



**I, Kitea Tipuna, Tumu Whakarae Chief Executive, hereby give notice that
a Māori Standing Committee Meeting will be held on:**

Date: Tuesday, 11 March 2025
Time: 10:00 am
**Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa**

AGENDA

Māori Standing Committee Meeting

11 March 2025

MEMBERSHIP: His Worship the Mayor Craig Little, Mr Henare Mita, Ms Theresa Thornton, Ms Fiona Wairau, Cr Benita Cairns, Cr Roslyn Thomas, Ms Erena Hammond, Ms Amanda Reynolds, Ms Whaiora Maindonald

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

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- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 15.1 requests to speak must be made to the Chief Executive Officer at least one clear day before the meeting; however this requirement may be waived by the Chairperson. Requests should also outline the matters that will be addressed by the speaker(s).

7 MINUTES OF THE PREVIOUS MEETING

Ordinary Meeting - 12 November 2024

**MINUTES OF WAIROA DISTRICT COUNCIL
MĀORI STANDING COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 12 NOVEMBER 2024 AT 10:02 AM**

PRESENT: Mr Henare Mita, Ms Theresa Thornton, Cr Benita Cairns, Cr Roslyn Thomas, Ms Erena Hammond, Ms Amanda Reynolds, Ms Whaiora Maindonald

IN ATTENDANCE: **Kitea Tipuna** (Tumu Whakarae | Chief Executive), **Gary Borg** (Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support), **Hinetaakoha Viriaere** (Pouwhakarae Whakamahere me te Waeture | Group Manager Planning & Regulatory), **Juanita Savage** (Pouwhakarae Rātonga Hapori me te Whakawhanake | Group Manager Community Services and Development), **Duane Culshaw** (Pouahurea Māori | Māori Relationships Manager), **Frances Manase** (Kaiurungi Mana Ārahi | Governance Officer), **Nathan Heath** (HBRC Māori Relationships Manager)

1 KARAKIA

The opening karakia was given by the Chair, Mr Henare Mita.

2 APOLOGIES FOR ABSENCE

APOLOGIES

COMMITTEE RESOLUTION 2024/247

Moved: Ms Whaiora Maindonald

Seconded: Ms Amanda Reynolds

That the apologies received from Ms Hammond and Ms Thornton for lateness, and Ms Wairau be accepted and leave of absence granted.

CARRIED

3 DECLARATION OF CONFLICT OF INTEREST

To be declared as the agenda progresses.

4 CHAIRPERSON'S ANNOUNCEMENTS

Nil.

5 LATE ITEMS OF URGENT BUSINESS

LATE ITEM.1 TĀ TE POUAHUREA MĀORI PURONGO

COMMITTEE RESOLUTION 2024/248

Moved: Mr Henare Mita

Seconded: Ms Erena Hammond

That the report titled *Tā te Pouahurea Māori purongo* be received as a late item.

CARRIED

6 PUBLIC PARTICIPATION

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

7 MINUTES OF THE PREVIOUS MEETING

COMMITTEE RESOLUTION 2024/249

Moved: Ms Whaiora Maindonald

Seconded: Mr Henare Mita

That the minutes of the Māori Standing Committee meeting held on 1 October 2024 be confirmed with amendments.

CARRIED

- Page 7 of the agenda: In the second-to-last bullet point, remove the phrase “and become public knowledge.”
- Page 8 of the agenda: In the last bullet point, replace “a site visit at the Toa site in Ōmarunui” with “a site visit at the Ōmarunui site.”
- Page 9 of the agenda:
- Under *Marae Compliant Schedule*, seek clarification on replacing “unless they plan to upgrade” with “unless a Resource and Building Consent is triggered”, and remove the second bullet point.
- Under *Verbal updates*, replace:
 - “Pahaka” with “Pā Haka”
 - “Rua Taniwhā” with “Ruatanuiwha,” and
 - “seeked” with “sought.”
- Page 10 of the agenda: Replace “marae” with “Marae” and “cloing karakia” with “closing karakia.”

8 GENERAL ITEMS

COMMITTEE RESOLUTION 2024/250

Moved: Ms Whaiora Maindonald

Seconded: Ms Theresa Thornton

That Ms. Amanda Reynolds represent the Māori Standing Committee on the Infrastructure and

Regulatory Committee, and Ms. Erena Hammond represent the Māori Standing Committee on the Strategy, Wellbeing and Economic Development Committee.

CARRIED

8.1 RAKAIPAACA PURONGO Ā-TAKIWĀ

COMMITTEE RESOLUTION 2024/251

Moved: Mr Henare Mita

Seconded: Ms Erena Hammond

The Committee receives the report.

CARRIED

8.2 MONTHLY RELATIONSHIP MANAGER REPORT - OCTOBER

COMMITTEE RESOLUTION 2024/252

Moved: Mr Henare Mita

Seconded: Ms Erena Hammond

The Committee receives the report.

CARRIED

LATE ITEM.1 TĀ TE POUAHUREA MĀORI PURONGO

COMMITTEE RESOLUTION 2024/253

Moved: Ms Erena Hammond

Seconded: Ms Amanda Reynolds

The Committee receives the report and recommends to Council an amendment to the Māori Standing Committee Terms of Reference, adjusting the quorum requirement from five takiwā representatives plus one elected member to 50% of the current takiwā representation plus one elected member.

CARRIED

The Māori Relationships Manager introduced the report and acknowledged the passing of the last soldier of the 28th Māori Battalion, Sir Robert Nairn Gillies.

The Committee noted:

- Vacancies are impacting the quorum.
- Marae within the takiwā that have not filled their vacancies have not put anyone forward.

- Whether Item 4 aligns with the direction sought by mana whenua and considered its appropriateness. Clarification was sought on which mana whenua group is requesting the renaming of these locations, whether it is a Marae, Kāhui, or some other group.

OPEN DISCUSSION

Flood Mitigation Project

The Group Manager of Community Services and Development highlighted:

- A website is available with information on the project.
- The initial 18 options have been narrowed down to two viable options.
- The Crown Manager remains open to considering additional options if they arise.

The Chief Executive noted:

- Wider public engagement has commenced, with a hui held at Takitimu Marae for those directly impacted by Options 1C and 1D.
- A War Memorial Hall Community Hui is scheduled to take place in December.

The Committee noted:

- Some homeowners had not been informed about the flood mitigation project prior to the Takitimu Marae hui.
- Queries were raised regarding whether slash had been taken into account in the options considered.
- That the delayed decision until February is creating uncertainty for whānau, as some homeowners are hesitant to make changes to their properties without knowing if they will need to relocate.

The Meeting closed with a closing karakia by the Chair, Mr Henare Mita at 12:03pm.

The minutes of this meeting were confirmed at the Māori Standing Committee Meeting held on 11 March 2025

.....
CHAIRPERSON

MĀORI STANDING COMMITTEE ACTION SHEET 2025

<u>ACTION</u>	<u>MEETING THE ACTION WAS RAISED IN</u>	<u>DUE DATE</u>	<u>OFFICER RESPONSIBLE</u>	<u>STATUS</u>	<u>COMMENTS</u>	<u>PUBLIC EXCLUDED</u>
					05/03/2025 Update	
Crown Manager to be introduced to the Māori Standing Committee at next scheduled meeting.	20/08/2024	12/11/2024	Kitea Tipuna and Juanita Savage	Complete	The Crown Manager has confirmed he will be attending the hui on March 11 th .	No
Marae specific building compliance schedules to be created and to be tabled to MSC	01/10/2024	12/11/2024	Hine Viriaere and Graham Johnston	In progress	The Group Manager of Planning and Regulatory will provide a verbal update in the hui.	No
Go through outstanding recommendations from MSC to Ordinary Council	01/10/2024	12/11/2024	Duane Culshaw		<i>No update received at the time of agenda creation.</i>	No
Formal request for MSC representation at the Infrastructure and Regulatory Committee Meetings and Strategy, Wellbeing and Economic Development Meetings	01/10/2024	12/11/2024	Juanita Savage	Complete		No

8 GENERAL ITEMS

8.1 MORTUARY WASTE UPDATE

Author: Karen Akuhata, Kaiwhakahaere Whaipainga Utilities Manager

Authoriser: Luke Knight, Kawhakahaere Rawa me te Para Totoka | Property & Solid Waste Manager

Appendices: Nil

1. PURPOSE

- 1.1 This report provides information for Committee on the separation of Mortuary Waste from the wastewater system. No decisions are required by Committee at this stage.
- 1.2 The Infrastructure and Regulatory Committee recommended that this report be provided be provided to the Maori Standing Committee.

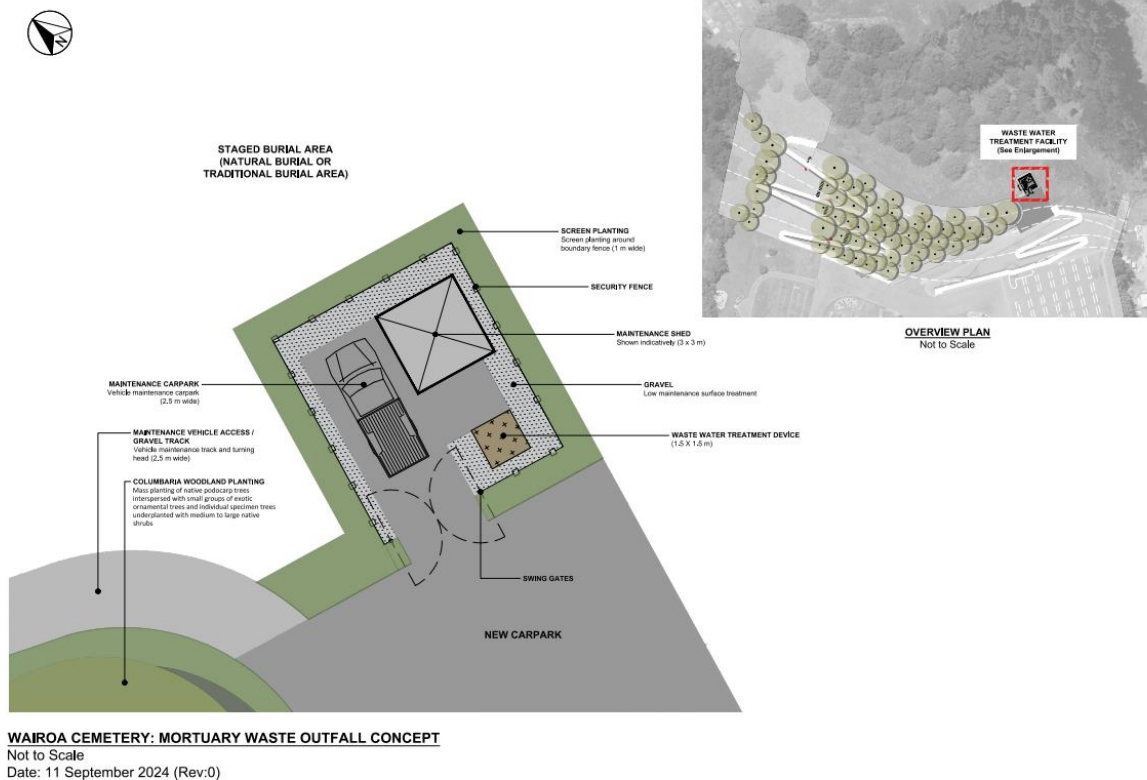
RECOMMENDATION

The Kaiwhakahaere Whaipainga Utilities Manager RECOMMENDS that Committee receive the report.

2. BACKGROUND

- 2.1 There is a strong community desire to remove mortuary waste from the wastewater system in Wairoa, and progress has been made to address this concern.
- 2.2 Key developments are:
 - 2.2.1. The tradewaste bylaw has been updated to address the specific needs related to mortuary waste. This update is an important step in ensuring that mortuary waste is managed appropriately and separately from the general wastewater system.
 - 2.2.2. The Wairoa wastewater discharge consent now includes a specific requirement for the separation of mortuary waste. This stipulation ensures that mortuary waste does not enter the general sewer network, aligning with the community's desire to address the issue at the regulatory level.
 - 2.2.3. These updates signal a commitment by the Wairoa District Council (WDC) to address community concerns and meet environmental and public health standards by separating mortuary waste from the wastewater system. This is a critical step as it ensures that mortuary waste, which includes embalming fluids, blood, and other chemicals, is handled appropriately, and does not contribute to the general wastewater treatment process.
 - 2.2.4. Funding for this project has been secured.
- 2.3 WDC has developed a draft design plan for a new mortuary waste disposal site at the cemetery. The plan involves using a tank system to discharge mortuary waste, with the

intention of integrating it into the cemetery upgrade to optimize costs and resources.



3. FUNERAL DIRECTOR KORERO ABOUT THE EMBALMING PROCESS

3.1.1. Michael Pickering, a funeral director, embalmer, and qualified cabinet maker, introduced himself and gave insights into the mortuary processes and the potential impact of this project from his perspective.

3.1.2. Embalming Process:

3.1.2.1. Embalming involves injecting a chemical solution into the body and removing blood. The volume of fluids used varies depending on the case.

3.1.2.2. A standard embalming uses approximately 10-13L of embalming solution (largely water), while difficult cases may require up to 25L of fluid.

3.1.2.3. The solution is diluted with water and discharged after it has passed through the body.

3.1.2.4. Additionally, the process includes aspirating the stomach cavity to preserve the internal organs.

3.1.2.5. Michael did a water meter reading and found that a standard embalming case uses around 100L of water, while more difficult cases consume more.

3.1.3. Chemical Composition:

3.1.3.1. Chemical Composition: The embalming solution includes 2.5L of chemicals (mainly formaldehyde and glutaraldehyde, with methanol as a stabilizer).

3.1.3.2. The chemicals neutralize harmful substances in the body and are diluted as they are discharged into the wastewater system.

3.1.4. Waste Composition:

3.1.4.1. Approximately 4-6L of blood is removed from the body during embalming, and medications (e.g., chemotherapy drugs) also contribute to the mortuary waste.

3.1.4.2. The chemical concentration in a standard embalming solution is around 1.5%, but this can vary depending on the person's health condition (e.g., fluid retention).

3.2

4. FEEDBACK FROM MWWP

4.1 Project Support - MWWP members expressed strong support for removing mortuary waste from the sewer system, and they were excited about the project's potential.

4.2 Risks and Transport: Key concerns included the risk of not being able to transport the waste to the processing site and the potential for spills during transport. The waste will need to be handled and transported safely, likely using trucks similar to septic tank trucks.

4.3 Capacity Considerations: There was a discussion about the need to ensure enough capacity for waste disposal, especially during fluctuations in embalming volume, such as during times of increased deaths.

4.4 Waste Separation: The MWWP debated whether it would be possible to separate the bodily fluids (e.g., blood and embalming chemicals) from the water used in embalming. However, this approach may not be practical due to the nature of the embalming process and the extra work and cost involved. It was suggested that separating fluids might be handled on a case-by-case basis, with Michael Pickering having the final decision on whether this can be done.

4.5 Michael Pickering expressed concerns about passing extra costs onto families if the fluids were to be separated manually.

Further Information

n/a

References (to or from other Committees)

n/a

8.2 CHAIRMAN'S PŪRONGO Ā-TAKIWĀ (NUHAKA-RAKAIPAAKA)

Author: Hinemoa Hubbard, Kaiurungi Mana Arahi | Governance Officer

Authoriser: Juanita Savage, Pouwhakarae - Rātonga Hapori me te Whakawhanake | Group Manager Community Services & Development

Appendices: 1. Pūrongo ā-Takiwā (Nuhaka-Rakaipaaka) [↓](#)

1. PURPOSE

- 1.1 This report provides information for the Māori Standing Committee on the MSC takiwā report for Rakaipaaka. No decisions are required by Committee at this stage.

RECOMMENDATION

The Kaiurungi Mana Arahi | Governance Officer RECOMMENDS that the Māori Standing Committee receives the report.

WDC Komiti Māori Hui 10:00am,
 11 Turei/Rātu Maehe/Poututerangi 2025,
 Pūrongo ā-Takiwā (Nuhaka-Rakaipaaka),
 Na Henare Mita (Heamana o Te Komiti Māori).

Manawa mai te mauri nuku,
 Manawa mai te mauri rangi.
 Ko te mauri kai au, he mauri tipua.
 Ka pakaru mai te po,
 Tau mai te mauri,
 Haumi e, hui e, taiki e!

- I draw upon the life-principle that encompasses us all and exhort it to shed light upon the challenges that lie ahead so we may navigate a path forward.

[This takiwā report is informational only and requires no decisions to be made on the part of the Māori Standing Committee. It is recommended that the committee receives this report.]

Toitū Te Tiriti o Waitangi: Treaty Principles Bill

For a full two months, the Treaty Principles Bill dominated the airwaves and generated such a furor, opposition took to the streets throughout New Zealand under the banner ‘Toitū Te Tiriti’, culminating of course with a 42,000 strong contingent marching upon parliament in mid-November 2024. Despite such profound discord, the alliance government maintained their course, reassuring its’ citizenry that neither National nor New Zealand First would support the bill upon its second reading and thus ensure its legislative demise. This did not placate opponents of the bill, their dissatisfaction firmly cast toward submission deadlines.



Facebook 19/11/2024 (Parliament/Rarotonga/Nepal)



Facebook 20/11/2024 (Buckingham Palace, Hawaii, Wellington)

So successful was the drive to inundate parliament with written submissions, it overwhelmed their system, forcing the government to extend their scheduled deadline by a further week. The oral submissions also generating an enormous response and mobilising some interesting political figures such as Hekia Parata, Dr Marilyn Waring, Ruth Richardson, former Prime Ministers Sir Geoffrey Palmer and Dame Jenny Shipley to name a few. For me however, standout submissions were delivered by two political scientists, professors hailing from Canterbury and Otago Universities, with another given by entertainer come political

commentator, Moana Maniapoto. With oral submissions finally concluded, we are told that the vast majority have been vehemently opposed to the ACT-led initiative and though absent of the earlier ambient commotion, the message has resounded loud and clear: Whakakorengia te Pire! Toitū te Tiriti!

Ngā Hua o Mōrere:



(Photo uploaded from Ngā Hua o Mōrere facebook page)

In late January, we received news via the 'Ngā Hua o Mōrere' facebook page, that Angela Spooner had been appointed supervisor of these facilities, a role which also included supervisory responsibility of the Waikaremoana Holiday Park. The above photograph shows Te Iwi o Rakaipaaka Trust (TIORT) member, Graeme Symes welcoming Angela. In fact 'Ngā Hua o Mōrere' facebook postings have proven invaluable. Prior to Ngā Hua o Mōrere reopening, they posted photographs of Department of Conservation (DoC) staff hard at work completing the many final touches. Therefore it is important to acknowledge the three organisation involved in this facility: DoC, Rongomaiwahine Iwi Trust (RIT) and TIORT.

Te Poho o Te Rehu Marae:



On the 29th of January through to the 31st, Te Rehu Marae hosted a group of students, teachers and parents from Te Kura Kaupapa Māori o Ngāti Kahungunu ki Te Wairoa. Referred to as 'Tāwharau o Karoro', this group comprised junior and senior children from Māhia, Nuhaka and Whakaki. They had a full and diverse three-day programme, their first morning spent talking about Te Rehu tipuna and Te Rehu marae, before venturing out to Te Māhia for the afternoon.

Te Kura o Nuhaka:



Work has steadily been progressing at the old Nuhaka School site. For weeks the constant pounding of piles being driven into the ground reverberated throughout Nuhaka and once the clanging ceased, preparations for the placement of buildings on to their foundations commenced. The actual lifting of buildings on to their piles was scheduled for the 19th and 21st of February, the school taking this opportunity to bus their students during the lunch period of the 19th to witness these works. It has been a long time coming, one that has been hugely anticipated by everyone - the protracted separation seemingly drawing to a conclusion.

There are however concerns, the BoT currently in discussions with the Ministry of Education (MoE) regarding changes made to the original plans. The BoT is eager to resolve these matters before they are set in stone.

Of interest too has been the installation of a new wifi tower next to the school. It dwarfs its predecessor which is now hidden by trees to the side of the tower.



[This takiwā report is informational only and requires no decisions to be made on the part of the Māori Standing Committee. It is recommended that the committee receives this report.]

8.3 HBRC MĀORI RELATIONSHIP MANAGER UPDATE

Author: Hinemoa Hubbard, Kaiurungi Mana Arahi | Governance Officer

Authoriser: Juanita Savage, Pouwhakarae - Rātonga Hapori me te Whakawhanake | Group Manager Community Services & Development

Appendices: 1. HBRC - Māori Relationship Manager Update Report - March 2025 [↓](#)

1. PURPOSE

- 1.1 This report provides an update from the HBRC Māori Relationship Manager to inform the Māori Standing Committee. No decisions are required from the Committee at this stage.

RECOMMENDATION

The Kaiurungi Mana Arahi | Governance Officer RECOMMENDS that Committee receive the report.

2. BACKGROUND

- 2.1 The Hawkes Bay Regional Council's Māori Relationships Manager, Nathan Heath, provides regular reporting to the WDC Māori Standing Committee.



HBRC Māori Relationship Manager update to WDC Māori Standing Committee

3 March 2025

HBRC Annual Plan – Council has re-adjusted the rates forecast for 25/26 and will now be consulting on a 9.9% increase vs the forecast 18.3%. Consultation will occur between 31 March and 2 May.

Wairoa Flood Protection – North Clyde Flood Protection, Wairoa River Bar Management and flooding along Kopu Road and Ngamotu have dominated activity over the last 2 months. Council voted to proceed with Option 1C at an Extra-Ordinary meeting held in Wairoa on 13 February. Work is continuing on considering options for Kopu Road & Ngamotu flood mitigation and a potential permanent solution for managing the bar location. A tripartite working party is developing a more formal Wairoa based decision making framework for the river mouth management.

HBRC will be reviewing all the drainage and flood protection schemes in manages, which in Wairoa includes Paeroa, Ohuia, Opoho, Whakakī and Kōpuawhara. As part of these reviews the community will be consulted on what levels of services they expect from these schemes. No fixed timeline has been provided for Wairoa yet and I will update the committee once these have been confirmed.

The HB Civil Defence and Emergency Management transformation strategy was approved by the HBCDEM Joint Committee at their meeting in Wairoa on 27 January. This strategy outlines the process for developing and implementing a plan to realise all recommendations made in the Mike Bush review into HB Emergency Management following Cyclone Gabrielle. As part of this plan's development. The HBRC Māori Partnerships team has been asked to coordinate some initial engagement with mana whenua. Two meetings were held late December with Te Iwi o Rakaipaaka and Rongomaiwahine Iwi Trust, and Matt Boggs (transformation lead) has asked for a further 4 initial meeting in Wairoa. We will be working closely with WDC Māori Relationship Manager during the initial stages of this plan, as more comprehensive engagement is likely to occur in the future.

Upcoming events

- Māori Freshwater Fisheries Conference, 8-9 April 2025 in Te Kuiti
<https://waimaori.maori.nz/twm-fresh-water-fisheries-conference/>
- **SOLD OUT** 2025 Coastal Restoration Conference, 12-14 March 2025 in Ūawa Tolaga Bay
<https://www.coastalrestorationconference.org.nz/>

A handwritten signature in black ink, appearing to read "Nathan Heath".

Nathan Heath
Māori Relationship Manager – Northern HB

8.4 TĀ TE POUAHUREA MĀORI PŪRONGO

Author: Duane Culshaw, Pouahurea Māori Māori Relationships Manager

Authoriser: Kitea Tipuna, Tumu Whakarae Chief Executive

Appendices:

1. **Council Forum and Ordinary Meeting Schedule** [↓](#)
2. **WDC Submission - Principles of the Treaty of Waitangi Bill** [↓](#)
3. **WDC Submission - Regulatory Standards Bill** [↓](#)

1. PURPOSE

1.1 This report provides information for the Māori Standing Committee on Council and community activities.

RECOMMENDATION

The Pouahurea Māori Māori Relationships Manager RECOMMENDS that the Māori Standing Committee receives the report.

2. KUPU WHAKATAKI

2.1 Hikohiko te uira, rū ana te whenua, ā, waipuketia te papa i ngā roimata i te rironga o ngā aituā o te wā, o tō tātau whanaunga, o tō tātau hoa, me ērā atu, me ērā atu kua hinga i te waonui a Tāne. Kei te ngau kino nei te taumahatanga o wēnei mate ohore, o ngā mate katoa. Haere tonu te mihi maioha ki a rātau, ki a rātau ngā pou whakawhirinaki o ā rātau whānau, ngā pou aroha o ā rātau hoa pūmau, ngā pou ārahi o ā rātau tamariki, ngā pou manaaki o ā rātau mokopuna, ngā pou atawhai o ā rātau hapori. Nā reira haere atu rā ki te huihuinga o te Matariki. Hoki atu tātau ki te hunga ora, tihei mauri ora ki a tātau.

2.2 He mihi whānui anō hoki ki ngā kapa katoa o Aotearoa e tū ana i te Matatini o te Kāhui Maunga, he kāhui tupua, he kāhui wairua. Ka puta te ihi, te wehi, te mana, te whakahīhī anō hoki i ngā wiki kua hipa. Ki a rātau anō ngā toa – Te Kapa Haka o Ngāti Whakaue (Tuatahi nō Te Arawa), Ngāti Rangiwewehi (Tuarua nō Te Arawa) me Ngā Tūmanako (Tuatoru nō Tāmaki Makaurau). Ka mau te wehi!

3. UPDATES (INFORMATIONAL)

3.1 This is a follow up from the Māori Standing Committee (MSC) ordinary hui held Tuesday, 12 November 2024.

3.2 **Client Service Request** – a kindly reminder for MSC members to refer any repair requests or complaints to the Client Service Request form (Telephone complaint in or it is accessible via the Council website – From Home Page, click on the Envelope icon (top right of page), scroll down to **Report an Issue**. Fill out online form and click **Submit**.

3.3 **Council Forum and Ordinary Meeting Roster** – the next two Council forum (10.00 am) and ordinary meetings (1.30 pm) roster is **Tuesday, 1 April 2025 (Whai-ora)** and **Tuesday, 29 April 2025 (Erena)**. A new schedule for this year has been attached to this report. If you are unable to attend your designated date, please inform the Pouahurea Māori in the first instance.

3.4 **Update for MSC Quorum (Informational)**

- 3.4.1. Subsequent to the MSC ordinary hui of 12 November, a report was present to Council on 19 November 2024 with a recommendation from the MSC to adjust the quorum from 5 takiwā representatives to 50% of current takiwā representation.
- 3.4.2. The Council Resolution was passed on 19 November 2024.

4. WAIROA DISTRICT COUNCIL SUBMISSIONS (INFORMATIONAL)

- 4.1 ***Principles of the Treaty of Waitangi Bill*** – at the Council ordinary meeting of 17 December 2024, the Council resolved that, *'The Tumu Whakarae Chief Executive RECOMMENDS that Council delegate to [His Worship] the Mayor and to the Chief Executive to write a submission on behalf of the Wairoa District Council to the Principles of the Treaty of Waitangi Bill and to submit to the Justice Select Committee before January 7, 2025.*
- 4.2 Please find as an Appendix to this report the Submission made to the Justice Select Committee on behalf of the Wairoa District Council. Public submissions were extended to 14 January 2025
- 4.3 As a reminder, the purpose of this bill is to set out the principles of the Treaty of Waitangi in legislation, and require, where relevant, those principles to be used when interpreting legislation.
- 4.4 ***The Regulatory Standards Bill*** – at the Council ordinary meeting of 17 December 2024, the Council resolved that, *'The Chief Executive also RECOMMENDS that the Council delegate to His Worship the Mayor and Chief Executive to write a submission on behalf of the Wairoa District Council to the Regulatory Standards Bill and submit to relevant committee before the submission due date.*
- 4.5 Please find as an Appendix to this report the Submission made to the Justice Select Committee on behalf of the Wairoa District Council. Public submissions closed on 13 December 2025.
- 4.6 The Regulatory Standards Bill aims to improve the quality of regulation in New Zealand so regulatory decisions are based on principles of good law-making and economic efficiency. Good regulation can help governments to achieve their desired economic, environmental and social outcomes, support the effective operation of markets, and protect communities from harm.
- 4.7 This Bill aims to reduce the amount of unnecessary and poor regulation, through making it transparent where regulation does, or does not, meet principles of responsible regulation.
- 4.8 It's proposed that the Regulatory Standards Bill would include:
 - 4.8.1. a benchmark for good regulation through a set of principles of responsible regulation;
 - 4.8.2. mechanisms to transparently assess the consistency of new legislative proposals and existing regulation with the principles; and
 - 4.8.3. a mechanism for independent consideration of the consistency of existing regulation, primarily in response to stakeholder concerns.
- 4.9 It would also include provisions to support the Ministry for Regulation in its work to improve the quality of regulation.

5. KUPU WHAKAKAPI

- 5.1 Kāti rā, e ara rā, e ara rā. E ara rā e te kōreo. E ara rā e te wānanga. E ara rā e te whakaaro nui. E ara rā e te ngākau whakaiti. Tūturu whakamaua, kia tina. Haumi e...! Hui e...! Tāiki e!

6. CONCLUSION

- 6.1 The Pouahurea Māori Māori Relationships Manager RECOMMENDS that the Māori Standing Committee receives the report.

MSC Schedule for Council Forum and Ordinary Meetings
All meetings are on Tuesday in Council Chambers

Forum	Ordinary	Chairperson	MSC Member
4 February – 10.00 am	4 February – 1.30 pm	Henare Mita	Amanda Reynolds
4 March – 10.00 am	4 March – 1.30 pm	Henare Mita	Theresa Thornton
1 April – 10.00 am	1 April – 1.30 pm	Henare Mita	Whai-ora Maindonald
29 April – 10.00 am	29 April – 1.30 pm	Henare Mita	Erena Hammond
27 May – 10.00 am	27 May – 1.30 pm	Henare Mita	Fiona Wairau
24 June – 10.00 am	24 June – 1.30 pm	Henare Mita	Amanda Reynolds
22 July – 10.00 am	22 July – 1.30 pm	Henare Mita	Theresa Thornton
19 August – 10.00 am	19 August – 1.30 pm	Henare Mita	Whai-ora Maindonald
16 September – 10.00 am	16 September – 1.30 pm	Henare Mita	Erena Hammond
11 November – 10.00 am	11 November – 1.30 pm	Henare Mita	Fiona Wairau
16 December – 10.00 am	16 December – 1.30 pm	Henare Mita	Amanda Reynolds

Council Forum – these are monthly informal meetings that allow the public to make presentations to the Council. These meetings are not recorded (minuted).

Council Ordinary Meetings – these are formal meetings that Council hold monthly. These are recorded (minuted) and normally media is present.

Please note: If you are unable to attend your scheduled hui, or if you have swapped with another member, please advise the Māori Relationship Manager in the first instance.

Justice Select Committee
Parliament Buildings
Wellington

6 January 2025

HE TĀPAETANGA KI TE PIRE I NGĀ MĀTĀPONO O TE TIRITI O WAITANGI SUBMISSION TO THE PRINCIPLES OF THE TREATY OF WAITANGI BILL

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TE TAKE *PURPOSE*

Ka tū ake tātau ki te tahi o te maunga rongonui o Whakapunake o Te Matau a Māui Tikitiki a Taranga. Mai i reira, ka taea e tātau te kite ngā taonga o te whenua nei me te whakatakoto rangatira o ō tātau tīpuna. Nā reira, hei ngā pouārahi o te Komiti Whiriwhiri nei, mōkori anō te mihi māhaki ki a koutou. Tēnā anō koutou mō tēnei mea angitu hei tuku atu ki a koutou ki tēnei kaupapa whakahirahira, arā ko te Pire i Ngā Mātāpono o te Tiriti o Waitangi. Kei te whakahē kē mātau ko Te Kaunihera-ā-Rohe o Te Wairoa i te Pire nei.

We stand upon the summit of the well-known mountain of Whakapunake. From there we can see the treasures of the land before us and the resting place of our ancestors. Accordingly, to the members of this Select Committee we humbly greet you.

We thank you for this opportunity to submit to this important issue, namely the Principles of the Treaty of Waitangi Bill (the Bill). We are encouraged by the debate that the introduction of this Bill has meant for our country, in particular, the importance of our democracy and the ability to be able to have honest and robust debate and discussion as part of a modern democracy. The Wairoa District Council (WDC) opposes this Bill and seeks for it to be abandoned.

HE WHAKARĀPOPOTOTANGA *SUMMARY*

On 7 November 2024, the Principles of the Treaty of Waitangi Bill was introduced to Parliament as part of the 2023 coalition agreement between the National Party and ACT, with NZ First also supporting its first reading. The Bill redefines the principles of Te Tiriti o Waitangi / the Treaty of Waitangi (Te Tiriti) in legislation and mandates use of the newly defined principles when interpreting laws that refers or relates to Te Tiriti principles.

Notably, there was no co-development, engagement, or consultation with Māori on the proposed principles.

The Bill proposes three principles, which can be summarised as:

Principle 1: The Crown has full power to govern in the interests of everyone and in line with the rule of law and democratic principles.

Principle 2: The Crown recognises the rights hapū and iwi had when they signed Te Tiriti, but those rights differ from the rights of everyone only when specified in a Treaty settlement.

Principle 3: Everyone is equal before the law and has the same fundamental human rights. If the Bill was enacted, it would have significant adverse effects on Council services and relationships with tangata whenua.

In drafting this submission opposing the Bill and urging its withdrawal, the Wairoa District Council needed to decide between three options:-

- a) Not submitting on the Bill.
- b) Submitting the drafted submission.
- c) Amending and submitting revised content.

HE WHAKAMĀRAMA BACKGROUND

1. On 7 November 2024, the Principles of the Treaty of Waitangi Bill was introduced to Parliament. The Bill is a product of the 2023 coalition agreement between the National Party and ACT. The National Party and the third coalition partner NZ First have committed to supporting the Bill through its first reading.
2. No engagement or consultation with Māori was undertaken during the development of the Bill, which can be seen as disregarding their role as Treaty partners and the principles of the Tiriti o Waitangi.
3. The Bill seeks to redefine Te Tiriti o Waitangi / Treaty of Waitangi principles in legislation and require the redefined principles to be used when interpreting legislation.
4. Section 6 of the Bill proposes the following principles:
 - a. Principle 1 – The Executive Government of New Zealand has full power to govern, and the Parliament of New Zealand has full power to make laws,
 - i. in the best interests of everyone; and
 - ii. in accordance with the rule of law and the maintenance of a free and democratic society.
 - b. Principle 2
 - i. The Crown recognises, and will respect and protect, the rights that hapū and iwi Māori had under the Treaty of Waitangi/te Tiriti o Waitangi at the time they signed it.
 - ii. However, if those rights differ from the rights of everyone, subclause (1) applies only if those rights are agreed in the settlement of a historical treaty claim under the Treaty of Waitangi Act 1975.

c. Principle 3

- i. Everyone is equal before the law.
- ii. Everyone is entitled, without discrimination, to
 - a) the equal protection and equal benefit of the law; and
 - b) the equal enjoyment of the same fundamental human rights.

5. On 14 November 2024, the Bill was read for the first time and referred to the Justice Committee for consideration. The closing date for submissions is 7 January 2025.
6. By contrast, Te Tiriti principles developed over many years of jurisprudence, lawmaking, and policymaking include:
 - *Partnership* – the Treaty / Te Tiriti is a partnership between Māori and the Crown, which requires the partners to act toward each other reasonably, honourably and with good faith.
 - *Protection* – active protection by the Crown of Māori interests, rights, taonga and rangatiratanga.
 - *Participation* – the Crown will provide opportunities for Māori to engage with decision making processes at all levels.
 - *Redress* – the Crown should provide redress for breaches of the Treaty / Te Tiriti.
 - *Kāwanatanga* – the Crown has the right to govern.

WHAKAWHITINGA KŌREREO ME NGĀ KŌWHIRINGA DISCUSSIONS AND OPTIONS

7. Council has adopted an articles-based approach to upholding its strategic and legislative Treaty commitments. However, many pieces of legislation Council works under reference the principles of Te Tiriti.
8. Council Officers have not undertaken a full impact assessment prior to drafting a submission because this is not practicable within the submission period. In addition, the statements of the National Party indicate they will not support the Bill beyond the select committee process. This would mean the Bill is unlikely to be passed into law based on statements of opposition from other political parties as well.
9. At a high level, if the Bill was ratified and enacted as law there would be a wide range of impacts across all Council services, and it would be incredibly damaging for Council's relationships with tangata whenua in our region and our ability to work together for mutually beneficial outcomes.
10. This submission provides succinct high-level reasons on why the Wairoa District Council does not support the Bill or the process taken to draft it. The submission requests the withdrawal of the Bill.

HE AROTAKE ANALYSIS

11. *Kāwanatanga* – We have not provided for *Kāwanatanga* for iwi, hapū, and Māori entities as part of this Council decision. Enactment of the Principles of the Treaty of Waitangi Bill as it currently stands would

dramatically reduce the current requirement on council to involve tangata whenua in decision making processes. Tangata whenua have not been consulted by central government regarding this Bill. Any Bill that requires transgression to advance must be considered for ethical and moral merit also.

12. *Rangatiratanga* – We anticipate that many iwi, hapū and Māori entities will make submissions on this matter and our submission notes that we recognise their submissions and their rangatiratanga on this matter. The ability for tangata whenua to self-determine is already restricted. Council does make earnest attempts to provide for tangata whenua self-determination within priority kaupapa. This Bill stands to remove the requirement to uphold the foundation in which Aotearoa’s constitution was built upon.
13. *Oritetanga* – As a partner to the foundations of Aotearoa’s constitution tangata whenua have not been treated in an equitable fashion in relation to this Bill. The process undertaken has no alignment with the current Treaty principles. This has restricted the ability for an equitable approach at a national and regional level.
14. *Whakapono* – Provision for tangata whenua worldview, belief systems, tikanga and kawa stand to be rewritten without their input. This does not align with the three articles above.

HE TŪTAKITANGA MĀORI ME TE HAPORI MĀORI AND COMMUNITY ENGAGEMENT

15. Although the Wairoa District Council has not formally engaged with tāngata whenua on this Council submission. It is abundantly apparent that the Bill is very topical within the Wairoa district. As was witnessed by the Hikoi Activation within Wairoa and the interest of locals in attending the National Hikoi in Wellington
16. One community leader, Kiwa Hammond, provided some insight as to the general feeling within the Wairoa community regarding this Bill.
 - a. *‘The Treaty Principles Bill and all related actions by this government to disregard, ignore, dismiss, and undermine Te Tiriti o Waitangi is not only a direct attack on the constitutional foundations of this nation but is also an assault on our community as a whole.*
 - b. *The Wairoa community is diverse in its make up and is representative of how New Zealand should be. Māori in particular comprise the largest demographic and many non-Māori are intimately connected through family relationships, business interests, and community focused initiatives and organisations.*
 - c. *Te Wairoa is often unfairly represented in negative political statements about crime, unemployment, education, and health and yet as a community it is full of people who only want the best for the children of this district and manage to achieve above and beyond those stereotypes.*
 - d. *This proposed Bill does not have the best interests of our children, grandchildren, or the community as a whole at heart and its misinterpretation of Te Tiriti o Waitangi is aimed at creating division, disharmony, and damage at grass root level. The recent Hīkoi activation of around 1000 people was a clear physical representation of our community and depth of feeling in our community about the wanton behaviour of*

this coalition government and the recklessness it has permitted in allowing the Treaty Principles Bill to even be tabled let alone progressed to Select Committee level. This was the single largest protest action of any kind in living memory to be witnessed on the streets of Wairoa nor will be the last should this Bill or any other similar erroneous and dishonest attempts be made by political parties to attack the future of our children.’ (Kiwa Hammond, email 12 December 2024)

17. Another source of information which the Wairoa District Council took into consideration when developing this submission, was the formal deputation of The Kura Kaupapa Māori o Te Parehuia to Council on the 17th of December 2024, when Council met to consider our draft submission opposing this Bill.



Te Kura Kaupapa Māori o Te Parehuia deputation to Wairoa District Council, 17 December 2024

- a. Te Kura Kaupapa Māori o Te Parehuia is a kura kaupapa in Mahia Peninsula, here in the Wairoa District and it was heartening to hear the kōrero from the kaiako and the tamariki of Te Kura Kaupapa Māori o Te Parehuia in terms of their experience with participating in this very important kaupapa.
- b. For Te Kura Kaupapa Māori o Te Parehuia, the main message to Councillors during their deputation to Council was the transformative experience that the tamariki of the kura underwent as they participated in this important kaupapa, from experiencing the value of participating in a modern democracy to learning about the Bill and the potential impacts as well as participating in peaceful hikoī. *“To witness the tens of thousands that participated in the peaceful hikoī and to participate in it ourselves giving voice*

to our opposition to the Bill, has been a wholly transformative experience for all of us. We urge the Wairoa District Council in their consideration of their submission to join us in opposing this Bill, for our tamariki and our mokopuna of today and tomorrow.”

HE WHAIKUPU RECOMMENDATION

18. The Wairoa District Council recommends that:-

- a. The Principles of the Treaty of Waitangi Bill be abandoned; and
- b. We note that the National and the New Zealand First parties have signalled their commitment to supporting the Bill through its first reading only. We strongly recommend that both parties adhere to their stated positions and withdraw their support for the Bill following the first reading of the Bill; and
- c. The Crown should engage meaningfully with iwi and hapū before proposing any changes to constitutional arrangements, and only at such time as iwi and hapū are ready and willing.

HE WHAKAKAPI CONCLUSION

19. This Bill fails to adequately, authentically and genuinely engage with iwi and hapū, effectively undermining basic principles and primarily contradicting its goal of promoting fairness.
20. The Bill could potentially weaken the existing and future Māori partnerships, and essentially harming social cohesion and marginalising our Māori communities.
21. The Bill excludes unsettled Treaty negotiations, thus limiting protections and complicating decisions. It also threatens current settlements by eroding established partnerships and undermining their legitimacy and benefits.
22. The proposed principles will likely lead to increased disputes and legal costs. There is no doubt that higher administrative costs will strain not only this Council, but other Councils, by diverting key funding from essential and critical services.
23. To reiterate, the Wairoa District Council recommends that the Bill be abandoned.

Ministry for Regulation
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13 January 2025

SUBMISSION TO THE REGULATORY STANDARDS BILL

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INTRODUCTION

1. We thank you for this opportunity to offer our submission to this important issue, namely the Regulatory Standards Bill (the Bill). We are surprised and concerned by the lack of public debate and discussion with the introduction of this Bill when compared to the equally important Principles of the Treaty of Waitangi Bill, noting in particular the recommendation not to include a principle or principles of Te Tiriti o Waitangi / The Treaty of Waitangi (Te Tiriti / the Treaty) within this Bill. We are also aware of the views of a number of experts namely Emeritus Professor Jane Kelsey and Emeritus Professor Jonathan Boston on the narrow set of Libertarian Principles that are proposed within the Bill.
2. The Wairoa District Council will not go into detail on our views of the broader principles proposed to be included in the Bill as Council does not have a resolved position on those principles broadly, but rather focus on the recommendation not to include a principle or principles of the Treaty / Te Tiriti within the Bill. It is important to also note that our submission should be read in conjunction with Council's formal position as stated in our submission opposing the Principles of the Treaty of Waitangi Bill.
3. To be clear, the Wairoa District Council (WDC) opposes this Bill in its current form and recommends the following.
 - That the proposal not to include a principle or principles of Te Tiriti / the Treaty within the Bill should be revisited, particularly given the current public debate with the Principles of the Treaty of Waitangi Bill, and

- That more time be given for public and targeted consultation so that there is more robust public debate on this Bill as seen by the public debate for the Principles of the Treaty of Waitangi Bill which in our opinion is a sign of a healthy and modern democracy.

TREATY IMPACT ANALYSIS

4. The Wairoa District Council's position on the Principles of the Treaty of Waitangi is made clear in our submission to the Principles of the Treaty of Waitangi Bill, alongside this, our submission to the Regulatory Standards Bill will also include information from the '*Preliminary Treaty Impact Analysis for the proposed Regulatory Standards Bill*' which the Ministry for Regulation requested.
5. Our submission reminds the Minister and others of that analysis, in particular.
 - *(section 5) That Te Tiriti / the Treaty is recognised as a founding document of government in New Zealand and of 'vital constitutional importance'.*
 - *(section 7) "Of significance is that the proposals do not include a principle related to the Treaty/te Tiriti and its role as part of good law-making, meaning that the Bill is effectively silent about how the Crown will meet its duties under the Treaty/te Tiriti in this space. While this does not prohibit the Crown complying with the Bill in a manner consistent with the Treaty/te Tiriti, we anticipate that the absence of this explicit reference may be seen as politically significant for Māori and could be perceived as an attempt by the Crown to limit the established role of the Treaty/te Tiriti as part of law-making."*
 - *(section 9 and section 47) "With regard to Treaty/te Tiriti settlements, the proposals would exclude legislation that gives effect to or is otherwise related to, full and final Treaty/te Tiriti settlements. This may provide certainty for claimant groups on the impact of the Bill on current and future settlements."*
 - *(section 11) "Treaty/te Tiriti principles have evolved over years of jurisprudence by the courts and the Waitangi Tribunal with a view to reflecting the spirit and intent of the Treaty/te Tiriti as a whole and the mutual obligations and responsibilities of the parties."*

- (sections 12 and 13) noting section 11 with regard to the spirit and intent of the Treaty / Te Tiriti as a whole, the core principles (section 12) and context (section 13) should be given the utmost consideration in this Bill.
- (the entirety of the sections related to 'responsible regulation' – sections 14 – 41) as a Local Government Organisation, our role as a Regulator under various pieces of legislation, is of utmost importance and is a golden thread and a core responsibility of Local Government. There are potentially huge implications for Local Government with this proposed Bill and more time is needed for the entire Local Government family including Councils, Local Government New Zealand (LGNZ) and Taituara to consider the implications for Local Government. This matter will be discussed later in this submission as it relates to more time for further and targeted consultation.

MORE TIME IS NEEDED FOR FURTHER AND TARGETED CONSULTATION

6. As noted previously, more time is needed for further and wider public consultation as well as targeted consultation.
7. As noted in section 3 of the *'Preliminary Treaty Impact Analysis for the proposed Regulatory Standards Bill'*, *"the nature and extent of feedback to support this analysis will likely be impacted by a ministerial decision to include some targeted engagement with specific Māori stakeholders within a general engagement strategy, rather than undertaking a broad Māori engagement strategy."*
8. The Wairoa District Council recommends that more time is needed so that the Minister and his officials can meaningfully and genuinely seek feedback and engage with Māori stakeholders given the recommendation not to include a principle or principles of Te Tiriti / the Treaty in the proposed Bill, this is important because for many Māori, including those of the Wairoa District could see the proposed Bill as (amongst other things);
 - needing to include Te Tiriti o Waitangi as a central principle,
 - failing to uphold Te Tiriti / the Treaty and will further marginalise Māori rights and values,

- ignoring Te Tiriti / the Treaty and collective Māori rights to land, water, and resources,
 - prioritising private property rights, undermining kaitiakitanga and tino rangatiratanga,
 - a mechanism whereby Māori communities could lose the ability to protect their whenua (land) from exploitation,
 - promoting individual rights and equality before the law as the reference point for making laws, regulation and government decisions. This could mean governments cannot undertake affirmative action, progress equity or recognise Indigenous and Treaty rights and interests.
9. The Wairoa District Council also recommends that more time is needed so that the Minister and his officials can meaningfully and genuinely seek feedback and engage with the Local Government sector, particularly Councils, Local Government New Zealand (LGNZ) and Taituara, particularly given the potentially huge impacts on the sector with regards to Council's role as a Regulator.
10. As mentioned previously, the regulatory function for Council is a core role of Local Government.
11. Commentators have described the current consultation process for the proposed Bill as follows;
- *The 'dangerous' bill flying under the radar (Melanie Nelson – E-Tangata, Dec 15, 2024)*
 - *The long neoliberal con (Dr Ryan Ward, newsroom, Dec 18, 2024)*
 - *Is anybody taking notice of the Regulatory Standards Bill? (Noel O'Malley, Otago Daily Times, Jan 4, 2025)*
 - *Will the Regulatory Standards Bill Silence te Tiriti? (Melanie Nelson, Disinterpreted, Jan 5, 2025)*
12. These headlines suggest that the current consultation process for the proposed Bill is viewed as flawed, is 'flying under the radar', is a 'neoliberal con', with no one 'taking notice'. It is important that in a healthy and modern democracy, that the ability for the community to meaningfully engage and to offer feedback in a timely way be given due regard.

RECOMMENDATIONS

13. Based on our submission, the Wairoa District Council recommends that:-

- That the proposal not to include a principle or principles of Te Tiriti / the Treaty within the Bill should be revisited, particularly given the current public debate with the Principles of the Treaty of Waitangi Bill, and
- That more time be given for public and targeted consultation so that there is more robust public debate on this proposed Bill as seen by the public debate for the Principles of the Treaty of Waitangi Bill which in our opinion is a sign of a healthy and modern democracy.

CONCLUSION

14. Thank you again for allowing the Wairoa District Council the opportunity to make a submission on the proposed Regulatory Standards Bill.

15. To reiterate, the Wairoa District Council opposes the proposed Bill in its current form.