

MEETING OF THE MAORI ADVISORY COMMITTEE

TO THE CHAIRPERSON AND MEMBERS OF THE
COMMITTEE

MEMBERSHIP OF THE COMMITTEE

Cr Sir Kerry Burke (Chairperson)
Cr Bob Kirk
Cr Jane Demeter
Cr Carole Evans
Cr Bronwen Murray
Cr Eugenie Sage
Cr Rik Tindall

Representatives from:

Arowhenua Runanga
Canterbury District Health
Kaikoura Runanga
Runaka ki Otautahi
Te Runanga o Nga Maata Waka
Te Puni Kokiri
Te Runanga o Koukourarata
Te Runanga o Ngāi Tahu
Waihao Runanga

A meeting of the Committee will be held on
Friday, 28 August 2009 at 1.30pm
Lunch will be available from 1.00 pm

VENUE: Council Chamber
First Floor
Pegasus Building
58 Kilmore Street
CHRISTCHURCH

BUSINESS: As per Order Paper attached
Agendas are available on our website three days prior to the date of the meeting -
<http://www.ecan.govt.nz/About+Us/Council+Info/Committee+Agendas.htm>

Dr Bryan Jenkins
CHIEF EXECUTIVE

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE TAKEN
AS COUNCIL POLICY UNTIL ADOPTED BY COUNCIL**

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COMPLIANCE WITH LOCAL GOVERNMENT ACT 2002 DECISION-MAKING REQUIREMENTS

Except as below, a statement of compliance and a completed decision checklist is required for any agenda item on a council committee or the council recommending that a decision be made. This will be the responsibility of the person signing off the agenda item.

The compliance statement and checklist will not be used for:

- Recommendations that information be received or that the Council make a decision.
- Decisions taken under the Resource Management Act 1991 or the Biosecurity Act 1993 in relation to resource consents, decisions required when following the procedures set out in Schedule 1 of the Resource Management Act 1991, other permissions, submissions on plans, or references to the Environment Court.
- Decisions taken to proceed with enforcement procedures under various primary or secondary legislation or regulations, including procedures under the Resource Management Act 1991, the Biosecurity Act 1993, the Local Government Act 2002, and Environment Canterbury Bylaws.
- Administrative and personnel decisions that are entirely internal to Environment Canterbury.
- Other decisions where the procedures to be followed are set out in Legislation.

COMPLIANCE STATEMENT

The council committee (or the council) must formally certify that:

- (a) It is satisfied that it has sufficient information about the options and their benefits and costs, in terms of the region's social, economic, environmental and cultural well-being and the effects on community outcomes, bearing in mind the significance of the decisions.
- (b) It is satisfied that it knows enough about and has given adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decision.

INFORMATION CHECKLIST

(a)	A Statement of the Proposed Decision
(b)	A Statement of the Objective of the Proposed Decision and the Issue or Problem being addressed
(c)	A list of all reasonably practicable options, (including doing nothing).
(d)	For each option in (c): An evaluation of the Benefits and Costs, in terms of the region's social, economic, environmental and cultural well-being.
(e)	For each option in (c): A statement of the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner.
(f)	For each option in (c): A statement of the Impact, if any, on Environment Canterbury's capacity to undertake its statutory responsibilities
(g)	If the Proposed Decision is a significant decision in relation to land or a body of water, a statement of how Maori values have been taken into account
(h)	A Statement of significant inconsistencies, if any, with any Existing Policy, Plan or Legislation arising from the Proposed Decision.
(i)	A statement how the views and preferences of affected or interested persons have been given adequate consideration during the definition of the problem or issue, the objective, the assessment of options and the development of the proposed decision, including the particular contribution of Maori to the decision-making process.

Notes:

The significance of proposals and decisions determines how much time, money and effort is put into exploring and evaluating options and obtaining the views of affected and interested parties. The significance of proposals and decisions is determined through reference to criteria contained in the policy on significance.

The policy on significance together with Section 76 of the Local Government Act 2002 set out the Council's requirements in relation to decisions. Some decisions can only be made through the Long-Term Council Community Plan, or after the Special Consultative Procedures set out in the Act have been used, (refer to the policy on significance and the Act).

All decisions of Environment Canterbury are subject to the decision-making requirements of section 76 of the Act unless inconsistent with specific requirements of other legislation.

ENVIRONMENT CANTERBURY

MAORI ADVISORY COMMITTEE

ORDER PAPER

1. WELCOME
2. APOLOGIES
3. MINUTES OF MEETING – 29 MAY 2009
4. MATTERS ARISING
5. DEPUTATIONS AND PETITIONS
6. ANNUAL PLAN 2010/2011
7. CULTURAL IMPACT ASSESSMENTS (Presentation from Raewyn Solomon)
8. TAKING ACCOUNT OF MAORI VALUES INTO THE CONSENTING PROCESS
9. SOUTHLAND VISIT REPORT
10. UPDATES FROM RUNANGA
11. GENERAL BUSINESS
12. NEXT MEETING DATE (20 November 2009 at the Takahanga Marae, Kaikoura)
AND ITEMS FOR FUTURE MEETINGS
13. CLOSURE

ENVIRONMENT CANTERBURY

MAORI ADVISORY COMMITTEE

**MINUTES OF THE MEETING HELD AT
THE NGA HAU E WHA NATIONAL MARAE,
250 PAGES ROAD, ARANUI, CHRISTCHURCH
ON FRIDAY 29 MAY 2009 AT 1.20 P.M.**

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PRESENT

Environment Canterbury
Crs Sir Kerry Burke (Chair), Carole Evans, Bob Kirk, Bronwen Murray and Eugenie Sage

Te Runanga o Nga Maata Waka	Norm Dewes
Te Runanga o Koukourarata	Graeme Grennell
Waihao Runanga	Lee Howden
Kaikoura Runanga	Mark Solomon
Arowhenua Runanga	John Henry
Te Runanga o Ngai Tahu	David O'Connell
Te Puni Kokiri	Jason Leppers

IN ATTENDANCE

Raewyn Solomon (Kaikoura Runanga), Henare Edwards

MANAGEMENT AND OFFICERS PRESENT

Dr Bryan Jenkins (Chief Executive), Jackie Curtis (Director External Relations), Bob Tai (Maori Liaison Manager) and Louise McDonald (Administration Officer)

1. WELCOME

The Committee was welcomed to the Marae by Kaumatua Mike Kaue.

Cr Burke expressed appreciation for the welcome and the opportunity for the meeting to be held at Nga Hau e Wha Marae. The Council values the relationship with the Maori community in Canterbury and looks forward to building the relationship.

2. APOLOGIES

Rev Maurice Gray (Runaka ki Otautahi), Cr Jane Demeter, Cr Rik Tindall, Dr Ramon Pink (Canterbury District Health).

For lateness: Cr Bob Kirk and Cr Eugenie Sage

3. MINUTES OF MEETING – 27 MARCH 2009

Resolved

That the minutes of the meeting held on 27 March 2009, subject to the second sentence in paragraph 6 (item 7) on page 6 be amended to read: "Water Conservation Order", be confirmed as a true and accurate record and be adopted.

Cr Burke /Mr Dewes

4. MATTERS ARISING

In response to a question regarding the Te Waihora/Lake Ellesmere management plan, Dr Jenkins advised that the next meeting of the statutory agency group would be held in June. The request from the Committee to have the enhancement of tangata whenua customary rights to be a high priority for the management plan, would be taken to that meeting.

5. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

6. UPDATES FROM RUNANGA

Raewyn Solomon advised that the Kaikoura runanga had been involved with the Land and Vegetation Plan review and submissions to LTCCPs.

Graeme Grennell expressed appreciation for the opportunity to submit and speak to their submission to the Environment Canterbury LTCCP. Te Runanga o Koukourarata have been involved with a local Maori family, the Council and farmers in riparian planting and fencing along streams.

Lee Howden reported that the Waihao Runanga have been working on their iwi management plan.

David O'Connell explained that Ngai Tahu have held a number of capability/capacity sessions with runanga to build capacity for runanga members involved in resource management to develop their skills.

Ngai Tahu has a holistic view with regard to the Hurunui Water Conservation Order as it involves a range of social, cultural and economic views.

They are also working with Meridian on the North Bank Tunnel and on Central Plains matters.

Resolved

That the runanga updates be received.

Cr Burke/Cr Evans

Cr Kirk arrived at 1.35 am.

7. REGIONAL TRANSPORT COMMITTEE

Cr Burke welcomed Henare Edwards, the cultural appointment to the Canterbury Regional Transport Committee to the meeting.

Mr Edwards thanked Cr Burke for the invitation to attend this meeting and Mr Dewes and his team for their hospitality.

He explained that, as a recent appointment to the Regional Transport Committee, he was still learning and developing his role on the Committee. The membership of the Committee covers a range of interests and implements strategies for road transport but not the operational detail. The Committee identifies priorities for roading funding, and also considers other aspects including public transport, cycling, health and mobility.

With regard to the cultural aspects, Mr Edwards commented that it is not just about roads, but also about land. He sees part of his role to forge relationships and engage with both Ngai Tahu and non Ngai Tahu in Canterbury.

It was suggested that it would assist Mr Edwards in his role to have information about the cultural values in particular areas, for example the Kaikoura Coast.

Then Committee thanked Mr Edwards for his presentation and made the offer to provide assistance to him in his role on the Regional Transport Committee.

Resolved

That the update from the cultural representative on the Canterbury Regional Transport Committee be received with appreciation.

Cr Burke/Mr Grennell

Cr Sage arrived at 2.01 pm.

8. LONG TERM COUNCIL COMMUNITY PLAN 2009/19

Bryan Jenkins expressed appreciation for the submissions received, and presented, from Te Runanga o Ngai Tahu and from Mahaanui Kurataiao Limited to the Council's Long Term Council Community Plan 2009/19 (LTCCP).

These submissions had requested a review of the effectiveness of the mechanisms in the Council's relationship with Ngai Tahu. Dr Jenkins noted that there are a range of relationships but this was not currently structured in a formal way. The establishment of the Maori Advisory Committee had sought to address this.

Following comments made by Anake Goodall at the recent Local Government New Zealand zone 5 & 6 meeting regarding the Southland District Council model, Dr Jenkins and Jackie Curtis have arranged to visit Southland to see how that relationship works.

Mark Solomon agreed that the Southland model was a good one and would provide a good start.

David O'Connell commented that in the Southland case the Council and the runanga did not get constrained by statutory parameters, but concentrated on the spirit and intent of the Resource Management Act.

9. GENERAL BUSINESS

CANTERBURY WATER MANAGEMENT STRATEGY

David O'Connell, a member of the Canterbury Water Management Strategy (CWMS) Steering Group, provided an update from a hui held recently to discuss the Strategy. He reported that there was a good discussion and support for the principles and regional priorities.

With regard to the options suggested, there was support for a blend of B and C. It was felt that option C provided an opportunity to address historical grievances. There are original contracts with the Crown that were never adhered to, or the water has dried up.

Potable water was a high priority for Marae communities. There are areas where the quality of the water supply has been degraded as a consequence of other activities. It was suggested that a key restoration project be identified with each runanga around cultural revitalization.

Food gathering is not always possible for a variety of reasons. There needs to be a focus on coastal lagoons. Te Waihora is a key indicator from a cultural perspective on the health and wellbeing of Ngai Tahu and Canterbury as whole.

Responding to a question regarding having enough capacity to meet the requirements of the Resource Management Act, Mr O'Connell said that the responsibility of kaitiakitanga was not just a Ngai Tahu function, but a fundamental principle for the region. In other regions there is ratepayer and central government assistance provided.

The matter of the Fenton Reserves and access to rivers being difficult as the nature of the waterways change was raised. Mr O'Connell explained that the Fenton

Reserves had been established by the Crown in recognition that the Crown had not provided access for food gathering as promised in the 1848 land purchase in Canterbury. He agreed that the “undisturbed access” was a problem when the river had changed its path, the streams had disappeared or been diverted, or the quality of the water prevented the collection of mahinga kai.

Commenting on the diversion and disappearance of streams in South Canterbury, John Henry advised that about 70% have been lost around the Opihi.

It was agreed that the approach to water needs to be co-ordinated and the partnership between Environment Canterbury and Ngai Tahu provides an opportunity to strengthen this commitment.

9. NEXT MEETING DATE AND ITEMS FOR FUTURE MEETINGS

Items suggested for future meetings:

- Report from the visit to Southland
- Reports from runanga could include feedback on how Environment Canterbury is meeting its responsibilities and suggestions for improvements.
- A report on the policy about stock access. Despite work being done regarding stock access, there are still reports of stock accessing Lyall Creek.
- Develop a business plan for each year, with resources allocated (similar to the current approach with the Department of Conservation and runanga).
- More information about what Environment Canterbury does, which could include a presentation at each meeting.
- An explanation of processes, including the Environment Enhancement Fund, and projects.
- Iwi management plans – where they sit with Council Plans and how are they used. It was pointed out that officer’s reports for resource consent applications often do not include a robust analysis of the application in terms of an iwi management plan. Are iwi management plans provided to commissioners? It was suggested that a presentation to the committee on iwi management plans include a case study.

10. CLOSURE

Norm Dewes thanked everyone for attending and closed the meeting with a Karakia at 3.05 pm.

CONFIRMED

DATE _____ CHAIRPERSON _____