

Nuk Korako

Member of Parliament  
Parliament Buildings  
Wellington

Dear Nuk

**Official information request for advice on Kahui Wai Māori.**

I refer to your official information request dated 21 August 2018 for:

1. Any documents relating to advice, verbal or written, that the Ministry for the Environment has received on the proposed Kahui Wai Maori forum by date.
2. Any documents relating to any cabinet papers or other advice, verbal or written provided by the Ministry for the Environment in relation to the proposed Kahui Wai Maori Forum.

I have decided to release the information you have requested in part. Information which relates to Cabinet papers or advice in relation to Kahui Wai Māori is included. However emails that were purely administrative or were cover notes for comments on the Cabinet paper only, are not included.

As it will take the Ministry time to prepare some of this information I am releasing 15 documents with this reply. I will send you the remaining information by 9 November. I have decided to refuse your request for information which relates to the advice contained in the Weekly Updates the Ministry sends to the Minister under section 18(d) of the OIA as the information is or will soon be publicly available of the OIA as these Updates are or soon will be available on the Ministry's website. You can read the Updates on the Ministry website at <http://www.mfe.govt.nz/ministerial-list/hon-david-parker>. Likewise press releases about Kahui Wai Māori can be found on the Minister's website.

Several emails refer to attached documents for the Waitangi Tribunal Wai 2358 hearing. I have refused your request under section 18(d) of the OIA as the information is or will soon be publicly available. You can view the Tribunal's reports and inquiry documents at <https://www.waitangitribunal.govt.nz/inquiries/urgent-inquiries/national-fresh-water-and-geothermal-resources-inquiry/>.

You will also find useful background to Kahui Wai Māori in the report *Shared Interests in Freshwater* the Minister for the Environment released on Monday 8 October 2018. You can read the report at <http://www.mfe.govt.nz/sites/default/files/media/Fresh%20water/shared-interests.pdf>.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

I would also like to inform you that this response may be published on the Ministry for the Environment website: [www.mfe.govt.nz/about-us/official-information-act-requests](http://www.mfe.govt.nz/about-us/official-information-act-requests)

If you wish to discuss this decision with us, please feel free to contact Tania Gerrard at the Ministry for the Environment.

Yours sincerely



Martin Workman

Director Water  
Water Directorate

Encl

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the Official Information Act 1982

## List of documents

Document no.	Document date	Content	Decisions	OIA sections applied
1	19 April	Email: Financials	Released in part	Section 9(f)(iv)
1.1	19 April	Kahui Wai Māori – estimate of total cost for 2018/10	Released in full	
2	24 April	Email Re: Crown Māori Relationship: Draft Freshwater Cabinet Paper & Appendix	Released in part	Some parts are outside the scope of the request
3	15 May	Email: Feedback from PM / Ministers meeting on water	Released in part	Section 9(f)(iv) and parts are outside the scope of the request
4	10 July	Email: FW: A new approach to the Crown Māori Relationship for Freshwater .PDF	Released in part	Section 9(f)(iv) and parts are outside the scope of the request
5	11 July	RE: Release of papers – next steps	Released in part	Some parts are outside the scope of the request
6	12 July	Email: Delay for water announcements	Released in part	Some parts are outside the scope of the request
7	15 July	Email: Timelines for establishment of KWM	Released in part	Some parts are outside the scope of the request
8	19 July	Email: Freshwater release of Cabinet papers	Released in part	Some parts are outside the scope of the request and Section 9(g)(ii)
9	19 July	Email: Iwi Chairs Forum Proposal	Released in full	
10	24 July	Email: Re: Kahui Wai Māori timeframe & other water stuff...	Released in part	Section 9(f)(iv) and parts are outside the scope of the request
11	13 July	Email: Meeting to discuss and finalise approach and timing for communicating Kahui Wai Maori	Released in full	
12	30 July	Email: Back pocket Q and As for review	Released in full	

12.1	30 July	KWM announcement back pocket Q and As – not for release	Released in full	
13	31 July	FW: Runsheet for communicating the establishment of Kahui Wai Māori	Refused	Some parts are outside the scope of the request
13.1	31 July	Attachment: Runsheet for communicating the establishment of Kahui Wai Māori	Released in full	
14	31 July	Re Meeting to discuss and finalise approach and timing for communicating Kahui Wai Māori	Released in part	Section 9 (f)(iv) and Section 9(g)(ii) and parts are outside the scope of the request
15	6 August	Email: Re Kahui Wai Māori	Released in part	Some parts are outside the scope of the request

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Jessica Wana

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**From:** Saunders, Tim <Tim.Saunders@justice.govt.nz>  
**Sent:** Thursday, 19 April 2018 1:57 PM  
**To:** Bryan Smith  
**Subject:** Financials

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Bryan,

How does this look for a cost analysis:

**Fees**

Based on Group 4 level 1 fees under the Cab Fees Fwk for Option 1 (assume that higher 1/2 hr rates under consultancy would be offset by a reduction in total members needed under Options Two & three)

Avg member rate of \$400/day

Max membership of 25 gives \$10k/working day in fees

20 working days a year (8-10 meetings, 10-12 working days) gives \$200k fees p.a

**Secretariat**

2 x fully loaded FTEs based in MfE (ie 2 x senior analysts or 1 x P1 + 1 x good analyst) = \$300k?  
= \$300k

**Overheads**

Covered by MFE in terms of meeting rooms/catering OR simply by individual members in their personal capacity

Total cost = \$500k?

S9(2)(f)(iv)

Let me know?

Also give me a call on any other comments when you're ready?

TS



**Tim Saunders**

Specialist Adviser | Crown/Māori Relations

Ministry of Justice | Tāhū o te Ture

Justice Centre | 19 Aitken Street | DX SX10111 | Wellington

Cell phone: + 64 21 813 411

[tim.saunders@justice.govt.nz](mailto:tim.saunders@justice.govt.nz)

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Thank you.

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**Kahui Wai Maori – estimate of total cost for 2018/19**

Assumptions:

- 25 Members max
- Average member rate \$500/day (consistent w those for a Group 4, Level Advisory Body under the Cabinet Fees Framework.
- 32 working days in the year (12 'monthly' meetings and 20 non-contact working days)
- Average travel and accommodation costs of \$500 per person per meeting (travelling members costs are likely to be greater than this but offset by members based in Wellington)
- Work day overheads (rooms, catering, materials) covered by MFE or individual members
- Secretariat based on 3 fully loaded analytical/technical FTEs or contracted equivalents plus 1 FTE Admin Support

<b>Member fees</b>	\$0.4m
<b>Travel &amp; accommodation</b>	\$0.15m
<b>Secretariat support</b>	\$0.6m
<b>External hui facilitation</b>	\$0.05m
<b>TOTAL (2018/19)</b>	<b>\$1.2m</b>

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Jessica Wana

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**From:** Daniel Lawrey [TSY] <Daniel.Lawrey@treasury.govt.nz>  
**Sent:** Tuesday, 24 April 2018 11:38 AM  
**To:** 'Saunders, Tim'; Jeremy Strickland  
**Cc:** Bryan Smith; Hamish Slack [TSY]; David Pearson; Tania Gerrard; Natalie Labuschagne  
**Subject:** RE: Crown Maori Relationship: Draft Freshwater Cabinet Paper & Appendix

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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- The \$ for 18/19 (please note that the Crown-Maori unit considers \$1.2m to be a reasonable estimate for the substantive co-design intended with the KWM);
- Whether this is simply an increase to the existing appropriation (if scope is wide enough to accommodate the different nature of the engagement with KWM); OR
- Title and scope statement for any new appropriation... (I've assumed the best place for this is still Vote Environment given that MfE will be the lead agency)
- Whether this is simply a hit on the between budget contingency (are we still calling it that this year?) or whether there are any other ring fenced management pots you want this attributed to?

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## Mary Carrington

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**From:** Martin Workman <Martin.Workman@parliament.govt.nz>  
**Sent:** Tuesday, 15 May 2018 6:01 PM  
**To:** Cheryl Barnes; Tania Gerrard; Jo Burton; Bryan Smith; Janice Rodenburg  
**Subject:** Feedback from PM/Ministers meeting on water

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi

Still to get the detail from the Minister but here are some highlights from Minister Parker of what came out of this afternoon's PM/Ministers meeting:

Crown Māori Relationship for Freshwater - they agreed

- S9(2)(f)(iv) [REDACTED]
- the regulatory route is confirmed and make clear engagement with Kahui Wai Māori will be limited in scope to developing a policy framework rather than working out solutions catchment by catchment
- S9(2)(f)(iv) [REDACTED]

I asked if the papers are going to 22 May ENV Cabinet meeting. Minister said he would like it to make the 22 May but I get the impression he hasn't got the OK yet.

I expect we will need to be ready to send around amended papers tomorrow for department and Minister consultation.

**Martin Workman** | Private Secretary (Environment)

DDI +64 4 817 8874 | Mobile +64 22 5173268 | Email [martin.workman@parliament.govt.nz](mailto:martin.workman@parliament.govt.nz)

Office of Hon David Parker MP | Minister for the Environment | Attorney-General | Minister for Economic Development | Minister for Trade and Export Growth | Associate Minister of Finance

## Mary Carrington

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**From:** Saunders, Tim <Tim.Saunders@justice.govt.nz>  
**Sent:** Thursday, 12 July 2018 1:15 PM  
**To:** Bryan Smith; Damen Ward; Tania Gerrard; Catherine Prior  
**Cc:** Martin Workman; Janice Rodenburg  
**Subject:** RE: A New Approach to the Crown Maori Relationship for Freshwater.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks Bryan,

Out of Scope

I'll leave the other points to you and CLO.

TS

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**From:** Bryan Smith [mailto:Bryan.Smith@mfe.govt.nz]  
**Sent:** Wednesday, 11 July 2018 10:21 a.m.  
**To:** Damen Ward <Damen.Ward@crownlaw.govt.nz>; Saunders, Tim <Tim.Saunders@justice.govt.nz>; Tania Gerrard <Tania.Gerrard@mfe.govt.nz>; Catherine Prior <Catherine.Prior@mfe.govt.nz>  
**Cc:** Martin Workman <martin.workman@mfe.govt.nz>; Janice Rodenburg <Janice.Rodenburg@mfe.govt.nz>  
**Subject:** FW: A New Approach to the Crown Maori Relationship for Freshwater.pdf

Hi all

Please find attached the CMR Freshwater Cab paper and corresponding minute. We'd like to get these ready for release – target date for release is 1 August – but they will need to go through the process here and be pre-loaded on the website etc – so I'm keen to make decisions on possible redactions no later than next week. As you know Ministers are keen to release these with as few redactions as possible. I've been through these and think they can be pretty much released as is subject to:

Paras 90-94 (CL and Catherine P – please check these)

Paras 111.2 and 111.4 - do we want to withhold the rates and estimated costs at this stage? – it's possible there may be some negotiation here and potentially some opportunities to reduce actual travel costs. Thoughts?

S9(2)(f)(iv)

Appendix one – withhold – legally privileged – CL please confirm

Appendix three – CL and CMRU – please check (I couldn't see any issues with releasing this – but can you give this some thought)

Any other concerns / issues you may identify.

I had no proposed redactions in the minute

Can you please get back to me by COP Tuesday next week

Many thanks

Bryan

Out of Scope

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**Mary Carrington**

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**From:** Martin Workman  
**Sent:** Wednesday, 11 July 2018 4:18 PM  
**To:** Tania Gerrard; Hayden Johnston (Parliament); Janice Rodenburg; Roger Bannister  
**Cc:** Bryan Smith; Carly O'Connor  
**Subject:** RE: Release of papers - next steps

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Hayden Johnston <[Hayden.Johnston@parliament.govt.nz](mailto:Hayden.Johnston@parliament.govt.nz)>  
**Sent:** Wednesday, 11 July 2018 1:43 PM  
**To:** Martin Workman <[martin.workman@mfe.govt.nz](mailto:martin.workman@mfe.govt.nz)>; Tania Gerrard <[Tania.Gerrard@mfe.govt.nz](mailto:Tania.Gerrard@mfe.govt.nz)>; Janice Rodenburg <[Janice.Rodenburg@mfe.govt.nz](mailto:Janice.Rodenburg@mfe.govt.nz)>  
**Cc:** Bryan Smith <[Bryan.Smith@mfe.govt.nz](mailto:Bryan.Smith@mfe.govt.nz)>

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**Subject:** RE: Release of papers - next steps

**Importance:** High

Hi

Can you please adapt the version I've pasted below with those time changes if they are required at the moment (the timings are broad enough to capture the points in Martin's email).

I sent this version to DPMC as they requested it, and I think we should just have one version for feedback.

### 17 July

(likely time 10.30am) – Minister Parker calls Selwyn Parata (Pou Taiao Iwi Leaders Group (ILG)) to discuss:

- Decisions agreed by Cabinet
- The intention to organise a meeting between ILG and ministers on 30 July
- When Ministers plan to make an announcement on the approach
- A process for ILG to receive the Cabinet papers in advance of a public release

### 17-19 July

(no time identified but strongly encourage that it is 17 July after call to ILG) – Minister Parker makes phone calls to a selected wider group of Māori representatives. Not confirmed, but possible calls are to Sir Eddie Durie (NZ Māori Council), Traci Houpapa (Federation of Māori Authorities), after conversations with CMRU Ministers will need to decide whether the following groups are part of the conversation or if they should be part of the correspondence instead. Jamie Tuuta (Māori Trustee), Dion Tuuta (CEO – Te Ohu kaimoana in respect of Te Wai Māori (the Maori Freshwater Trust)) to discuss:

- Decisions agreed by Cabinet
- The intention to organise a joint meeting between the respective organisations, the ILG, and ministers on 30 July
- When Ministers plan to make an announcement on the approach
- A process for providing Cabinet papers in advance of a public release

### Around 21 July

- Letter from Ministers Davis and Parker goes to ILG and others who have been called by Minister Parker. Letter confirms the conversations and next steps. Letter also calls for nominations to Kahui Wai Māori
- Send embargoed copies of the Cabinet papers to ILG and Maori groups on 27 July. Officials agree that copies should go with the offer of Officials being available to discuss with advisers.

Minister Parker away 21- 27 July

### 30 July

(likely time 11.00am) – Ministers Davis, Parker and Mahuta meet with ILG

(likely time 3.00pm) – Ministers Davis, Parker and Mahuta meet with ILG and others who were called by Minister Parker on/around 17 July. Need to check if appropriate.

### 31 July

Regional councils, primary sector and ENGO stakeholders are contacted about upcoming announcement (material provided under embargo).

### 1 August

9.00am – Minister Parker has opportunity to make public announcement in his speech at the EDS conference.

### Either 2 or 3 August

Ministers Davis, Parker and Mahuta meet with Iwi Chairs Forum and have the opportunity to make announcements at the forum.

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**From:** Martin Workman [<mailto:martin.workman@mfe.govt.nz>]

**Sent:** Wednesday, 11 July 2018 1:35 PM

**To:** Tania Gerrard <[Tania.Gerrard@mfe.govt.nz](mailto:Tania.Gerrard@mfe.govt.nz)>; Hayden Johnston <[Hayden.Johnston@parliament.govt.nz](mailto:Hayden.Johnston@parliament.govt.nz)>; Janice Rodenburg <[Janice.Rodenburg@mfe.govt.nz](mailto:Janice.Rodenburg@mfe.govt.nz)>

**Cc:** Bryan Smith <[Bryan.Smith@mfe.govt.nz](mailto:Bryan.Smith@mfe.govt.nz)>

**Subject:** RE: Release of papers - next steps

I had a follow up discussion with Hayden and then Tania on the below. I've made some changes below to show:

- the calls happening to all parties on 17 July and the letters going to all parties on 19 July
- the cabinet paper going to Māori groups on 27 July so they have it before meeting on 30 July
- meet with ILG and other Māori groups at different times on 30 July

Janice, can you update the run sheet for the release. Tania has asked that we provide it to Tim Saunders at CMRU. After we get their feedback we will provide it to Ministers on Friday. Our advice will be a staged release at EDS and then ICF, but Minister's offices will need to work it out.

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**From:** Tania Gerrard

**Sent:** Wednesday, 11 July 2018 9:21 AM

**To:** Hayden Johnston (Parliament) <[Hayden.Johnston@parliament.govt.nz](mailto:Hayden.Johnston@parliament.govt.nz)>

**Cc:** Martin Workman <[martin.workman@mfe.govt.nz](mailto:martin.workman@mfe.govt.nz)>; Janice Rodenburg <[Janice.Rodenburg@mfe.govt.nz](mailto:Janice.Rodenburg@mfe.govt.nz)>; Bryan Smith <[Bryan.Smith@mfe.govt.nz](mailto:Bryan.Smith@mfe.govt.nz)>

**Subject:** RE: Release of papers - next steps

Kia ora Hayden

I spoke with Martin this morning and have a couple of tweaks below

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**From:** Hayden Johnston <[Hayden.Johnston@parliament.govt.nz](mailto:Hayden.Johnston@parliament.govt.nz)>

**Sent:** Wednesday, 11 July 2018 9:10 AM

**To:** Tania Gerrard <[Tania.Gerrard@mfe.govt.nz](mailto:Tania.Gerrard@mfe.govt.nz)>

**Subject:** Release of papers - next steps

Hi Tania

Can you please take a look through these steps and let me know if anything needs to change.

Thanks

Hayden

17 July

10.30am – Minister Parker calls Selwyn Parata (Pou Taiao Iwi Leaders Group) to discuss:

- Decisions agreed by Cabinet
- A process for ILG to receive the Cabinet papers in advance of a public release
- The intention to organise a meeting between ILG and ministers on 30 July
- When Ministers plan to make an announcement on the approach
- To follow up with letter outlining approach and process

17-19 July

Any time – Minister Parker makes phone calls to: Sir Eddie Durie (NZ Māori Council), Traci Houpapa (Federation of Māori Authorities), Jamie Tuuta (Māori Trustee), Dion Tuuta (CEO – Te Ohu kaimoana, in respect of Te Wai Maori (the Maori Freshwater Trust) to discuss:

- Decisions agreed by Cabinet
- The intention to organise a joint meeting between their respective organisations, the ILG, and ministers (date yet to be identified)
- When Ministers plan to make an announcement on the approach
- Follow up with letter

**Minister away 21- 27 July**

~~24 July~~ 17 July (earlier and immediately after the call would be better)

Any time – 19 July Letter from Ministers Parker and Davis goes to ILG and other groups: outlining the conversation Minister Parker had with Selwyn Parata / Sir Eddie Durie / Traci Houpapa / Jamie Tuuta/Dion Tuuta ; calling for nominations to KWM; and providing an embargoed copy of the Cabinet papers. Note that in seeking the nominations we will need cvs in a certain format.

27 July Provide cabinet papers to Māori groups so they have it before meeting on 30 July

30 July

3.00pm – Ministers Davis, Parker (and Mahuta? - yes) meet with ILG 11-12, other groups 3-4pm

31 July

Any time – MfE officials contact regional council, primary sector and ENGO stakeholders under embargo

1 August

9.00am – Minister Parker makes public announcement at the EDS conference

2 / 3 August

Min Parker / David / Mahuta - Opportunity to meet with Iwi Chairs Forum to announce in front of a Maori forum

**Hayden Johnston**

Private Secretary (Environment)

Office of Hon David Parker

Parliament Buildings Wellington New Zealand

Phone 04 817 8874 Mobile 027 153 0221

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**Mary Carrington**

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**From:** Saunders, Tim <Tim.Saunders@justice.govt.nz>  
**Sent:** Thursday, 12 July 2018 2:13 PM  
**To:** Bryan Smith; Damen Ward  
**Subject:** RE: Delay for water announcements

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Out of Scope [Redacted]

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[Redacted]

Hi

Hayden just called to say PMO have decided to delay the freshwater announcements and release of cabinet papers. No engagement with Māori or others on the Māori freshwater forum or Freshwater Leaders Group and the release of the cabinet papers will occur until after Ministers Parker and Davis meet on 1 August.

Out of Scope [Redacted]

**Martin Workman – Director Water**  
Ministry for the Environment – Manatū Mō Te Taiao and Ministry for Primary Industries  
Mobile: 022 517 3268 Email: [martin.workman@mfe.govt.nz](mailto:martin.workman@mfe.govt.nz) Website: [www.mfe.govt.nz](http://www.mfe.govt.nz)  
23 Kate Sheppard Place, PO Box 10362, Wellington 6143

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Thank you.

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## Mary Carrington

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**From:** Tania Gerrard  
**Sent:** Sunday, 15 July 2018 3:58 PM  
**To:** Martin Workman; Bryan Smith; Janice Rodenburg  
**Cc:** Nick Vincent; Carly O'Connor  
**Subject:** Timelines for the establishment of KWM  
**Attachments:** Timelines for the establishment of KWM.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kia ora

Attached are different timelines regarding the establishment of Kahui Wai Māori from agreement by Ministers to the first meeting. The shortest amount of time going at a pace is 10 weeks. The second timeframe with more time given for Ministerial and agency consultation is 13 weeks.

Using the attached timetable the earliest (if Mins give the go ahead on 1 Aug) for the first Kahui Wai Maori meeting will be week beginning 15 Oct, the latest will be week beginning 5 November.

The key point is that the longer it takes Ministers to come to an agreement the longer it will take to get to the first meeting. The closer the timeframe gets to December the likelihood we will face not having the first meeting till late January / early February.

Out of Scope

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Martin – may want to use this with the Minister or I can walk him through it.

Nga mihi

Tania

**Tania Gerrard – Director Water**

Ministry for the Environment – Manatū Mo Te Taiao

Website: [www.mfe.govt.nz](http://www.mfe.govt.nz)

23 Kate Sheppard Place, PO Box 10362, Wellington 6143



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Table one: Indicative KWM appointment timeline – 2.5 months from both Minister Parker and Minister Davis giving approval to start process		
Action	Time needed	Total time
Inform Iwi Leaders Group, New Zealand Maori Council, Federation of Maori Authorities and Te Tumu Paeroa purpose of Kahui Wai Maori and seek nominations (coupled with cvs and notification)	Three weeks for reply	3 weeks
Contact iwi groups <sup>1</sup> asking for expressions of interest	Two weeks for replies	
EOI 'closes'	Leaders given 3 weeks from pre-announcement advice, iwi groups given 2 weeks from public announcement	
Short list applicants	2-3 days depending on number received	1 week
Draft APH Committee papers	1 week depending on number of appointees	
Consultation with other agencies	1 week	1 week
Ministerial consultation	2 weeks	2 weeks
APH committee processes	2 weeks	
Contact groups re: successful applicants	1 day	1 day
Public announcement of membership – media release		
First meeting – Minister briefly welcomes members and opens first meeting – photo opportunity		2 weeks after announcement <sup>2</sup>
<b>Total time required approximately up to 10 weeks</b>		

<sup>1</sup> Groups identified by the Ministry for the Environment and the Crown Māori Relationship Unit. All nominations to be accompanied by cvs and notification / availability

<sup>2</sup> Dependent on the availability of the members

**Table two: Indicative KWM appointment timeline – 3.25 months from both Minister Parker and Minister Davis giving approval to start process**

Action	Time needed	Total time
Inform Iwi Leaders Group, New Zealand Maori Council, Federation of Maori Authorities and Te Tumu Paeroa purpose of Kahui Wai Maori and seek nominations (coupled with cvs and notification)	Three weeks for replies	3 weeks
Contact iwi groups <sup>3</sup> asking for expressions of interest	Two weeks for replies	
EOI 'closes'	Leaders given a month from pre-announcement advice, 3 weeks from public announcement	
Short list applicants	2-3 days depending on number received	1 week
Draft APH Committee papers	1 week depending on number of appointees	
Consultation with other agencies	2 weeks	2 weeks
Ministerial consultation	2 weeks	2 weeks
APH committee processes	2 weeks	2 weeks
Contact and appoint successful applicants	1 week	1 week
Public announcement of membership – media release		
First meeting – Minister briefly welcomes members and opens first meeting – photo opportunity		2 weeks after announcement <sup>4</sup>
<b>Total time required approximately up to 13 weeks</b>		

<sup>3</sup> Groups identified by the Ministry for the Environment and the Crown Māori Relationship Unit. All nominations to be accompanied by cvs and notification / availability

<sup>4</sup> Dependent on the availability of the members

## Mary Carrington

**From:** Tania Gerrard  
**Sent:** Thursday, 19 July 2018 3:56 PM  
**To:** Damen Ward  
**Cc:** Bryan Smith; Martin Workman; Marcia Murray; Christopher Pouwels; Kevin Hille  
**Subject:** RE: Freshwater - release of Cabinet papers

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kia ora Damen

Out of Scope

In terms of whether NZMC and ILG will be informed prior to 13 Aug (public announcement). The table below is based on the fact that the ILG and other groups will be privy to that information. The dates are a moving feast at the moment. I hope this helps

Action	Time needed	Total time
Inform Iwi Leaders Group, New Zealand Maori Council, Federation of Maori Authorities and Te Tumu Paeroa purpose of Kahui Wai Maori and seek nominations (coupled with cvs and notification)	Three weeks for reply	3 weeks
Contact iwi groups <sup>[1]</sup> asking for expressions of interest	Two weeks for replies	
EOI 'closes'	Leaders given 3 weeks from pre-announcement advice, iwi groups given 2 weeks from public announcement	
Short list applicants	2-3 days depending on number received	1 week
Draft APH Committee paper	1 week depending on number of appointees	
Consultation with other agencies	1 week	1 week
Ministerial consultation	2 weeks	2 weeks
APH committee processes	2 weeks	2 weeks
Contact groups re: successful applicants	1 week	1 week
Public announcement of membership – media release		
First meeting – Minister briefly welcomes members and opens first meeting – photo opportunity		2 weeks after announcement <sup>[2]</sup>
<b>Total time required approximately 12 weeks</b>		

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**From:** Damen Ward <Damen.Ward@crownlaw.govt.nz>

**Sent:** Thursday, 19 July 2018 11:55 AM

**To:** Tania Gerrard <Tania.Gerrard@mfe.govt.nz>

**Cc:** Bryan Smith <Bryan.Smith@mfe.govt.nz>; Martin Workman <martin.workman@mfe.govt.nz>; Marcia Murray <Marcia.Murray@mfe.govt.nz>; Christopher Pouwels <Christopher.Pouwels@crownlaw.govt.nz>; Kevin Hille <Kevin.Hille@crownlaw.govt.nz>

**Subject:** Freshwater - release of Cabinet papers

Dear Tania

S9(2)(h) [Redacted]

[Redacted]

[Redacted]

[Redacted]

Regatus  
Damen

**Damen Ward** Senior Crown Counsel

Treaty of Waitangi Team

**Crown Law** *Te Tari Ture o te Karauna*

Justice Centre | 19 Aitken St | PO Box 2858 | Wellington 6140

DDI: +64 4 494 5660 | Mobile: 027 838 9072 | [www.crownlaw.govt.nz](http://www.crownlaw.govt.nz)

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<sup>[1]</sup> Groups identified by the Ministry for the Environment and the Crown Māori Relationship Unit. All nominations to be accompanied by CVs and notification / availability

<sup>[2]</sup> Dependent on the availability of the members

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## Mary Carrington

**From:** Tania Gerrard  
**Sent:** Thursday, 19 July 2018 5:12 PM  
**To:** Hayden Johnston (Parliament)  
**Cc:** Martin Workman; Bryan Smith  
**Subject:** Iwi Chairs Forum proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kia ora Hayden

We've been informed that the Minister intends to attend the Iwi Chair Forum. I've been in contact with the Crown Māori Relationship Unit who have informed me that the Ministerial Party will be attending a dinner at Waikato-Tainui on 2 August and then the Ministers intend to hold a series of workshops on the 3<sup>rd</sup> of August covering the following topics:

- Corrections;
- Mental Health;
- Oranga Tamariki; and
- Local government.

Prior to the Minister leaving for Mexico I have a series of questions that I need answered (either you or the Minister) that will help with our process for communicating Kahui Wai Māori and the Essential Freshwater programme.

1. Does the Minister intend to attend the 3<sup>rd</sup> of August or does the dinner on the 2<sup>nd</sup> of August suffice?
2. If the Minister intends to attend both 2 and 3 August does the Minister intend to make an announcement at ICF re: Water?
3. If so, does the Minister wish to run a workshop alongside his colleagues on the 3<sup>rd</sup> of August?
4. If the Minister does make an announcement on the 3<sup>rd</sup> of August the Minister will need to call the New Zealand Maori Council, Federation of Maori Authorities and Te Tumu Paeroa on the same day.

However, if the Minister decides not to make an announcement at ICF (officials preference) then officials recommend that the following timelines be agreed to:

Indicative KWM announcement timeline		
Date	Action	
1 August	Ministers David and Parker discuss and inform Iwi Leaders Group, New Zealand Maori Council, Federation of Maori Authorities and Te Tumu Paeroa purpose of Kahui Wai Maori and seek nominations (coupled with cvs and notification)	Three weeks for reply
13 August	Public announcement made Contact iwi groups <sup>[1]</sup> asking for expressions of interest	Two weeks for replies
27 August	EOI 'closes'	Leaders given 3 weeks for replies groups given 2 weeks for replies

**Tania Gerrard – Director Water**

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<sup>[1]</sup> Groups identified by the Ministry for the Environment and the Crown Māori Relationship Unit. All nominations to be accompanied by CVs and notification / availability

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**Mary Carrington**

---

**From:** Saunders, Tim <Tim.Saunders@justice.govt.nz>  
**Sent:** Tuesday, 24 July 2018 4:43 PM  
**To:** Tania Gerrard; Bryan Smith  
**Cc:** Hoerara, Ngapera; Houlbrooke, Rachel  
**Subject:** RE: Kahui Wai Maori timeframe & other water stuff...

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kia ora korua,

Great work getting the ball rolling here.

Am just back from leave yesterday and catching up. Had a quick chat w Ngapera and Rachel here, and we have the following thoughts:

- S9(2)(f)(iv) [Redacted]
- [Redacted]
- Have you thought about appointing a Crown facilitator to lead the engagement with the KWM? We think this will be essential – someone with high cultural capability who can be the first contact point within the Crown for the Forum members, link to the Secretariat and probably co-chair the meetings with one of the KWM members? Obviously not a full time role, but you need a very experienced person w a wide range of existing r/ships in the Ao Maori?

Out of scope [Redacted]

[Redacted]

TS

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From: Tania Gerrard [mailto:Tania.Gerrard@mfe.govt.nz]

Sent: Wednesday, 18 July 2018 10:51 a.m.

To: Houlbrooke, Rachel <Rachel.Houlbrooke@justice.govt.nz>; Saunders, Tim <Tim.Saunders@justice.govt.nz>

Subject: Kahui Wai Maori timeframe

Kia ora kōrua

We met with Minister Parker yesterday to walk him through the timing to establish KWM (see table below). He had no comments but had asked if we can pull together a list of potential members for KWM which we will need to discuss with CMRU as soon as possible. This will not be the only mechanism to identify people for the Forum.

He has also said that the likely date for announcement is 13 August which is slightly problematic as Wai 2358 hearing week 3 starts that day. However, haere tonu. We are meeting with DCEs tomorrow so I will update them then. Any comments or indicative times to meet up would be appreciated.

Tarns

Action	Time needed	Total time
Inform Iwi Leaders Group, New Zealand Maori Council, Federation of Maori Authorities and Te Tumu Paeroa purpose of Kahui Wai Maori and seek nominations (coupled with cvs and notification)	Three weeks for reply	3 weeks
Contact iwi groups <sup>[1]</sup> asking for expressions of interest	Two weeks for replies	
EOI 'closes'	Leaders given 3 weeks from pre-announcement advice, iwi groups given 2 weeks from public announcement	
Short list applicants	2-3 days depending on number received	1 week
Draft APH Committee paper	1 week depending on number of appointees	
Consultation with other agencies	1 week	1 week
Ministerial consultation	2 weeks	2 weeks
APH committee processes	2 weeks	2 weeks
Contact groups re: successful applicants	1 week	1 week
Public announcement of membership – media release		
First meeting – Minister briefly welcomes members and opens first meeting – photo opportunity		2 weeks after announcement <sup>[2]</sup>
<b>Total time required approximately 12 weeks</b>		

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Thank you.

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<sup>[1]</sup> Groups identified by the Ministry for the Environment and the Crown Māori Relationship Unit. All nominations to be accompanied by CVs and notification / availability

<sup>[2]</sup> Dependent on the availability of the members

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## Mary Carrington

---

**From:** Lillian Anderson  
**Sent:** Tuesday, 31 July 2018 9:56 AM  
**To:** Hoerara, Ngapera; Cheryl Barnes; Tania Gerrard; Houlbrooke, Rachel; Saunders, Tim; Mim  
**Cc:** Martin Workman; Janice Rodenburg; Bryan Smith  
**Subject:** RE: Meeting to discuss and finalise approach and timing for communicating Kahui Wai Maori

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I will be available by phone if needed. Sorry I cant be there in person – haven't quite learned the art of splitting myself in half yet. In terms of my note to my team this morning, I noted the following:

1. Sequencing of pre-discussions
  - a. Given workshop on Friday, does ICF still need a heads up? If so, who? Ministers didn't think Selwyn alone was enough if there is a pre-call
  - b. S9(2)(f)(iv)  
[REDACTED]
  - c. Ministers had an idea that you kick the nomination process off on Friday
2. The announcement
  - a. S9(2)(f)(iv)  
[REDACTED]
  - b. Needs quite detailed talking points plus Q and As (not just about KWM but wider parameters etc)
  - c. Is there a wider public announcement?
  - d. No cabinet papers to be provided (clear message from PMO)
3. Post announcement
  - a. Process for nominations needs to be thought through in full right up to stand up (and included in pack for ICF)
  - b. Q and A about this process and the body will be required

Hope that's helpful. Good luck team.

Lil



**Lil Anderson**  
Deputy Secretary  
Crown/Māori Relations Roopū  
DDI: +64 4 918 8732 | Ext: 58732  
[lillian.anderson@justice.govt.nz](mailto:lillian.anderson@justice.govt.nz) [www.iustice.govt.nz](http://www.iustice.govt.nz)

---

**From:** Hoerara, Ngapera  
**Sent:** Tuesday, 31 July 2018 9:39 a.m.  
**To:** Cheryl Barnes <Cheryl.Barnes@mfe.govt.nz>; Tania Gerrard <Tania.Gerrard@mfe.govt.nz>; Houlbrooke, Rachel

Out of Scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Out of Scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]



From: Tania Gerrard

Sent: Tuesday, 31 July 2018 8:43 AM

To: Rachel Houlbrooke <[rachel.houlbrooke@justice.govt.nz](mailto:rachel.houlbrooke@justice.govt.nz)>; [Tim.Saunders@justice.govt.nz](mailto:Tim.Saunders@justice.govt.nz); [ngapera.hoerara@justice.govt.nz](mailto:ngapera.hoerara@justice.govt.nz); Mim <[miriam@teamokura.co.nz](mailto:miriam@teamokura.co.nz)>

Cc: Martin Workman <[martin.workman@mfe.govt.nz](mailto:martin.workman@mfe.govt.nz)>; Janice Rodenburg <[Janice.Rodenburg@mfe.govt.nz](mailto:Janice.Rodenburg@mfe.govt.nz)>; Cheryl Barnes <[Cheryl.Barnes@mfe.govt.nz](mailto:Cheryl.Barnes@mfe.govt.nz)>; Lillian Anderson <[Lillian.Anderson@justice.govt.nz](mailto:Lillian.Anderson@justice.govt.nz)>; Bryan Smith <[Bryan.Smith@mfe.govt.nz](mailto:Bryan.Smith@mfe.govt.nz)>

Subject: Meeting to discuss and finalise approach and timing for communicating Kahui Wai Maori

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Kia ora koutou

At their meeting last night Ministers Parker, Davis, Little and Mahuta discussed the upcoming ICF and proposed messaging of the Crown's intent to publicly announce the proposal to establish the Kahui Wai Māori Forum.

At that meeting there were a few issues raised about who we should be looking at in terms of the messaging and the future work. This email proposes that we meet urgently to discuss and propose a clear process starting from the ICF meeting through to the first meeting of the KWM – potentially going further?

Out of scope

Key issues that we will need to focus on are:

- What is the messaging we give at the Iwi Chairs Forum
- What does the process look like from announcement to first meeting of KWM
- What is the timing (so that it is clear that we have a process in place)
- What messaging we are giving (including purpose of KWM)
- Who else we discuss this proposal with and seek nominations from (who can be effective at representing the various Maori land owner interests, Maori property and settlement interests and others?)

I have attached for the meeting documents to get the ball rolling:

- Draft process for communicating and establishing the KWM - as noted last night the current process does not clearly outline the process or show what 'start to end' looks like, or the who.
- Draft talking points for the Iwi Chairs Forum
- Draft media release
- Draft Q and As

**Bosses (Lil / Cheryl)** is there anything I missed out or went astray with?

Ngā mihi  
Tania

\*\*\*\*\*

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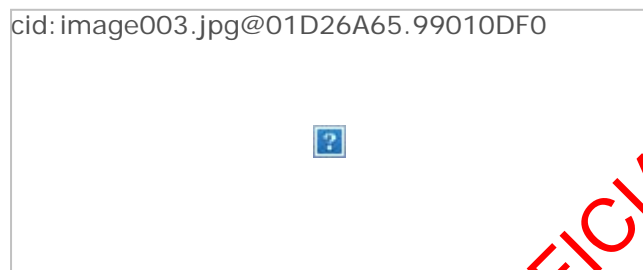
**From:** [Janice Rodenburg](#)  
**To:** [Tania Gerrard](#); [Martin Workman](#); [Bryan Smith](#)  
**Cc:** [Cheryl Barnes](#); [Sharn Tulloch](#)  
**Subject:** Back pocket Q and As for review  
**Date:** Monday, 30 July 2018 5:07:47 PM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[KWM backpocket.docx](#)

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An attempt to cover off some of the questions that may arise from the vanilla media release. All feedback gratefully received.

### Janice Rodenburg - Communications and Engagement

Ministry for the Environment – Manatu Mo Te Taiao  
Mobile: 021 705 301 Email: [janice.rodenburg@mfe.govt.nz](mailto:janice.rodenburg@mfe.govt.nz) Website: [www.mfe.govt.nz](http://www.mfe.govt.nz)  
23 Kate Sheppard Place, Thorndon, Wellington 6143



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Based on current Crown position

Question	Answer
<p><i>Does the Government consider Māori have rights and interests in freshwater?</i></p>	<p>The Crown has already publicly acknowledged that Māori have rights and interests in freshwater based on a broad Treaty interest.</p> <p>The Crown considers that the full nature and extent of those rights and interests has not yet been defined<sup>1</sup>.</p>
<p><i>What do Māori want?</i></p>	<p>Naturally, there are a range of views and specific issues raised by Māori, but the Crown has heard the following four broad themes emphasised repeatedly:</p> <ol style="list-style-type: none"> <li>1. The need to <b>protect the Mauri of water bodies by improving water quality</b> and the health of ecosystems and waterways</li> <li>2. The need to <b>provide for Māori input to the Governance and management of freshwater</b> - Māori want to be involved at all levels of freshwater decision-making;</li> <li>3. The need to ensure <b>formal recognition of iwi/hapū relationships with particular freshwater bodies and protection of customary activities</b> (eg food gathering, access to wahi tapu); and</li> <li>4. The need to <b>ensure Māori can benefit economically by accessing and using water resources</b> (i.e. water takes and discharge rights) in the same way as other New Zealanders (without compromising sustainable limits)</li> </ol>
<p><i>How are Māori rights and interests recognised now?</i></p>	<p>The Resource Management Act and a range of Treaty settlement commitments already provide, or provide the opportunity for Māori to participate meaningfully in the management of water and for the recognition of customary activities.</p> <p>In addition, the current version of the National Policy Statement for Freshwater already incorporates a set of Māori objectives that will impact on freshwater management and quality.</p>
<p><i>So what else is needed?</i></p>	<p>Māori are disproportionately represented amongst landowners who have not been able to develop their land in scarce water catchments under the current 'first come first served' allocation model.</p> <p>We have more work to do to figure out how the Crown can best provide for Māori to access and use a fair portion of freshwater resources.</p>

<sup>1</sup> Stage 1 report of Waitangi Tribunal, page 36

Question	Answer
<i>Does this mean providing Māori with ownership of freshwater?</i>	No. No one owns freshwater, and all New Zealanders have valid interests in it.

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## Should Ministers approve the proposals in the draft Cabinet paper

Question	Answer
<p><i>What more is the Government going to do?</i></p>	<p><i>Context points</i></p> <p>The Crown and Māori have a shared interest in the sustainable, efficient, and equitable allocation and management of freshwater;</p> <p>No one owns freshwater, including the Crown, but everyone has a stake in it;</p> <p>The Crown acknowledges that Māori have interests in freshwater that others do not, and that these have not been adequately provided for under first come first served allocation methods as resources have become scarce;</p> <p>The Crown acknowledges that those with existing access and use rights to water also have significant interests that must be considered;</p> <p><i>Action/Commitment – exploring options for fair access and use</i></p> <p><b>The Crown will proactively explore options to better recognise the interests of Māori and other potential users in accessing and using freshwater</b> (in terms of both water take and discharge), <u>subject to:</u></p> <ul style="list-style-type: none"> <li>• any change to existing allocations being achieved in a way and at a rate that takes into account the interests of existing rights holders and the public interest in the optimal use of the resource;</li> <li>• any change to existing allocations being achieved in a way that is equitable across Māori; and</li> <li>• the need to ensure catchment specific solutions for water that are consistent with publicly supported sustainable limits.</li> </ul> <p><i>Action/Commitment – engaging with Māori, other stakeholders, and the public</i></p> <p>This work will be progressed as part of a broader reform programme for freshwater, and we will be consulting key stakeholders and the general public prior to any significant decisions</p> <p>We also need a way to have innovative discussions with a broad cross section of Māori society.</p> <p>As such, we intend to establish a Kahui Wai-Māori – a Māori Freshwater Forum to represent a broad range of Māori perspectives and capabilities</p> <p>This forum will help the Crown to develop policy options on issues which impact on Māori rights and interests.</p>

Question	Answer
<p><i>What exactly will the changes look like?</i></p> <p><i>Doesn't local government make these decisions?</i></p>	<p>We will need to figure out how to best provide for this goal in discussion with Māori and other stakeholders.</p> <p>Decisions on resource management (including freshwater) are primarily made by local authorities in consultation with local communities, but the Government has a range of tools for providing 'national direction' on such issues</p> <p>We will need to discuss these issues with local government and decide on the best way to provide that national direction.</p>
<p><i>Will these proposals mean that Māori can stop people from swimming or watering their livestock in their local river?</i></p>	<p>These commitments will not in any way change public access rights to waterbodies or the existing ability of landowners to water stock</p> <p>(although it should be noted that 'stock exclusion' from waterways and other such farm practices is a key issue that may be addressed further in the wider work programme).</p>
<p><i>Will the Government take away existing water permit holders permits and give them to Māori?</i></p>	<p>Where catchments are over-allocated or close to full allocation, total use of the resource will need to reduce or the available resource will need to increase (e.g. through small-scale irrigation or aquifer recharge) to create headroom for new users, which will include Māori.</p> <p>It is possible that over time some reallocation of user rights will also be needed, especially where existing allocation is unfair and/or an inefficient use of the resource.</p> <p>Again, the Government will be mindful of the interests of existing users when considering how and how fast this headroom is created.</p>
<p><i>Iwi Leaders Group has received funding for water work. Why are you cutting ICF out of discussions?</i></p>	<p>Funding for ILG expires on 30 June 2018 and no further funding has been set aside.</p> <p>The Iwi Chairs Forum/Iwi Leaders Group are not being cut out of the conversation – they will be included in the Kahui Wai-Māori and we will maintain separate engagement with them.</p>

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## Mary Carrington

---

**From:** Tania Gerrard  
**Sent:** Tuesday, 31 July 2018 3:36 PM  
**To:** andrew.mccauley@parliament.govt.nz; Joe Beaglehole (Parliament)  
**Cc:** Cheryl Barnes; Martin Workman; Bryan Smith  
**Subject:** FW: Runsheet for communicating the establishment of Kahui Wai Maori  
**Attachments:** Runsheet for communicating the establishment of Kahui Wai Maori.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kia ora

Attached is the completed run sheet for the establishment of the Kahui Wai Maori. MfE has worked with the CMRU on this document. I think, pending Minister Parkers view, this is good to be circulated around the Ministers offices.

Are we still on the meeting tomorrow arvo?

Thanks  
Tarns

---

**From:** Tania Gerrard  
**Sent:** Tuesday, 31 July 2018 2:47 PM  
**To:** Rach <rachel.houlbrooke@justice.govt.nz>; 'tim.saunders@justice.govt.nz' <tim.saunders@justice.govt.nz>; 'ngapera.hoerara@justice.govt.nz' <ngapera.hoerara@justice.govt.nz>  
**Cc:** Martin Workman <martin.workman@mfe.govt.nz>; Janice Rodenburg <Janice.Rodenburg@mfe.govt.nz>  
**Subject:** Runsheet for communicating the establishment of Kahui Wai Maori

Kia ora

Thanks Tim and Ngapera for the hours of fun! Attached is the non-corrupted version of the table. Please let me know if this has the thumbs up and we are fine with it so that we can send onto our Ministers office for wider distribution.

Thanks  
Tarns

**Tania Gerrard – Director Water**  
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Pre-conversations with key Māori figures– (1-2 August) - Embargoed till Friday workshop

1-2 August 2018	<p>Joint Ministers phone conversations.</p> <p><i>* Talking points for the pre-conversation with Māori leaders (1-2 August) and discussion at Iwi Chairs Forum (3 August)</i></p>	<ul style="list-style-type: none"> <li>• Chair of Pou Taiao Iwi Leaders Group (Selwyn Parata);</li> <li>• Chair of Iwi Chairs Forum for August (Rāhui Papa);</li> <li>• Chair of New Zealand Māori Council (Sir Eddie Durie);</li> <li>• Chair of Federation of Māori Authorities (Traci Houpapapa);</li> <li>• The Māori Trustee (Jamie Tuuta);</li> <li>• Chief Executive of Te Onu Kaimoana (Te Wai Māori Trust) (Lion Tuuta);</li> <li>• Chair of Te Aihau Incorporation (Mavis Mullens);</li> <li>• Chair of Tuaropaki (Tumanako Wereta);</li> <li>• Chair of Wakatu Incorporation (Paul Morgan); and</li> <li>• Chair of Paraninihi ki Waitotara Incorporation (Hinerangi Raumati).</li> </ul>
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Announcement and discussion at Iwi Chairs Forum – 3 August 2018

3 August 2018	Ministers Parker and Davis to present at Iwi Chairs Forum	Refer: <i>Freshwater: Talking points for Ministers Davis and Parker for the pre-conversation with Māori leaders (1-2 August) and discussion at Iwi Chairs Forum (3 August)</i>
	Release of media information	Refer to: <i>Kahui Wai Māori draft media release</i>
6 August 2018	Crown to file with the Waitangi Tribunal	Media release
<b>Kahui Wai Māori</b>		
6 August 2018	Joint letter sent to all Maori organisations spoken to or attending the Iwi Chairs Forum	Reinforcing the Crown's objectives for Kahui Wai Maori, the skills and expertise needed for nominations, and timeframes. <b>10 working days</b>
20 August 2018	Organisations respond with nominees	Complete with CVs and availability

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28 August 2018	Briefing to Ministers Parker, Davis and Mahuta regarding nominees	Outlining assessment of applications, potential members, identification of capability and capacity gaps and identification of other potential members to fill those gaps.
3 September 2018	Ministerial conversation on proposed nominees	Report back on results of conversation to inform Cabinet paper
<b>Appointments and Honours Committee process</b>		
4-7 September 2018	Draft APH Cabinet paper	To include all potential members, CVs and costs (including fees framework)
11-14 September 2018	Agency consultation	Comments to be inputted into draft Cabinet paper
17 – 28 September 2018	Ministerial consultation	Ministers to discuss any issues on potential members and/or timeframes
4- 16 October 2018	APH Committee Process and Cabinet	Lodge on 4 or 12 October for consideration the following week, Cabinet on 16 September
17 October 2018	Ministers to contact successful members and those not successful	Officials to provide Ministers with talking points for discussion (outlining when first meeting is) Ministers to analyse whether nominee is available (if not re-look at list)
18 October 2018	Ministers to send letters to non-successful nominees	Officials to provide Ministers with draft letters
23 October 2018	Public announcement of membership	Media release (TBC)
Week beginning 29 October 2018	First meeting – Minister briefly welcomes members and opens first meeting	Briefing to be provided

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## Mary Carrington

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**From:** Lillian Anderson  
**Sent:** Tuesday, 31 July 2018 9:56 AM  
**To:** Hoerara, Ngapera; Cheryl Barnes; Tania Gerrard; Houlbrooke, Rachel; Saunders, Tim; Mim  
**Cc:** Martin Workman; Janice Rodenburg; Bryan Smith  
**Subject:** RE: Meeting to discuss and finalise approach and timing for communicating Kahui Wai Maori

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I will be available by phone if needed. Sorry I cant be there in person – haven't quite learned the art of splitting myself in half yet. In terms of my note to my team this morning, I noted the following:

1. Sequencing of pre-discussions
  - a. Given workshop on Friday, does ICF still need a heads up? If so, who? Ministers didn't think Selwyn alone was enough if there is a pre-call
  - b. S9(2)(f)(iv) [REDACTED]
  - c. Ministers had an idea that you kick the nomination process off on Friday
2. The announcement
  - a. S9(2)(f)(iv) [REDACTED]
  - b. Needs quite detailed talking points plus Q and As (not just about KWM but wider parameters etc)
  - c. Is there a wider public announcement?
  - d. No cabinet papers to be provided (clear message from PMO)
3. Post announcement
  - a. Process for nominations needs to be thought through in full right up to stand up (and included in pack for ICF)
  - b. Q and A about this process and the body will be required

Hope that's helpful. Good luck team.

Lil



**Lil Anderson**  
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**From:** Hoerara, Ngapera  
**Sent:** Tuesday, 31 July 2018 9:39 a.m.  
**To:** Cheryl Barnes <Cheryl.Barnes@mfe.govt.nz>; Tania Gerrard <Tania.Gerrard@mfe.govt.nz>; Houlbrooke, Rachel

Out of scope

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Out of scope

[Redacted]



From: Tania Gerrard  
Sent: Tuesday, 31 July 2018 8:43 AM  
To: Rachel Houlbrooke <[rachel.houlbrooke@justice.govt.nz](mailto:rachel.houlbrooke@justice.govt.nz)>; [Tim.Saunders@justice.govt.nz](mailto:Tim.Saunders@justice.govt.nz);  
[ngapera.hoerara@justice.govt.nz](mailto:ngapera.hoerara@justice.govt.nz); Mim <[miriam@teamokura.co.nz](mailto:miriam@teamokura.co.nz)>  
Cc: Martin Workman <[martin.workman@mfe.govt.nz](mailto:martin.workman@mfe.govt.nz)>; Janice Rodenburg <[Janice.Rodenburg@mfe.govt.nz](mailto:Janice.Rodenburg@mfe.govt.nz)>; Cheryl Barnes <[Cheryl.Barnes@mfe.govt.nz](mailto:Cheryl.Barnes@mfe.govt.nz)>; Lillian Anderson <[Lillian.Anderson@justice.govt.nz](mailto:Lillian.Anderson@justice.govt.nz)>; Bryan Smith <[Bryan.Smith@mfe.govt.nz](mailto:Bryan.Smith@mfe.govt.nz)>  
Subject: Meeting to discuss and finalise approach and timing for communicating Kahui Wai Maori

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Kia ora koutou

At their meeting last night Ministers Parker, Davis, Little and Mahuta discussed the upcoming ICF and proposed messaging of the Crown's intent to publicly announce the proposal to establish the Kahui Wai Māori Forum.

At that meeting there were a few issues raised about who we should be looking at in terms of the messaging and the future work. This email proposes that we meet urgently to discuss and propose a clear process starting from the ICF meeting through to the first meeting of the KWM – potentially going further?

Out of scope

Key issues that we will need to focus on are:

- What is the messaging we give at the Iwi Chairs Forum
- What does the process look like from announcement to first meeting of KWM
- What is the timing (so that it is clear that we have a process in place)
- What messaging we are giving (including purpose of KWM)
- Who else we discuss this proposal with and seek nominations from (who can be effective at representing the various Maori land owner interests, Maori property and settlement interests and others?)

I have attached for the meeting documents to get the ball rolling:

- Draft process for communicating and establishing the KWM - as noted last night the current process does not clearly outline the process or show what 'start to end' looks like, or the who.
- Draft talking points for the Iwi Chairs Forum
- Draft media release
- Draft Q and As

**Bosses (Lil / Cheryl)** is there anything I missed out or went astray with?

Ngā mihi  
Tania

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Mary Carrington

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Out of scope

Out of scope

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From: Tania Gerrard  
Sent: Sunday, 5 August 2018 12:14 PM  
To: 'Damen Ward' <Damen.Ward@crownlaw.govt.nz>  
Cc: Bryan Smith <Bryan.Smith@mfe.govt.nz>  
Subject: RE: Re Kahui Wai Maori

Yep, they are:

- New Zealand Maori Council;
- Federation of Maori Authorities;
- Te Tumu Paeroa;
- Te Ohu Kaimoana (for the Te Wai Maori Trust);
- Te Atihau Incorporation;
- Tuaropaki;
- Wakatu Incorporation; and
- Paraninihi ki Waitotara.

I can confirm that Minister Parker called the ILG, NZMC and FoMA. Tim – can you confirm that Minister Davis made contact with the remaining groups highlighted above? Thanks  
Tania

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From: Damen Ward <Damen.Ward@crownlaw.govt.nz>  
Sent: Sunday, 5 August 2018 12:11 PM  
To: Tania Gerrard <Tania.Gerrard@mfe.govt.nz>  
Cc: Bryan Smith <Bryan.Smith@mfe.govt.nz>  
Subject: Re: Kahui Wai Maori

Hello

Ss2(h)

Damen

**Damen Ward** Senior Crown Counsel

Treaty of Waitangi Team

**Crown Law** *Te Tari Ture o te Karauna*

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