



# He Pepa Whakamārama

## (Information Paper)

**Nā:** Group Head Strategic Relationships  
**Ki a:** Te Apārangi  
**Te Kaupapa:** Strategic Monitoring Update  
**Te Kaituhi:** Ronnie Cooper  
**Te rā:** 23 September 2020

### 1. WHĀINGA: (PURPOSE)

The purpose of this paper is to provide an update on strategic issues occurring in the period since the last Te Apārangi meeting.

### 2. NGĀ KAUPAPA MATAPAKINGA: (POINTS FOR DISCUSSION)

The main issues that are pertinent for Te Apārangi to discuss this month are:

- a) Freshwater: new National Policy Statement for Freshwater 2020 and National Environmental Standard for Freshwater regulations;
- b) Local Government: Ngai Tahu representation in Environment Canterbury; and
- c) Mana Whakahono a Rohe: Tai Poutini Agreement finalised.

### 3. NEW ISSUES / OPPORTUNITIES

- a) Three Waters Review and establishment of new Taumata Arowai; and
- b) LINZ (Land Information NZ) opportunities to partner with Ngāi Tahu for biodiversity and biosecurity projects in the takiwā.

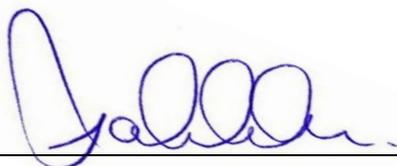
### 4. KO NGĀ WHAKATAU: (RECOMMENDATIONS)

That Te Apārangi

- a) **Receives** the paper;
- b) **Discusses** the main points arising; and
- c) **Releases:**
  - i. Appendix One **except** Conservation, South East Marine Protection Areas, Campbell Islands, Kermadec Ocean Sanctuary, PAU5B and 28N Rights,
  - ii. Appendix Two **except** Relativity, Ancillary Claims, Southland Aquaculture Agreement.
  - iii. Appendix Three
  - iv. Appendix Four except Government Departments: Te Arawhiti – Māori Crown Relations and LINZ.
  - v. Appendix Five

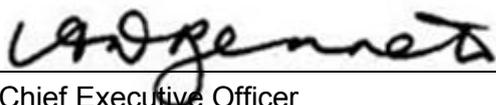
**5. ĀPITIHANGA: (APPENDICES)**

- a) Appendix One – Te Apārangi Strategic Priorities
- b) Appendix Two – Settlement Protection
- c) Appendix Three – Inherent Rights Protection
- d) Appendix Four – Relationship Management
- e) Appendix Five – Key Indicator



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Group Head Strategic Relationships      Date: 14 September 2020



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Chief Executive Officer      Date: 16 September 2020

## APPENDIX 1: TE APĀRANGI STRATEGIC PRIORITIES

### Purpose

\* To monitor and maintain oversight of the four pou approved by Te Apārangi Board: Intellectual Property, Conservation, Fisheries and Freshwater.

#### Beehives

**Objective:** A concession or agreement with the Department of Conservation (DoC) for beehives on conservation lands in the Ngāi Tahu takiwā.

**Developments:** The Office has reengaged with the Department on this kaupapa, seeking to establish 1-2 test sites as soon as possible to align with the coming season. The broader objective is to test availability in the takiwā and to seek appropriate access on a partnership basis for the Te Rūnanga Group / Oha and Papatipu Rūnanga.

**Next steps:** DoC to confirm availability of test sites in the takiwā.

Risk Indicator:

Low

#### Essential Freshwater Work Programme

**Objective:** To protect and advocate for Ngāi Tahu rangatiratanga, rights and interests in respect of freshwater policy development.

#### Developments:

\* The Government has gazetted the National Policy Statement for Freshwater 2020 and the National Environmental Standards (NES) for Freshwater regulations.

\* Cabinet has since agreed to amend the winter grazing regulations, with possibly others to follow, to ensure these are practically attainable in regions such as Otago and Southland, which are wetter than average.

\* The above policy developments fail to address Māori rights and responsibilities in freshwater in a holistic manner.

Although the Government's policy work is ongoing, the current approach falls far short of Te Tiriti o Waitangi partnership.

**Next Steps:** Te Kura Taka Pini is working to ensure that any new laws and policies align with the strategic objectives of securing title, regulatory authority and fiscal authority. TKTP will be seeking direct engagement with the incoming government to discuss how Ngāi Tahu rangatiratanga over freshwater can be appropriately recognised in the takiwā. Direct engagement may take the form of legal action.

Risk Indicator:

Moderate

## APPENDIX 2: 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.*

### 4. MANA RECOGNITION - STATUTORY ACKNOWLEDGEMENTS

<b>Statutory</b>	
<b>Objective:</b> To uphold the mana of the Statutory Acknowledgement Areas acknowledged by the Crown through the Settlement.	
<b>Developments:</b> No update since August 2019.	
<b>Next steps:</b> N/A	
<b>Risk Indicator:</b>	<b>Moderate</b>

## APPENDIX 3: 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. TAKUTAI MOANA APPLICATIONS

#### Takutai Moana Application

**Objective:** To pursue rights and interests for whānau in the marine and coastal area.

**Developments:** This item was addressed in a presentation and discussion with Te Apārangi in August.

**Next steps:** N/A

**Risk Indicator:**

Moderate

### 2. LOCAL GOVERNMENT

#### Ngāi Tahu Representation on Environment Canterbury (ECAN)

**Objective:** To secure representation on Environment Canterbury.

**Developments:** Applications for the two Tumu Taiao Advisor roles with Environment Canterbury are now being considered by a sub-committee of Papatipu Rūnanga Chairs. It is intended that the appointments will be announced at the next meeting of Te Rōpū Tuia on 25 September 2020.

**Next steps:** Awaiting announcement of the successful applicants on 25 September 2020.

**Risk Indicator:**

Low

### 3. MANA WHAKAHONO Ā ROHE

#### Mana Whakahono a Rohe

**Objective:** To establish Mana Whakahono ā Rohe (MWAR) Agreements between Papatipu Rūnaka and councils in the takiwā.

**Developments:** The first Mana Whakahono ā Rohe Agreement in the takiwā and in New Zealand is now finalised. The Agreement brings together Ngāti Waewae and Makaawhio, with the support of Te Rūnanga, with the West Coast Regional Council. A formal signing ceremony will be held in October at Arahura Marae.

**Next steps:** Awaiting formal signing ceremony in October at Arahura Marae.

**Risk Indicator:**

Low

### 4. THREE WATERS REVIEW

#### Three Waters Review

**Objective:** To uphold Ngāi Tahu rangatiratanga over freshwater and our objective to accept a governing body that reflects Te Tiriti o Waitangi partnership.

**Developments:**

\* Te Kura Taka Pini Economic lead has attended hui with the Taumata Arowai Establishment Unit to observe key developments and give feedback on the Unit's branding exercise. Following the deadline on 31 August, many local councils have signed a Memorandum of Understanding (MOU) with the Crown to opt-in to phase one of the three waters reforms. This action releases Crown funds and commits councils to investigate options for aggregated three waters services.

\* In September, councils are exploring partnership options for the proposed service providers. Co-governance has been proposed by Ngāi Tahu as a preferred model at the Canterbury Mayoral Forum.

**Next steps:**

\* Te Kura Taka Pini will continue to provide support to Papatipu Rūnanga in view of developing an agreed statement of principles to inform a tribal strategy.

\* The Taumata Arowai Establishment Unit are expected to consult with iwi in the near future. Te Kura Taka Pini will continue to progress with preparatory work in support of this engagement.

**Risk Indicator:**

Low

## 5. SOUTHLAND WATER AND LAND PLAN

### *Southland Water and Land Plan*

**Objective:** To ensure that the provisions in the Southland Water and Land Plan provide for ki uta ki tai and Te Mana o te Wai and do not ignore, erode or impede the rights of Ngā Rūnanga in Southland.

**Developments:** All parties have agreed that Te Mana o te Wai and ki uta ki tai provide overarching direction as to what the Plan seeks to achieve. All parties have provided agreed wording to the Court relating to the strategic direction of the Plan that recognises and considers Te Mana o te Wai.

**Next steps:** If the Court agrees with the wording proposed by all parties this will be the completion of the plans strategic direction and the focus will turn to specific detail how to manage activities like dairy farming and winter grazing to avoid or reduce effects on the environment.

**Risk Indicator:**

Low

## 6. CANTERBURY WATER AND LAND PLAN

### *Canterbury Water and Land Plan*

**Objective:** To ensure that the provisions in the Canterbury Land and Water Regional Plan do not ignore, erode or impede the rights of Ngā Rūnanga in Canterbury.

**Developments:** Ngā Rūnanga have provided the Council with expert evidence on the effects of Plan Change 7 on matters relating to water quality and quantity in the Waimakairi and Opuha, Opihi, Pareora, Temuka catchments and also in relation to matters of the protection of sites of significance to Ngāi Tahu and the protection of indigenous fish species habitat.

**Next steps:** Ngā Rūnanga will present its evidence at the Plan Change hearing on 30 November 2020.

**Risk Indicator:**

Low

## 7. RANGITATA RIVER - KLONDYKE CONSENT

### *Rangitata River - Klondyke Consent*

**Objective:** Te Rūnanga o Arowhenua are successful in their appeal to the Environment Court opposing the taking of 10 cumecs of water from the Rangitata River.

**Developments:** There have been no developments since the last update.

**Next steps:** The Court is currently deliberating on the legal matter of what rule the plan should be heard under. Following its decision it will then direct parties as to the next steps.

**Risk Indicator:**

Moderate

## 8. CLIMATE CHANGE

### *Climate Change Strategy*

**Objective:** To ensure that Te Rūnanga stay abreast of developments within various Crown entities and other groups of interest, while encouraging development that aligns with our strategic direction.

**Developments:** The Office has been in contact with Papatipu Rūnanga to support their participation in processes being run by Environment Canterbury and Otago Regional Council for development of regional climate change risk assessment frameworks.

**Next steps:** Continue to work with Papatipu Rūnaka.

**Risk Indicator:**

Low

## APPENDIX 4 : RELATIONSHIP MANAGEMENT

### Purpose

\* To develop, maintain and enhance relationships with key stakeholders. Identify key relationships with private sector entities in order to maximise outcomes for Ngāi Tahu.

\* To maintain existing and forge new meaningful relationships with Iwi at mana and mahi levels.

### 1. INTER-IWI RELATIONSHIPS

#### 1.1 The National Iwi Chairs Forum

**Objective:** Gathering information, learning and building social and political capital.

**Developments:**

\* The Te Waka a Maui Chairs hui was held on 4 August. The National Iwi Chairs Forum was held on 6 August. The ICF hui was a combination of Zoom and physical attendance at Otaki. Morning hui were arranged for Ministers, Davis, Mahuta and Shaw to attend. However due to the hui running late a number of Ministers were unable to attend their allotted timeslots. The key issue discussed was freshwater noting that Minister Parker was not able to attend. Key issues discussion in regards to Freshwater were Mana o Te Wai, and that each iwi would retain the right to negotiate their on freshwater interests with the Crown. It was noted that iwi have different views on freshwater ranging from ownership to kaitiakitanga. Reports from each of the ICF Pou regarding Tangata, Tikanga, Tahua are available to Representatives should the which to read them. No strategic issues other than freshwater and 5G were of interest to Ngai Tahu at this hui.

**Next steps:**

\* In August Te Aparangi adopted an engagement approach in relation to Ngai Tahu attendance at Te Waka a Maui hui. This engagement approach will be implemented at future Te Waka a Maui hui.

**Risk Indicator:**

**Low**

#### 1.2 Waikato-Tainui

**Objective:** Gathering information, learning and building social and political capital.

**Developments:** The Office continues to engage with Waikato Tainui in relation to our Relativity Mechanisms and Arbitration 6 scheduled for early 2021. We are making good progress with Te Arawhiti and Waikato Tainui in agreeing an Arbitration Agreement for disputed items between 2012 to 2017.

**Next steps:** On going discussions will be held with Waikato Tainui in relation to Relativity.

**Risk Indicator:**

**Low**

## APPENDIX 5: RISK INDICATOR KEY

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<b>RISK INDICATOR</b>	
	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.