

NORTHLAND REGIONAL COUNCIL

Te Taitokerau Māori Advisory Committee Agenda

For meeting to be held in Council Chambers, 36 Water Street, Whāngārei, on Thursday, 10 September 2015, commencing at 11.00am.

Recommendations contained in the agenda are NOT decisions. Please refer to minutes for resolutions.

MEMBERSHIP OF THE COMMITTEE

Chairman (Cr Dover Samuels, Northland Regional Council)

Fred Sadler Cr Bill Shepherd Mikaera Miru Northland Regional Council Te Rūnanga-Ā-Iwi-O-Ngāpuhi Te Uri o Hau Settlement Trust **Cr Paul Dimery** Henry Murphy Pita Tipene Northland Regional Council Ngātiwai Trust Board Te Rūnanga o Ngāti Hine Cr Joe Carr Isha Waetford Rawson Wright Te Uri o Hau Settlement Trust Northland Regional Council Ngātiwai Trust Board Catherine Murupaenga-Ikenn Mike Kake **Tui Shortland** Te Rūnanga o Te Rarawa Te Rūnanga-Ā-Iwi-O-Ngāpuhi Te Rūnanga o Ngāti Hine Martin Rudolph Will Ngakuru **Darryl Hape** Te Rūnanga O Whaingaroa Te Rūnanga O Whaingaroa Te Roroa Whatu Ora Trust

HAPŪ REPRESENTATIVES Michelle Elboz **Rowan Tautari Bundy Waitai** Te Hiku O Te Ika Marae Trust Te Whakapiko Hapū Ngāti Kuta Patukeha **Helen Locke** Nora Rameka **Rudy Taylor** Ngāti Manu Ngāti Rehia Hokianga o Ngā Hapū Whānau John Harawene Patu Hohepa **Shirley Hakaraia** Ngāti Manu Hokianga o Ngā Hapū Whānau Ngāti Kuta Patukeha Te Huranga Hohaia **Juliane Chetham** Pereri Mahanga Patuharakeke Te Waiariki, Ngāti Korora and Ngāti Rehia Ngāti Takapari Hapū/Iwi Trust Te Iwi Trust Board **Mira Norris** Te Parawhau Hapū Authority

OPEN MEETING

Charitable Trust

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ISSUE:	Confirmation of Minutes – 9 July 2015						
ID:	A774384						
To:	Te Tai Tokerau Māori Advisory Committee meeting, 9 July 2015						
From:	Marina Hetaraka, Committee Secretary						
Date:	27 August 2015						
Report Type:	✓ Normal operations ☐ Information ☐ Decision						
Durnoso	☐ Infrastructure ☐ Public service ☐ Regulatory function						
Purpose:	☑ Legislative function ☐ Annual\Long Term Plan ☐ Other						
Significance Policy:	☐ Triggered ☑ Not Triggered						
	mmary: of this report is to present the unconfirmed minutes of the Committee on 9 July 2015 (attached) for confirmation as a true and correct record.						
Legal compliance: Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002.							
Recommend	ation:						
	ne minutes of Te Tai Tokerau Māori Advisory Committee meeting held uly 2015 be confirmed as a true and correct record.						

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NORTHLAND REGIONAL COUNCIL Te Tai Tokerau Māori Advisory Committee

Minutes of the meeting of Te Tai Tokerau Māori Advisory Committee held in Council Chamber, 36 Water Street, Whāngārei, on Thursday, 9 July 2015, starting at 10.30 am

Present:

Cr Bill Shepherd, Northland Regional Council

Cr Joe Carr, Northland Regional Council

Cr Paul Dimery, Northland Regional Council

Catherine Murupaenga-Ikenn, Te Rūnanga o Te Rarawa

Bundy Waitai, Te Hiku O Te Ika Marae Trust

Darryl Hape, Te Rūnanga O Whaingaroa

Deputy Chairman Pita Tipene, Te Rūnanga o Ngāti Hine

Helen Locke, Ngāti Manu

Henry Murphy, Ngātiwai Trust Board

John Harawene, Ngāti Manu

Juliane Chetham, Patuharakeke Te Iwi Trust Board

Michelle Elboz, Ngāti Kuta Patukeha

Mikaera Miru, Te Uri o Hau Settlement Trust

Mike Kake, Te Rūnanga-Ā-Iwi-O-Ngāpuhi

Mira Norris, Te Parawhau Hapū Authority Charitable Trust

Nora Rameka, Ngāti Rehia (from 10.41 am)

Patu Hohepa, Hokianga o Ngā Hapū Whānau

Rawson Wright, Te Uri o Hau Settlement Trust

Rowan Tautari, Te Whakapiko Hapū

Rudy Taylor, Hokianga o Ngā Hapū Whānau

Te Huranga Hohaia, Ngāti Rehia

Tui Shortland, Te Rūnanga o Ngāti Hine

Will Ngakuru, Te Roroa Whatu Ora Trust

In Attendance:

Full Meeting:

Malcolm Nicolson, Chief Executive Officer

Jonathan Gibbard, Group Manager Strategy and Governance

Rachel Ropiha, Iwi Liaison Officer

Abraham Witana, Programme Manager/Policy Specialist - Tangata Whenua

Christine Taylor, Assisting Meeting Secretary

Marina Hetaraka, Meeting Secretary

Part Meeting:

Justin Murfitt, Policy Programme Manager

Colin Dall, Group Manager Regulatory Services

George Reily, Northland Inc. General Manager Māori Economic Development

David Wilson, Northland Inc. Chief Executive Officer

Pereri Mahanga Te Waiariki, Ngāti Korora and Ngāti Takapari Hapū/lwi Trust

(arrived 12.26 pm with members of Te Kārearea)

Deputy Chairman, Pita Tipene, residing as Chairman of the Committee at this meeting in the absence of Committee Chairman, Cr Dover Samuels, declared the meeting open at 10.30am.

Karakia - Patu Hohepa, Mihi tautoko Te Huranga Hohaia raua ko Mikaera Miru.

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The Deputy Chairman acknowledged that Committee Chairman, Cr Dover Samuels, was unable to make today's meeting. Ngāti Kuri and committee members, Mr Bundy Waitai and Ms Catherine Murupaenga-Ikenn were acknowledged for hosting the Te Taitokerau Māori Advisory workshop that was held 11 June 2015 at Waiora Marae, Ngataki.

Mr Tipene advised the committee that TV ONE media had confirmed they would be filming the presentation on Kauri Swamp from Colin Dall, Group Manager Regulatory Services (Item 7.0 of the Agenda) with the intention to air a story on the presentation and committee meeting on TV ONE news.

Secretarial Note: Nora Rameka arrive at 10.41 am.

Deputy Chairman acknowledged and welcomed new member to the committee Ms Julianne Chetham representing Patuharakeke Te Iwi Trust Board. Mr Tipene also introduced new staff member to the council Marina Hetaraka, who would be providing administrative and secretarial support to the committee.

Apologies (Item 2.0)

Moved: (Taylor/Hohaia)

That the following apologies for absence from:

Committee Chairman Cr Dover Samuels, Northland Regional Council Martin Rudolph, Te Rūnanga O Whaingaroa; Isha Waetford, Ngātiwai Trust Board; Fred Sadler, Te Rūnanga-Ā-lwi-O-Ngāpuhi; and Shirely Hakaraia, Ngāti Kuta Patukeha be received

Carried

Declarations of Conflicts of Interest (Item 3.0)

Ms Shortland declared, in relation to Agenda Item 7.0, she is the co-ordinator of the Te Taitokerau Business Enterprise Unit.

Confirmation of Previous Minutes – 14 May 2015 (Item 4.0)

ID: A759772

Report from Rachel Ropiha, Iwi Liaison Officer.

Moved: (Murphy/Murupaenga-Ikenn)

That the minutes of Te Tai Tokerau Māori Advisory Committee meeting held on 14 May 2015 be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.0)

Report from Rachel Ropiha, Iwi Liaison Officer.

Moved: (Dimery/Kake)

That the action sheet be received.

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Carried

Action: Mr Gibbard would invite committee members to provide questions that they would like Statoil and government agencies to discuss at the planned Oil Exploration Workshop. The questions would be collated and forwarded to Statoil and government agencies so that they may respond appropriately at the workshop.

Presentation Consents and Monitoring functions (Item 6.0)

ID: A756999

Report from Colin Dall, Group Manager Regulatory Services.

Moved: (Dimery/Rameka)

 That the presentation 'Consents and Monitoring Functions' by Colin Dall, Group Manager Regulatory Services, and dated 19 June 2015, be received.

Carried

Secretarial Note:

- Media, Cameraman and Reporter, arrived at 11.00 am.
- George Riley and David Wilson, Northland Inc. arrived at 11.03 am.

Presentation – Swamp Kauri in Northland (Item 7.0)

ID: A759087

Report from Colin Dall, Group Manager Regulatory Services.

Moved: (Wright/Hohepa)

1. That the presentation 'Swamp Kauri in Northland' by Colin Dall, Group Manager Regulatory Services, and dated 19 June 2015, be received.

Carried

Presentation - Northland Inc. (Item 8.0)

ID: A757765

Report from Abraham Witana, Māori Policy Specialist.

Northland Inc. Limited General Manager, George Riley, was in attendance and provided the presentation 'Māori Economic Development'; covering the following key points:

- Northland Inc. Statement of Intent Objectives;
- Where does intervention occur;
- Key projects; and
- What does Māori Economic Development look like so far.

Secretarial Note:

- Members of Te Kārearea arrived at 12.26 pm
 - o Mayor Sheryl Mai
 - o Cr Sharon Morgan
 - o Cr Sue Glenn
 - o Cr Phil Halse (arrived at 12.29 pm)
 - o Cr Greg Innes
 - o Merepeka Henly

ID: A749005

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- o Huhana Lyndon
- Jude Thompson (arrived at 12.38 pm)
- o Solomon Tipene (arrived at 12.31 pm)
- Te Huranga Hohaia welcomed members of Te Kārearea, Dick Shepherd, Te Kārearea, responded.
- Committee meeting paused for lunch at 12.50 pm.

Meeting resumed at 1.16 pm.

Secretarial Note: Item 16.0 was addressed prior to Item 9.0 to allow for the attendance of Te Kārearea members.

Waiora Marae Workshop, Ngataki (Item 9.0)

ID: A757051

Report from Abraham Witana, Māori Policy Specialist.

Moved: (Wright/Shortland)

1. That the report 'Waiora Marae Workshop, Ngataki' by Abraham Witana, Māori Policy Specialist, and dated 9 July 2015, be received.

Carried

Secretarial Note: Attachment 1 Waiora Marae Agenda, Rohe based issues Climate Change – Catherine Davis should read Catherine Murupaenga-Ikenn.

Te Taitokerau Māori Advisory Committee Caucus (Item 10.0)

ID: A757912

Report from Abraham Witana, Māori Policy Specialist.

Moved: (Shortland/Kake)

- That the report 'Te Taitokerau Māori Advisory Committee Caucus' by Abraham Witana, Māori Policy Specialist, and dated 9 July 2015, be received.
- 2. That non-elected members of the Te Taitokerau Māori Advisory Committee Caucus meet from 10 am –11 am prior to future formal committee meetings.

Carried

Confirmed Work Programme (Item 11.0)

ID: A759035

Report from Jonathan Gibbard, Group Manager Strategy, Governance & Communications

Moved: (Murapaenga-Ikenn/Murphy)

1. That the report 'Confirmed Work Programme' by Jonathan Gibbard, Group Manager Strategy, Governance & Communications, and dated 19 June 2015, be received.

Carried

ID: A749005

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Secretarial Note: There was general agreement that a workshop be scheduled to enable the committee to further consider its work programme.

Work Programme: Engagement Models for Council Plans (Item 12.0)

ID: A759487

Report from Rachel Ropiha, Iwi Liaison Officer.

Moved: (Carr/Shortland)

 That the report 'Work Programme: Engagement Models for Council Plans' by Rachel Rōpiha, Iwi Liaison Officer, and dated 26 June 2015, be received.

Carried

It was further moved (Taylor/Waitai)

That the committee confirms the appointment of the following committee
members, to form a working party, to review and report back to the
committee on council's current Māori engagement processes and
potential option for enhancement: Tui Shortland, Mike Kake, Mikare Miru
and Cr Dover Samuels.

Carried

Te Ture Whenua Māori Reform (Item 13.0)

ID: A759119

Report from Abraham Witana, Māori Policy Specialist.

Moved: (Murupaenga-Ikenn/Carr)

1. That the report 'Te Ture Whenua Māori Reform' by Abraham Witana, Māori Policy Specialist, and dated 22 June 2015, be received.

Carried

It was further moved: (Shortland/Hohaia)

- 2. That Te Taitokerau Māori Advisory Committee recommends that <u>council</u> does not make a submission to the Te Ture Whenua Māori Act 1993 Reforms, with the following rational:
 - a. Māori are best placed to provide feedback on the proposed reforms, not the Northland Regional Council;
 - b. Should the council submit on the Te Ture Whenua Māori 1993
 Reforms the submission should take into consideration conservation
 and environmental values of Māori land and that these values should
 be protected in any future reform of the act; and
 - c. The committee thanked council staff for bringing to their attention the possibility of the council providing a submission on the reforms, however the committee reiterated that the proposed reforms can only be addressed adequately by tangata whenua.

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Carried

(Twelve votes in favour of and six votes against the resolution. One vote in abstention.)

Secretarial Note: Cr Carr abstained from voting to the resolution given he had not been briefed on the proposed reforms and therefore could not make an informed judgement on the resolution.

New Regional Plan Update (Item 14.0)

ID: A759907

Report from Ben Lee, Programme Manager - Policy Development.

Moved: (Murupaenga-Ikenn/Shortland)

1. That the report 'New Regional Plan Update' by Ben Lee, Programme Manager – Policy Development, and dated 30 June 2015, be received.

Carried

Update: Long Term Plan 2015–2025 (Item 15.0)

ID: A759156

Report from Jonathan Gibbard, Group Manager Strategy, Governance & Communications.

Moved: (Kake/Dimery)

1. That the report 'Update: Long Term Plan 2015-2025' by Jonathan Gibbard, Group Manager Strategy, Governance & Communications, and dated 26 June 2015, be received.

Carried

Secretarial Note: Item 16.0 was addressed prior to Item 9.0 to allow for the attendance of Te Kārearea members.

Te Kārearea Strategic Partneship (Item 16.0)

ID: A759041

Report from Rachel Ropiha, Iwi Liaison Officer.

Moved: (Wright/Hohepa)

1. That the presentation 'Te Kārearea Strategic Partnership' by Rachel Rōpiha, Iwi Liaison Officer, and dated 25 June 2015, be received.

Carried

Secretarial Note: Members of Te Kārearea and WDC staff left at 2.05 pm.

Conclusion

The meeting concluded at 3.20 pm.

Karakia Patu Hohepa.

ID: A749005

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ISSUE:	Receipt of Action Sheet					
ID:	A774449					
То:	Te Tai Tokerau Māori Advisory Committee meeting, 10 September 2015					
From:	Mari	ina Hetaraka, Comr	mitte	ee Secretary		
Date:	28 A	August 2015				
Report Type:		Normal operations	V	Information		Decision
Purpose:		Infrastructure		Public service		Regulatory function
ruipose.		Legislative function		Annual\Long Term Plan	V	Other
Executive su The purpose of action sheet (of this	s report is to enable	the	committee to receive th	ne cı	urrent committee
Legal compli	ance	:				
No decision is	requ	uired.				
Recommend	ation	:				
That th	That the action sheet be received.					

Council Actions										
IRISID	Current	Request	Reso/Req	Description	Request Details	Note Text	Date of Note	Requested		
	Status	Date						Ву		
REQ.577237	Open	12 Feb 2015		Deep Sea Drilling	That a report be prepared regarding council's role in respect of deep sea drilling (REQ).	The first of two workshops was held with government regulators and Statoil on Friday 28 August. A second workshop will be organised shortly with representative opposed to petroleum exploration activities. Staff will keep Committee members informed as this progresses.		Te Taitokerau Māori Advisory Committee		

Objective ID: A774705

ITEM: 6.0 Page 1 of 1

ISSUE:	Fee	Feedback from Caucusing Session						
ID:	A77	6127						
То:		Te Tai Tokerau Māori Advisory Committee meeting, 10 September 2015						
From:		Pita Tipene, Deputy Chairman, Te Tai Tokerau Māori Advisory Committee						
Date:	27 A	27 August 2015						
Report Type:	V	Normal operations		Information		Decision		
Durnoso		Infrastructure		Public service		Regulatory function		
Purpose:		Legislative function		Annual\Long Term Plan	Ø	Other		
Significance:		Triggered		Not Triggered				

Executive Summary:

The purpose of this report is to provide an opportunity for Committee members to discuss any matters arising from the mornings caucusing session of the non-elected committee members.

This discussion will be led by Deputy Chairman Pita Tipene.

			ITEM: 7 Page 1 o					
ISSUE:	Briefing on Marse Proposal	Briefing on Marsden Point Shipping Channel Proposal						
ID:	A774444							
То:	Te Tai Tokerau Māori A 2015	Advisory Committee meeting	g, 10 September					
From:	Marina Hetaraka, Comr	mittee Secretary						
Date:	27 August 2015							
Report Type:	✓ Normal operations	☐ Information	Decision					
Purpose:	☐ Infrastructure	Public service	Regulatory function					
ruipose.	✓ Legislative function	Annual\Long Term Plan	Other					
Significance:	Triggered	✓ Not Triggered						
Affairs Manag channel propo	of this report is to intro- er – Refining NZ, who	duce Greg McNeil, Commu will be briefing the Commit assessment:						
The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. No decision is required other than the information be received hence, the matter does not trigger the council's Significance Policy.								
Recommenda	ation:							

That the briefing "Marsden Point Shipping Channel Proposal" by Greg McNeil, Communications & External Affairs Manager – Refining NZ and dated 27 August 2015, be received.

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ISSUE: Biosecurity – Regional Pest Management Strategy

ID: A773997

Te Tai Tokerau Māori Advisory Committee Meeting 10 September

2015

From: Don McKenzie, Programme Manager, Biosecurity

Date: 26 August 2015

Report Type:	Ø	Normal operations		Information	Decision
Purpose:		Infrastructure		Public service	Regulatory function
	Ø	Legislative function		Annual\Long Term Plan	Other
Significance Policy:		Triggered	Ø	Not Triggered	

Executive Summary:

As agreed at the March workshop of Te Tai Tokerau Māori Advisory Committee (the committee), a series of presentations on council's programmes of work and roles and responsibilities will be provided as part of a wider capacity building schedule for the committee.

Don McKenzie will provide a presentation on the Regional Pest Management Strategy.

- An overview of the strategy
- Key issues
- Review process

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. No decision is required other than the information be received hence, the matter does not trigger the council's Significance Policy.

Recommendation:

That the presentation "Biosecurity – Regional Pest Management Strategy", by Don McKenzie, Programme Manager, Biosecurity and dated 26 August 2015, be received.

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ISSUE: Natural Hazard Mapping Presentation

ID: A773995

Te Tai Tokerau Māori Advisory Committee Meeting 10 September

2015

From: Joseph Camuso, Rivers Programme Manager, Land and Rivers

Date: 26 August 2015

Report Type:	V	Normal operations		Information	Decision
Purpose:		Infrastructure		Public service	Regulatory function
i ui pose.	Ø	Legislative function		Annual\Long Term Plan	Other
Significance Policy:		Triggered	Ø	Not Triggered	

Executive Summary:

As agreed at the March workshop of Te Tai Tokerau Māori Advisory Committee (the committee), a series of presentations on council's programmes of work and roles and responsibilities will be provided as part of a wider capacity building schedule for the committee.

Joseph Camuso will provide a presentation on council's Natural Hazard Mapping work.

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. No decision is required other than the information be received hence, the matter does not trigger the council's Significance Policy.

Recommendation:

That the presentation "Natural Hazard Mapping Presentation" by Joseph Camuso, Rivers Programme Manager, Land and Rivers and dated 26 August 2015, be received.

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ISSUE:	Te Rawhiti Marae Workshop, Rawhiti							
ID:	A77	A771801						
То:	Te T	ai Tokerau Māori A	Advis	ory Committee, 10 Sep	teml	ber 2015		
From:	Abra	aham Witana, Māor	i Pol	icy Specialist				
Date:	27 A	august 2015						
Report Type:		Normal operations	$\overline{\mathbf{A}}$	Information		Decision		
Purpose:		Infrastructure		Public service		Regulatory functio		
i dipose.		Legislative function		Annual\Long Term Plan	$\overline{\mathbf{A}}$	Other		
Significance:		Triggered	$\overline{\mathbf{A}}$	Not Triggered				
Executive Summary: This paper provides a brief report on the workshop held at Te Rawhiti Marae, Rawhiti, Bay of Islands, on 13 August 2015. It includes a summary of discussions and issues raised for future action. Legal compliance and significance assessment: The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. The matter does not trigger the council's Significance Policy. Recommendations:								
 That the report "Te Rawhiti Marae Workshop, Rawhiti" by Abraham Witana, Māori Policy Specialist, and dated 9 July 2015, be received. That council staff ensure Te Rawhiti Marae (through their representatives) are kept informed of progress towards addressing the concerns raised during the marae workshop (as outlined in Attachment 2). 								

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Report

The third Te Tai Tokerau Māori Advisory Committee (the committee) Marae based workshop was held on Te Rawhiti Marae, Rawhiti, on 13 August 2015. The workshop was well attended with approximately 30 attendees.

Committee representatives in attendance included Bundy Waitai, Shirley Hakaraia, Nora Rameka, Te Hurunga Hohaia, John Harawene, Chairman Bill Shepherd, Councillor Carr and Councillor Dimery. The meeting was chaired by the committee Chairman Councillor Samuels.

Council was also represented at the hui by Councillor Knight and Councillor Brown.

Considerable thanks and gratitude are extended to committee member Shirley Hakaraia (Ngāti Kuta/Patukeha) for facilitating the workshop and Sharon Moana Hei (Te Taku Taimoana Support) for developing the workshop agenda (Attachment 1).

In summary, the agenda included the following topics:

- 1. Civil Defence
- 2. River Management
- 3. Integrated catchment management
- 4. Consents and Monitoring
- 5. Pest management
- 6. Harbour development
- 7. Land management
- 8. Economic development

Ngāti Kuta - Patukeha , Ngāti Hine, Ngāti Manu, Ngāti Rehia, Te Kapotai, Ngāti Torehina and Te Komiti Kaitiaki Whakature i Ngā Taonga o Tangaroa were each provided time to present their concerns to the committee members and councillors in attendance.

A summary of discussions and actions is provided in **attachment 2**.

The following recommendations were also presented at the hui:

- 9. That a memorandum of understanding be developed and implemented,
- 10. That a database of all hapū concerns be developed to montior progress and report on,
- 11. That an agreed timeline for action be developed with reviews on a month to month basis,
- 12. That a series of easy to understand one page 'at a glance' documents be developed in order to simplify bureaucratic communications,
- 13. Provide evidence TPPA 12 point resolution is addressed in all issues raised and underpins all other planning.

Council staff will work through the discussion feedback and ensure a response / action is provided for all recommendations of this hui. Staff would however highlight that in some cases a quick response will be able to be provided (for example, provision of information or due to alignment with and existing council workstreams) whereas other recommendations will take longer to work through and may require additional resources or decisions by council. Staff will ensure committee members are kept informed as progress is made on these recommendations.

Attachment 1: Te Rawhiti Marae Agenda

Northland Regional Council TE KAUNIHERA A ROHE O TE TAI TOKERAU Te Tai Tokerau Māori Advisory Committee Workshop Agenda Thursday 13th August 2015 at 11am

Workshop to be held at Te Rawhiti marae, 221 Te Rawhiti Rd,

Te Rawhiti on Thursday 13th August 2015 commencing with a powhiri at 10:00.

Facilitator: Shirley Hakaraia

Time	10:00am	Pōwhiri				
		Kapu tī (Morning Tea)				
	11:00am	Te Tai Tokerau Māori Advisory Committee Overview				
		Chairman Dover Samuels				
		 The purpose of the Committee. The vision and objectives of the Committee. Key points set out in the Terms of Reference. Key matters being progressed by TTMAC. 				
	11:30am	Presentations				
		Ngāti Kuta Patukeha, Ngāti Hine, Ngāti Manu, Ngāti Rehia, Te Kapotai, Ngāti Torehina concluding with Ngāti Pare (TBC) will be sharing a presentation with each hapū representative speaking specifically to their issues. The issues being presented cover a wide range of council				
		activities, including:				
		Civil DefenceFlooding				
		o Access				
		River Management				
		 Gravel extraction 				
		 Integrated catchment management 				
		 Taumarere 				
		Consents and Monitoring				
		 Wastewater 				
		 Solid waste 				

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	Pest management
	o CPCA
	o Marine
	Harbour development
	o Marina's
	o Mooring's
	 Aquaculture activities
	Land management
	 Coastal pine forestry
	 Coastal erosion
	Economic development
	 Opportunities
	Support
1:30pm	Hākari (Lunch)
2pm	To allow time for all issues to be presented if they are not covered off by 1:30pm.
Hui mutunga	Closure of the meeting will occur in agreement between the Chairman and Facilitator.

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Attachment 2: Te Rawhiti Marae Hui Notes

Agenda matters	Discussion	Action / Response
Roading	Waikare School, Waikare Valley Road and Waihaha sign locations are in the incorrect locations. Coastal road erosion was presented with	Resolution of these issues reside with the Far North District Council. A letter will be sent to FNDC highlighting these road related issues for
	photos that showed the road way being undermined by tide levels during extreme weather conditions.	their attention.
	A request to tarseal between Karetu and Waikare (12kms) and to tarseal between Orauta and Dodds farms (4.2kms)	
	Illegal dumping of rubbish along the roadside was an issue and there needs to be effective solutions put in place to stop this.	
Civil Defence	Flood management was identified as an issue around Waikare inlet. It was requested that Ngāti Manu be included in the development of any flood management strategies.	This request will require further investigation and a formal response provided.
River Management	Gravel management was an issue raised and clarification was sought on what can be done.	Staff provided an overview of gravel management and provided a NRC Gravel Management Pamphlet to hui participants.
	Kerikeri river and inlet was identified as an area to investigate sediment and pollutant sources. It was also requested that Council provide training to hapū regarding sediment analysis and research.	This request will require further investigation and a formal response provided.
Integrated catchment management	Integrated catchment management was presented and sought to have Taumarere Catchment included into the Waiora Northland Water programme and priority rivers.	This request will require further investigation and a formal response provided.
Consents and Monitoring	Shipwreck owned by Patukeha – who have paid \$5,000 to conduct a health and safety plan for the dive wreck in their rohe.	This request will require further investigation and a formal response provided.
	Why are other wreck owners not required to have a health and safety, and real time monitoring plan, e.g Rainbow Warrior, and shipwrecks	The hui was informed that
	Clarification was sort from the hui on council's obligation to consult with tangata whenua. Responding to consents was an issue	The hui was informed that the recent RMA change was that applicants are no longer required to consult with tangata whenua; council has an obligation and a duty to

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	especially the time constraints, the hui felt council should do something to allow good use of time so that tangata whenua could respond effectively with the timeframes?	inform tangata whenua of applications within their rohe and that this matter is addressed through council's policy.
	Monitoring and reporting was raised at the hui on behalf of Ngāti Hine. Water quality was a major concern for all hui participants. To include Ngāti Hine's cultural health index into councils environmental reporting.	The hui was informed that the time constraints are imposed by the RMA not the council and that council has very little to no ability to adjust those legal timeframes.
	Kerikeri Waitangi wastewater discharges are of great concern to Ngāti Rehia, Ngāti Torehina, who requested to be involved in any research activities.	Staff note that Ngāti Hine have presented the cultural health index to staff. An invitation will be extended to Ngāti Hine to present the cultural health index to the Council Environmental Management Committee.
		This request will require further investigation and a formal response provided.
Pest management	A presentation was provided by Ngāti Kuta/Patukeha regarding pest management activities within their area of interest. They have funding from Ngā Whenua Rahui which concludes in 12 months. Is funding available for properties that neighbour conservation estates?	This request will require further investigation and a formal response provided.
	Marine pests are a big issue and there needs to be more resources put toward managing these invasive pests to protect our Kaimoana resources. There is a strong desire for more collaboration with hapū on biosecurity management programmes.	Council informed hui participants that the council is about to commence the development of a new Regional Pest Management Strategy and that that is an ideal process to get involved in to improve and address Northland biosecurity issues.
		Don McKenzie (Biosecurity Senior Programme Manager) will be presenting to the September Committee meeting on this topic.
Harbour Management	It was raised that Waikare inlet has a gazetted Taiapure under the Fisheries Act – and that this should be recognised in NRC planning documents.	These requests will require further investigation and a formal response provided.
	Water safety was also raised in and	

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Land management	around I Pipiri, a local fire station is being built and a coast guard service could be included into this development. Ngāti Kuta/Patukeha would like support to establish a local coast guard service. Strong objections to any future marine development within the Waikare inlet, Opua and Taumarere. There needs to be an effective solution to eliminate waste from unused oyster leases and closer monitoring of these areas. Request to be informed and included into plans for the Waikare inlet area and oyster bed management. Forestry cutting activities in the coastal marine environment is a big issue as all these sediments have an impact on our water quality and quantity including the silting our Kaimoana beds. Council to closely monitor these effects.	This request will require further investigation and a formal response provided.
Economic development	coastal hillside erosion? Ngāti Rehia provided an insight into their organisation and what they wish to achieve through education and economic development which are all part of their revised Hapū management plan.	Council staff to liaise with Ngāti Rehia hapū representatives to organise a hui for the formal lodgement of this hapū
Invitation to meet council	Te Komiti Kaitiaki i Ngā Taonga o Tangaroa provided an overview of their roles and function over the rohe moana they have in place. Requested that Council recognise their Rohe Moana and an invitation with the Komiti has been extended to council.	management plan. Council staff to liaise with Te Komiti Kaitiaki i Ngā Taonga o Tangaroa to discuss further.

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ISSUE: Working Party: Engagement Models for Council

Plans an update

ID: A773255

Te Tai Tokerau Māori Advisory Committee Meeting 10 September

2015

From: Rachel Rōpiha, Iwi Liaison Officer

Date: 24 August 2015

Report Type:	☐ Normal operations	✓ Information	Decision
Purpose:	☐ Infrastructure	Public service	Regulatory function
	Legislative function	☐ Annual\Long Term Plan	✓ Other
Significance:	Triggered	☑ Not Triggered	

Executive Summary:

The purpose of this report is to provide the Te Tai Tokerau Māori Advisory Committee (the committee) with and update from the working party formed to review council's engagement of Māori in its plan development.

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2015-2025 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. No decision is required other than the information be received hence, the matter does not trigger the council's Significance Policy.

Recommendation:

That the report "Working Party: Engagement Models for Council Plans an update" by Rachel Rōpiha, Iwi Liaison Officer and dated 24 August 2015, be received.

Report:

At the July meeting of the committee, the report "Engagement Models for RMA & LGA plans" was tabled and a subsequent working party established to review and make recommendations as to best practice for council to enable effective engagement of Māori in its plan development.

At the meeting, committee Chair, Cr Samuels, committee members, Shortland, Kake and Miru were nominated to form the working party.

Council undertakes a number of statutory functions which require it to consider Māori and how it might achieve its obligations as defined in legislation. Council's current engagement of Māori across its planning regime varies.

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The working party is considering ways in which council might achieve best practice in regards to developing clear and streamlined processes for Māori engagement in council plan processes.

Regional council plans include;

- Long Term Plan (LGA requirement).
- Annual Plan (LGA requirement).
- Regional Policy Statement (RMA requirement).
- Air, Water and Soil and the Coastal plans now combined into one regional planning document (RMA requirement).
- Regional Pest Management Plan (Biosecurity Act, consultation guided by LGA).
- Regional Land and Regional Public transport plans (Transport Act, consultation guided by LGA).
- Navigation Safety Bylaws

In preparation for the first meeting of the working party, the three district councils were canvassed along with three regional/unity authorities, for their engagement processes. This provided context for the working party as to:

- 1. Who is responsible for which plans,
- 2. Across the region (and for the other councils canvassed), who does what regarding Māori engagement, and
- 3. Pressures for constituents and councils.

The information provided a good basis for discussion resulting in a brain storming session. Staff have since been tasked with reviewing and building on this information for presenting to committee members prior to their next meeting which is scheduled for September.

The working party is scheduled to meet again in September and a further update from the working party will be provided at the November meeting of the committee.

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					Page 10
ISSUE:	Hapū and iwi environmental management plans				
ID:	A773456				
То:	Te Tai Tokerau Māori Advisory Committee Meeting, 10 September 2015				
From:	Rachel Rōpiha, lwi Liai	ison	Officer		
Date:	24 August 2015				
Report Type:	☐ Normal operations	$\overline{\mathbf{Q}}$	Information		Decision
Durnacai	☐ Infrastructure		Public service		Regulatory function
Purpose:	Legislative function		Annual\Long Term Plan	V	Other
Significance:	Triggered	V	Not Triggered		
the committe Management Legal compli The activities provided for in the council's compliant.	of this report is to provide) with information pertails. ance and significance detailed in this report are the council's 2015-202 decision making process decision is required other.	aining ass e pa 5 Lo s and	essment: rt of the council's day to ng Term Plan, and are I sections 76-82 of the L	onm day in ac	operations, are ecordance with I Government
	ot trigger the council's S				
Recommend	ations:				
	e report "Hapū and iwi e , Iwi Liaison Officer and				

Background:

There are a number of sections in the Resource Management Act (RMA) that aim to provide for Māori interests. In regards to iwi environmental management plans, regional and territorial authorities are required to maintain a record of all plans lodged (formally) with council under section 35A 1 (b) and regional authorities are required 'take into account any relevant planning document recognised by an iwi authority' when preparing or changing a Policy Statement or Regional Plan sections 61(2A) (a) and 66 (2A) (a) of the RMA.

The RMA is silent on the use and weight of an iwi or hapū/iwi planning document in regards to resource consents. Section 104 of the RMA (matters to be considered in relation to considering an application for resource consent) provides the opportunity for councils to consider 'any other matter the consent authority considers relevant and

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reasonably necessary to determine the application. This section provides an avenue for councils to consider plans (hapū and iwi plans).

Report:

Council currently has 11 plans registered – formally lodged - with it. One further hapū plan has been withdrawn and two hapū are in the process of formally lodging their plans with council.

The council has a number of procedures for reviewing and taking into account hapū/iwi environmental management plans (HEMP).

A review of HEMPS is included in all plan change and plan development processes under the RMA. This review is programmed into council project planning when RMA planning documents are reviewed and is part of common practice for council (for example the review of our regional plans).

Though section 104 of the RMA, council considers HEMP's to be relevant when processing applications for resource consent. Therefore in regards to consent processing for an application for activity which is in an area where there is a HEMP, this is noted in the processing system which triggers an action for the consent handling officer to review and consider the plan/s.

This is the same notification process for Treaty settlement legislation to ensure council considers its statutory obligations in this regard.

Council also encourages applicants – should they be aware of them prior to lodgment – to review HEMP's to get an understanding of concerns. Applicants are reminded by council that this does this replace any genuine consultation with a group, rather it provides some context.

Current list of plans:

The following is a list of plans formally lodged with regional council.

- 1. Ngātiwai Trust Board -Te Iwi o Ngātiwai Iwi Environmental Policy Document.
- 2. Ngātiwai Trust Board Ngātiwai Aquaculture Plan.
- 3. Te Rūnanga o Ngāti Hine Ngā Tikanga mo te Taiao o Ngati Hine *Ngati Hine Iwi Environmental Management Plan.*
- 4. Ngā Hapū o Te Wahpū o Te Hokianga Nui A Kupe Hapū Environmental Management Plan¹.
- 5. Kororareka Marae Kororareka Marae Environmental Hapū Management Plan.
- 6. Te Uri o Hau Settlement Trust Te Uri O Hau Kaitiakitanga O Te Taiao.
- 7. Te Rūnanga o Ngāti Rehia Environmental Management Plan.
- 8. Patuharakeke Te Iwi Trust Board Hapū Environmental Management Plan.
- 9. Mangakahia Marae Komiti Ngā Hapū o Mangakahia Plan.
- 10. Ngāti Kuta Whakatakoto Kaupapa Mo Te Hapū o Ngati Kuta ki Te Rawhiti *Ngati Kuta Ki Te Rawhiti Hapū Management Plan*

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¹ Ngāti Korokoro, Ngāti Wharara, Te Poukā

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11. Te Rūnanga o Whaingaroa - Kia Matau, kia mohio e ora ana Te U Kaipo *Environmental Management Plan for ngā hapū o Whaingaroa.*

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ISSUE:	New Regional Plan – Māori specific provisions and identifying Māori historic heritage				
ID:	A773511				
To:	Te Tai Tokerau Māori A	Advis	ory Committee Meeting	j, 10	September
From:	Cr Bill Shepherd, Council Chairman; and Ben Lee, Programme Manager – Policy Development				
Date:	26 August 2015				
Report Type:	Normal operations		Information	V	Decision
Durnagai	☐ Infrastructure		Public service		Regulatory function
Purpose:	Legislative function		Annual\Long Term Plan	V	Other
Significance:	Triggered	Ø	Not Triggered		
Advisory Condetermining to Also, the new in rivers, lake the committee be taken back. Legal complement of the council's Act 2002. The Recommend		on to tof the machine to the machine	the RPC, to assist with the draft new regional plans and schedules of his ed policies and rules. A fing Māori historic heritateration. Pessment: In the council's day to make the council's Significance Particular and are in the council's Significance Particular and Significance Pa	o cor an. Stori Advid ge ³ .	c heritage sites ce is sought from This advice will y operations, are ccordance with I Government y.
Māori Devel 2. That	 That the report "New Regional Plan – Māori specific provisions and identifying Māori historic heritage" by Ben Lee, Programme Manager – Policy Development and dated 26 August 2015, be received. That Te Tai Tokerau Māori Advisory Committee members and be put forward to go on to the Regional Policy Committee to consider and determine the Māori specific content of the draft new regional plan. 				

¹ The new regional plan will be a single document, replacing the three current regional plans (Air, Coastal and Water & Soil). A regional plan set out the rules for the use of resources. ²The regional plan only covers historic heritage in water. District councils have the responsibility to deal with historic heritage on land (in their district plans). ³ Sometimes called sites/areas of significance.

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Background

As previously reported to the committee, council is preparing a new regional plan⁴. The process is being overseen by the council's RPC. The process is as follows:



The RPC is currently developing the *draft* new regional plan (the green box in the diagram above). The first phase of developing the draft new regional plan is the RPC providing direction to staff on the content of the plan. This phase is largely complete.

Staff are now beginning to take this direction and use it to formulate the content (words) for the plan. This work will be presented to the RPC for their consideration at a series of workshops from now until early next year.

Māori specific content for the draft new regional plan

The RPC would like to invite two members of the committee on to the RPC, to assist with considering and determining the Māori specific content of the draft new regional plan.

The Māori specific content will likely cover:

- Mauri
- Māori historic heritage in water
- Cultural landscapes
- Cultural impact assessments
- Mahinga mātaitai and taiapure

Two workshops are planned for the RPC to cover the Māori specific content -7 December 2015 and a date to be confirmed early 2016. At the first workshop the RPC will consider broad options presented by staff⁵ and give direction as to the preferred approach. The second workshop will focus on the specific wording, based on recommendations by staff.

Examples of the Māori specific content from the recently notified Natural Resources Plan for the Wellington Region⁶ are included **Appendix 1**, to give an idea of what this content might look like.

⁴ The new regional plan will be a single document, replacing the three current regional plans (Air, Coastal and Water & Soil). A regional plan set out the rules for the use of resources. ⁵ We are likely to contract this work to a consultant.

⁶ This plan is used as an example because it has recently been notified, the structure of the plan is similar to the draft new regional plan, and the plan development has been overseen by a joint mana whenua and council committee.

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Identifying Māori historic heritage in rivers, lakes and the sea

The new regional plan will include maps and / schedules of historic heritage sites in rivers, lakes and the sea⁷, with associated policies and rules. Advice sought is from the committee on how to go about identifying Māori historic heritage⁸. This advice will be taken back to the RPC for their consideration.

The proposed Regional Policy Statement states that we must identify and map historic heritage in the new regional plan, along with associated policies and rules aimed at avoiding significant adverse effects on historic heritage.

As a first step council has begun an exercise of mapping publically known historic heritage in rivers, lakes and the sea (including Māori)⁹. These will go into the new draft regional plan with associated rules and policies.

Identifying Māori historic heritage that's not publically known can be complex. Some of the risks and challenges are:

- Many sites are closely guarded, considered tapu, and Māori may be unwilling to disclose their location.
- A full consultation approach can be an expensive and long exercise.
- The lack of written record keeping and reliance on oral recordkeeping.
- The difficulty in determining what's significant and why.
- The difficulty in spatially defining these areas they may not be physical sites as such but landscapes or areas. Some sites of significance may have metaphysical characteristics that don't translate easily into planning maps.

Before identifying Māori historic heritage, criteria will need to be developed to guide how sites are determined and identified.

Examples of the identified sites and areas from the Natural Resources Plan for the Wellington Region are included **Appendix 2**, to provide an idea of how they might look in the draft new regional plan.

These are the main options:

1. Do nothing

While technically an option, we have committed to identifying Māori historic heritage in the Regional Policy Statement.

2. Invite Māori to put forward sites

This is a passive approach where the regional council would invite Māori to put forward sites they may want included. This was the approach the Bay of Plenty Regional Council and Auckland Council used for their recent plans.

The Bay of Plenty process was as follows:

- Their regional policy statement sets out assessment criteria for Māori historic heritage.
- Māori invited to use the regional policy statement criteria to determine the values and significance of the sites, and map them.
- Very few sites were provided to the council.

⁷The regional plan only covers historic heritage in water. District councils have the responsibility to deal with historic heritage on land (in their district plans).

⁸ Sometimes called sites / areas of significance.

⁹We have contracted a consultant to do this work. Part of the project includes some targeted consultation – details to be confirmed.

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The Auckland process was as follows:

- Held pre-draft technical workshops held with iwi authorities to discuss draft provisions and mapped sites. The draft included 61 'Sites of Significance to Mana Whenua'. These were the sites that council had good information on.
- Feedback from Māori on the draft was that the 61 sites in the plan was insufficient and did not capture the full range of sites. Post the release of the draft plan, further discussions were held with iwi and they were invited to nominate additional sites and places of significance to tangata whenua.
- The list of significance sites was expanded to 3,600 sites, including urupa (cemeteries), middens and former village and pa sites – archaeological sites.
 Most of these were not 'new' sites as they have been identified by archaeologists, but many were ill defined and poorly mapped.

3. Technical group

This approach would involve setting up (and resourcing) a Māori led technical working group to identify sites. This was the approach used by the Greater Wellington Regional Council.

Greater Wellington Regional Council has had a long partnership (20+ years) with mana whenua leaders. This includes the committee charged with preparing their new regional plan – Te Upoko Taiao – made up of seven councillors and seven members recommended by the region's mana whenua.

Te Upoko Taiao formed a technical working group to identify significant sites and areas, where each iwi was asked to put forward a representative. The technical working group developed the criteria and identified the sites and areas.

4. Full consultation process

In this option, the regional council (with the services of consultants) would directly engage with Māori to find out where sites of significance are. This is the approach used by the Whangarei District Council:

- Started the project in 2010.
- Engaged consultants to undertake the consultation and collating of information.
- Project involved extensive consultation with Maori¹⁰
- Have spent \$260,000 to date.
- One Māori group (so far) has provided information suitable to go into the district plan¹¹.

We don't currently have the budget to carry out options 3 and 4. Budget would need to be secured through the regional councils annual plan process and wouldn't be available until July 2016 (assuming it's secured). There would then be slightly less than a year to do the work if the sites are to be included in the notified new regional plan (aiming for mid-2017 for notification).

Staff will provide a brief presentation to provide further background and context to help inform this debate and to record feedback and direction from the committee.

¹⁰ The methodology is on the Whangarei District Council's website - <a href="http://www.wdc.govt.nz/PlansPoliciesandBylaws/Plans/DistrictPlan/DistrictPlanChanges/Documents/PC-100-Maori-Significance-Sites/1-General-Information/Preparation-Research-Methodology pdf

A few other Māori groups have provided information, but it requires changes / additions for it to be suitable for the district plan.

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Appendix 1 - Examples of Māori specific content in the Natural Resources Plan for the Wellington Region

4 Policies

Māori relationships

Policy P17: Mauri



The **mauri** of fresh and coastal waters shall be recognised as being important to Māori by:

- (a) managing the individual and cumulative effects of activities that may impact on **mauri** in the manner set out in the rest of the Plan, and
- (b) providing for activities that sustain and enhance mauri, and
- (c) recognising the role of kaitiaki in sustaining **mauri**.

Policy P18: Mana whenua relationships with Ngā Taonga Nui a Kiwa



The relationships between **mana whenua** and Nga Huanga o Ngā Taonga Nui a Kiwa identified in Schedule B (Ngā Taonga Nui a Kiwa) will be recognised and provided for by:

- (a) having particular regard to the values and **Ngā Taonga Nui a Kiwa huanga** identified in Schedule B (Ngā Taonga Nui a Kiwa), and
- (b) supporting iwi-led **restoration** initiatives within **Ngā Taonga Nui a Kiwa**, and
- (c) informing iwi authorities of relevant resource consents relating to **Ngā Taonga Nui a Kiwa**, and
- (d) the Wellington Regional Council and iwi authorities implementing kaupapa Māori monitoring of Ngā Taonga Nui a Kiwa.

Note

The **whaitua** committees will take all reasonable steps to reflect the **mana whenua** values and interests for **Ngā Taonga Nui a Kiwa** in the development of **Whaitua Implementation Programmes**.

Policy P19: Māori values



The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be minimised.

Policy P20: Exercise of kaitiakitanga



Kaitiakitanga shall be recognised and provided for by:

(a) managing natural and physical resources in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Māori as exercised by mana whenua, and

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- (b) the identification and inclusion of **mana whenua** attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and
- (c) identification of **mana whenua** values and attributes and their application through **tikanga** and **kaupapa Māori** in the maintenance and enhancement of **mana whenua** relationships with **Ngā Taonga Nui a Kiwa**.

Policy P21: Statutory acknowledgements



Wellington Regional Council will:

- (a) include any relevant statutory acknowledgments in Schedule D (statutory acknowledgements) for public information, and
- (b) have regard to any relevant statutory acknowledgment in Schedule D (statutory acknowledgements) when processing resource consent applications.

Sites with significant mana whenua values

Policy P44: Protection and restoration of sites with significant mana whenua values

Sites with significant **mana whenua** values identified in Schedule C (mana whenua) shall be protected and/or restored.

Policy P45: Managing adverse effects on sites with significant mana whenua values

In the first instance, activities in sites with significant **mana whenua** values identified in Schedule C (mana whenua) shall be avoided.

If the site cannot be avoided, more than minor adverse effects on the significant **mana whenua** values must be evaluated through a **cultural impact assessment** undertaken by the relevant iwi authority or iwi authorities. The adverse effects of activities shall be managed in accordance with **tikanga** and **kaupapa Māori** as recommended in the **cultural impact assessment** by:

- (a) avoiding more than minor adverse effects, and
- (b) where more than minor adverse effects cannot be avoided, remedying them, and
- (c) where more than minor adverse effects cannot be remedied, mitigating them, and
- (d) receiving written consent of the iwi authority.

Where more than minor adverse effects on significant **mana whenua** values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant **mana whenua** values is inappropriate.

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Appendix 2 – Examples of significant areas and sites in the Natural Resources Plan for the Wellington Region

Schedule B: Ngā Taonga Nui a Kiwa

Shown on Map 2

Ngā Huanga	Glossary
Te Hā o te Ora	The breath of life (te hā o te ora) exists within our water bodies. Outstanding water bodies have an essence within them that provide for wairua and mauri. This hā supports these water bodies in their ability to provide kai, provide resources and heal the body and spirit.
Ngā Mahi a ngā Tūpuna	The interaction of mana whenua with fresh and coastal waters for mana whenua purposes. This includes the cultural and spiritual relationship with water expressed through mana whenua practices, recreation and the harvest of natural materials for mana whenua purposes. This also includes ancestral connections to the land passed down by tūpuna and whakapapa.
Te Mahi Kai	Places where mana whenua manage and collect food and resources and undertake activities to uphold tikanga Māori. This is not only about the bounty collected but the transmission of knowledge through the act of collection.
Wāhi Whakarite	Sites and places where particular practices and activities take place. These are often places that have been used for centuries that require a specific environment. These practices differ from day to day activities outlined above in Ngā Mahi a ngā Tūpuna. These include very important and often restricted activities that are undertaken by Māori that have been used for centuries.
Te Mana o te Tangata	Many water bodies are recognised by their neighbours as being of particular value to not only those that hold rangatiratanga of a water body but also to those who interact and rely on their neighbours for certain resources. In this case a requirement could be the support or endorsement by another iwi. This would provide an opportunity for whānaungatanga and mutual mana enhancement.
Te Manawaroa o te Wai	Some water bodies have sustained intense pollution over a long period of time. In many cases these water bodies are seen as having a level of resilience unseen in other water entities. In the minds of tangata whenua the restoration of many of these water bodies provides an excitement. The potential of particular outstanding water bodies provides a special opportunity for iwi to be able to once again provide their guests with kai-rangatira, relearn practices of the past, and identify themselves with a water body that will be healthy.
Te Mana o te Wai	Some water bodies of our region are inherently connected to our identity and the mana of the area. Te Whanganui a Tara and Wairarapa Moana are two outstanding examples of this relationship.
Wāhi Mahara	Wāhi mahara are places of learning and where local knowledge and histories are etched in the landscape. These are essentially a place that was central to intergenerational knowledge transmission of our tūpuna, and could be used as such again in our future.

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Schedule C: Sites with significant mana whenua values

COASTAL

A glossary of terms used for the values in Schedule C follows after Schedule C5.

Schedule C1: Sites of significance to Ngā Hāpu o Ōtaki

COASTAL

Shown on Map 3

Schedule C1: Sites of significance	e to Ngã Hāpu o Ōtaki					
Place/water body Values						
Haruātai Stream – Mākuratawhiti	papa kāinga, tohu ahurea, urupā, wāhi tapu, puna uku, wāhi whakawātea, wāhi whakarite					
Haruātai Stream – Raukawa marae	papa kāinga, mahinga kai, wai ora, puna uku, kauhoe, wāhi whakawātea, wāhi whakarite					
Haruātai Stream – Rikiville	papa kāinga, mahinga kai, wai ora, kauhoe, tohu ahurea, wāhi whakawātea wāhi whakarite					
Haruātai Stream – Te Moutere – Hema te Ao	papa kāinga, mahinga kai, wai ora, puna rongoā, wāhi whakawātea, wāhi whakarite					
Kōwhai Stream and mouth	mahinga kai, ara waka, papa kāinga, puna raranga, tohu ahurea, kauhoe, wai ora, wai tai, wāhi whakawātea, wāhi whakarite					
Mangahānene Stream – Mangahānene	mahinga kai, wai ora, ara waka, papa kāinga, puna raranga, puna rongoā, pā, tohu ahurea, kauhoe, wāhi whakawātea, wāhi whakarite					
Mangaone Stream – Parahamuti	wai ora, ara waka, mahinga kai, puna rongoā, puna raranga, wāhi whakawātea, wāhi whakarite					
Mangaone Stream – Parahamuti – Te Matenga o te Tupe	ara waka, wāhi tapu, wai ora, wāhi whakawātea, wāhi whakarite					
Mangaone Stream – Taonui	mahinga kai, ara waka, papa kāinga, puna raranga, puna rongoā, kauhoe, tohu ahurea, wāhi whakawātea, wāhi whakarite					
Mangapouri – Haruatai (market reserve)	papa kāinga, ara waka, mahinga kai, wai ora, kauhoe, wāhi whakawātea, wāhi whakarite					
Mangapouri Stream – Pukekaraka Tainui	papa kāinga, mahinga kai, wai ora, ara waka, kauhoe, wāhi whakawātea, wāhi whakarite					
Maringiawai – Te puna	mahinga kai, wai ora, wāhi whakawātea, wāhi whakarite					
Maringiawai Stream – P ōtah i	papa kāinga, mahinga kai, ara waka, wai ora, wāhi whakawātea, wāhi whakarite					
Ngātoko Stream – Pā o Hanataua	wai ora, papa kāinga, pā, mahinga kai, ara waka, puna raranga, kauhoe, tohu ahurea, wāhi whakawātea, wāhi whakarite					
Ngātoko Stream – Rekereke	mahinga kai, papa kāinga, wai ora, tohu ahurea, wāhi whakawātea, wāhi whakarite, kauhoe					
Ngātoko Stream – spring to Rangiuru junction	wai ora, papa kāinga, mahinga kai, ara waka, puna raranga, puna rongoā, wāhi whakawātea, wāhi whakarite					
Ngātoko waipuna – (spring)	wai ora, mahinga kai, wāhi whakawātea, wāhi whakarite					
Ngātōtara lake and stream	wai ora, mahinga kai, puna raranga, puna rongoā, papa kāinga, wāhi tapu, tohu ahurea, wāhi whakawātea, wāhi whakarite					
Ngāwhakangutu Wetland (Te Hāpua wetland complex A)	mahinga kai, ara waka, papa kāinga, puna raranga, pā, tohu ahurea, kauhoe, wai ora, puna rongoā, wāhi tapu, wāhi whakawātea, wāhi whakarite					
Ōtaki Pā (Ferry reserve)	wāhi tūpuna, pā, mahinga kai, urupā, tohu ahurea, ara waka, kauhoe, wai ora, wai tai, wāhi whakawātea, wāhi whakarite					

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Schedule C1: Sites of significance to Ngā Hāpu o Ōtaki				
Place/water body	Values			
Ōtaki River – SH1 road bridge to river mouth	urupā, wai ora, wai tai, papa kāinga, mahinga kai, puna raranga, puna rongoā, ara waka, tohu ahurea, kauhoe, kaukau, ngā mahi pārekareka i/ki te wai			
O-te-pua wetland	papa kāinga, mahinga kai, puna raranga, puna rongoā, puna uku, wai ora			
Rangiuru Stream – Okātea / Okātia	ara waka, wai ora, pā, tauranga waka, tohu ahurea, wāhi whakawātea, wāhi whakarite			
Rangiuru Stream – Pākākutu	mahinga kai, ara waka, papa kāinga, puna raranga, pā, kauhoe, wai ora, tohu ahurea, wāhi whakawātea, wāhi whakarite			
Rangiuru Stream – Rangiuru pā	mahinga kai, wai ora, ara waka, papa kāinga, puna raranga, pā, tauranga waka, tohu ahurea, kauhoe, wāhi whakawātea, wāhi whakarite			
Waiariki Stream	papa kāinga, mahinga kai, wai ora, tohi, puna rongoā, wāhi whakawātea, wāhi whakarite			
Waimanu Lagoon	mahinga kai, puna rongoā, puna raranga, wai ora, wāhi whakawātea, wāhi whakarite			
Waiorongomai – roto and awa to MHWS	mahinga kai, tānga i te kawa, puna raranga, puna rongoā, papa kāinga, pā, tohu ahurea, wāhi whakawātea, wāhi whakarite			
Waitawa	wāhi tapu, urupā, tohu ahurea, wai ora, puna raranga, hoe waka, waka ama			
Waitohu – Waikato confluence	mahinga kai, wai ora, puna raranga, puna rongoā			
Waitohu Stream – G-bung	mahinga kai, ara waka, puna raranga, wai ora, kauhoe, kaukau, ngā mahi parekareka i/ki te wai			
Waitohu Stream - Pukehou 4C6	urupā, ara waka, wāhi tapu, wai ora, tohu ahurea, kauhoe			
Waitohu Stream – Tararua pā	pā, papa kāinga, mahinga kai, ara waka, puna rongoā, puna raranga, wai ora, kauhoe, tohu ahurea			
Waitohu Stream – Tararua urupā	urupā, wāhi tapu, tohu ahurea, wai ora			
Waitohu Stream mouth	mahinga kai, ara waka, papa kāinga, kauhoe, raranga, tohu ahurea			

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ISSUE: Notice of Motion from Committee Member Catherine Murupaenga-Ikenn

ID: A776269

Te Tai Tokerau Māori Advisory Committee meeting, 10 September

2015

From: Jonathan Gibbard, Group Manager Strategy and Governance

Date: 2 September 2015

Report Type:	☐ Normal operations	☐ Information	V	Decision
Purpose:	☐ Infrastructure	☐ Public service		Regulatory function
	Legislative function	☐ Annual\Long Term Plan	$\overline{\mathbf{A}}$	Other
Significance:	Triggered	✓ Not Triggered		

Purpose:

The purpose of this report is to place before the Te Tai Tokerau Māori Advisory Committee a Notice of Motion from Committee Member Catherine Murupaenga-Ikenn. The Notice of Motion presents information on the Trans Pacific Partnership Agreement and outlines two proposed options for the Committee to consider.

Member Murupaenga-Ikenn's Notice of Motion is provided as **Attachment 1**. Member Murupaenga-Ikenn has confirmed she is not able to attend the 10 September 2015 Committee meeting and has confirmed that Committee Member Bundy Waitai will speak to this item.

Should the Committee decide to make a recommendation to Council on this topic, then staff will present this to council along with supporting information and staff recommendations.

Legal compliance and significance assessment:

The Notice of Motion has met all legislative meeting procedures as required under the council's Standing Orders and the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987. While the Trans Pacific Partnership Agreement is a significant issue for the nation, the formation of a position by the Te Tai Tokerau Māori Advisory Committee does not in itself trigger the thresholds within the council's significant policy.

Recommendations:

- 1. That the report "Notice of Motion from Appointed Member Catherine Murupaenga-Ikenn" by Jonathan Gibbard, Group Manager Strategy and Governance and dated 2 September 2015, be received.
- 2. That the Chairman invites the nominated Member Bundy Waitai to speak to the Notice of Motion.

Attachment 1 - Notice of Motion from Committee Member Catherine Murupaenga-Ikenn

Memo

Date: 2 September 2015

To: Northland Regional Council Māori Advisory Committee

From: Catherine Murupaenga-Ikenn, Representative, Te Rūnanga o Te Rarawa

Re: TRANS PACIFIC PARTNERSHIP - NRC POLICY POSITION

PURPOSE

1. By email of 3 July (with supplementary information emailed 2 August), I proposed that Northland Regional Council (NRC) take an informed policy position on the Trans Pacific Partnership Agreement (TPP) being negotiated by our New Zealand Government.

1.1. Having confirmed NRC had no plans to take a policy position on the TPP, NRC Group Manager Strategy and Governance, Jonathon Gibbard, invited me (on 14 August) to submit a proposal on this matter for the Taitokerau Māori Advisory Committee's (MAC's) consideration. This Memo responds to that invitation.

BACKGROUND

- 2. The TPP is an expansive agreement being negotiated between New Zealand and 11 other countries in the Pacific Rim, including Australia, United States, Brunei, Chile, Japan, Malaysia, Peru, Singapore, Vietnam, Canada, and Mexico. Eventually, every Pacific Rim nation may be included. However, although touted as a trade agreement, the TPP is not mainly about trade. Of its 29 draft chapters, only five deal with traditional trade issues.¹
- 2.1. Like other 'trade' pacts, the TPP includes provisions related to the environment, labour, agriculture, access to medicines, and more. However, there is increasing public and sector-based opposition against the TPP for a number of reasons, including²:
 - a. *Erosion of Māori*³ *and State Sovereignty:* If the TPP negotiations are completed it will become much harder for our Government (and

¹ This has made many people highly circumspect of the agenda behind the TPP: why attempt to pass something off as a trade agreement when clearly it's not?: See https://www.citizen.org/tpp.

² For more details, see http://itsourfuture.org.nz/what-is-the-tppa/.

³ Ref two TPP Treaty of Waitangi claims filed with the Waitangi Tribunal: see "Is Govt running scared from TPPA's implications for Māori?" (20 July 2015), at https://www.greens.org.nz/news/press-releases/govt-running-scared-tppa%E2%80%99s-implications-m%C4%81ori. Note also the recent Paparahi o te Raki Waitangi Tribunal finding that Māori never ceded sovereignty.

therefore NRC) to look after our environment, ⁴ promote health, protect workers and consumers, and generally promote the public interest (the TPP risks are more specifically reflected in each of the paragraphs of the Proposed NRC Policy Solution below, at para 5). Similarly, the TPP undermines tangata whenua ability to fully exercise our tino rangatiratanga, protect our Te Tiriti o Waitangi rights, and fulfil our kaitiaki obligations.⁵

- b. Lack of transparency: The negotiations are conducted in secret by State representatives and a body of non-democratically appointed corporate "advisors" (meaning corporate interests and agendas often criticized for putting profit before People and the Planet are given primacy above those of citizens). Only limited access is given to our democratically elected Members of Parliament, and virtually no meaningful information is provided to tangata whenua or the wider New Zealand public (what TPP texts New Zealanders have obtained have been through 'leaked' sources).
- c. Unsubstantiated 'on balance' benefits to NZ: Given the lack of negotiating transparency, it is impossible to know definitively whether the TPP is actually worth signing up to. In fact, Official Information Act requests reveal that the Government will only conduct a "National Interest Analysis" of the relative benefits after the TPP negotiations are concluded! However, what we can tell from leaked documents, and also by extrapolating from past 'trade' agreements (such as NAFTA⁷), is that the TPP will have a detrimental (and in some cases crippling) net effect for New Zealand's environmental, social, cultural and economic values.

Nation-wide Council Response

⁴ Note the connection with NRC's recent move to fully inform itself regarding **deep sea oil drilling**: if ratified, the TPP would undermine the NRC's ability to protect our inshore waters against the harmful effects of inshore or deep water oil drilling. For example, see https://www.youtube.com/watch?v=BYm6nGCF461.

⁵ Note that the **WAI 262 Flora and Fauna Claim** (filed in 1991 and reported on by the Waitangi Tribunal in 2011) already covered the perils of trade agreements (for background, see: For more info on the WAI 262 claim! See: http://wai262.weebly.com/). The Tribunal report (specifically chapter 8) provides recommendations regarding Crown engagement with Māori when it is developing New Zealand's position on international instruments such as trade agreements. The report Factsheet 9 summarizing the main points of this chapter can be downloaded at:

 $[\]frac{http://www.justice.govt.nz/tribunals/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/flora-and-fauna/waitangi-tribunal/documents/generic-inquiries/g$

⁶ See **Attachment**: New Zealand Foreign Affairs and Trade response to C Murupaenga-Ikenn (28 July 2015).

⁷ "North American Free Trade Agreement": the TPP is often referred to as "NAFTA on steroids". See also "The

Trans-Pacific Partnership: Warnings From NAFTA" (20 January 2014), at:

2.2. In response to these concerns, a TPP social justice campaign has already resulted in Councils representing more than 60 per cent of the population supporting a proposed TPP "Policy Solution". A NRC-tailored version of this proposal is set out below.

PROPOSED NRC TRANS PACIFIC PARTNERSHIP POLICY SOLUTION

- **3.** I propose that NRC actively encourages the Government to **EITHER**:
- 3.1. <u>Immediately withdraw</u> from the TPP negotiations, and reconvene the negotiations only when the Government has met its obligation:
 - a. To tangata whenua (as both the Crown's Te Tiriti o Waitangi partner in Aotearoa, and indigenous peoples with specific human rights⁸) to obtain tangata whenua's free, prior and informed consent regarding any and all TPP matters significantly affecting them; and
 - b. To the citizens of New Zealand, in the spirit of "good governance" and respect for peoples human rights generally, 9 to conclude good faith consultation 10 with New Zealanders on the TPP; OR
- 3.2. <u>Conclude the TPP negotiations</u> in a way that provides net positive benefits for the Northland region and New Zealand, that is, provided the TPP at a minimum¹¹ achieves the following objectives:
 - a. <u>Protects</u> New Zealand environmental and biosecurity standards (and therefore NRC's ability to protect our region's environmental values) against any erosion of said standards for trade or investment advantage;
 - b. <u>Protects</u> NRC's choice, to adopt procurement policies that provide for:
 - i. A degree of local preference;
 - ii. Particular services or facilities to be delivered in house, by council-controlled organisations (**CCOs**) or by contracting out; or

⁸ Ref the United Nations Declaration on the Rights of Indigenous Peoples, at http://www.un.org/esa/socdev/unpfii/documents/DRIPS en.pdf.

⁹ Ref the range of applicable United Nations international covenants, in particular the International Covenants on Civil and Political Rights (at

https://en.wikipedia.org/wiki/International Covenant on Civil and Political Rights) and Economic, Social and Cultural Rights (at https://en.wikipedia.org/wiki/International Covenant on Civil and Political Rights) and Economic, Social and Cultural Rights (at https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx).

¹⁰ This requires that the Government will give effect to all reasonable and fair findings and recommendations of any such consultation (i.e. the consultation exercise will not just be a fait accompli, tokenistic window-dressing).

¹¹ This recognizes that full TPP openness and transparency regarding the TPP, and a robust critical analysis of the same (keeping in mind that the TPP has been largely kept secret from the New Zealand public and therefore preventing comprehensive scrutiny), may raise further concerns which need to be addressed and added to this list.

- iii. Higher health and safety, environmental protection, employment rights and conditions, community participation, animal protection or human rights standards than national or international minimum standards;
- c. <u>Ensures</u> NZ domestic investors' and suppliers' rights remain stronger than those of overseas investors or suppliers, in particular with regard to:
 - i. 'Investor-State Dispute Settlement procedures' which may otherwise risk enforcement of overseas interests' rights over and above those of domestic parties; and
 - ii. Our ability to control overseas investment or finance;
- d. <u>Maintains</u> good diplomatic and trade relations and partnerships for the Northland region and New Zealand with other major trading partners not included in the agreement including with China;
- e. <u>Provides</u> substantially increased access for our agriculture exports, particularly those from the Northland region into the US Market;¹³

f. Protects:

- PHARMAC's¹⁴ current role and function to determine which medicines, medical devices and related products are subsidised in NZ;
- ii. Citizens' access to reasonably priced medical treatments and medicines; and
- iii. NZ's ability to implement public health measures (such as labelling of Genetically Modified foods, or tobacco control);
- g. <u>Does not</u> expand intellectual property rights and enforcement in excess of current law;
- h. <u>Does not</u> weaken our public services, require privatisation, hinder reversal of privatisations, or increase the commercialization of NRC or central Government;

[&]quot;...under the TPPA, foreign investors would be able to sue the Government in private offshore [Investor-State Dispute Settlement] tribunals if it makes changes to health or environment policy that will affect an investment - like significantly reducing projected profits. The corporations could seek many millions in compensation.

This kind of thing already happens under similar agreements. Germany was sued after the government decided to dismantle its nuclear reactors post-Fukushima. In El Salvador, the government refused to issue new mining permits after its water was polluted, and a company that had already started its environmental due diligence sued for over \$300 million." (source: "The TPPA is a game changer" (25 July 2015), at http://www.waateanews.com/Waatea+News.html?story_id=MTAwNTc%3D&v=204#.VbHB8D74qRY.facebook

¹³ This references one of NZ's most powerful lobby groups, Fed Farmers, publicly opposing the TPP. See http://www.radionz.co.nz/news/rural/280101/current-tpp-deal-%27unthinkable%27-for-dairy.

¹⁴ The Pharmaceutical Management Agency (PHARMAC) is the NZ Government agency that. See http://www.pharmac.health.nz/.

- i. <u>Protects</u> NRC's flexibility to effectively support the implementation of Northland economic development strategies, and encourage good employment¹⁵ and environmental practices and initiatives;
- j. <u>Requires</u> adherence to core International Labour Organisation conventions, ¹⁶ and protects against erosion of current labour rights for trade or investment advantage;
- k. <u>Protects</u> human rights, the environment, Te Tiriti o Waitangi, and New Zealand's economic and financial stability;
- I. <u>Has been negotiated with meaningful, transparent and good faith</u> <u>public consultation, including:</u>
 - Regular and timely public releases of TPP text drafts;
 - ii. Plenty of opportunities for public participation and input; and
 - iii. Ratification being conditional on a full social, environmental, and economic impact assessment.

Nāku,

Catherine Murupaenga-Ikenn

Taitokerau Māori Advisory Committee Member

¹⁵ For example, initiatives such as "Mayors' Taskforce for Jobs" which enables marginalised young people to develop their skills and transition into meaningful employment – see http://www.mayorstaskforceforjobs.co.nz/.

¹⁶ See their website at http://www.ilo.org/.