

Komiti Māori

NOTICE IS GIVEN

that the next meeting of the **Komiti Māori** will be held in **Mataatua Whare, Te Manuka Tutahi Marae, 105 Muriwai Drive, Whakatāne** on:

Tuesday, 20 June 2017 commencing at 9.30 am.

A powhiri will be held at 9:30 am prior to the commencement of the hui.

Mary-Anne Macleod
Chief Executive
13 June 2017



Komiti Māori

Terms of Reference

The Komiti Māori has the core function of implementing and monitoring Council's legislative obligations to Māori.

Delegated Function

To set operational direction for Council's legislative obligations to Māori and monitor how these obligations are implemented. This will be achieved through the development of specific operational decisions which translate legislative obligations to Māori into action.

Membership

Three Māori constituency councillors and three general constituency councillors (the membership of the general constituency councillors to be rotated every two years), and the Chairman as ex-officio.

Quorum

In accordance with Council standing order 10.2, the quorum at a meeting of the committee is not fewer than three members of the committee.

Co-Chairs to preside at meetings

Notwithstanding the Komiti Māori has an appointed Chairperson, Māori Constituency Councillors may host-Chair committee meetings that are held in the rohe of their respective constituency.

Term of the Committee

For the period of the 2016-2019 Triennium unless discharged earlier by the Regional Council.

Meeting frequency

Two-monthly.

Specific Responsibilities and Delegated Authority

The Komiti Māori is delegated the power of authority to:

- Monitor Council's compliance with its obligations to Māori under the Local Government Act 2002 and the Resource Management Act 1991;
- Approve actions to enhance Māori capacity to contribute to Council's decision-making processes for inclusion in the development of the Long Term Plan;
- Recommend to Council effective Maori consultation mechanisms and processes;
- Identify any relevant emerging issues for the region relating to the principles of the Te Tiriti o Waitangi, legislative obligations to Māori under different statutes and programmes to build the capability of Māori;
- Facilitate tangata whenua input into community outcomes, Council policy development and implementation work;

- Formally receive iwi/hapū management plans;
- Make submissions on Māori related matters, except where the submissions may have a wide impact on Council's activities, in which case they might be handled by the Regional Direction and Delivery Committee or Council;
- Establish subcommittees and delegate to them any authorities that have been delegated by Council to the Komiti Māori and to appoint members (not limited to members of the Komiti Māori);
- Approve its subcommittee's recommendations for matters outside the subcommittee delegated authority;
- Recommend to Council the establishment of advisory groups to represent sub-region or constituency areas and to consider specific issues.

Note:

The Komiti Māori reports directly to the Regional Council.

Membership

Chairperson:	A Tahana
Deputy Chairperson:	T Marr
Councillors:	W Clark, D Love, M McDonald, L Thurston
Ex Officio:	Chairman D Leeder
Committee Advisor:	N Moore

Recommendations in reports are not to be construed as Council policy until adopted by Council.

Agenda

1 Opening Karakia

2 Apologies

3 General Business and Tabled Items

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be delayed until a subsequent meeting.

4 Public Forum

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<p>A short period of time will be set aside at the conclusion of the meeting to enable tangata whenua and members of the public to raise matters. Any matters raised and the time allowed for each speaker will be at the discretion of the Chair.</p> <p>No decisions can be made from matters raised in the Open Forum.</p>	
8 Consideration of General Business	
9 Closing Karakia	

Previous Minutes

Minutes of the Komiti Māori Meeting held in the Wharenuī, Te Papaīouru Marae, Mataīawhea Street, Ohinemu, Rotorua on Thursday, 27 April 2017 commencing at 9.30 a.m.

Present:

Chairman: Councillor A Tahana

Deputy Chairman: Councillor T Marr

Councillors: W Clark, D Love, M McDonald, L Thurston

Ex Officio: Chairman D Leeder

In Attendance: Bay of Plenty Regional Council: Councillor K Winters; D Phizacklea (Acting General Manager, Strategy & Science); N Poutasi (Water Policy Manager); K O'Brien (Strategic Engagement Manager); C Naude (Director, Emergency Management Bay of Plenty); A Vercoe (Maori Policy Team Leader); C Stephenson (Relationship Manager); C Koopu (Maori Policy Advisor); G Moleta (Policy Analyst); L Tauroa (Internal Services Officer); M Harrex (Manager, Planning and Development); N Capper (Pou Ngaio (Technical/Cultural Advisor)); P Howe (Senior Advisor (Treaty)); R Burton (Senior Planner (Water Policy)); R Keno (Emergency Management Advisor); R Garrett (Committee Advisor)

Rotorua Lakes Council: J Riini (Partnership Advisor); A Morgan

Tangata Whenua: M Tapsell, J Tahana, T Bidois, P Bennett, R Bennett, D Hayward

1 **Opening karakia**

Komiti Chairman Tahana opened the meeting with a karakia and welcomed Councillor Matemoana McDonald as a new member of Komiti Māori.

2 **Apologies**

Resolved

That the Komiti Māori under its delegated authority:

- 1 **Accepts the apologies of M MacLeod, E Grogan and F McTavish tendered at the meeting.**

Thurston/Love
CARRIED

3 **Declaration of conflicts of interest**

No conflicts of interest were declared.

4 Chairperson's announcement

4.1 Change to order of items

With the leave of the Komiti, the Chairman requested a change to the order of items to allow for staff and member commitments; with the order being:

- Agenda item 7.1,
- Agenda item 7.7,
- Agenda item 7.6;

then a return to the order as published.

5 Komiti Māori minutes - 03 March 2017

Resolved

That the Komiti Māori under its delegated authority:

- 1 Confirms the minutes of the Komiti Maori meeting held on 3 March 2017

Thurston/Tahana
CARRIED

6 Reports

6.1 He Matapuna Akoranga - Options to Memorialise the late Te Awanuiarangi Black

Māori Policy Advisor Clarke Koopu updated members on progress towards the establishment of a long-term initiative to commemorate the late Councillor Awanuiarangi Black. Mr Koopu noted Councillor Black's commitment to developing young Māori and his dedication to environmental protection and enhancement. Mr Koopu outlined five possible options which had been identified that would foster Māori capacity and contribution to environmental decision-making and sought direction from the Komiti regarding choice of option and quantum; and advised that the timing of a decision would need to be aligned with Council's Annual and Long Term Plan processes.

Members asked questions of clarification regarding timing, cost and precedents. An indicative maximum quantum of \$50,000 was discussed; and staff were requested to bring a more detailed report to Council's Long Term Plan workshop in May following consultation with appropriate whānau.

Resolved

That the Komiti Maori under its delegated authority:

- 1 Receives the report, He Matapuna Akoranga - Options to Memorialise the late Te Awanuiarangi Black.

Marr/Love
CARRIED

6.2 Bay of Plenty Civil Defence Emergency Management Update

Refer Tabled Document 1: Draft Group Plan as at 26 April 2017

Director, Emergency Management Bay of Plenty Clinton Naude, Manager, Planning and Development Matthew Harrex and Emergency Management Advisor, Community Resilience Rupana Keno presented to the Komiti on the Bay of Plenty Civil Defence Emergency Management Group Plan review and the progress made on Marae Preparedness Planning.

Mr Naude summarised the review to date and the next steps in the process, and noted that the draft Group Plan had been approved for public consultation which was due to start in May. Submissions on the draft plan would be heard by a hearing panel of three members of the Joint Committee. Mr Naude outlined the key implications for Māori and noted that the principles and objectives included in the draft plan sought to increase Māori participation and involvement in regional civil defence emergency management and recognised the key role played by marae as response centres. Mr Naude and Mr Keno also provided an update on the role of marae in the recent Edgecumbe event at the request of members.

Members queried Māori representation on the Joint Committee and in the Group Plan review process. Staff explained that the Joint Committee membership was dictated by statute and there was no provision for specific Māori membership and noted that Te Puni Kokiri did provide input. Staff undertook to investigate the possibility of co-opting a Komiti Māori member onto the hearing panel for the draft plan.

In response to a question from the floor, staff clarified the process for marae to claim back their expenses from their response to the Edgecumbe event; marae should submit invoices to their local district authority e.g. Whakatāne District Council which would co-ordinate a claim to central government.

Members congratulated staff on the excellent work put into the plan review, and also acknowledged the work required of staff during the Edgecumbe event both in response and recovery phases.

Resolved

That the Komiti Maori under its delegated authority:

- 1 Receives the report Bay of Plenty Civil Defence Emergency Management Update.**
- 2 Recommends that consideration be given to the appointment of Councillor McDonald to the panel to hear submissions on the draft Bay of Plenty Civil Defence Emergency Management Group Plan.**

**Love/Thurston
CARRIED**

6.3 Update on the Pou Ngaio Role

Māori Policy Team Leader Anaru Vercoe and Pou Ngaio Nathan Capper updated members regarding the role of Pou Ngaio, outlined progress to date and noted key highlights of the first year of the role. The role was established after a recommendation

from this Komiti, and Mr Capper was appointed to the position in February 2016. Mr Vercoe noted that very positive feedback had been received from iwi regarding the work carried out by Mr Capper in this role. Mr Capper outlined the opportunities and challenges of the role and noted that the aim was to get to the point of being able to be pro-active not reactive. Mr Capper also noted that demand for his advice and support had significantly increased and expressed concern that the waiting time for a response to inquiries would increase as well.

Members expressed strong support for the role and its utility in building council and community capacity, and several noted that they also had received positive feedback regarding the position. The need for further resourcing for the role and its expansion was discussed, and the need to align this with the Annual Plan process was highlighted.

Resolved

That the Komiti Maori under its delegated authority:

- 1 Receives the report Update on the Pou Ngaio Role.**
- 2 Recommends that Council considers additional resourcing for the Pou Ngaio role through the draft 2017/18 Annual Plan process.**

**Tahana/Marr
CARRIED**

6.4 Te Mana Whakahono a Rohe/Iwi Participation Agreements

Māori Policy Team Leader Anaru Vercoe provided the Komiti with an analysis of Te Mana Whakahono a Rohe (Iwi Participation Agreements), a new mechanism to facilitate iwi participation in Council resource management and decision-making processes, introduced by the Resource Management Amendment Act 2017. Mr Vercoe outlined the process involved, the key provisions of Te Mana Whakahono a Rohe and the implications for Council. Mr Vercoe noted that the agreements are formal agreements binding on both sides that establish clear expectations between iwi and Council; and observed that, as Council will receive multiple invitations to participate in Te Mana Whakahono a Rohe, there will be resourcing implications for consideration.

Members asked several questions regarding the scope of the agreements, and emphasised the need for the process to be particularly well-managed in light of the number of agreements that could be involved. Members noted the possible resourcing implications of the process for both Council and iwi.

Resolved

That the Komiti Maori under its delegated authority:

- 1 Receives the report, Te Mana Whakahono a Rohe/Iwi Participation Agreements;**
- 2 Requests that a report be prepared to the Regional Direction and Delivery Committee outlining the key implications of Te Mana Whakahono a Rohe for Council and Iwi.**

**Tahana/McDonald
CARRIED**

Attendance

Chairman Leeder left the meeting at 12.05 pm.

6.5 Remediation Project at Ruha Road, Rotorua

Pou Ngaio Nathan Capper updated the Komiti regarding progress on the remediation of the asbestos contaminated soil at a culturally significant site on Ruha Road, Rotorua. Mr Capper informed members that the remediation of the site was complete, with the site being confirmed as now “acceptable for all uses” and registered as a remediated contaminated site. Local hapū representatives are investigating further enhancement of the site.

Members congratulated staff on the successful outcome of the work, and noted that the project represented an example of multiple councils and agencies working together productively. Staff acknowledged the contribution of Rotorua Lakes Council to the project.

Resolved

That the Komiti Maori under its delegated authority:

- 1 Receives the report, Remediation Project at Ruha Road, Rotorua.**

**Tahana/Clark
CARRIED**

6.6 Update on Proposed Plan Change 10 - Lake Rotorua Nutrient Management

Water Policy Manager Namouta Poutasi, Policy Analyst (Water Policy) Gemma Moleta and Senior Planner (Water Policy) Rebecca Burton updated the Komiti on Proposed Plan Change 10 progress to date and key issues identified by submitters and the Hearing Panel, and outlined next steps and timeframe. Ms Moleta summarised key issues for Māori raised by submitters and the hearing panel.

Members asked questions of clarification regarding under-utilised Māori land, likely allocations for forestry, flexibility within rules relating to forestry and other allocation models considered.

Resolved

That the Komiti Maori under its delegated authority:

- 1 Receives the report, Update on Proposed Plan Change 10 - Lake Rotorua Nutrient Management.**

**Love/Thurston
CARRIED**

6.7 General Manager Strategy and Science Update

Acting General Manager Strategy & Science David Phizacklea updated the Komiti on various matters of interest including:

- Progress with proposed Plan Change 9 – Mr Phizacklea noted that 25% of submissions received came from Māori;
- Updated financial reports from the Environmental Enhancement Fund, Iwi Management Plan Fund, and Te Hapai Ora - Regional Community Outcomes Fund;
- The implications of Te Ture mō Te Reo Maori 2016 – Council's Te Reo policy would be updated and a project team established to implement bi-lingual signage; and
- The proposed name “Awanui” for the new Council vessel to be based in Tauranga Harbour.

Members raised the importance of resourcing being provided for the implementation of iwi and hapū management plans as well as for development. Members expressed support for more use of Te Reo in Council agenda and meetings.

Resolved

That the Komiti Māori under its delegated authority:

- 1 Receives the report General Manager Strategy and Science Update.**
- 2 Endorses the use of the name “Awanui” for the new Regional Council vessel based in Tauranga Harbour, subject to agreement from the late Councillor Black’s whānau.**

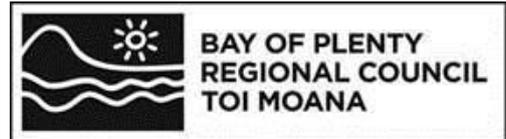
**Tahana/Love
CARRIED**

7 Open Forum

No matters were raised.

The meeting closed at 12.30pm.

Reports



Receives Only – No Decisions

Report To: Komiti Māori

Meeting Date: 20 June 2017

Report From: David Phizacklea, Regional Integrated Planning Manager

Marine and Coastal Area (Takutai Moana) Act : Applications received in the Bay of Plenty

Executive Summary

An overview is provided of applications made under Te Takutai Moana Act in the Toi Moana Bay of Plenty region. To date, Council has received notice of 27 applications to the High Court and approximately 70 for direct engagement with the Crown. Information received from the Attorney-General indicates that there may be another 10 applications made to the High Court that include parts of the region.

Many of the applications overlap and cover extensive areas of the region's coastal waters. Based on progress to date, it is unlikely that decisions on applications will be made for another 2-3 years.

Areas subject to numerous overlapping applications are:

- Offshore islands - Whakaari, Tūhua and Motiti
- Whakatōhea rohe
- Maketū/Waihī Estuary area and adjoining coastal waters
- Te Awanui (Tauranga Harbour)
- Waihī Beach to Pāpāmoa and adjoining coastal waters

There are also applications made by the New Zealand Māori Council and Maanu Paul (on behalf of all Maori) that both cover the entire New Zealand coastline.

Anyone applying for resource consent in an area covered by a customary marine title application has to notify and seek the views of the applicant group(s).

If customary rights are recognised under the Act, the implications will be positive for the successful groups, particularly in terms of their mana, rangatiratanga and kaitiakitanga. If customary marine title is granted, iwi and hapū will have the ability to significantly influence the regional planning framework and veto consent applications that would otherwise have been granted under the RMA. Some existing activities and new infrastructure are exempt from this "veto". However, the legal 'tests' for obtaining this recognition are high, and yet to be fully tested through the High Court process.

Recommendations

That the Komiti Māori under its delegated authority:

- 1 **Receives the report, Marine and Coastal Area (Takutai Moana) Act : Applications received in the Bay of Plenty;**

1 Introduction

Te Takutai Moana Act 2011 (“**the Act**”) sets out a legal framework for recognising Māori customary rights and interests in the marine and coastal area. The Act applies to harbours, estuaries and coastal waters in the territorial sea – 12 nautical miles from shore.

Under the Act, iwi, hapū or whānau were able to apply to the High Court or enter into direct engagement with the Crown (via the Office of Treaty Settlements (“**OTS**”). The deadline for lodging applications was 3 April 2017.

This report contains brief details of all applications known to be received by the High Court and OTS as of 7 June 2017. The Crown and the High court are still processing applications and we expect there are more applications in the Toi Moana (Bay of Plenty) region. A full list should be available by the end of June 2017.

2 Background

Te Takutai Moana Act 2011 replaced the Foreshore and Seabed Act 2004. Applications made to the Māori Land Court under the former legislation were transferred to the High Court for consideration.

As stated in the legislation, the Act:

...takes account of the intrinsic, inherited rights of iwi, hapū, and whānau, derived in accordance with tikanga and based on their connection with the foreshore and seabed and on the principle of manaakitanga. It translates those inherited rights into legal rights and interests that are inalienable, enduring, and able to be exercised so as to sustain all the people of New Zealand and the coastal marine environment for future generations”.

Iwi, hapū or whānau can apply for:

- Customary Marine Title (CMT) and/or
- Protected Customary Rights (PCR).

2.1 What is Customary Marine Title?

Customary Marine Title gives a group rights that are similar to a freehold landowner; however, a CMT can't be sold and the Act requires that free public access, fishing and other recreational activities are allowed to continue.

To be eligible for CMT a group has to demonstrate that they:

- Hold the specified area in accordance with tikanga; and

- Have exclusively used and occupied the area from 1840 to the present day without substantial interruption.

2.2 What are Protected Customary Rights?

Protected Customary Rights are activities, uses and practices that have been undertaken since 1840 in a particular part of the coastal marine area in accordance with tikanga. Some examples of customary rights included in applications are tauranga waka (waka landing sites), gathering kaimoana, fishing, aquaculture, exercising kaitiakitanga (for example by way of rāhui) and extraction of fossils, sand, rock and other natural materials.

3 Applications in the Bay of Plenty region

The Minister of Treaty Settlements (“the Minister”) has recently advised that approximately 70 applications for direct engagement that fall within the Toi Moana region. A list of the applicant groups is contained in Appendix 1. Many of these groups have also lodged applications with the High Court.

Twenty-seven High Court applications are known to fall within the Toi Moana region. This number will increase once the High Court has finished processing the 200 applications it has received – indications are that the final number will be about 35. Appendix 2 includes a table of all known applications and these are shown in a map in Appendix 3. The maps does not show the applications made by Maanu Paul on behalf of all Māori and by the New Zealand Maori Council – both these applications apply to the entire coastline and territorial waters of New Zealand.

The majority of applications overlap, so it may be difficult for any individual applicant group to demonstrate exclusive use and occupation of an area unless an agreement can be reached between the relevant parties.

Areas subject to numerous overlapping applications are:

- Whakaari (White Island)
- Whakatōhea rohe
- Maketū/Waihī Estuary area and adjoining coastal waters
- Motiti and surrounding reefs, islands
- Tūhua
- Tauranga Harbour
- Waihī Beach to Pāpāmoa and adjoining coastal waters.

3.1 Process and likely timeframes

3.1.1 Direct engagement with the Crown (Office of Treaty Settlements)

A flow chart of the process followed by the Crown is attached at Appendix 4. To date, the Crown has not reached an agreement with any applicant group in the region.

Office of Treaty Settlements staff have previously advised it will take 2-3 years to process an application once the Minister has decided to engage. To date the Crown has declined to engage on overlapping applications for customary marine title. Therefore the majority of applications in our region are likely to end up being determined by the High Court, although a group may be able to reach agreement with the Crown with regard to protected customary rights.

3.1.2 High Court process

To date the High Court process has moved at a slow pace.

The Attorney General has recently proposed that the High Court applications be considered as 21 application groups (labelled A to U) to allow overlapping applications to be considered together – at least in the initial stages. Most applications in the Toi Moana Bay of Plenty region fall into Group H (western part of the region) or Group I (eastern part of the region including Whakaari). Some applications fall in Group J (East Cape). A map of these areas is attached at Appendix 5. These groupings are not confirmed and may change.

The High Court has also asked the Attorney General to undertake some additional work to identify:

- Applications that don't require a Court hearing
- Applications that can be heard together
- Potential venues for cases where a hearing is required.

It seems unlikely that substantial progress will be made on resolving the majority of these applications in the near future.

Council has been serving notice of its intention to participate in these proceedings on a neutral basis – recognising that the substantive argument is between Crown and tangata whenua groups. Joining the proceedings allows Council to provide submissions or evidence if needed to help inform the Court's decision-making. For example, questions may arise regarding the current planning framework, the nature of council-owned assets in an area or the boundary of the coastal marine area.

Council also recognises that participation will be important for building relationships with the various groups involved.

4 Regional Council Obligations for Protected Customary Rights and Customary Marine Title areas

Regional Council has a variety of duties and responsibilities under the Takutai Moana Act 2011 and Resource Management Act 1991 that relate to protected customary rights and customary marine title areas. The potential implications of these duties and responsibilities vary – some requirements are largely business as usual (such as duties related to record keeping and consent processing); others may be more significant, particularly those obligations relating to recognition of planning documents and monitoring the exercise of protected customary rights.

The only obligation which takes force before an application is granted is the requirement for resource consent applicants to notify and 'seek the views' of CMT

applicants before lodging a consent application (s62 MACAA). Council staff review applications to ensure this step has been undertaken.

To date, only one application has been granted under the Act for a small area to the south west of Rakiura (Stewart Island), so the full implications are untested.

4.1 Regional Planning

If customary marine title is granted, CMT holders can create a planning document which the Regional Council must take account in its decision-making. The planning document can identify issues and set out objectives and policies relevant to regulation and management of the area. Council planning documents must be reviewed to ensure that they recognise and provide for the CMT planning document. Until this occurs the planning document must be attached to the relevant Council plans and be given appropriate consideration during consenting.

Comment: This is potentially the most significant requirement for Council as it requires a review of the Regional Policy Statement, Regional Coastal Environment Plan and Regional Air Plan to determine whether changes are required to recognise and provide for the CMT planning document. Any changes required must go through the RMA Schedule 1 process.

4.2 Summary

It is very difficult to determine the potential impact on Council workstreams until decisions are made by the High Court and Crown on the various applications made under the Act to recognise customary interests in the coastal marine area. Council has been lodging notices of interest in the High Court applications in order to keep abreast of developments and future requirements within the region. Council is maintaining a “watching brief” in these proceedings rather than being an active participant.

5 Implications for Māori

The process will be resource demanding and expensive for applicant groups. There will be tensions between applicant groups with overlapping application areas, similar to those experienced during Treaty of Waitangi/Tiriti o Waitangi historical claim processes. The applications in the Bay of Plenty region apply to extensive and overlapping areas. The onus of demonstrating whether an applicant holds the specified area in accordance with tikanga and exclusively used and occupied the area from 1840 to the present day without substantial interruption is high; particularly considering only one application to date has been successful and this applies to a small area of coast at Rakiura (Stewart Island).

If customary rights are recognised under the Act, the implications will be positive for the successful claimant groups, particularly in terms of their mana, rangatiratanga and kaitiakitanga. Many of the requirements applying to successful claimant groups are similar to those that already exist within the RMA (e.g. record keeping and taking into account customary rights in consenting processes). However, if customary marine title is granted, iwi and hapū will have the ability to significantly influence the regional planning framework and veto consent applications that would otherwise have been granted under the RMA. Some existing activities and new infrastructure are exempt from this “veto”.

In the interim, the requirement to undertake pre-lodgement consultation will be of particular importance to applicant groups.

However, this requirement does not extend to oil and gas exploration permits issued by New Zealand Petroleum and Minerals under the Crown Minerals Act. This remains a significant issue for most Māori.

6 Council's Accountability Framework

6.1 Community Outcomes

This legislation potentially impacts the Regional Collaboration and Leadership Community Outcome in the council's Long Term Plan 2015-2025, as it may result in changes to regional planning documents.

6.2 Long Term Plan Alignment

Work associated with responding to this legislation is undertaken under the Regional Planning, Resource Consents and Māori policy activities in the Long Term Plan 2015-2025.

Current Budget Implications

Work related to the Marine and Coastal Area Act 2011 is being undertaken within the current budget for the Regional Planning and Māori Policy activities in the Annual Plan 2016/17.

Future Budget Implications

Depending on the nature of customary recognitions granted under the Marine and Coastal Area Act 2011, additional funding may be required that is outside the Council's Long Term Plan 2015-2025. The resource implications are not likely to become clear for another 2-3 years as applications progress through the High Court and Crown engagement processes.

Jo Noble
Senior Planner (RIN)

for Regional Integrated Planning Manager

12 June 2017

APPENDIX 1

List of Takutai Moana Act applicants for direct engagement with the Crown

Bay of Plenty Regional Council – Appendix A:

Cletus Maanu Paul
Hapu o Ngati Hangarau
Ihakara Tangitu Reserve
Motiti Rohe Moana Trust
Ngā Hapū o Matakana
Nga hapu o Ngai Te Rangi
Ngā Pōtiki
Ngā Uri o nga Tupuna
Ngai Tamarawaho (Ngai Tamarawaho Tribal Authority Trust)
Ngai Tamarawaho (Te Mana O Ngai Tamarawaho)
Ngai Te Hapu
Ngāi Te Hapū Incorporated Society
Ngati He
Ngati Makino and Ngati Pikiaio
Ngati Pukenga
Ngāti Ranginui
Ngāti Rangitihī
Ngāti Rangitihī Raupatu Trust inc
Ngāti Whakahemo
Pomare Paora Trust
Te Patuwai and Ngati Maumoana Hapu
Te Patuwai Tribal Council
Te Uri a Tehapu
Te Whanau a Mokokoko
Waaka and Holloway Whanau
Koromatua Hapu of Ngati Whakaue
Te Arawa Takutai Moana Kaumatua (leadership roopu)
Te Rūnanga o Ngāti Whakaue ki Makatū
Tuwharetoa ki te Tai
Waitaha Iwi
Awanui Haparapara No1 Trust
Herewini Hoera Tere Whanau and Opape 1A 19B Land Block Shareholders
Kutarere Hapū
Lesley McLean

Ngai Tai (Mio)
Ngai Tai Iwi (Jones)
Ngai Taiwhakaea
Ngai Tama Haua (Hillier)
Ngai Tamahaua Hapu (Herewini)
Ngāi Tamahaua Hapu (Wordsworth Hillier)
Ngati Awa (Simpson)
Ngati Awa (TRONA)
Ngāti Awa Hapū (Enid Ratahi-Pryor)
Ngāti Hokopū / Te Wharepaia
Ngati Ira o Waioweka
Ngati Muriwai Hapu
Ngati Patumoana
Ngati Ruatakena, Ngati Patu, Ngai Tama, Ngati Ira, Ngati Ngahere, Upokorehe (Whakatohea)
Pahewa Whanau (Hamata)
Pakowhai Hapu of Whakatohea
Ririwhenua Hapu
Rurima Maori Reservation
Tangihia Hapu
Te Hapu o Titoko Ngai Tama
Te Whānau ā Apanui (FSB)
Te Whānau ā Apanui (Howell)
Te Whānau ā Apanui (Karamea Insley)
Te Whānau ā Apanui (Michael Insley)
Te Whānau ā Apanui (Te Runanga o te Whanau)
Te Whanau a Apanui, Tutuwake, Delamere and Pahewa Whanau
Te Whanau a Rangihaerepo of Te Upokorehe and Ngati Tamahaua
Te Whanau a Te Harawaka
Tūhoe
Upokorehe Hapu (Te Whenua)
Whakatohea Whanau, Hapu, Iwi
Whanau a Apanui Hapu (Davis)
Whitianga Trust
Wikaire Whanau Trust

APPENDIX 2

Takutai Moana Act Applications to the High Court in the Bay of Plenty region - 7 June 2017

Applications made under the Takutai Moana Act in the Bay of Plenty region

This document contains brief details of all Takutai Moana Act applications known to be received by the High Court as of 7 June 2017. Approximately 10 more applications are likely to be added to this list once details become available.

Applicant	Area	Comment	Interested parties – still being compiled
New Zealand Māori Council (Rihari Dargaville)	All of New Zealand foreshore and seabed		BOPRC Maungaharuru Tangitu Trust Te Korowai o Ngaruahine Te Rūnanga o Whaingaroa
New Zealand Māori Council (Maanu Paul)	All of New Zealand foreshore and seabed		TBA
Te Runanganui o Ngāti Porou Trustee Limited	Mainly in the Gisborne region, but possibly a small overlap into our region at Pōtikirua [Lottin Point]		TBA
Te Whānau ā Apanui and Te Whānau a Rongomai	No clear map available – assumed to be all of the takutai moana associated with the land-based part of the rohe (between Pōtikirua [Lottin Point] and Te Taumata o Apanui [west of Tōrerere]).	Application originally made under the Foreshore & Seabed Act 2004. Has not been publicly notified as a Marine and Coastal Area Act application.	TBA
	The rohe of Te Whānau ā Apanui from Te Taumata o Apanui to Pōtikirua – all territorial sea. Includes Whakaari.	New application made on 3 April 2017. Applicant has filed Memorandum of Counsel seeking to adjourn High Court proceedings while group engages in direct negotiations with the Crown.	TBA

Applicant	Area	Comment	Interested parties – still being compiled
Te Whānau a Te Harawaka (Bella Arapera Savage and Waipere Perese)	Between Hāwai river and Mōtū River and all associated territorial sea		TBA
Te Whakatōhea (Adriana Edwards)	All of the takutai moana within the tribal rohe of Whakatōhea - from at least Te Horo (between Ohope and Whakatane) in the west; to Te Rangi (between Opape and Torere) towards the east; and through at least to the Motu Awa at its most eastern extremity, and extending out to a distance of 12 nautical miles.	Application originally made under the Foreshore & Seabed Act 2004. Publicly notified in June 2015. Next case management conference deferred until after Easter 2017.	Attorney General BOPRC ODC WDC Te Rūnanga o Ngāti Awa Council of Outdoor Recreation NZ Rock Lobster Association Te Whānau a Apanui
Ngāti Patumoana – John Hata (hapū of Whakatōhea)	Between Maraetōtara Stream and Ngawaikui Stream, including Ōhiwa Harbour. Includes all the territorial sea in this area.		TBA
Whakatōhea Māori Trust Board	Between Maraetōtara and Te Rangi (east of Whakatōhea).		TBA
Ngā hapū o Ngāti Ira o Waioweka Rohe	Between Maraetōtara to Tarakeha at Ōpape (yet to be mapped).		TBA
Te Rūnanga o Ngāti Awa	Territorial sea adjoining coast between Pukehina and Ōhiwa Harbour – includes Motiti and Whakaari. Also includes Ōhiwa Harbour, Whakatāne river, Orini Stream, Rangitāiki river, Tarawera River, Herepuru Stream, Pikowai Stream,		Motiti Avocados Limited Ngāi Te Rangi Settlement Trust

Applicant	Area	Comment	Interested parties – still being compiled
	Waitahanui Stream and Waihi Estuary.		
Ngāti Awa and Rūrima Island Māori Reservation	One nautical mile around the Rūrima Islands (Tokata, Rūrima and Moutoki Islands)		TBA
Ngāti Tara Tokanui Trust	Tūhua (Mayor Island) and takutai moana adjoining/near Aongatete River, Bowentown, Waihi Beach, Orokawa – includes part of Tauranga Harbour.		TBA
Ngā Hapū o Te Moutere o Motiti [Motiti Rohe Moana Trust]	An area including Motiti Island and the surrounding marine and coastal area.	To be progressed with Ngāti Whakaue and Ngā Potiki High Court applications. Amended application filed on 30 November 2016. On hold pending public notification of overlapping applications.	BOPRC Attorney general Te Whanau a Tauwhao ki Nga Moutere Trust Te Rūnanga o Ngati Whakaue ki Maketū Ngāti Whakahemo Te Rūnanga o Ngāti Awa Te Patuwai Tribal Committee Eunice Evans Adrienne Joy Paul Don Wills Edward Matehaere Ngarongaro Wikeepa Peter and Christine Grant Rauahi and Aporina Chapman

Applicant	Area	Comment	Interested parties – still being compiled
			Whānau Trust Astrolabe Community Trustee Ltd Ngā Potiki a Tamapahore Trust Te Rūnanga o Ngāi Te Rangi Ngai Te Hapū Incorporated Council of Outdoor Recreation Associations of New Zealand Motiti Avocadoes Ltd NZ Rock Lobster Industry Council CRA 2 Rock Lobster Management Ltd Mount Maunganui Environmental Group Ltd
Ngāi Te Hapū Incorporated Claiming to be a hapū of Ngāti Awa.	Around Motiti Island – an area bounded by Otaiti in the north, Motuhaku island in the east, Motunau island in the south-east and Okaparu reef in the northwest.	Likely to be progressed with the other applications that relate to Motiti.	TBA
Te Uri a Te Hapū	Includes area around Motiti Island		Ngāi Te Rangi Settlement Trust
Ngāti He Hapū Trust	Tauranga Harbour – around Maungatapu peninsular; Waimapu Estuary and; Te Tahuna o Rangataua; and Te Papa peninsular to Mauao. Territorial sea adjacent to coastline		BOPRC Port of Tauranga Ihakara Tangitu Reserve

Applicant	Area	Comment	Interested parties – still being compiled
	from Mauāo to Te Tumu.		
Ngāi Te Rangī Settlement Trust	Tauranga Harbour and all Takutai Moana adjoining the area from Waihi Beach (Waiororo Stream) to Wairakei Stream - includes Motiti and Tūhua.		BOPRC Motiti Avocados Limited Port of Tauranga Ihakara Tangitu Reserve Ngāti He Hapū Trust
Ngā Hapū o Ngāti Ranginui Settlement Trust	From Nga Kuri-a-Whareī, northwest of Tauranga to coastal Wairakei and entire adjacent CMA. Includes all of Tauranga Harbour, Motiti and Tūhua.		BOPRC Ngāi Te Rangī Settlement Trust Ihakara Tangitu Reserve Ngāti He Hapū Trust
Ngā Potiki (Colin Reeder)	Takutai moana off the Pāpāmoa coast (from Ōmanu to Wairakei) and Rangataua Bay and estuary.	To be progressed with Ngāti Whakaue and Motiti Rohe Moana Trust High Court applications once notified.	Ngāti He Hapū Trust
Te Rūnanga o Ngāti Pu Incorporated	Includes Tūhua.		Ngāi Te Rangī Settlement Trust
Te Kupenga o Ngāti Hako	Includes Tūhua.		Ngāi Te Rangī Settlement Trust
Ihakara Tangitu Reserve	Waikaraka Estuary, Te Puna		TBA
Ngāti Pūkenga	Waihi Beach to Little Waihi – all of territorial sea (includes Tūhua and Motiti)		Port of Tauranga Ngāi Te Rangī Settlement Trust

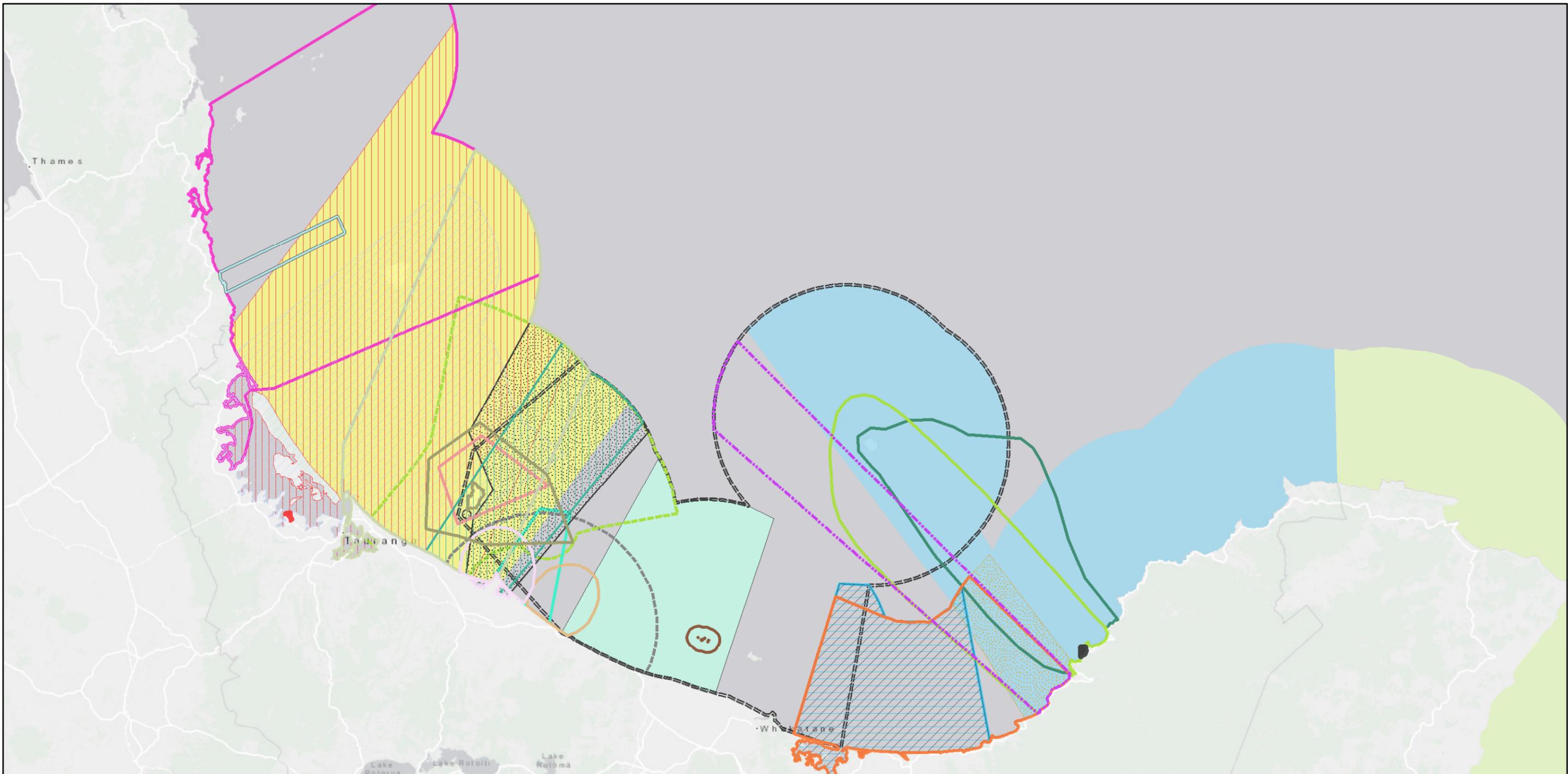
Applicant	Area	Comment	Interested parties – still being compiled
Ngāti Whakaue ki Maketū	Along the coast from Te Tumu to Pukehina and extends out to the territorial sea boundary, also encompasses Motuhaku Island, Motunau Island and waters to the east of Motiti Island.	To be progressed with Motiti Rohe Moana Trust and Ngā Potiki High Court applications.	<p>BOPRC</p> <p>TCC</p> <p>WBOPDC</p> <p>Te Rūnanga o Ngāti Awa</p> <p>Ngāti Whakahemo</p> <p>Ngā Hapū o te Moutere o Motiti (Motiti Rohe Moana Trust)</p> <p>Motiti Island Marae Committee</p> <p>Ngai Te Hapū Incorporated</p> <p>Ngā Potiki a Tamapahore Trust</p> <p>Te Rūnanga o Ngāi Te Rangi Iwi Trust</p> <p>Ngāi Te Rangi Settlement Trust</p> <p>Ngāti Mākino Heritage Trust</p> <p>Ngāti Pikiāo Iwi Trust</p> <p>Te Whānau a Tauwhao ki Ngā Moutere Trust</p> <p>Astrolabe Community Trust</p> <p>Carrus Corporation</p> <p>Ford Land Holdings PTY Ltd</p> <p>Council of Outdoor Recreation</p>

Applicant	Area	Comment	Interested parties – still being compiled
			Associations of New Zealand The Rauahi and Aporina Chapman Whānau Trust
Koromatua Hapū of Ngāti Whakue of Te Arawa Waka	Maketū Estuary, Kaituna River mouth, part of Waihī Estuary and the takutai moana adjacent to the coast from end of Pukehina Spit to Wairakei Stream mouth.		TBA
Te Rūnanga o Ngāti Whakahemo	<ul style="list-style-type: none"> • Pukehina Coast (from Ōkurei Point) and coastal waters including Motunau Island. • Waihī and Maketū Estuaries. 		TBA
Ngāti Mākino & Ngati Pīkiao	<p>Ngāti Mākino CMT: Ōtamarākau Pa to eastern side of Waihī Estuary mouth and extending approx. 6 nautical miles seaward in an elliptical shape.</p> <p>Ngāti Pīkiao CMT: Eastern side of Waihī Estuary mouth to western side of Te Tumu Pan and extending approx. 4 nautical miles seaward in an elliptical shape.</p> <p>Waihī and Maketū Estuaries.</p> <p>Joint PCR: From Te Awa o te Atua to Pāpāmoa coast and extending seaward in an elliptical shape to</p>		TBA

Applicant	Area	Comment	Interested parties – still being compiled
	approx. 10 nautical miles.		

APPENDIX 3

Map of Takutai Moana Act applications received by BOPRC



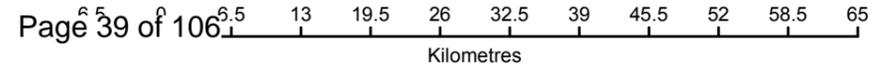
Legend			
Applicant Group			
	Ihakara Tangitu Reserve		Ngā hapū o Ngāti Ira o Waioweka Rohe
	Karamea Insley Whānau		Ngāi Te Hapū Incorporated
	Koromatua Hapū of Ngāti Whakue of Te Arawa Waka		Ngāi Te Rangī Settlement Trust
	Michael Insley Whānau		Ngāti Awa Hapū (Enid Ratahi-Pryor)
	Motiti Rohe Moana Trust		Ngāti Awa and Rūrima Island Māori Reservation
	Ngā Hapū o Ngāti Ranginui Settlement Trust		Ngāti He
	Ngā Potiki		Ngāti Mākino & Ngati Pikiao
			Ngāti Mākino Heritage Trust
			Ngāti Patumoana – John Hata (hapū of Whakatōhea)
			Ngāti Pikiao
			Ngāti Porou ki Hauraki (Ngāti Porou ki Harataunga ki Mataora)
			Ngāti Pūkenga
			Ngāti Tara Tokanui Trust
			Ngāti Whakaeu ki Maketu
			Te Runanga o Ngati Whakahemo
			Te Runanganui o Ngati Porou Trustee Limited
			Te Rūnanga o Ngāti Awa
			Te Whakatōhea (Adriana Edwards)
			Te Whānau a Apanui (Howell)
			Te Whānau a Te Harawaka
			Te Whānau a Te Harawaka (Bella Arapera Savage and Waipere Perese)
			Te Whānau ā Apanui and Te Whānau a Rongomai

Projection and Grid Information
 HORIZONTAL DATUM: New Zealand Geodetic Datum 2000
 For practical purposes, NZGD2000 equates to WGS84
 VERTICAL DATUM: Moturiki
 PROJECTION: New Zealand Transverse Mercator 2000

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Marine and Coastal Areas - Takutai Moana (MACA)

Scale 1:660000



APPENDIX 4

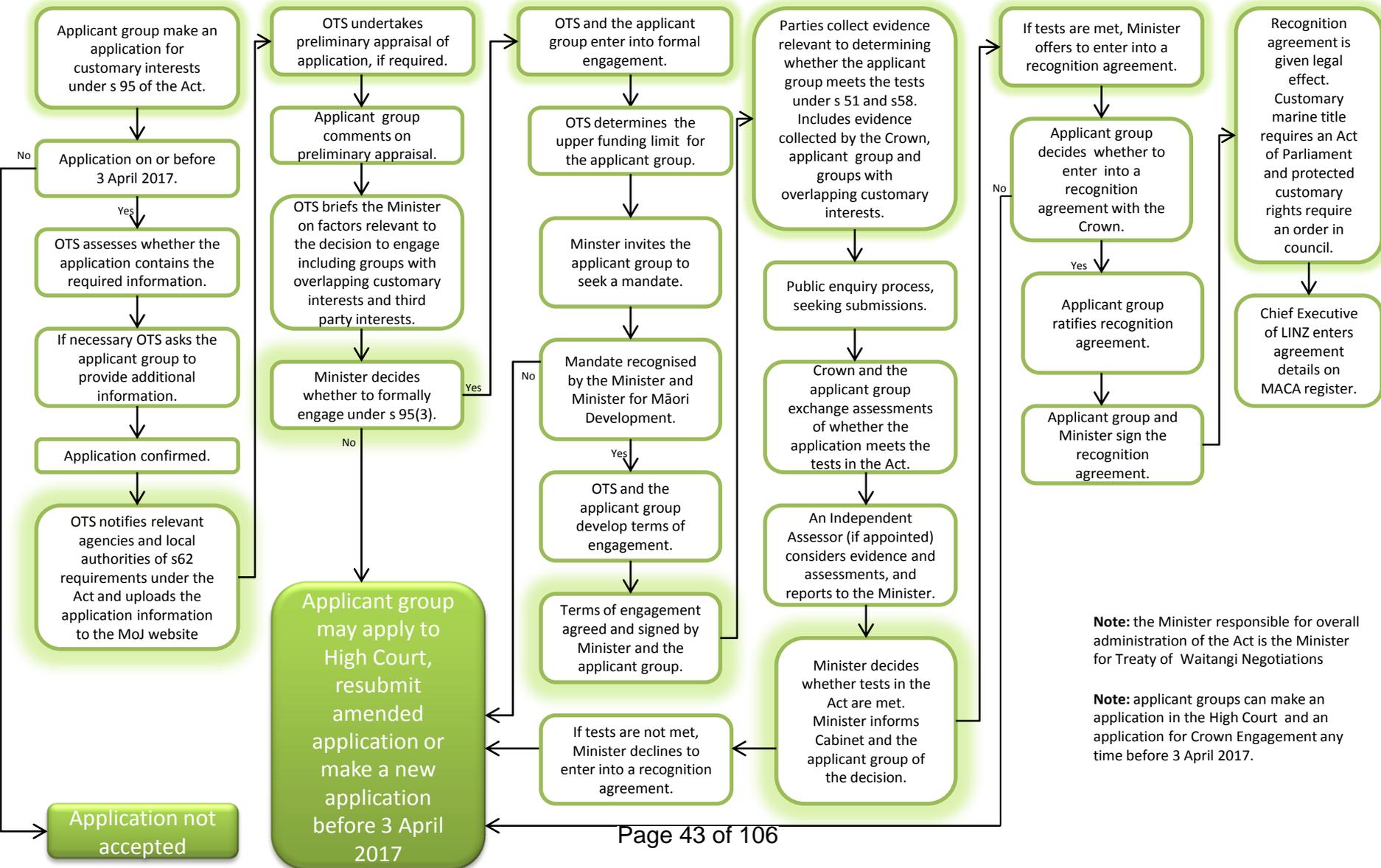
Process for Crown engagement under the Marine and Coastal Area Act

Process for Crown Engagement under the Marine and Coastal Area (Takutai Moana) Act 2011 (the Act)

Pre-Engagement

Determination

Finalisation

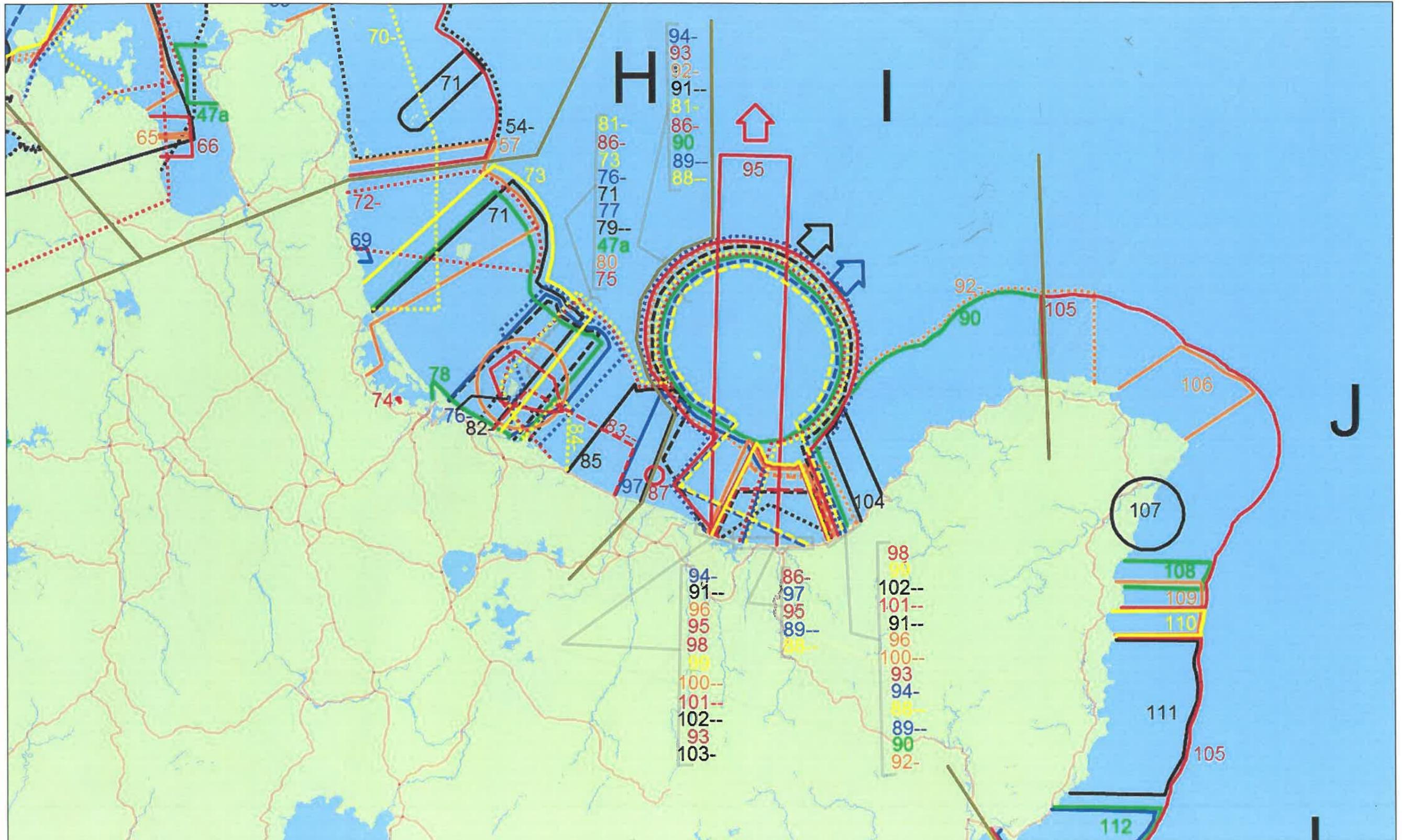


Note: the Minister responsible for overall administration of the Act is the Minister for Treaty of Waitangi Negotiations

Note: applicant groups can make an application in the High Court and an application for Crown Engagement any time before 3 April 2017.

APPENDIX 5

Attorney General proposal to group High Court applications: Map 3 Bay of Plenty to East Coast





Receives Only – No Decisions

Report To: Komiti Māori

Meeting Date: 20 June 2017

Report From: Kataraina O'Brien, Strategic Engagement Manager

Maori Participation in Council planning processes

Executive Summary

At the last Komiti Māori meeting staff were asked to prepare a report on the current level of Maori participation in statutory planning processes.

The scope of this report covers Māori participation from 1 July 2014 to 30 June 2017. Some key findings are:

- There has been a steady increase in Maori participation in Council planning processes over the past three years.
- Maori are more engaged in the Resource Management Act (RMA) processes such as plan changes, than Local Government Act (LGA) consultation processes (annual or long term plan processes).
- More submissions were received from iwi entities than individual hapū.

Reasons for increased participation can be contributed to:

- Better awareness about the importance of providing feedback to key Council planning processes.
- Capacity and capability to participate and respond has increased for some Iwi, particularly post Treaty settlement entities.
- Council staff are continually trying to improve the way they engage with Māori.
- More legislative responsibility to consult and engage with Māori.
- Treaty co-governance forums have enhanced Council-Māori engagement opportunities.

Effective Māori engagement and consultation can be inhibited by factors such as multiple planning processes occurring frequently on various plan changes and reviews which impact on the ability for Iwi-Māori to respond in a comprehensive way within RMA timeframes. Iwi also have competing priorities and deliverables with limited resources.

Council also face challenges to meet Iwi-Māori engagement and consultation expectations especially given the number of Iwi and hapū in the region.

It may be useful to develop a Regional Council Engagement Strategy/Statement based on high level principles to ensure consistent and effective engagement planning and execution.

Recommendations

That the Komiti Māori under its delegated authority:

- 1 **Receives the report, Maori Participation in Council planning processes;**
- 2 **Requests that staff develop tailored engagement/consultation plans to encourage effective Māori participation.**
- 3 **Requests that staff include a Maori Implications section when drafting reports for Council committees.**
- 4 **Endorses the development of Regional Council Engagement Strategy or Statement based on high level principles of engagement/consultation with Māori.**

1 RMA and LGA

There are several Acts that require Councils to take account of, recognise and provide for or give effect to Māori provisions.

Council's core purpose and role is legislatively defined in the Local Government Act 2002. The LGA requires a local authority to:

“Set out any steps that the local authority intends to take, having considered ways in which it might foster the development of Māori capacity to contribute to the decision-making processes of the local authority...”¹

Council must decide what mechanisms or steps it will take to encourage, support or promote Māori capacity so that Māori are able to have input into council decision-making processes. Consultation and engagement are a catalyst for this to occur.

Council's responsibility to sustainably manage the environment is set out in the Resource Management Act 1991. Various sections of the RMA require Councils to engage and consult with Māori on plan changes and reviews.

This report endeavours to ascertain the level of participation by Māori in some of Council's planning processes over a three year period.

2 Assessment of Council consultation and engagement

Council has a large number and wide variety of policies, strategies and plans, both statutory and non-statutory. The objectives and actions within the strategies and plans determine the work programmes and projects included in the Long Term Plan.

Council's strategies and plans are at various stages in their lifecycle. The key public policy lifecycle stages are planning, development, consultation, adoption, implementation and review or evaluation.²

¹ Local Government Act 2002, schedule 10, part 1, section 5.

² Bay of Plenty Regional Council Local Governance Statement 2017.

This report focuses on several plan changes/reviews that occurred over a three year period including the following:

- The Long Term Plan 2015-2025
- Proposed Change 2 (Natural Hazards) to the Bay of Plenty Regional Policy Statement
- Te Ara Whanui o Te Rangitāiki - draft Rangitāiki River Document for Consultation.
- Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement to recognise and provide for Te Ara Whanui o te Rangitāiki.
- Region-wide Water Quantity Plan Change – Proposed Plan Change 9 to the Regional Water and Land Plan
- The Navigation Safety Bylaw 2017

The assessment highlighted the length of consultation period, how many submissions were received overall and how many Maori submissions were received.

Of the 753 total submissions received, 124 were from Māori equating to 16% of total submissions received by Council overall.

Of the 124 overall Maori submissions, most were received from iwi and hapu rather than trusts or individuals.

3 Assessment highlights

Of the information and data analysed, the key results/findings are:

- There has been a steady increase in Maori participation in Council planning processes over the past three years.
- Maori are more engaged in the Resource Management Act (RMA) processes such as plan changes, than Local Government Act (LGA) consultation processes (annual or long term plan processes).
- More submissions were received from iwi entities than individual hapū.

The highest percentage of Maori submission's received were for the draft Rangitāiki River Document "Te Ara o Rangitāiki – Pathways of the Rangitāiki". This document was borne through the Rangitāiki River Forum, a Treaty co-governance entity. Most submissions were received from iwi/hapu that have an intimate relationship with the Rangitāiki River.

The Proposed Change 2 consultation received the lowest amount of submissions from Māori (2).

3.1 Long Term Plan 2015-2025

- The consultation period for Council's proposed Long Term Plan 2015-2025 and other proposals for changes to policies, fees and charges were open for public feedback from 20 February to 20 March 2015.
- A total of 275 submissions were received, and approximately half of those wished to be heard.

- Of the 275 submissions received, **41 Māori/Iwi/Marae representatives**, equating to **15% of the total submissions**.³

3.2 Proposed Change 2 (Natural Hazards) and

- On 2 June 2016 Council approved Change 2 (Natural Hazards).
- A total of 35 submissions were received, with **two submissions received from Māori/Iwi/Marae representatives**, equating to **6% of the total submissions**.⁴

3.3 Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement

- Proposed Change 3 was publicly notified on 11 October 2016 and closed on 23 November 2016 with 19 submissions received.
- Of the 19 submissions, **seven submissions were received from iwi, hapu** or other organisations representing Māori interests – Ngāi Tamawera hapū, Mataatua District Māori Council, Te Rūnanga o Ngāti Manawa, Te Pahipoto hapū, Te Rūnanga o Ngāti Whare, Rangitāiki River Form and Te Rūnanga o Ngāti Awa.
- With the exception of one, submissions from iwi and hapū, were in support and equated to **36% of the total submissions**.⁵

3.4 Te Ara o Rangitāiki/Pathway of the Rangitāiki – draft Rangitāiki River Document for Consultation

- A draft Rangitāiki River Document “Te Ara o Rangitāiki – Pathways of the Rangitāiki” (the Document) was released for public consultation on 22 August 2014.
- The Rangitāiki River Forum received **32 submissions which were made from various sectors including seven Māori/Iwi/Marae representatives**.
- Most submissions agreed with the draft intent/principles with additional changes and equated to **21% of the total submissions**.⁶

3.5 Region-wide Water Quantity Plan Change – Proposed Plan Change 9 to the Bay of Plenty Regional Water and Land Plan

- Proposed Plan Change 9 was notified for public submissions on 18 October 2016.
- A total of 82 submissions were received including **20 Māori/Iwi/Marae representatives** equating to **25% of submissions**.

3.6 The Navigation Safety Bylaw 2017

- The review of the Bylaw started in December 2015.
- After a lengthy review process, the new Bylaw was adopted at a Council meeting on 14 February 2017. A copy of the new Bylaw, will come into effect on 1 July.

³ 15-20 April 2015 – Regional Council Draft Long Term Plan Hearings Agenda

⁴ 15-20 April 2015 – Regional Council Draft Long Term Plan Hearings Agenda

⁵ Section 32 Report – Change 3 (Rangitāiki River) to the Regional Policy Statement

⁶ 4 November 2014 – Rangitāiki River Forum Agenda – page 11-14

Submissions for the proposed Navigation Safety Bylaw were open from 7 June to 7 July 2016. In total Council received 218 submissions.

- Of the 218, **40 were from Māori/Iwi/Hapū/Marae reps equating to 18%.**

4 Summary of findings

4.1 What worked well?

- Early notification and engagement allowed both iwi and council to plan around other priority engagements and to engage the services of consultants if required.
- Providing submission support through the development of templates can save iwi/hapu time and resources to concentrate on the areas that affect them rather than spending time and capacity reading over technical and sometimes insignificant information.
- Meeting face to face for discussions allows iwi and Council to build, develop and enhance good relationships for future engagement.
- Providing financial support for Iwi-Maori to attend hui enabling quality responses and feedback.

4.2 Challenges for iwi participation

- Council approaches to engagement are generally based on RMA planning timeframes which do not synchronise with internal iwi engagement processes and timeframes.
- Some iwi do not have financial support and operate on a volunteer basis. A lack of resources can inhibit iwi participation.
- Iwi have competing priorities and deliverables that do not necessarily include Council priorities.
- Multiple planning processes occurring frequently on various plan changes and reviews.
- Consistent requests for iwi to respond to multiple demands from Councils, developers and agencies.

4.3 Challenges for Council

- Non-responsive Iwi-Maori. Council has statutory requirements to consult and engage with Iwi-Māori. If Iwi are unable to respond, their views may not be captured to their satisfaction.
- Multiple plan changes/reviews and/or consent applications can 'fatigue' Iwi-Maori by exhausting capacity and resources.
- Engaging with multiple iwi can be complex as there are 36 iwi in the region and many areas where iwi interests overlap.
- Budgeting restrictions can impact on type and frequency of engagement Council conducts.
- Some teams are limited in Māori engagement capability.
- Statutory timeframes and directives can impede enhanced engagement.

5 Māori Engagement and Consultation Support

Many teams across Council are required to consult and/or engagement with Māori. Experienced staff can advise and support Māori engagement. There are avenues available to assist staff which include:

- Referring to Councils Maori Engagement Toolkit
- Attending Treaty of Waitangi training
- Requesting advice from the Maori Policy Team
- Seeking direction from Komiti Maori
- Tailored engagement/consultation plans to encourage Māori Participation
- Completing a Maori Implications section in agenda reports

There is an opportunity for staff to give thorough consideration for Māori engagement and/or consultation via the insertion of a Māori Implications when preparing reports in the agenda management system (AMS). Completing a statement prompts the author to consider relevant implications for Māori, including engagement/consultation responsiveness.

6 Maori Implications

Council has statutory responsibilities to:

- Treaty Landscape – The Bay of Plenty's Māori landscape is culturally rich and dynamic with a population which is 28 percent Māori. Of the regions land area, 38 percent is in Māori ownership, with 1800 Māori Land Trusts managing these assets. There are 35 iwi, 260 hapū and 224 marae located across the region.
- LGA - “Set out any steps that the local authority intends to take, having considered ways in which it might foster the development of Māori capacity to contribute to the decision-making processes of the local authority, over the period covered in the plan”.⁷
- RMA - sustainably manage the environment is set out in the Resource Management Act 1991 (RMA). The RMA has a number of Maori provisions that staff must give effect to.
- Treaty of Waitangi – Must take into account the principles of the Treaty of Waitangi and give effect to responsibilities that are articulated in Treaty legislation.
- Maori are more engaged and continuing to provide quality responses. This may be due to some iwi becoming more resourced due to Treaty Settlements, more accomplished and informed Maori RMA practitioners, and better financial support from Council for iwi/hapu management documents, hearing commissioner training etc through Long Term Plan funding.
- Approaches for individual iwi/hapu will need to be tailored by Council to suit Maori capacity and resources. This also allows Maori to guide Council on the best approach to get a result that is satisfactory to both Maori and Council.

⁷ Local Government Act 2002, schedule 10, part 1, section 5.

- An engagement budget should be factored in early to avoid any unforeseen expenditure restrictions.

Many hapū and iwi are active participants in Council's consultation processes. Due to the high demand that Councils have on iwi, through limited resourcing and budget, the responses and interaction from iwi can oftentimes be reactionary. This Council has a series of plan changes and reviews in process running concurrently, requiring Iwi to provide rapid responses to very complex issues.⁸

The RMA amendments such as Te Mana Whakahono a Rohe is an instrument available to Iwi and Councils to clearly articulate engagement approaches which will improve our engagement relationships with Iwi-Māori overtime. In the meantime it may be useful to develop an engagement statement or strategy based on high level principles of good engagement.

Current Budget Implications

This work is being undertaken within the current budget for the Māori Policy, objectives and methods of implementation Activity in the Annual Plan 2015-2025

Future Budget Implications

There are no future budget implications.

Kerry Heitia
Strategic Engagement Coordinator

for Strategic Engagement Manager

13 June 2017

⁸ RDD Te Mana Whakahono a Rohe/Iwi Participation Agreements report – 18 May 2017.

Report To: Komiti Māori

Meeting Date: 20 June 2017

Report From: Kataraina O'Brien, Strategic Engagement Manager

Marae and Iwi-Māori Support : Recent Flood Events

Executive Summary

Iwi-Māori and marae across the region have continued to play an integral role in supporting communities during and after emergencies and natural disasters.

Marae offer warm, safe accommodation, ablutions, communal cooking and dining facilities, and a venue to discuss important kaupapa. They can also transform into operational hubs for emergencies. Marae differ from mainstream emergency and welfare centres as they come with a unique cultural dimension based on Te Ao, Tikanga and Te Reo Māori.

Rautahi Community Marae in Kawerau was one of the few marae deemed as an Official Welfare Centre following the recent flooding event in April 2017. Many other marae self-activated and opened their doors to support individuals and whānau.

Iwi-Maori were key contributors in the recent flood events and provided support, advice and on the ground services, some of which are still continuing.

This report highlights the role that some marae and Iwi-Maori played following the April flood event with a particular focus on the support provided for te waipuke o Patutātahi (the Edgecumbe flood).

Iwi-Māori have been invited to attend this meeting, including Ngāti Awa Social and Health Service staff who will be providing a short presentation.

Recommendations

That the Komiti Māori under its delegated authority:

- 1 Receives the report, Marae and Iwi-Māori Support : Recent Flood Events;**
- 2 Endorses a submission on behalf of Komiti Maori to the Civil Defence Regional Plan review. Submission points and/or feedback are to reflect Iwi-Māori perspectives. This may be prepared by the Māori Policy team.**

1 Background

On 6 April 2017 a breach of the Rangitāiki River stop bank at Edgecumbe resulted in the declaration of a State of Emergency in the Whakatāne District and an order to evacuate the town. That evacuation affected some 580 households and a population of approximately 1600 people.

This weather event caused major flooding, slips and multiple road closures all the way up the valley to Ruatāhuna, down to Rotoiti, as far east to Ōpōtiki and as far west as Pāpāmoa. Access in and out of the Tāneatua town was restricted due to the rising water, which also affected the Waimana side of Tāneatua. Road closures were also in place heading into Murupara and up to Ruatāhuna due to major slips.

The arrival of Cyclone Cook resulted in the declaration of a state of emergency on 11 April. The region was already dealing with the effects of ex-Cyclone Debbie.

Emergency Civil Defence Centres were set up in Whakatāne (War Memorial Hall) and Rautahi Community Marae, Kawerau (Firman Lodge for one day and then to the Rautahi Community Marae) to accommodate displaced residents from Edgecumbe and around the Rangitāiki plains. Other Marae opened their doors and/or offered their Marae as potential evacuation and welfare centres should the need be imminent.

The Marae functioned in multiple ways providing:

- accommodation, meals and washing facilities.
- repositories for koha and donated goods.
- health and medical support.
- volunteer coordination.
- security (via Māori Wardens).
- kaumatua and cultural advice.
- counselling support.
- agency support stands.
- youth/rangitahi mentors.
- manaakitanga to anyone who arrived and needed help, advice or company.

2 Marae Support

There were approximately ten marae that opened their doors during Cyclone Debbie and Cyclone Cook offering accommodation, food, support etc. Appendix 1 contains more information on the support from local marae.

2.1 Rautahi Community Marae

On 7 April 2017 Rautahi Community Marae in Kawerau was officially activated as a Welfare Centre by Civil Defence. The marae functioned in this capacity for 11 days supporting flood victims who were predominantly from Edgecumbe.

Rautahi was regarded as a “One Stop Shop”. People could turn up to a warm welcome; have a meal, sign up for emergency benefit support and leave with clothing and food parcels.



Photo 1: BOP Regional Council working at Rautahi marae - from left; Sandy Hohepa, Lisa Tauroa and Jane Waldon.

Approximately 30 different agencies were available on a rostered system for 11 Days (from 8am – 5pm) at Rautahi Marae ranging from Work and Income NZ, to Housing NZ, Te Puni Kokiri, Ministry of Health, Red Cross, and the District Health Board. Providing access to these services was crucial.

The team that lead, ran and facilitated operations at Rautahi consisted of staff and volunteers from the Bay of Plenty Regional Council, Whakatāne District Council, Kawerau District Council, Te Puni Kokiri, local tangata whenua, volunteers groups and individuals and Māori wardens. There were over 600 people who registered at Rautahi including 256 whānau registrations.



Photo 2: Whānau gathered for a community hui at Rautahi marae

Koha and donations arrived daily from locals and non-locals alike. Some expressions of koha included:

- Adventist Disaster Relief Agency from Auckland delivered a truck load of new clothing donated by Farmers and The Warehouse;

- Regular packages of kai from New World and Pak n Save.
- Fresh fruit, vegetables, baking and meat from local individuals and businesses.
- Locals from around the Kawerau District came to bring fresh fruit and vegetable, baking, clothing, blankets, pet food, shoes etc;
- A Linfox truck arrived with five pallets of goods from the local Kawerau Mill Ascaleo which included toilet paper, treasures, tissues, hand towels etc;

The infographics below give some details around statistics within the Rautahi.



2.2 Ruaihona Marae (Te Teko)

Ruaihona Marae in Te Teko became a central volunteer clean up hub. In collaboration with Te Rūnanga o Ngāti Awa (TRONA) and its hapū, the Bay of Plenty Regional Council and the Whakatāne District Council, the Ngāti Awa Voluntary Army (NAVA) was launched into action.

Ruaihona catered for several hundred people over several weeks providing breakfast, lunch and dinner for the volunteer workers, hapū members and council and agency staff.

NAVA assisted with cleaning up houses and properties of debris, ruined goods and furniture. Providing free manpower helped alleviate the stress that many Edgecumbe residents were under.

There were more than 1190 people who registered for the clean-up and nearly 5800 hours. Some came from afar including Germany and Czech Republic.



Photo 3: 21 April 2017, Poroporoaki at Ruaihona Marae, Te Teko

2.3 Kōkōhinau Marae (Te Teko)

Howard Morrison Jnr and Russell Harrison put a call out to all hunters from around the Bay of Plenty to donate their kills and qualified butchers for the Edgecumbe whānau.

On the 12 April they arrived with nearly 50 donated pig, deer, lamb and beef.

To greet them on their arrival were local butchers from Te Teko, whānau members who were butchers.

The Kawerau Mayor arrived with many of his own butchers from his local store.



Photo 4: Volunteer butchers at Kōkōhinau Marae

Meat and vegetable parcels were prepared at the Marae and distributed to evacuees, whānau who were looking after whānau members, Welfare Centres and other Marae around the district.

2.4 Te Hokowhitu Marae (Whakatāne)

This Marae opened their doors to support the evacuees throughout the Eastern Bay of Plenty and as a drop off location for second hand clothing and other goods. The marae is still catering for displaced whānau.

2.5 Toroa Marae (Paroa)

Toroa Marae temporarily accommodated whānau who had flood damaged housing.

2.6 Rangatahi Marae (Murupara)

This Marae opened their doors to support the evacuees from Murupara and Galatea eastern Bay, providing shelter, clothing, food and information.

2.7 Marae as Evacuation Centres

Many marae put their hands up to be official evacuation including Rangitihi, Taiwhakaea, Hokowhitu and Rangataua Marae Te Puni Kokiri.

There was and continues to be a lot of positive feedback about the role of marae as 'manaakitanga' hubs.

Many marae can mobilise within a minimum of two hours. Marae generally come with a core workforce and a number of extended volunteers. Marae that self-activated received a basic level of financial and resources support from Civil Defence. However, greater support was provided for Rautahi Community Marae due to it being an official evacuation centre.

The poroporoaki held to close Rautahi Marae as an evacuation centre was a sensitive affair. The Marae brought people together, strengthened relationships and gave hope to the community. This made winding down and closing the Marae quite emotional for some, and if not all. Te Puni Kokiri assisted in this process.

3 Role of Iwi-Maori

The Civil Defence Act has no legislative provision for Iwi. Iwi-Māori staff played an important role in supporting the community and providing an important conduit on the ground.

Ngāti Awa representatives provided the support in the following ways:

- Iwi Liaison in the EOC or GECC.
- Conduit for communications with Marae and tangata whenua.
- Ngāti Awa Voluntary Army.
- Ngāti Awa Health and Social Services.
- Māori nurses and medical professionals.
- Social media communications out to iwi.
- Kaumatua and cultural advice.
- Check point officials and escorts.
- Financial relief funding (Ngāti Awa relief fund, Pūtauaki Trust, Omataroa No 2 Trust and Māori Investments Ltd).
- Temporary accommodation; Te Pahipoto hapu is currently in discussions with the Crown about funding for Papakāinga housing on marae land at Kōkōhinau Marae.

Some key points that have been noted by Iwi:

- Iwi-Māori, regardless of whether legislated or not, should be invited at the outset of an emergency into the CD operations structure at all levels.
- The use of non-local volunteers created issues on the ground. There was a lack of understanding of Māori culture such as concepts of 'whakamaa', difficulty in pronouncing Māori words, names and street names. Some people were turned away by non-locals because of such mis-understandings.
- CD training should be extended to community groups, hapū and marae free of charge.
- Communications from the EOC to the welfare centres, hubs and Marae were slow, inconsistent and at times inaccurate.
- Iwi are keen to develop tribal emergency response plans.
- Need to clarify the role of Te Puni Kokiri, Māori staff and Iwi-Māori.

- Marae preparedness planning should be appropriately resourced.
- Council staff undertaking iwi liaison must be connected to the iwi, have relationships or key networks.
- The Regional Civil Defence Plan being revised should recognise and provide for Iwi-Maori in a substantial manner.

3.1 Ngāti Awa Social and Health Services

At a Te Rūnanga of Ngāti Awa meeting held on 9 April, Ngāti Awa Social and Health Service (NASH) staff expressed their concern at being overlooked within the EOC. In their capacity as a social health service, their skills and experience were potentially invaluable. The following day, a group of NASH staff immediately went into action ensuring a presence.

Representatives from NASH will be in attendance at this hui and will provide a brief presentation.

3.2 Te Teko Community Hall

The Te Teko Community Hall also opened their doors to receive donations from the community.

The Te Teko Community Hall continued to operate and did limit their goods to food, clothing, linen and small household items.

Due to the generosity of the people giving clothing, the group decided to ask that donations of clothing stop until further notice.

This photo gives you an indication of amount of donations were received and how organised they look.



Photo 5: Te Teko Community Hall volunteer Cilla Morrison

3.3 Māori Wardens

The Māori Wardens were instrumental in supporting this event. They were operational at Firman Lodge in Kawerau around 3pm the day of the flood.

The Māori Wardens supported the Red Cross with a night shift to ensure that if evacuees were looking for a safe place to put their head, that there was someone available on their arrival. With them on alert, it came apparent that no one turned up during the night.



Photo 6: Māori Wardens taking a break Rautahi Marae

Key support provided:

- Directing traffic, directing manuhiri and point of call for donations.
- Security of facilities.
- Contributing to the Welfare Briefings twice daily on Māori Wardens activities.

- Supporting our volunteers with carting food parcels.
- Meet and greet our manuhiri on arrival of the Marae.
- Manaakitanga ki ngā manuhiri.

Overall the Māori Wardens made all our manuhiri, community members and volunteers that came to the Marae feel safe and welcoming.

4 Implications for Māori

There are 36 Iwi, 260 Hapū and over 220 Marae across the Bay of Plenty region. Māori are key economic players, land owners, ratepayers and Treaty partners.

Councils have responsibility through key legislation to provide for Māori. Treaty settlements accord Māori a legislative status greater than that of the general public. The Local Government Act requires councils to foster the capacity of Māori to contribute to decision making and to ensure they have adequate processes to do so. Mātauranga Māori and kaitiakitanga must be respected and can inform decision making.

There is opportunity to express iwi-Māori perspectives when the Regional Civil Defence Plan review is notified.

Marae expenditure relies on donations, fund-raising and koha. They are costly to maintain and run, but are essential to the cultural fabric of our region. The marae and the hau kainga, including kaumatua, kuia and kaimahi essentially volunteer their time and services to ensure that Tikanga Maori is upheld. Council funding for Marae is limited.

The Government has recently announced its intention to establish a Marae Ora Funding initiative through the Minister for Māori Development. This funding will enable Marae to be better equipped for future emergency events. The Chair of Komiti Māori provided a submission in support of this proposal (refer appendix 2).

A letter of thanks was sent to the Māori wardens and to the respective marae Chairs to acknowledge their support to the community (refer appendix 3, 4).

5 Financial Implications

Current Budget Implications

Funding for marae during civil defence emergencies and marae preparedness training is undertaken within the current budget for the Civil Defence Emergency Management Activity. The Bay of Plenty Regional Council, Whakatane District Council and Kawerau District Council collectively provided financial and support 'in-kind'.

Māori Policy support is absorbed through the existing Māori engagement budget.

Future Budget Implications

There are no known future financial implications.

6 Council's Accountability Framework

6.1 Community Outcomes & Long Term Plan Alignment

This kaupapa contributes to Resilience & Safety and Regional Collaboration & Leadership within our Community Outcome/s in the council's Long Term Plan 2015-2025.



Photo 7: Poroporoaki for Rautahi Marae, 14 April 2017

Sandy Hohepa
Maori Policy Advisor

for Strategic Engagement Manager

13 June 2017

APPENDIX 1

Marae who activated during Cyclone Debbie and Cyclone Cook pdf

Marae who activated during Cyclone Debbie and Cyclone Cook

Date	Marae	Manaaki	Comment
7 April 2017 Day 2	Rautahi Community Marae – Kawerau	<ul style="list-style-type: none"> • Register as a flooding victim • Access into Edgecumbe through the cordon • Update on the flooding event • Tea & coffee • Hot meal • Somewhere to sleep • Food / care packages • Clothing / blankets • Agencies support: <ul style="list-style-type: none"> ○ KDC, WDC, BOPRC, Tūwharetoa ki Kawerau Hauora, Work n Income, Rautahi Marae Committee, Te Puni Kokiri, Neighbourhood Support, Victim Support, Police, Māori Wardens, Ministry of Education, Toi Te Ora, Red Cross, St Johns, Kawerau Medical Centre, Plunket, Fire Service, Youth Council, local Businesses and community • Information update around the event 	<ul style="list-style-type: none"> • Rautahi Community Mare activated on 7 April 2017, Day 2 and closed 16 April with a poroporoaki on 18 April 2017 • 11 days operating as an Official Welfare Centre • 638 people registered • 256 whānau registered • 481 food/care packages • 438 access through cordon in Edgecumbe
9 April 2017 Day 4	Ruaihona Marae – Te Teko	<ul style="list-style-type: none"> • Coordinated volunteers • Coordinated whanau • Māori Wardens used the accommodation • Use of facilities 	<ul style="list-style-type: none"> • This was to support the first initial clean up. • Official Welfare Centre

		<ul style="list-style-type: none"> Ngāti Awa Volunteer Army (NAVA) Recovery Centre 	<ul style="list-style-type: none"> The volunteer army mobilises for Project Edgecumbe
	Kōkōhinau Marae – Te Teko	<ul style="list-style-type: none"> Processing meat Accommodation 	<ul style="list-style-type: none"> Howard Morrison and other hunters cut up carcasses donated from Rotorua area.
9 April 2017 Day 4	Te Hokiwhitu Marae – Whakatāne	<ul style="list-style-type: none"> Drop off of clothing Kai and awahi 	<ul style="list-style-type: none"> Unofficial Centre
13 April 2017 Day 8	Rangitihi Marae – Matatā	<ul style="list-style-type: none"> Accommodation 	<ul style="list-style-type: none"> Unofficial Centre Opened due to Cyclone Cook
	Rangatahi Marae – Murupara	<ul style="list-style-type: none"> Accommodation 	<ul style="list-style-type: none"> Unofficial Centre They opened the Marae due to travellers stranded as SH 38 was closed due to the weather.
	Toroa Marae – Poroporo	<ul style="list-style-type: none"> Accommodation 	
	Pahou Marae - Poroporo	<ul style="list-style-type: none"> Accommodation 	
	Rangataua Marae - Poroporo	<ul style="list-style-type: none"> Accommodation 	
	Pupuaruhe Marae - Toroa	<ul style="list-style-type: none"> Accommodation 	
	Taiwhakaia Marae – Whakatāne	<ul style="list-style-type: none"> Accommodation Donations of clothing etc. collected 	

APPENDIX 2

Marae Ora Government funding initiative



24 May 2017

Hon Te Ururoa Flavell
Te Minita Whakanaketanga Māori
Minister for Māori Development
MP.Waiariki@parliament.govt.nz

E te Rangatira, tēnā koe

Announcement of 2017 Funding Initiative including the Marae Ora fund

On behalf of the Bay of Plenty Regional Council's Komiti Māori, I would like to acknowledge and support the Ministry for Māori Development's budget initiative for marae and Māori housing announced on Monday 8 May 2017.

We note that \$10 million of the \$27 million package has been set aside for the *Marae Ora – Sustaining Marae, Sustaining the Paepae* programme, for both marae repair and restoration and the intention to revitalise the paepae.

We tautoko your comments that marae are places of refuge, providing facilities that enable iwi, hapū and Māori to 'continue with our own way of life' and where 'our language and tikanga are given their fullest expression'.

Marae not only have cultural and historical significance, they also maintain educational and community welfare significance for all communities. Over the past few months we have seen how marae have been significant players in providing support for wider communities – such as at Te Puea Marae in Mangere, where the marae opened its doors as an emergency housing centre, and at Takahanga marae in Kaikoura after the severe earthquakes, when thousands of stranded locals and tourists were cared for over a long period, under the umbrella of manaaki me te aroha ki te tangata.

We have approximately 224 Marae in the Bay of Plenty region. Our Komiti Māori has been holding its meetings for several years on marae across the region to promote the value of marae as a focal point for discussion and deliberation, a place to build and enhance relationships, and a platform to enhance cultural understanding and awareness.

Many of our marae were utilised in support of the recent flood events of Cyclone Debbie, Cook and Donna. Rautahi marae in Kawerau is one of the few official Marae evacuation centre in the Country. Other marae such as Ruaihona and Kōkōhināu (Te Teko), Hokowhitu (Piripai), Rangitihi (Matatā), Rangatahi (Murupara) and Toroa (Poroporo) provided shelter, food, accommodation and manaakitanga, and some still are. Marae can mobilise as welfare and evacuation centres within a quick timeframe and will operate to support people regardless of external funding.

We therefore fully support the Marae Ora initiative and will be happy to promote and panui the fund to our marae committees across the region once it is established.

Te Komiti Māori would welcome a presentation from Te Puni Kōkiri officials at a future meeting. The meeting schedule for 2017 is:

- 20 June in Kohi
- 23 August in Mauao
- 10 October in Rotorua
- 12 December Kohi

The key staff contact for communications on this kaupapa is Ms Kataraina O'Brien, Strategic Engagement Manager Kataraina.obrien@boprc.govt.nz

Naku i runga i aku mihi ki a koe

Na

A handwritten signature in black ink, appearing to be 'Arapeta Tahana', written in a cursive style.

Councillor Arapeta Tahana
Tiamana Komiti Māori – Toi Moana

APPENDIX 3

Maori Warden letter May 2017

Your Ref:
Our Ref:

22 May 2017

Rangitāiki Māori Wardens
c/- Meihana Brown
7 Tui Street
Te Teko
rangitaikimaoriwardens@gmail.com

Tēnā koe Meihana

Māori Warden Support – Whakatane/Patutātahi Waipuke

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

On behalf of the staff and Councillors from the Bay of Plenty Regional Council, I would like to thank the Rangitāiki Māori Wardens for the tremendous effort and overwhelming manaaki given by your organisation to our Eastern Bay of Plenty communities during Cyclone Debbie and Cyclone Cook in April. These weather events caused major damage throughout the Eastern Bay of Plenty and left many whānau devastated.

We acknowledge and appreciate your roopu who worked tirelessly to assist and support evacuees at Marae and other centres in Kawerau, Te Teko, Awakeri, and Whakatāne, and still continue to do so.

If you would like to give feedback around the support the Rangitāiki Māori Wardens offered or any other matters relating to the flood events, please do not hesitate to contact the understinged on 0800 884 880 ext.9232 or via email Kataraina.O'Brien@boprc.govt.nz.

Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai



Kataraina O'Brien
Kaiwhakahaere - Kotahitanga

APPENDIX 4

**2017-05-23 - Thank you Letter for marae during Civil
Defence Flood events_ Complete mail merge**

Your Ref:
Our Ref: A2615977



23 May 2017

Rautahi Marae Chair
C/- 77 Galway Street
Kawerau

Tēnā koe te rangatira

Re: Marae support during recent flooding event

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

On behalf of the Bay of Plenty Regional Council Komiti Māori, I would like to thank the ahi kaa for the tremendous effort and overwhelming manaaki given by your Marae to the people of our communities during Cyclone Debbie and Cook in April. These weather events caused major damage throughout the Eastern Bay of Plenty and left many people devastated, homeless and unsure about their future.

We acknowledge the volunteers who worked tirelessly to assist and support evacuees. Through the generosity of your Marae it was comforting that whanau had some where safe where they felt looked after and cared for. Once again, thank you so much for the support and aroha provided.

If you would like to give feedback around the support your Marae offered or any other matters relating to the flood events, please do not hesitate to contact Kataraina O'Brien, Strategic Engagement Manager via email Kataraina.Obrien@boprc.govt.nz.

Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai

Councillor Arapeta Tahana
Komiti Māori Tiamana – Toi Moana

Your Ref:
Our Ref: A2615977



23 May 2017

Ruaihona Marae Chair
429 Te Teko Road
RD 3
Te Teko

Tēnā koe te rangatira

Re: Marae support during recent flooding event

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

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If you would like to give feedback around the support your Marae offered or any other matters relating to the flood events, please do not hesitate to contact Kataraina O'Brien, Strategic Engagement Manager via email Kataraina.Obrien@boprc.govt.nz.

Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai

Councillor Arapeta Tahana
Komiti Māori Tiamana – Toi Moana

Your Ref:
Our Ref: A2615977



23 May 2017

Kōkōhinau Marae Chair
PO Box 94
Te Teko

Tēnā koe te rangatira

Re: Marae support during recent flooding event

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

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Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai

A handwritten signature in black ink, appearing to be 'Arapeta Tahana'.

Councillor Arapeta Tahana
Komiti Māori Tiamana – Toi Moana

Your Ref:
Our Ref: A2615977



23 May 2017

Rangitihī Marae Chair
11 Westbourne Ave
Rotorua

Tēnā koe te rangatira

Re: Marae support during recent flooding event

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

On behalf of the Bay of Plenty Regional Council Komiti Māori, I would like to thank the ahi kaa for the tremendous effort and overwhelming manaaki given by your Marae to the people of our communities during Cyclone Debbie and Cook in April. These weather events caused major damage throughout the Eastern Bay of Plenty and left many people devastated, homeless and unsure about their future.

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Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai

Councillor Arapeta Tahana
Komiti Māori Tiamana – Toi Moana

Your Ref:
Our Ref: A2615977



23 May 2017

Rangitahi Marae Chair
C/- Sharlene Hall
2 Ngaio Street
Murupara

Tēnā koe te rangatira

Re: Marae support during recent flooding event

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

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Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai

Councillor Arapeta Tahana
Komiti Māori Tiamana – Toi Moana

Your Ref:
Our Ref: A2615977



23 May 2017

Toroa Marae Chair
54 Lisa Crescent
Mangakakahi
Rotorua

Tēnā koe te rangatira

Re: Marae support during recent flooding event

Unuhia te rito o te harakeke, kei hea te kōmako e kō?
Ui mai ki ahau, 'He aha te mea nui o te Ao?'
Māku e kī atu, 'he tangata, he tangata, he tangata'

On behalf of the Bay of Plenty Regional Council Komiti Māori, I would like to thank the ahi kaa for the tremendous effort and overwhelming manaaki given by your Marae to the people of our communities during Cyclone Debbie and Cook in April. These weather events caused major damage throughout the Eastern Bay of Plenty and left many people devastated, homeless and unsure about their future.

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Mā te Atua hei manaaki, māna anō hei tiaki.

Noho ora mai

A handwritten signature in black ink, appearing to be 'Arapeta Tahana'.

Councillor Arapeta Tahana
Komiti Māori Tiamana – Toi Moana

Receives Only – No Decisions

Report To: Komiti Māori

Meeting Date: 20 June 2017

Report From: Simon Stokes, Eastern Catchments Manager

Whakatane District Recovery Project

Executive Summary

The purpose of this report is to provide Komiti Māori with an understanding of the Whakatāne District Recovery Project and an update on current activity. A presentation will be provided by Bay of Plenty Regional Council Eastern Catchments Manager, Simon Stokes who is seconded into the Whakatāne District Recovery Project as Natural and Rural Environment lead.

Recommendations

That the Komiti Māori under its delegated authority:

1 Receives the report and presentation, Whakatāne District Recovery Project

2 Background

On 6 April 2017, Whakatāne District experienced widespread damage to homes, property, businesses, farms, schools and infrastructure as a result of the extreme rainfall events generated by ex-Cyclone Debbie and ex-Cyclone Cook.

Some rural communities were isolated for more than a week and approximately 1,600 people were temporarily displaced as a result of stop-bank breaches. A stop-bank breach of the Whakatāne River to the South of the township of Whakatāne on the morning of 6 April resulted in flooding in the rural Poroporo area. A section of stop bank on the Rangitāiki River next to College Road, Edgecumbe breached in the morning hours of 6 April, causing widespread flooding and property damage in the Edgecumbe township.

Ex-Cyclone Cook followed ex-Cyclone Debbie and passed through the District on the afternoon and evening of 13 April 2017. Given the predicted event scale, a number of specific higher risk coastal areas/communities were evacuated from their homes in advance of Cyclone Cook landfall, but were able to return the next day (14 April). The storm caused widespread power outages from 6pm 13 April, and disruption to utilities and road networks across the District. Electricity to the main Whakatāne urban area was restored early the next day, and for most other areas within two days. Some limited

areas had sustained loss of power for four days or more including Fermah Road, Ruatāhuna, Te Mahoe and Waiohau.

3 Response

A local state of emergency for Whakatāne District was declared at 8:30am 6 April 2017 in response to ex-Cyclone Debbie. A region wide state of emergency was declared at 2:30pm 11 April 2017 in response to the approaching ex-Cyclone Cook. The region wide state emergency was terminated at 12pm 14 April 2017. Following this, at 12:00pm, a local state of emergency was declared for the Whakatāne District to enable the continued response to Edgecumbe and the surrounding areas; the local state of emergency expired at 12 noon on 21 April 2017, and a Notice of Transition to Recovery replaced it.

4 Recovery

A notice of a Transition Period from response to recovery was put in place on 21 April 2017. Mr Craig Morris, Manager, Recovery and Projects, Emergency Management was appointed as the Regional Recovery Manager and Mrs Julie Gardyne is the Local Recovery Manager. The transition period finishes on 16 June. What this means is that the both Recovery Managers powers can no longer do things like require information, require building assessments or cordon off areas including public areas. The recovery is still active under the CD Act but potentially (*not tested*) the LGNZ Act trumps it with regards to ongoing decision making. It is possible for the transition period to be extended again if required.

The Recovery Office is based in Whakatāne.

The functions of the Whakatāne District Recovery Office are to:

- Develop a recovery strategy and action plan that articulates priorities and approach and becomes the guiding document for all agencies involved in recovery
- Coordinate teams to implement recovery actions in an effective, timely and sustainable manner.
- Focus on relationships with affected communities as well as central and regional government and all other agencies involved in recovery.
- Provide a single point of contact and coordinate messaging to the public across all recovery processes, priorities and actions.

Note: At the time of writing the attached Draft Whakatāne District Recovery Project plan is being developed by the recovery team in conjunction with the national recovery team. Before being finalised it is expected that the councils, iwi and the community will have an opportunity for engagement and feedback.

5 Purpose – direction setting for restoring our District

The Whakatāne District Recovery Plan is required to provide a clear direction for restoring and enhancing our District following the April 2017 floods. It is about rebuilding our communities in a future focused way, making the most of opportunities and paving the way towards a strong, resilient and successful Whakatāne District.

The Plan is also a starting point to talk with the community throughout the District to hear and incorporate what is important for the recovery of affected communities and what they would like to see in the years ahead. The Plan divides recovery into four key

environments. To be successful all environments must be developed together with always the community at the centre.

The Plan provides a framework that will enable the coordinated effort of actions and processes that need to be, or have been, put in place to manage the immediate, medium and long term recovery and regeneration of all affected areas in the Whakatāne District.

This Plan ensures the strategic objectives are delivered and is a living document that will be updated at key reviews to ensure the plan is relevant. It is attached to your agenda pack.

Appendix 1 contains a current overview of the Whakatāne District Recovery Project. A presentation updating the Forum will be provided by Bay of Plenty Regional Council Eastern Catchments Manager, Simon Stokes who is seconded into the Whakatāne District Recovery Project as Natural and Rural Environment lead.

6 Implications for Māori

The effects of Cyclone Debbie and Cyclone Cook have been widespread and particularly devastating throughout the Kōhī constituency area of the Bay of Plenty. The effect on Māori has been considerable with regards to those affected by the events and their response during the events, and now in the recovery phase. There are many negative effects which are currently being responded to or will be part of the overall recovery plan. From this though there will be the positive outcomes such as better preparedness for future climatic events and how the emergency agencies respond with Māori involvement and the building of capability in emergency management for various iwi authorities.

As discussed the Recovery Plan is still in draft form and there will be extensive engagement with Māori to develop the plan more comprehensively and appropriately for Māori. In addition, the Recovery Plan will become a part of the Rangitāiki River Catchment Programme as a major project. It will therefore be considered annually by the Rangitāiki River Forum which will ensure obligations under various legislation are accounted for.

Consideration will be required during the engagement phase of completing the Recovery Plan of iwi planning documents, Treaty settlement legislation or any other document expressing matters of importance to Māori.

7 Council's Accountability Framework

a. Community Outcomes

The Recovery Plan directly contributes to the Regional Leadership and Collaboration, Resilience and Safety and Environmental Protection Community Outcome/s in the council's Long Term Plan 2015-2025. This is because Regional Council is directly supporting the Whakatāne District Recovery Project and therefore the Recovery plan which will set a 'new normal' situation for the cyclone affected areas – leadership and collaboration. The Recovery Plan has at its central core the community – resilience and safety. Some of the key objectives of the Recovery plan are supporting restoration and increased protection of the environment – environmental protection.

b. Long Term Plan Alignment

The development and implementation of the Recovery Plan work was not planned in the Long Term Plan 2015-2025. There will be a need to take the Recovery Plan into account when scoping programme activity for the Rangitāiki and Eastern Activity programmes for the Long Term Plan 2018-2028.

Current Budget Implications

Recovery Plan work is both underway and proposed, and is outside the current budget for the Council with regards to the Long Term Plan 2015-2025. Some decisions have already been made by council due to their urgency such as funding the Edgcumbe stopbank remedial work and funding the Recovery project team/office. However it is too early in the recovery planning phase to be able to accurately quantify current and future funding requirements for council.

Future Budget Implications

Future requirements of the Recovery Plan are outside the current budget for the Council with regards to the Long Term Plan 2015-2025.

Simon Stokes
Eastern Catchments Manager

12 June 2017

APPENDIX 1

Whakatane District Recovery Project Overview June 2017

Goal: To restore and create opportunities to enhance our community wellbeing



Reconnect - *Tūhononga*

WHAT ARE WE AIMING TO ACHIEVE?

Communities that have been adversely affected by flooding are restored to what they were previously and, where possible, enhanced.

- Essential needs of individuals and whānau are met and community health and wellbeing is supported.
- Community spirit, pride and resilience is strengthened.
- Families/whānau have moved back into their homes by Christmas 2017.

KEY PROJECTS

- Community Partners – coordinated delivery of wrap-around services from various agencies.
- Te Tari Awhina Community Hub (Edgecumbe and other centres).
- Community Connection – linking with community groups.
- Coordinated distribution of donated goods.
- Housing needs – temporary and long-term.
- Coordination and delivery of events and activities.
- Iwi engagement and recovery planning.



Restore - *Whakahou*

WHAT ARE WE AIMING TO ACHIEVE?

The natural environment is restored and enhanced and the primary sector is fully functioning.

- The impact of the flood does not leave lasting negative environmental effects on our land.
- The primary sector is fully-supported and functioning within two years.

KEY PROJECTS

- Supporting and advising the rural community.
- Rivers scheme management.
- Management of land (incl. contaminated land).
- Cultural site remediation.
- Biodiversity site assessment.
- Biosecurity management.
- Restoration of open spaces and reserves.
- Enhanced Taskforce Green.
- Rural support.
- Erosion impact assessment.



Rebuild - *Waihanga*

WHAT ARE WE AIMING TO ACHIEVE?

Housing, infrastructure, facilities and services are rebuilt and our rural and urban communities feel safe in the event of another severe weather event.

- Homes are repaired and reoccupied by Christmas 2017.
- Infrastructure and services are restored.
- Stop-bank repairs protect the community from future severe weather events.

KEY PROJECTS

- Provision of temporary housing.
- Liveable homes.
- Silt and debris clean-up.
- Roading network restored.
- Three Waters and other services maintained.
- Community facilities and assets restored.
- Stop-bank improvements.



Regenerate - *Whakatipu*

WHAT ARE WE AIMING TO ACHIEVE?

Sustainable business activity is re-established, and where possible, enhanced.

- Support is targeted to help restore businesses and to provide certainty around business and employment continuity.
- Opportunities for future economic growth and resilience are fully-explored and implemented.

KEY PROJECTS

- Business needs assessments.
- Rural economy business case.
- Business support.
- Sustainable business growth.

PRESENTATION - Whakatane District Recovery Project update

SUPPORTING DOCUMENT - Draft Whakatane District Recovery Project Plan June 2017

Report To: Komiti Māori

Meeting Date: 20 June 2017

Report From: Kataraina O'Brien, Strategic Engagement Manager

Formal Lodgement of Edition 2 : Matakana and Rangiwāea Hapū Management Plan March 2017

Executive Summary

Komiti Māori under its delegated authority has the mandate to formally receive hapū/iwi resource management plans. These plans are developed and approved by hapū/iwi and identify tangata whenua interests in resource management which can inform Council decision-making. The Resource Management Act 1991 (RMA) require Councils to take into account any relevant planning document lodged and recognised by an iwi authority.

Hapū/iwi resource management plans provide a mechanism in which tangata whenua interests can be considered in Council decision-making. Certain provisions of the Resource Management Act 1991 (RMA) require Councils to take into account any relevant planning document lodged and recognised by an iwi authority.

The development of hapū/iwi management plans is supported in Councils Long Term Plan. An annual budget of \$70,000 is available for hapū and iwi groups.

At this meeting, the revised Matakana and Rangiwāea Management Plan 2017 Edition 2 (the Plan) will be formally lodged and received by Komiti Māori. It replaces the original Plan developed in 2012.

The Plan is the collective voice of five hapū: Te Whānau a Tauwhao, Te Ngare, Ngāi Tamawhariua, Ngāti Tauaiti, Ngāti Tuwhiwhia of Matakana and Rangiwāea islands with the surrounding waters including the ocean.

Recommendations

That the Komiti Māori under its delegated authority:

- 1 Receives the report, Formal Lodgement of Edition 2 Matakana and Rangiwāea Hapū Management Plan (March 2017).**
- 2 Formally receives Edition 2 Matakana and Rangiwāea Hapū Management Plan (March 2017).**

1 Ngā Hapū o Matakana me Rangiwāea

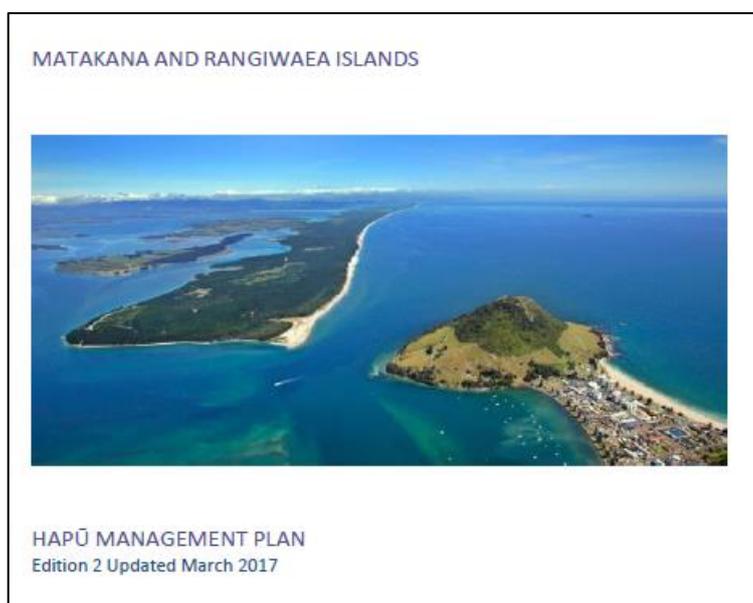
The development and completion of the Matakana me Rangiwāea Hapū plan was a collaborative effort of hapū from Matakana and Rangiwāea islands.

The hapū that reside on the island are ahi-kaa-ro (ahi kaa) who have a responsibility to keep the home fires burning as a beacon to their people.

The Islands continue to be a spiritual geographical whakaruruhau (shelter) for them and the wider Tauranga area. The hapū that associate to Matakana and Rangiwāea are:

- Te Whānau a Tauwhao
- Te Ngare
- Ngāi Tamawhariua
- Ngāti Tauaiti
- Ngāi Tuwhiwhia

2 Revised Matakana and Rangiwāea Hapū Management Plan 2017



This plan is an update / review of the Matakana and Rangiwāea Hapū Management plan 2012. Amendments to the existing document were made due to dynamic issues the island hapū are experiencing.

The Plan is the collective voice of nga hapū o Matakana ki Rangiwāea. The plan provides practical direction for those that seek to consult or engage with the five hapū and emphasises the values, reasoning and special relationship the hapū have with their whenua, ngahere, awa, moana and other special taonga around their rohe.

This plan addresses issues that are important to the Hapū and outlines how they wish to be treated in relation to them.

The plan seeks to:

1. provide practical direction and guidance for anyone who needs to consult or engage with hapū.
2. encourage participation of whānau in overcoming barriers for collective growth and development.
3. Influence positive change.
4. Highlight responsibility to restore, protect and enhance the health and Wellbeing of Matakana and Rangiwāea island and its surrounding environment.

As the plan is fairly lengthy, copies of the Plan will be available on the day.

3 Implications for Maori

Hapū/Iwi resource management plans are a valuable planning mechanism to facilitate knowledge transfer. They provide a framework to articulate values and aspirations and are a repository for identifying specific natural resource issues and sites of significance.

These plans can inform Council decision-making. They provide staff with specific information such as identifying tangata whenua areas of interest, preferred methods of engagement, assisting in the development and/or reviews of regional plans and policies and are a conduit to build and enhance relationships.

For the wider community, these plans increase understanding and help to build community awareness. They help resource consent applicants to identify relevant matters for assessments of environmental effects.

By providing assistance to Māori, Council have contributed to the capacity of Hapū to articulate their aspirations to enhance protect and restore the environment. This in turn will contribute to the council decision making on matters pertaining to water and land management as described in the Community outcomes section of the Councils Long Term Plan 2015-2025.

3.1 Statutory Mandate

Specific provisions under the RMA require Councils to take hapū/iwi resource management plans into account:

- Under Section 35A (1)(b) a local authority must keep and maintain a record of planning documents recognised by each iwi authority and lodged with the local authority.
- Under Section 61 (2A) when preparing or changing a regional policy statement, Council must take into account any relevant planning document recognised by an iwi authority.

- Under Section 66 (2A)(a) when preparing or changing regional plans, Council must take into account any relevant planning document recognised by an iwi authority.
- Under Section 74(2A) when preparing or changing a district plan, Council must take into account any relevant planning document recognised by an iwi authority.
- Under Section 104 (1)(c) when considering an application for resource consent, the consenting authority must have regard to any other matter the consent authority considers relevant. The content of hapū/iwi plans is considered under this section.

4 Financial Implications

Current Budget

\$10,000 was allocated from Māori Policy's Hapū/Iwi Resource Management Plan budget to support the development of the Matakana and Rangiwāea Hapū Plan.

Future Implications

There are no future financial implications for this project. The development of hapū/iwi management plans is supported in Councils Long Term Plan. An annual budget of \$70,000 is available for hapū and iwi groups.

5 Council's Accountability Framework

5.1 Long Term Plan Alignment

Funding the development of hapū and Iwi management plans foster Māori capacity to support good decision making. This Plan directly contributes to the Community Outcome – Regional Collaboration and Leadership in council's Long Term Plan 2015-2025.

Clarke Koopu
Senior Advisor (Treaty)

for Strategic Engagement Manager

12 June 2017



Receives Only – No Decisions

Report To: Komiti Māori

Meeting Date: 20 June 2017

Report From: Fiona McTavish, General Manager, Strategy & Science

General Manager Strategy and Science Update Report

Executive Summary

The purpose of this report is to update the Komiti on matters of interest. The report includes:

- Post Meeting Actions Table with progress updates
- Te Puni Kokiri Māuri Ora Funding
- Resource Management Act Amendments : Māori Provisions
- Taiohi Taiao Youth Jam Event

Recommendations

That the Komiti Māori under its delegated authority:

- 1 Receives the report, General Manager Strategy and Science Update Report.**

1 Post meeting actions from previous Komiti Māori Hui

At the last Komiti Māori hui held at Te Papaouru Marae, Rotorua there were several actions raised that required post-meeting follow-up. A number of actions are now complete and several are in progress.

The post meeting action table is attached as Appendix 1 setting out the actions followed up and their current status.

2 Te Puni Kokiri Māuri Ora Funding

On Monday, 8 May 2017 the Minister for Māori Development, Hon Te Ururoa Flavell, announced the budget initiative for Māori housing and marae renovation. A total package of \$27 million was earmarked in the announcement, with \$10 million being set aside for the Marae Ora – Sustaining Marae, Sustaining the Paepae programme. This specific amount has been targeted for both marae repair and restoration and an intention to ‘revitalise the paepae’. The Marae Ora package is being allocated over a four year period.

It is not known at this stage if the funding is a grant or subsidy being provided as a one-time or renewable source of funding.

Criteria for the allocation of grants are currently being developed, and Te Puni Kōkiri (the Ministry for Māori Development) is currently devising the grant allocation criteria.

Key points to note are that:

- marae have cultural and historical significance as focal points for the Māori Community - a place to stand and belong
- wharehau are often repositories of knowledge, tradition and genealogy, where whānau, hapū and iwi celebrate and gather for significant tribal events
- paetapu provide opportunities for kaumātua and the next generation to grow their skills and knowledge for future generations.
- marae have educational and community welfare significance for all communities. Here people can learn the importance of caring and looking after people, particularly in times of emergency.

On behalf of Council, the Chair of Komiti Māori submitted feedback in support of the Marae Ora funding initiative. Te Puni Kōkiri have been invited to attend a future meeting once the fund has been confirmed and criteria determined.

3 Additional Amendments to the Resource Management Act (RMA)

Please note that Te Mana Whakahono a Rohe was reported at the previous Komiti Māori meeting.

3.1 Councils must engage with iwi authorities on draft plans and policy statements prior to notification

When preparing proposed policy statements and plans, councils are required to consult with potentially affected tangata whenua through iwi authorities, under clause 3 of Schedule 1 of the RMA.

Schedule 1 of the RMA has been amended to insert clause 4A, which requires councils to:

- provide a copy of any draft policy statement or plan, once prepared but before it is notified, to any iwi authorities that were previously consulted under clause 3 of Schedule 1
- allow adequate time and opportunity for those iwi authorities to consider the draft and provide advice back to the council
- have particular regard to any advice received from those iwi authorities before notifying the plan.

Councils and iwi authorities may choose to discuss and agree beforehand (for example, during the previous consultation under clause 3) what amount of time should be provided for the clause 4A stage of the process.

The amount of time that iwi authorities need to consider and prepare advice on draft policy statements or plans could be influenced by other consultation planned at the same time (for example, Treaty settlement processes, or the establishment of a Mana Whakahono a Rohe), or the size or scope of the proposed plan or policy statement.

3.2 Councils must consider iwi authority advice in section 32 evaluation reports

Section 32 of the RMA has been amended to require any evaluation reports about proposed policy statements, plans or plan changes (prepared under Schedule 1 through the standard, streamlined or collaborative planning processes) to include summaries of:

- all advice received from iwi authorities on the proposal
- how the proposal responds to that advice, including reference to any proposed provisions that are intended to give effect to the advice.

3.3 Consultation on whether it is appropriate to appoint a commissioner with an understanding of tikanga Māori

Section 34A enables councils to appoint commissioners for hearings on proposed plans and policy statements under Schedule 1 of the RMA (among other things).

The RMA has been amended to insert section 34A(1A), which requires councils, when appointing commissioners for plan or policy statement hearings to:

- consult iwi authorities about whether it is appropriate to appoint a commissioner who understands tikanga Māori and the perspectives of local iwi and hapū.
- if the council considers it appropriate, appoint at least one commissioner who understands these matters, in consultation with the relevant iwi authority.

4 Taiohi-Taiao Youth Jam update

On May 16-18 the Community Engagement team welcomed over 60 students from seven high schools across the Bay of Plenty to our annual Taiohi -Taiao Youth Jam event, held in Rotorua.

This year's kaupapa was Pests (plants and animals) and was supported by the Biosecurity team. Over the two main days, the students and their teachers rotated through a number of interactive workshops that focused on diverse aspects of pest identification and management (such as Pest Pathways, economic impacts and the effects of climate change of biodiversity) and in groups collectively created submissions to BOPRC's Regional Pest Management Plan.

The students took part in a field trip to Canopy Tours to enjoy zip-lining through ancient native forest and learning about Canopy Tours' intensive pest management programme. Student representatives from each school also attended a leadership day to learn extra skills to be applied throughout the event. With fantastic energy and enthusiasm, all the students engaged and participated in this kaupapa and made it a pleasure to be a part of for all the CE team.



Photos from Taiohi Taiao Youth Jam, Rotorua.

Kataraina O'Brien
Strategic Engagement Manager

for General Manager, Strategy & Science

13 June 2017