



7 January 2025

James Meagre  
Chair  
Justice Select Committee

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Tēnā koe,

### **Submission on the Principles of the Treaty of Waitangi Bill**

The Hutt City Council appreciates the opportunity to provide feedback on the Principles of the Treaty of Waitangi Bill. We recognise the significance of this legislation and its potential impact on the relationships between our Council, iwi, and hapū, as well as its broader implications for governance in Aotearoa. We note our opposition to the Principles of the Treaty of Waitangi Bill.

### **Importance of Te Tiriti o Waitangi to Hutt City Council**

Hutt City Council acknowledges the central role of Te Tiriti o Waitangi in fostering enduring and meaningful relationships with iwi and Māori communities. These partnerships are foundational to our ability to deliver positive outcomes for our communities, and they underpin collaborative efforts across a wide range of initiatives. Examples include the Takai Here with our mana whenua partners, infrastructure projects on Māori land, and joint approaches to community housing and resource management.

The Bill's proposal to redefine Treaty principles in a manner that diverges from established jurisprudence and the texts of the Treaty is of significant concern. Councils have long relied on the principles as developed by the Waitangi Tribunal and the courts to guide their actions and uphold their obligations under Te Tiriti. Any substantial redefinition risks undermining these partnerships and creating uncertainty in council operations.



## **Political Implications**

The introduction of this Bill has caused significant concern within Māori communities and has strained relationships between government and iwi. The unilateral approach taken in drafting the Bill is inconsistent with the principle of partnership and has eroded trust. The process has not adequately consulted Māori as Treaty partners, nor has it provided evidence-based justifications for the proposed changes. This approach is fundamentally at odds with the Crown's good-faith obligations and its duty to actively protect Māori rights and interests.

## **Legal Implications**

The Bill's redefinition of Treaty principles introduces significant legal uncertainty. It risks limiting the scope of Treaty principles that councils can consider, potentially undermining well-established case law and jurisprudence. This creates a precarious situation where councils, iwi, and other stakeholders may face increased litigation costs and uncertainty, hampering effective governance and collaboration.

## **Financial Implications**

The Bill's proposed changes will impose substantial costs on councils. These include legal expenses arising from increased litigation, as well as the need to revise plans, policies, and procedures to align with the new principles. This would divert resources from core council functions and increase financial pressures on ratepayers.

## **Broader Concerns**

Hutt City Council shares the concerns expressed by legal experts and iwi leaders that this Bill, if enacted, would constitute a significant breach of Te Tiriti o Waitangi. The approach taken disregards the Crown's duty to engage in partnership with Māori and to honour its commitments under Te Tiriti. The implications of this Bill extend beyond councils, threatening the social cohesion and effective governance of Aotearoa as a whole.

## **Conclusion**

Hutt City Council strongly opposes the Principles of the Treaty of Waitangi Bill. We urge the Select Committee to recommend that this Bill be withdrawn and that any future legislative changes concerning Te Tiriti principles be co-designed in

partnership with iwi, hapū, and Māori communities. The Crown's obligations under Te Tiriti must remain central to any such process.

Thank you for considering our submission. We request the opportunity to speak to this submission before the Select Committee.

Ngā mihi maiora,



Keri Brown (on behalf of Hutt City Council Elected Members)

**Chair Communities, Culture and Partnerships Committee**

**Councillor**

**Hutt City Council**