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MĀORI COMMITTEE Open Agenda

Meeting Date:	Friday 10 July 2020
Time:	9.00am
Venue:	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier
Committee Members	Ngāti Pārau Hapū Trust - Chad Tareha (In the Chair) Mayor Kirsten Wise Maungaharuru-Tangitū Trust – James Lyver Maraenui & Districts Māori Committee – Adrienne Taputoro Pukemokimoki Marae – vacant
Officer Responsible	Director Community Services, Senior Māori Advisor
Administration	Governance Team
	Next Māori Committee Meeting Friday 14 August 2020

ORDER OF BUSINESS

Karakia

Apologies

Nil

Conflicts of interest

Public forum

Nil

Announcements by the Chairperson

Announcements by the management

Confirmation of minutes

That the Minutes of the Māori Committee meeting held on Friday, 12 June 2020 be taken as a true and accurate record of the meeting.

Agenda items

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2	Update from partner entities	10

General business

Public excluded	I10
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Whakamutunga Karakia

AGENDA ITEMS

1. MĀORI COMMITTEE MEETING 'MECHANICS'

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	940860
Reporting Officer/s & Unit:	Devorah Nícuarta-Smith, Team Leader Governance

1.1 Purpose of Report

To present a proposal to re-integrate the Māori Committee into the six-weekly meeting cycle of Council.

Officer's Recommendation

The Māori Committee:

- Recommend that Council re-integrate the Māori Committee into the sixweekly meeting cycle alongside the standing committees, and direct officers to implement the processes and system updates required to complete this change, including
 - i. reactivating the InfoCouncil functionality to allow for the flow of information through the standing and Māori committees to Council
 - ii. communication to all staff of the new process and associated time frames

1.2 Background Summary

On 3 June 2020, during a workshop session on the Terms of Reference of the Māori Committee, Officers were requested to explore options for re-integrating the Committee into the six-week meeting cycle of Council, as this was viewed as one way that would better facilitate the Committee fully stepping into its purpose and mandate.

Any proposal would need to ensure that:

- •the Committee's expectations were met regarding information accessibility and the opportunity to discuss and make any recommendations on Council reports
- •the agenda production time frames set by the Mayor for this triennium were honoured
- •the process integrated with Council's existing agenda production tool (InfoCouncil) and the functionality available
- •there was no loss of workshop time

Shown at Attachment A is:

•a brief outline of the current six weekly cycle,

It should be noted that the Audit & Risk and Hearings Committees operate outside of the sixweekly structure, and this proposal does not currently include comment on how the Māori Committee would best be kept across information coming through these forums.

Due to their nature, matters coming to extraordinary meetings would need to be addressed on a case by case basis.

1.3 Issues

Outline of proposal

The Māori Committee will have access to the open agendas for all four standing committees at the same time as Councillors, so members are able to read and consider two to three weeks in advance of the Committee hui which reports are of particular interest for discussion. However, while Committee members may indicate early interest in some matters, there would be opportunity to discuss all standing committee reports at the hui if this was desired.

It should be noted that reports taken directly to Council (and therefore not double debated) will bypass this process. There are typically two types of report that are taken straight to Council – those matters which by law cannot be delegated to a Committee, and minor matters such as information-only reports out of other joint committees or external bodies that Council administrates (such as the Creative Communities Committee). It is anticipated that, in the case of the former, the Māori Committee members will have access to information under discussion through other routes (such as Council workshops and informal kōrero). In the case of the latter, generally Council itself is only receiving the information so there is no requirement for feedback from the Māori Committee. On occasion funding applications may also need to go direct to Council due to timing within external monthly funding rounds.

It is acknowledged that in previous terms some matters have gone straight to Council when they could and should have been double-debated. This is already being addressed within this triennium, and the shift in setting for the Māori Committee will be a useful reiteration of the correct process.

As well as reports to the standing committees, new reports specific to the Māori Committee's mandate would also be brought through directly as required.

Access to these meeting papers and new reports is currently via Council's website and email. However, a separate workstream has been initiated to provide Māori Committee members with iPads for use during their term as representative, Council emails and access to Council's document sharing portal (LG Hub) to better support the provision of information. It should be noted that while it is an organisation that is appointed to the Committee, it is anticipated that the organisational representatives will remain relatively stable over a three-year term, as emails and Hub access will be set up for individuals.

The 'partner update' section of the Māori Committee agenda introduced this term would continue, and Committee members will also continue to be able to raise any queries for follow up under a General Business item to be added as standing agenda item (at the discretion of the Chair), so the multi-directional kōrero, which is a particular strength of the current hui, is not lost.

To ensure that the Māori Committee have the most comprehensive opportunity to review and provide input on matters for double debate, no Decisions of Council will be taken at standing committee level on the implementation of the new setting. In the occasional instance where a

Item 1

Council decision is required more promptly than the double debate process allows for an extraordinary meeting of Council may be required where previously it was not. However, as most matters can be easily prepared for well in advance of a decision being required, it is anticipated that this will be rare.

All standing committees are able to require that an item be 'left on the table' if it is felt that further work is required prior to a recommendation to Council being appropriate. The Māori Committee will also have this ability alongside the standing committees. If the Committee feels that questions have not been addressed appropriately, or that more information is required in order to be able to make an appropriate recommendation to Council under their mandate, then the item will be laid on the table for further follow up by officers, which will then be brought back through the next Committee, Officers will advise of any time constraints on the decision due to external pressures, and an extraordinary meeting of Council may be arranged if a decision is required prior to the next ordinary meeting. This option is a new inclusion to the 'mechanics' of the Māori Committee and viewed as an important contributor to embedding the mana of the Committee, it's mandate and recommendations it makes within Council's governance structures.

Further to the change to the timing of the Committee's hui, members will also be included in all Council workshop bookings moving forward. While it is recognised that Committee members have multiple demands on their time, and attendance will be at their discretion, extending the invitations provides greater visibility of upcoming matters being considered by Council, and further reiterates the full incorporation of the Māori Committee into the governance structure.

Next Steps

Council is required to formally adopt any changes to its governance structure and a report will be brought through to the next possible ordinary meeting of Council to facilitate this process.

A piece of work would need to be undertaken to reactivate functionality of Council's meeting paper preparation tool (InfoCouncil), which allows all standing committee items to be pulled into the Māori Committee papers, and then allocates the Māori Committee discussion and recommendations against each standing committee item in the Council agenda.

It should be noted that this process will require the IT Team to work with InfoCouncil Support Team in Australia to complete the process of reactivating the functionality and link the new Māori Committee to the new standing committees and Council into the scripting; while it is possible, it will not be an overnight change.

1.4 Significance and Engagement

This matter does not trigger Council's Significance and Engagement Policy or any other consultation requirements.

1.5 Implications

Financial

There may be some cost to engaging InfoCouncil to reactivate the functionality that allows for meeting paper production where all committees are linked.

Social & Policy

N/A

Risk

N/A

1.6 Options

The options available to the Committee are as follows:

- a. To approve the proposal for recommendation to Council
- b. To direct Officers to re-investigate all or part/s of the proposal and re-present an updated proposal to the Committee

1.7 Development of Preferred Option

It is recommended that the Committee approve the current proposal for recommendation to Council.

Multiple factors have been considered in the proposal and Officers will continue to identify and implement any further improvements as the implementation is undertaken to ensure the best outcomes possible for all participants in the process.

1.8 Attachments

A Current State and Proposed Update to Meeting Cycle U

1. Current Setting as at June 2020

	Sust. Napier/ Future Napier	People and Places/ Prosperous Napier	Māori Committee Monthly – Friday am	Council	Workshops
Week 1	Final Agenda due Wed, to be run first thing Thursday				COUNCIL WORKSHOPS - Thurs
Week 2	MEETINGS - Thurs am	Draft agenda due Wed			
Week 3		Final Agenda due Wed, to be run first thing Thursday			COUNCIL WORKSHOPS - Thurs
Week 4		MEETINGS - Thurs am			
Week 5				Final agenda due Wed, to be run first thing Thursday – requires minutes of standing committees to be pulled through	COUNCIL WORKSHOPS - Thurs
Week 6	Draft agenda due Wed			MEETING – Thurs am	

2. Proposed Change

	Sust. Napier/ Future Napier	People and Places/ Prosperous Napier	Māori Committee	Council	Workshops
Week 1	MEETINGS – Thurs am	Final Agenda due Wed, to be run first thing Thursday			
		MC access at same time as Councillors			
Week 2		MEETINGS – Thurs am			
Week 3			New items due Tuesday Final agenda due Wed, to be run first thing Thursday – requires minutes of all standing committees so these can be pulled through via InfoCouncil (agendas already available)		COUNCIL WORKSHOPS – Thurs
Week 4			MEETING – Friday am		COUNCIL WORKSHOPS – Thurs
Week 5	Draft agenda due –			New items due Monday	COUNCIL
	Wed			Final Agenda due Wed, to be run first thing Thursday	WORKSHOPS - Thurs
				 needs standing committee AND MC minutes (agendas already ready to be integrated) 	

Week 6	Final Agenda due Wed, to be run first	Draft agenda due Wed	MEETING – Thursday am	
	thing Thursday MC access at same time as Councillors			

2. UPDATE FROM PARTNER ENTITIES

Maungaharuru-Tangitū Trust–James Lyver

Maraenui & Districts Māori Committee – Adrienne Taputoro

Napier City Council – Mayor Kirsten Wise

Ngāti Pārau Hapū Trust - Chad Tareha

PUBLIC EXCLUDED ITEMS

That the public be excluded from the following parts of the proceedings of this meeting, namely:

AGENDA ITEMS

1. Pukemokimoki Marae Reserve Revocation

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
1. Pukemokimoki Marae Reserve Revocation	7(2)(g) Maintain legal professional privilege	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

MĀORI COMMITTEE Open Minutes

Meeting Date:	Friday 12 June 2020
Time:	9.03am – 9.59am
Venue	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier
	Zoom
Present	Ngāti Pārau Hapū Trust - Chad Tareha (In the Chair)
	Mayor Kirsten Wise
	Maungaharuru-Tangitū Trust – James Lyver
	Maraenui & Districts Māori Committee – Adrienne Taputoro
In Attendance	Interim Chief Executive, Director Community Services, Director Infrastructure Services (Online), Director City Strategy (Online), Councillor Boag, Councillor Tapine, Principle Māori Advisor, Senior Māori Advisor, Manager Design and Projects, Manager Property, Manager Environmental Solutions, Team Leader Parks, Reserves, Sportsgrounds
Administration	Governance Team

Karakia

Chad Tareha opened the meeting with a karakia

Apologies

Nil

Conflicts of interest

Nil

Public forum

Cr Boag spoke to the committee about the paid position of Coordinator for the Age Concern social engagement group Ngā Pakeke o Maraenui, which she has held for some time but is stepping down from. The programme usually takes place on a Monday morning each week, although it has been in recess recently due to COVID-19.

Age concern would like to keep the programme going and Cr Boag asked the committee to circulate the information tabled regarding the programme and job description to their networks.

Announcements by the Chairperson

It was noted that Tiwana Aranui resigned from this committee earlier this week. The mayor will be meeting with Tiwana over the next fortnight to discuss who the replacement representative of urban Māori will be; the initial intention is to seek a replacement from Pukemokimoki Marae.

Announcements by the management

Nil

Confirmation of minutes

C Tareha / K Wise

That the Minutes of the meeting held on Friday, 13 March 2020 were taken as a true and accurate record of the meeting.

Carried

C Tareha / J Lyver

That the Minutes of the meeting held on Friday, 8 May 2020 with the additional updates from James Lyver were taken as a true and accurate record of the meeting.

AGENDA ITEMS

1. WASTEWATER OUTFALL REPORT

Type of Report:	Legal and Operational
Legal Reference:	Resource Management Act 1991
Document ID:	935283
Reporting Officer/s & Unit:	Catherine Bayly, Manager Asset Strategy Cameron Burton, Manager Environmental Solutions

1.1 Purpose of Report

To inform the Committee of an update to the status of the Awatoto Submarine Wastewater Outfall which conveys treated wastewater to the Pacific Ocean.

At the Meeting

The Manager Environmental Solutions spoke to the report, noting that a further set of results has been received over the last week which show low impact from the leaks.

In response to questions from the committee it was clarified that:

- Council was required within the last year to give a public announcement in regards to the biological trickling filters project via the Kaitiaki Liaison group. This group was established when the new biological trickling filters were put in. It hasn't been possible to make contact with the group more recently due to members retiring or becoming uncontactable. There is an opportunity to reestablish a similar group for the future of how wasterwater is treated in Ahuriri.
- The variation has not yet been lodged, but it is ready to be lodged.
- "de minimus" means that in the wider environment surrounding the discharge area, and in particular the leak, there are minimal environmental effects showing up.
- NIWA have assessed the effects at a microbial level and have confirmed no increased impacts from the leaks to date.
- Monitoring takes place throughout the year from a boat and also via longshore sampling close to the shore from Town Reef through to Clive.

The Committee noted that it is important to identify who the appropriate Māori authorities are and engage with them directly rather than via this committee. For example Kohupātiki Marae and other key groups in the area, and bodies involved with coastline and ocean concerns. The contribution of these groups needs to be prioritised and co-funded.

It was noted that Chad and James could liaise with the team to facilitate connecting with mana whenua marine monitoring groups.

It was requested that a further recommendation be added to the Council decision, that being to endorse staff to immediately engage with mana whenua groups.

Committee's recommendation

C Tareha / A Taputoro

The Māori Committee:

- a. Receive the update report regarding the wastewater outfall
- b. Note the recent Council resolution to:
- a. Note the current status of the submarine wastewater outfall:
- i. As previously reported, there remains some seepage of wastewater from sealing gaskets which form part of a bespoke fibreglass joint section of the subsurface outfall pipe structure;
- ii. Despite efforts, staff have not been able to identify a way to quickly fix this seepage without putting the fibreglass joint at risk of rupturing;
- That frequent testing of the coastal waters surrounding the area of seepage continues to show de minimus environmental effect of those waters, caused by this seepage;
- iv. That Hawkes Bay Regional Council (HBRC) have recently indicated (on 25 March 2020) that Council must take the following actions:
 1) Undertake short-term repairs to mitigate the leak from the joint leak by 30 October 2020
 2) Provide long-term options for repairing the joint in the outfall pipe by the same date (30 October 2020)
- v. That HBRC have informally notified Council of their intention to pursue enforcement action against Napier City Council to cease the discharge at the joint if the timeframes above are not met.
- vi. That a further leak has been discovered within 100m of the fibreglass joint. Divers have been to the site with the aim to repair and have found that this is an old repair that has been damaged by an anchor, or other, and will need an additional repair.
- vii. Tight timeframes to effect a repair increases the risk associated with delivering a short-term fix, rather than facilitating long-term solutions which will provide better outcomes.
- b. Endorse staff to:
- i. Seek a variation to the current resource consent to authorise the discharge of wastewater via seepage at a position other than that currently authorised (at the fibreglass joint location);
- ii. Seek early provision of funding assigned for later financial years in the Long Term Plan (LTP) to enable the strategic and planned replacement of the wastewater outfall, including better treatment options to facilitate a more highly treated wastewater in the future.
- iii. Formally and actively consult with mana whenua immediately.
- Approve funding to be released from Wastewater Reserves to attempt a fix of the two seepages and to start on investigation works for replacement of the outfall (\$2m has been put forward in the 20/21 Annual Plan).

- d. Approval to attempt the lowest risk repair option of the fibreglass joint to address Regional Council's repair timelines.
- e. Receive the Beca Ltd Report entitled "Napier City Council Wastewater Outfall Issues and Options" dated 15 May 2020

2. LICENCE TO OCCUPY RECREATION RESERVE - SUNDAY MARKET

Type of Report:	Operational
Legal Reference:	Reserves Act 1977
Document ID:	933989
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property

2.1 Purpose of Report

To confirm the granting of a Licence to Occupy to Margaret Habib for the carpark on Marine Parade immediately north of Ocean Spa and an alternative site at Anderson Park if the Marine Parade site is unavailable, for the operation of the Sunday Market for a term of three years.

At the Meeting

The Manager Property spoke to the report noting that the item is a procedural matter under the Reserves Act. When Council is considering Licenses to Occupy in recreation or reserve areas under their delegated authority from the Minister of Conservation, there is an expectation that this committee will be consulted.

Committee's recommendation

C Tareha / A Taputoro

The Māori Committee:

a. Recommend that Council approve the granting of a Licence to Occupy to Margaret Habib for the carpark on Marine Parade immediately north of Ocean Spa and an alternative site at Anderson Park if the Marine Parade site is unavailable, for the operation of the Sunday Market for a term of three years.

3. KAUMĀTUA O TE KAUNIHERA O AHURIRI

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	934844
Reporting Officer/s & Unit:	Mōrehu Te Tomo, Senior Māori Advisor

3.1 Purpose of Report

To provide the history of Council's Kaumātua and facilitate discussion about the role moving forward.

At the Meeting

The Senior Māori Advisor introduced the matter of the Council Kaumātua and provided background on Council's current setting. Around 2010 the late Heitia Hiha became unwell and divested himself of many of his commitments, including handing over the role of Council Kaumātua to Piri Prentice.

Traditionally this is how succession has taken place, i.e. the incumbent has held the role until they either pass away or decide to hand the role on to a successor.

In response to questions from the committee it was clarified that:

- Hākui and Hākoro are Ngāti Kahungungu terms for Kaumātua. Earlier kōrero had led to agreement that the titles Hākui and Hākoro would now be used by this committee. It was also noted that previous kōrero agreed that the incumbents having whakapapa to Ahuriri needed to be reflected.
- Te Taiwhenua have communicated that they are establishing a kāhui, a kāhui being a cluster of kaumātua that can be approached for input and wisdom.
- The Council Kaumātua role currently receives an annual honorarium of \$12,000, an amount which has not changed since 2014. It was agreed that this should be reviewed.
- As Ahuriri currently has a female Mayor, the appointment of a Hākui will enable different, and on occasion, more appropriate support for the Mayor.

ACTION: Further conversation in relation to the roles, appointment, and succession of Hākui and Hākoro will be included in the discussion about the Terms of Reference for this Committee.

Committee's recommendation

Mayor Wise / A Taputoro

The Māori Committee:

- a. Recognises that tikanga has been properly met in the appointment of Mātua Prentice as the current Council Hākoro.
- b. Directs that the annual remuneration of the role be reviewed.
- c. Endorses the process of the Hākui and Hākoro appointments and succession planning as outlined in the report to this Committee.

4. UPDATES FROM PARTNER ENTITIES

Maungaharuru-Tangitū Trust–James Lyver

- The Trust continues progressing their Annual Plan, and their five pou.
- The COVID-19 recovery plan, which is aligned with the Annual Plan, continues on.
 MACA continues
- MACA continues.
- An application was put to Council for reimbursement for the "Whanau champions" work undertaken by volunteers during the COVID lockdown period. This has been received and will go straight back out to whanau and the people that helped.

Maraenui & Districts Māori Committee – Adrienne Taputoro

- Thank you to the many organisations, non-government organisations, Council and government agencies for coming together to provide support to whanau.
- Thank you to the Mayor and Council for helping to keep whanau safe through the regular messaging and reminders to stay home and stay safe.

Napier City Council – Mayor Kirsten Wise

- The consultation document for the draft Annual Plan was adopted yesterday and consultation will open 18 June 2020 until 16 July 2020.
- The Committee is encouraged to provide feedback, and to also advise others to make a submission.
- Hard copies of the consultation document will be available via Council Customer Services. Council is trying to make it as accessible as possible.
- There will not be any Community meetings as the planning took place during lockdown, when it was unclear what alert level the country would be in on future dates.
- There will be Facebook live sessions and the Ahuriri community are welcome to reach out to elected members directly.
- Noted thanks to staff for having to rework the Annual Plan so quickly in light of COVID-19.
- There is a 4.8% rates increase proposed. Council is aware that this has not been well received in some sectors. Unfortunately no increase would create far reaching negative impacts into the future. To help with this increase a targeted relief package has been developed to ensure that those most in need have access to assistance.

Ngāti Pārau Hapū Trust - Chad Tareha

- The Select Committee Hearing for the Ahuriri Settlement Bill will take place on Monday 15 June 2020.
- The Māori Movement kaupapa and a Napier City Council District Plan review workshop are both taking place next Friday 19 June 2020.
- The Trust have put together an application for funding through the Ministry of Business, Innovation and Employment, to employ 30-35 whanau for five years contracting to Napier and/or Hastings District Councils on planting and fencing. Projects.

PUBLIC EXCLUDED ITEMS

C Tareha / A Taputoro

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- 1. Pukemokimoki Marae Reserve Revocation
- 2. Waipātiki Land Purchase Proposal

Carried

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
1. Pukemokimoki Marae Reserve Revocation	7(2)(g) Maintain legal professional privilege	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Waipātiki Land Purchase Proposal	7(2)(a) Protect the privacy of natural persons, including that of a deceased person 7(2)(h) Enable the local authority to carry out, without	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:

commercial activities 7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	 (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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The meeting moved in to committee at 9.59am

Approved and adopted as a true and accurate record of the meeting.

Chairperson

Date of approval