

Working draft for discussion – 17 April 2020

Terms of Reference for Takutai Kāpiti Co-Design Working Group

Purpose

To develop and recommend to Kāpiti Coast District Council (**KCDC**) elected members a preferred approach for a community-led coastal adaptation project for the district.

Background

As a coastal district, Kāpiti is facing significant environmental challenges from our changing climate and associated rising sea and groundwater levels, alongside increases in the frequency and severity of storm events.

The Proposed Kāpiti Coast District Plan Review in 2012 introduced new planning provisions that were challenged through a wide range of submissions and which were ultimately withdrawn in 2014.

The organisations represented on the Takutai Kāpiti co-design working group (**working group**) agree that developing and notifying replacement District Plan coastal provisions with community input is an urgent priority.

In May 2019 KCDC declared a climate emergency on the Kāpiti Coast.

In June 2019 Greater Wellington Regional Council (**GWRC**) released *'Preparing coastal communities for climate change'*. This report was overseen by the Wellington Region Climate Change Working Group *"Subgroup on Community-Led Coastal Adaptation"*, including members representing KCDC and Kāpiti Iwi and Hapū. The report assessed a range of vulnerability criteria and identified priority areas within Districts for coastal adaption planning.

An initial co-design planning meeting was held in December 2019 involving representatives of KCDC, Coastal Ratepayers United (**CRU**), North Ōtaki Residents Beach Group (**NORBG**) and a representative of Ngāti toa. At a further meeting in February 2020 which involved KCDC, GWRC, CRU and NORBG representatives it was agreed that a Terms of Reference for the group is a priority for the April 2020 meeting at which there would be full representation of all member organisations.

In March 2020 KCDC and the Iwi-ART Confederation agreed a scope that sets out how Ngā Hapū o Ōtaki, Ātiawa ki Whakarongotai and Ngāti Toa Rangatira (**ART Confederation**) will have involvement in the co-design process of the Community-Led Coastal Adaptation project as a Tiriti Partner to Council.

Membership

Member Organisations	Nominated Working Group Voting Representatives
Kāpiti Coast District Council	3 Members as required
Iwi – ART Confederation	3 Members (to nominate)
Greater Wellington Regional Council	3 Members (to nominate)
Coastal Ratepayers United	3 Members (to nominate)
North Ōtaki Residents Beach Group	3 Members (to nominate)

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Facilitation and Administration

Stephen Daysh from Mitchell Daysh Limited has been engaged as Facilitator and KCDC will provide dedicated administrative support to the working group.

Observers

The members agree that that in addition to the nominated voting members the climate change portfolio holder from KCDC and GWRC will be invited to attend as observers and that from time to time other people may be asked to join the meeting to provide specialist advise on particular topics, observes are unable to vote

Voting Member Alternates

If any voting member cannot attend any of the meetings set out in Schedule Two an “alternate” can be nominated and the voting member shall advise the name of this alternate person to the Working Group Administrator at least 2 days prior to the meeting date.

Tangata Whenua

Te Whakaminenga o Kāpiti is one of the longest lasting partnerships between tangata whenua and Local Government in New Zealand. The partners are the Kāpiti Coast District Council and the mana whenua (people with ‘authority over the land’) on the Kāpiti Coast: Te Āti Awa ki Whakarongotai, Ngāti Raukawa ki te Tonga and Ngāti Toarangatira.

Goal of Te Whakaminenga o Kāpiti

To forge a relationship of mutual benefit between the Kāpiti Coast District Council and the tangata whenua that will develop into an effective and meaningful partnership.

While Te Whakaminenga o Kāpiti has primarily been involved with issues to do with resource management, it has also worked, particularly in more recent years, to ensure that the Māori World view is better represented and understood in the broader community. From the beginning Te Whakaminenga o Kāpiti has focused on harmonising different cultural attitudes to resources and solve local issues according to national legislation.

Background

Te Whakaminenga o Kāpiti stems from two core principles of the Treaty of Waitangi as identified and defined by the Court of Appeal and the Waitangi Tribunal. The first principle, ‘partnership’, obliges both parties ‘to act reasonably, honourably and in good faith’. For that, consultation is vital. The second principle, ‘active protection’, requires the Crown to protect Māori in the use of their lands and waters to the fullest extent practicable.

Te Whakaminenga o Kāpiti first met on 8 March 1994. As the District Council’s Iwi Consultation Group, the three iwi used ‘Te Whakaminenga’, meaning ‘The Confederation’, to describe themselves, but the addition ‘o Kāpiti’ (of Kāpiti) was designed to include the Kāpiti Coast District Council.

Takutai Kāpiti.

Our Community-Led Coastal Adaptation Project

In 1994, the group developed and signed a Memorandum of Partnership; this is the primary guide for the group's general conduct and purpose. For its part Te Whakaminenga o Kāpiti guides the Council relationship with iwi, although where appropriate the Council undertakes direct consultation with iwi.

The Iwi-ART Confederation have provided a Kāpiti Iwi and Hapū summary and this is appended as Schedule One.

Scope and Timeline

Schedule Two includes meeting agendas alongside objectives and outcomes sought for a set series of working group meetings. The working group members may agree as a whole to make minor amendments to this schedule as necessary, provided that the working group's final recommendations are developed and agreed by mid-August 2020. These recommendations will be presented for consideration by KCDC elected members at their 27 August 2020 Council meeting.

Group Decision Making Process

The members adopt a consensus-based decision making model in formulating recommendations.

If consensus cannot be achieved on any matter, then the facilitator will enable a voting process requiring a 75% majority of members. The minutes shall include reasons for the adopted decision and also reasons from those not supporting the decision.

Working Together Principles

The members agree to the following working together principles:

- To commit to the timeline
- To be curious and contribute to the debate
- To listen generously and respectfully
- To trust the process and be open minded
- To ensure all media enquiries and communications are through the KCDC Coastal Manager, Lyndsey Craig
- To channel all information associated with the working group process through the Takutai Kāpiti website
- To talk to people in the team, before you talk about them

Schedule One – Tangata Whenua

Mai i Waitapu ki Rangataua, mai i Mīria-te-kākara ki Whitireia, whakawhitia Te Moana o Raukawa, ki Wairau, ki Whakatū. The ART (Āti Awa, Toa, Raukawa) Confederation has a population of about 40,000 that is inclusive regardless of district boundaries.

Iwi and Hapū within the Coast District

Ōtaki

1. Ngāti Raukawa ki te Tonga
2. Ngāti Huia ki Katihiku
3. Ngāti Kapumanawawhiti
4. Ngāti Koroki
5. Ngāti Maiotaki
6. Ngāti Pare

Waikanae, Paekākāriki, Porirua, Wellington

1. Te Āti Awa ki Whakarongotai
2. Ngāti Haumia
3. Ngāti Toa Rangatira

Tangata whenua have based their vision on four key principles:

Whakawhanaugatanga / Manaakitanga - the marae is our principal home which ties us to the land and is the physical embodiment of our ancestors.

Te Reo – It is the language of tangata whenua through which tikanga is conveyed and one of the official languages of our country.

Kotahitanga – Working together we can ensure our districts cultural development, health, education and economy flourish.

Tino Rangatiratanga – to exercise self-determination and self-governance with regard to all tribal matters.

Attachment Two

Our Community-Led Coastal Adaptation Project

Co-Design Workshops 2019/2020

Workshop Date	Agenda Items	Objectives and Outcomes achieved/sought	Decisions to Council
6 December 2019	<ul style="list-style-type: none"> a) Record Objectives and Success Factors of all parties b) Options paper on geographical extent of Community Assessment Panels (CAP(s)) c) Recommendations on Panel make-up d) Draft community-led process diagram 	<ul style="list-style-type: none"> a) Initial discussion on process for developing a community-led process, a long term (100 years) coastal adaptation strategy for the Kāpiti District. b) Initial discussion on panel process, make-up. 2 Panel process preferred. 	
21 February 2020	<ul style="list-style-type: none"> a) Discuss principles of Co-Design process and how we work together b) Re-cap of previous Co-Design Workshop c) Update on feedback from iwi, Community Boards, GWRC regarding the number, geographical areas, and various roles of CAP(s) d) Takutai Kāpiti Summit update e) Initial discussion on Procurement Process 	<ul style="list-style-type: none"> c) Recommended the Strategy should be called Coastal Resilience instead of Coastal Hazard a) Iwi absent, but mandated iwi representatives should be attending the next Co-Design meeting, iwi preference for 3 CAP(s) and alignment with Whaitua process b) Co-Design team drafted questions for Summit panel speakers c) Procurement of technical assistance on-going discussion to be re-visited 	
17 April 2020	<ul style="list-style-type: none"> a) ARTCAG introduction and scope b) Draft Co-Design Terms of Reference (ToR) to KCDC elected members c) Discussion on KCDC / GWRC interface possibilities 	<ul style="list-style-type: none"> a) Co-Design working group briefed on ARTCAG + integration with wider Co-Design working group b) Co-Design ToR agreed for recommendation to KCDC elected members c) GWRC team provided an opportunity to present further thinking and ideas since 21 	<i>*April revised Council dates are TBC due to COVID-19</i>

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	d) Coastal Science and Engineering Services Procurement time-line	February meeting with an opportunity for initial feedback d) Timing + process for procuring expert technical company (science and engineering) agreed	
15 May 2020	a) Representation by Rangatahi/Youth Council in involvement + process discussion b) Discuss initial draft report on CAP(s) process/number of panels/geography /membership composition/criteria for panel appointment	a) Co-design working group briefed on how Rangatahi/Youth Council would like to participate b) Feedback provided on initial draft report on CAP(s) process/number of panels/geography /membership composition/criteria for panel appointment	28 May - Project update report
4 June 2020	a) Report back on evaluation of Coastal Science and Engineering Services Tenders b) Discussion on updated report on CAP(s) process	a) Co-Design working group discusses and recommends preferred Coastal Science and Engineering Consultant(s) for consideration by KCDC elected members b) CAP(s) report agreed for recommendation to KCDC elected members	25 June – Table co-design working group recommended preference for CAP(s) process for Council consideration and input
9 July 2020	a) Draft report prepared on potential interface and integration associated with community engagement relating to GWRC whaitua process b) Draft report prepared on Governance model options for discussion by Co-design Working Group	a) Discussion on GWRC whaitua integration opportunities b) Governance options assessed by Co-design working group discussed and preference agreed for recommendation to KCDC elected members	30 July - Table co-design working group recommended preference for governance approach and any potential GWRC integration opportunities for Council consideration and input
August 2020 <i>Date TBC</i>	a) Discuss feedback from KCDC elected members regarding CAP(s) process and governance approach	a) Co-design working group has the opportunity to consider KCDC elected member feedback from 25 June and 30 July Council	27 August – Summary Paper presented seeking approval

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Our Community-Led Coastal Adaptation Project

	b) Debrief, thanking and formal disbanding of Co-Design working group	meetings and make any final comments prior to 27 August Council Meeting.	of final recommendations on Coastal Advisory Panel(s) process and Governance Structure
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