

# The Treasury

## Release of Submissions: Mixed Ownership Model Consultation with Māori

### Release Document

March 2012

[www.treasury.govt.nz/publications/reviews-consultation/mixed-ownership/submissions](http://www.treasury.govt.nz/publications/reviews-consultation/mixed-ownership/submissions)

Key to sections of the Official Information Act 1982 under which information has been withheld.

Certain information in this document has been withheld under the following section of the Official Information Act, as applicable:

[1] 9(2)(a) - to protect the privacy of natural persons, including deceased people.

Where information has been withheld, a numbered reference to the applicable section of the Official Information Act has been made, as listed above. For example, an [1] appearing where information has been withheld in a release document refers to section 9(2)(a).

In preparing this Information Release, the Treasury has considered the public interest considerations in section 9(1) of the Official Information Act.

# Mixed Ownership Model Submission Form

The Government welcomes your feedback on this consultation document, particularly the questions set out below.

You can make a submission by using this form, which is also available electronically at [www.treasury.govt.nz/mixed-ownership-consultation](http://www.treasury.govt.nz/mixed-ownership-consultation)

## 1 Contact Details

*I am responding (please complete one):*

### As an individual

<b>Your name</b>	Jennifer Takuta-Moses
<b>Your iwi affiliation</b>	Tuhoe
<b>Address</b>	[1]
<b>Email address</b>	

### On behalf of an organisation

<b>Your name</b>	Jennifer Takuta-Moses
<b>Organisation you represent</b>	Te Kura, Raimona Whanau Trust
<b>Address</b>	[1]
<b>Email address</b>	

## 2 Submission

**Question 1:** What rights and interests, if any, do Māori have in the Mixed Ownership Model Companies that are not protected by the section 27A-D memorials regime, or by other legislation?

Te Kura Raimona Whanau Trust – Te Heuheu Na & Siblings Whanau Lands – Tuahuroa Cairns & Siblings Whanau Lands – Te Au Tahakawa=Hohapata Whanau Interests.

These Tipuna are all original land owners in lands within the Waikaremoana Power Generation Scheme, Tuai Power Station - Piripaua Power Station - and Kaitawa Power Station are Power Generation Schemes now called Genesis Power are all built on land called Te Kopani and Te Heiotahoka and owned by the above Tipuna and others.

**Question 2:** How would any rights and interests identified in question 1 be protected by continued application of section 9 of the State-Owned Enterprises Act 1986?

Genesis Power have been given resource management consent and tribal consent to continue to generate power whilst the Waikaremoana Power Generation stations are located on tribal lands (Te Heiotahoka and Te Kopani) in Waikaremoana.

We want these tribal rights and consents processes to continue with the descendants of the above Tipuna. It is important to us that section 9 of the SOE Act 1986 including the section 127A-D memorials are carried into the new legislation where the Genesis Power Company will end up as a result of the governments new mixed ownership model. Our Waikaremoana Whanau want these two sections entrenched for protection of our land ownership rights and the right of first refusal to negotiate shares or other interests that the new MOM creates.

For further protection of our rights and interests we would like to put a Board Member from our whanau trust the Raimona Tekura Whanau Trust onto the Genesis Power Company Board (newly established board within the new legislation) as of right.

**Question 3:** Could any rights and interests identified in question 1 be protected by an alternative, more specific, formulation of the Crown's obligations under the Treaty?

Representative Voice:

In terms of representation from the Raimona Te Kura Whanau Trust onto the new Genesis Board, our lands can only be protected by having this representative voice. We want to formalise this more specific alternative protection as it is a Crown Obligation under the Treaty. This Crown Obligation extends to Whanau negotiations with respect to settlement for Raimona Tekura Whanau Trusts future descendants who will inherit the lands beneath the Waikaremoana Power Generation Scheme.

Raimona Tekura Whanau Trust is insisting on the first right of refusal when shares are generated and sold as we have an intrinsic right to know who is going to co-own the Genesis Power Assets.

**Additional comments:** Please insert any other comments you wish to make on this consultation document.

My name is Jennifer Takuta-Moses a descendant of the Raimona Whanau Trust. It is my role and right as present ahikaaroa of lands beneath the Waikaremoana Power Generation Scheme to be engaged in this process at every level, rather than just be consulted at this level.

Minister I attended your presentation at the Emerald Hotel in Gisborne and found your korero interesting you want to make money for your government, I want to make money and grow a resource for my Waikaremoana Familie/s. We seem to have the same contributing goals.

I also shared with you that I am presently the Deputy Chair of the Tuhoe Waikaremoana Trust Board and more importantly a Waikaremoana Division Member on that Board and that we would be meeting in March 2012 this Kaupapa would be on our agenda for serious discussion. This submission is sent to meet your deadlines.

Naku na Jennifer.

### **All submissions will be publicly available**

The Government will publicly release your submission, a summary of submissions and a list of the names of submitters, on The Treasury's website: [www.treasury.govt.nz/mixed-ownership-consultation](http://www.treasury.govt.nz/mixed-ownership-consultation).

### **Your name will be made publicly available as part of your submission when it is released**

Your contact details will be removed from your submission before it is posted on the website, recorded in the summary of submissions or released under the Official Information Act 1982 (OIA).

If you do not wish your name in your submission to be released, please clearly state this in your submission or tick the option below:

I request that my name be removed from my submission before it is released and that it is recorded as 'anonymous' in the summary of submissions.

If there is particular information in your submission that you wish to remain confidential, please clearly indicate this and explain your reasons for wanting the information kept confidential.

The Treasury is subject to the OIA and copies of submissions sent to The Treasury will normally be released in response to an OIA request from a member of the public. If your submission is subject to an OIA request, The Treasury will consider your confidentiality request in accordance with the grounds for withholding information outlined in the OIA. You can view a copy of the OIA on the New Zealand Legislation website: [www.legislation.govt.nz](http://www.legislation.govt.nz).

The Privacy Act 1993 governs how The Treasury collects, holds, uses and discloses personal information about you which is contained in your submission. You have the right to access and correct this personal information.

Submissions can be sent by email to [mixed-ownership-consultation@treasury.govt.nz](mailto:mixed-ownership-consultation@treasury.govt.nz) or by post to:

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The Treasury  
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The deadline for receipt of submissions is **5pm on Wednesday 22 February 2012**. Late submissions will not be considered.