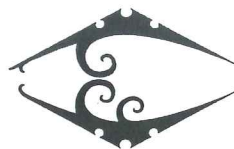


15 April 2009



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Submission by Mahaanui Kurataiao Ltd

on behalf of

Te Ngāi Tūāhuriri Rūnanga, Ōnuku Rūnanga, Te Rūnanga o Koukourārata, Wairewa Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga, Te Taumutu Rūnanga and Te Rūnanga o Ngāi Tahu

And in part from Mahaanui Kurataiao Ltd

To

Christchurch Long Term Council Community Plan 2009-2019 (Draft)

1.0 Introduction

This submission being made by Mahaanui Kurataiao Ltd on the (Draft) Christchurch Long Term Council Community Plan (draft LTCCP) on behalf of Te Ngāi Tūāhuriri Rūnanga, Ōnuku Rūnanga, Te Rūnanga o Koukourārata, Wairewa Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga, Te Taumutu Rūnanga and Te Rūnanga o Ngāi Tahu. Mahaanui Kurataiao Ltd (MKT) is owned by these six Rūnanga of Christchurch and is mandated by each Rūnanga to engage in resource management on their behalf. This submission addresses the provisions made in the Draft LTCCP that relate to matters of particular interest, relevance and/or concern for Ngāi Tahu, and matters of direct relevance to MKT and its role for Ngā Rūnanga. For the matters in the first instance, this submission should be considered as if from the individual Rūnanga and Te Rūnanga themselves, MKT has no interest in these matters of its own account. However, in relation to matters of direct relevance to Mahaanui Kurataiao Ltd, the particular submission points are also made from Mahaanui Kurataiao Ltd.

2.0 Ngāi Tahu in Christchurch: Māori/Tangata Whenua/Manawhenua

Ngāi Tahu are the tangata whenua of territorial area of Christchurch City Council. Ngāi Tahu hold traditional and contemporary tribal authority and responsibilities in this area. The contemporary structure of Ngāi Tahu as the iwi is set down through the Te Rūnanga o Ngāi Tahu Act (1996) and through this structure the collective interests of Ngāi Tahu whanau and hapū in local government are promoted, protected and advocated for.

The legal context for this Ngāi Tahu submission is as set-out in this Act where:

Te Rūnanga o Ngāi Tahu is the tribal representative body of Ngāi Tahu Whānui. It is a body corporate established under section 16 of the TRoNT Act. Section 15(1) of the TRoNT Act states:

Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.

In paragraph 7 of section 6 of the Settlement Act (recording the Crown's apology) Ngāi Tahu is recognised "as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui." It has therefore been clearly affirmed in statute that Te Rūnanga o Ngāi Tahu is the sole representative of Ngāi Tahu Whānui, the iwi that is tāngata whenua within the Ngāi Tahu Takiwā.

The attention of the Council is respectfully drawn to the special status of Te Rūnanga o Ngāi Tahu. Te Rūnanga o Ngāi Tahu notes that this submission should not be treated as a single submission, in the manner customarily adopted by consent authority, but should be accorded the status and weight due to the tribal collective, Ngāi Tahu Whānui, which it represents.

Notwithstanding its statutory status as the representative voice of Ngāi Tahu Whānui "for all purposes", Te Rūnanga o Ngāi Tahu accepts and respects the right of Papatipu Rūnanga and/or individuals to make their own submissions to the Councils and other decision-making bodies. In this case Te Rūnanga o Ngāi Tahu is submitting in support of Te Ngāi Tūāhuriri Rūnanga, Ōnuku Rūnanga, Te Rūnanga o Koukourāata, Wairewa Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga, Te Taumutu Rūnanga, and the interests of Mahaanui Kurataiao Ltd.

Ngā Papatipu Rūnanga: Tūāhuriri, Ōnuku, Koukourāata, Wairewa, Rāpaki and Taumutu

These six Rūnanga each represent one of the eighteen Papatipu Rūnanga that comprise Te Rūnanga o Ngāi Tahu, and each Rūnanga represents the interests of whanau and hapū in each of the six takiwā that extend from the eastern most point of Banks Peninsula, to Te Waihora (Lake Ellesmere), south to the Rakaia and Ashburton Rivers, west to the main divide, and north to the Hurunui River. These combined takiwā cover the whole of the Christchurch City territory, and through the joint mechanism of Mahaanui Kurataiao Ltd, provides a strong collective voice and body in relation to the activities of Christchurch City Council. These Rūnanga are also the primary agencies with which Christchurch City Council interacts to fulfill its statutory functions in relation to Ngāi Tahu, tangata whenua, and Maori.

The Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and manawhenua of the natural resources within their takiwā boundaries.

3.0 Specific Submission Points

This submission has not been prepared through a complete analysis of the Draft LTCCP, rather the key issues for Ngāi Tahu and Mahaanui Kurataiao Ltd have been identified and relevant sections of the Draft LTCCP reviewed in this context. The submission points below are expressed in relation to the sections of the LTCCP to which they relate.

3.1 Volume 2 – Other Policies – Development of Maori capacity to contribute to decision making processes

The primary purpose of this submission is to support the statements made on page 218 of Volume 2 of the Draft LTCCP, and to identify where Ngāi Tahu consider the provisions made do not address the objectives.

a) Mechanism for relationship and capacity with Ngāi Tahu: The statement that refers to Mahaanui Kurataiao Ltd (paragraph 3) is strongly supported and affirmed by Ngā Rūnanga and Te Rūnanga. The agreement with MKT is, and continues to be, a vehicle through which Ngāi Tahu are assured Council can and will give sufficient attention to tangata whenua rights, interests and concerns as it carries out its functions. The agreement has been operational with Christchurch City Council for approximately eighteen months and is seen as highly successful. While it is early days, Ngā Rūnanga and Te Rūnanga consider this approach is delivering many excellent outcomes for Ngāi Tahu in relation to the work of Christchurch City Council, that would not have been possible prior to this agreement. It provides the vehicle, a forum and capacity for the incorporation of matters of importance to Ngāi Tahu values into the detail of Council work programmes, it is addressing the need for, and benefits of, early engagement as were envisaged in the Te Rūnanga submission to the 2006-2016 Draft LTCCP. The agreement is working on many fronts and we understand from Council management that this is a useful and beneficial arrangement for officers. The positive outcomes that Ngāi Tahu are now seeing is due in no small part to the commitment of Council management and officers to work proactively with MKT to address matters of relevance.

b) Total budget provision: The statement that refers to the budgetary provision (paragraph 5) is also strongly supported, and the increase from the 2006-2016 LTCCP is significant and an important step forward. Through the operation of the agreement, it has been demonstrated that there is a significant demand for information, advice, liaison and facilitation, as well as consultation. The quantity of that demand and the nature of that work is becoming clearer as MKT becomes the primary channel for officers contact with tangata whenua. However, it is of concern to Ngā Rūnanga, Te Rūnanga and MKT that the agreement is currently not resourced at a level which supports the existing demand, nor the capacity that was envisaged to ensure the company and its staff would not be 'set-up to fail'. Therefore it is the submission of Ngā Rūnanga, Te Rūnanga and the Mahaanui Kurataiao Ltd Board that the Council ensures the budget provision made reflect the actual and real costs of MKT capacity to service the demand, both for the next three years and for the remainder of the 2009-2019 LTCCP. Ngā Rūnanga, Te Rūnanga and Mahaanui Kurataiao Ltd also submit that Council should protect the viability and longevity of this arrangement with MKT by appropriately addressing the current under-resourcing.

c) Iwi Management Plan: In a previous submission to the 2006-2016 Draft LTCCP, Te Rūnanga expressed to Council the desire and need for the City to "*make a specific commitment ... to assist in the development of a Ki Uta ki Tai (Iwi Management) Plan*" to assist the capacity of tangata whenua, and to assist Council policy and planning in relation to tangata whenua values, objectives and aspirations. Ngā Rūnanga are working toward the preparation of such a Management Plan from 1 July 2009 through to 2011, and are requesting that local authorities in Central and North Canterbury make provision to support this work - Mahaanui Kurataiao Ltd is making submissions to the relevant councils in this regard. The estimated cost of preparation of the Plan, based on the costings from two recently completed Ngāi Tahu plans in Otago and Southland, is \$250,000 for preparation to publishing – the majority of the cost going to: contracting services of appropriate, professional plan writer, and publishing costs. A draft budgetary provision of \$125,000 over three years is currently in the Environment Canterbury Draft LTCCP. A contribution from Christchurch City Council is therefore respectfully requested by Ngā Rūnanga and Te Rūnanga – for amounts of: \$30,000 in 2009/2010, \$30,000 in 2010/2011 and \$15,000 in 2011/2012. A contribution of this extent, combined with the provision of Environment Canterbury, would provide certainty for Ngāi Tahu, Councils and planning and development organizations, that the Mahaanui Iwi Management Plan could be prepared and taken to near completion. Additional funding sources, including Te Rūnanga o Ngāi Tahu, will be sought for the remaining costs.

d) Ngā Maata Waka Agreement: The statement that refers to an agreement with Te Rūnanga o Ngā Maata Waka (paragraph 4) is not opposed by Ngā Rūnanga and Te Rūnanga, however, Ngāi Tahu seek

that Council ensure that this arrangement does not detrimentally affect the resourcing of the relationship and operational arrangements Council have now established with Ngāi Tahu.

3.2 Volume 1 – Council Activities and Services

a) Wastewater Systems on Banks Peninsula: Through the operation of the agreement with Mahaanui Kurataiao Ltd Ngā Rūnanga have been and continue to be actively engaged in Council planning processes associated with wastewater collection, treatment and disposal on Banks Peninsula. These processes have ensured the inclusion of tangata whenua views into the planning and options for wastewater infrastructure on Banks Peninsula. Through these processes and dialogue Ngāi Tahu are aware that there have been some reductions to the programmes and timeframes for servicing of some key areas on Banks Peninsula - in particular for Little River, and Birdlings Flat. A separate submission by Rāpaki Rūnanga may address priorities sought for wastewater programmes in Lyttelton Harbour. The removal of these planned programmes from the 2009-2019 LTCCP is a concern for Ōnuku Rūnanga, Wairewa Rūnanga, Koukourārata Rūnanga and Te Rūnanga o Ngāi Tahu, because of the adverse effects of the current sewerage schemes on waterways in these takiwā and because this is a departure from agreements made with Banks Peninsula District Council/Christchurch City Council to address the longheld cultural concerns of Ngāi Tahu for wastewater in these areas.

Ngā Rūnanga and Te Rūnanga request therefore that Council re-prioritise budget provisions from other areas to ensure that minimum environmental protection can be initiated in these communities within the first term timeframe of the current LTCCP, i.e., 2009 to 2012.

4.0 Other General Submission Points

a) Use of Te Reo in Title: Ngā Rūnanga and Te Rūnanga request the use of Te Reo name for Christchurch in the title for the 2009-2019 be corrected to **Ōtautahi**.

b) Community Development/Facilities: Ōnuku Rūnanga, Wairewa Rūnanga, Te Rūnanga o Koukourārata and Te Ngāi Tūāhuriri Rūnanga are aware of the funding from Christchurch City Council to the marae redevelopment at Rāpaki. This is significant for Ngā Rūnanga as it reflects a strong and practical commitment of Christchurch City Council to support enhancement of Papatipu marae facilities. Given Rāpaki is one of a number of Papatipu marae in Christchurch, Ngā Rūnanga request the Council give consideration to options for supporting other Papatipu marae projects into the future. In progressing this Ngā Rūnanga request that Council consults with each Rūnanga to better understand the longterm plans for marae maintenance and enhancement, and then establishes a programme which would see support to Papatipu marae as community facilities over a ten to twenty five year period.

c) Community Development/Services: The support of the oldest communities in Christchurch through the provision of basic services, water, sewerage, sealed roads and waste, continue to be matters of importance, and in some cases concern, for Ngā Rūnanga in Christchurch. An example (in addition to wastewater and watersupply issues) at present are waste collection issues for some Papatipu marae. Therefore Ngā Rūnanga therefore request that, in conjunction with the point above, that Council establish a programme, using Mahaanui Kurataiao Ltd as a point of co-ordination, to better understand and consider the current and long-term servicing needs of each Papatipu marae.

d) Ngāi Tahu Identity and Reflections: In a previous submission to the 2006-2016 Draft LTCCP, Te Rūnanga expressed to Council the desire and need for the City to “*reflect the unique indigenous cultural heritage and values that Ngāi Tahu bring to Christchurch and Banks Peninsula*”, “*not relegate Ngāi Tahu to a position of just one of a range of ethnic minorities*”. In this regard, Ngā Rūnanga and Te Rūnanga wish to firstly

acknowledge and affirm to Council, that while there is a way to go, the work with Mahaanui Kurataiao Ltd in council work programmes, and the responsiveness of Council to Rūnanga raised issues, has been very positive and is working to support and reflect the identity and relationships Ngāi Tahu have with Christchurch and the Peninsula. However, in relation to the community outcomes, and the some of the content of this Draft LTCCP, there remain areas where this reflection is absent or minimal, and this is something that Ngāi Tahu would like to work with Council on to address. That said, Ngāi Tahu are satisfied that progress is being made, and is building through the mechanism and relationships in place through Mahaanui Kurataiao Ltd, and the constructive responses to issues and opportunities that are raised, we are anticipating that this approach will continue to progress this important aspect for Ngāi Tahu.

5.0 Closing Points

Separate submissions made by Rūnanga – Mahaanui Kurataiao Ltd is aware that Council may receive submissions from Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga. It is intended that this joint Ngā Rūnanga / Te Rūnanga submission would not contradict or conflict with a separate submission from Rāpaki, as it is understood that it would pertain directly to matters related to services for Rāpaki marae and Lyttelton Harbour issues. In the event that there is apparent conflict, this submission would be subordinate to the submission of that Rūnanga, except for points 3.1 a, b and c above, and matters relating to the takiwā of the other Rūnanga.

Te Ngāi Tūāhuriri Rūnanga, Ōnuku Rūnanga, Te Rūnanga o Koukourārata, Wairewa Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga, Te Taumutu Rūnanga and Te Rūnanga o Ngāi Tahu appreciate the opportunity this democratic process provides for participation, and seek that the Council look favourably on the submission points raised and responses proposed.

Ngā Rūnanga and Te Rūnanga, with Mahaanui Kurataiao Ltd wish to be heard at any hearing for the Draft LTCCP.

Correspondence on this submission to be made to Andrea Lobb, Mahaanui Kurataiao Ltd, PO Box 3246, Christchurch 8140 and a copy to Paul Horgan, Te Rūnanga o Ngāi Tahu, PO Box 13046, Christchurch.

Prepared by: Andrea Lobb, General Manager, Mahaanui Kurataiao Ltd

Confirmed by: Paul Horgan, Environmental Advisor, Te Rūnanga o Ngāi Tahu

Date: 15 April 2009



