strategy, Fisheries Management, Field Operations, Organisation Services and Office of the Chief Executive groups
- A further area for change identified was how we organise ourselves to meet our obligations to Māori. Some changes that have been implemented include the appointment of a deputy chief executive (DCE) Treaty Partnership to strengthen these accountabilities and a Treaty Settlements negotiation team within the Strategy Group
- The need for further change on how we deliver services to meet our obligations to Maori was identified but delayed in order to:
 - provide more time to gather feedback from the Iwi Leadership Group during 2009
 - consider decisions on how best to deliver the Crown's legislative obligation to provide for input and participation of tangata whenua

Broader inputs into the proposal

- New fisheries plans model for objectives-based fisheries management
- Decisions on how the Ministry intends to provide for input and participation of tangata whenua:
 - an integrated approach to bring together all tangata whenua fisheries interests (ie commercial and non-commercial customary rights)
 - use of Iwi Fisheries Plans as a tool for providing integrated/coordinated input and participation into sustainability processes and as a means of clearly expressing kaitiakitanga
 - Integrated/coordinated participation at iwi/hapu, regional, and national levels
- Treaty Partnership and legislative background – sources and nature of obligations
- Feedback via ODR submissions, focus groups within MFish, and informal discussions with selected iwi groups by Ministry Staff and Gardner and Parata Ltd.
- Deed of Settlement Implementation Plan (DOSIP) – MFish secured additional funding in 2004 to implement a Treaty Strategy which included:
 - the development of regional forums of iwi to provide for their input and participation into sustainability processes
 - relationship and extension services staff to improve MFish and iwi capacity and capability for fisheries management, having particular regard to Kaitiakitanga
 - DOSIP has been successful to a degree, such as the establishment of regional forums and uptake of customary management tools, but has not been as effective as desired in providing for input and participation into fisheries management processes
- Focus on necessary services required, now and over next 5 years to 2014, within resources available

Framework for discussions



Key messages from Ministry focus groups and Tangata Whenua feedback

Focus group korero was placed into six 'key theme' categories:

1. Process	4. Roles and Responsibilities
2. Engagement	5. Integration
3. Kaitiakitanga	6. New Ideas

Frequently raised discussion items included:

- Require solid definition on what obligations are and identify outcomes in order to set processes and required resource needs.
- Clearly identify roles/responsibilities of Pou Hononga and Pou Takawaenga, and how the roles of Inshore and Spatial team interconnect with obligations.
- Specify how planning documents, iwi fisheries (rohe moana) plans link with objectives-based fisheries management.
- Need to identify tangata whenua aspirations to coordinate our service delivery; iwi fisheries plans are a way to identify those aspirations.
- MFish is not ready for influx of freshwater gazettes and we should ask tangata whenua to slow down whilst we seek a multi agency approach.
- Engagements should focus on outcomes. Integrating forums within an FMA can add value.
- Forums are the best vehicle to engage with but forums need to be more strategic. Engagement places responsibility on both partners.
- MFish actively engage more with dispute resolutions.
- Create a single team by integrating Pou Takawaenga with inshore teams or if they are an extension service contract them externally.
- There is a need for Maori National level input. Framework key to align local / regional / national.
- If pulling back on local level engagements need to put the effort in elsewhere such as national level
- Need to put the existing resources behind a national integration fully representative model.
- Include tangata whenua at high level design stage –baseline plans/frameworks. Need to encourage iwi and forums willing to work together on plans across QMA's.
- Tangata whenua mandate is crucial – difficult to find a person who can speak for all
- National Forum unlikely to be achieved; Possibility for a South Island and North Island approach.

Feedback from : <name of team or individual>, <location>

It will help us to collate, understand, and analyse your feedback if we receive it in a consistent way. The following format is suggested.

Aspect of the proposal	Areas you think will work well	Questions or concerns	Possible Solutions or Suggestions
Organisation-wide aspects of the proposal			
Proposed DCE Treaty Partnership group			
Proposed Spatial Management and Customary Regulations Implementation unit			
Proposed Iwi Fisheries plans development unit			

Please send feedback by email to korero@fish.govt.nz

Aspect of the proposal	Areas you think will work well	Questions or concerns	Possible Solutions or Suggestions
Proposed Iwi Fisheries Plan Analysts			
Options for the development of Iwi Fisheries Plans			
Proposed MFish internal governance arrangements			
Evolution to the proposed National Iwi Fisheries Forum			

Other comments:

Please send feedback by email to korero@fish.govt.nz