

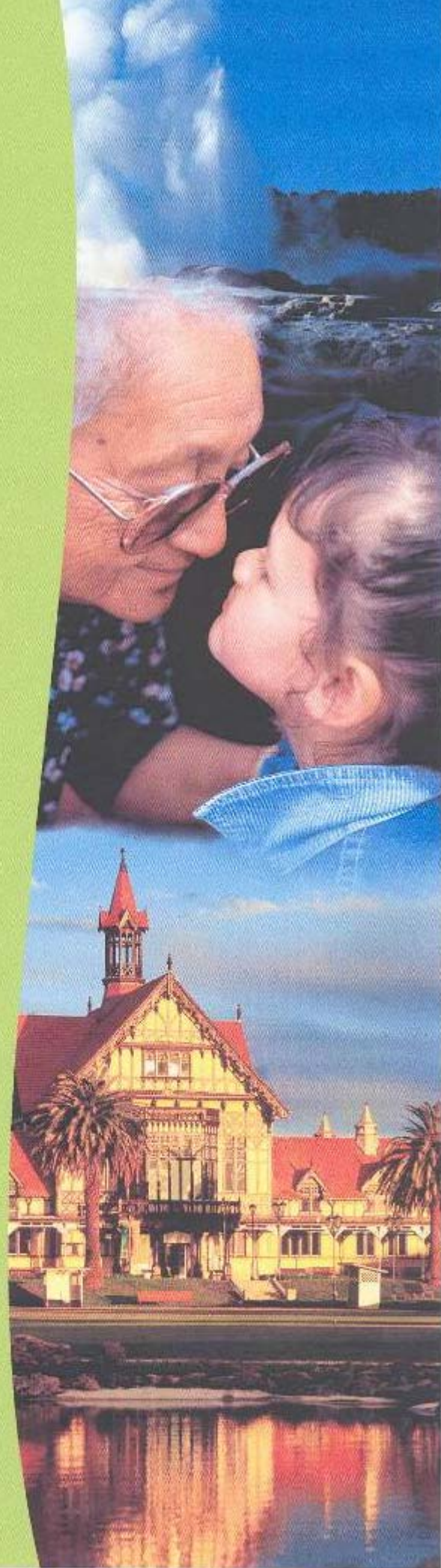
ROT@RUA

ROTORUA DISTRICT
COUNCIL

Maori Committees and Advisory Groups

Supporting Rotorua District Council

MAY 2010



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Rotorua's brand identify – Manaakitanga – Feel the Spirit – encompasses the District's unique bicultural profile, its historical standing as a visitor destination, its diverse natural environment, and the community's spirit of hospitality. The brand design was developed by Lyonel Grant from the classical takarangi design.



MAORI COMMITTEES AND ADVISORY GROUPS

SUPPORTING ROTORUA DISTRICT COUNCIL

*Nga Waru Pumanawa o Te Arawa
E nga iwi e nga karangatanga,
E te iti me te rahi, nga mihi nui ki a koutou katoa*

*The eight pulsating hearts of Te Arawa
All peoples, all alliances great and small alike
Greetings to you greetings to us all*

1.0 INTRODUCTION

The Local Government Act 2002, parts 1, 2 and 6 identifies principles and requires local authorities to support and encourage leadership and participation by Tangata Whenua and Maori in Councils' decision-making processes.

The Resource Management Act 1991 also requires councils exercising their functions and powers under the Act in relation to managing the use, development and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi.

A positive and proactive relationship with Tangata Whenua /Maori is important to the strategic focus of Council. Part of this focus is establishing committees, advisory groups, agreements, policies and processes that involve and encourage participation and leadership from Tangata Whenua and Maori.

This document outlines forums which support, influence and contribute to Council in their decision-making processes and policies



The Coat of Arms of the Rotorua District represents the importance of our farming and forestry industries, our unique flora and fauna and geothermal resources, and the importance of Maori culture in the District. The District motto, Tatou Tatou means "we together" signifying harmony between Maori and non-Maori

2.0 TE PUKENGA KOEKE O TE WHARE TAONGA O TE ARAWA

In 1994 a committee was informally established comprising Te Arawa koeke (elders of Te Arawa) to bring about greater involvement and contribution to decision-making processes pertaining to the care and protection of Te Arawa Taonga within the Rotorua Museum of Art & History (Te Whare Taonga o Rotorua). The following activities are undertaken by '*Te Pukenga Koeke o Te Whare Taonga*' for and on behalf of Council, and whanau, hapu, iwi of Te Arawa.

2.1 Te Arawa Relationships

- Appropriate liaison processes between the Museum and Te Arawa.
- Improved effectiveness of the Museum in Tikanga Maori, Taha Wairua, Taha Maori.
- Improved effectiveness in monitoring the Museum's responsiveness to the Taha Maori needs of Te Arawa.
- Safeguard the relationships between the Museum and the Trustees and descendants of Taonga held by the Museum.
- Processes for the sharing of information are open and formalised.

2.2 Trustee System

The Pukenga Koeke work with all museum staff in the development of processes that facilitate the care, security, maintenance and promotion of Te Arawa Taonga within Te Whare Taonga o Rotorua.

The trustee system was implemented to safeguard the Museum and the owners and/or guardians of taonga. The system encourages all owners or guardians to elect two trustees for their taonga. These trustees are the only persons who may authorise an other person or organisation to uplift the taonga for specific purposes (ie cloaks or other taonga for graduations, weddings, and/or cultural rituals).

The museum is essentially the facilitator of this process and keeps comprehensive records; such as who the elected trustees are for specific taonga, retaining written trustee signatures, contact addresses and phone numbers, transactions records of to whom and when taonga were lent from the museum . The Pukenga Koeke and the museum staff encourage an open, informative and caring relationship with the trustees of taonga.

2.3 Te Pukenga Koeke members and administration

The Te Pukenga Koeke group meet every quarter; additional meetings may be called from time to time to deal with urgent matters that may arise. All costs associated with meetings of Te Pukenga Koeke are the responsibility of the Museum. This may include administration costs, travel expenses, refreshments, etc. The Chairperson is elected from the committee members. The committee should be broadly representative of all hapu of Te Arawa. Members (as at May 2010) are:

Piwiki Heke, Anaru Rangiheuea, Mitai Rolleston, Martha Siggileko, Te Rangipuawhe Maika, (Chairman)
 Manahi Bray, Kataraina Daniels, Rawiri Te Whare, Te Ariki Morehu
 Cr Maureen Waaka, Deputy Mayor Trevor Maxwell, Cr Bob Martin, Greg McManus (Director Rotorua Museum) Cherie Meecham (Deputy Director Rotorua Museum) Mauriora Kingi (RDC Director Kaupapa Maori)

3.0 NGATI WHAKAUE GIFTED LANDS PROTOCOL

In recognition of Ngati Whakaue's spiritual and historical interest in the land, the Rotorua District Council signed a Protocol Agreement with Pukeroa Oruawhata Trust on 30 July 1996. This agreement sets out the process for consultation with Ngati Whakaue.

3.1 Rotorua Township - Historical overview

On 25 November 1880 an agreement, now known as the Fenton Agreement, was reached and signed by Judge Fenton for the government and 47 Maori representatives. The land to be included in the new township was said to run from the "west end of Te Pukeroa to Puaenga Stream and from Lake Rotorua up to the mountains, excluding the native village of Ohinemutu". The total area was around three thousand acres. The government was to act as the trustee/agent for Ngati Whakaue for the creation of the town. The main principles were:

- a) That the land would not be sold
- b) That 99 year leases would be granted. During that time Maori owners would receive substantial and perpetual income.
- c) That the land would return to the people after the expiration of the leases.
- d) That Ngati Whakaue would set aside reserve in the town for sanatoriums, railways, hospitals etc.
- e) That the Crown would control the thermal waters with the consent of Ngati Whakaue

In September 1881 the Thermal Springs Districts Act incorporating the Fenton Agreement became law. Following this, on 12 October 1881, a proclamation defined the Pukeroa-Oruawhata Block as a district, effectively creating the township of Rotorua.¹

3.2 Provision of Reserves in the Township

As part of the agreement, the Maori owners had made a considerable area available as public reserves. This area was defined in the original Fenton Agreement as Te Pukeroa, all the medicinal waters within the claim, and forty acres for a cemetery. The Thermal Springs Districts Act 1881 also made provision for the "use and enjoyment" by the public of all mineral or other springs, lakes rivers and waters, and for setting apart and dedicating of reserves "for a park or domain", or any specific purpose of public amusement or recreation. The area of reserves that were set aside totalled some 1000 acres (approximately)

At this time all the land within the township was still in the hands of its Maori owners. An auction of residential lots for settlement was successfully conducted with lots to be leased for terms of ninety-nine years. Many leases were taken up and it seemed that Rotorua's and Ngati Whakaue's future were assured. However, between 1881 and 1889, certain events occurred that were key factors in the eventual failure of the arrangement

- a) The railway that was to have brought an influx of wealthy visitors was delayed
- b) In 1886 the Tarawera eruption caused the destruction of the Pink and White Terraces. This had a drastic effect on tourism
- c) At the same time, in 1886 a severe depression was affecting the whole country
- d) In 1884 the Atkinson government was toppled by a no-confidence vote as a result of a proposed act intended to protect Maori from unscrupulous land-grabbers.

¹ Don Stafford's "The Founding Years in Rotorua-A History of Events to 1900 pg 152, also an insert from RDC's Rotorua Township Reserves Draft Management Plan 2005

- e) The Stout-Vogel Ministry took office with a different view to protection of Maori interests
- f) Rentals from Rotorua Township sections were collected by the government but not dispersed to the Maori owners, causing great hardship on top of the depression, and reduction in visitor numbers caused by the eruption
- g) By 1885 many of the tenants had abandoned the leases, due in part to the difficult financial climate of the time. Many also criticised the choice of location for the town, being low-lying, damp and sulphurous. Instead of protecting the interests of the Maori land-owners, the government negotiated termination of many of the leases on favourable terms to the tenants. A Commission of Inquiry found a case of serious mismanagement by the Crown on behalf of Ngati Whakaue. However, the 4000 pounds rental collected by the Crown was still not paid to the Maori land owners.
- h) In 1889 the Crown, as trustee of Ngati Whakaue, decided to purchase the township from its beneficiary. This was in direct conflict with the Fenton Agreement which expressly prohibited the sale of the land. The Crown had the land-owners over a barrel and used their position to purchase the land at an inadequate price.

By the end of the 1880s many Maori, as well as Europeans, were in an impoverished state due to the depression and the long term effects of the eruption of Mt Tarawera.

On 14 October 1889 it was decided that the government would buy out the owners of the Pukeroa-Oruawhata block at seven pounds and 10 shillings per share for 1100 shares.

The government concluded purchase of the township from its Maori owners in 1891. However they refused to pay for the reserves as it was considered that they had been gifted as part of the original agreement. The owners were in no position to argue the point at the time. Three separate Commissions of Inquiry were later held in the 1920s, 1930s and 1950s on the issue of the "gifting of the land". Ngati Whakaue accepted compensation from the Crown following these commissions. However the loss of this land is still a source of grievance².

3.3 The Protocol Agreement Today

The understanding between Council and Ngati Whakaue is that so far as it may lawfully do so the Council will not effect any changes of status with respect to any such reserves or take steps to dispose of or alienate any of them without first obtaining the consent in writing of Pukeroa Oruawhata Trust (representative of Ngati Whakaue descendants/beneficiaries) following prior negotiation and consultation on an equal standing basis with the Pukeroa Oruawhata Trust. It is understood that if such reserves should not be used for their original purpose then they should be returned to Pukeroa Oruawhata Trust on behalf of Ngati Whakaue, unless there is agreement otherwise. (see appendix one)

3.4 Members of the Protocol

His Worship the Mayor, Deputy Mayor, Cr Charles Sturt, Mr Alec Wilson, Mr Stuart Harris, Mr Malcolm Short, Mr Pihopa Kingi, Mr Murray Patchell, Mr David Rangitauira (as at may 2010)

² Don Stafford's "The Founding Years in Rotorua-A History of Events to 1900 pg 55, also an insert from RDC's Rotorua's Township Reserves Draft Management Plan 2005

3.5 Reserves covered by the Protocol

Lakefront Reserve, Government Gardens, Sanatorium Reserve, Kuirau Park, Arawa Park, Cemetery Reserve, Town Belt, Municipal Reserve, Pukeroa Reserve, Medical Officers Reserve and Froude Street Reserve



4.0 IWI CONSULTATIVE GROUP

The Iwi Consultative group was formed in 2000 as a requirement of the Resource Management Act 1991 to enable Council to meet its obligations under Sections 6(e) and 8 of the Resource Management Act 1991.

4.1 Role of Consultative Group

Through negotiations and discussion with Council's Director of Kaupapa Maori and tribal representatives Council established a Te Arawa consultative group. Some of the roles of the group include reviewing consent applications received by the Rotorua District Council and determining when further consultation is required, and who to contact in such circumstances.

4.2 Selection Process

The selection process for the iwi consultation group members is fairly informal and recommendations are taken from the Director of Kaupapa Maori and the Pukenga Kaumatua o Te Arawa. (Te Arawa Elders)

4.3 Knowledge required from Iwi Consultative Group

4.4 Tribal territories and contacts

The Iwi Consultative Group members were selected based upon their knowledge of whanau, hapu and tribal affiliations, boundaries and contacts within the Te Arawa Rohe (Boundary).

4.5 Technical Knowledge

Resource consent applications which often lead to further consultation are predominantly about earthworks or building foundations. The group is supported by the Planning Department if the issue is technically complex. It is recommended that the group be familiar with the different types of resource consent applications. However this knowledge can be developed over time with support from the Planning Department.

4.6 Administration/Operations

The Consultative Group meets once a week depending on the number of resource consent applications that are received by Council. The frequency of meetings alters from time to time, but at most it is a weekly meeting.

4.7 Members of the Iwi Consultative Group (as at May 2010)

Piwiki Heke	Te Pukenga Koeke o Te Arawa
Anaru Rangiheuea	Tuhourangi
Joe Tahana	Ngati Pikiiao
Hera Smith	Te Arawa Lakes Trust



5.0 KAUAE CEMETERY TRUST BOARD

5.1 Historical Overview

The Kauae Cemetery is part of the Rotohokahoka E Block. Title to this block of 50 acres was created in 1883. In June 1884, by order of Judge Clarke of the Native Land court, the title was issued in the names of fifteen owners or grantees, as listed below.

Te Kotuhi Taiapo	Hera Te Turu
Mata Hori Haupapa	Ngaroi Rangiwhatakohe
Wiripene Rangirehua	Taiama Taiporutu
Marata Te Taupua	Te Taupua Te Whanoa
Petera Te Pukuatua	Te Tupapa Te Tokoaitua
Te Meiha Mataiawhea	Paora Te Amohau
Eru Te Uremutu	Poniwahiao Pango
Pera Kima	

Of the original 50 acres, 20 acres were set aside for a cemetery. After the cemetery had been in use for some thirty years a statute was passed in 1919 to allow the Judge of the Waiariki Native Land Court to make an order vesting the cemetery (on behalf of the Maori owners) in a board of trustees comprising an equal number of European and Ngati Whakaue representatives. The judge was also authorised to make rules and regulations for the conduct of the Cemetery.

On 23 August 1923 Judge Harold Carr of the Native Land Court made an order vesting the Ngongotaha Cemetery in the first Board of Trustees, being made up of the following people:

Wiremu Kingi Atetini	Henry Pullar Ford
Paora Te Muera	Charles Turner
Amohia Rotohiko Haupapa	Samuel Joel Hale

The rules and regulations for the cemetery were also made by order of the court on the same date and published in the New Zealand Gazette on 5 June 1924. The rules specify the manner in which the members of the Cemetery Trust Board are to be appointed. The board was to be appointed by the judge of the Maori Land Court, and comprise:

- Three members of the Rotorua County Council (one of whom must be the chairman, with the other two being nominated by the chairman).
- Three members selected by the judge of the Maori Land Court from names submitted to him/her by members of Ngati Whakaue.

The chairman of the Rotorua County Council was to have been the chairman of the Board of trustees. Since the amalgamation of the city and county in 1979, three of the trustees have been appointed from the Rotorua District Council, with the Mayor becoming the Chairman of the Board. Since the first Board was appointed in 1923, there have been many new Trustees. Those appointed from Ngati Whakaue usually hold the position until they die or stand down, while those from Council have shorter terms. The late

Hamuera Mitchell served as a trustee from 1964 until his death in 1995. The rules now specify that Ngati Whakaue Trustees must be descended from one of the fifteen original owners.

5.2 Trustees/members

Current trustees (as at may 2010) are His Worship the Mayor, Cr Maureen Waaka, Cr Trevor Maxwell, Cr Bob Martin, Mr Pihopa Kingi, Mr Leo Rika, Mr Rauawa Manahi, Mr Mitai Rolleston, Secretary Charles Roberts (RDC Director Community Services), Garry Page (RDC Manager Parks and Recreation), Jamie Turner (Cemetery/Crematorium Administrator).

There have been some changes to the rules and regulations. The latest changes were approved through the Maori Land Court and include an increase in the number of trustees; the practice of allowing family members to assist with grave digging; changed hours of operation of the cemetery; and specifications of the memorials.

The Kauae Cemetery Trust Board is responsible for the management of the Kauae Cemetery. Trustees meet once a year to work through operations, policies and procedures. The Trust is well regulated and annually audited, but it is exempt from being a Council controlled organisation, meaning that a number of Local Government compliances, performance monitoring and reporting regimes do not apply.

5.4 Cemetery Charges

The Kauae cemetery trustees implemented a system which allows Ngati Whakaue and in particular descendants of the original owners to apply for a Ngati Whakaue plot. The plots are heavily discounted and require the signed approval of one of the appointed Ngati Whakaue trustees.

Whanau/families can also seek further reductions on burial fees, by volunteering to dig and/or cover the graves.



6.0 PUKAKI TRUST

6.1 Brief History of Pukaki

Pukaki grew up with his kuia, Parehina at Parawai and in later life he became one of Ngati Whakaue's greatest fighting leaders. His mana is directly connected with Ohinemutu and surrounding districts of Rotorua. Four generations after his death Pukaki's mana was so great that he became symbolised through carving. This carving took the form of a kuwaha, or gateway. On his chest were his two sons, Wharengaro and Rangitakuku, and below was his wife Ngapuia. It stood at the southern end of Pukeroa pa and was instrumental in withholding Te Waharoa of Tainui from sacking Ohinemutu in 1836. Around 1850 Pukaki (the gateway) was modified by descendants to become a tiki and moved into Ohinemutu village. For a time he stood guard alongside another gateway carving called Panui-o-Marama in front of Korokai's chiefly house. Later in the 1870s, Pukaki stood in front of the principal meeting house of Ngati Whakaue, Tamatekapua, on Te Papaouru marae.

In 1877 Pukaki was presented by Ngati Whakaue to Fenton during a hui at Te Papaouru marae as recognition to proceed with the development of the Rotorua township. Thus the presentation of Pukaki to the Crown, through Fenton, was the physical and spiritual seal of trust between Ngati Whakaue and the Crown.

Fenton's great plans to create a native leased township (1880 Fenton Agreement and 1881 Thermal Springs Act) soon collapsed in the wake of the 1886 Tarawera eruption. Tourism plummeted and in the early 1890s tribal leasehold-township lands were compulsorily purchased by the Crown leaving Ngati Whakaue disadvantaged for the next 100 years. The tribe remained unaware that Pukaki had become a gift to a high powered officer of the Auckland Museum. Moreover circumstances behind the gift of Pukaki to the Crown were deliberately ignored.

6.2 The Return of Pukaki to Ngati Whakaue

In 1995 at a hui at Te Papaouru, Ohinemutu, the actualities surrounding Pukaki's acquisition by the Auckland Museum in 1877 were revealed through the research of Paul Paora Tapsell which later became an MA thesis titled **Pukaki: Te Taonga o Ngati Whakaue ki Rotorua**. In 1996 the thesis was given to the Auckland Museum to alert it to the historical facts. On 4 April 1997 a delegation of Te Arawa elders met with the Auckland Museum and the Museum not only acknowledged the historical research presented but also agreed that Ngati Whakaue were still the owners of Pukaki.³

6.3 Memorandum of Understanding

On the 2nd October 1997 an invitation from Ngati Whakaue was extended to the Auckland Museum and an official presentation was to take place on the 120th anniversary of Pukaki's presentation to the Crown. Upon the return to Ngati Whakaue of their taonga, the Pukaki Trust was established and a memorandum of understanding was signed by;

- Wihapi Te Amohau Winiata, on behalf of the people of Ngati Whakaue,
- The Honourable Doug Graham on behalf of the Crown
- Mr Peter Menzies, on behalf of the Auckland Museum Trust Board
- His Worship The Mayor Mr Grahame Hall, on behalf of the Rotorua District Council

³ Extract from *Pukaki: Te Taonga o Ngati Whakaue ki Rotorua*, 1995

The trust deed specifies the trustees of the Pukaki Trust shall be;

- One Crown representative
- One Ngati Whakaue representative
- One Rotorua District Council representative

The Trust's main function is to ensure the safe-keeping, conservation and maintenance of Pukaki.

6.4 Meetings for Pukaki Trust

Meetings are held twice a year and sometimes a third special meeting will be called. The RDC Director Kaupapa Maori, Director Community Services and Chief Executive attend Pukaki trust meetings.

6.5 The current Trust members (as at May 2010) are:

The Honourable Te Ururoa Flavell

His Worship the Mayor

Mr Paora Tapsell, Ngati Whakaue representative

Chairperson,

Trustee,

Trustee



7.0 THE WAKA TAUA TRUST

The main function of this trust is to ensure that the Te Arawa Waka Taua and the shelter that houses the waka are both well maintained. Rotorua District Council is responsible for the upkeep and security provisions of the shelter and the Trust is responsible for the maintenance and security of the Waka Taua.

Whilst the Waka Taua is within the shelter, Rotorua District Council is responsible for its safety, maintenance and security. Whilst the Waka is outside of the shelter the trust is responsible for the Waka. The trust meets not less than once a year.

Permission to use the Waka Taua is granted by the trust and the Rotorua District Council. Whilst the Waka is outside of the shelter, safe keeping and the safety of all or any passengers is the responsibility of any parties choosing to use the waka.

Appropriate insurances and safety precautions must be attained before permission to use the Waka Taua will be granted.

7.1 Members of the Trust (as at May 2010):

Laurie Durant, Putu Mihaka, Mauriora Kingi



8.0 THE NGATI RANGITEAORERE KAHIKATEA TRUST CONSULTATIVE GROUP

In August 2003 Rotorua District Council, Rotorua Regional Airport Ltd and Ngati Rangiteaorere Kahikatea Trust agreed to establish a consultative group comprising:

- Four representatives of the Ngati Rangiteaorere Trust
- One representative from Rotorua Regional Airport Limited
- One senior representative of Council
- One representative appointed jointly by RRAL and Council

The consultative group is to be chaired by a representative of the Rangiteaorere Trust.

The consultative group is to be responsible for:

- a) Setting the priorities for work to be carried out in order to fulfil the terms of the Kahikatea management plans
- b) Approval of estimates
- c) Reviewing developments in relation to:
 - i. Research and development of alternatives to felling or crowning trees to preserve the airport approach and take-off paths
 - ii. Health of crowned trees
 - iii. General compliance of the agreement

The members of the Ngati Rangiteaorere Kahikatea Trust Consultative Group (as at May 2010) are;

- John Fenwick Ngati Rangiteaorere
- Bill Kingi Ngati Rangiteaorere
- Tai Eru Ngati Rangiteaorere
- Bishop Kingi Ngati Rangiteaorere
- Cr Trevor Maxwell Rotorua District Council
- George White Rotorua Regional Airport Limited
- Ray Cook Joint/Rotorua District Council/Rotorua Regional Airport Ltd

9.0 ROTORUA LAKES STRATEGY JOINT COMMITTEE

As part of the Te Arawa Lakes Settlement, a joint committee was established under the Local Government Act 2002. The purpose of the joint committee is to give effect to the vision of the strategy for the lakes of Rotorua District. (see appendix two):

The lakes of the Rotorua District and their catchments are preserved and protected for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes.

The Lakes strategy has 14 goals around protection, use, enjoyment and management. For further information please go to www.rdc.govt.nz [About Rotorua>Environment>Lake Action>strategy for the Lakes].

9.1 Functions of the Joint Committee are:

- a) The provision of leadership to the Te Arawa Lakes Trust , RDC and EBOP and the community in relation to implementation of the vision.
- b) The identification of significant existing and emerging issues affecting the Rotorua lakes.
- c) The preparation, approval, monitoring, valuation and review of agreements, policies and strategies to achieve integrated outcomes for the Rotorua lakes.
- d) The identification, monitoring and evaluation of necessary actions by the Lakes Trust, RDC, EBOP and other relevant organisations.
- e) The receiving of reports on activities being undertaken by the Lakes Trust , RDC, EBOP and other relevant organisations.
- f) Involvement in the preparation of statutory plans in relation to significant issues. Such plans include, but are not limited to, iwi and hapu management plans, district and regional plans, reserve management plans and annual plans.
- g) Involvement in applications for activities in relation to significant issues not addressed by existing policies of the co-management body. Such activities include but are not limited to resource consents, designations, heritage orders, water conservation orders, restricting access to the lakes (during special events or particular circumstances) and or transferring and/or delegating of statutory authority.

9.2 Membership of the Committee is (as at May 2010):

Rotorua District Council: His Worship the Mayor, Councillor Glenys Searancke Environment Bay of Plenty:
Regional Council Chair John Cronin, Councillor Neil Oppatt
Te Arawa Lakes Trust: Toby Curtis, (Trustee) Willie Emery (Trustee)
G Wigley (Manager National Environmental Standards, Ministry for the Environment)

9.3 Voting

Voting shall be on the basis of one member/one vote and a quorum shall be four members.

9.4 Reporting

The Joint Committee shall ensure there are minutes of all meetings that must be held in accordance with the Local Government Act 2002 and such minutes shall be referred to the member organisations.

The Joint Committee shall prepare an Annual Report to the member organisations that meets the requirements of the Local Government Act 2002.



10 Te Arawa Lakes Trust and Rotorua District Council Protocol

This protocol ensures the relationship between Rotorua District Council and Te Arawa Lakes Trust has integrity and that all activities, policies, strategies regarding the lakes, lakes structures and/or recreational areas are discussed and implemented with consent from the Te Arawa Lakes Trust.

A PROTOCOL BETWEEN
TE ARAWA LAKES TRUST
AND
ROTORUA DISTRICT COUNCIL

The Parties to this Protocol are the:

TE ARAWA LAKES TRUST (the Trust)

Te Arawa Lakes Trust (previously Te Arawa Maori Trust Board) was established under the Te Arawa Lakes Settlement Act 2006 and Deed of Settlement 2004. The Trust received and manages assets including thirteen (13) lakebeds (the Lakes) on behalf of and for the benefit of the present and future members of Te Arawa.

The Trust is the mandated body and representative of sixty-two hapu and iwi as defined within the Te Arawa Lakes Settlement Act 2006. The 13 Lakes are scheduled below.

1. Te Rotorua nui a Kahumatamomoe / Lake Rotorua
2. Te Rotokite a Ihenga i aniki ai a Kahumatamomoe / Lake Rotoiti
3. Te Moana i Okataina a te Rangitakaroro / Lake Okataina
4. Lake Rotobehu
5. Lake Rotoma
6. Lake Tikitapu / Blue Lake
7. Lake Okareka
8. Lake Tarawera
9. Lake Rerewhakaaitu
10. Lake Okaro
11. Lake Tutaeinanga
12. Lake Ngapouri (Opouri)
13. Lake Ngahewa

AND

ROTORUA DISTRICT COUNCIL (the Council)

The Council wishes to strengthen its relationship with the Trust in a way that has mutual benefits for both parties.

1. ACKNOWLEDGEMENTS

This Protocol acknowledges:

- i Articles I, II and III of the Te Tiriti O Waitangi / Treaty of Waitangi and the principles of that Treaty.
- ii Te Arawa's traditional, cultural, spiritual and historical relationships with the Lakes.
- iii The parties respective roles and responsibilities.
- iv The parties will engage in a way that recognises the Trust as landowners of the Lakes.
- v This Protocol is a living document and the parties will from time to time review the Protocol and ensure its progression is beneficial.

2. PURPOSE

The purpose of this protocol is to promote and facilitate effective engagement and interaction between the Trust and Council.

3. OUTCOMES SOUGHT

This protocol is based on:

- i Principles of engagement and their effective implementation
- ii Respect and commitment of the parties' respective roles and responsibilities
- iii The development of an implementation plan to achieve the purpose of this protocol in a timely manner, which is expected to be within the next twelve months of this protocol being executed.

4. RELATIONSHIP COMMITMENT

The parties agree to:

- i Act in the utmost respect, commitment and integrity to achieve the purpose of this Protocol in the manner of meaningful Partnership.
- ii Work in partnership to develop and achieve the outcomes of the implementation plan.
- iii Work together in a manner that protects the traditional knowledge bases and intellectual property rights and proprietary rights of the Trust and Te Arawa beneficiaries.

5. OTHER PARTIES

This Protocol acknowledges the formal relationship and partnerships established by:

The Rotorua Te Arawa Lakes Strategy Group
Bay of Plenty Regional Council
Waikato Regional Council
Land Information NZ (LINZ)

Signed by TE ARAWA LAKES TRUST representatives on the 18th day of December 2009:

Toby Curtis
Dr Noble (Toby) Curtis, Chairman

Willy Emery
Willy Emery, Deputy Chair

Roku Mihini
Roku Mihini, Chief Executive Officer

Hera Smith
Hera Smith, Executive Officer

Signed by ROTORUA DISTRICT COUNCIL representatives on the 18th day of December 2009:

Kevin Winters
Kevin Winters, Mayor

Trevor Maxwell
Trevor Maxwell, Deputy Mayor

Peter Guerin
Peter Guerin, Chief Executive

Mauriora Kingi
Mauriora Kingi, Director Kaupapa Maori

11.0 TUHOURANGI PROTOCOL

On 5 April 2005 the Rotorua District Council and Tuhourangi signed a protocol. The protocol seeks to form a basis of understanding on the principles and process of communication and collaboration for the benefit of the peoples of Tuhourangi and of the District of Rotorua in general.

11.1 Tuhourangi

Tuhourangi iwi are a part of the Te Arawa federation of tribes and traditionally lived around Tarawera before the eruption in 1886. Many of Tuhourangi moved from Tarawera due to the devastation of the land from the eruption and were welcomed to Whakarewarewa by relations. Today Tuhourangi still own and occupy some of the land area at Tarawera and continue to maintain significant cultural sites.

11.2 Purpose of the Protocol

The protocol was established to acknowledge the autonomy of both organisations - Tuhourangi and Rotorua District Council - and ensure that both organisations have the right to develop and promote strategies and policies that reflect the views of those they represent.

Council will ensure that all council departments and or council controlled organisations are aware of the protocol (see appendix three). If consultation and or communication is required this protocol will act as a catalyst to engaging with Tuhourangi.

11.3 Members of the Protocol (as at May 2010)

Anaru Rangiheuea, Te Rangipuawhe Maika, Kataraina Daniels, Karen Walmsley, Te Ohu Mokai Wi Kingi, His Worship the Mayor, Deputy Mayor, Charles Roberts, Peter Guerin, Mauriora Kingi.



12 SUMMARY OF MAORI ADVISORY GROUPS, COMMITTEES AND PROTOCOLS

All of the groups outlined in this document are summarised in the tables below. For further information about any of the groups please contact the relevant council officers

Name of Group	Members	Purpose	Date Established	Meetings	Council Department(s)	Officer	Position	Contact details
<i>Te Pukenga Koeke o Te Whare Taonga</i>	Cr Maureen Waaka	To advise Rotorua Museum on the history, preservation and or placement of Taonga	1994	Quarterly	Museum	Greg McManus	Director of Rotorua Museum of Art and History	Ext 942
	Deputy Mayor							
	Cr Bob Martin							
	Piwiki Heke							
	Rawiri Te Whare							
	Anaru Rangihueua					Cherie Meecham	Deputy Director Museum	Ext 7842
	Mitai Rolleston							
	Martha Sigglesko							
	Rangipuawhe Maika							
	Manahi Bray							
Te Ariki Morehu					Mauriora Kingi	Director KM	Ext 8348	
<i>Ngati Whakaue Gifted lands Protocol</i>	The Mayor	Provide governance over the Ngati Whakaue Gifted lands	1996	Twice yearly	Parks and Recreation	Garry Page	Manager Parks and Recreation	Ext 8308
	Deputy Mayor							
	Cr Charles Sturt							
	Mr Alec Wilson					Charles Roberts	Director Community Services	Ext 8301
	Mr Stuart Harris							
	Mr Malcolm Short							
	Mr Pihopa Kingi							
	Mr Murray Patchell							
Mr David Rangitauira								

Name of Group	Members	Purpose	Date established	Meetings	Council departments	Officers	Position	Contact details	
<i>Iwi consultative group</i>	Piwiki Heke	To provide Council with cultural, tikanga, communications and consultation advice when considering resource consents for development	2000	Fortnightly – depending upon number of consents	Planning Services	Paul Skinner	Team Leader – resource consents	Ext 8541	
	Joe Tahana								
	Hera Smith								
	Anaru Rangiheuea					Liam Dagg	Team Leader Policy planning	Ext 8057	
						Mauriora Kingi	Director Kaupapa Maori	Ext 8348	
<i>Kauae Cemetery Trust Board</i>	The Mayor	To contribute equally to the governance of the Kauae cemetery Trust and to provide appropriate cultural advice	1884- 1995	Twice yearly	Community Services	Charles Roberts	Director Community services	Ext 8301	
	Cr Maureen Waaka								
	Cr Trevor Maxwell								
	Cr Bob Martin						Garry Page	Mger Parks and Recreation	Ext 8308
	Mr Pihopa Kingi								
	Mr Leo Rika						Jamie Turner	Cemetery administrator	Ext 7660
	Mr Rauawa Manahi								
	Mr Mitai Rolleston						Mauriora Kingi	Director Kauapap Maori	Ext 8348
<i>Pukaki Trust</i>	Honourable Te Ururoa Flavell	To ensure the safe keeping, conservation and maintenance of Pukaki	1997	Twice yearly	Community Services	Charles Roberts	Director Community Services	Ext 8301	
	His Worship the Mayor						Mauriora Kingi	Director Kaupapa Maori	Ext 8348
	Mr Paora Tapsell								

<i>Group name</i>	<i>Members</i>	<i>Purpose</i>	<i>Established</i>	<i>Meetings</i>	<i>Council Departments</i>	<i>Officers</i>	<i>Position</i>	<i>Contacts</i>
<i>Ngati Rangiteaorere Kahikatea Tree Trust Consultative Group</i>	John Fenwick	Review research, budgets and plans related to the maintenance, cropping and or health of the KahiKatea trees by the airport	2003	Twice yearly	Rotorua District Council	Peter Guerin	Chief Executive	Ext 8320
	Bill Kingi				Rotorua Regional Airport			
	Tai Eru							
	Bishop Kingi							
	Cr Trevor Maxwell							
	George White							
	Ray Cook							
<i>Waka Taua Trust</i>	Laurie Durant	preservation and maintenance of the Te Arawa Waka Taua while it is in its shelter	2000	As needed	Parks and Recreation	Mauriora Kingi	Director Kaupapa Maori	Ext 8348
	Putu Mihaka							
	Mauriora Kingi							
<i>Rotorua Lakes Joint Strategy Committee</i>	Willie Emery (- TALT)	Leadership, identification, evaluation and monitoring of actions undertaken by RDC, EBOP & TAMTB to effect positive outcomes for the Rotorua Lakes	2003	Quarterly	RDC,	Peter Guerin	Chief Executive	Ext 8320
	Toby Curtis (TALT)				EBOP	Cindy Butt	Mgr Governance Services (EBOP)	0800 368267 Ext 9242
	His Worship the Mayor (RDC)				Te Arawa Lakes Trust	Hera Smith	Executive officer	0508 832729
	Cr Glenys Searancke (RDC)							
	Regional Council Chairperson (EBOP) John Cronin							
	Regional Councillor Neil Oppatt							

Group	Members	Purpose	Established	Meetings	Departments	Officers	Position	Contacts
<i>Tuhourangi Protocol</i>	Rangipuawhe Maika	To ensure that Tuhourangi are informed, involved and participating in projects and/or decisions that will or may affect resources within the Tuhourangi tribal territory	2005	TBA	All Departments	Peter Guerin	Chief Executive	Ext 8320
	Anaru Rangiheua					Charles Roberts	Director Community Services	Ext 8301
	Kataraina Daniels					Mauriora Kingi	Director Kaupapa Maori	Ext 8348
	Karen Walmsley							
	Te Ohu Mokai Wikingi							
	His Worship the Mayor							
	Deputy Mayor							
	Charles Roberts							
	Mauriora Kingi							

Appendix One - Pukeroa Oruawhata Trust Protocol

PARTIES:

1. **PUKEROA ORUAWHATA TRUST**
2. **THE ROTORUA DISTRICT COUNCIL**

AGREEMENT:

This agreement which is dated the ~~22~~²³ day of ~~January~~^{February} 1996 between the **ROTORUA DISTRICT COUNCIL** ("the Council") as territorial local authority having legal jurisdiction by virtue of the Local Government Act 1974, the Reserves Act 1977 and the Resource Management Act 1991 and other enactments in that behalf as the case may be in respect of the reserves set out in the schedule hereto ("the reserves") and **PUKEROA ORUAWHATA TRUST** of behalf of Ngati Whakaue for and on behalf of the original owners of the Pukeroa Oruawhata Block (known as the City of Rotorua) and their descendants.

PURPOSE OF THE PROTOCOL:

1. For the purpose of this protocol the term "significant or important decisions which the Council may intend to make hereafter with regard to a change of status of any such Reserve" shall mean the drafting and adopting of, or the amendment to from time to time, of a Reserve Management Plan which is the recognised document for the management of a Reserve. The Management Plan shall be in accordance with the spirit of the original terms of the gift of land.
2. This protocol arises out of the spiritual and historical interest to Ngati Whakaue by virtue of which Pukeroa Oruawhata Trust will be consulted with regard to significant or important decisions which the Council may intend to make hereafter and the process of consultation will be as follows:
 - a) Upon outlining a draft or amendment to a management plan, the Council will notify the Pukeroa Oruawhata Trust and discuss the proposal with the Trust before the plan or amendment is submitted to the Council for consideration.
 - b) After the Council adopts a draft or amendment to a Management Plan the Council will call for public submissions and all submissions received will be referred to the Pukeroa Oruawhata Trust for consideration and recommendation before consideration by the Council.
 - c) All submissions received which require formal hearing will be considered by the Statutory Hearings Subcommittee of the Council which will for that purpose co-opt a representative of the Pukeroa Oruawhata Trust as an ex-officio community representative, and who shall have the same rights as an elected representative while acting as a Subcommittee member.
3. The understanding between the parties is that so far as it may lawfully do so the Council will not effect any changes of status with respect to any such reserves or take steps to dispose of or alienate any of them without first obtaining the consent in writing of Pukeroa Oruawhata Trust following prior negotiation and consultation on an equal standing basis with the Pukeroa Oruawhata Trust. It is understood that if such Reserves should not be used for their original purpose then they should be returned to Pukeroa Oruawhata Trust on behalf of Ngati Whakaue unless there is agreement otherwise.

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Notwithstanding the process outlined in Clause 2 of the protocol it is desirable that there be casual or other regular meetings (at least six monthly) between representatives of the parties hereto to discuss or report upon the said reserves and any future planning for the same.

- 5. The Council and the Pukeroa Oruawhata Trust agree that this Protocol may be amended from time to time but only by mutual agreement to provide for:
 - a) Any additional lands that may be established as being included in the original gift of land by Ngati Whakaue to the Council.
 - b) Any land that the Pukeroa Oruawhata Trust may wish to have transferred to the Council and included as a Reserve under the appropriate reserve designation.

This Protocol has been executed by the parties hereto on the day year first hereinbefore written following due resolution of the Council and Pukeroa Oruawhata Trust respectively.

EXECUTION

The COMMON SEAL of the ROTORUA DISTRICT COUNCIL was hereto affixed in the presence of:



[Signature] MAYOR

[Signature] DISTRICT MANAGER

[Signature]
For and on behalf of Pukeroa Oruawhata Trustees

[Signature]
for and behalf of Pukeroa Oruawhata Trustees

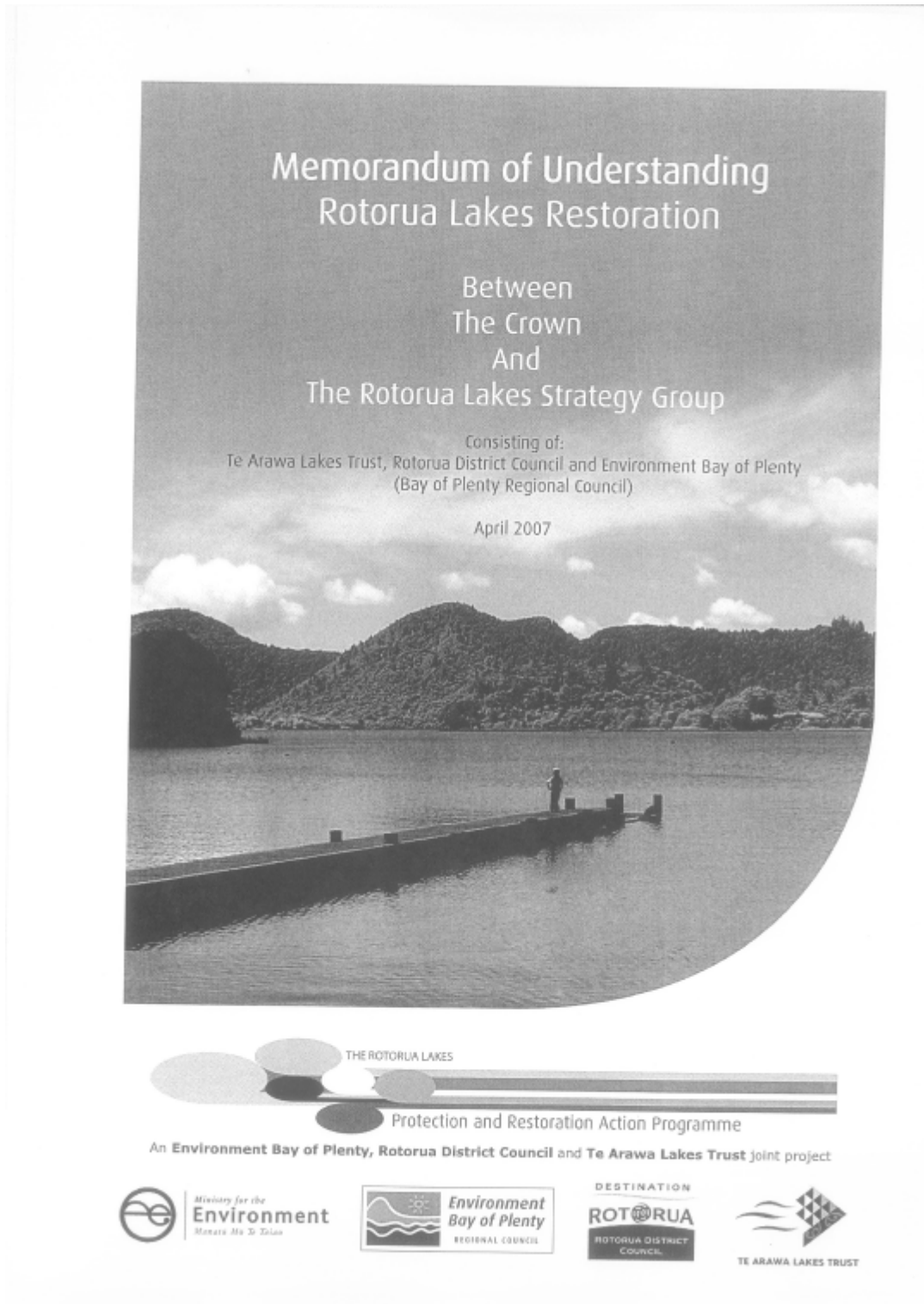
[Signature]
For and on behalf of Pukeroa Oruawhata Trustees

[Signature]
for and behalf of Pukeroa Oruawhata Trustees

[Signature]
For and on behalf of Pukeroa Oruawhata Trustees

[Signature]
for and behalf of Pukeroa Oruawhata Trustees

Appendix two – Rotorua Lakes Strategy Group



THIS MEMORANDUM was made on

BETWEEN **The Crown and the Rotorua Lakes Strategy Group consisting of
Te Arawa Lakes Trust, Rotorua District Council and
Environment Bay of Plenty (Bay of Plenty Regional Council)**

1 Preamble

The Rotorua Lakes (also known as the Te Arawa Lakes) are an important asset for the local, regional and national community. They are also a significant tourist drawcard and showcase New Zealand's environment. The Lakes are identified as having national cultural and heritage significance.

Historical uses of the catchments that feed water to these lakes, and the lack of understanding about cause and effect relationships for these uses, have created a significant problem. Degraded water quality and associated algal blooms prevent the local community, and national and international visitors to the Lakes experiencing their true values.

The process of restoring the water quality of the Rotorua Lakes will require a long-term partnership and the commitment of the four parties to work together.

This Memorandum of Understanding has been developed between the Crown, Rotorua Lakes Strategy Group consisting of Te Arawa Lakes Trust, Rotorua District Council and Environment Bay of Plenty to assist the four partners in addressing the future of the Rotorua Lakes.

The agreed vision for the Lakes as documented in the Strategy for the Rotorua Lakes 2000 is:

The lakes of the Rotorua district and their catchments are preserved and protected for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes.

To promote the sustainable management of the lakes, it is necessary to look at catchment management and the effects of human activity across a wide range of land-uses (including urban, agricultural, forestry and recreational). Appendix 1 shows the Rotorua Lakes and their associated catchments. There are also a wide range of pollutant sources that can influence the water quality of the Lakes such as sewage infiltration, nutrient enrichment of streams and ground water by agriculture, riparian management regimes, and urban run-off discharge points.

The key area of concern is the water quality of the Lakes and how it can be maintained or improved. Maintenance and improvement is judged against the trophic level indices described in Appendix 2. However, achieving the long term water quality goals will require significant changes to land use within the various catchments.

2 Purpose

The purpose of this Memorandum is to establish a formal, working relationship between the Crown and the Rotorua Lakes Strategy Group - consisting of Te Arawa Lakes Trust, Rotorua District Council and Environment Bay of Plenty - in relation to the objective of maintaining or improving the water quality of the Rotorua Lakes through the Rotorua Lakes Protection and Restoration Action Programme.

3 Principles

1. We recognise that preserving and protecting the Lakes will take a great deal of time, effort and financial resources to accomplish the restoration of the Lakes and the water quality.
2. We recognise there are legacy problems that have been created over a long period by actions that had impacts that were often unknown or uncertain.
3. We recognise that there are significant financial commitments that will need to be made over time by the parties. This document does not guarantee or commit the parties to any financial commitments.
4. We recognise that the restoration of the Lakes will require adaptive management, where actions and approaches may change as our understanding of the Lakes change with future research.
5. We recognise that cost sharing is appropriate but that the share from different parties may vary between lake projects and programmes.
6. We recognise that the timeframe to implement actions to address Lake restoration is likely to exceed 10 years and that recovery in some lakes will take longer.
7. We recognise that all parties will be diligent in pursuing opportunities to achieve the goal of maintaining or improving the water quality of the Lakes.

4 Roles

The following roles define the contributions that the parties will bring to the partnership.

4.1 All Parties

- To regularly attend the Rotorua Lakes Strategy Group (constituted under the Te Arawa Lakes Settlement Act 2006) to enable all parties to discuss and debate issues.
- To consider funding for specific projects on a case-by-case basis to contribute to agreed project outcomes.
- To facilitate consultation amongst and between the parties, and with other stakeholders.

4.2 The Crown

- Owner of the Crown stratum.
- To provide the national perspective on lake management and matters of national importance.

4.3 Environment Bay of Plenty

- To take a lead role in implementing the Strategy for the Rotorua Lakes.
- To undertake Resource Management Act administration in accordance with section 30 functions to implement the Strategy for the Rotorua Lakes.
- To take a lead role in water quality issues.
- To take a lead role in implementing the Rotorua Lakes Recreation Strategy and Aquatic Pest Management Strategy.
- To plan for and to manage land uses within the Lake catchments in association with Rotorua District Council.

4.4 Rotorua District Council

- To undertake Resource Management Act administration in accordance with section 31 functions to implement the Strategy for the Rotorua Lakes.
- To take a lead role in urban sewerage and stormwater discharge infrastructure.
- To plan for and to manage land uses within the Lake catchments in association with Environment Bay of Plenty.

4.5 Te Arawa Lakes Trust

- Owner of the Lake beds.
- To provide cultural advice on all aspects pertaining to the Lakes.

5 Not legally binding

This document does not legally bind the parties. It is not intended to be a legally enforceable agreement.

6 Summary

This Memorandum is designed to ensure that there is clarity around the roles, responsibilities and expectations of all parties. The partnership that this Memorandum reflects is critical to achieving the objective of maintaining and improving the water quality of the Rotorua Lakes.

Signed on behalf of

Her Majesty the Queen acting by and through the Minister for the Environment

Signed:  Date: 18. 4. 07.

Hon David Benson-Pope

Te Arawa Lakes TrustSigned:  Date: 18/4/07

Toby Curtis

Chair

Rotorua District CouncilSigned:  Date: 18/4/07

Kevin Winters

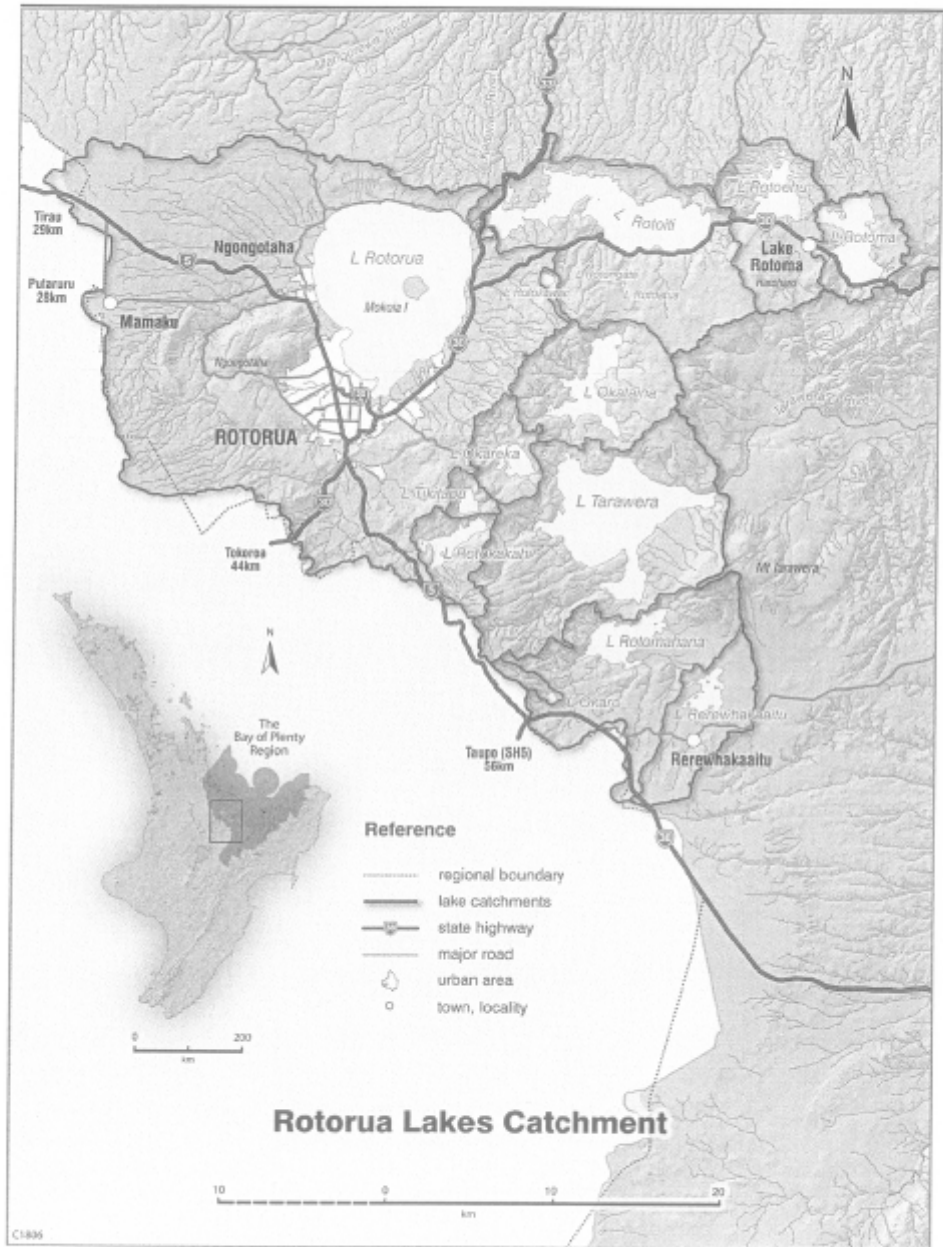
Mayor

Environment Bay of Plenty (Bay of Plenty Regional Council)Signed:  Date: 18 April 2007.

John Cronin

Chair

Appendix 1: The Rotorua Lakes and Catchment Boundaries



Appendix 2: Trophic Level Indices

Environment Bay of Plenty Proposed Regional Water and Land Plan has an objective that:

The water quality in the Rotorua lakes is maintained or improved to meet the following Trophic Level Indices:

Lake	Trophic Level Index	3-yearly average TLI to 2005
Okareka	3.0	3.3
Okaro	5.0	5.6
Okataina	2.6	3.0
Rerewhakaaitu	3.6	3.4
Rotoehu	3.9	4.6
Rotoiti	3.5	4.5
Rotokakahi	3.1	Unknown
Rotoma	2.3	2.5
Rotomahana	3.9	3.8
Rotorua	4.2	5.0
Tarawera	2.6	2.9
Tikitapu	2.7	3.2

Environment Bay of Plenty uses the Trophic Level Index (TLI) system as a means of measuring lake water quality based on the amount of total nitrogen, total phosphorus and chlorophyll A (algae) present in the lake, and the clarity of the lake. Chlorophyll A and clarity (measured as secchi depth) are a consequence of the amount of total nitrogen and total phosphorus in a lake. The resulting numeric value is the TLI for an individual lake.

The TLI methodology can be used to establish an average TLI value for a lake for the period over which water quality data has been collected, or to determine the rate of change in the trophic level of a lake.

This quantitative system provides definitive information about the state of the lake water quality in the region.

Appendix three – Tuhourangi Protocol

A Protocol between TUHOURLANGI and ROTORUA DISTRICT COUNCIL

Founding Statements:Tuhourangi

The initiative for this protocol is founded in the understanding that Tuhourangi is intrinsically connected to our natural environment that is the whenua, waters, flora and fauna and how we engage with it, is crucial to our identity and our sense of place. Inclusive in this is our honouring of the places whom our tūpuna lived and in particular, those resources that are available to us to maintain our ahi ka anchoring our whakagapa to the landscape. These lands form our home, our place to return to and so provide us with what we need to sustain us as Tuhourangi. Wherever we are in the world, this is our turangawaewae.

Rotorua District Council

Rotorua District Council recognise their obligation to take into account the relationship of Tuhourangi and their culture and traditions with their ancestral land, water sites, wahi tapu, valued flora and fauna and other taonga.

Council also wishes to establish and maintain processes to provide the opportunity for Tuhourangi to contribute to the decision making of the Council

Purpose

This is an agreement between Rotorua District Council and Tuhourangi. The agreement seeks to form a basis of understanding on the principles and process of communication and collaboration for the benefit of the peoples of Tuhourangi and of the District of Rotorua in general.

Principles

- Tuhourangi and Rotorua District Council acknowledge the autonomy of both organisations; their right to develop and promote strategies and policies that reflect the views of those they represent. Effective communications and the practice of meaningful consultation will ensure a growing commonality of purpose will occur between Tuhourangi and Rotorua District Council.
- The parties agree that it is in their joint interests, and that of those they represent, to work together to develop a shared view of the future of Lake Tarawera, its surroundings, and other areas of Tuhourangi interest.
- With the intention of creating an atmosphere of "no surprises", the signatories agree they will communicate openly and honestly to give effect to matters to the benefit of both parties in an atmosphere of mutual respect.
- The parties to this protocol will determine their respective membership of a management committee to give effect to this protocol.
- The signatories agree that principles of manaakitanga, kaitiakitanga and rangatiratanga will underpin their relationship.
- The signatories acknowledge that they are committed to working strenuously and in good faith to resolve any disagreements that may arise.
- Tuhourangi and Rotorua District Council acknowledge this protocol as a living document and that any changes to it will be by mutual agreement.

Application

1. Tuhourangi and Rotorua District Council will seek opportunities to share perspectives and jointly develop processes to further a consistent vision for Lake Tarawera, its surroundings and other areas of Tuhourangi interest.
2. Tuhourangi and Rotorua District Council will meet regularly (at least quarterly) to foster an early and informed understanding of issues and assist a co-ordinated strategic response.
3. Tuhourangi and Rotorua District Council will identify and regularly update appropriate channels of communication between the hapu and Council.
4. Tuhourangi and Rotorua District Council will develop policy and make ongoing management decisions within their respective areas of responsibility with an understanding of this protocol and the vision, priorities and expectations of both organisations.

Signed by Tuhourangi representatives:

Wi Keepa Te Rangipuaehi Maki
.....
Wi Keepa Te Rangipuaehi Maki

Anaru Rangipuaehi
.....
Anaru Rangipuaehi

Kataraina Daniels
.....
Kataraina Daniels

Karen Walsley
.....
Karen Walsley

Te Ohu Mokai Wi Kingi
.....
Te Ohu Mokai Wi Kingi

Signed by Rotorua District Council representatives:

Kevin Winters
.....
Kevin Winters, Mayor

Trevor Maxwell
.....
Trevor Maxwell, Deputy Mayor

Peter Curran
.....
Peter Curran, Chief Executive

Charles Roberts
.....
Charles Roberts, Director Community Services

Mauriara Kingi
.....
Mauriara Kingi, Director Kaupapa Maori