



Tauranga Moana Advisory Group Rārangi Take (Agenda)

NOTICE IS GIVEN that the next meeting of the Tauranga Moana Advisory Group will be held in Cruise Deck, Club Mount Maunganui, 45 Kawaka Street, Mount Maunganui on:

FRIDAY 18 SEPTEMBER 2020 COMMENCING AT 9.30 AM



Fiona McTavish
Chief Executive, Bay of Plenty Regional Council Toi Moana
10 September 2020

Tauranga Moana Advisory Group

Membership

Chairperson (Appointed by the Group)	Cr Matemoana McDonald (Bay of Plenty Regional Council)
Deputy Chairperson (Appointed by the Group)	Charlie Tawhiao (Ngāi Te Rangi)
Tangata Whenua Members Two appointed representative each: Ngāti Ranginui Ngāti Pūkenga Ngāi Te Rangi	Te Pio Kawe Vacant Rehua Smallman Kylie Smallman Pia Bennett
Council Members Four appointed representatives from: Bay of Plenty Regional Council Two appointed representatives each: Tauranga City Council Western Bay of Plenty District Council	Cr Norm Bruning Cr Stacey Rose Cr Paula Thompson Cr Jane Nees (Alternate) Cr Jako Abrie Cr Kelvin Clout Cr Grant Dally Cr Mark Dean
Observer - Department of Conservation	Jeff Milham
Quorum	The Advisory Group is not required to follow Standing Orders
Meeting frequency	Quarterly



The Tauranga Moana Advisory Group acts under a partnership agreement between iwi and local authorities and the Tauranga Moana Advisory Group Statement of Purpose. The Tauranga Moana Iwi Collective Deed of Settlement, once passed into law, will require a Tauranga Moana Governance Group to be established. To prepare for the Governance Group, this Tauranga Moana Advisory Group has been established. The Advisory Group meet, share information and provide direction to staff of partner agencies until replaced by the Governance Group.

He aha ai - Purpose

Whanaungatanga and kaitiakitanga are the basis on which we want to move forward together.

To continue building strong working relationships to support and enhance the health of our harbour and catchments.

Ngā turanga - Role

The role of participants in the Advisory Group is to:

- **Whakataurite - *coordinate*:** oversee and contribute to the work that partners do in the harbour and catchments
- **Whakarongo - *listen*:** ensure the views of the hapu, iwi and wider community are represented in the work we do
- **Whakawhanaungatanga - *involve*:** promote and support hapū, iwi and the wider community participating in our work
- **Whakatohatoa - *share*:** provide regular updates to, and share information with partners
- **Whakakotahi - *integrate*:** promote the integration of our work so we can achieve our purpose together

Power to Recommend

To the partner organisations on any matters within the Advisory Group's delegated role as it deems appropriate.

Tauranga Moana Advisory Group members report directly to their respective organisations.

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

Rārangi Take

Agenda

1. **Karakia Whakatuwhera**
Opening Prayer
2. **Ngā Hōnea**
Apologies
3. **Wāhanga Tūmatanui**
Public Forum
4. **Ngā Take Tōmuri**
Items not on the Agenda
5. **Raupapa o Ngā Take**
Order of Business
6. **Whakapuakanga o Ngā Take Whai Taha-Rua**
Declaration of Conflicts of Interest
7. **Ngā Meneti**
Minutes

Kia Whakaūngia Ngā Meneti
Minutes to be Confirmed
 - 7.1 **Tauranga Moana Advisory Group Minutes - 19 June 2020** **7**
8. **Ngā Pūrongo**
Reports

Ngā Whakataua e Hiahiatia Ana
Decisions Required
 - 8.1 **Nga Potiki Membership Request** **16**
9. **Ngā Whakamārama a Ngā Rōpū**
Update from Partners
 - 9.1 **Ngāi Te Rangi**

9.2 Ngāti Ranginui

9.3 Ngāti Pūkenga

9.4 Western Bay of Plenty District Council

9.5 Tauranga City Council

9.6 Bay of Plenty Regional Council

**10. Ngā Whakamārama a Te Papa Atawhai
Conservation Update**

10.1 Department of Conservation

Presented by: Jeff Milham

**11. Whakaaturanga
Presentations**

**11.1 Renewal of the non-Scheme Waterway Management Consent
Stakeholder Engagement**

Presented by: Hemi Barsdell

**11.2 National Policy Statement for Freshwater Management - Te
Mana o Te Wai**

Presented by: Reuben Gardiner

11.3 Inter-Regional Marine Pathways Plan

Presented by: Greg Corbett

**12. Whakahoutanga Kōrero
Verbal Updates**

12.1 Whareroa Marae Air Quality Issues Recommendation Update

Presented by: Chris Ingle

**12.2 Discussion – Review of the Tauranga Moana Advisory Group
Meeting Format**

Presented by: Chairperson Matemoana McDonald

Items for consideration:

- Presentation Duration
- Scope of the Advisory Group

- 13. Ngā Take Tōmuri Hei Whakaaroaro
Consideration of Items not on the Agenda**
- 14. Rā Hui Whai Ake: 11 December 2020
Next Meeting Date: 11 December 2020**
- 15. Karakia Kati
Closing Prayer**

Minutes of the Tauranga Moana Advisory Group meeting held at the Cruise Deck, Club Mount Maunganui, 45 Kawaka Street, Mount Maunganui, on Friday, 19 June 2020 commencing at 9.30am

Members: Bay of Plenty Regional Council (BOPRC): Councillor Norm Bruning; Councillor Matemoana McDonald; Councillor Stacey Rose; Councillor Paula Thompson; Councillor Jane Nees (Alternate)
Tauranga City Council (TCC): Councillor Jako Abrie; Councillor Kelvin Clout
Western Bay of Plenty District Council (WBOPDC): Councillor Grant Dally; Councillor Mark Dean
Ngāti Ranginui: Te Pio Kawe (via Zoom)
Ngāti Pūkenga: Kylie Smallman
Ngāi Te Rangī: Pia Bennett; Charlie Tawhiao

Observer: Jeff Milham - Department of Conservation

In Attendance: BOPRC: Chris Ingle – General Manager Integrated Catchments; Sarah Omundsen – General Manager, Regulatory Services; Pim De Monchy – Coastal Catchments Manager; Reuben Gardiner – Senior Planner (Water Policy); Clarke Koopu - Senior Advisor (Treaty) and Merinda Pansegrouw – Committee Advisor
TCC: Radleigh Cairns - Environmental Programme Leader Infrastructure; Jess Allpress - Pollution Prevention and Consents Officer
WBOPDC: Peter Watson - Reserves and Facilities Manager; Chris Nepia - Māori Relationships & Engagement Advisor; Matthew Leighton - Senior Policy Analyst
Others: Presenters/Staff as listed in the minutes and Whānau from Whareroa marae

Apologies: Rehua Smallman - Ngāti Pūkenga

1. Karakia Whakatuwhera Opening Prayer

Provided by Charlie Tawhiao.

General Manager - Integrated Catchments Chris Ingle facilitated proceedings until the Chairperson had been elected.

2. Ngā Hōnea Apologies

Resolved

That the Tauranga Moana Advisory Group:

- 1 **Accepts an apology from Rehua Smallman tendered at the meeting.**

**McDonald/Bruning
CARRIED**

3. Whakapuakanga o Ngā Take Whai Taha-Rua Declaration of Conflicts of Interest

Councillor Paula Thompson – Item 8.2, Whareroa marae - Air Quality Issues.

4. Previous Minutes

For Information: Tauranga Moana Advisory Group Minutes – 16 August 2020

Resolved

That the Tauranga Moana Advisory Group:

- 1 **Receives the Tauranga Moana Advisory Group Minutes of 16 August 2019.**

**Clout/Dean
CARRIED**

5. Election of Chairperson / Deputy Chairperson

General Manager Integrated Catchments Chris Ingle presented the report and called for nominations for the position of Chairperson. Te Pio Kawe nominated Councillor Matemoana McDonald as Chairperson; Charlie Tawhiao seconded the motion. As only one nomination was received for the role of Chairperson, no voting was required. Members congratulated the new Chairperson with a round of applause.

The General Manager Integrated Catchments **vacated** the chair and Councillor McDonald **assumed** the chair.

Councillor McDonald called for nominations for the position of Deputy Chairperson. Te Pio Kawe nominated Charlie Tawhiao as Deputy Chairperson; Councillor Paula Thompson seconded the motion. As only one nomination was received for the role of Deputy Chairperson, no voting was required.

Resolved

That the Tauranga Moana Advisory Group:

1. **Receives the report “Election of Chairperson, Deputy Chairperson and other Meeting Matters”;**

**Kawe/Tawhiao
CARRIED**

2. **Elects Cr Matemoana McDonald as the Chairperson of the Tauranga Moana Advisory Group for the 2019-2022 Triennium;**

Kawe/Tawhiao

CARRIED

3. **Elects Charlie Tawhiao as the Deputy Chairperson of the Tauranga Moana Advisory Group for the 2019-2022 Triennium.**

**Kawe/Thompson
CARRIED**

Item 7.1

6. Update from Partners

6.1 Ngāti Ranginui

Ngāti Ranginui Representative Te Pio Kawe provided the following verbal update:

Key Points

- Congratulated the newly elected Chair and Deputy Chair and welcomed all new members to the Tauranga Moana Advisory Group
- Provided an update on progress made with the Tauranga Moana iwi Deed Settlement and the outcome of a report by the Waitangi Tribunal issued in December 2019. The report made several recommendations to remedy the prejudice the Crown's actions had caused - most importantly that tikanga-based resolution processes should be followed
- Highlighted the importance of recognising/protecting manawhenua of Tauranga Moana iwi
- Acknowledged BOPRC's policies and processes influencing and supporting the process
- Tauranga Moana iwi was focussed on reaching a settlement.

6.2 Ngāi Te Rangi

Ngāi Te Rangi Representative Charlie Tawhiao provided the following verbal update:

Key Points

- Two key outcomes from the report by the Waitangi Tribunal published in December 2019 were (1) that the Crown should halt the progress of legislation giving effect to the Pare Hauraki Collective Settlement Deed and (2) that tikanga-based resolution processes should be used to clarify overlapping interests and work through any redress disputes
- Pointed out that consultation and information sharing must be thorough, timely and transparent
- To establish parameters and address outstanding issues, meetings between kaumātua of the various iwi groups were ongoing
- Was hopeful that progress would be made in the near future, with the possibility of reaching a Deed Settlement at the end of 2021
- Thanked all for their continued support.

6.3 Ngāti Pūkenga

Ngāti Pūkenga Representative Kylie Smallman provided the following verbal update:

Key Points

- Following a recent restructuring at Ngāti Pūkenga, Kylie Smallman had been appointed as the interim representative for Ngāti Pūkenga
- Kahurangi Tapsell had resigned

- Rehua Smallman has taken full time employment, hence the appointment of an interim representative.

6.4 Western Bay of Plenty District Council

Western Bay of Plenty District Council Reserves and Facilities Manager Peter Watson provided a verbal update, highlighting the following:

Key Points

- Omokoroa to Tauranga Cycleway was nearing completion: the Wairoa Bridge, which would feature a composite and steel clip-on structure mounted to the harbour side of the State Highway 2 bridge across the Wairoa River, was currently under construction
- Omokoroa Structure Planning Process for the area north of the railway was ongoing
- Tahataharoa Reserve - Proposed Ownership Structure: confirmed that the ownership had been transferred to WBOPDC and that an ownership model was currently being developed.

6.5 Tauranga City Council

Councillor Kelvin Clout highlighted TCC key work streams as follows:

Key Points

- To finalise the potential alignment options for a section of the Kopurererua stream as part of the K-Valley realignment project, underground services had been the main constraint in completing initial concept plans – these should be available soon
- Construction of the floating walkway over Puketoromiro Pa started with the onset of Level 2. Work should be completed by July 2020
- Upgrades to the Te Maunga Wastewater Treatment plant were continuing with the final effluent pipeline upgrade over 50% complete. The project would upgrade the pipeline connecting the plant with the flow balance ponds, wetland and outfall infrastructure. Estimated completion - September 2020
- Earthworks consent application for the upgrade to the landward section of the outfall pipeline had been granted by BOPRC and detailed design work on a second bioreactor for Te Maunga was underway with both projects included in TCC's application for Crown Infrastructure Projects funding from Central Government
- Regional Wastewater Overflow Best Practise Guidelines agreed between the six Territorial Authorities and BOPRC were being integrated into TCC's response and notification protocols. Next steps included engaging with local iwi and hapū on the notification process. Initial feedback had been received from Ngāti Ranginui and Ngai Te Rangi
- Reports were sent to more than 100 commercial and industrial sites within the Mount Industrial Catchment with recommendations identified during the pollution prevention audit programme at the beginning of 2020
- During lockdown staff took the opportunity to move TCC's Waterline education programme online.

6.6 Bay of Plenty Regional Council

General Manager Integrated Catchments Chris Ingle and Coastal Catchments Manager Pim De Monchy outlined BOPRC priorities as follows:

Key Points

- On 30 March 2020 two significant spills occurred at Sulphur Point. Nearly all the oil discharged had been recovered. Waste Management have as a result implemented new measures and procedures to prevent similar spills occurring.
- Since September 2019, the Maritime team have assisted Vessel Works Tauranga with cleaning up the seafloor around the Tauranga Harbour Bridge Wharf area. To date, approximately 15 tonne of debris and waste had been removed
- BOPRC had applied jointly with Whakatāne District Council to the Provincial Growth Fund in mid-March 2020 in a bid to re-deploy forestry workers affected by Covid-19. Of the \$8.3M granted, Coast Care was granted \$270,000, of which \$102,000 would be spent to support Matakana Island locals to undertake coastal tea tree control and Waihi beach local vegetation control businesses to retain staff after the downturn undertaking dune weed control
- Several other applications for 'Green Project' funding had been made - representing opportunities to collaborate with iwi/hapū and others
- Significant progress had been made in recent months with a new programme "Towards Thriving Kaimai Mamaku Forests" doubling funding for animal pest control
- Matakana Island appeal on the Regional Coastal Environment had been resolved: the appeal related to the Outstanding Natural Features and Landscapes of the barrier arm. The appeal led to a positive collaboration between WBOPDC, BOPRC and Nga Hapu o Te Moutere o Matakana. Recently, Department of Conservation had expressed interested in supporting the development of a case study, and in the next few weeks Council would be scoping the feasibility of a case study with Nga Hapu o Te Moutere o Matakana and WBOPDC.

7. Conservation Update

7.1 Department of Conservation

Department of Conservation District Manager Jeff Milham provided a verbal update, outlining the following:

Key Points

- Kaimai Mamaku: following COVID-19, funding had been allocated for nature based jobs – this has created opportunities for the Kaimai Mamaku Forest. Staff were currently working on the details of the allocations
- Environment enhancement ideas would be the main focus, i.e. animal pest control/protection and enabling iwi and hapū to be resourced to do the work.

8. Presentations

8.1 National Policy Statement for Freshwater Management – Te Mana o Te Wai

Refer PowerPoint Presentation: Objective ID A3560780 [Link Te Mana o Te Wai Presentation](#)

Presented by Pia Bennett, Ngai Te Rangi and Reuben Gardiner Bay of Plenty Regional Council Senior Planner (Water Policy):

Key Points of the Presentation

- Whakapapa o Te Mana o Te Wai was the result of a freshwater technician's hard work; conceptualisation by one of our own – Roku Mihinui and coined out of frustration

- Original intentions included: the relationship of Maori with their taonga/to recognise the whakapapa ties to wai/to honour the atua and preserve the mana of the wai that the atua created and continue to provide us
- Ki te ara tōtika – towards best practice Nga ahunga hou / new directions: Tangata Whenua Values and Interest Document
- Nga kaupapa kei te heke – Future projects
- He korowai kia whakamana i te wai:
 - Establishing a clear bottom line
 - Upholding Te Tiriti critical to giving effect to Te Mana o Te Wai
 - Elements that belonged to iwi & hapū
 - Principles & obligations were pervasive
 - Understanding consequences of policy
- Ngā whakaaro whakamutunga
 - Te Hononga proposed clear actions that must be taken to implement the NPSFM 2020
 - Nō mātou te kōrero, nō mātou te mana whakatipu, nō mātou anō te mana tiaki
- “Where the rivers meet, people come together. When people come together, there is debate and learning.” (Joe Williams, He Pūkenga Wai 2019)

8.2 Whareroa Marae - Air Quality Issues

Refer PowerPoint Presentation: Objective ID A3560801 [Link to Whareroa marae Presentation](#)

Cr Paula Thompson **declared a conflict of interest** in this item and **abstained** from discussion and voting.

Presented by Joel Ngatuere on behalf of the whānau at Whareroa Marae:

Key Points of the Presentation

- Environmental issues affecting hapū at Whareroa marae
- Snapshot of marae and community demographics
- Health problems/long term and short term effects caused by sulphur dioxide, nitrogen dioxide and hydrogen sulphide
- Issues and impacts on health: air quality, water quality, land, visual and audio, RMA, airshed, odours and property damage
- Wanted to be healthy/breathe clean air for whānau and all tauranga moana.
- Whareroa marae was situated on the shore of Tauranga Harbour neighbouring the Mount industrial area which was primarily made up of industrially zoned land
- About 80 people resided permanently at Whareroa marae
- Whareroa marae has been present for around 150 years, making it one of the oldest kainga in the area
- Hapū were at risk of air pollution – was fearful of the impact the companies' chemicals would have on both tamariki and kaumātua
- Calling for intervention as industrial companies surrounded the marae
- Have written to Prime Minister Jacinda Ardern in August 2019, asking for intervention
- Better use of the land across Tauranga was required, particularly around Mount Maunganui; this included preventing other industrial companies from entering the whenua
- For whānau at Whareroa and for everyone in the Mount, this needed to be addressed urgently.

Key Points Members:

- Acknowledged the submission by Whareroa marae and the challenges the Whareroa community had faced as a result of the impacts of the encroaching industrial area

- Highlighted the four well-beings and recognised the importance of all parties working together to address the concerns raised by the Whareroa community
- Minister Nanaia Mahuta, Minister for Māori Development and Minister for Local Government, was scheduled to visit Whareroa marae in July 2020
- It would be valuable to pursue a Commission of Inquiry from Central Government to review and address the challenging and complex situation which has been generations in the making, and to make recommendations on how to avoid this situation occurring in the future.

12:25 pm The meeting **adjourned**.

12:50 pm The meeting **reconvened**.

Whareroa Marae - Air Quality Issues (Continued)

Resolved

That the Tauranga Moana Advisory Group:

1. **Recommends to the Bay of Plenty Regional Council Toi Moana, Tauranga City Council and Western Bay of Plenty District Council as follows:**

The urgent development of an Action Plan in collaboration with Whareroa marae hau kainga and as a first step: commission an independent, comprehensive report to investigate the potential for instigating a managed retreat of pollutant industries from the Totara Street site south of Hewletts Road and report back to the Tauranga Moana Advisory Group when completed.

Tawhiao/Rose
CARRIED

8.3 Stella Passage and Port of Tauranga Development

Refer PowerPoint Presentation Objective ID A3560805 [Link to Port of Tauranga Presentation](#)

Presented by Rowan Johnstone and Dan Kneebone, Port of Tauranga Limited:

Key Points of the Presentation

- Appreciated the opportunity to listen to the updates provide at the meeting
- Overview of current activities and initiatives at the Port
- Licence to operate in the community was based on buy-in/support from the community
- Port had made significant changes to make a positive impact - focus would be to look at the future
- Improving bulk cargo handling
- Methyl Bromide Recapture - amount used reduced, what was used, were captured
- Marpol Annex V - introduction of Low Sulphur Fuel or installing scrubbers (reducing fumes from ships in harbour)
- Debarking as an alternative to Methyl Bromide treatment for log exports
- Stormwater treatment – comprehensive monitoring systems and consents in place – ensuring increased stormwater quality
- Targeting net zero emissions by 2050

- Significant contributions to the Tauranga community
- Stella Passage Development.

8.4 Industrial Audit Programme Results Update

Due to time constraints, the presentation was deferred to the next meeting.

8.5 Renewal of the Non-Scheme Waterway Management Consent Stakeholder Engagement

Due to time constraints, the presentation was deferred to the next meeting.

8.6 Inter-Regional Marine Pathways Plan

General Manager Integrated Catchments Chris Ingle provided a verbal update:

Key Points:

- The Inter-Regional Marine Pathways Management Plan had been approved and was progressing to the next phase, which involved detailed consultation
- An Inter-Regional pathway plan would help manage the risk of further spread of marine pests by working in a consistent manner across the Northland, Auckland, Waikato and Bay of Plenty regions
- A joint marine pest pathway plan applied within the coastal marine area of all four regions.

The detailed presentation was deferred to the next meeting.

8.7 Environmental Enhancement Projects Update

General Manager Integrated Catchments Chris Ingle provided a verbal update:

Key Point:

- Post-COVID-19, several applications for 'Green Project' funding had been made to Central Government. These projects and employment opportunities in the Bay of Plenty would offer opportunities to collaborate with iwi/hapū and others. Any iwi group who had not been involved to date, may wish to contact the Department of Conservation or the Regional Council to discuss their aspirations regarding environmental project work and related employment opportunities.

9. Discussion - Recovery Post Covid-19

Refer item 8.7.

10. Discussion - Review of the Tauranga Moana Advisory Group Meeting Format/Meeting Venues

To be considered by the members at an informal hui.

11. Next Meeting

Friday, 18 September 2020.

12. Closing Karakia

Provided by Charlie Tawhiao.

The meeting concluded at 1:41 pm.

Confirmed

Councillor M McDonald, Chairperson
Tauranga Moana Advisory Group

Date



Pūrongo Ki: Report To:	Tauranga Moana Advisory Group
Rā Hui: Meeting Date:	18 September 2020
Kaituhi Pūrongo: Report Writer:	Herewini Simpson, Senior Advisor (Treaty)
Kaiwhakamana Pūrongo: Report Authoriser:	Chris Ingle, General Manager, Integrated Catchments
Kaupapa: Purpose:	Decision on membership request

Nga Potiki Membership Request

Whakarāpopototanga Executive Summary

Ngā Potiki ā Tamapahore Trust, are seeking membership of the Tauranga Moana Advisory Group (TMAG). This report sets out key matters for TMAG in considering its response including:

- Relationship between TMAG and the Tauranga Moana Framework, and the management of future expectations around this.
- Precedent effect of granting membership, and considerations as to consistency and impartiality
- Consideration as to appropriate terms and/or conditions (if any) upon which membership may be granted.

It is recommended TMAG determine whether to approve or decline the request.

Ngā tūtohutanga Recommendations

That the Tauranga Moana Advisory Group:

- 1 Receives the report, Nga Potiki Membership Request.**

- 2 **Approves the inclusion of Ngā Potiki ā Tamapahore Trust as a member of the Tauranga Moana Advisory Group [on such terms and/or conditions as agreed at its 18 September 2020 meeting]. or**
- 3 **Declines the inclusion of Ngā Potiki ā Tamapahore Trust as a member of the Tauranga Moana Advisory Group.**

1. **He Whakamārama Background**

TMAG was established in 2014 as a forerunner to the Tauranga Moana Framework (the **Governance Entity**) being later enacted through settlement legislation. TMAG serves to strengthen working relationships and build capacity, to enable members to 'hit the ground running' once the Governance Entity is established. Its undertakes a range of functions regarding the Tauranga Moana harbour, that approximate those expected of the Governance Entity once operational.

TMAG existing membership includes representatives each of the three iwi of the Tauranga Moana Iwi Collective (TMIC), Ngāi Te Rangī, Ngāti Ranginui, Ngāti Pūkenga, together with Tauranga City Council, Western Bay District Council and Bay of Plenty Regional Council Toi Moana.

2. **Ngā Potiki**

Ngā Potiki ā Tamapahore Trust for and on behalf of Ngā Potiki, are seeking membership of TMAG.

Ngā Potiki are one of several Tauranga Moana iwi with interests in and around the surrounding area. Nga Potiki share extensive kinship ties primarily with Ngāi Te Rangī, and also with other iwi of Tauranga Moana.

A joint Deed of Settlement (together with Ngāi Te Rangī) in respect of their historical Treaty claims, was signed in 2013 and is awaiting legislation.

Ngā Pōtiki ā Tamapahore Trust is the recognised entity that represents the people of Ngā Pōtiki.

3. **Advisory Group Membership**

Established as an interim measure, TMAG has no formal legal structure, and is guided instead by an agreed Terms of Reference. In a sense TMAG is largely a 'coalition of the willing' with inherent flexibility to adapt its operations as necessary.

In regards to membership, the existing Terms of Reference are not exhaustive, and are silent on additional membership or restrictions thereto. Accordingly additional membership is a discretionary matter for collective agreement by existing members. On that basis it is open to TMAG to extend membership to Ngā Potiki on such terms as it determines appropriate.

In determining this matter, there are a number of key considerations for TMAG, as outlined below.

- *Relationship between TMAG and Governance Entity*

Whilst TMAG operates in *anticipation* of the Governance Entity, it has no legal bearing on that entitie's future membership, nor is participation in TMAG synonymous with that. Ultimately, membership of the Governance Entity is a matter for negotiation and agreement between the Crown and Iwi. Council(s) are not party to those negotiations.

It is important that all current and any future parties to TMAG, are clearly apprised of this distinction, in terms of managing future expectations.

- *Precedent effect*

Consideration should be given to the precedent effect of admitting new members to TMAG, noting others claimant groups with interests in Tauranga Moana.

Specifically, the Pare Hauraki settlement (2018) provides for Hauraki membership of the Governance Entity once established. By extension, this also provides a basis for Hauraki to potentially seek membership of TMAG at a future point.

Councils in particular would face a greater level of scrutiny to demonstrate the consistency and impartiality of any position in response. Such matters should be borne in mind, particularly for council members, in responding to the current request by Ngā Potiki.

- *Terms of membership*

It is open to TMAG to determine whether any new membership is granted upon terms and/or conditions (if any), or granted without conditions (i.e. full membership).

Potential considerations include:

- Level of participation – whether an abridged level of participation may be appropriate i.e. as an observer only, with or without voting rights on all or specified matters, or full membership.
- Duration – whether membership is for a fixed period of time or lapses upon the occurrence of a specific event.
- Probation period – granting membership for a probationary period with recourse to full membership at a later point.
- Alternate representative – provision for an alternate representative to be appointed, and/or attend in support of the primary representative.

4. **Financial implications**

There are no significant financial implications.

Direct financial implications are limited to meeting fees & travel expenses for the additional representative, which are currently met by Council. The minimal increase

to Council expenditure to accommodate an additional representative can be met within existing budgetary lines.

Other associated administrative costs are minimal and can similarly be absorbed alongside existing TMAG support costs, within existing budgetary lines.

5. **Recommendation**

It is recommended that TMAG determines whether to approve *or* decline the inclusion of Ngā Potiki ā Tamapahore Trust as a member of the Tauranga Moana Advisory Group.

If minded towards approval, it is recommended TMAG clearly specify the terms and/or conditions (if any), upon which membership is to be granted.