

Wednesday, 24 November 2021

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Heretaunga Takoto Noa Māori Standing Committee Meeting**

*Kaupapataka*

# Agenda

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*Te Rā Hui:*  
Meeting date: **Wednesday, 24 November 2021**

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*Te Wā:*  
Time: **1.00pm**

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

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

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*Te Āpiha Matua:*  
Responsible  
Officer: **Pou Ahurea Matua Principal Advisor: Relationships  
Responsiveness and Heritage – Dr James Graham**

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**HASTINGS DISTRICT COUNCIL**  
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156  
Phone **06 871 5000** | [www.hastingsdc.govt.nz](http://www.hastingsdc.govt.nz)  
**TE KAUNIHERA Ā-ROHE O HERETAUNGA**

## 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 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 Treaty of Waitangi Principles) for the Council aimed at delivering effective governance, engagement and service delivery for Council's Māori Communities.

### Fields of Activity

- To provide policy advice with respect to the District Plan, regarding provisions for Wāhi Tapu, Papakainga, and where relevant to Tangata Whenua, 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 host Council Hui and Hapu events.
- 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 consider and recommend Māori capacity building activities within budget and resource constraints of Council.
- To assist Council as appropriate in conducting and maintaining effective, good faith working relationships with the Māori community including advice on governance arrangements.
- To make decisions as to the allocation of Marae Development Fund grants within the allocated budget.
- 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.
- To nominate from among its members people whom it considers appropriate for the Council to appoint as members of its other Committees and Subcommittees.

### Membership - 12 members

- Chair – to be elected at the first meeting of the Committee at the beginning of each triennium; and from among the appointed Tangata 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.
- 5 Councillors.
- 6 members from Tangata Whenua to be appointed by the Council and Kaumatua, taking into account the “*post settlement environment*” and Mataawaka.

### **Quorum – at least 3 Councillor Members and 3 Tangata Whenua Appointees**

### **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.

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 2019 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

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#### *Koromatua*

**Chair:** Robin Hape (Chair)

#### *Ngā KaiKaunihera*

#### **Councillors:**

Councillor Bayden Barber (Deputy Chair)

Mayor Sandra Hazlehurst

Councillors Henare O’Keefe, Peleti Oli, Ann Redstone and Geraldine Travers

Marei Apatu, Tania Eden, Mike Paku and Ngaio Tiuka

1 Vacancy

Councillor Alwyn Corban (Councillor Alternate)

Kaumātua: Jerry Hapuku

#### *Mematanga:*

#### **Membership:**

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#### *Tokamatua:*

#### **Quorum:**

At least 3 Councillors and 3 Tangata Whenua appointees

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#### *Apiha Matua*

#### **Officer Responsible:**

Pou Ahurea Matua Principal Advisor: Relationships Responsiveness and Heritage – Dr James Graham

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#### *Te Rōpū Manapori me te*

#### *Kāwanatanga*

#### **Democracy &**

#### **Governance Services:**

Lynne Cox (Ext 5632)



## *Te Rārangi Take*

# Order of Business

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### 1.0 Prayer - *Karakia*

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#### **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.

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### 3.0 Conflict of Interest – *Mahi Kai Huanga*

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#### **Confirmation of Minutes – *Te Whakamana i Ngā Minitī***

4.0 Minutes of the Heretaunga Takoto Noa Māori Standing Committee Meeting held Wednesday 22 September 2021.  
*(Previously circulated)*

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5.0	Pou Ahurea Update	9
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6.0	Wāhi Taonga Review Update	11
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7.0	Solid Waste Bylaw Review	15
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8.0	Ōmarunui Landfill Consenting Update	21
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9.0	2021 / 2022 Marae Development Fund	25
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## 10.0 Minor Items – *Ngā Take Iti*

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## 11.0 Urgent Items – *Ngā Take Whakahihiri*

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Wednesday, 24 November 2021

Item 5

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Heretaunga Takoto Noa IV**

*Te Rārangi Take*

# Report to Heretaunga Takoto Noa Māori Standing Committee

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**Nā:** Dr James Graham, Pou Ahurea Matua - Principal Advisor:  
**From:** Relationships Responsiveness and Heritage

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**Te Take:**  
**Subject:** Pou Ahurea Update

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

- 1.1 The purpose of this update is to apprise the Committee about continuing project work that the Pou Ahurea Team are leading and or contributing to.
- 1.2 Representation Review / Māori Wards Update.
- 1.3 Three-Waters Update.
- 1.4 Spatial Plan Update.
- 1.5 Papakāinga Update.
- 1.6 Te Tū Marae o Te Matau-a-Māui - PGF Marae Renovation Project
- 1.7 The update concludes by recommending that the Committee receives the report.

## **2.0 Recommendations - Ngā Tūtohunga**

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Pou Ahurea Update dated 24 November 2021.

### **Attachments:**

There are no attachments for this report.



Wednesday, 24 November 2021

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

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Nā: **Rowan Wallis, Environmental Policy Manager**  
From: **Wilson Pearce, Student Planner Connector**

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Te Take: **Wāhi Taonga Review Update**  
Subject:

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

### Background

- 1.1 Under the Resource Management Act territorial local authorities are required to review their District Plans every ten years. Following the last review the Hastings District Council agreed to undertake a rolling review of the District Plan. This means that the District Plan is reviewed in sections rather than in 'one hit'. One of the sections of the District Plan most in need of review is the Wāhi Taonga section (S16.1).
- 1.2 At the time of the District Plan review an invitation was sent to hapū in the district to nominate wāhi taonga sites for inclusion in the District Plan, to allow for their greater recognition and protection. At that time there was very little response to the invitation. There now seems a greater level of interest from mana whenua in this option.

### Discussion

- 1.3 Mana whenua might ask what the benefits are of having sites identified in the District Plan?
- 1.4 The District Plan explains the benefits by means of quoting the following Māori legend related to the ancient Heretaunga waiata 'E tō e te Rā'. *This speaks of Te Whata a Te Rehunga, the name of a special storehouse elevated on a single pole to protect its sacred contents from the gnashing teeth of hungry dogs". The Council's Wāhi Tapu Policy will act as a modern 'whata' or elevated storehouse, and as a protective mechanism of these special sites, by identifying and collating this information for Council reference thus preventing the "gnashing teeth" of uninformed developments on these specific areas."*

- 1.5 The objective of the District Plan is to protect wāhi taonga sites from the effects of land use activities in a way that accounts for the customary practices of ngā hapū o Heretaunga whānui .
- 1.6 In order to achieve this objective the Council needs to partner with hapū across the district and private landowners to identify and protect the sites of cultural significance. Some of these sites may need to be confidential sites and mechanisms can be established to ensure that their location remains confidential from the public and and that hapū confidentiality is protected.
- 1.7 There are a number of sites already listed in the District Plan and these can be viewed in Appendix 50. The listing provides the map reference where the site can be found, the legal description of the land and its significance.

#### The Review Process

- 1.8 It is proposed that the process for the review of the Wāhi Taonga section of the District Plan should begin with thought being given to how we best partner with Māori entities and giving consideration to the length of time that they may need to prepare for this project. The nomination of Wāhi Taonga sites requires Māori entities to provide information on the whakapapa, history and extent of the site(s). Researching this information is a significant undertaking for whanau and hapū. The Maungaharuru Tangitū Trust is one entity that has recently nominated sites through the District Plan review and the level of information that they supplied could help to inform the resource required for the process.
- 1.9 One of the outcomes from partnering with Māori entities will be in formulating a clear nomination process and structure, one that sets a minimum standard to ensure that the application is strong and could stand the test of being challenged through the statutory process that must be followed to get it included in the District Plan.
- 1.10 There is a need to co-ordinate with adjoining authorities so that the nomination process and evidence requirements for the inclusion of sites into plans is consistent across authorities. Sites can cut across jurisdictional boundaries so it is important that the processes are not affected by these jurisdictions. It is important to provide certainty for mana whenua that they will go through the same process.
- 1.11 Multiple Departments of Hastings District Council have engaged Te Manaaki Taiao for projects that include Cultural Mapping exercises. These will provide Council with a case-study of what is involved for mana whenua in a cultural mapping process and will highlight what outcomes can be achieved with an already existing model and what areas will require improvement. This will assist in creating an informed nomination structure and will aid in identifying sites within the subject areas of these works.

#### National Planning Standards

- 1.12 As part of the Resource Management Act reforms the government introduced the National Planning Standards. The purpose of these Standards is to ensure that there is a nationally consistent framework for district plans to improve the efficiency and effectiveness of the planning system.
- 1.13 What this means is that the Council is required to restructure and reformat its district plan into the framework set out in the National Planning Standards. Council has until 2024 to undertake this work. The Environmental Planning team has been working on how the existing 'place based' plan can be reconfigured to meet the National Planning Standards without substantive plan changes. One of the sections of the plan that will require amendment is the Tangata Whenua and Mana Whenua section. The National Planning Standards requires the following matters to be considered as provisions under the Tangata Whenua /Mana Whenua section;
  - Recognition of hapū and iwi, such as their history and their environmental values.
  - Tangata whenua/mana whenua – local authority relationships
  - Hapū and iwi planning documents

- Involvement and participation with tangata whenua/mana whenua

1.14 This will involve introducing a Māori world view into the district plan and it proposed that this work will be undertaken alongside the Wāhi Taonga review. A report seeking guidance from the Committee on how the content of this section of the plan might be approached will be brought back to the next meeting.

#### Next Steps

- 1.15 The timing of the Wāhi Taonga project is important. The new Natural and Built Environment Act that is due to be released for consultation in Feb 2022 gives much greater strength to the relationship of iwi and hapū and their ancestral lands, water, sites, wāhi tapu and other taonga. It will therefore be helpful to commence the process following the public release of the Bill.
- 1.16 It is proposed that communication go out to hapū to inform them that this process is to commence next year.

## **2.0 Recommendations - Ngā Tūtohunga**

That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Wāhi Taonga Review Update dated 24 November 2021.

### **Attachments:**

There are no attachments for this report.



Wednesday, 24 November 2021

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

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Nā:  
From: **Angela Atkins, Waste Planning Manager**

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Te Take:  
Subject: **Solid Waste Bylaw Review**

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

- 1.1 The purpose of this report is to inform the Heretaunga Takoto Noa Māori Standing Committee that a review of the Hastings District Council (HDC) Solid Waste Bylaw will be completed in 2022.

## **2.0 Background**

- 2.1 The Joint Waste Management and Minimisation Plan (WMMP) 2018 – 2024 identified Council planning controls (including the Bylaw) as a specific action to be reviewed and align with the Joint WMMP.
- 2.2 Harm from residual waste remains a significant issue and in the context of the Bylaw includes issues related to household waste, resource recovery sites, hazardous waste, litter and illegal dumping.
- 2.3 The solid waste bylaw could be seen as having limited effectiveness (within the constraints of the resources available and current legislation) and need to be improved.
- 2.4 The Bylaw currently provides a framework detailing residents' obligations for the Council's previous kerbside refuse and recycling collection services.

## **3.0 Bylaw review procedure**

- 3.1 The Local Government Act 2002 sets out the general procedures for dealing with bylaw reviews.
- 3.2 Section 158 of the Local Government Act 1974 requires that a local authority must review a bylaw made under the Local Government Act 1974 no later than 5 years after the bylaw was made.
- 3.3 Further reviews of bylaws every 10 years

- 3.4 Section 159 of the Local Government Act 1974 states that a bylaw must be reviewed no later than 10 years after it was last reviewed.
- 3.5 The Local Government Act 2002 sets out the general procedures for dealing with bylaw reviews.
- 3.6 Section 155 of the LGA 2002 requires Council:
- determines whether the bylaw is the most appropriate way of addressing the perceived problem; and
  - if it is determined that a bylaw is the most appropriate way of addressing the perceived problem, determine whether it is the appropriate form of bylaw; and
  - gives rise to any implications under the New Zealand Bill of Rights Act 1990
- 3.7 The five year review should determine whether each clause is still relevant, appropriate and useful.
- 3.8 Although the consolidated bylaw has recently undergone the five year review, the refuse sub clause 10.3 remained unchanged. This can be reviewed at any time suitable to Council.
- 3.9 The review will identify the options available to both Councils (HDC and NCC) in terms of solid waste.
- 3.10 This review will also give consideration to the: Waste Minimisation Act 2008, Joint WMMP and the New Zealand Waste Strategy. The Councils have a responsibility to promote waste management and minimisation under these controls.

#### 4.0 Considerations

- 4.1 This review will be undertaken jointly with NCC due to a number of factors including, the Joint WMMP, Joint ownership of Ōmarunui Landfill and neighbouring authorities. Given these factors, it would be prudent to undertake the reviews together.
- 4.2 Officers will engage a suitably qualified provider to help undertake the reviews. Officers are also mindful of the need to be responsive to the upcoming legislative changes, and this may change the way we need to approach the review of the bylaws as information is released.
- 4.3 An independent legal overview may be undertaken to establish a draft document for public consultation depending on the changes identified and recommended for inclusion.
- 4.4 Officers will also draw on the internal knowledge and expertise of others officers across both Councils.
- 4.5 LOCAL CONTEXT
- 4.6 The current problem is that not all waste issues are covered under the Bylaw.
- 4.7 In addition, some waste issues that are already covered by the Bylaw, such as misuse of kerbside collection services, need to be reviewed to ensure alignment with the new Council kerbside collection contracts.
- 4.8 Examples of waste issues not currently regulated by the Bylaw include:
- Waste management at events and multi-unit dwellings
  - Use/access to waste facilities
  - Privately provided waste services
  - Disposal of hazardous waste (e.g. medical waste) and prohibited material in kerbside bins
- 4.9 Examples of waste issues covered by the Bylaw which are still causing problems include:
- General misuse of kerbside waste collection services by residents
  - Disposal of commercial and domestic waste in public bins



- 4.10 Waste issues can increase harm from residual waste or hinder Council's statutory obligation to collect data. For example:
- Contamination of recyclable or organic/green waste material or their deposit in refuse bins reduces effective resource recovery and prevents diversion from landfill
  - Waste spillage, litter and illegally dumped material disrupt ecological systems through land and waterway contamination and reduce effective recovery of material
  - Inadequate bin provision at events hinder waste separation and landfill diversion
  - Without sufficient data, Council is unable to define the volumes and types of waste to landfill and meet its statutory obligation under the Waste Minimisation Act 2008 and Waste Minimisation (Information Requirements) Regulations 2021.
- 4.11 Increased harm from residual waste can lead to broader impacts such as:
- Greater greenhouse gas emissions from increased waste deposited in landfills
  - Increased cost to ratepayers to maintain old landfills (currently \$5-8 million a year)
  - Decreased pride in the environment
  - Lost environmental benefit from recyclable material sent to landfill.
  - Reduced capacity/air space at landfill and need to expedite the construction of a new fill site.
- 4.12 Such waste issues are exacerbated by the recent strong economic performance and increase in the construction of new buildings.
- 4.13 The current Bylaw restricts Council's ability to address emerging problems through a lack of regulation and improvement to the bylaw.
- 4.14 Without intervention, harm from residual waste will increase because of the reduced incentive (requirement) to appropriately manage and minimise waste.
- 4.15 NATIONAL CONTEXT
- 4.16 Ministry for the Environment (MfE) has identified that New Zealand urgently needs to change how it uses materials and manages them across their life to:
- Produce less waste
  - Reuse and recycle more
  - Divert material wherever possible from landfill
  - Sent to landfill only as last resort
- 4.17 New Zealand has seen a 48% increase in the volume of waste created in NZ from 570kg pp (2.3 million tonnes) in 2009/10 to 750kg pp (3.7 million tonnes) in 2018/19. With waste creating approximately 5% of NZ's greenhouse gas emissions.
- 4.18 MfE have increased staffing to deliver this programme and the consultation process for each of these projects is likely to require input from territorial/local authorities, including Hastings District and Napier City Councils.
- 4.19 Likely national changes that may impact the bylaw review:
- Emission Reduction Plan
  - New waste and resource strategy (replacement of the NZ Waste Strategy)
  - Review of the Waste Minimisation Act 2008 and Litter Act 1974; to give tools to achieve low-waste future and support changes to waste levy.

4.20 Public consultation of both of these is currently underway with submissions closing 24 and 26 November 2021.

## 5.0 OBJECTIVES

5.1 The objectives of this regulatory response to the problems are to:

1. help implement the Joint WMMP by ensuring appropriate regulation to manage and minimise waste, protects public health and safety and manages litter and nuisance.
2. meet legislative requirements under the Waste Minimisation Act 2008 (WA2008) and the Local Government Act 2002 (LGA2002) including:
  - (i) giving effect to the identified priorities and desired outcomes in an efficient and effective manner (s14 LGA2002)
  - (ii) ensuring any bylaw is valid, including that it is authorised by statute, and is not repugnant or unreasonable
  - (iii) ensuring any bylaw is not inconsistent with the WMMP (s56 WA2008)
  - (iv) ensuring any bylaw does not give rise to any implications or is inconsistent with the New Zealand Bill of Rights Act 1990 (s155 LGA2002).

5.2 These objectives are aligned with the strategic directions in the Joint WMMP.

## 6.0 Out of Scope

6.1 All other Council bylaws.

## 7.0 Proposed timeline

Milestones	Estimated completion timeframes
Notify District Planning and Bylaws Subcommittee of the process	By 30 November 2021
Prepare and release a Request For Proposal	By 20 January 2022
External Supplier selected	By 25 February 2022
Pre-engagement with iwi, community groups, waste operators and other stakeholders	March/ April 2022
Draft bylaw completed	By 30 June 2022
Legal Review (if required)	By 30 July 2022
Public consultation	Finish by end September 2022
Feedback from Staff on public submissions	By mid-Oct 2022
Submissions heard	By late-Oct early-Nov 2022
If significant change arises from public consultation, re-consult affected parties	By 30 Nov 2022
Report for final adoption of new bylaw	December 2022

## 8.0 Recommendations - Ngā Tūtohunga

- A) That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Solid Waste Bylaw Review dated 24 November 2021.
- B) That the Committee notes that officers commence a review of the Solid Waste Bylaw in January 2022.

**Attachments:**

There are no attachments for this report.



Wednesday, 24 November 2021

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

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**Nā:**  
**From:** **Craig Thew, Group Manager: Asset Management**

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**Te Take:**  
**Subject:** **Ōmarunui Landfill Consenting Update**

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## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 This report is to update the committee on the progress of the Ōmarunui Landfill consenting process, in particular the consent conditions provided to the commissioners following the Cultural Values Assessment (CVA) and the discussions with Ngāti Pārau.
- 1.2 The consents being lodged enable the extension of the landfill operations in the next planned valley on the land currently owned by Hastings District and Napier City Council. There is one further valley available should it still be required in the distant future.
- 1.3 At the time of writing this report the consent process has progressed to post hearing phase with the evidence and submissions now with the 3 commissioners (Martin Williams (Chair), Rauru Kirikiri, Mark Williams) awaiting decisions. Following the commissioner's decision there is a further period to allow for potential appeals to be lodged.
- 1.4 Before and after lodging the consent applications Council officers and our specialists engaged with a number of groups and members of the community. The most active conversation and work has been with Ngāti Pārau and Waiohiki Marae, with a number of hui, including those at the marae and landfill site visits.
- 1.5 Ngāti Pārau Hapū Trust were commissioned to complete a CVA to ensure that the consent proposal was appropriately informed and structured to manage potential impacts and enhance the desired values. The CVA was provided to the hearing as a part of Mr Jarvis's submission (<https://www.hbrc.govt.nz/assets/Document-Library/Consents/Notified-Consents/Ōmarunui/Applicants-Expert-Evidence/a-Martin-Jarvis-Council-overview-of-the-Landfill-and-Proposal.pdf>).

- 1.6 The full consent information, expert evidence, submissions, etc can be found on the Hawkes Bay Regional Council Website at this location (<https://www.hbrc.govt.nz/services/resource-consents/notified-consents/Ōmarunui-landfill/> ).
- 1.7 There are a number of items where the landfill operation can work with Ngāti Pārau to achieve this, with additional consent conditions added to the proposal to support this. The additional conditions noted are listed below (note these have been provided to the hearing):
- 1.8 Items added in direct relation to the CVA

#### Consent conditions

*As soon as practicable, the Consent Holder shall invite Ngāti Pārau to participate in the Landfill Committee through the provision of a governance seat. The governance seat on the Landfill Committee shall operate for the duration of these consents.*

*Advice Note: Following the ceasing of waste acceptance at the landfill area, Ngāti Pārau shall have a continuing role for the duration of these consents in the development of aftercare measures to be taken to stabilise the landfill Cell site, maintain environmental controls, and rehabilitate the site as part of the Post Closure Management Plan.*

*The purpose of the governance seat on the Landfill Committee to be offered under condition 4a is to facilitate ongoing engagement between the Consent Holder and Ngāti Pārau in respect of the activities authorised by the consent and to enable cultural values input into the ongoing management and monitoring of environmental effects from those activities, including (but not limited to) enabling Ngāti Pārau to:*

- maintain and enhance their relationship with the land (whenua) and waterways (awa) within and adjacent to the site, including (but not limited to) ongoing input into the planting and maintenance of indigenous vegetation;*
- provide recommendations as to how, through the implementation of the obligations in the consent conditions, Ngāti Pārau can exercise kaitiakitanga of affected whenua and awa, during the construction and operational phases of the landfill cell and in rehabilitation and aftercare following the cessation of waste acceptance;*
- review and comment on the development of specified management plans and results of environmental monitoring; and*
- provide recommendations to, and request responses from, the Consent Holder in respect of the matters listed above.*

#### Designation conditions

##### *Tree Planting*

*Tree planting on the site shall be implemented in accordance with the final landscape plan prepared and approved for each waste disposal area. Prior to the use of Area B for waste disposal this shall include the planting of the 3.5 ha area identified on the Area B Landscape Plan (Sheet 04) prepared by Wayfinder Landscape Planning & Strategy Ltd, dated 31 August 2021 following consultation on plant species choice and pest weed and animal management controls with Mr Bearsley of 367 Ōmarunui Road and with Ngāti Pārau.*

##### *Closure and Aftercare Plan*

*The Closure and Aftercare Plan required under the regional consents for the Landfill shall also provide details on the ongoing use of the site as a recreational reserve, including the ongoing management of all native regeneration vegetation that has been planted as visual mitigation, any additional native regeneration vegetation that has been or will be undertaken, and any additional earthworks on the site to provide for recreational or amenity use.*

*Advice Note: The Regional resource consents for the Landfill require the consent holder to offer Ngāti Pārau a governance seat on the Landfill Committee. One of the specific purposes of the seat is to provide recommendations as to how Ngāti Pārau can exercise kaitiakitanga of affected whenua and awa, as part of rehabilitation and aftercare following the cessation of waste acceptance. It is anticipated that Ngāti Pārau will have specific input into the ongoing use of the site after closure.*

- 1.9 Ngāti Pārau Hapū Trust had confirmed that they are happy with these conditions.
- 1.10 Aside from the numerous technical matters to mitigate any adverse environmental impacts the key additional item is the condition that requires an invite from the councils to Ngāti Pārau to take a full governance seat on the joint landfill committee as it provides an ability to exercise kaitiakitanga via a governance role for the landfill operation and seize opportunities over time to further enhance outcomes. The reason for the soon as practicable provision is to enable this condition to be met as there is a formal process both Napier City Council and Hastings District Council need to go through to alter the Heads of Agreement.
- 1.11 Given this process will need to go to both Councils to meet this consent condition it is appropriate for the Heretaunga Takoto Noa Māori Standing Committee to consider and provide advice to officers as to whether they would recommend any further changes. This could be a topic of a later paper for formal consideration if required, a similar discussion would be appropriate with the Napier City Ngā Mānukanuka O Te Iwi committee, prior to formalising a change to the heads of agreement with both Councils.

## **2.0 Recommendations - Ngā Tūtohunga**

- A) That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled Ōmarunui Landfill Consenting Update dated 24 November 2021.
- B) That the Committee endorse the additional conditions submitted in relation to the Ōmarunui Landfill consent and the Cultural Values Assessment.

### **Attachments:**

There are no attachments for this report.





Wednesday, 24 November 2021

Item 9

*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

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**Nā:** Dr James Graham, Pou Ahurea Matua - Principal Advisor:  
**From:** Relationships Responsiveness and Heritage

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**Te Take:**  
**Subject:** 2021 / 2022 Marae Development Fund

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## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to obtain a decision from the Committee on the 2021 / 2022 allocation from the Marae Development Fund.
- 1.2 This request arises from Council's commitment to support marae and their respective hapū to maintain and develop marae assets and to acknowledge their importance both in the district and in the national interest. Marae are the repositories of material heritage, and the arena for the maintenance and protection of customary practices including whakapapa, tikanga, kawa and kaitiakitanga.
- 1.3 Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, including how to foster the development of Māori capacity to contribute to the decision-making processes of Council; for example, supporting the maintenance of marae assets, so these facilities can continue to meet the current and future needs of hapū in the district.
- 1.4 This report concludes by recommending that allocations to the applicants for the 2021/2022 Marae Development Fund be made as follows:

## 2.0 Recommendations - Ngā Tūtohunga

- A) That the Heretaunga Takoto Noa Māori Standing Committee receive the report titled “Marae Development Fund 2021 - 2022” dated 24 November 2021.
- B) That the recommended allocations to the applicants for the 2021/2022 Marae Development Fund be made as follows:

Marae	2021/2022 Funding	
<i>Waiohiki Marae</i>	<i>\$6463.00</i>	Multi kai cooker, tables & chairs, wheelchair ramps, gazebos, wharekai equipment, web design (Caddie Design)
<i>Waimārama Marae</i>	<i>\$16,066.00</i>	Tables, chairs, trolley
<i>Te Hāroto Marae</i>	<i>\$10,000.00</i>	Replace kitchen floor
<i>Taraia Marae</i>	<i>\$6988.00</i>	WiFi & camera, chiller trailer
<i>Mōteo Marae</i>	<i>\$4517.00</i>	Storage Fridge
<i>Korongatā Marae</i>	<i>\$9535.00</i>	Fire extinguisher equipment, tables, HeartStart Defibrillator, wharekai equipment
<i>Petane Marae</i>	<i>\$4824.00</i>	Infinity Unit Hwc, multi kai cooker, gas cookers
<i>Kahurānaki Marae</i>	<i>\$2944.00</i>	Chairs, stock pots, grounds maintenance
<i>Waitangi Marae</i>	<i>\$1529.00</i>	Firefighter fire blankets & accessories
<i>Te Aranga Marae</i>	<i>\$13,130.00</i>	Solar panels & installation
<i>Mangaroa Marae</i>	<i>\$6264.00</i>	Refrigeration Unit
<i>Houngarea Marae</i>	<i>\$4235.00</i>	Laundry equipment, chairs, newsprint
<b>TOTAL</b>	<b><u>\$86,495.00</u></b>	

- C) That the remaining budget amount of \$29,889.00 remain and be left to support Marae Development kaupapa including the Marae Fire Safety Project being run in partnership with Te Puni Kōkiri.

## 3.0 Background – Te Horopaki

- 3.1 The Marae Development Fund Policy (**Attachment 1**) was reviewed and adopted on 18 August 2018 and provides background to this fund. In general, applications for funding are reviewed on a case by case basis, and have frequently included requests for building maintenance and or upgrades, landscaping and grounds maintenance, upgrades to kitchen facilities and equipment, furniture (tables and chairs), and ablution block maintenance / upgrades. These comply with the policy.

- 3.2 Applicants are required to contribute 50% of the total project cost, and grants should be uplifted within 12 months of approval, and the funding round is held annually.
- 3.3 The annual Council allocation to the MDF is \$75,000.00. As of the beginning of the 2021/2022 year, the total budget in the Marae Development Fund, including carry forward of unused budget from the 2020/2021 year was \$116,384.00
- 3.4 The Marae Development Fund is one mechanism of Council's commitment to respond to the needs and aspirations of mana whenua with respect to marae, benefitting marae, hapū, and the district. The fund will contribute to the protection of the culture and heritage embodied in marae facilities and relationships, critical to community infrastructure and the ability to exercise whanaungatanga and manaakitanga.

#### 4.0 Discussion – *Te Matapakitanga*

- 4.1 As applications were received into Council's Smarty Grants funding system, notification of receipt was automatically returned and details were entered allocating an individual reference number.
- 4.2 Where applications varied from agreed criteria, kōrero between the marae representative and the Pou Ahurea took place and any adjustments were agreed.
- 4.3 Marae submitted applications to the fund, in general to replace or upgrade equipment for wharehau (meeting house) and wharekai (dining room). Total project costs, inclusive of 'in-kind' contributions, with itemised quotes, audited financial accounts or a most recent bank statement were submitted.
- 4.4 Funding amount applications were reviewed by the Pou Ahurea Team with recommendations being made on the basis that the funded equipment would support the maraes' ongoing sustainability to practise their tikanga when hosting manuhiri and or their use in supporting local community development projects.

#### 5.0 Options – *Ngā Kōwhiringa*

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

To approve the recommendations as outlined above.

##### **Advantages**

The approved funds will help to meet the needs and aspirations of mana whenua, hapū and marae, and their ongoing sustainability to practise tikanga and kawa.

##### **Disadvantages**

N/A.

## 5.2 Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuatanga o nāianeī

That the recommendations are not approved.

### Advantages

N/A.

### Disadvantages


If the recommendations to fund are not approved, the capacity and or capability of marae to practise tikanga ā-marae is compromised given the reduced or limited ability for marae to be able to manaaki manuhiri with quality equipment and facilities.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the Committee approves the recommendations, funding agreements will be drawn up for each of the nine marae.

Upon completion of the project, a report will be received from each of the marae committees, as is the current reporting process.

## Attachments:

- 1  Marae Whakaute Marae Development Fund Policy STR-1-2-18-377  
July 30 2018

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### 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, economic, environmental and cultural wellbeing of marae, hapū and whānau and of Māori communities in the present and for the future.

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### Māori Impact Statement - *Te Tauākī Kaupapa Māori*

The Marae Development Fund policy is underpinned by Te Kura Nui – Council's Māori Responsiveness Framework – that stems from te ao Māori (a Māori worldview). Te Kura Nui provides for tikanga Māori to be practised and normalised in a mainstream-centric context that centres on all aspects of te ao Māori at Council, and when Council engages with mana whenua, Taiwhenua, iwi, hapū, whānau and marae.

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### Sustainability - *Te Toitūtanga*

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The Marae Development Fund is renewed annually.

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### **Financial considerations - *Ngā Whakaarohanga Ahumoni***

The recommendations are within budget.

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### **Significance and Engagement - *Te Hiranga me te Tūhonotanga***

Although this decision/report is considered significant to the affected communities, it does not trigger the thresholds under the Council's Significance and Engagement Policy.

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

A Marae Development Fund hui ā-marae (for all marae) was held at Council for marae delegates to attend and participate in a workshop to explain the Marae Development Fund as well as outline the 2021 / 2022 process. Follow up kōrero and email was also had with each marae representative / delegate and where there was diversion from the original application it was fully discussed and adjustments agreed to.

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### **Risks: Legal - *Ngā Tūrarū: Ngā Ture***

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūrarū</i>
The Marae Development Fund incurs multiple benefits for Council in sustaining engagement and relationships with Heretaunga mana whenua/marae-hapū and whānau.	Approved recommendations hold no risk to both Council and/or marae. Non-approval puts sustainable mana whenua/marae relationships at risk.

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## MARAE DEVELOPMENT FUND POLICY 30 JULY 2018

### 1.0 INTRODUCTION

- 1.1 Under the Local Government Act 2002, Hastings District Council (Council) is obliged to consider how it will meet current and future needs of communities for good-quality local infrastructure and how it can foster the development of Māori capacity to contribute to the decision-making processes of council.
- 1.2 This Policy will contribute to that purpose by supporting the ability of mana whenua in the District to engage with Council and to maintain appropriate infrastructure for their communities in a cost-effective and efficient way.
- 1.3 Mana whenua, through whakapapa as ahi kaa in Heretaunga are responsible for Marae preservation, maintenance and development.
- 1.4 The Marae Development Fund is Council's commitment to respond to the needs and aspirations of mana whenua with respect to Marae. This will benefit hapū, the District and the nation. It will contribute to a guarantee of the protection of the culture and heritage embodied in Marae facilities and relationships, which is critical to community infrastructure and ability to exercise tino rangatiratanga, manaakitanga, Whanaungatanga and mana motuhake.
- 1.5 Council also acknowledges Marae as a social asset for the community as a whole, under the mana whenua of tāngata whenua, and ngā hau e whā where that occurs.
- 1.6 The policy and procedures for the operation of the Marae Development Fund are as follows.

### 2.0 THE FUND

- 2.1 The Council's Long Term Plan contains an annual funding allocation base of \$75,000.00
- 2.2 The Fund is administered by the Pou Ahurea Matua – Principal Advisor Relationships, Responsiveness and Heritage. Other key Council staff are the Pou Ahurea - Advisor Relationships, Responsiveness and Heritage and the Building and Parks Project Officer.
- 2.3 Council will work with other funders and stakeholders towards cross sector collaboration to support short, medium and long term aspirations of Marae where and when appropriate, in a strategic way for all Marae in the District.
- 2.4 Council's strategic approach is to survey the needs of all Marae and to develop overarching project management in conjunction with other participating funders to resource development needs in specific yet similar areas of interest for

marae; for example, health and safety, fire safety and compliance, and or the consenting process.

- 2.5 The objectives and levels of funding are determined by considering identified issues that affect the Marae in the District. The initial objectives will target Health and Safety matters, including fire and earthquakes.
- 2.6 The assessments will be used to obtain quotes based on expert information that takes into account the specifications of each task and to allocate funding to a schedule of works to address needs in a coordinated manner. In these cases a signed agreement will be produced between respective Marae trusts and Council to deliver building services, installation of specialized equipment and management systems to meet compliance, under the project management and oversight of Council.

### **3.0 ELIGIBILITY FOR THE FUND**

- 3.1 To be eligible for the Fund, the applicant Marae will:
  - i. Be a Marae within the Hastings District.
  - ii. Be governed by a charter under Te Ture Whenua Act administered by the Māori Land Court.
  - iii. Have the capacity to make the required contribution to the cost of the work to be carried out.
  - iv. Deposit the Marae contribution to Council for the work before equipment is ordered and before work commences.
  - v. Agree to Council's support in funding coordination, project management and oversight, including coordination between the building services and any suppliers.
  - vi. Submit all invoices for services, materials and equipment by contractors and suppliers to Council to be approved based on inspection to confirm that the work is of the correct standard.

### **4.0 GENERAL INFORMATION**

- 4.1 Council is taking a strategic approach to Marae development. All enquiries are welcomed from all Marae constituents on any Marae development issue and advice is available as to the process required to benefit from this policy.
- 4.2 This policy is dynamic and will apply to the issues that are identified through ongoing Council strategic processes as affecting Marae. In each round prioritization decisions will consider the capacity of a Marae to engage with the policy; and what Council may need to consider doing to enhance the capacity of Marae to engage with the policy.
- 4.3 Final approval is given by the HDC Māori Joint Committee, based on a schedule of tasks and the costings, for work to be funded under the policy.
- 4.4 For any further information, please contact in the first instance:

- Pou Ahurea Matua – Principal Advisor Relationships, Responsiveness and Heritage, Dr James Graham, [jamesg@hdc.govt.nz](mailto:jamesg@hdc.govt.nz) 8715110 ext 5569, Mobile: 027 616 5589.
- Pou Ahurea – Principal Advisor Relationships, Responsiveness and Heritage, Rosemary Smith, [rosemarys@hdc.govt.nz](mailto:rosemarys@hdc.govt.nz) 8715110 extn 5519, Mobile: 027 641 6156
- Building and Parks Project Officer, Tony McHannigan, [tonym@hdc.govt.nz](mailto:tonym@hdc.govt.nz) 871 5110 ext 5427, Mobile: 027 498 8270.