

# TE WHAKAMINENGA O KĀPITI

*“He toa taki tini taku toa,  
E hara i te toa taki tahi”  
“My strength will only be achieved  
Because of the efforts of us all.”*

**Rātū 14 Poutū-te-rangi 2017**

**Council Chambers, 175 Rimu Road, Paraparaumu  
10.00 am**

## **Committee Membership:**

Rupene Waaka (Ngā Hapū o Ōtaki) <b>(Chair)</b>	Mahinarangi Hakaraia (Ngā Hapū o Ōtaki)
Chris Gerretzen (Te Āti Awa ki Whakarongotai – Charitable Trust)	Andre Baker (Te Āti Awa ki Whakarongotai – Charitable Trust)
Carol Reihana (Ngāti Toa Rangatira)	Hohepa Potini (Ngāti Toa Rangatira)
Leana Barriball (Ngāti Toa Rangatira)	
Mayor K Gurunathan (Kāpiti Coast District Council)	Cr James Cootes (Kāpiti Coast District Council)

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## **Strategic Work Programme**

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7	Presentation: Ngā Kākano		
8	Presentation: Waitangi Day – Maia Whiterod		
9	Update: Iwi representative on the Public Art Panel (recommendation from Strategy and Policy Committee - 9 March 2017) (Vyvien + Jaenine Parkinson)		
10	Iwi representatives on Grants Allocation Committee (verbal – Vyvien)		
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<b>ITEM</b>	<b>ORDER PAPER</b>	<b>(*denotes paper attached)</b>	<b>PAGE</b>
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MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 24 KOHITĀTEA 2017	10.00 AM

Minutes of a six-weekly meeting of Te Whakaminenga o Kāpiti on Tuesday 24 January 2017, commencing at 10.00 am in the Council Chambers, 175 Rimu Road, Paraparaumu.

## MEMBERS

Mr	R	Waaka	Ngā Hapū o Ōtaki (Chair)
Mr	C	Gerritzen	Te Ātiawa ki Whakarongotai Charitable Trust
Ms	L	Barriball	Ngāti Toa Rangatira
Ms	M	Hakaraia	Ngā Hapū o Ōtaki
Mr	D	Te Maipi	Kaumātua
Mayor	K	Gurunathan	Koromatua
Cr	J	Cootes	Mema o te Kaunihera

## IN ATTENDANCE

Mr	P	Dougherty	Tumuaki
Ms	S	Stevenson	Kaihautū Rautaki
Mr	M	Pedersen	Te Kaihautū Ratonga Hapori
Mr	N	Crous	Kaiwhakahaere Whakatakoto Kaupapa Hākinakina
Mr	V	Fallon	Te Kaiwhakahaere Hōtaka whakaurunga, Huanui Tōtika
Ms	P	Richardson	
Ms	B	Griffin	Kaitohutohu Kaupapa Matua
Ms	M	Fraser	Kaiwhakahaere Tairangawhenua
Ms	M	Whiterod	Te Āpiha Tairangawhenua
Ms	V	Starbuck-Maffey	Kaiwhakahaere Ratonga Manapori

## APOLOGIES

Ms	C	Reihana	Ngāti Toa Rangatira (Ngāti Haumia)
Mr	H	Potini	Ngāti Toa Rangatira

The meeting opened with a karakia by Don Te Maipi. The Chair welcomed everyone to the meeting.

Te Whakaminenga o Kāpiti 17/01/020

## TUKU AROHA/APOLOGIES

### MOVED (Hakaraia / Waaka)

That Te Whakaminenga o Kāpiti accepts apologies from Carol Reihana, and Hohepa Potini.

### CARRIED

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 24 KOHITĀTEA 2017	10.00 AM

Te Whakaminenga o Kāpiti 17/01/021

#### **PUBLIC SPEAKING TIME**

- Apihaka Mack spoke on behalf of Ngātiawa Nui Tonu Charitable Trust Trustees to clarify who Ngātiawa are as Mouri Tāngata Whenua on the Kāpiti Coast. Ms Mack also asked who would be responsible for turning the gas pipes off in the event of a massive earthquake? Ngātiawa would also be participating in the opening of the Expressway. Don Te Maipi commented that they needed to work out how the blessing was going to proceed and there would be a hui at the marae about this on 1 February.
- The Chair said he needed to consider the best way to respond to Ms Mack's submission. It would be helpful if she could put her concerns in a formal letter and she agreed.

Te Whakaminenga o Kāpiti 17/01/022

#### **ADDITIONAL AGENDA ITEMS**

There were no additional items.

Te Whakaminenga o Kāpiti 17/01/023

#### **CONFIRMATION OF MINUTES – 15 WHIRINGA-Ā-RANGI (NOVEMBER) 2016**

It was noted in relation to page 6 that a pōwhiri had been held (during the citizenship ceremony at Raukawa marae) welcoming the Mayor onto the marae.

#### **MOVED (Mayor/Hakaraia)**

**That the minutes of the meeting of Te Whakaminenga o Kāpiti on 15 November 2016 are confirmed as a true and accurate record of that meeting.**

#### **CARRIED**

#### **Strategic Work Programme**

Te Whakaminenga o Kāpiti 17/01/024

#### **PRESENTATION : REVIEW OF RESERVES MANAGEMENT PLAN**

Max Pedersen and Nico Crous spoke to this item and provided a powerpoint presentation which outlined projects (including reserve management and development plans) coming up and opportunities to engage with iwi. An overview of recreation facilities in the District was provided as well as key relationships with clubs and groups on reserves. The difference between reserve management plans and reserve development plans was explained. There was a statutory requirement under the Reserves Act 1977 to have management plans for reserves. Maclean Park would be the first plan to be reviewed, followed by others.

More details about the Maclean Park process were provided; this included initial conversations with Te Āti Awa and Ngāti Toa, a recent walkover, an archaeological report, community engagement, and workshops with iwi. A final draft plan would go to Council after iwi had provided feedback.

MINUTES	MEETING HELD ON	TIME
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Other forthcoming projects included other rongooa sites, Otaraua Park, Ōtaki Beach development, and the Raumati Pool building redevelopment 2018/19. Comments were invited. Staff would contact iwi as projects came online.

In response to a question the evolution of the first rongooa site at Haruatai Park in Ōtaki was provided. The site consisted of naturally occurring plants and some signage. Pest management was also being tracked. Porirua City Council was attempting something similar.

Te Whakaminenga o Kāpiti 17/01/025

#### **UPDATE : SH1 RENAMING**

Vince Fallon gave a verbal update about this project. The Renaming project was part of the SH1 Revocation process. In September 2016 the Council had resolved to use community boards as the public face of the renaming process. A Working Party which included iwi representatives and local historian Anthony Dreaver had also been convened and worked together to research appropriate names, which would be incorporated into the consultation process. The next steps included discussing with Community Boards their roles and the terms of engagement. It was noted that the Mackays to Peka Peka Expressway had been divided into seven sections for renaming purposes to avoid having to change numbering of properties and to give each iwi opportunity to reflect their history and culture. March/April would see Community Boards engaging with the community with Council expected to make a decision in July/August but these timeframes were only indicative.

Te Whakaminenga o Kāpiti 17/01/026

#### **VERBAL UPDATE : APPOINTMENT OF MĀORI / IWI REPRESENTATIVES ON COUNCIL DECISION-MAKING BODIES**

Vyien Starbuck-Maffey provided an update. The two Māori representatives on Standing Committees roles had been readvertised as no applications had been received in the first round. The new deadline was Friday 10 February. Iwi representatives were also required for two granting programmes administered by Council's Grants Allocation Committee, and the first of these would be held in April 2017. Lastly the Group was invited to confirm an iwi representative who would attend Council meetings in the Chair's place; they confirmed Mahinarangai Hakaraia as the Chair's delegate. It was noted that Ngā Hapū o Ōtaki had written to Council confirming their representatives on Te Whakaminenga o Kāpiti for this Triennium, and a letter to this effect had also recently been received from the Te Āti Awa Charitable Trust.

Te Whakaminenga o Kāpiti 17/01/027

#### **REVIEW OF THE 2010 PUBLIC PLACES BYLAW AND THE 2010 TRADING IN PUBLIC PLACES POLICY (CS-16-079)**

Max Pedersen and Philippa Richardson spoke to this report, explaining it was a requirement under the Local Government Act 2002 to regularly review all bylaws. The intent of the Public Places Bylaw was explained, clarifying that it applied only to land owned by the Council and used by the public. The purpose of the Policy was to support the bylaw, focusing on trading in public places. The matter would be considered by the Strategy and Policy Committee in early February. Consultation with iwi (through the ART Forum) on this matter had commenced in August 2016 and comment was sought today about how iwi members would like to make a contribution to the process.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 24 KOHITĀTEA 2017	10.00 AM

In response to a question about the review of Te Haerenga Whakamua, no specific issues had been identified.

It was agreed that there had not been a lot of public interest in the bylaw and the responses that had been received tended to focus on problems that could be addressed through other tools. The key features of the Street Naming Policy were outlined; it was a requirement that the developer consult with iwi. It was clarified that Cr James Cootes could still raise issues at Committee meetings on behalf of iwi.

**MOVED (Hakaraia / Gerretzen)**

**That Te Whakaminenga o Kāpiti:**

- a) notes that the review of the 2010 Public Places Bylaw and the 2010 Trading in Public Places Policy is underway; and
- b) confirms the process for iwi engagement:  
Te Whakaminenga o Kapiti identifies representatives and tasks them with preparing a formal submission with assistance from Council officers.

**CARRIED**

**MOVED (Waaka/Cootes)**

**That Te Whakaminenga o Kāpiti approves two representatives (Mahinarangi Hakaraia and Leana Barriball) with the power to co-opt other representatives as required to prepare a formal submission on the 2010 Public Places Bylaw and the 2010 Trading in Public Places Policy.**

**CARRIED**

The meeting agreed to rearrange the agenda to discuss item 11 first.

Te Whakaminenga o Kāpiti 17/01/029

**MEMORANDUM OF PARTNERSHIP AND PROCOL DOCUMENT – REVIEW**

Vyvien Starbuck-Maffey spoke to this item, explaining that it was a requirement in the Memorandum of Partnership document that the Memorandum be reviewed by the Group within the first six months of each new triennium. The meeting protocol was also to be reviewed. It was agreed that in view of the representation issues raised by the public speaker, Ms Mack, there should be further time to consider both documents. It was agreed to email Chris Gerritzen with a transcript of the speaker's submission.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 24 KOHITĀTEA 2017	10.00 AM

Te Whakaminenga o Kāpiti 17/01/031  
**WAITANGI DAY 2017**

Maia Whiterod outlined progress with organising this event, detailing key features of the day. The venue was the Ōtaki-Māori Racing Club and the theme was one of partnership – ‘we’re all in this together’ (‘Waka eke noa’).

There would be two tours visiting visiting sites of significance to Ngā Hapū o Ōtaki, as well as demonstrations of electric cars, and an interactive music box for rangatahi.

Don Te Maipi asked for clarification of the event-opening protocol and this would be provided.

Te Whakaminenga o Kāpiti 17/01/030

**PRESENTATION : SUMMARY FINDINGS OF THE BERL REPORT – MĀORI ECONOMY IN KĀPITI – HILLMARE SCHULZE**

Hillmare Schulze, an economist for the group Business and Economic Research Ltd (BERL) gave her mihi and also a powerpoint presentation called ‘the Māori Economy in the Kapiti Coast District’ which featured the following points:

- The information was based on the framework of the nature of the Māori economy within Kāpiti. The Māori Economy in Kāpiti was diverse and growing.
- The findings found that the main levers for the Māori economy were:
  - a. People
    - i. The total Māori population in Kāpiti District increased by 13% between 2001 and 2006, and also by a further 13% between 2006 and 2013. This is significantly larger than the total number of Māori in Aotearoa NZ which increased by 7.4% between 2001 and 2006, and by 5.9% between 2006 and 2013. The overall picture is also a strong one for the three iwi of Kāpiti.
    - ii. Māori population is 6,198 (Census 2013) representing 12% of the total Kāpiti population.
    - iii. The total Kāpiti population is projected to grow less than 1% (12% increase over 17 years) under the moderate growth projections of StatsNZ. Thus, the Māori population growing faster than rest of the population.
  - b. Assets (land)
    - i. The BERL databases on Māori Freehold Land (MFL) have been accumulated over the years based on the initial database collected during the establishment of Federation of Māori Authorities (FoMA).
    - ii. These databases indicate that in Kāpiti District there are 16 main groups of MFL blocks, with a total area of approximately 2,200 hectares, with a land value of over \$50 million and a capital value of over \$60 million.
    - iii. The largest groups are Waiorongomai, Pukehou, Ngarara West, Ōtaki Town Section, Ngakaroro, and Manuao.  
 These databases indicate that in Kāpiti District there are:
      - 16 main groups of MFL blocks
      - with a total area of approximately 2,200 hectares
      - with a land value of over \$50 million and
      - a capital value of over \$60 million.
  - c. Profit – Businesses

MINUTES	MEETING HELD ON	TIME
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- i. What the Census data shows is that between 2001 and 2013 total employment in Kāpiti District increased by 22%, which is higher than the increase by 16% over all New Zealand. Within the strongly-growing Kāpiti District, Māori employment grew at about twice the average rate, namely 44% compared with the average 22% for all Kāpiti employed. The rate of employment increase by Kāpiti Māori was also over twice the growth by Māori in Aotearoa New Zealand as a whole, which was 21% between 2001 and 2013.
- ii. 13% of total Maori workforce is employers and self employed
- iii. Māori usually resident in the Kāpiti Coast District in 2013 had a higher representation in the Managers, professionals and trades group (50%) than Māori in Wellington, Auckland or New Zealand as a whole (46% to 41%). Those in Kāpiti had correspondingly fewer in the machinery operators and labourers group, and similar combined shares in the community, personal services, clerical and sales workers groups. This difference in the pattern of occupations of Māori resident in Kāpiti is reflected in their average income where Māori had a median personal income in 2013 in Kāpiti of \$24,200, which is 7.5% higher when compared with the New Zealand Māori average personal income of \$22,500.
- iv. Kāpiti Māori are strong contributors to business activity in Kāpiti District. The number of Māori people in Kāpiti District who are employers or self-employed have increased quite strongly since 2001 as shown in the data for people who self-identified as Māori in the 2001, 2006 and 2013 Censuses. The total employment of Māori in Kāpiti increased from 1,650 in 2001 to 2,382 in 2013, an increase by 732, or 44%.

- These levers **People, Assets and Profit** are essential to ensuring the right balance to create wealth and wellbeing.

The Chair thanked Hillmare for her presentation.

Te Whakaminenga o Kāpiti 17/01/028

#### **MĀORI ECONOMIC DEVELOPMENT (SP-16-067)**

Monica Fraser spoke to the report and explained it was important to have the BERL presentation first. There was discussion about how the amount of \$66,625.00 at recommendation 50.3 was arrived at and whether there was sufficient funding to achieve the desired objectives.

Showing the presentation to Council would help inform their thinking leading up the development of the Long Term Plan in 2018.

The various activities described at para 10 that had been funded were discussed with reference to whether they had been audited to elicit more success?

Further discussions would occur offline.

Recommendations 50.1, 50.2, 50.3, 50.4, and 50.6 were taken together:

**MOVED (Hakaraia/Cootes)**



MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 24 KOHITĀTEA 2017	10.00 AM

That Te Whakaminenga o Kāpiti:

- Receives the report SP-16-067;
- Agrees the process for developing a revised strategy;
- Agrees the current funding of \$66,625.00 for 2016/2017 is utilised to revise a strategy for Māori Economic Development;
- Agrees that a small grants process is applied to any funds remaining from the development of the revised strategy;
- Reappoints Russell Spratt as Iwi representative to the Economic Development Leadership Group for the next 2 years.

**CARRIED**

Recommendation 50.5 was taken separately as names were required. Other names would be confirmed at the next meeting for Te Āti Awa and Ngāti Toa.

**MOVED (Hakaraia/Mayor)**

**Te Whakaminenga o Kāpiti appoints the panel (Russell Spratt, James Cootes and Rupene Waaka at this stage) to oversee the implementation of Māori Economic Development for the triennium 2016-2019.**

**CARRIED**

### **Updates / Other Matters**

Te Whakaminenga o Kāpiti 17/01/032

### **IWI UPDATES**

#### **Ngāti Toa Rangatira**

- The Kāpiti Island Strategic Advisory Committee was up and running, and would be meeting every six months
- DOC are employing an iwi settlement ranger, set to start mid-February
- There was funding from Greater Wellington Regional Council (GWRC) for an iwi environmental development plan starting in February
- 

#### **Ngā Hapū o Ōtaki**

- Celebration – last weekend two waka ama teams went to the nationals
- Thanks to Te Whakaminenga o Kāpiti for Commissioner training and this investment in people should continue
- AGM had been held in December
- Chair – proposed to other chairs we have a generic iwi management plan for the District (integrated) awaiting for formal response.

MINUTES	MEETING HELD ON	TIME
TE WHAKAMINENGA O KĀPITI	RATU 24 KOHITĀTEA 2017	10.00 AM

- Expressway Peka Peka to Ōtaki (PP2Ō) project, a mitigation plan has been developed and would be signed off by NZTA in mid-February. Fletchers had won the contract. NZTA would need to apply to National Geographic Board to change the name from Peka Peka to Pekapeka.

#### Te Āti Awa

- As the representative Mr Gerritzen was a new member of the Group his report back would be given at the next meeting.

Te Whakaminenga o Kāpiti 17/01/033

#### **TREATY SETTLEMENTS – OVERVIEW FROM EACH IWI**

- Ngāti Toa Rangatira noted the iwi settlement ranger.
- It was clarified for the sake of new members why this item was on the agenda.

Te Whakaminenga o Kāpiti 17/01/034

#### **COUNCIL UPDATE**

The Chief Executive provided an update including:

- District Plan Review hearings were almost completed
- The tender for the rebuild of the Ōtaki Pool had had to be resubmitted to find the best tenderer. The pool will be closed from late February for 8 months, but the result will be a much improved venue.
- The new Council had discussed the Annual Plan and their vision for the District vs affordability.
- Cr Cootes would meet later with the Mayor to discuss Social Housing and the role of Te Whakaminenga o Kāpiti in future developments.

Te Whakaminenga o Kāpiti 17/01/035

#### **CORRESPONDENCE**

1. A letter from Te Ati Awa Charitable Trust regarding their representatives for 2016-2019 Triennium.

Te Whakaminenga o Kāpiti 17/01/036

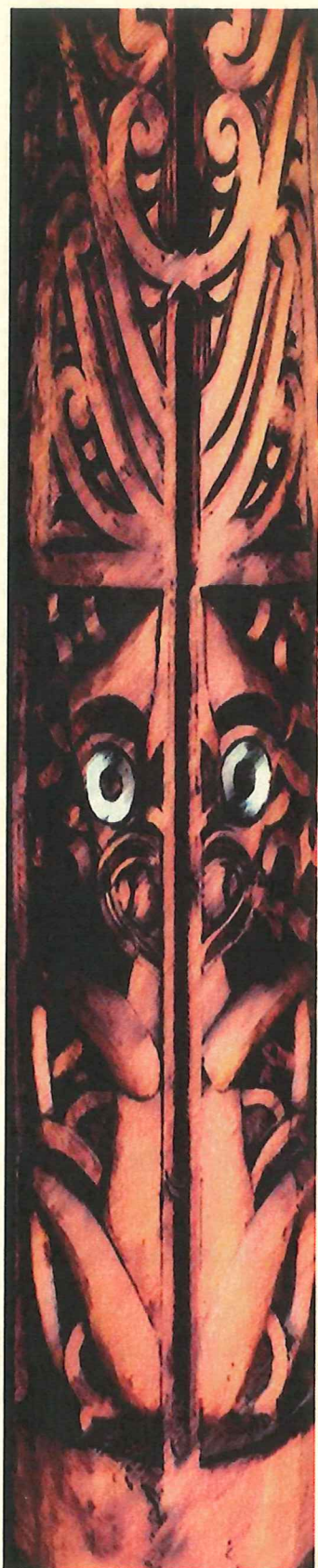
#### **OTHER BUSINESS**

There was no other business.

*The meeting closed at 1.00pm with a karakia by Don Te Maipi.*

.....  
Chair

.....  
Date



# **MEMORANDUM OF PARTNERSHIP**

between

**TE RŪNANGA O TOA  
RANGATIRA INC**

**ĀTI AWA KI  
WHAKARONGOTAI  
CHARITABLE TRUST**

**NGĀ HAPŪ O ŌTAKI**

and

**KĀPITI COAST DISTRICT  
COUNCIL**

signed on

**6 FEBRUARY 2015**



## MEMORANDUM OF PARTNERSHIP<sup>1</sup>

**BETWEEN**                      **THE KĀPITI COAST DISTRICT COUNCIL**

**AND**                            **ĀTI AWA KI WHAKARONGOTAI, NGĀTI RAUKAWA KI TE**  
**TONGA ME NGĀ HAPŪ O ŌTAKI, NGĀTI TOA**  
**RANGATIRA, NGĀTI HAUMIA** (being the tāngata whenua of  
the Kāpiti Coast District).

### PREAMBLE

- 1        The Council and the tāngata whenua believe the Treaty of Waitangi to be a solemn compact between the Crown and the Māori people.
- 2        The Treaty signifies a partnership and its principles require the Treaty partners to act towards each other reasonably and with the utmost good faith.
- 3        The Council recognises Ngāti Toa Rangatira, Ngāti Haumia, Āti Awa ki Whakarongotai and Ngāti Raukawa ki Otaki, as well as their whānau/hapū, as the tāngata whenua of the District.
- 4        The Council and the tāngata whenua are committed to building their relationship in a spirit of friendship and co-operation.
- 5        The Council accepts the need to understand the historical perspective of the tāngata whenua and, similarly, the tāngata whenua will appreciate the perspective of the other Treaty partner. To achieve partnership both parties may need to make adjustments. Continuing consultation and education is seen as the best way to do this.

### PARTIES TO THE MEMORANDUM

- 6        The Kāpiti Coast District Council is represented by its elected Council.
- 7        The tāngata whenua of the District are at present represented by the iwi authorities listed at Appendix 1.
- 8        Each party, and where appropriate, its constituent hapū will decide how its representatives are elected.
- 9        Each partner to this agreement elects two delegates to represent them, and either may attend, providing that at least one delegate is present at a scheduled Te Whakaminenga o Kāpiti meeting. Should named delegates be unable to be present, an observer may attend who can report back to their constituent branches.

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<sup>1</sup> The Memorandum of Partnership was first signed in 1994, reviewed and re-signed in 2012, and reviewed again in 2014.

### **Tribal Authorities and Geographical Boundaries**

- 10 The Council recognises that Ngāti Toa Rangatira, Ngāti Haumia, Āti Awa ki Whakarongotai, and Ngati Raukawa ki Ōtaki each maintain their own mana within the Council's geographic boundaries.
- 11 The parties acknowledge that this Memorandum has application only to those hapū whose boundaries lie within the Council's district.

### **Status of the Tāngata whenua**

- 12 The Council recognises the special status of the tāngata whenua as separate and distinct from other interest groups. The Council recognises the need for active protection of tāngata whenua interests to be considered in its dealings with other parties.

### **GOAL**

- 13 To forge a relationship of mutual benefit between the Kāpiti Coast District Council and the tāngata whenua that will develop into an effective and meaningful partnership.

### **OBJECTIVES**

- 14 To develop consultation between the Council and the tāngata whenua on issues that impact on the social, environmental, economic and cultural interests and development of each partner.
- 15 To develop candid and open sharing of information between the Council and the tāngata whenua. Care needs to be taken when using such information and its sources should always be acknowledged.
- 16 To develop a mutual respect for confidences given so that confidential information can be shared. Both Council and tāngata whenua need to have due regard to the sensitive nature of that information.
- 17 To develop a mutual respect between the Council and the tāngata whenua at all times, particularly in public statements and even when disagreement is apparent.
- 18 To develop a mutual commitment to the progress of the Kāpiti Coast District with particular regard to the environment. The Council and the tāngata whenua will each play their part in a bicultural partnership.
- 19 To develop opportunities within the limitations of Council's powers and functions that enable the tāngata whenua, as a Treaty partner, to share in the decision-making of the district.
- 20 To develop an ongoing programme of information sharing and mutual education to promote greater understanding of cross cultural values and practices.



## STATEMENT OF PRINCIPLES

- 21 In developing the partnership with the tāngata whenua and in observing its functions and duties as prescribed in legislation, the Council will uphold the following principles:
- i) To actively promote the sustainable management of the District's natural and physical resources and those taonga of significance to the tāngata whenua, in a way that recognises the cultural and spiritual relationship of the tāngata whenua with the natural world.
  - ii) To develop an effective partnership with the tāngata whenua in the management of the district's natural and physical resources by the exercise of the utmost good faith, co-operation, flexibility and responsiveness in their dealings with each other.
  - iii) To promote active participation of the tāngata whenua in the preparation, implementation and review of resource management policies and plans.
  - iv) To have particular regard to the rights of the tāngata whenua in the management and development of resources by recognising and providing for kaitiakitanga.
  - v) To recognise the Rangatiratanga right of the tāngata whenua as guaranteed in Article II of the Treaty of Waitangi, to retain responsibility and control of the management and allocation of their resources.

## CONSULTATION

### Policy/Tikanga

- 22 The tāngata whenua of this District are independent tribes which each maintain their own mana and tikanga. For any issue requiring consultation the parties will agree whether the consultation should take place collectively or separately. Council will consult with iwi / hapū through their appropriately mandated representatives for any contractual arrangements.
- 23 Each party will determine how they will communicate with their hapū/constituents on Te Whakaminenga o Kāpiti matters.
- 24 When Council works on specific issues within a particular rohe, it will where appropriate work with iwi within those areas as listed at Appendix 1.

### Community Board

- 25 The parties note that Community Boards may be involved in consultation with tāngata whenua in their areas.

### **Mātā waka**

- 26 The Council and tāngata whenua acknowledge that there is the potential for mātā waka groups to emerge within the Kāpiti Coast.
- 27 Tāngata whenua may extend invitations to mātā waka to attend meetings with Te Whakaminenga o Kāpiti to discuss matters of concern to all Māori within the district. In extending this invitation, the following principles will apply;
- i) the mana of tāngata whenua in relation to kaitiakitanga remains;
  - ii) [any person representing a] mātā waka [group] must be able to demonstrate that their organisation has a clear formal structure, including processes of accountability;
  - iii) the mātā waka are focused on building positive partnerships, co-operation and support for the wider good of the community.

### **Principles of Consultation**

- 28 On issues requiring consultation Council will:
- i) provide sufficient information to the tāngata whenua so that they can make informed decisions;
  - ii) provide reasonable time for both the participation of the tāngata whenua and the consideration of the advice given;
  - iii) give genuine consideration of that advice, including a willingness to change if that is the result of the consultation.

### **Protection of Sensitive Information**

- 29 From time to time tāngata whenua may provide Council with sensitive and confidential information, e.g. concerning waahi tapu or other sites of significance, or aspects of tikanga Māori.
- (i) The Council will undertake to protect such information in its care and restrict access to it, including access to GIS information, subject to its obligations under the Local Government Information and Meetings Act 1987, Resource Management Act 1991 and the Local Government Act 2002".
  - ii) The Council will give due respect and recognition to "silent files" or plans held by tāngata whenua.
  - iii) Tāngata whenua will undertake to protect any sensitive or confidential information that Council may give to them.



## RESOURCING

- 30 The Council and tāngata whenua recognise that in fulfilling its statutory duties, the Council will require assistance and information from the tāngata Whenua.
- 31 Where such assistance and information is required, the Council acknowledges that the tāngata whenua will need to be adequately resourced and where appropriate, for such resources to be provided for through contractual arrangements. The Council recognises the importance of providing for this in its annual estimates, including consideration of the capacity of tāngata whenua to engage effectively.
- 32 The Council and tāngata whenua acknowledge that resourcing may include not only financial support, but also the provision of particular advice, expertise, information and access to technical resources such as Geographic Information System (GIS) and Geographic Positioning Systems (GPS).

## COUNCIL'S STATUTORY RESPONSIBILITIES

- 33 The parties acknowledge that:
  - i) the Council is bound by legislation which prescribes its powers and functions, and by common law principles relating to the exercise of its statutory powers and functions;
  - ii) the contents of this memorandum shall not require the Council to act otherwise than in accordance with its statutory powers and the common law principles affecting those powers;
  - iii) Te Whakaminenga o Kāpiti recognises the additional responsibilities of Council under the Local Government Act 2002 and the Resource Management Act 1991 as further opportunities to engage effectively.

## ONGOING CONSULTATION

- 34 To encourage sharing at a formal level, both the tāngata whenua and the Council are committed to meeting at least six times a year to discuss issues of mutual importance, indicate areas of concern and revise procedures as necessary.
- 35 There will be provision for additional meetings to be held at the request of either the tāngata whenua or the Council.

## REVIEW OF MEMORANDUM

- 36 This memorandum will be reviewed within the first six months of every triennium of the Council or at such time as may be requested by either of the parties. It may be amended or expanded by mutual agreement.



**TERMS OF AGREEMENT**

- 37 It is the intention of the parties that this memorandum has a continuing life, subject to such amendments as may be agreed to under the review provisions made in the previous clause.

## GLOSSARY

Hapū	Sub-tribe, usually a number of whānau with a common ancestor
Iwi	Tribe and people
Kaitiakitanga	Exercise of guardianship, stewardship
Mana	Prestige, authority, control, power and influence
Mana whenua	Customary authority exercised by an iwi or hapū in an identified area
Mātā waka	Kinship group, tribe, clan, race
Rohe	Territory, boundary: defines area within which a tāngata whenua group claims traditional association and mana whenua
Tāngata whenua	Iwi or hapū which holds mana whenua over a particular area
Taonga	Term of deep spiritual meaning; treasures, sacred possessions which are prized and protected; not limited to things which can be seen or touched
Tikanga	Tradition, customary values and practices, including protocol, ceremony, values and beliefs
Whānau	An extended family including the nuclear family

The Common Seal of  
 Āti Awa ki Whakarongotai Charitable Trust  
 was affixed hereto in the  
 presence of:

*W. Graham*  
*W. Paraka*  
*L. Tukipua*



The Common Seal of  
 Te Rūnanga o Toa Rangatira Inc  
 was affixed hereto in the  
 presence of:

*RS*



[Ngāti Haumia]

*[Signature]*

The Common Seal of  
 Ngā Hapū o Ōtaki  
 was affixed hereto in the  
 presence of:

*[Signature]*



The Common Seal of  
Kāpiti Coast District Council  
was affixed hereto in the  
presence of:

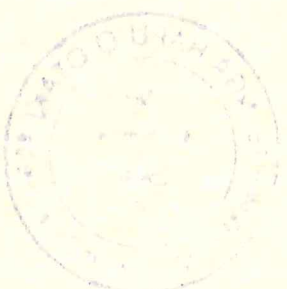
*[Signature]*  
\_\_\_\_\_  
*[Signature]*  
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*[Signature]*  
\_\_\_\_\_



Mayor

Chief Executive

Councillor





## Appendix 1

List of iwi authorities recognised as party to the Memorandum of Partnership 2015

- Āti Awa is represented by Āti Awa ki Whakarongotai Charitable Trust
- Ngāti Raukawa ki te Otaki (Ngā Hapū o Ōtaki) is represented by Ngāti Pare, Ngāti Maiotaki, Ngāti Huia, Ngāti Koroki and Ngāti Kapumanawawhiti, the five (5) resident Raukawa hapū within the Kāpiti Coast District.
- Ngāti Toa Rangatira is represented by Te Rūnanga o Toa Rangatira Inc and by Ngāti Haumia.



## TE WHAKAMINENGA O KĀPITI – TERMS OF REFERENCE AND MEETING PROTOCOL

- |  |   |
|--|---|
| <p>1. This document is a guide to the protocols around the operations of Te Whakaminenga o Kāpiti with regard to its key functions, membership provisions and the conduct of its meetings.</p>   | <p><b>Purpose and scope of this document</b></p>            |
| <p>2. This document will be reviewed at the beginning of every Triennium, or at the request of a majority of members. Any changes to the protocol require a majority vote.</p>   | <p><b>Review of TOR</b></p>                                 |
| <p>3. All members will abide by the terms of this protocol.</p>  | <p><b>Members to abide by</b></p>                           |
| <p>4. Te Whakaminenga o Kāpiti is the independent partnership forum between Tāngata Whenua and the Kāpiti Coast District Council and operates in accordance with the principles and objectives of the Memorandum of Partnership. The specific objectives are:</p> <ul style="list-style-type: none"> <li>a) To provide a forum for the exchange of views on issues that impact on the social, environmental, economic and cultural wellbeing of the Tāngata Whenua;</li> <li>b) To assist iwi and hapū participation in resource management and other issues;</li> <li>c) To assist Council in understanding its responsibilities under the Treaty of Waitangi and legislation relating to Māori interests, values and Treaty settlements;</li> <li>d) To provide advice and assistance to Council with regard to tikanga Māori and kaitiakitanga;</li> <li>e) To facilitate Council contact with iwi, hapū and whānau as required;</li> <li>f) To facilitate education and information exchange between Tāngata Whenua and Council;</li> <li>g) For Tāngata Whenua to provide advice and/or recommendations to Council on policies and plans;</li> <li>h) For Council to provide advice and/or recommendations to Tāngata Whenua on policies and plans;</li> <li>i) To review the Memorandum of Partnership at least once every Triennium or as requested by a majority of members;</li> <li>j) To review the effectiveness of Council's plans and policies;</li> </ul> | <p><b>Purpose and scope of Te Whakaminenga o Kāpiti</b></p> |

- k) To appoint and delegate appropriate powers to Working Parties to address specific work areas;
- l) To discuss, formulate, implement and evaluate the priorities within the Strategic Workplan of Te Whakaminenga o Kāpiti Strategic.

5. Te Whakaminenga o Kāpiti comprises representatives of the three iwi whose rohe extend across the District, and elected representatives of Council.

### **Membership**

6. The iwi are Ngāti Toa Rangatira, Te Āti Awa ki Whakarongotai, and Ngā Hapū o Ōtaki, and each iwi will be represented by two members each.

The Kāpiti Coast District Council will be represented by the Mayor and a Councillor.

7. Iwi will advise in writing their nominated representatives (including alternates) at the beginning of each Triennium. (This means three names per iwi will be required). Council will appoint its representatives at the beginning of each Triennium. The confirmed list of members will be found at Appendix 1 of this document and will be updated as required.

### **Appointment of members**

8. Members will continue in their role for three years ie one Triennium. If for any reason an iwi member cannot continue in the role, their iwi or hapū will advise of a replacement as soon as practicable. If an elected member cannot continue in the role for any reason Council shall appoint a new member at its next available meeting.

### **Duration of membership**

9. Members have the following powers, duties and responsibilities:

### **Members' role and responsibilities**

- a) The right to attend meetings;
- b) The right to speak and vote at meetings;
- c) The right to propose additional items on the agenda;
- d) The right to nominate an alternate to attend meeting(s) if they are unable to attend;
- e) (for iwi) the duty to communicate the business of meetings back to their whānau and hapū groups as appropriate;
- f) (for Council) the duty to communicate the business of meetings back to Council as appropriate;
- g) the responsibility to approach the business of Te Whakaminenga o Kāpiti in a spirit of willing cooperation.



10. Te Whakaminenga o Kāpiti will elect by majority vote one of its members as Chairperson at the beginning of each Triennium.

### **Chairmanship**

11. In addition to the powers, duties and responsibilities listed above, the Chair has:

### **Chair's role and responsibilities**

- a) The duty to preside over meetings of Te Whakaminenga o Kāpiti;
- b) The right to speak and vote at meetings (but no casting vote);
- c) The duty of helping draft the meeting agendas;
- d) The responsibility of managing the conduct of meetings with reference to this protocol, ensuring that the business of the meeting is undertaken efficiently, effectively and respectfully;
- e) The right to accept or refuse the requests of parties wishing to make a presentation to Te Whakaminenga o Kāpiti;
- f) The right to attend meetings of Council with speaking rights only.

12. On points of meeting protocol the Chair's ruling is final.

### **Chair's ruling final**

13. On those occasions when the Chair is absent, members shall elect by majority vote, one of their number to fulfil the role of Chair for that meeting.

### **If Chair absent**

14. Meetings of Te Whakaminenga o Kāpiti will be held under the following protocols:

### **Meetings**

- a) Meetings will occur every six weeks, with members confirming the meeting dates for the following year. Meeting dates may be varied with the agreement of members, and provided a quorum (minimum number needed to conduct voting) is maintained.

### **Frequency**

- b) A quorum is at least one member of Council, together with one representative from two out of the three iwi. No business can be transacted (ie decisions made) at a meeting unless a quorum is present and maintained.

### **Quorum**

- c) Additional meetings or workshops may be called at a request of any member in consultation with the Chair.

### **Additional meetings**

- d) Meetings are open to the public and will be publicly advertised in local newspapers. Tāngata Whenua, mātāwaka, other Elected Members, Council staff and members of the public are welcome to attend, but may only speak during Public Speaking Time or as permitted by the Chair.
- e) Each meeting will feature an agenda item called Public Speaking Time in which non-members may address the meeting on any issue for a period of 5 minutes each, or longer as permitted by the Chair.
- f) Members may go into a closed session at the end of any meeting, or at any other time, as required, during which no members of the public may remain.
- g) Meeting venues shall be at the Council Chambers in Rimu Road Paraparaumu unless otherwise advised. One meeting per year will be held at a marae as agreed by members.

### **Open to the public**

### **Public Speaking Time**

### **Closed sessions**

### **Venues**

15. The Council's Democratic Services staff in consultation with the Council Iwi Relationship Manager, will be responsible for notification of meetings, venue booking, collating and delivery of meeting agendas, minuting of meetings, and distribution of draft minutes to members.

### **Meeting agendas**

16. Meeting agendas will be drafted in consultation with the Chair and input from members and will be circulated to members in either hard copy or by email one week ahead of the meeting date.

### **Drafting agendas**

17. Agendas of public meetings will be publicly accessible on the Council's website ahead of the meeting.

### **Publicly accessible**

### **Format**

18. An agenda will include a list of items to be discussed, the minutes of the previous meeting in draft form, and any supporting reports or documentation as required.

### **Additional items**

19. Additional items may be added to the meeting agenda with the agreement of the Chair.

20. Decisions made at meetings will be by majority vote.  
 21. If an equal number of votes for and against is cast the status quo will be maintained.

**Conduct of Meetings**  
**Equality of votes =**  
**status quo**

22. Voting will be managed by the Chair, by either voice or show of hands.

**Voting**

23. Any member may move a motion, provided another member agrees to second it. Once the motion is seconded it may be debated. The Chair will manage the order of speaking to the motion.

**Motions**

24. Any member may abstain from voting, and their abstention or vote recorded in the minutes at their request.

**Abstentions**

25. A record of each meeting shall be made and kept, detailing the time, date and place of the meeting, the name of the Chair, the names and titles of members, the list of public speakers and their topics, any additional agenda items, confirmation of the minutes of the previous meeting, a list of business considered and associated decisions made, any votes to be recorded, and the time the meeting finished.

**Minutes of meetings**

26. Any recommendations to Council will be communicated to the next available Council meeting via a formal report.

**Recommendations to**  
**Council**

27. Draft minutes will be circulated to the Chair and members for comment as to their correctness within one week of the meeting date. Once they are confirmed at the ensuing meeting they may be posted on the Council website.

**Draft minutes**

28. Iwi members shall communicate the business transacted at meetings in whatever way they see fit to their whānau and hapū groups.

**Reporting**

29. Once authenticated at the ensuing meeting the Chair will sign off the minutes.

**Clearance**

30. All minutes will be kept in minute books maintained by the Democratic Services Team.

**Records kept**

31. Te Whakaminenga o Kāpiti is funded through the Council's Long Term Plan and this funding is

**Resourcing**

administered through a prioritised annual Work Plan developed on a collaborative basis by members. Regular reports on budget-related expenditure are provided to meetings.

32. In addition to support offered by the Council's Iwi Relationships Manager and a senior manager will also be appointed by Council to support members and will attend meetings, along with the Council's Chief Executive.

33. Secretariat support will be provided by the Council's Democratic Services staff in the Corporate Services Group.

**Secretariat**

34. Iwi members of Te Whakaminenga o Kāpiti will be paid for each meeting they attend and reimbursed for mileage incurred in respect of the meeting. Remuneration will be coordinated through the Democratic Services Team upon receipt of a completed proforma.

**Iwi members'  
Remuneration**

35. Te Whakaminenga o Kāpiti may convene and discharge such Working Parties as it considers necessary to advance the aims of the Group.

**Delegations to Working  
Parties**

36. The Working Party shall be subject in all things to the control of Te Whakaminenga o Kāpiti and report its findings on a regular basis.

37. Te Whakaminenga o Kāpiti may appoint to any Working Party any person who is not a member of Te Whakaminenga o Kāpiti if that person's knowledge, experience and skills can assist the work of the Working Party.

**Membership**

38. The minimum number of members of a Working Party will be three (3).

**Minimum number**

39. Te Whakaminenga o Kāpiti may appoint any member of a Working Party to be the Chair of that Working Party.

**Chair of Working  
Party**

## Appendix 1

**MEMBERSHIP OF TE WHAKAMINENGA O KĀPITI**2007-2010 Triennium

Mr Te Waari Carkeek	Te Rūnanga o Raukawa (Chair)
Mr Rupene Waaka	Te Rūnanga o Raukawa
Ms Jennie Smeaton	Te Rūnanga o Toa Rangatira Inc
Mr Graham Hastilow	Te Rūnanga o Toa Rangatira Inc
Ms Carol Reihana	Ngāti Toa (Ngāti Haumia)
Mr Jack Rikihana	Te Rūnanga o Āti Awa ki Whakarongotai Inc
Mayor Jenny Rowan	Kāpiti Coast District Council
Councillor Hilary Wooding	Kāpiti Coast District Council

2010-2013 Triennium

Mr Te Waari Carkeek	Ngā Hapū o Ōtaki (Chair until June 2012)
Mr Rupene Waaka	Ngā Hapū o Ōtaki (Chair from June 2012)
Ms Jennie Smeaton	Te Rūnanga o Toa Rangatira Inc
Ms Carol Reihana	Ngāti Toa (Ngāti Haumia)
Mr Rawhiti Higgott	Te Āti Awa ki Whakarongotai Charitable Trust (until July 2013)
Ms Ann-Maree Bukholt	Te Āti Awa ki Whakarongotai Charitable Trust (from July 2013)
Mr Hemi Sundgren	Te Āti Awa ki Whakarongotai Charitable Trust (until September 2013)
Ms Cherie Seamark	Te Āti Awa ki Whakarongotai Charitable Trust (from September 2013)
Mayor Jenny Rowan	Kāpiti Coast District Council
Councillor Hilary Wooding	Kāpiti Coast District Council

2013-2016 Triennium

Mr Rupene Waaka	Ngā Hapū o Ōtaki (Chair)
Ms Mahinarangi Hakaraia	Ngā Hapū o Ōtaki (from January 2014)
Ms Reina Solomon	Te Rūnanga o Toa Rangatira (from March 2014)
Ms Jennie Smeaton	Te Rūnanga o Toa Rangatira Inc (alternate from March 2014)
Ms Carol Reihana	Ngāti Toa (Ngāti Haumia)
Ms Ann-Maree Bukholt	Te Āti Awa ki Whakarongotai Charitable Trust
Ms Cherie Seamark	Te Āti Awa ki Whakarongotai Charitable Trust
Mayor Ross Church	Kāpiti Coast District Council
Councillor Janet Holborow	Kāpiti Coast District Council

2016-2019 Triennium

Mr Rupene Waaka  
Ms Mahinarangi Hakaraia

Ngā Hapū o Ōtaki (Chair)  
Ngā Hapū o Ōtaki

Ms Carol Reihana  
Mr Hohepa Potini  
Leana Barriball

Ngāti Toa (Ngāti Haumia)  
Te Rūnanga o Toa Rangatira Inc  
Te Rūnanga o Toa Rangatira Inc (alternate)

Mr Chris Gerretzen  
Ms Kara Kearney

Āti Awa ki Whakarongotai Charitable Trust  
Āti Awa ki Whakarongotai Charitable Trust

Mayor Krisnasamy Gurunathan  
Councillor James Cootes

Kāpiti Coast District Council  
Kāpiti Coast District Council