

Te Ture Whenua Tika iio Nga Tangata Whenua

Kei a ratoa te mana tuko Miru, Raharaha, Tipene, Mau Rakau Haapu Whanau

Whanaungatia ka uru te tika ma te mana whakahaere I nga patea whenua.

Ko te ukaipo te wahi, te tangata ranei e whangai ana I te ora, I te haa o te tangata. I te horopaki o te pepi ma te uu.

Engari, I te tikanga whanui whanui, ko te ukaipo hoki te puna o te manakitanga, o te ha ora me te hononga ki te whenua me te whanau.

Ko te tangata whangai e kai ana te kai pakeke, kua puta I te wa pepi pea, kua timata ki te kai I nga momo kai e hangai ana ki te pakeketanga o tona tinana. E tohu ana tenei I te whakawhanaungatanga me te tipu haere o te tangata, katahi ka tau ki nga kai e whakawhanui ake ana I tona oranga me tona kaha.

Te Kooti Marae

Ko te Kooii Marae he wahi nei whakataau rongoa me te whakaroa mo nga whanau me nga hapu, ma te whakamahi I nga tikanga Maori hei whakahou I te mana me te whakatau I nga raru I waenga I te tangata, te haponi, kia noho ai te rangimarie me te oranga ki te runga rawa me te whenua.

Ko te paepae

Kei runga I te marae e noho ai te kuia kaumatua me nga kaitirotiro o te kooti. He papa tuu ahua tikanga, ka noho ratou hei kaiarahi me te kaiwhakatu I nga korero me nga tikanga I nga huihuinga o te marae. I te ao Maori, ko te paepae te wahi o te mana me te rangatiratanga. Ko te paepae e tohu ana I te paeroa whakahaere o te hapu I runga I nga tikanga Rangatira. Ka rongo I nga korero o te hapu nga karakia, me nga whaikorero I runga I te mana o te whenua me nga kaupapa tuku iho.

The following two Acts, the **local government act 2002 and amendments**, and the **local government (rating) act 2002 and amendments**, are hereby altered, added to and replaced and these changes are now permanent and unamendable by special resolution in accordance with the tikanga of our Aio Haapu Whanau as follows;

This **local government act 2002 and amendments, s3 Purpose**

The purpose of this Act is to provide for the people of the local authority area through -

(1) maintenance of the local area infrastructure of roads, parks, reserves and libraries.

(2) aiding and assisting and funding the local people with the protection, retention and control of their mana and whenua.

(3) protecting all the tangata whenua and the land and the air and the waterways from poison and damage and degradation as directed by tangata whenua.

This local government (rating) act 2002 and amendments, s3 Purpose

The purpose of this Act is to provide for the tangata whenua of the local authority area through -

(1) maintenance of the local area infrastructure of roads, parks, reserves

(2) aiding and assisting and funding the local kaitiaki with the protection, retention and control of their mana and whenua

(3) protecting all the tangata whenua and the land and the air and the waterways from poison and damage and degradation as directed by tangata whenua.

This local government act 2002 and amendments, s5 Interpretation

kaitiaki means tangata whenua and man and woman and people

person means a legal entity person only, it does not refer to or include men or women or kaitiaki or tangata whenua

rating unit means a reference to a title lease only, it does not apply to whenua or any other tangible land

tangata whenua means kaitiaki and men and women and boys and girls and people

Whare means home

whenua means the real and tangible soil, also known to tangata whenua as land

This local government act 2002 and amendments, s8, Act binds the Crown

All parts of this Act shall bind the Crown;

The subsections (1), (2), (3), (4) and (5) are hereby repealed

This local government (rating) act 2002 and amendments, s5 Interpretation

kaitiaki means tangata whenua and man and woman and people
land means the title lease only, it does not apply to whenua or any other tangible land.

owner means the man or woman or kaitiaki or tangata whenua protecting and in possession of the area of whenua of his or her claim.

person means a legal entity person only, it does not refer to or include men or women or kaitiaki or tangata whenua.

rating unit means a reference to a title lease only, it does not apply to whenua or any other tangible land.

tangata whenua means kaitiaki and men and women and people

Whare means home

whenua means the real and tangible soil, also known to tangata whenua as land.

This local government (rating) act 2002 and amendments, s6, Act binds the Crown

This Act binds the Crown

This local government (rating) act 2002 and amendments, s7 Rateable land

This section is hereby repealed.

This local government act 2002 and amendments, s10 Purpose of local government

The purpose of local government is to provide for the tangata whenua of the area through -

(1) maintenance of the local area infrastructure of roads, parks, reserves as required and directed by the tangata whenua of the local authority area

(2) aiding and assisting and funding the tangata whenua with the protection, retention and control of their mana and whenua

(3) protecting the tangata whenua and the land and the air and the waterways from poisons and damage and degradation.

(4) to carry out the directions and policies of tangata whenua of the local authority area.

This local government act 2002 and amendments, s11 Role of local authority

The role of a local authority is to—

(a) give effect, in relation to its district or region, to the purpose of local government stated in local government act 2002 and amendments section 10

The subsection (b) is hereby repealed

This local government act 2002 and amendments, s12 Status and powers

(1) A local authority is a body corporate with perpetual succession.

(2) For the purposes of performing its role, a local authority shall—

(a) obtain informed written consent from the Whare of the region or district to be affected, for any actions it may take, prior to any action being taken; and

(b) for the purposes of paragraph (a), a local authority shall use only those rights, powers, and privileges as devolved upon it by the Whare of the region or district.

(c) every employee, staff member, agent, contractor or other member of a local authority shall have evidence of identity and authority.

(d) every employee, staff member, agent, contractor or other member of a local authority shall present evidence of identity and authority upon demand, to any tangata whenua in a manner where it can be read or photographed or otherwise recorded.

(3) A territorial authority shall obey the will and directives of the Whare of the territorial authority area.

(4) A regional council shall obey the will and directives of the Whare of the regional authority area.

(5) Subsections (3) and (4) do not—

(a) prevent 2 or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity with approval from tangata whenua of the local authority area;

The subsections (b), (c), (d) and (e) are hereby repealed.

local government act 2002 and amendments, s14 Principles relating to local authorities

(1) In performing its role, a local authority shall act in accordance with the following principles:

(a) a local authority shall -

(i) conduct its business in an open, transparent, and in a manner fully accountable to the people of the region or district and in accord with the Companies Act 1993, especially section 180 of that Act; and

(ii) give full effect to the directives given to it by the Whare of the region or district, in an efficient and effective manner:

(b) a local authority shall be aware of, and shall have full regard to the views and directives of all of its communities and only act with permission and approval of the Whare of the local authority area; and

(c) a local authority shall undertake any commercial transactions in accordance with sound business practices; and

(d) shall maintain and enhance the quality of the environment as directed by the Whare of the region or district;

The subsections (e), (f), (fa), (g) and (h) are hereby repealed

(2) every employee, staff member, agent, contractor or other member of a local authority shall recognise the superior jurisdiction and authority of tangata whenua and that, without a deed of contract to show otherwise, no tangata whenua shall be considered a legal entity person within the meaning of the Acts.

(3) that prior to dealing with any tangata whenua every local authority employee, staff member, agent or contractor shall have prior consent from every tangata whenua that they deal with.

(4) no employee, agent, staff, contractor or other member of any local authority shall have any jurisdiction or authority over any Whare and tangata whenua.

(5) every local authority employee, staff member, agent or contractor shall have respect for and follow tikanga maori as directed by Whare and tangata whenua.

(6) these principles are binding on every employee, agent, staff, contractor or other member of any local authority.

This local government (rating) act 2002 and amendments, s10 Who is ratepayer?

For the purposes of this Act, a ratepayer is,—

(a) in relation to a rating unit, the creator and owner of the rating information database and the district valuation roll for the rating unit: and

(b) the chief executive officer or chairperson or mayor of the local authority

This local government (rating) act 2002 and amendments, s11 Entry of ratepayer in rating information database and district valuation roll

(1) The name of the following persons must be entered in the rating information database and district valuation roll as the ratepayer in respect of a rating unit:

(a) the chief executive officer or chairperson or mayor of the local authority

The subsections (b), (2), (3), (4), (5) and (6) are hereby repealed

**this local government (rating) act 2002 and amendments, s12
Liability for rates**

(1) The ratepayer for a rating unit is liable to pay the rates that are due on the unit.

The subsections (1A) and (2) are hereby repealed

This local government act 2002 and amendments, s16 Significant new activities proposed by regional council

(1) all new proposals shall be presented to the tangata whenua and the men and women of the region for discussion and approval.

(2) all new activities shall be undertaken after approval and following the directives and policies of tangata whenua and the men and women of the region.

The subsections (3), (4), (5), (6), (7), (8) and (9) are hereby repealed.

This local government act 2002 and amendments, s17 Transfer of responsibilities

(1) A regional council may only transfer 1 or more of its responsibilities to a territorial authority in accordance with prior approval from the tangata whenua and the men and women of the region.

(2) A territorial authority may only transfer 1 or more of its responsibilities to a regional council in accordance with prior approval from the tangata whenua and the men and women of the territory.

The subsections (3), (3A), (4), (4A), (5), (6), (7), (8) and (9) are hereby repealed.

**This local government act 2002 and amendments, s29
Commission is body corporate with full powers**

this section is hereby repealed

**This local government act 2002 and amendments, s39
Governance principles**

A local authority must act in accordance with the following principles in relation to its governance:

(a) a local authority shall ensure that the expected conduct and personal accountability of elected members and every employee,

staff member, agent or contractor of that local authority is clearly understood by elected members and every employee, staff member, agent or contractor; and

(b) a local authority shall ensure that the methods, structures and processes used are effective, open, and transparent; and

(c) a local authority should be a good employer;

The subsections (d) and (e) are hereby repealed.

This local government act 2002 and amendments, s41 Governing bodies

(1) A regional council shall have a governing body consisting of—

(a) members elected by the Whare and tangata whenua of the region; and

(b) a chairperson elected by members of the regional council.

(2) A territorial authority shall have a governing body consisting of members and a mayor elected by the Whare and tangata whenua of the territory.

(3) A governing body of a local authority is responsible and accountable to the Whare and tangata whenua of that local area for the actions of the local authority.

(4) An employee of a local authority who is elected to be a member of the local authority's governing body must resign from his or her position as an employee of the local authority before taking up his or her position as a member of the local authority.

The subsection (5) is hereby repealed

This local government act 2002 and amendments, s42 Chief executive

(1) A local authority may appoint a chief executive.

(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—

(a) implementing the directives and policies of Whare and tangata whenua and the men and women, of the local authority's regional area, as given to the local authority; and

(b) ensuring the effective and efficient management of the activities of the local authority; and

(c) providing leadership for the staff of the local authority; and

(d) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and

(e) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

The subsections (f), (g) and (h) are hereby repealed.

The subsections (2A), (3) and (4) are hereby repealed.

**This local government act 2002 and amendments, 60A
Significant decisions of council and council-controlled
organisations affecting land or water**

Before a council or council-controlled organisation or council contractor makes a decision or takes action that may significantly affect land or a body of water, it must consult with the Whare and tangata whenua of the area to be affected and shall obey those directions as given by that Whare and tangata whenua which takes into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

**This local government act 2002 and amendments, s71 Protection
from disclosure of sensitive information**

This section is hereby repealed.

**This local government act 2002 and amendments, Part 6
Planning, decision-making, and accountability**

This part and all its sections is hereby repealed.

**This local government act 2002 and amendments, s124
Interpretation**

In this Part,—

drinking water has the meaning given in section 6 of the Water Services Act 2021, and section 7 of the Water Services Act 2021

**This local government act 2002 and amendments, s125
Requirement to assess drinking water services**

The subsection (5)(c) is hereby repealed

**This local government act 2002 and amendments, s127 Duty to
ensure communities have access to drinking water if existing
suppliers facing significant problems**

(1) Subsection (2) applies if—

(a) a drinking water supply that is contaminated with a poison, such as glyphosate or either fluorosilicic acid (H₂SiF₆) or

sodium fluorosilicate (Na_2SiF_6) and any other pesticide or herbicide or fertiliser that is classified as a poison, that is a significant problem or potential problem the supplier or territorial authority has with any of its drinking water services; and

(b) the Whare and tangata whenua and men and women of the affected area require any contaminated water supply to be made uncontaminated;

(3) For the purposes of this section,—

(a) a significant problem or potential problem includes where—

(ii) there is a serious risk to public health relating to the drinking water services provided by a drinking water supplier, especially by the addition and contamination of the drinking water supply with glyphosate or either fluorosilicic acid (H_2SiF_6) or sodium fluorosilicate (Na_2SiF_6) and any other pesticide or herbicide or fertiliser that is classified as a poison;

(iv) both the territorial authority and Taumata Arowai shall immediately prevent addition of glyphosate or fluorosilicic acid (H_2SiF_6) or sodium fluorosilicate (Na_2SiF_6) and any other pesticide or herbicide or fertiliser that is classified as a poison, to any water supply; and

(v) both the territorial authority and Taumata Arowai shall immediately remove any previously added glyphosate or fluorosilicic acid (H_2SiF_6) or sodium fluorosilicate (Na_2SiF_6) and any other pesticide or herbicide or fertiliser that is classified as a poison, to any water supply

The subsections (c) and (e) are hereby repealed

This local government act 2002 and amendments, s131 Power to close down or transfer small water services

(1) Despite section 130(2), a local government organisation may, in relation to a water service that it is no longer appropriate to maintain,—

(a) close down the water service but only after full consultation and unanimous agreement of the Whare and tangata whenua and men and women of the entire community that will be affected by this action; or

(b) transfer the water service but only after full consultation and unanimous agreement of the Whare and tangata whenua and men and women of the entire community that will be affected by this action, to an entity representative of the community for which the service is operated.

The subsections (2) and (3) are hereby repealed.

This local government act 2002 and amendments, 165 Seizure of property from private land

As this section is in direct breach of;

the **Bill of Rights 1688,**

“Grants of forfeitures

That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void:”

it is therefore invalid *ab initio* which is from 1 July 2003 and cannot be used, any and all property taken illegally since 1 July 2003 shall be returned forthwith in the same condition as when taken or a negotiated settlement shall occur.

The **local government act 2002 and amendments,**
the subsections **166, 167** and **168** are hereby repealed.

This local government act 2002 and amendments, s189 Power to acquire land

(1) A local authority may temporarily use, but not acquire, land, whether within or outside its district, that may be necessary or convenient for the purposes of, or in connection with, any public work that the local authority would like to undertake, construct, or provide immediately before 1 July 2003, but only after full consultation and agreement with the Whare and tangata whenua of the lands referred to.

This local government act 2002 and amendments, s190 Compensation payable by local authority for land taken or injuriously affected

(1) This section applies to a person and any Whare and tangata whenua having land or an estate or interest in land—

(a) taken by the local authority for any public work; or

(b) injuriously affected by any public work; or

(c) suffering any damage from the actions of the local authority in this regard.

(2) A person and any Whare and tangata whenua is entitled to full compensation from the local authority for the matters referred to in subsection (1)(a), (b), or (c) as deemed and required by the Whare and tangata whenua concerned.

(3) The compensation may be claimed and shall be determined in the manner provided by a special resolution of the Whare and tangata whenua concerned.

**This local government act 2002 and amendments, Part 9
Offences, penalties, infringement offences, and legal proceedings**

This Part is hereby repealed.

**This local government act 2002 and amendments, Part 10
Powers of Minister to act in relation to local authorities**

This Part is hereby repealed.

**This local government act 2002 and amendments, Part 11
Regulations, other Orders in Council, and rules**

This Part is hereby repealed.

**This local government (rating) act 2002 and amendments, s57
Penalties on unpaid rates**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s58
Imposition of penalty**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s60A
Significant decisions of council-controlled organisations affecting
land or
water**

Before a council-controlled organisation makes a decision that may significantly affect land or a body of water, it must take into account, through full consultation with the Whare and tangata whenua, the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga and obtain unanimous agreement of the Whare and tangata whenua and men and women of the entire community that will be affected by this action.

**This local government (rating) act 2002 and amendments, s60
Invalidity of rates not ground for refusal to pay rates**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s62
Recovery of rates if owner in default**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s63
Legal proceedings to recover rates**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s64
Service of summons**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s65
Limitation of time for recovery of rates**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s65A
Recovery of unpaid rates from person actually using certain land**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s66
Registration of charging order for judgment for rates**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s67
Enforcement of judgment**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s68
Rating sale or lease**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s70
Rating unit may be sold or leased**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s72
Further powers and duties of Registrar**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s73
Execution of documents for rating sale or lease**

This section is hereby repealed.

**This local government (rating) act 2002 and amendments, s75A
Unpaid levy under Infrastructure Funding and Financing Act
2020**

This section is hereby repealed.