

MEETING - AGENDA -

Ngā Take

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Western Bay of Plenty
District Council

TAURANGA MOANA / TE ARAWA KI TAKUTAI PARTNERSHIP FORUM

Komiti Whakariterite Kōrero

PF3

Tuesday, 13 March 2018
Council Chambers
Barkes Corner, Tauranga
10.00am



Te Kaunihera a rohe mai i nga Kuri-a-Whare ki Otamarakau ki te Uru

Tauranga Moana / Te Arawa Ki Takutai Partnership Forum

Panui Notice of Meeting No PF3

Tuesday, 13 March 2018
Council Chambers, Barkes Corner
10.00am

Forum Members:

Reon Tuanau (Tauranga Moana), Joint Chairperson
Tony Wihapi (Te Arawa Ki Takutai), Joint Chairperson

Garry Webber (Mayor)
Mike Williams (Deputy Mayor)
Grant Dally
Mark Dean
Mike Lally
Peter Mackay
Kevin Marsh
David Marshall
Margaret Murray-Benge
John Palmer
John Scrimgeour
Don Thwaites

Raiha Biel (Tapuika Iwi Authority)
Tiki Bluegum (Ngai Tamawhariua)
Elva Conroy (Ngati Tuheke)
Matire Duncan / Verna Gate (Nga Potiki)
Roland Kingi / Gail Skerrett-White (Ngati Pikiao)
Nessie Kuka (Ngai Tuwhiwhia)
Bob Leef (Ngati Taka)
Wiremu Matthews (Ngai Tamarawaho)
Buddy Mikaere / Rehua Smallman / Pahu Akuhata (Ngati Pukenga)
Riki Nelson (Ngati Te Wai)
Julie Shepherd (Te Runanga o Pirirakau)
Liam Tapsell (Ngati Whakaue)
Horace Te Moni (Ngati Rangiwewehi)
Kevin Tohiariki (Te Whanau o Tauwhao)

**Media
Staff**

Miriam Taris
Chief Executive Officer
Western Bay of Plenty District Council



Western Bay of Plenty
District Council

Te Kaunihera a rohe mai i nga Kuri-a-Whareki ki Otamarakau ki te Uru

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Tauranga Moana / Te Arawa Ki Takutai Partnership Forum - Terms of Reference

Purpose:

Better outcomes for Māori, a sustainable environment and healthy empowered communities.

Te Pae Tawhiti/Vision:

A district where the environment is protected and enhanced; people and communities are healthy, prosperous and empowered.

Te Kaupapa/Mission:

Our relationship is an "equal partnership" recognising the strength of working together to achieve better outcomes for our communities.

Ngā Tikanga/Principles:

- Courageous, committed, proactive and evolving
- Good faith, mutual respect and understanding
- Effective management / Kaitiakitanga
- Effective governance / Rangatiratanga.

1. Form and Membership

- (a) A Forum shall be established to address issues and leverage opportunities relating to Māori
- (b) Iwi and hapū that have interests within the territorial boundaries of Council are entitled to have one primary representative on the Forum. Should the primary representative be unavailable to attend any meeting, an alternate may substitute and be accorded the same rights as the primary representative.
- (c) His/her Worship the Mayor together with all Western Bay of Plenty District Councillors shall comprise Council representation on the Forum.

2. Selection of iwi and hapū representatives

- (a) Iwi and hapū representatives shall be determined by those iwi and hapū who have representation on the Forum. Iwi and hapū shall advise Council of their respective representatives by providing the following;
 - (i) Minutes of an advertised hui-a-iwi/hui-a-hapū where a resolution was passed appointing a representative to the Forum; or
 - (ii) A letter of appointment from the Chairperson of an iwi or hapū governance entity that has the authority to appoint iwi/Hapū representatives (where such a governance entity exists).

- (b) Once membership on the Forum has been confirmed in accordance with clause 2(a) above, representatives shall be re-validated every three (3) years, at the same time as local body elections and in accordance with the criteria set out in these Terms of Reference. The position of Chairperson shall be decided at the first meeting of a new triennium.
- (c) If iwi/hapū wish to replace their representative on the Forum prior to the end of the three year term of a sitting representative, the process outlined in 2(a) above applies.

NB: If Council is notified that a primary representative for an iwi or hapū has been appointed by way of both 2(a)(i) and 2(a)(ii) and that representative is not the same person, the person appointed by way of 2(a)(i) shall be recognised as the representative for that iwi or hapū.

3. Functions

The Forum shall:

- (a) Develop an annual work programme from Te Ara Mua.
- (b) Monitor the implementation of Te Ara Mua with prioritised actions and identify funding requirements.
- (c) Recommend actions to enhance Māori capacity and capability that will contribute to Council's decision making processes for inclusion in the development of the Long Term Plan.
- (d) Ensure that Council's legislative obligations to Māori are met by providing monitoring and oversight of those obligations (see Schedule B for relevant legislation).
- (e) Build Council understanding about Treaty of Waitangi settlements (including statutory acknowledgments) and identify their implications for Council (including decision making processes).
- (f) Where it deems it necessary, make recommendations to Council and its committees.

4. Meetings

- (a) Official meetings of the Forum shall be held bi monthly. Meetings may be held in the Chambers of Council or at any other venue that the Forum may decide upon.
- (b) His/Her Worship the Mayor shall be the Chairperson for the inaugural meeting of the Forum. Thereafter two Chairpersons, one from Tauranga Moana and one from Te Arawa, shall be selected from among the iwi and hapū representatives at the conclusion of the inaugural Meeting to chair subsequent meetings.
- (c) The role of Chairperson and Deputy Chairperson shall alternate between Tauranga Moana and Te Arawa each meeting. This is to reflect the mana of the respective iwi and hapū that those Chairpersons represent.
- (d) The Chairpersons are invited to participate in the workshops of all Council Committees. The workshops provide an opportunity to give Council direction on important matters. Having iwi and hapu members participate in those workshops enables Council to meet its statutory obligations outlined in Schedule B of these Terms of Reference.

- (e) The Group Manager Policy, Planning & Regulatory Services shall be responsible for resourcing the Forum together with relevant staff members.
- (f) The Forum does not preclude individual iwi or hapū from working with Council on matters of their own concern or from progressing Mana Whakahono-a-Rohe agreements in accordance with the Resource Management Act, nor does it preclude iwi and hapū representatives or Council representatives from holding workshops outside of official meetings of the Forum on issues specific to an iwi, hapū and whānau.
- (g) The members of the Forum may agree to appoint representatives from among their membership to external representation forums (such as the SmartGrowth Combined Tangata Whenua Forum).
- (h) Agenda material that is specific to the kaupapa of the Forum can be provided by either iwi and hapū or Council.

5. Quorum

In order to ensure the validity of proceedings at a meeting, the minimum number of attendees required is 50% Elected Members and 50% iwi and hapū representatives. Resolutions of the Partnership Forum (except those covered by the Dispute Resolution clause at 8 below) shall be passed if a majority of members are in favour.

6. Dispute Resolution

- (a) In the event that a dispute arises in terms of the meaning/operation of these terms of reference the members will resolve the matter amongst themselves.
- (b) In the event that a dispute arises in terms of the decision making powers of the Partnership Forum the members will resolve the matter amongst themselves.
- (c) Disputed issues under 8(a) and 8(b) above, shall be put to the Forum as a resolution to be voted on. The resolution is passed if it is supported by at least 80% of the members.
- (d) Dispute resolution processes shall take account of Ngā Tikanga/Principles of these terms of reference.

7. Review of Terms of Reference

The Māori Relationships and External Adviser and the Workforce Development and Cultural Adviser accept the responsibility for reviewing the Terms of Reference and recommending updates as deemed necessary. The Forum must agree to any changes to the Terms of Reference.

Agenda for Meeting No. PF3

		Pages
	Present In Attendance Apologies	
PF3.1	Minutes of Meeting No. PF2 of the Tauranga Moana / Te Arawa Ki Takutai Partnership Forum held on 10 November 2018 A copy of the minutes of Meeting No. PF2 of the Tauranga Moana / Te Arawa ki Takutai Partnership Forum held on 10 November 2018 is attached. Recommendation <i>THAT the minutes of Meeting No. PF3 of the Tauranga Moana / Te Arawa Ki Takutai Partnership Forum held on 10 November 2018 are confirmed as a true and correct record.</i>	8-12
PF3.2	Sub-Regional Policy for Tangata Whenua Consultation on Resource Consents Attached is a report from the Māori Relationships and Engagement Officer dated 26 February 2018.	13-24
PF3.3	Horse Riding at Tuapiro Point / Reserves and Facilities Bylaw Attached is a report from the Māori Relationships and Engagement Officer dated 13 February 2018.	25-34
PF3.4	Capital Projects Update Attached is a report from the Group Manager Policy, Planning and Regulatory Services dated 23 February 2018.	35-45
PF3.5	Representation Review - Update Attached is a report from the Customer Relationships Manager dated 26 February 2018.	46-49

PF3.6	Development of a Road Naming Policy	50-56
	Attached is a report from the Policy Analyst dated 28 February 2018.	
PF3.7	Nomination of Partnership Forum Representative to SmartGrowth Leadership Group	57-58
	Attached is a report from the Māori Relationships and Engagement Officer dated 19 February 2018.	
PF3.8	Long Term Plan Update	
	The from the Workforce Development and Cultural Advisor dated 22 February 2018.	
PF3.9	Te Ara Mua Ngā Kaihoe (Work Programme) Update	59-70
	Attached is a report from the Workforce Development and Cultural Advisor dated 22 February 2018.	

Western Bay of Plenty District Council

**Minutes of Meeting No. PF2 of the Tauranga Moana / Te Arawa
Ki Takutai Partnership Forum held on 10 November 2017
in the Council Chamber, Barkes Corner
commencing 10.00am**

Present

Iwi Representatives

Anthony Wihapi (Ngati Moko) (Presiding Co-Chairperson), Reon Tuanau (Ngai Te Rangī) (Co-Chairperson), Tiki Bluegum (Ngai Tamawhariua), Matire Duncan (Ngā Potiki), Gail Skerrett-White (Ngati Pīkiao), Bob Leef (Ngati Taka), Wiremu Matthews (Ngai Tamarawaho), Buddy Mikaere (Ngati Pukenga), Riki Nelson (Ngati Te Wai), Julie Shepherd (Te Runanga o Pirirakau), Horace Te Moni (Ngati Rangiwewehi) and Kevin Tohiariki (Te Whanau o Tauwhao)

Councillors

His Worship the Mayor G J Webber (Deputy Chairperson), G Dally, M Dean, M Lally, P Mackay, K Marsh, D Marshall, J Scrimgeour, and D Thwaites

In Attendance

R Davie (Group Manager Policy, Planning and Regulatory Services), E Holtsbaum (Group Manager Technology, Customer and Community Services), P Hennessey (Strategic Advisor), G Payne (Strategic Advisor), B Whitton (Customer Relationships Manager), E Rogers (Policy and Planning Manager), C Watt (Environmental Consents Manager), P Tapsell (Workforce Development and Cultural Advisor), C Nepia (Māori Relationships and Engagement Advisor), S Stewart (Policy Analyst), C Taylor (Election Services), M Parnell (Democracy Advisor), and F Sweeney (Democracy Management Advisor)

Others

Tania Turner, Hohepa Maxwell

The meeting opened with a karakia from Reon Tuanau. Anthony Wihapi (Chair of the meeting) then invited the Mayor to give his greetings. Mayor Webber welcomed all present followed by a mihi and introduction from Anthony Wihapi.

Apologies

Apologies for absence were received from Nessie Kuka (Ngai Tuwhiwhia), Raiha Biel (Tapuika Iwi Authority), Liam Tapsell (Ngati Whakaue), Maru Tapsell, Roland Kingi (Ngati Pikiāo), Rehua Smallman (Ngati Pukenga), Carlton Bidois, and Councillors Murray-Benge, Palmer and Williams.

Resolved: Anthony Wihapi / Reon Tuanau

THAT the apologies for absence from Nessie Kuka, Raiha Biel, Liam Tapsell, Maru Tapsell, Roland Kingi, Rehua Smallman, Carlton Bidois and Councillors Murray-Benge, Palmer and Williams be accepted.

PF2.1 **Minutes of Meeting No. PF1 the Tauranga Moana / Te Arawa Ki Takutai Partnership Forum held on 29 August 2017**

The Tauranga Moana / Te Arawa Ki Takutai Partnership Forum considered the minutes of meeting no. PF1 of the Tauranga Moana / Te Arawa Ki Takutai Partnership Forum held on 29 August 2017 as circulated with the agenda.

Resolved: Cr Mackay / Maria Horne

THAT the minutes of the Tauranga Moana / Te Arawa Ki Takutai Partnership Forum meeting PF2 held on 29 August 2017 be confirmed as a true and correct record provided there be an amendment to show that Colin Reeder represented Nga Potiki.

Decision

PF2.2 **Establishment of Maori Ward/s**

The Partnership Forum considered a report from the Group Manager Regulatory, Planning and Policy dated 27 October 2017 as circulated with the agenda. Anthony Wihapi spoke of the importance of this item, and thanked all present for the work that had led to this discussion. A video was then shown to all present on the topic of Māori representation.

Following the video there was a powerpoint presentation presented jointly by Reon Tuanau, Maria Horne and Kevin Tohiariki.

The first section of the presentation, given by Reon Tuanau, addressed defining a new partnership and he outlined the following topics as the focus for the presentation defining a new partnership:

- The opportunity for redefinition of the partnership between Council and Tangata Whenua.
- The mandate for change arising from a changing political climate in New Zealand, the need for recognition of the increasing economic influence of tangata whenua, and the potential created through the

opportunity provided with improved representation at the Council table.

- The key drivers for representation.
- Politics, rhetoric and reality in regard to Māori representation.
- Telling the story of tangata whenua.
- The leadership opportunity.
- Natural progression in the relationship between Tangata Whenua and Council.
- Addressing equity and fairness.
- Being in sync with the changing landscape taking into account post treaty settlement environments, changes in central government, and the recent adoption of Māori wards in Wairoa and Palmerston North.

Maria Horne then continued the presentation emphasising the mandate for change, and noting the legislative background to the proposal for Māori representation including highlighting the following:

- Representation at the Council table would be an expression of the constitutional position under the Treaty of Waitangi.
- There would be greater opportunity for Council to understand issues of whanau, hapu and iwi.
- Māori representation would be directly accountable to electors.
- Section 14 of the Local Government Act provided the opportunity.
- Tangata Whenua had an enduring connection to the land, sea and treasures of the district.
- With the increasing economic influence as a result of Treaty settlements, there was an opportunity for the whole district to benefit through improved relationships.

Kevin Tohiariki continued the presentation discussing process and politics, speaking to the following topics:

- The bureaucratic process around Māori representation gave some options.
- This Council had been up front with its communities.
- There were a number of hurdles ahead including interpretations of democracy, and the view that Māori wards were separatist, both issues which could be refuted.

Maria Horne and Reon Tuanau closed the presentation, followed by a waiata. A document containing questions and answers was tabled.

Kevin Tohiariki then outlined the next steps towards the process of putting in place Māori wards.

In response to questions the three speakers answered as follows:

- Section 14 of the Local Government Act provides Council the mandate to consider Māori representation in terms of ensuring tangata whenua involvement in decision making.
- Councils that had taken up Māori ward representation included the Bay of Plenty and Waikato Regional Councils, Wairoa and potentially Palmerston North.

- Change was happening now and this was why although historically Councils had not taken this up there was now opportunity for Western Bay of Plenty District Council to consider this.

In response to a technical question about the legislation, Craig Taylor of Election Services gave a verbal summary of the legislation giving Council the opportunity to provide for Māori wards. He explained the process that Council would be obliged to follow in initiation of Māori Wards including provisions for polls, the legal requirements for polls, and that should a poll be initiated it would be taken across the entire electorate of all eligible voters.

A question was raised in relation to the figures on the Māori electoral roll and how under 18 year olds were measured in regard to the total population figures. A further clarification was sought and a request was made that this information be provided to Council by the 21 November Council meeting.

It was clarified that the principal issue for this meeting today was whether or not the forum wished to recommend that there should be representation through Māori wards, with the number of wards to be decided at a later date.

In summary the Group Manager Policy, Planning and Regulatory Services advised that the report, presentation and tabled list of questions and answers were now for the group to consider in terms of the proposed resolutions.

On invitation from the Chair, Buddy Mikaere stated on behalf of his iwi commendations to speakers and the Council for putting this issue on the table. He noted the growth of the district had also created a growth in social issues, and Council should now take more of a role in social issues to address the widening gap between rich and poor. Ngati Pukenga was fully in support of seeing Māori representation at the next election.

Resolved: Buddy Mikaere / Cr Mackay

1. *THAT the Partnership Forum recommends to Council the establishment of a Māori ward/s at the Council meeting to be held on 21 November 2017;*

and

THAT the Partnership Forum will be maintained as another important mechanism through which Tangata Whenua contribute to Council decision making.

The vote supporting the resolution was unopposed and unanimous.

The presiding Co-Chair commended the Forum on its discussion and decision.

11.00am The meeting adjourned for morning tea.
11.25am The meeting reconvened.

Information

PF2.3 Prioritisation of Te Ara Mua

The Workforce Development and Cultural Advisor introduced the discussion on the prioritisation of projects within Te Ara Mua, noting that the meeting would break into four workshop groups to look at different parts of Te Ara Mua with half an hour for informal discussion.

At the end of the informal session spokespeople from each group gave a summary of their discussions and notes. The Workforce Development and Cultural Advisor thanked all for their work and said this would be collated and reported back formally to the forum.

The Mayor thanked all present for their work and observed that the issues raised at this forum and by Tangata Whenua were common with issues raised by communities throughout the district.

The presiding Chair thanked all for the positive work of this forum.

There being no further business, Reon Tuanau closed the meeting at 12.42pm with a karakia.

PF2

Western Bay of Plenty District Council

Tauranga Moana / Te Arawa ki Takutai Partnership Forum

Sub-regional Policy for Tangata Whenua Consultation on Resource Consents

Purpose

This report accompanies a presentation that will be delivered by the Tu Pakari Advisor to SmartGrowth. The purpose of the report and presentation is to update members on the progress of work that is being undertaken to develop a sub-regional policy for Tangata Whenua consultation on resource consents.

Recommendation

THAT the Māori Relationships and Engagement Advisor's report dated 26 February 2018 and titled "Sub-regional Policy for Tangata Whenua Consultation on Resource Consents" be received.



Chris Nepia

Māori Relationships and Engagement Advisor

1. Background

Chapter 11 of the SmartGrowth Strategy provides for the recognition of Tangata Whenua cultural identity and change. One of the actions within chapter 11 aims to establish a sub-regional Tangata Whenua consultation policy for resource consent processing. The two local authorities – Tauranga City Council and the Western Bay of Plenty District Council together with the Bay of Plenty Regional Council have been working on the development of this policy for some time now.

2. Draft policy and boundary mapping

Attached to this report marked **Attachment A** is the most current version of the draft policy for your consideration. In conjunction with the development of this policy, the three councils are working towards consistency in their respective contact databases, ensuring that they are contacting the same (correct) iwi and hapū regarding engagement on projects within their areas. To assist councils in this work Tangata Whenua representatives will be asked to agree their boundaries within the areas of each council and confirm whether they would like to be involved in projects in an area or merely informed. This will be further articulated during the presentation at the meeting.



DRAFT SUB-REGIONAL CONSULTATION WITH IWI AND HAPŪ ON RESOURCE CONSENT APPLICATIONS POLICY

Policy type	Sub-regional Council policy		
Authorised by	SmartGrowth, Bay of Plenty Regional Council, Tauranga City Council and Western Bay of Plenty District Council		
First adopted	Adoption date	Minute reference	
Revisions/amendments	N/A	Minute references	
Review date	Three yearly - 2021		

1. PURPOSE

- 1.1 To clarify the roles and responsibilities of the Bay of Plenty Regional Council (BOPRC), Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOP) (referred to collectively as Councils throughout this DRAFT Policy), Iwi and Hapū, and Applicants in respect of resource consent applications under the Resource Management Act 1991 (RMA);
- 1.2 To encourage effective, efficient and meaningful consultation with Iwi and Hapū to meet statutory obligations and maintain environmental outcomes; and
- 1.3 To establish a sub-regional approach to consultation with Iwi and Hapū to provide consistency and certainty within the application process for all parties.

2. SCOPE

- 2.1 It has been recognised through an action of SmartGrowth that a consistent approach to consultation with Iwi and Hapū within the sub-region in respect of resource consent applications under the RMA would be beneficial to all parties.
- 2.2 A sub-regional approach is desirable to reduce uncertainty for all parties particularly when dealing with cross boundary or multiple resource consenting requirements.
- 2.3 This policy applies to the Bay of Plenty sub-region inclusive of the areas covered by Western Bay of Plenty District and Tauranga City Councils.

3. DEFINITIONS

Term	Definition
Ancestral Land	In relation to its use under section 6(e) of the RMA means land that was the traditional home of Māori and holds some significance for the descendants of those who live there. There must be some factor or nexus between the descendants' culture and traditions and the land in question which affects the relationship of them to that land. Ancestral land is not confined to land under Māori ownership.
Applicant	Is the party lodging the resource consent application.
Application Site	As it is referred to in this policy means the land which is the subject of the application for resource consent.
Controlled Activity	<p>Is an activity where a resource consent is required and complies with the controlled activity standards, terms, or conditions, if any, specified in the plan, proposed plan or proposed plan change, and for which the consent authority:</p> <ul style="list-style-type: none"> • has no power to decline that resource consent, and • has specified in the Plan, proposed plan and/or plan changes matters over which it has reserved control; and • can only impose conditions on the resource consent in relation to those matters over which it has reserved control.
Councils	Refers to Bay of Plenty Regional Council (BOPRC), Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOP).
Discretionary Activity	<p>Is an activity where a resource consent is required and complies with the discretionary activity standards, terms, or conditions, if any, specified in the plan, proposed plan or proposed plan change, and for which the consent authority:</p> <ul style="list-style-type: none"> • may grant the resource consent with or without conditions; or • decline the resource consent.
Hapū	Is a collection of whānau (families) who identify with a common tipuna (ancestor). The Hapū is traditionally the main decision-making forum for exercising kaitiakitanga.
Iwi	Means tribe or grouping of people, usually consisting of several related Hapū with a common tipuna (ancestor).
Iwi/Hapū Management Plans	Are planning documents prepared by an Iwi or Hapū, recognised by the relevant Iwi authority and lodged with the regional, city or district council.
Iwi/Hapū Protocol Agreements	Outline the principles underpinning the relationship between Council and the Iwi/Hapū, the governance and operational roles and responsibilities of the respective parties.

Kaitiakitanga	As defined by the RMA means “the exercise of guardianship by the Iwi and Hapū of an area in accordance with tikanga Māori in relation to natural and physical resources and includes the ethic of stewardship”. Only Iwi and Hapū can be kaitiaki (guardians) of their rohe (territorial area).
Landscape Feature, Site or Item Known by Council	Includes any relevant information ascertainable by Council staff from any of the following documents: Council’s GIS database, the Regional, City or District Plan Heritage Register, Hapū Protocol or Regional or District Plan Planning Maps held by Council, Hapū Management Plan provided to Council, Iwi and Hapū Literature Review Maps, the Historic Places Trust recorded heritage items and Heritage Orders under the Historic Places Act 1993 or relevant designations or requirements made under the RMA.
Mana Whenua	Is, as defined in the RMA, the “customary authority exercised by an Iwi, Hapū or whanau in an identified area”.
Resource Consent	Has the meaning set out in section 87 of the RMA; and includes all conditions to which the consent is subject.
Restricted Discretionary Activity	Is an activity where a resource consent is required and complies with the limited discretionary activity standards, terms, or conditions, if any, specified in the plan or proposed plan, and for which the consent authority : <ul style="list-style-type: none"> • has specified in the District Plan, proposed plan or proposed plan change matters to which it has restricted its discretion; and • has power to decline a resource consent, and to impose conditions only in respect to those matters to which it has restricted its discretion.
Rohe	A territory or boundary which defines the area within which a tangata whenua group claims traditional association and mana whenua.
Taonga	Taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be things that cannot be seen or touched. Included for example are te reo Māori (Māori language), Waahi Tapu, waterways, fishing grounds and mountains.
Waahi Tapu (or Wāhi tapu)	Means a place or item sacred to Māori in the traditional, spiritual, religious, historical, or mythological sense. Those places defined as “Waahi tapu” vary from Hapū to Hapū but typically include burial grounds and battlesites.
Working Day	Means any day except - <ol style="list-style-type: none"> (a) a Saturday, a Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign’s birthday, Waitangi Day, and (b) a day in the period beginning on 20 December in any year and ending with 10 January in the following year.

4. PRINCIPLES

- 4.1 As a matter of recognised best practice, consultation with Iwi and Hapū should occur where a proposal may affect the relationship of Iwi and Hapū and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga and their ability to exercise kaitiakitanga.
- 4.2 The Councils acknowledge that only Iwi and Hapū can determine this relationship, and the relationship of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga and kaitiakitanga.
- 4.3 When undertaking consultation with Iwi and Hapū all parties should act in accordance with the following principles:
- Consultation should be conducted in good faith based on mutual trust and cooperation;
 - All parties should be open minded and open to discussion such that the proposal may evolve or be amended in response to issues raised during the consultation process;
 - Consultation is about meaningful discussion and may not always result in agreement; and
 - Iwi and Hapū should be enabled to present their views in a way that is appropriate and relevant to them.

5. POLICY STATEMENT

5.1 Roles and Responsibilities

There are four main parties involved in the resource consent application process: the Councils (as consent authority), the Applicant, Iwi and Hapū and/or other potentially affected persons.

5.1.1 Councils

To assist consultation in accordance with this Policy, the Councils will:

- continue to work together to ensure consistency of approach;
- keep up-to-date records about Iwi and Hapū (section 35(a) RMA);
- provide Applicants (as a guide to assist identification of groups to be consulted) with information on the geographic boundaries of each Iwi/Hapū (as advised by the Iwi/Hapū to the Councils);
- provide Applicants with the current mandated Iwi/Hapū representative/s contact details (as advised by the Iwi/Hapū to the Councils through the Iwi/Hapū Protocol);
- periodically participate in reviews of this policy for continuous improvement and invite participation from key stakeholders and the community; and
- provide a weekly list of relevant applications to registered Iwi/Hapū.

5.1.2 Applicant

The Applicant in the resource consent process will be encouraged to undertake the following in accordance with this policy:

- Consult with Iwi and Hapū during the preparation of the application as a matter of good practice, including providing the Iwi and Hapū with relevant information to enable them to determine whether the proposal will affect them;
- Agree with Iwi and Hapū a reasonable timeframe for consultation to occur;
- Build relationships with Iwi and Hapū, and improve their understanding on those matters important to Iwi and Hapū in relation to the application; and
- Cover the reasonable costs associated with the consultation process.

5.1.3 Iwi and Hapū

To support this policy Iwi and Hapū will be required to provide boundary information to the Councils and be encouraged to participate in consultation in accordance with this policy as follows:

- provide appropriate information and responses to both the Applicant and the Councils in a timely manner;
- ensure that information relating to landscape features, sites or items that are important to Māori is provided to the Councils and is complete, accurate and continually improved as new information becomes available;
- ensure the Councils are advised of any changes to the mandated representatives or other material changes that may impact on consultation occurring;
- build a relationship with the development community and the Councils and improve the understanding on those matters important to Iwi and Hapū in relation to the application; and
- Negotiate fees to cover the reasonable costs associated with the consultation process.

5.2 When Consultation is Considered Appropriate

5.2.1 Consultation in accordance with this policy is considered appropriate in respect of activities where the application site includes, is within or directly adjoins a:

- statutory acknowledgement area,
- landscape feature,
- waterway or coastal environment (including groundwater),
- view shaft,
- site or item known by the Councils to be of cultural or spiritual significance to Māori;
- or involves activities related to the taking of water, geothermal fluid or energy, or large volumes of earthworks.

5.2.2 With the exception of situations where Iwi and Hapū have been determined to be an adversely affected party in accordance with the notification provisions of the RMA, the Councils are unlikely to consider that consultation with Iwi and Hapū is required for resource consent applications where the Councils' matters for consideration are

limited and unrelated to cultural effects e.g. An application for car parking or a controlled activity.

- 5.2.3 Greenfield development or larger staged comprehensive development may undertake consultation at the beginning of a project proposal. Where there is recognition by Iwi and Hapū and the Applicant of an ongoing relationship and/or commitment through resource consent conditions it may not be considered necessary to undertake consultation with Iwi and Hapū for related additional consents or associated works.

5.3 How Consultation Should Occur

- 5.3.1 The RMA specifies timeframes and matters that Councils must take into account and have consideration to in respect of resource consent applications. Table 1 (attached) identifies three stages of resource consent processing and outlines how consultation should occur in accordance with this policy.

6. RELEVANT DELEGATIONS

- 6.1 The implementation of this policy is delegated to the Chief Executives or his/her sub delegates.

7. REFERENCES AND RELEVANT LEGISLATION

7.1 Council Functions under the RMA

- 7.1.1 Councils have two distinct decision making functions under the RMA that involve Iwi and Hapū.
- 7.1.2 Councils have a duty to prepare and change District and Regional Plans and Policy Statements with a mandatory requirement to undertake consultation with Tangata Whenua when doing so. Councils must, in accordance with sections 61, 66 and 74 of the Act, take into account any relevant planning document recognised by Iwi, including Iwi/Hapū Management Plans and Iwi/Hapū Protocols.
- 7.1.3 Where Councils have a duty to consider resource consent applications, the RMA expressly provides that Councils have no duty, but discretion, whether to consult with Tangata Whenua.
- 7.1.4 Part Two of the RMA states the purpose of the Act as being to promote the sustainable management of natural and physical resources. As a consent authority Councils are required by section 6(e) of the RMA to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga.
- 7.1.5 Councils are also required by section 7(a) of the RMA to have particular regard to kaitiakitanga (as exercised by Iwi and Hapū within their rohe). Furthermore, Councils are required by section 8 of the RMA to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) when exercising its function as a consent authority.
- 7.1.6 Adequate consultation with Iwi and Hapū in the resource consent application process is essential where consultation is considered appropriate in accordance with this policy and the provisions of the relevant planning documents, to ensure that Councils can make an informed decision and have proper regard to sections 6(e), 7(a) and 8 of the RMA.

7.1.7 In addition to the matters described in the Principles of this Policy, the Local Government Act 2002 (LGA) Parts 2 and 6 provide principles and requirements for inclusion of Māori participation in the local authority's decision making process.

7.2 Other Relevant Legislation and Documents

Resource Management Act 1991 (RMA)

Local Government Act 2002 (LGA)

Hapū / Iwi Management Plans and Protocols

Tauranga City Plan / Western Bay of Plenty District Council Operative District Plan / Bay of Plenty Regional Plan

Internal Council procedures e.g. Tangata Whenua engagement guidelines

Earthworks monitoring procedures

Statutory acknowledgements

Future Te Mana Whakahono a Rōhe agreements

TABLE 1: RESOURCE CONSENT APPLICATION PROCESS	NOTES
Pre-Application	
Applicant has Development idea/proposal.	<ul style="list-style-type: none"> ▪ This phase is best practice as there are no statutory timeframes or set processes that apply prior to lodging an application. ▪ Applicants may or may not contact the Councils at this stage. ▪ Applicants may involve planning consultants and other technical experts. ▪ The pre-application phase is when the Assessment of Environmental Effects (AEE) is developed.
Applicant checks District or Regional Plan and contacts the Council to request a pre-application discussion with the Council and/or Iwi and Hapū.	
The Council provides pre-application advice by phone, counter, email or through pre-application meeting.	
The Council advise includes details on undertaking consultation with Iwi and Hapū and determines whether Consultation is required (information sheet made available).	
<p>Applicant begins discussion with Iwi and Hapū (allowing Iwi and Hapū 20 working days). As a matter of good practice Council strongly recommends that Applicants prepare a 'Preliminary Application Summary' as a means of providing relevant information to the Iwi and Hapū to enable them to determine whether the proposal will affect them. Fee payment discussions might occur at this point.</p> <p>A Preliminary Application Summary needs to contain adequate available information about the proposal including:</p> <ol style="list-style-type: none"> a) a description of the proposed activity including plans and concept drawings; b) the classification of the activity in accordance with the relevant planning documents; c) the geographic location of the proposed activity; d) a summary of the assessment of actual and potential effects on the environment; e) a description of any possible mitigation measures, alternative locations or methods considered for undertaking the activity, where the activity is likely to result in any significant adverse environmental effect; and f) an explanation of the matters where the Council has restricted its discretion, and that the Council is able to consider in making a decision on the application, where the activity is a controlled or restricted discretionary activity. 	

<p>Consultation Outcome to be provided by Iwi and Hapū to the Applicant within a timeframe agreed to by both parties.</p>	
<p>Assessing Application</p>	
<p>Application lodged with Council and statutory working days commence.</p>	<ul style="list-style-type: none"> ▪ Statutory timeframe in which to consider application varies depending on whether the application is notified or not. ▪ S88, schedule 4, and s92 provisions. ▪ Notification process and matters to consider e.g. permitted baseline. ▪ Activity status and matters for consideration within the planning document e.g. Controlled and Restricted discretionary activities as defined above. ▪ S95B and S95E of the RMA require Council to consider for the purpose of determining adversely affected parties to have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.
<p>Council checks whether the application is complete, including consideration of whether consultation has occurred (where required and/or appropriate) and is adequate.</p> <p>Where consultation has occurred under this policy the Applicant should, in respect of a lodged application:</p> <ul style="list-style-type: none"> • report on the consultation undertaken with the appropriate Iwi and Hapū, if any, and the response to the views of those consulted; • include sufficient information relating to any potential environmental effects of the proposal on the appropriate Iwi and Hapū; and • identify what changes and/or mitigation, if any, are in the lodged application that have arisen from the consultation with Iwi and Hapū. 	
<p>If consultation hasn't occurred prior to lodgment, and if consultation is considered necessary under s95 of the RMA, the application may be deemed incomplete and returned to the applicant and/or further information be requested.</p>	
<p>Council planner makes notification determination within 20 working days of receiving a standard application or 10 working days for a 'fast-track' application.</p>	

Decision Making	
<ul style="list-style-type: none"> • Council makes a substantive decision in accordance with the RMA while taking into account: • The matters Council is able to consider under the relevant Plan in relation to the specific resource consent application and/or conditions that may be imposed as part of that consideration; and • The issues and any proposed mitigation measures suggested by the appropriate Iwi and Hapū and/or the Applicant through the consultation and application process; and • The matters for consideration as defined by the relevant Plan and issues raised to assess the environmental effects; and the effect of the proposal on the relationship of Māori with their ancestral lands, waters, sites, waahi tapu and other taonga; depending on the activity status of the application. Council's decision will be to either: <ul style="list-style-type: none"> ○ Grant consent with no conditions; or ○ Grant consent and impose conditions to avoid, remedy or mitigate environmental effects; or ○ Refuse consent. 	<ul style="list-style-type: none"> ▪ Statutory timeframe. ▪ Activity status determines matters that can be considered in reaching a final decision and whether consent will be approved or not. ▪ Conditions can be imposed under s108 and 220 of the RMA. ▪ Conditions cannot be ultra vires and need to be relevant, certain, enforceable, relate to the matters for consent, (that is, an effect generated by that activity), and, in the case of Controlled or Restricted Discretionary Activities, relate only to the matters over which Council has control/discretion unless otherwise agreed to by the Applicant . ▪ Advice notes and other triggers for consent e.g. HPT. ▪ The Applicant has a right to object to a Council decision where it has not been notified. Appeal rights apply to the Applicant or submitters in a notified consent process.
<p>Decision sent to the Applicant within 5 working days of the decision being made.</p>	

Western Bay of Plenty District Council

Tauranga Moana / Te Arawa ki Takutai Partnership Forum


Horse Riding at Tuapiro Point/Reserves and Facilities Bylaw

Purpose

This report relates to correspondence received by Council from the hapū Ngati Te Wai, regarding horse riding activity at Tuapiro Point. Ngati Te Wai have raised concerns that this horse riding activity is damaging the environment at Tuapiro Point and accordingly they have called for a review of Council's Reserves and Facilities Bylaw which governs this activity.

Recommendation

- 1. THAT the Māori Relationships and Engagement Advisors report dated 13 February and titled horse riding at Tuapiro Point/Reserves and Facilities Bylaw be received.***
- 2. THAT the Partnership Forum recommend that Council initiate an early review of the Reserves and Facilities Bylaw, particularly in relation to the permission of horse riding at Tuapiro point; or***
- 3. THAT the status quo remains and the Reserves and Facilities Bylaw is not reviewed until required in 2022.***



Chris Nepia
Māori Relationships and Engagement Advisor

1. Background

The Reserves and Facilities Bylaw 2012 (**the Bylaw**) governs horse riding activity on Council reserves and beaches within our district. Section 13 of the Bylaw prohibits a person from riding a horse on a reserve or beach unless they are riding on a reserve or beach that is permitted for horse riding under Schedule 1 of the Bylaw. Tuapiro Point is one place where horse riding is permitted under the Bylaw and is defined in the aerial map below –



2. Ngati Te Wai

Tuapiro Point sits within the hapū rohe (boundaries) of Ngati Te Wai. Tuapiro Marae which is the Marae for Ngati Te Wai is located on Hikurangi Road. During a number of meetings between Council staff and representatives of Ngati Te Wai, the representatives raised concerns with horse riding activity at Tuapiro Point. Those concerns culminated in a presentation made to the Tangata Whenua representatives of the Partnership Forum in a workshop held December 21 2017 and were captured in a report dated 19 December 2017 an updated version of which is attached here as Appendix One. A representative of Ngati Te Wai is likely to speak further to the report at the meeting.

The report highlighted that –

- People were flouting the area and conditions imposed by the Bylaw;
- The Bylaw when introduced in 2012 did not anticipate use by horse riding clubs with large numbers;
- The horses crush, trample and kill the small crabs and shellfish living in and along the high tide mark and foreshore, affecting a traditional food source for the hapū;
- The horses defecate in and around these traditional food gathering sources.

To address these issues Ngati Te Wai sought a review of the Bylaw, in particular the provisions allowing for horse riding at Tuapiro Point with a view to removing Tuapiro Point from Schedule 1.

3. Review of Reserves and Facilities Bylaw

The Reserves and Facilities Bylaw was enacted in accordance with the powers conferred on Council by section 146(b)(vi) of the Local Government Act (**the Act**). Section 158 of the Act contains the provisions regarding the review of Bylaws made under the Act. The review of a Bylaw made under the Act must be carried out within 5 years of the Bylaw being first enacted and at least every ten years thereafter. The Reserves and Facilities Bylaw was reviewed in 2012 and as it is not a new Bylaw, it is not due for review again until 2022. Council can review the Reserves and Facilities Bylaw before 2022 if it chooses to do so. Any review of the Bylaw would involve consultation with the community including Tangata Whenua.

During discussions about their concerns, Ngati Te Wai representatives noted that during the consultation phase of the Bylaw review in 2012 Pirirakau raised similar issues with Horse riding in their rohe boundaries (e.g. the end of Pitua Road) as it was permitted under the Bylaw at the time. As a result of that consultation Horse riding was no longer permitted on reserves and beaches in the Te Puna area as is reflected in the Bylaw as it stands today.

Nga Pou o Tuapiro

Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
Environmental and Cultural Impact of Horse Riding at Tuapiro Point

Review of the Bylaw that allows Horses on Tuapiro Point

Commissioned by: Ngati Te Wai Te Whanau o Tuapiro
 Prepared by: Nga Pou o Tuapiro, Riki Nelson
 Report to be Presented to Western BOP District Council Partnership Forum.

20 February 2018

Background

As Kaitiaki, Tangatawhenua are charged to protect the Cultural Values of our people and environment. The environment is important in providing Kai, resources and Rongoa health remedies. It is important to keep the environment and waterways healthy, for our people to be healthy. He Oranga Taiao, he Oranga Tangata.

Horses on Tuapiro Point.

There is currently a bylaw which allows horse riding within a restricted area on Tuapiro Point. The restricted area and conditions of the bylaw, are continually being flouted, also the Bylaw introduced at the time did not anticipate Horse riding clubs with large numbers using the area. The large numbers using the beach and foreshore have significant and detrimental effect to the ecology, environment and wellbeing of the beach and estuary.

The Horse's crush, trample and kill the small crabs and shellfish living in and along the high tide mark and foreshore. Pictures attached. The Horse's come in high numbers, and defecate on and around the shellfish, in a traditional mahinga Kai area for the local Hapu. Pictures attached.

Kaimoana.

Traditional kaimoana within this area that is collected by the local Hapu is, Titiko, Cockles, Pipi, Oyster, Horse mussel.

Resolution

Ngati Te Wai Hapu of Tuapiro have exhausted all Options to overturn the Bylaw that allows Horses on Tuapiro Point. The final option is to present a Report to the Councillors to vote on. The process involves getting support from a Community Board to endorse the presentation.

Ngati Te Wai will be Seeking a Review of the Bylaw that Allows Horses on Tuapiro Point.

Ngati te Wai Hapu seek an endorsement from The Western BOPDC Partnership Forum to present our Environmental Report, on the Impact of Horses, on Tuapiro Point and Seek a review of the Bylaw, that allows horses on Tuapiro Point.

RESOLUTIONS:

1. That the Westernbay Partnership Forum will endorse the Proposal To: **Carry out a Review of the By-law that allows Horses on Tuapiro Point.**
2. That the Westernbay Partnership Forum will support Ngati Te Wais Position to: **Establish a By-law to Ban Horses from Tuapiro Point.**

Nga Pou o Tuapiro

Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
Environmental and Cultural Impact of Horse Riding at Tuapiro Point

Pictures Tuapiro Point



Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
Environmental and Cultural Impact of Horse Riding at Tuapiro Point



Live and crushed Cockle and pipis in horse shoe print



Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
Environmental and Cultural Impact of Horse Riding at Tuapiro Point



Nga Pou o Tuapiro

Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
Environmental and Cultural Impact of Horse Riding at Tuapiro Point



Nga Pou o Tuapiro

Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
Environmental and Cultural Impact of Horse Riding at Tuapiro Point

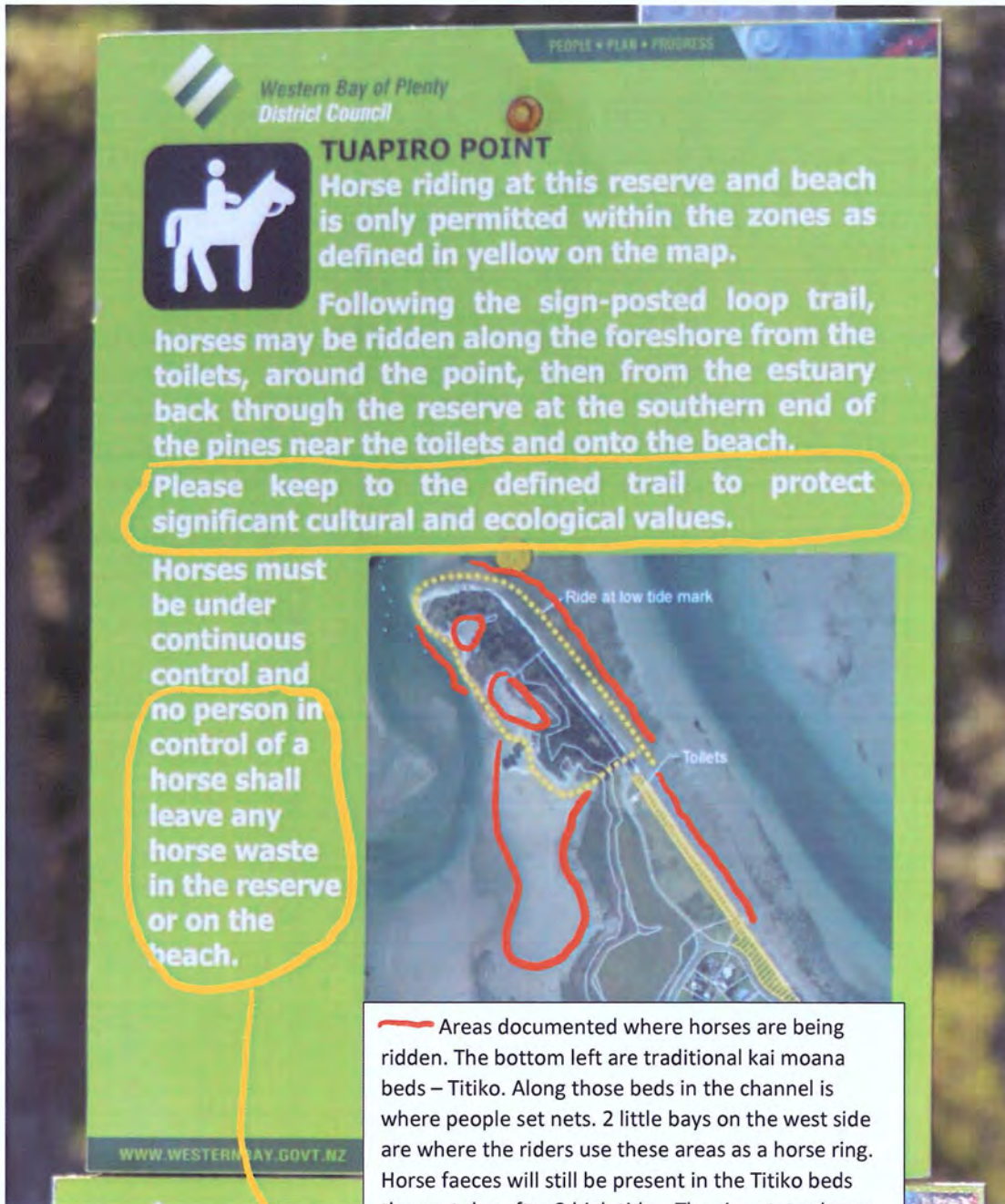


— Current By-law allowing horse on riding only in the Zone specified.

— Typical signs warns of health risk on Tuapiro point, from environmental and activity impacts.

Nga Pou o Tuapiro

Ngati te Wai, Te Whanau o Tuapiro Representative Riki Nelson
 Environmental and Cultural Impact of Horse Riding at Tuapiro Point



— Areas documented where horses are being ridden. The bottom left are traditional kai moana beds – Titiko. Along those beds in the channel is where people set nets. 2 little bays on the west side are where the riders use these areas as a horse ring. Horse faeces will still be present in the Titiko beds the next day after 2 high tides. The sign states horse waste must not be left on the beach, we have not see any waste removal since we have been monitoring.

— Areas and current By-law rules not being obeyed.

Western Bay of Plenty District Council

Tauranga Moana / Te Arawa ki Takutai Partnership Forum

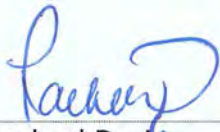
Capital Projects Update

Purpose

The purpose of this report is to provide Partnership Forum members with an update on the various capital projects being progressed and/or planned by Council.

Recommendation

THAT the Group Manager Policy, Planning & Regulatory Services report dated 23 February 2018 and titled Capital Projects Update be received.



Rachael Davie
**Group Manager Policy, Planning
& Regulatory Services**

1. Katikati / Waihi Beach Ward

1.1. Transportation

The Council undertakes road maintenance, operations, asset renewals and network improvements each year delivered under its Long Term Plan to meet road user levels of service.

Activity funding comes from District roading rates, New Zealand Transport Agency co-investment funding and developer contributions.

The Transportation Manager provided the following updates:

Wright Road and Aongatete Lodge Road

Seal extension of the remaining unsealed sections.

Mulgan Street

Seal extension of unsealed section of this urban street.

1.2. Three Waters

Utilities staff provided the following updates:

Capital projects in the three waters areas (Water, Wastewater and Stormwater) are progressing well. Key projects for the Katikati/Waihi Beach ward are:

Ongare Point wastewater scheme

The construction of the new wastewater scheme for Ongare Point is expected to begin in October 2018. The new scheme is a Septic Tank Effluent Pump (STEP) system. Each individual house has its own tank and the solids will remain in the tanks and black water will be pumped to a common location for treatment on Council owned land. This project is required to address water quality issues in Tauranga harbour caused by poor performing septic tanks. Fifty eight properties will be connected to the scheme.

2 Mile Creek

A resource consent has been lodged with Bay of Plenty Regional Council to undertake bank protection works along 2 Mile Creek. The structure will be a 7m wide precast concrete channel. Construction is planned to begin in the 2018/19 financial year, however this is dependent on final landowner signoff.

Pio Shores stormwater improvements

Properties at Pio Shores have been experiencing issues with stormwater flooding. Council is currently working with the community on developing a master plan for managing stormwater in this area. Funding is available in the LTP to undertake

capital works. However there is still considerable discussion to be had with the community and local iwi.

Otawhiwhi Marae – wastewater connection

Council is working with the Otawhiwhi Marae to connect it into Councils wastewater network. A detailed plan has been produced along with verified costings. Council has provided a \$50,000 funding grant on the basis that the Otawhiwhi Marae committee sources the remaining funding for this project (approximately additional \$135K required). Council will assist with supplying the personnel and managing the tender process once all funds have been secured to complete the work.

Katikati wastewater consent renewal and alternative options assessment

Katikati wastewater consent is awaiting final approval from Bay of Plenty Regional Council.

Running parallel with the resource consent process is the alternative options assessment for discharge. The group have been meeting for the past 18mths looking at potential options. No preferred solution as yet been identified as the process is still continuing. This is expected to be a 3 year process with funding review planned for the 2021/32 LTP.

General water renewals and upgrades

A number of renewals and upgrades are planned for the network. The areas are in various locations and are based on a priority ranking order.

1.3. Reserves & Facilities

Reserves & Facilities staff wish to acknowledge the support and feedback from Tangata whenua on various projects that require an archaeological authority from Heritage NZ or a resource consent from either the District Council or Bay of Plenty Regional Council. Constructive and timely responses during the consultation phase of a project is helping Council deliver new facilities for the community.

Nearly all earthworks related projects now include the need for an Archaeological Authority (in addition to resource consents), which can sometimes cause lengthy delay to project completion. So the responsiveness from local iwi and hapu to consultation requests and support to the archaeological or resource consent process is appreciated.

Staff particularly acknowledge the support received from Julie Shepherd and Reon Tuanau as the current project workload seems to be particularly heavy in the western part of the District, with the Tauranga Moana cycle-ways at Waihi Beach and Omokoroa to Tauranga.

Shared cycle-ways/walkways

Development of these are at various stages of planning or construction in the following areas:

- Waihi Beach: Water Catchment reserve and various urban cycleway connections to increase off-road cycling/walking opportunities. Archaeological Authority and resource consents are in the process of being obtained for each specific location. A separate management plan will be prepared for the Water Catchment Reserve cycleway network and this will involve working closely with Tangata whenua and the Department of Conservation, noting that the DOC land is under Office of Treaty Settlement negotiations.
- Katikati: End of Beach Road to Tamawhariua Reserve and Park Road to Preston Drive. Also, surfacing improvements to some sections of existing trails. Archaeological Authority is being obtained for each location.

Waihi Beach – 1-Mile Creek stream repairs

Resource consent(s) are being obtained with support from tangata whenua to approve repairs to 1-Mile Creek, downstream of the pedestrian bridge beside the Surf Club. The repairs involve a sand-bag structure.

Kauri Pt Historic Reserve

Very positive progress is being made to protect Owarau Pa (swamp) Pa which is partly located on the neighbouring dairy farm. An agreement with tangata whenua, the landowner, BOPRC and WBOPDC has been made to fence the Pa and keep stock permanently out of this sensitive site. The following map shows where the fences will be located.



Landslip/road access to jetty:

Consultants are preparing an archaeological authority application to enable engineering design investigations. Further design information is being sought from Council to determine whether the option to re-align the road further inland is viable. Road access to the toilet and the jetty remain closed in the meantime.

Katikati/Waihi Beach Ward Reserve Management Plan Review

Consultation with relevant tangata whenua will be undertaken as a part of the review process.

Moore Park sports field development

The remaining undeveloped land at the south end of Moore Park is to be earth-worked to form a sports field and space for future recreational facilities. The kiwifruit orchard has been removed and preparations are underway for earthworks design and construction.

2. Kaimai Ward**2.1. Transportation**

The Council undertakes road maintenance, operations, asset renewals and network improvements each year delivered under its Long Term Plan to meet road user levels of service.

Activity funding comes from District roading rates, New Zealand Transport Agency co-investment funding and developer contributions.

The Transportation Manager provided the following updates.

Omokoroa Road – State Highway 2 to Railway

The reconstruction of the road and intersections to service urban housing development and capacity deficiencies.

Omokoroa Road – Western Ave to Tralee Street

Urbanisation of this section including intersection safety improvements is planned in association with the pavement renewal requirements.

Omokoroa to Tauranga Cycleway

This cycleway is planned to run from The Esplanade in Omokoroa to the Wairoa River and into Tauranga City. The route will run along harbour foreshore, through reserves and utilise existing roads.

Various upgrades in road reserve including a combination of on road and off road cycle ways on Plummers Point Road, Newnham Road, Borell Road, Te Puna Road, Lohead Road and Te Puna Station Road.

Oropi Road 6.2km

Pavement reconstruction and safety improvements along 210m section between Warner Road and Castles Road.

Welcome Bay Road 1.9km-3.4km

Pavement reconstruction, drainage and safety improvements (near Adline Transport).

Pukemapu Road 0.5km – 1.2km

Pavement rehabilitation and seal widening.

Poripori Road 0.0km – 1.37km

Pavement rehabilitation with improvements between State Highway 29 and Kumikumi Road.

Matakana Road 2.49km – 4.15km and Tirohanga Road 0.0km – 1.61km

Seal Extension of the unsealed sections.

Rowe Road 3.69km- 4.13km

Seal Extension of unsealed section.

Soliders Road 2.05km – 4.73km

Seal extension of unsealed section including underslip repairs.

McPhail Road 0.0km – 1.47km

Pavement rehabilitation.

Kaitemako Road South 0.0km – 0.35km

Seal extension.

Mountain Road 4.28km – 6.80km

Seal extension.

Valley View Road 0.11km - 0.59km

Seal extension.

Williams Road North 1.17 – 2.32km

Seal extension.

Waipa Road 0.0km - 0.40km

Seal extension.

2.2. Three Waters

Utilities staff provided the following updates:

Capital projects in the three waters areas (Water, Wastewater and Stormwater) are progressing well. Key projects for the Kaimai Ward are:

Central water supply – new bore and reservoir

Council have been working for the past 12 months to secure a new bore supply for the central supply zone. The preferred locations unfortunately have been unsuccessful with a lack of available water. Staff are currently working with the consultant to look at alternative locations. Once a location has been established construction of the bore will begin.

Structure Plan stormwater pond

A new stormwater pond is required by Councils Omokoroa Comprehensive Stormwater consent downstream from the Special Housing Area. This pond is being driven by development around the existing Omokoroa Community Hall. Design is underway with construction expected to begin in the 2018/19 financial year.

General water renewals and upgrades

A number of renewals and upgrades are planned for the network. The areas are in various locations and are based on a priority ranking order.

2.3. Reserves & Facilities

Good relationships are also being established at Opureora/Matakana Island for projects such as the recent ferry ramp widening construction and concept design plans for a replacement jetty. As a result of consultation with the local community, a new weather shelter will soon be constructed on the new hardstand area at the end of Opureora Road beside the ferry ramp – another example of very positive communication and support from the local community.

Shared cycle-ways/walkways

Development of the Omokoroa to Tauranga cycleway is at various stages of planning or construction in the following areas:

- Omokoroa: Cooney Reserve to Tinopai Reserve (boardwalk) and Lynley Park to Plummers Point.
- Omokoroa to Tauranga cycleway is split up into many sections which are all at various stages of design, consenting or construction. It is anticipated that all of the sections will be completed by Christmas 2018. This particular project is involving significant and ongoing consultation.
- Further information on the cycleways is available on Council's website

Omokoroa Sportsground Playground

Staff have been working with a local community project group to arrive at a concept plan for a new playground, located beside the skate path. The draft concept has been circulated for community feedback. The finalised concept may need to be constructed in stages if external funding is required.

Opureora Jetty replacement

Following the successful completion of the ferry ramp widening (which has also improved road end recreational amenity), staff have engaged with the local community to conclude a jetty replacement concept design. The final concept is now being prepared ready for the final round of community feedback in April, after which, detailed design will be prepared for tendering and construction in the 2018/19 financial year.

Panepane wharf repairs

Are underway and expected to be completed by the end of March. Temporary access to part of the wharf remains in place to enable passenger/boat embark/disembarking.

3. Te Puke /Maketu Ward

3.1. Transportation

The Council undertakes road maintenance, operations, asset renewals and network improvements each year delivered under its Long Term Plan to meet road user levels of service.

Activity funding comes from District roading rates, New Zealand Transport Agency co-investment funding and developer contributions.

The Transportation Manager provided the following updates:

Bell Road culvert upgrade 1.47km

Box culvert replacement due to the deterioration of the existing structure.

Maketu Road cyclepath

Construction of an off road cyclepath between Kaituna Road and Maketu to provide safer cycling access to and from Maketu.

Boucher Avenue 0.09km - 0.95km

Urban pavement smoothing.

Maungarangi Road 0.0km - 0.90km

Pavement rehabilitation and seal widening between State Highway 33 and the Kaituna River bridge.

Johnson Road 0.2km - 0.5km

Pavement rehabilitation.

Allport Road 6.11km – 7.18km

Seal extension.

Roydon Downs Road 4.05km – 6.83km

Seal extension.

Te Matai Road

Various sections of pavement rehabilitation and carriageway widening between route position 10.8km – 22.1km (either side of the school)

No 4 Road 0.0km – 1.4km

Pavement rehabilitation with widening, drainage improvements and retaining wall reconstruction.

Rangiuru Road 3.90km – 4.20km

Pavement rehabilitation and seal widening.

Te Puke Highway 2.30km – 2.50km

Pavement rehabilitation.

Maniatutu Road 12.60km – 16.10km

Seal extension.

Maniatutu Road 5.80km – 6.30km

Pavement rehabilitation and carriageway widening.

Old Coach Road 4.8km – 5.1km & 5.9km – 6.1km

Pavement smoothing.

Reid Road Seal Extension 3.53km – 4.99km

Seal extension.

Pongakawa Bush Road 8.00km – 9.40km

Seal extension.

Rangiuru Road 11.4km - 12.3km

Seal extension

Rangiuru Road 6.4km – 7.0km

Pavement smoothing.

Waerenga Road 0.0km – 1.39km

Seal extension.

Underslip reinstatement works are planned on Stockton Road, Mystery Valley Road Reid Road.

3.2. Three Waters

Capital projects in the three waters areas (Water, Wastewater and Stormwater) are progressing well. Key projects for the Te Puke/Maketu ward are:

Te Puke wastewater consent renewal and alternative discharge options assessment

Te Puke wastewater consent is currently being reviewed by the Bay of Plenty Regional Council.

Running parallel with the resource consent process is the alternative options assessment for discharge. The group have been meeting for the past 18 months looking at potential options. No preferred solution as yet been identified as the process is still continuing. This is expected to be a three year process with funding review planned for the 2021/32 LTP.

Pongakawa

A trial has been underway looking at treatment processes for bringing the second bore at Pongakawa online. This will require an upgrade to the existing treatment plant and some additional treatment functions. A report is going to the Operations and Monitoring committee in late March looking at various options for water supply for this area.

Waiari Water Supply

Council staff have been liaising with Tauranga City staff as this project moves into the construction phase. Discussion to date has centred on the proposed route around the Te Puke area. Western Bay of Plenty District Council has the ability to utilise the water capacity from the Waiari plant in the coming years, once the plant has been built. This is on track to be commissioned in 2021.

General water renewals and upgrades

A number of renewals and upgrades are planned for the network. The areas are in various locations and are based on a priority ranking order.

3.3. Reserves & Facilities

Shared cycle-ways/walkways

Development of a local cycleway network is at various stages of planning or construction in the following areas:

- Maketu: The path and route is in the final stages of approval and design. Completion is anticipated before Christmas 2018.
- Te Puke: The local cycleway group are developing a local cycleway network in and around Te Puke.

- Pukehina: An application has been made to vary the resource consent approved design to increase the trail width from 2.0m to 2.5m wide for user safety reasons.

Maketu Surfclub carpark seawall renewal/upgrade

Following initial community feedback on the draft resource consent application, a revised application is being consulted with tangata whenua and stakeholders. Once the feedback has been completed, the revised application will be lodged with Bay of Plenty Regional Council. Construction timing will depend on the consenting process.

Western Bay of Plenty District Council**Tauranga Moana / Te Arawa ki Takutai
Partnership Forum****Representation Review - Update**

Purpose

The purpose of this report is to provide Partnership Forum members with an update on the representation review currently being undertaken by Council.

Recommendation

THAT the Customer Relationships Manager report dated 26 February 2018 and titled Representation Review – Update be received.



Barbara Whitton
Customer Relationships Manager

1. Background

Council is required to review its representation arrangements every six years, and is one of 57 councils around the country undertaking a review at this time. It is a complex process which needs to follow legislative requirements and involve the community. It will be important that Council's initial proposal to the Local Government Commission is one that is well supported by the community.

We are currently well underway with our 2017 review, which will apply to the next two local government elections in 2019 and 2022.

There are three work-streams to the review:

Part 1 - Electoral system

Council passed a resolution in August 2017 to remain with First Past the Post (FPP).

Part 2 - Māori representation

Council passed a resolution in November 2017 to establish Māori Wards.

Council received a petition on 14 February 2018 from over five percent of electors to require a referendum. A poll will be held between 27 April and 19 May 2018.

Poll timetable:

23 February	Public notice of poll
From 27 April	Voting documents posted to electors
27 April to noon 19 May	Progressive roll security/special voting period/early processing
Noon 19 May	Poll day, voting closes
21 May	Official declaration of results
23 May	Public notice of results

Part 3 - Representation arrangements

Council held the first workshop for this work-stream on 20 February 2018, and began discussions around:

- Communities of interest
- Effective representation – including numbers of elected members with and without a Māori ward
- Fair representation
- Communities and community boards

2. Work-stream 3 – Representation arrangements

2.1 What defines a community of interest?

Communities of interest are not defined in legislation and can mean different things to different people. Defining local communities of interest is an essential part of the

representation review process and needs to be carried out before determining how to provide effective representation.

Communities aren't just suburbs or geographic locations, but an area where one feels a sense of belonging; they can be churches, parks, schools or groups and are likely to change over time.

2.2 What is 'effective' representation in the context of the review?

Council must ensure **effective** representation of communities of interest by considering:

- The total number of elected members (must be between 5 and 29, excluding the mayor)
- The basis of the election – wards, 'at large', or a mix
- Ward names and boundaries
- Communities and community board options

2.3 What is 'fair' representation in the context of the review?

Council must ensure **fair** representation of communities of interest by providing approximate population equality per member for wards/constituencies:

- Each elected general councillor represents about the same number of general electoral population (within +/- 10%)
- Each elected Māori councillor represents about the same number of Māori electoral population (within +/- 10%)

2.4 Māori and general wards

The result of the poll on Māori wards will be binding and until the outcome is known (19 May 2018), Council will need to consider both options e.g. models including a Māori ward and models excluding a Māori ward.

2.5 Communities and community boards

Community boards are elected bodies that work at grass-roots level in a specific 'community of interest'. They work with their communities and report to Council. Their functions, duties and power are delegated to them by Council. The 2013 representation review (changing from 5 to 3 wards, but retaining 5 community boards), was agreed to by the Local Government Commission on the basis that Council comprehensively review community board effectiveness.

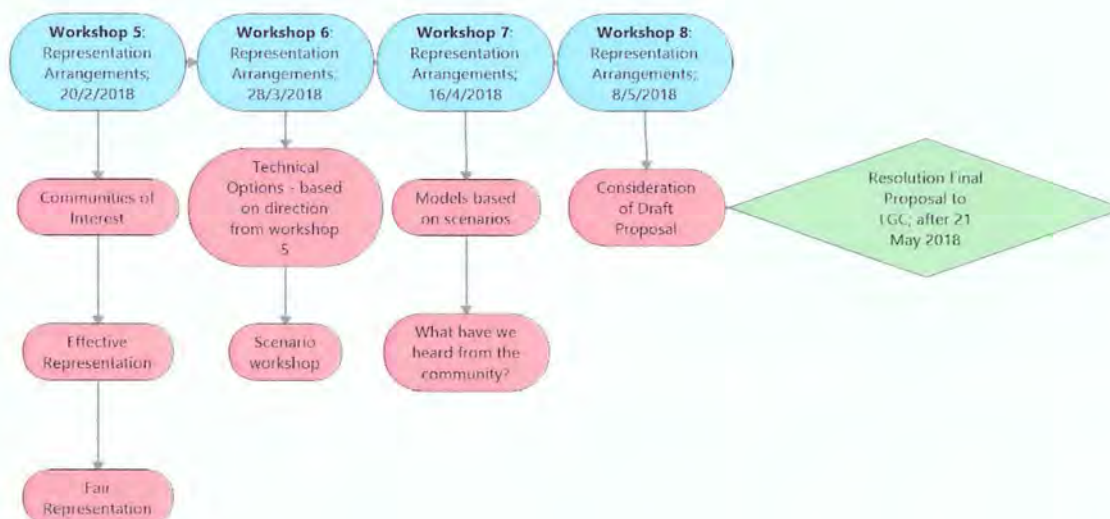
Community boards must have a minimum of four (4) and a maximum of 12 members, four (4) of whom must be elected members. Community board areas may be subdivided for electoral purposes if this will provide more effective representation of communities of interest.

3. Next steps and milestones

3.1 Community engagement

The first phase of community engagement will begin early in March; a letter (including a feedback form) will be sent to each member of the electoral population explaining the process of the representation review and offering an opportunity for people to tell us about their community of interest. An electronic version will be available on council's website. An email will also go to community groups offering an opportunity for staff to come and speak with interested groups about the representation review. Staff will also provide information sessions prior to all community board meetings between 12 and 22 March.

3.2 Future Council workshops



3.3 Milestones

- 23 February – 19 May 2018 – Māori ward(s) poll
- March 2018 – community engagement (phase 1)
- End May to end June 2018 – initial proposal consideration (consultation/Special Consultative Procedure – phase 2)
- July 2018 – initial proposal resolution
- End July 2018 – initial proposal public notice
- August 2018 – submission period
- September 2018 – hearings of submissions
- End September 2018 – final proposal resolution
- End September 2018 – final proposal public notice
- October 2018 – appeal/objection period
- November 2018 – Basis of Election public notice – OR
- appeals/objections to LGC
- By 10 April 2019 – LGC determination

Western Bay of Plenty District Council

**Tauranga Moana / Te Arawa ki Takutai
Partnership Forum**

Development of a Road Naming Policy

Purpose

The purpose of this paper is to seek endorsement from the Tauranga Moana / Te Arawa ki Takutai Partnership Forum of the draft Road Naming Policy.

Recommendation

- 1. THAT the Policy Analyst's report dated 28 February 2018 and titled Development of a Road Naming Policy be received.*
- 2. THAT the Tauranga Moana / Te Arawa ki Takutai Partnership Forum endorses the draft Road Naming Policy, as set out in Appendix A [or as amended], and recommends to the Policy Committee that the draft Road Naming Policy be adopted.*



Simon Stewart
Policy Analyst

1. Background

On 19 October 2017, following direction given at the previous Partnership Forum meeting on 29 August 2018, the Policy Committee considered a discussion paper on a road naming policy. The Committee supported the Partnership Forum's recommendation to modify the proposed policy with the following points:

- The policy should be reviewed within two years of adoption
- Add 'Mana Whenua' to the naming criteria
- Include a directive about fair use of Māori names taking into account the history of an area (over non-Māori names)
- Include provisions for if a developer disagrees with iwi through the initial consultation phase
- Community board process should be after the planner's check
- Include macrons in road names

The Committee endorsed a modified draft Road Naming Policy, taking into account the above points, to be presented to the next Partnership Forum meeting.

2. Changes to the draft Road Naming Policy

The following table summarises how the above listed modifications have been taken into account in the draft policy, which is attached to this report:

Modification to be made	Change in draft policy
<i>The policy should be reviewed within two years of adoption</i>	<ul style="list-style-type: none"> • Policy review cycle changed to 2 years (see table below Section 6 in the draft policy)
<i>Add 'Mana Whenua' to the naming criteria</i>	<ul style="list-style-type: none"> • Mana Whenua has been added as a definition via a new interpretation section (Section 2) • Now included in the policy objective "...that involved consultation with mana whenua..." • General Approach (Section 4) includes "...mana whenua being involved early in the decision making process" • Added to decision criteria in section 5.2 • Added throughout Policy Procedures (Section 6)
<i>Include a directive about fair use of Māori names taking into account the history of an area (over non-Maori names)</i>	<ul style="list-style-type: none"> • Criteria added to Section 5.2: "The number of Māori road names is fairly represented in the context of non-Māori road names within the area"
<i>Include provisions for if a developer</i>	<ul style="list-style-type: none"> • Provision added in Section 6.4 for

<i>disagrees with iwi through the initial consultation phase</i>	the need to reach agreement between mana whenua and the developer/applicant
<i>Community board process should be after the planner's check</i>	<ul style="list-style-type: none"> Community Board consultation moved to be after planner's check (Section 6.2)
<i>Include macrons in road names</i>	<ul style="list-style-type: none"> Criteria added to Section 5.2: "A name is correctly spelt, including the correct use of macrons."

3. Next steps

This paper seeks guidance from the Partnership Forum on any further amendments it wishes to include in the draft Road Naming Policy, and whether the draft policy (as amended) should be taken to the Policy Committee for formal adoption.

DRAFT Road Naming Policy

1 Relevant Legislation/Standard

Local Government Act 2002

Australian/New Zealand Standard on Rural and Urban Addressing (AS/NZS 8419:2011)

2 Interpretation

Mana Whenua

In the context of this policy, means Iwi or Hapū that exercise customary authority in an identified area within which a road name is sought. These Iwi and Hapū are identified by Council on the basis of interests described in current Iwi and Hapū Management Plans, Mana Whakahono ā Rohe Agreements and/or settlement deeds.

3 Policy Objectives

To ensure future road names are appropriate and determined through a sufficiently robust process that involves consultation with mana whenua and the Community Board. Appropriate road names are those that are sufficiently unique, culturally appropriate, and meet the requirements of emergency services.

4 General Approach

The road naming process requires balancing local views on meaningful road names with the naming requirements of emergency services, within a reasonable timeframe. It is acknowledged that road names have an enduring presence in our communities and should reflect the communities in which they are located. As such, this policy sets out the process to enable a range of community views to be considered, and acknowledges the importance of mana whenua being involved early in the decision-making process.

The scope of this policy applies to the naming of roads. Council also encourages the policy to be applied to the naming of private ways (noting that Council is not empowered by legislation to require this).

5 Decision Criteria

The decision criteria shall be used to guide decision-making on road names and will be made available to the applicant(s)/developer(s), mana whenua, and Community Boards, prior to their consideration and submitting of suggested name(s).

The decision criteria will also be used by Council's planner to guide their final recommendation.

The decision criteria are set out below:

DRAFT Road Naming Policy

5.1 All road names should be sufficiently unique

- No road name shall be the same as another road name within this district or any immediately adjacent district;
- Road names should not be phonetically similar, or similar in spelling to any other road name within this district or any immediately adjacent district;
- The road name is generally easy to spell (for an average New Zealander);
- The road name is generally easy to pronounce (for an average New Zealander);
- The road name is of appropriate length:
 - Using a guide of approximately 13 characters, including the suffix
 - Larger names are allowed if considered historically and/or culturally appropriate

5.2 A road name should be culturally appropriate

- The road name relates to –
 - The location's history;
 - Significant people/whanau in the vicinity of the proposed road; and/or
 - Significant cultural landmark(s) within the vicinity or view from the area.
- The road name is culturally sensitive, in that it –
 - Is not inflammatory (against a culture/person etc);
 - Is consistent with mana whenua views and reflects the level of significance of that location to iwi/hapū; and
 - Is not historically inaccurate.
- The road name is not offensive, being –
 - Rude/objectionable;
 - Defaming; or
 - Incorrect culture/history/location.
- A name is correctly spelt, including the correct use of macrons.
- The number of Māori road names is fairly represented in the context of non-Maori road names within the area.

5.3 Appropriate for Emergency Services

- Easy to spell (for the average New Zealand resident);
- Easy to pronounce (for the average New Zealand resident); and
- Appropriate length: Discretion shall be used with respect to the length of the road name. In general road names should not be longer than 13 characters in length, however longer road names may be necessary where alternatives are inappropriate (such as particular location, cultural significance).

DRAFT Road Naming Policy

- 5.4 The suffix of road names should be generally consistent with the Road Name Suffix Guide, as per Appendix A of this Policy.
- 5.5 Existing road names may be renamed, provided the re-naming process is consistent with this policy.

6 Policy procedures

- 6.1 For significant roads, such as State Highway revocations, Council can determine that wider public consultation shall be undertaken.
- 6.2 The following procedure shall apply for general road naming:
- Council provides the applicant (usually the developer) with contact details for the mana whenua who the applicant is required to engage with, and the Decision Criteria set out under this policy;
 - Applicant engages with mana whenua on proposed road names, and submits at least three road names with rationale for each name to Council;
 - Council planner checks for duplicates/conflicts with existing names within the Western Bay or neighbouring districts and consistency with Decision Criteria in this policy;
 - Where the proposed road will be sited within an area with a Community Board, the proposed names will be sent to that Community Board for consideration and feedback;
 - Planner's recommendation (to consider all views from consultation and guided by the Decision Criteria in Section 3 of this policy) is sent to staff member with delegated authority;
 - Decision signed under Delegated Authority.
- 6.3 If the planner's report concludes that more than 1 road name suggested in the process is appropriate, then the developer shall be consulted in order to decide the preferred name.
- 6.4 The road name will not be accepted if mana whenua have not been engaged in the process, or note that their engagement was insufficient (such as not reaching agreement with the applicant/developer/each other).
- 6.5 Delegated Authority shall be given to the Consents Manager, Policy, Planning & Regulatory Services Group Manager, the Deputy Chief Executive Officer, and the Chief Executive Officer. Only one signature is required by an officer with delegated authority to authorise a road name.

Group	Policy, Planning & Regulatory Services	Contact (3rd Tier Manager)	Environmental Consents Manager	
Supersedes	N/A			
Creation Date	xx xx 2017	Resolution Reference		
Last Review Date	N/A	Resolution Reference	N/A	
Review Cycle	First review in 2 years		Date	XX XX 2019
Authorised by	Policy Committee		Date	XX XX 2017

DRAFT Road Naming Policy

Appendix A: Road Name Suffix Guide

Type	Suffix	Description/usage
Alley	Aly	Usually narrow roadway in a city or town
Arcade	Arc	Covered walkway with shops along the sides
Avenue	Ave	Broad roadway, usually planted with side with trees
Boulevard	Blvd	Wide Roadway, well paved, usually ornamented with trees and grass plots
Circle	Cir	Roadway that generally forms a circle
Close	Cl	Short enclosed roadway
Court	Ct	Short enclosed roadway, usually surrounded by buildings
Crescent	Cred	Crescent shaped roadway, especially where both ends join the same thoroughfare
Crest*	Crest	A roadway running along the top or summit of a hill
Drive	Dr	Wide main roadway without many crossing streets
Esplanade	Esp	Level roadway alongside the sea, a lake or river
End*	End	A no exit street
Glade	Gld	Roadway usually in a valley of trees
Glen*	Glen	In narrow valley
Green	Grn	Roadway often leading to a grassed public recreation area
Grove	Grv	Roadway that features a group of trees standing together
Heights*	Hts	A roadway traversing high ground
Hill*	Hill	Applies to a feature rather than a route
Highway	Hwy	Highway Only
Lane	Ln	Narrow roadway between walls, buildings or a narrow country roadway
Lookout*	Lookout	A roadway leading to or having a view of fine natural scenery
Loop	Loop	Roadway that diverges from and rejoins the main thoroughfare
Mall	Mall	Wide walkway, usually with shops along the sides
Mead*	Mead	Mowed land
Meadows**	Meadows	Mowed land
Mews	Mews	Roadway in a group of houses; traditionally rural residential area converted to a residential area
Parade	Pde	Public roadway or promenade that has food pedestrian facilities along the side
Place	Pl	Short, sometimes narrow, enclosed roadway
Promenade	Prom	Wide flat walkway, usually along the water's edge
Quay	Qy	Roadway alongside or projecting into water
Ridge	Rdge	A roadway along the top of a hill.
Rise	Rise	Roadway going to a higher place or position
Road	Rd	Open roadway primarily for vehicles; route between places
Square	Sq	Roadway which generally forms a square shape, or an area of roadway bounded by four sides
Straight**	Straight	Rural road
Street	St	An urban road
Terrace	Tce	Roadway on a hilly area that is mainly flat
Track	Trk	Walkway in natural setting; narrow country street that may end in pedestrian access
View*	View	Street with a view of significance
Vista**	Vista	Street with an outlook of significance
Walk	Walk	Thoroughfare for pedestrians
Way	Way	Only to be used for private roads
Wharf	Whrf	A roadway on a wharf or pier


Derived from Australian/New Zealand Standard on Rural and Urban Addressing (AS/NZS 8419:2011), Whanganui Road Naming Policy (), and Western Bay of Plenty District road names (**)*

Western Bay of Plenty District Council**Tauranga Moana / Te Arawa ki Takutai
Partnership Forum****Nomination of Partnership Forum representative to
SmartGrowth Leadership Group****Purpose**

Paragraph 4(g) of the Terms of Reference for the Partnership Forum allows the members of the Forum to appoint representatives to external representation forums such as SmartGrowth. This report relates to an appointment to be made pursuant to paragraph 4(g).

Recommendation

- 1. THAT the Māori Relationships and Engagement Advisor's report dated 19 February and titled "Nomination of Partnership Forum representative to SmartGrowth Leadership Group" be received.**
- 2. THAT _____ is confirmed as the Tangata Whenua representative for the Tauranga Moana/Te Arawa ki Tai Partnership Forum on the SmartGrowth Leadership Group.**



Chris Nepia
Māori Relationships and Engagement Advisor

1. Background

The SmartGrowth Leadership Group (formerly the SmartGrowth Implementation Committee) comprises of Elected Members from all local Councils, the District Health Board, NZTA and Tangata Whenua. The purpose of the SmartGrowth Leadership Group is to implement the SmartGrowth Strategy and Implementation Plan.

The Tangata Whenua Members of the SmartGrowth Leadership Group are put forward by the Tauranga City Tangata Whenua Collective (one member), the Tauranga Moana/Te Arawa ki Tai Partnership Forum (one member) and the Combined Tangata Whenua Forum (Two members).

The current Tangata Whenua member that represents the Partnership Forum on the SmartGrowth Leadership Group is Maru Tapsell who was appointed by Te Komiti Māori. This appointment was made prior to October 2014 when the inaugural meetings of the then separate Partnership Forums were held. There has been no decision made on the issue of the Partnership Forum's representative on the SmartGrowth Leadership Group since the time of Te Komiti Māori.

2. Decision

SmartGrowth has requested that the Partnership Forum confirm its Tangata Whenua member on the SmartGrowth Leadership Group. There is no specific criteria provided for the member that is selected onto the SmartGrowth Leadership Group, however it must be noted that the current Tangata Whenua members on that group are also regular attendees of the SmartGrowth Combined Tangata Whenua meetings.

Western Bay of Plenty District Council

Tauranga Moana / Te Arawa ki Takutai Partnership Forum


Te Ara Mua Ngā Kaihoe (Work Programme) Update

Purpose

To provide Partnership Forum members with a Te Ara Mua progress update.

Recommendation

THAT the Workforce Development and Māori Advisor's report dated 22 February 2018 titled Te Ara Mua Ngā Kaihoe (Work Programme) Update be received.



Petera Tapsell
**Workforce Development &
Cultural Adviser**

1. Background

Te Ara Mua is a plan developed in 2016 by the Tauranga Moana and Te Arawa ki Takutai Partnership Forums. It signifies the efforts of the Partnership Forum to articulate the aspirations of Māori and actions that will help achieve those aspirations.

The aim is to assist Māori to form effective partnerships with Council so that issues of significance, capacity building opportunities and Treaty issues that have been identified, are addressed in the decisions Council makes.

Tino Rangatiratanga and Kawanatanga

Desired Outcomes	Action	Progress to Date
<p>Social:</p> <ul style="list-style-type: none"> Tangata Whenua are represented in local government and are actively involved in decision making. Tangata Whenua participate and vote in local body elections. Tangata whenua participate more in the decisions of Council that affect their lives. 	<ul style="list-style-type: none"> Identify and implement ways of supporting Tangata Whenua to participate in local body elections (includes standing and voting – newsletters, information from other Elected Members). 	<ul style="list-style-type: none"> The Partnership Forum will need to take the lead on this matter with the support of Council in the lead up to the 2019 local body elections.
	<ul style="list-style-type: none"> Support Māori input into Council policy and planning development review. Workshopping of policy with Partnership Forum members. 	<ul style="list-style-type: none"> The Policy Committee work programme for the calendar year has been workshopped with Councillors and will be provided to Partnership Forum members in due course. The work programme includes a number of projects the Partnership Forum are likely to want to participate in. Over the preceding three months a successful workshop series was held with tangata whenua to identify key issues/opportunities for the Long Term Plan. All workshops were well attended. Partnership Forum members have received an overview of the feedback. Partnership forum Chairs along with Community Board Chairs are invited to attend all Policy Workshops.
	<ul style="list-style-type: none"> Review Partnership Forums. 	<ul style="list-style-type: none"> This will naturally progress in advance of the next local body elections (October 2019).
	<ul style="list-style-type: none"> Investigate Māori representation on Council committees with voting rights. Investigate the establishment of Māori wards as part of the review of representation arrangements. 	<ul style="list-style-type: none"> Council as part of its review of representation arrangement resolved with a majority in November 2017, "that in accordance with the discretion conferred by Section 19Z of the Local Electoral Act 2001, Māori wards shall be established for the next triennial elections in 2019 and 2022".

		<ul style="list-style-type: none"> • A valid demand for a poll has been received and the poll must now be held on or before 21 May 2018 (see Representation Update report for more information).
	<ul style="list-style-type: none"> • Investigate the establishment of a Rangatahi Forum. 	<ul style="list-style-type: none"> • A Tuia programme has been developed where an inspiring young person with leadership qualities is invited to work with the Mayor (who acts as the Mentor) for a certain time period to give that person an insight into how Council operates.
<p>Cultural:</p> <ul style="list-style-type: none"> • The Treaty of Waitangi principles shall be integrated in all Council planning and training • Tangata Whenua expectations are met regarding the Treaty of Waitangi 	<ul style="list-style-type: none"> • Develop a system to monitor Council’s Treaty and statutory obligations to Māori and establish the link between all Council policy and the Treaty of Waitangi. • Ensure Council is meeting its Treaty and statutory obligations to Māori by implementing a monitoring system. 	<ul style="list-style-type: none"> • This action is likely to be progressed by an external resource and the scope of this work will be workshopped with Partnership Forum.
<p>Environmental:</p> <ul style="list-style-type: none"> • Tangata Whenua are involved in planning processes • Tangata Whenua are involved in resource consent processes 	<ul style="list-style-type: none"> • Actively include appropriate Tangata Whenua in consent processes, including notification processes. • Monitor Tangata Whenua inclusion in consent processes, including notification processes. 	<ul style="list-style-type: none"> • This action aligns with an action in the SmartGrowth Strategy (requested by the Combined Tangata Whenua Forum), for a sub-regional approach to consultation with tangata whenua on resource consents. A report is included on the 13 March Partnership Forum agenda that attaches a draft of this sub-regional policy.
	<ul style="list-style-type: none"> • Council take account of Iwi and Hapū management plans in the development of new plans. 	<ul style="list-style-type: none"> • In or March 2017 WBOPDC and TCC jointly funded independent research to provide guidance around ways to ensure that Iwi/Hapu management plans are

	<ul style="list-style-type: none"> • Council review the way in which Hapū and Iwi management plans are funded, emphasising the need for those Hapū and Iwi to reflect their tikanga within those documents. • Consider a protocols/relationship document with Hapū and Iwi. 	<p>developed and used effectively.</p> <ul style="list-style-type: none"> • Next steps are to progress the recommendations included in the report prepared by Conroy and Donald Consultants Limited (March 2017) entitled "<i>Effective Use and Recognition of Iwi and Hapu Management Plans.</i>" • WBOPDC, TCC and Regional Council are the original funders for these plans however, TCC is coming to the end of its funding contribution as most Iwi/Hapu in their jurisdiction have completed their plans. TCC will now be concentrating more on reviews. WBOBDC is looking to 'ringfence' some of this funding to enable hapu to map cultural heritage features (where there is a desire to do so). • This action has probably been overtaken by the introduction of Te Mana Whakahono a Rohe arrangements which can be initiated by iwi (or can be initiated by Council at a hapu level). • Takawaenga Maori staff from Western Bay, Tauranga City and Bay of Plenty Regional have been discussing opportunities for collaborating so that when negotiations are initiated by iwi (or by Council with hapu), all three Councils are present at the table. This is considered to be a more efficient and helpful approach for iwi/hapu rather than requiring the negotiation of three separate MWAR agreements with each Council. • Partnership engagement agreements related to certain projects (e.g. Tauriko a Muri Ake Nei / Maungarangi Rd) have been initiated and are time specific. The template Partnership Engagement Agreement includes a
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		remuneration schedule to ensure that hapu representatives are appropriately remunerated for their time and expertise offered around the table.
	<ul style="list-style-type: none"> Seek Partnership Forum advice on how to engage Hapū and Iwi in the development of plans. 	<ul style="list-style-type: none"> MWaR's and Engagement Protocols will assist greatly in achieving this action.
	<ul style="list-style-type: none"> Engage with Hapū and Iwi in the development of plans. 	<ul style="list-style-type: none"> As above.
<p>Economic:</p> <ul style="list-style-type: none"> Tangata Whenua are supported to effectively participate in the decisions of local government that affect their lives (capacity building). Support Māori economic development. 	<ul style="list-style-type: none"> Investigate support required to effectively participate in Council decision making e.g. Council funding Partnership Forum members to undertake Making Good Decisions training. Hapū and Iwi are provided with information about the role of Council and how they can contribute to it 	<ul style="list-style-type: none"> Information and support is provided for those wishing to undertake such training and the Council welcomes members to apply. It is envisaged that the Takawaenga Team along with the relevant Forum members will meet with Iwi/Hapu about the role of Council at least 3 times annually.

Whanaungatanga – he here kia mohio

Desired Outcomes	Action	Progress to Date
<p>Social:</p> <ul style="list-style-type: none"> • Good quality, affordable housing is increased • Rates are fair and equitable for Māori land • Whānau wellbeing and resilience is strengthened • Communities that are vibrant, connected and safe are developed 	<ul style="list-style-type: none"> • Continue to contribute funding to the Joint Agency Group (JAG) responsible for papakainga initiatives. • Continue work to improve housing affordability for Māori. 	<ul style="list-style-type: none"> • All three Council's have included within their draft LTP a continuation of funding toward progressing the JAG Strategic Plan and papakainga initiatives. • A more strategic discussion has been scheduled amongst the Council partners (and the JAG facilitator) to understand the changing Government social housing / housing affordability landscape and more particularly to investigate how we might achieve papakainga 'at scale'.
	<ul style="list-style-type: none"> • Expand Healthy Whare Project to improve housing quality in other areas. 	<ul style="list-style-type: none"> • This project is now expanding into Tapuika (Te Puke) from Maketu. Negotiations are also underway with Dolores Nathan of Te Rereatukahia. Has the ability to be taken to other communities. Council funding is continuing but the success of this programme depends upon an integrated approach between other government agencies / departments (particularly, Te Puni Kokiri, Ministry of Social Development, BOPDHB).
	<ul style="list-style-type: none"> • Continue to advocate for an equitable approach to the funding of infrastructure - e.g. review of financial contributions on papakainga and advocate to Te Puni Kokiri for infrastructure funding. • Continue to provide advice and support around planning for papakainga and Māori housing development. 	<ul style="list-style-type: none"> • A significant decision was made during the last triennium resulting in fincos being reduced by 50% for papakainga on multiply owned Maori land where the Trust participates in the Papakainga Toolkit process or alternatively, can demonstrate the same level of master planning has been undertaken. • This is an ongoing process through the JAG programme.
	<ul style="list-style-type: none"> • Investigate building safe and vibrant papakainga in traditional areas of Māori occupation. 	<ul style="list-style-type: none"> • This action requires more clarification from the Māori members of the Partnership Forum as to what it is meant by traditional areas of Māori occupation.

	<ul style="list-style-type: none"> Hold a workshop for Tangata Whenua members of Partnership Forums regarding rating policies and practices. 	<ul style="list-style-type: none"> Workshop for the Tangata Whenua members of the Forum is actively being promoted and a date is being looked at to progress this further.
<p>Cultural:</p> <ul style="list-style-type: none"> Marae are used, sustainable and cared for The use of te reo Māori is promoted The importance of urupā is recognised Promote Māori arts and culture 	<ul style="list-style-type: none"> Investigate the effectiveness of the Marae Maintenance Fund including criteria for use. 	<ul style="list-style-type: none"> The Marae Maintenance Fund is proving to be very popular and is oversubscribed. The purpose of this fund is to assist with the maintenance only of the marae. This fund is to be increased from \$333,000 over 10 years to \$500,000.
	<ul style="list-style-type: none"> Investigate the needs of urupā. Consider contributing reserve land for urupā. Review the fee structure for plots at cemetery. 	<ul style="list-style-type: none"> Investigations are currently underway to identify appropriate sites and options. There are possibly 2 areas in Katikati that could be assigned as a cemetery/Urupa. The draft Katikati/Waihi Beach Ward Reserve Management Plan (which will be reviewed with the community this year) identifies the recreation reserve at Hot Springs Road as a possible site for a new urupa to serve Tamawhariua.
	<ul style="list-style-type: none"> Increase use of marae as venues for engagement between Council and the community. Promote and support marae being used as emergency centres during disasters. 	<ul style="list-style-type: none"> Council would welcome advice from Partnership Forum members as to when / where it might be appropriate to hold Council meetings and/or Partnership Forum meetings on marae. This action was reinforced through the Long Term Plan workshops with tangata whenua. WBOPDC needs to work more closely with the Māori Civil Defence Coordinator / BOPRC to progress this mahi.
	<ul style="list-style-type: none"> Develop/review Council's te reo Māori Strategy with a view to: Increase the use of te reo Māori by Councillors and staff. 	<ul style="list-style-type: none"> Council has in past run Te Reo classes on a voluntary basis. Plans are underway to set up two classes. One specifically to deal with correct pronunciation and the other for a homework group who will be undertaking Te

	<ul style="list-style-type: none"> Promote the use of Māori names through signage. 	<p>Reo classes at the Wananga.</p> <ul style="list-style-type: none"> Signage is currently in place throughout the offices and most of our interviews are so named.
<p>Environmental:</p> <ul style="list-style-type: none"> Māori values are reflected in the built and natural environment Space is available for recreation and leisure Opportunities are provided for mahinga kai and wāhi rongoa 	<ul style="list-style-type: none"> Review and improve the extent to which Māori values are represented in the built and natural environment and advocate these views amongst other organisations who also work in the environment (e.g. Regional Council consents to do investigative mining in Tauranga Moana). 	<ul style="list-style-type: none"> Pou have been erected throughout the Western Bay region. Historical markers have also been introduced in some communities in the region. Council has agreed to review the Built Environment Strategy which will provide a good opportunity for Partnership Forum members (and others) to explore contemporary ways and means of reflecting Māori values in the built and natural environment.
	<ul style="list-style-type: none"> Investigate needs for mahinga kai and wāhi rongoa and ways in which Council can contribute to meeting those needs – including the use of Council parks and reserves. 	<ul style="list-style-type: none"> Respective hapu would need to meet with Council staff to identify the areas.
	<ul style="list-style-type: none"> Investigate recreation and leisure needs of Māori to evaluate the extent to which the needs are provided for in Council's recreation spaces 	<ul style="list-style-type: none"> This again would require Iwi/hapu to meet with Council staff to discuss this matter. An opportunity for this conversation will be when Council reviews its Recreation and Leisure Strategy later on this year.
<p>Economic:</p> <ul style="list-style-type: none"> Tangata Whenua have access to essential infrastructure and utilities Tangata Whenua are assisted in the development of their land 	<ul style="list-style-type: none"> Advocate to central and regional government for funding to contribute to essential infrastructure and services (such as plumbing, high speed internet). 	<ul style="list-style-type: none"> This advocacy occurs constantly both through SmartGrowth (of which tangata whenua are a partner) and by each Council within the sub-region. This advocacy has understandably focused on transportation investment within the sub-region as well as the need for a greater range of funding tools for local government to invest in essential regional infrastructure.

Ōritetanga and Kaitiakitanga

Desired Outcomes	Action	Progress to Date
<p>Social:</p> <ul style="list-style-type: none"> • Healthy and strong whānau, Hapū and Iwi • A genuine partnership between Tangata Whenua and Council based on equity and fairness 	<ul style="list-style-type: none"> • Ensure Māori needs are considered in improving community wellbeing • Advocate collaboration with other government organisations to improve the needs of Māori 	<ul style="list-style-type: none"> • Healthy Whare, Papakainga Housing, Partnership Forums, Te Ara Mua, Te Kauae a Roopu to name a few are set up to ensure Māori needs are met in terms of their well being and the members on these group comprise various organisations within the community.
<p>Cultural:</p> <ul style="list-style-type: none"> • Māori cultural heritage is protected and preserved • Improved Tangata Whenua participation in Resource Management processes • Acknowledge papakainga as a traditional lifestyle community 	<ul style="list-style-type: none"> • Stocktake of existing approach to preserving and protecting cultural heritage sites (including a review of relevant policies), identify gaps and consider ways of improving 	<ul style="list-style-type: none"> • This was one of the issues that was prominent in all Iwi/Hapu management plans and as a result a workshop was held with the Partnership Forum to formalise a strategy to ensure the protection of the sites.
	<ul style="list-style-type: none"> • Support Hapū and Iwi to map cultural heritage sites and sites of significance within Hapū and Iwi management plans 	<ul style="list-style-type: none"> • There has been some work done in mapping the sites known to this Council through the plans however because Iwi/hapu have retained the knowledge of some special sites, Council is not able identify them on their website. Council will remain supportive in whatever decision Iwi/Hapu come to.
	<ul style="list-style-type: none"> • Cultural heritage in all its forms should be acknowledged including art, whakapapa, story boards, tikanga exercises activities 	<ul style="list-style-type: none"> • As above.
<p>Environmental:</p> <ul style="list-style-type: none"> • Support kaitiakitanga obligations to the environment having due regard to the importance of land 	<ul style="list-style-type: none"> • Support Hapū and Iwi to effectively participate in Council processes that impact on the environment – e.g. renewal of wastewater discharge consents 	<ul style="list-style-type: none"> • Council staff have been working tirelessly with the hapu in Te Puke and Katikati in terms of the renewal of wastewater discharge consents. The relationship between all the respective hapu and Council is a positive one and progress is slowly being made.

and water resources • Tangata Whenua are involved in the development of Reserve Management Plans	• Take account of Hapū and Iwi management plans in relation to their kaitiaki role for the environment.	• This will be undertaken as a matter of course as most staff who work with Iwi/Hapu are acutely aware of the Iwi/Hapu Management Plans that have been presented to this Council.
	• Hold a workshop for Tangata Whenua members of the Partnership Forum regarding Council's role in relation to the natural environment.	• Further discussion should take place with Takawaenga team to identify the areas of interest the workshop will follow.
	• Advocate for Council to develop a policy that decreases energy use by Council and its communities.	• More information needs to be forthcoming from the Partnership Forum on identifying what is the energy use mentioned and importantly, does it require a policy.
Economic: • Māori make the most of their people, land, asset and resource base • Tangata Whenua are encouraged to undertake contract work within their cultural landscapes • Develop tourism opportunities by establishing cultural heritage trails through all reserves in collaboration with other crown agencies	• Inform Partnership Forum members about He Mauri Ohooho. • Collate information on other Māori economic development initiatives and present to Partnership Forums.	• This is a Bay of Connections Māori Economic Development Strategy for the wider Bay of Plenty region and is New Zealand's first regionally-coordinated strategy of its kind. It was developed in partnership with Te Puni Kokiri and strongly links with the National Economic Development as well as the Toi Moana Bay of Plenty Regional Growth. It focuses on improving the wealth and well being for Māori in the Bay of Plenty region in the key areas of income, employment, health and education. The main funder for the implementation of He Mauri Ohooho is Te Puni Kokiri, with the core operations sponsored by Priority One and Bay of Connections.
	• Hold a workshop for the Partnership Forums on Māori land development. • Investigate trade training opportunities on marae, instigated by marae.	• To be arranged. • Māori would need again to take the lead in this to seek advice on the viability of such a scheme being operated on a marae.
	• Investigate the potential for paid Council internships	• Such a scheme is currently available through the use of

	<p>being offered to Tangata Whenua to build their skills, knowledge and experience and improve Council's understanding of Māori issues (consider Dept. of Internal Affairs funding for this purpose).</p>	<p>funding provided for by Department of Internal Affairs. This scheme allows for an iwi/hapu member to work in a Local Government organisation to gain an insight into how the organisation works and conversely for a Local government worker to be seconded to a Local Iwi organisation.</p>
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