

Wednesday, 11 September
2024

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council

Heretaunga Takoto Noa Māori Standing Committee Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Wednesday, 11 September 2024**

Te Wā:
Time: **1.00pm**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance Services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer:

Heretaunga Takoto Noa Māori Standing Committee – Terms of Reference

This is established between the Hastings District Council and the Māori community.

Context

The Heretaunga Takoto Noa Māori Standing Committee has been established by Council to continue the development of strategic and sustainable relationships with Māori. Council also wishes to empower Māori as much as possible to make decisions over their and the wider community's future. Council shall meet the intent and spirit of the Council's obligations set out in the legislation, more particularly the obligations of the Local Government Act 2002;

- Towards establishing and maintaining processes that provide opportunities for Māori to contribute to the decision processes of Council.
- Fostering the development of Māori capacity to contribute to these processes.
- The provision of information to assist Māori contribution to Council's activities.

The Council wishes the Committee to reflect a spirit of partnership between the Council and the community and to contribute effectively to the Council's activities. To enable this to occur the Fields of Activity and Delegated Powers are framed with the widest scope possible.

The Council wishes the Committee to assist with the development of an integrated policy framework (based on Te Tiriti o Waitangi Principles) for the Council aimed at delivering effective governance, engagement and service delivery for Council's Māori Communities.

Meetings of the Heretaunga Takoto Noa Māori Standing Committee are supported by Council Kaumātua.

Fields of Activity

- To provide policy advice with respect to the District Plan, regarding provisions for Wāhi Tapu, Papakainga, and where relevant to Māori, any other amendments to the Plan.
- To provide input to the Long Term Plan and Annual Plan with particular reference to those issues of importance to Māori from within the District.
- To support Council to embrace the principles of Te Tiriti o Waitangi.
- To provide insight into Māori and other strategic community issues with particular reference to the Long Term Plan, the effectiveness of the District Plan and the delivery of the Annual Plan.
- To make decisions and provide advice on matters of mana whenua wellbeing.
- To approve and provide advice on Māori economic wellbeing initiatives.
- To assist Council as appropriate in conducting and maintaining effective, good faith working relationships with Māori communities across the district including advice on governance arrangements.
- To make decisions as to the allocation of Marae Development Fund grants within the allocated budget.
- To make decision on matters relating to Māori community development and Māori community plans.
- To make recommendations to Council on projects requiring Māori input.
- To assist Council with the development of an integrated policy framework and work programme to enable effective governance, engagement and service delivery for Council's Māori Communities.

Membership (15 Members)

- Chair – to be elected at the first meeting of the Committee at the beginning of each triennium; and from among the appointed mana whenua members of the committee.
- Deputy Chair – to be elected at the first meeting of the Committee at the beginning of each triennium from among the elected members of the committee.

- The Mayor.
- 6 Councillors including the 3 Takitimu Ward Councillors.
- Up to 8 members from Mana Whenua to be appointed by the Council, taking into account the “*post settlement environment*” and Mataawaka.

Quorum – at least 8 members (one of whom must be a Councillor).

DELEGATED POWERS

- 1) Authority to exercise all Council powers, functions, and authorities in relation to the matters detailed in the Fields of Activity such as to enable recommendations to the Council on those matters.
- 2) Authority to make decisions on the allocation of Marae Development Fund grants within the allocated budget.
- 3) Authority to develop procedures and protocols that assist the Committee in its operation provided that such procedures and protocols meet the statutory requirements of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 and Council’s Standing Orders.
- 4) Authority to approve Māori Community Plans.
- 5) Authority to approve projects or programs relating to Māori Community Wellbeing within existing budgets.
- 6) Authority to approve projects or programs relating to Mana Whenua Wellbeing within existing budgets.
- 7) Authority to approve projects or programs relating to Māori Economic Wellbeing within existing budgets.
- 8) To recommend to Council on projects that require Māori input or oversight.
- 9) To recommend to Council on planning and regulatory matters that require Māori input or oversight.

The Chair shall not have a casting vote.

Note: The Terms of Reference for the Heretaunga Takoto Noa Māori Standing Committee are subject to review by the Committee at its first meeting in the 2022 Triennium.

He hui e whakahaeretia nei e Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting

Kaupapataka **Agenda**

Koromatua

Chair: Mike Paku

Deputy Chair: Councillor Henry Heke

Ngā KaiKaunihera

Councillor members:

Mematanga:

Membership:

Mayor Sandra Hazlehurst

Councillors Ana Apatu, Alwyn Corban, Kellie Jessup, Heather Te Au-Skipworth and Hana Montaperto-Hendry

Mana Whenua members: (up to 8 members – currently one vacancy)

Tipene Cottrell; Ngaio Tiuka; Tom Keefe; Elizabeth Waiwiri-Hunt, Charmaine Butler and Pōhatu Paku

Kaumātua: Jerry Hapuku

Tokamatua:

Quorum:

At least 8 members (one of whom must be a Councillor)

Apiha Matua

Officer Responsible:

Petera Hakiwai – POU AHUREA MĀTUA: Principal Advisor Relationships, Responsiveness & Heritage Office of the Chief Executive

Te Rōpū Manapori me te

Kāwanatanga

Democracy &

Governance Services:

Lynne Cox (Ext 5632)

Te Rārangi Take

Order of Business

1.0 Prayer - *Karakia*

Apologies & Leave of Absence – *Ngā Whakapāhatanga me te Wehenga ā-Hui*

2.0 At the close of the agenda no apologies had been received.

At the close of the agenda no requests for leave of absence had been received.

3.0 Conflict of Interest – *Mahi Kai Huanga*

Confirmation of Minutes – *Te Whakamana i Ngā Minitī*

4.0 Minutes of the Heretaunga Takoto Noa Māori Standing Committee Meeting held
Wednesday 3 July 2024.
(Previously circulated)

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Wednesday, 11 September 2024

Item 5

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting***Te Rārangi Take*

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā:
From: Aileen Campbell, Transportation Community Liaison Officer

Te Take:
**Subject: Mana Whenua Engagement Strategy for HDC Cyclone Gabrielle
Transport Recovery**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is to update you on the progress of the HDC Transport Recovery programme in general and in relation to Mana Whenua Engagement during July and August. It is also to seek your approval on next steps to progress engagement at an area-wide level. This area-wide approach to Mana Whenua engagement is aligned with the approach being taken for resource consenting and procurement for recovery repair work. This is the most efficient way to progress the volume of repair work to slips, culverts and bridges. Noting that unique sites (bridge rebuilds, sites close to wahi tapu) will still require an individual approach. Work currently underway is:

- An offer of service has been requested from each mana whenua group for the work involved in establishing the scope of engagement work for repair sites in their Area of Interest. This work includes a desktop analysis of the [map](#) of repair sites to identify how many are proximate to unregistered wāhi taonga followed by a site visit with HDC technical staff to assess the vulnerability of these sites to construction. The deliverable for this work is the report of the number and location of these sites, and the site visit.
- This information will then be used to develop an offer of service to Council for the engagement work required across the area. This will include karakia, cultural impact reports/values assessment and any cultural monitoring that is required and any other associated work.

Proposed next steps are:

- That Council seek expert advice to establish clear guidelines based on national best practice for procurement of cultural advice in relation to infrastructure recovery in the wake of national disaster.
- That Council progress a proposal for additional training of contractors on resource consent conditions by mana whenua groups as a mechanism to provide additional protection for sites

considering the volume of work required and limited capacity of PSGE/hapū trusts. This training would then be included in the second area-wide offer of service from mana whenua groups.

2.0 Recommendations - Ngā Tūtohunga

- A) That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Mana Whenua Engagement Strategy for HDC Cyclone Gabrielle Transport Recovery dated 11 September 2024.
- B) That the Committee note:
 - i. That an area wide approach to Mana Whenua engagement and recommendations similar to that being taken for resource consenting for recovery work is being taken and that:
 - a. Mana Whenua will still be informed of all recovery work in their area of interest, regardless of whether it requires resource consent.
 - b. that unique sites (bridge rebuilds, sites close to wahi tapu) still require an in-depth approach additionally to the area-wide work.
 - c. that engagement is ongoing about the transport recovery work despite the area-wide agreement.
 - d. that the area-wide approach, only relates to transport cyclone recovery work.
- C) That the Committee approve that:
 - i. Council seeks expert advice to establish clear guidelines based on national best practice for procurement of cultural advice.
 - ii. Council and PSGE partners investigate whether additional training of contractors on resource consent conditions is a viable approach to providing additional protection for sites in light of the volume of work required and limited capacity of PSGE/hapū trusts.

3.0 Background – Te Horopaki

- 3.1 Overall, the scale of the damage to the roading network is such that neither HDC nor our Treaty Partners have the resource to treat each site individually in a business-as-usual approach. Our shared goal is to restore the transport network as quickly as possible for the benefit of our communities. Therefore, we aim to develop a transport recovery engagement approach which enables this while ensuring all resource consenting and statutory obligations HDC have to Mana Whenua are met, and that Māori cultural concepts, values and practices are safeguarded. For the purposes of Hastings District Council's cyclone transport recovery, 'Mana Whenua' refers to the five Post Settlement Governance Entities (PSGEs) of Tamatea Pōkai Whenua Trust, Mana Ahuriri Trust, Maungaharuru -Tangitū Trust, Ngāti Pāhauwera Trust, Ngāti Hineuru Trust and the two Hapū Trusts of Te Piringa Hapū o Ōmāhu and Ngāti Pārau Hapū Trust.
- 3.2 A draft proposed structure ('Strawman') to support a specific Mana Whenua Engagement Strategy was presented at the wānanga on 20 June. It was intended to propose a general direction of travel and outline how Mana Whenua Engagement over the Recovery programme might be resourced and funded. It was also intended to meet the request for one point of contact in relation to the

programme. Had it been agreed, it would have been put forward to the July meeting of Heretaunga Takoto Noa Māori Standing Committee for agreement and a transitional roadmap to set it up would have been developed. However, while the governance role, and internal HDC Mana Whenua Coordinator role proposed were accepted, the approach of Mana Whenua Taio roles in each Mana Whenua Group, proportionate to the volume and scale of transport recovery work was not accepted. Mana Whenua need more information to understand the needs of the recovery programme. It was concluded that an individual approach for each group may be best.

3.3 On Wednesday 3 July, HDC Transport Recovery presented to Heretaunga Takoto Noa Māori Standing Committee Standing Committee on the HDC Transport Recovery Programme, and on the outcome of mana whenua engagement during May and June. The Committee resolved:

- a. That the Heretaunga Takoto Noa Standing Committee is the correct governance group for Mana Whenua Engagement in relation to the Hastings District Council Transport Cyclone Recovery work programme
- b. That the chairs of Te Piringa Hapū o Ōmāhu and Ngāti Pārau Hapū Trust be invited to participate in items related to Mana Whenua Engagement Governance of the HDC Transport Recovery when reported to the Heretaunga Takoto Noa Standing Committee

The Committee endorsed the following:

- c. That Mana Whenua will provide direction to HDC on engagement related to transport recovery sites located in shared Areas of Interest
- d. That the PSGEs/hapū trusts will work with HDC officers to share information about unregistered wāhi taonga and wāhi tapu sites as needed to ensure sites are not destroyed in the construction required for transport recovery and, where desired, can facilitate the protection of the site in the district plan.

3.4 Following that meeting, engagement has been ongoing with the PSGE/hapū trusts. The purpose has been:

- 1) to seek guidance from the PSGE's on the correct group to engage with on each of the **rebuild** projects that are within a shared area of interest so that engagement on the engineering options can be discussed with them and any concerns raised, and an offer of service for a Cultural Impacts Assessment or Cultural Values assessment can be generated
- 2) to establish the scope of engagement required for recovery **repair** work in each area by identifying how many of the recovery sites are unique (near wāhi taonga) and require more individual treatment. This will enable an offer of service for the engagement to be generated, and what an area wide approach would cover.

3.5 Due to the volume and scale of recovery work needed, with 224 major slips across the Hastings district, a package approach is being taken to tender the work. Four preferred suppliers have been identified to establish the Suppliers Panel: TW Civil & Infrastructure, Downer Group NZ, Hick Bros Civil Construction Ltd and Tūpore Infrastructure. This was approved at Council on Thursday 27 June. A supplier panel hui with PSGE was held on Friday 30 August. This is to enable direct relationships to be established between PSGE/hapū trusts and the Suppliers Panel.

3.6 The first package of slip repair work was awarded to TW Civil & Infrastructure on Thursday 27 June for the 11 slips along the Napier-Taihape Road. Mana Ahuriri and Tamatea Pōkai Whenua each confirmed that these sites fall within the takiwa of Te Piringa Hapū o Ōmāhu who have reviewed the sites, advised that five are near (400m away) from unregistered sites of significance completed a site visit. They have also hosted a pōwhiri for contractors, consultants, media and HDC staff to mark the beginning of this first significant package of recovery work beginning and provided karakia to bless the sites.

- 3.7 Engagement has been underway on rebuild sites, as well as emergency works sites in the Tūtira Rural Community Board Subdivision area with Maungaharuru-Tangitū Trust (specifically the opening of Chrystal Culvert on 19 July, emergency works on Waikoau Gorge Bridge, review of options in relation to Arapawanui Bridge and Kahika Culvert). Hui to review options in relation to Mangatutu Low Level Bridge and other rebuild sites in the Kāweka Rural Community Board subdivision area are also ongoing.
- 3.8 It is clear that the number of locations where cultural monitors are requested by mana whenua may exceed the capacity available as the package repair works get underway. A prioritised approach is likely needed, and standardised guidance based on best national practice will be developed, taking into account distance from site, potential effect of work and site topography. The resource consent conditions do also set clear guidance on site protection, accidental discovery protocols, and are considered in other areas to be sufficient protection for sites more than 100m from work sites. Training by mana whenua groups of contractors may be an option to provide additional protection, and investigation into this is underway. Training would be linked to the resource consent conditions around mana whenua engagement and accidental discovery protocols. We are seeking approval from the Committee to progress this approach.
- 3.9 It is becoming clear that, with the volume and scale of work, number of entities involved and budget constraints, it would be helpful to officers and to Treaty Partners to set standardised rates for cultural advice in line with best national practice. This will enable consistent, transparent and consistent procurement process with all partners, and provide a basis for sites requiring more in-depth approach on a case-by-case basis. We are seeking approval from the Committee to progress this approach.
- 3.10 An area-wide consent application for repair work on 191 bridges and culverts has been submitted to HBRC and a copy is attached in this report. Engagement to date has allowed this to be submitted as one consent rather than multiple, thus saving time and resource for both Council and Mana Whenua.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Additional funding has been secured from central government. Among other things this will enable procurement of area wide engagement, which has previously needed to be project specific. This has enabled the establishment of the mana whenua coordinator role which is currently being advertised. It has also enabled the following process for procuring cultural advice and establishing scope to be progressed:
- Requesting an offer of service from mana whenua groups for establishing scope which will include a desktop review of the repair sites from the map, and then a site visit to areas where this would be helpful. Deliverable is a report on the number and location of repair sites that are unique (near wāhi taonga) and require more individual treatment. This will establish the scope of mana whenua engagement required in the area to safeguard Māori cultural concepts, values and practices.
 - Requesting an offer of service for mana whenua engagement required at an area-wide level to safeguard Māori cultural concepts, values, and practices.
- This process will enable payment for services, and ensure both parties are clear in advance on the volume of work required and cost. The funding environment in general has become more constrained with the change of government, and repair work is funded through several different streams. This will allow a 'no surprises' approach for all parties.
- 4.2 Work has been progressing along Taihape Road, with the first package of work awarded to TW Group, and engagement having been ongoing with Te Piringa Hapū o Ōmahū. A pōwhiri was held on 5 August. Five of the recovery sites were identified as being proximate, but more than 100m from unregistered of significance for the hapū. This has triggered the discussion around adopting

standardised conventions for proximity to wāhi taonga sites, and on considering additional protections that would be appropriate and that take into account the limited resources of Council and of Mana Whenua. Therefore, HDC are proposing the adoption conventions established by Tairāwhiti Resource Management Plan where buffer zones are applied to each site ranging from 10-100m. Where work is occurring more than 100m from the site of significance it is considered that the resource consent conditions are sufficient protection. Additional protections appropriate to the potential risk to the site of significance are applied for sites within 10-100m of worksites. However, given the number of sites overall, and the burden on mana whenua groups and scarcity of resources, HDC is suggesting contracting Mana Whenua to provide area-specific education linked to the resource consent for contractors working in their area. This would cover:

- 1) A short introduction about the area and why Mana Whenua needs to preserve its mauri
- 2) If there are any specific geographic features of the area that Contractors need to be mindful of
- 3) Why any resource consent conditions must be followed
- 4) Takanga tūhura taonga neherā (accidental discovery of taonga) – what to look for at a construction site, how to secure a site
- 5) Takanga tūhura taonga neherā of kōiwi tangata (human remains) – what to look for/who to contact

HDC would pay Mana Whenua representatives an agreed rate for this training being provided and hosted by Mana Whenua, based on national best practice standards and the number of contractor staff attending (e.g. 10-20 attendees). HDC would also provide expert support to upskill Mana Whenua on the technical side of the resource consent conditions. Hence, the training aligns with best practices nationally and council obligations to support capacity and capability.

This approach aligns with the building capacity and capability of local people, both our Treaty Partners and local contractors. It ensures that mātauranga ā hapū can be valued, the most efficient use of Mana Whenua resources is utilised, and there is a collaborative approach to preserve the mauri of wāhi taonga/tapu during construction works.

5.0 Options – Ngā Kōwhiringa

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

5.1 That the Heretaunga Takoto Noa Māori Standing Committee Standing Committee decide to endorse the proposed approach to Mana Whenua engagement which includes:

- setting up internal guidance and standardised rates based on national best practice for procuring cultural advice in order to be able to provide better briefs and have a clear and consistent approach
- progressing the proposal training of contractors by PSGE/hapū trusts with support from WSP subject matter expert to provide an additional layer of protection for sites as an intermediary step between cultural monitoring and site-specific protection that may be required at unique repair sites like rebuilds or sites 10m-100m from wāhi taonga, and the resource consent conditions and accidental discovery protocols.

Advantages

It provides mechanisms for remuneration of cultural advice and engagement, and enables a fair and consistent approach to be applied across partners

It supports a collaborative understanding of protocols and consent conditions. This will preserve the mauri of wāhi taonga/tapu through an informed tikanga approach and having a unified understanding of protocol between HDC, Contractors and Mana Whenua.

Build relationship between Mana Whenua and contractors.

The training will endeavour to:

- Improve Contractors' knowledge of the takiwā they are working in and the consent conditions for the sites;
- Build Mana Whenua's trust and confidence in the Contractors working in their takiwā and enhance Mana Whenua's knowledge of the consent conditions for the sites,

Disadvantages

These decisions mean change to current procedures, and will take time to set up.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane

- 5.2 That the Heretaunga Takoto Noa Māori Standing Committee Standing Committee decide not to endorse the proposed approach to Mana Whenua engagement

Advantages

Business as usual approach will continue to be followed

Disadvantages

It is difficult to provide consistent approach currently, and compare sites, and this may mean that the cost and quality of similar pieces of work varies across rohe. This is unfair to partners, and also provides an audit risk to the programme.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the Heretaunga Takoto Noa Māori Standing Committee Standing Committee decide to endorse the proposed approach to Mana Whenua engagement the next steps will include:
- Council will continue to engage individually with PSGEs and hapū trusts to establish the scope of work in each area of interest and procure cultural advice across the recovery programme
 - Council seek expert advice to establish clear guidelines based on national best practice for procurement of cultural advice.
 - Council and PSGE partners will develop the content for training of contractors on resource consent conditions with Te Piringa Hapū o Ōmāhu, TW Group, and GHD as the first group as a viable approach to providing additional protection for sites in light of the volume of work required and limited capacity of PSGE/hapū trusts.
 - Report to the Takoto Noa Māori Standing Committee Standing Committee in November

Attachments:

1⇒	Flowchart_training_final draft	CG-17-5-00055	Under Separate Cover
2⇒	Application to HBRC for Area-Wide Consent for repair to bridges and culverts	CG-17-47	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the social wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

To enable participation and partnership in work related to Cyclone Gabrielle Transportation Recovery

Sustainability - *Te Toitūtanga*

To support the consideration of Te Taio and Te Mana o Te Wai in the Cyclone Gabrielle Transportation Recovery

Financial considerations - *Ngā Whakaarohanga Ahumoni*

This work is ongoing but would help to formalise resourcing for Mana Whenua Engagement in Cyclone Gabrielle Transportation Recovery. Would also enable consistent and transparent rates for all partners and support a 'no surprises' approach.

However training of contractors would present a significant cost for the programme and contractors and so will need to be considered carefully and supported as being an effective strategy.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being significant.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

Consultation has been undertaken with :

- Mana Ahuriri Trust
 - Tamatea Pōkaiwhenua Trust
 - Maungaharuru -Tangitū Trust
 - Ngāti Hineuru Trust
-

-
- Te Piringa Hapū o Ōmāhu
 - WSP
-

Risks

Opportunity: No significant risks at this time

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

N/A:

Wednesday, 11 September 2024

Item 6

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting***Te Rārangi Take*

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness
From: & Heritage

Te Take:
Subject: Report for Toitū Te Reo Symposium and Street Festival

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is for the Heretaunga Takoto Noa Māori Standing Kōmiti to receive a brief presentation and report from Dr Jeremy Tātere McLeod for the Toitū Te Reo Symposium and Street Festival held in the Heretaunga Hastings CBD over 8-9 August 2024.
- 1.2 The report seeks to inform the Standing Kōmiti of the positive impact of Toitū Te Reo to the Heretaunga Hastings District and to the benefit of te reo Māori across Aotearoa New Zealand.
- 1.3 Based on the Welsh Eisteddfod Festival, an objective of Toitū Te Reo was to bring together the best of te reo Māori speakers and teachers, and the Māori culture through kai *food*, papahoko *retail*, and entertainment.
- 1.4 The te reo Māori symposium was held at Toitōi with levels of language proficiency in each space of Toitōi. The street festival was held on Hastings Street 100 South Block and Heretaunga Street 300 East Block.
- 1.5 CBD retail and hospitality businesses were actively encouraged to prepare for, and participate in Toitū Te Reo, with some businesses positively opting to include Māori themed menus and retail product.
- 1.6 Empty retail spaces were dressed for the festival by Iwi Toi Kahungunu artists, who also provided artwork for sale to those attending the Symposium.
- 1.7 As the inaugural Toitū Te Reo, the attendance, media coverage and receptivity of the symposium and street festival has been overwhelmingly positive. All feedback will be considered for improving Toitū Te Reo into the future.

2.0 Recommendations - *Ngā Tūtohunga*

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Report for Toitū Te Reo Symposium and Street Festival dated 11 September 2024.

Attachments:

There are no attachments for this report.

Wednesday, 11 September 2024

Item 7

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting***Te Rārangi Take*

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness
From: & Heritage

Te Take:
Subject: Te Hā o Waiaroha - Proposed Policy Instruments

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 Te Hā o Waiaroha *The Waiaroha Way* is the Heretaunga mana whenua approach to partnership and participation in water management with Heretaunga Hastings District Council and is the mana whenua expression of Te Mana o Te Wai.
- 1.2 Te Mana o Te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health and well-being of the wider environment. It is about restoring and preserving the balance between the water, the wider environment, and the community.
- 1.3 Waiaroha in its widest translation is *Harmony, Balance, Reciprocity*, alongside being divine genealogy and cosmogeny of mana whenua.
- 1.4 Te Hā o Waiaroha *The Waiaroha Way* is underpinned by four environmental principles developed by mana whenua, and adopted by Council for use to progress and develop Te Hā o Waiaroha *The Waiaroha Way*. The four universal principles are:
 - Mana Atua
 - Mana Taiao
 - Mana Tangata
 - Mātauranga Māori
- 1.5 This report outlines the proposed policy instruments being investigated as critical elements of Te Hā o Waiaroha *The Waiaroha Way* and phase II of mana whenua engagement.

2.0 Recommendations - Ngā Tūtohunga

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Te Hā o Waiaroha - Proposed Policy Instruments dated 11 September 2024.

3.0 Background – Te Horopaki

- 3.1 Heretaunga Hastings District Council's three waters teams have a range of mana whenua relationships and formal partnerships for water projects and infrastructure management. Current projects and arrangements demonstrate the breadth and depth of mana whenua engagement through:
- HDC: Tangata Whenua Wastewater Joint Committee co-governance oversight of Te Whare o Whiro Clive Wastewater Treatment Plant.
 - Te Whare o Waiaroha Hastings Drinking Water Treatment Plant and freshwater demand management.
 - Karamū catchment storm water discharge consent renewal.
 - Karanema Havelock North Hills Catchment Management.
- 3.2 The development of Te Hā o Waiaroha *The Waiaroha Way* and its four universal principles have taken into consideration all of Council's mana whenua touchpoints with consideration to the past 10 years input of mana whenua to developing and articulating values and principles. The intention of a 'principles review' was to highlight the most universal principles in which all other values and principles derive.
- 3.3 The four universal principles of Mana Atua, Mana Taiao, Mana Tangata and Mātauaranga Māori may be considered for all environmental work of Council and are applicable for developing environmental policies and plans such as waste minimisation, climate change, and Local Area Plans.
- 3.4 The recommendation of the Heretaunga Takoto Noa Kōmiti for Council to adopt these principles unlocks the next stage of Te Hā o Waiaroha *The Waiaroha Way*: identifying and designing policy instruments.

4.0 Discussion – Te Matapakitanga

- 4.1 Policy instruments are 'tools' within a policy to achieve the intent, outcomes, and aspirations of a policy. Policy instruments can be categorised as either implicit or explicit based on their perceived impact to the policy's stakeholders.
- 4.2 Implicit mechanisms are not felt by the policy audience and include things like the structure of a policy document, or standards and expectations that are inherent to the audience.
- 4.3 Explicit mechanisms are felt by the audience, and include things such as rules and regulations, or directives. How explicit a mechanism varies from minor changes, such as new guidance and strategic direction, to major changes like the introduction of a new governance model or operational structure.
- 4.4 The purpose of this report is for Kōmiti members to discuss two proposed policy instruments to guide the next phase of mana whenua engagement:

- Partnership through co-governance mechanisms using the example of the HDC: Tangata Whenua Wastewater Joint Committee
- Partnership roles between Heretaunga Hastings District Council's water services teams and mana whenua partners.

- 4.5 These two policy instruments have been identified by mana whenua through phase I engagement and policy analysis, and while the instruments have been identified as an area of further engagement, they have not been defined beyond their identification. As such this frames the agenda for the phase II mana whenua engagement.
- 4.6 Minimal defining of these two mechanisms has taken place beyond their identification. This is because both items relate directly to the practicalities of securing and enhancing the partnership model between Mana Whenua and Council, meaning the mechanisms themselves should be determined in partnership (not solely by Council).
- 4.7 To aid discussion, some foundational material has been prepared however, this should be considered a conversation-starter as opposed to concrete building blocks.
- 4.8 Additionally, some early rationale for both these mechanisms has been identified and stepped out in this discussion section. This rationale will oscillate as we work through the engagement and design process for these mechanisms but is provided here as an early indication of how they could support the potency of this policy framework.

5.0 Proposed Instruments *Te Rau Arataki*

- 5.1 The proposed instrument 1 is a joint governance committee that oversees Council water services. Its structure and terms of reference have not been considered beyond it being a joint committee with mana whenua.
- 5.2 The proposed instrument 2 is a concept of partnership roles within Council water services teams and/or mana whenua organisations as a form of joint management. The intention of such roles would be to enhance partnership between mana whenua and Council for the protection, management, and delivery of services relating to wai.
- 5.3 Examples for further discussion include a relationship manager within the water services team, or secondments from mana whenua partners into water services (or vice versa). Other ideas have included internships and cadetships between Council and Mana Whenua partners.
- 5.4 These two mechanisms provide clear pathways to ensure policy translates into action. "The operationalisation of principles" (Quoted by Mike Paku) is a key requirement for the development of Te Hā o Waiaroha *The Waiaroha Way*.
- 5.5 These two proposed instruments are deemed appropriate to operationalising Te Hā o Waiaroha *The Waiaroha Way* and with the approval of this Kōmiti, are intended to shape phase II of mana whenua engagement.

6.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 6.1 Endorse the two policy mechanisms outlined in section five of this report as appropriate areas of focus for the development of Te Hā o Waiaroha *The Waiaroha Way* policy framework.

Advantages

- Strengthen Council's mana whenua partnerships and embed the expectations of Waiaroha in Council Governance and Operations.
- Strengthen the cultural capability and capacity of Council water services team.

- Enhance Council's water services delivery and diversify infrastructure solutions to be cognisant of mātauranga Māori and cultural engineering solutions.

Disadvantages

- Potentially significant process to establish either or both mechanisms.
- As an exploratory space could become cumbersome and challenging to operationalise.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane

No genuine advantages identified by maintaining the status quo.

7.0 Next steps – Te Anga Whakamua

- 7.1 Provide feedback on the two proposed major policy mechanisms for Te Hā o Waiaroha *The Waiaroha Way* policy framework.
- 7.2 Council Officer's to continue to develop an engagement plan inclusive of workshops relating to the key instrument areas:
 - What Joint Governance for Council's water services looks like?
 - What partnership roles within Council's water services teams looks like?

Attachments:

There are no attachments for this report.

Summary of Considerations - He Whakarāpopoto Whakaarohanga

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Te Hā o Waiaroha *The Waiaroha Way* strengthens Council's decision making and recognition of **Section 77 (1) c:** *of the Local Government Act reads 'if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.'*

Link to the Council's Community Outcomes – Ngā Hononga ki Ngā Putanga ā-Hapori

This proposal promotes the cultural and environmental wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Te Hā o Waiaroha *The Waiaroha Way* has a positive impact on Māori and mana whenua organisations in supporting their respective environmental aspirations and outcomes.:

Sustainability - *Te Toitūtanga*

Te Hā o Waiaroha *The Waiaroha Way* is a cultural sustainability model of positive benefit to Council's environmental outcomes.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of minor significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

External engagement will take place with mana whenua organisations represented by the Heretaunga Takoto Noa Kōmiti.

Risks

Opportunity:<Enter text> :

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Council strengthens its mana whenua partnerships and creates good process for managing water services with cultural oversight and input.	Changing Government policy and legislation may shift focus of Te Hā o Waiaroha to meet shifting expectations of the Government.

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

N/A

Wednesday, 11 September 2024

Item 8

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting

Te Rārangi Take

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā:
From: **Jordarne Wiggins, Waste Minimisation Specialist**

Te Take:
Subject: **Waste Management and Minimisation Plan Update**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to update the Heretaunga Takoto Noa Māori Standing Committee on the development of the Joint Waste Management and Minimisation Plan (WMMP) led by Hastings District Council (HDC) and Napier City Council (NCC).

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Waste Management and Minimisation Plan Update dated 11 September 2024.
- B) That the Heretaunga Takoto Noa Māori Standing Committee:
 - i. Provide Feedback and guidance on:
 - a. The general view of Joint Waste Futures, waste management and minimisation and the Joint Waste Management and Minimisation Plan.
 - b. The approaches outlined in this report.
 - c. How the Committee would like to be involved or assist in the current process to develop the WMMP
 - d. How the Committee should be involved in the waste kaupapa into the future.

3.0 Background – *Te Horopaki*

- 3.1 The Waste Minimisation Act 2008 (The Act) requires all city and district councils to have a formal plan for managing waste. These plans must set out goals and actions for how the city or district will reduce the volume of waste it produces.
- 3.2 Due to their physical proximity and other linkages, Napier City and Hastings District Councils have a Joint Waste Management and Minimisation Plan (WMMP). The Joint WMMP is overseen by the Joint Waste Futures Projects Steering Committee (Joint Waste Futures). The purpose of the Joint Waste Futures committee is to:
 - Oversee, support, monitor, and report progress towards achieving the intent of the WMMP.
 - Represent the interest of Council in the WMMP.
 - Review the WMMP at least every six years to meet the requirements of The Act.
- 3.3 The solid waste teams from both councils are currently reviewing the previous WMMP to create the next. The development of the next WMMP was delayed due to the impacts of Cyclone Gabrielle and the new completion date is August 2025.
- 3.4 Both councils hope to utilise and enhance their existing partnerships with Mana Whenua to guide waste management and minimisation into the future. This includes, but is not limited to, supporting the development of this, and future Joint WMMPs.
- 3.5 To begin this journey, the solid waste teams have hosted a series of engagements with Joint Waste Futures, Heretaunga Takoto Noa Māori Standing Committee, Ngā Mānukanuka o Te Iwi (NCC) and Māori and Mana Whenua representatives to build knowledge of the waste management and minimisation kaupapa. These engagements were:
 - 3.6 **16 April 2024**
 - 3.7 Ōmarunui Landfill visit with Jordarne Wiggins (Te Whānau-ā-Apanui), Mātanga Mukupara - Waste Minimisation Specialist HDC
 - 3.8 **17 June 2024**
 - 3.9 “World of Waste” with Kate Fenwick, Director of Waste-Ed with Kate
 - 3.10 **23 August 2024**
 - 3.11 Toitū te Taiao with Jacqui Forbes (Ngāti Tama), Para Kore Kaihautū Mātua
 - 3.12 Universal principles for mahi taiao kōrero by Mike Paku (Ngāti Kahungunu), Chairman – Heretaunga Takoto Noa Māori Standing Committee.
 - 3.13 The above sessions were to build a foundation of general knowledge about waste and enhance existing partnerships to inform our joint future in waste management and minimisation. The last of the three-waste series, Toitū te Taiao was insightful and there was important discussion shared about how big the waste kaupapa is, and how Te Ao Māori can and should inform mahi taiao.
 - 3.14 Following on from the importance of that kōrero, Mike Paku presented Hastings District Councils adopted universal principles for mahi taiao and their whakapapa.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Timeframes for the delivery of the next WMMP (attached):
- 4.2 Timeframes for development of Joint Waste Management and Minimisation Plan are governed by The Act and therefore fixed, especially considering Joint Waste Futures have already been granted an extension due to Cyclone Gabrielle.
- 4.3 Given these tight timeframes, the WMMP project team are concerned about their ability to partner in a way that feels authentic and genuine for Mana Whenua.

- 4.4 To address this, the project team are:
- 4.5 Operating with transparency about their internal capability
- 4.6 Being supported by the Pou Ahurea and Te Waka Rangapū (NCC's Māori Partnerships team)
- 4.7 Seeking guidance from Heretaunga Takoto Noa and Ngā Mānukanuka o Te Iwi (NCC's Māori Committee)
- 4.8 Prioritising open and clear partnership channels with Mana Whenua partners.
- 4.9 The teams would also like to include mechanisms in the next WMMP that support the growth of our relationship with Mana Whenua and ensure the enhancement of our partnership into the future. What this future partnership looks like, is to be determined by Mana Whenua through our existing relationships.
- 4.10 We are also conscious Mana Whenua experience heavy engagement commitments and are aware of the associated engagement fatigue.
- 4.11 The waste kaupapa is a significant issue for councils and communities, and especially for Mana Whenua whose interest in te taiao is paramount. For this reason, we are working hard to ensure we partner with Mana Whenua in a way that maximises our ability to receive their guidance while limiting their need to have additional engagements.
- 4.12 Despite a strong desire to strengthen and futureproof Mana Whenua partnership, the challenging timeframes mean our approaches for the development of this WMMP should be viewed as the start of the partnership journey (because that is exactly what they are). Joint Waste Futures and the team of officers working on the project have already experienced significant learnings which have galvanised our commitment to a future where partnership is natural.
- 4.13 Reflecting on Council's desire *"to empower Māori as much as possible to make decisions over their and the wider community's future"* (Heretaunga Takoto Noa Māori Standing Committee, delegated powers) and the role of Heretaunga Takoto Noa *"to continue the development of strategic and sustainable relationships with Māori"* (Heretaunga Takoto Noa Māori Standing Committee, delegated powers), the project team and Joint Waste Futures wish to be guided by the Heretaunga Takoto Noa Māori Standing Committee on our partnership journey with Mana Whenua for the development of this WMMP and for the future of waste minimisation.

5.0 Options – Ngā Kōwhiringa

- 5.1 Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga
- 5.2 Receive this report and provide feedback and guidance on:
 - the committees general view of Joint Waste Futures, waste management and minimisation, and the WMMP
 - the approaches outlined in this report.
 - how the Committee should be involved in the current process to develop the WMMP.
 - how the Committee should be involved in the waste kaupapa into the future.
- 5.3 Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuatanga o nāianeī
- 5.4 Do not Receive this report and/or provide feedback or guidance outside of what has been detailed in this report:

6.0 Next steps – Te Anga Whakamua

- 6.1 The project team will adopt feedback and respond to guidance from the Heretaunga Takoto Noa Māori Standing Committee and report back to the Chair and Deputy Chair of Joint Waste Futures.

- 6.2 The project team will also provide a formal update to the Joint Waste Futures committee (20 September) specifically on the approach being taken for Mana Whenua partnerships and schedule any required reporting to Heretaunga Takoto Noa Māori Standing Committee.

Attachments:

1	Timeframes for development of Joint Waste Management and Minimisation Plan	SW-29-2-24-128	Under Separate Cover
2	Waste Management and Minimisation Plan	PRJ18-7-0114	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Given the significant impact waste has on te taiao, and the importance of te taiao for Tangata Whenua, all mahi in this space provides inference for the impacts to Māori.

Sustainability - *Te Toitūtanga*

Māori are uniquely capable in guiding outcomes for te taiao through kaupapa Māori principles. This is why partnership, Mana Whenua determination and the ao Māori context are crucial to a sustainable future in waste and the pursuit of holistic aspirations.

Section 43 of the Waste Minimisation Act states that a WMMP must provide for:

- (a) Objectives and policies for achieving effective and efficient waste management and minimisation within the territorial authority's district.
 - (b) Methods for achieving effective and efficient waste management and minimisation within the territorial authority's district including-
 - (i) Collection, recovery, recycling, treatment, and disposal services for the district to meet its current and future waste management and minimisation needs (whether provided by the territorial authority or otherwise); and
 - (ii) Any waste management and minimisations facilities provided, or to be provided, by the territorial authority; and
-

(iii) Any waste management and minimisation activities, including any educational or public awareness activities, provided, or to be provided, by the territorial authority.

A WMMP must have regard to the waste hierarchy, Te Rautaki Para – the New Zealand Waste Strategy, and the joint Council's most recent Waste Assessment.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A – Contained within existing budgets.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

The engagement process is in its early stages and engagement approaches are continually adapted to meet needs.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

Development of the Waste Management and Minimisation Plan requires a special consultative procedure to be undertaken pursuant to section 83 of the Local Government Act 1974.

Risks

<i>REWARD – Te Utu</i>	<i>RISK – Te Tūrarua</i>
<p>Enhanced trust and partnership between the two Councils and Mana Whenua.</p> <p>Enhanced waste management and minimisation that is culturally informed and sustainable, restorative, or regenerative.</p> <p>Benefits to public safety by higher service standards and staff safety through enhanced reputational resilience.</p> <p>Overall benefits to Council and communities through improvements across the social, economic, and environmental services.</p>	<p>Failure to enhance and secure future partnership is the most significant risk in this space. If we do not walk alongside Mana Whenua and pursue culturally informed and sustainable, restorative, or regenerative improvements to waste management and minimisation, we will continue to labour in this space from a reputational and service delivery perspective.</p>

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

Not required.

Wednesday, 11 September 2024

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting***Te Rārangi Take*

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness & Heritage
From: Rachel Stuart, Public Spaces and Building Assets Manager

Te Take: Purchase of Kaumātua Jerry Hapuku portrait
Subject:

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 A portrait of the Council Kaumātua, Mr Owen Jerry Hapuku MNZM (known as Jerry), was unveiled at a ceremony in Havelock North in July 2024. As the Council Kaumātua, it is considered appropriate for Council to purchase the portrait on behalf of the community.
- 1.2 Utilisation of the Abbott Bequest fund to purchase this portrait is considered suitable given its consistency with the bequests criteria that includes support for art works that are in a public location, consistent with landmarks themes and suitable quality.
- 1.3 This report seeks the Committee's support for the Council to purchase the portrait of the Council's Kaumātua utilising the Abbott Bequest fund and that the portrait be displayed in the Hastings District Council Chamber Foyer.
- 1.4 Formal approval for purchase will be required from the Civic Development Subcommittee to allocate \$15,000 from the Abbott Bequest to purchase a portrait of Council Kaumātua, Mr Jerry Hapuku MNZM.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Purchase of Kaumātua Jerry Hapuku portrait dated 11 September 2024.
- B) That the Committee support Council to purchase the portrait of Kaumātua Jerry Hapuku utilising the Abbott Bequest fund and that the portrait be installed in the Hastings District Council Chamber foyer.

3.0 Background – Te Horopaki

Proposal

- 3.1 A portrait of the Council Kaumātua, Mr Owen Jerry Hapuku MNZM (known as Jerry), was unveiled at a ceremony in Havelock North in July 2024. The portrait is being displayed at Muse Gallery and can be purchased.
- 3.2 As the Council Kaumātua, it is considered appropriate for Council to purchase the portrait on behalf of the community.
- 3.3 It is important to note that following the Committee's endorsement of utilisation of the Abbott Bequest fund to purchase the artwork, a report will be taken to the Civic Development Subcommittee to allocate \$15,000 from the Abbott Bequest to purchase a portrait of Council Kaumātua, Mr Jerry Hapuku MNZM.

Abbott Bequest

- 3.4 Upon his death in 1944, Mr H W Abbott, a Hastings builder, bequeathed \$111,000 to the Mayor and citizens of the Hastings City Council to be used for public benefit or utility for all the citizens of Hastings.
- 3.5 The majority of these funds were used to purchase the George Ebbett collection of artefacts and a contribution towards the construction of the Cultural Centre (HB Exhibition Centre).
- 3.6 In February 1978 Council resolved that:

'The remaining capital in the Abbott Bequest (\$11,000) be invested long term at the best rate of interest, and that the interest be used to acquire articles of art or culture on the recommendation of the Sub-Committee set up for this purpose'.
- 3.7 Following gradual depletion of the \$11,000, in 1994 an 'Art Acquisition Policy' was adopted, with the purpose to define and regulate the acquisition of works of art, craft items, artefacts or historical items by way of purchase, gift, bequest or exchange. Section 6 of this policy stated that:

Funding for Acquisitions: monies obtained by way of bequests, gifts, sale of works or grants shall be allocated to a fund known as the Acquisition Fund, including:

 - (a) Abbott Bequest – interest from investment of this bequest shall be included in the Acquisition Fund. This fund shall be added to annually by the Council.
- 3.8 An Art Acquisition Committee was established to manage the fund; these decision-making powers were then delegated to the Landmarks Advisory Panel, and subsequently the Landmarks Advisory Group.
- 3.9 The Landmarks Advisory Panel identified a six-part operating criteria, aimed at ensuring that the best overall results were achieved in terms the funding of art works for the District.
- 3.10 The 2021/31 Long Term Plan reinstated the Council contribution to this fund in order to fund art in public places within the Hastings District, with \$20,000 per annum being allocated in Years 1, 2 and 3, and thereafter \$10,000 per annum allocated in Years 4 to 10.

4.0 Discussion – Te Matapakitanga

- 4.1 The discussion below provides an analysis of the appropriateness of utilising the Abbott Bequest fund to purchase the portrait, which requires consideration of the portrait against the artwork policy.
- 4.2 The Abbott Bequest is a funding reserve that can be utilised for the purpose of funding approved public artworks. Decision making powers on funding applications were previously delegated to the Landmarks Advisory Group prior to its disestablishment in 2022.

- 4.3 Members of the Landmarks Executive have been advised of this request and endorse the proposal.
- 4.4 The Abbott Bequest has a range of policies and criteria in place, aimed at ensuring that the best overall results are achieved in terms the funding of art works for the District. The policy directives as they relate to this application are assessed and discussed as follows:
- **Public Space Location**
To obtain the best artistic results and to use the funds to their best effect in enhancing the District, it is desirable that the bulk of the Abbott Bequest funds are used to fund art pieces that are readily accessible to the public.
- 4.5 Proposed to be located in the Council Chamber, the artwork will be accessible to all members of the community.
- **Landmarks Themes**
Art works seeking funding should be responsive to the key Landmarks design themes of Fertility & Abundance, good climate, Spanish Mission and Art Deco architecture, natural features, Maori culture and the spirit of recovery after the 1931 earthquake.
- 4.6 The portrait will be responsive to a key Landmarks theme of art, history and heritage. It references the important contribution that Jerry Hapuku has made to the community.
- **Quality Assessment**
Art items need to be of a physical design and made from materials that are appropriate for their intended location.
- 4.7 Subject to endorsement by the Heretaunga Takoto Noa Māori Standing Kōmiti, the portrait is proposed to be displayed in the Council Chamber, where it will be safe and secure.
- **Siting Assessment**
The proposed positioning and setting of an art piece will be considered, in order to present the work to its best advantage.
- 4.8 The proposed site will optimise the visibility and impact of the portrait.
- **Maintenance Criteria**
Where the funds are used for Council projects, the application should contain details any special requirements for cleaning, upkeep and the regular maintenance of any machinery or moving componentry.
- 4.9 Maintenance required will be minimal.
- **Fund Management**
As a guiding policy, the current end of year balance, of the Abbott Bequest Fund, should be maintained at a level as close as possible to fund balance at the end of the preceding financial year. To achieve this, annual grant(s) will generally be limited to the equivalent of the interest earned on this balance, plus the amount of the Council contribution for that year.
- 4.10 Currently the fund is earning interest at a rate of approximately \$2,500 pa, with Council contribution of \$10,000 per annum.
- Current Balance
- 4.11 The current balance of the Abbott Bequest is \$106,931.00.
- 4.12 If a contribution of \$15,000 was made there is sufficient funds remaining for further contributions to public artwork.

- 4.13 The last public artwork that obtaining funding from the Abbott Bequest was the Prunus Awanui Sculpture in 2020 for Landmarks Square with a contribution of \$12,000 and \$25,000 towards Dolly the Warhorse sculpture in August 2022.
- 4.14 The Abbott Bequest fund can comfortably contribute \$15,000 to purchase the portrait, consistent with the fund policy.

5.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 It is recommended that the Committee support the proposal to use the Abbott Bequest fund to purchase the portrait of Jerry Hapuku and for the portrait to be displayed in the Hastings District Council Chamber Foyer.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If Option 1 is agreed upon, a report will proceed to the Civic Development Subcommittee seeking agreement that the Abbott Bequest to fund be utilised to purchase the portrait of Mr Jerry Hapuku and to display it in the Hastings District Council Chamber Foyer.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the cultural wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Mr Jerry Hāpuku MNZM holds the official role of Council Kaumātua with the primary task of supporting the Mayor and Chief Executive in their ceremonial duties, and to guide tikanga Māori for the Council and Heretaunga Takoto Noa Māori Standing Kōmiti.

Previous to Mr Hāpuku the Council Kaumātua role was held by the late Tuahine Northover of Ōmāhu from 2005-2011. Mr Northover's portrait is displayed in the foyer to the Mayor's Office.

The acquisition of an official portrait of the Council Kaumātua sets a precedent for acknowledging future Kaumātua in a similar way, therefore it is of importance for the Heretaunga Takoto Noa Kōmiti to endorse this new tradition, and to provide advice on its placement in the Civic Administration Building.

Sustainability - Te Toitūtanga

N/A

Financial considerations - Ngā Whakaarohanga Ahumoni

There are sufficient funds in the Abbott Bequest fund to contribute \$15,000 to the purchase of the portrait, consistent with the fund policy.

Significance and Engagement - Te Hiranga me te Tūhonotanga

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

Consultation – internal and/or external - Whakawhiti Whakaaro-ā-roto / ā-waho

The Landmarks Trust Executive who previously had delegation to approve applications for Abbott Bequest have been advised of the request contained in this report and are supportive of it.

Risks

REWARD – Te Utu	RISK – Te Tūraru
<p>Elevate and recognise the important role of the Council Kaumātua in upholding the integrity of tikanga Māori in Council.</p> <p>Better work towards a Treaty of Waitangi centred partnership between mana whenua and Council.</p>	<p>Council work with many Kaumātua across Heretaunga Hastings District, and there could be a perceived risk of favouritism towards individual Kaumātua.</p>

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

N/A

Wednesday, 11 September 2024

Item 10

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting***Te Rārangi Take*

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Rebecca Sutton, Programme Manager: Local Area Plans
From: Charles Ropitini, Principal Advisor: Relationships, Responsiveness & Heritage

Te Take:
Subject: Mana Whenua Engagement for Local Area Plans

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is to confirm commencement of engagement with Mana Whenua on the Local Area Plans Programme, and will:

- Introduce the Local Area Plans Programme by way of detailing the context and background of the Programme, and how it contributes to Council's overall Growth programme of works.
- Detail what a Local Area Plan is, the purpose of them and introduce what information they cover.
- To confirm the approach for engagement with Mana Whenua to ensure that the programme aligns with and integrates Māori perspectives and aspirations, particularly where this relates to sense of place, identity and relationships relative to each identified Local Area.

2.0 Recommendations - *Ngā Tūtohunga*

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Mana Whenua Engagement for Local Area Plans dated 11 September 2024.

3.0 Background – Te Horopaki

- 3.1 The Local Area Plans Programme (LAPP) was introduced into Council's overall growth workstream as recommended action arising from the *2022 Review of the Medium Density Housing Strategy* undertaken by Cogito Consulting.
- 3.2 This review highlighted that the existing District Plan zonings and associated provisions '*stand alone as a delivery tool and are not clearly supported by broader spatial planning of the neighbourhood in terms of location, infrastructure, and connectivity*'. As such, the LAPP was designed to address the 'gap' in the planning framework, to provide the equivalent of a structure plan for existing urban areas identified as appropriate to accommodate medium density housing.
- 3.3 The objectives of the LAPP seek to ensure that:
- Clearly defined areas where medium density housing is encouraged, and anticipated, adopting a place-based approach.
 - Identified local areas are suitably supported by all essential infrastructure, including open space provision to ensure that uptake of housing developments in these areas maintains or enhances existing amenity values experienced in these areas.
 - The uptake and implementation of quality, medium-density developments within these areas are facilitated by the Operative District Plan provisions and encouraged at a strategic level.

The intent is to ensure that medium density neighbourhoods are actively planned and suitably supported, resulting in *well-functioning* intensification-focused local growth areas. In contrast, unplanned and/or ad-hoc residential intensification across urban areas can lead to infrastructure inefficiencies and uncertainty for developers and communities.

4.0 Discussion – Te Matapakitanga

4.1 PROGRAMME CONTEXT

- 4.1.1 The LAPP is tasked with preparing neighbourhood-scale structure plans to facilitate residential intensification. This approach ensures a clear methodology for determining the location of medium-density housing within the urban environment of Heretaunga Hastings, supported by the necessary infrastructure.
- 4.1.2 A *neighbourhood-scale* work programme must be both responsive and directive to maintain consistency across relevant strategies. Specifically, the LAPP responds to higher-order strategies (such as the Heretaunga Plains Urban Development Strategy) and directs/informs changes to the District Plan (such as that of Plan Change 5 – Right Homes, Right Place) to accommodate necessary land use changes that become evident.
- 4.1.3 As a result, the LAPP operates within a dynamic context, influenced by national growth directives and the ongoing development of the Future Development Strategy across Heretaunga Hastings and Napier and directive to existing District Plan changes to ensure that a consistent approach to growth is provided. The LAPP remains adaptable to this changing environment while upholding its core objectives.
- 4.1.4 The over-arching goal of the LAPP is to ensure that the necessary above and below ground infrastructure are in place, or planned to realise, at-scale, residential intensification within the identified Local Areas, to provide for choice in the housing market and to support growth within the existing urban environment in a planned and efficient manner.

4.2 PROGRAMME DESIGN

The LAPP is structured in two phases: Planning and Implementation.

4.2.1 Phase 1 – Planning

This first phase has involved development of the programme itself, as detailed in the **Local Area Plans Programme Overview and Supporting Information Document** (refer **Attachment 1**). This document essentially serves as the ‘Blueprint’ for the development of the programme and establishes the vision and objectives of the LAPP. Most importantly, this phase of work has developed the methodology used to identify and determine the extent of the first four Medium Density neighbourhoods relative to Hastings Central – *West, East, North and Hospital* – refer *Figure 1*.

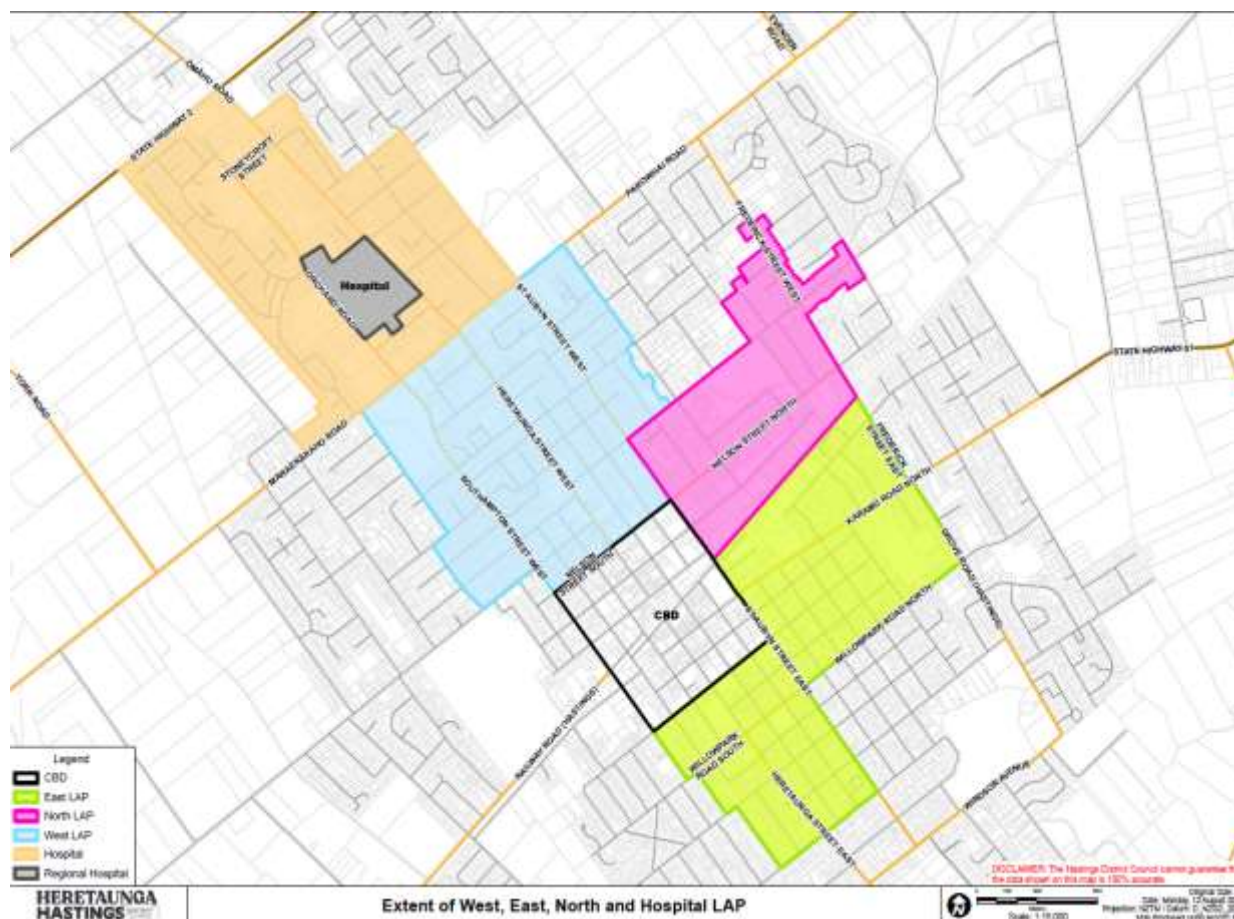


Figure 1 – LAP extents relative to Hastings Central

Drafting of each of the first four Local Area Plans has commenced, with each LAP comprising two documents – a ‘public-facing’ engagement draft and a more substantive, ‘supporting information’ report. This structure ensures a concise, informative and user-friendly document. It is anticipated that LAP’s applicable to Flaxmere and Havelock North will be prepared subsequent to completion of the first four Local Area Plans.

The initial engagement drafts inform the community of what a Local Area Plan is, its scope, and seeks feedback on features of local identity along with betterment opportunities. A final communications and marketing plan for this phase of the programme has been prepared, with commencement of engagement activities to commence in late September 2024.

The community feedback will inform the final LAP’s, which will replace the engagement drafts and will be brought to Council for formal adoption.

4.1.2 Phase 2 – Implementation

The second phase of the LAPP will commence following the adoption of the first four Local Area Plans.

Noting that this phase of the programme is still in its infancy, this phase will explore both regulatory and non-regulatory mechanisms to facilitate medium density housing development and includes consideration of partner initiatives.

4.1.2.1 Regulatory Approach/ Plan Change 5 – Right Homes, Right Place

In terms of successful implementation of the LAPP and development of medium density housing, it is necessary to ensure that the District Plan provides for medium density housing in appropriate areas, as identified in Recommendation 3 of the 2022 MDHS Review.

As mentioned earlier in this report, the preparation of the LAPP has occurred concurrently with the development of Plan Change 5 – Right Homes, Right Place to the District Plan, which was prepared as ‘the first step in the process of aligning the District Plan with Policy 5 of the National Policy Statement on Urban Development.’ This plan change expressly seeks to amend existing plan provisions to provide for a more enabling rule framework for residential intensification, in locations already identified as suitable for greater housing density and anticipated significant change to the existing urban form, to provide for a greater diversity of housing typologies.

As such, this Plan Change represents the regulatory mechanism by which development of medium density housing can occur, with a site-specific focus. The methodology prepared by the LAPP has informed the location and extent of the Medium Density Residential zone proposed under PC 5, to ensure that these documents are aligned and consistent in terms of overall approach.

This Plan Change is well advanced through the formal public consultation requirements detailed within the Resource Management Act, with the Hearings of Submissions completed on the 11 April 2024 and final decisions with regard to zone extents and relevant performance standards anticipated in October 2024. Therefore, it is acknowledged that until such time as the Council issue their decisions, this aspect of the implementation relative to the LAPP remains subject to change, however will directly impact upon the development of Phase 2 of the programme, being the implementation of medium density housing.

4.1.2.2 Non-Regulatory Opportunities

As an extension to the existing Medium Density Housing Strategy 2014, the LAPP’s success depends on ‘on-the-ground’ realisation of medium density housing, presenting a risk if the private market does not respond as anticipated. However, this also offer opportunities for innovation and proactive approaches from the Council perspective. Further work will explore:

- Conducting a threshold analysis within each LAP area, to determine the required uptake of residential intensification to trigger the identified betterment projects within local areas;
- The establishment of public/private partnerships (as recommended by the 2022 MDHS Review);
- Prioritisation/ weighting of the identified betterment opportunities across each of the four areas, and where possible, incorporate these works into existing renewals schedules/ within existing budgets;
- The proposed timing of future Plan Changes to the District Plan that are identified as necessary within the Local Area Plan preparation. This will be linked with monitoring of the uptake of intensification opportunities and population growth measures to ensure that Housing Bottom Lines under the NPS: UD continue to be met.

- Alignment with and input to the proposed Development Contributions Policy review to ensure fair and equitable cost recovery from the implementation of growth, acknowledging the inherent benefits associated with providing for growth through intensification.
- Determine whether Council has a role to play in the aggregation of land to facilitate uptake of Medium Density Housing opportunities.

Attachments:

1 🔗	Final Draft LAPP Parent Document 27 August	STR-05-01-01-0018	Under Separate Cover
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Wednesday, 11 September 2024

Item 11

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting

Te Rārangi Take

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā:
From: Louise Stettner, Manager, Democracy & Governance Services

Te Take:
Subject: Changes to the District Licensing Committee Procedures

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 Changes have been made to alcohol licensing processes under the Sale and Supply of Alcohol Act 2012. The changes aim to make licensing processes more accessible, with aspects like hearings being less formal and adversarial.
- 1.2 The Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 (the Amendment Act) aims to make it easier for communities to have a say in alcohol regulation in their area, by making targeted changes to alcohol licensing processes. A summary of these changes and how they may be implemented is contained in the Ministry of Justice Fact sheet - *Implementation Guide – Changes to the Sale and Supply of Alcohol Act 2012 (Attachment 1)*.
- 1.3 From 30 May 2024, there were changes to procedures for how District Licensing Committees (DLCs) consider licensing applications. These changes mean that DLC procedures must:
 - avoid unnecessary formality.
 - not permit cross-examination, or parties to question other parties and their witnesses.
 - allow for tikanga Māori to be incorporated into proceedings, and
 - allow evidence to be given in te reo Māori.
- 1.4 *Tikanga Māori in District Licensing Committee meetings*
- 1.5 The Ministry of Justice notes that incorporating tikanga into proceedings can enhance connections with local communities, and improve processes for applicants, objectors, and witnesses. Local councils can play a role in supporting DLCs to develop their understanding and capability to meaningfully incorporate tikanga into proceedings. Many councils will have already established


relationships with mana whenua and guidelines for what tikanga looks like in local governance procedures.

- 1.6 The Ministry of Justice recommends that DLCs and their local councils work with mana whenua to ensure tikanga is appropriately incorporated into DLC proceedings and the fact sheet provides some examples of how this could be done.
- 1.7 The purpose of this report is to hear the views of the Committee members on the incorporation of tikanga Māori within DLCs.

2.0 Recommendations - Ngā Tūtohunga

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Changes to the District Licensing Committee Procedures dated 11 September 2024.

Attachments:

- | | | |
|---|--|---------------|
| 1 |  Ministry of Justice Fact Sheet - Implementation Guide - Changes to the Sale and Supply of Alcohol Act 2012 | CG-17-9-00056 |
|---|--|---------------|

Implementation Guide

Changes to the Sale and Supply of Alcohol Act 2012

5 June 2024

Changes have been made to alcohol licensing processes under the Sale and Supply of Alcohol Act 2012. The changes aim to make licensing processes more accessible, with aspects like hearings being less formal and adversarial.

This document provides information for those who deliver the licensing system. It sets out the changes to law that you must now comply with, and gives some suggestions for how you can implement the changes.

Overview

Alcohol licensing has a direct impact on communities, including on health, wellbeing, safety, amenity and good order. There are also economic implications for businesses, employment, exports, tax, hospitality and tourism.

The Sale and Supply of Alcohol Act 2012 (the Act) provides a range of ways for communities to influence alcohol licensing decisions, according to their neighbourhood's character, circumstances, and experiences with alcohol-related harm.

Decisions about the way alcohol is sold in New Zealand are mostly made at a local level. This document provides information to those who deliver the licensing system, including:

- Territorial Authorities
- District Licensing Committees (DLCs)
- the Alcohol Regulatory and Licensing Authority (ARLA)
- Licensing Inspectors
- Alcohol Harm Prevention Officers within New Zealand Police, and
- Medical Officers of Health within Health New Zealand – Te Whatu Ora.

The Sale and Supply of Alcohol (Community Participation) Amendment Act 2023

The Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 (the Amendment Act) aims to make it easier for communities to have a say in alcohol regulation in their area, by making targeted changes to alcohol licensing processes.

The Amendment Act made two sets of changes.

Changes in force from 31 August 2023

The first set of changes came into force on 31 August 2023. Those changes:

- removed the ability for parties to appeal provisional local alcohol policies (LAPs) to ARLA
- enabled DLCs and ARLA to decline to renew a licence if the licence would be inconsistent with conditions relating to location or licence density in the relevant LAP, and
- allowed any person to object to a licence application, with narrow exceptions for trade competitors and their surrogates, and extended the time a person has to object from 15 to 25 working days.

Guidance for those changes can be found [here](#).

Changes in force from 30 May 2024

A second set of changes is now in force. These changes make licensing processes more accessible, and less formal and adversarial.

From 30 May 2024, there are changes to procedures for how DLCs consider licensing applications.

These changes mean that DLC procedures must:

- avoid unnecessary formality
- not permit cross-examination, or parties to question other parties and their witnesses
- allow for tikanga Māori to be incorporated into proceedings, and
- allow evidence to be given in te reo Māori.

ARLA and DLCs must now consider any reasonable request made by a person to take part remotely in a hearing, or any part of a hearing.



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How the changes apply to proceedings underway

The Amendment Act sets out how the law applies to proceedings that have begun when the changes come into force.

Old rules vs. new rules

In this document, the “old rules” mean the alcohol licensing process before the Amendment Act changes came fully into force.

The “new rules” mean the alcohol licensing process in the Act after the Amendment Act changes came fully into force.

When have ‘proceedings begun’?

Proceedings have begun when an objection is made to an application, or a report is filed by Police or a Medical Officer of Health. Proceedings have also begun if the DLC or ARLA choose to convene a public hearing to consider the application without an objection having been made.¹

How do the changes apply?

For proceedings that began *before* 31 August 2023, and are still underway, the old rules continue to apply.

For proceedings that have begun *after* 30 May 2024, the new rules apply.

For proceedings that began *after* 31 August 2023, but have not concluded *before* 30 May 2024, we suggest that the old rules should continue to apply until proceedings have concluded to maintain the shared expectations of all parties at the time proceedings began.

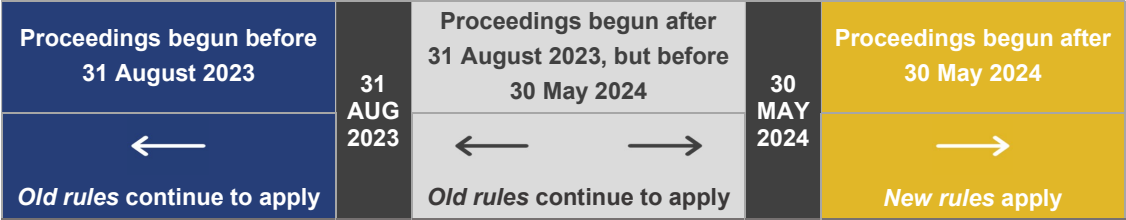
See the diagram below, showing how the changes apply to proceedings underway.

Seeking independent legal advice

The information provided in this document is guidance provided by the Ministry of Justice to help you understand and implement the changes. However, this does not constitute legal advice.

You may wish to seek your own independent legal advice relating to the changes coming into force from 30 May 2024.

Diagram showing how the changes apply to proceedings that have begun



¹ Pursuant to section 202(1) of the Act.



Changes relating to DLC procedures

DLC procedures must avoid unnecessary formality

From 30 May 2024, DLCs must ensure their procedures for considering an application avoid *unnecessary* formality.

Formal procedures can be intimidating for some participants in licensing hearings and may discourage parties from engaging with the local licensing process.

This change does not mean that DLC hearings will have no formality. DLC chairs and members can run their hearings in a way that still allows them to consider an application fully and carefully, including by allowing all parties the opportunity to give evidence.

What might 'unnecessary formality' look like?

DLCs need to decide what this change means for their hearings. To help with this, the Act gives examples of what DLCs could consider to ensure their hearings avoid unnecessary formality. For example, a DLC may consider:

- **the location and timing of the hearing**, to ensure that when and where the hearing takes place does not make it difficult for people to attend
- **the layout of the venue**, to ensure that people attending feel they are able to take part fully in the hearing
- **making a timetable for each hearing**, so that people speaking at the hearing know when they are likely to be heard. This could save people waiting many hours for their turn to speak, and help those joining the hearing by telephone, or video link
- **the language and terminology used at the hearing**, to make sure the information discussed is appropriate for the people involved and easily understood by them. This will encourage active engagement in hearings and a shared understanding of matters being raised.

There may be other steps individual DLCs wish to take to make sure hearings avoid unnecessary formality for their communities.

DLCs cannot permit cross-examination, or parties to question other parties or their witnesses

Questioning is an important tool for DLCs to gather evidence and better consider licensing applications.

From 30 May 2024, DLC procedures must not allow cross-examination. Parties will not be able to ask questions of other parties or other parties' witnesses. This applies equally to all parties. There is nothing preventing DLCs from asking questions, or a party questioning their own witnesses.

What do the changes mean for questioning?

This change means that DLCs will no longer be adjudicating a competitive process between parties to determine facts or the application of the law. Instead, DLCs led by their chairs, will play an important and active role in testing evidence, by asking parties and witnesses questions in an inquisitorial manner.

Questions from DLCs should align with criteria for the issue of licences in the following sections of the Act:

- section 105 for applications for new licences
- section 120 for applications for variation of conditions
- section 131 for applications for renewal
- section 142 for applications for special licences, and
- section 106 relating to amenity and good order.

Reports filed by Licensing Inspectors, Police and Medical Officers of Health will become important sources of information for DLCs considering applications, and help DLCs prepare for hearings.

DLCs must allow for tikanga Māori to be incorporated into proceedings

DLCs will need to ensure tikanga Māori can be incorporated into proceedings from 30 May 2024.

What is 'tikanga Māori'?

Tikanga is a fundamental aspect of te ao Māori (the Māori world). Tikanga can be best understood when considered within the wider context of a Māori world view.



Te Kāwanatanga o Aotearoa
New Zealand Government

Alcohol Act 2012

Tikanga is intertwined with values, including:

- manaakitanga (care)
- whanaungatanga (kinship, interpersonal connections)
- awhi (support)
- mana (authority)
- utu (reciprocation)
- ea (resolution or balance)
- tapu (sacred, or restricted), and
- noa (free from the extensions of *tapu*).²

Appropriate tikanga is determined by mana whenua (iwi or hapū Māori who exercise historic and territorial authority over an area). This means what is 'tika', or correct, may differ depending on the tikanga recognised and practised by local iwi or hapū.

What does tikanga Māori look like in DLC proceedings?

Incorporating tikanga into proceedings can enhance connections with local communities, and improve processes for applicants, objectors and witnesses. Local councils play an important role in supporting DLCs to develop their understanding and capability to meaningfully incorporate tikanga into proceedings. Many councils will have already established relationships with mana whenua and guidelines for what tikanga looks like in local governance procedures.

We recommend that DLCs and their local councils work with mana whenua to ensure tikanga is appropriately incorporated into proceedings.

There are many practical ways through which DLC proceedings might incorporate tikanga. DLCs may wish to consider:

- **incorporating pōwhiri or less formal whakatau and mihimihi processes to welcome, and close proceedings**, which might include the use of karakia (prayer or ritual chants), waiata (songs), or whakawhanaungatanga (process of establishing relationships) in proceedings
- **being flexible on the location and layout of the hearing**, such as holding hearings on marae, or in shared community spaces. This also relates to the requirement for DLC procedures to avoid unnecessary formality

² Te Aka Matua o te Ture | New Zealand Law Commission (2023), *He Poutama* [NZLC SP24], pp. 25–44.

- **ensuring that proceedings are mana-enhancing**, such as respecting and supporting people to take part
- **appointing people with appropriate knowledge or expertise in tikanga Māori to assist**, like cultural advisors or kaumātua, in consultation with mana whenua, and
- **how tikanga might apply to procedures for remote hearings**, and ensuring those joining hearings remotely are informed and able to take part fully.

Wider developments relating to tikanga Māori in New Zealand legislation, common law, and legal procedures are presented in detail in the Law Commission's recent study paper, *He Poutama*.

For more, go to

<https://www.lawcom.govt.nz/our-work/tikanga-maori/>

DLCs may wish to consider these developments when incorporating tikanga into DLC proceedings.

DLCs must allow evidence to be given in te reo Māori

The Māori Language | te reo Māori (te reo) is an official language of New Zealand. From 30 May 2024, DLCs must allow evidence to be given in te reo. This change reflects the status of te reo affirmed under the Māori Language Act 2016 | Te Ture mō Te Reo Māori 2016, particularly the right to speak te reo in legal proceedings.

DLCs may wish to arrange interpretation or translation services. DLCs can ask parties prior to a hearing if they require interpretation or translation services, to ensure anyone who wishes to give evidence in te reo at a hearing can do so.

Basic information about the government's public Translation Service is available on the Department of Internal Affairs website.

For more, go to

<https://www.dia.govt.nz/Translation-Service>



Te Kāwanatanga o Aotearoa
New Zealand Government

Changes relating to remote participation

Anyone can ask to take part remotely in a licensing hearing

Licensing hearings before ARLA and DLCs can already be held by telephone, audio-visual link or other form of remote access if the licensing body considers it is appropriate and the necessary facilities are available.

ARLA and DLCs must now consider any reasonable request made by a person to take part remotely in a hearing, or any part of a hearing.

Attending hearings remotely might mean, for example, giving evidence by video link. The change aims to make hearings more accessible. Remote participation gives parties greater flexibility, so everyone can have a say more easily.

ARLA and DLCs can ask parties prior to a hearing if they wish to take part remotely. This will ensure anyone who wants to join remotely can do so, and so that any necessary arrangements can be made.

Further information online

Where to find the Act

You can access the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol Regulations 2013 on the New Zealand Legislation website.

For more, go to

<https://www.legislation.govt.nz/act/public/2012/0120/latest/DLM3339333.html>

<https://www.legislation.govt.nz/regulation/public/2013/0459/latest/DLM5736956.html>

What Parliament said about the changes

Parliament's website has information from the parliamentary process, including speeches from Members of Parliament, what public submissions said about the changes, and the Justice Committee's report on the Sale and Supply of Alcohol (Community Participation) Amendment Bill.

For more, go to

<https://bills.parliament.nz/v/6/ac17d356-0181-4e8d-825a-ce0c681ebae5>

Where to find impact analysis

You can find a Supplementary Analysis Report, which gives an impact assessment of the changes on the Ministry of Justice website.

For more, go to

<https://www.justice.govt.nz/justice-sector-policy/regulatory-stewardship/regulatory-impact-assessments/>

Where to find Cabinet material

You can access Cabinet material relating to the changes on the Ministry of Justice website.

For more, go to

<https://www.justice.govt.nz/assets/Documents/Publications/Sale-and-Supply-of-Alcohol-Community-Participation-Amendment-Bill.FINAL.pdf>



Te Kāwanatanga o Aotearoa
New Zealand Government

Wednesday, 11 September 2024

Item 12

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting

Te Rārangi Take

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness
From: & Heritage

Te Take:
Subject: Pou Ārahi - Māori Advisor Libraries Update

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is for the Heretaunga Takoto Noa Māori Standing Kōmiti to receive a brief presentation and update on the work of the Pou Ārahi – Māori Advisor Libraries.
- 1.2 The report seeks to inform the Standing Kōmiti of the Library Services engagement with Māori communities and organisations, including the annual cultural public programme.

2.0 Recommendations - *Ngā Tūtohunga*

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Pou Ārahi - Māori Advisor Libraries Update dated 11 September 2024.

Attachments:

There are no attachments for this report.

Wednesday, 11 September 2024

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting***Te Rārangi Take*

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness
From: & Heritage

Te Take:
Subject: Marae Hazard Signs and Marae Naming Signs Rollout

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to update the Heretaunga Takoto Māori Standing Committee on the progress and rollout of new marae pedestrian hazard signs and marae naming signs. The signs are being installed for marae on the Heretaunga Hastings District roading network.
- 1.2 Marae roading signs have been developed by Waka Kotahi NZ Transport Agency through their bilingual traffic signs programme 'He Tohu Huarahi Māori'. The signs have been developed in partnership with Te Mātāwai and Local Government to enable the use of bilingual traffic signs, and to ensure safe and consistent use across state highway and local roads.
- 1.3 The yellow marae pedestrian hazard sign features a kuia holding hands with her mokopuna and the word 'marae'. The image is modelled on Dame Whina Cooper.
- 1.4 The marae naming sign depicts a whare tupuna in white against a red ochre sign with five preapproved patterns that each individual marae can select for their sign. The signs are used together with the yellow marae pedestrian sign. The patterns are:
 - No pattern with plain red ochre background
 - Niho taniwha pattern
 - Harakeke pattern
 - Poutama pattern
 - Pātiki pattern

1.5 Traffic signs on local roads are managed by Heretaunga Hastings District Council and traffic signs on state highways are managed by Waka Kotahi NZ Transport Agency. The marae out of scope for this rollout project are:

- Pētane Marae, SH2
- Tangoio Marae, SH2
- Te Hāroto Marae, SH5 Napier-Taupō Road
- Pukehou Marae, SH2
- Kahurānaki Marae, SH2
- Ōmāhu Marae, SH50 Korokipo Road
- Waipatu Marae, SH51 Karamū Road

1.6 Engagement with marae on local roads has been directly with marae committees, with contribution to the placement of signs, marae naming, and selection of a preferred pattern for their respective marae sign.

1.7 The rollout plan is in two phases cross two marae groupings and all signs are to be confirmed and installed before the end of 2024:

MARAE GROUP 1	MARAE GROUP 2
Wharerangi marae	Te Aranga marae
Timi Kara marae	Houngarea marae
Waiohiki marae	Taraia marae
Ruahāpia marae	Mihiroa marae
Matahiwi marae	Mangaroa marae
Kohupātiki marae	
Waimārama marae	
Te Āwhina marae	
Rūnanga Marae	
Korongatā Marae	

1.8 The marae signs have been well received by marae committees with positive engagement experienced from all involved.

2.0 Heretaunga Ararau Te Reo Māori Action Plan

2.1 In 2018 the Council approved Heretaunga Ararau Te Reo Māori Policy and Action Plan which sets out how the policy will be implemented to achieve te reo Māori outcomes with a vision to make Heretaunga Hastings a te reo Māori district by 2040.

2.2 The purpose of Heretaunga Ararau is to recognise the status of te reo Māori as a taonga – to celebrate and support the revitalisation of the language across the Heretaunga Hastings District.

2.3 Marae roading signs are enabled by the Heretaunga Ararau Te Reo Māori Plan under the action areas of:

Te Mārama Pū Critical Awareness – understand the context of te reo Māori within Heretaunga Hastings:

- Heretaunga Hastings is a te reo Māori city – people will know this because te re Māori will be visible in our landscape and places we meet.

Te Whakamahinga Use – grow the application of te reo Māori in Heretaunga Hastings:

- We will install signage so the public know the local te reo Māori name of the spaces that they visit and use.

3.0 Recommendations - *Ngā Tūtohunga*

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Marae Hazard Signs and Marae Naming Signs Rollout dated 11 September 2024.

Attachments:

There are no attachments for this report.

Wednesday, 11 September 2024

Item 14

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Heretaunga Takoto Noa Māori Standing Committee Meeting

Te Rārangi Take

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness
From: & Heritage

Te Take:
Subject: Round Table Verbal Update From Members of the Committee

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is for the members of the Committee to provide a verbal update regarding activities of their respective work activities.

2.0 Recommendations - *Ngā Tūtohunga*

That Heretaunga Takoto Noa Māori Standing Committee receive the report titled Round Table Verbal Update From Members of the Committee dated 11 September 2024.

Attachments:

There are no attachments for this report.