

Huihuinga O Te Kāhui Māori O Taitokerau

Te Taitokerau Māori and Council Working Party
Thursday 11 February 2021 at 11.00am - 3.00pm

AGENDA

RĀRANGI TAKE

Rārangi Take O Te Kāhui Māori O Taitokerau **(Te Taitokerau Māori and Council Working Party Agenda)**

Meeting to be held in the Council Chamber
36 Water Street, Whangārei
on Thursday 11 February 2021, commencing at 11.00am - 3.00pm

Please note: working parties and working groups carry NO formal decision-making delegations from council. The purpose of the working party/group is to carry out preparatory work and discussions prior to taking matters to the full council for formal consideration and decision-making. Working party/group meetings are open to the public to attend (unless there are specific grounds under LGOIMA for the public to be excluded).

NGĀ MANA WHAKAHAERE **(MEMBERSHIP OF THE TE TAITOKERAU MĀORI AND COUNCIL WORKING PARTY)**

Co-Chair, Marty Robinson
Co-Chair (proxy) Te Rūnanga o Ngāti Hine. Pita Tipene

Councillor Penny Smart	Councillor Jack Craw	Councillor Colin Kitchen
Councillor Amy Macdonald	Councillor Rick Stolwerk	Councillor Justin Blaikie
Councillor Joce Yeoman	Patuharakeke Te Iwi Trust Board, Juliane Chetham	Ngāti Kuta, Patukeha, Michelle Elboz
Te Uri o Hau Settlement Trust, Georgina Connelly	Te Rūnanga o Te Rarawa, Rihari Dargaville	Te Whakapiko Hapū, Rowan Tautari
Te Parawhau Hapū Authority Charitable Trust, Mira Norris	Te Rūnanga O Ngāti Rehia, Nora Rameka	Ngātiwai Trust Board, Hadyn Edmonds
Ngāti Tara, Victor Holloway	Te Rūnanga-Ā-Iwi-O-Ngāpuhi, Janelle Beazley	Te Rūnanga Nui o Te Aupōuri, TBC
Te Rūnanga O Whāingaroa, Toa Faneva	Te Rūnanga O Ngāti Whātua, Alan Riwaka	Te Waiāriki, Ngāti Takapari, Ngāti Korora, Anameara Kake
Te Roroa, Thomas Hohaia	Ngāti Hau, Mike Kake	

At the March 2020 meeting of the Te Taitokerau Māori and Council Working Party identified the following key areas of focus for the 2019 – 2021 triennium:

- Development of an overarching water strategy
- Development of a climate change strategy
- Development of an economic development strategy with a focus on Māori economic development
- Development of a marine strategy as it pertains to Te Taitokerau
- Build tāngata whenua capacity and capability e.g. LTP etc
- Strengthen Māori representation in local body politics.

KARAKIA / WHAKATAU

RĪMITI (ITEM)

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2.0 NGĀ WHAKAPAHĀ (APOLOGIES)

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Commonly used terms and abbreviations

Appointed member – one of the (up to) twenty-one appointed iwi and hapū members from Te Taitokerau tāngata whenua. Members are appointed in accordance with the [Terms of Reference](#). In addition to appointed members there are nine elected members (councillors)

AP - Annual Plan

TTMAC caucus – is comprised of appointed (tāngata whenua) members

CEO - Chief Executive Officer

CPCA - Community Pest Control Areas

DOC - Department of Conservation

FNDC - Far North District Council

GIS - Geographic Information System

HEMP - Hapū Environmental Management Plan

IEMP - Iwi Environmental Management Plan

ILGACE - Iwi and Local Government Chief Executives Forum

KDC - Kaipara District Council

LAWA – Land, Air, Water Aotearoa

LEA - Local Electoral Act 2001

LGA - Local Government Act 2002

LGNZ - Local Government New Zealand

LIDAR – Light detection and ranging

LTP - Long Term Plan

MBIE – Ministry of Business, Innovation & Employment

MFE - Ministry for the Environment

MOT - Ministry of Transport

MPI - Ministry for Primary Industries

MTAG - Māori Technical Advisory Group (a sub-group of TTMAC)

NES - National Environmental Standards

NINC - Northland Inc. Limited

NIWA - National Institute of Water and Atmosphere

NPS - National Policy Statement

NPS-FM - National Policy Statement for Freshwater Management

RMA - Resource Management Act 1991

RP – Regional Plan

TAG - Technical Advisory Group

TKoT – Te Kahu o Taonui

TTMAC - Te Taitokerau Māori and Council Working Party

TTNEAP – Tai Tokerau Northland Economic Action Plan

TOR - Terms of Reference

TPK - Te Puni Kōkiri (Ministry of Maori Development)

WDC - Whangarei District Council

TITLE: Record of Actions – Rāpare te 12 o Whiringa-a-Rangi |
Thursday 12 November

ID: A1404642


From: Sally Bowron, Strategy, Governance and Engagement Team Admin/PA

**Authorised by
Group Manager:** Ben Lee, GM - Strategy, Governance and Engagement, on 29 January 2021

Executive summary

The purpose of this report is to present the Record of Actions of the last meeting (attached) held on Thursday 12 November 2020 for review by the meeting.

Attachments/Ngā tapirihanga

Attachment 1: Record of Actions from 12 November 2020 [↓](#) 

Te Taitokerau Māori and Council Working Party
12 November 2020

Tuhituhi o ngā Mahi O Te Kāhui Māori O Taitokerau Te Taitokerau Māori and Council Working Party Record of Actions

Meeting held in the Council Chamber
36 Water Street, Whangārei
on Thursday 12 November 2020, commencing at 11.00am - 3.30pm

Tuhinga (Present):

Co-Chair, Marty Robinson
Te Rūnanga o Ngāti Hine Pita Tipene
Councillor Colin Kitchen (*part meeting*)
Councillor Amy Macdonald
Councillor Penny Smart
Councillor Rick Stolwerk
Councillor Joce Yeoman
Te Uri o Hau Settlement Trust, Georgina Connelly
Te Rūnanga o Te Rarawa, Rihari Dargaville
Te Parawhau Hapū Authority Charitable Trust, Mira Norris
Te Rūnanga O Ngāti Rehia, Nora Rameka
Te Whakapiko Hapū, Rowan Tautari (*part meeting*)
Ngāti Tara, Victor Holloway
Te Rūnanga-Ā-iwi-O-Ngāpuhi, Janelle Beazley
Ngātiwai Trust Board, Hadyn Edmonds (*part meeting*)
Te Roroa, Thomas Hohaia
Te Rūnanga O Whāingaroa, Hoki Tua (*proxy*)
Te Waiariki, Ngāti Korora, Ngāti Takapari, Anameara Kake

I Tae Mai (In Attendance):

Huihuinga i te katoa (Full Meeting)

NRC Chief Executive
GM – Environmental Services
GM – Strategy Governance and Engagement
Kaiwhakahaere Honongā Māori – Māori Relationships Manager
Kaiārahi – Tikanga Māori
Kaiārahi – Kaupapa Māori
PA/Team Admin Strategy Governance and Engagement

Huihuinga i te wahanga (Part Meeting)

Economist
Strategic Policy Specialist
Organisational Project Manager
Policy Specialist
Policy Specialist
Natural Resources Monitoring Manager
GM Regulatory Services

The meeting commenced at 11.05.

Te Taitokerau Māori and Council Working Party
12 November 2020

Karakia / Whakataua

The karakia and mihi whakataua were done for the meeting in the non-elected members caucus session prior to the formal meeting.

Secretarial Note: It is with deep sadness that we advise that a mighty 'Totara' of Te Taitokerau and Co-Chair of TTMAC, Rudy Taylor, passed away soon after this meeting on 16 November 2020.

Ngā Whakapahā/Apologies (Item 1.0)

Co-Chair, Te Whakaminenga O Te Hikutu Hapu-Whanau, Rudy Taylor
Councillor Jack Craw
Patuharakeke Te Iwi Trust Board, Julianne Chetham
Ngāti Kuta, Patukeha, Michelle Elboz
Te Rūnanga O Whaingaroa Toa Faneva
Te Rūnanga Nui o Te Aupōuri

Nga whakapuakanga (Declarations of Conflicts of Interest) (Item 2.0)

It was advised that members should make declarations item-by-item as the meeting progressed.

Record of Actions – 10 September 2020 (Item 4.1)

It was agreed that the Record of Actions was an accurate reflection of the meeting.

Māori Representation: Māori constituencies (Item 4.2)

Presented by: Kaiwhakahaere Hononga Māori – Māori Relationships Manager. Council decided at its October meeting to establish Māori constituencies for the 2022 and 2025 local body elections. An overview was provided of the issues that will need to be worked through, the key statutory processes and dates, and opportunities for TTMAC to inform council's decisions. The Deputy Co-Chair, Pita Tipene, acknowledged on behalf of tāngata whenua members, the courage of the council in moving the region forward in a way based on Te Tiriti o Waitangi and He Whakaputanga, by voting for Māori constituencies.

Agreed action points:

- E tautoko mārika ana te Huihuinga o te Kahui Māori o Te Taitokerau i te whakataua o te Kaunihera a Rohe o Te Taitokerau kia toka ake ngā tūru Māori hei whakawaha i ngā kaupapa taketake puta noa i Te Tai Tokerau
- For the Māori Technical Advisory Group to meet and consider the options and form a view/strategy regarding the number of constituencies (i.e., "all of Northland", multiple Māori constituencies, a phased approach) by the end of November 2020
- That MTAG's view on the number of constituencies be considered at a further workshop of TTMAC tāngata whenua members and that feedback on the options regarding key decisions on Māori constituencies be provided to the next council meeting
- That a letter now be sent to the Minister for Local Government advising of council's decision to establish Māori constituencies, to request that the Local Electoral Act 2001 be changed to remove poll provisions.

government elections.

Te Taitokerau Māori and Council Working Party
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Freshwater Plan Change - Maori Engagement and Tāngata Whenua Water Advisory Group (Item 4.3)

Presented by: Policy Specialist. This paper sought TTMAC endorsement to appoint fifteen, rather than twelve, members to the Tāngata Whenua Water Advisory Group (TWW-AG). The TWW-AG is part of council's approach to Māori engagement in the freshwater plan change required by the National Policy Statement Freshwater Management that came into force on 3 September 2020. TTMAC agreed with the recommendation. During discussion, however, concern was raised about the applications – that the net cast didn't gather the right fish. It was, therefore, agreed to extend the application period by one week and reconvene the selection panel to confirm the appointees.

Agreed action points:

- TTMAC endorsed the Selection Panel's recommendation to appoint twelve members to the Tāngata Whenua Water Advisory Group in addition to the three TTMAC members already selected, to make a total of fifteen members. A paper will go to council incorporating TTMAC's feedback on this
- That the application period be extended by one week and, following that, the selection panel reconvene and confirm the appointees taking into account any additional applications received.

Endorsement of action from September's meeting regarding economic development sub-group (Item 4.4)

Presented by: Meeting Support. At the previous TTMAC formal meeting, there wasn't a quorum to endorse the action of establishing a tāngata whenua economic development subgroup to work with Northland Inc on input into their annual Statement of Intent and overall economic development strategy. This paper sought endorsement of the action.

Agreed action points:

- That a maximum six-member tāngata whenua economic development subgroup be formed to work with Northland Inc on input into their annual Statement of Intent and overall economic development strategy, comprising:
 - a. Pita Tipene
 - b. Janelle Beazley
 - c. Rihari Dargaville
 - d. Nora Rameka.

Meeting schedule for 2021 (Item 4.5)

Presented by: Kaiwhakahaere Honongā Māori. Taken as read.

Agreed action points:

- That the meeting dates for 2021 are as follows (all fall on the second Thursday of the month):
 - 11 February (formal meeting)
 - 11 March (workshop)
 - 8 April (formal meeting)
 - 13 May (workshop)
 - 10 June (formal meeting)
 - 8 July (workshop)
 - 12 August (formal meeting)
 - 9 September (workshop)

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14 October (formal meeting)
11 November (workshop)
9 December (formal meeting).

Regional Marae-based Hui (Item 4.6)

Presented by: Kaiarahi – Tikanga Māori | Cultural Advisor. This report provided a high level review of the 2020 hui programme and sought TTMAC's views on how the delivery and effectiveness of the 2021 programme might be improved.

Agreed action points:

- That the 2021 regional marae-based hui host will be set as per the following schedule:
 - a. 13 May hui location to be agreed at the 11 February formal meeting
 - b. 8 July hui location to be agreed at the 8 April formal meeting
 - c. 9 September hui location to be agreed at the 10 June formal meeting
 - d. 11 November hui location to be agreed at the 12 August formal meeting;
- That Ngāti Tara will confirm their availability to host the 11 March hui (a change from 11 February)
- That staff will work alongside the Māori Technical Advisory Group to provide recommendations as to how the effectiveness of marae-based hui can be improved.

Taitokerau water resilience (Item 4.7)

Presented by: Natural Resources Policy Manager, Acting GM Strategy Governance and Engagement. The presentation covered the current state of water resources, outlook for the summer, and an overview of what's being done to reduce the risk of droughts, such as a community bore/tank scheme, improved public water supplies, a proposed Tai Tokerau Water Resilience Working Group and funding for water storage projects. The presentation also advised on the government's direction around Te Mana o te Wai which states that the hierarchy of obligations is:

1. The health and mauri of the wai
2. Providing for essential human health, such as safe drinking water
3. For other uses, e.g. economic benefit, provided that it does not adversely impact the mauri of the wai.

Agreed action points: Nil.

Update on the Long Term Plan (LTP) (Item 4.8)

Presented by: Kaiārahi – Kaupapa Māori. This presentation recapped the LTP 2021-31 process to date, what will likely be taken to consultation driven by TTMAC's LTP process, the remaining phases of the process (public consultation, deliberation and adoption). The key message was that the outcome and impact of the work done by MTAG and endorsed by TTMAC will improve long term community wellbeing.

Agreed action points: Nil.

Coastal Occupation Charges (Item 4.9)

Presented by: Policy Specialist. This presentation provided an overview of the concept of coastal occupation charges (COCs) and sought initial views from TTMAC members about the possibility introducing them in Taitokerau. Acknowledging that there were many aspects to this kōrero – from existing non-notified jetty and wharves to council processes – TTMAC were supportive of council considering further the introduction of coastal occupation charges.

Te Taitokerau Māori and Council Working Party
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Agreed action points: Nil.

Regional marae-based hui report (Item 4.10)

This item was taken as read.

Agreed action points: Nil.

Updates from other working parties (Item 4.11)

This item was taken as read, with verbal updates provided by councillor Joce Yeoman, Chair of the Planning and Regulatory Working Party and Victor Holloway for the Water and Land Working Party.

Agreed action points:

- Meeting Support to follow up a query from member Holloway to the Chair of the Water and Land Working Party.

Any other business (Item 4.12)

Nil.

Conclusion

The meeting concluded at 3.07pm.

TITLE: Appointment of Co-Chair

ID: A1406124

From: Sally Bowron, Strategy, Governance and Engagement Team Admin/PA

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on 4 February 2021

Executive summary/Whakarāpopototanga

With the passing of Co-Chair Rudy Taylor in October last year, the position of the appointed members Co-Chair for the Te Taitokerau Māori and Council Working Party (TTMAC) has become vacant.

This paper seeks a nomination from the appointed members for the position of Co-Chair. Should the current proxy Co-chair be offered and accept the nomination as Co-Chair, then a nomination for the proxy position is also sought.

The nomination(s) will be recommended to the next full council meeting for endorsement.

Recommended actions

1. That the report 'Appointment of Co-Chair' by Sally Bowron, Strategy, Governance and Engagement Team Admin/PA and dated 25 January 2021, be received.
2. That TTMAC appointed members nominate _____ to be appointed as Co-Chair.
3. That, in the event that the current proxy Co-Chair is nominated as Co-Chair, TTMAC appointed members nominate _____ to be appointed as the new proxy Co-Chair.
4. That these nominations are taken to the next council meeting for council's endorsement.

Background/Tuhinga

In re-establishing TTMAC, on 19 November 2019, council resolved to retain the Co-Chair structure and appointed Councillor Robinson as the elected member to act as Co-Chair.

At TTMAC's 12 March 2020 meeting, appointed members nominated Rudy Taylor, Te Whakaminenga O Te Hikutu Hapu-Whanau as Co-Chair with Pita Tipene, Te Rūnanga o Ngāti Hine, as proxy Co-Chair. This was endorsed at council's 21 April 2020 meeting.

With member Taylor's passing in October 2020, the position of Co-Chair needs to again be considered and nominated by appointed members.

For ease of reference, clause 9 of TTMAC's Terms of Reference regarding Co-Chairs is reproduced below:

9. Ngā Heamana | Co-Chair's

Provision has been made for this working party to have a Co-Chair arrangement. The following process will be undertaken to fill the position of Co-Chairs.

Council will appoint one elected member (and proxy) as their representative to act as Co-Chair. The non-elected members of the working party will appoint a Co-Chair (and proxy), from the non-elected members. Both recommendations are to be endorsed by council.

At least one Co-Chair must be present at the formal meetings and marae-based hui of the working party.

Besides chairing meetings, the Co-Chairs (or proxy) will be responsible for:

- *attending agenda preview meetings and reviewing working party actions prior to circulation*
- *be available to vet prospective applications for membership onto the working party*
- *assist in mediation when required, in the first instance.*

Attachments/Ngā tapirihanga

Nil

TITLE: Māori Constituencies

ID: A1405537

From: Linda Harrison, Organisational Project Manager and Auriole Ruka, Kaiwhakahaere Hononga Māori

Authorised by Group Manager: Jonathan Gibbard, Group Manager - Environmental Services, on 4 February 2021

Whakarāpopototanga/Executive summary

The purpose of this paper is to update Te Taitokerau Māori and Council Working Party (TTMAC) about the Māori constituencies process.

Māori constituencies update

TTMAC caucus met on 3 December 2020. At the hui, council staff gave a presentation on the various options for consideration around the establishment of Māori constituencies and received feedback from the members. The feedback provided by TTMAC is now being considered by council at a series of workshops. In summary, that feedback was:

1. That three Māori seats on an 11-member council is preferable over an alternative of two Māori seats on a nine-member council.
2. That a single Māori constituency, with all Māori councillors elected from a region wide constituency, is preferable at this stage over multiple Māori constituencies.
3. It was agreed that there is insufficient time to establish three separate Māori constituencies for the 2022 election. Discussion would likely be fraught and not arrive at an acceptable outcome which would potentially taint the process for everyone going forward.
4. The preferred option would be to use the first triennium to properly consult with tāngata whenua on the feasibility of establishing separate Māori constituencies. Discussion acknowledged that it may not be possible to establish separate Māori constituencies that met both the requirements of the Local Electoral Act 2001 and be meaningful / acceptable to Māori.
5. Adopting the “phased approach” provides sufficient time for tāngata whenua to understand/gain experience in operating in the council governance environment. This understanding can then be applied to seeing if a way can be found to create separate Māori boundaries that would have the support not only of the elected representatives but also of the people who live in them.

The council’s chair and chief executive also provided a verbal update to Te Kahu o Taonui (TKoT) at their meeting on 14 December.

Latest developments

Council has written to the Hon Nanaia Mahuta twice requesting that the right to demand a poll to overturn the council’s decision on Maori representation be removed from the legislation (refer to Attachments 1 and 2).

On 1 February 2021 council received a response from the minister confirming that the option to demand a poll will be revoked with new legislation passed under urgency on 21 February 2021 (refer to Attachment 3).

This means that the council's decision to establish Māori constituencies stands and will apply to the 2022 local body elections. The council can now proceed with development of its Initial Proposal with certainty.

Next steps


With the uncertainty around holding a poll removed, council will continue to work on an Initial Representation Review Proposal, which under the Local Electoral Act 2001, must be adopted by council by 31 August 2021.


Ngā mahi tūtohutia/Recommended actions

1. That the report 'Regional marae-based hui' by Linda Harrison, Organisational Project Manager and Auriole Ruka, Kaiwhakahaere Hononga Māori and dated 21 January 2021, be received.
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Attachments/Ngā tapirihanga

Attachment 1: Letter to Minister Nanaia Mahuta - Removing the poll for Maori wards and constituencies - 2020 11 25 [↓](#) 

Attachment 2: Letter to Minister Mahuta - Partnerships with Maori 2020 12 22 [↓](#) 

Attachment 3: Response from Minister Nanaia Mahuta confirming that the option to demand a poll will be removed for the 2022 elections. [↓](#) 



25 November 2020

Hon Nanaia Mahuta
Minister of Local Government
Freepost Parliament
Private Bag 18 888
Parliament Buildings
Wellington 6160

Nanaia.mahuta@parliament.govt.nz

Dear Minister Mahuta

REMOVING THE POLL FOR MĀORI WARDS AND CONSTITUENCIES

He mihi tēnei kia koe e te Minita, mō tō kaha, tō rangatiratanga kei roto i te Whare Paremata. No reira e te mareikura, e te mana wāhine o Aotearoa, tēna koe, tēna koutou katoa.

Firstly, Northland Regional Council would like to congratulate you on your reappointment as Minister of Local Government. It is very welcome news that the momentum you have built in your last term can now be assured of continuing into your second term. Our shared view that the Local Electoral Act 2001 (LEA) requires urgent review in regard to Māori representation is why we are writing to you today.

You may be aware that our council, along with two of the three territorial authorities in Northland, have resolved to introduce Māori seats in the 2022 local body elections. In addition, there is a groundswell of support building throughout Aotearoa NZ for introducing Māori seats, with a record number of councils making this resolution. However, we are all at risk of having this call for improved equity and reform undermined by what is widely acknowledged to be an unfair anomaly of the LEA 2001, that will allow 5% of electors to call for a binding referendum to overturn this combined call for long overdue change. Our council is in support of the letter sent by LGNZ to the previous coalition government leaders on 22 March 2018, that urgently requested parliament to address the fundamental unfairness of the poll provisions in the LEA 2001.

You will be aware that with the exception of Wairoa District Council's second attempt, all referendums ever held have resulted in divisive public campaigns that resulted in the council's decision being overturned. This is adding to a cycle of disappointment and disenfranchisement that will damage relationships between councils and tangata whenua at a time when there is so much to be gained by working more together – on a more equal footing. The time for change is now and we recognise that this has been the key message from tangata whenua. This letter is also in response to a recommendation made from the Taitokerau Māori leaders in support of Māori constituencies.

We were extremely heartened to see you publicly stating after your reelection that amending the LEA 2002 to remove the poll provision was one of your top priorities.

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Private Bag 9021, Whangārei 0148



Furthermore, you indicated that this reform would be quickly actioned once the new government was formed as the groundwork had already been completed. All councils who have recently resolved to established Māori seats need some urgent confirmation from you on the indicative process and timeline for amending the legislation.

Apart from the damage that is already seeding in our communities as lobby groups are formed to whip up public support on both sides, stretched council finances are about to have significant unbudgeted financial demands placed upon them to fund the required polls. In Northland alone, with three of our four local authorities resolved to establish Māori seats, Te Taitokerau ratepayers are about to pay a combined unbudgeted bill of \$369,000. This is money that could be much better spent in improving the well-being of our communities with existing projects having to suffer in order to meet these largely unproductive costs.

Timeframes are extremely short for government to formally indicate this promised change, with demands for polls needing to be presented to local authorities by 22 February 2022. With the Christmas break looming, the lobby groups are starting to mobilise now. If the government is unable to commence change in the very near future, an option perhaps could at least be to bring in an immediate moratorium on the public's ability to demand a poll as a clear signal of the government's intent. We are concerned that these groups are going to be extremely disappointed if they have spent considerable time and effort to gather their signatures only to later find out that their time was wasted. By that time, the divisive campaigns and the resulting damage and generation of suspicion and ill-will have already taken place, and it will fall to the councils to try and bring our communities back together.

In order to advance this issue, we would welcome the opportunity to meet with you at the earliest opportunity, preferably kano ki te kano or by Zui if necessary, as time is very much of the essence.

We look forward to hearing back from you and understanding more about what your intentions are on this issue of utmost importance in Te Taitokerau.

In the words of the well-known Māori leader Ta Hemi Henare from Te Taitokerau (Sir James Henare):

“Kua tawhiti kē tō haerenga mai, kia kore e haere tonu. He tino nui rawa o ōu mahi, kia kore e mahi nui tonu.

You have come too far, not to go further. You have done too much, not to do more.”

Tā Hemi Henare (Ngāti Hine, 1989)

Yours sincerely

Penny Smart
Chair, Northland Regional Council

0800 002 004

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Private Bag 9021, Whangārei 0148



22 December 2020

Nanaia Mahuta
Freepost PO Box 18 888
Parliament Buildings
Wellington 6160

Nanaia.mahuta@parliament.govt.nz

Tēnā koe Minister Mahuta

RELATIONSHIPS WITH TANGATA WHENUA OF TE TAITOKERAU REGION

Our correspondence dated 23 November 2020 regarding Māori constituencies refers.

We wish to reiterate our request for urgent government intervention with demands for polls needing to be presented to local authorities by 22 February 2022.

As the Christmas break is now upon us the relevant lobby groups have mobilised and it seems highly likely that a demand for a poll is imminent. If the government is unable to commence change in the very near future in the form of a moratorium or reform that would remove the poll provision as a top priority then we are concerned that the divisiveness will undermine our collective commitment shown by three of the four councils here in Te Taitokerau to have Māori 'sitting at the decision making' table of council.

In order to advance this issue, we would welcome the opportunity to meet with you at the earliest opportunity, preferably kanohi ki te kanohi or by zoom if necessary, as time is very much of the essence in the New Year.

Please find attached the Te Taitokerau Māori and Council Working Party (TTMAC) panui¹ outlining the important work we have achieved in partnership with tangata whenua and other councils of Te Taitokerau, including the signing of a Mana Whakahono-ā-Rohe agreement with two hapū; Patuharakeke with Whangarei District Council and Ngati Rehia. Most importantly it acknowledges the loss of our mighty totara and rangatira Rudy Taylor who was the Co-chair of TTMAC.

We look forward to hearing back from you and understanding more about what your intentions are on this issue of utmost importance in Te Taitokerau.

Naaku noa, na

Penny Smart
Chair, Northland Regional Council

¹ <https://us12.campaign-archive.com/?u=187dda40464f9bbbe1476dd9a&id=470d79357a>



Private Bag 9021, Whangārei 0148

Office of Hon Nanaia Mahuta

MP for Hauraki-Waikato
Minister of Foreign Affairs
Minister of Local Government
Associate Minister for Māori Development



1 February 2021

Penny Smart
Chair
Northland Regional Council
pennys@nrc.govt.nz

Tēnā koe Penny

Tēnā rawa atu koe ki i runga i o tātou tini aitua kua wheturangitia. Kei te mihi atu, kei te tangi atu. Rātou te hunga mate ki a rātou, tātou te hunga ora ki a tātou. Tēnā ano tātou katoa.

Thank you for your letter dated 25 November 2020 outlining your concerns with the process for local authorities to establish Māori wards and constituencies. I am writing to update you on the recent Government decision to make changes to the process.

As you may know, concerns have been raised for some time about the existing process for the establishment of Māori wards and constituencies in local authorities. In particular, there are issues with the inconsistent process for establishing Māori and general wards, the way the process creates barriers for councils seeking to establish effective Māori representation, and the negative impact of elector-initiated polls on communities.

As I signalled last year, I am planning to introduce a Bill to remove the binding poll option from the process for establishing Māori wards and constituencies (including both council-initiated and elector-demanded polls). The Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill (the Bill) will be introduced into Parliament in early February 2021 and enacted under urgency so that the changes can apply for decisions leading up to the 2022 local elections.

I note that your Council has already resolved to establish Māori constituencies. The proposed changes would mean that you will be able to continue to implement that decision without holding a poll, even if a demand for a poll is lodged. If your council wishes to revisit its resolution to establish Māori constituencies, the proposed Bill allows you to do this. Please note that, under the changes that the Government is proposing, any decision to revoke the earlier resolution would need to be made by 21 May 2021.

The changes to Māori ward and constituency processes in the Bill are an immediate step to support decision-making for the 2022 local elections. Once the Bill is enacted, I intend to make further improvements to the processes for the 2025 and subsequent local elections. My officials at the Department of Internal Affairs will be undertaking work on this, including consultation with the local government sector and iwi/ Māori, over the coming months.

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand
+64 4 817 8711 | n.mahuta@ministers.govt.nz | beehive.govt.nz

Please feel free to contact me if you wish to discuss the proposed changes. Alternatively, if you have specific questions about the Bill or the timelines, I encourage you to contact Amanda Shaw, Principal Policy Analyst at the Department of Internal Affairs by emailing amanda.shaw@dia.govt.nz or by phoning 04 494 5774.

Heoi anō

A handwritten signature in black ink, appearing to read 'N. Mahuta', with a stylized flourish at the end.

Hon Nanaia Mahuta
Minister of Local Government

cc, Chief Executive, Northland Regional Council

TITLE: Regional marae-based hui

ID: A1405535

From: Arama Morunga, Kaiārahi Tikanga Māori

Authorised by Ben Lee, GM - Strategy, Governance and Engagement, on 28 January 2021
Group Manager:

Whakarāpopototanga/Executive summary

This paper provides a report on the December Te Taitokerau Māori and Council Working Party (TTMAC) regional hui hosted by Ngāti Rehia at Marama Whetu Marae, and seeks TTMAC agreement on who will host the May 2021 regional marae-based hui.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Regional marae-based hui' by Arama Morunga, Kaiārahi Tikanga Māori and dated 21 January 2021, be received.
2. That TTMAC appointed (tāngata whenua) members to select a host for the 13 May regional marae-based hui.

Tuhinga/Background

Report on 10 December TTMAC regional hui

TTMAC's December regional hui was hosted by Ngāti Rehia at Whetu Marama Marae, Takou Bay. Working party members in attendance were Nora Rameka, Victor Holloway, Co-Chair councillor Marty Robinson, Chair Penny Smart, councillors Amy McDonald, Jack Craw, Rick Stolwerk and Amy McDonald. Malcolm Nicolson, CEO. Other senior council staff also attended. They were welcomed, along with Department of Conservation and other agencies, hapū and iwi, for a presentation on the Kauri Sanctuary established by Ngāti Rehia. Attendees also witnessed the signing of a Mana Whakahono a Rohe between Northland Regional Council and Te Rūnanga o Ngāti Rehia. The day was hugely enjoyed by all and a welcome celebration of what is achievable through partnership and collaboration.



Hosting of TTMAC regional hui for 11 March and 13 May 2021

At the November 2020 TTMAC meeting it was agreed by TTMAC that, upon confirmation from Ngāti Tara, they will host the 11 March regional marae-based hui. Ngāti Tara have confirmed their availability and the regional marae-based hui will take place at Parapara.

TTMAC appointed (tāngata whenua) members are asked to confirm the host for the 13 May 2021 regional marae-based hui. In making this decision, TTMAC members may want to consider:

- If there are opportunities to align the hui with an upcoming work programme e.g.:
 - Flood Mitigation (Mid-Far North)
 - Noho Taiao (Far North-Whirinaki)
 - Climate Change wānanga (Far North – Whaingaroa)
 - Other work currently happening in the rohe
- Whether there are other existing marae hui and wananga to springboard from
- If there could be a multi-hapū led hui (e.g. the October hui was led by Te Roroa, Te Uri o Hau and Ngati Whatua)
- If local media platforms (e.g. radio, social media etc) could be used to promote the hui.

Attachments/Ngā tapirihanga

Nil

TITLE: Whakamānawa ā Taiao | Environmental Awards 2021 and Tū i te Ora Scholarships

ID: A1404742

From: Jalissa Karena-Lange, Acting Marketing & Engagement Manager

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on 4 February 2021

Executive summary/Whakarāpopototanga

The purpose of this item is to:

- Update Te Taitokerau Māori and Council Working Party (TTMAC) on the annual Tū i te ora Scholarships and Whakamānawa ā Taiao | Environmental Awards and to request TTMAC nominate an appointed member to participate in the judging panels for both awards
- Ask members to encourage nominations for the 2021 Whakamānawa ā Taiao | Environmental Awards.

Recommended actions

1. That the report 'Whakamānawa ā Taiao | Environmental Awards 2021 and Tū i te Ora Scholarships' by Jalissa Karena-Lange, Acting Marketing & Engagement Manager, dated 24 January, be received.
2. That TTMAC appointed members nominate _____ to the Tū i te Ora Scholarships selection panel, which will convene the week of 22 February 2021.
3. That TTMAC appointed members nominate _____ to the Whakamānawa ā Taiao | Environmental Awards 2021 judging panel, which will convene the week of 19 April 2021.
4. That TTMAC members encourage nominations to the Whakamānawa ā Taiao | Environmental Awards 2021.

Tuhinga/Background

Tū i te ora Scholarship

Northland Regional Council's Tū i te Ora scholarships were offered for the first-time last year to recognise and support students whose efforts reflect the regional council's key drivers and its mission of 'working together to create a healthy environment, strong economy and resilient communities'.

The scholarships aim to build Māori capacity within Te Taitokerau, provide opportunities for further education, and provide a springboard for future environmental leaders and champions. In 2020, 72 applications were received. Of these, 54 (75%) of applicants identified as Māori of Te Taitokerau.

The application period for the 2021 scholarships closes 14 February 2021:

www.nrc.govt.nz/scholarship

Selection panel

We are now seeking TTMAC to nominate one appointed member who is available to join the Tū i te ora Scholarship selection panel on the week of 22 February 2021 to identify the successful applicants. The selection panel will consist of a TTMAC member and three council staff,

Kaiwhakahaere Honongā Māori, Eastern Coast Land Manager and Acting Community Engagement Manager. The selection process will require approximately three-four hours of the nominated members time.

Whakamānawa ā Taiao | Environmental Awards 2021

The annual NRC Environmental Awards recognise the people and organisations working to protect and enhance our unique environment. There are lots of individuals, groups, schools, whānau, hapū, iwi and businesses across Taitokerau getting the mahi done on the ground. The awards are an opportunity to highlight and celebrate the incredible contributions they are making to help our environment thrive.

There are eight categories to cover the broad range of environmental enhancement projects and activities happening in Taitokerau. A Supreme Award will also be presented for the most outstanding overall entry.

Twenty-eight applications for the 2020 awards were received, less than a third of the 93 nominations made for the inaugural awards in 2019, largely due to the challenging impacts of the drought and COVID-19 pandemic.

Nominations and applications for the 2021 Whakamānawa ā Taiao | Environmental Awards open Monday 22 February. A 'Guide to Entering' outlining each category criteria and how to apply will be available at www.nrc.govt.nz/environmentalawards

It is intended this year's awards evening be held in the Mid-North at the end of May. The location and event date are yet to be confirmed.

Judging panel

A judging panel will be responsible for deciding the final winners. Northland Regional Council staff will shortlist the entries and make recommendations to the judging panel.

We are seeking the support of TTMAC to nominate one appointed tāngata whenua member who is available to join the Whakamānawa ā Taiao judging panel during the week of 19 April 2021 to identify the successful applicants. We're hoping to enlist the same panel of judges in the last two years consisting of a TTMAC member, Chris Jenkins (local environmental champion and a former Department of Conservation veteran) and two Northland Regional Council staff from biosecurity and regulatory services. The judging process will require approximately two-three hours of the nominated members time. The TTMAC member is also invited and encouraged to attend the awards evening.

Attachments/Ngā tapirihanga

Nil

TITLE: The Clean Hull Plan

ID: A1407717

From: Don McKenzie, Biosecurity Manager

Authorised by Jonathan Gibbard, Group Manager - Environmental Services, on 28 January
Group Manager: 2021

Whakarāpopototanga/Executive summary

In early 2019 the four northernmost councils in the North Island consulted on approaches to managing marine pests across the 'Top of the North' from Northland to Bay of Plenty. This demonstrated support for more action to control marine pests and demand for a simple and consistent approach that is easier to understand and implement across regions. As previously reported to Te Taitokerau Māori and Council Working Party (TTMAC), the development of an inter-regional marine pathway management plan (hereafter referred to as the 'Clean Hull Plan') is the preferred approach.

Progress on development of a Clean Hull Plan proposal across the Northland, Auckland, Waikato and Bay of Plenty regions with support from DOC and Biosecurity New Zealand will be presented by staff at the workshop. Key areas that have been progressed include:

- the objective and what success looks like
- potential rules
- how these would be implemented in practice (options and a preferred option)
- what this would cost (early estimates)
- the process to decide how the plan will be funded, including guiding principles/criteria.

Staff are now in a position to engage early and more broadly with Māori and key stakeholders to test relevant elements of the above in more detail – this will inform refinement of the rules and approaches to implementation and provide confidence for councils, MPI and DOC that partners have collectively canvassed the views of key parties prior to making decisions.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'The Clean Hull Plan' by Don McKenzie, Biosecurity Manager and dated 28 January 2021, be received.
 2. That TTMAC members provide advice around pre-engagement with Māori and key stakeholders.
-

Tuhinga/Background

Objective of the plan

Protecting our coastlines is a team effort that requires all Kiwis to play their part - including government and councils, Māori, those that work on and around the water, and recreational boaties and fishers. A robust plan including consistent marine biosecurity rules for the upper North Island will enable all who use the water to help stop the spread of marine pests and diseases, to ensure our ocean remains a precious taonga for the benefit of all New Zealanders. Invasive marine pests are primarily spread by travelling vessels and represent a credible and growing threat to our coastal ecosystems. To date, each region has tended to intervene on marine pests independently and separately as they see fit – most have focussed on 'species-led' programmes that control the pests of concern for that region.

Once in New Zealand, marine pests can be spread by humans in several ways. These are called 'Pathways'. Pathways include within ballast water or biofouling, and on equipment such as fishing gear, aquaculture equipment and construction material. Hull surveys show that marine pests are commonly transported in the hard-to-clean nooks and crannies of boats, the bottom of keel bulbs and spots where the antifoul has missed. Once marine pests become established, they are difficult and expensive to control.

A Pathway Plan is an effective management option as it focuses on 'prevention' and 'slowing spread'. To date, each region has tended to intervene on marine pests independently and separately as they see fit – most have focussed on 'species-led' programmes that control the pests of concern for that region. In early 2019 the four major councils in the Top of the North (TON) Partnership consulted with stakeholders – this demonstrated support and demand for more action to control marine pests, including support for a consistent approach across the regions and a single rule that is easier to understand and implement.

The regions themselves all have similar risks, and the consistency will enable simplicity for boat owners while delivering efficiency gains for implementation (including surveillance, monitoring and compliance). Central government (Biosecurity New Zealand and the Department of Conservation) are involved and the Clean Hull Plan is acknowledged as a potential model for a national plan.

If progressed, it will help prevent adverse effects on economic well-being, the environment, enjoyment of the natural environment and the relationship between Māori, their culture, their traditions and their ancestral lands, waters, sites, wāhi tapu, and taonga. It would also complement other aspects of marine biosecurity pest management under the Biosecurity Act, including the 2018 Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand, the draft National Environmental Standard for Aquaculture, and marine pest or pathway plans that manage craft hull biofouling in other regions.

Pre engagement

The partner councils are now ready to enter a period of early engagement to test-the proposal in more detail with Māori and key stakeholders. This will inform further refinement of the proposal and provide confidence for council that it understands the views of Māori prior to making a decision on whether to proceed with formal notification - staff anticipate this decision will be put to council early/mid 2021 and assuming approval to proceed, formal consultation (notification submissions and hearings) would likely start mid-2021. The TON partnership wants to be confident that:

- Māori, key stakeholders and other partners understand what we are trying to achieve, how we are going to achieve it, how they may be affected and how they can contribute;
- the aspirations of Māori and the roles they wish to play in marine pathway management are understood, and that Māori can participate in co-design of the Clean Hull Plan; and
- pre-engagement with Māori, other partners/stakeholders has proactively identified concerns and provided an opportunity to refine and improve aspects of the proposal before the proposal is formally presented to council.

Staff will be in attendance to provide more detail around the proposal and seek feedback on both the proposed plan and advice on the approach to broader Maori engagement and input during the pre-engagement period.

Ngā tapirihanga/Attachments

Nil

TITLE: Hapū Manawhakahono a Rohe

ID: A1407759

From: Ben Lee, GM - Strategy, Governance and Engagement

Authorised by Group Manager: Ben Lee, GM - Strategy, Governance and Engagement, on 4 February 2021

Whakarāpopototanga/Executive summary

Mana Whakahono a Rohe (MWR) is a tool in the Resource Management Act 1991 (RMA) to formalise the way tāngata whenua participate in RMA processes and decision making, such as resource consent processing and development of RMA plans.

The RMA requires local authorities to enter into discussions to prepare a MWR if instigated by an iwi authority. However, it is up to council's discretion whether to enter into a MWR with hapū (should hapū wish to).

Starting in December 2017, council and Te Taitokerau Māori and Council Working Party (TTMAC) worked together to develop a single multi-hapū agreement hapū-based MWR. Most of this work was led by the Māori Technical Advisory Group (MTAG).

In December 2020 Patuharakeke and Ngāti Rehia signed the MWR with council at separate events. Patuharakeke also signed a separate MWR with the Whangarei District Council. There are currently only four signed MWR in Aotearoa¹. This marks a significant milestone for TTMAC.

As endorsed by TTMAC, the opportunity to sign up to the MWR has not been advertised with hapū. Instead, the initial approach is to sign with known interested hapū as a pilot to identify any implementation issues, before deciding to do a wider active roll out with hapū.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Hapū Manawhakahono a Rohe' by Ben Lee, GM - Strategy, Governance and Engagement and dated 29 January 2021, be received.

Tuhinga/Background

Figure 1 below shows Northland Regional Council and Whangārei District Council signing respective Mana Whakahono a Rohe with Patuharakeke on 5 December 2020.

Figure 2 below shows the Mana Whakahono a Rohe signing on 10 December 2020 between Ngāti Rehia and Northland Regional Council.

¹ According to the Ministry for the Environment website <https://www.mfe.govt.nz/rma/manawhakahono>. The fourth MWR is between West Coast Regional Council and Poutini Ngāi Tahu



Ngā tapirihanga/Attachments

Nil

TITLE: Te Oneroa-a-Tōhe/Ninety Mile Beach Board

ID: A1406151

From: Sheila Taylor, Kaiārahi Kaupapa Māori

Authorised by Jonathan Gibbard, Group Manager - Environmental Services, on 4 February
Group Manager: 2021

Executive summary/Whakarāpopototanga

On Monday 25 January 2021 a formal beach management plan – Te Rautaki o Te Oneroa-a-Tōhe – came into effect. The plan (available online at www.teoneroa-a-tohe.nz) covers a broad range of activities, including cultural, spiritual, resource management and economic considerations for the beach management area and is expected to be in place for up to 10 years.

This paper provides background into the process undertaken to develop the plan and key action items that is important for council to acknowledge.

Recommended actions

1. That the report Te Oneroa-a-Tōhe | Ninety Mile Beach Board update by Sheila Taylor, Kaiārahi Kaupapa Māori, dated 26 January, be received.

Background/Tuhinga

Te Oneroa-a-Tōhe Beach Board (The Board)

Te Oneroa-a-Tōhe|Ninety Mile Beach has great cultural, historical and spiritual significance, not just to the five local iwi who make up Te Hiku o Te Ika, but to the wider community starting with Ta Ara Wairua (the spiritual pathway). It also has recreational, economic and environmental significance.

The Board is a co-governance partnership that was created as a result of treaty settlement legislation. Its purpose is to work collectively and collaboratively to provide governance and direction to protect and enhance environmental, economic, social, cultural and spiritual well-being of Te Oneroa-a-Tōhe now and in the future.

The Board is made up of members from Ngāti Kuri, Te Aupōuri, Te Rarawa, Ngāi Takoto, Northland Regional Council (two members) and Far North District Council (two members). **(Figure 1)**

One of the main jobs of the Board is to prepare and approve a Beach Management Plan for Te Oneroa-a-Tōhe, which:

- Identifies the vision, objectives and desired outcomes for the beach; and
- Expresses the Board's aspirations for three priority matters:
 - protecting and preserving the beach from inappropriate use and development and ensuring that resources are preserved and enhanced for present and future generations,
 - recognising the importance of the resources of the beach for Te Hiku o Te Ika Iwi/Hapū and ensuring continued access to their mahinga kai, and
 - recognising and providing for the spiritual, cultural and historical relationship of Te Hiku o Te Ika Iwi/Hapū with the beach.

The process undertaken to develop Te Rautaki o Te Oneroa-a-Tōhe

Te Rautaki o Te Oneroa-a-Tōhe (Te Oneroa-a-Tōhe Beach Management Plan) represents two years of work, including significant input from tangata whenua and the community. With a primary focus on collaboration, the process has been well resourced, reached targeted audiences not necessarily engaged through other consultative processes and ensured tāngata whenua were a part of the decision-making and not simply the process. The plan was also approved two months earlier than originally scheduled.

Below is a high-level summary of the public engagement process the Board followed to finalise Te Rautaki o Te Oneroa-a-Tōhe and to ensure tangata whenua and community feedback underpinned the Board's decision making:

Public engagement activity	Dates
Initial community engagement:	July – September 2019
Summer engagement:	December 2019 – January 2020
Preparation of the draft plan:	February - August 2020
Formal Consultation:	September – October 2020
Public Hearings and deliberations:	November 2020
Plan approved by the Board:	December 2020
Plan operative from:	25 January 2021

Picture of tāngata whenua and community engaging in the consultation



Key action items

The plan contains over 50 action items designed to protect and enhance environmental, economic, social, cultural and spiritual well-being within the Te Oneroa-a-Tōhe management area now and in the future. Some of these action items include:

- Requiring regional and district plans to recognise and protect Te Oneroa-a-Tōhe and Te Ara Wairua as a culturally significant landscape
- Include rules in the regional plan prohibiting the scattering of human ashes in the sea, on the beach, on sand dunes and in waterways within the beach management area
- Require any signage relating to Te Oneroa-a-Tōhe to be bilingual (e.g. in Te Reo and English).
- Provide GIS mapping expertise and templates to support Iwi, Hapū and whānau to identify wāhi tapu and sites of significance in the Te Oneroa-a-Tōhe Management Area, for the purposes of including these for protection in the district and/or regional plans.
- Include sites identified above in the regional and district plans for protection as relevant.
- A 30km/h speed limit within 200-metres of any beach accessway or any activity (for example boat launching, people fishing etc) on the beach.
- A 60km/h speed for the remainder of the beach.

Actioning the plan

The actions contained within Te Rautaki o Te Oneroa-a-Tōhe won't have immediate effect. They will first need to be actioned in the relevant legal documents of each council. Staff are currently working on a work plan for NRC that will see council fulfil its obligations to Te Oneroa-a-Tōhe.

Attachments/Ngā tapirihanga

Nil

TITLE: Updates from other working parties

ID: A1406163

From: Sally Bowron, Strategy, Governance and Engagement Team Admin/PA

Authorised by Ben Lee, GM - Strategy, Governance and Engagement, on 4 February 2021
Group Manager:

Whakarāpopototanga/Executive summary

The purpose of this report is to present a summary of the record of discussion and agreed actions of council's other working party meetings (that have occurred since the last Te Taitokerau Māori and Council Working Party (TTMAC) meeting). This paper provides an opportunity for working party Chairs, and TTMAC Māori members appointed onto those working parties, to provide a verbal update to TTMAC, and for TTMAC members to ask any follow up questions.

Ngā mahi tūtohutia/Recommended actions

1. That the report 'Updates from other working parties' by Sally Bowron, Strategy, Governance and Engagement Team Admin/PA and dated 25 January 2021, be received.

Tuhinga/Background

Climate Change Working Party (Chair: Cr Amy Macdonald)

(TTMAC representatives: Hadyn Edmonds, Toa Faneva, Thomas Hohaia, Rowan Tautari)

The Climate Change Working Party met on 25 November 2020. The topics for discussion included:

- Adaptation Strategy & Joint Committee
- Natural Hazard Maps
- Research and Policy Updates
- Northland Regional Council Carbon Emission Reporting

Following discussion, the Climate Change Working Party provided advice on the following next steps:

- Schedule further meetings with TTMAC and Councils to update regarding Natural Hazard Maps
- Develop a communication strategy for notifying public of the updated Natural Hazard Maps
- Examine what is in the Risk Register in regard to Climate Change.

Ngā tapirihanga/Attachments

Nil