



## Te Kārearea Meeting Minutes

**Date:** Wednesday, 18 October, 2017  
**Time:** 9:00 a.m.  
**Location:** Council Chamber  
Forum North, Rust Avenue  
Whangarei

### In Attendance

Her Worship the Mayor Sheryl Mai (Co-Chairperson)  
Jared Pitman (Co-Chairperson)  
Cr Vince Cocurullo  
Cr Tricia Cutforth  
Cr Sue Glen  
Cr Greg Innes  
Cr Sharon Morgan  
Violet Sade  
Taipari Munro  
Takiri Puriri  
Delaraine Armstrong  
Janelle Beazley  
Cr Crichton Christie  
Cr Anna Murphy  
Allan Halliday  
Deborah Harding  
Merepeka Henley  
Kaile Nahi-Taihia

### Not in Attendance

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**Also in attendance:** Debbie Taylor, Andre Hemara, Jennie Thomas, Jason Marris, Simon Weston, Jill McPherson, Evan Cook, Merryn Statham

### 1. Open Meeting

Her Worship the Mayor opened the meeting at 9.05am and welcomed everyone to the meeting.

2. **Karakia/Mihi** – Taipari Munro offered a Karakia and Takiri Puriri acknowledged. Jared Pitman explained the process of karakia and mihi tautoko and acknowledged both gentlemen for opening the meeting.

### 3. Apologies

Allan Halliday, Rob Forlong, Simon Weston (lateness), Cr Crichton Christie, Cr Anna Murphy, Deborah Harding and Huhana Lyndon.

The apologies were accepted by consensus.

#### **4. Introductions (Whakawhanaungatanga)**

#### **5. Previous Minutes**

**Moved by** Cr Sue Glen

**Seconded by** Cr Sharon Morgan

That the minutes of the Te Kārearea Strategic Partnership meeting held on 20 September 2017, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.

**Carried**

#### **6. Reports:**

##### **6.1 Hapu Mandating Update - October**

There has been some progress in terms of mandating hapu but there is still some way to go with confirming representation. Te Huinga held a workshop on 30 September which included hapu mandating. Out of that workshop representatives were selected to Te Kārearea. There may be a change to attendees to Te Kārearea with different representatives elected. This representation will be formalised by Te Huinga and provided by Te Huinga chair.

Cr Innes indicated his interest in the process of appointments as relates to Te Kārearea and whether it relates to other forums as well. He queried the relationship Te Huinga have to other forums and governance at a hapu level. He advised there had been discussion at Waitangi about what extent Te Huinga will take through the treaty settlements.

The meeting was advised that Te Huinga are refocusing on priorities. Advice could not be given with any certainty about the Treaty settlement path. Te Huinga is refining some of their systems and how they operate. The representation to Te Kārearea is to be completed first. There had been discussion at the workshop on the strategic alliance and improvements that could be made. Some of Te Huinga members didn't understand the relationship of Te Kārearea.

Te Kārearea is the collective of representatives of Te Huinga who sit alongside Council representatives to discuss issues. Council and Te Huinga have discussions separately and Te Kārearea is the forum for bringing us together.

##### **6.2 Treaty of Waitangi Settlements 18 October 2017 - Progress from Hapu**

Her Worship the Mayor and Cr Innes attended the opening on Monday 16 October 2017. Specific issues relating to Whangarei are being discussed today, Wednesday 18 October 2017, and Friday, 20 October 2017.

This last week of hearings at Waitangi will be a culmination of all the Crown's evidence. The oral history is recorded and available to public through the Waitangi Tribunal.

The meeting was advised that after the hearings are completed there is an opportunity to consider all evidence. While awaiting the report, there will be a parallel process where claimants are able to negotiate with the Crown and discuss settlements. Claimants present, report and then redress.

It was queried where Ngatiwai sit in this process. Advice was given that hapu in Whangarei are waiting on the hearing (Ngatiwai Trust board). This is a complex process and there are implications for Whangarei as settlement is approached. There is an opportunity for Council to learn more about the process. Claimants and hapu are preparing for the settlement. The relationship and any changes the settlement will bring to the relationship with Council is clearly important as the claim progresses.

There is a report on the Planning & Development agenda recording the Ngati Pukenga Statutory Acknowledgement in the District Plan. This is an unusual and unique situation with the tribal group Ngati Pukenga coming from the Bay of Plenty but who are now recognised as having association in the Tamaterau/Waikaraka area. Council will be asked to resolve to acknowledge that decision which then becomes relevant for District Plan changes and Resource Consents.

It was noted that the Government has no obligation to follow through on the Waitangi Tribunal findings. It was during the Bolger government that the removal of legal binding to decisions took effect. However, the Tribunal still has binding decision-making powers regarding 276 memorialised lands.

Maori are the first indigenous people registered with the United Nations.

At a local level, there will be a number of reports produced from these hearings. Some reports will specifically impact on local government. Claimants can negotiate and settlement legislation can be quite specific. The Tribunal can recommend terms. Council need to be aware of those claims and the decisions. The evidence of the crown will be forwarded to Council.

It was decided that if Council representatives would like specific information or questions answered on the settlement process that these would be included in the agenda to allow time for responses to be formulated.

### **6.3 Action Log October 2017**

Jill McPherson, General Manager Strategy and Democracy, provided a verbal update on the Action Log:

- In response to discussion at the last Te Kārearea meeting on Waahi Tapu and the significant funding allocated for this last year, Jill advised that the funding had been spent without getting the full result Council had expected. Part of the brief to the contractor was to work with and to pay Hapu. Council are having legal discussions with the contractor. This issue will be brought back to the meeting with suggestions on how to proceed.
- Development/clean-up of the Blue Goose site will potentially be added to the programme for the LTP.
- Opening hours at the Hub relate to the hours staff are available at the i-Site. There is directional signage to 24 hour toilets available. – **Item now closed.**
- The temperature of the pool at aquatic centre was queried at the previous meeting. Jill advised that at the time of the comments made two of the four boilers were out of action. These boilers have now been fixed and the correct temperature should be maintained.
- Youth Advisory Group (YAG) - Andre Hemara has been working with staff members to ensure YAG is culturally safe for Maori members. An issue resulting from an attempt to understand other cultures by having the meeting opened in other traditional ways. The attempt may have been misconstrued and apologies have been extended.
- Sealing of more rural roads is a potential programme for the LTP. This is one of the items Council will have to assess as part of the process. There is an existing budget for extending the seal. There is budget for the partial seal of Wright Road for this financial year.
- There has been a grant from Foundation North for the development of the carving shed at Hihiaua. An update will be given once this is confirmed. There is still some fundraising to do.
- The focus on youth joint initiative has not yet had a response back from staff.
- A Rates Structure Review Workshop on Schedule 11 is to be held in November.
- Rates arrears - Last Thursday, 12 October a meeting was held with Council's Rates staff to discuss land parcel Te Horo 2B2B2B block.
- There was a query on the Resource Legislation Amendment in relation to Mana Whakahono a Rohe and what stage Council was at in this process. The meeting was advised that Council asked for nominations in April/May and are waiting for candidates' names who they are considering sponsoring through Commissioner training courses.
- Traffic issues at Terenga Paraoa marae - The transport engineers have advised that unfortunately they don't believe there is a safe solution to this issue. The vehicle entrance to the carpark is too close to the lights to be able to protect it – **Item Closed**

#### 6.4 Infrastructure Update October 2017 to Te Karearea

Simon Weston, General Manager Infrastructure, provided a verbal update on the Infrastructure programme outlining progress on works for the District.

Programme updates included:

- The management of flows through the waste water treatment plant.
- The planting of the wetland at Ngunguru has been successful but the wetland is still failing to meet ammonia requirements.
- Council has employed Waste and Drainage Operations Engineer, Andrew Grant, who will be involved with the Hikurangi swamp projects.
- The Carpark to Park project may be delayed 18 months to 2 years as the Whangarei Art Museum (Hundertwasser) will be using some of the area for storage during construction. The park should open at the same time as the Hundertwasser.
- WDC are in discussions with NZTA and NRC regarding the Blue Green network on the construction of walking and cycleways.
- Construction is about to begin on new Whangarei entranceway signage which will incorporate rock walls.
- There is a new treatment, storage and pump station for waste water being constructed in the Tarewa park. The park will be restored once the project has been completed.
- There has been restoration works completed on the dunes at Sandy Bay.
- The Otaika sports fields project is underway. This includes sand fields and lighting.
- Whau Valley and Wilson dams are full. The algae bloom has continued longer than normal this year at Wilson Dam. WDC are working with NRC on this.
- The Ruddell's water line is to be replaced from the lime springs to a small water treatment plant in Maunu.
- There has been a lot resealing on intersections using asphaltic concrete. Discussion on the variance of the asphalt surface and manhole covers. Please advise Council of any significant step in the surface which is cause for concern.
- Stage 1 of the Kamo cycleway is nearly complete and will be a huge asset for the city.
- Funding of \$6.6m has been approved from NZTA for LED street lighting. This is an 85% subsidy. LED lighting is 50% more energy efficient.

It was decided that the Infrastructure Update is of interest and value to the meeting and should be regularly included on the Te Kārearea agenda.

## **6.5 Maori Wards - Progress from Hapu**

The Chair, Jared Pitman, updated the meeting on the hui held on 30 September 2017. There was robust discussion which carried through to Te Huinga meeting.

It has been resolved that "Te Huinga advise Whangarei District of their support of, and preference to pursue Maori wards within Whangarei district."

Members were asked for elaboration on the reasons for the decision made.

It is thought that there is not sufficient Maori representation on Council. This is not the only option but an opportunity for Maori to represent our people with decision making powers.

Jason Marris, Manager Democracy Assurance, spoke on the options going forward and the process taken to get to this point. He reminded the meeting of the presentation by our Electoral Officer to Te Kārearea and the following Council briefing where options were presented. Te Kārearea committed to consult with hapu to determine their collective position. This decision on Maori wards is part of a broader and wider process of Representation Review. One of first issues that needed to be decided was representation by Te Huinga. This decision needed to be made by 5 October, ratified and provided to council. The formally notified stance of Maori will be reported to Council on 26 October 2017. It is a Council decision and there will be four options to discuss.

- **Option 1** - No further action on the establishment of Māori ward(s)
- **Option 2** - Council could approve Maori ward(s) for the 2019-22 elections and publicly notifies the opportunity for electors to demand a poll
- **Option 3** - Conduct a standalone (postal) poll on the establishment of Māori ward(s) - cost estimated \$105,000
- **Option 4** - Conduct a poll on establishment of Maori ward(s) in conjunction with 2019 election. Poll cost estimated \$9,000 - \$10,000

These are the four options Council will be presented at next week's Council meeting. If there is a decision to change the status quo, which would then take effect for the 2019 and 2022 elections, it would be required by 23 November 2017.

Should Maori wards be introduced, the formula used to determine the number of Maori and General Councillors, assuming the total of 13 councillors and a Mayor remains, would mean two Councillors would be required to be elected from the Maori ward(s).

There was a query on in the event Council chose to introduce Maori ward(s) for the 2019 elections whether wards would be geographically based. The decision on Maori wards needs to be made first and then a lot of work will need to be undertaken on the process to identify where these wards would sit or whether there would be one ward and two councillors etc.

To be able to vote on Maori ward(s) electorates would have to be on the Maori electoral role and could only vote for candidates in these wards. A disadvantage noted was that Maori on the general electoral roll would not be able to vote for Maori wards.

There was discussion on how, in some existing wards, electorates can only vote for one Councillor and the Mayor. This is something Councillors need to take into consideration during the Representative Review.

Comment was made that if we presently had Maori wards it may have discouraged Maori to stand for the by-election.

After further discussions on Maori wards, Te Huinga representatives were asked if they felt, after the conversations had today, would there have been any position change from Te Huinga. The view was that the same position would have held. There had been interesting discussion but the position was unanimous from Te Huinga.

There was a question on whether at the hui held on 30 September there was any preference stated for Maori to be appointed to Council committees as they had in Council's previous term. There is a belief Maori must get involved in local government matters but a push back on committee representation as there is a view that committee representation provided no voting rights for Maori. Te Huinga want to be able to make decisions that affect Maori. Te Huinga are looking for decision making powers and co-governance and to bring their perspective to Council. At present Te Kārearea is the only form of representation to Council and has no real binding outcome.

There was further discussion on the ability for decision making through committees.

There was a query on whether Te Kārearea would continue if there were Maori wards. The purpose of Te Kārearea would not change as this is the forum for hapu representative's voices to be heard.

Only the Wairoa and Kapiti Coast District Councils have Maori wards. A number of Councils have conducted polls in recent years with only the Wairoa District Council gaining over 50% for Maori Wards.

Clarification was given on the fact that Representation Review is required to be undertaken every 6 years but the decision on Maori wards needs to be made every three years. If the decision is made at any stage on Maori wards this triggers the need for a Representation Review.

There was some discussion on the possibility of Council resolving to have community boards and how Maori representation would feature.

## **7. General Business**

Taipari Munro queried the different roles Whangarei District and Northland Regional Council undertake in the Resource Consent process such as the Winstones application. Evan Cook, Senior Planner District Plan, advised that the Regional Council manage activity in relation to ground water and the marine environment.

Whangarei District Council are responsible for the landuse and subdivision process. There are certain overlaps with the Regional Council e.g. considering earthworks in relation to water quality - sediment etc. The District Council looks at visual amenity, landscape and noise. The Regional Council is focused on water quality and quantity whereas the District Council focuses on the community side of a consent.

Taipari advised that there has not always been an understanding around the consent process and the timeliness needed. He queried where and if Council considered Waitangi obligations. He queried how does this fit into the process and what ability is there to speak on concerns relating to water in the District Council hearing?

Advice was given that both councils have responsibilities to look at the effects to tangata whenua. Relevant issues for a hearing should be made through submissions. This is not just a consideration given to Maori, anybody can raise any issue. These submissions will be evaluated by commissioners relevant to the knowledge provided in the submission.

Councillor Innes advised that commissioners of hearings consider hapu environment management plans. A commissioner may require a cultural impact assessment which gives weight to issues put forward. If there was an appeal the Environment Court would strongly consider a cultural impact assessment. Evan could not confirm if NRC requires a hapu management plan. Taipari advised that NRC have advised that they have received one but this is disputed. The WDC hearing is scheduled to be held in the first or second week of November. NRC have approved their consent.

Cr Morgan advised of a social event to be held on 10 February 2018 from 10.00 am to 3.00pm at the Maungatapere complex. This event will be a collaboration with the Maungatapere complex, Marae and local schools. The event will include an axeman carnival, the SPCA and Riding for the Disabled will also be involved. The event is looking to involve all sectors of the community and organisers would appreciate Te Huinga representation.

Jason Marris took the opportunity to introduce Merryn Statham, Council's new Consultation Adviser. Merryn previously worked at Unitec as the Manager for Partnerships and Community Engagement. The Consultation Advisor role is a new position in Council. Te Kārearea and Te Huinga members will be working with Merryn as stakeholders in the consultation process.

Cr Cutforth advised of two upcoming events. The Golden Bay Cement Northland open day to be held on 25 October and the Annual Hatea clean-up day from 14 November at 9.30am meeting at the old BMX track. Information to be circulated to Te Kārearea members by email.

## **8. Closure of Meeting - Karakia**

The meeting concluded at 11.14 am with a Karakia from Taipari Munro.