

# Komiti Māori

## Ngā Meneti Open Minutes

**Commencing:** Tuesday 19 October 2021, 9.30 am

**Venue:** via Zoom (Audio Visual Meeting)

**Heamana  
Chairperson:** Cr Toi Kai Rākau Iti (Host-Chair/Deputy Chair)

**Ngā Kopounga  
Members:** Cr Matemoana McDonald (Komiti Māori Chairperson)  
Cr Bill Clark  
Cr Stacey Rose  
Cr Paula Thompson  
Cr Lyall Thurston  
Cr Te Taru White  
Chairman Doug Leeder  
Cr Norm Bruning  
Cr Kevin Winters – in part attendance at 11:02 am  
Cr Jane Nees  
Cr David Love  
Cr Stuart Crosby  
Cr Andrew von Dadelszen

**In Attendance:** Kataraina O'Brien (Director, Strategic Engagement), Sarah Omundsen (General Manager, Regulatory Services), Chris Ingle (General Manager, Integrated Catchments), Paula Chapman (Project Manager), Mark Le Comte (Principal Advisor, Finance), Alex Miller (Compliance Manager – Primary Industry & Enforcement), Steve Pickles (Regulatory Compliance Specialist), Stace Tahere (Kaiarahi Māori/Senior Advisor, Māori Planning), Rachel Boyte (Legal Counsel), Stacey Faire (Senior Coastal Planner), Herewini Simpson (Senior Advisor Treaty), Rawiri Bhana (Māori Policy Advisor), Matt Hunt (Acting Communications Manager), Shari Kameta (Committee Advisor)

**Ngā Hōnea  
Apologies:** Cr Kevin Winters (late arrival)

### 1. Opening Prayer Karakia Whakatuwhera

A karakia was provided by Cr Te Taru White.

## 2. Apologies Ngā Hōnea

### Resolved

That the Komiti Māori:

- 1 Accepts the apology from: Cr Kevin Winters (late arrival) tendered at the meeting.

Clark/Rose  
CARRIED

## 3. Wāhanga Tūmatanui Public Forum

### 3.1 Mr Paki Nikora - Flood Erosion Works, Riparian Planting and Gravel Extraction Issues

Host-Chair Cr Iti **declared an interest** in relation to the Public Forum speaker and item and **vacated** the chair.

Chairperson Cr McDonald **assumed** the chair.

Mr Paki Nikora addressed Komiti Māori on behalf of and as Vice Chair of the Tūhoe Council of Elders Charitable Trust, Chair of the Rūātoki Farms & Lands Trust Group and Chair of Te Tataiwhetu Trust in regard to issues relating to flood erosion work, riparian planting and gravel extraction.

#### **Key Points - Mr Nikora:**

- Made reference to correspondence sent to Council following the April 2017 floods and in April 2021.
- Confirmed that several Tūhoe marae/hapū operated autonomously from Te Uru Taumatua.
- As a private land owner and ratepayer, Mr Nikora sought resolution and direct engagement with staff on river management/operational issues.

#### **Key Points - Members:**

- The Chair acknowledged the issues raised by Mr Nikora, noting Council's obligations to private landowners, and advised that staff would engage with Mr Nikora and respective landowners to work towards a solution and way forward.
- Komiti Māori would keep a watching brief regarding this matter.

Chairperson Cr McDonald **vacated** the chair and Host-Chair Cr Iti **assumed** the chair.

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

No further conflicts of interest were declared.

## 5. Minutes Ngā Meneti

### Minutes to be Confirmed Kia Whakaūngia Ngā Meneti

#### 5.1 Komiti Māori Minutes - 17 August 2021

##### Resolved

That the Komiti Māori:

- 1 Confirms the Komiti Māori Minutes - 17 August 2021 as a true and correct record.

Rose/McDonald  
CARRIED

## 6. Reports Ngā Pūrongo

### Decisions Required Ngā Whakatau e Hiahiatia Ana

#### 6.1 Rates Remissions and Postponements

Presented by: Mark Le Comte, Principal Advisor, Finance, supported by Huiarau Stewart, Senior Advisor, Te Puni Kōkiri (TPK).

##### Key Points:

- Introduced Huiarau Stewart, an expert advisor on Māori freehold land, who had offered to provide advice for the project.
- Outlined the scope of proposed remissions and postponements, early engagement approach and next steps.
- Maori land tenure had different facets and was directed by discrete legislation to enable development on Māori land, which several agencies had a level of responsibility.

##### In Response to Questions:

- A substantial proportion of whenua Māori (Māori land) within the region was unproductive due to a range of barriers, therefore policy development would look at providing equity (through a holistic lens) that would not create additional barriers for whānau and whenua Māori development.
- Under the legislative framework, Council must legally have rates remission and postponement policy for Māori freehold land, but may also have policies that apply to general land, which would also be considered within the policy development and analysis.
- Inconsistencies existed between current territorial local authority policies, which staff were analysing and would review for existing compliance.
- Next steps in regard to ground truthing would look at development at the whānau level and making sure proposed policy was fit for purpose.
- Key considerations in policy development would provide proposed options, a transition phase and aim to strike the right balance.

**Key Points - Members:**

- Thanked Ms Stewart for her advice and attending the meeting.
- Supported the early engagement approach and staff seeking external specialist support.
- Looked forward to ground truthing analysis that would clarify existing barriers to whenua Māori development.

**Resolved****That the Komiti Māori:**

- 1 Receives the report, Rates Remissions and Postponements.**
- 2 Directs the early engagement with a range of Māori Freehold Land governance entities on the proposed Rates Remissions and Postponements for Māori Freehold land to identify likely issues.**
- 3 Notes that early engagement will inform the development of the draft Policy on Remissions and Postponements for Māori Freehold Land which will be subject to a full consultation process.**

**Iti/Rose  
CARRIED**

**Information Only  
Hei Pānui Anake****6.2 Chairperson's Report**

Presented by: Kataraina O'Brien (Director, Strategic Engagement), supported by Rachel Boyte, Legal Counsel and Stacey Faire, Senior Planner, Coastal.

**Key Points:**

- Future of Local Government Review - public consultation on the draft findings and initial recommendations of the independent review panel's interim report was anticipated in September 2022.
- Marine and Coastal Area (Takutai Moana) Act 2011 - regarding the recent granting of applications of Customary Marine Title (CMT) and Protected Customary Rights (CMR), Council's legal and planning staff would report to a future Strategy and Policy Committee meeting on the implications for Council.
- Emergency Management Bay of Plenty's Information Strategy '*He Kahu Pitongatonga*' would be extended out across the region. However, noted that rollout had been deferred due to COVID19 restrictions.
- Summarised mahi occurring in the Essential Freshwater Policy programme and funding that was available to support hapū/iwi led climate change adaptation planning.
- Some of the key points made by Hon Nanaia Mahuta at the previous Komiti Māori meeting would be incorporated into staff's work.

**In Response to Questions:**

- Legal counsel Rachel Boyte advised that the Stage 1 hearing of appeals for the *Re Edwards* application was to commence in November 2021. High Court proceedings for Stage 2 would be heard in February 2022 to consider the granting of CMT boundaries, which would include staff involvement.

- Stage 1 of *Re Reeder* (Ngā Pōtiki) for Rangataua Bay was currently being heard in Pāpāmoa and would likely include a third stage that would consider CMT boundaries. A map outlining the Court's decision of a boundary change for Stage 1 (Rangataua Bay) would be circulated to councillors for information. Stage 2 of the application regarding the area offshore from Ōmanu would be provided in due course when the information became available.

**Items for Staff Follow Up:**

- Regarding the recent news article, investigate whether climate change adaptation funding was appropriate and available to assist Ngāti Kuku hapū with any potential retreat from Whareroa Marae.

## **Resolved**

### **That the Komiti Māori:**

#### **1 Receives the report, Chairperson's Report.**

**Thurston/Leeder  
CARRIED**

## **6.3 Partnerships with Māori Statement - Update**

Presented by: Kataraina O'Brien (Director, Strategic Engagement).

### **Key Points:**

- Key components of the Partnerships with Māori Position Statement.
- Summary of progress of current mahi.
- Next steps were to report back to Komiti Māori on a six-monthly basis.

### **In Response to Questions - Staff:**

- Options to co-lead on climate change initiatives would explore Iwi/hapū co-leading on relevant documents and plans where there was interest.
- Exploring how to support Iwi to lead regional Iwi governance groups was a means to demonstrate the power in unity and cooperation.
- Regarding community champions, Council's draft Community Participation Action Plan included a proposal to on-board members of the community to assist with some of Council's work. Details regarding this were still being worked through.
- Māori remuneration guidelines were being prepared to provide staff with guidance on remuneration of advice provided by Māori at a range of levels to inform Council's work that was consistent and in alignment with Council's social procurement strategy.

### **Key Points - Members:**

- Noted potential challenges that may arise in the diversity of views held within Iwi/Māori on climate change initiatives and alongside a new era of achieving transformational change towards involving Māori participation and partnerships.
- Exploring opportunities for regional Iwi governance included potential options to co-lead and cooperate with Iwi and/or waka groupings that were

prepared to be involved. It was noted that initial engagement was taking place with Te Arawa iwi and also being sought with Mātaatua iwi.

**Items for Staff Follow Up:**

- Staff to seek direction from the Chief Executive on the appropriateness of the Māori remuneration guidelines being reported back to Komiti Māori for endorsement.

**Resolved**

**That the Komiti Māori:**

- 1 Receives the report, Partnerships with Māori Statement - Update.**

**Clark/Leeder  
CARRIED**

**6.4 Toi Moana Marae Wastewater update**

*Presentation - Marae Wastewater Project Update - October 2021: Objective ID A3961131* ⇨

Presented by: Alex Miller (Compliance Manager – Primary Industries & Enforcement) and Steve Pickles (Regulatory Compliance Specialist).

**Key Points:**

- Provided background on the Marae wastewater project and its key goal to ensure safe wastewater and water supply for tangata whenua, manuhiri and the environment.
- The status of marae on-site wastewater treatment in the region had identified Eastern Bay marae needed investigation, which was now the main focus of the project.
- Whakatāne and Ōpōtiki District Councils were in support and working collectively with Regional Council staff to deliver the project.
- The proposed approach for engagement included: learnings from the Tauranga Moana project, opportunities to build on iwi/hapū/staff capacity, existing mahi being undertaken with ‘He Kahu Pitongatonga’ and using different approaches and flexibility to suit iwi, hapū and marae.
- It was anticipated that the project would take time and may require different outcomes than those used in the Western Bay of Plenty.

**In Response to Questions:**

- The remaining marae identified within the Ōkurei (Rotorua) constituency would be looked at individually.

11:02 am – Cr Kevin Winters **entered** the meeting.

- Regarding seeking Central Government funding, Whakatāne and Ōpōtiki District Councils had access to different funding streams, which would be explored along with other Government funding streams as much as possible. Additionally, staff would undertake to collaborate with Te Puni Kōkiri however, noted that the Marae Ora and Marae Restoration funding programmes may have limitations.

**Key Points - Members:**

- Sought integration of marae wastewater and appropriate reticulation considerations within freshwater planning provisions.
- Urgency was needed on sourcing Central Government and territorial local authority funding streams, which would require robust case study analysis and innovation.

**Key Points - Staff:**

- Acknowledged members' comments, noting the necessity for solutions in the short-term.

**Items for Staff Follow Up:**

- Provide Cr White with details of the Rotorua marae identified as remaining within the project scope.

**Resolved****That the Komiti Māori:**

- 1 Receives the report, Toi Moana Marae Wastewater update;**
- 2 Notes progress towards implementing wastewater solutions in the Mauao rohe;**
- 3 Notes that staff will now start engaging with iwi and hapu in the Kōhi rohe ahead of developing a process for carrying out marae wastewater assessments;**
- 4 Notes that any additional resourcing required for the project will be sought through the 2022/23 Annual Plan process.**

**White/Bruning  
CARRIED**

**7. Closing Prayer  
Karakia Kati**

A karakia was provided by Cr White.

**11:05 am - the meeting closed.**

**CONFIRMED**

---

Cr Toi Kai Rākau Iti  
Host-Chairperson, Komiti Māori