

Komiti Māori Rārangi Take (Agenda)

NOTICE IS GIVEN that the next meeting of Komiti Māori will be held in Council Chambers, Regional House, 1 Elizabeth Street, Tauranga on:

TUESDAY 3 DECEMBER 2024 COMMENCING AT 9:30 AM

Komiti Māori

Membership

Chairperson Notwithstanding that Komiti Māori has an appointed Chairperson, Māori Constituency Councillors may host-Chair committee meetings that are held in the rohe of their respective constituency	Cr Matemoana McDonald
Deputy Chairperson	Cr Toi Kai Rākau Iti
Members	All Councillors
Quorum	Seven members, consisting of half the number of members
Meeting frequency	Two monthly

Purpose

To provide direction and guidance on Council's obligations to Māori in relation to: growth of authentic partnerships with Tangata Whenua, strategic direction, emerging issues, legal requirements, effective engagement, awareness and understanding.

Role

- First and foremost to provide leadership to Council on enhancing the kaupapa of shared decision-making with Māori across all aspects of Council's work.
- Drive enhancements to Council's responsiveness to Māori (including monitoring and reporting) and to ensure compliance with its obligations to Maori under legislation.
- Facilitate tangata whenua input into community outcomes, Council policy development and implementation work;
- Formally receive iwi/hapū management plans on behalf of Council;
- Identify and provide direction on any relevant emerging issues for the region relating to the principles of the Te Tiriti o Waitangi, legislative obligations to Māori under different statutes and programmes to build the capability of Māori;
- Provide direction on effective Māori engagement and on actions to enhance Māori capacity to contribute to Council's decision-making, including recommendations for Long Term Plan funding to achieve this;
- Make submissions on Māori related matters, in conjunction with other relevant Council committees where appropriate;

- Support and promote co-governance entities;
- Recommend to Council the establishment of advisory groups or other governance mechanisms, to represent sub-region or constituency areas and/or to consider specific issues;
- Recommend to Council, and/or appropriate committees, actions to achieve the committee's purpose and roles.

Power to Act

To make all decisions necessary to achieve the purpose and roles of Komiti Māori.

Power to Recommend

To Council and/or any standing committee as it deems appropriate.

Komiti Māori reports directly to the Regional Council.

Recording of Meetings

Please note the Public section of this meeting is being recorded and streamed live on Bay of Plenty Regional Council's website in accordance with Council's Live Streaming and Recording of Meetings Protocols which can be viewed on Council's website. The recording will be archived and made publicly available on Council's website within two working days after the meeting on www.boprc.govt.nz for a period of three years (or as otherwise agreed to by Council).

All care is taken to maintain your privacy; however, as a visitor in the public gallery or as a participant at the meeting, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of the Bay of Plenty Regional Council. Council accepts no liability for any opinions or statements made during a meeting.

Bay of Plenty Regional Council - Toi Moana

Governance Commitment

**mō te taiao, mō ngā tāngata - our environment and our people
go hand-in-hand.**

We provide excellent governance when, individually and collectively, we:

- Trust and respect each other
- Stay strategic and focused
- Are courageous and challenge the status quo in all we do
- Listen to our stakeholders and value their input
- Listen to each other to understand various perspectives
- Act as a team who can challenge, change and add value
- Continually evaluate what we do

**TREAD LIGHTLY, THINK DEEPLY,
ACT WISELY, SPEAK KINDLY, JOURNEY TOGETHER.**

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

Agenda

Rārangi Take

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

Minutes to be Confirmed
Kia Whakaūngia Ngā Meneti

- 7.1 **Komiti Māori Minutes - 27 August 2024** **8**

8. **Presentations**
Whakaaturanga

Please refer to Agenda item 9.1 for background information regarding presenters.

- 8.1 **SmartGrowth Delivery Approach of Māori Housing across the Western Bay of Plenty sub-region**

Presented by: Te Pio Kawe - Strategic Advisor and Elisha Rolleston - Tū Pakari Advisor, SmartGrowth Tangata Whenua Iwi Collective Forum

- 8.2 **Local Water Done Well Update**

Presented by: Vaughan Payne - Advisor, Waikato Water Services Entity

**9. Reports
Ngā Pūrongo**

9.1 Chairperson’s Report 17

**10. Verbal Updates
Whakahoutanga Kōrero**

10.1 Deputy Chairperson Verbal Update - Indigenous Connection

Presented by: Deputy Chair Councillor Toi Kai Rākau Iti

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

**12. Closing Prayer
Karakia Kati**

Komiti Māori

Ngā Meneti Open Minutes

Commencing: Tuesday 27 August 2024, 9:30 AM

Venue: Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual meeting)

**Heamana
Chairperson:** Cr Matemoana McDonald

**Heamana Tuarua
Deputy Chairperson:** Cr Toi Kai Rākau Iti (Via Zoom)

**Ngā Kopounga
Members:**

- Cr Paula Thompson (Via Zoom)
- Cr Lyall Thurston (Via Zoom)
- Cr Te Taru White (Via Zoom)
- Chairman Doug Leeder
- Cr Kevin Winters (Via Zoom)
- Cr Jane Nees
- Cr Stuart Crosby
- Cr Andrew von Dadelszen (Via Zoom)
- Cr Kat Macmillan
- Cr Malcolm Campbell
- Cr Ron Scott
- Cr Ken Shirley

In Attendance: Bay of Plenty Regional Council Toi Moana (BOPRC):
Kataraina O'Brien – General Manager Strategic Engagement,
Shari Kameta – Committee Advisor, Reuben Gardiner –
Senior Advisor, Staff presenters – as listed in the minutes.
Guest speakers: as listed in the minutes.

**Ngā Hōnea
Apologies:** None

The Chair advised those present that the meeting was being livestreamed and recorded and that the recording would be made available on the BOPRC YouTube channel following the meeting. Refer following link: [Komiti Māori Meeting - 27 August 2024 - YouTube](#)

1. Opening Prayer Karakia Whakatuwhera

A karakia was provided by Reuben Gardiner.

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

None declared.

3. Minutes Ngā Meneti

Minutes to be Confirmed Kia Whakaūngia Ngā Meneti

3.1 Komiti Māori Minutes - 30 April 2024

Resolved

That the Komiti Māori:

- 1 Confirms the Komiti Māori Minutes - 30 April 2024 as a true and correct record.

Scott/Macmillan
CARRIED

4. Presentations Whakaaturanga

4.1 Masters Dissertation - How effective forms of co-governance produce positive environmental outcomes?

Presentation - Te Maru o Kaituna and Co-Governance: Objective ID A4753963

Presented by: Akira McTavish-Huriwai - Graduate Geospatial Analyst, WSP

Key Points:

- The dissertation focused on Te Maru o Kaituna River Authority (TMOK)
- Acknowledged Cr Matemoana McDonald, Dean Flavell, Piki Thomas, Elva Conroy and Pim de Monchy who had contributed to the research
- Research was primarily conducted through qualitative methods guided by a kaupapa Māori methodology within a Māori context
- Outlined key considerations and findings:
 - Factors for effectiveness: looking to the past for future learnings, honouring of whakapapa and developing high-trust relationships
 - Inherent power imbalances existed for iwi representatives which could be attributed to disparities in funding, capacity and capability
 - Mechanisms to reduce disparities: Māori councillor representation, tikanga informed meetings, iwi-based secretariat support and increased awareness and accessibility via website/media platforms
 - Bridging the gap between policy and implementation: 'Te Tini a Tuna Kaituna Action Implementation Plan' had provided priority actions and accountability to achieve the purpose of the Kaituna River Document.

In Response to Questions:

- Research interviews had been guided by the TMOK Chair and were limited due to time constraints

- Key research learnings would be incorporated into the National Science Challenge reporting summaries to inform a range of organisations/sectors on multi-disciplinary issues
- Applying a Te Ao Māori perspective to environmental decisions would help sustain the environment for future generations.

Key Points - Members:

- Congratulated Akira on her dissertation and presentation
- Additional lessons learned from being a member of TMOK: having a good induction process to enable a strong platform to build relationships and understanding at the outset, and allowing time for tangata whenua representatives to become comfortable with council processes
- Co-governance mechanisms were a result of Treaty Settlement outcomes and a work in progress
- Wished to receive future understanding on how iwi/hapū had found the progress of the implementation plan.

4.2 Regional Census Information and Māori Demographic Statistics

Tabled Document 1 - Te Kāhui Raraunga Māori Data Governance Model: Objective ID A4759858

Presented by: Kirikowhai Mikaere – Lead Technical Advisor, Te Kāhui Raraunga, National Iwi (Tribal) Chairs Forum - Data Leadership Group

Key Points:

- Indigenous data sovereignty was a growing global movement that was subject to the laws of the nation from which it was collected
- Māori data sovereignty:
 - Provided the right of Māori to access, use, participate and partner to govern and control Māori data
 - Was important to protect iwi-Māori rights to enable self-determination to support the wellbeing of Māori people and to ensure the data was relevant and responsive
- Māori data comprised self-generated data from Māori organisations, data generated by others to describe and compare Māori collectives, and data generated from the collection and research of Māori resources
- Te Kāhui Raraunga Charitable Trust was an independent body that was established to action/advance the aspirations of iwi with the advocacy of the Data Iwi Leaders Group (ILG)
- Steps and actions taken by the Data ILG and Te Kāhui Raraunga:
 - A Mana Ōrite relationship agreement with Stats NZ and the Department of Internal Affairs
 - Formation of a Māori Data Governance model
 - Creation of Te Mana Whakatipu Māori data capability programme
 - Three tribal-led collections in Te Tai Tokerau (Northland), Te Tairāwhiti (Gisborne) and Te Whānau a Apanui (East Cape) for the 2023 Census
- 2023 Census data result findings:
 - Tribal-led collections' response rates had a marked increase on the previous 2018 Census
 - 19.6% of Aotearoa New Zealand's population was of Māori descent and was growing at a faster rate than the New Zealand population due to a younger median age

- 46.5% of the Māori population were under 25 years of age with a higher average of geographical distribution in Northland, Bay of Plenty and Gisborne regions
- Te Whata digital platform would provide tribal groups access to all 2023 tribal census data and was anticipated to be released on 26 September
- Noted the importance of understanding demographic makeup to provide for education, employment and housing opportunities
- A copy of the Māori data sovereignty model was provided for information (refer Tabled Document 1).

In Response to Questions:

- Māori 'descent' data was primarily used for electoral boundaries and iwi affiliation, which differed to 'ethnic' population data
- In terms of intellectual property, some data required a process for how it was regulated and stored, which had been previously missing
- A mind shift was needed regarding the collection and collective rights of Māori data, i.e. collective, descent (ancestry/tribal affiliation), ethnicity (state determined)
- The data collection model used for the 2018 Census was costly and ineffective, therefore considered investment was needed in hybrid data administration and using the capability of communities to collect data
- The Institute for the Future (ITF) viewed distributed networks were the way of the future as data centres consumed large amounts of power and water for cooling
- Investing strategically in future generations needed to be done in the right way to support older/future generations
- Te Whata provided health data to Te Whatu Ora Hauora Hub
- The Asian population was broad, growing and would have a dominant proportion based in the city centres.

Key Points - Members:

- Acknowledged Te Kāhui Raraunga's purpose to collect data for the benefit and wellbeing of people and place
- Commended the investment made in capacity and capability building, the importance to understand the data and the inroads that would be made.

Post Meeting Note: Kirikowhai requested that the PowerPoint presentation not be uploaded and shared publicly due to some images/information that was used.

11:16am - The meeting **adjourned**.

11:38am - The meeting **reconvened**.

4.3 Strategic Science and Innovation Partnership - Mangaroa Incorporation and Scion

Presentation - Ponder this! Who we are and where we are going?: Objective ID A4754615

Presented by: Chris Karamea Insley - Chair, Mangaroa Incorporation
Accompanied by Grant Cox - Regional Project Director/Engineer,

Key Points:

- Omaio/Te Whānau a Apanui was once a thriving dairy farming community that had benefited from Government investment and trade agreements with the United Kingdom (UK)
- This diminished over time as a consequence of UK trade agreements with the European Union, resulting in high unemployment and other socio-economic issues
- Māori economic development was now growing at a faster rate than the New Zealand economy and Mangaroa Incorporation were mobilising to pitch some major projects to the Government
- Outlined activities undertaken to progress the projects, including a submission to the Port of Tauranga selldown
- In-principle support had been received from Ōpōtiki District Council
- Sought Regional Council's co-investment and support for a nutrient and sediment study, AiLIDAR grant funding and fast track legislation provision
- Requested that Regional Council give due consideration to the development initiatives, alongside other investment opportunities.

In Response to Questions:

- Mangaroa Incorporation had a comprehensive workforce strategy to support, including a land water storage and solar project
- Prioritising order of investments, infrastructure and resource consenting were necessary factors for success.

Key Points - Members:

- Acknowledged the presentation as a starting point for further discussion
- Provided context around the issues, barriers and time needed for Māori to build capacity and capability, which would be inter-generational
- Considering that only five percent of Māori land had been returned in Treaty Settlements, Iwi-Māori felt the Government had a responsibility under Article 3 of Te Tiriti o Waitangi to provide further equity to deal with past disparities.

4.4 Toi Kai Rawa – Long Term Plan 2021-2031 Funding Outcomes Update

Presentation - Outcomes Report Summary LTP Funding 2021-2024: Objective ID A4754690

Presented by: Kerri Anne Hancock - Deputy Chair, Toi Kai Rawa
 Jay Tihema - Operations Manager, Toi Kai Rawa
 Accompanied by Dean Howie - Programme Manager, Regional Economic Development, Regional Council

Key Points:

- Highlighted key outcomes and insights from Toi Kai Rawa's (TKR) LTP funding agreement to enhance Māori economic development capability and capacity across the region under TKR's four pou/workstreams:
 - Pakihi Ora: Māori business development – wānanga/event networking, identification of the need for support services and phased procurement approaches, and advocacy work to secure 5% commitment of Tauranga City Council capital works programme

- Whenua Ora: completion of strategic analysis and strategic report to understand and unlock barriers and opportunities for whenua Māori development
- Tangata Ora: significant focus was placed on engagement with rangatahi, identification of gaps/barriers to strengthen connections, building professional mindsets and re-envisioning career development via bespoke initiatives, community driven-solutions and youth-led innovation
- Mauri Ora: Future Māori economic development goal:
 - Pakihi Ora, Whenua Ora and Tangata Ora were all inter-related
 - Pakihi Ora – Expand procurement commitments for Māori business
 - Whenua Ora – Implement comprehensive support programmes for Whenua Māori
 - Tangata Ora – increase investment in targeted STEAM (Science, Technology, Engineering, Arts, Mathematics) initiatives
- Thanked Council for its funding support which had contributed to supporting TKR initiatives and understanding of the gaps/barriers.

In Response to Questions:

- TKR’s point of difference was that it worked within the gaps and provided a safe space and tailored approaches for Māori to network and support each other to find solutions
- Did not operate in isolation and had strong working relationships and collaborative partnerships with other agencies, including Priority One
- TKR was working with tertiary/industry/training providers to provide agile vocational pathways and programme accreditation to support emerging technologies and industries to look for whenua Māori solutions.

Key Points - Members:

- Applauded the value and work of TKR that were led by Māori, for Māori
- Acknowledged the progress made on the ground to build capability and capacity of rangatahi
- Commended the report insights which identified the gaps and barriers
- Raised the need to address Whenua Māori capacity and capability within the Tangata Ora workstream.

Resolved

That the Komiti Māori:

- 1 Receives the presentation and report, Toi Kai Rawa LTP Funding 2021-2024 Outcomes Report.**

**Leeder/Macmillan
CARRIED**

5. Reports Ngā Pūrongo

5.1 Toi Moana Bay of Plenty Regional Long Term Plan 2024-2034 Post Adoption Update: Te Ara Poutama

Presented by: Kataraina O’Brien – General Manager Strategic Engagement

Resolved**That the Komiti Māori:**

- 1 Receives the report, Toi Moana Bay of Plenty Regional Long Term Plan 2024-2034 Post Adoption Update: Te Ara Poutama.**

**Leeder/Nees
CARRIED**

Decisions Required**Ngā Whakatau e Hiahiatia Ana****5.2 2024-2034 Long Term Plan Implementation: Regional Co-Governance Secretariat Fund Policy (Aronga Ngātahi)**

Presented by: Merehine Waiari – Senior Advisor
Herewini Simpson – Kaihautu - Te Amorangi Lead
Graeme Howard – Corporate Planning Lead

Key Points:

- The policy was framed to support Co-Governance forum-led initiatives, which had been the same with the previous secretariat fund
- The fund covered all of Council's regional co-governance arrangements, hence the inclusion of non-statutory forums that had shared-decision making and faced the same issues
- Staff proposed the policy allow for cross-funding to enable a coordinated approach to support funding outcomes and maximise on projects
- The policy aligned with existing community funding schemes which were to be reviewed in Q2 2024/25 (October-December)
- Māori councillors had provided staff with guidance to extend the policy to include non-statutory committees however, this could be amended
- Noted that the Secretariat fund was not fully expended in the last LTP.

In Response to Questions:

- A workshop was scheduled in Q2 2024/25 (October/November) to rationalise other community initiative funding.

Key Points - Members:

- Wanted further opportunity to understand how the Co-Governance Secretariat Fund policy and Māori Initiatives Fund policy interacted with other community initiative funding streams as a package
- Supported a workshop to review the funding policies altogether
- Wanted to see clear/transparent reporting mechanisms of where each fund was being spent and to have appropriate oversight of projects to ensure technical support was provided where needed
- Considered the policy provided a good framework for quality spend and supported Council's strategic outputs.

Resolved**That the Komiti Māori:**

- 1 **Receives the report, 2024-2034 Long Term Plan Implementation: Regional Co-Governance Secretariat Fund Policy (Aronga Ngātahi);**
- 2 **Recommends the draft policy be referred to a Joint Workshop of the Strategy and Policy Committee and Komiti Māori to consider alongside other community funding policies.**

**Scott/Nees
CARRIED**

5.3 2024-2034 Long Term Plan Implementation: Approval of the draft Māori Initiatives Fund Policy (He Ara Taituarā)

The report was discussed and resolved in conjunction with the previous Agenda item 9.2, Regional Co-Governance Secretariat Fund Policy (Aronga Ngātahi).

Resolved

That the Komiti Māori:

- 1 **Receives the report, 2024-2034 Long Term Plan Implementation: Approval of the draft Māori Initiatives Fund Policy (He Ara Taituarā);**
- 2 **Recommends the draft policy be referred to a Joint Workshop of the Strategy and Policy Committee and Komiti Māori to consider alongside other community funding policies.**

**Scott/Nees
CARRIED**

Information Only Hei Pānui Anake

5.4 Tiamana o Komiti Maori - Ripoata

Resolved

That the Komiti Māori:

- 1 **Receives the report, Tiamana o Komiti Maori - Ripoata.**

**Macmillan/Nees
CARRIED**

6. Closing Prayer Karakia Kati

A karakia was provided by Cr Te Taru White.

2:02 pm – the meeting closed.

CONFIRMED

Cr Matemoana McDonald
Chairperson, Komiti Māori



Report To: Komiti Māori
Meeting Date: 3 December 2024
Report Authoriser: Kataraina O'Brien – General Manager Strategic Engagement

Chairperson's Report

Executive Summary

This report provides an update on matters of interest to Komiti Māori both regionally and nationally. It includes a brief profile on our guest speakers for this meeting who are:

- Te Pio Kawe – SmartGrowth Collective Tangata Whenua Forum (CTWF) – Delivery Approach of Māori Housing across the WBOP Sub-region
- Vaughan Payne – Local Water Done Well Update

Komiti Māori Deputy Chair Councillor Toi Iti will also share his experiences of Indigenous Connections from his recent haerenga (trip) to Canada.

Recommendations

That the Komiti Māori:

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

1. Guest Speakers

1.1 SmartGrowth Collective Tangata Whenua Forum (CTWF) – Delivery Approach of Māori Housing across the WBOP Sub-region

Te Pio Kawe – Strategic Advisor Māori and Elisha Rolleston – Tū Pakari Advisory



Te Pio Kawe – Strategic Advisor Māori

With a career spanning over two decades, Te Pio Kawe has dedicated his work to the development and protection of Māori whenua and communities, specialising in environmental advisory and strategic support for tāngata whenua. Te Pio brings extensive expertise and a strong network of professional relationships within local and central government. His work emphasises cultural competency to ensure mana whenua safety and integrity throughout all engagement processes. He holds a Bachelor of

Business Studies in Property Management and Development from Massey University and is an active member of several Māori and environmental organisations across Aotearoa.



Elisha Rolleston – Tū Pakari Advisory

Elisha Rolleston is a Māori scholar with whakapapa connections with Ngāti Ranginui, Ngāi Te Rangi, Ngāti Pūkenga, Ngāti Awa, Whakatōhea, and Te Whānau a Apanui. Elisha is actively involved with his hapū and iwi in Tauranga Moana, facilitating mau rākau/mau taiaha wānanga across local marae. He has contributed to research projects such as "Tai Whanake a Te Ao Māori," a localised curriculum for Tauranga Moana schools that focuses on regional stories and history. Additionally, he leads cultural

competency workshops on Te Tiriti o Waitangi, Tikanga Māori, and Mātauranga Māori.

1.2 Local Water Done Well Update

Vaughan Payne – Advisor to Waikato Water Services Entity



Vaughan Payne is a Māori leader from the Eastern Bay of Plenty tribes of Whakatōhea (Mataatua) and Ngāi Tai (Tainui), whose career has been shaped by a passion for environmental protection. Vaughan believes deeply in the interdependence of economic, community, and environmental wellbeing, reflecting the Māori worldview: "*Ko au te awa, ko te awa ko au*" (*I am the river and the river is me*). Today, he considers it a privilege to contribute to initiatives that address these interconnected challenges and drive meaningful change.

Vaughan has worked to support his iwi with Treaty claims and natural resource management, dedicating his career to indigenous rights and environmental sustainability. With 12 years of experience at the chief executive level, he has led

complex organizations with diverse functions and stakeholders. His leadership approach is grounded in collaboration, emphasizing the importance of fostering strong internal and external relationships as the foundation for success.

Vaughan's qualifications include land surveying and planning (Otago) and business management (Waikato). He has developed extensive expertise in strategy, system transformation, organizational change, political acumen, iwi partnerships, and stakeholder engagement. Drawing on his experience across government and private sectors, Vaughan continues to drive initiatives that prioritize environmental wellbeing alongside economic and community development.

Vaughan will provide an update on the implementation of the Government's water services approach through 'Local Water Done Well'.

2. **Geothermal Update**

Council is currently reviewing policy that will affect the management of geothermal across the Bay of Plenty region. This policy will have important implications for tangata whenua throughout the motu.

This work includes:

Draft Plan Change 11 (Geothermal) to the Regional Natural Resources Plan

Reviewing the geothermal objectives, policies and rules in both the Regional Natural Resources Plan and the Rotorua Geothermal Regional Plan, and combining these through [Plan Change 11 \(PC 11\)](#) into a single geothermal chapter in the Regional Natural Resources Plan. This will include policies and rules for all geothermal systems in the Region.

The Rotorua provisions will build on our years of work with tangata whenua and hau kainga in Rotorua on the Rotorua System Management Plan, by making sure that the principles in the SMP are reflected in our policies and rules.

Draft Tauranga Geothermal System Management Plan (SMP)

Council is developing a SMP for the Tauranga Geothermal System, the low temperature geothermal system extending from Waihi Beach to Maketū. The [Draft Tauranga SMP](#) is an operational document, which lays out broad actions for sustainable management of the system.

Staff have contacted iwi, hapū and ahu whenua trusts in the region to share the drafts and seek input. A number of hui have already been held to discuss the draft, with further hui scheduled.

Feedback on both drafts can be provided through our [Participate](#) web portal until the **31 January 2025** and during this time staff are available to meet and discuss the draft if requested. The portal holds copies of draft documents along with a range of supporting information.

3. **Māori Initiatives Fund and Regional Co-Governance Secretariat Fund**

At its Long Term Plan (LTP) deliberation meeting on 28 May 2024, Council resolved to:

1. Establish the Māori Initiatives Fund (MIF) of approximately \$200,000 per annum; and
2. Establish the Regional Co-Governance Secretariat Fund of approximately \$200,000 per annum.

The Māori Initiatives Fund (He Ara Taituarā) Policy and the Regional Co-Governance Secretariat Fund (Aronga Ngātahi) Policy that guide how the respective funds are allocated and managed, were approved by Council on 23 October 2024.

Staff are currently working on implementation of the policies for Year 1 (2024/25) and will be in contact with eligible applicants who submitted to Council's LTP *and* meet the criteria to be considered for funding as outlined in the policies.

He Ara Taituarā Contestable Fund

Staff are working on implementation of the MIF for Year 2 (2025/26) which includes the He Ara Taituarā Contestable Fund. A total of \$150,000 is budgeted for the first funding round which will be held in **early 2025 (February to March)** and will receive funding applications covering the 2025/26 financial year. Further details on when the fund will open for applications will be shared with iwi, hapū and Māori Land Trusts in the coming months.

Kaitiaki Grant

The Kaitiaki Grant will open for applications from **1 July 2025** and will be available on a first approved basis until fully allocated. The Kaitiaki Grant has an approximate budget of \$50,000 allocated for Year 2 (2025/26) and Year 3 (2026/27) of the LTP. More information on how iwi, hapū and Māori Land Trusts can apply for funding, will be available on Council's website and online platforms in 2025.

4. Te Tiriti o Waitangi

4.1 Treaty Principles Bill

The Treaty Principles Bill seeks to define the Treaty principles and how they apply in New Zealand law. The Bill would require those principles to be used when interpreting legislation, where relevant.

The Bill was introduced on 7 November 2024, had its first reading on 14 November and is now with the Justice Select Committee for consideration. Public submissions are currently open until 7 January 2025. The Select Committee is set to report back on the Bill by 14 May 2025.

The Ministry of Justice produced its regulatory impact statement¹ on 28 August 2024 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

¹ [Link to MoJ Regulatory Impact Assessment](#)

4.2 Treaty clauses review 2

In conjunction with the Treaty Principles Bill, the Government has also commenced a review and identified 28 pieces of legislation, that will have their Treaty of Waitangi provisions scrutinised with a view to change or repeal of the clauses.

The review forms part of the coalition agreement by which the Government committed to conducting a comprehensive review of all legislation (except when it is related to, or substantive to, existing full and final Treaty settlements) that includes 'The Principles of the Treaty of Waitangi'. The Government intends to replace all such references with specific words relating to the relevance and application of the Treaty – or repeal the references entirely.

In September 2024, Cabinet agreed to the scope and purpose of the review, confirming the specific 28 laws that will have their Treaty provisions changed or removed, including the Local Government Act, Resource Management Act, Environment Act, Conservations Act, amongst others.

Any potential changes to existing legislation would be through an Amendment Act. Timeframes for this will be updated once available.

5. Takutai Moana - Marine and Coastal Area

5.1 Marine and Coastal Area (Takutai Moana) (Customary Marine Title) Amendment Bill

The Government has introduced legislation into Parliament to amend the Marine and Coastal Area Act (Takutai Moana). The amendment intends to tighten the test for hapū/iwi to obtain customary title orders and to alter aspects of the law applied by the Courts in recent cases (including *Re Edwards* – pertaining to the Eastern Bay of Plenty region).

Section 58 of the Marine and Coastal Area Act 2011 requires an applicant group to prove they have exclusively used and occupied an area from 1840 to the present day, without substantial interruption, before they are granted Customary Marine Title (CMT). The proposed amendments will increase the threshold making it harder for Māori to make customary claims on coastlines.

The amendment Bill had its first reading on 24 September 2024 and is currently with the Justice Select Committee. A two-day public submissions period closed on 26 September 2024. The Select Committee is set to report on the Bill by 5 December 2024.

5.2 Supreme Court - Appeal Hearing

Re Edwards concerns a number of Eastern Bay of Plenty applications for orders under the Takutai Moana (MACA) Act. The case has been ongoing for a number of years and heard and appealed through successive Courts.

In October 2023, the Court of Appeal issued its decision on *Re Edwards*. In interpreting the second limb of the test for Customary Marine Title, the Court of Appeal found that applicants only need to establish exclusive use and occupation in 1840, and that this use and occupation has not ceased or been substantially

² Newsroom Article - 14 Oct 2024

interrupted after 1840; and customary use and occupation can only be ‘substantially interrupted’ where relevant third-party activities are authorised by legislation.

The Government by way of the Attorney-General sought leave to appeal the Court of Appeal’s decision. Leave was granted in April 2024 and the Select Committee (SC) hearing commenced on 4 November 2024. The SC has yet to release its judgement.

Noted this appeal concerns applications made under the current MACA legislation rather than proposed amendments.

6. **Economic Development Inquiry (Wai 3550)**

On 3 October 2024, the Waitangi Tribunal initiated the Economic Development Inquiry (Wai 3550) into claims concerning economic development issues.

The scope of the inquiry is currently being refined with potential topics including: Taxation: rates, rating, land valuation, land tax, death duties, control of taxation and revenue; carbon taxation, emissions trading scheme, impact on Māori forestry; Māori economic development institutions and law.

The inquiry timeframes have yet to be set. Updates will follow as details become available.

7. **Implications for Māori**

This report covers a wide range of kaupapa that intersect Council’s relationship with Māori at a regional and national level and reflects dynamic Crown-Māori relationship. The implications centre on the role of the Treaty of Waitangi in both the relationship with Regional Council and the ability of Māori to undertake and fulfil their kaitiakitanga responsibilities within our region.

The report highlights the complexities that will need to be navigated at a regional level to maintain a positive and conducive relationship between Council and Māori irrespective of the national environment.

These kaupapa reflect the challenges facing Māori and shows the heightened focus on the relationship they have with the wider community nationally and regionally. They should be balanced against the many opportunities to grow and strengthen Council relationship with Māori in our current and future work programmes.

Existing capacity barriers, national level discussions, competing priorities and demands, the management of finite iwi time, resources, people, and their own respective priorities will determine the level of Māori participation.