

Komiti Māori

Ngā Meneti Open Minutes

Commencing: Wednesday 13 April 2022, 9.30 am

Venue: Via Zoom (Audio Visual Meeting)

**Heamana
Chairperson:** Cr Matemoana McDonald

**Heamana Tuarua
Deputy Chairperson:** Cr Toi Kai Rākau Iti

**Ngā Kopounga
Members:**

- Cr Norm Bruning
- Cr Bill Clark
- Cr Stuart Crosby
- Cr David Love
- Cr Jane Nees
- Cr Paula Thompson
- Cr Lyall Thurston
- Cr Andrew von Dadelszen
- Cr Te Taru White
- Cr Kevin Winters

In Attendance: Bay of Plenty Regional Council: Kataraina O'Brien (Director, Strategic Engagement), Chris Ingle (General Manager Integrated Catchments), Herewini Simpson (Kaihautu - Te Amorangi Lead), Anaru Vercoe (Pou Whaingā - Principal Advisor), Dean Howie (Programme Manager - Regional Economic Development), Toni Briggs (Senior Project Manager), Sharon Pimlott (Project Officer - Māori Policy), Stephen Lamb (Environmental Strategy Manager), Rachel Boyte (Legal Counsel), Stacey Faire (Senior Planner Coastal)

External: Tina Porou (Poipoia Limited, Kaupapa Māori Environmental Consultant), Annette Sykes, Te Kapunga Dewes (Chief Executive, Whenua Oho/Chair - Ngā Pou a Tāne, National Māori Forestry Association), Te Horipo Karaitiana (Executive Trustee, Toi Kai Rawa), Kylie Smallman (Operations Manager, Toi Kai Rawa), Te Rangihua Hata (Annette Sykes & Co Ltd), Anne Carter (Te Raa Consulting)

**Ngā Hōnea
Apologies:**

- Chairman Doug Leeder
- Cr Stacey Rose
- Cr Paula Thompson (late arrival)

1. Opening Prayer Karakia Whakatuwhera

A karakia was provided by Cr Toi Kai Rākau Iti.

Declaration of Public Recording

The Chair advised that the public section of the meeting was being recorded and would be made available on the Bay of Plenty Regional Council website and archived for a period of three years.

Recording of the Meeting: [Komiti Maori Meeting - YouTube](#)

2. Apologies Ngā Hōnea

Resolved

That the Komiti Māori:

- 1 Accepts the apologies from Chairman Doug Leeder for absence, Cr Stacey Rose for absence and Cr Paula Thompson for late arrival tendered at the meeting.

McDonald/Iti
CARRIED

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

None declared.

4. Minutes Ngā Meneti

Minutes to be Confirmed Kia Whakaūngia Ngā Meneti

4.1 Komiti Māori Minutes - 22 February 2022

Matters Arising

In relation to Minute Item 7.2, Chairperson's report, the Chair noted that the follow-up action for a presentation to be provided by Tina Porou was an item on the agenda for this meeting.

Resolved

That the Komiti Māori:

- 1 Confirms the Komiti Māori Minutes - 22 February 2022 as a true and correct record.

McDonald/White
CARRIED

5. Presentations Whakaaturanga

5.1 Te Mana o Te Wai and Changes for Decision Makers

*Presentation - Te Mana o Te Wai - A framework for Three Waters: Objective ID
A4064673*

Presented by: Tina Porou (Poipoia Limited, Kaupapa Māori Environmental Consultant)

Tina Porou provided an overview on the implementation of Te Mana o te Wai (TMoTW) and its application across freshwater management systems from a Māori planning perspective.

Key Points:

- The current National Policy Statement for Freshwater Management (NPSFM) was far reaching in providing opportunities for hapū/whānau to participate.
- NPSFM's definition for TMoTW was being used for Three Waters with some slight amendments in how it was defined and TMoTW's overarching principles and values were expected to be used in all freshwater management decision-making.
- There was no limitation in how tangata whenua wished to participate, which would be a substantial transition for local authorities.
- TMoTW hierarchy of obligations provided another level of transformation, placing the first obligation to the health and wellbeing of water bodies over essential needs of people, and social, economic and cultural needs.
- The application of TMoTW principles (Mana whakahaere, kaitiakitanga, manaakitanga, governance, stewardship, care and respect) were crucial to upholding the integrity of TMoTW.
- Mana whenua wished to participate at all levels of freshwater management.
- Preliminary phases of the National Objectives Framework process for mana whenua to define what TMoTW was for them was taking place across the country.
- Outlined the composition of Three Waters entities comprising 50/50 mana whenua representatives and how they must give effect to TMoTW.

9:52 am - Cr Thompson **joined** the meeting.

- Approximately 7,000 practitioners was a conservative estimate of the number of Iwi/hapū practitioners required over the next 10 years to support the current system
- Work taking place to support Iwi/hapū/whānau and councils to implement TMoTW included:
 - Government TMoTW funding to provide training for Iwi/hapū kaitiaki practitioners in place.
 - An audit process for Iwi, hapū and councils to review their infrastructure to ensure they were Treaty and TMoTW compliant.
 - Te Oranga o te Taiao, the new framework for resource management reform, would assist councils to ensure they were ready and had a work plan to fill gaps that may not occur.
 - Training and planning tools would be available for mana whenua, council staff, applicants and decision-makers to utilise.

- A land and water pilot project would focus on Iwi/hapū FMUs in applying NOF and setting limits.

In Response to Questions:

- Co-governance models were a Crown construct and not the ultimate goal for iwi/hapū, but were a stepping stone towards decision-making and having control over their whenua and wai.
- TMoTW provided a framework for commercial users to operate within limits in a way that would look after the wai, be more sustainable and provide for inter-generational growth.
- Māori land corporations and trusts were seeking certainty and clear limits to operate which may require change and innovative solutions to work.
- Current funding for tangata whenua to engage in resource management reforms was disproportionate and needed to be equitable.
- Uncontestable and direct funding was needed from the government and rates in order to create efficiencies and effectiveness across the systems.
- Substantial transformation and cultural shift towards placing Iwi as partners would be critical to successful systems.
- Mechanisms for Iwi leaders and Iwi/hapū/whānau in dealing with the complexities of the resource management reforms was mixed and evolving, noting that post-government settlement entities did not necessarily have the infrastructure to support and provide solutions.
- Flexibility was needed to enable hapū/whānau to create the space to strategize and determine their own representations on issues.

Key Points - Members:

- TMoTW hierarchy of obligations would require a reverse in thinking for water users.
- Acknowledged the need to plan and assist building capability for Iwi/hapū/whānau to engage and strategize.
- Commended the presentation which had provided clarity on the TMoTW model, and challenges and issues for iwi/hapū.
- Requested future updates from Tina on how matters were progressing.

5.2 Perspectives on Mana Whakahaere

Presentation - Mana Whakahaere: Objective ID A4077158 ⇨

Presented by: Annette Sykes on behalf of Te Tai Kaha Māori Collective

Annette Sykes presented on behalf of Te Tai Kaha Māori Collective, a group established to bring together Māori perspectives from the New Zealand Māori Council and Federation of Māori Authorities, who had a large interest in Māori landowner matters and issues for hapū/groups that had not reached Te Tiriti settlements with the Crown.

Key Points:

- TMoTW was a conceptual framework to ensure the qualitative and consumptive use of water, which utilised tikanga through the primary principles of mana whakahaere, kaitiakitanga, manaakitanga, governance, stewardship, care and respect.

- TMoTW principles were universal to ensure the availability of healthy and sustainable water for future generations.
- Emphasized the importance of the NPSFM definition for mana whakahaere and its understanding as the primary guidance for councils and tangata whenua.
- Te Tiriti o Waitangi defined primary rights holders (mana whenua) as hapū, which implied this as being those who possessed ahi kā, i.e. Māori landowners, hapū, marae, iwi, post-settlement government entities and hapori.
- Developing and taking account of mana whakahaere was a Te Tiriti o Waitangi obligation for Treaty partners, which Iwi/hapū needed to adapt and organise how they provide for democratic and participatory decision-making.
- The legal principle of mana motuhake entitled Māori to identify who represented them on positions of interest, which there was a lack of attention and investment.
- Engagement using the right processes, tikanga and providing ample time for Iwi/hapū to form coalitions would provide for enduring outcomes.
- Agreed that Councils did not have sufficient funding to implement TMoTW and that Central Government funding should be provided rather than imposing costs onto ratepayers.
- Mana whakahaere comprised a spectrum of arrangements that needed flexibility, innovative solutions, needed to be functional, accountable and have alternative dispute resolution processes in place.
- Governance for TMoTW meant prioritising the first right to the mauri of wai, embedding co-management and partnerships, respecting multiple and overlapping interests, listening to tangata whenua in what mana whakahaere means to them, providing flexibility, innovation and resourcing, and building cultural capacity.
- The intersection between resource management reforms, climate change adaptation and TMoTW needed consideration to prevent duplication.
- Noted the obligation to mana atua (values and principles) to guide human relationships (mana whakahaere and mana tangata) to ensure the primary obligation of the wellbeing and mauri of the mana whenua (Papatūānuku and taiao).
- Recommended for further reading the reports of Professor Jacinta Ruru, Professor Andrew Geddis and Dr Richard Meade that were available at www.foma.org.nz.

In Response to Questions:

- Regarding democracy and its consistency with tikanga, the process of selection of mana whenua representatives was for mana whenua to determine however, noted that decision-making around this should have time limits to ensure the needs of whānau/hapū members were met.
- Sought the support of councils to provide the resources to help facilitate the process for mana whenua.
- Agreed that representation on co-governance and co-management forums should be broad and at place (local).

Key Points - Members:

- Acknowledged the loss and passing of the late Moana Jackson and his substantial contribution and leadership to constitutional and indigenous issues.
- Noted the constitutional change that was in front of Aotearoa New Zealand and the opportunities it presented.

- Commended the presentations from Annette Sykes and Tina Porou, which were paving the way for Māoridom.

11.20 am – the meeting **adjourned**.

11.20 am – Cr Clark, Cr Iti and Cr Crosby **withdrew** from the meeting.

11.30 am – the meeting **reconvened**.

5.3 Impacts of proposed changes to the Emissions Trading Scheme – A Māori perspective

Presentation - Emissions Trading Scheme - A Maori Perspective: Objective ID A4078533 [↗](#)

Presented by: Te Kapunga Dewes - Chief Executive, Whenua Oho

Key Points:

- Whenua Oho (Māori landowner advisory and advocacy service) and the newly established organisation Ngā Pou a Tāne (National Māori Forestry Association) were assisting and empowering Māori landowners to awaken their land through forestry and have a voice across the spectrum of social, economic and environmental issues.

11.35 am – Cr Crosby **entered** the meeting.

- Māori landowners wanted exotics in the “permanent forest” category as a sustainable development opportunity which the Emissions Trading Scheme proposed to remove.
- Exotics aligned with Māori values and landholdings, were a financially enabling activity and provided a pathway to indigenous forests.
- The Emissions Trading Scheme (ETS) was a blunt instrument and artificial construct that was designed to influence behaviour.
- The ETS had a tenuous correlation with international accounting, national adaptation and climate change and there was a misconception of it being “the methodology” to constrain and provide for the removal of carbon emissions.

11.40 am – Cr Iti 11.35 am **entered** the meeting.

- Afforestation aligned with the underlying values for Māori and was better than pastoral use from an environmental perspective.
- Māori land characteristics lent itself to afforestation and would uplift and realise economic benefit for underutilised Māori land.
- Legislative constraints and loss of financial compensation were imposed on pre-1990 indigenous forests, of which Māori were the second largest owners.
- Outlined the financial and capability hurdles for Māori land trusts and the financial opportunities that would be lost from excluding exotics from the ETS permanent category.
- Approximately 80,000-160,000 hectares of Māori land that would be impacted by the ETS was predominantly located in the Waiariki, Te Tairāwhiti and Te Tai Tokerau electorates.

- Despite statements made by the Minister for Forestry, research and guidelines were available on the Ministry for Primary Industries' website that supported the transition of exotics into native.

11.50 am – Cr Clark **entered** the meeting.

- 77 percent of Whenua Oho's clients were interested in growing exotic pine for managed transition to native as an achievable pathway.
- A number of Māori landowners were unaware of the opportunities that were about to be taken away from them given the proposed ETS timeframes.
- Taking exotics out of the permanent category only met the needs of well-funded and organised farming lobby groups.
- Bay of Plenty Regional Council had a significant constituency that would be impacted by the ETS and considered it was Council's responsibility to reflect this position in their submission to the Minister.

In Response to Questions:

- The primary aim was to advocate growing exotic pine on marginal remote land. While native biomass was more preferable on steeper slopes than pine, forestry was better than pasture from an environmental perspective.
- Economically, the net present value of exotic afforestation (\$50K/hectare) outstripped beef and lamb (\$4,500/hectare) and also provided better return than dairy (\$30-35K/hectare).
- There was good research and evidence that exotic pine was a good nursery crop for indigenous forests and had a better sequestration rate than manuka and kanuka.
- Leasing land that was classified 6-8 had minimal return (\$100-\$200/hectare per annum) and financial lending options for Māori owned land remained unresolved.
- Under the ETS, the permanent forestry category required 30 percent canopy cover and allowed selective logging and transition if the landowner chose. There were no changes to rotational forestry under the regulation.
- Forestry logging slash was a detrimental impact to the environment that was unacceptable and which the industry needed to manage responsibly.
- The Climate Change Commission's target to plant 300,000 hectares by 2035 would not happen if exotics were removed from the permanent category.

Key Points - Members:

- Considered exotic pine biomass settings on steep slopes on above land use classification 6 were untenable – land slippage impacts.
- Thanked Mr Dewes for his valuable insights and would consider the issues raised in Council's submission to the Minister.

Items for Staff Follow Up:

- Provide Councillors a copy of Council's submission to the Minister on the ETS.

6. Reports Ngā Pūrongo

Information Only Hei Pānui Anake

6.1 Toi Kai Rawa progress report

Presentation - Toi Kai Rawa Trust Update: Objective ID A4074071 [↔](#)

Presented by: Te Horipo Karaitiana, Executive Trustee and Kylie Smallman,
Operations Manager/Acting Chief Executive, Toi Kai Rawa

Te Horipo Karaitiana and Kylie Smallman provided a presentation on key highlights and progress to date on Toi Kai Rawa's (TKR) Pakihi Ora, Tangata Ora and Whenua Ora workstreams.

Key Points:

- TKR's primary role was to use a Mātauranga Māori framework to design solutions into the gaps.
- The team had expanded to 10 staff members who were working on various projects across the region.
- 80 percent of the 36 projects in 2021/2022 were complete.
- Pakihi Ora workstream:
 - Progress was underway on connecting Māori business networks in the region;
 - Social procurement - a report had been completed by Māori economist Dr Jay Whitehead, which estimated \$126 million of revenue was required to support the transformation of Māori whānau in the region.
- Tangata Ora workstream:
 - Hihiko Te Arawa Auaha lead project would establish 12 innovation hubs within schools by June 2022.
 - Schools would design their own innovation plan based on their needs. TKR would engage with STEAM and digital tech providers to ensure the innovation hubs were of value and fit for purpose.
 - Covid-19 had been disruptive, however a mixed model with online delivery was in place to continue to deploy the project.
 - Lee Timutimu had established Te Matarau (Māori Tech Association) with approximately 100 entrepreneurs already engaged.
 - Ministry of Education had contracted TKR to provide six Tech Innovation Summits (Ko Māui Hangarau) for senior Māori secondary school students.
 - The Spark Foundation had offered to fund Māori tech scholarships and TKR were designing the scholarship programme.
- Whenua Ora:
 - Kererua Savage from GHA Consultants had been engaged to provide gap analysis to support integrated whenua development plans.
 - TKR would be working with the Federation of Māori Authorities to facilitate a Whenua Māori Innovation Summit for whenua Māori collectives in the region. The Summit would showcase innovation within the region, Aotearoa and global.
 - STEAM discovery tours were integrated with this workstream and showcased opportunities for rangatahi in the dairy value chain (Miraka), kiwifruit (Ngāi Tukairangi) and geothermal industry (Kawerau).
 - An internship and mentoring programme for Māori undergraduates had been established across the Kiwifruit industry value chain (i.e. Zespri, Te Awanui Huka Pak, Plant & Food Research). Next step was to extend this further into other industry value chains.
 - TKR in partnership with Ngā Pōtiki and Te Awanui Huka Pak were keen to develop one of the world's first Indigenous Innovation Parks, noting the benefits and increasing activity within Māori collectives to support it.
- Next Steps:
 - Pakihi Ora workstream:

- Continue to mobilise the Māori business eco-system.
- Progress advocacy on social procurement demand and supply. TKR were currently in discussions with Tauranga City Council and the Western Bay of Plenty District Council to secure Memorandums of Understanding.
- Tangata Ora workstream:
 - Deployment of 21 school innovation hubs by the end of Year 2.
- Whenua Ora workstream:
 - Development of a strategic report for Whenua Māori solutions lab.
 - Planning for a Whenua Māori Innovation Summit.

In Response to Questions:

- TKR's affiliation with the Tauranga Māori Business Network had provided understanding and learnings of what works for other sub-regional Māori business networks.
- TKR were starting to mobilise the Rotorua Māori Business Network and facilitate building leadership for the network.

12.49 pm – Cr Iti **entered** the meeting.

- TKR had progressed its alignment with other Economic Development Agencies (EDAs) and were now co-locating and hardwired in with Priority One and deepening strategic relationships with EDAs across their board networks.
- A report providing a regional overview and breakdown of TKR workstreams had been completed and was now in the final stages of review. Following the report's release, TKR would be available to present to Komiti Māori.

Key Points - Members:

- Thanked TKR for their presentation and applauded the progress made.
- Wished to see a six monthly dashboard that provided a breakdown with visual benchmarking of how projects were developing and tracking across the various economic development workstreams.

In Response to Questions:

- TKR's intent was to provide period reporting following the release of their initial annual report. TKR would be available to workshop and/or take a deeper dive into any operating areas that TKR work within.

Resolved

That the Komiti Māori:

- 1 Receives the report, Toi Kai Rawa progress report.**

**McDonald/Winters
CARRIED**

Decisions Required Ngā Whakatau e Hiahiatia Ana

6.2 Approval of Partnerships with Māori Action Plan

Presented by: Kataraina O'Brien, Director Strategic Engagement and Toni Briggs,
Senior Project Manager

Key Points:

- The Action Plan was presented for approval as part of Council's road map for transforming its partnerships with Māori.
- Council now had a Māori Partnerships programme and if the action plan is approved, would continue the work in this space.

Key Points - Members:

- The Action Plan would support Council to navigate into the future.
- The Māori partnerships space was moving ahead rapidly in a positive direction with significant investment made from a number of people.
- Regarding review provisions, considered that the Action Plan should be a living document that is kept up to date and constantly looking ahead.
- Supported the Māori Action Plan as a step change towards the Partnerships with Māori framework, which would need to evolve and provide for innovation in its implementation to accommodate better outcomes.

Key Points - Staff:

- Staff planned to include an extension of Te Hononga within the Action Plan as a wider Māori relationship engagement strategy.
- Recognised the Māori partnership space was complex, challenging and opportunistic, which the future document would be representative of.

Resolved

That the Komiti Māori:

- 1 Receives the report, Approval of Partnerships with Māori Action Plan.**
- 2 Approves the attached Partnerships with Māori Action Plan**
- 3 Delegates to the Strategic Engagement Director the ability to make minor amendments, if required, to the Partnerships with Māori Action Plan.**

**McDonald/Iti
CARRIED**

Information Only Hei Pānui Anake

6.3 Treaty Updates - Bay of Plenty

Presented by: Herewini Simpson, Kaihautu – Te Amorangi Lead

Key Points:

- Provided a summary of Treaty settlement arrangements that were anticipated in 2022/23:
 - Ngāti Rangitīhi arrangement was a conventional co-governance model for the Tarawera River that may inaugurate towards the end of 2022;
 - Te Whakatōhea arrangement was a relationship forum with a heavy focus on joint management agreements;

- Te Whānau a Apanui arrangement was bespoke comprising the entire rohe of Te Whānau a Apanui, which was expected to be established in 2023;
- Staff had sought to negotiate flexibility for Council representation for the Whakatōhea and Tarawera arrangements in consideration of the number of governance fora.
- A significant increase in Crown funding contribution had been agreed alongside the ability to transfer administrative responsibility in regard to Ngāti Rangitahi and Te Whakatōhea arrangements.
- The Waitangi Tribunal inquiry report for Motiti had provided clear advice for staff on who speak for tangata whenua groupings.
- Marine and Coastal Area hearing test cases for Ōpōtiki and Tauranga Moana appeals were still ongoing.

Key Points - Members:

- Pleased to see Crown funding contributions to support upcoming Treaty settlement arrangements, as a step forward from previous arrangements.

Resolved

That the Komiti Māori:

- 1 Receives the report, Treaty Updates - Bay of Plenty.**

**Crosby/White
CARRIED**

6.4 Ngā Kōrero a te Tiamana - Komiti Māori Chairperson's Report

Presented by: Cr Matemoana McDonald

Key Points:

- Noted that the Making Good Decisions Programme was being supported by Council staff member Reuben Fraser.
- Congratulated staff for the recognition of Te Hononga – Council's regional freshwater Māori engagement plan by Local Government New Zealand and which was now being used as a national template to assist others.

Resolved

That the Komiti Māori:

- 1 Receives the report, Ngā Kōrero a te Tiamana - Komiti Māori Chairperson's Report.**

**McDonald/Iti
CARRIED**

**7. Closing Prayer
Karakia Kati**

A karakia was provided by Cr Te Taru White.

1:18 pm – the meeting closed.

CONFIRMED

Cr Matemoana McDonald
Chairperson, Komiti Māori