

CANTERBURY REGIONAL COUNCIL  
*Kaunihera Taiao ki Waitaha*



# Tuia

## OUR JOURNEY SO FAR



# Contents

1	New Understanding	12	Tuia	20	Environment Canterbury Capability Building
6	Timeline	15	Papatipu Rūnanga Capacity Building	22	Te Waihora
8	The Journey	16	RMA Planning	24	Takiwā
		18	Consent Processes		

Cover: Julian Phillips, Environment Canterbury Te Koko Tataki Programme Leader, Tuia and Environment Canterbury Councillor Elizabeth Cunningham.



# New Understanding

Environment Canterbury and Ngāi Tahu have redefined their relationship and with it have forever changed resource management in the region.

Over the past eight years the regional council and mana whenua have developed a new understanding of what it takes to work together for the sake of the environment, the people that depend on it and the future prosperity of our region.

Much like the waters of Canterbury’s braided rivers, the changes flow wide and deep across Environment Canterbury and Ngāi Tahu and are creating positive downstream impacts in our communities.

If our river systems are a good metaphor for our evolving relationship, then it is reasonable to understand that like our aquifers flowing underground, these changes are not visible to everyone.

When the Government replaced the Council with appointed Commissioners in 2010, it recognised the importance of working with Ngāi Tahu and identified “durable and collaborative relationships” with iwi and other key stakeholders as one of four major outcomes to be achieved from the Commissioner’s time in office.

While Environment Canterbury has worked very hard to improve its’ performance and relationships across the range of disciplines and stakeholders, this document sets out to specifically examine what has taken place with Ngāi Tahu over the past eight years.

Like our precious aquifers, the ability for Environment Canterbury and Ngāi Tahu to work closely and effectively is crucial for the region’s collective future, not only in recognition of their Treaty partnership, but because of the tribe’s determined and intergenerational responsibility as kaitiaki of their ancestral lands and the natural environment.

“Great strides have been made by Environment Canterbury,” says Te Rōpū Tuia Co-Chair Steve Lowndes. We have demonstrated leadership and commitment to embrace a step-change that has generated significant rewards at the council table, in our communities, and for the environment.”

Co-Chair Rei Simon, says that for Ngāi Tahu this is just the start of the journey. “There has been huge improvement in the relationship, there is cooperation and a willingness to work together to create a better future, but there’s still much work to be done.”

Both organisations agree that like so many journeys the rewards are not only in the destination, but also in the experiences and knowledge we share and the connections we make on the way.

Simply put, Environment Canterbury and Ngāi Tahu have become much better partners over the past eight years, we have built trust and understanding through listening and learning and we have established a new and solid foundation. The challenge on our journey ahead is to continue to build upon that foundation an enduring relationship which creates a better future for everyone who proudly calls this region home

Steve Lowndes	Rei Simon
Co-Chair	Co-Chair
Te Rōpū Tuia	Te Rōpū Tuia

  
Steve Lowndes

  
Rei Simon



## Action

In 2010 great change was set in motion at Environment Canterbury when the sitting Councillors were replaced with Crown-appointed Commissioners.

The Crown wanted action that would bring about wholesale improvements in the way Environment Canterbury conducted its business of looking after our environment.

It's four preferences were:

1. Canterbury's natural resources are effectively managed
2. Environment Canterbury is fit-for-purpose to fulfil its duties and responsibilities
3. Environment Canterbury has good relationships with all its key stakeholders
4. Environment Canterbury continues to deliver its annual and long-term plans.

It was a challenging time in the history of the regional council and the Canterbury region which called for new attitudes and ways of doing things. The Commissioners understood that success in each of the four priorities would require strong leadership and rely heavily on improved relationships across the board including with territorial authorities, industry and community groups, iwi and within its own walls.

The Crown directed that one of the seven Commissioners would be Ngāi Tahu and provide expert advice and decision-making on matters concerning tangata whenua.

Donald Couch, who at the time was the Deputy Kaiwhakahaere of Te Rūnanga o Ngāi Tahu and Pro-Vice Chancellor of Lincoln University was appointed and came with a mandate from mana whenua to speak on their behalf and wide experience in governance and Treaty issues.

The commitment and focus required to improve the Ngāi Tahu relationship has proven to be the catalyst for widespread change which has created many benefits, both tangible and intangible, for Ngāi Tahu and Environment Canterbury, as well as regional ratepayers and the environment.

It is important that this journey is recorded and that the key initiatives and projects leading to the changes and benefits are understood so we not only preserve them, but continue to build on them.

Prior to May 2010, Environment Canterbury provided very limited support to ensure Ngāi Tahu had access to aid and influence the protection of their values as mana whenua. There were two Māori Liaison roles within Environment Canterbury, of which

only one was filled — a Māori Advisory Committee met four times each year and regulatory protection of significant Ngāi Tahu sites was provided on an adhoc consent-by-consent basis. This meant that planning and consent processes were often adversarial in nature and would get slowed down in court processes adding unnecessary time and expense.

The relationship was considered “disconnected” by Ngāi Tahu with many long-standing issues remaining unaddressed and generations of whānau holding grievances against local government. The level of mistrust was such that some rūnanga would not entertain the thought of engaging with Environment Canterbury.

The Crown gave the Commissioners three years to build “durable and collaborative relationships with Canterbury's territorial authorities, iwi and other key stakeholders”. It requested a plan setting out how the Commissioners intended to govern and what arrangements would be in place to work collaboratively with key stakeholders.

Ngāi Tahu also recognised the need to improve the relationship and in July 2010 tribal representatives approached the Commissioners on behalf of the Canterbury Papatipu Rūnanga with a proposal to engage in a constructive and progressive relationship to advance environmental outcomes in the region.

The proposal outlined a joint work programme across six broad work streams and a framework for engagement that would hopefully evolve into a new transformational approach to the Treaty partnership under the Resource Management Act (RMA) and better guardianship of the environment.

The Commissioners' Plan, delivered to the Crown in August 2010, set a new benchmark and signalled a new direction for the Ngāi Tahu relationship. Ngāi Tahu and its cultural values were acknowledged throughout the plan and it included an introduction setting out the agreement to progress a joint work programme with the iwi to ensure acceptable management of the region's natural resources.

In doing this Environment Canterbury recognised that “the relationship of Ngāi Tahu with their ancestral land within Waitaha/Canterbury is inextricably affected by the powers and functions exercised by Environment Canterbury”; and that the joint work programme reflected “strong commitment by the Commissioners to advance a relationship with Ngāi Tahu that demonstrates partnership, good faith and mutual respect”.

## Milestones

A plan is only as good as the strength of your commitment to execute it – and over the past eight years the regional council's governors' commitment and leadership has remained resolute and focused.

There have been many significant milestones and each now forms the foundations of the new Environment Canterbury – Ngāi Tahu relationship. What distinguishes them is that they have been achieved collaboratively, and through collaboration each party has developed mutual understanding and appreciation of each-others' different world views. It is in this understanding where the real gains have been made, where the gaps have been closed and the necessary compromises have been negotiated towards a common goal of protecting and enhancing our natural and cultural environments.

This hasn't happened in isolation. Environment Canterbury has engaged with diverse audiences from Ministers, local councils, industry and farming sectors, community and environmental groups, special interest groups, the general public as well as iwi; and have established working groups and project teams to lead and embed change.

Each milestone has brought about incremental changes. In October 2010 Environment Canterbury and Ngāi Tahu started developing a joint work programme which led to a formal Joint Working Group, known as Te Paiherenga. Ngāi Tahu had immediately identified the restoration of Te Waihora/Lake Ellesmere as one of its priorities. A renewed energy and focus were directed towards addressing issues affecting the lake, an agreement was signed to design a co-governance model, moves were underway for a variation to the Te Waihora Water Conservation Order and an \$11M funding application for restoration works was successful in August 2011. Also, by October that year, a full review of the Environment Canterbury – Ngāi Tahu relationship had been completed.

In May 2012 the Land and Water Regional Plan was notified and included provisions to protect Ngāi Tahu values. Before the end of 2012 the Te Waihora Co-Governance Agreement was signed, and a Relationship Agreement known as Tuia was in place — and with it a programme to support engagement with Papatipu Rūnanga and build staff capability.

Tuia funding also makes available \$50,000 each year for rūnanga environmental projects such as riparian planting, stream restoration and securing clean water supplies for marae.

An initiative to train Ngāi Tahu RMA Hearing Commissioners was developed in 2012 and by 2013 Environment Canterbury had committed that every three-member hearing panel would include a Ngāi Tahu Hearings Commissioner.

The Canterbury Water Management Strategy (CWMS) launched in 2009 was an ongoing priority and at the time was leading the way with integrated kaitiakitanga targets sanctioned by Papatipu Rūnanga. The CWMS process, involving a regional committee and 10 zone committees — each with two appointed rūnanga members — and each dealing with their own issues and involving a broad cross section of the community, were at the vanguard of changing attitudes and brokering fresh understanding to enable the best possible outcomes for our rivers and waterways.

In 2013 the Commissioners were reappointed for a further three years until 2016. That year the Government moved to a mixed model which saw the appointment of six councillors and the election of seven councillors through to October 2019 when a fully democratic election process will occur.

Ngāi Tahu has recognised and responded to the need for Papatipu Rūnanga to be able to fully engage and participate in this new paradigm by establishing Tangata Whenua Advisory Services entities. Set up as a trust, Mahaanui Kurataiao has a mandate to provide advice on behalf of the six Canterbury/Waitaha rūnanga in to consent processes and provide cultural advice to Environment Canterbury, other local authorities, Crown agencies and the business sector.



Similar entities work on behalf of Kaikōura and Arowhenua as well as Aukaha in Dunedin supporting the three Araiteuru Rūnanga. All have Service Level Agreements in place with Environment Canterbury which clearly set out the expectations and aspirations of each organisation.

## Achievements

The commitment of the past eight years to improving the Environment Canterbury – Ngāi Tahu relationship has had significant impact on our day-to-day business activities – but what does that mean for the ratepaying public?

Big ticket items like RMA plans, such as the Land and Water Recovery Plan (LWRP) are complicated and lengthy processes funded by the ratepayer. By working more effectively and efficiently with Ngāi Tahu we were able to deliver the LWRP in half the time and save millions in ratepayer dollars.

Through the combined benefits of our collaborative approach, the support provided by the Tangata Whenua Advisory Services, the development or renewal of Iwi Management Plans and the availability of certified Ngāi Tahu Hearings Commissioners we were able to develop a regional plan that was far better understood and accepted by all stakeholders. When it was publicly notified, the work at the front end reduced, and in some cases helped eliminate, contention and legal challenges at the back end.

The Natural Resource Recovery Plan (NRRP) was the forerunner to the LWRP. The process from development

to being operational stretched over nine years – with work still to do. Under the much-improved relationship with Ngāi Tahu, its replacement, the LWRP, was operational in four years. Total costs to the ratepayer were more than halved, from \$13m to \$6m.

Through the LWRP process we were also better able to protect Ngāi Tahu cultural values by including explicit objectives, policies and rules in the plan. Previously the NRRP only mentioned these values as part of introductory information and provided no pathway for achievement or any link to other sections within the plan.

A large part of the work we do at Environment Canterbury revolves around resource consents that underpin economic, social and environmental development opportunities throughout the region.

The consenting process, like RMA plans, consumes time and money to make good sustainable decisions for applicants and associated parties.

The contribution of the stronger Ngāi Tahu relationship, the increased and improved cultural awareness of Environment Canterbury staff and the quality and timely input from the Tangata Whenua Advisory Services has again led to much less contention and challenges to decisions on consent applications, saving time and costs for all parties.

Ultimately Environment Canterbury is tasked with finding the right balance between sustainable development and protecting the environment for the benefit of everyone who chooses to make this region home, both today and in the future.

Over the past decade Environment Canterbury, Ngāi Tahu, local authorities and environmental and industry groups have started to make progress in improving water quality across the region.

Freshwater swimmability grades are improving across the region and water quality at Waiwera/Lake Forsyth is also seeing improvements. At Te Waihora, Environment Canterbury and Ngāi Tahu have worked hard to increase understanding and accommodation of mahinga kai (traditional food gathering practises) by land users within the lake catchment and surrounding properties.

A joint consent to manually open the lake is allowing better management of lake water levels, but also working to improve fish stocks at times of migration and recruitment.

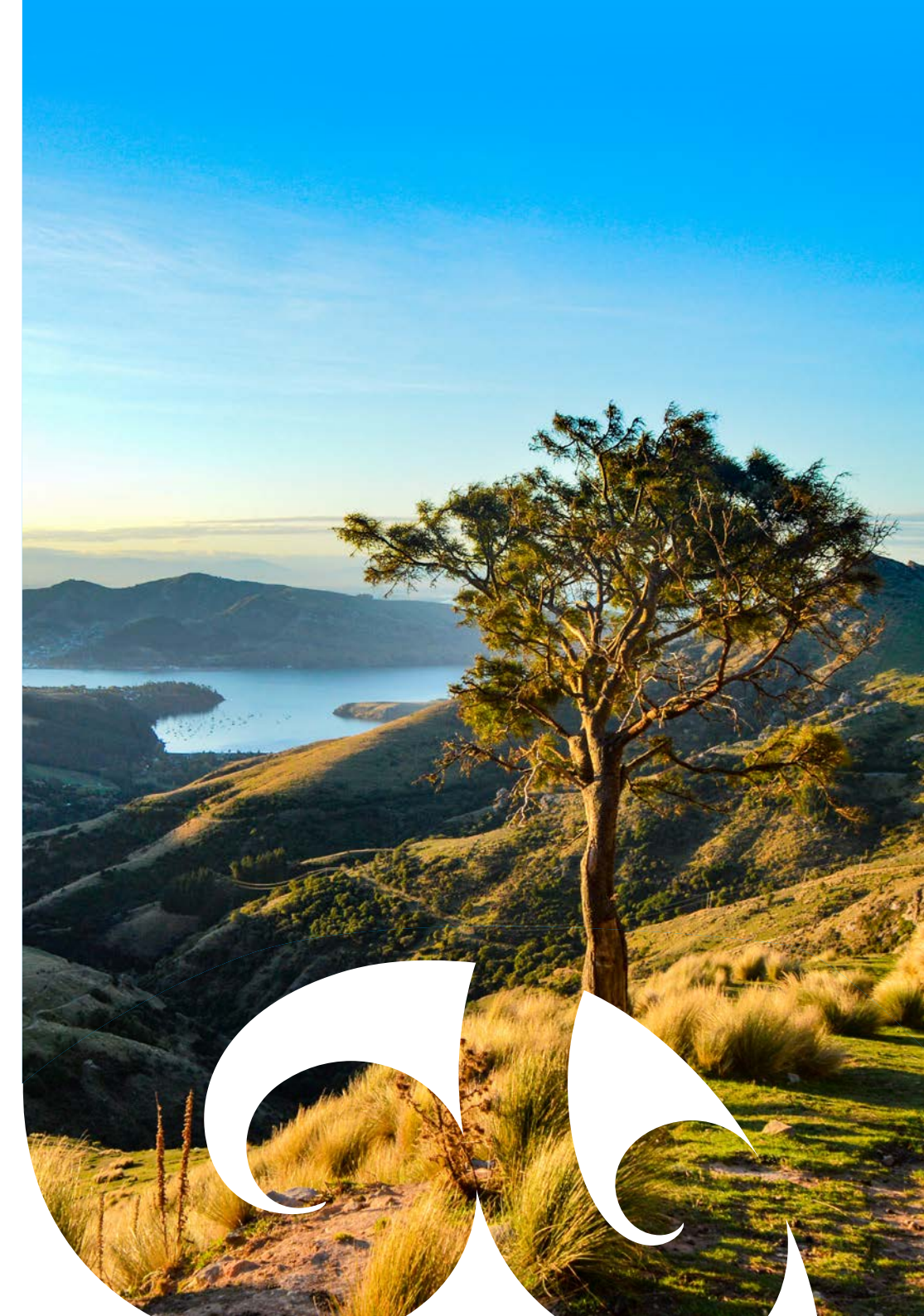
There will always be challenges, differences of opinion and competing needs, but by working shoulder to shoulder with mana whenua the challenges become much clearer and we create the ability to solve them working together.

## Looking forward

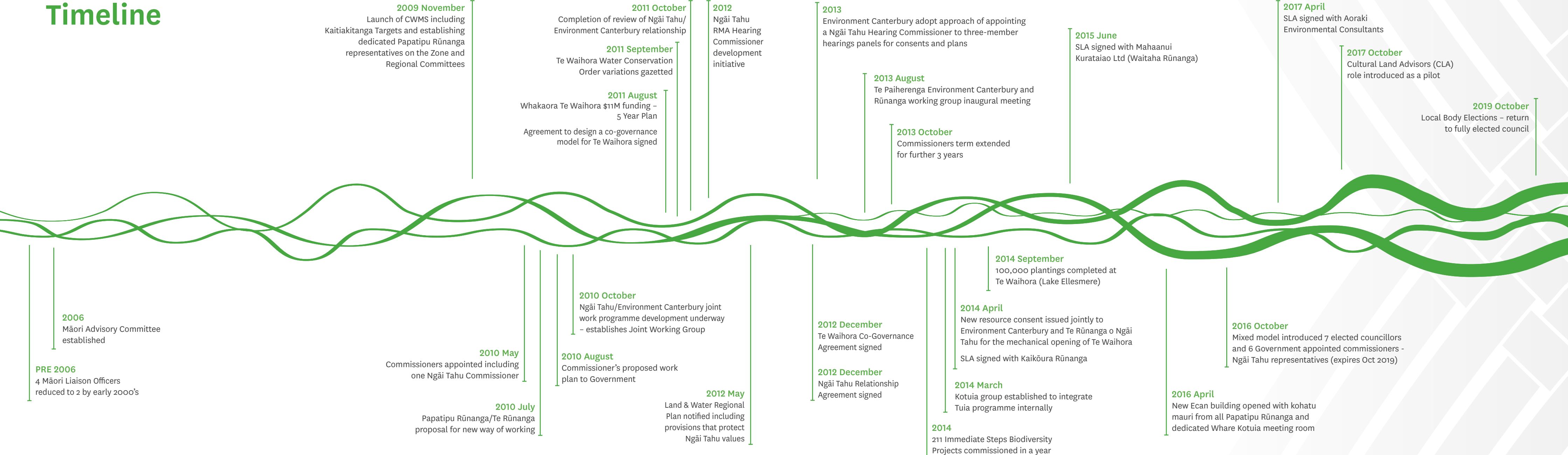
In October 2019 the council returns to a fully elected model without the legislative means to ensure Ngāi Tahu representation on the council. The provision for a Māori constituency within the current Local Electoral Act does not provide the means to ensure mana whenua representation in Canterbury.

The past eight years has offered Environment Canterbury new insights in to what the future of environmental management and decision-making should look like in Canterbury. We have developed a foundation for working in true partnership with Ngāi Tahu and are reaping the benefits.

There will always be challenges, differences of opinion and competing needs, but by working shoulder to shoulder with mana whenua the challenges become much clearer and we create the ability to solve them working together.



# Timeline





# The Journey

Change at Environment Canterbury has been created against a back drop of mistrust and grievance.

A review carried out in 2011 confirmed a profound disconnect between the actions of Environment Canterbury and the expectations of Ngāi Tahu. Many whānau throughout the region held intergenerational grievances against the local authority for successive actions that had allowed important mahinga kai (food gathering areas) to be drained or enabled inappropriate land uses at sites of cultural significance.

Important issues sat unaddressed as the degree of mistrust by some rūnanga meant they refused to engage with Environment Canterbury.

For years the responsibility for engaging with rūnanga across the Environment Canterbury territory sat with two Māori Liaison Officers whose roles were

to interact with rūnanga around regulatory processes such as consent applications, run Māori introduction programmes within the organisation and induct new staff.

In 2005 a representation review led Environment Canterbury to a decision not to establish a separate Māori constituency and subsequently a Māori Advisory Committee was set up the following year.

The committee chaired by Elizabeth Cunningham had 12 members and met four times a year. It was tasked with enhancing Environment Canterbury's relationship with Māori and to help facilitate input in to decision making. Environment Canterbury chair Sir Kerry Burke took over chairmanship of the committee following elections in 2007. Unfortunately, the committee approach made little progress with improving the relationship with Ngāi Tahu.

At the time all consent applications were shared with the relevant rūnanga, and Silent Files (which identify sites of significance) and Statutory Acknowledgement Areas were recognised as part of the consenting process, however Environment Canterbury's RMA plans did not provide well for the recognition of Ngāi Tahu values. There was also low awareness around Iwi Management Plans and inconsistent application of them in regulatory processes.

In early 2010 the findings of an independent report prompted the Government to replace the Environment Canterbury councillors with

commissioners. Led by Dame Margaret Bazley, the commissioners were selected to bring a range of skills to match the challenges facing Environment Canterbury, including tangata whenua expertise and to ensure representation from across the region.

The two governing Ministers, Hon Dr Nick Smith as Minister for the Environment and Hon Rodney Hide as Minister of Local Government, wrote a Letter of Expectations to the new commissioners setting goals and outcomes for them during their term in office, which was initially set at three years.

Central to the letter was the importance of improving key relationships and the Government's desire for a plan that would see the Commissioners and Environment Canterbury working collaboratively with Canterbury's territorial authorities, iwi and other key stakeholders.

Soon after Ngāi Tahu approached Environment Canterbury with a proposal on behalf of the local Papatipu Rūnanga to engage in a "constructive and progressive relationship to advance environmental outcomes in the region".

At the heart of the proposal Ngāi Tahu placed the Treaty of Waitangi so that effect would be given to the Treaty in the structures, powers, functions and rules pertaining to decisions about natural resource matters.

Vital to Ngāi Tahu was for the Environment Canterbury work programme to achieve sustainable environmental outcomes, perpetuate and support customary practices, provide for development, and provide for effective Ngāi Tahu participation in decision-making roles.

It proposed a joint work programme comprised of four broad work streams — governance, freshwater, RMA and institutional matters and included specific outcomes and projects. It also came with a framework for ongoing engagement between Environment Canterbury and Ngāi Tahu with the "hope that this would evolve into a new transformational approach to the implementation of the Treaty partnership in RMA and general environmental matters".

In response to the Ministers' Letter of Expectations the Commissioners submitted their Plan for Governing Environment Canterbury through to October 2013. It was structured around four outcomes:

1. making decisions on the Natural Resources Regional Plan (NRRP)
2. making recommendations on the Hurunui Water Conservation Order (WCO)
3. improvements to Environment Canterbury's institutional arrangements
4. development and implementation of the Canterbury Water Management Strategy (CWMS).

The plan also highlighted the agreement by Environment Canterbury to progress a joint work programme with Ngāi Tahu to ensure acceptable management of the region's natural resources. Environment Canterbury's commitment recognised that the relationship of Ngāi Tahu with their ancestral land "is inextricably affected by the powers and functions exercised by Environment Canterbury"; and that the joint work programme "reflects strong commitment by the Commissioners to advance a relationship with Ngāi Tahu that demonstrates partnership, good faith and mutual respect".

“This integration of the joint work programme into the Commissioners Plan heralded the commitment to integrate the relationship with Ngāi Tahu across the whole organisation and all staff, rather than the establishment of specific unit such as a Māori Liaison Unit.”

Spearheading the relationship between Environment Canterbury and Papatipu Rūnanga would be the Tuia programme that was formalised in December 2012. However, between 2010 and 2012 activity got underway immediately delivering on the commitments made in the Commissioner's plan.

Improvements to the environmental and cultural health of Te Waihora/Lake Ellesmere was a key focus. Work included the development of a five year restoration programme with funding of \$11.6m sourced from the Crown, Environment Canterbury and Te Rūnanga o Ngāi Tahu, together with industry contributions and a community volunteer effort supporting the programme.

Variations were made to the Water Conservation Order to include a wider range of outstanding values for the lake and a new consent held jointly by Environment Canterbury and Ngāi Tahu to manage the lake openings.

The CWMS Regional Committee agreed to three regional flagship biodiversity projects, one at Te Waihora, a second at the headwaters of the Rangitata and Rakaia rivers, and the third at the Wainono coastal lagoon, each funded for five years.

A co-governance agreement between the Te Waihora Management Board (representing the six Papatipu Rūnanga with interests in the lake) and Environment Canterbury commissioners was also signed in November 2012. This long-term relationship agreement signalled a shared commitment to the restoration and rejuvenation of the mauri and ecosystem health of Te Waihora through the restoration programme named Whakaora Te Waihora.

Other initiatives included:

- Development of a Joint Work Programme with wānanga held at each of the six rūnanga
- Two governance hui held between rūnanga and commissioners where the joint work programme was formally agreed and a joint working party set up to support the programme
- Environment Canterbury employed two Tangata Whenua facilitators to support rūnanga engagement across the ten CWMS Zone Committees and the Regional Committee
- Environment Canterbury staff were seconded to Te Rūnanga o Ngāi Tahu to provide regulatory support
- Funding from MfE to support the training of five Ngāi Tahu Hearings Commissioners
- Environment Canterbury staff actively involved in “on the ground” biodiversity projects with each rūnanga such as fencing and restoration of riparian margins and wetlands, restoration of coastal lagoons, whānau plant nurseries and improving marae drinking water supplies

- Mana whenua representatives appointed to each CWMS Zone committee
- Kaitiakitanga targets included in the CWMS Targets
- Introductory visits to rūnanga marae were scheduled and occurred throughout the year.

In October 2013, to allow for further progress on the work of the Commissioners and to provide support to the earthquake recovery, the Government extended the term of the Environment Canterbury Commissioners for a further three years to October 2016.

New outcomes and goals were agreed between the Commissioners and Ministers which reflected the evolution and progress made to those set in 2010. The Commissioners’ leadership role and imperative to continue to build collaborative relationships with Canterbury’s territorial authorities, iwi and other key stakeholders remained a priority.

In 2015 Ngāi Tahu representative Donald Couch (Te Hapū o Ngāti Wheke) retired from his role as a commissioner and Elizabeth Cunningham (Koukourārata) was appointed at the recommendation of the iwi.

A planned return to an elected council in 2016 changed when the Government amended the Environment Canterbury Act and introduced a mixed model of governance for a further three years through to October 2019.

The mixed model saw seven elected councillors and six Government-appointed councillors make up the new council. Two of the appointed positions were to provide Ngāi Tahu representation with laean Cranwell (Wairewa) joining Elizabeth Cunningham on the council. This arrangement ceases in October 2019 when Environment Canterbury will then revert to a fully elected council.

## Whākana ki ō manuhiri i tō kāinga

*Mana is upheld through fulfilling  
roles and responsibilities*





# Tuia

Tuia is the name given to the relationship agreement between Environment Canterbury and Ngāi Tahu. The word Tuia means to work and walk together, shoulder to shoulder and captures the nature of the burgeoning partnership between Environment Canterbury and Papatipu Rūnanga and acknowledges the tikanga responsibilities of Ngāi Tahu alongside the statutory responsibilities of Environment Canterbury.

Two years of work went in to the development of the Tuia relationship agreement, underpinned by an extensive work programme, and was finalised in December 2012.

While the agreement is between Environment Canterbury and Papatipu Rūnanga, it recognises the role of Te Rūnanga o Ngāi Tahu as the iwi authority to support Papatipu Rūnanga to protect the rights of Ngāi Tahu Whānui, and the importance of Environment Canterbury and Te Rūnanga o Ngāi Tahu engaging directly.

Tuia is about creating clear and consistent expectations for how the Environment Canterbury and Papatipu Rūnanga relationship will operate and enables a greater understanding of Ngāi Tahu values and their relevance to Environment Canterbury's work. It has four guiding principles:

- Create an intergenerational relationship that is dedicated to enhancing outcomes for current and future generations

- Forge kotahitanga (unity) between Environment Canterbury and Papatipu Rūnanga

- Act as stewards and caretakers of the environment, while recognising the respective contributions of both parties to environmental stewardship and shared commitment to acting as kaitiaki

- Anchor the relationship in face to face engagement to build shared understanding and be committed to resolving any differences through discussion and building shared understanding.

At governance level Te Rōpū Tuia, a collective of the full Environment Canterbury council and the chairs from each of the 10 Papatipu Rūnanga, anchors the agreement. Te Rōpū Tuia is a forum for cross-pollination where both sides raise issues, solve problems, identify opportunities and get to know and understand each other. They meet every quarter with one of those hui held on a marae.

One outcome from this commitment is the voluntary co-governance agreement, Whakaora Te Waihora, between Te Rūnanga o Ngāi Tahu and Environment Canterbury, signed in 2012, which put in place a long-term commitment to the restoration and rejuvenation of the mauri and ecosystem health of the lake.

At an operational level the Tuia commitment provides for Environment Canterbury, Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu to have early and collaborative engagement on any matters affecting environmental management.

To support this engagement there is a joint technical working group known as Te Paiherenga which acts as an advisory forum and provides operational oversight for any collaborative programmes.

Tuia is a top priority for the whole of Environment Canterbury, born out by its commitment to four full-time staff to foster and service the relationship with rūnanga and integrate Tuia throughout the organisation. The team is led by David Perenara-O'Connell (Te Taumutu) who is an active rūnanga member and spent 20 years working for Te Rūnanga o Ngāi Tahu leading efforts in the environmental space before joining Environment Canterbury in 2013.

Internally Environment Canterbury has also established the programme known as Kōtuia which provides information and support for staff working with mana whenua. As well as being preserved in internal strategic documents, Tuia has many interconnecting work streams that span across all parts and functions of Environment Canterbury.

On a day-to-day basis the Environment Canterbury-Ngāi Tahu relationship looks and behaves like a partnership, one that promotes mutual respect, transparency, trust, and good faith for the benefit of Ngāi Tahu and the wider community.

The outcomes of this improved partnership are measured in mutually beneficial, meaningful and sustainable results.

The success of the Canterbury Water Management Strategy (CWMS) relies heavily on partnership and cooperation between agencies, legislation, management frameworks and mana whenua.

Rūnanga, as mana whenua, are represented on all CWMS strategy zone committees. Kaitiakitanga targets underpin the work taking place regionally and nationally and Environment Canterbury also employs two tangata whenua facilitators to ensure key issues for the rūnanga are discussed in zone meetings and solutions are integrated in to zone documentation.

At each of the 10 rūnanga Environment Canterbury is funding “on the ground” biodiversity projects such as fencing waterways, planting, maintenance, spraying, willow control and supporting whānau to grow plants for restoration. A total of \$50,000 each year, or \$5,000 per rūnanga is available for projects with Environment Canterbury staff contributing their time working in the field alongside whānau.



Above: Justin Tipa (Moeraki) and Te Wera King (Arowhenua) bless the kōhatu mauri at Environment Canterbury's Tuam Street opening day.

Success is also manifest in more unassuming ways such as dual Te Reo Māori and English signage, te reo names for meeting rooms and te reo lessons for staff, noho marae (marae stays) and whakatau held to welcome new staff to the organisation.

Eight kōhatu mauri (mauri stones) have also been placed at the entrance of the Environment Canterbury building gifted by the 10 Papatipu Rūnanga.

The eight kōhatu – one each from Kaikōura, Tūāhuriri, Koukourārata, Rāpaki, Wairewa, Ōnuku, and Taumutu, with the eighth one collectively gifted by Arowhenua, Waihao and Moeraki are arranged in the night sky formation of Puaka and Matariki and represent the geographical reach of Environment Canterbury's work.



Mā te tuakana e tika ai  
te teina, mā te teina e  
tika ai te tuakana

*Through relationships and  
respect we can find the  
way forward*

## Papatipu Rūnanga Capacity Building

Critical to growing the Environment Canterbury – Ngāi Tahu relationship has been a commitment to support Papatipu Rūnanga to effectively engage and contribute in RMA processes.

Key initiatives have been the appointment of Ngāi Tahu representatives as Hearings Commissioners and supporting the development of Tangata Whenua Advisory Services to deliver advice to council. Five iwi management plans are also now in place to assist Environment Canterbury and other agencies to understand the position of rūnanga on key resource management issues. These steps all help ensure Ngāi Tahu has direct involvement in decision making for notified consents where cultural considerations exist and involvement in notified RMA Plan changes.

Yvette Couch-Lewis (Ngāti Wheke) lives in the small coastal community of Rāpaki, Whakaraupō/Lyttelton Harbour and over the past 25 years has been a committed member of her rūnanga. In 2010 she was one of three Ngāi Tahu representatives to undergo the extensive training required to become a Hearings Commissioner. Today there are more than ten.

“There has always been a need to train and support our people so we can engage and participate more effectively. We’d waited a long time to get Hearings Commissioners sitting on those panels — up till then you either had to be a councillor or a lawyer. I don’t have a law degree, but I’ve got 25 years experience as kaitiaki,” she says.

Prior to training as a Hearings Commissioner, Couch-Lewis had spent many years writing consents submissions on behalf of her rūnanga and had always had a role as kaitiaki in her community. She says it is challenging coming from a kaitiaki background and sitting on a hearings panel as a Hearings Commissioner. “I have to take my kaitiaki hat off and remain impartial and trust in the process of natural justice. You can only evaluate the information you’re given and the evidence you’ve heard during a hearing.”

But she says the benefit of having Ngāi Tahu Hearings Commissioners is that on the panel they can assist in the hearings process by ensuring that there is the ability to hear everyone’s voice, including that of mana whenua.

The specialist knowledge that Ngāi Tahu Commissioners provide aids the process and quality of decisions. It also benefits the consent applicant and ratepayer through quicker timeframes and less opportunity for challenge which can lead to additional costs and time.

The move has been well received and appreciated by other Hearings Commissioners, says Couch-Lewis.

She believes Tangata Whenua Advisory Services are also making a difference. “There is definitely a role for iwi entities like Mahaanui Kurataiao Ltd, because at Papatipu Rūnanga level we are lacking resources and people with the necessary experience.”



Above: Yvette Couch-Lewis at Whakaraupō/Lyttelton Harbour.

Currently there are four entities set up to support the 10 rūnanga, with robust commissioning and reporting processes established through agreed service level agreements. Mahaanui Kurataiao is one of those entities supporting the six rūnanga in the Waitaha/ Canterbury region. It employs nine full-time staff and handled over 420 resource consent and other project work applications in the 2018/19 financial year.

The agreement reflects a high degree of trust and confidence from both parties and means both organisations are in constant communication which has improved the relationship and the understanding around the services each provides. They also greatly assist Environment Canterbury in effectively delivering its responsibilities, particularly in relation to its regulatory roles.





## RMA Planning

“As we’ve grown our relationship with Ngāi Tahu we’ve got better planning outcomes,” says Environment Canterbury Regional Planning Manager Andrew Parrish. When I start to put down on paper what we’re achieving now, we’re streets ahead of where we were eight to 10 years ago.”

Parrish has been in RMA planning for over 13 years, nine of those with Environment Canterbury. In his current role he is responsible for the full range of regional planning activities within the region.

“Back in the day we would have said there’s an opportunity for you to submit through the statutory process like everyone else – here’s the line, put in your submission in and we’ll see you at the hearing. That’s what defined our relationship.”

Today a much improved relationship and understanding on both sides means Environment Canterbury staff and Papatipu Rūnanga work together.

Raewyn Solomon (Ngāi Kuri, Ngāi Te Ruahikihiki) agrees. “Today the whole relationship through the different layers is positive. Things are much more coordinated — there’s successful relationships from governance to operations,” she says.

Solomon has been in “training” as a kaitiaki since her childhood, working and learning about the environment alongside her father who was a fisherman and hunter and gatherer in Kaikōura and with her mother who was a vocal advocate for the RMA and the work of the Department of Conservation.

*Raewyn Solomon and Andrew Parrish discuss plans.*

She was the first paid employee at Kaikōura Rūnanga and has been involved in RMA processes since 1998. Today she is a Hearings Commissioner and works for Te Taumutu Rūnanga as one of two Kaitohutohu Kaitiakitanga.

Both Parrish and Solomon share an in-depth knowledge of the considerable time, effort and ratepayer money that goes in to the development of RMA plans.

They have experienced firsthand how the evolving collaborative approach between Environment Canterbury and Ngāi Tahu has led to the development of regional plans that are far better understood and accepted by all stakeholders when notified.

“Today the whole relationship through the different layers is positive. Things are much more coordinated - there’s successful relationships from governance to operations,”

“Overall I can see that from the better relationship, Environment Canterbury has a lot more confidence in its planning. Ngāi Tahu can take comfort in the fact that tangata whenua values are now protected under the RMA,” says Solomon.

Today there is less contention, and the processes in place avoid extensive legal challenges resulting in shorter timeframes and significantly lower costs from development through to becoming “operative”.

An excellent example is the development of the Land and Water Regional Plan (LWRP). From development to “operative” status it took four years, from 2012 to 2016, at a cost of \$6m.

In contrast the Natural Resources Regional Plan (NRRP) was notified in 2004 and by mid-2010 the hearings decisions still hadn’t been delivered.

With the introduction of the Environment Canterbury Commissioners and the supporting Act, removing appeals to the Environment Court and limiting appeals to only the High Court on points of law, the NRRP eventually became “operative” in 2013, a total of nine years.

While Environment Canterbury doesn’t have accurate costs for the NRRP process it is reasonable to extrapolate the costs out to in excess of \$13m, meaning a savings of over \$7m to deliver the LWRP.

With the LWRP, Environment Canterbury also changed its approach with respect to giving effect to Ngāi Tahu values. Previously the NRRP only noted these values as part of the introductory information with no pathway for achievement or links to other sections within the plan.

The LWRP and subsequent chapters provide explicit objectives, policies and rules to protect tangata whenua values as provided for through the RMA.

Solomon also cites a recent resource consent application where an Officer’s Report recommended that it be declined based on cultural and spiritual values.

The report noted that the environmental effects could be mitigated, but the cultural values couldn’t. “Not so long ago this wouldn’t have happened,” she believes. “While the report is written independent of Environment Canterbury, it nevertheless demonstrates to me an increased understanding of Ngāi Tahu cultural values being understood and endorsed through these types of processes by Environment Canterbury.”

Parrish sees that Ngāi Tahu is a microcosm of the wider Canterbury community with the same tensions that exist between economic development versus environmental protection. “Environment Canterbury recognises that through the partnership we have with Ngāi Tahu, our similarities are much greater than our differences in terms of what we want to achieve,” he says.







## Consent Processes

Every year Environment Canterbury processes between 1500 and 2000 resource consents which plays a vital role in controlling and supporting investment and economic development in the region.

Up until 2015 the six Ngāi Tahu Papatipu Rūnanga within the greater Christchurch area received a large proportion of these through resource consent notifications. Such high volumes meant Papatipu Rūnanga were over-burdened and under-resourced to effectively respond, contributing to a largely unworkable process for everyone involved including Environment Canterbury, applicants and rūnanga.

It often resulted in mana whenua feeling their cultural values were being marginalised through unrealistic deadlines, uninformed decision making and outcomes which could adversely affect sites of cultural significance such as urupa (burial grounds) and mahinga kai (traditional food gathering) sites, as well as the wider environment.

Today, with the establishment of entities such as Mahaanui Kurataiao Ltd, rūnanga have been able to work alongside Environment Canterbury and identify the types of resource consents which are of high concern and reduce the annual volume they receive to about 145 applications.

*Left: Craig Pauling, Kaiarataki Te Hihiri, Boffa Miskell (right) talks with Bathurst Resources Canterbury Coal Planner, Eden Sinclair during a site visit at the mine.*

“What this means in terms of the big picture is that things happen much quicker and smoother,” says Mahaanui Kurataiao Chief Executive Tania Wati, which in turn means applicants save time and money, there’s better recognition and protection of Ngāi Tahu cultural values as well as improved environmental outcomes throughout the region.”

Mahaanui Kurataiao is a mana whenua owned environmental entity set up by six Waitaha (Canterbury) Papatipu Rūnanga to advise on matters relating to resource and environmental management. It employs nine fulltime staff which includes a Mātauranga Taiao (Cultural Environment) Advisor, Environmental Advisors, Freshwater Ecologists and administration staff.

Wati says there have been huge improvements in the relationship with Environment Canterbury with systems and processes now in place to engage effectively in the consenting process which means “mana whenua has a consistent voice when consent applications are being considered by Environment Canterbury.”

“Because relationships are strong through the layers of management and operations and there are robust systems in place, we are working smarter not harder,” she says.

“In the past we couldn’t keep up, there was a general lack of understanding from Environment Canterbury staff and it meant at times applications with significant cultural impact would get missed as the process rolled on without us. We’re now firmly focused on the areas that are of most likely to impact Ngāi Tahu cultural values and making best use of our resources.”

To facilitate mana whenua advice on consents, Environment Canterbury and Mahaanui Kurataiao have collaboratively developed an online SharePoint system which allows the two organisations to better manage feedback processes. The system also provides mana whenua with better access to Environment Canterbury’s technical experts, such as environmental scientists, when they have concerns.

“Some things that come through the system we can respond to quickly and easily, but if there are inconsistencies with the Iwi Management Plans or if there are identified wāhi tapu and wāhi taonga that’s when we stop it and we go and talk to the rūnanga,” says Wati.

“We have an early warning system, now we can cut things off at the pass through having a better working relationship with Environment Canterbury. The cultural advice that we provide doesn’t just benefit Ngāi Tahu, the whole community benefits as we often get better environmental outcomes which is a positive for everyone.”





# Environment Canterbury Capability Building

It has required commitment and leadership from Environment Canterbury to build the capacity of its staff to maintain effective relationships throughout the complex layers of Ngāi Tahu from whānau, hapū and iwi to the corporate body of Te Rūnanga o Ngāi Tahu.

At the top, governance and senior leadership have set the expectations and pathway for the organisation to follow. For the organisation the Tuia team is the manifestation of the importance of the Environment Canterbury – Ngāi Tahu relationship and has helped guide and support its evolution.

Consents Planning Manager Virginia Loughnan has worked at council for six years and says it took a lot of time and a lot of patience from both sides in the beginning. “We didn’t probably understand each other’s perspectives really well – at that stage as a consents team we were still learning a lot about the individual rūnanga and what they valued. So from a team perspective our cultural understanding was probably quite low at the start.”

Today the Ngāi Tahu concept of ‘ki uta ki tai – mountains to the sea’, is a common place philosophy for staff in their approach to resource management. Ngāi Tahu values and aspirations sit comfortably alongside the strategic objectives of Environment Canterbury and its programmes.

“I can remember back when Tuia and cultural values were really pushed - now it’s actually just how we work and it doesn’t need that same emphasis because it’s become embedded,” says Loughnan.

Jess Steel, a Consents Planning Team Leader, says she has seen a “tenfold” improvement in the ability of staff and rūnanga to communicate and work through issues in the four years since she joined the organisation. “One of the biggest benefits and growth is just our ability to discuss things with each other – I know that when I first started we’d often send things through to the rūnanga or Te Rūnanga o Ngāi Tahu and there was no discussion happening – now the discussion is a really big part of the process.”

Along with the burgeoning relationship and the improved communication, consent planners have seen vast improvements with greater structure around processes and much improved quality of the responses they receive from rūnanga.

“Now there’s confidence in our decision-making when it comes to consents that affect cultural values,” says Loughnan. “In the past we may have got a submission from rūnanga saying we oppose an application and when that got to a decision maker, it was really hard to make a good decision. Now, because we understand a lot more where rūnanga are coming from and we’ve got all these documents and systems in place, we can place a lot more weight on that information against the statutory requirements – so the public should have confidence in the decisions we’re making for our consents.”



*Above: Environment Canterbury CEO Bill Bayfield greets Arowhenua Rūnanga Tanagata Tiaki Karl Russell at the opening of the new Environment Canterbury office building in Christchurch.*

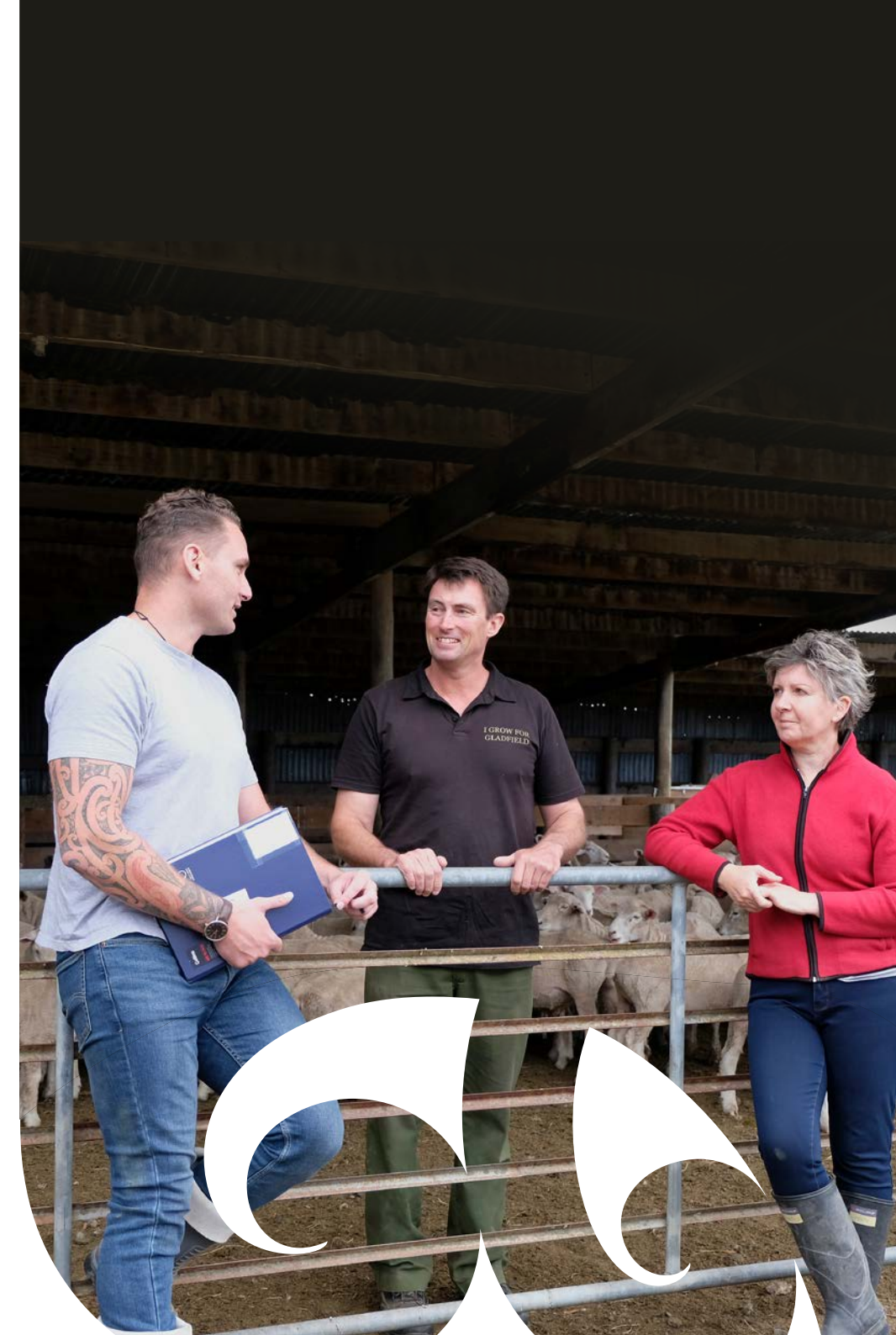
Recently cultural land management advisor positions known as Pou Mātai Kō were introduced to support property owners to implement Farm Environment Plans aimed at maintaining good management practices and achieve property nitrogen discharge limits. These new requirements brought about by the recent RMA Plan Changes also require management of specific effects on cultural values such as wāhi tapu or wāhi taonga and mahinga kai.

The advisors provide support principally through bringing Mātauranga Māori and farm systems knowledge together in a program that applies this knowledge at an individual property level.

The Tuia programme also provides guidance and support for staff working with mana whenua. As part of individual work plans, all staff now identify and set Tuia focussed professional development objectives to achieve. Between 70-80% of staff have attended noho marae and four Treaty of Waitangi training courses are run each year as part of inducting new staff. New staff are welcomed with a mihi whakatau, and waiata and te reo classes are offered to assist staff to build their understanding of the relationship with Ngāi Tahu.

With Tuia there has come an understanding that this deep commitment and engagement is a natural progression from the original intent of the Resource Management Act and the Ngāi Tahu treaty settlement. “I’m just excited to see where it goes in the future and to see what’s the next step having seen how far things have come in the past four years that I have been here,” says Steel.

*Right: Mananui Ramsden, Pou Mātai Kō, works closely with third generation farmers Alastair and Carey Barnet, at their Lakeside property offering cultural land management advice.*







## Te Waihora

A joint consent between Environment Canterbury and Ngāi Tahu to manage the opening of Te Waihora/Lake Ellesmere has opened minds and opened the way to restoring New Zealand's fourth largest and most polluted lake.

Over the past 170 years, through deforestation, reclamation and intensive farming practices, Te Waihora has been seriously degraded and reduced to half its original size. Known by Ngāi Tahu as Te Kete Ika o Rākaihautū (The fish basket of Rākaihautū) it is an area of significant cultural, natural, historic, recreational and commercial importance to both the tribe and the people of Canterbury.

“There’s been a change in attitude across the whole community towards Te Waihora,” says Liz Brown, a Co-Governor and member of Te Taumutu Rūnanga. There’s a lot of passionate people and a real desire to address the issues that are there.”

It has been described as the most important wetland habitat of its type in the country and is a critical link in the chain of coastal lagoons and estuaries along the east coast of the South Island/Te Waipounamu.

*Left: Tim Davies and Liz Brown on the shores of Te Waihora/Lake Ellesmere.*

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Restoration efforts at Te Waihora have been ongoing for many years. A key turning point in 2005 was the development of a joint management plan between Ngāi Tahu, and the Department of Conservation, which helped set the direction of the collaborative work being carried out at the lake today.

“We have a voice again.” says Brown. “It’s been a long long journey – for over 150 years we’ve not had any say over what’s been happening in our lake. It’s a significant turning point to have our rangatiratanga recognised so that we can participate in decision making. I’m really hopeful and positive about the Environment Canterbury and Ngāi Tahu relationship.”

Following the appointment of Commissioners in 2010, Ngāi Tahu immediately identified the lake as one of its priorities. With renewed energy and focus Environment Canterbury and Ngāi Tahu started developing a joint work programme focused on the water management aspects of the Te Waihora catchment.

The arrangement was then supported by \$11.6m of funding for restoration and in 2012 a voluntary co-governance agreement known as Whakaora Te Waihora was put in place. The Selwyn District Council and the Christchurch City Council have since pledged their commitment by joining the agreement and more recently in 2018 the Department of Conservation joined, marking a significant milestone in the collaborative efforts required to restore the lake.

In 2011 a variation to the Te Waihora Water Conservation Order (WCO) was critical in helping secure a joint consent between Environment Canterbury and Ngāi Tahu. The variation extended protection to a broader range of outstanding values including wetland vegetation, fish life as well as mahinga kai (traditional food gathering) values.

“There were lots of different steps involved in amending the conservation order and securing the consent as a joint consent,” says Tim Davie, Environment Canterbury Chief Scientist.

“In the original WCO the term wildlife didn’t include fish, it only covered birds. With the new order in place and the joint consent we’re able to consider the importance of the fishery — it has made a huge difference and made our conversations so much richer and broader when considering opening the lake.”

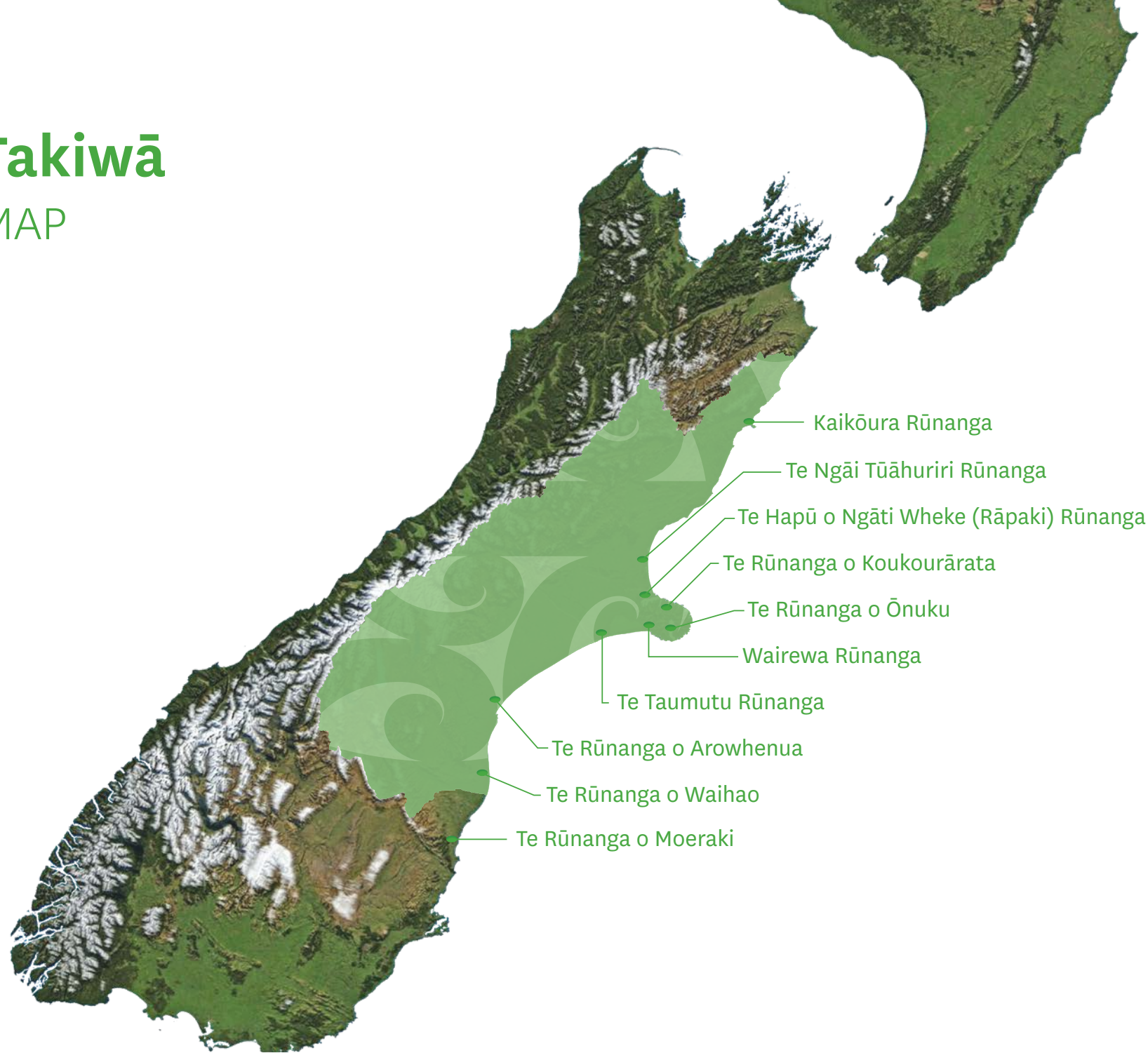
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# Takiwā

MAP





*Facilitating sustainable development  
in the Canterbury region*  
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