

BEFORE THE BAY OF PLENTY REGIONAL COUNCIL

UNDER the Resource Management Act 1991

AND

IN THE MATTER OF resource consent applications by the Western Bay of
Plenty District Council for the continued operation of,
and discharge of treated wastewater from, the Te Puke
Wastewater Treatment Plant

**STATEMENT OF EVIDENCE OF CHRIS NEPIA
ON BEHALF OF WESTERN BAY OF PLENTY DISTRICT COUNCIL**

Māori Participation

29 March 2019

Introduction

1. My name is Chris Nepia and I am the Māori Relationships and Engagement Advisor with the Western Bay of Plenty District Council (**WBOPDC**) and have been in this role since 2014. Prior to this I was employed as WBOPDC's Māori Land Officer from 2010 and was primarily responsible for rates issues on Māori land. I hold a Bachelor of Laws from the University of Waikato (2006) and a diploma in Te Reo Māori from the Waiariki Institute of Technology (2014).
2. In my role at WBOPDC I am responsible for managing the relationship between Māori and WBOPDC. My work supports Māori being able to contribute to the decision making processes of WBOPDC. WBOPDC's Partnership Forum provides Māori with this opportunity at a Governance level; it is a recommendatory committee that is comprised of iwi/hapū representatives, all of WBOPDC's councillors and the Mayor.
3. I assisted the Partnership Forum with the development of Te Ara Mua, a strategic plan adopted by the Partnership Forum in 2016. Te Ara Mua outlines the issues of significance for Māori and contains actions that WBOPDC and Māori will take to address these issues. I help to progress the actions identified in Te Ara Mua, monitor their progress and report outcomes back to the Partnership Forum.
4. I support staff who are engaging with Māori on a particular project, as I have done for this application and also the application for a discharge consent for our Katikati Wastewater Treatment Plant. I manage the funding assistance provided by WBOPDC that supports opportunities for Māori to contribute to our decision making processes including our Marae Sustainability Initiatives Fund, our Iwi/Hapū Management Plan Fund and our Cultural Events Fund.
5. In addition to my work at WBOPDC I have been a trustee for Te Reti B & C Residue Trust since 2011. Te Reti B & C Residue is a local block of Māori land in

Tauranga and was returned for the benefit of descendants of Ngai Tamarāwaho hapū. Since 2012 I have also been a Trustee of the Ngai Tamarāwaho Tribal Authority Trust, a trust that was established to receive and administer the settlement assets received by Ngai Tamarāwaho through the Ngati Ranginui Treaty Settlement.

Code of Conduct for Expert Witnesses

6. I have read and agree to comply with the Code of Conduct for Expert Witnesses, Environment Court of New Zealand Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express. I also acknowledge that as an expert expressing opinions my duty is to impartially assist the Court. In particular I am not an advocate for my employer.

Scope of evidence

7. My role in the Te Puke Wastewater Treatment Plant (Te Puke WWTP) application has been to support WBOPDC staff in their engagement with Māori on this application.
8. My evidence will cover engagement with iwi and addresses the following topics:
 - (a) WBOPDC's Tangata Whenua Engagement Guidelines and Protocols;
 - (b) Māori interests in the Te Puke WWTP;
 - (c) Māori engagement process; and
 - (d) Feedback from Māori and WBOPDC's response to feedback.

9. I have relied upon WBOPDC's Tangata Whenua Engagement Guidelines and Protocols (**Guidelines**), which I have attached as Appendix A.¹ I also confirm that I have read and am familiar with the submissions, Officer's report and the proposed consent conditions. I have visited the Te Puke WWTP on a number of occasions.

Executive summary

10. WBOPDC engaged with relevant iwi to ensure that the application appropriately addressed the worldview Māori have when it comes to dealing with human waste. Through the engagement process iwi made it very clear that the discharge of wastewater into waterways is not a practice that is acceptable to their cultural worldview. Throughout the consenting process and as part of the conditions of the current application, WBOPDC has committed to working with iwi to agree on a method for treating and discharging wastewater that is acceptable to Māori, acknowledging that wastewater discharge from the Te Puke WWTP ends up in the Waiari Stream.
11. I consider that WBOPDC has worked hard to address the cultural concerns raised by iwi through this process and the engagement approach taken in relation to this application is in line with the relevant WBOPDC guidelines (as outlined below). In my opinion the engagement with Māori on this project began early and has been carried out in an open and transparent manner.

WBOPDC's Tangata Whenua Engagement Guidelines and Protocols

12. The Guidelines were developed by WBOPDC in partnership with Te Kōmiti Māori (a WBOPDC forum established to progress kaupapa Māori made up of iwi and hapū representatives and four Elected Members). The Guidelines

¹ The Guidelines were approved by Te Kōmiti Māori on 20 September 2013 and the Management Team of the Western Bay of Plenty District Council on 30 September 2013.

reflect WBOPDC's commitment to meeting its statutory obligations to Māori and the importance that WBOPDC places on its relationship with Māori.

13. The Guidelines were:

Developed to raise the cultural competency of staff to work more effectively with Māori. The Guidelines provide a range of tools and advice to help plan effective engagement and contain practical information about use of the reo Māori (the language of Māori), Marae protocols etc. The aim is to ensure the engagement is meaningful and leads to positive outcomes for Māori, WBOPDC and the wider community.

14. One of the tools mentioned in the Guidelines is a best practice approach to engaging with Māori (**Best Practice Approach**). This Best Practice Approach acknowledges that there are a number of reasons for engaging with Māori and a number of approaches that can be taken to engage with Māori. It aims to assist staff to determine the nature and scope of the engagement that they should undertake with Māori in relation to a particular project. Page 14 of the best practice approach describes the following five levels of engagement with Māori that staff might apply to a particular project:

(a) Whakamohio – Inform

We will keep you informed about what is happening

Information-giving is the most basic form of engagement as there is no participatory element. Providing clear, balanced information with timelines underpins all other levels of engagement because it enables Māori to make informed and considered choices. It is essential that Māori are provided with the appropriate information, such as Council reports, project plans, resource consent applications, research, maps and photos.

Providing information (brochures, plans, policies and websites) that is easy for the general public to understand is vital.

(b) Whakauiuia – Consult

We will listen to you and make our decisions

At this level of engagement, the objective is to seek the views and opinions of Māori on proposals, analyses, alternatives and/or decisions. This is not about putting ideas into action. Consultation can be done face-to-face at hui and requires a time allocation that enables iwi or hapū to undertake follow up discussion and wider consultation amongst themselves.

Consultation is legally required by various Acts, including the Local Government Act (2002) which specifies when Council's Significance policy is triggered which requires the use of the Special Consultative Procedure (a formal consultative process with submissions from the public and Council hearings and deliberations of submissions).

(c) Whakaura – Involve

The aim at this level is to have Māori more involved in the decision-making process.

Iwi or hapū representatives can be appointed to committees, focus groups or working parties in an advisory capacity. An example is the TECT All Terrain Park Committee where representatives from Ngāti Ruahine and Ngāi Tamarawaho are appointed with voting rights onto the committee with WBOPDC (three elected members) and Tauranga City Council (three elected members) to provide cultural advice to Council. We will involve you in the decision making process. We will ultimately decide.

(d) Mahi ngātahi – Collaborate

We will discuss and decide together

The goal of this level is to have processes that allow for sharing and acting together and to have all parties holding equal power. An example is the development of cultural monitoring protocols by a working party with representatives from Te Kōmiti Māori and Council staff. The protocols were adopted by Te Kōmiti Māori and Council's management team. Te Kōmiti Māori representatives were paid meeting fees

(e) Whakamanahia - Empower

Māori will decide. Māori may choose to discuss with us.

This level is the most ambitious. It aims to maximise empowerment of Māori and, at its farthest reach, will see Māori having complete decision-making power. Treaty claim settlements in the District mean Council is working to develop strategies and processes that support the sharing of roles in the short term. They may, in some situations, ultimately lead to the handover of some roles from Council to Māori.

Māori interests in the WWTP

15. WBOPDC is aware of the sensitive nature of wastewater treatment plants and wastewater discharges (particularly to water bodies) to Māori. To Māori, there are spiritual and cultural issues with discharging human waste to water.
16. This is reflected in the Tapuika Environmental Management Plan (**Tapuika Plan**), which was released in 2014 and is formally recognised under the Resource Management Act 1991 (**RMA**). Tapuika are one of the iwi that have whakapapa (genealogical) connections to the Te Puke rohe (area) and have an

intrinsic connection to both the Waiari Stream and Kaituna River. One of the priority issues identified in the Tapuika Plan is land use impacts on waterways, stating:

“Our waterways, wetlands, waipuna (springs) and riparian margins are highly valued but are at risk of contamination from surrounding land use, water use and activities on the water.”

17. One of the matters of particular concern with respect to this issue is wastewater discharges into Lake Rotorua, Waiari Stream and Kaituna River.
18. The Tapuika Plan also sets out expected outcomes for water, one of which is that “Tapuika is actively involved in resource management processes relating to water”. It also sets out policies for water, which include:
 - (a) Tapuika opposes the direct discharge of contaminants, especially wastewater, to rivers and streams.
 - (b) Promote additional treatment and/or alternative disposal methods of wastewater such as the use of new technology, land based disposal or the use of wetlands.
 - (c) Encourage innovative solutions to remedy the long-term effects of discharges on the historical, cultural and spiritual values of freshwater.
 - (d) Advocate for the Bay of Plenty Regional Council to prepare a compliance monitoring report in relation to consented discharges to water within Te Takapū o Tapuika.
19. There are two other relevant Iwi Management Plans, the Ngati Whakaue ki Maketu Iwi Management Plan Phase 2 (**NWKM** Plan) and the Waitaha Iwi Management Plan (**Waitaha** Plan). The NWKM Plan was updated in 2011 and

is formally recognised under the RMA, and a final draft of the Waitaha Plan has been submitted to the Bay of Plenty Regional Council (**BOPRC**).

20. The application sets out the relevant provisions of those plans however I have set out the most important provisions below:

The Waitaha Plan states that:

- (a) Sewage pipeline discharging into the ocean is a problem that directly compromises the environment, poisons kai moana and is in direct conflict with Waitaha tikanga. Waitaha do not support sewerage discharge.
- (b) Waitaha strongly object to discharge to water and want it to cease. Waitaha want Council to invest in other more environmentally friendly methods of disposing of human waste. Waitaha want the mauri and life sustenance of all waterways to be restored and the water quality at 100% potable.
- (c) Waitaha would like to see:
 - (i) Adequate resourcing for monitoring capability giving effect to kaitiaki responsibility;
 - (ii) Regular reports by those with a statutory role responsible for regulating the health of waterways;
 - (iii) A financial commitment formalised through policy to remedy any adverse effects on their waterways by those who regulate, monitor and consent to such activities;
 - (iv) Input to planning and policy alongside territorial government where waterways are impacted;

- (v) Listed wāhi tapu associated with their waterways are protected.

The NWKM Plan identifies the following issues and outcomes that are sought:

- (a) Discharge of pollutants and the need for Regional Council and WBOPDC to take responsibility and accountability for the condition of discharges affecting the well-being of waterways.

Māori engagement process

21. Acknowledging the above, WBOPDC wanted to ensure that Māori were properly engaged in this consent process. The engagement approach that was adopted and applied to this resource consent fits within the “Whakaura - Involve” level of engagement under the Guidelines, which is set out above and aims to have Māori more involved in the decision-making process. It is in the middle of the scale of engagement from “inform” to “empower” set out in the Guidelines.
22. Although this level of engagement foresees that Māori are involved in an advisory capacity, WBOPDC wanted to work with Māori to determine an agreed approach to the resource consent application going forward, which is moving further towards the “collaborate” level of engagement.
23. In June 2015, WBOPDC established the Te Puke WWTP Consent Renewal Steering Group (**Steering Group**) to progress work on this resource consent application. There were no specific terms of reference established by this Steering Group but it aimed to provide the platform for WBOPDC and Māori (and eventually other community stakeholders) to agree on what the resource consent application would eventually look like. WBOPDC invited the following iwi to be involved in the Steering Group:

- (a) Tapuika.
 - (b) Waitaha.
 - (c) Ngati Whakaue ki Maketu.
 - (d) Ngati Pikiao.
24. Tapuika and Waitaha both have settlement legislation that has the Te Puke area within their respective rohe (tribal boundaries). Waitaha have a Statutory Acknowledgment over the Waiari Stream and Tapuika a Statement of Association with the Waiari Stream in their respective pieces of settlement legislation. Ngati Whakaue ki Maketu outline their area of interest in the NWKM and Ngati Pikiao are interested in activity affecting the Kaituna River with the Waiari Stream being a tributary to that river. It was envisaged that through the Steering Group the various iwi would work together to guide the development of the resource consent application, particularly in relation to matters of cultural significance for Māori and those iwi and hapū. WBOPDC does not have a prescribed approach for the development of Cultural Impact Assessments (**CIA**), however through the Steering Group WBOPDC proposed that the iwi members work together to provide a single CIA that would outline the cultural impacts for those iwi and advice on how to mitigate those impacts.
25. Since the initial establishment of the Steering Group in 2015, WBOPDC has held meetings (typically every 6 weeks) and invited the iwi listed above to attend. Iwi attendance at these meetings was variable, however through the meetings iwi provided WBOPDC with the following information:
- (a) A CIA from Tapuika (a copy of which was attached to the consent application in Appendix G);
 - (b) Verbal acknowledgment from Ngati Whakaue ki Maketu that they were prepared to await the Tapuika CIA as that should be sufficient from their perspective;

- (c) A draft CIA in the form of a summary statement from Ngati Pikiao ki Tai, which outlined suggestions to avoid, remedy or mitigate adverse cultural impacts as a result of the discharge of treated wastewater.
 - (d) A CIA from Waitaha, which is attached to this evidence as Appendix B.
26. The CIA documents provided to WBOPDC from Tapuika and Waitaha outline their specific concerns as they relate to the application and how they would like WBOPDC to address those concerns. The CIA relies heavily on the values Tapuika and Waitaha identify in their settlement legislation and iwi management plan.

Feedback from Māori

27. Māori provided feedback through CIA documents and discussions held during the Steering Group meetings. The CIA provided by Tapuika was comprehensive and it reiterated their interests in the Waiari Stream and their values as they relate to water. The CIA speaks at length about water quality and the negative effects of activity on the quality of water in the Waiari Stream. One of the negative effects mentioned is the discharge from the Te Puke WWTP, which according to the CIA is raising the nutrient levels in the Waiari Stream. The CIA notes that WBOPDC will carry out upgrades to the treatment plant to cater for an increase in the population of Te Puke but Tapuika have concerns that these upgrades will not take place unless the consent is granted and that any delay to the upgrades will continue the cultural environmental impacts caused by discharge to the Waiari Stream.
28. In order to address the concerns they raise in their CIA, Tapuika have suggested some conditions be incorporated into the application including:
- (a) More stringent effluent limits over and above the existing consent (outlined in the CIA from pages 7 through 9);

- (b) The inclusion of a provision allowing the consent to be reviewed 6 years after it is granted;
 - (c) The ability for Tapuika to undertake their own monitoring at six locations both above and below the confluence of the Kaituna River and Waiari Stream; and
 - (d) That Tapuika be involved in work to create/restore up to 30ha of wetlands which will result in improved habitat for fish, eel and inanga.
29. The CIA provided by Waitaha was also extensive, referring at length to the importance of the Waiari Stream to Waitaha based on cultural values, customary practices and recreational uses. The CIA acknowledged that the treatment plant was “a very good one and is managed responsibly”,² noting however that the quality of water discharged from the Te Puke WWTP was higher than the water leaving the wetland and entering the Waiari Stream. Ultimately though, Waitaha maintain that their tribe, tikanga and values prescribe a zero tolerance of contamination into waterways but in particular no two elements should meet that mix human body waste with human consumption. The Waitaha CIA outlines the iwi position by saying:
- (a) We acknowledge the pressures of modern society on our waterways, however we cannot overlook the cultural aspects and commitment by Waitaha to any consent that effectively works to the opposite.³
30. In order to address the issues raised in their CIA, Waitaha made the following recommendations:

² Waitaha CIA April 2016; Te Kapu ō Waitaha, paragraph 7.

³ As above, summary.

- (a) That WBOPDC sell treated wastewater to horticulture proprietors to service kiwifruit orchards;
 - (b) That WBOPDC restore and enhance the discharge wetland area to increase its capacity;
 - (c) That WBOPDC review its point of discharge by considering discharge to a larger riparian area prior to the wastewater being received by the Waiari Stream; and
 - (d) That WBOPDC commit to the work of exploring alternative discharge options and allow Waitaha to undertake a further more comprehensive CIA.
31. The draft CIA in the form of a summary statement from Ngati Pikiao ki Tai dated May 2016 provides Ngati Pikiao ki Tai views on the application. The document states that Ngati Pikiao are against the mixing of wastewater and Wai Māori. According to the draft CIA they have an interest in the discharge of wastewater from the Te Puke Treatment Plant as the water eventually reaches the Kaituna River.
32. The draft CIA also makes recommendations as to how WBOPDC may avoid, remedy or mitigate the cultural impacts that Ngati Pikiao ki Tai have identified, being:
- (a) That Council ensure there is appropriate ground treatment to avoid the mixing of Wastewater with Wai Māori as wastewater is discharged from the Te Puke WWTP;
 - (b) That WBOPDC facilitate Ngati Pikiao plans for mauri monitoring of the Kaituna River;

- (c) That WBOPDC through the consent conditions, sets out a clear pathway for enhancing the quality of waterways through ongoing reviews of the operation of the Te Puke WWTP;
- (d) That the consent conditions provide certainty about WBOPDC's obligations for addressing water quality issues. Ngati Pikiao expect provisions be made for the continuous improvement of the quality of water discharged from the Te Puke WWTP; and
- (e) That Ngati Pikiao be involved in the adaptive management processes (explorations of other treatment plant options) that are being proposed.⁴

WBOPDC response to feedback

33. In response to feedback concerning tangata whenua involvement, WBOPDC has proposed to establish the Wastewater Advisory Group as part of the consent conditions, which I have discussed below. Other responses to the feedback will be given by Mr Richard Harkness in his evidence, and in Mr Zhou Chen's evidence as it relates to water quality.

Submissions

34. A number of submissions were made by Māori in relation to this consent application and it appears that a large majority of these submissions were made by uri (descendants) of Tapuika iwi. There were three common issues raised within the submissions, those being that:

- (a) WBOPDC should use a tool for monitoring the quality of affected waterways that recognises Te Ao Māori and matauranga Māori;

⁴ Ngati Pikiao ki Tai, Draft CIA in the form of a summary statement May 2016; Raewyn Bennett.

- (b) That the discharge of human wastewater is abhorrent to Māori cultural values no matter the quality of the treatment; and
 - (c) That opportunities should be provided for Māori to participate effectively in all planning processes for freshwater management.
35. As stated above, WBOPDC has proposed to establish the Wastewater Advisory Group which in my opinion should provide opportunity for Māori to be involved in the WWTP operation. WBOPDC's other responses to the submissions will be addressed by Mr Richard Harkness in his evidence, and Mr Zhou Chen as they relate to water quality.

Officer's Report

36. I confirm that I have read the Officer's Report and have no comments to make.

Conditions

37. The proposed consent conditions are outlined in the evidence of Mr Richard Harkness. It is not within my expertise to comment on all of the consent conditions however I will discuss the establishment of the Wastewater Advisory Group and the Kaitiaki Group.
38. The establishment of a Wastewater Advisory Group has been proposed as a part of the consent conditions for this application to:
- (a) Receive and provide information and feedback on the Alternative Disposal Options Investigation Study including the scope and methodology of the investigations and the progress of the investigations;
 - (b) Act as the channel for broader community input as necessary; and

- (c) Use best endeavours to finding an agreed way forward and seeking agreement with the group on its advice to WBOPDC.
39. In addition, the consent also proposes the establishment of a Kaitiaki Group. This group mirrors the approach taken to the consent jointly held by Tauranga City Council and WBOPDC for water take from the Waiari Stream. The Group provides an opportunity for Māori to be involved in the operation of the consent, including by informing BOPRC and WBOPDC of the effects of the treated wastewater discharge on the mauri and mauriora of the Waiari Stream.
40. The consent conditions also propose that the Kaitiaki Group receive reports of the Ecological Monitoring done under the discharge consent.
41. In my opinion, this shows WBOPDC's commitment to addressing issues raised by Māori and appropriately reflects the ongoing engagement that needs to occur with Tangata Whenua in relation to the WWTP.

Conclusion

42. In my opinion the process of engagement with Māori on this project has been robust and in accordance with WBOPDC policy and practice.

Name Chris Nepia

Date: 29 March 2019

Appendix A – Tangata Whenua Engagement Guidelines and Protocols

TANGATA WHENUA ENGAGEMENT GUIDELINES AND PROTOCOLS

October 2013



TE KAUNIHERA A ROHE MAI I NGĀ KURI-A-WHAREI KI OTAMARAKAU KI TE URU



Western Bay of Plenty
District Council

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Executive Summary

The Tangata Whenua Engagement Guidelines and Protocols have been developed to raise the cultural competency of staff to work more effectively with Māori. The Guidelines provides a range of tools and advice to help plan effective engagement while the guidelines provide practical information about use of the reo Māori (the language of Māori), Marae protocols etc. The aim is to ensure that engagement is meaningful and leads to positive outcomes for Māori, Council and the wider community.

Why do we engage with Māori? We are legislatively bound by various Acts to consult and/or engage with Māori. This does not mean we shouldn't go beyond our statutory requirements. Māori are an important sector of the District's community. They make up nearly one-fifth of the population and own 8% of land in the District. Several iwi have received large financial and cultural redress through Treaty of Waitangi settlements, and many others are in the pipeline.

Māori are building and enhancing their capability and capacity. It is therefore good business to seek their skills, experience and expertise to ensure that we make informed decisions.

Our challenge is to ensure good engagement is practiced consistently throughout the organisation. The large number of hapū and iwi in our District makes this challenging but exciting. If we approach engagement positively and smartly, we will build relationships that will be enduring.

The Māori Engagement guideline will be implemented through a series of information and training sessions. The guideline will be reviewed annually to measure its effectiveness (need to discuss this further).

This document was approved by Te Komiti Māori on 20 September 2013 and the Management Team of the Western Bay of Plenty District Council on 30 September 2013.

We trust it will be a useful resource for staff and elected members.

The Tangata Whenua Engagement Guideline covers:

- An overview of our Treaty and statutory obligations.
- Provisions for Māori within Council plans and processes.
- A spectrum of engagement, ranging from informing, consulting and involving to collaboration and empowerment.
- Steps to plan for effective engagement

The Tangata Whenua Engagement Protocols (Appendix 1) covers:

- Māori values and concepts.
- Commonly used Māori terms and concepts of Engagement.
- Marae customs and protocols.
- Pōwhiri - an explanation of the stages of a Pōwhiri.
- Meeting at the premises of a Māori organisation.
- In House Meetings.
- Tangihanga (funeral).
- Council Resources to Assist Engagement with Māori.
- Elected Members section.
- Karakia
- Waiata

This document is important for staff who:

- Need to seek advice, feedback and/or involvement of Māori for their project or their work.
- Want to establish, enhance and/or maintain their relationship with Māori.
- Require tools to build confidence in working with Māori.

This document is important for elected members:

- To assist in effectively engaging with your Māori constituents.
- Require tools to build confidence in engaging with Māori.

Introduction

As a District Council, our business is to help provide for the well-being of the communities in the Western Bay of Plenty District. People should have the opportunity to participate in decisions that affect them. We endeavour to provide the best pathways for people in our District to engage in the decision-making process.

Over the past decade there have been important changes in the way that councils seek to engage with Māori. The most significant change has been the recognition of a need to move away from one-off consultations. We should instead develop pathways that will achieve lasting and meaningful relationships.

Māori in this context are described as people that affiliate to a whānau (extended Māori family), hapū (sub-tribe of the iwi) or iwi (Māori tribe). They include haukāinga (people of the hapū/marae) and tangata whenua (people of the land) and taura-here (Māori who reside locally in the region but affiliate to iwi outside of the region).

Meaning of Engagement

In this document the term 'engagement' is used to describe a range of methods and activities we use to interact with people in the community. It includes:

- Information sharing;
- Consultation;
- Seeking perspectives;
- Receiving feedback;
- Collaboration;
- Co-governance;
- Co-management.

Council has a responsibility to foster healthy relationships with Māori. Many of our staff already have good relationships with Māori in the District. Our challenge is to build the capacity of others. The core principles underlying all good relationships are trust, respect, honesty and openness – all of which take time to develop and require ongoing investment.

Goals

The Tangata Whenua Engagement Guidelines and Protocols aims to grow your awareness and give you sound practical advice to achieving effective engagement with Māori.

We hope to give staff the ability to confidently manage various levels of engagement, and to know when to seek further advice/help for higher levels of engagement.

Our goal is to have an effective, consistent and inclusive approach to Māori engagement across the organisation. The Strategy and Guidelines will help staff to:

- Establish and enhance relationships with Māori.
- Become more aware of Māori aspirations and Māori well-being.
- Promote and support ongoing compliance with statutory requirements through quality engagement practices.
- Achieve a more coordinated and consistent approach to engagement across the organisation.

The Protocol also aim to support elected members in building relationships with their Māori constituents and increase awareness of Māori aspirations and Māori wellbeing.

Western Bay of Plenty District Council would like to acknowledge and thank the Bay of Plenty Regional Council Māori Policy Unit for learning from and drawing on their 'Engaging with Māori – A Guide for staff of the Bay of Plenty Regional Council (2011)' in the process of developing the Tangata Whenua Engagement Guidelines.

Introduction

Māori dynamics in the District

The Western Bay of Plenty District is culturally diverse. There are 11* iwi groups (iwi authorities and/or iwi runanga -the governing council of the iwi), around 74* hapū and approximately 23 marae (a traditional Māori tribal meeting place). Other statistics of interest include:

- Māori represent almost 20% of the District's population.
- Around 8% of land tenure is in Māori title. There are over 947 parcels of Māori land in the District.
- There are numerous land trusts in the District.
- Recent and upcoming Treaty settlements are delivering significant investment funding into the Western Bay of Plenty District.

*This is based on the information on the Te Puni Kokiri (Ministry of Māori Development) website of iwi and hapū in the Western Bay of Plenty District who exercise kaitiakitanga (the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori or customs in relation natural and physical resources) within the District. Go to intranet page link or BOP Maps - Māori Land - Iwi areas for a map of iwi in the District.

Why we engage with Māori

Māori, as tangata whenua, have a unique relationship with councils. Through some legislation, the Treaty of Waitangi obliges councils to involve Māori in making decisions on matters that affect them.

Our organisation takes this responsibility seriously, and has developed policies, practices and mechanisms to ensure our statutory obligations are implemented. In addition, Council undertakes a wide range of non-statutory activities in order to build effective relationships with hapū and iwi.

In addition, our Council understands that early and meaningful engagement can produce better quality outcomes through:

- A greater understanding of one another's expectations and aspirations.
- Increased opportunities to establish shared projects and joint ventures.
- Improved processes based on an understanding of one another's priorities, expectations and available resources.
- More efficient use of Council and Māori resources.
- Supporting Māori expectations and aspirations to promote the well-being of Māori and the wider community.

Introduction

The importance of relationships

Relationships with ratepayers, communities, tangata whenua, community groups, other Councils and organisations is fundamental to the work of Councils. As with any relationship, time is required to develop a good working relationship with hapū and iwi from which positive experiences, trust and confidence is developed. Conversely, when people have negative experiences or lose trust, this is likely to damage relationship.

We all have a responsibility to contribute to building positive relationships with hapū and iwi. If a hapū or iwi have a negative experience with a Council staff member/s this is likely to make it more difficult for the next staff member who needs to work with the hapū and iwi. A lack of trust or confidence generally results in a reluctance by the iwi or hapū to engage with Council which often translates into project delays, which can be costly for Council.

Equally, where Council have a negative experience with an iwi or hapū there can be a reluctance to engage with them in future projects resulting in a lack of iwi or hapū input into projects.

The Tauranga Moana Iwi Collective Deed succinctly summarises the need to go beyond Council's legal obligations:

While the Resource Management Act 1991 and the Local Government Act 2002 ensure due consideration of Treaty principles when decisions are made that affect relationship the tangata whenua have with their taonga, relationship building means going beyond the statutory compliance issues. It means building awareness, understanding, agreement, and commitment within the relationship that gives confidence to both parties that their values, principles and perspectives have been included in the decision-making process. A consistent approach is required to facilitate discussion and the exchange of information on resource consents, heritage management, development issues, and community well being. These communications will contribute to effective decision-making in the Western Bay of Plenty (p9).



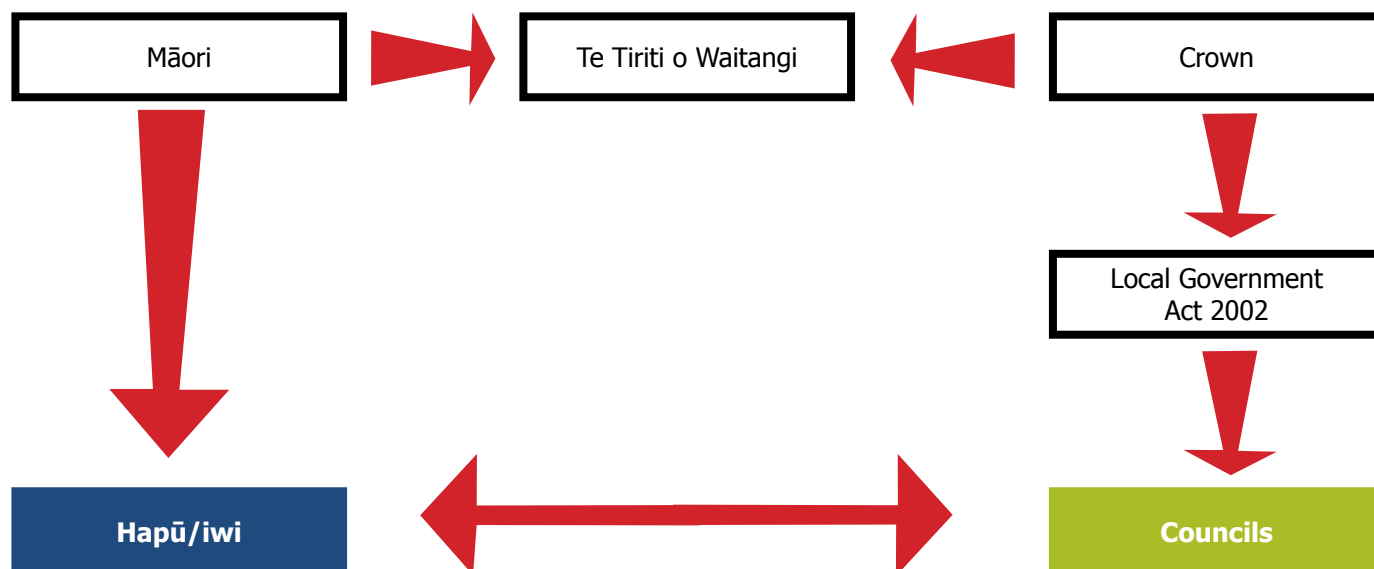
The Treaty of Waitangi

The creation and signing of the Treaty of Waitangi in 1840 represented the foundation of how Māori and other New Zealanders would interact with each other.

While Treaty obligations lie with the Crown local authorities, by way of the Local Government Act 2002, are required to recognise and respect the Crown's responsibility to take account of the principles of the Treaty. See page 9 for more information on Council's obligations.

To learn more about the Treaty of Waitangi click on the link <http://localgovintro.westernbay.govt.nz/>

The diagram below outlines the Te Tiriti o Waitang (Treaty of Waitangi) relationship between Western Bay of Plenty District Council and iwi/hapū:





Statutory obligations

Local Government Act 2002 (LGA)

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, the Local Government Act 2002 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes.

Local authorities need to plan ahead for ensuring effective Māori contributions to decision making. This is summed up in Section 81 of the LGA where:

A local authority must:

- (a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
- (b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
- (c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).

The section clarifies that Māori and local authorities need to move beyond engaging on matters of environmental or cultural importance only. Not only do local authorities need to have systems that specifically allow Māori input into decision making, but also need to be planning for how Māori can make more of a contribution to local decision making. Section 82 outlines the principles of consultation. In brief, people who will be affected or have an interest in a decision or matter should be:

- Provided with access to relevant information in a form and manner that is appropriate.
- Encouraged to present their views to Council.
- Given the opportunity to present their views in a manner or format that is appropriate to the preferences and needs of those persons.
- Given feedback concerning the decision and the reasons for the decision.
- Appendix 2 outlines the particular references in each section of the Act.

This could mean that information is translated into non-technical terms and/or in the Māori language, or having discussions on marae or other venues.

Māori can legitimately request separate meetings/hui (separate to the public) with Council staff on matters of importance/significance to them.

Resource Management Act 1991 (RMA)

Council has obligations under the RMA to take into account the principles of the Treaty of Waitangi.

The RMA provisions include recognising and having regard for the relationship Māori have with land, water, sites of cultural significance, kaitiakitanga, iwi management plans etc.

A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District.

Appendix 2 outlines the particular references in each section of the Act.

Local Electoral Act (2001)

Sections 19Z-19ZH of the Local Electoral Act makes provisions for local authorities to be able to establish Māori ward/s.

Relevant Council plans, processes and committee

Partnership Forums

Partnership Forums is an advisory committee that has the power to make recommendations to Council and its Committees. Composition of the committee currently consists of the Mayor, six Councillors, and representation from Iwi, two Trust Boards and some hapū as a result of 'communities of interest'.

Partnership Forums has a work programme developed through Council's annual plan and budget process, designed to address key priorities of Māori communities across the District. The Committee also contributes to the setting of Council's policy development work programme and Māori members provide advice and support to Council at Māori and Council events occurring within their respective community of interest.

Further details regarding Partnership Forums including member profiles, can be found on the [Tangata Whenua](#) intranet page.

Council's 2012-22 Long Term Plan states:

"We recognise the importance and special place of tangata whenua within our communities and the additional responsibilities that the Local Government Act places on us to develop the capacity of Māori to take part in local government decision-making processes.

Equally, we acknowledge the journey that is required to develop positive and purposeful relationships with tangata whenua that can sustain us into the future.

We have developed a number of mechanisms for consultation and to involve tangata whenua in our decision making processes. We will continue to review and improve them to ensure ongoing effectiveness (p54)."



Key actions in the 2012-2022 Long Term Plan are:

- Promoting opportunities for Māori to live, work and play on Māori land through the development of papakāinga.
- Build the capacity of tangata whenua to develop iwi and hapū management plans, with Council providing \$20,000 per annum funding for the development of hapū/iwi management plans.
- Support Māori to contribute to Council's decision making processes e.g. Resource Commissioner training.

Annual Plan

The Annual Plan is another mechanism where Māori have an opportunity to input into council processes. Staff could encourage Māori to submit annually to the Plan on matters pertaining to Māori as identified in the Long Term Plan and/or the District Plan.

Relevant Council plans, processes and committee

District Plan

The District Plan is a statutory document for Council to meet its obligation under the Resource Management Act including provisions specifically for Māori outlined on the previous page. Important aspects of the plan include the identification and protection of cultural heritage sites and the provision for papakāinga housing.

Resource consent processes

Engagement with Māori under the resource consent application process comes in a number of different forms, including obligations under Sections 6(e), 6(f), 7(a) and 8 of the RMA.

The challenge for those engaging with Māori under the resource consent process is to undertake best practice engagement while meeting a range of quite specific provisions, considerations and timeframes. Staff need to refer to hapū/iwi management plans to check consultation processes provided by hapū and or iwi within those plans.

Important examples are:

- Part 104 of the RMA ensures that Councils take account of iwi management plans in the resource consent process.
- Under Section 35a there is no duty to consult. However, this section does not preclude the requirement to consult in Part 2 of the RMA. Council is charged with making informed decisions, and consulting with Māori is a component of making informed decisions.
- Iwi that hold statutory acknowledgements are viewed as an 'affected party'. When exercising its functions or powers Council must:
 - Recognise and provide for the relationship of tangata whenua with their culture and traditions with their ancestral lands, water, sites of cultural significance, wāhi tapu (sacred place) and other taonga (treasures).
 - Recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development. Historic heritage includes sites of significance to Māori, such as wāhi tapu.
 - Have particular regard to kaitiakitanga.
 - Take into account the principles of Te Tiriti o Waitangi (Treaty of Waitangi)
 - Include statutory acknowledgments in the District Plan and to have regard to them in resource consent decision making.

Councils must consider statutory acknowledgements when making decisions on whom to involve in resource consents and hearings. They also help address concerns where councils have processed consent applications that relate to an area of significance for certain claimant groups, without consultation or their written approval, and where claimant groups have been adversely affected.

For further information contact the resource consents section or see Council's '[Tangata Whenua](#)' intranet page.

Action Plan

Following hui at two marae in relation to a particular issue it became evident that there were a number of areas the hapū required further information, had requests for service, concerns etc. To ensure these were addressed action plans were developed to clearly identify the issues, actions to follow up the issues (for both Council and the hapū) and to monitor the progress in addressing the issues. Action plans exist for Tūturinga marae (Pirirākau hapū) and Te Reretukahia marae (Ngāi Tamawhariua hapū). See the Takawaenga Unit for further details.

Koha (gift/donation) Policy

The Koha policy includes:

- Giving koha;
- Amount of koha;
- What is koha?
- What is Koha used for?
- When is koha given?
- Who gives koha?

Iwi Plans, Agreements and Statutory Acknowledgements

Hapū/iwi management plans

There are specific legislative requirements in the RMA that require decision makers to take iwi management plans into account.

Hapū and iwi resource planning documents tangata whenua interests to be considered in Council processes, including resource consent processes. Some hapū/iwi management plans also outline their aspirations and approach to economic, social and cultural development.

They are also documents to help inform our work, give us an understanding of issues and advise on how hapū and iwi wish to be consulted. Copies of these documents are available on the [Tangata Whenua](#) intranet page.

Treaty Settlement Documentation

The Office of Treaty Settlements (www.ots.govt.nz) contains all relevant Treaty documentation including details of Treaty settlements that have or are occurring in the Western Bay of Plenty District. They also provide a very useful history of the Western Bay of Plenty District.

Of relevance to council, many of the Treaty Settlements include statutory acknowledgements and agreements for co-governance and co-management of an area or resource. Information about the properties that have been or will be transferred from the Crown to the iwi/hapū will be of interest to staff in the economic development and property areas.

Co-governance and co-management agreements

Co-governance refers to sharing of the governance and/or management role of an area or resource between a hapū or iwi and a local or regional authority.

An example in the Western Bay of Plenty District is the Kaituna River in which the Tapuika settlement establishes a framework for co-governance of the Kaituna River. A statutory body, Te Maru o Kaituna (the Kaituna River Authority), will be established through the Tapuika settlement with membership drawn from local authorities, Tapuika and other iwi with associations to the Kaituna River.

A Tauranga Harbour (Te Awanui) Mountains to Sea co-governance and co-management strategy between the three main iwi in the Western Bay of Plenty subregion and the Regional and local authorities is also in the process of being finalised.

Statutory acknowledgements

A statutory acknowledgement is an acknowledgement by the Crown that recognises the mana of a tangata whenua group in relation to specified areas - particularly the cultural, spiritual, historical and traditional associations with an area. These acknowledgements relate to 'statutory areas' which include areas of land, geographic features, lakes, rivers, wetlands and coastal marine areas, but are only given over Crown-owned land. For more information see the earlier section on the resource consent process.



Best Practice for engaging with Māori

Engaging with Māori is part of the normal work routine of many staff in Council. Whether it is operational work, communication or policy and planning, we all need to feel confident when we engage with Māori.

We should feel comfortable seeking advice from those within our organisation who have engagement experience or knowledge. This section outlines important aspects of best practice to help build that confidence.

To effectively engage with Māori, we need to understand the basic concepts of participation. In this section, we introduce engagement key concepts. These concepts are summarised in the tables from page 16 - 24.

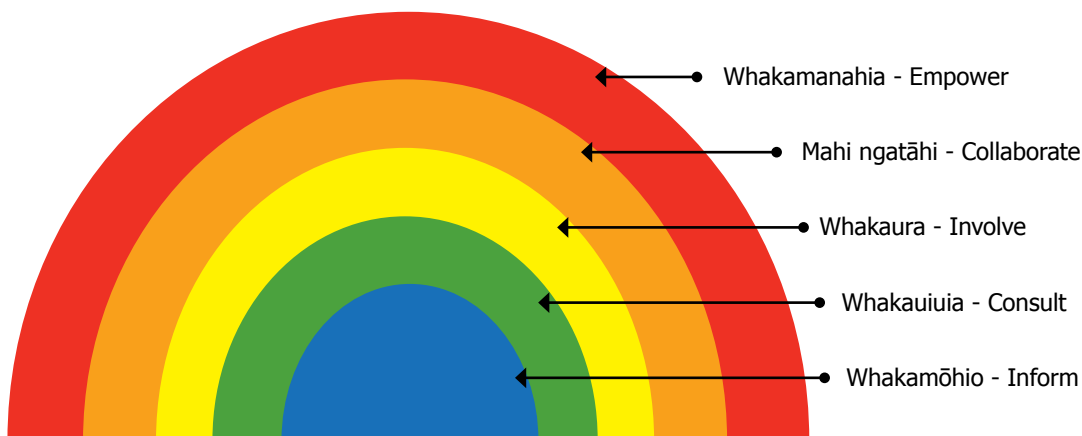
Understanding the spectrum of engagement

As we engage with Māori, we need to be aware that our various activities carry inherent responsibilities.

With our responsibilities come expectations of how we will undertake future engagement. When we fulfil our responsibilities, we gain trust in the relationship and when we do not, whether knowingly or unwittingly, relationship trust is lost.

Determining the right level of engagement depends on many factors, such as the purpose and goals of the engagement and the level of importance of the project. In the first instance it is very important to check if the relevant hapū or iwi you wish to engage with have a management plan (these are located on the Tangata Whenua intranet page) which, in most cases, outline how they wish Councils to engage with them.

You may need different levels of engagement at different times through your project. Understanding what each level can deliver, when each is appropriate and the resource and timing implications of each different level is important.





Five levels of engagement

There are five levels of engagement:

Whakamōhio – Inform	<p>We will keep you informed about what is happening.</p> <p>Information-giving is the most basic form of engagement as there is no participatory element. Providing clear, balanced information with timelines underpins all other levels of engagement because it enables Māori to make informed and considered choices. It is essential that Māori are provided with the appropriate information, such as Council reports, project plans, resource consent applications, research, maps and photos. Providing information (brochures, plans, policies, and website) that is easy to understand for the general public is vital.</p>
Whakauīuia – Consult	<p>We will listen to you and make our decisions.</p> <p>At this level of engagement, the objective is to seek the views and opinions of Māori on proposals, analyses, alternatives and/or decisions. This is not about putting ideas into action. Consultation can be done face-to-face at hui and requires a time allocation that enables iwi or hapū to undertake follow up discussion and wider consultation amongst themselves.</p> <p>Consultation is legally required by various Acts, including the Local Government Act (2002) which specifies when Council's Significance policy is triggered which requires the use of the Special Consultative Procedure (a formal consultative process with submissions from the public and Council hearings and deliberations of submissions).</p>
Whakaura – Involve	<p>We will involve you in the decision-making process. We will ultimately decide.</p> <p>The aim at this level is to have Māori more involved in the decision-making process. Iwi or hapū representatives can be appointed to committees, focus groups or working parties in an advisory capacity. An example is the TECT All Terrain Park Committee where representatives from Ngāti Ruahine and Ngāi Tamarawaho are appointed with voting rights onto the committee with Western Bay of Plenty District Council (three elected members) and Tauranga City Council (three elected members) to provide cultural advice to Council.</p>
Mahi ngātahi – Collaborate	<p>We will discuss and decide together.</p> <p>The goal of this level is to have processes that allow for sharing and acting together and to have all parties holding equal power. An example is the development of cultural monitoring protocols by a working party with representatives from Te Komiti Māori and Council staff. The protocols were adopted by Te Komiti Māori and Council's management team. Te Komiti Māori representatives were paid meeting fees.</p>
Whakamanahia – Empower	<p>Māori will decide. Māori may choose to discuss with us.</p> <p>This level is the most ambitious. It aims to maximise empowerment of Māori and, at its farthest reach, will see Māori having complete decision-making power. Treaty claim settlements in the District mean Council is working to develop strategies and processes that support the sharing of roles in the short term. They may, in some situations, ultimately lead to the handover of some roles from Council to Māori.</p>

Five levels of engagement

Whakamōhio (Inform) - To provide balanced and objective information to assist whānau/hapū/iwi in understanding issues

Responsibilities to Māori	Method/tools	Description	Benefits	Limitations	Remuneration required	When to use	Examples of engagement tools
Council will keep whānau/hapū/iwi informed.	Open days and events	Displays or presentations at public or community events such as community festivals.	Able to present simple key messages to various sectors of the community. Can gather informal feedback on quickly absorbed ideas.	People usually casual passers-by cannot absorb much information. Māori not well represented at many of these events.	No	To provide information to the general public or a specific group of people.	<ul style="list-style-type: none"> ■ Reports ■ Fact Sheets ■ Web sites ■ Facebook ■ (many iwi and hapū have their own Facebook page) ■ Newspaper articles ■ Māori and mainstream media e.g. Moana Radio, Māori TV, Mana magazine, local community newspapers
	Māori initiated events	Displays or presentations at events organised by hapū/iwi or Māori organisations (e.g. hauora, kura) e.g. Matariki (Māori New Year) events, hapū/iwi events, health open days	Aimed at target audience. Able to present simple key messages to various sectors of the community. Can gather informal feedback on quickly absorbed ideas.	People usually casual passers-by cannot absorb much information.	No	To provide information to Māori.	
	Māori and mainstream media	Media releases, stories and public notices for TV, radio and print media	Capable of reaching large audiences with substantial amounts of information. Medium to low-cost method of information distribution.	Relies on sufficient interest from media to broadcast media releases and stories. Relies on Māori to read, listen or watch relevant media.	No	To provide information to a wide group of people. Māori media more likely to reach Māori.	
	Website and other forms of social media	Information in written, graphic and video formats hosted on website, Facebook page etc.	More likely to be accessed by young adults.	Lack of internet access, particularly in some rural areas.	No	To provide information to a wider group of people.	
	Public meetings	Formal meeting held at community venues or at the Council.	Provides opportunity to meet often in a local venue which can allow for kanohe ki te kanohe or face to face interaction.	Limited dialogue. Difficulty attracting people to public meetings. Many dislike public speaking. May not be representative of Māori community if there is low turnout. Potential to be dominated by a vocal minority.	No	To provide information to the general public.	

Whakamōhio - Inform

Examples

- Erecting a gazebo with display boards, information sheets and space for people to write their ideas including a play area for young children at the Omokoroa family festival when developing the Omokoroa community plan.
- Use of service announcements on Tauranga Moana radio to promote a community development event at a marae.
- Use of Māori TV and articles in the Historic Places Trust and Mana magazines to promote the successful restoration of the Ongarahu pa site (Huharua park) which was done in partnership with Western Bay of Plenty District Council, Tauranga City Council and Pirirākau as a DIY marae Māori TV initiative.
- Use of the Mana and Historical Places Trust magazines to promote the publishing of a Papakāinga toolkit to assist hapū to develop housing on multiply owned Māori land.
- Public meetings are regularly held to provide the public with information and an opportunity for the public to ask questions about Council's annual plans and when reviews of the Long Term Plan and District Plan are conducted.



Five levels of engagement

Whakauīuia (Consult)* - To obtain feedback from whānau/hapū/iwi to inform Council's decision making

Responsibilities to Māori	Method/tools	Description	Benefits	Limitations	Remuneration required	When to use	Examples of engagement tools
Council will keep whānau/hapū/iwi informed and Council will listen to and acknowledge concerns and provide feedback on how their input influenced our decision.	Mailed or online surveys and questionnaires	Surveys included in community newspapers, mailed or are available online to all or a sample of the population.	Most suitable for general attitudinal surveys or views on particular issues. Online survey tools such as Survey Monkey can be used at no cost.	Response rate is generally low. Can be labour intensive and expensive for statistically valid results. Potential for bias if questions are not carefully constructed.	No.	When seeking to reach a wider group of the community and their feedback.	<ul style="list-style-type: none"> Survey monkey Interviews On-site meetings Marae/community hui Workshops Surveys and questionnaires Telephone surveys Stakeholder meetings
	Marae hui	Gathering or meeting at marae.	Provide opportunity for Māori to speak. Usually preferred method of communication for Māori.	Potential to be dominated by vocal minority. May not be representative of community if there is low turnout.	Koha (gift, donation) may be appropriate.	Where Māori have a key interest in the project. Where there is a statutory obligation to consult with Māori. When it is considered in the best interests of the project and Māori.	
	Phone/email surveys	Sampling of the community by phone to gain specific information for statistical validation e.g. annual residents' survey.	Provides input from individuals who would be unlikely to attend meetings. Provides input from across section, not just vocal minority. Higher response rate than mailed, online and community newspaper surveys.	More expensive and labour intensive than other forms of surveys. Potential for bias if questions not carefully constructed.	No.	When wanting to reach a wider slice of the community and get their feedback.	
	Stakeholder meetings	A meeting to obtain the views of stakeholders and interested parties.	Opportunity to hear the views of those with indepth knowledge of the subject matter. Provides an opportunity for stakeholders and interested parties to hear the views of other stakeholders and interested parties.	May not be representative of all the interested parties and stakeholders.	Meeting fees maybe appropriate.	When requiring a range of views and specialist knowledge on the subject.	

Whakauiuia - Consult

Examples



- Meetings were held in the eastern, central and western parts of the District at marae to seek views from tangata whenua on the structure and role of the Māori forum to inform post election decisions about Council committees and more broadly Māori representation in council in 2010 and also when reviewing the Communities Strategy in the Long Term Plan in 2011.
- Meetings with Pirirākau representatives when developing the Omokoroa structure plan in relation to heritage matters.
- Meetings held with representatives from a number of hauora in the District in relation to the development of the local alcohol policy.

Five levels of engagement

Whakaura (Involve) - To work directly with whānau/hapū/iwi throughout the process to ensure that issues and concerns are consistently understood and considered

Responsibilities to Māori	Method/tools	Description	Benefits	Limitations	Remuneration required	When to use	Examples of engagement tools
Council will work with whānau/hapū/iwi to ensure that their concerns are directly reflected in options and provide feedback on how their input influenced the decisions.	Te Komiti Māori	To continue to develop and maintain a strong relationship with tangata whenua and to provide advice and make recommendations to Council or its committees on issues relevant to Māori.	Improves Council's understanding of the views and concerns of tangata whenua in relation to the subject matter being discussed. Improves tangata whenua understanding of the issue from a Council perspective. Provides direction on the need for and nature of any further engagement with Māori.	Consultation with Partnership Forums may still lead to the need for wider engagement with Māori.	Yes.	When seeking to introduce a project, proposal, strategy to the Māori community or is of interest to the Māori community. When seeking Council recommendations.	Governance/formal projects including: <ul style="list-style-type: none"> Partnership forums Interviews Workshops Hui Feedback Cultural impact assessments Hapū/iwi management plans Memorandum of Understanding Iwi/hapū management protocols Representation on Hearing committees Advisory committees Cultural monitoring
	Workshop	An informal meeting that may include presentations, exhibits and interactive working groups.	Excellent for discussion and analysis of alternatives. Maximises feedback obtained from participants. Fosters Māori ownership in solving the problem.	Needs facilitators and technical expertise to be effective.	Yes	When requiring indepth discussion of an issue.	
	Advisors/consultants on projects	Appointment of an advisor/s or consultant/s on a project to provide cultural advice e.g. cultural monitor.	Provides indepth expert advice on a project.	Require funding and the availability of suitably experienced/qualified advisors/consultants.	Yes.	When cultural input is required in a project/proposal/strategy.	
	Appointment of iwi/hapū representative/s with voting rights onto Council committees.	Appointment of iwi/hapū representative/s with voting rights onto Council committees.	To ensure tangata whenua views are considered in decision making.	Potential to be a 'lone voice' if only 1-2 representatives are appointed to a large committee. Potential for criticism for appointing rather than having an elected member on a committee.	Yes	When tangata whenua have significant interests and expertise to contribute to the subject.	

Whakaura - Involve

Examples

- Partnership Forums is a Committee with appointed iwi, hapū and trust representatives, the Mayor and all Councillors who meet quarterly, the Chair is elected by the iwi, hapū and Trust representatives and the Council appoints the Mayor as deputy chair.
- Ngāti Kahu presented their Environmental Management Plan to the Strategy and Policy committee which triggered internal meetings and meetings with Ngāti Kahu to discuss how to take account of the plan within Council plans.
- Meetings with Tapuika iwi to provide assistance with the development of their iwi management plan.
- Following meetings with Pirirākau and Te Rereatukahia (which came about following the hui on marae in relation to the review of the Communities Strategy in the Long Term Plan outlined in the 'Consultation' section) action plans were developed to identify and make progress on issues the hapū/iwi have in relation to Council services, policies etc.
- Facilitated workshop with Te Komiti Māori (replaced by Partnership Forums) members to develop their position on Councils review of its representation arrangements.
- Memorandum of Understanding between Te Arawa Trust Board (now the Te Arawa Lakes Trust) and Western Bay of Plenty District Council.
- A tangata whenua member of the now disestablished Te Komiti Māori has become qualified to be a commissioner on Regulatory Hearings, other members are in the process of being trained to be a Commissioner.
- Cultural Impact Assessments have been undertaken prior to the development of the TECT All Terrain Park, Papamoa Hills Regional Park and on some reserves known to have significant archaeological sites e.g. Te Kauri and in some instances prior to earthworks being undertaken for Council projects e.g. roads.
- Cultural monitoring has been undertaken as earthworks are undertaken for some Council projects.

Five levels of engagement

Mahi ngātahi (Collaborate) - To work in partnership with hapū/iwi in each aspect of decision making and implementation

Responsibilities to Māori	Method/tools	Description	Benefits	Limitations	Remuneration required	When to use	Examples of engagement tools
Council look to Māori for direct advice and innovation in formulating solutions and incorporate advice and recommendations into decision to the maximum extent possible.	Working parties.	A group of experts or representatives formed to develop a specific product or policy recommendations.	Provides a very constructive opportunity for involvement.	Members may not achieve consensus. Requires resources to administer the working party.	Yes.	When Council or TPartnership Forums has established a formal project which Māori have a strong interest in.	<ul style="list-style-type: none"> Consultants Joint management agreements Joint venture partnerships Joint governance agreements Shared strategic planning Joint committees
	Co-management.	When management over a specific area or resource is shared by Council and iwi.	Helps build capacity and capability of iwi members involved. Helps build Councils understanding of iwi's kaitiaki role.	Risks increase, particularly if iwi members have not received comprehensive training.	Yes.	Outcome of the Treaty Settlement process. When a resource or area would benefit from joint management.	
	Co-governance.	When governance over a specific area or resource is shared by Council and iwi.	Helps build the capacity and capability of iwi members involved. Provides another perspective/ approach to governance.	Availability of suitably experienced iwi representatives	Yes.	When established through Treaty settlement.	

Mahi Ngātahi - Collaborate

Examples

- Joint Huharua Park Reserve Management Review hearings sub committee, a partnership between Western Bay of Plenty District Council (two elected members), Tauranga City Council (two elected members) and Pirirākau (two appointed members) to hear submissions and make decisions on the review of the Huharua Park Reserve Management Plan, subject to compliance with the respective Council's Long Term Plans and budgets.
- Three tangata whenua representatives on the governance group of SmartGrowth (i.e. the SmartGrowth Implementation committee) along with the Mayors and two other elected members of Western Bay of Plenty District Council, Tauranga City Council and Bay of Plenty Regional Council. There is also a Combined Tangata Whenua Forum which is responsible for ensuring the rangatiratanga of the hapū and iwi (tangata whenua values, principles, traditions and customs) are taken into account and maintained throughout implementation of the Strategy. Hapū and iwi from the western bay of plenty are members on the Forum which is supported by an advisor or Tu Pakari who is also a member of the Implementation Management and Chief Executives groups.
- The Tapuika Deed of Settlement will establish a co-governance structure called the Kaituna River Authority (Te Maru o Kaituna) to be administered by the Regional Council. In advance of this (April 2013) the Regional Council has requested that Western Bay of Plenty District Council appoint an elected representative and alternate.



Five levels of engagement

Whakamanahia (Empower) - To place ultimate decision-making power in the hand of hapū/iwi

Responsibilities to Māori	Method/tools	Description	Benefits	Limitations	Remuneration required	When to use	Examples of engagement tools
Council will implement what hapū/iwi decide	Treaty settlement legislation.	Transfer of ownership of resources to iwi. Recognise statutory acknowledgement areas.	Iwi control the resource.	Council no longer have control over the resource.	On-going costs for iwi.	When legislated through the Treaty Settlement.	<ul style="list-style-type: none"> Legal agreements Special consultative procedures
	Section 33 Transfer of Functions, Powers or Duties.	Transfer of one or more its functions, powers or duties under the RMA. No powers under s33 have been transferred to iwi to date.	Provides a vehicle for iwi to exercise tino rangatiratanga Māori control over all things Māori).	Requires a special consultative procedure under s83 of the LGA. Council can revoke the transfer at any time.	There will be costs involved in the transfer process. Ongoing costs for iwi.	When Council believes an iwi authority/ies is best placed to take on one or more of its functions, powers or duties under the RMA.	

Whakamanahia - Empowers

Examples

- No examples to date, this is likely to change as iwi in the Western Bay of Plenty District complete their Treaty settlements.

Areas for future development:

- Hapū/iwi management protocols can outline how Council and the iwi/hapū will interact at governance and operational levels including how they will communicate, consult and engage with each other, identifies issues the iwi/hapū wish to progress with Council and what issues the iwi/hapū would like to be kept up to date about. Regular monitoring and workshops are undertaken to support the implementation of the protocols.
- Relationship managers – The concept of the relationship manager project is to implement dedicated Relationship Managers across Council's functions, drawing on staff who have existing working relationships with iwi and hapū across the region, and have the knowledge, experience and desire to fulfil such a role. The concept is founded on the basis that the Takawaenga Unit is a limited resource and recognises staff who have positive and established working relationships with whānau, hapū and iwi. Currently this project is being validated with hapū and iwi throughout the region and a potential start date has been identified as 1 October 2013

Planning for effective engagement



It would be useful to first read the information in the section 'Best practice for engaging with Māori' on page 13.

This section will coach you through the important steps for engaging with Māori.

Below is a summary of steps to help you through the engagement process:

Steps	Process
Step 1	Do we need to engage?
Step 2	What is our purpose?
Step 3	Who will we engage with?
Step 4	Design the engagement.
Step 5	Resources.
Step 6	Have we done everything.
Step 7	Permission and advice
Step 8	Gathering and giving feedback.

Planning for effective engagement

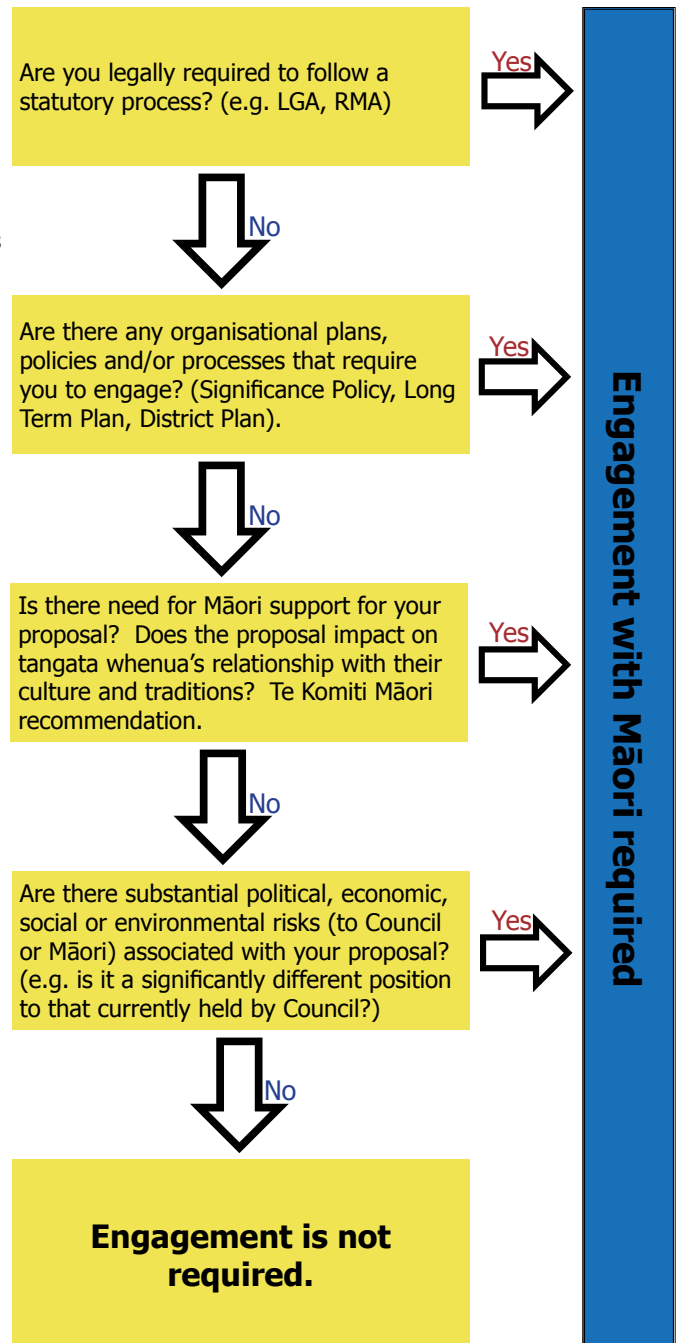
Step 1 - Do we need to engage?

Follow 'Figure 1: Determining the need to engage' flow chart to assess whether you need to engage with Māori. Considerations will include:

- Statutory status of your project.
- Are there any organisational policies, plans and/or processes that require you to engage.
- Significance - according to Council's Policy of Significance.
- Impact on tangata whenua or feedback from Partnership Forums i – if the proposal potentially affects:
 - tangata whenua's relationship with their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
 - Their ability to exercise kaitiakitanga over such lands.
 - The recognition and protection of their heritage values of sites, buildings, places or area of significance.
 - An area you know has a special relationship to tangata whenua.
- Risks – identify the political, social, economic and environmental risks of the project or issue for both Council and Māori. Also, identify the risks of not proceeding with any engagement.
- Is the proposal significantly different to a 'position' that is currently held by Council?

The Takawaenga Unit can offer assistance if there is any uncertainty in determining the need for tangata whenua consultation.

Figure 1: Determining the need to engage



Planning for effective engagement

Step 2 - What is our purpose?

Knowing the purpose as to why you are now engaging will help you to determine and choose the most appropriate level or levels of engagement you undertake.

As well as having to meet statutory requirements, the purpose/s of the engagement may also include such things as:

- Building relationships;
- Enhancing the operation of a service;
- Receiving input into policy/plan development;
- Gaining support;
- Testing an idea;
- Keeping Māori up to date with an issue or project.

If your project is multi-staged, your purpose may change for each of the stages. Always having a clear understanding of your purpose(s) will help you to choose the most appropriate level(s) of engagement for your project.

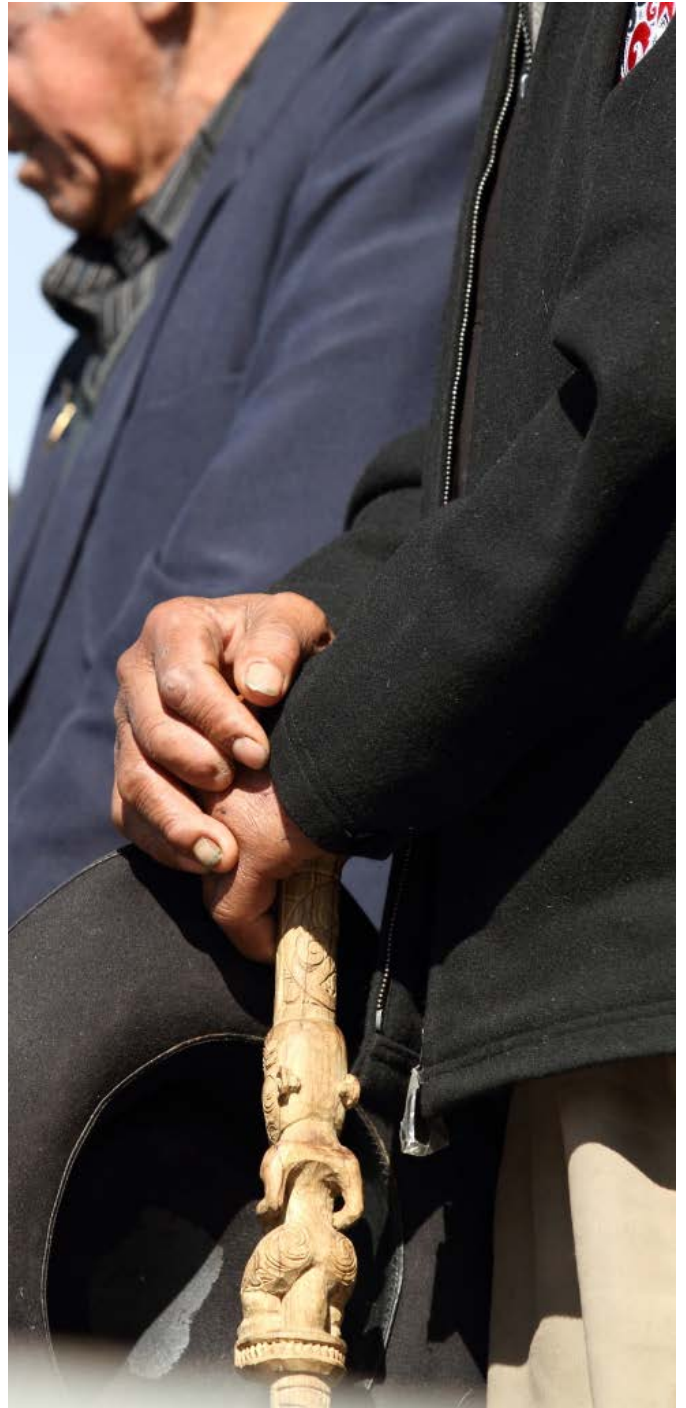
You will need to communicate the purpose clearly to participants from the outset of the engagement process. If there are any non-negotiable or non-disclosure aspects to your project, make sure that these are made clear to participants.

Outlining the purpose of the engagement, which can be given to all participants, would be helpful.

Discussions outside your engagement brief

Māori culture is based on a holistic view of life and the world (see the section on Māori values and concepts in the guidelines). This holistic world view can mean that participants may raise issues you perceive to be outside your brief. Be prepared to listen and consider these issues before moving on to your particular area of focus and, where appropriate, pass on issues to the relevant staff member or team to follow up with the hapū and iwi.

Similarly, the general public, Māori included, often perceive that you are from the 'Council' so expect to be able to discuss anything in relation to Council and sometimes issues outside of Council's brief. This provides an important opportunity to raise the hapū/iwi's awareness of Council including what it does and does not do.



Planning for effective engagement

Step 3 - Who will we engage with?

Identifying the appropriate Māori groups, communities or individuals to engage with will have a significant influence on your engagement planning. Once you have a general idea of who you need to be engaging, you will need to define this by identifying those who:

- Council is legally obliged to consult with under legislation (RMA or LGA) or statutory acknowledgements, see also Councils policy on consultation with iwi for resource consent applications on the Tangata Whenua intranet page.
- Will, or may be affected by a decision or matter, or have an interest in the decision or matter.

Various pieces of legislation determine who Council must engage with, such as:

- Under the LGA where councils are required to engage with Māori.
- Under the RMA where councils are obliged to consult with iwi authorities.
- Under the Treaty of Waitangi settlement process where council is obliged to consult with statutory acknowledgement holders.
- Other legislation as outlined in the 'key statutory documents and responsibilities' section.

The best place to start is by working through your existing relationships with Māori. Identify the area your project affects. Your community contacts may help you find the right people. If you don't already have these relationships, work with staff that do, and/or use the information sources listed below:

- The Tangata Whenua contact directory is located on the Tangata Whenua intranet page which identifies representatives of the local iwi and hapū by ward.
- BOP maps - Māori Land - iwi areas.
- Review hapū/ iwi management plans that are relevant to the area/resource/issue that you are dealing with. Make sure that you are familiar with the iwi and their relationship with the area or issue.
- Te Puni Kokiri operate a website listing all iwi and hapū who exercise kaitiakitanga by local authority
- <http://www.tkm.govt.nz/browse/>
- Once you have identified the iwi, contact them to identify the relevant hapū.
- Information on hapū rohe or areas is not available and Council at this time
- Seek advice from the Takawaenga Unit.

There are a range of views of what is an iwi and what is a hapū and their rohe (area) so it pays to use a number of sources when identifying the relevant iwi and hapū to engage with.



Planning for effective engagement

Step 4 - Deciding how to engage with tangata whenua

When tangata whenua engagement is required it should be planned and if required budgeted for as an integral component of the project.

Whenever possible, involve the people you want to engage with in the planning process as early as possible. The most successful engagement processes are those developed in partnership with participants.

The important considerations in designing your engagement plan are the levels of engagement, timeframes, engagement tools and outcomes. Generally, higher levels of engagement take more time to undertake, and require more lead-in and follow-up time.

Feedback on your engagement plan from Partnership Forums will also assist with identifying the most effective ways to engage with Māori.

Establish your timeline

Iwi and other Māori organisations often have very limited capacity for working with councils. They also have a number of other competing priorities, chief of which for most hapū and iwi is work associated with Treaty Settlements. Māori groups are under a lot of pressure to respond and react to request from multiple agencies.

Where Council have paid staff working fulltime on resource consent applications, policy and plan development or reviews iwi and hapū generally do not. Iwi resources are limited with much of their work voluntary in nature.

Liaising with other Council departments to check if there are any other engagement processes occurring with tangata whenua can prove useful e.g. combining with other engagement processes can prevent overload and assist capability issues for Māori.

Ideally the hapū or iwi we plan to engage with should be involved in the planning of that engagement. This is so that an achievable and appropriate engagement process is designed.

For the reasons outlined above giving reasonable notice of meetings and allocating time for iwi to conduct their own internal consultation is essential.

Decision making by consensus requires a high level of community involvement and debate. Leaders can be reluctant to express views that have not been approved by group members. Allowing sufficient lead-in time for participants to prepare is therefore especially important.

Tangata whenua may need to carry out their own engagement processes after a hui too, so factor this time into your engagement timelines.

When a project has tight timeframes we can use existing channels for engagements, such as the Partnership Forums. However this should not be a substitute for active engagement with iwi or hapū. Remember that the levels of “involving”, “collaborating” and/or “empowering” require greater planning and lead-in time and may be difficult to achieve if timeframes are too short.

Determining the right level of engagement and engagement tools

Refer to Tables 1-5 The Spectrum of Māori Participation on pages 16 - 24 and any relevant hapū/iwi management plan/s.

We engage with Māori at different levels, depending on the intent, nature and purpose of our projects ranging from ‘involve’ through to ‘empower’.

Some projects may use more than one level of engagement at any one time to achieve different outcomes. What might start as “information giving” may progress directly to involvement”.

The examples following the different levels of engagement may provide you with some guidance to selecting the right level/s of engagement for your project. There are many other tools that you may also wish to consider, search for community engagement tools on the internet for a wide range of tools that could be used or adapted to engage with Māori .

Planning for effective engagement

Step 5 - Resources

Now that you have planned the engagement levels, tools and timeframes that will deliver the level of participation you want, you can assess the required resources by answering the following:

What resources will I need?

- What staff will be involved and how much of their time will be required?
- What Council representation will be required? Will the CEO or Councillors be required at any point?
- Who is going to handle logistics such as sending out correspondence/information, making bookings for venues/marae, equipment, travel, communicating with participants?
- Is the budget adequate for the planned engagement?
- If using a marae venue or observing marae protocol in meetings, will you need support for this?
- Will hapū/iwi representatives be required and if so, in what capacity? For example, will they attend scheduled meetings, sit on advisory committees, act as project cultural advisors or provide cultural impact assessments?

Remuneration for participants

Māori often use their own time to participate. Ensure their time is used efficiently and in a way that influences your decision-making. Value their input; you may need it again for future projects.

Remuneration for participants should be considered on a case-by-case basis. It could include payment for attending meetings through to payment to those who take the role of consultant or advisor to the project. Remember to budget for these costs at the outset.

Use Tables 1 – 5 of the spectrum of Māori participation on pages 16 - 24 and the Remuneration guidelines below to help you assess when and what to pay participants for their involvement.

Remuneration guidelines

Whakamōhio –Inform	No remuneration required.
Whakauīuia –Consult	Remuneration is discretionary and costs associated with hui such as catering, venue hire and petrol vouchers for those who have to travel can be paid by Council. See Council's koha policy on the Tangata Whenua intranet page.
Whakaura –Involve	Remuneration is discretionary and associated costs can be covered by Council. Resources contributed by Māori must be factored into the plan and budget. For example: Consultant engagement – when Council involves Māori by employing their services (as a consultant).
Mahi ngātahi –Collaborate	Remuneration for time and/or resources contributed by Māori must be factored into the plan. For example: The Joint Huharua Reserve Management Review hearing sub-committee involved representatives from Pirirākau who received meeting fees.
Whakamanahia– Empower	Remuneration may be considered, depending on extent of Council's involvement.

Planning for effective engagement

Step 6 - Have we done everything?

See Appendix 3 for a checklist to ensure all necessary steps have been taken.

Step 7 - Permission

Seek appropriate permission if required. Always check to see whether you require Council approval (for certain consultation processes under the LGA and/or special consultative processes) as you will need a resolution to undertake the necessary consultation process for the plan/policy.

Step 8 - Feedback

Providing feedback to participants and gathering their comments are both essential components of effective engagement. It is also very important to build meaningful and long-term relationships. Ensure feedback is built into your plan.

Council should provide constructive feedback to participants following engagement. You should advise how participants' input has or has not contributed to the decision-making process.

The channels for providing feedback should be conveyed at the time of the engagement activity. It demonstrates to participants that their involvement is meaningful. Participants should also have an opportunity to provide feedback on the engagement and decision making processes. This may be informal e.g. talking with participants following the event, capturing comments throughout the event about the process or a feedback questionnaire could be developed.

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Tangata Whenua Engagement Protocols

Māori Values and Concepts

Each culture has values, traditions and experiences that shape their world views and the laws which govern their respective communities/nations. **Mātauranga Māori**, or Māori world views, are views based on the values, traditions and experiences of Māori over time.

There is, however, no 'one' Māori world view. Each world view is based on the values, traditions and experiences of a particular iwi or hapū; because these differ, so too do their world views. The following values and concepts explain some common elements which underlie these different views. The concepts are interrelated and together form the basis by which Māori society is ordered, and regulated.

Mauri

Everything has a purpose, meaning and reason for existing. This is known as mauri, a spiritual life force, principle or ethos.

All things have mauri: people, plants, animals. Even certain structures, such as whare tupuna (ancestral house) and waka (canoe), are recognised as having mauri where they are the product of expert input.

Mauri is not static, and the mauri of any particular thing can be affected by the environment in which it exists. For example, the grounding of the MSC Rena in October 2011 has had significant impacts not only on the Astrolabe Reef (Otaiti) and sea, but also the islands of Matakana, Motiti, a large stretch of the mainland coastline, and their many inhabitants.

Mauri is able to be restored through conservation measures, such as the imposition of rāhui (temporary ritual prohibition, ban, restriction), and through the carrying out of rituals/ceremonies. The maintenance of mauri is therefore very important to ensure the wellbeing of the environment as a whole.

Wairua

Wairua is the 'spirit' or 'inner soul'. Every living thing has a wairua; people, flora and fauna. Wairua is bound to the physical body by mauri. When a person, animal or plant dies, the wairua is separated from the body. Wairua is therefore similar to the biblical concept of a human soul, except that wairua applies to more than just people; it applies to the Earth and all life forms within it.

In the same way as mauri is affected by changes in the environment, so too is wairua. Because of the connection of wairua with the body of the person/animal/plant, changes or damage to the body can also damage the wairua.

Professor Sir Mason Durie's Māori model of health 'Te Whare Tapa Wha' explains the relationship between **Wairua** (spirit), **Tinana** (body), **Hinengaro** (mental) and **Whānau** (family) using the four corners of a house as a metaphor for personal wellbeing. That is, should one of the four corners become weak, then the whole house is in jeopardy.

Tapu and Noa

Associated with mauri is the notion of reverence or sacredness. This is known as tapu. Tapu is better explained as something that has value that is to be respected. It places a sanction on a person, an object or a place, regulating behaviour and providing a means of social control. Some activities governed by tapu appear nothing more than common sense and the respect of people and property; others have a very deep emotional and spiritual base.

To be free of this state is to be **noa** (ordinary, unrestricted). Therefore, according to Māori tradition, care and protection is paramount in everything that is performed to ensure that states of tapu and noa are in place and acknowledged at the right time.

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Tangata Whenua Engagement Protocols

Kawa and Tikanga

Kawa are ritual or ceremonial actions or protocols which guide the way that Māori life is ordered. Kawa is required to be conducted carefully and meticulously to ensure no spiritual offence is caused. Different kawa were developed to apply to different situations, and kawa differs between tribal groups. While kawa are most often understood as applying in relation to marae protocols, kawa applies to a much wider range of situations, including ceremonies, rituals, greetings and so forth.

Tikanga is basically the way that kawa is observed and includes Māori customs, rules or methods. When applied to an action, tikanga is the right way of doing something. Tikanga is the set of beliefs associated with practices and procedures to be followed in conducting the affairs of a group or an individual. They provide templates and frameworks to guide actions and behaviour, and provide some predictability in how certain activities are carried out.

Tikanga also differ from tribe to tribe. An example within the Western Bay District is the place from which the Kaikaranga (Caller) calls during the pōwhiri process (refer to Pōwhiri – an explanation of the stages of Pōwhiri). In Tauranga, there are marae where the Kaikaranga call from within the Whare Tupuna. This is not a practice of Te Arawa marae.

Rangatiratanga

Rangatiratanga is described as 'political sovereignty, chieftainship, leadership, self-determination, self management', and when applied to an individual, as 'qualities of leadership and chieftainship over a social group, a hapū, or iwi.

In traditional Māori society, rangatiratanga was exercised by **Ariki, Rangatira** and **Kaumatua/Koeke** (leaders) of iwi or hapū groupings and provided a political structure through which Māori life was ordered. The term 'rangatiratanga' was used in the Māori text of the Treaty of Waitangi in 1840 to signify the rights that Māori were to retain over their lands and other **taonga** (treasures).

Mana

Mana is defined as authority, control, influence, prestige and power. Further, mana has a spiritual aspect, in that it is handed down from the Atua and therefore applies to the environment as well as people.

Mana is 'fluid', that is mana can be inherited by birth right, but can also be accorded by others or diminished through the action, or inaction of one or more parties. An individual cannot demand mana be bestowed upon them, as this is at odds with the degree of humility that is associated with mana.

Mana Whenua is the power associated with the possession of lands; it is also the power associated with the ability of the land to produce the bounties of nature. Mana whenua is a common term used to identify a particular hapū or iwi, who have authority over a specific tribal area.

Associated with the concept of mana whenua are **Tangata Whenua** (People of the Land) and **Ahi kā roa** (the long burning fire). These terms describe the spiritual and physical connection that Māori have with the land, either through birth right as is the case with Tangata Whenua, or occupation under Ahi kā roa.

Kaitiakitanga

Kaitiakitanga can be loosely translated as 'guardianship/ stewardship'; however this interpretation does not convey the full meaning of the Māori concept of kaitiakitanga.

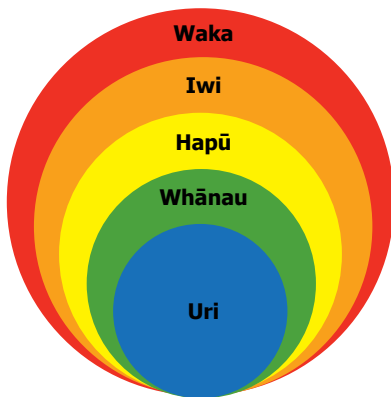
Kaitiakitanga is the intergenerational responsibility inherited at birth to care for the environment, which is passed down from generation to generation. The purpose of kaitiakitanga is not only about protecting the life supporting capacity of resources, but of fulfilling spiritual and inherited responsibilities to the environment, of maintaining mana over those resources and of ensuring the welfare of the people those resources support.

As aforementioned, there are many Māori values and these may differ from iwi to iwi, hapū to hapū. Some of these values will be further explored within council's cultural awareness training.

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Tangata Whenua Engagement Protocols

Key concepts of Māori Society



Waka

All Māori society beginnings can trace back to a **Waka** (ocean going canoes) and those early voyagers. Much has been written about what period history books would refer to as the 'great migration' of the fourteenth century. According to both Māori and European historians, a large number of waka travelled over the centuries from Hawaiki, Tahiti and other pacific islands to **Aotearoa** (Land of the Long White Cloud), New Zealand.

Today, most Māori connect back to one of seven waka from the great migration: Tainui, Te Arawa, Mataatua, Takitumu, Kurahaupo, Aotea and Tokomaru. It should be noted however, that there are iwi and hapū who arrived at different times and on other waka. Others remain firm in their belief that their ancestors came to be in New Zealand by other means, as is the case with the people of Ngāti Porou, whose ancestor Paikea arrived on the back of a whale.

The leader of a waka was often referred to as the Tangata (Captain) e.g.

Ko Takitumu te Waka
Ko Tamatea Arikinui te Tangata

Iwi

The word iwi is derived from the word **Koiwi**, meaning human bones. An Iwi is a tribe or collective of tribes' descendant from a common ancestor, of Waka or other origins. Iwi is the largest political 'unit' within Māori society and is made up of many hapū or sub-tribes.

The leader of an Iwi is an **Ariki** or Paramount Chief.

Hapū

The word hapū literally means pregnant or 'to be with family', therefore Whānau or families form the nucleus of the hapū. It is at the hapū level that all important political decisions are made, and many of the signatories to the Treaty of Waitangi were leaders of hapū, rather than iwi.

For many hapū, the current Treaty settlement environment has provided the opportunity for hapū to re-assert their 'authority' over their tribal territory and this will require increasing engagement on the part of Councils. Many Hapū have or are in the process of establishing Post Settlement Governance Entities (PSGE's), with whom Council should partner in the pursuit of mutual aspirations. These aspirations include but should not be limited to, potential transfer or return of land ownership, co-governance/management arrangements, and hapū management plans that Council is required to take account of, through provisions of the RMA 1991.

Hapū vary in size from 200 to 300 people, usually consisting of a number of whānau.

The leader of a hapū is a **Rangatira** or Chief.

Whānau

Whānau is the family unit, the most vital aspect of Māori society. Without Whānau, there is no hapū, no iwi. A point of difference with the European concept of family, is that Whānau embraces the extended family including grandparents, uncles, aunties, cousins, nephews and nieces, as well as the immediate family. Whānau also means 'birth'.

The leader of a Whānau is a **Kaumatua** or **Kuia** (Elder Male or Female).

A point of difference throughout the Te Arawa region, is the term **Koeke** for family leader, who can then become a leader of a hapū, where the term Kaumatua is applied.

Uri = descendant, progeny

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Pan Tribal Organisations

A number of more contemporary Māori organisations exist that are known as pan-tribal organisations, that operate across traditional iwi groupings. The Te Arawa and Tauranga Moana Trust Boards provide two examples of pan-tribal 'movements'. Others include the likes of the Rātana Church, a Māori religion and pan-tribal political movement founded by Tahupōtiki Wiremu Rātana in early 20th-century New Zealand. The Rātana Church has its headquarters at the settlement of Rātana, near Wanganui.

The Māori King Movement or Kīngitanga is another pan-tribal movement that arose among some of the iwi of the central North Island in the 1850s, to establish a role similar in status to that of the British monarchy, as a way of halting the alienation of Māori land. Today, the Māori monarch is a non-constitutional role with no legal power from the perspective of the New Zealand government. Reigning monarchs retain the position of paramount chief of several important iwi and wield some power over these, especially within the Waikato region.

The position of Māori monarch was constituted in 1858 by Rangatira from many iwi, predominantly in the central North Island. Since the 1850s the role has been vested in the Tainui iwi who pledged through the first Māori king, Pōtatau Te Wherowhero, to guard the position. The current Māori monarch, Tuheitia Pahi was elected in 2006. His official residence is Tūrongo House at Tūrangawaewae marae in the town of Ngaruawahia.

Waka and Iwi Affiliates within Western Bay of Plenty District Council

The Western Bay of Plenty District has a rich Māori history stemming back to well before the 'great migration'. Waka that made landfall within the District include Tainui, Te Arawa, Takitumu and Mataatua, many of whose descendants remain today. Iwi who have interests within the Western Bay of Plenty District are as follows:

Waka	Iwi
Tainui	Ngāti Tamatera Ngāti Hako Ngāti Taratokanui Ngāti Hinerangi Ngāti Maru
Te Arawa	Tapuika Waitaha Ngāti Whakauae Ngāti Makino Ngāti Whakahemo (also of the Mataatua waka) Ngāti Pūkiao
Takitumu	Ngāti Ranginui
Mataatua	Ngāi Te Rangi Ngāti Pūkenga

There are in excess of 40 hapū and countless Whānau that make up these Iwi throughout the District.

The cultural intranet page will assist in identifying iwi boundaries and those hapū who have chosen to have their boundaries displayed.

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Tangata Whenua Engagement Protocols

Commonly used Māori Terms and Concepts of Engagement

Kanohi ki te Kanohi

Engagement is fundamentally about building effective relationships. The preferred way of communicating for Māori is kanohi ki te kanohi or 'face to face'. Face to face meetings are essential to avoid misunderstandings and misinterpretations. By taking the time and energy to arrange and travel to meet somebody, you are showing that you value and respect that person and the relationship that you develop.

An extension of this concept is '**Rangatira ki te Rangatira**' or 'Chief to Chief'. When meeting with Māori on a particular matter, it is important that council attendees reflect the significance of the occasion or meeting. Tangata Whenua will nearly always have a Rangatira in attendance. Therefore the Mayor, CEO or Group Managers may need to attend in recognition of the occasion.

When the owners of the *Rena* visited the Bay of Plenty in 2013 to apologise to local iwi, the chair of the Ngāi Te Rangi Trust, Charlie Tawhiao, said, *"It's important for them to be able to look us in the eye and for us to look them in the eye."* Fronting up is important but you should also be prepared to discuss the issues – Māori love to debate!

Pōwhiri/Pōhiri

The pōwhiri is the traditional Māori process of introducing and welcoming **manuhiri** (visitors) onto a **marae** (meeting place), while maintaining the integrity and esteem of both the manuhiri and tangata whenua.

The pōwhiri ceremony is conducted entirely in Māori and is a very formal and tapu ceremony, so it is expected that manuhiri will not talk, drink or smoke throughout this process.

People who go on to a marae for the first time are referred to as **waewae tapu** (sacred feet), in recognition of their first stepping foot onto the **marae ātea** (marae courtyard). A general condition of Marae kawa is that waewae tapu are formally welcomed under the pōwhiri process.

However, marae are not the only place where pōwhiri take place. Nowadays pōwhiri can happen anywhere that tangata whenua need to formally greet a group of manuhiri. Refer to page 40 which provides greater detail of the pōwhiri process.

Mihi Whakatau

For some tribes the pōwhiri is used for the ritual of encounter on a marae only. In other situations where formal speeches in Māori are made that are not on a marae or in the **Whare Tupuna** the term mihi whakatau is used for a speech, or speeches, of welcome in Māori

Mihi whakatau may also be used in situations to welcome visitors on subsequent visits to a particular marae, in lieu of the formal pōwhiri.

Karakia

Māori are a deeply spiritual people and **karakia** (prayer) remains a key function of day to day life, whether in observance of the traditional Gods, or more contemporary faiths. Almost without exception, meetings should open and close with karakia, and where there is food provided, a blessing and thanks should be given for the nourishment to be received.

Some basic karakia are provided within the appendix of this document.

Whānaungatanga

Whānaungatanga is about relationships and whakawhānaungatanga is the process of establishing relationships.

Whānaungatanga can take place anywhere and can be something as informal as dropping in for a cup of tea and a chat in that the purpose is just as much maintaining and reconnecting, as it is establishing relationships. There is always an opportunity for whānaungatanga following the conclusion of the pōwhiri or mihi whakatau and usually prior to any 'business' taking place. The process provides an opportunity for individuals to identify themselves, thereby establishing connections and relationships with those present, and passed.

Mihimihi (greeting speech) is where an individual stands to introduce him or herself by sharing their **whakapapa** (genealogy, ancestral ties) and other relevant information. A person will usually identify specific geographical features associated with their tribal area including their **maunga** (mountain), **awa** (river) and **moana** (sea). They may also identify their waka, hapū, iwi, marae and an eponymous ancestor.

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Established tribal verses that describe whakapapa and associations with land and sea are known as **pepeha**.

It is important for Māori to know and to share their whakapapa - to know one's whakapapa is to know one's identity.

The processes involved in whānaungatanga are usually conducted in Te Reo Māori although there seems general acceptance of non-Māori greetings or introductions. Non-speakers of Te Reo Māori may wish to open and close with a Māori salutation and provide the body of their speech in English.

After all, the key purpose of whānaungatanga is about establishing relationships and connections, and this goes beyond blood ties and kinship. It is about celebrating commonality, respecting diversity and a coming together in the pursuit of mutual aspirations.

Koha

The origins of koha lie in the stories of creation and the Atua who gifted those things deemed necessary for life, to Hine-ahu-one, the first human being. The tradition has continued over the generations in the form of bringing gifts – usually food – when visiting another marae. The manuhiri would bring foodstuffs that were plentiful in their area but in short supply in their host's District. Nowadays, it is common for koha to be made by way of a financial contribution to the occasion, often referred to as a 'koha in an envelope'.

Where the koha is placed signals the intent of the gifting. If placed on the ground, the koha is intended for the marae, noting that some form of reciprocation is expected in future. If at a tangi and the koha is placed on the coffin, this signals the koha is to go to the **Whānau Pani** (family of deceased) with no expectation of 'repayment'.

Tauutuutu

Tauutuutu is a term for reciprocity derived from the word 'utu', often mistaken as meaning revenge. This is not the case, as tauutuutu is fundamentally about the obligation of reciprocating some gesture in future, or 'making good' on some gesture provided in the past.

Tauutuutu is also a term that dictates the order of speeches within the Pōwhiri process. That being alternating speeches between Tangata Whenua and Manuhiri, always beginning and ending with the Tangata Whenua.

Hākari

To conclude the Pōwhiri process, all manuhiri are invited to partake of a meal or light refreshments. By doing so, manuhiri move from the state of tapu to noa, and become one with Tangata whenua.

It is not uncommon for food to be made available following meetings held on Council premises as this embraces the principle of **manaakitanga** or hospitality, which can only serve to enhance the relationship.

Manaakitanga

Manaakitanga is about showing hospitality, kindness and caring for others. The ability of a marae to 'manaaki' visitors is of critical importance, as this in turn reflects on the mana of the marae and Tangata Whenua. Often marae will ensure only the best of their **pataka kai** (food store) is shared with manuhiri, including delicacies unique to their tribal area.

These practices have since transferred to environments beyond that of marae, whereby it is now commonplace when visiting Māori organisations to have some form of refreshments or food provided.

Summary

The way in which Māori give expression to these concepts will differ from iwi to iwi group to group and marae to marae. This will be dependent on their particular kawa and tikanga, customs and protocols.

It is therefore important that this is known in advance of any meeting and that inquiries are made where there is uncertainty regarding local kawa and tikanga. Consideration may need to be given to enlisting Kaumatua or **Minita** (Minister) support of the occasion and suitable remuneration to reflect their time, commitment and expertise.

Appendix 1

Tangata Whenua Engagement Protocols

Marae customs and protocols

The marae is a symbol of tribal identity considered by Māori as their **tūrangawaewae** or place of belonging.

Marae are places of exceptional mana and immense spirituality. They heighten people's dignity and provide the space where Māori customs are given ultimate expression.

The Whare Tupuna itself, is the physical manifestation of a principle ancestor and this is reflected in parts of the Whare Tupuna being metaphorically linked to parts of the physical body i.e. **roro** is the verandah of the Whare Tupuna and term for brain, **tāhuhu** is the ridge pole also relating to the backbone and **matapihi** being the window and eyes.

Marae provide the link between present and past. A place where every emotion can be expressed and shared with others – including those generations who have gone **ki tua o te ārai** (beyond the veil).

Meetings on a marae

If a meeting is to be held on marae, attendees should familiarise themselves in advance with the kawa and tikanga of that marae, as well as the local whānau, hapū, iwi and their history.

The general order of events for a meeting on a marae is as follows:

1. Formal pōwhiri
2. Hākari
3. Opening karakia
4. Business starts
5. Closing karakia
6. Thanks by the visitors.

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Tangata Whenua Engagement Protocols

Pōwhiri – an explanation of the stages of Pōwhiri

1. Huihuinga (Gathering)

Manuhiri should arrive at the marae in advance of the agreed pōwhiri time, station themselves outside the **waharoa** (gate) and confirm the arrangements for:

Kaiwhakautu	Woman who will respond to the call of the Tangata whenua. Often chooses and leads the waiata in support of Kaikōrero.
Kaikōrero	Man/men who will speak on behalf of manuhiri.
Waiata	An appropriate song to be sung after the manuhiri kaikorero to embellish his speech.
Koha	Final 'gift' contributions (usually money) from the group over and above that agreed beforehand with the marae contact.

On arrival, each group or individual should take the opportunity to greet one another, whether known to them personally or not, with a **hariru** (handshake). **Hongi** (pressing of noses), a kiss and a hug, even tears are appropriate if the others are well known to them. This is followed by a 'settling down' period where those present begin to focus on the tapu of the occasion. A karakia requesting guidance may be offered at this time for the success of the gathering.

2. Karanga (Call)

The **Kaikaranga** (caller) is the first voice to be heard in the pōwhiri which comes from the tangata whenua and signals to the manuhiri to move slowly on to the marae. Karanga is a unique and prestigious form of female oratory involving an exchange of calls between the Kaikaranga of tangata whenua and **Kaiwhakautu** (responding caller) of manuhiri.

It is normal for both kaikaranga and kaiwhakautu to address and greet each other and the people they are representing, to address and pay tribute to their respective dead and to refer to the reason that has brought the two groups together.

There is no restriction on how long the exchange lasts nor on the number of women who participate, but not all women are skilled in performing karanga, and on any one occasion only

a few women normally karanga. The exchange generally lasts until the visitors have stopped momentarily in front of the meeting house (marae ātea), in remembrance of those who have passed over.

After standing in silence for a short time, a final karanga is sometimes offered by the Kaikaranga to indicate that the manuhiri should take their seats.

3. Whakaeke (Proceeding onto the Marae)

While tangata whenua will stand during the karanga, the manuhiri moves forward (women proceeding men), to the centre of the marae in front of the Whare Tupuna. Once they have approached some 20-30 metres in front of the Whare Tupuna, they pause and along with tangata whenua bow their heads for a couple of minutes in respect of, and the joining of, the dead. Immediately after, the final karanga from tangata whenua will indicate to manuhiri that they should be seated, male speakers and dignitaries in the front and women and children at the back.

Tangata Whenua will sit once all Manuhiri are seated.

4. Whaikōrero (Speeches)

The whaikōrero and mihi are the formal greetings and speeches exchanged between tangata whenua and manuhiri.

Protocols determining the order of speakers vary between iwi and hapū.

There are two types of speaking order for the delivery of whaikōrero used by different tribes, Tau-utuutu and Pāeke.

Tau-utuutu is when the speaking order alternates. It begins with a local speaker, followed by a visiting speaker, another local speaker and so on. The last speaker is always from the tangata whenua.

Pāeke is when all but one of the host speakers, speak first. Then the right of speech is handed to the visitors. A final speaker from the tangata whenua completes the whaikōrero phase of the pōwhiri.

The whaikōrero is an opportunity for the speaker to display their mastery with Māori language and a competent speaker is able to embellish their speech with imagery and metaphor.

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The basic format for whaikōrero is:

Tauparapara	A prayer or chant suitable for the purpose of the meeting to invoke the gods' protection and to honour the visitors.
Mihi ki te Atua	Acknowledgement to the Creator.
Mihi ki te Whare Tupuna	Acknowledgement of the ancestral house.
Mihi ki te hunga mate	Acknowledgement of the dead.
Mihi ki te hunga ora	Acknowledgement of the living.
Te take o te hui	Purpose of the meeting.
Waiata	Conclusion with a waiata.

5. Waiata (Song)

Almost invariably, each speech is followed by a waiata. The mana of the speaker, and therefore the manuhiri, is enhanced when a suitable waiata is sung to embellish the words of the speaker. This is particularly the case when **Waiata Moteātea**, traditional songs are utilised.

The kawa of some hapū is that the women – the 'songbirds' – will begin the waiata. It is they who will decide which waiata complements their speaker's words. Some Kaumatua will not travel without a woman, for it is she who will select and help him with his waiata.

Some waiata should only be sung at tangi. If in doubt a hymn is usually acceptable. It is advisable to be prepared with more than one waiata, as the group's mana is not enhanced if it is placed in a position of having to repeat a waiata that has already been sung earlier by the Tangata Whenua.

When standing to support in the singing of the waiata, stand beside or slightly behind the speaker – never in front of him.

Some basic waiata are provided within the appendix of this document.

6. Koha (Gift)

The placing of the koha follows after the waiata in support of the final speaker for the manuhiri. This indicates to the Tangata Whenua that there will be no further speakers from the visiting group.

The koha (in an envelope) is placed on the ground in a position closer to the Tangata Whenua than to the Manuhiri.

This requires the last Manuhiri speaker to cross the space that hitherto has not been crossed by either party.

A person from the Tangata Whenua will pick up the koha and thank the group. In some tribal areas this is accompanied by a karanga of gratitude. This is not a practice of the iwi of Tauranga Moana.

7. Hongi (Pressing of noses)

At the conclusion of the speeches, the Tangata Whenua will beckon the manuhiri to approach from a certain direction to shake hands and hongi. This entails the main body of men of the manuhiri, forming a single line and advancing to meet the Kaumatua on the Tangata Whenua side. Women will form a line at the rear of the men.

The action of performing the hongi is associated with the hariru. The two participants clasp hands each using their right hand. At the same time the left hand of each may be placed upon the other person's near shoulder. The head is bent, the eyes are closed and the noses are pressed, simultaneous to the hand shake.

For some tribes the nose is pressed twice, for others it is pressed once only. Invariably, the Tangata Whenua will indicate their custom, by example.

This practice originates from the dawn of time with **Tāne** (the god of the forest) breathing life into the first human being, Hineahuone. Hongi is symbolic of the coming together of the two groups to be united as one under the umbrella of the Pōwhiri. It is the mixing of the mauri of both the Tangata Whenua and Manuhiri, the first physical contact.

The act of hongi removes the tapu that existed as the result of entering and meeting on the marae-ātea. The people and the marae ātea have now become noa. The tapu sanctions associated with the entry to the marae are now removed, because the tikanga associated with the tapu has been correctly followed. The tapu has been lifted, and the Manuhiri are now Tangata Whenua for the duration of their stay.

It is important to note the act of kissing either by, or of women within the pōwhiri process is an introduced greeting gesture. Whilst this is accepted on most marae, a higher degree of mana is accorded to all, through the continued traditional practice of the hongi, for the reasons explained above.

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8. Hākari (Food and Refreshments)

Finally, all guests are invited to partake of refreshments within the **Wharekai** (dining room) to further enhance the **whakanoa** (make common) ritual, so that everyone will become one people and enjoy each other's company. The partaking of refreshments is always preceded with Karakia, to bless and give thanks for the nourishment to be received.

9. Hui (the meeting proper)

The meeting proper will start with a karakia to ensure proceedings are appropriately blessed. This is particularly important where there might be contentious matters for discussion.

A leader from the Tangata Whenua might provide an introduction and order of proceedings before handing over to the Facilitator of the meeting.

The leader on behalf of the manuhiri or meeting facilitator should then take the opportunity to stand, introduce oneself with an opening mihi, and acknowledge the pōwhiri received. This should be followed by any of their accompanying associates as this allows Tangata Whenua and other attendees the opportunity to make connections based on ones whakapapa, common history, mutual acquaintances and/or past meetings.

Māori salutations are encouraged as follows:

Tena koutou e kui ma e koro ma (Greetings Ladies and Gentlemen)

Kia ora koutou katoa (Greetings to you all)

Kia ora (Hello)

The lead or meeting facilitator is now free to move into the business of the day. Some important points to keep in mind are:

- Everyone has an opportunity to be heard without interruption.
- If issues are contentious, decisions may not be given immediately. You may need to return for another hui.
- Be prepared to be challenged, however don't take it personally.

10. Poroporoaki (Farewell)

The Poroporoaki signifies the act of farewell and the return of Mauri and mana to the host people. Manuhiri and their ancestors have been welcomed in the tradition of the Māori people of Aotearoa and have experienced something special and unique.

This is an informal time for the manuhiri to show appreciation, express opinions relating to the hui and give thanks. Tangata Whenua follow the manuhiri with their response and conclude with the closing karakia. After the final hariru with the Tangata Whenua, the manuhiri take their leave.

A summary of points to remember:

- Tangihanga will nearly always take precedence over other marae bookings. In the event of a tangihanga, Tangata Whenua will advise whether it is appropriate to continue with the hui. Therefore, a backup venue may need to be planned for, particularly if the hui must proceed.
- Tangata Whenua will make you welcome but will expect that you will follow the kawa of the marae.
- You will be able to contribute towards the koha.
- Manuhiri are expected to dress in attire appropriate to the occasion, remembering the Pōwhiri is as much a joining of those passed on, as it is those present. For this reason, Manuhiri should come dressed in black (no bright colours), males in trousers and females in knee length dresses or skirts.
- If staying overnight, leave your blankets and personal gear outside until the welcome is concluded.
- Go onto the marae in silence – remember that is it a gathering of the living and the dead.
- Sit in the front row if you are a speaker; otherwise occupy the rear seats.
- The marae-ātea is tapu throughout the welcoming ceremony.
- For most occasions, the Māori language only is used during whai korero.
- Do not walk about while speeches are in progress, and never walk directly in front of a speaker. Children are welcome but should be reasonably quiet during the speeches.
- Attitudes to women speaking on the Marae vary, so local kawa should be followed.
- In the whai korero exchange, the last speaker should be from the tangata whenua.

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- At the conclusion of the welcoming, the marae-ātea ceases to be tapu and becomes noa.
- Shoes are removed before entering the Whare Tupuna.
- Certain places in the Whare Tupuna are reserved for the seating or sleeping of kaumatua.
- In the whare kai do not keep places for friends.
- Wait for grace to be said before starting your meal.
- Leave the whare kai as soon as you have finished your meal – others may be waiting to eat.
- After the first meal, be prepared to help the **ringa wera** (cooks and kitchen hands; literally 'hothands') in the preparation of food or with washing dishes.
- Never sit on a table.
- Do not sit on pillows in the sleeping area.
- Refrain from smoking in all **whare** (buildings).
- Do not use cameras or recorders unless prior permission has been obtained.
- Be prepared to say a few words of greeting in Māori and of farewell at the poroporoaki.

Meeting at the premises of a Māori organisation

For meetings that occur on the premises of a Māori organisation, it is good practice to check in advance as to whether they have any protocols for receiving manuhiri. This will vary from organisation to organisation, and even within a particular organisation, based on the 'status' of those attending and the reason for the meeting.

Inquiries should be made well in advance to determine whether:

- A pōwhiri or mihi whakatau is intended by the host organisation
- Kaumatua, Kaikaranga/Kaiwhakautu and Kaikōrero support is required.

Depending on the meeting time and duration, an offer to provide food and refreshments may be appropriate.

As aforementioned, it is good for attendees to take the time to learn a little about the host organisation, whether they are a pan-tribal organisation or do they affiliate to a particular iwi or hapū.

The general order of events may not be too dissimilar to meetings held on a marae as provided for on page 39.

In House Meetings

If a meeting is held on Council premises, it is important that the opportunity is provided to Māori visitors to express their cultural values and participate in a manner comfortable to them.

Council staff should be suitably prepared to facilitate Māori process by checking with visitors in advance of the meeting, in terms of their preferences for meeting protocol and format. The support of a Kaumatua or person conversant in Te Reo and Tikanga Māori may be required when hosting Māori, particularly Kaumatua or others of high standing within their community.

For meetings where the services of a Kaumatua or similar expert can not be secured, extend the opportunity for someone in the hui to open with a karakia and mihi.

In this way, the order of events might also resemble that as described in 'Meetings held on a Marae'.

Alternatively, council staff are encouraged to utilise the karakia provided within the appendix of this document.

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Tangata Whenua Engagement Protocols

Tangihanga

The term tangi or tangihanga describes a Māori approach to the process of grieving for someone who has died. Practices and protocols can differ from tribe to tribe. However, it is a common process that enables people to express their sense of loss, not only for their loved one, but for those who have passed before them.

Traditionally, tangihanga were held at marae. Nowadays, tangihanga are also held at private residences and funeral parlours. Tangihanga usually take place over a number of days, beginning when the person passes away and continuing after the burial, until the rituals and ceremonies of grieving are complete.

Before the burial, it is common for the coffin to be left open so mourners can touch, kiss, hug and cry over the **tūpāpaku** (deceased) to express their grief.

A common belief is that the tūpāpaku should never be left alone after death, so close family members (the whānau pani) stay with the tūpāpaku throughout the tangihanga, supported by older female relatives.

People often travel long distances to attend tangihanga to show their respect for the person who has died and to offer support to the family. It is also common practice to offer a koha, usually money, to the marae or family.

If the tangihanga is at a marae, those who attend are welcomed with pōwhiri during which speeches are made as if talking directly to the tūpāpaku. This fits with the common belief that the spirit remains with the body until the time of the burial.

If the tūpāpaku has links to a number of tribes or sub tribes, debate may arise between relatives over where the tūpāpaku is to be buried. While talks can be heated and stressful, such debate is a sign of love and respect for the tūpāpaku.

When council staff are required to attend a Tangi as a result of an established council relationship, or to show respect for a person of high standing in the community, this attendance should be coordinated through the Takawaenga Unit.

This will ensure Council is appropriately represented in consideration of the community standing of the deceased, Kaumatua or other cultural expertise can be sought and a single koha obtained.

It is important that Council attend 'in full', rather than staff/Councillors attending on different days. In this way, council support can be acknowledged 'in full' and the load on Tangata Whenua to pōwhiri staff arriving at different times is reduced.

Council resources to assist engagement with Māori

Cultural Intranet Page

In August 2013, the Takawaenga unit launched the cultural intranet page intended to provide a single repository for Kaupapa Māori, Māori subject matter. The intranet page includes:

- A profile of Partnership Forum members and their contact details.
- Iwi and hapū management plans that have been lodged with Council.
- Iwi and hapū management plan development funding details and process.
- Details of **Te Tiriti o Waitangi** (Treaty of Waitangi) settlements.
- Post Treaty settlement arrangements including co-governance/management arrangements.
- Policies and protocols.
- The Tangata Whenua directory and associated iwi/hapū boundaries (where available and consented to).
- Workforce training.
- Upcoming events.
- Useful links.

Iwi/Hapū Management Plans

These plans will identify matters of importance to iwi and hapū, and how they wish to be engaged in such matters. The Plans should be an early point of reference for Council staff when needing to engage iwi and hapū on initiatives and/or issues that fall within a particular iwi/hapū boundary.

It is important to note that iwi/hapū boundaries or areas of interest, can overlap, so care should be taken to engage all iwi and hapū who are recorded as having an interest in a particular area.

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Tangata Whenua Engagement Protocols

Cultural Monitoring Protocols

Council in conjunction with Te Komiti Māori completed the development of the cultural monitoring protocol in July of 2012.

The purpose of the protocol is to ensure a consistent approach to undertaking cultural monitoring of the environment/earthworks by Tangata Whenua within the Western Bay of Plenty District to protect cultural sites of significance, taonga and waahi tapu.

This protocol only applies to Council projects. In all other instances, Tangata Whenua will apply their own cultural monitoring protocols.

Takawaenga Unit

The Takawaenga unit exists to:

- Support Māori to input into political processes and be effectively represented.
- Build cultural capacity within Council at both political and staff levels.
- Support staff and Council to interact effectively with Māori.
- Contribute to the strategic planning and policy development functions of Council especially those policies that involve Māori.

The Takawaenga unit is available to answer any queries you might have when needing to engage with Māori.

Contact Chris Nepia on direct dial (07) 579 6623, or Petera Tapsell on direct dial (07) 577 9820

Kai Ārahi Māori - Māori Land Officer

The Kai Ārahi position exists to:

- Develop strategic alliances with the Māori Rates Working Party, local Iwi and other interested parties to resolve various rating issues and to provide support and advice to the Partnership Forums as required.
- Maintain a comprehensive Māori land database.

Any queries specifically in relation to rates on Māori freehold land or Māori Land Court matters should be directed to **Michael Payne** on direct dial 579 6661.

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Elected Members Section

Elected members have a number of important roles in facilitating good relationships. These reflect the leadership role that elected members have in their communities and include:

- Providing for Māori input into governance and decision making processes – options range from establishing advisory groups through to creating Māori wards.
- Building relationships with Māori at a governance level through proactive engagement with key groups at an informal or formal level.
- Elected members building their own awareness of Māori issues and perspectives through engagement with Māori or through more formal training opportunities.
- Elected members building their own capacity to interact in tikanga Māori environments through greater exposure (attendance at appropriate gatherings), or training opportunities.
- Developing relationships with groups or individuals who have cultural expertise to work with elected members as appropriate.

Meetings within Chambers

When Council hosts iwi, hapū, whānau or Māori organisations, whether within full Council, committees or workshops, all practicable steps should be taken by Council to facilitate Māori meeting formalities as described within the meetings held on a marae section of this document.

Similarly, any dignitaries or visitors of high standing should also be accorded the respect of a pōwhiri or mihi whakatau, particularly for those who have come from out of the District. Despite being utilised to welcome visitors to Council, the pōwhiri or mihi whakatau acknowledges and validates those hapū and iwi who are Tangata Whenua at Barkes corner.

To support Elected Members with Māori formalities, some basic karakia are provided within the appendix of this document.

Attendance at Māori events

Elected member attendance at significant Māori events the likes of Waitangi Day, Matariki celebrations, Treaty settlements and Poukai (Marae based celebrations of the Kingitanga movement) is encouraged.

Joining with Māori in the celebration of significant events gives mana to the occasion and Tangata Whenua, and by doing so, a level of mana is returned to the elected member.

A proverb amongst Māori is:

Te kanohi ngaro; whākorekore noa rā koi ngaro ana
The unseen face is thought not to exist

This proverb strongly reinforces the need of an enduring relationship, if meaningful engagement is to be had.

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Tangata Whenua Engagement Protocols

Karakia

Karakia timatanga (starting prayer)

Whakataka te hau ki te uru, Whakataka te hau ki te tonga.	Cease the winds from the west Cease the winds from the south
Kia mākinakina ki uta, Kia mātaratara ki tai.	Let the breeze blow over the land Let the breeze blow over the ocean
E hī ake ana te atākura he tio, he huka, he hauhunga.	Let the red-tipped dawn come with a sharpened air
Tihei mauri ora!	A touch of frost, a promise of a glorious day.

Pou hihiri	May clarity be yours
Pou rarama	May understanding be yours
Pou o te whakaaro	Through reflection
Pou o te tangata	Through personal endeavour
Pou o te aroha	Through respect
Te pou e here nei i a tātou	The virtues that bind us as one
Mauri ora ki a tātou	May we be filled with wellbeing
Haumi e! Hui e! tāiki e!	Join! Gather! Intertwine

Karakia mo te kai (blessing for a meal)

E te Atua	Lord
Whakapaingia ēnei kai	Bless these foods
Hei oranga mō ō matou tinana	As sustenance for our bodies
Amine	Amen

Karakia whakamutunga (closing prayer)

Kia tau ki a tātou katoa Te atawhai o tō tātou Ariki, a Ihu Karaiti Me te aroha o te Atua Me te whiwhingatahitanga Ki te wairua tapu Ake, ake, ake Amine.	May the grace of the Lord Jesus Christ, and the love of God, and the fellowship of the Holy Spirit be with you all Forever and ever Amen
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Waiata

Te Aroha	
Te Aroha Te Whakapono Me te Rangimarie Tātou tātou e.	<i>Through love Truth and Peace We are united together.</i>

Ehara i te mea	
Ehara I te mea Nō nāia nei te aroha Nō ngā tūpuna I tuku iho I tuku iho.	<i>Love is not a new thing It comes from our ancestors Handed down through the passages of time.</i>



Appendix 2

Relevant Legislative Requirements

Local Government Act 2002

Section	Provision
Section 4	Treaty of Waitangi
Section 14 (1d)	In performing its role a local authority must act in accordance the principle of providing opportunities for Māori to contribute to its decision making processes.
Section 82(2)	Principles of consultation – must have processes for consulting Māori.
Section 14 (1) (d)	Building capacity.
Schedule 10, Clause 8	Long term planning to build capacity

Resource Management Act 1991

Section	Provision
Section 2	Defining and having regard for kaitiakitanga
Section 6(e)	Recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga.
Section 7(a)	Having particular regard to kaitiakitanga.
Section 8	Treaty of Waitangi
Section 33	Transfer of powers – where one or more functions, duties or powers can be transferred, including to an iwi authority.
Section 74(2A)	Taking into account iwi management plans when preparing or changing the District Plan.
Schedule 1 s 3	Schedule specifically refers to consultation with iwi authorities.

Appendix 3

Tangata Whenua Engagement Checklist

Engagement checklist

Subject and purpose of engagement:	
We have confirmed that engagement is required.	
We have correctly identified who we will be engaging with.	
We have confirmed what engagement activity we will be undertaking.	
We have assessed and budgeted for the costs of venue hire, equipment, catering, Māori expertise and professional services that may be required in the engagement process.	
We have consulted about timing of engagement with other Council departments (combining with other engagement processes can prevent overload and assist capability issues for Māori).	
We have received feedback from Te Komiti Māori on the proposed engagement plan.	
We have confirmed with governance any elected members that are to be involved and when.	
We have obtained the appropriate level of permission to proceed with the engagement e.g. Manager/Council.	
We have identified and requested assistance or advice from other staff e.g. Pou Takawaenga, Kaitakawaenga, community development team.	
We have identified where to conduct the engagement (If you are going to a marae have you got someone to assist with the pōwhiri/mihi whakatou (welcome on the marae)/ Have you arranged the koha? Do you need a Kuia (a Māori female elder)/ Kaumatua (Māori male elder)/Pou Takawaenga to accompany you? If in doubt, seek advice from the Takawaenga unit.	
We have identified tools that are appropriate for the level of engagement that we seek.	
We have a plan for telling participants how their input will be used and acknowledged.	
The Poutakawenga has a copy of your checklist.	

Signed: _____

Date: _____

Glossary

Ahi-kā-roa	Long burning fires of occupation - title to land through occupation.
Ariki	Paramount Chief.
Atua	God, deity, ancestor with continuing influence.
Awa	River, stream, creek, canal.
Hākari	Sumptuous meal, feast, banquet, celebration, entertainment, to have a feast.
Hapū	Kinship group, clan, tribe, subtribe - section of a large kinship group, be pregnant, conceived in the womb.
Harirū	Handshake, to shake hands.
Hinengaro	Mind, thought or intellect.
Hongi	To press noses in greeting
Hui	To gather, congregate, assemble, meet.
Huihuinga	Gathering, crowd, meeting, assembly.
Iwi	Extended kinship group, tribe, nation, people, nationality, race - often refers to a large group of people descended from a common ancestor, bone.
Kaiārahi	Leader, counsellor, conductor/
Kaikaranga	Caller - the woman (or women) who have the role of making the ceremonial call to visitors onto a marae, or equivalent venue, at the start of a pōwhiri. The term is also used for the responses from the visiting group (manuhiri) to the tangata whenua ceremonial call, however in this document we have chosen to refer to the caller from manuhiri as Kaiwhakaautu.
Kaikōrero	Man/men who will speak on behalf of manuhiri
Kaitiakitanga	Guardianship, stewardship.
Kaiwhakautu	Woman who will respond to the call of the Tangata Whenua
Kanohi ki te kanohi	'Face to face' discussion.
Karakia	Prayer, grace, blessing, incantation, ritual chant.
Karanga	Call
Kaumatua/Kuia	Elder male or female, leaders of a whānau.
Kawa	Marae protocols – customs of the marae and whare tupuna (ancestral house), particularly those relating to formal activities such as pōwhiri, speeches and mihi.

Glossary

Ki tua o te ārai	Beyond the veil - euphemism used in reference to the dead.
Koeke	Te Arawa term for leader of a whānau. Kaumatua is used to describe the leader of a hapū.
Koha	Gift, present, offering, donation, contribution.
Mana	Prestige, authority, control, power, influence, status, spiritual power, charisma.
Mana whenua	Territorial rights, power from the land - power associated with possession and occupation of tribal land.
Manaakitanga	Hospitality, kindness.
Manuhiri	Visitor, guest
Marae	Courtyard - the open area in front of the whare tupuna, where formal greetings and discussions take place. Often also used to include the complex of buildings around the marae.
Marae ātea	Courtyard, public forum - open area in front of the whare tupuna where formal welcomes to visitors takes place and issues are debated. The marae ātea is the domain of Tūmatauenga, the atua of war and people, and is thus the appropriate place to raise contentious issue.
Matapihi	Window, also a metaphor for eyes in relation to the whare tupuna.
Mātauranga Māori	Māori knowledge - the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.
Maunga	Mountain, mount, peak.
Mauri	a spiritual life force, principle or ethos.
Mihi Whakatau	Speech of greeting, official welcome speech - speech acknowledging those present at a gathering. For some tribes a pōhiri, or pōwhiri, is used for the ritual of encounter on a marae only. In other situations where formal speeches in Māori are made that are not on a marae or in the whare tupuna the term mihi whakatau is used for a speech, or speeches, of welcome in Māori.
Mihimihi	Speech of greeting, tribute.
Minita	Minister.
Moana	Sea, ocean, large lake.
Noa	Be free from the extensions of tapu, ordinary, unrestricted.
Otaiti	Astrolabe Reef.
Pāeke	A speaking order within the whaikōrero when all but one of the host speakers, speak first. Then the right of speech is handed to the visitors. A final speaker from the Tangata whenua completes the whaikōrero phase of the pōwhiri.

Glossary

Pataka kai	Food store, pantry.
Pepeha	Tribal saying, proverb (especially about a tribe), set form of words, expression, figure of speech.
Pōwhiri/Pōhiri	To welcome, invite, rituals of encounter, welcome ceremony on a marae.
Rāhui	To put in place a temporary ritual prohibition, closed season, ban, reserve.
Rangatira	Chief, master.
Rangatira ki te Rangatira	'Chief to chief' discussion.
Rangatiratanga	Sovereignty, chieftainship, right to exercise authority. Self determination.
Ringa wera	Literally 'hot hands', a metaphor for cook, kitchen hand.
Roro	Front end of a meeting house, verandah, brain, marrow, spongy matter.
Tāhuhu	Ridge pole (of a house), also a metaphor for backbone.
Takawaenga	Go-between, mediator, liaison, intermediary, arbitrator.
Tāne/Tānemahuta	Atua of the forests and birds and one of the children of Rangi-nui and Papa-tū-ā-nuku.
Tangata Whenua	People of the land.
Taonga	Treasure, anything prized, property, goods, possessions.
Tapu	Be sacred, prohibited, restricted, under.
Tauutuutu	Reciprocity, alternating speakers between tangata whenua and mahuhiri at a pōwhiri as in the system used on marae in Te Arawa and Waikato. In most other tribal areas the system called pāke is used where all the local speakers speak first.
Te Tiriti o Waitangi	The Treaty of Waitangi.
Tikanga	Correct procedure, custom, lore, rule, practice.
Tinana	Body, self or person.
Tupuna/Tipuna	Ancestors, grandparents.
Tūpāpaku	Corpse, deceased.
Tūrangawaewae	Domicile, place where one has rights of residence and belonging through kinship and whakapapa.
Uri	Descendant, progeny.

Glossary

Waewae tapu	Newcomer, rare visitor - a person who has not been to a particular marae or place before.
Wharoa	Entrance to a Marae, gateway, main entrance way.
Waiata	Song, chant, psalm.
Waiata Moteatea	Lament, traditional chant, sung poetry - a general term for songs sung in traditional mode.
Wairua	Spirit, soul.
Waka	Canoe, vehicle, conveyance, spirit medium, allied kinship groups descended from the crew of a canoe which migrated to New Zealand.
Whaikōrero	To make a formal speech, oratory, oration, formal speech-making - formal speeches usually made by men during a pōwhiri and other gatherings.
Whakaeke	Embark, get on, go on board, arrival of guests, go onto (e.g. a marae).
Whakanoa	To remove tapu - to free things that have the extensions of tapu, but it does not affect intrinsic tapu.
Whakapapa	Genealogy, genealogical table, lineage, descent.
Whakawhānaungatanga	Process of establishing relationships, relating well to others.
Whānau	Family, birth, to be born.
Whanaungatanga	Relationship, kinship, sense of family connection - a relationship through shared experiences and working together which provides people with a sense of belonging. It develops as a result of kinship rights and obligations, which also serve to strengthen each member of the kin group. It also extends to others to whom one develops a close familial, friendship or reciprocal relationship.
Wharekai	Eating house, dining room on the marae.

Appendix B – Waitaha CIA

Richard Harkness
Associate Director – Planning
P.O.Box 13161
TAURANAGA

Dear Richard,

RE: WBOPDC RESOURCE CONSENT RENEWAL TE PUKE WASTE WATER TREATMENT PLANT

As per your email of April 8, 2016 I respond with the following on behalf of Te Kapu O Waitaha.

1. Statute

A Statutory Acknowledgement recognises the association between Waitaha and a particular site or area and enhances the ability of Waitaha to participate in specified Resource Management Act processes. In the case of the resource consent renewal by the applicant, the settlement provides statutory acknowledgement of Waitaha over the Waiari stream.

2. Waitaha cultural Association with the Waiari Stream

The Waiari branches off from Te Rerenga stream which originates from Otanewainuku. Waiari was named by Tapuika tupuna, Tia. Tia had named the Waiari after the landing of the Te Arawa waka. During that period Hei of Waitaha and Tia of Tapuika established the Waiari as the boundary between Waitaha and Tapuika.

3. Waiari stream sites of significance to Waitaha iwi

3.1 The name of the Waiari means soft, sighing sound of water. The name holds much significance. Not only is it the boundary between Waitaha and Tapuika, but in a cultural context is symbolic to a *“place where the voices of tupuna are heard”*.

3.2 According to tribal tradition there are two taniwha Nainainui and Mangakino who reside in the Waiari. They are the spiritual guardians of the Waiari stream. These taniwha have various places in which they dwell, extending from the Waiari bridge in the upper reaches of the Waiari stream. Impacts concerning the Waiari would inevitably affect the lairs of the two taniwha and weaken the role of guardianship as it is known to Maori.

3.3 There are many pa and nohonga along the Waiari, however due to changes in the development and flood protection activities on the land over time it is now difficult to identify all waahi tapu sites. Examples can however be provided. Te Kopua o Tamitami is one such place that has healing properties, and is thought to be located to the left hand side of the Waiari bridge. A further site is Te Ara Paiaka where Te Rangihouhiri and his war party attacked Waitaha. Te Rangihouhiri and his men transversed up the Waiara to Te Ara Paiaka where on the top of the hill was Te Aorere pa. History records that the number of bodies slain were so many that the sight was likened to the roots of trees protruding up out of the earth. Te Ara Paeka is located on the land adjacent to the Waiari.

3.4 The Waiari was traditionally used for rites associated with nga waahine (women). In latter times these are no longer practised due to societal changes.

4. Cultural Values

Maori cultural values underpin the Maori worldview and way of life. These values are maintained by being actively practised and passed down from one generation to another. The guiding principles for which Maori interact with the environment are based on these values. Key aspects relate to “*tapu, mauri, kaitiakitanga, and rangatiratanga*”.

Everything has a mauri or a life force which must be protected and nurtured. This includes water bodies. The mauri of a stream relates all water bodies connected to the Waiari, including all tributaries. As kaitiaki to the Waiari stream, Waitaha has a strong obligation to ensure that these taonga are protected and acknowledged.

Waitaha identify the Waiari as an important source of food. Generally, many of the childhood memories of the Waiari include remembrance of pristine water which by day tuna (eels) were clearly visible.

5. Customary practises

The Waiari was used for a number of customary practises. In the old time, the banks of the waiari were profuse with harakeke plantations. The harakeke was harvested and used to make weirs and hinaki to catch eels. The weirs were placed all along the Waiari as the number of eels were abundant, sadly this is no longer the case. Harakeke was also used for medicinal purposes. As previously mentioned another customary practise was conducted at a place called Te Kopua O Tamitami. It was where people would go to heal themselves.

6. Recreational uses

Primary recreational use of the Waiari has traditionally been for gathering food, eeling, whitebait, koura and watercress gathering. The river was also used for hoe waka and bathing.

7. Wastewater scheme

Te Kapu O Waitaha had visited the Treatment site, where wastewater process was explained. It is our view that the treatment plant is a very good one and is managed responsibly. A matter raised by the treatment plant operations was that the quality of discharge from the treatment plant into the wetland was higher as opposed to the quality following its discharge from the wetland into the Waiari stream.

8. Waitaha Iwi Management Plan

Waitaha completed a comprehensive iwi management plan in 2015. This documented the strong view by iwi that;

- it opposes contamination of the waterways, springs, rivers, and tributaries
- Waitaha tikanga is applied to manage the environment with purposeful and deliberate customary applications

- Waitaha tikanga is included in the Deed of Settlement and is the foundation for all decisions by Waitaha
- Local government and private sector must engage, and consult over resource consent matters and the wider environmental issues affecting the interests of Waitaha tribal kaitiaki responsiveness



9. Water issues within the Western Bay of Plenty catchment areas

9.1 Waitaha is a part of the Maketu/Paengaroa Fresh water community group established by the Bay of Plenty Regional Council. This group is to provide input to the management of water in alignment with the National Water Policy.

Waitaha notes the following;

Catchment area

The Waiari catchment area expands 72 kilometers. While the resource consent is specific to the lower reaches of the catchment, consideration MUST also consider upstream and downstream, including tributary outlets into main rivers i.e. Kaituna. For example, Park (2015) reported that the Te Puke sewage treatment plant discharges to the Waiari Stream which then joins the Kaituna River..[].

Over water allocations

- Over allocation of water within the immediate Te Puke area. An example of this is in close proximity to the Waste treatment plant being Ohineanaanga.
- In 2015, Waitaha was approached by orchardists who required further resource consent renewal for future water allocation. Noted was that not all had any form of water harvesting plan
- Waitaha is aware that further long term water resource consents will become expired and therefore for economic reasons proprietors will seek renewal of further water take

Development

- East Papamoa development scheme, namely Te Tumu is currently undergoing an infrastructure feasibility by Tauranga City City Council. Any estimates for units per hectare are likely to be resourced with water supply for the Waiari stream
- Waitaha is aware that the Rangiuru business park may also seek to discharge into the Waiari stream in the future. No detail has yet been received.

Waiari Water Processing Plant Project¹

- It is expected that the water demand from Mount Maunganui and Papamoa will exceed the supply available from existing water pipelines in the next ten years.
- WBOPDC wishes to share 15,000m³/day of the Waiari Stream abstraction consent for the next 50 or more years.

Wetland capacity

We note the following sourced from the Aecom report ²(2015).,

- There is potential that with the proposed increase in discharges into the Waiari Stream, there may be subsequent additional effects within the receiving environment.
- Discharge from the wetland consistently has a higher count of faecal coliforms when compared to the treated effluent discharge directly after UV disinfection.

¹ Tauranga City Council (2015)., *Waiari Water Processing Project*

² Aecom (2015).; *Water Quality Stream and Terrestrial ecology Assessment*

Waiari Stream

- All total nitrogen results exceeded the ANZECC guideline of 0.614mg/L with Waiari Stream recording higher total nitrogen concentrations than Kaituna River.
- The downstream Waiari Stream concentrations (1.93 and 1.87 mg/L) were notably higher than the upstream concentrations
- The Waiari Stream results for nitrate-nitrogen concentrations exceeded the ANZECC guideline 95% trigger value of 0.7mg/L
- All dissolved reactive phosphorus concentrations recorded exceeded the ANZECC NZ lowland river default trigger value of 0.01mg/L.

Surface Water Quality

- The recent AECOM samples were compared with existing water quality data and WWTP treated effluent data. It is understood that the wetland is not operating effectively and as a result is likely to be decommissioned in the near future (as discussed in section 3.1.1). Therefore the WWTP treated effluent quality data used in the data analysis was the ‘post-UV’ treated effluent
- The WWTP discharge is expected to increase from a current annual average flow of 1800m³/day to 2348m³/day in 2051 (based on 30% population increase). This increase will reduce the dilution factor of the Waiari Stream from approximately 168 to 130 (23% decrease) based on the 5%tile flow rate. Assuming that contributions from the surrounding catchment remain at current levels and no improvements are made to nutrient removal efficiencies at the WWTP this would mean an increase in relative contribution to the contaminant loads being discharged into the receiving environment.
- It was identified by WWTP staff, that during flood events (typically a one-year event), the stream inundated the riparian zone and back flowed into the treatment plant’s wetland.

SUMMARY

Waitaha tribe, their tikanga, and values prescribe a zero tolerance of contamination into any form of waterway. To understand this, all water and their sources are personified, hold spiritual values as a living entity and therefore connect the tribe through geneology. This connection of people to water, and lands elevates the kaitiaki responsiveness from a tribal point of view. In addition to tribal kaitiakitanga, are other spiritual forms of gauridanship such as taniwha, rare species known to the iwi in parts of the catchment, tapu in some areas according to traditional uses, events, and practises, all of which are treated differently and whom contribute as indicators of threats to the streams, rivers, and springs. These combinations in turn affect positively or negatively on communities and people.

To demonstrate this, a form of tikanga is that no two elements should be fused that involve human body waste with human consumption. This is not considered rocket science even in today’s modern context. Further examples are interference with sacred sites without regard for what is considered tapu which moreoften than not results in consequences in one form or another. Recently Waitaha has been called to invetigate a site where a logging crew is experiencing unexplained phenonema despite our efforts in having provided advice on clearing the area of tapu in the first instance, due to known spiritual values explained by Waitaha elders.

We have explained in this report significant events, sacred sites, customary practises that took place along the Waiari stream. We acknowledge the pressures of modern society on our waterways, however we cannot overlook the cultural aspects and commitments by Waitaha to any consent that effectively works to the opposite. We therefore provide some form of comprable reccomendations.

10. RECOMMENDATIONS

10.1 **Waitaha tikanga does not tolerate that wastewater albeit treated be discharged into a water source which is also used for drinking and household water supply, and recreation purposes.**

Response

Due to over water allocations in the area, we understand that water take may be reduced in the future to better control the impact on streams, and to comply with the Water National Policy by government. We have already established in this report approaches by orchardists consulting with Waitaha to renew water take consents as the become expired. BOP Regional Council has indicated those applications which were consented to long term water allocation will all require renewal in the near future.

Recommendation

We therefore recommend that council consider harvesting the treated water and using this as a commercial value in that it may be sold to horticulture proprietors to service kiwi fruit orchards and alike as opposed to discharge. Waitaha considers this as a practical measure to supporting the environmental, economic, social and cultrual needs within the (rohe) community.

10.2 **Waitaha tikanga seeks to manage and care for the environment therefore Waitaha does not support the continued discharge into an already ailing wetland area with a future proposal to increase volume due to population increases.**

Response

We view that the council cannot ignore the affects of discharge as report by Aecom (2015) into the current wetland area without some form of enhancement, and or in the least remedial activity. In addition, we are not convinced that the current regime is sufficient in a ling term cnsent wihtout regard for the projected increases in population growth.

Recommendation

While we strongly disagree with discharge into the Waiari, we reccommend that Council restore and enhance the discharge wetland area to increase its' capacity. Further we recommend that Council review its point of discharge with considerations to point of discharge with increased riparian area preventing backwash as a result of flooding, nothwitsatnding the benefit of natural remedy by having a larger area of riparian prior to direct discharge into the receiveing Waiari stream.

- 10.03 The integrity of being able to maintain kaitiaki responsibilities is seriously challenged through the consenting process, in that each consent focuses a specific area related to the consent. This approach impacts culturally in that kaitiakitanga includes the above, the below, the left the right, the tangible and intangible elements with no bounds, in other words it considers beyond the immediate and beyond the obvious.**

Response

There is an abundance of evidence through available and commissioned reports that surely signal the mounting pressure on waterways. We are commenting beyond this consent to raise our concerns of all consents, all impacts, on the Waiari including how that translates into the Kaituna medium to long term. *(All rivers and streams are interconnected through the ranges, and further traced to the spiritual source, Ranginui).* Waitaha makes the point that when combining all the contributors to contamination, ecological effects and habitat and so forth that each resource consent application is a significant one, no matter how insignificant it looks on paper.

Recommendation

Waitaha does not agree to a long term discharge in its current regime. We have offered a view to one potential solution that may also negate other water related issues in the Western Bay Of Plenty district.

Waitaha would seek a commitment from Council to explore and implement a different regime as to the one used currently. We would not support a long period period of time in which to confirm alternate solutions.

Waitaha also advises that it would like to further undertake a comprehensive CIA to take into account other impacts not included here due to our own commitments.

I apologise for the delay with this report.

Naku noa na,



Vivienne Robinson
General Manager