

APPENDIX 1: SETTLEMENT PROTECTION

Purpose

** To protect the integrity of the Ngāi Tahu settlements, protect the rights and interests of Ngāi Tahu and ensure the settlement rights are implemented effectively.*

1. RELATIVITY

Arbitration	
Updates	
Refer to paper "Relativity Mechanism".	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

2. SOUTHLAND AQUACULTURE AGREEMENT

New Space	
Updates	
Refer to paper "Southland New Space Regional Aquaculture Agreement".	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	Moderate

APPENDIX 2: INHERENT RIGHTS PROTECTION

Purpose

* To achieve the objectives of the inherent rights of Ngāi Tahu Whānui and, using rights-based leverage, to achieve the practical and effective expression of social, cultural, economic, environmental and political outcomes for Ngāi Tahu Whānui.

* To ensure Ngāi Tahu maintains a prominent position in national policy reform concerning key kaupapa to preserve and enhance the rights and interests of Ngāi Tahu, and;

* To facilitate and create opportunity to enhance cultural, social, environmental and economic outcomes of Ngāi Tahu Whānui.

1. FRESHWATER

Wai Māori Rōpū	
Updates	
The next Wai Māori Rōpū hui will be held in July. The agenda will cover an update on the tribal interpretation of Te Mana o te Wai, a presentation and discussion on the Wai Māori Project, and a national update.	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

2. WAI MAORI PROJECT

Wai Māori Project	
Updates	
No further update - same as April 2019	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

3. ESSENTIAL FRESHWATER WORK PROGRAMME

Essential Freshwater Work Programme Announcement	
Updates	
* The Minister for the Environment announced last year that there will be amendments to the National Policy Statement for Freshwater	
Points for Discussion:	
None	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

4. REVIEW OF THE CHARITIES ACT 2005

Review of the Charities Act 2005	
Updates	
The Office has been working with PWC to formulate a response on behalf of Te Rūnanga and Papatipu Rūnanga. The Office will be releasing its first draft for comment on 20 May 2019. Some of the preliminary comments in this response include: * Prioritising useful outcomes that enhance the impact of charities in New Zealand; * Including a reference to the principles of Te Tiriti o Waitangi (Te Tiriti) in the Act; and * Māori charities should be able to advocate for iwi and iwi member outcomes, and consult on relevant issues. Submissions close 31 May 2019.	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

5. REGIONAL PLANNING PROCESS

Regional Planning Process	
Updates	
Te Rūnanga is currently involved in the current Environment Court processes: *Christchurch City Council Akaroa Wastewater Discharge Consents – Council recently decided to withdraw the appeal however significant further work is anticipated to secure an alternative to discharging waste water into Akaroa Harbour. *Otago Regional Policy Statement *RDRML (an irrigation scheme) consent to take extra water from the Rangitata River. *Second Generation Dunedin City District Plan. *Southland Water and Land Regional Plan. *West Coast Regional Policy Statement.	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	Moderate

6. CLIMATE CHANGE

Updates	
<p>*Te Rūnanga hosted the United Nations Secretary General, Minister for Climate Change, and Minister for Agriculture for a brief working lunch. The Kaiwhakahaere presented on the Te Rūnanga response to date, with a focus on Ngāi Tahu Farming operations.</p> <p>*The Zero Carbon Bill has been introduced, and will begin its journey towards enactment in May, with the intention being it will be passed before the end of the calendar year. Of particular interest is the establishment of an independent Climate Change Commission (the Kaiwhakahaere is currently a member of the Interim Climate Change Committee) that will provide advice, guidance and regular five-yearly emissions budgets and that methane will be treated differently to other greenhouse gases, in response to push back from the agricultural industry.</p>	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

7. TAKUTAI MOANA APPLICATIONS

Takutai Moana Application	
Updates	
<p>A High Court case management conference is on 12 June 2019 in Dunedin. Te Runanga will confirm to the Court that the direct engagement pathway is the preferred pathway under the Marine and Coastal Area (Takutai Moana) Act and seek an adjournment of the Te Runanga application to allow for the direct engagement process. Te Runanga will remain an interested party in all overlapping applications and maintain a watching brief on the High Court process. The High Court pathway will remain an option should Te Runanga require it.</p>	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	Moderate

8. LOCAL GOVERNMENT

Ngāi Tahu Representation on Environment Canterbury	
Updates	
<p>* On 3 April 2019 the Canterbury Regional Council (Ngai Tahu Representation) Bill was introduced to Parliament by the MP for Te Tai Tonga, Rino Tirikatene. There was a contingent of Ngai Tahu and Environment Canterbury representatives in the Visitors Gallery to support the Bill. However the Bill was voted down, with opposition from the National and NZ First parties.</p> <p>* Work with Environment Canterbury now moves to development of alternative options for strengthening Ngai Tahu and Papatipu Runanga involvement in the council's policy, planning and decision making processes. The new initiative is called Te Ara Whakamua / The Pathway Forward.</p>	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	Moderate

9. BEEHIVES

Beehives	
Updates	
Refer to paper "Concessions".	
Points for Discussion:	
None	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

10. MANA WHAKAHONO A ROHE

Mana Whakahono a Rohe	
Updates	
<p>*A full draft Partnership Protocol and Mana Whakahono a Rohe agreement is ready to negotiate with the West Coast Regional Council, awaiting scheduling that will be led by Ngāti Waewae, with support from Te Rūnanga and Aukaha. Te Rūnanga o Makaawhio are also interested in progressing with the regional council, pending further engagement.</p> <p>*The intent of including the draft Partnership Protocol is to provide a korowai, covering all legislative responsibilities of the Council, which the Mana Whakahono a Rohe agreement is nested within and is specific to duties and functions under the Resource Management Act 1991 (RMA).</p> <p>*Within the Otago region, a number of discussions have been had with local authorities. The primary focus for progressing an agreement is the Dunedin City Council, with partnership funding being supported through the current annual plan process.</p> <p>*Te Rūnanga legal are providing requested support to Papatipu Rūnanga regarding the ability to secure a local agreement.</p> <p>*There is a deadline for initiating Mana Whakahono a Rohe agreements this year, as the process may not begin within 90 days of triennial elections. Papatipu Rūnanga in Otago and on the Coast are mindful of the pros and cons of triggering the statutory process over the next couple of months, as it will then need to be completed within 18 months of the initiation date.</p>	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

11. THREE WATER REVIEW

Three Water Review	
Updates	
<p>*The Government is reviewing how to improve the regulation and supply arrangements of drinking water, wastewater and stormwater (three waters).</p> <p>* Workshops have been undertaken throughout the country. S&I attended the Christchurch workshop.</p> <p>*The purpose of the workshop was for Department of Internal Affairs, Ministry of Health and the Ministry for Environment to present the emerging proposals for new three waters regulatory systems and test those ideas with stakeholders. Workshop participants were largely local government and small water suppliers.</p> <p>* Noted at the outset were current system issues for Māori and what Officials considered were Māori interests in three waters including Treaty partnership, issues for self-suppliers, mana whenua interests, co-management / co-governance interests and as members of communities which receive poor service under current regulations. Officials appeared to be turning their mind to the rights and interests of Māori but these issues were not considered any further.</p> <p>*The Three Waters Review is in parallel and aligned with the Essential Freshwater programme which is focused on safeguarding Te Mana o Te Wai. There was no other mention of Te Mana o Te Wai and it was not clear from the presentation whether the Three Waters Review gives effect to Te Mana o Te Wai.</p>	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

Purpose

1. EDUCATION

<i>Education</i>	
Updates	
No further update.	
Points for Discussion:	
None.	
Recommendations and next steps:	Risk Indicator:
Note the report and its contents.	No/Low Risk

APPENDIX 4: RELATIONSHIP MANAGEMENT

Purpose

1. INTER-IWI RELATIONSHIPS

1.1 The National Iwi Chairs Forum
Updates
Refer to paper "National Iwi Chairs Forum".
Focus for the Quarter
Nil.

1.2 Te Tau Ihu iwi – Te Waka a Māui Forum
Updates
No update since November 2018.
Focus for the Quarter
Nil.

1.3 Waikato-Tainui
Updates
Both iwi are planning to meet sometime this year to progress the relationship and continue discussions on the Memorandum of
Focus for the Quarter
Nil.

1.4 Ngāti Kahungunu
Updates
No update since November 2018.
Focus for the Quarter
Nil.

2. GOVERNMENT DEPARTMENTS

2.1 Te Arawhiti - Māori-Crown Relations
Updates
No active engagement had with Te Arawhiti during the last period.
Focus for the Quarter
Nil.

2.2 LINZ
Updates
Refer to Appendix 5: "Enduring Stewardship of Crown Pastoral Lease Leads".
Focus for the Quarter
Nil.

2.3 NIWA
Updates
*The Office have been working with NIWA to refresh the relationship and develop a Memorandum of Understanding. *Discussions between both parties suggest that the MoU will be relationship focused whereby the contents of the Memorandum and the effectiveness of the relationship will be reviewed regularly. A key outcome of the MoU will be the development of a communications protocol.
Focus for the Quarter
Nil.

APPENDIX 5: PUBLIC POLICY RESPONSES

Policy	Summary
Tomorrow's Schools Review	The Ministry of Education sought feedback on the Tomorrow's Schools Review Report and the recommendations made within it by the Independent Taskforce. A significant recommendation was the establishment of local Education Hubs to assume legal responsibilities of school boards and replace the current MoE regional offices. The Taskforce also recommended the establishment of a national Educational Hub for kaupapa Maori settings. Te Runanga opposed the establishment of a single national hub for kaupapa Maori. Te Runanga advised that the mainstream Education Hubs must have adequate representation from mana whenua. Te Runanga also raised concern whether the recommendations adequately addressed school networks and teachers to be culturally responsive.
Enduring Stewardship of Crown Pastoral Lease Lands	Land Information New Zealand (LINZ) sought feedback on the ending of tenure review of Crown Pastoral lease land and the future stewardship of such lands. Whilst Te Runanga largely supported the principles behind the ending of tenure review and the proposals made by LINZ, Te Runanga advised the management framework for Crown pastoral land must be developed in partnership with iwi. The framework must support relationships between the Kaiwhakahaere & Minister, Te Rūnanga & Commissioner and mana whenua and leaseholders. Te Runanga supported the use of protective mechanisms, such as covenants and easements, statements of performance, farm management plans and guidelines and policies. However iwi must be engaged in the creation of them and they must support iwi and mana whenua needs. In addition, Te Runanga expects that the Commissioner will give effect to the principles of the Treaty when determining any discretionary consents.
Otago Civil Defence Emergency Management Plan	S&I collaborated with the Emergency Recovery and Response team on their response to the Otago Civil Defence and Emergency Management Group (Otago CDEM) on their Group Plan. The recommendations emphasised the need for the Otago CDEM to have regard to the Local Government Act 2002, which requires local authorities to facilitate participation by Māori in decision-making processes; the principles of the Treaty of Waitangi in particular those of partnership and participation, as these are also provided for in Local Government legislation; along with better alignment to the provisions of relevant emergency management plans and strategies which already provide for the involvement of mana whenua based upon the Treaty partnership.
Legislation	Summary
Copyright Act Review	S&I responded to the Copyright Act review currently being undertaken by the Ministry of Business, Innovation and Employment (MBIE), supporting the proposal to develop a framework to sit alongside the Copyright regime for the protection of taonga works (in accordance with the 'Ko Aotearoa Tēnei' definition from the WAI 262 inquiry). It was also recommended that there be Te Rūnanga involvement in the development of this system, as a Treaty partner with significant rights and interests in our takiwā, and active participation in intellectual property processes and challenges.

APPENDIX 6: RISK INDICATOR KEY

RISK INDICATOR	
	No/Low Risk - Risk assessment completed and there are no known risks or all known risks have been mitigated.
	Moderate Risk - Risk assessment completed and some major risk may be impacting the work stream and needs to be resolved, which we expect to achieve.
	Major/High Risk - Risk assessment completed and some major risk has occurred or is likely to occur which will prevent the work stream from reaching identified milestones.