

ORAL SUBMISSION OF LIZ MUNROE
TO HEARING PANEL ON THE PROPOSED DISTRICT PLAN FOR CENTRAL HAWKE'S BAY
15 MARCH 2022

MIHIMIHI

1. E te Rangatira Roger, tēnā koe, koutou hoki tō whanau, tō hapu.
It is always an honour to have any time with you; since returning home in 2009 you have offered incredible learning to me, to Tamatea, to Heretaunga and all others in our Hawke's Bay communities. Ka nui te mihi atu ki a koe.

2. Ki a koe hoki, ko Rongomaiwahine, Ngāti Pahauwera, Ngati Kahungunu me Whakatohea, tena koe.
What an impressive career you have had. It is an honour to meet you.

3. Our ~~two~~ Councillors, tēnā kōrua. We have crossed paths in my time in Hawke's Bay but there is great comfort in seeing familiar faces in this panel. Kia ora rā.

4. E te Rangatira, Robert te Tiamana, tēnā koe. Tino hari koa te ngakau ki te tu I mua I a koe, koutou hoki I te ra nei, tena koe, tena koutou.

INTRODUCTION

5. My name is Liz Munroe.

HERETAUNGA TAMATEA

6. Until recently, I was the Chief Executive for the Heretaunga Tamatea Settlement Trust. A role I held for 5 years.
 - a. This is the post settlement governance entity for Heretaunga and Tamatea, established to receive and manage the settlement redress negotiated in settlement of the comprehensive historical Treaty claims of Heretaunga Tamatea against the Crown.

- b. Prior to that I was the Chief Negotiator for the claim and the project manager from 2009 of He Toa Takitini. This was the group mandated to negotiate the settlement of the historical grievances of Heretaunga Tamatea.
- c. \$105 million in cash plus \$9.5 million accumulated rentals from the Kaweka and Gwavas Crown forest licensed lands.
- d. 23 marae:
 - i. 14 in Heretaunga; and
 - ii. 9 in Central Hawke's Bay.
- e. From the Settlement each marae receives \$1 million.

CURRENT ROLE

- f. Current role Chief Executive for Mana Ahuriri Trust, the neighbouring group of hapū of Ahuriri, who had their 3rd Reading on 7 December 2022 and received their settlement redress on 3rd March 2022 - \$19.5 million, significant cultural redress and commercial opportunities second to none.

HBRPC

- g. Past three years I have held the Co-Chair and Deputy Co Chair role in the HB Regional Planning Committee. A joint committee of Council, comprising all 9 iwi within the Hawke's Bay region; this was redress negotiated in the Pahauwera and Maungaharuru Tangitu negotiations. Whilst the Terms of Reference were quite restricting, the major objective of the Maori members was to develop the Treaty partner relationships and it was going quite well, along with the influence of the Maori Standing Committee, the first committee of Council set in 1990's.

This has been my current life.

IN THE PAST

- h. **Legal Background:** I graduated in 1986 from Victoria University with a law degree. Practiced with various firms. I continue to hold a current practising certificate.

- i. **4 years in local government** 1991 to 1995 – when the Resource Management Act was new, advising Waitakere and Wellington City Councils on the Maori provisions within the legislation. I recall pulling together an analysis of all the Councils that established a Maori advisory committee. HB Regional was the first Maori Standing Committee.

OFFICE OF TREATY SETTLEMENTS

- j. Then went into the Office of Treaty Settlements.
- k. I worked with the late Sir Michael Cullen on the Waikato River Co-Governance framework, involving Waikato Tainui, Raukawa, Te Arawa and Tuwharetoa. I completed the Maniapoto negotiation advising Maniapoto directly.

MANDATE FOR STANDING HERE

- i. My mandate for standing here is all of that but more importantly:
 - i. I whakapapa to Ngāti Ngarengare, hapū with Houngarea Marae in PakiPaki;
 - ii. Direct descendant of Puhara Hawaikirangi, Chief of Pa Kowhai
 - iii. He fought alongside Te Hapuku
 - iv. His son was Urupene Puhara, who was involved in the land sales with Te Hapuku in the mid 1850s.
 - v. He was betrothed to Marata Tukino Te HeuHeu from Tuwharetoa to restore peace between Kahungunu and Tuwharetoa
 - vi. Their son was Waimarama Puhara, a exponent in the taiaha but also Kaikorero for Ngati Kahungunu. He supported Princess Te Puea of Waikato when she was awarded the CBE.
 - vii. When my mother was a child, Waimarama gave her to the RukiRuki whanau of Tapairu because that couple lost their child from the Spanish flu.
 - viii. We inherited all the land interests of Tame Kaninamu Rukiruki, including Tapairu and Whatarakai, amongst others.

- ix. My mother, my whangai grandparents, my brother and cousins are buried at Tapairu Cemetery and that is likely to be my final resting place.

It is from that mandate that I feel extremely proud to be standing here making this submission to you today. I'm pressured and privileged with so much riding on it in my mind. I am speaking for my people of Tapairu.

HIGHLIGHTS

7. I want to make some highlights from my submission:
8. CHBDC are to be applauded for Policy 5, NFL. It is forward thinking and future proofing.
9. Tamatea supported water storage when being mooted in 2014.
 - a. The Agreement In Principle made provision for \$20 million to be advanced to enable Tamatea to invest in the water storage scheme. It was not easy to gain Crown support but we did and before any agreement had been reached on the quantum of the claim.
 - b. Clause 6.4 says: Upon the signing of the agreement in principle, the Crown agrees...to make available...
 - i. \$20 million which He Toa Takitini intends to use to invest in the Ruataniwha Water Storage Scheme
 - ii. Subject to ratification of the governance entity and signing of a Deed on Account.
 - iii. And we secured the conditions.
 - iv. Important to note the RWSS did not fail for environmental concerns. It was the Ministers decision in relation to the 22 hectares of Conservation lands.
 - v. The resource consents remain live till 2024 2025 – please note the correction
 - vi. The land ought to have been made available to Heretaunga Tamatea as settlement redress and remains a discussion with the Conservation Minister.
 - vii. It is still a possibility and it is my submission that the proposed District Plan should do all it can to facilitate water storage.

- viii. There was no denying the environmental effects but I understand \$10 million was set aside to mitigate these effects.

- ix. Climate change and lack of water are big issues for Central Hawke's Bay and whilst augmentation might provide some solution, there need to be others provided for.

- x. Decision overturning the availability of the conservation land was a major setback for Maori of Heretaunga and Tamatea entering economic development within Central Hawke's Bay in my view.

- xi. While the option is available it must be enabled.

- xii. We are in a post settlement environment and Maori are late to be entering. There is undeveloped Maori land in Hawke's bay with no access to water takes. That alone is preventing Maori from economic development.

- xiii. All planning document need to recognise and provide for the post-settlement environment and facilitate the entry of Maori into the economic development of the region.

- xiv. We're not there simply to be consulted with, or sing a waiata or karakia.

xv. There are significant dollars available now.

FOREST & BIRD SUBMISSION

10. I want to make comment on the submission of Forest & Bird and their statement in relation to Te Mana o Te Wai and the National Policy Statement on freshwater management 2020.
11. First of all, they did not consult with the Heretaunga Tamatea Settlement Trust in my time, let alone Tapairu.
12. The submission also does not say why water storage is inconsistent with Te Mana o te Wai.
13. Te Mana o Te Wai is a matter for local definition by the local hapū.
14. Sections 6(e), 7(a) and 8 of the Resource Management Act are for the hapū enabling hapū to enter the debate and definition.
15. Maori values have been quoted and used to prevent development but what happens when we want that development.
16. This is not theory.
17. Climate change and water issues in Hawkes Bay are real issues.

18. The idea of a large water body on the Ruataniwha plains is not new. That was the Ruataniwha lake, which dissipated into the Waipawa and Tukituki Rivers, following an earthquake, myth show.
19. Maori are also pragmatic. History shows this. We recognised the value of pakeha settlement and made land available, yet land is a taonga.
20. The same goes with water storage. A large water body on the Mākāroro will develop its own mana and mauri, as will the associated hapū that make this happen.
21. This brings me to the weight of a submission from hapū. There is something fundamentally wrong where submissions of environmental groups are given more weight than the tangata whenua or kaitiaki.
22. In the same way developers, local authorities and others are required to consult with tangata whenua and hapū, so too must the environmental groups. It is the right thing to d

- Relies on King Salmon, to the effect that can't rely on overall broad judgment to overcome directive higher order instrument. Fine as far as it goes, but she doesn't identify any relevant higher order direction;
- To the extent that she refers to general directions in the NPSFM, she has no evidence to identify how/ why water storage is inconsistent eg to te mana o te wai (presumably something presumably Tamatea could talk much more authoritatively about than a pakeha lawyer from Forest and Bird). Doesn't address the positive contribution to freshwater values RWSS (or whatever you are now calling it) would have on those values through augmentation of summer low flows and periodic flushing flows;
- To the extent that she relies on section 6 directives, doesn't acknowledge King Salmon statement at [149] that:

"Section 6 does not, we agree, give primacy to preservation or protection; it simply means that provision must be made for preservation and protection as part of the concept of sustainable management."

Which brings you back to more general sustainable management concepts i.e. use and development, not just protection.

1. Finally I just want to correct the record in relation to the submission from Nga Hapu me Nga Marae o Tamatea.
2. Their original submission seemed to be supporting the Forest & Bird position in relation to NFL-P5. I corrected that on my behalf and Mr Brian Morris has confirmed it directly.
3. This was an example of young academics assuming the hapū wouldn't want the development and wrote the submission in that way.

Questions.