

Appendix 1: Record of Statements of Agreement

Wānanga Topic	Points for Resolution	Statement	Reasons/ Comments/Other matters	Action Time frame:
<p><b>TOPIC 1: TANGATA WHENUA MATTERS</b></p>	<p>1. Position statement/s and process for amending the following sections:</p> <ul style="list-style-type: none"> <li>• Mihi and process for amending this</li> <li>• Te Whakataki: Introduction sections</li> <li>• Te Ao Hurihuri: Tangata Whenua Today and Ngā Reo o te Takiwā: Representative Voices / appropriate reflection of the history</li> <li>• Additional Statutory Acknowledgement Areas from other applicable Treaty settlements</li> </ul>	<ol style="list-style-type: none"> <li>1. Mihi can stay but needs to be acknowledged that it was written by/ signed by Roger Maaka</li> <li>2. TANGATA WHENUA / MANA WHENUA sections of the PDP (Part 1) Te Whakataki: Introduction etc needs to tell the story of ngā hapū by ngā hapū (amend/ replace current provisions)  Te Ao Hurihuri statement... Nga reo te takiwa statement ...  Darryn Russell will provide an umbrella introduction to advise who is the mana whenua for the purposes of the DP and to include the context of Te Ao Hurihuri, Nga reo te takiwa ...  Word docs of TW/MW (Part One to be provided to Darryn Russell who will draft that information). This will be circulated to marae for their inputs. (see also Topic 3 (4) below) Can be tabled at hearing in November  Word docs to be provided to translator/ editor for editing/ word / editing. Final edit to take place once all the documents/inputs from tangata whenua / mana whenua submitters are finalised. (Translator to be agreed to by submitters).</li> <li>3. Resourcing options to be discussed. A broader context /relationship structure discussion needs to be had about these strategic relationships and then this can inform the PDP. Next steps what constitutes a local collective that has a plan that is recognised.</li> </ol>	<p>Appropriate to retain mihi as long as the writer of this is clearly acknowledged</p> <p>Ngā hapū holds the pen (HTST will provide an umbrella introduction, and each marae/hapu will provide statements reflecting their hapū ).</p> <p>Word docs of TW/MW (Part One to be provided to Darryn who will draft that information. This will be circulated to marae. Can be tabled at hearing in November</p> <p>Word docs to be provided to translator/ editor for editing/ word / editing. Final edit to take place once all the documents/inputs from mana whenua / tangata whenua submitters is finalised. (Translator to be agreed to by submitters)</p>	<ul style="list-style-type: none"> <li>- Provide strategic plans to Dave Milner by 30 September <a href="mailto:dave@kahuenviro.co.nz">dave@kahuenviro.co.nz</a></li> <li>- Draft version of Pt 1 section to be circulated to submitters by 10th October</li> <li>- Final feedback to Council by 14<sup>th</sup> October</li> </ul> <p>(TW hearing scheduled for 16-18 November subject to confirmation by the Hearings Commissioners)</p>
	<p>2. Position statement and agreed process for amending the mihi for this section of the PDP</p>			
	<p>3. Position statement/s with respect to co-governance opportunities for the PDP (noting this has been clearly articulated through submissions)</p>	<ol style="list-style-type: none"> <li>1. Co-governance is not a District Plan matter. More correctly needs a discussion around responsibilities relating to the Treaty, mana whenua / tangata whenua bring a lot more to that table, than the DP, the structures that come out co-governance are far bigger than the DP. Mana to mana needs to be built for this to happen. Needs a lot of thought and discussion outside of this process. Co-governance is not co-government, we need to have the discussion.</li> <li>2. Mana whenua / tangata whenua appreciate the intent of Council's relationship agreement document (Tūhono mai Tūhono atū – Council's Māori Engagement Strategy <a href="https://www.chbdc.govt.nz/assets/Uploads/20200827-Tuhono-mai-Tuhono-atu-Maori-Engagement-Strategy-adopted-27-August-2020.pdf">https://www.chbdc.govt.nz/assets/Uploads/20200827-Tuhono-mai-Tuhono-atu-Maori-Engagement-Strategy-adopted-27-August-2020.pdf</a>), but don't want it to be a box ticking exercise. Mana ōrite is what we aspire to.</li> <li>3. How are District Council and mana whenua / tangata whenua going to build the structure that sets something safe that sets the future for Tamatea? There is a complete imbalance of capacity to address this. That is going to take courage from the Council. In 200 years, it will be Council and mana whenua/ tangata whenua who are left.</li> <li>4. The matters raised in Nga Hapū submission still stand (Stella Morgan to discuss with Liz Munroe)</li> </ol>		

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	<p>4. Position statement reflecting tangata whenua's preferred approach to determining how 'te mana o te wai' can be integrated to support any potential provisions in the PDP (refer para 1.25 in written evidence from Liz Munroe (on behalf of Ngā Hapū Me Ngā Marae o Tamatea))</p> <p>5. Whether the concept of Te Mana o te Wai should remain in the Tangata Whenua Strategic Direction section or be integrated into the PDP (see Daysh Statement of Evidence)</p>	<p>1. It is important that provisions for Te Mana o Te Wai in the district plan link with regional plan provisions (noting that HBRC has yet to include te mana o te wai statement/provisions in their plan).</p> <p>2. Important to note that te mana o te wai is a tipuna. The wai has mana.</p> <p>How we express our local definition is important (and bigger than this wananga). An explanation for the District Plan could work/ be explored.</p> <p>(Liz Munroe / Brian Morris / David Tipene Leach to consider drafting some words for this and circulate to mana whenua /tangata whenua submitters)</p>	<p>Submitters invited to prepare a high-level statement of what Te Mana O Te Wai means to Tamatea expanding on their statement 'Te mana o te wai is a tipuna. The wai has mana'.</p> <p>Acknowledging that the DP is a minor part in a much bigger conversation about Te mana o te wai.</p>	
	<p>3. Position statement/s and process for:</p> <ul style="list-style-type: none"> <li>incorporating local whakatauki / and the voice of the whenua into the PDP including plan for ensuring how the PDP (process) provides for Mātauranga Māori and restoring of relationships (Noting there have been no specific submission points on this)</li> <li>use of Specific terms and definitions e.g., use of mana whenua/tangata whenua</li> </ul>	<p>1. Final edit of TW provisions to be completed for accuracy and consistency</p>		
<p><b>TOPIC 2: APPROPRIATE IDENTIFICATION AND PROTECTION OF WĀHI TAPU SITES /AREAS</b></p>	<p>2. Position statement/s and process for:</p> <ul style="list-style-type: none"> <li>amending Sites and Areas of Significance to Māori (SASM) provisions &amp; TW - Principal Reasons to better reflect the appropriate identification and recording of and Issues for protecting wāhi tapu sites and areas.</li> <li>reference to Accidental Discovery Protocol in the Plan</li> <li>reviewing the SASM schedule (outside of this current PDP process)</li> </ul> <p>3. Position statement/s regarding the role of landowners in looking after wāhi tapu sites / and the opportunities for developing relationships and access arrangements to those sites.</p>	<p>1. Policy and process statement about SASM could be achieved now. E.g. 'This DP looks to rebalance the narrative of SASM, and acknowledge the need to cumulatively build towards that'. Acknowledging that TW/MW don't know where all these sites are, and that they are the holders of the knowledge, and reserve the right to work alongside or withdraw as determined by them. Also noting that not all wāhi tapu are 'old'.</p> <p>Working group Stella/ Matua Brian/ Annmarie/Dean to work on the SASM introduction section for this purpose</p> <p>In the absence of captured knowledge TW/MW need to be looking at all resource consents (including subdivision consents). And need process/capacity/ building cumulative knowledge. This is the role of mana whenua / tangata whenua to determine how they can be assisted to do this.</p> <p>2. Acknowledge that identifying SASM sites/areas and protecting them is a work in progress but important to have policy statements in place. A larger collaborative piece of work is required that establishes TW/MW's approach to cultural landscapes/ identifying overlays/ putting in place a process that enables TW/MW to be engaged first and early. The schedule is incomplete, TW/MW are keen to get cultural sites on this list.</p> <p>3. An 'out of scope' process to capture that information and Council in house process, to ensure the developers are aware of these sites and engage with TW.</p> <p>4. Agree the trigger/threshold for initiating a Plan Change.</p> <p>5. Definitions – wāhi tapu, wāhi tupuna need to be clearly defined. District Plan could cut and paste the HNZPT Legislation definitions:</p> <p><i>'wāhi tapu means a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense</i></p> <p><i>wāhi tapu area means land that contains 1 or more wāhi tapu</i></p> <p><i>wāhi tūpuna means a place important to Māori for its ancestral significance and associated cultural and traditional values, and a reference to wāhi tūpuna includes a reference, as the context requires, to—</i></p> <p>(a) wāhi tūpuna:</p> <p>(b) wāhi tupuna:</p> <p>(c) wāhi tipuna'</p>	<p>1. Because of the pace of change protection is so important.</p> <p>2. We need to protect them – a cultural landscape identification process could provide a broad umbrella for when to engage with TW.</p> <p>3. Our taio group that's what we see... developers wanting to subdivide ... along our river.... How can we capture, we are losing whenua rapidly, the regulation doesn't work in our favour/ we have to be bold.</p> <p>4. ADP - any earthworks to be undertaken they need to apply for an archaeological authority. Local authority cannot require a developer to talk to HNZPT.</p> <p>5. ADP should only be used in a very low risk.</p>	<p>Action: Council will contact Stella August / Matua Brian Morris/ Annmarie Gillies /Dean Raymond inviting them to:</p> <ol style="list-style-type: none"> <li>Review the Intro / Issue 1 explanation sections of the SASM chapter.</li> <li>Develop a statement to define what SASM means in Tamatea /CHB. Submitters also to consider amended wording /additional wording for introduction section of SASM chapter to better reflect the importance of these sites to Māori. (Stella August/ Brian Morris/ Annemarie Gillies)</li> </ol> <p>Support for this is available from Stella Morgan or Lily Campbell (Councils consultant planner, friend of the submitter)</p> <p>Timeframe: - Final feedback to Council by 14<sup>th</sup> October Or - Present as evidence by 2<sup>nd</sup> November</p>

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		<p>6. And add text describing what is a Site and Area of Significance to Māori. For example: New Plymouth District Plan provides this description if what a SASM is:</p> <p><i>'means Ko te wāhi taonga momo wāhi, he whenua rānei e noho ai te tangata whenua, a, he wāhi i arotia ai ngā tangata whenua ma i ngā rā o mua taenoa ki ēnei rā; ko te wāhi he wāhi tikanga, he wāhi tapu rānei ki ngā tangata whenua. Ko te wāhi taonga ki ngā tangata whenua e whakaaturia kei runga i ngā mahere whenua whakatakoto kaupapa.</i></p> <p><i>Site and area of Significance to Māori means a site or place the tangata whenua has, or at any time had an interest in; and the site holds cultural or spiritual significance to Māori, including wāhi tapu.'</i></p> <p><a href="https://districtplan.npdc.govt.nz/eplan/#Rules/0/155/1/0/0">https://districtplan.npdc.govt.nz/eplan/#Rules/0/155/1/0/0</a></p> <p>7. There is a strong education component to protecting these places/sites. This can be acknowledged in the District Plan.</p> <p>8. The policy framework is one thing / but having a District Plan operational mechanism to ensure early engagement with mana whenua / tangata whenua in the early stages of processing of consents stage is essential.</p>		
<b>TOPIC 3: LAND OWNED BY MĀORI DEVELOPMENT AND HOUSING</b>	<p>4. Position statement/s for:</p> <ul style="list-style-type: none"> <li>• Tangata whenua aspirations for housing and development</li> <li>• Constraints and barriers to developing land owned by Māori (including different land status categories)</li> <li>• High level statements and where relevant the practical application (such as rezoning) regarding Tangata Whenua aspirations for Treaty Settlement lands</li> </ul>	<p>1. Māori Land has been systemically marginalised. The opportunity to develop that land including being overtaxed, have impacted on whanau ability to develop that land.</p> <p>There needs to be a response from Council outside of the DP that supports changing systemic disadvantage for Māori landowners as a result of years of colonial disadvantage. Important for example that Development Contributions in relation to Papakāinga are supportive of redressing this imbalance.</p> <p>Council to work with tangata whenua / mana whenua to provide a mechanism / structure to advocate/lobby looking at a co-design approach to evolve policy and solutions that benefit hapū and marae.</p> <p>(Council has a group in place Tamatea Housing Task force –could this be utilised for this purpose)</p> <p>2. The PKH chapter as proposed is a place-holder. But mana whenua / tangata whenua seek to revisit these provisions to better provide for everyone's aspirations which are to enable māori to utilise their land (including land that is in General Title) and to bring their whanau home.</p> <p>3. 20% site coverage is restrictive (scope K Tipene submissions) how would this work for small sections e.g. 850m<sup>2</sup>. Set it for 35 %? Delete / altogether?</p> <p>Reason: Apply an equity lens here. Check Rural and Res Zones for building coverage percentages.</p> <p>4. Each hapu/marae are invited to state their aspiration for whanau on their land e.g. bringing whanau home as part of marae kōrero in Topic 1 (refer Topic 1(1) above)</p>		<p>Action re point 4: Submitters are invited to provide a statement setting out their aspiration for whanau on their land e.g. bringing whanau home, to be included as part of marae kōrero for Topic 1:</p> <p>Timeframe</p> <ul style="list-style-type: none"> <li>- Provide draft statement to Dave Milner by 30 September <a href="mailto:dave@kahuenviro.co.nz">dave@kahuenviro.co.nz</a></li> <li>- Draft version of Pt 1 section to be circulated to submitters by 10th October</li> <li>- Final feedback to Council by 14<sup>th</sup> October</li> </ul>

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	Position statements for: <ul style="list-style-type: none"> <li>• Having considered Topics 1- 3 whether the current Tangata Whenua Chapter(s) should be widened to encompass all relevant matters including Treaty settlement land development. Options may include               <ul style="list-style-type: none"> <li>A. a Māori Purpose Zone chapter; or</li> <li>B. retention as per the notified PDP (with or without amendments); or</li> <li>C. a integration in other chapters in the PDP (see Daysh statement)</li> </ul> </li> </ul>	HTST submitters like the idea of Māori Purpose Zone for the Treaty Settlement Lands  HTST were comfortable with Either A or C as an approach.  Important to recognise that the Treaty Settlement has just been reached, and we are building our capacity in this space, but we want flexibility to develop our land. We only got so many blocks returned in our settlement and we would like to be able to maximise their potential for our people. This also might be affected by future acquisitions.		

Recorded on behalf of wananga participants  
 by:  
 Stella Morgan  
 Planning Consultant  
 to Central Hawkes Bay District Council



Date:

5 & 6 September 2022