

# Terms of reference: Motu Kairangi working group

**Date:** 19<sup>th</sup> January 2024

**Parties:**

**Crown:**

Toitū Te Whenua Land Information New Zealand  
 Te Arawhiti The office for Māori Crown Relations  
 Department of Conservation Te Papa Atawhai

**Taranaki Whānui ki Te Upoko o Te Ika:**

Port Nicholson Block Settlement Trust

**Document Control:**

Author	Date	Version	Details
Kathy Mansell	19/01/24	1.0	First draft for review
Kathy Mansell	14/01/24	1.1	Amended draft incorporating feedback from PNBST
Kathy Mansell	13/02/24	2.0	Second draft incorporating feedback from PNBST, addition of appendix 1: role of decision makers
Kathy Mansell	14.5.2024	2.1	Final TOR agreed

## 1. Purpose

- 1.1 The purpose of this document is to outline the Terms of Reference (TOR) for Te Motu Kairangi working group.
- 1.2 The purpose of Te Motu Kairangi (TMK) Working Group is to undertake the necessary activities to inform options for ministerial decisions for the future ownership, governance, and management of Motu Kairangi.

## 2. Background

### 2.1 Overview

- 2.1.1 Te Motu Kairangi/Watts Peninsula is a 76-hectare former New Zealand Defence Force (NZDF) site located at the northern end of Miramar Peninsula in Wellington. The site is currently managed by Toitū Te Whenua Land Information New Zealand (LINZ).
- 2.1.2 Adjacent is the 11.7-hectare former Mt Crawford Prison site, which will be progressed through the disposal process under the Public Works Act 1981 (PWA) and is held by LINZ.
- 2.1.3 Te Motu Kairangi/Watts Peninsula sits within the rohe of local iwi collective Taranaki Whānui, whose ancestors migrated to Wellington in the 1820s and 30s and who signed the Port Nicholson Block Deed of Purchase in 1839.
- 2.1.4 Te Motu Kairangi/Watts Peninsula has archaeological sites from early Māori settlement. The stories of the iwi associated with the area of interest – specifically the pā and kāinga sites of Puhirangi, Kau-whakara-waru, Te Matakai Kai Poinga, and Te Māhanga – reflects the development of multiple iwi identities from several hundred years, including who we now know as Taranaki Whānui. It is also connected with European settlement, and has military heritage including a redoubt, and coastal defence structures from the 1890s to the World War 2 period.
- 2.1.5 Taranaki Whānui historical connections to the Miramar Peninsula were reflected in its historical Treaty settlement (Taranaki Whānui ki Te Upoko o Te Ika Deed of Settlement 2008), including through its initial purchase of Shelly Bay, and rights of first refusal over Te Motu Kairangi/Watts Peninsula and Mt Crawford.

### 2.2 Decisions





2.2.12 On the 23 November 2023 a vision planning workshop was held with members from Port Nicolson Block Settlement Trust, Te Arawhiti, Department of Conservation and Toitū Te Whenua. It was agreed that the steering group and working group would be reconvened in 2024.

### 3. Working principles

3.1 The working group agrees to adopt the following working principles as it undertakes this work:

3.1.1 Whanaungatanga – The process of establishing and strengthening relationships akin to family relationships. Whanaungatanga encourages us to establish and strengthen our relationships with one another, and our taha Māori (Māori side).

3.1.2 Manaakitanga – The process of enhancing mana. Manaakitanga reminds us to recognise, acknowledge, and enhance each other's mana.

3.1.3 Kaitiakitanga – The principle of guardianship. Kaitiakitanga reminds us to look after one another, and our taha Māori.

### 4. Scope of the working group

4.1 The first phase of this work is to ensure advice is available for decision makers no later than the end of March 2024. Once a decision is clear, these terms of reference will be revised to determine the scope of activities for phase II.

#### 4.2 Activities in Scope – Phase I

4.2.1 Establish a range of potential options for ownership, governance and management of the land including the existing option to transfer the land to the Department of Conservation under the reserves Act and management of the land to be undertaken by Wellington City Council.

4.2.2 Describe and analyse benefits and risks of each option (including funding options for any establishment works and ongoing operational costs and/or fiscal constraints) to be presented to Ministers for consideration.

- 4.2.3 Commission input for decision making regarding Treaty analysis, incorporating information from the completed cultural assessment, and identification of legislative constraints or opportunities within current legislation for various options.
- 4.2.4 Capture an articulation of Taranaki Whānui aspirations for the land.
- 4.2.5 Draft the scope of work for the current option and preferred option including timeframes, and likely resource requirements to give effect to the decision.
- 4.2.6 Prepare risk analysis.
- 4.2.7 The working group will collectively agree the preferred option to recommend to Ministers. The Minister for Land Information is the final decision maker for this phase of work. *Refer appendix 1: Role of Decision Makers.*

## 5. Membership

- 5.1 The members of this working group are made up of a subset of nominees from each Crown agency and Port Nicholson Trust.

Agency	Name	Title
Toitū Te Whenua	Kathy Mansell (chair)	Kaihautū Māori Crown Relations
Toitū Te Whenua	Jacob Taulealea	Principal Advisor, Māori Crown Relations
Toitū Te Whenua	Natalie Mason	Principal Advisor, Customer Delivery
Toitū Te Whenua	Peter Agnew	Principal Advisor, Strategy, Policy & Design
Toitū Te Whenua	██████████ (secretariat)	Business Specialist, Māori Crown Relations
Te Papa Atawhai	Alice Heather	Director Operations – Lower North Island
Te Arawhiti	Richard Keelan	Senior Advisor
Port Nicholson Trust	Te Whatanui Winiata	Chair
Port Nicholson Trust	Huia Puketapu	Deputy

Port Nicholson Trust	Kirsty Tamanui	General Manager
Port Nicholson Trust	Kara Puketapu-Dentice	Chief Executive Officer
Port Nicholson Trust	Ihaia Puketapu	Cultural Advisor
Port Nicholson Trust	Lisle McErlane	Commercial Advisor

## 6. Meeting Administration

- 6.1 **Frequency of meetings:** The Working Group will meet once a fortnight via MS Teams. Notice of each meeting will be given to Members and attendees in a timely manner. The frequency of the meeting may be amended, and out of cycle meetings may be convened, with the agreement of the Chair.
- 6.2 **Quorum for meetings:** three (3) voting Members (not including delegates and attendees) one of which must be the Chair or Deputy Chair, will be sufficient to constitute a quorum. The aim is to achieve consensus and the principles of collective responsibility apply. If members do not agree on aspects of a proposal, it will be referred to the assigned Chair to decide the outcome where in scope of the project.
- 6.3 **Delegates:** Delegates may only attend at the discretion of the Chair.
- 6.4 **Meeting agenda:** The Chair will determine the agenda with the relevant papers being assembled and distributed to the members two working days before the meeting.
- 6.5 **Meeting minutes:** LINZ will resource the taking of minutes and a draft version will be sent out to the Chair for review within three working days of the meeting. Final papers and minutes will be filed in Objective Connect (LINZ document management system) and be accessible to members and attendees. They will be distributed to Working Group members, five working days post the meeting date.

## 7. Confidentiality and conflicts of interest

- 7.1 Group members will be required to disclose any perceived or actual conflicts of interest to LINZ.
- 7.2 Members agree that they will not comment publicly on the proceedings of the group or its working documents. Any media commentary on the group's proceedings will come from an agreed group Chair/representative in consultation with the Department of Conservation.
- 7.3 It is recognised that group members may need to discuss issues with peers and nominating organisations to gain feedback. Material identified as confidential may only be shared with prior approval from LINZ.

- 7.4 Members and observers must always comply with the requirements of the Privacy Act 1993 and keep information about identifiable individuals confidential.

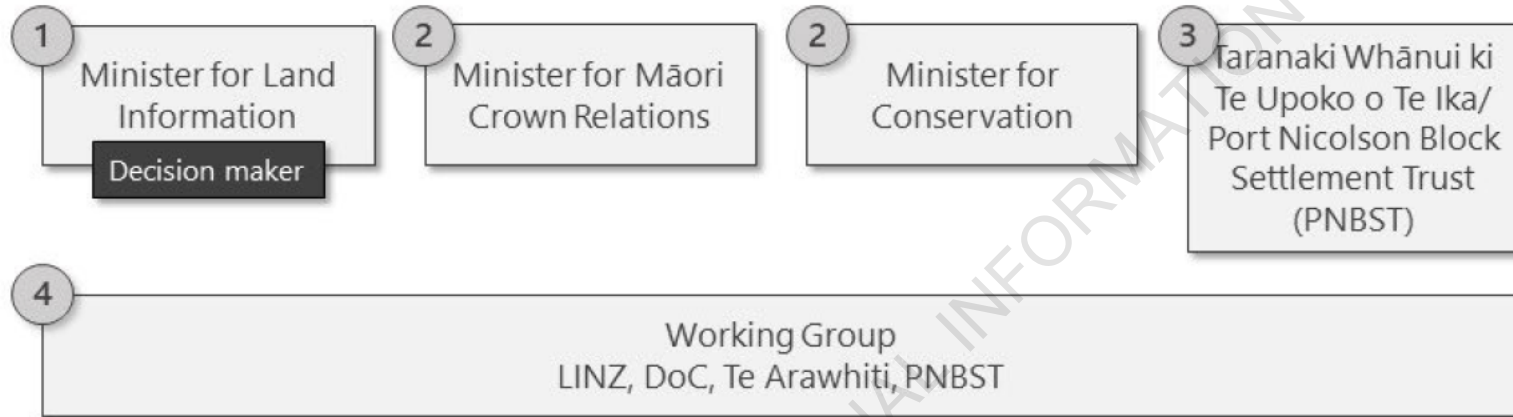
## **8. Official Information Act**

- 8.1 Official Information Act & Local Government Official Information & Meetings Act 10.1  
All information provided to the Working Group will be treated as official information under the Official Information Act (OIA) 1982 and, subject to the requirements of that Act, may be released to the public if there are no grounds for withholding it.

- 8.2 If information is being considered for release under the OIA, the agency involved in the request will attempt to consult with the person who provided the information before making a final decision on the release.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

### Appendix 1: Role of decision makers



- 1** Receives advice and provides a copy to Minister for MCR and Conservation
- 2** Receives advice paper from decision maker and meets to discuss advice
- 3** Board confirms agreement with preferred options for Ministerial decisions
- 4** Develops options and reaches collective agreement on preferred option to submit to decision makers