



Tarawera Awa Restoration Strategy Group Rārangi Take (Agenda)

NOTICE IS GIVEN that the next meeting of the Tarawera Awa Restoration Strategy Group will be held in Mataatua Room, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on:

FRIDAY 1 NOVEMBER 2024 COMMENCING AT 09:30AM

Fiona McTavish
Chief Executive
23 October 2024

Tarawera Awa Restoration Strategy Group

Membership

Chairperson	Leith Comer (Te Mana o Ngāti Rangitihī)
Deputy Chairperson	Pouroto Ngaropo (Te Rūnanga o Ngāti Awa)
Tangata Whenua Members One appointed representative each: Te Mana o Ngāti Rangitihī Ngāti Mākino Iwi Authority Te Rūnanga o Ngāti Awa Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust	<i>Tīpene Marr (Alternate)</i> Awhi Awhimate <i>Laurance Tamati (Alternate)</i> Manu Glen (<i>Alternate</i>) Jim Schuster
Council Members One appointed member each: Bay of Plenty Regional Council Kawerau District Council Rotorua Lakes Council Whakatāne District Council	Chairman Doug Leeder <i>Cr Malcolm Campbell (Alternate)</i> Mayor Faylene Tunui <i>Deputy Mayor Aaron Rangihika (Alternate)</i> Cr Gregg Brown <i>Phill Thomass - Lakes Community Board (Alternate)</i> Mayor Victor Luca <i>Deputy Mayor Lesley Immink (Alternate)</i>
Quorum	Five members comprising: The Chairperson or Deputy Chairperson; and two Iwi members and two Council members.
Meeting frequency	Quarterly

Purpose

To support, co-ordinate and promote the integrated restoration of the mauri of the Tarawera Awa catchment.

Scope

The Strategy Group's scope covers the geographical area of the Tarawera River catchment, including its tributaries within the catchment area, as shown further below on map OMCR-102-032.

The Strategy Group is deemed to be a co-governance joint committee of the Bay of Plenty Regional Council; and is a permanent committee and must not be discharged unless all appointing organisations agree to the discharge.

Role

The functions of the Strategy Group are to —

- (a) develop a restoration strategy for the catchment, to be known as the Tarawera Awa Restoration Strategy Document; and
- (b) monitor the implementation and effectiveness of the Strategy Document; and
- (c) run and oversee restoration projects as required under the Strategy Document; and
- (d) seek funding for the restoration projects as required by the Strategy Document; and
- (e) communicate with stakeholders and the wider community to explain how decisions made or activities affecting the catchment align, or could be aligned, with the common vision, objectives, and desired outcomes for the catchment; and
- (f) establish 1 or more technical advisory groups as required, as outlined in section 134¹; and
- (g) seek the advice of a technical advisory group or the relevant local government in support of restoration activities; and
- (h) link stakeholders together so that activities that take place in the catchment, or that affect the mauri of the catchment, are compatible as far as possible with the common vision, objectives, and desired outcomes for the catchment; and
- (i) provide a framework to assist central government agencies and local government so that they may have regard to the common vision, objectives, and desired outcomes for the catchment; and
- (j) undertake any other function required to achieve the purpose of the Strategy Group.

Decision Making

The Strategy Group must make its decisions by vote at a meeting and strive to achieve consensus; and approach decision making in a manner that is consistent with, and reflects its purpose; and acknowledges, as appropriate, the interests of iwi in particular parts of the catchment.

The Chairperson and Deputy Chairperson may vote on any matter, but do not have a casting vote.

¹ [s134 Ngāti Rangitahi Claims Settlement Act 2022](#)

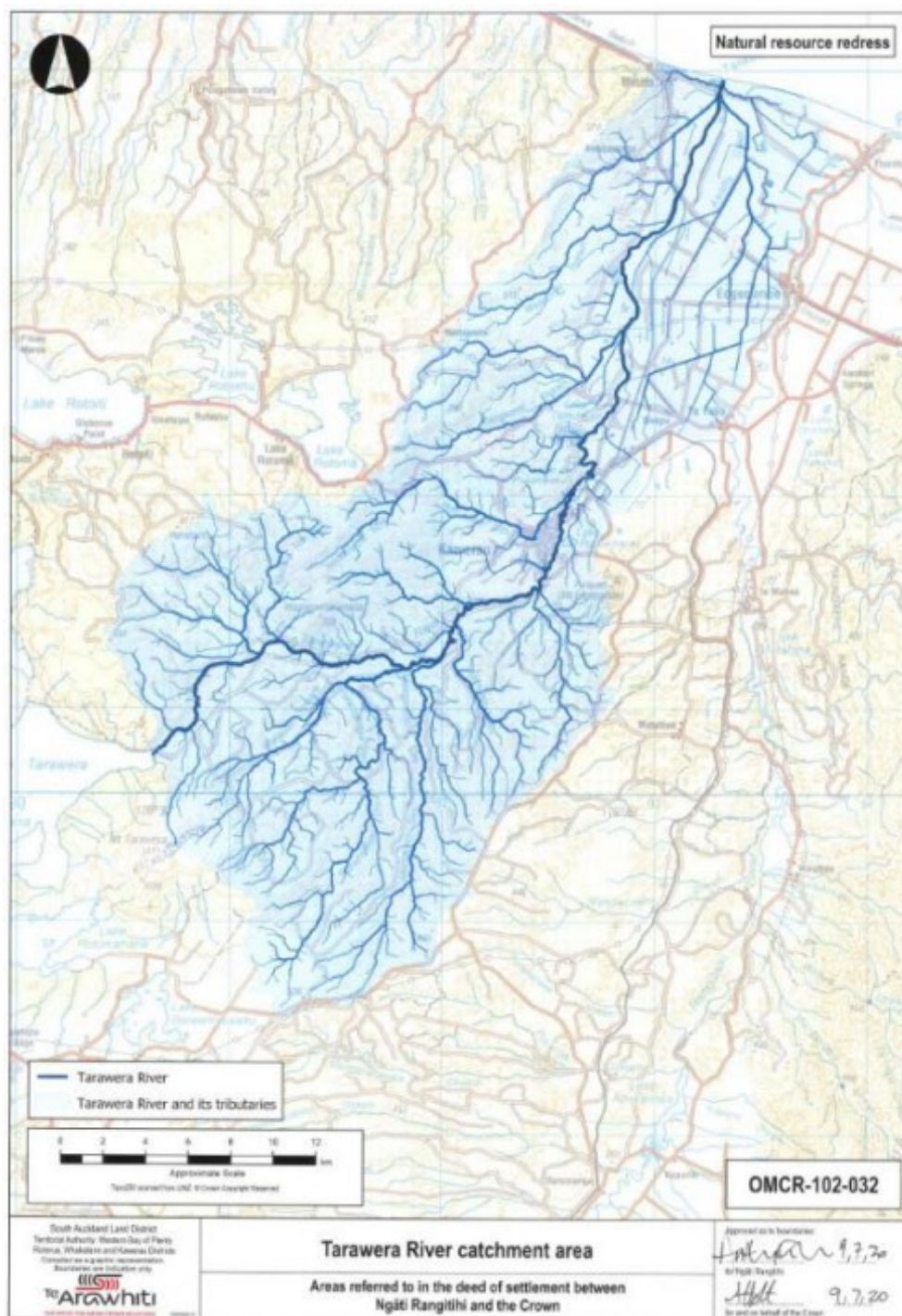
Power to Act

Except as provided for in the purpose above, the Strategy Group has discretion to determine in any particular circumstances whether to perform any function specified and how, and to what extent, any function specified is performed.

Power to Recommend

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

Strategy Group members report directly to their respective appointing organisations.



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

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 **Tarawera Awa Restoration Strategy Group Minutes - 9 August
2024** **7**
8. **Ngā Pūrongo
Reports**
 - 8.1 **Legislated Responsibilities of the Tarawera Awa Restoration
Strategy Group** **16**

The paper was developed by the TARSG Iwi Collective to fulfil legal obligations under the Ngāti Rangitihi Treaty Settlement and is aimed at implementing the necessary activities to restore the mauri of Tarawera Awa and Te Awa o Te Atua.
 - 8.2 **TARSG Iwi Collective Progress Report** **25**

The paper outlines the grading of water quality, water allocation and the restoration of mauri to Tarawera Awa and Te Awa o te Atua since the Freshwater Management Planning workshop held September 2024.

9. Whakahoutanga Kōrero Verbal Updates

9.1 Tarawera Awa Restoration Strategy Group (TARSG) Iwi Collective Proposition

Presented by: Leith Comer, TARSG Chairperson

Attachment 1 - TARSG Iwi Collective Proposition 26

9.2 Kānoa Funding Proposal Outline

Presented by: Dr Emily Afoa, Technical Planning Engineer (Tektus Consultants Ltd)

8. Ngā Pūrongo Reports (Continued)

8.3 Project Team Update 27

8.4 Amendment to Standing Orders: Virtual Attendance at Meetings 29

Attachment 1 - Proposed Amendments to Standing Orders (Adopted 28
February 2023) 25

Attachment 2 - Extract: Local Government Electoral Legislation Act 2023
(Version as at 31 July 2024) - Part 2 Amendment to LGA 2002 35

10. Ngā Whakamārama a Ngā Rōpū Update from Partners

10.1 Ngāti Mākino

10.2 Ngāti Rangitihi

10.3 Ngāti Awa

10.4 Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust

10.5 Rotorua Lakes Council

10.6 Kawerau District Council

10.7 Whakatāne District Council

10.8 Bay of Plenty Regional Council Toi Moana

11. Ngā Take Tōmuri Hei Whakaaroaro Consideration of Items not on the Agenda

12. Karakia Kati Closing Prayer

Tarawera Awa Restoration Strategy Group

Ngā Meneti Open Minutes

Commencing: Friday 9 August 2024, 09:30 AM

Venue: Rangitihī Marae, 14 Marae Lane, Matatā

Heamana

Chairperson: Chair Leith Comer - Te Mana o Ngāti Rangitihī Trust (TMoNRT)

Heamana Tuarua

Deputy Chairperson: Dr Pouroto Ngaropo - Te Rūnanga o Ngāti Awa (TRoNA)

Ngā Kopounga

Members:

Bay of Plenty Regional Council Toi Moana (BOPRC):
Cr Malcolm Campbell (Alternate)

Kawerau District Council (KDC):
Mayor Faylene Tunui

Ngāti Mākinō Iwi Authority (NMIA):
Awhi Awhimate

Ngāti Tūwharetoa (BOP) Settlement Trust:
Jim Schuster

TMoNRT:
Tiipene Marr (Alternate)

TRoNA:
Manu Glen (Alternate)

Whakatāne District Council (WDC):
Mayor Victor Luca, Deputy Mayor Lesley Immink (Alternate)

Te Hunga i Tae Ake In Attendance:

BOPRC: Chris Ingle - General Manager Integrated Catchments, Kerry Brown - Kaitohutohu Taiao Matua (Senior Advisor), Gemma Moleta - Senior Planner (Water Policy), Gina Mohi - Pūtaiao Mātauranga, Margaret Courtney - Senior Advisor, Shari Kameta - Committee Advisor
TMoNRT: Miria Nicholls - Kaiawhina Hapori | Taiao Admin Support - Environmental & Social, Simon Costar and Destiny Wharewera-Mason - Cultural Monitors
Staff/Presenters: as listed in the minutes

Ngā Hōnea Apologies:

Cr Gregg Brown and Lakes Community Board Chair Phill Thomass (Alternate) - Rotorua Lakes Council; Chairman Doug Leeder - BOPRC; Laurance Tamati (Alternate) - NMIA; Deputy Mayor Aaron Rangihika (Alternate), Morgan Godfery (Chief Executive), Kaumatua Te Haukākawa Te Rire (Cultural Advisor) - KDC

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Dr Pouroto Ngaropo.

2. Ngā Hōnea Apologies

Resolved

That the Tarawera Awa Restoration Strategy Group:

- 1 Accepts the apologies from Cr Gregg Brown, Chairman Doug Leeder, Deputy Mayor Aaron Rangihika, Laurance Tamati, Lakes Community Board Chair Phill Thomass, Morgan Godfery and Te Haukākawa Te Rire tendered at the meeting.

Campbell/Luca
CARRIED

3. Raupapa o Ngā Take Order of Business

The Chair advised that Item 9.1, Chairperson's Report would be considered before Presentation Item 8.1, Joint Advisory Committee (JAC) for Matatā Scenic Reserve, Whakapaukorero and Te Awa o te Atua.

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

None declared.

5. Ngā Meneti Minutes

**Kia Whakaūngia Ngā Meneti
Minutes to be Confirmed**

5.1 Tarawera Awa Restoration Strategy Group Minutes - 18 June 2024 Matters Arising

In relation to Minute Item 8.2 (Plan Change 11 Geothermal Pre-Draft Engagement) - sought assurance that staff were engaging directly with the relevant stakeholders in regard to the Kawerau geothermal resource, including on best practice methods.

Resolved

That the Tarawera Awa Restoration Strategy Group:

- 1 **Confirms the Tarawera Awa Restoration Strategy Group Minutes - 18 June 2024 as a true and correct record.**

Awhimate/Ngaropo
CARRIED

6. Ngā Pūrongo Reports

6.1 Chairperson's Report

Presented by: Chair Leith Comer

Motion

Moved: Comer

Seconded: Ngaropo

Formally invites the Department of Conservation (DOC) to be a partner representative on the Tarawera Awa Restoration Strategy Group and Project Team.

Key Points - Chair:

- Welcomed Ms Merenia Sawrey, Kaitohu Matua Treaty Partner Relationships from the Department of Conservation (DOC)
- Considered it appropriate that DOC be invited to fully participate on the Strategy Group, both at the governance and project team level, given its mandate to consult and have regard to conservation matters relating to Te Awa o te Atua
- Ms Sawrey would be a suitable candidate as a senior DOC representative and member of the Joint Advisory Committee (JAC)
- Expected that DOC would be required to participate in future consent processes to support the Strategy Group's aspiration to reconnect the course of the Tarawera Awa back through to Te Awa o te Atua.
- The Chair was available to meet with DOC management to support the request.

Key Points - Members:

- Supported the motion
- Referred to clauses (g) to (i) within the Strategy Group's terms of reference that supported the motion.

The motion was **PUT** and **CARRIED**.

Resolved

That the Tarawera Awa Restoration Strategy Group:

- 1 **Formally invites the Department of Conservation (DOC) to be a partner representative on the Tarawera Awa Restoration Strategy Group and Project Team.**

**Comer/Ngaropo
CARRIED**

Key Points - Chair (Continued):

- Minister Shane Jones had provided the following feedback from the meeting held on 6 August 2024:
 - Supported in-principle the aspiration to restore the mauri of Te Awa o te Atua and to enable economic opportunities for Matatā and the eastern Bay of Plenty
 - Emphasised the need of a viability study to support consent requirements. The Chair noted that the Project team would undertake the necessary investigations to determine what was possible
 - The Matatā wastewater scheme proposal did not fit the Regional Infrastructure funding criteria and should be referred to Local Government Minister Simeon Brown.

Key Points - Members:

- Pleased with the direction of focus to restore the mauri of Te Awa o te Atua
- Acknowledged the Chair's relationships and influence at the national level, and the Chair and Project team's attending the Whakatāne District Council's Long Term Plan hearing to support the Matatā wastewater submission.

Resolved

That the Tarawera Awa Restoration Strategy Group:

- 1 **Receives the Chairperson's Report.**

**Ngaropo/Tunui
CARRIED**

7. Whakaaturanga Presentations

7.1 Joint Advisory Committee (JAC) for Matatā Scenic Reserve, Whakapaukorero and Te Awa o te Atua

*Presentation - Te Tatau Pounamu o Te Awa o Te Atua Joint Advisory Committee:
Objective ID A4739942*

Presented by: Merenia Sawrey - Kaitohu Matua Treaty Partner Relationships,
Department of Conservation

Key Points:

- Provided background on 'Te Tatau Pounamu o Te Awa o Te Atua' Joint Advisory Committee (JAC) which had been established under the Ngāti Awa Claims Settlement Act 2005 to advise the Minister of Conservation and the Director-General on conservation matters affecting the specified sites which included Te Awa o te Atua (Matatā lagoon)
- Ms Sawrey's role of servicing the JAC commenced six months ago

- Acknowledged past and current JAC members, and those who were members of both the JAC and Strategy Group
- Outlined the five sites that the JAC was responsible for providing advice to DOC and the respective post-settlement governance entities
- After a two-year hiatus, the JAC re-established in mid-2023 with an initial focus to re-orientate within a new landscape of conservation stakeholders, challenges and opportunities
- Current focus of the JAC was to develop a five-year strategic aspirations document to set management priorities for each reserve. Key focus areas were to: gather input from stakeholders, enable nohoanga (site) access for reconnection and better care of taiao, advocacy and developing its strategic aspirations
- Highlighted DOC's position to:
 - Refine its mahi by providing quality over quantity with the limited resources that it had;
 - Focus on visitor and heritage experiences to enable engagement in the taiao
- DOC recognised the current (declined) state of Te Awa o te Atua lagoon. While DOC had limited capacity to contribute to restoring the mauri of the lagoon, they agreed and supported the sentiment and direction needed to reinstate biodiversity and reconnect people with place.

Key Points - Members:

- Acknowledged the presentation, mahi and past JAC members, alongside the coming together of iwi as a collective and the different roles of the JAC and Strategy Group
- Acknowledged the JAC as a key stakeholder of the Strategy Group and building a connection with DOC to obtain access to the respective sites
- Queried how the Strategy Group would interface with DOC on consenting matters, which Ms Sawrey noted for follow-up.

8. Ngā Pūrongo Reports (Continued)

8.1 Project Team Update

Presentation - Iwi and Stakeholder Engagement - TARSG Draft Strategic Objectives: Objective ID A4743799

Presented by: Dr Frances Teinakore-Curtis, Project Manager, Jane Waldon, Co-Governance Secretariat/Iwi-Stakeholder Engagement, Dr Emily Afoa, Technical Planning Engineer and Keri Topperwien - Plan Writer

Key Points:

- Sought advice on the question raised under section 3.4 of the Chairperson's report regarding responsibility of water quality monitoring, noting that the Project team wished to define this in respective Kōtuku Agreements that were to be formed with various stakeholders
- Iwi and stakeholder engagement (refer PowerPoint Presentation):
 - An iterative engagement process would be used to enable stakeholders meaningful input into the development of the Strategy document
 - Outlined the schedule of engagements that were currently in progress
 - Where possible, the Project team would look to attend stakeholder and community group hui to create efficiencies/reduce engagement fatigue

- Reference material would be provided to stakeholders ahead of time to inform discussions
- Technical planning:
 - Still progressing in the data discovery phase, involving data compilation from a lot of different people and organisations
 - Parallel strand of work to prepare a work plan for developing a business case in relation to Aspiration 1 to reconnect water flow into Te Awa o te Atua and out to Mihimarino
 - A hui would be requested with the Iwi Collective to better understand and demonstrate individual identity within the information/catchment
- Strategic Objectives development:
 - Currently in a holding pattern, but was observing and providing support while stakeholder engagement and other workstreams were getting underway
- Cultural monitoring:
 - Introduced cultural monitors Simon Costar (Ngāti Rangitihi) and Destiny Wharewera-Mason (Ngāti Rangitihi, Ngāti Awa) who were part of Ngāti Rangitihi's taiao management team and would be supporting the project
 - Noted also some good cultural monitoring work being undertaken by Ngāti Awa and Ngāti Tuwharetoa ki Kawerau within their own spaces that would be critical to some of the technical planning and Mātauranga Māori monitoring at specific sites in the future.

In Response to Questions:

- The next newsletter issue would be prepared during the following month for future release.

Key Points - Members:

- Provided the following feedback on iwi/stakeholder engagement:
 - Sought consideration to engage other geothermal users within the Kawerau geothermal field and/or catchment, along with Fonterra Edgecumbe and the Joint Advisory Committee if appropriate
 - Kawerau District Council were currently engaging with community on a number of challenging issues, therefore recommended the Project team engage separately with community/stakeholders rather than linking in with council-held hui/events
 - Suggested seeking engagement by activity, i.e. geothermal, forestry, farmers
 - Kawerau district now only had two marae within its district (Rautahi and Tohia o te Rangi Marae) as a result of a boundary change
 - It was important to engage with as many affected community members/stakeholders, including marae/hapū and those at the grassroots level.

Key Points - Staff:

- Acknowledged members feedback and signalled a request to work with members further on stakeholder engagement
- Queried whether the Rangitāiki River Forum should be included as part of stakeholder engagement.

Resolved

That the Tarawera Awa Restoration Strategy Group:

- 1 Receives the report, Project Team Update.**

**Awhimate/Tunui
CARRIED**

Item 7.1

8.2 Outcome of Te Mahere Tūroa | Long Term Plan 2024 - 2034

Presented by: Chris Ingle, General Manager Integrated Catchments

Key Points:

- Highlighted Regional Council's adoption of the new community outcome Te Ara Poutama and a number of recommendations to support it, including approved the establishment of a Regional Co-Governance Secretariat Fund (RCSF), which the Strategy Group and Rangitāiki River Forum had supported in their submissions to the LTP
- The funding policy to support the RCSF would be reported to Komiti Māori in October 2024 for final approval.

Resolved

That the Tarawera Awa Restoration Strategy Group:

- 1 Receives the report, Outcome of Te Mahere Tūroa | Long Term Plan 2024 - 2034.**

**Ngaropo/Campbell
CARRIED**

9. Whakaaturanga Presentations

9.1 Freshwater Biosecurity Update on work in Tarawera Awa and Te Awa o Te Atua Lagoon

Presentation - Biosecurity Freshwater Update: Objective ID A4744919

Tabled Document 1 - Biosecurity Freshwater Update Memorandum (24 July 2024): Objective ID A4736903

Presented by: Shane Grayling, Team Leader, Biosecurity and Te Wakaunua Te Kurapa, Biosecurity Officer

Key Points:

- Provided an overview of three pest species (Alligator weed, Rudd fish and Sagittaria) that were present in the lower reaches of the Tarawera and Rangitāiki Awa and current control methods/programme being used:
 - Alligator weed - NIWA had recommended new control methods that were environmentally safe
 - Rudd fish - Council staff were working with the Department of Conservation and Ngāti Rangitīhi cultural monitors on a control plan that would involve netting
 - Sagittaria - there was a large presence in Te Awa o te Atua lagoon but could be effectively controlled
- A detailed description of the pests and associated controls was circulated to members for information (refer Tabled Document).

In Response to Questions:

- Pest plant species generally dominated over native vegetation and had a detrimental impact on the eco-system, i.e. reduced habitat and flooding
- Very low levels of glyphosate and metsulfuron were used in controls.

Key Points - Members:

- Sought consideration of a more strategic and integrated monitoring programme approach for the catchment (from source to sea) to improve resource efficiencies and potential issues from occurring downstream.

Items for Staff Follow Up:

- Members requested information on: native species that had been present before the pest species; and further information regarding control methods and associated nitrogen and phosphate outputs.

Resolved

- 1 **Receives the presentation, Freshwater Biosecurity Update on work in Tarawera Awa and Te Awa o te Atua lagoon.**

**Tunui/Campbell
CARRIED**

10. Ngā Whakamārama a Ngā Rōpū Update from Partners

10.1 Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust (NTST)

- The Project team had held an engagement hui with NTST with feedback provided in relation to geothermal discharges into the Tarawera Awa, which the Project team had noted for further consideration
- Ngāti Tūwharetoa would seek to present their geothermal data to the next TARSG Iwi Collective hui on 9 September 2024.

10.2 Kawerau District Council (KDC)

- KDC had a number of issues it was currently dealing with
- Supported the mahi that was taking place in the Strategy Group space
- Kawerau had hosted the Rangitāiki Kapa Haka festival 6-7 August, which had been a joyous occasion.

10.3 Whakatāne District Council (WDC)

- WDC had adopted its Long Term Plan on Monday 5 August 2024
- Following the Chief Executive's resignation in May 2024, WDC were close to finalising a replacement
- Central Government's Local Water Done Well proposal would be a key focus of work, and would be discussed at the Mayoral Forum meeting on 16 August 2024.

10.4 Bay of Plenty Regional Council Toi Moana

- Supported the mahi and objectives of the Strategy Group, however noted the limited resources available across the current landscape.

11. Karakia Kati Closing Karakia

A karakia was provided by Dr Pouroto Ngaropo.

11:58 am - the meeting closed.

CONFIRMED

Chair Leith Comer
Chairperson
Tarawera Awa Restoration Strategy Group

The legislated responsibilities of the Tarawera Restoration Strategy Group.

A paper by the Tarawera Iwi Collective – October 2024

Section 1. The cultural, environmental, and economic destruction of two significant waterways: Te Awa o te Atua and Tarawera Awa.

The Tarawera Awa and Te Awa o te Atua are taonga tuku iho, deeply woven into the identity of Ngāti Rangitihi, Ngāti Awa, Ngāti Mākino, and Tūwharetoa ki Kawerau (the Tarawera Awa Iwi Collective). Once part of a thriving network, the Tarawera and Rangitāiki rivers and the Ōrini stream flowed together through Te Awa o te Atua, sustaining life along their path to Te Moana-nui-a-Toi at Mihimarino.

Our connection to these waterways is grounded in mana, tikanga, and rangatiratanga, affirmed by Te Tiriti o Waitangi. As kaitiaki, we are committed to safeguarding the mauri of these so that our mokopuna may continue to experience and nurture these special relationships for generations to come.

Te Awa o te Atua is a place of immense significance. It welcomed the Arawa and Mataatua waka, where the tohunga Ngātoroirangi began his sacred journey to Tongariro. In later centuries, it became a bustling inland port, facilitating trade and relationships that shaped the whakapapa of Ngāti Rangitihi. For Te Arawa and Mataatua, this site retains a profound spiritual connection.

However, driven by the pursuit of economic gain, the Tarawera Awa was diverted from its natural course in the early 20th century, as part of the Rangitāiki Drainage Scheme, severing its flow into Te Awa o te Atua. Canals and drains carved through vast wetlands, destroying their ability to regulate and filter water as the 'kidneys of the landscape', and transforming them into the Rangitāiki Plains for agriculture.

The once-thriving estuarine environment of Te Awa o te Atua became stagnant and polluted, no longer resembling the vital life source it once was. The diversion, compounded by the drainage of the Rangitāiki swamp, critically depleted the natural food sources and mahinga kai that had sustained our people for generations. These actions irrevocably impacted Te Mauri me Te Mana o Te Awa o te Atua ki Tarawera.

For the iwi of the Tarawera Awa collective, these actions have been a source of profound hurt that persists to this day. It has devastated aquatic life and deprived Ngāti Rangitihi of traditional uses of the river, including mahinga kai and access to safe drinking water.

The degradation worsened in the 1950s, when the Crown established a sawmill and pulp-and-paper mill at Kawerau allowing untreated waste to be discharged into the river. Four years later, the Crown established the 1954 "Enabling Act" and sold the mill, leaving the existing permissive discharge legislation in place. This meant that the new owners, Tasman Pulp and Paper, were exempt from pollution controls. As a result, the river sadly became known as "the black drain."

The environmental destruction caused by the Crown's past actions has left lasting, intergenerational scars for Ngā Iwi o Tarawera, which continue to be felt today. This damage has disrupted the transfer

of knowledge across generations, eroded cultural practices, and weakened our economic independence. With the loss of access to healthy waterways, and the ecological abundance they support, our opportunities for sustainable economic development have been severely diminished.

Section 2. The Crown's acknowledgement and apology that it breached its Treaty of Waitangi responsibilities.

The Ngāti Rangitahi Claims Settlement Act 2022 marks the Crown's formal acknowledgment and unreserved apology for historical breaches of Te Tiriti o Waitangi and for the degradation of the Tarawera Awa, which continues to impact the iwi today.

The Settlement Act not only recognizes the severe damage inflicted on the Tarawera Awa but also acknowledges the ongoing effects on Ngāti Rangitahi. It enshrines the Crown's commitment to addressing these grievances through both an apology and promises of remedial actions. These efforts aim to restore the mauri and health of the river and repair the cultural and environmental relationships that have been harmed:

The Crown makes the following apology to Ngāti Rangitahi, to your tūpuna and to your mokopuna, and recognises your arduous journey in pursuit of justice. This apology is long overdue.

The Crown is profoundly sorry for the many hardships and tribulations Ngāti Rangitahi have endured, and unreservedly apologises for its failure to fulfil its obligations to you under the Treaty of Waitangi.

The Crown's failure to protect the Tarawera River, a taonga of immense economic, cultural, and spiritual significance to Ngāti Rangitahi, left the river defiled, degraded and polluted. The Crown's acquisition of Ngāti Rangitahi lands combined with environmental damage has had a devastating social and economic impact on Ngāti Rangitahi, undermined your cultural hauora and left you feeling as strangers in your own rohe. For this the Crown apologises.

It is the Crown's wish that through this settlement it can restore its sullied honour and atone for the past injustices it has inflicted upon Ngāti Rangitahi. The Crown pays tribute to your proven loyalty, including your long and honourable record of military service in many countries and your resilience in the face of great adversity.

The Crown hopes this settlement will be a starting point rather than an end, and will signal the beginning of a new, strengthened relationship between Ngāti Rangitahi and the Crown based on co-operation, mutual trust and respect for the Treaty of Waitangi.

Ngāti Rangitahi Claims Settlement Act, s 10.

The admission, apology, and promise of redress carry profound significance. While the apology is a crucial step toward reconciliation, words alone cannot mend the harm nor restore mauri. The Crown must now honour its commitment to the principles of Te Tiriti o Waitangi by actively supporting restoration efforts that heal both the environment and the people of Ngāti Rangitahi.

Section 3. Forming the Tarawera Awa Restoration Strategy Group to Restore the mauri of Tarawera Awa and Te Awa o te Atua

The establishment of the Tarawera Awa Restoration Strategy Group (TARSG) stems directly from the Ngāti Rangitīhi settlement, supported by the collective efforts of all iwi connected to Te Awa o te Atua. The TARSG is comprised of representatives from Te Mana o Ngāti Rangitīhi Trust, Ngāti Mākino Iwi Authority, Te Rūnanga o Ngāti Awa, Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust, Bay of Plenty Regional Council, Kawerau District Council, Rotorua Lakes Council and Whakatāne District Council.

The group's mandate is clear: to coordinate and promote the integrated restoration of the Tarawera catchment's mauri. A key responsibility is to develop and implement the Tarawera Awa Restoration Strategy Document under a co-governance framework, aimed at restoring the mauri of both the Tarawera River and Te Awa o te Atua.

The Tarawera Awa Restoration Strategy carries substantial statutory weight, as demonstrated by the requirement for RMA processes and planning documents to directly respond to it:

Under Section 137 of the Ngāti Rangitīhi Claims Settlement Act 2022 Toi Moana is **required to 'recognise and provide for'** the common vision, objectives and desired outcomes 'in the final approved Strategy Document. This requirement applies **whenever Toi Moana is preparing, approving, varying or changing the Bay of Plenty Regional Policy Statement or any regional plans**. This requirement must be met each time Toi Moana proposes changes to its RPS or regional plans which have direct application within the Tarawera catchment. **Any RPS or regional plan change to recognise and provide for the Strategy Document's common vision, objectives and desired outcomes** must go through a formal Freshwater Planning Process. This is the same process which Proposed Change 5 (Kaituna River) to the RPS is currently following and is based on the premise that the Strategy Document will have a strong emphasis on freshwater quality (BOPRC Meeting minutes Item 8.1 2023:23 – emphasis added).

Restoring the mauri involves more than addressing physical pollution; it requires reinstating the life force that sustains communities, ecosystems, and cultural practices. TARSG has committed to a novel strategy by releasing high-level aspirations for the Tarawera Awa, aiming to highlight the scale of harm inflicted on our waters and the significant actions required from all who interact with the awa to improve Te Mana me Te Mauri o te Wai.

By embedding a staged approach to the Strategy's development, complemented by a comprehensive community engagement program, we aim to unite as a community in restoring the mauri of the Tarawera River, honouring our relationships with these waters. This journey demands more than goodwill; it requires decisive action and bold leadership.

Progress hinges on activating the right legislative levers—through policy, planning, and informed decision-making—alongside a commitment from statutory authorities to implement the transformative changes necessary for restoring the river's mauri. This is why the makeup of the Co-Governance Group is vitally important. It requires a courageous and collaborative approach to restore the mauri and to establish protective measures that prevent the injustices of the past from recurring. It is a legal obligation and therefore there is a level of accountability and responsibility for every representative body on the TARSG .

As identified in the Legal Paper prepared by Thorndon Chambers (2023), failure to meet these obligations would breach Te Tiriti o Waitangi, undermining the commitments made in the settlement and exposing the Crown and councils to significant legal and reputational repercussions.

This settlement carries weight not only as a mechanism for righting historical injustices but as a blueprint for how modern governance must respect and uplift Māori values, ensuring that restorative efforts are not just promises but fulfilled responsibilities. Anything less than full compliance and accountability would dishonour the Treaty partnership and perpetuate the very harms the settlement seeks to address. Together, we must ensure these obligations are met with integrity, forging a future where the Tarawera and Te Awa o te Atua flows with restored life and vitality, for the benefit of all.

Section 4. The definition of mauri

Mauri, as understood by the Iwi Collective of Tarawera Awa, is the life force inherent in all living things—a sacred essence passed down through whakapapa from our Creator to our ancestors, and from them to us. Mauri influences and is influenced by the surrounding environment. Te Mauri o te Wai has existed since the dawn of time. Its vitality is inseparable from the land, the mountains, and the ocean, with every form—whether underground streams, surface flows, waterfalls, creeks, swamps, rivers, or lakes— that collectively sustains all life including the waters that resides within us.

To allow the ongoing pollution of Tarawera Awa is to erode not just the river's health but also the cultural practices, values, and deep relationships that bind the iwi to the awa—a taonga of immense spiritual and cultural significance. Restoring its mauri is not merely about addressing pollution; it is about rekindling the life force that nourishes ecosystems, strengthens communities, and sustains cultural traditions across generations.

Section 5. Legislative responsibilities - Giving effect to the actions required to restore the mauri of both waterways.

“As long as Te Awa o te Atua remains stagnant and polluted, these wounds cannot heal”

Tarawera Iwi Collective (2023).

To restore the mauri of Te Awa o te Atua ki Tarawera as outlined in the Strategy, it is essential that legal mechanisms are in place to hold government agencies accountable. Ngāti Rangitihī's experience has shown that relying on the goodwill of government bodies is insufficient to protect the environment and uphold Treaty rights and obligations. As the iwi collective, we stand in unwavering solidarity with Ngāti Rangitihī and are resolute in our expectation that the Crown will fulfil its legal obligations. Legal advice and guidance are critical in ensuring that the actions required to restore the mauri of both the Tarawera River and Te Awa o te Atua are implemented in a meaningful and enforceable way.

The settlement provides a framework for restoration, but without robust legal enforcement, the objectives of the Tarawera Awa Restoration Strategy Group could be undermined by competing interests or a lack of commitment from key stakeholders. Therefore, Ngāti Rangitihī must seek legal advice to ensure that the Crown and government agencies are obligated to act in accordance with the principles of the Treaty and the specific requirements of the settlement. The Tarawera Iwi Collective acknowledges the Bay of Plenty Regional Council's (BOPRC) concurrent development of a Freshwater

Management Strategy for the Tarawera Catchment. This strategy is designed to guide BOPRC in managing freshwater resources. Therefore, it is crucial that the Tarawera Awa Strategy informs this policy document -this includes the recognition of the significance of Te Awa o te Atua.

Legal frameworks must also address the cumulative effects of pollution and ensure that future activities do not compromise the health of the waterways. This requires a clear commitment from government agencies to prioritize the restoration of mauri in all decision-making processes related to land and water use in the region. Ensuring that these legal obligations are enforceable is critical to the success of the restoration efforts and the protection of Ngāti Rangitahi's rights and interests. Failure to meet the terms enshrined in the Ngāti Rangitahi Settlement poses significant legal, economic and reputational risk to all parties bound by the co-governance arrangement under the TARSG.

By restoring the mauri of these waterways, Ngāti Rangitahi can reclaim their role as kaitiaki and rebuild the cultural and spiritual connections that have been eroded over generations. The future of these waterways—and the people who depend on them—hinges on the Crown's commitment to fulfilling its Treaty obligations and supporting a process of healing and restoration.

The return of the kōtuku

The primary purpose of this paper is to emphasise the legislative responsibility of the TARSG in restoring the mauri of both the Tarawera Awa and Te Awa o te Atua. It provides a clear definition of mauri and outlines some useful comment on legal actions that could be taken if we are unable to achieve our legislative responsibilities.

The paper however would be incomplete if we did not outline our thinking as to how we intend to achieve the challenging responsibilities of mauri restoration. To be successful we must pursue a strategy of engaging the many stakeholders; communities, iwi, farmers, commercial operators, industry, and local authorities. We must convince them of the importance of this kaupapa by identifying the cultural, environmental, and economic benefits that can be achieved by restoring and sustaining the mauri of Te Awa o te Atua and Tarawera Awa.

We aim to inspire stakeholders with the story of the kōtuku, which once flocked to Te Awa o te Atua during migration, bringing joy to the Matatā community. Their absence today is a loss we seek to remedy. We want to see the return of the kōtuku and encourage people to feel they have played a role in this revival. Our proactive engagement strategy is already in motion. We are working to establish kōtuku agreements with all interested parties. These agreements serve as a relationship framework that facilitates shared outcomes and goals. The positive responses we've received underscore a collective desire to participate in this meaningful kaupapa.

The Ngāti Rangitahi Treaty Settlement reflects a dual commitment to restoring the mauri of Te Awa o Te Atua and the Tarawera Awa, while also fostering economic growth. We acknowledge that achieving full restoration of mauri would necessitate the immediate cessation of all contamination entering our waterways. However, rather than pursuing this strict definition, we support the Bay of Plenty Regional Council's approach, which emphasizes continuous improvement and accountability from users. Nevertheless, we expect all stakeholders to embrace the long-term aspiration of eventually achieving the complete cessation of contamination into these waterways.

We recognise the importance of providing current resource consent holders with certainty and security over water access as per consent conditions. We also recognise the potential use of the water that flows directly out to sea at "the cut" to be diverted into Te Awa o te Atua which is a critical component of the restoration of Mauri. Ngā iwi o Tarawera are currently preparing a proposal to attain

a water allocation for this purpose. This plan will need to ensure sufficient flow remains in the Tarawera Awa.

This essential piece of work will demonstrate how this flow can be safely and sustainably created while highlighting the cultural, environmental, and economic benefits that will accrue to iwi, residents of Matatā, and the community of Eastern Bay of Plenty.

Concluding remarks

Finally, we encourage BOPRC and district councils to advance their efforts in improving three waters management. Projects to enhance wastewater reticulation in Matatā, Tarawera, and Edgecumbe are critical to restoring the mauri of both waterways. These efforts will necessitate effective spatial planning to help communities adapt to the changes. The transformation of Matatā is key to fostering a prosperous future for our communities, enhancing economic growth, environmental health, and local livelihoods. By working together, we can cultivate a future that is both sustainable and prosperous for all.

He whakatauki mō te mauri o te wai

'Ka ora te wai, ka ora te maunga. Ka ora te maunga, ka ora te whenua. Ka ora te whenua, ka ora te tangata. Ka ora te wai, ka ora te taiao. Ka ora te wai ka ora te ao.'

'When the life force of the water is alive, then the mountains will live. When the mountains live, the land will live. When the land lives, the water lives, when the environment and water are alive, balance, peace and order will prevail. 'The world lives.'

TARSG Iwi Collective (2023).

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Glossary of Terms

<i>Taonga Tuku Iho</i>	Culturally valued person, place or object that has been handed down through the generations.
<i>Mana</i>	<p><i>Mana</i> is a supernatural force in a person, place or object. <i>Mana</i> goes hand in hand with <i>tapu</i>, one affecting the other. The more prestigious the event, person or object, the more it is surrounded by <i>tapu</i> and <i>mana</i>. <i>Mana</i> is the enduring, indestructible power of the <i>atua</i> and is inherited at birth. Since authority is a spiritual gift delegated by the <i>atua</i>, man remains the agent, never the source of <i>mana</i>.</p> <p><i>Mana</i> gives a person the authority to lead, organise and regulate communal expeditions and activities, to make decisions regarding social and political matters. A person or tribe's <i>mana</i> can increase from successful ventures or decrease through the lack of success. The tribe give <i>mana</i> to their chief and empower him/her and in turn the <i>mana</i> of an <i>ariki</i> or <i>rangatira</i> spreads to his/her people and their land, water and resources. Almost every activity has a link with the maintenance and enhancement of <i>mana</i> and <i>tapu</i>. Animate and inanimate objects can also have <i>mana</i> as they also derive from the <i>atua</i> and because of their own association with people imbued with <i>mana</i> or because they are used in significant events. There is also an element of stewardship, or <i>kaitiakitanga</i>, associated with the term when it is used in relation to resources, including land and water.</p>
<i>Tikanga</i>	The customary system of values and practices that have developed over time and are deeply embedded in the social context.
<i>Rangatiratanga</i>	Self-determination, sovereignty.
<i>Kaitiaki</i>	A person, group, or being who acts as a carer, guardian, protector and conservator. The deities of the natural world were considered the original <i>kaitiaki</i> – for instance, Tāne, deity of the forest, was the <i>kaitiaki</i> of the forest. All other <i>kaitiaki</i> emulate those original ones. It is a way of managing the environment, based on the traditional Māori world view.
<i>Mauri</i>	<i>Mauri</i> is the life force or essence that all living things possess and that has been transmitted through whakapapa. Refer Section 4 herein.
<i>Tapu</i>	Restriction, prohibition - a supernatural condition. A person, place or thing is dedicated to an <i>atua</i> and is thus removed from the sphere of the profane and put into the sphere of the sacred. It is untouchable, no longer to be put to common use. The violation of <i>tapu</i> would result in retribution, sometimes including the death of the violator and others involved directly or indirectly. Appropriate <i>karakia</i> and ceremonies could mitigate these effects. <i>Tapu</i> was used to control how people behaved towards each other and the environment, placing restrictions upon society to ensure that society flourished.
<i>Whakapapa</i>	Genealogy, genealogical table, lineage, descent - reciting whakapapa was, and is, an important skill and reflected the importance of genealogies in Māori society in terms of leadership, land and fishing rights, kinship and status. It is central to all Māori institutions.
<i>Mahinga Kai</i>	Food and resource gathering
<i>Ngā Iwi o Tarawera</i>	A reference to the many tribes and peoples with genealogical links to the Tarawera River and its contributing catchment. In the context of the 'Tarawera Iwi Collective' authoring this paper, it refers to Ngāti Rangitīhi, Ngāti Awa, Ngāti Māhino, and Tūwharetoa ki Kawerau.

<i>Hauora</i>	Health, wellbeing, vigour
<i>Rohe</i>	District, region, territory, area
<i>Tohu</i>	Sign, observation, or indicator

TARSG Iwi Collective Progress Report – FWM Planning

STAGE	COMMENTS
<p>Excellence</p>	<p>ENGAGEMENT</p> <p>Early engagement with Iwi Collective and respective Regional and District Councils under Tarawera Awa Restoration Strategy Group – key to taking everyone in the Co-Governance Group on the journey with FWM Planning team.</p>
<p>Merit</p>	<p>WATER QUALITY</p> <p>Discussion had on moving towards a utopia of good water quality. Further work to be done regarding ‘continuous improvement’.</p>
<p>Achieved</p>	<p>WATER ALLOCATION</p> <p>User allocation of water take should be assured, protected and guaranteed.</p>
<p>Yet to Achieve</p>	<p>RESTORATION OF MAURI TO TE AWA O TE ATUA</p> <p>Largely overlooked by the FWMP team. The restoration of Mauri of Te Awa o te Atua is indeed a critical endeavour, not just for its cultural significance to Ngāti Rangitahi under their Settlement but also for the economic and environmental benefits it can offer.</p>

TARSG Forum – Agenda Item 3 - TARSG Iwi Collective Proposition

To discuss the proposition that:

- 1. The Iwi Collective of Te Awa o Te Atua seek a consent to use the water that remains in the Tarawera Awa when it passes under the road bridge at the “ cut “, before it flows out to sea.**

The Iwi propose to use this water allocation to restore the mauri of Te Awa o Te Atua by creating a flow through what is currently a stagnant, polluted lagoon.

The Iwi are developing a funding proposal to be considered by Kanoa to show how this flow can be safely created from the diversion at the “ cut “ to its reconnection with the moana. The funding proposal will describe how the use of this water from the Tarawera Awa will accrue economic, environmental and cultural benefits to Iwi, the Matata Residents and to the Eastern Bay of Plenty Community.

- 2. The TARSG agrees that the proposition be accepted and identifies the process to be followed to have the proposition enacted.**



Pūrongo Ki: Tarawera Awa Restoration Strategy Group
Report To:

Rā Hui: Friday 1st November 2024
Meeting Date:

Kaituhi Pūrongo: Dr Frances Teinakore-Curtis
Report Writer:

Kaiwhakamana Pūrongo: Leith Comer
Report Authoriser:

TARSG Project Team Update report

Whakarāpopototanga Executive Summary

Since the previous TARSG forum, which took place on 9th August 2024, the TARSG Project team has made advancements in stakeholder engagement and technical planning of Tarawera Awa ki te Awa o te Atua. Updates will be given from both of these components of work.

Ngā tūtohutanga Recommendations

That the Tarawera Awa Restoration Strategy Group:

- 1 Receives the report, TARSG Project Team Update.**

1 Background

The primary goal of the Communication and Engagement Plan is to encourage community engagement and connection. Our goal is to re-establish the mauri of the Tarawera Awa ki te awa o te Atua. Our primary objectives are to promote increased transparency, participation, and awareness in the development of the Tarawera Awa Strategy Document. Additionally, the technical planning that has been completed to date will provide an overview of the progress made in the mapping of Tarawera Awa Resource Consent and Water Quality Information to assist in the development of the Strategy document.

2 Stakeholder Engagement - Jane Waldon

An update given on Stakeholder Engagement held between August and September months including feedback made by stakeholders.

3 Technical Planning - Dr Emily Afoa

A verbal update will be provided:

1. Resource Consent Mapping along Tarawera Awa
2. Water Quality Information Mapping

4 TARSG Project team - Cultural Monitors - Frances Teinakore-Curtis

A verbal update on our Cultural monitoring and their next steps

5 Strategy Document Update - Keri Topperwien

A verbal update on the Tarawera Awa Restoration Strategy Document.



Report To:	Tarawera Awa Restoration Strategy Group
Meeting Date:	1 November 2024
Report Writer:	Shari Kameta, Committee Advisor
Report Authoriser:	Karen Aspey, General Manager, People and Leadership
Purpose:	To consider making amendments to the Strategy Group's Standing Order provisions regarding virtual attendance at meetings.

Amendment to Standing Orders: Virtual Attendance at Meetings

Executive Summary

This report asks the Tarawera Awa Restoration Strategy Group (Strategy Group) to consider amending its Standing Orders to allow the remote participation of members (via audio or audiovisual link) to continue to count towards the quorum at Strategy Group meetings, following the expiration of the Severe Weather and Emergency Recovery Legislation Act 2023 provisions on 30 September 2024.

Under Part 2, Section 127 of the Ngāti Rangitahi Claims Settlement Act 2022 (NRCSA), the Strategy Group must adopt a set of Standing Orders for the conduct of its meetings. Under Standing Order 3.2, adoption of a new or amended set of Standing Orders can only be resolved by majority vote of the members present.

Recommendations

That the Tarawera Awa Restoration Strategy Group:

- 1 **Receives the report, Amendment to Standing Orders: Virtual Attendance at Meetings;**
- 2 **Approves the following amendments to the Tarawera Awa Restoration Strategy Group's Standing Orders (refer Attachment 1):**
 - a) **Amend the following Definition to read: "Present at the meeting to constitute quorum means the member is to be present (in person or via audio/audiovisual link)";**

- b) Amend Standing Order 13.8 (Member's status: quorum) to read "Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.";
- c) Amend Standing Order 13.9 (Member's status: voting) to read "Where a meeting has a quorum, determined by the number present (in person or via audio/audiovisual link), the members attending by electronic link can vote on any matters raised at the meeting.";
- d) Amend Standing Order 13.11 (Conditions for attending by audio or audio-visual link) to read: "Noting standing order 13.7, members may attend meetings by electronic link, either generally or for a specific meeting, if the technology allows";
- e) Amend Standing Order 13.12 (Request to attend by audio or audio visual link) by replacing the word 'request' with 'notification';
- f) Amend Standing Order 13.10 (Chairperson's duties) by deleting the sentence "If the Chairperson is attending by audio or audio-visual link, then chairing duties will be undertaken by the Deputy Chair, or a member who is physically present";

OR:

- g) Retain the current Standing Order 13.10 (Chairperson's duties) and the requirement that the Chairperson must be physically present [in the event of a hybrid meeting].

1. Introduction

The Strategy Group's Standing Orders are modelled on those provided by Local Government New Zealand and amended as required by the Ngāti Rangitihi Claims Settlement Act 2022.

Schedule 7, clauses 25A(3) and 25A(4) of the Local Government Act 2002 (LGA) provide the legislative parameters for the conduct of Strategy Group meetings. The current version of the Strategy Group's Standing Orders (13.8 and 13.9) is based on these LGA provisions and provides for members' remote participation and the ability to vote at meetings, but not be counted for the purpose of a quorum. Standing Orders 13.11 and 13.12 provide for other aspects of remote attendance.

During the COVID-19 pandemic and most recently the Cyclone Gabrielle response, the Government enacted temporary provisions under the Severe Weather Emergency Legislation Act 2023², amending the LGA to allow for remote participants (via audio or audiovisual link) to count towards a quorum. This enabled councils and committees to continue to conduct business when the ability to meet in person and meet this legislative requirement was restricted.

On 30 September 2024, the temporary provisions enacted by Central Government during the Cyclone Gabrielle response expired. However, an amendment to the LGA

² [Severe Weather Emergency Legislation Act 2023 No 4, Public Act 15 Schedule 7 amended - New Zealand Legislation](#)

was enacted on 30 August 2024³ to enable all members (in person and remote) to count towards a quorum. However, a committee's standing orders must allow for this.

2. Proposed amendments to Standing Orders

2.1 Current Standing Orders

The Strategy Group's current Standing Orders (13.7 – 13.16) allow for members to attend meetings by electronic means (via audio or audiovisual link) providing certain conditions are met. However, members who attend this way cannot be counted as present for the purposes of a quorum, but if a quorum has been met by those physically present, then members attending via electronic means are able to participate and vote on any matters raised during the meeting.

Now that the Severe Weather Emergency Legislation Act 2023 expired on 30 September 2024, if no changes are made to the Strategy Group's Standing Orders, members attending via electronic means will not count towards a quorum.

2.2 Proposed amendments to Standing Orders

The Strategy Group must consider the following amendments to its Standing Orders if it wishes to retain the practice of enabling members that are attending remotely to count towards a quorum. The recommended changes have been provided in the Recommendations section of the report:

1. If the Strategy Group wishes to make the expired provisions permanent, an amendment to Standing Orders 13.8 and 13.9 is required to maintain the current practice of holding hybrid meetings, with both virtual and physical attendance of members, to count towards a quorum.
2. Standing Order 13.10 (Chairperson's duties) currently stipulates that the Chairperson must be physically present at a meeting to undertake the Chair's duties. The Strategy Group may wish to consider removing this requirement to enable the Chairperson to chair when attending via audio/audiovisual means. There is no requirement in the LGA that the Chairperson must be physically present to chair a meeting.
3. Additionally, an amendment to Standing Orders 13.11 and 13.12 is recommended to remove the requirement for specific approval and notice to be given to attend a meeting via electronic means, although prior notice is preferable to facilitate the necessary practical arrangements.

Under the provisions of Part 2, Section 127 of the Ngāti Rangitahi Claims Settlement Act 2022 (NRCSA), the Strategy Group must adopt a set of Standing Orders for the conduct of its meetings. Under Standing Order 3.2, adoption of a new or amended set of Standing Orders can only be resolved by majority vote of the members present.

³ Schedule 7 clause 25A(4): replaced, on 1 October 2024, by [section 49\(6\)](#) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

2.3 Benefits of Amending Standing Orders

Although physical face-to-face attendance at meetings is generally preferred by most, there are several benefits of amending the Standing Orders provisions:

1. Amended Standing Orders will allow for remote participation to be counted towards a quorum in line with the intent of the amended legislation to enable local authorities and committees to decide to make these provisions permanent.
2. There is less risk of a meeting being cancelled due to lack of quorum and in the event of an emergency, the Strategy Group would be able to hold fully remote meetings and continue to conduct its business when the ability to meet in person is restricted.
3. Enabling members to attend meetings virtually and to count towards the quorum of a meeting supports effective meeting processes and recognises members' individual and changing needs and ability to attend a meeting in person.
4. Reducing members' meeting travel also has a positive impact on emissions and minimises travel cost.

3. Considerations

3.1 Risks and Mitigations

Although there is an element of risk that the chosen audiovisual system/technology could fail, such risk can be mitigated by members attending via other means, e.g. mobile phone or a landline.

4. Next Steps

If adopted, the amended Standing Orders will be made publicly available on the Regional Council's website. A printed copy of the amended standing orders can be provided to members on request.

Tuhinga Tautoko Attachments

Attachment 1 - Proposed Amendments to Standing Orders (Adopted 28 February 2023) [↓](#)

Attachment 2 - Extract: Local Government Electoral Legislation Act 2023 (Version as at 31 July 2024) - Part 2 Amendment to LGA 2002 [↓](#)

Proposed amendments to Tarawera Awa Restoration Strategy Group Standing Orders (adopted 23 February 2022)

2 Definitions/Ngā whakamārama

Present at the meeting to constitute quorum means the member is to be present (in person or via audio/audio-visual link).

13 Te taenga/Attendance

13.7 Right to attend by audio or audio-visual link

Provided the conditions in Standing Orders 13.11 and 13.12 are met, members of the Strategy Group and its committees (and members of the public for the purpose of a deputation approved by the Chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

13.8 Member's status: quorum

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.

Clause 25A (4), Schedule 7, LGA 2002.

13.9 Member's status: voting

Where a meeting has a quorum, determined by the number present (in person or via audio/audio-visual link), the members attending by electronic link can vote on any matters raised at the meeting.

13.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:

- (a) the technology for the link is available and of suitable quality, and
- (b) procedures for using the technology in the meeting will ensure that:
 - (i) everyone participating in the meeting can hear each other,
 - (ii) the member's attendance by audio or audio-visual link does not reduce their accountability or accessibility of that person in relation to the meeting,
 - (iii) the requirements of Part 7 of LGOIMA are met, and
 - (iv) the requirements in these Standing Orders are met.

Clause 25A (3) schedule 7, LGA 2002.

[Delete OR Retain]:

If the Chairperson is attending by audio or audio-visual link, then chairing duties will be undertaken by the Deputy Chair, or a member who is physically present.

13.11 Conditions for attending by audio or audio-visual link

Noting Standing Order 13.7, a member may attend meetings by electronic link, either generally or for a specific meeting, if the technology allows.

13.12 Notification to attend by audio or audio-visual link

Where possible, a member will give the Chairperson and the Chief Executive at least 2 working days' notice when they want to attend a meeting by audio or audio-visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a notification is made and the technology is available, the Chief Executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the council has no obligation to make the technology for an audio or audio-visual link available.

If the member's notification cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

Version as at 31 July 2024

Local Government Electoral Legislation Act 2023

Public Act 2023 No 57
Date of assent 30 August 2023
Commencement see section 2

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under [subpart 2](#) of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Department of Internal Affairs.

Part 2 Amendments to Local Government Act 2002

49 Schedule 7 amended

(6) In Schedule 7, replace [clause 25A\(4\)](#) with:

(4) A member of the local authority or committee who attends a meeting by means of audio link or audiovisual link, in accordance with this clause, is to be counted as present for the purposes of clause 23.