



AGENDA

Tangata Whenua / Tauranga City Council Committee Meeting Wednesday, 30 November 2022

**I hereby give notice that a Tangata Whenua / Tauranga City Council
Committee Meeting will be held on:**

Date: Wednesday, 30 November 2022

Time: 9.30am

**Location: 24 Hungahungatoroa Road
Matapihi
Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on
Tauranga City Council's website: www.tauranga.govt.nz.*

**Marty Grenfell
Chief Executive**

Terms of reference – Tangata Whenua/Tauranga City Council Committee

Common responsibilities and delegations

The following common responsibilities and delegations apply to all standing committees.

Responsibilities of standing committees

- Establish priorities and guidance on programmes relevant to the Role and Scope of the committee.
- Provide guidance to staff on the development of investment options to inform the Long Term Plan and Annual Plans.
- Report to Council on matters of strategic importance.
- Recommend to Council investment priorities and lead Council considerations of relevant strategic and high significance decisions.
- Provide guidance to staff on levels of service relevant to the role and scope of the committee.
- Establish and participate in relevant task forces and working groups.
- Engage in dialogue with strategic partners, such as Smart Growth partners, to ensure alignment of objectives and implementation of agreed actions.
- Confirmation of committee minutes.

Delegations to standing committees

- To make recommendations to Council outside of the delegated responsibility as agreed by Council relevant to the role and scope of the Committee.
- To make all decisions necessary to fulfil the role and scope of the Committee subject to the delegations/limitations imposed.
- To develop and consider, receive submissions on and adopt strategies, policies and plans relevant to the role and scope of the committee, except where these may only be legally adopted by Council.
- To consider, consult on, hear and make determinations on relevant strategies, policies and bylaws (including adoption of drafts), making recommendations to Council on adoption, rescinding and modification, where these must be legally adopted by Council.
- To approve relevant submissions to central government, its agencies and other bodies beyond any specific delegation to any particular committee.
- To appoint a non-voting Tangata Whenua representative to the Committee.
- Engage external parties as required.

Terms of reference – Tangata Whenua/Tauranga City Council Committee

Membership

Independent chairperson	Mr Anthony Fisher
Deputy chairperson	To be appointed by the Committee
Tauranga City Council members	Commission Chair Anne Tolley Commissioner Shadrach Rolleston Commissioner Stephen Selwood Commissioner Bill Wasley
Tangata Whenua members 6 members from the Tauranga Moana Tangata Whenua Collective	Ms Matire Duncan Mr Puhirake Ihaka Mr Nathan James Mr Whitiora McLeod Mr Buddy Mikaere Ms Irene Walker
Quorum	<u>Half</u> of the members physically present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members physically present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	Six meetings a year to be held on marae.
Members from Te Rangapū Mana Whenua o Tauranga Moana to attend meetings	Members from Te Rangapū Mana Whenua o Tauranga Moana are to be invited to all meetings. At the Chairperson's discretion, Te Rangapū Mana Whenua o Tauranga Moana members may speak to reports. To avoid doubt only members of the Committee can move or second recommendations or vote.
Hapū presentations	Hapū presentations to be held at the beginning of each meeting. The remainder of the business of the Tangata Whenua/Tauranga City Council Committee will be held at the conclusion of the hapū presentation.
Minutes	Minutes will be confirmed at each meeting.
Livestreaming of meetings	The meetings will be livestreamed. Livestreaming of presentations by hapū will be subject to permission from the marae.

**Rapua te huarahi whanui hei ara whakapiri
i nga iwi e rua i te whakaaro kotahi**

**Seek the broad highway that will unite the two peoples
toward a common goal.**

Membership

Partners Tauranga City Council and "nga hapu me nga iwi o Tauranga Moana" representing Tangata Whenua within the Tauranga City Council rohe (boundaries).

Tangata Whenua representatives are to be those with signed hapu protocols. One of the six Tangata Whenua representatives is to be a Kaumatua. Kaumatua representation is to have the ability to be shared between two Kaumatua if required.

Background

Council is committed to establishing and monitoring appropriate links with Tangata Whenua to enable effective relationships to develop and meet a number of legislative requirements including those under the Resource Management Act 1991 and the Local Government Act.

1. Tangata Whenua are deemed to be the respective Iwi and Hapū of Tauranga Moana.
2. The Local Government Act 1974 and Local Government Act 2002 contain provisions relating to the exercise of the powers, functions and duties of the Tauranga City Council.

Principles of the partnership

The Partners:

- Recognise the Treaty of Waitangi as the founding document of Aotearoa NZ.
- Will work with respect, goodwill, honesty, trust and integrity toward the other party and celebrate cultural diversity.
- Recognise that the relationship is a mutual two-way relationship and any changes of the agreement need to involve discussions and agreement between the partners.
- Recognise the need for Tauranga City Council to work within a legislative framework.
- Recognise the independence of each partner, including:
 - (a) The tangata whenua representatives as a voice for the Māori communities;
 - (b) Recognise the independence of hapū and iwi;
 - (c) The Council as a democratic decision maker, responsible to the community as a whole.

Role and scope

- To forge an ongoing effective and meaningful partnership between the Tauranga City Council and Tangata Whenua.
- To facilitate meaningful understanding of future impacts on key issues affecting Tangata Whenua and Māori that Council can influence.

The functions and key tasks are:

- (a) To bring to the other partner's attention issues / concerns in respect of existing strategy or policy.
- (b) To exchange information of mutual interest.
- (c) To discuss new initiatives approaches and directions.
- (d) Agree agenda topics for the following three consecutive meetings.

Communication

- To educate the wider community on Tangata Whenua issues.
- To establish and maintain communication and consultation channels within the Council organisation and Tangata Whenua groups.

Monitoring

- To regularly monitor projects, policies and strategies managed or under development by Council which affect Tangata Whenua.
- To regularly monitor progress of key issues identified by Tangata Whenua through reporting of Council and the Tangata Whenua Collective (Te Rangapū Mana Whenua o Tauranga Moana).
- To monitor the on-going development and process of the Standing Committee.

Power to recommend

- To Council or any Standing Committee as it deems appropriate.
- Reports to Council.

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2	Apologies	9
3	Public forum	9
4	Chairperson's report	10
4.1	Chairperson Verbal Report, Acknowledgement of retiring member and welcoming of new member	10
5	Acceptance of late items	11
6	Confidential business to be transferred into the open	11
7	Change to order of business	11
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8.1	Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 23 June 2021	12
8.2	Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 24 August 2022	22
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10	Deputations, presentations, petitions	31
10.1	Hapu Presentation	31
11	Business	32
11.1	Appoint Deputy Chairperson of Tangata Whenua/Tauranga City Council Committee	32
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11.3	Tangata Whenua Presentation Updates Report	39
12	Discussion of late items	45
13	Closing karakia	45

- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**

4 CHAIRPERSON'S REPORT

- 4.1 Chairperson Verbal Report, Acknowledgement of retiring member and welcoming of new member**

ATTACHMENTS

Nil

- 5 ACCEPTANCE OF LATE ITEMS**
- 6 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 7 CHANGE TO ORDER OF BUSINESS**

8 CONFIRMATION OF MINUTES

8.1 Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 23 June 2021

File Number: A14247161

Author: Anahera Dinsdale, Governance Advisor

Authoriser: Anahera Dinsdale, Governance Advisor

RECOMMENDATIONS

That the Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 23 June 2021 be confirmed as a true and correct record.

ATTACHMENTS

- 1. Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 23 June 2021**



MINUTES

**Tangata Whenua / Tauranga City
Council Committee Meeting
Wednesday, 23 June 2021**

Order Of Business

1	Opening Karakia	3
2	Apologies	3
3	Public forum.....	3
4	Chairperson's Report	4
4.1	Chairperson's Verbal Report	4
5	Acceptance of late items	4
6	Confidential business to be transferred into the open.....	4
7	Change to order of business.....	4
8	Confirmation of Minutes.....	5
8.1	Minutes of the Tangata Whenua / Tauranga City Council Committee Meeting held on 29 March 2021.....	5
9	Declaration of conflicts of interest	5
10	Business.....	5
10.1	Te Pou Takawaenga Report.....	5
10.2	Te Rangapū Mana Whenua o Tauranga Moana Report.....	6
10.3	Presentation on the Representation Review.....	7
11	Discussion of late items	8
12	Closing Karakia.....	8

MINUTES OF TAURANGA CITY COUNCIL

**TANGATA WHENUA / TAURANGA CITY COUNCIL COMMITTEE MEETING
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,
TAURANGA
ON WEDNESDAY, 23 JUNE 2021 AT 9.30AM**

PRESENT: Mr Huikakahu Kawe (Chairperson), Commission Chair Anne Tolley, Commissioner Shadrach Rolleston, Commissioner Stephen Selwood, Commissioner Bill Wasley, Mr Puhirake Ihaka, Mr Whitiara McLeod, Mr Buddy Mikaere, Ms Irene Walker, Ms Matire Duncan, and Mr Nathan James

IN ATTENDANCE: Marty Grenfell (Chief Executive), Susan Jamieson (General Manager: People & Engagement), Gareth Wallis (General Manager: Community Services), Cynthia Hamel (Kaiarahi Māori), Keren Paekau (Team Leader: Takawaenga Māori), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support), and Raj Naidu (Committee Advisor)

1 OPENING KARAKIA

Commissioner Shadrach Rolleston opened the meeting with a Karakia.

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION TW3/21/5

Moved: Mr Whitiara McLeod

Seconded: Mr Nathan James

That the apology for lateness received from Mr Puhirake Ihaka be accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 CHAIRPERSON'S REPORT

4.1 Chairperson's Verbal Report

Chairperson Mr Huikakahu Kawe

Key points

- On 21 June, the Battle of Te Ranga anniversary and remembrance service had taken place; it was heart-warming to note participation in the service had increased over the years from 11 people when it first started to approximately 200 people who braved the weather to attend.
- The Chairperson acknowledged the hard-work, commitment, and support that had gone towards establishing Māori Wards.
- The Commissioners mahi was recognised and acknowledged during the Long Term Plan (LTP) hearings held at Te Whetu marae.
- Ms Matire Duncan's resignation after over twenty years of service to Nga Potiki was recognised, particularly the creation and success of its commercial arm.
- The décor in TCC Chambers may need to reflect the future co-governance arrangements once Māori wards were formalised.
- It was important to have good Māori representation at the governance level for the benefit of all people who called Tauranga home.

COMMITTEE RESOLUTION TW3/21/6

Moved: Commissioner Shadrach Rolleston

Seconded: Ms Matire Duncan

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the Chairperson's Verbal Report.

CARRIED

5 ACCEPTANCE OF LATE ITEMS

Nil

6 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

7 CHANGE TO ORDER OF BUSINESS

Nil

8 CONFIRMATION OF MINUTES

8.1 Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 29 March 2021

COMMITTEE RESOLUTION TW3/21/7

Moved: Mr Whitiora McLeod

Seconded: Commission Chair Anne Tolley

That the minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 29 March 2021 be confirmed as a true and correct record.

CARRIED

9 DECLARATION OF CONFLICTS OF INTEREST

Nil

10 BUSINESS

10.1 Te Pou Takawaenga Report

Staff Keren Paekau, Team Leader: Takawaenga Māori

Key points

- The report was taken as read.

Discussion points raised

- The 3 waters reforms were complex, multi-layered, and of significance to Tangata Whenua so the engagement kaupapa process was imperative in order to ensure that the community was kept updated, informed, and educated.
- Boundary lines between the three territorial authorities were problematic and caused a myriad of ongoing issues.
- The proactive partnership between Tauranga City Council (TCC) and Tangata Whenua was acknowledged, particularly after the installation of the Commission.
- Cultural connections and cultural day events organised by the Te Pou Takawaenga team were praised; both sessions were incredibly useful and insightful for the Commission and was a great tool to educate newcomers to TCC.
- The 3 Waters and Resource Management Act 1991 reforms and the Local Government Review did not have a sense of connectiveness to one another which could cause future issues.
- It was equally worrisome that the community were not voicing concerns or providing feedback about the reforms or the review because these changes would have a large impact on communities and future generations to come.
- SmartGrowth had been helpful in navigating difficult paths and its support was acknowledged.
- The Strategy, Finance and Risk Committee (SFRC) meeting on 28 June 2021 would include a report on the 3 Waters reforms and another report on all other reforms.
- It was important for Tangata Whenua to encourage territorial authorities to provide support and feedback during the reforms and speak with a unified voice.

- **At 10.08am, Mr Puhirake Ihaka entered the meeting.**

COMMITTEE RESOLUTION TW3/21/8

Moved: Mr Whitiara McLeod

Seconded: Commissioner Stephen Selwood

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the Te Pou Takawaenga Report.

CARRIED

Staff Action

- Staff to organise a workshop to discuss drafting joint Tangata Whenua and Tauranga City Council submissions to the 3 Waters reforms and the Resource Management Act reforms; and potentially to the Local Government Review.

10.2 Te Rangapū Mana Whenua o Tauranga Moana Report

Member Ms Matire Duncan, Chairperson - Te Rangapū Mana Whenua o Tauranga Moana

Key points

- The report was taken as read.
- From 4-7 June 2021, the centenary commemoration of Tahupōtiki Wiremu Rātana was held at Tahuwhakatiki Marae and TCC's \$5000.00 grant from the Legacy Fund was acknowledged.

Discussion points raised

- The approachability and openness by Commissioners to engage constructively on an equal platform with Tangata Whenua was strongly appreciated, especially on the LTP and other difficult conversations.
- The Local Government 101 trainings, Māori wards workshop, and the representation review workshops had been beneficial for Tangata Whenua representatives.
- Tangata Whenua were working on their next strategic plan and a wānanga would be held at Harini Marae.
- The Rangapū website now provided Tangata Whenua a level of consistency in terms of communication and information dissemination.
- The flexibility provided to Tangata Whenua at Te Whetu Marae to speak and engage with the Commissioners during the LTP hearings was acknowledged.

COMMITTEE RESOLUTION TW3/21/9

Moved: Ms Matire Duncan

Seconded: Mr Puhirake Ihaka

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the Te Rangapū Mana Whenua o Tauranga Moana Report.

CARRIED

10.3 Presentation on the Representation Review

Staff Coral Hair, Manager: Democracy Services
Robyn Garrett, Team Leader: Committee Support

A copy of the staff presentation and tabled items for this report can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Key points

- The Strategy, Finance and Risk Committee (SFRC) had discussed the representation review and feedback received from the Committee had been included in this presentation.
- Staff had been instructed by SFRC to explore a fourth option in addition to the three options that were presented in the staff report.
- The representation review process required the Council to identify communities of interest within Tauranga as the first step, determine how these could be effectively and fairly represented, and consider the establishment (or not) of community boards.
- The current representation arrangements comprised 10 councillors (four at large and six from within three wards); the Mayor was elected at large and there were no community boards.
- A representation and electoral systems comparison of other metros was discussed.
- Communities of interests were not defined in the legislation but could be identified using three main criteria - perceptual, function and political.
- Representation reviews were undertaken every six years.
- Around New Zealand, a further 32 councils had established Māori Wards since the change in the legislation earlier in the year and all were conducting representation reviews.
- .
- Establishment of community boards was optional but had to be considered under the legislation as part of the representation review process.
- Population equity for wards (plus or minus 10% rule) was for compliance in terms of fair representation within general wards. Statistics New Zealand (Statistics NZ) provided the demographic statistics and data which would assist in identifying complying options
- TCC's current electoral system was single transferable vote (STV) and was considered most effective with representation models that had larger wards.
- Māori wards could not be repealed through the representation review process; however, a name for the single Māori ward would be needed.
- The Local Government Commission (LGC) considered and provided a final determination if any appeals, objections were received to the Council's final proposal or the Council opted for a non-complying proposal.
- The timeline was discussed; 16 July to 13 August 2021 would be the early engagement process with the community, with a formal consultation process taking place from August to December 2021 that would include submissions/hearings/deliberations/appeals and objections.
- The options for representation review were discussed including their advantages and disadvantages as well as cost implications.

In response to questions

- To vote in the Māori ward, a voter had to be enrolled on the Māori Electoral Roll (MER); however, to stand as a candidate in the Māori ward, being enrolled in the MER was not a requirement.
- Those voters who identified as Māori but were enrolled in the general ward and not in the MER would not be able to vote in the Māori Ward.
- Statistics NZ would provide the demographic calculations on both Māori Electoral Population and General Electoral Population for all options.
- The formula in the Local Electoral Act 2001 provided for one Māori member and this

- meant there would be a single Māori ward in Tauranga that covered the whole city .
- The position of Mayor was not up for review and all voters could vote for the Mayor
- Māori could stand as candidates in any ward, either Māori or general ward, or at large..
- The provision of additional Māori councillors in the future would depend on both a proportional increase in the Māori population compared to the general population and an increase in the number of ward councillors.
- A non-compliant option would need to go to the LGC for determination and should be avoided if possible..

Discussion points raised

- Te Rangapū Mana Whenua o Tauranga members were not privy to the information discussed in the report; staff would engage with Te Rangapū Mana Whenua o Tauranga members to seek their feedback.

COMMITTEE RESOLUTION TW3/21/10

Moved: Commissioner Bill Wasley

Seconded: Mr Puhirake Ihaka

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the presentation on the Representation Review.

CARRIED

Attachments

- 1 Presentation - Representation Review
- 2 Tabled item - Map
- 3 Tabled item 2 - Map

11 DISCUSSION OF LATE ITEMS

Nil

12 CLOSING KARAKIA

Mr Puhirake Ihaka closed the meeting with a Karakia.

The meeting closed at 11.30am

The minutes of this meeting were confirmed as a true and correct record at the Tangata Whenua / Tauranga City Council Committee meeting held on 14 October 2021.

.....
CHAIRPERSON

UNCONFIRMED

8.2 Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 24 August 2022

File Number: A14204798

Author: Anahera Dinsdale, Governance Advisor

Authoriser: Anahera Dinsdale, Governance Advisor

RECOMMENDATIONS

That the Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 24 August 2022 be confirmed as a true and correct record.

ATTACHMENTS

- 1. Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 24 August 2022**

MINUTES

**Tangata Whenua / Tauranga City
Council Committee Meeting
Wednesday, 24 August 2022**

Order of Business

1	Opening karakia	3
2	Apologies	3
3	Public forum	3
4	Acceptance of late items	3
5	Confidential business to be transferred into the open	3
6	Change to order of business	4
7	Confirmation of minutes	4
7.1	Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 13 April 2022	4
8	Declaration of conflicts of interest	4
9	Deputations, presentations, petitions	4
9.1	Te Kapu o Waitaha Presentation.....	4
10	Business	5
10.1	Te Rangapu Mana Whenua o Tauranga Moana Report	5
10.2	Tangata Whenua Presentation Updates Report	6
11	Discussion of late items	7
12	Closing karakia	7

**MINUTES OF TAURANGA CITY COUNCIL
TANGATA WHENUA / TAURANGA CITY COUNCIL COMMITTEE MEETING
HELD AT THE HEI MARAE, 154 MANOEKA ROAD, TE PUKE
ON WEDNESDAY, 24 AUGUST 2022 AT 10.30AM**

PRESENT: Mr Anthony Fisher (Chairperson), Commission Chair Anne Tolley, Commissioner Shadrach Rolleston, Commissioner Stephen Selwood, Commissioner Bill Wasley, Mr Puhirake Ihaka, Mr Whitiara McLeod, Ms Matire Duncan, Mr Nathan James.

IN ATTENDANCE: Marty Grenfell (Chief Executive), Coral Hair (Manager: Democracy & Governance Services), Anahera Dinsdale (Governance Advisor), Keren Paekau (Team Leader: Takawaenga), Cynthia Hamel (Kaiarahi Māori), Nikaelah Tukaki (Kaiarahi Māori), Paige Bergin (Community Relations Advisor), Tuana Kuka (Kaiarahi Māori), Mr Mokoera Te Amo, Mr Maru Tapsell, Mrs Janey Potene, Mrs Ngaire Dinsdale, Ms Ange Dinsdale

1 OPENING KARAKIA

Mr Mokoera Te Amo opened the meeting with a karakia.

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION TW3/22/1

Moved: Commissioner Shadrach Rolleston

Seconded: Mr Whitiara McLeod

That the apologies for absence received from Ms Irene Walker and Mr Buddy Mikaere be accepted.

That the apology for early departure from Mr Puhirake Ihaka be accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 13 April 2022

COMMITTEE RESOLUTION TW3/22/2

Moved: Commission Chair Anne Tolley

Seconded: Mr Whitiora McLeod

That the minutes of the Tangata Whenua / Tauranga City Council Committee meeting held on 13 April 2022 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Informal Session

COMMITTEE RESOLUTION TW3/22/3

Moved: Mr Puhirake Ihaka

Seconded: Ms Matire Duncan

That the Tangata Whenua / Tauranga City Council Committee moves into informal session.

CARRIED

9.1 Te Kapu o Waitaha presentation

External Mokoera Te Amo
Maru Tapsell

Key points

- Mr Te Amo spoke about genealogy and Waitaha connection to Tauranga Moana.
- Expressed concerns about Tauranga City Council staff and Commission site visit to the Waiāri water intake site and yet no tangata whenua site visit.
- Noted Smart Growth collaboration between Waitaha and Tauranga City Council for regional report.
- Expressed tangata whenua concerns on ecological monitoring on Waiāri. Felt the ecological monitoring by 4sight was tokenistic and done because it was a condition in resource consents. Not meaningful to tangata whenua.
- Mentioned there were opportunities for Council to give back and enhance Waiāri.
- Believed it was everyone's responsibility to monitor, protect and enhance the Waiāri and taiao (environment)
- Future plans for Waitaha Iwi to hold an annual Matariki celebration on Te Iku o Takakopiri (Papamoa Hills) with the first being held in 2023.
- Requests by Tangata Whenua/Tauranga City Council committee members to include Kopukairoa and Maungamanoa in Matariki Celebration and Matariki Ball.
- Te Kapu o Waitaha was in process of developing a fee structure for reviewing resource consents from all councils and developers.

In response to questions

- Concerns for Waiāri were being presented to Waiāri Kaitiaki Advisory Group but Waitaha had felt there was no traction on presented concerns.
- Waiāri was recognised as a stream not a river.

Discussion points raised

- Te Rangapū would like the issues raised today by Waitaha tabled at Te Rangapū Mana Whenua o Tauranga Moana hui.
- Impact of riparian planting on surface run off.
- Concern raised that staff and contractors had monitored whenua (land) and awa (river) and not gained permission from local iwi or hapū. Disregarding cultural values and returning to iwi/hapū with data few months or years later.
- Discussed mātauranga Māori and western knowledge on environmental knowledge and research.

At 10:57 am, Commissioner Shadrach Rolleston left the meeting.

At 11:28 am, Mr Puhirake Ihaka left the meeting.

Formal session**COMMITTEE RESOLUTION TW3/22/4**

Moved: Ms Matire Duncan

Seconded: Commission Chair Anne Tolley

That the Tangata Whenua / Tauranga City Council Committee move back into formal session.

CARRIED

10 BUSINESS**10.1 Te Rangapū Mana Whenua o Tauranga Moana Report**

External Matire Duncan – Chairperson – Te Rangapū Mana Whenua o Tauranga Moana

Note:

- The attachment in the agenda, business item 10.1 was incorrect. An updated report had been provided and was presented, and would be circulated to members following the meeting.

Key points

- Report taken as read.
- Thanked Commission Chair Anne Tolley for her representation of submission to the select committee for the three waters entity bill on behalf of Te Rangapū Mana Whenua o Tauranga Moana.
- Two Rangapū members on three waters project steering group agreed to by Rangapū and Executive of Tauranga City Council.
- Mentioned formally renaming this committee from Tangata Whenua/Tauranga City Council to a kupu Māori name. Rangapū members had been made aware of this suggestion. Progress and process around renaming the committee discussed.
- Key priority for Rangapū over the coming month was to work through and amend the draft charter.

Discussion points raised

- Discussion around land being returned to iwi after being taken under the Public Works Act. A hui was planned between TCC staff and Rangapū to discuss the matter further.

COMMITTEE RESOLUTION TW3/22/5

Moved: Ms Matire Duncan

Seconded: Commissioner Bill Wasley

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the report "Te Rangapū Mana Whenua o Tauranga Moana Report".

CARRIED

At 11:58 am, Commissioner Shadrach Rolleston returned to the meeting.

10.2 Tangata Whenua Presentation Updates Report

Staff Keren Paekau, Team Leader: Takawaenga Māori

Key points

- Confirmed to Waitaha that concerns presented to the Tangata Whenua/ Tauranga City Council today had been picked up by Pou Takawaenga and they would be in contact with Waitaha in the near future.
- Report taken as read.
- Matapihi Southern Pipeline Advisory Group Memorandum of Understanding was being signed Wednesday 31 August 2022 at Waikari Marae.
- Community hui at Matapihi would happen Monday 5 September 2022.

In response to questions

- Te Pou Takawaenga facilitated a hui with Western Bay of Plenty District Council to discuss Whetu marae issues regarding water supply and connecting to the Tauranga City Council water main on Welcome Bay Rd. Whetu Marae was located within the Western Bay of Plenty District Council boundary.

Discussion points raised

- Mentioned new staff within Te Pou Takawaenga: Darlene Dinsdale to manage engagement with Māori Land Trusts and Marae on three waters, and Tane Brott to work with iwi, hapu and Land Trusts around papa kainga housing.
- Aligning most of Tauranga Marae connections to wastewater and water main. Waimapu and Mangatawa marae now on board with connections; on track to have all marae within Tauranga Moana connected by 2023.

COMMITTEE RESOLUTION TW3/22/6

Moved: Mr Whitiara McLeod

Seconded: Commissioner Stephen Selwood

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the report "Tangata Whenua presentation updates".

CARRIED

11 DISCUSSION OF LATE ITEMS

Nil

12 CLOSING KARAKIA

Mr Mokoera Te Amo closed the meeting with a karakia.

The meeting closed at 12:20pm.

The minutes of this meeting were confirmed as a true and correct record at the Tangata Whenua / Tauranga City Council Committee meeting held on 30 November 2022.

.....
CHAIRPERSON

9 DECLARATION OF CONFLICTS OF INTEREST

10 DEPUTATIONS, PRESENTATIONS, PETITIONS

10.1 Hapu Presentation

ATTACHMENTS

Nil

11 BUSINESS

11.1 Appoint Deputy Chairperson of Tangata Whenua/Tauranga City Council Committee

File Number: A14083225

Author: Coral Hair, Manager: Democracy and Governance Services
Keren Paekau, Team Leader: Takawaenga Māori

Authoriser: Christine Jones, General Manager: Strategy, Growth & Governance

PURPOSE OF THE REPORT

1. The purpose of the report is to appoint a Deputy Chairperson of the Tangata Whenua/Tauranga City Council Committee.

RECOMMENDATIONS

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the report "Appoint Deputy Chairperson of Tangata Whenua/Tauranga City Council Committee".
- (b) Appoints the Commission Chair Anne Tolley as the Deputy Chairperson of Tangata Whenua/Tauranga City Council Committee.

BACKGROUND

2. With the appointment of Commissioners in February 2021, the position of Deputy Chairperson of the Tangata Whenua/Tauranga City Council Committee (TW/TCC) became vacant.
3. The decision to appoint the Deputy Chairperson of the TW/TCC was delayed until the appointment of the Independent Chairperson of the TW/TCC had taken place and the Chairperson had time to consider this matter.

STRATEGIC / STATUTORY CONTEXT

4. Clauses 26(4) of Schedule 7 of the Local Government Act 2002 (LGA) states:
(4) The local authority or the committee may appoint a deputy chairperson to act in the absence of the chairperson.
5. The legislation provides for either the Council or the committee to appoint a deputy chairperson to act in the absence of the chairperson.

OPTIONS ANALYSIS

6. Options for appointing the Deputy Chairperson are:

Option	Details	Comments
1	Deputy Chairperson is appointed by the Council following a recommendation by the TW/TCC.	A recommendation from TW/TCC would require endorsement from the Council. It has been usual practice for the TW/TCC to appoint the Deputy Chairperson and for this reason this option is not recommended.
2	Commission Chair is appointed as Deputy Chairperson by the	Recommended option: In this option the TW/TCC would appoint the

	TW/TCC.	<p>Deputy Chair directly.</p> <p>In the past the Deputy Chair has been the Mayor as they represented the most senior member of the Council and provided the mana (status) appropriate to this role.</p> <p>This option continues to provide a balance between the Independent Chair representing Tangata Whenua members and the Commission Chair representing the Commissioners and continues to reflect the status afforded to the role.</p>
3	Another member is appointed as Deputy Chairperson	<p>The TW/TCC can appoint any member of the Committee to the position of Deputy Chair.</p> <p>This option is not recommended as it may not provide a balance between tangata whenua and the Council.</p>

FINANCIAL CONSIDERATIONS

7. There are no financial impacts from this decision.

LEGAL IMPLICATIONS / RISKS

8. The TW/TCC can continue to meet without appointing a deputy chairperson, but this is not recommended. Appointing a deputy chair provides certainty in the absence of the independent chairperson.

SIGNIFICANCE

9. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
10. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the decision.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
11. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

12. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

13. Update the Terms of Reference for the TW/TCC.

ATTACHMENTS

Nil

11.2 Te Rangapu Mana Whenua o Tauranga Moana Report

File Number: A14240538

Author: Anahera Dinsdale, Governance Advisor

Authoriser: Anahera Dinsdale, Governance Advisor

PURPOSE OF THE REPORT

1. To provide an update from Rangapu to Tangata Whenua/Tauranga City Council Standing Committee.

RECOMMENDATIONS

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the report "Te Rangapu Mana Whenua o Tauranga Moana Report".

ATTACHMENTS

1. Rangapu Mana Whenua o Tauranga Moana Report to Tangata Whenua/TCC Committee hui 30 November 2022 - A14242423 [!\[\]\(69baca079ef3ab6f03d58fd7e9f950f1_img.jpg\)](#) 



**Report to Tangata Whenua / Tauranga City Council Committee meeting
scheduled for Wednesday 30 November 2022, Hungahungatoroa Marae,
Matapihi.**

TO: Tangata Whenua/Tauranga City Council Committee
FROM: Matire Duncan – Chair Te Rangapu Mana Whenua o Tauranga Moana
DATE: Wednesday 30 November 2022
SUBJECT: Te Rangapu Mana Whenua o Tauranga Moana (RMW) Report and Update
PURPOSE: The purpose of this report is to provide the Tangata Whenua / Tauranga City Council Committee members with an update of RMW progress.

1. New member to the Tangata Whenua Tauranga City Council Standing Committee

This is to give notice that Destiny Leaf will replace Irene Walker onto this committee and we thank Irene for her time, support and leadership. We acknowledge both the retiring member and the new member.

2. Tangata Whenua Representation on Council Committees

The RMW strategic priority areas mana whenua representation continues to strengthen the mana whenua voice and positively demonstrate how a partnership can work with Tauranga City Council and the Commissioners as mana whenua continue to be represented in a number of partnership and leadership roles.

3. Tangata Whenua / TCC Workshops and Special Workshops update

Te Rangapu come together in workshops to discuss and debate not only our local authority concerns and issues, but also central government plans and reforms. These workshops provide an opportunity for TCC to explore and develop Council concepts, procedures, policies and projects that may impact on mana tangata.

In the past 9 or so weeks since my last report on 24 August '22 at Hei Marae the RMW have participated in the list of workshops/special workshops and engagement presented by the Tauranga City Council staff and the Pou Takawaenga Māori Unit particularly around the: -

- a. Tauranga Matarauui Inclusive City – Action and Investment Plans
 - a. Accessible Tauranga
 - b. Safer Communities
 - c. Arts and Culture
 - d. Tauranga Events

- b. Tauranga Taurikura Environment – Action and Investment Plans
 - a. Climate
 - b. Nature and Biodiversity
- c. Tauranga Tātai Whenua Well Planned City – Action and Investment Plans
 - a. Out Public Places Strategic Plan
 - b. Play, Active Recreation and Sport
 - c. Parks, Neighborhood Reserves & Open Spaces
 - d. Marine Facilities
 - e. Urban Design

Mana tangata are actively involved in all the above AIP's and the workload has been quite heavy over the past 3 months. Mana tangata participation is acknowledged in the foundation through Māori values of Manaakitanga, Kotahitanga and Whanaungatanga.

d. 3 Waters report and water in general

A special workshop was held on 20 October 2022 with a presentation by the Iwi Secretariat aimed to build awareness and understanding of Iwi & Hapū engagement, feedback and appointments regards to Entity B, and the journey of the reform that relate to iwi hapū.

The focus of her presentation was around the creation of the mana whenua group whereby each entity boards are required to have collective competencies in Te Tiriti o Waitangi, mātauranga Māori, tikanga Māori and te Ao Māori and applications for statutory appointments to the Entity Boards have gone through its process.

At a recent workshop the RMW members discussed their priority water projects that maybe or want to see happen in their Iwi or hapū. A list was developed to get an idea how Council can provide support and assistance moving forward.

e. Finalized the RMW Charter (Tūtohunga)

The purpose of the Te Rangapū Mana Whenua o Tauranga Moana is to work together to provide a forum of mandated Iwi and hapū representatives and to be a voice for Tauranga Moana Mana Whenua within the Tauranga City Council area.

The Charter outlines the protocols of tikanga and kawa and the values that underpin the operation and function of the RMW. The Charter also sets out the membership role and responsibilities, mandating process, managing conflict of interest, communications and it sets guidelines around appointment process to committees.

The Charter is ratified with their signature by each RMW member.

f. Local Government Electoral Legislation Bill submissions

First and foremost, Te Rangapū Mana Whenua o Tauranga Moana supported the submission by the Tauranga City Council on the Local Government Electoral Legislation Bill.

In essence the RMW supports the Bill changes and the process that Councils must follow to determine their representation arrangements, giving specific consideration to Māori representation being the first step in the process and engaging with Māori before any decision is made by Council.

g. Mana whenua appointments

- Urban Design Panel – appointed 3 mana tangata to this panel (Rangitahi Kawe, Rameka Alexander & Kelcy Taratoa. Kelcy will also be seconded onto the Public Arts panel.
- Freshwater Management Tool – Dr Kepa Morgan
- Tourism BOP – Charlie Rahiri

4. Te Rangapu Administrators

The RMW recently accepted the business support arm of Te Awanui Huka Pak Ltd and we thank and acknowledge the service from Ngati Ranginui Iwi Inc.

5. Key priorities for the next coming months

- Local government reform
- RMA reform
- Three waters reform
- Develop and prioritise workplan for 2023

11.3 Tangata Whenua Presentation Updates Report

File Number: A14231643

Author: Carlo Ellis, Manager: Strategic Māori Engagement
Keren Paekau, Team Leader: Takawaenga Māori

Authoriser: Christine Jones, General Manager: Strategy, Growth & Governance

PURPOSE OF THE REPORT

1. To update the Tangata Whenua / Tauranga City Council Committee on matters raised by Tangata Whenua at previous Committee meetings and Iwi/Hapū hui held with the Commissioners

RECOMMENDATIONS

That the Tangata Whenua / Tauranga City Council Committee:

- (a) Receives the report "Tangata Whenua Presentation Updates Report".

DISCUSSION

2. Attached is a table that outlines issues Iwi/Hapū and Marae raised at previous Committee meetings and Hui held with the Commissioner. The table provides an update on the progress of these issues

ATTACHMENTS

1. Table - Tangata Whenua matters raised 30 November 2022 TW_TCC Hui - A14242950 [↓](#)



Tangata Whenua Action list – 30 November

Hui	Issue	Update	Next Steps/Status
Wairoa Marae 14 April 2021	1. Road noise was raised as a significant nuisance and an obstruction to cultural practices at the marae	78 metres of noise wall has been provided to Wairoa Marae. Construction has begun Nov 2022.	<input type="checkbox"/> Site visit to assess if further steps are required upon completion of installation of noise-wall. <input type="checkbox"/> Install planting along the fence line at the front of marae if required
	2. Housing was raised as a priority for Ngāti Kahu	<p>Land Trust reps met with Papakāinga Advisor and have agreed on a pathway forward. Discussions are still in early stages.</p> <p>TCC engagement with hapū reps regarding Poteriwhi.</p> <p>a) Hapū presented a map of the area with a range of concepts which included housing, papakāinga and Whenua Maori to the project team.</p> <p>b) Hapū noted that they were not keen to see Kainga Ora housing on the site due to the large scope of the Kainga Ora plans.</p> <p>c) Hapū noted that the awa must not be degraded in any of the development and be kept at centre of the project.</p>	<input type="checkbox"/> Papakāinga advisor working with Planning Team from TCC to support Ngati Kahu. <input type="checkbox"/> Regular update hui held with trustees to share information and progress decision making. <input type="checkbox"/> TCC team to draft up concept maps with layers based on the hapū drawing for further discussion/next hui before Christmas 2022 <input type="checkbox"/> NB: Poteriwhi MoU signed November 2022
	3. Marae Maintenance	Several necessary upgrades to the marae were highlighted in the MOU. A list of maintenance needs of the marae was requested by TCC that could be actioned during the Cycleway construction.	<input type="checkbox"/> Maintenance List pending

Hui	Issue	Update	Next Steps/Status
	4. Cycleway Logistics	An agreement with hapū is being designed regarding storm-drain clearing and leasing of land to store equipment during Cycleway construction. The remainder of the list will be completed as individual projects with hapū facilitated by kaiārahi	<input type="checkbox"/> Terms of Short Form Agreement have been agreed for execution
Hungahungatoroa Club – Ngati Tapu, Ngai Tukairangi 14 October 2021	5. The Southern Pipeline was raised as a significant and ongoing burden on the community. • Matapihi Southern Pipeline Advisory Group (Advisory Group). This is made up of hapū members (2 each from Ngati Tapu and Ngai Tukairangi) and Council members (Commissioner, General Manager, Technical Manager & Takawaenga).	The hapū representatives held a community hui on Tuesday 1 st November 2022 (evening) at Hungahungatoroa Marae. On Wednesday, 2 nd of November 2022, the MOU to establish the Advisory Group was officially signed by Hapu representatives, Commissioner Shadrach Rolleston and Chief Executive Officer Marty Grenfeld in the presence of Matapihi community members at Waikari marae. At the Council meeting on Monday 7 November a report was be presented to Council to formally establish the advisory group and accept the Terms of Reference.	<input type="checkbox"/> MoU signed in November 2022
	6. Ngāi Tūkairangi and Ngāti Tapu signalled their strong support for Whareroa alongside fellow hapū Ngāti Kuku and presented a range of short, medium and long-term actions for Council. The ten-year timeframe for the exit of heavy industry from	Update on the agreed objectives with Whareroa Marae: a) <u>Create an Emergency Exit for the Whareroa community</u> . Update in the Whareroa section. b) Ongoing actions are being facilitated by Te Pou Takawaenga in collaboration with Manea Ngatai (Chair of Whareroa Marae and Kaitiaki). The next aspects requiring attention are: • Naming of the road leading to the Whareroa boat ramp – Marae has the	<input type="checkbox"/> Acknowledge the ten-year objective as a clear indication of hapū position. Investigate and engage in a conversation as to what can be achieved in terms of the future of heavy industry in vicinity of Whareroa Marae. <input type="checkbox"/> Works in Council reserves have been completed. <input type="checkbox"/> Manea Ngatai has been established as a kaitiaki for Whareroa and this

Hui	Issue	Update	Next Steps/Status
	the priority area was heavily supported by Ngāi Tūkairangi and Ngāti Tapu and remains the desired ultimate outcome for the hapū.	<p>application form for a road name and will lodge once discussed with the hapū.</p> <ul style="list-style-type: none"> • Marae would like to trial road humps or discuss a gate barrier. • Marae requested a boat ramp sign. A boat ramp sign has been installed. 	<p>role will continue to 30 June 2023.</p> <p><input type="checkbox"/> Community hui held in November agreeing preferred emergency exit route</p>
	7. Updating the Matapihi Community Plan	Discussions around the Matapihi Community Plan / Matapihi Land Use Plan / Joint Hapū Management Plan through the Matapihi Southern Pipeline Advisory Group and hapū representatives continue.	<input type="checkbox"/> Process for development plan to be discussed at next Advisory group meeting in December 2022
Peterehema Marae – Ngati Hangarau 1 December 2021	8. Resourcing to assist the development of Maori land for housing	Papakāinga Advisor met with hapū to progress the necessary plan and zone changes required for development around the marae zone and residential area.	<p><input type="checkbox"/> Papakāinga Advisor is meeting with trustees to discuss Land block housing capability (number of Whare per block) information has been sent to the papakainga committee. They are to organise a wananga with all land blocks at Hangarau to present information get the required number of Whare</p> <p><input type="checkbox"/> Council to plan the services and required plan changes that will be needed.</p>
Whareroa Marae – Ngāti Kuku 18 January 2022	9. Whareroa Emergency Plan	<p>Temporary emergency exit has been established utilising a vacant corridor of airport land off Totara Street to exit Whareroa community area to cross airport land to Matapihi Road.</p> <p>A community hui for Whareroa Residents was held on Monday, 7th November 2022 (Evening) to socialise the current route with the community.</p> <p>At the hui concerns were raised that the current emergency exit route from the Whareroa area</p>	<p><input type="checkbox"/> Emergency exit path working group to be formed to investigate option for alternative exit from Whareroa community into the airport land.</p> <p><input type="checkbox"/> Working group to meet to with adjacent property owners to discuss opportunities to discuss new exit route.</p>

Hui	Issue	Update	Next Steps/Status
		was still to close in proximity to the industrial area in case of emergency. Alternative options for emergency exit routes were presented to the community for discussion and a preferred community route was identified.	
	10. Rāhui signs need to be available to protect the wider area in times of concern	Whareroa Marae has rahui signs, and further signs can be made available on request by hapū.	<input type="checkbox"/> Ongoing discussion with the Marae when needed
	11. Return Pitau and Hinau properties to Māori owners	TCC has not received any proposals or further correspondence from any of the iwi or hapu. In March 2022 Council made the decision to progress the sale of Hinau St on the open market.	<input type="checkbox"/> TCC now has a conditional offer after the tender process for Hinau St. <input type="checkbox"/> TCC also has a conditional offer from Sanderson Group for a proposed retirement/care facility for Pitau Road
Whetu o te Rangi Marae – Ngati Pukenga - 16 February	12. Te Kapua Wetland Restoration.	Rapid city wide development brings hidden economic and environmental strains to Ngati Pukenga. Stormwater, infrastructure and road works run off after heavy rain fall were some of the negative impacts that have affected	<input type="checkbox"/> Takawaenga has raised these issues with the WBOPDC and the Iwi. A meeting will be scheduled when the Iwi is available (see below).
	13. Western Bay Of Plenty District Council and Tauranga City Council Relationships	Ngati Pukenga expressed frustration over the current Council boundaries between the two Council, different rules and policies makes building and maintaining relationships difficult.	<input type="checkbox"/> Same as above
	14. Water supply access to infrastructure, especially on Maori Land, has been a continuing issue for Ngati Pukenga	The rebuild of Te Whetu o te rangi wharenuui in 2008 required the installation of sprinklers into the Wharenuui. Te Whetu o te rangi marae sought water supply access from Tauranga City Council pipeline that goes the Marae on the Western Bay	<input type="checkbox"/> TCC has advised the Iwi (Buddy Mikaere) that reticulation of the marae to the TCC water pipe can be achieved. A meeting to discuss this further with the Iwi is to be arranged.

Hui	Issue	Update	Next Steps/Status
		of Plenty District Council border, so access was denied. Ngati Pukenga had to purchase two 25 litre water tanks for the sprinklers.	<input type="checkbox"/> WBOPDC has also advised the Iwi (Buddy Mikaere) that the council can provide funding assistance for reticulation and will attend the meeting alongside TCC with the Iwi.
Mangatawa Marae – Ngati Kaahu ki Mangatawa - 13 April	15. Marae request for onsite effluent system for Mangatawa Marae	<p>TCC to approve the <u>proposed effluent system at Mangatawa Marae</u>. The plans for the proposed effluent system and funding of costs has been approved by TCC staff (City Waters).</p> <p>TCC staff (City Waters) met with the chairperson of Mangatawa Marae on 9 August 2022 to discuss the draft funding contract.</p>	<input type="checkbox"/> Funding contract drafted for the proposed effluent site, currently sitting with the TCC Waters team (Wally Potts) to finalise with the Marae
	16. Marae request support for wharenuī refurbishment	Takawaenga and TCC staff (Community Partnerships) met with the marae chair to discuss funding options to assist the refurbishment of the wharenuī. TCC staff to provide the marae with an application to the Community Fund.	<input type="checkbox"/> Awaiting marae application for the community fund
Hei Marae – Te Kapu o Waitaha - 24 August	17. A number of issues regarding the Waiari Project raised by the Iwi - Site visit to the new plant for Tangata Whenua - Ecological monitoring of the Waiari - Tangata Whenua issues raised at the WKAG table have not been addressed	<p>Ongoing discussions and hui have been had with the Iwi, with both TCC and WBOPDC</p> <p>A collective response from both Councils has been sent to the Iwi - a letter of intent which captures our commitment to take action and address the issues and concerns raised.</p>	<input type="checkbox"/> Hui with WKAG members 29 November to resolve a way forward

12 DISCUSSION OF LATE ITEMS

13 CLOSING KARAKIA