

CULTURAL EFFECTS HEARING – STELLA PASSAGE EXPERT PANEL

WHAREROA MARAE, TAURANGA

27 JULY 2026

Te Rangimārie Williams¹ – Speaking Notes

The Port is the source of the **significant and multi-generational disconnection** of Ngāti Ranginui from Te Awanui. This disconnection generates **significant multi-generational cultural effects** to Ngāti Ranginui as identified through a series of cultural impact assessments of Port activities and as acknowledged by the Environment Court. I will not repeat those effects but rather focus on the adequacy of proposed conditions to address cultural effects.

The Port has occupied and affected tangata whenua for at least four generations. The granting of the dredging and structures consents will continue to impact tangata whenua for two further generations, and enable the continued occupation of the Port in perpetuity. Over each generation from Nanny and Koro, to mokopuna, tuarua and beyond, the relationship to Te Awanui is chipped away at. This project represents another activity that will chip away at that relationship.

Multi-generational effects require a multi-generational response

What does a multi-generational response involve?

A multi-generational response will, over multiple generations, achieve the restoration of the relationship between tangata whenua and Te Awanui. Whilst this will require monetary support, tangata whenua do not value monetary handouts. Tangata whenua value and want to connect to and know Te Awanui like you would know a close relative. To feel a sense of safety like you would when visiting a Nanny or Koro, not trauma. This connection is central to tangata whenua identity and supports a fulfilling and joyful life which everyone deserves.

I cannot sit here and purport that I know with certainty the details of a multi-generational response. This requires a significant amount of mahi to consider and design. I can, however, say that if the Port genuinely wishes to address cultural effects, they will support tangata whenua to design that response acknowledging that this will involve significant resource, time and commitment. This process may involve:

- Multiple and ongoing wānanga with Tauranga Moana
- State of the Environment and ongoing kaitiaki monitoring, systems to record results, and resourcing to respond to results. \$25,000/annum will fall woefully short in achieving this. A Te Mana o te Wai project I led cost \$250,000 just to create a Kaitiaki Monitoring Plan. A proper monitoring plan will identify values associated to Te Awanui across multiple iwi, outcomes you wish to achieve associated to values, and indicators you monitor that indicate if outcomes are achieved. Whilst some values, outcomes and indicators may be easy to identify, some may require significant research.
- Funding multiple restoration projects that will be designed as mātauranga Te Awanui grows and understands what is required (not a one-off restoration payment that has no thought behind what that money will be tagged to)

¹ See Appendix A for qualifications and experience

- Consideration of how to **avoid** further cultural effects, not just monitor and respond to effects
- Establishing Rangatira ki te Rangatira relationships with tangata whenua

Do the consent conditions achieve this?

If viewed through this lens, it is clear that **the consent conditions offered by the Port fall well short** of what is required to genuinely address the cumulative cultural effects of the Port. Until the Port acknowledges the significant amount of multi-generational work required to restore the relationship of tangata whenua to the Port, consent conditions for its projects will continue to fall short. Nobody participating in this hearing wants to return to future consent hearings and regurgitate effects. Make a start to genuinely addressing cultural effects now.

Should consent conditions have to address cumulative effects or just focus on the direct effects of the Development?

If consent conditions continue to fail to address cumulative effects, those cumulative effects will not be addressed. There are a suite of consents the Port holds. Across all the consents, the Port should consider, in conjunction with tangata whenua, how consent conditions can work together to address cumulative effects holistically.

Detailed Consideration of Consent Conditions

Proposed Condition	Cultural Effects / Recommendations	Improvements
Cultural Ceremonies Condition 1.1 (DC) (SC): The relationship of iwi and hapū with Te Awanui/Tauranga Harbour is to be recognised and provided for by the consent holder through providing an opportunity for iwi and hapū that have a relationship with Te Awanui/Tauranga Harbour to carry out ceremonies in accordance with condition 1.2. Condition 1.2 (DC): At least twenty (20) workings days prior to commencing the first occurrence of capital dredging operations under this consent, the consent holder must invite the SPDAG to carry out a ceremony at the site of the proposed dredging. The consent holder must confirm by notice in writing to the Chief Executive of the Bay of Plenty Regional Council or delegate that the opportunity to carry out a ceremony has been given and that it has been carried out where deemed appropriate by the SPDAG. The consent holder must confirm by notice in writing to the Chief Executive of the Bay of Plenty Regional Council or delegate that the opportunity to undertake the annual meeting has been provided to the SPDAG. Condition 1.3 (SC): At least twenty (20) working days prior to commencing works under this consent at both the Sulphur Point site and the Mount Maunganui site, the consent holder must invite the SPDAG to carry out a ceremony at the site of the extension. The consent holder must confirm by notice in writing to the Chief Executive of the Bay of Plenty Regional Council or delegate that the opportunity to carry out a ceremony has been given and that it has been carried out where deemed appropriate by the SPDAG.	An effect identified in the CIA is the inability of Ngāti Ranginui to undertake intergenerational practices within Te Awanui due to Port infrastructure. This impacts both the value of hononga (interference with connection) and Mātauranga Ranginui (interference with ability to transfer knowledge through generations). The recommendation was the Port provide Ngāti Ranginui with opportunities to participate as kaitiaki in kaitiaki type activities at the Port.	Whilst it is important that karakia and ceremonies are undertaken prior to major works such as the dredging, condition 1.2 provides a very limited opportunity for tangata whenua to participate in kaitiaki opportunities. Furthermore, if there are issues with the establishment and creation of SPDAG, it may be that no opportunity is provided. Recommend this is improved to invite iwi and hapū to ceremony.
Relationship Agreements Condition 2.1 (DC) (SC): The consent holder must facilitate the preparation of relationship agreements with the following iwi, hapū and/or entities within twelve (12) months of the commencement of this consent: Ngāti Ranginui. Condition 2.2 (DC) (SC): The purpose of these relationship agreements is to agree and record how the consent holder and other parties will establish a long term organisation-wide relationship with each other, including a forum to discuss matters which are outside the scope of or are not covered by this resource consent.	Impacts to the mana of Ngāti Ranginui through an engagement and consultation process that did not involve Ngāti Ranginui as a Te Tiriti partner. Those impacts are cumulative over decades of exclusion of Ngāti Ranginui from participating in decision-making that impacts Te Awanui.	The effectiveness of this agreement depends on its content. Condition 2 requires only that an agreement be entered into. It does not specify content, does not require terms acceptable to Ngāti Ranginui, and carries no consequence if terms are not agreed. It also post-dates any grant, so it cannot remedy a consenting process that did not involve Ngāti Ranginui as a Te Tiriti partner. The condition can be improved by articulating with more certainty how any disagreements as to content

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	A recommendation was a relationship agreement.	are dealt with. POTL should also be required to resource Ngāti Ranginui's time to prepare the agreement.
Stella Passage Development Advisory Group Condition 3.1 (DC): To recognise the importance of Te Awanui/Tauranga Harbour as a taonga and to recognise and provide for the kaitiakitanga of iwi and hapū who have a relationship with Te Awanui/Tauranga Harbour, the consent holder must, within two (2) months of the commencement of this consent or RM26-0055-LC, whichever is earliest, invite the parties identified in clauses (a) – (n) of this condition below to establish and maintain a “Stella Passage Development Advisory Group” (SPDAG), or alternative name as determined by the parties: Ngāti Ranginui Condition 3.2 (DC): If nominations for SPDAG representatives are not received from those parties identified in condition 3.1 within five (5) months of provision of the invitation from the consent holder, then the consent holder must invite the following parties to form the SPDAG: a) Any representatives who have been nominated; or b) If no nominations are received, the Ngā Mātarae Charitable Trust. Condition 3.3: The purpose of the SPDAG is to provide an iwi and hapū-led forum that provides on-going advice to the consent holder in the implementation of this consent and RM26-0055-LC. Following its establishment, the SPDAG must: a) Finalise the name of the SPDAG; b) Provide a means of liaison between iwi and hapū who have a kaitiaki relationship with Te Awanui/Tauranga Harbour and the consent holder through providing a forum for regular discussion about the implementation of this consent and consent RM26-0055-LC. This includes providing information back to iwi and hapū on progress on the implementation of the consent and providing feedback to the consent holder on any particular concerns arising from the implementation of the consent that iwi and hapū may raise with the SPDAG; c) Be responsible for receiving requests for, and facilitating the provision of, any cultural ceremonies deemed appropriate by iwi and hapū who have a relationship with Te Awanui/Tauranga Harbour;	Impacts to the mana of Ngāti Ranginui through an engagement and consultation process that did not involve Ngāti Ranginui as a Te Tiriti partner.	I consider the following to be issues with SPDAG: • It has not been designed with iwi / hapū and therefore is likely to be treated with suspicion with less buy-in. • If iwi / hapū choose not to participate then they will not be able to partake in the activities tagged for SPDAG i.e. cultural ceremonies, attending annual strategic planning hui, develop a Mātauranga Māori monitoring plan, identify cultural effects of the activities and recommend measures to mitigate effects, liaise on the Dredge Management Plan, administer funds tagged for SPDAG activities. • The SPDAG has no decision-making powers and is an Advisory Group only • The SPDAG is limited to the Structures and Dredging Consents. It could be expanded to include all Port activities providing an enduring forum to uphold Port / tangata whenua relationships. I understand why a collective group would assist with efficiency, however, this needs to be a concept tangata whenua are comfortable with, rather than one that is imposed. The condition can be improved by: • Proposing a SPDAG design process in collaboration with iwi / hapū. • If a collective body can not be agreed to, then require the Port to engage individually through Relationship Agreements

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d) Attend an annual strategic planning meeting with the Port of Tauranga Limited's Chief Executive Officer and Chair of Board of Directors e) Facilitate the development of a Mātauranga Monitoring Plan in accordance with condition 15; f) Evaluate the data obtained from any mātauranga monitoring undertaken in accordance with condition 15 insofar as they relate to the cultural values and the effects of the works authorised by this consent and RM26-0055-LC on Te Awanui/Tauranga Harbour and advise the consent holder and Bay of Plenty Regional Council of any unforeseen effects arising. In the case of any unforeseen adverse changes to effects on cultural values being identified as a result of the implementation of this consent and RM26-0055-LC, to advise and make recommendations to the consent holder and the Bay of Plenty Regional Council on the appropriateness of any mitigation, response and/or contingency measures; g) Be responsible for receiving requests for, and facilitating the provision of, any cultural ceremonies under condition 1.1(d); h) Be a liaison point for the consent holder in the engagement over the Dredge Management Plan required by condition 8; i) Administer the funds provided by the consent holder under condition 18.1 to 18.4 to be used for the functions of the SPDAG under this consent and for restoration projects; and j) Review the SPDAG membership and, if appropriate, invite additional parties to join the SPDAG. Condition 3.6 (DC): If, following the requirements of conditions 3.1 and 3.2 above, no SPDAG is formed within six (6) months after the provision of the invitations to those parties identified in condition 3.1, the consent holder may proceed to implement the consent but must extend the written invitation to the relevant parties to form the SPDAG on each anniversary of the consent commencement date for a further four (4) years. If no SPDAG is formed after this period, the consent holder will not be required to make further invitations. Condition 3.3(h) (SC): Appoint the marine mammal observation auditor, the function of which will be to conduct periodic reviews of pile driving operations to ensure that Marine Mammal Observers are acting in full compliance with the certified Marine Mammal Management Plan. Specific auditor duties will be defined by the SPDAG prior to the auditor's appointment (condition 1.1(d)(iii));		• Identify matters that SPDAG should have decision-making power over i.e. mitigation measures for cultural effects • Expand scope of SPDAG to discussion of all consents held by POTL

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<i>(note Structures Consent for SPDAG is largely the same as Dredging Consent – I have not repeated Structures Consent Condition 3 except for 3.3(h) above)</i> Condition 1.3 (DC) and (SC): The consent holder must invite the SPDAG to attend a meeting annually with at least the Port of Tauranga Limited's Chief Executive Officer and Chair of the Board of Directors. The purpose of the annual meeting is to involve iwi and hapū that have a relationship with Te Awanui/Tauranga Harbour to be part of the strategic planning of the Port of Tauranga. This includes, but is not limited to, a discussion around the details of the works authorised by this consent and RM26-0055-LC. and proposed future stages subject to other consent processes.		
Review of Management Plans Condition 8.3 (DC): Prior to submission of the final Dredge Management Plan to the Bay of Plenty Regional Council, the consent holder must invite the SPDAG to provide feedback on the Dredge Management Plan (condition 8.1). Any feedback provided must be taken into account by the consent holder. If feedback is not adopted, an explanation must be included in the management plan as to why this is the case. The consent holder must provide at least twenty (20) working days for the SPDAG to provide feedback before submitting a final version to the Bay of Plenty Regional Council. Condition 8.2 (DC): The purpose of the Dredge Management Plan is to provide details of the planned dredging operations authorised by this consent, detail the measures that will be implemented to address the potential effects of dredging (particularly in relation to the risk of redistribution of invasive pest species that may be present and the effects of sediment plumes), outline the process for monitoring and the response framework. The final Dredge Management Plan must include, as a minimum: - The area to be dredged; - Identification of any dredging to be undertaken under resource consent 65806 and 65807 in conjunction with the dredging operations authorised by this consent and, if so, how compliance with relevant conditions of those consents will be achieved; - Methodology for undertaking the dredging operations; - Details of water quality monitoring to be undertaken as required by condition 16, as well as cleaning and maintenance protocols and calibration intervals for the turbidity monitoring instruments;	Impacts to hononga to tohorā through increased vessel traffic, and noise, impacting kaitiaki and tohorā. Recommendation to have input into Mammal Management Plan. Impacts to mauri through impacts to flourishing taonga species. Recommendation to have input into Avifauna Management Plan.	The conditions provide an opportunity for SPDAG to provide feedback on the Dredge Management Plan, the Reclamation and Construction Management Plan prior to their certification. Any feedback must be taken into account. At any time during the operations authorised by the consents, or on the advice of SPDAG, POTL may submit an amended version of a management plan (including the Marine Mammal Management Plan and Avifauna Management Plan) to BoPRC for certification. This assumes the Marine Mammal Management Plan and Avifauna Management Plan are already prepared and tangata whenua only have opportunity to amend. It is acknowledged, however, that a wānanga will be held with SPDAG prior to pile driving to provide tangata whenua an opportunity to share knowledge relating to marine mammals. The conditions can be improved as follows: - Enabling input into the Marine Mammal Management Plan and Avifauna Management Plan prior to certification - Working with tangata whenua so final plans are co-drafted, not controlled by POTL to reflect a true Te Tiriti partnership. I recently co-drafted the Monitoring, Upgrade, and Technological

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e) In addition to water quality monitoring required by condition 16, ongoing background measurements from fixed turbidity monitors and a response framework using turbidity triggers and environmental limits as outlined in the table below (table omitted) f) Controls for minimising sediment discharges to ensure the discharges comply with the limits set in this consent; g) Contingency measures proposed to manage discharge activities and methods for the avoidance of ecological effects from turbidity; h) The feedback on the Dredge Management Plan provided by the SPDAG, including details on recommendations not incorporated in the Plan and the reasons why; and i) Waste management measures consistent with condition 11 to retrieve waste and marine debris while dredging. <i>Advice Note: The triggers in condition 8.2(e) relate to the fixed, continuous turbidity monitoring and are in addition to the triggers and response framework identified in conditions 16.2 to 16.4 of this consent.</i> Condition 8.8 (DC): At any time during the implementation of this consent, or on advice of the SPDAG, the consent holder may submit an amended version of the Dredge Management Plan to the Bay of Plenty Regional Council for re-certification. Re-certification is subject to the same process as detailed in conditions 8.3 and 8.4. Process for Amending the Management Plans Condition 10.5 (SC): At any time during the implementation of this consent, or on the advice of the SPDAG, the consent holder may submit an amended version of a Management Plan(s) to the Bay of Plenty Regional Council for re-certification. Re-certification is subject to the same process as detailed in condition 10.2. Condition 11.4 (SC): Prior to submission of the Reclamation and Construction Management Plan to the Bay of Plenty Regional Council, the consent holder must invite the SPDAG to provide on the Reclamation and Construction Management Plan (condition 11.1). Any feedback provided must be taken into account by the consent holder. If feedback is not adopted, an explanation must be included in the Management Plan as to why this is the case. The consent holder must provide at least twenty (20) working days for the SPDAG to provide feedback before submitting a final version to the Bay of Plenty Regional		Review report for Tauranga City Council relating to the City's wastewater system. Myself and the Council-appointed drafters worked together with an openness which enabled us both to understand different perspectives. The way the condition is drafted marginalises tangata whenua. • Providing tangata whenua with increased input increases opportunity for tangata whenua to act as kaitiaki within Te Awanui, upholding mana and hononga values.

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Council. Condition 12.3 (SC): At any time during the implementation of these consents, or on the advice of the SPDAG, the consent holder may submit a request to amend the Marine Mammal Management Plan to the Bay of Plenty Regional Council for re-certification in accordance with the management plan certification processes in conditions 10.2 and 10.3. Amendments are to be recertified as meeting the purpose of the Marine Mammal Management Plan (condition 12.2) and the specific controls set out in conditions 12.6 to 12.15. Prior to submission of the amended Marine Mammal Management Plan to the Bay of Plenty Regional Council, the consent holder must invite the SPDAG to provide feedback on the amended provisions of the Management Plan. Any feedback provided must be taken into account by the consent holder. If feedback is not adopted, an explanation must be included in the Management Plan as to why this is the case. The consent holder must provide at least twenty (20) working days for the SPDAG to provide feedback before submitting a final version to the Bay of Plenty Regional Council. Condition 12.4 (SC): At least twenty (20) working days prior to commencement of pile driving, the consent holder must invite the SPDAG to a wānanga. The objective of the wānanga is for tangata whenua to share knowledge and exchange information of marine mammals in the area. The consent holder must be present and invite the following parties to the wānanga: a) the SPDAG and any representative that may be nominated by the SPDAG; b) Pile driving contractor representative; and c) The suitably qualified marine mammal expert who prepared the Marine Mammal Management Plan, or other suitably qualified and experienced person. Condition 12.5 (SC): The consent holder must provide to the Bay of Plenty Regional Council, Department of Conservation and SPDAG at the end of each calendar year in which pile driving occurs, or as requested, a summary report detailing the date and number of marine mammals sighted and any actions taken by the consent holder to manage potential effects on them. Condition 13.3 (SC): At any time during the implementation of these consents,		

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or on the advice of the SPDAG, the consent holder may submit a request to amend the Avifauna Management Plan to the Bay of Plenty Regional Council for re-certification, in accordance with the Management Plan certification processes in conditions 10.2 and 10.3, that any amendment is consistent with the purpose of the Avifauna Management Plan (condition 13.2). Prior to submission of the amended Avifauna Management Plan to the Bay of Plenty Regional Council, the consent holder must invite the SPDAG to provide feedback on the amended provisions of the Management Plan. Any feedback provided must be taken into account by the consent holder. If feedback is not adopted, an explanation must be included in the Management Plan as to why this is the case. The consent holder must provide at least twenty (20) working days for the SPDAG to provide feedback before submitting a final version to the Bay of Plenty Regional Council.		
Mātauranga Māori Monitoring <i>Condition 12: Mātauranga Māori State of the Environment Report</i> 12.1(DC)) The Applicant will contribute to the preparation by the SPDAG of a Mātauranga Māori State of the Environment report by providing \$100,000 to the SPDAG towards the costs of preparing the report. <i>Advice Note: the consent holder has offered condition 12.1 and agrees to be bound by it pursuant to the Augier principle.</i> <i>Condition 13: Te Paritaha Ongoing Monitoring</i> 13.1(DC): The consent holder must undertake annual monitoring of Te Paritaha in accordance with the Tauranga Harbour Marine Monitoring Methodologies Plan dated 27 September 2024, or any subsequent amended plan, for the duration of this consent. 13.2(DC): The consent holder must provide the results of the monitoring to the SPDAG for their review and, if they deem appropriate, inclusion in the Mātauranga Monitoring Plan (condition 15). <i>Advice Note: For the avoidance of doubt, the monitoring carried out pursuant to condition 13.1 is of the physical characteristics of the site and is separate to any mātauranga monitoring that may be undertaken in accordance with condition 15 of this consent).</i> <i>Condition 14: Cultural Monitoring of Dredge Operations</i> 14.1(DC): Subject to condition 14.2, the consent holder must provide an	Port activities impact ability to undertake intergenerational practices, impacting mātauranga Ranginui and hononga. Those impacts include impacts to traditional viewshafts and ara. Port activities also impact flourishing taonga species and the quality of wai, impacting mauri. Recommendation for mātauranga monitoring plan, cultural landscapes assessment and kaitiaki opportunities.	It is agreed that a Mātauranga Māori State of the Environment Report is required to understand the baseline state tangata whenua relationship to Te Awanui. However, the sum of \$100,000 to prepare this is likely too small to prepare, implement and analyse results of the report. Te Paritaha is a significant site to tangata whenua. Its monitoring should be undertaken by tangata whenua and included in the Mātauranga Māori monitoring. I support a Mātauranga Māori monitoring plan (MMMP), however, would improve the conditions as follows: - Condition 15.2 limits the MMMP to the extent of the Port Zone. Tangata whenua view the environment as an interconnected whole with impacts extending beyond the Port zone. This limit should be removed. - The sum of \$25,000/annum is inadequate. I recently completed the development of a freshwater monitoring plan for one iwi. This

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opportunity via the Tauranga Moana Iwi Customary Fisheries Trust for a Cultural Monitor to be present during all capital dredging operations authorised by this consent, provided that the Cultural Monitor can comply with all health and safety requirements. The consent holder must provide records of communications inviting cultural monitors to be present for dredging operations to the Bay of Plenty Regional Council if requested. 14.2(DC): The role of the Cultural Monitor includes: - Being present on the dredge (Trailing Suction Hopper Dredge (TSHD) or Back Hoe Dredge) to observe the dredge plume; - Observing that TSHD dredging is undertaken with no overflow on a flood tide (in accordance with condition 6.1); - Reporting back to the SPDAG as may be required by the group; - Identification of any cultural artifacts that may be uncovered during dredging; - Checking that deposition of dredged material is occurring in the consented deposition site (in accordance with condition 7.1); and - Checking that any rubbish collected in the draghead is taken ashore and disposed of appropriately. 14.3 (DC): The consent holder must pay the reasonable costs associated with the Cultural Monitor role being undertaken in accordance with conditions 14.1 and 14.2. <i>Condition 15: Mātauranga Monitoring Plan</i> 15.1(DC) Within two (2) months of the SPDAG being established (condition 3), the consent holder will invite SPDAG to facilitate the preparation of a Mātauranga Monitoring Plan. 15.2(DC): The purpose of the Mātauranga Monitoring Plan is to detail how the cultural health of Te Awanui/Tauranga Harbour, to the extent it overlaps with the Port Zone, is surveyed, monitored and reported upon to describe the state of the marine environment and kaimoana from a cultural perspective. 15.3 (DC): The Mātauranga Monitoring Plan must, as a minimum, include: - A plan and description of the area subject to the Mātauranga Monitoring Plan; - The cultural indicators to be surveyed and monitored, including		cost \$250,000 and included: wānanga with kaitiaki, haerenga to freshwater sites, identification of values, outcomes for values, indicators of outcomes, meetings with ecologists to determine what can be monitored and where, mapping of values. There is a significant amount of work in preparing a plan (across multiple iwi) before implementation can be carried out. In terms of implementation, \$25,000 per annum would fund only a modest amount of monitoring activity over the course of a year. It is likely not enough for monitoring to be undertaken, results to be considered, and analysis to be provided to relevant parties alongside consideration of how to address effects identified. - The condition does not include how identified cultural effects will be dealt with. This should be clearly stated in this condition i.e. where the MMMP identifies cultural effects, SPDAG will direct POTL how those effects can be avoided. SPDAG will also develop mitigation measures with the development and implementation of those measures to be resourced by POTL. - POTL should also consider if it looked across all consents they hold for the Port, whether there is opportunity to align mātauranga monitoring opportunities across consents so that greater resourcing is available to reflect the significant scale of activities being undertaken within Te Awanui. - Require POTL to fund a cultural landscapes assessment

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appropriate baseline measures to monitor change against; c) Methodologies for the cultural indicators to be surveyed and monitored and how results will be compared with any information provided in any Mātauranga Māori State of the Environment report that is available (condition 12); d) A description of how the cultural indicators monitored will be integrated with the scientific monitoring carried out under this consent pursuant to conditions 13 and 16; e) A description of how the monitoring obtained under the Mātauranga Monitoring Plan will be integrated with any wider mātauranga monitoring undertaken for Te Awanui/Tauranga Harbour; and f) Reporting requirements including the extent to which any information obtained is to be included on the consent holder's website in accordance with condition 4.5. <i>Advice Note: The requirement of the Mātauranga Monitoring Plan is a joint requirement with consent RM26-0055-LC. It is recognised that one Mātauranga Monitoring Plan will be provided to address the requirements of both this consent and consent RM26-0055-LC.</i> 15.4(DC): Upon being provided with the final Mātauranga Monitoring Plan, the consent holder must forward the Mātauranga Monitoring Plan to Bay of Plenty Regional Council for its records. If the consent holder becomes aware of any changes to the Mātauranga Monitoring Plan, the consent holder must notify the Bay of Plenty Regional Council within five (5) days of being made aware of the changes (including a copy of the updated Mātauranga Monitoring Plan if the consent holder has been provided with a copy by the SPDAG). 15.5The consent holder must support the preparation and delivery of the Mātauranga Monitoring Plan to the value of \$25,000 per annum (jointly with consent RM26-0055-LC from the time the SPDAG is established (condition 3) until the expiry of this resource consent. <i>Advice Note: the consent holder has offered condition 15.5 and agrees to be bound by it pursuant to the Augier principle.</i> Note: condition 14 of Structures Consent is essentially the same as Dredging Consent so I have not repeated here		

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Restoration and Mitigation <i>Condition 18: Restoration</i> 18.1 (DC): The consent holder must provide a one off payment of \$2,000,000 (when combined with resource consent RM26-0055-LC for the SPDAG to invest into projects of its choosing. The purpose of the fund is to provide support for administration of the SPDAG and projects that: (a) contribute to the restoration of the health of Te Awanui/Tauranga Harbour; or (b) abundance projects; or (c) projects that benefit iwi and hapu that have a relationship with Te Awanui/Tauranga Harbour; or (d) Any other project deemed appropriate by the SPDAG. <i>Advice Note: the consent holder has offered condition 18.1 and agrees to be bound by it pursuant to the Augier principle.</i> 18.2 (DC): The consent holder must provide a one off payment of \$500,000 (when combined with resource consent RM26-0055-LC) for the SPDAG to use for design and implementation of Pou or other structures, for the purpose of recognising the significance of the land on which the Port of Tauranga is located on to the relevant tangata whenua parties. <i>Advice Note: the consent holder has offered condition 18.2 and agrees to be bound by it pursuant to the Augier principle.</i> 18.3 (DC): The consent holder must provide a one off payment of \$250,000 (when combined with resource consent RM26-0055-LC) for the SPDAG to use for a longitudinal assessment of health and wellbeing against agreed marae outcomes for Whareroa Marae. <i>Advice Note: the consent holder has offered condition 18.3 and agrees to be bound by it pursuant to the Augier principle.</i> 18.4 (DC): The consent holder must provide a one off payment of \$100,000 (when combined with resource consent RM26-0055-LC) for the SPDAG to fund an independent audit and assessment of discharges against existing consent conditions and discharges into Te Awanui/Tauranga Harbour.	The reclamation of Te Awanui restricts Ngāti Ranginui access to seabed, water, taonga species and air column, reducing ability to connect to Te Awanui and impacting identity and the value hononga. Recommendation is to participate in the restoration of Te Awanui and its taonga species. Loss of mātauranga relating to names and pūrākau impacting Mātauranga Ranginui.	POTL offers to provide a one-off payment of \$2 million to the SPDAG to fund restoration of the health of Te Awanui/Tauranga Harbour, abundance projects, projects benefiting tangata whenua, and other projects determined by the SPDAG. I am concerned that this condition does not actually consider what type of restoration is required as this has yet to be scoped or well understood. It is likely that restoration projects will fall out of the Mātauranga Monitoring but the costs of those is difficult to predict. Furthermore, it may be that cultural effects are generated some time into the implementation of the consents that would require further restoration funding but cannot be addressed due to the funding being tagged for earlier projects. Additionally, restoration funding should be considered across all of POTL's activities in Te Awanui and could be a matter that is considered across all consents POTL holds for Te Awanui. Similarly, \$150,000 for avifauna enhancement opportunities may not be an appropriate amount which is unknown until those opportunities are better understood. The condition can be improved by: • Rather than a fixed sum for restoration, either providing an annual amount or minimum amount that can be increased to respond to identified cultural effects. • Require restoration projects to be linked to cultural effects identified through the MMMP • Require POTL to resource tangata whenua to scope avifauna enhancement opportunities first before agreeing a figure for enhancement opportunities.

Proposed Condition	Cultural Effects / Recommendations	Improvements
<i>Advice Note: the consent holder has offered condition 18.4 and agrees to be bound by it pursuant to the Augier principle.</i> 18.5 (DC): The consent holder must provide a one off payment of \$1,000,000 and, commencing at the first anniversary of the granting of this consent until the expiry of this consent, an annual payment of \$25,000 (when combined with resource consent RM26-0055-LC, to the Whareroa Marae Reservation Trust towards Whareroa Marae Infrastructure projects, adjusted annually for inflation in accordance with the Consumer Price Index (CPI), from the time works commence pursuant to this consent until the expiry of this consent. <i>Advice Note: The consent holder currently contributes \$50,000 per annum (CPI adjusted) to the Ngā Mātarae Charitable Trust under the conditions of resource consent 65806. For the avoidance of doubt, the contributions specified in conditions 18.1 to 18.5 of this consent are additional to the contribution specified in resource consent 65806.</i> <i>Advice Note: the consent holder has offered condition 18.5 and agrees to be bound by it pursuant to the Augier principle.</i> 18.6 (DC): Within twelve (12) months of the commencement of this consent, the consent holder must fund and prepare a land use policy addressing incompatible activities on land owned by the Port of Tauranga Limited and located adjacent to Whareroa Marae. This policy must be provided to a Whareroa Marae representative upon its completion and to the Bay of Plenty Regional Council upon request. 18.7(DC):Unless otherwise specified in a condition, the payments authorised by this consent must be paid within two (2) months of the establishment of the SPDAG (condition 3). 18.8 (DC): If the SPDAG is not established within five (5) years from the commencement of this resource consent (as specified by condition 3.6), then the consent holder must provide the funds referenced in conditions 18.1 to 18.4 of this resource consent to the Bay of Plenty Regional Council for use towards Council led Te Awanui/ Tauranga Harbour restoration projects. Note: condition 15 of Structures Consent is essentially the same so I have not repeated here. <i>Condition 19: Scholarships (DC)</i>		

Proposed Condition	Cultural Effects / Recommendations	Improvements
Condition 19.1 (DC): The consent holder must establish a fund of \$250,000 to provide for research and education scholarships for iwi and hapū that have a relationship with Te Awanui/Tauranga Harbour for the duration of the consent. The fund is to be administered by the University of Waikato, and details of the scholarships awarded by the University of Waikato must be made available by the consent holder on the project website (condition 4.5). <i>Advice Note: the consent holder has offered condition 19.1 and agrees to be bound by it pursuant to the Augier principle.</i> Condition 19.2 (DC): The purpose of the scholarships is to provide for education and/or research that promotes a better understanding of Te Awanui/Tauranga Harbour, improvements to the health of Te Awanui/Tauranga Harbour and capacity enhancement within iwi/hapū. Research funded by the scholarships may include (but is not limited to): (a) Kaimoana species/restoration of kaimoana. (b) Ecological corridors within Te Awanui/Tauranga Harbour and how they may be enhanced. (c) Mātauranga māori. (d) Cultural health indicators. (e) Living seawalls/living structures. (f) Coastal erosion management. (g) Climate change (such as impacts or blue carbon initiatives). Condition 19.3 (DC): The consent holder must arrange for the results of research funded under conditions 19.1 and 19.2 to be provided to the SPDAG, where it has been established, within two (2) months of completion of any such research. Condition 13.4 (SC): The consent holder must establish a one off fund of \$150,000 to be used for the purpose of assessing and developing opportunities to enhance avifauna habitat in and around Te Awanui/Tauranga Harbour. The fund is to be administered by the SPDAG.		

Appendix A: Te Rangimārie Williams Qualifications and Experience

1. My full name is Te Rangimārie May Williams. My iwi affiliations include Tūhoe, Ngāti Whakaue, Ngāti Hauti and Taranaki.
2. I hold the following qualifications:
 - a. Bachelor of Laws from Victoria University of Wellington – Te Herenga Waka.
 - b. Master of Laws, Victoria University of Wellington – Te Herenga Waka. My master’s thesis explored the ability for law and Treaty settlements to incorporate Te Ao Māori concepts, specifically Te Mana Motuhake o Tūhoe.
 - c. Diploma in Te Aupikitanga ki te Reo Kairangi (Level 6 Full Immersion Intermediate te Reo, Te Wānanga o Aotearoa).
3. In 2012, I was admitted as a Barrister and Solicitor of the High Court of New Zealand. I practiced as a lawyer for approximately five years in general litigation before moving into resource management law. Throughout my legal career I represented applicants in the Environment Court, Māori Land Court, and Marine and Coastal Area (Takutai Moana) Act 2011, employment and family proceedings. My Environment Court experience includes representing Māori entities on an appeal to a Plan Change, representing a large airline in opposition to resource consents to extend an airport runway, and representing iwi entities on various consent applications that generated cultural effects including the destruction of a pā site.
4. Since 2011, I have worked in and for iwi taiao units on policy, planning and consenting projects. My roles have included acting as Pou Takawaenga Taiao (Environmental Manager) at Ātiawa ki Whakarongotai Charitable Trust, and as Manager at Te Papa Ahurewa, an entity established to support Te Arawa iwi, hapū and whānau in resource management processes. Until recently I was Director of Te Kōnae Ltd whose mahi involved supporting iwi throughout Aotearoa in resource management processes. I now have my own small taiao consultancy, Mārearea.
5. The types of projects I have been involved in in support of iwi include:
 - a. Regional freshwater planning.
 - b. District-wide climate change adaptation planning.
 - c. Stormwater management planning.
 - d. Wastewater management planning.
 - e. Developing an Open Space Strategy.
 - f. Assisting with the development of a Kaitiakitanga Plan.
 - g. Bylaw review.
 - h. Numerous cultural impact assessments of resource consent applications.

6. At a national level my experience includes supporting the Kāhui Wai Māori as Project Manager and Lead Technical Advisor for the Freshwater Implementation Programme.
7. I have held roles as board member on the Wellington Conservation Board and as committee member on the Tauranga City Council Wastewater Management Review Committee.
8. My practice primarily seeks to support iwi, hapū and whānau in collaborative resource management with a focus on what great Te Tiriti partnerships look like. Over the years I have been lucky enough to sit alongside several kaitiaki with expertise in kaitiaki values. I have drawn on guidance from these kaitiaki to support their participation in central and local government environmental processes. Throughout my career I have developed expertise in the articulation of cultural values and effects to support iwi, hapū and whānau participation in resource management.