Hon Nick Smith Breaches Queen Victoria's 1840 Royal Charter

5 March 2017.

Hon Dr Nick Smith,

Minister for the Environment,

Parliament Building,

Wellington.

Dear Sir,

RE: Queen Victoria's Royal Charter of 1840 and the RMA Bill.

I have just read a copy of your letter below which seems to be your standard reply to those concerned about the apartheid RMA Bill before Parliament.

The One New Zealand Foundation Inc. is concerned that it seems you have no idea that the Tiriti o Waitangi only gave tangata Maori, *"The same rights as the people of England"* on a temporary basis under the laws and dependency of New South Wales from the 21 May 1840 when Britain declared sovereignty over all the Islands of New Zealand until the 3 May 1841 when New Zealand became a British Colony of one flag and one law. **Fact!**

Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 made New Zealand into

an independent British Colony on the 3 May 1841 with its own Governor and Constitution to form a government to make laws with courts and judges to enforce those laws under one flag and one law, irrespective of race, colour or creed. Queen Victoria's Royal Charter was New Zealand's "true" Founding Document. **Fact!**

Unfortunately, governments have completely ignored Queen Victoria's Royal Charter/Letters Patent which has caused the Treaty to be used as our Founding Document giving Maori special right that were never intended by those that signed the Tiriti o Waitangi or Queen Victoria's Royal Charter dated the 16 November 1840.

Over 500 tangata Maori chiefs gave up their tribal or iwi territories to Great Britain in 1840 and every tangata Maori became a British Subject in 1840 confirmed by the 1865 Natives Rights Act. Governments should know that a British Subject cannot be in "Partnership with the Crown or the Monarchy". **Fact!**

What document gave iwi the right to be consulted on New Zealand law, especially the RMA Bill?

While the One New Zealand Foundation Inc. has discussed the Royal Charter with Te Papa they refuse to display it, therefore denying its 1.5 million visitors per years of our true history, including it seems, our Prime Minister, the Hon Bill English.

Our Governor Generals since the Most Rev Sir Paul Reeves have continued to grant Royal Assents to apartheid Bills that give Maori special rights over their fellow New Zealand Citizens. See attached article.

Sir, there is absolutely nothing in our history that gave iwi special rights not enjoyed by all the people of New Zealand. To do so is to dishonour those that signed the Tiriti o Waitangi in 1840 and Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840.

It is interesting to note, Prime Minister, Hon Bill English had never heard of Queen Victoria's Royal Charter until we brought it to his attention last year. How could this man be Prime Minister without knowing how New Zealand separated from New South Wales and became a British Colony with its own Constitution to form its own political, legal and justice systems?

I would imagine you and many other MP's would also be completely unaware of Queen Victoria's Royal Charter of 1840, otherwise you and the rest of the MP's would not continue down this path of separatism by giving iwi Consultation Rights in the RMA Bill or any other Bill or Act of Parliament that the Tiriti o Waitangi and Queen Victoria's Charter Royal Charter made perfectly clear, must never happen!

You state in your final sentence in your letter below, *"It is important that the Bill is clearly understood as the benefits are significant"*. The only benefit the One New Zealand Foundation Inc. can see, is the benefit to one small group of New Zealand citizens that can claim a minute trace of tangata Maori ancestry that was never intended by those that signed the Tiriti o Waitangi in 1840 or by Queen Victoria in Her Royal Charter of 1840. **Fact!**

See attached articles for your information which both appear on our website, www.onenzfoundation.co.nz. Please feel free to pass this on to other MP's who are possibly also ignorant of out true history.

Yours sincerely.

Ross Baker.

Researcher, One New Zealand Foundation Inc..

Standard letter from Hon Nick Smith.

Dear Ian,

Thank you for your email of 2 April 2017 regarding the Government's Resource Management Act (RMA) reforms through the Resource Legislation Amendment Bill (Bill).

The Resource Legislation Amendment Bill contains significant gains that will reduce costs and get

better outcomes, including:

- Faster, simpler plan making
- Thousands fewer consents required
- Fewer opportunities for appeals
- Less duplication with other Acts
- Better management of natural hazards
- Increased legal weighting for property rights.

This reform is critical to addressing housing supply and affordability by making it easier, faster and less costly to create new sections. Section prices in Auckland have gone from $100,000 in 1990 to $530,000 today and are the core reason housing has become excessively expensive. It addresses this core issue by opening up land supply, reducing the time taken to get consents, reducing the cost of land subdivision and enabling the construction of infrastructure. Parties that are opposing this Bill are blocking the very changes that will make housing more affordable.

An assertion which has been made about the process is that iwi participation arrangements will impose onerous multiple consultation requirements on councils and consent applications. This is not correct. Current requirements for consulting iwi are cumbersome and cause a lot of frustration. The new arrangements will clarify which iwi need to be consulted, and on what issues. Some councils already have these arrangements and they are proving to work well. By agreement, large numbers of consents are not referred to iwi, as they are not related to issues in which iwi have an interest.

The Bill requires that the iwi participation arrangements support timely consent decisions and that compliance costs must be minimised. The law makes plain that these arrangements are about participation, not control. The law would require councils to discuss with iwi a participation arrangement, but it gives amble flexibility to ensure the arrangements are practical and workable and does not compel agreement and arrangements cannot be imposed onto a council.

There has been a claim made that there has been no consultation on these arrangements and that they are just there to appease the Māori Party. This is also untrue. Iwi Participation Arrangements were included in the 2013 public discussion paper on the RMA reforms when Minister Adams was leading the RMA reform and before the Māori Party was in discussions with the Minister for the Environment. The 2014 National Party election policy specifically referred to iwi participation arrangements saying we would “Improve Maori participation to specify clear requirements for councils to involve iwi/hapu in early stages of planning”. They were then included in the Bill that was introduced in December 2015 and in the Next Steps for Freshwater documentation released in

February 2016. This has provided three opportunities for public consultation.

There has also been a claim that the Māori Party has sought and gained exemption for Māori farmers to need water permits for stock water. The facts are that the current RMA provides for an exemption for a water permit for stock drinking water for a natural person, but if the farm is a company or Māori Incorporation a permit may be required. The Bill makes plain that no water permit is required for stock drinking water whether the farm is owned by an individual, a company or a Māori Incorporation.

It has also been claimed that the Bill allows iwi to become resource consenting authorities. There is no provision in the Bill that allows iwi to become consent authorities. The existing law already allows transfer of powers of joint arrangements at a council's discretion, but very few councils use them.

In summary, there are three important things to be aware of regarding the Bill:

1. This is the largest shake up of the RMA since its inception in 1991 and will make a big difference to reducing the unnecessary delays and costs of the Act.
2. The fact that Labour and the Greens are opposing the Bill because it reduces consultation requirements, appeal rights and makes development too easy, just reinforces why the Government needs to pass it.
3. The provisions around iwi participation arrangements are a small part of the Bill that will make existing iwi consultation requirements work better.

Thank you again for writing. It is important that the Bill is clearly understood as the benefits are significant.

Yours sincerely,

Hon Dr Nick Smith

Minister for the Environment