

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission in respect of the **PROPOSED WAIKATO DISTRICT PLAN** by **AMBURY PROPERTIES LIMITED** pursuant to Clause 6 of Schedule 1 of the Act seeking the rezoning of land at Ohinewai

STATEMENT OF EVIDENCE OF GLEN TUPUHI

1. INTRODUCTION

- 1.1 My name is Glen Tupuhi. I am the Chairman of the Tangata Whenua Governance Group ("TWGG"). The TWGG was formed to formalise the relationship between mana whenua and The Comfort Group ("TCG") and Ambury Properties Limited ("APL") and to enable ongoing consultation and collaboration between TCG/APL and mana whenua in respect of the Sleepyhead Estate development.
- 1.2 My professional background has been in the justice and health arena having been employed in management positions in the Department of Corrections, CYFS, Health Waikato, Hauora Waikato and Te Runanga o Kirikiriroa. As regards Iwi positions, I have for many years held Chair roles at marae hapuu and Iwi levels. As a former chair of the Ngaati Paoa Trust I held positions as a treaty negotiator in the Hauraki and Tamaki claimant areas and was a member of the Independent Statutory Board of Auckland Council 2010 – 2013.
- 1.3 I currently sit on the Hauraki Primary Health Organisation (PHO), Te Korowai Hauora o Hauraki and am a Hauraki representative on the Waikato District Health Board Iwi Maori Council. I currently chair Nga Muka Development

Trust (Nga Muka) a cluster of north Waikato marae under the Waikato Tainui tribal infrastructure as well as chair of the Tangata Whenua Governance Group (TWGG).

Purpose and scope of evidence

1.4 The purpose of my evidence is to provide an overview of the TWGG, its role and its support for the Sleepyhead Estate. Specifically, my evidence will:

- (a) Describe the TWGG and its relationship to the broader Waikato-Tainui organisation (Section 3);
- (b) Describe the genesis of the TWGG, and its purpose and functions (Section 4);
- (c) Confirm TWGG's support for the Sleepyhead Estate and the reasons for that (Section 5);
- (d) Provide a brief conclusion (Section 6).

1.5 A summary of my evidence is contained in Section 2.

1.6 I am authorised to speak / present this evidence on behalf of the TWGG.

2. SUMMARY OF MY EVIDENCE

2.1 The TWGG is made up of the Waahi Whaanui Trust, Te Riu O Waikato Limited (TROWL), Nga Muka Development Trust and Te Whakakitenga o Waikato Incorporated (Waikato Tainui).

2.2 Waikato Tainui considered and assessed the manner in which responses to developments from marae, hapuu, and the tribal authority have occurred to date and decided to collectivise efforts and allocation of resources to effectively meet future demands in the north Waikato. They acted on the success of lessons learnt from the collective Waikato Tainui Tangata Whenua Governance Group established to inform and assist the successful completion of the Huntly to Taupiri section of the Waikato Expressway. That model has therefore been adopted to respond to the proposed Sleepyhead Estate

development at Ohinewai through the formation of the Sleepyhead Estate Tangata Whenua Governance Group ("TWGG").

- 2.3 In effect, the TWGG is a North Waikato maxi marae cluster with central Waikato Tainui partnership resourced expertise. It was formed in order to formalise the relationship between mana whenua and APL/TCG to ensure that their environmental, cultural and spiritual values are appropriately identified, recognised and provided and that the development is beneficial to all parties.
- 2.4 On 20 November 2019, a memorandum of understanding ("MOU") was signed by TWGG and TCG / APL representatives which records the intention of the parties to work collaboratively on the project. Consistent with the MOU, the functions of the TWGG are to identify and promote the cultural, social, environmental, and economic aspirations of TWGG members.
- 2.5 Development of the type proposed at the Sleepyhead Estate offers huge opportunities for our people. Crucially, there will be a post pandemic impact on whanau in Huntly as well as other pockets of deprivation across the north Waikato, adding considerable stressors to an already inequitably deprived population.
- 2.6 The combination of jobs and housing in the Sleepyhead Estate development proposal is a major attraction for TWGG. The proposal to provide the industry jobs and a home ownership incentive is also attractive to TWGG in that it adds a home retention insurance policy against future economic uncertainty.
- 2.7 TCG's commitment to the north Waikato is clear and has already been demonstrated through training and employment initiatives that are underway. Their family-based, socially responsible and inclusive approach to the development closely matches the values and aspirations of the TWGG. This, coupled with their proposed investment in jobs, training and infrastructure in a deprived area of the Waikato means the TWGG strongly supports the development. This has always been on the basis of TCG/APL's equally strong commitment to environmental values and practices.

- 2.8 Comparing it to the current agricultural land use and taking into account the intergenerational environmental, cultural, social and economic impact that agriculture, and especially dairy has on our environment and communities, there is no obvious wealth trickle down to whanau, hapuu marae in the area and the return by way of direct benefits, i.e. employment, is miniscule. By comparison TCG have a proven track record in employing Maori and Pasifika people with an exemplary human resources record.
- 2.9 A Kaitiaki Environmental Values Assessment ("KEVA") has been prepared and includes 27 recommended actions. The TWGG and TCG/APL have been working through implementation of the recommendations and have made good progress.
- 2.10 The Sleepyhead Estate development represents an enormous opportunity to create an ongoing partnership between mana whenua and a private developer and investor that will bring social, economic and cultural benefits to a deprived area of the Waikato District.
- 2.11 Therefore, I urge that that the rezoning be approved so the many initiatives we have established with TCG/APL can be realised.

3. **THE TANGATA WHENUA GOVERNANCE GROUP**

- 3.1 The TWGG is a coalition of four Waikato-Tainui entities that represent members of Waikato Tainui iwi and hapuu in the area that would be impacted by / benefit from the Sleepyhead Estate Project. Those entities comprise the following.

Waahi Whaanui Trust

- 3.2 The Waahi Whaanui Trust represents hapuu/marae/whaanau within the Huntly/Ohinewai area and forms part of the wider network of the tribe of Waikato - Tainui. The Trust was established in 1983 as part of an initiative of the Tainui Maaori Trust Board and became an Incorporated Charitable Trust in 1987. This provided the mechanism for Waahi Whaanui Trust to fulfil responsibilities of kaitiakitanga ensuring the protection of our natural resources and working with Central and Local Government to provide Health,

Social, Education and Employment services for our whaanau and hapuu also extending to the wider community.

- 3.3 Waahi Whaanui Trust has maintained its spiritual and cultural identity which remains the backbone of the organisation. This transcends into the philosophy of a holistic approach to service delivery, with the aim of establishing and maintaining fully integrated services.

Te Riu O Waikato Limited

- 3.4 Te Riu O Waikato Limited is a mandated company of Te Whakakitenga o Waikato Incorporated. With a cluster of 15 Marae and over 16,500 beneficiaries our purpose is to build and accelerate economic prosperity. TROWL's focus is on creating economic prosperity to develop the social fabric of Waikato Tainui whaanau, hapuu, marae and iwi.

Nga Muka Development Trust

- 3.5 The Nga Muka Development Trust is the representative body for the cluster of five marae under the Waikato Tainui tribal structure. Nga Muka Development Trust encompasses the area from Rangiriri in the west across the northern boundary of Lake Waikare to the Waiterimu valley. The marae are Maurea, Horahora, Waikare, Okarea, Taniwha, and the principal hapuu of those marae are Ngaati Pou, Ngaati Naho, Ngaati Hine and Ngaati Mahuta.

Te Whakakitenga o Waikato Incorporated

- 3.6 Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) is the post-settlement governance entity for the Waikato iwi, consisting of 68 marae and 33 hapuu, and managing assets for the benefit of over 72,000 registered tribal members.
- 3.7 Waikato Tainui is recognised as a kaitiaki of our environment and views the holistic integrated management of all elements of the environment such as flora and fauna, land, air and water as of utmost importance.

3.8 Waikato Tainui seeks to ensure that all plans and policies associated with the Ohinewai development area and the Sleepyhead Estate align with the various important tribal documents, in particular:

- (a) Tai Tumu, Tai Pari, Tai Ao - Waikato-Tainui Environmental Plan; and
- (b) Te Ture Whaimana O Te Awa O Waikato - The Vision and Strategy for the Waikato River; and
- (c) Whakatupuranga Waikato-Tainui 2050 - Strategic Plan.

3.9 Also important is alignment with the Three Waters Reform programme, which states:

Effective three waters services are essential for our communities

- **Our health and safety:** depends on safe drinking water, safe disposal of wastewater and effective stormwater drainage.
- **Our prosperity:** depends on adequate supply of cost effective three waters services for housing, businesses and community services.
- **Our environment:** depends on well managed extraction of drinking water, and careful disposal of wastewater and stormwater.

4. **TWGG – PURPOSE AND FUNCTIONS**

Background and overview

4.1 The projected growth of the North Waikato Corridor is anticipated and well documented. Recent large scale developments in the north Waikato include the Springhill Prison at Hampton Downs and adjacent motor industry facilities, Cobb Vantress chicken breeding plant at Whangape, the residential subdivisions at Te Kauwhata as well as the recently completed sections of the NZTA Waikato Expressway.

4.2 As a tribal entity Waikato Tainui has consulted and assessed the manner in which responses to developments from marae, hapuu, tribal authority have occurred to date and has taken the view that there is an obvious need to collectivise efforts and allocation of resources to effectively meet future

demands in the north Waikato, taking into account the overarching determinants mentioned in paragraph 3.8 above.

- 4.3 The collectivisation of central tribal authority and marae clusters representing hapuu and whanau in a designated area creates a Waikato Tainui “one stop shop” that removes duplication and impediments for developers as well as local territorial authorities in the relevant Iwi consultation provisions of the Resource Management Act and related legislation.
- 4.4 Waikato Tainui has acted on the success of lessons learnt from the collective Waikato Tainui Tangata Whenua Governance Group established to inform and assist the successful completion of the Huntly to Taupiri section of the Waikato Expressway, which involved central and Local government and other key stakeholders. That model has been adopted to respond to the proposed Sleepyhead Estate development at Ohinewai.
- 4.5 In effect, the Sleepyhead Estate TWGG is a North Waikato maxi marae cluster with central Waikato Tainui partnership resourced expertise. It was formed in order to formalise the relationship between mana whenua and APL/TCG to ensure that their environmental, cultural and spiritual values are appropriately identified, recognised and provided for in undertaking the development of the Sleepyhead Estate and that the development is beneficial to all parties.

Memorandum of understanding

- 4.6 On 20 November 2019, a memorandum of understanding (“MOU”) was signed by TWGG and TCG / APL representatives which records the intention of the parties to work collaboratively on the Sleepyhead Estate project. The purpose of the MOU is to provide for an enduring relationship between TCG/APL and mana whenua, which:
 - (a) Enables TCG to achieve its goal of developing and operating from the Sleepyhead Estate;

- (b) Recognises and advances the cultural, social, environmental, and economic aspirations of TWGG member entities and their members/beneficiaries/related entities; and
- (c) Provides for the mana whenua, iwi, hapuu, marae and whaanau of Waikato-Tainui to further and better participate in the development of the Sleepyhead Estate. To that end, NZCG and APL will wherever feasible seek to engage and contract with Waikato iwi tribal member-owned businesses and workers so as to maximise their involvement in the planning, building, and operation of the Ohinewai development area and the Sleepyhead Estate.

4.7 The MOU represents true ongoing engagement and collaboration, well beyond the usual consultation.

TWGG functions

4.8 Consistent with the MOU, the functions of the TWGG are to identify and promote the cultural, social, environmental, and economic aspirations of TWGG members. This is achieved via:

- (a) Ongoing email and telephone communications;
- (b) Regular hui which are held in the Ohinewai/Huntly every month.
- (c) Advocacy and enabling mechanisms.

4.9 We have open lines of communication with TCG/APL and their advisers and have been involved in many of the planning phases of the development by reviewing and commenting on reports and plans and providing information on cultural matters. We have supported the project to date by:

- (a) Leading and delivering cultural protocols waerea karakia prior to initial site development and future significant milestones of the development.
- (b) Negotiating environmental protection mechanisms that are mutually valued and beneficial.

- (c) Supporting training initiatives such as the Sleepyhead Academy and identifying members for training and employment at the Sleepyhead Otahuhu factory.

5. **MANA WHENUA SUPPORT FOR THE SLEEPYHEAD ESTATE DEVELOPMENT**

Need for development to support our people

- 5.1 Development of the type proposed at the Sleepyhead Estate offers huge opportunities for our people. Research substantiates that Maori have been extraordinarily impacted by disruptions of a global and domestic scale, including previous epidemics, both World Wars, depressions and economic downturns, State asset sales and the business model evolution of state owned enterprises. These have cumulatively added to the ratcheting down the socio-economic ladder effect, leaving far too many Maori households worse off by comparison to the general population. The deprivation statistics of Meremere and Huntly West communities are worse when compared to other like communities nationally.
- 5.2 Many of our people lived in homes attached to industry across the Waikato Region and indeed the nation. That was a feature of mining, forestry, hydro electric, timber mills industries as well as Tokanui and other hospitals and the various Ministry of Justice Prison facilities across the region.
- 5.3 The mid-1980's economic downturn combined with "Rogernomics" policies as well as the corporate model of SOE's restructuring had well documented negative impacts on Maori communities. The closure of many of those industries and housing estates associated with them was the Achilles heel and a significant influence in compounding the housing crisis that all too many of our whanau currently face.
- 5.4 A recent Index of Multiple Deprivation (IMD) assessment commissioned by the Waikato District Health Board enables one to look at disadvantage in overall terms, as well as in terms of seven domains of deprivation: Employment, Income, Crime, Housing, Health, Education and Access. It identified parts of North Waikato including in particular Huntly West, as an

area that rates high in the deprivation demographic when compared to national averages¹.

- 5.5 I also refer to the Statistics NZ (2013) report on declining Maori Pasifika home ownership². That report covers the influencing factors that contribute to the continued decline.
- 5.6 Crucially, there will be a post pandemic impact on whanau in Huntly as well as other pockets of deprivation across the north Waikato, adding considerable stressors to an already inequitably deprived population.
- 5.7 Using information derived from the Waikato Regional Council - Lake Waikare and Whangamarino Wetland Catchment Management Plan ("LWWWCP") (2018) the TWGG draws conclusions on environmental impact of agribased industry measured against economic returns and more particularly any direct benefit to mana whenua and other Iwi residing in the lower Waikato. The environmental and ecological impact of agribased farms within the CMP catchment associate nearly 64,000 hectares with rural industry sectors. This excludes approximately 10,883 hectares of native forest/wetland and 1388 hectares of unspecified farm types. Of that Dairy, Sheep and Cattle farming (estimated 74%) are known to have the most detrimental ecological and bio diversity impact on the environment, water quality in particular.
- 5.8 The Economic Activity section (pg 47) of the LWWWCP report states that "The Waikato region is the fourth largest contributor to the New Zealand economy, and is considered an agricultural powerhouse and a key supplier

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<https://www.fmhs.auckland.ac.nz/assets/fmhs/soph/epi/hgd/docs/dhbprofiles/Waikato.pdf>

2

http://archive.stats.govt.nz/browse_for_stats/people_and_communities/housing/changing-maori-pacific-housing-tenure/home-ownership-patterns.aspx#gsc.tab=0

to New Zealand's dairy industry with approximately 34 per cent of the national dairy herd (New Zealand Trade and Enterprise, 2016)".

- 5.9 Agriculture (dairy and dry stock farming) is the dominant economic activity within the LWWWCMP catchment area, directly contributing an estimated \$76million (or \$137.6 million once the wider effects are taken into account to the Waikato gross regional product (GRP) in 2015 (Keenan,2017). Including other rural industry sectors, such as forestry, horticulture, poultry, deer and other livestock farming, the Lake Waikare and Whangamarino Wetland catchment area contributes \$83 million directly, or approximately \$156.7 million (0.7 per cent) to the Waikato GRP including wider effects, in 2015 (Keenan, 2017)".
- 5.10 However, taking into account the intergenerational environmental, cultural, social and economic impact that agriculture, including and especially dairy, has on our environment and communities, there is no obvious wealth trickle down to whanau, hapuu marae in the area and the return by way of direct benefits ie employment and community development is miniscule.
- 5.11 By comparison TCG has a proven track record in employing Maori and Pasifika people with an exemplary human resources record

Support for the Sleepyhead Estate

- 5.12 The combination of jobs and housing in the Sleepyhead Estate development proposal is a major attraction and ticks crucial boxes for TWGG. The proposal to provide the industry jobs and a localised home ownership incentive is attractive to TWGG in that, among other obvious advantages it adds a home retention insurance policy against future economic uncertainty.
- 5.13 From the outset of our engagement with TCG/APL, the following observations were and are apparent:
- (a) TCG is a family business with an evidence based commitment to certain family, corporate, people and environmental focussed values.
 - (b) TCG's vision for the Ohinewai development as explained directly by the owners showed a genuine determination to translocate

operations, expand, grow and diversify production and commercial opportunities. Their commitment to their current workforce was and is evident in their concern about how the rising Auckland based living costs are placing pressures on families therefore there was a commitment to provide employment and housing on the Ohinewai site.

- 5.14 TCG's commitment to the north Waikato is also clear and has already been demonstrated through training and employment initiatives that are already underway. Te Riu o Waikato acting with and on behalf of TWGG have taken the lead role in the employment creation initiatives working closely with the Comfort Group and Ministry of Social Development (MSD). Up and until the disruption caused by Covid 19, a collective of unemployed people from Huntly were recruited and transported daily to work in the Comfort Group manufacturing plant in Otahuhu.
- 5.15 A key goal in this initiative is to have local whanau embedded into and elevated within the current workforce in anticipation of the eventual construction and relocation of the plants to the Ohinewai site.
- 5.16 The TWGG is also working on a proposal for a Sleepyhead Estate training facility that will provide the opportunity for local people to undertake training programmes that equip them with the skills to enter the workforce, including potentially in roles at TCG.
- 5.17 TCG's family-based, socially responsible and inclusive approach to the development closely matches the values and aspirations of the TWGG. This, coupled with their proposed investment in jobs, training and infrastructure in a deprived area of the Waikato meant the TWGG strongly supports the development. This has always been on the basis of TCG/APL's equally strong commitment to environmental values and practices.

Kaitiaki Environmental Values Assessment

- 5.18 The MOU recorded the intention of the TWGG to prepare a cultural values assessment report which considers the traditional, spiritual, historical and

cultural associations with the area and addresses environmental, social, and economic wellbeing/aspirations.

- 5.19 The TWGG commissioned Whetu Consultancy Group to prepare this report. The Kaitiaki Environmental Values Assessment (“KEVA”) was issued on 10 April 2020. The report states:

“Overall, Mana Whenua are encouraged by the opportunities that the Sleepyhead Estate development will bring to Ohinewai, and widely the Waikato region. Additionally, Mana Whenua recognises the efforts of APL and their agents in their engagement and willingness to discuss and accommodate (through technical investigation) the initial concerns of Mana Whenua prior to the full development of the KEVA report.”

- 5.20 The key issues for mana whenua in terms of the implementation of the development are identified in the KEVA as follows:

“To uphold, recognise and provide for the Vision and Strategy for the Waikato River/Te Ture Whaimana o Te Awa o Waikato,

That Mana Whenua (via the Tangata Whenua Working Party) continue to be active participants to enable the expression and exercise of Mana Whakahaere to protect and nurture the mauri of all living things and be active managers of the values and interests identified in the KEVA report (and any future reports), and

Opportunities to advance Mana Whenua social, economic, environmental and cultural aspirations, such as papakaainga housing, employment and enterprise within the Sleepyhead Estate, and environment enhancement/restoration activities.”

- 5.21 The KEVA included 27 recommended actions. The TWGG and TCG/APL have been working through implementation of the recommendations and have made good progress. However, many of the actions are practical initiatives that can only be implemented if the development takes place. Mana whenua will continue to work with APL/TCG on the development of the Sleepyhead Estate to achieve these goals.

6. **CONCLUSION**

- 6.1 The Sleepyhead Estate development represents an enormous opportunity to create an ongoing partnership between mana whenua and a private

developer and investor that will bring social, economic and cultural benefits to a deprived area of the Waikato District, at the same time as the company achieves its growth and productivity benefits. We have already seen the benefits as a result of the hope it has given to our whanau, particularly our young people, that there will be a future of jobs, services and housing in this area.

- 6.2 I urge that that the rezoning be approved so the many initiatives we have established with TCG/APL can be realised.

Glen Tupuhi

31 August 2020