

Minutes of a meeting of the Iwi Consultative Committee held at Mangatoatoa Marae, Te Mawhai Road, Te Awamutu on Wednesday 7 September 2005 commencing with a Powhiri at 9.30am.

1 ATTENDANCE

His Worship the Mayor AD Livingston

Members

Councillors – AJH Empson, DL Sharpe;
R Brown (Pirongia), C Daniels (Maungatautari), W Karaka (Ngati Haua); S Karena (Nga Iwi Toopu O Waipa), C Maikuku (Kaumatua), H Maniapoto (Puniu), G Roberts (Parawera), P Tuteao (Ngati Hikairo), G Searancke (Ngati Ngawaero), L Thompson (Kaniwhaniwha), D Walters (Kakepuku)

In Attendance

L Doyle (Kakepuku), W Emery (Kaumatua Mangatoatoa), H Chase (Mangatoatoa Marae), R Chase (Mangatoatoa Marae), W Waite (Ngati Parete Kawa), L Emery (Te Kopua Marae & Puniu).

L O'Dwyer (Opus International Consultants) – for item 19.
L Smith (Environmental Management Services) – for item 20.

Acting Chief Executive (GD Dyet), Group Manager Policy & Strategy (R McNeil), Te Takawaenga (C Davis), Committee Secretary (C Plowright)

2 KARAKIA

Charlie Maikuku opened the meeting at 10.35 am with a Karakia.

Mayor Livingston thanked the Mangatoatoa Marae Committee for hosting the Iwi Consultative Committee meeting and for allowing him to chair the meeting.

3 APOLOGIES

RESOLVED

7/05/39

That apologies for absence be received from the Chief Executive and Councillor Lee and for lateness from Harold Maniapoto.

R Brown/C Maikuku

4 LATE ITEMS

A late item was requested on the building work currently taking place at Mangatoatoa Marae.

George Searancke asked for an item on identification of archaeological sites as a result of the Kihikihi sewerage project. Mayor Livingston said this could be discussed as part of item 27 on the agenda.

Sonny Karena asked for an item on the Hui a Iwi held at Te Awamutu College on 8 June and it was agreed to include this in item 7 on the agenda.

5 CONFIRMATION OF ORDER OF MEETING

File: 01-89-08

Mayor Livingston said items 19 and 20 would be taken immediately after confirmation of the previous minutes to allow the consultants to present these items at an early stage in the meeting. He said the late item concerning the building work at Mangatoatoa Marae would be taken as the next item at approximately 11.00am.

RESOLVED

7/05/40

That the order of the meeting be confirmed.

G Roberts/Cr Sharpe

6 MINUTES OF PREVIOUS MEETINGS

File: 01-89-08

Minutes of meeting held on 1 June 2005 were included in the agenda.

RESOLVED

7/05/41

That the minutes of the meeting of the Iwi Consultative Committee held on 1 June 2005, having been circulated, be taken as read and confirmed as a correct record subject to the addition of Louise Doyle's name on the list of those present at the meeting.

G Roberts/Cr Sharpe

Matters Arising

6.1 Waipa Peat Lakes Accord

File: 50-01-01

The Committee was advised that five Peat Lakes (Maratoto, Rotopotaka, Rotomanuka, Mangakauwhare and Ngaroto) have been selected for action by the member organisations to the Waipa Peat Lakes Accord. Management Plans for these lakes are being updated and will be provided to Nga Iwi Toopu o Waipa for comment prior to their finalisation. Environment Waikato has allocated funding for these lakes from its environmental initiatives funds. Waipa District Council has included some funding for peat lakes as part of the recently confirmed Reserves Development Programme.

Gaylene Roberts asked how the Peat Lakes Accord would affect Nga Iwi Toopu o Waipa (NITOW). Acting Chief Executive, Garry Dyet, said that every time the Accord launched a new strategic action it would be referred to NITOW. He said it would be acceptable for NITOW to put forward a representative to attend the Peat Lakes Accord meetings.

[Items 20, 19 and the late item concerning building work at Mangatoatoa Marae was taken at this point. The meeting then returned to the order of business as stated in the agenda.]

7 QUARTERLY REPORT FROM TE TAKAWAENGA

File: 01-84-34

Report of Te Takawaenga dated 23 August 2005 was included in the agenda.

RESOLVED

1/05/42

That the report of Te Takawaenga dated 23 August 2005 be received.

C Daniels/R Brown

Sonny said a Hui a Iwi had been held on 8 June to update all Iwi on what NITOW has been doing in terms of reviewing its processes, to seek a new mandate within that group and to forge a confident direction for NITOW. He said representatives from Te Puni Kokiri had been assisting NITOW with its compliance issues and had attended the meeting along with representatives from Raukawa, Maniapoto and various hapu. He said the outcome of the Hui seemed to favour NITOW's efforts in formalising their rohe and involving a legal entity within its processes.

Sonny said a further hui had been held on 5 July and Te Puni Kokiri had continued to visit NITOW at its monthly meetings. He said NITOW would retain its current relationship with Council, in some form, in the foreseeable future.

8 DRAFT MAUNGATAUTARI RESERVE MANAGEMENT PLAN

File: 04-03-50

Draft Maungatautari Reserve Management Plan was attached separately to the agenda.

The Committee was advised that, following consideration of submissions, the Policy Committee has referred the draft Maungatautari Reserve Management Plan to Council for approval at its meeting on 27 September. Group Manager Policy and Strategy, Ross McNeil, said the Iwi Consultative Committee was being given a final opportunity to comment on the draft Plan before Council considers it on 27 September. He said the Plan would then be referred to the Minister of Conservation for confirmation.

Gaylene Roberts suggested the removal of an “s” on page 3 of the draft Plan and questioned use of the word “indigenous” on page 8. She said she thought MEIT used another term. Mr McNeil said that was a direct extract from the Reserves Act and it is not within Council’s power to change the wording.

Cindy Daniels said any references to Ngati Koroki in the Reserve Management Plan should be amended to “Ngati Koroki Kahukura”.

Mayor Livingston said Council greatly appreciated the submission from Maungatautari Marae which had been used to describe the history and significance of the Maunga in the Reserve Management Plan.

RESOLVED

1/05/43

That the proposed Maungatautari Reserve Management Plan be received.

G Roberts/C Daniels

9 PROPOSED MISSION HOUSE PROJECT

File: 01-51-15

Site Plan of Proposed Mission House Project was included in the agenda.

The Committee was advised that Council is proposing to outline the site of the former Mission House at Selwyn Park. This site is recognized as strategically important in the historic development of Te Awamutu.

The project will be phased in two stages. The first stage will be the outlining of the perimeter boundary of the former Mission House and the second stage will comprise the erection of interpretive signage. Only the outline of the building is to be marked on site (the Mission House is not being reconstructed). As a precautionary measure an 'authority to modify the site' is being sought from the New Zealand Historic Places Trust (NZHPT) although the work will be limited to the superficial removal of topsoil.

Subject to obtaining the appropriate authority from NZHPT, it is proposed to commence works on site by December 2005.

Gaylene Roberts said Maori have a different interpretation of the site and a different view on where the Mission House was. Mayor Livingston said that aspect could be discussed when Council considers the interpretive information to be provided at the site.

RESOLVED

7/05/44

That the information be received.

C Maikuku/G Searancke

**10 PROPOSED COMMUNITY-BASED COMMITTEE TO OVERSEE
MANAGEMENT OF PIRONGIA RESERVES**

File: 60-12-01

It was explained that this Committee will focus on the management and development of three reserves within the urban area of Pirongia. Council is now writing to all stakeholders, including Purekireki Marae and Te Kauhanganui, for the names of representatives to sit on the Committee. Once the representatives have been identified, Council will confirm their appointments and the first meeting of the Committee will be convened.

RESOLVED

7/05/45

That the information be received.

G Roberts/R Brown

11 SISTER CITIES – PROPOSED POLICY

File: 01-80-03

The Committee was advised that no comments have been received on the proposed Policy and it is expected that it will be referred to Council for adoption in September 2005.

RESOLVED

7/05/46

That the information be received.

Cr Sharpe/Cr Empson

[The meeting adjourned for lunch at 12.00 noon and reconvened at 12.35pm.]

12 PROPOSED PLAN CHANGE TO AMEND APPENDIX 11 OF THE DISTRICT PLAN – ARCHAEOLOGICAL SITES

File: 65-07-48

The Committee was advised that the proposed Plan Change has been notified, and the submission period closed on 8 July 2005. A total of 37 submissions were received. 35 of these requested the same outcome; that the Cambridge 10 Star Redoubt be added to Appendix 11 as an archaeological site. This site is located in the triangle formed by Duke Street, Fort Street and Victoria Street.

The next step is to notify the submissions calling for further submissions. However, at this stage, Council staff are consulting with the New Zealand Archaeological Association (NZAA) on the nature of the submissions and the proposed Plan Change. The time frame for making the Plan Change operative depends on the outcome of discussions with NZAA.

RESOLVED

7/05/47

That the information be received.

Cr Sharpe/Cr Empson

13 TRANSPower NEW ZEALAND – 400kV GRID UPGRADE PROJECT

File: 40-02-10

Acting Chief Executive, Garry Dyet, said Council has to decide whether to continue to resist Transpower's proposal to install 400kV power pylons through Waipa District or whether to work with Transpower to try and achieve the best result within the proposed route. He said Council has engaged the services of Bill Wilson QC to review Transpower's proposal and is expecting to receive a report from him at the end of September.

RESOLVED

7/05/48

That the information be received.

Mayor Livingston/G Roberts

14 VAILE STREET, TE AWAMUTU - REALIGNMENT

File: 55-26-12

Concept Plan of Proposed Vaile Street/ANZAC Green Realignment was included in the agenda.

The Committee was advised that, having considered the objections received, Council has resolved that a portion of Anzac Green should be revoked to allow the land to be used for roading improvements and parking.

Subject to agreement from the Minister of Conservation that the reserve status should be uplifted, Council will commence the formal designation process required under the Resource Management Act to realign the road. This will involve further public consultation including consultation with Iwi.

Group Manager Policy and Strategy, Ross McNeil, said the concept plan included in the agenda shows that only a small portion of Anzac Green is having its reserve status uplifted for the realignment project.

RESOLVED

7/05/49

That the information be received.

Mayor Livingston/C Maikuku

15 YOUTH JUSTICE FACILITY

File: 01-33-03

Acting Chief Executive, Garry Dyet, said the Youth Justice Facility Selection Group have identified six sites, one of which is on the boundary of Waipa District with Hamilton City, but that is not the preferred site. The proposed facility will cater for youths between 14-17 years of age.

RESOLVED

1/05/50

That the information be received.

G Roberts/D Walter

16 REPRESENTATION REVIEW/MAORI REPRESENTATION

File: 01-70-04

Group Manager Policy and Strategy, Ross McNeil, said Council is embarking on a review of the District's representation arrangements and the opportunity for establishing Maori Wards. This process needs to be completed by August 2006 to have effect for the 2007 elections.

Mr McNeil explained that although there is no legal requirement to establish Maori Wards, Council may formally resolve to establish (or not) such Wards. If Council passes a resolution, public notification is required and the community has the opportunity to seek a poll on the matter. Where no resolution is made, the community may take the initiative to seek a poll to establish Maori Wards. Mr McNeil said Council would have regard to any direction that the community can provide on this issue.

Sonny Karena said NITOW felt its delegates should take this issue back to their Iwi and hapu and seek their comments.

Whakaotinga Waite asked a number of questions on the creation of Maori Wards and where they would be located. Mr McNeil said that based on population size Waipa qualifies for two Maori Wards but where their boundaries would be and how they would relate to general wards still has to be decided.

Whakaotinga Waite suggested that Council conduct an educational programme to encourage Maori to participate in voting and explain what the benefits are. Mr McNeil said Council has already agreed to give that issue some attention prior to the next elections.

Sonny suggested that Council look at holding three to four forums throughout the District to explain the Maori representation issue to local Iwi. He said it would be preferable if Council ran the forums, rather than Nga Iwi Toopu o Waipa, as they are better equipped to provide that information and answer questions. Mayor Livingston said Council would give that suggestion some consideration and get back to NITOW.

Whakaotinga Waite asked if the issue of Maori wards could be discussed again if it's not possible to make a decision by November 2005. Mr McNeil said the issue could be raised again at any time but if the process for Maori wards is not confirmed by November 2005 it would not apply until the 2010 elections. Whakaotinga said that might be preferable because it was better if the matter was not rushed. Acting Chief Executive, Garry Dyet, said that regardless of making a decision about Maori wards, Council could take the opportunity to review the systems it has in place with Maori, to ensure they are working as well as they can. He said it would be helpful if local Iwi could make their views on the issue known to Council via NITOW.

RESOLVED

7/05/51

That the information be received.

G Roberts/Mayor Livingston

17 REGIONAL COMMUNITY OUTCOMES – CHOOSING FUTURES

File: 65-18-01

Draft Regional Outcomes Brochure was attached separately to the agenda.

The Committee was advised that the Choosing Futures project is aimed at developing a set of Community Outcomes for the Waikato Region. These outcomes will assist Environment Waikato and the other Waikato Councils in the development of their 2006 Long Term Council Community Plans (LTCCP). The project is now at the stage where a draft set of regional outcomes has been developed, and public feedback is being sought. A separate Iwi group was established at the start of the process, and this group has contributed to the draft Outcomes.

RESOLVED

7/05/02

That the information be received.

G Roberts/Cr Sharpe

18 SEWAGE SPILL – BRIDGMAN ROAD, TE AWAMUTU

File: 85-13-01

Group Manager Policy and Strategy, Ross McNeil, said some concerns had been raised by NITOW about Council and Environment Waikato's response to a wastewater overflow. He said the details of the incident had been summarised in the agenda.

George Searancke said he felt the response obtained from Environment Waikato was misleading. He outlined his role in the process and the timeframe involved. Mayor Livingston said staff would discuss the process with Environment Waikato and convey the Iwi Consultative Committee's disappointment.

19 UPDATE ON WESTERN ARTERIAL, TE AWAMUTU

File: 28-04-71

Luke O'Dwyer of Opus Consultants, who are assisting Council with this project, provided an update on the designation process for the Te Awamutu Western Arterial. Mr O'Dwyer outlined the entire route for the western arterial and explained which sections have already been designated and which sections are still subject to a designation process.

Mr O'Dwyer said there had been a detailed archaeological investigation along the route and no historical sites had been identified. However, he said if any historically significant items are found work will stop immediately and an archaeological investigation will take place.

George Searancke said the Western Arterial would not alleviate the traffic flow through Kihikihi and he asked why the route hasn't been extended to bypass Kihikihi to the west. Mr O'Dwyer said that suggestion has already been the subject of a study by Transit New Zealand when it was found that the benefit:cost ratio would not support the construction of a Kihikihi bypass at this stage. He said the Te Awamutu Western Arterial is being designed to provide heavy commercial vehicles with improved access to the industrial areas of Te Awamutu and thereby removing them from the CBD.

Mr O'Dwyer said there would be another opportunity public comment on the route once it has been submitted for designation.

RESOLVED

7/05/53

That the information be received.

Cr Empson/G Roberts

20 DRAFT HINGAKAKA MANAGEMENT PLAN

File: 62-01-01

Lucy Smith from Environmental Management Services (EMS), who has assisted in finalisation of the draft Hingakaka Management Plan, tabled a revised version of the draft plan. She said it included a new section on "Implications for Landowners" which resulted from concern expressed by a number of people on how the draft Plan might affect the potential for subdivision and development. Lucy mentioned some other parts of the Plan where changes have been recommended and she said Nga Iwi Toopu o Waipa (NITOW) have approved those amendments subject to some final changes to be made by Harold Maniapoto and Jenny Charman. When those changes have been made the draft plan will be finalised and referred to Council for approval.

Sonny Karena asked if, in the future, it would be possible to undertake further investigations into specific areas identified in the Plan and then have another Plan for that particular area. Lucy said she thought that was possible, as there is no standard approach for preparing Iwi management plans.

Peter Tuteao said he was concerned that some of the development work planned for this area would impinge on Iwi sites of significance. Whakaotinga Waite said she was unhappy that the draft plan focussed on Hingakaka and that it should cover Ngaroto as the whole rohe. She said she challenged some of the historical information included in the draft Plan and said the document was not ready for finalisation and Council approval.

Sonny suggested that Peter and Whakaotinga contact either Harold or Jenny before the draft Plan is finalised to ensure their concerns are covered in the document.

Harold said it had been decided to name the plan “Hingakaka” rather than “Ngaroto” to give significance to the whole area and not localise it to a specific site. He said he would be happy to make any amendments that might be required to ensure the document is correct. He suggested the removal of Section 10 (Implications for Landowners) as he felt it was not part of an Iwi Management Plan but that information could be provided in a separate booklet and issued with the Plan. He thanks Council and EMS for their support during this project.

Acting Chief Executive, Garry Dyet, said that once NITOW agrees on the final Plan it will mean Council has to have regard to it when making decisions under the Resource Management Act.

RESOLVED

7/05/54

That the information be received and the draft Hingakaka Management Plan delegated to Harold Maniapoto and Jenny Charman for finalisation prior to it being presented to Council for consideration and confirmation.

S Karen/D Walter

21 RESOURCE MANAGEMENT AMENDMENT ACT 2005 – IMPROVING CERTAINTY FOR CONSULTATION AND IWI RESOURCE PLANNING

File: 65-32-03

Ministry for the Environment Information Sheet on Resource Management Act 2005 – Improving Certainty for Consultation and Iwi Resource Planning – was included in the agenda.

Acting Chief Executive, Garry Dyet, advised the Committee that there has been another change to the Resource Management Act (RMA) which came into force on 10 August 2005.

Mr Dyet explained that, until now, Council has consulted with Nga Iwi Toopu o Waipa (NITOW) on every resource consent received and a great working relationship has evolved. He said the RMA now says that Council need only consult with Iwi on resource consents if they are the affected party.

Mr Dyet suggested that he attend the next NITOW meeting, with Council's Planning Services Manager, to discuss which resource consents Council should continue to consult with Iwi on. Sonny Karena said he thought it would not be too hard to decide which types of resource consents Iwi should continue to be involved with.

22 ESTABLISHMENT OF WAIKATO COUNCIL CONTROLLED ORGANISATION

File: 01-69-04

The Committee was advised that 13 councils in the Waikato Region have agreed to the establishment of a council controlled organisation (CCO) to oversee the future development and delivery of shared services. Group Manager Policy and Strategy, Ross McNeil, said the Waikato CCO would allow the 13 councils who are a part of it to work together on initiatives for the benefit of the people living in the region. He said that doing things collectively would allow for more sharing of resources and, in most cases, there will be direct financial benefit to ratepayers.

In answer to a question from Whakaotinga Waite, Mr McNeil said there would be the opportunity for Maori involvement in the CCO when individual projects and initiatives are identified as they would be presented to the Iwi Consultative Committee for feedback into the process.

23 REPORT ON THE ADMINISTRATION OF WAIPA DISTRICT COUNCIL'S POLICY AND PRACTICES IN RELATION TO THE CONTROL OF DOGS FOR THE YEAR 1 JULY 2004 TO 30 JUNE 2005

File: 33-15-01

A summary of the Waipa District Council Report on Dog Control Policy and Practices for 2004/2005 was included in the agenda.

24 OHAUPO PLAN CHANGE 22

File: 65-07-22

Site Plan of Area Affected by Proposed Plan Change 22 was included in the agenda.

The Committee was advised that, in February 2005, Council signalled its intention to consider rezoning a suitable area in Ohaupo for rural residential purposes. Feedback was sought from locals on the proposed rezoning, and Nga Iwi Toopu o Waipa have been briefed as the process has continued.

Staff have since drafted a proposed Plan Change, including a Structure Plan and Concept Plans for the proposed Ohaupo South Rural Residential Policy Area. As the project requires an upgrade to the operation of the Ohaupo Reservoir, the proposed Plan Change also seeks amended Development Impact Fees for water supply from all developing properties within the Ohaupo Water Supply Scheme. A report will be considered at the 12 September Policy Committee meeting, seeking authorisation to publicly notify the proposed Plan Change.

25 URBAN RESERVES MANAGEMENT PLAN – VOLUME 1

File: 04-03-15

Draft Urban Reserves Management Plan Volume 1 was provided separately with the agenda

The Committee was advised that the draft Urban Reserves Management Plan (Volume 1) is a consolidation and review of individual management plans for 44 parks and reserves within Te Awamutu and Cambridge. Volume 2 (not yet complete) will comprise the remaining parks and reserves within Pirongia, Ohaupo and Kihikihi

The draft Plan has been notified for public comment, with submissions closing on Friday 28 October 2005. Submissions will be considered by Council's Policy Committee in December 2005, with the Plan expected to be confirmed by Council shortly after.

26 PROPOSED TRADE WASTE BYLAW AND REVIEW OF WASTEWATER DRAINAGE BYLAW

File: 45-02-25 & 45-02-26

Proposed Trade Waste Bylaw dated June 2005, proposed Trade Waste Fees and Charges and Proposed Wastewater Drainage Bylaw dated June 2005 were included in the agenda.

The Committee was advised that a Trade Waste Bylaw is considered necessary to ensure Council has control over the types and levels of waste received at the treatment plants, and that the costs of treatment are met by the waste producers. Adoption of a Trade Waste Bylaw by December 2005 was identified as a target in Council's Waste Management Plan, and the New Zealand Waste Strategy. Council proposes to revoke the existing Wastewater Drainage Bylaw 1998, and make two new bylaws – the Wastewater Drainage Bylaw 2005 and the Trade Waste Bylaw 2005, and adopt the associated schedule of trade waste fees and charges.

The proposed bylaws and the schedule of trade waste fees and charges have been notified for public comment and expected to be confirmed by Council at a meeting scheduled for 29 November 2005. Submissions on the proposals will be considered and heard by Council's Policy Committee in October 2005.

27 KIHIKIHI WASTEWATER PROJECT

File: 85-11-04

Group Manager Policy and Strategy, Ross McNeil, said Council has let the contract to construct the Kihikihi sewerage scheme to Perry Civil Construction. Work has commenced and the project is expected to be completed by July 2006. He said Council has engaged an archaeologist to ensure construction does not compromise sites of historical significance and has sought approval from the Historic Places Trust.

28 COMMUNITY FACILITIES FEASIBILITY STUDY

File: 01-22-17

The Committee was advised that Council has decided to proceed with design concepts and funding options for the following projects as a result of the recent feasibility study into community facilities -

- The development of Karapiro Domain and new Reserve adjacent to Lake Karapiro;
- A covered swimming pool in Cambridge; and,
- The development of soccer facilities in Te Awamutu.

Other possible projects, including Cambridge and Te Awamutu Museums and Te Awamutu Library, will remain in the Long Term Council Community Plan as projects that Council wishes to see progressed in the future, but with funding and timing yet to be confirmed.

Lindsay Emery said ablution facilities at Karapiro Domain are inadequate and the toilets overflow on a regular basis. Staff will look into this.

29 GENERAL BUSINESS

29.1 Health and Safety Issues – Houses at Tokanui Settlement

File: 33-22-02

On behalf of the residents at the Tokanui Settlement, Whakaotinga Waite drew the Committee's attention to a number of health and safety issues that are having a serious effect on them. She tabled some photographs to illustrate the situation. The main issues identified were privet, the illegal dumping of rubbish, the condition of the houses (which is a landlord/tenant situation), the state of the bus shelter, traffic speed and pests (rats, etc).

Acting Chief Executive, Garry Dyet, said Council's Environmental Health Officer, Karl Tutty, would be asked to work through the issues with a representative from Tokanui Settlement to see how Council can be of assistance.

30 LATE ITEM – MANGATOATO MARAE BUILDING PROJECT

File: 33-32-04

Harold Maniapoto provided a brief historical background to the site. He said the building project had started in 2000 and was now well underway with the outer structure due for completion in November 2005. He said Council staff had been very helpful to the Marae Committee in getting the project underway.

Charlie Maikuku closed the meeting with a Karakia at 2.20pm.