



Te Ngāi Tū Ahuriri Rūnanga Inc.



WAIMAKARIRI  
DISTRICT COUNCIL

# Mahi Tahī Joint Development Committee

## Agenda

**Tuesday 24 August 2021**

**9am**

***Location – via Council livestream  
due to National Covid Lockdown.***

***Members:***

Mayor Dan Gordon (Co-chair)  
Deputy Mayor Neville Atkinson  
Councillor Al Blackie  
Te Maire Tau, Upoko, Te Ngāi Tūāhuriri  
Tania Wati (Co-chair)

**A MEETING OF THE MAHI TAHI JOINT DEVELOPMENT COMMITTEE WILL BE HELD  
VIA ZOOM ON TUESDAY 24 AUGUST TO COMMENCE AT 9AM.**

Recommendations in reports are not to be construed as  
Council policy until adopted by the Council

**BUSINESS**

Page No

**KARAKIA**

**1 APOLOGIES**

**2 CONFLICTS OF INTEREST**

*Conflicts of interest (if any) to be reported for minuting.*

**3 CONFIRMATION OF MINUTES**

**3.1 Minutes of the meeting of the Mahi Tahi Joint Development Committee  
meeting held on 8 December 2020**

*RECOMMENDATION*

**THAT** the Mahi Tahi Joint Development Committee:

- (a) Confirms as a true and correct record the circulated Minutes of a meeting of the Mahi Tahi Joint Development Committee held on 8 December 2020.

**4 REPORTS**

**4.1 Heritage and Mahinga Kai Area – Establishment of Co-governance  
Arrangements – Duncan Roxborough (Implementation Project Manager –  
District Regeneration)**

*RECOMMENDATION*

**THAT** the Mahi Tahi Joint Development Committee:

- (a) **Receives** Report No. 210802126558.

*AND*

**THAT** the Mahi Tahi Joint Development Committee recommends:

**THAT** the Council:

- (b) **Approves** the establishment of co-governance for the Heritage and Mahinga Kai Reserve development in the Kaiapoi South regeneration area through the existing Te Kōhaka o Tūhaitara Trust in accordance with the terms proposed within this report, to be implemented via addendum to existing agreement and Trust Deed (as required following legal review), and eventual establishment of a lease.
- (c) **Approves** the Terms of Reference, and membership of the proposed Joint Working Group including the following nominated representatives:
  - i. Greg Byrnes, General Manager, Te Kōhaka o Tūhaitara Trust
  - ii. Kevin Dwyer, Landscape Architect, Waimakariri District Council
  - iii. Makarini Rupene, Pou matai ko (mahinga kai and cultural land management adviser), Environment Canterbury
- (d) **Notes** that a further report will be brought to Council to approve the final terms of any lease agreement prior to issue, or any changes required to Trust Deed, in accordance with delegations policy.
- (e) **Notes** that a transfer of the existing remaining Regeneration Activity budgets (multi-year of \$1.74m total) for the Heritage and Mahinga Kai project to Te Kōhaka o Tūhaitara Trust will be required, for the purposes of implementation of the reserve development project, and that approval of terms for this will be sought in the further report to Council.
- (f) **Notes** that the Kaiapoi-Tuahiwi Community Board retain an interest in the reserve development and will be involved/consulted in key stakeholder design decision making by and through the WDC representative on the Joint Working Group.
- (g) **Notes** that whilst Council will retain ownership of the land; Te Kōhaka o Tūhaitara Trust will be responsible for implementation works, operational matters and associated costs, and will be submitting reports to Council on progress and seeking funding for ongoing operations costs beyond the project development phase, which are expected to be partly offset by commensurate reductions in Recreation activity budgets.
- (h) **Circulates** this report to the Kaiapoi-Tuahiwi Community Board.

4.2 **Proposed District Plan Provisions – Recommendations to Te Ngāi Tūāhuriri Rūnanga and Council – Trevor Ellis (Development Planning Manager)**

*RECOMMENDATION*

**THAT** the Mahi Tahi Joint Development Committee:

- (a) **Receives** report No. 210819136006.
- (b) **Recommends** the Proposed Waimakariri District Plan to Te Ngāi Tūāhuriri Rūnanga and Council for public notification under the Resource Management Act 1991.

- (c) **Notes** the intention to seek to agree with Ngāi Tūāhuriri arrangements for Te Ngāi Tūāhuriri Rūnanga to be delegated responsibility under s33 of the RMA to provide for validation of consent applicant descendency, drawing on the resources of Ngāi Tahu's Whakapapa Unit; such arrangements to be subject of a future report for approval by the Council and the Rūnanga.
- (d) **Requests** the Council and the Rūnanga to direct the Mahi Tahī Joint Development Committee to further consider and advise on other appropriate forms of collaboration with Te Ngāi Tūāhuriri Rūnanga under the RMA, including joint management agreements under s36 to implement the Notified Proposed District Plan provisions that relate to the Kāinga Nohoanga zoning that applies to Māori Reserves; to occur in parallel with progressing notification and consideration of the Proposed Waimakariri District Plan.
- (e) **Notes** that areas of potentially significant natural areas (SNA) in whanau ownership that are candidate sites for inclusion in the Notified Proposed District Plan have not been included in the Proposed Waimakariri District Plan; in favour of reaching separate and specific agreement with affected landowners for their appropriate management.
- (f) **Circulates** this report to all Community Boards for information.

#### **NEXT MEETING**

The next meeting of the Mahi Tahī Joint Development Committee will be held on Tuesday 19 October 2021.

#### **KARAKIA**

**MINUTES OF A MEETING OF THE MAHI TAHI JOINT DEVELOPMENT COMMITTEE  
HELD IN THE FUNCTION ROOM, RANGIORA TOWN HALL, 303 HIGH STREET,  
RANGIORA ON TUESDAY 8 DECEMBER 2020 COMMENCING AT 11.15AM.**

**PRESENT**

Tania Wati (Co-Chair), Mayor Dan Gordon (Co-Chair), Dr Te Maire Tau, (Upoko, Te Ngāi Tūāhuriri) and Deputy Mayor Neville Atkinson

**IN ATTENDANCE**

Councillors P Redmond, S Stewart and K Barnett  
J Palmer (Chief Executive), T Ellis (Development Planning Manager), A Matheson (Planning consultant), A Gray (Communications and Engagement Manager) J Davidson (Communications and Engagement Advisor), N Rykers (Locality Ltd, Consultant, contracted to Mahaanui Kurataiao Ltd), A Smith (Governance Coordinator)

Mayor Gordon Chaired the meeting, noting that S Markham (Manager Strategy and Engagement) was unable to attend today's meeting.

**KARAKIA**

Te Maire Tau provided a karakia.

**1 APOLOGIES**

Moved Mayor Gordon                      Seconded Councillor Atkinson

**THAT** an apology for absence be received and sustained from Councillor Blackie.

**CARRIED**

**2 CONFLICTS OF INTEREST**

There were no conflicts of interest noted.

**3 CONFIRMATION OF MINUTES**

**3.1 Minutes of the meeting of the Mahi Tahi Joint Development Committee meeting held on 18 August 2020**

Moved Tania Wati                      Seconded Te Maire Tau

**THAT** the Mahi Tahi Joint Development Committee:

- (a) **Confirms** as a true and correct record the circulated minutes of a meeting of the Mahi Tahi Joint Development Committee held on 18 August 2020.

**CARRIED**

**MATTERS ARISING**

T Wati enquired on an update on the WHoW Trust. This group are considering a water park proposal in the east Kaiapoi area which was referred to in the minutes. J Palmer said the Trust is still developing a feasibility study. T Ellis added there has been discussion with Tony Joseph and there will be further discussion to be had with

staff and how this will translate into the District Plan. The Council has seen the pre-feasibility study and Mayor Gordon noted that the Council has granted a lease of up to two years to advance the proposal, but it was pointed out that there are a series of conditions with this. It was agreed that S Markham will provide a briefing on this matter at the next meeting of the Mahi Tahī committee and if necessary some members of the WHoW Trust could also be invited to attend. T Wati noted that their questions related to water intake and water discharge.

#### **4 REPORTS**

##### **4.1 Mahi Tahī Joint Development Meeting dates for 2021 – Simon Markham (Manager Strategy and Engagement)**

J Palmer spoke to this report on the proposed dates for committee meetings for 2021. At this stage, the Council will host all meetings, but there is the opportunity to alternate meeting locations with the Marae, if that is the wish of the committee members.

Moved Councillor Atkinson                      Seconded T Wati

**THAT** the Mahi Tahī Joint Development Committee:

- (a) **Receives** report No. 201006133083 for information.
- (b) **Agrees** the meeting dates of the Mahi Tahī Committee for 2021 as proposed in this report.

**CARRIED**

##### **4.2 Proposed District Plan Provisions - MR 873 and other Māori reserve areas – Trevor Ellis (Development Planning Manager)**

T Ellis, A Matheson (Planning Consultant), and N Ryker (Planner contracted to MKT) were present for consideration of this report. This report is about working towards a revised set of provisions for the District Plan review for MR873 and other reserve areas in the district. The District Plan is going out for public notification in the first half of 2021 and T Ellis said it is important for the district for these provisions to be included in this document. Council staff have been working with A Matheson and N Ryker to get to this current position. The report takes into account the report received from Mahaanui Kurataiao Ltd in 2018.

J Palmer acknowledged the work of Mahaanui Kurataiao in helping to get to this point with the District Plan. This will make a substantial difference for land owners within the reserve and enable them to achieve the rights conferred under Kemps Deed. J Palmer also noted highlighted recommendation (g).

To date engagement regarding the district plan has been through Mahaanui and through this committee. J Palmer said looking ahead, Council staff would like advice on how to engage more broadly and to help landowners understand the rules, what opportunities this can create and what the next steps are. T Wati said the Rūnanga wanted to make sure the information was correct before it was discussed with the landowners. J Palmer said that Council also wanted to ensure that the landowners are enabled to be part of the process.

T Ellis provided information on the timeframe for when the District Plan is notified. When landowners can start to build is not until after the District Plan process has been undertaken. N Rykers suggested the District Plan process can take up to two years but did point out that the Council can prioritise in what order the Chapters are heard. It could chose to hear this Chapter before it hears others, but this would need to be discussed with the Hearing Panel.

Administratively it is a long term process. The levels of engagement with communities to date is one of the matters that is required.

At this time, the meeting was adjourned and went into briefing

Moved T Wati

Seconded Mayor Gordon

**THAT** the meeting be adjourned to go into briefing for further discussion.

**CARRIED**

The meeting was reconvened at 12.08pm

Moved Mayor Gordon

Seconded Te Maire Tau

**THAT** the Mahi Tahi Joint Development Committee:

- (a) **Receives** report No. 201021141244.
- (b) **Recommends** the attached provisions to Council and to Te Ngāi Tūāhuriri Rūnanga for inclusion in the Proposed District Plan.
- (c) **Notes** specific matters remaining to be completed by staff, as set out in paragraph 4.19, including agreement on roading setbacks.
- (d) **Circulates** this report to all Community Boards for information.
- (e) **Notes** that as part of pre-notification Proposed District Plan engagement, the proposed provisions will be shared with the Greater Christchurch Strategic Partners.
- (f) **Considers** the necessity and nature of further consultation with landowners subject to the changed zoning provisions.
- (g) **Notes** that a separate report will be prepared for the consideration of the Committee in regard to s33 (transfer of powers).

**CARRIED**

T Wati thanked the Council staff for the open mindedness around this issue and hopes this will be the same from the wider community.

Mayor Gordon also thanked staff for the work undertaken with this in partnership with others involved.

Councillor Atkinson supports this information being shared with the wider community and looks forward to the consultation with the community.

Mayor Gordon provided an update on the recent meeting on Tuahiwi speed limits and advised that following this, there was a deputation from Tuahiwi residents D & K Hamilton and D Carroll to the 1 December Council meeting. There was a staff report to this Council meeting also and the lowered speed limits through Tuahiwi were approved. A further report will come back to the Council on speed limits on the unsealed roads.

T Wati spoke on the pou at the entrance to Pegasus Township and that there had been an approach made to the Runanga from the Council to undertake maintenance work on these, including painting. There was discussion on who was responsible for this area of reserve land and who owns these pou. T Wati noted it is unclear in the Trust deed who is responsible for them. A quote of \$25,000 for the cost of

maintenance on the pou from the original carver has been obtained and Mayor Gordon asked for this to be forwarded to him. Council will follow up with this.

**NEXT MEETING**

The next meeting of the Mahi Tahī Joint Development Committee is scheduled to be held on Tuesday 9 February 2021.

**KARAKIA**

Te Maire Tau provided a karakia to close the meeting.

There being no further information, the meeting closed at 12.18pm.

CONFIRMED

\_\_\_\_\_  
Co-Chairman

\_\_\_\_\_  
Date



**WAIMAKARIRI DISTRICT COUNCIL**

**REPORT FOR DECISION**

**FILE NO and TRIM NO:** RGN-05-27 / 210802126558

**REPORT TO:** MAHI TAHI JOINT DEVELOPMENT COMMITTEE

**DATE OF MEETING:** 24 August 2021

**AUTHOR(S):** Duncan Roxborough, Implementation Project Manager – District Regeneration.

**SUBJECT:** Heritage & Mahinga Kai Area  
Establishment of co-governance arrangements

**ENDORSED BY:**  
(for Reports to Council,  
Committees or Boards)

\_\_\_\_\_ Department Manager

\_\_\_\_\_  Chief Executive

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**1. SUMMARY**

- 1.1 The purpose of this report is to seek confirmation of establishment of the co-governance entity and arrangements for the Heritage & Mahinga Kai reserve development in the Kaiapoi South regeneration area.
- 1.2 Following previous engagement with the Mahi Tahī Joint Development Committee; it is proposed to utilise the existing partnership between Waimakariri District Council and Ngāi Tūāhuriri through the Te Kōhaka o Tūhaitara Trust as the basis of co-governance for the Heritage & Mahinga Kai project. This will eventually be formalised through amendment or additions to existing Trust Deed (as required) and establishment of a lease for the council-owned land.
- 1.3 A Joint Working Group will also be established, comprised of representatives from each of the key stakeholders, to undertake the planning and design of the reserve, and report and provide advice and recommendations to Te Kōhaka o Tūhaitara Trust for key decision making.
- 1.4 It is proposed that the existing council budget be transferred to Te Kōhaka o Tūhaitara Trust, who will administer the funds to deliver and operate the new reserve development.

Attachments:

- i. Report to Te Kōhaka o Tūhaitara Trust 'Huria Reserve Heritage and Mahinga Kai Area: Proposed Co-Governance arrangement', 7 July 2021 (Trim: 210625103446)
- ii. Draft Terms of Reference for Joint Working Group (Trim: 210810131496)

**2. RECOMMENDATION**

**THAT** the Mahi Tahī Joint Development Committee:

- (a) **Receives** Report No. 210802126558.

*AND*

**THAT** the Mahi Tahī Joint Development Committee recommends:

**THAT** the Council:

- (a) **Receives** Report No. 210802126558.

- (b) **Approves** the establishment of co-governance for the Heritage & Mahinga Kai reserve development in Kaiapoi South regeneration area through the existing Te Kōhaka o Tūhaitara Trust in accordance with the terms proposed within this report, to be implemented via addendum to existing agreement and Trust Deed (as required following legal review), and eventual establishment of a lease.
- (c) **Approves** the Terms of Reference for, and membership of, the proposed Joint Working Group including the following nominated representatives:
  - i. Greg Byrnes, General Manager, Te Kōhaka o Tūhaitara Trust
  - ii. Kevin Dwyer, Landscape Architect, Waimakariri District Council
  - iii. Makarini Rupene, Pou matai ko (mahinga kai and cultural land management adviser), Environment Canterbury
- (d) **Notes** that a further report will be brought to Council to approve the final terms of any lease agreement prior to issue, or any changes required to Trust Deed, in accordance with delegations policy.
- (e) **Notes** that a transfer of the existing remaining Regeneration Activity budgets (multi-year of \$1.74m total) for the Heritage & Mahinga Kai project to Te Kōhaka o Tūhaitara Trust will be required, for the purposes of implementation of the reserve development project, and that approval of terms for this will be sought in the further report to Council.
- (f) **Notes** that the Kaiapoi-Tuahiwi Community Board retain an interest in the reserve development and will be involved/consulted in key stakeholder design decision making by and through the WDC representative on the Joint Working Group.
- (g) **Notes** that whilst Council will retain ownership of the land; Te Kōhaka o Tūhaitara Trust will be responsible for implementation works, operational matters and associated costs, and will be submitting reports to Council on progress and seeking funding for ongoing operations costs beyond the project development phase, which are expected to be partly offset by commensurate reductions in Recreation activity budgets.
- (h) **Circulates** this report to the Kaiapoi-Tuahiwi Community Board.

### 3. **BACKGROUND**

- 3.1 The Canterbury Earthquakes of 2010 and 2011 resulted in significant damage to Kaiapoi, and the coastal townships of The Pines Beach and Kairaki. Approximately 100 hectares of land was red zoned, directly affecting 1000 households, with wider effects on the physical, social, cultural and economic landscape.
- 3.2 The Waimakariri District Council (WDC) worked closely with the Department of the Prime Minister and Cabinet, Environment Canterbury, Te Rūnanga o Ngāi Tāhu and Te Ngāi Tūāhuriri Rūnanga, and the Kaiapoi community to prepare a Recovery Plan. The Waimakariri Residential Red Zone Recovery Plan was approved by the Government in December 2016 (the 'Recovery Plan').
- 3.3 The Government transferred the ownership of most of the red zone land to Council in 2018. The remainder of the land (in The Pines Beach and Kairaki) was transferred to Te Kōhaka o Tūhaitara Trust (TKOT). Since then WDC has been working to implement the Recovery Plan on its land by putting place the proposed land uses and activities. The TKOT Original Trust Deed has also been amended previously to account for the former Red Zone lands divested by Crown to TKOT.
- 3.4 During the development of the Recovery Plan, Ngāi Tāhu identified land on the margins of the Kaiapoi River, Courtenay Stream and Courtenay Lake as culturally significant, particularly for mahinga kai. In recognition of this, the Recovery Plan includes an eight hectare public reserve set aside for heritage and mahinga kai purposes (refer excerpt from Recovery Plan maps in Figure 1).



Figure 1: Kaiapoi South Regeneration area diagram showing HMK area

3.5 The Heritage & Mahinga Kai Area (HMK) is a partnership between the Waimakariri District Council and mana whenua, Ngāi Tūāhuriri, and is considered to be a key regeneration project. The Recovery Plan Implementation Framework (prepared by Land Information New Zealand in June 2017) requires that the Council “work with mana whenua to confirm governance and management arrangements” for the HMK Area and then to work “to prepare concept plans, detailed design work and costings”.

- 3.6 The Recovery Plan states that the Heritage and Mahinga Kai Area will:
- “provide space for cultural and social activities for the community including natural play, education and learning. It will also provide a unique recreation experience for the community, with activities including walking and cycling tracks and heritage trails”*
- 3.7 Mahinga kai is defined in the Recovery Plan as:
- “...more than a customary food source. It shows how cultural beliefs and practices of mana whenua and Ngāi Tāhu are linked to te ao tūroa which is exercised by kaitiakitanga. Mahinga kai describes the natural resources that mana whenua gather through their tākiwa as well as the places and practices that they use in doing so. It is also an integrated management concept that focuses on the protection and sustainable use of resources”.*
- 3.8 Further information regarding the site, the objectives and scope of the project, and summary of planning works to date is included in attachment i.
- 3.9 The terms of reference for the Mahi Tahi Joint Development Committee include the key objective of:
- “Propose co-governance structures and processes to achieve the required results in relation to Mahinga Kai areas(s), particularly within the Regeneration Area in Kaiapoi; and, the achievement of Ngāi Tūāhuriri aspirations for development of Maori Reserve 873 among other Reserves with particular regard to roles and responsibilities under the Resource Management Act 1991”.*
- 3.10 The Heritage and Mahinga Kai area was assigned the name ‘Huria Reserve’ by the Kaiapoi-Tuahivi Community Board following extensive consultation with the Rūnanga and via Mahaanui Kurataiao Ltd (MKT). As discussed later in this report; this assigned name is currently under review and will possibly be changed, so is not used at the time of writing this report.

## **4. ISSUES AND OPTIONS**

### **Co-governance**

- 4.1. Co-governance typically refers to operating in a power-sharing capacity, particularly in respect of decision-making. Co-governance can mean different things to different people, and its meaning is influenced by the context in which it operates. Therefore, it helps to consider co-governance on a spectrum. At one end of the spectrum is simple co-operation, at the other end a full, equal partnership. Council currently has a co-governance arrangement in place through the Te Kōhaka o Tūhaitara Trust.
- 4.2. Given that the parties involved can define co-governance, and it is influenced by its context and the outcomes sought; there is no ‘one size fits all’ solution.
- 4.3. One of the first tasks to be completed is to establish a co-governance framework for the HMK Area. This co-governance framework outlines and considers:
- A shared understanding of purpose
  - The specific scope of co-governance
  - The roles and responsibilities of the partners
  - How decisions are to be made and reporting lines
  - Funding sources and opportunities
  - Financial accountability and transparency
  - Process for considering operational/management issues

Further discussion regarding these matters is included under the preferred option in the following sections, and in the attachment to this report.

## **Main Options Considered**

- 4.4. There are a number of potential co-governance arrangements that could be considered for the Heritage & Mahinga Kai project. The main options considered are:
  1. Establish a new co-governance arrangement/entity
  2. Co-govern principally via the Mahi Tahī committee
  3. Co-govern via existing arrangement such as Te Kōhaka o Tūhaitara Trust
- 4.5. Under option 1 – a new entity would need to be established, with a specific terms of reference, to jointly oversee the project.
- 4.6. Under option 2 – the terms of reference for the Mahi Tahī Committee would need to be modified, and this would add a large work burden to the Committee. A joint Working Party would likely be established, who would make recommendation to, and seek final decision making from, the Mahi Tahī committee. This would also require a decision from Council to change the existing terms of reference and delegations.
- 4.7. Under option 3 – the Te Kōhaka o Tūhaitara trust model would be applied to the Heritage & Mahinga Kai project. This would utilise the existing partnership between WDC and Te Ngāi Tūāhuriri Rūnanga, as established through the Original Deed for Te Kōhaka o Tūhaitara Trust (including all subsequent amendments).
- 4.8. In any option – the arrangements for ongoing operations and funding of the reserve maintenance would also need to be considered. One advantage of option 3 is that the Trust are already setup to oversee operations of the Tūhaitara Coastal Park, and operate as a Council Controlled Organisation (CCO).
- 4.9. Staff have been working with the Mahi Tahī Committee on establishment of a co-governance arrangement to oversee the project. This culminated in the Mahi Tahī Committee establishing a preference for the co-governance to be established via the existing partnership of TKOT arrangement (i.e. option 3).
- 4.10. A letter was sent to TKOT on 2nd March 2021 to initiate discussion around this preferred arrangement.
- 4.11. At the request of the Mahi Tahī Committee, council staff engaged with the General Manager of the Trust, who presented a summary report to the July 2021 meeting of TKOT outlining these preferred arrangements. At the meeting, the Trust supported this proposal although did have concerns regarding the reserve name previously assigned by the Kaiapoi-Tuahiwi Community Board and are currently working on suggestions for a new name for the Board to assign (in re-consultation with the Rūnanga).

## **Discussion on proposed arrangement**

- 4.12. The proposed co-governance framework for the preferred option (option 3) is summarised in Figure 2.

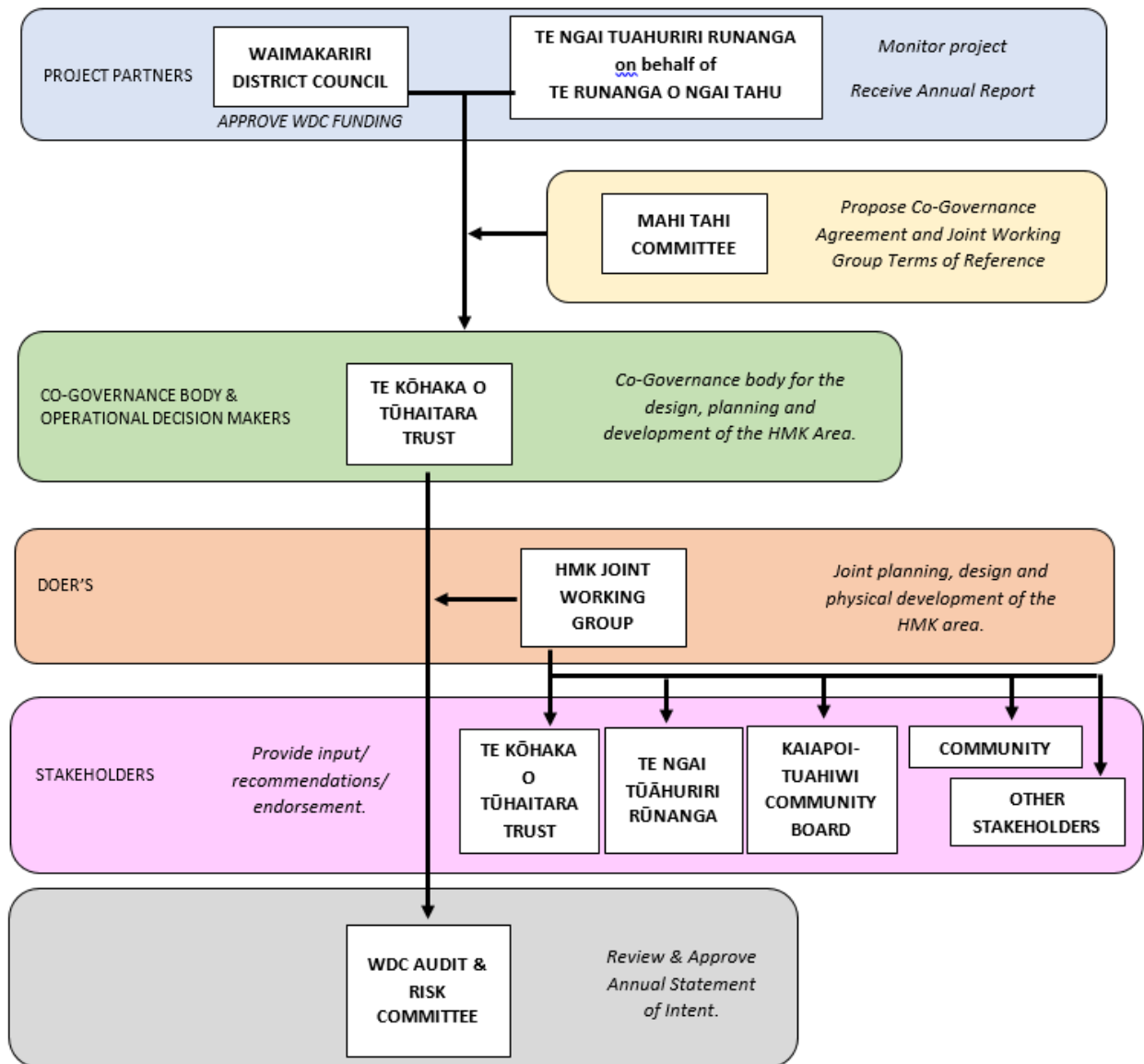


Figure 2: Co-governance framework for preferred option via TKTT

4.13. Mahi Tahi Committee key responsibilities would include:

- i. Approve (recommend to Council for approval) and monitor Co-Governance Agreement.
- ii. Approve Heritage and Mahinga Kai Area Joint Working Group Terms of Reference.

4.14. Te Kōhaka o Tūhaitara Trust key responsibilities would include:

- i. Co-governance body and operational decision maker
- ii. Approve Heritage and Mahinga Kai Area Master Plan (taking into consideration feedback and recommendations from Stakeholders)
- iii. Approve Heritage and Mahinga Kai Area Reserves Management Plan (taking into consideration feedback and recommendations from Stakeholders)
- iv. Implement Heritage and Mahinga Kai Area Master Plan and Management Plan; including design, procurement, contract management, construction monitoring.
- v. Prepare Annual Reports and Statements of Intent (for expenditure approval by Council's Audit and Risk Committee).
- vi. 'Ring-fence' any Heritage and Mahinga Kai Area funds to keep separate from Tūhaitara Coastal Park and ensure these are deployed specifically for HMK Area.

- vii. Ensure annual budgets are spent in accordance with the Statement of Intent, Master Plan and Management Plan.
- viii. Seek external funding for the ongoing development (and operation) of the Heritage and Mahinga Kai Area.

### Joint Working Group

4.15. The Joint Working Group would be the main design team and would be comprised of:

Member	Key Contribution	Who
Rūnanga Representative	Mahinga Kai/Cultural values	Makarini Rupene
WDC Representative	Planning/design	Kevin Dwyer
TKOT Representative	Operational/implementation	Greg Byrnes

4.16. Joint Working Group key contributions and responsibilities would include:

- i. Prepare a master plan for the Heritage and Mahinga Kai Area:
  - a. Spatial plan (s)
  - b. Planting plan (s)
  - c. Staging/implementation plan (s)
  - d. Funding plan
  - e. Management plan (operational)
- ii. Prepare a Reserves Management Plan (under the Reserves Act); this could potentially be combined with master plan or amend TKOT RMP to include HMK Area
- iii. Prepare an Annual Report and Statement of Intent seeking WDC budget for each years' implementation actions and summarising previous years' achievements.
- iv. Prepare and submit progress report to TKOT (every two months).

The full responsibilities are outlined more fully in the attached draft Terms of Reference for the Joint Working Group.

4.17. Rūnanga Representative led tasks would include:

- Advise and inform design, and update Te Ngāi Tūāhuriri Rūnanga on important design and operational management matters and project progress.

4.18. WDC Representative led tasks would include:

- Keep Kaiapoi-Tuahiwi Community Board updated on project progress (via briefings or reports).
- Keep WDC Green Space Manager updated on project progress.
- Consult community on draft master plan and draft management plan (the latter in accordance with the Reserves Act).
- Seek recommendations from Kaiapoi-Tuahiwi Community Board on draft master plan, draft management plan and Annual Reports and Statements of Intent.

4.19. Activities of the Joint Working Group will be funded by the project budget (e.g. staff time). Some elements of Joint Working Group responsibility may be delivered via engagement of external consultants, utilising project budget, for example:

- Design documentation
- Reserves Management Plan Preparation
- Specialist services not already covered by Joint Working Group members – e.g. Resource Management Planning, survey

## **Stakeholders Duties**

- 4.20. Key responsibilities for the stakeholder groups would be:
- i. Input to the planning, design and development of the Heritage and Mahinga Kai Area.
  - ii. Provide feedback/recommendations/endorsement of draft master plan, management plan and Annual Reports and Statements of Intent.

## **Council ongoing inputs**

- 4.21. Council would have a number of ongoing inputs to the project; beyond the staff involvement in the Joint Working Group.
- 4.22. The Audit and Risk Committee would receive and approve Annual Statement of Intent; and Council would monitor annual budget and expenditure in accordance with the Statement of Intent. Any approvals of ongoing future years' budget transfer would be subject to budget re-confirmation through the Council's Annual Plan process.
- 4.23. Council remains the underlying land owner of the Heritage and Mahinga Kai Area. Council would undertake to draft and issue a lease to Te Kōhaka o Tūhaitara Trust for the Heritage & Mahinga Kai area. The lease would include appropriate terms along the lines of the proposed co-governance framework proposed in this report, and would form a key part of the agreement between WDC and TKOT to include the HMK project into the scope of TKOT responsibilities.
- 4.24. Council would also be responsible to declare Heritage and Mahinga Kai Area as reserve under the Reserves Act, utilising the work of the Joint Working Group.
- 4.25. Council would remain the owner of the new assets created in the HMK area.
- 4.26. Council staff would (through Mahi Tahi Committee and Council) draft proposed amendments (if required) to the existing TKOT Trust Deed to give effect to the recommendations in this report, if approved.
- 4.27. Council have other / ongoing project works on adjacent land – e.g. the rural area, key recreation and ecological linkages at Courtenay esplanade, and the Kaiapoi community hub on opposite site of Courtenay Drive.

### **Implications for Community Wellbeing**

There are not implications on community wellbeing by the issues and options that are the subject matter of this report.

- 4.28. The Management Team has reviewed this report and support the recommendations.



## 5. **COMMUNITY VIEWS**

### 5.1. **Mana whenua**

Te Ngāi Tūāhuriri hapū are likely to be affected by, or have an interest in the subject matter of this report. Mana whenua are a key partner in the HMK project and are involved in establishment of the key recommendations in this report.

### 5.2. **Groups and Organisations**

5.2.1. There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

5.2.2. Some of these groups include:

Group	Interest	
Land Information NZ	As agents of the Crown, LINZ are monitoring the regeneration projects implementation in accordance with the Recovery plan and Implementation Framework, and are required to approve any lease or licence issue under the terms of the land divestment agreement between WDC and the Crown.	
Environment Canterbury	Project site proximity to waterways and flood protection schemes, from a regulatory and management perspective. Also via their staff participation in the Joint Working Group	
White baiters / fishers / Fish and Game	The project site is bounded by the Kaiapoi River, and Courtenay Stream, and is bisected by a key accessway to popular fishing and mahinga kai areas.	
AqualandNZ	Developing aquaplay facility at Courtenay lake, that partly bisects the site	
Kaiapoi Community Hub partners	i.e. Satisfy food Rescue / Food Secure North Canterbury (including Kaiapoi Food Forest Trust), Kaiapoi Menz Shed, Kaiapoi Croquet Club – who are partners in proposed development opposite the HMK site	
Others	Other groups who may be interested: <ul style="list-style-type: none"><li>• External funding agencies</li><li>• Carbon farming industry</li><li>• Corporates (sponsorship, carbon emissions offset)</li></ul>	

5.2.3. The three-waters department of WDC would have a particular interest in the project, due to proximity to existing NCF drainage reserve and the need to integrate the HMK development with the existing drainage reserve and water bodies. The HMK development could integrate stormwater drainage and treatment facilities and improvements within the reserve design and management, and also could provide ongoing educational opportunities.

5.2.4. Within council there are a number of other working groups, initiatives or committees that may have an interest in the HMK project due to other synergies, including for example:

- Arohatia Te Awa programme
- Walking and cycling Strategy
- Indigenous and native biodiversity

5.2.5. The Joint Working Group will need to consider the views and appropriate level of engagement with all of these (and any other relevant) groups or organisations.

### 5.3. Wider Community

- 5.3.1. The wider community is likely to be affected by, or to have an interest in the subject matter of this report.
- 5.3.2. Extensive consultation was undertaken with the community during the 'Lets Talk' and 'Lets Plan' phases of the on the Recovery Plan development. Further community consultation was undertaken during the development of the Kaiapoi Regeneration areas Reserves Master Plan, which was adopted in 2018. These consultations included the HMK area.
- 5.3.3. There will be ongoing community consultation as the HMK reserve design progresses.
- 5.3.4. The Kaiapoi-Tuahivi Community Board retain a significant interest in the project and continue to be a key stakeholder on behalf of the local community and as the entity providing key governance of the remainder of the regeneration projects. The community board will need to be involved in design decision making through the design phase of the project.

## 6. **OTHER IMPLICATIONS AND RISK MANAGEMENT**

### 6.1. Financial Implications

- 6.1.1. There are financial implications of the decisions sought by this report.
- 6.1.2. Council already have budget assigned to the project for development of the HMK reserve, and initial maintenance during the development phase of the project.

The current WDC budgets in the 2021/22 Long Term Plan are:

*Table 1: Current WDC budgets for HMK*

Year	2021/22	2022/23	2023/24	2024/25	2025/26	Total
Budget	\$437,360	\$327,360	\$327,360	\$327,360	\$327,360	\$1,746,800

- 6.1.3. Under the proposed co-governance arrangement, WDC would assign the budget to TKOT once the co-governance agreement and lease agreement was in place (i.e. any amendments to the existing Trust Deed and a new lease agreement between Council and TKOT). The budgets would be assigned over on a year-by-year basis, for TKOT management on a year-to-year planning and reporting basis. Confirmation of yearly budgets (and transfer to TKOT) beyond the first year will be subject to ongoing future Council Annual Plan process.
- 6.1.4. The terms of the agreement(s) would set out that the HMK budget assigned must be 'ring-fenced' and used solely for the development and initial management of the HMK area; including management, design, construction, and maintenance activities specifically on the HMK project and during the development phase of the project. It would not be used for the Coastal Park or other TKOT projects (e.g. Kairaki or other conservation management areas).
- 6.1.5. Whilst the design activity is generally undertaken via the Joint Working Group; the project budget can be used for engagement of design consultants and other expertise as required, as well as development costs, and potentially initial operations costs while the initial reserve establishment is completed.
- 6.1.6. Regeneration team staff time is generally charged directly to capital projects ledgers, and the WDC Regeneration activity budgets in the LTP are based around this principle (whereby Regeneration operational budgets do not cover full staff salary costs). Under these proposed arrangements for the HMK development;

WDC would need to invoice TKOT direct for staff time inputs to the Joint Working Group once this is established.

- 6.1.7. The net transfer of budget would be the full multi-year budget, with reduction for any actual costs to date against the budgets at time of transfer/assignment. As at the time of writing this report; the costs to date on the budget (in the current financial year are shown in the table overleaf. The total budget remaining to transfer (all years) is \$1,729,440.

*Table 2: Summary of current FY budget and expenditure before handover*

Year	Budget	Actuals to date	Estimated further expenditure to transfer point (notionally October 2021)	Remaining budget at handover point (21/22 year only)
2021/22	\$437,360	\$9,176	\$8,184	\$420,000
	Includes carryover from 20/21	Includes WIP carryover from 20/21	Includes work to sort co-gov, lease agreement etc	

- 6.1.8. TKOT would be required to include specific reporting annually to Audit & Risk Committee and Council on the HMK budget and expenditure, in addition to their current routine reporting on general Trust matters.
- 6.1.9. Council would retain ownership of the HMK area land, and issue long term lease to TKOT for the purposes of the HMK development and operation. Council would effectively own the assets created by the HMK development e.g. paths, furniture, planting, boardwalks, signage, play equipment etc, but these assets would be managed operationally by TKOT. Participation of the respective representatives and design experts on the Joint Working Group would ensure that the assets created were fit for purpose and do not create undue ongoing maintenance burden.
- 6.1.10. As landowner, WDC will assume responsibility for rates payments on the lands. This is included in existing WDC Recreation budgets. Once the land is vested as reserve, the rates payments will reduce.
- 6.1.11. As managers of the HMK area, TKOT would be responsible for promotions and management of any events that occur in the reserve.
- 6.1.12. There will likely be ongoing opportunities for seeking external funding to support the development of the reserve, its management, and for promotion and holding of events in the reserve areas. This will be one of the TKOT aims and responsibilities through the proposed agreement.
- 6.1.13. Approval to transfer WDC budget to TKOT will be sought through a future report to Council. This will include seeking approval of the full terms of the financial agreement, which would be embedded into the lease agreement and amended Trust Deed as appropriate.

### **Sustainability and Climate Change Impacts**

- 6.1.14. The recommendations in this report do have sustainability and/or climate change impacts.

6.1.15. The HMK development will involve a large degree of planting of native trees and shrubs. As such; there will be a number of environmental and biodiversity benefits. There may also be opportunities for carbon credits for the owner (in this case WDC would retain the rights to any carbon credits arising from the reserve development).

6.1.16. The area is vulnerable to flooding from the adjacent Courtenay Stream including potential surcharge also from the tidal Kaiapoi River. Long term climate change effects could potentially result in increased occurrence of flood events (due to sea level rise and changes in weather patterns), and increased ground water levels and salinity. The design for the reserve will take the flood risk into account, for example when selecting suitable species

## 6.2. **Risk Management**

6.2.1. There are risks arising from the adoption/implementation of the recommendations in this report.

6.2.2. As custodians and managers of the HMK area (under the lease), TKOT would take overall responsibility for health and safety management of activities within the reserve, during both construction phase and ongoing operations. TKOT would become the PCBU for the HMK reserve.

6.2.3. Construction phase risks would need to be considered TKOT and by the Joint Working Group during design phase. Risks associated with construction and development works in the regeneration areas have been managed by the district Regeneration team, and the assessments scheduled in the WDC Risk Register will be shared with TKOT via the Joint Working Group.

### **Health and Safety**

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

## 7. **CONTEXT**

### 7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### 7.2. **Authorising Legislation**

Local Government Act 2002

### 7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

- Effect is given to the principles of the Treaty of Waitangi
- There are wide ranging opportunities for people to contribute to the decision making that affects our District
- There is a healthy and sustainable environment for all
- Indigenous flora and fauna, and their habitats, especially Significant Natural Areas are protected and enhanced
- The community's cultures, arts and heritage are conserved, developed and celebrated
- Public spaces and facilities are plentiful, accessible and high quality, and reflect cultural identity
- The distinctive character of our takiwā - towns, villages and rural areas is maintained, developed and celebrated

#### 7.4. **Authorising Delegations**

- 7.4.1. The Council hold the delegation for establishment of the co-governance arrangements for the Heritage & Mahinga Kai project.
- 7.4.2. The Council and Te Ngai Tūāhuriri Rūnanga jointly established the Mahi Tahī Joint Development Committee; one of whose key tasks was to make recommendations to Council on co-governance arrangements for the project.
- 7.4.3. The land divestment agreement between Waimakariri District Council and the Crown (via LINZ as the agent representing) impose a number of conditions and covenants on the Council and any partners or users of the regeneration land.

## Huria Reserve

## Heritage and Mahinga Kai Area:

## Proposed Co-Governance arrangement

Prepared by Waimakariri District Council

7 July 2021

File / Record Number: RGN-05-27-08 / 210625103446

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1	M Flanagan	Draft for internal staff review	2 March 2021
2	D Roxborough	Revised for presentation to TKTT with updated draft Co-governance proposal	25 June 2021

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## **1. Introduction**

The Canterbury Earthquakes resulted in significant damage to Kaiapoi. A key part of the town's regeneration is a new Heritage and Mahinga Kai Area. This eight hectare public reserve, on the margins of the Kaiapoi River and Courtenay Stream, is a partnership between the Waimakariri District Council and mana whenua, Ngāi Tūāhuriri, and is recognised as a key land use in the Waimakariri Residential Red Zone Recovery Plan.

Council staff have started early planning and design works for the Heritage and Mahinga Kai Area but require support in fully realising the potential of the area.

**The purpose of this scoping document is to:**

- Outline the background to the Heritage and Mahinga Kai Area.
- Summarise the work undertaken to date
- Present the proposed draft Co-governance arrangement via Te Kohaka o Tuhaitara Trust; seeking approval from the Trust of this draft arrangement.

## **2. Background**

### **2.1.1. Recovery Plan**

The Canterbury Earthquakes of 2010 and 2011 resulted in significant damage to Kaiapoi, and the coastal townships of The Pines Beach and Kairaki. Approximately 100 hectares of land was red zoned, directly affecting 1000 households, with wider effects on the physical, social, cultural and economic landscape.

The Waimakariri District Council worked closely with the Department of the Prime Minister and Cabinet, Environment Canterbury, Te Rūnanga o Ngāi Tahu and Te Ngāi Tūāhuriri Rūnanga, and the Kaiapoi community to prepare a Recovery Plan. The Waimakariri Residential Red Zone Recovery Plan was approved by the Government in December 2016.

In the Recovery Plan there are five regeneration areas (areas that were previously red zone) – Kaiapoi East, Kaiapoi South, Kaiapoi West, The Pines Beach and Kairaki. The Recovery Plan identifies the proposed land uses and activities for these areas including new parks and reserves, walking and cycling tracks, BMX track, a dog park, provision for heritage and mahinga kai activities, mixed business use areas, roads and infrastructure sites, and rural activities.

The Government transferred the ownership of most of the red zone land to Council in 2018. The remainder of the land (in The Pines Beach and Kairaki) was transferred to the Te Kōhaka o Tūhaitara Trust. Since then Council has been working to implement the Recovery Plan on its land by putting place the proposed land uses and activities.

### **2.1.2. Heritage and Mahinga Kai Area (HMK Area)**

During the development of the Recovery Plan, Ngāi Tāhu identified land on the margins of the Kaiapoi River, Courtenay Stream and Courtenay Lake as culturally significant, particularly for mahinga kai. In recognition of this, the Recovery Plan includes an eight hectare public reserve set aside for heritage and mahinga kai purposes (refer Figure 1, page 5).



Figure 1 – Kaiapoi South Regeneration Area (from the Recovery Plan)



The HMK Area is a partnership between the Waimakariri District Council and mana whenua, Ngāi Tūāhuriri, and is considered to be a key regeneration project.

The Recovery Plan states that the Heritage and Mahinga Kai Area will

*“provide space for cultural and social activities for the community including natural play, education and learning. It will also provide a unique recreation experience for the community, with activities including walking and cycling tracks and heritage trails”*

Mahinga kai is defined in the Recovery Plan as:

*“...more than a customary food source. It shows how cultural beliefs and practices of mana whenua and Ngāi Tahu are linked to tea o tūroa which is exercised by kaitiakitanga. Mahinga kai describes the natural resources that mana whenua gather through their tākiwa as well as the places and practices that they use in doing so. It is also an integrated management concept that focuses on the protection and sustainable use of resources”.*

### **3. The site**

The HMK Area (covering approximately eight hectares) is located on the southern bank of the Kaiapoi River in the Kaiapoi South Regeneration Area (refer Figure 1). The area extends from Bowler Street along Courtenay Drive to approximately opposite Wyber Place.

The historic land use in the HMK Area was rural, on the fringe of the Kaiapoi town centre. To the south-west of the area was the large North Canterbury Freezing Works, which closed in the 1980's. Prior to the red zone process, the HMK Area was an established residential and rural/residential neighbourhood (Courtenay Downs subdivision) developed in the mid-1990's. Courtenay Lake was developed at the same time as part of the subdivision.

The current landscape is vacant, open grass with a mix of native and exotic plants remnant of the previous residential planting. Two residential properties (both occupied) remain in the HMK Area.

The HMK Area abuts a number of Council assets:

- NCF Park – a recreation and ecological linkage reserve that includes Courtenay Lake and borders Courtenay Stream. NCF Park contains some aging play equipment and park furniture and is due for an upgrade.
- Courtenay Drainage Basin – a grassed basin for stormwater detention.
- Courtenay Drive Esplanade Reserve – this reserve follows a section of the Courtenay Stream and is used by local walkers.
- Vehicle access to the Kaiapoi River, primarily used for white-baiting.

Also along the Kaiapoi River bank is the Environment Canterbury stop bank. Due to the topography, the stop bank rises up from the HMK Area, in other areas the land is level with the top of the stop bank.

#### **3.1. Significance of the site**

In a letter to the Christchurch Earthquake Recovery Authority in 2015, Te Rūnanga o Ngāi Tahu provided details on the areas of interest to Ngāi Tahu. For the HMK Area they noted that:

*“Area 2\* of the Red Zoned lands at Kaiapoi is located within a Ngāi Tahu culturally significant zone. Kaikanui is a kainga located near the Kaikanui River. Kaikanui was an outpost of the Ngai Tahu stronghold of Kaiapoi Pa. A commercial ferry for the Waimakariri River was operated by local Maori*

*for European Settlers from Kaikanui. In 1848 a Maori Reserve was gazetted at Kaikanui and was sold in 1969 by the Maori Trustee into European ownership.*

*Within this zone, is the historical place of the Kaikanui Māori Reserve 887. This also is referred to in the Ngāi Tahu Iwi Management Plan, Te Whakataū Kaupapa. Te Whakataū Kaupapa notes that this area was place of occupation for mana whenua and provided access to mahinga kai which was a significant area for sourcing kai for whanau.*

*Proposed future use:*

- Area 2 to be vested in the Waimakariri District Council as a local purpose reserve with appropriate classification;*
- Area 2 must have a Management Plan jointly prepared by the Council and Te Ngāi Tūāhuriri Rūnanga, and as part of that the Council is required to consult with and have particular regard to the views of Te Ngāi Tūāhuriri Rūnanga before approving that Management Plan;*
- The primary objective of the Area 2 Management Plan shall be to restore and enhance the indigenous flora and fauna values of the site using appropriate Taonga species that originate from the area”.*

Area 2 refers to the HMK site to the east of Courtenay Drive on the banks of the Courtenay Stream and Lake.

For Area 3, the HMA site along the banks of the Kaiapoi River, the letter from Te Rūnanga o Ngāi Tahu states:

*“The Kaiapoi River and its margins is an area of immense cultural and traditional significance to Ngāi Tahu and Ngai Tūāhuriri. It was utilised for several traditional purposes. The coastline of the river has particular cultural, spiritual and historic traditions for whanau. Kaiapoi rivers and surrounding areas were important the mana whenua for occupation, kai, transport and trade. As a river town and promoted as such a focus of naming could be on waterways and well as occupational sights and keynote mahinga kai plants and animal species.*

*The Crown formally acknowledged the cultural, spiritual, historic and traditional association of Ngāi Tahu with the coastal environment and taonga species, via the passing of the Ngāi Tahu Claims Settlement Act 1998*

*Proposed future use:*

- Area 3 to be vested in the Waimakariri District Council as a local purpose reserve with appropriate classification;*
- Area 3 must have a Management Plan jointly prepared by the Council and Te Ngāi Tūāhuriri Rūnanga, and as part of that the Council is required to consult with and have particular regard to the views of Te Ngāi Tūāhuriri Rūnanga before approving that Management Plan;*
- The primary objective of the Area 3 Management Plan shall be to restore and enhance the indigenous flora and fauna values of the site using appropriate Taonga species that originate from the area”.*

### **3.2. Future plans for the wider area**

Northwest of the HMK Area, between Bowler Street and the existing Kaiapoi Ruataniwha Civic Centre, the land listed for mixed-use business activities in the Recovery Plan. Council are currently assessing development proposals for this area. It is likely that any development proposal will have a public space component that would link through to the HMK Area drawing it through to the main street of Kaiapoi.

To the west, on the opposite side of Courtenay Drive, Council are proposing to develop a community hub. The community hub would be a flexible space that can be used for different recreation, arts and hobby activities, and social and cultural activities. Currently we have three groups interested in locating at the hub, the Kaiapoi Croquet Club, Kaiapoi Menz Shed and Food Secure North Canterbury. This project is awaiting a funding decision through Council's Long Term Plan process. It is intended that the design of the hub integrates with the HMK Area.

To the south of the HMK Area the Recovery Plan includes an area for rural land uses. In reality the small size of this area means that it has limited productive value. Council may look to use this area for stormwater management purposes in the future in conjunction with Kaikanui Stream catchment. In the interim this area could be leased for informal grazing, or retained as informal reserve. Should this area be utilised for stormwater management it would be beneficial to integrate this with the HMK Area if possible.

Developments within and around the heritage and Mahinga kai area will include key linkages to connect the areas with the Courtenay Stream and Kaiapoi River and the wider path and cycleway network.

## **4. Work to date**

Since 2017 some early planning works on the HMK Area have occurred, these include:

- Seeking a Cultural Values Report on the regeneration areas.
- Accepting a preliminary report on the development of the HMK Area as a wetland/podocarp edible forest.
- Seeking a report on potential reserve names (new reserve name confirmed June 2021).
- Looking at co-governance options.
- Preparing a potential high-level design concept for a funding application.

### **4.1. Cultural Values Report**

In 2017 Mahaanui Kurataiao Ltd were engaged to produce a Cultural Values Report for the Regeneration Areas.

The Cultural Values Report identified important Te Ao Māori concepts/values as follows:

- Whakapapa – explains the origins, inter-connections and relationships in the Māori world.
- Mauri – the life force present in all things, air, forest, waters and the life supported by them.
- Tikanga – the customs and traditions handed down over the generations.
- Kaitiakitanga – the exercise of guardianship/stewardship by mana whenua over their area and resources.
- Manaakitanga – the act or actions relating to a display of respect, humility and hospitality.
- Wairua – the soul or spirituality of a person, ancestor or entity.
- Ki uta ki tai – mountains to the sea as an overall approach to resource management.
- Pono and Tukurū – Pono refers to the quality of an entity or situation that is true, genuine or authentic. Tukurū denotes something that is fixed, permanent or enduring.

These concepts/values must be incorporated in the design, planning and implementation of the HMK Area. In addition, the Cultural Values Report identified mahinga kai as of great significance to Ngāi Tāhu and central to the Ngāi Tāhu way of life. The proposed HMK Area must recognise and will give effect to this.

#### **4.2. Ngahere Rongoā (Wahi whero)**

In November 2019 a preliminary report, (Ngahere rongoā (Red Zone), on the development of the HMK Area was received. This report is included as Appendix A.

This preliminary report was prepared by Makarini Rupene, Environment Canterbury poū matai kō (mahinga kai/food gathering facilitator) and Irai Weepu, Environment Canterbury Tangata Whenua Facilitator. This report is included as Appendix ii.

The Preliminary Report has been endorsed by Te Ngai Tūāhuriri Rūnanga and was presented to the Kaiapoi-Tuahiwi Community Board (by Mr Rupene and Mr Weepu) in November 2019 via a deputation.

The Preliminary Report describes the general physical environment in the HMK Area and suggests native plant species suitable to the location/soil types. It focuses on the creation of an edible forest consisting of two plant communities – a wetland and podocarp forest. The report also suggests that a pontoon be placed for the launch of traditional waka.

#### **4.3. Reserve name**

The HMK Area will be named 'Huria Reserve'; this name was approved by the Kaiapoi-Tuahiwi Community Board in June 2021 after previous consultation with mana whenua.

In September 2018 a report was provided by Mahaanui Kurataiao Ltd which suggested place names for the new Kaiapoi regeneration area reserves. At a joint meeting of Te Ngāi Tūāhuriri Rūnanga and Council in September 2018 the name 'Huria' was suggested for the HMK Area. Council were set to proceed with the process of naming the HMK Area 'Huria Reserve' when it was asked to pause the process so that the Rūnanga could undertake further discussions on a potential name. The name was eventually ratified by the Mahi Tahi Joint Development Committee in April 2021.

It is considered important that the HMK Area is named to give it an identity and to reflect its value and intended purpose.

#### **4.4. Co-governance**

The planning, design and development of the HMK is a partnership between Council and mana whenua. The Recovery Plan Implementation Framework (prepared by Land Information New Zealand in June 2017) requires that the Council "*work with mana whenua to confirm governance and management arrangements*" for the HMK Area and then to work "*to prepare concept plans, detailed design work and costings*".

The Mahi Tahi Joint Development Committee consists of the Mayor and two Councillors and three representatives nominated by Te Ngāi Tūāhuriri Rūnanga. The committee was established as an expression of partnership with Te Ngāi Tūāhuriri Rūnanga to further develop the working together relationship between the Council and Ngāi Tūāhuriri. One of the key responsibilities of the Committee is to:

*"Propose co-governance structures and processes to achieve the required results in relation to Mahinga Kai areas(s), particularly within the Regeneration Area in Kaiapoi; and, the achievement of Ngāi Tūāhuriri*

*aspirations for development of Maori Reserve 873 among other Reserves with particular regard to roles and responsibilities under the Resource Management Act 1991”.*

Co-governance typically refers to operating in a power-sharing capacity, particularly in respect of decision-making. Co-governance can mean different things to different people, and its meaning is influenced by the context in which it operates. Therefore, it helps to consider co-governance on a spectrum. At one end of the spectrum is simple co-operation, at the other end a full, equal partnership. Council currently has a co-governance arrangement in place through the Te Kōhaka o Tūhaitara Trust.

Given that the parties involved can define co-governance, and it is influenced by its context and the outcomes sought; there is no ‘one size fits all’ solution.

One of the first tasks to be completed is to propose a co-governance framework for the HMK Area. This co-governance framework could set out:

- A shared understanding of purpose
- The specific scope of co-governance
- The roles and responsibilities of the partners
- How decisions are to be made and reporting lines
- Funding sources and opportunities
- Financial accountability and transparency
- Process for considering operational/management issues

One of the early options explored for co-governance, and the one preferred by the Mahi Tahī Committee, is to provide co-governance through the existing Te Kohaka o Tuahitara Trust arrangement.

A letter was sent to Te Kohaka o Tuhaitara Trust on 2<sup>nd</sup> March 2021 to initiate discussion around this preferred arrangement.

A summary document outlining a draft co-governance structure to give effect to this preference is attached to this report as Appendix B. This has previously been discussed with the General Manager Greg Byrnes.

#### **4.5. Preliminary concept**

Based on the Recovery Plan and the report, Ngahere rongoā (Red Zone), staff prepared a preliminary draft concept plan showing how the edible forest concept could be expressed in the HMK Area.

The preliminary draft concept plan was prepared only in order to seek funding through the Provincial Growth Fund for ‘shovel-ready projects’ (administered by MBIE). Unfortunately, the HMK Area project was not considered to meet MBIE funding criteria for the fencing of waterways category (as advised by their representative).

## 5. Next steps

### 5.1. Process from here

1. Te Kohaka o Tuhaitara Trust consider this report, seeking approval of draft co-governance proposal (appendix B)
2. Te Kohaka o Tuhaitara Trust initiate discussions with Makarini Rupene regarding involvements, expectations, commitments
3. WDC compile and present report to Mahi Tahi Committee – confirming the Trust approval and outlining the proposed structure and draft terms of reference for the Joint Working Group
4. WDC begin drafting up lease and associated terms
5. Establish terms of reference for Joint Working Group

### 5.2. Objectives

The aim of the project is to prepare a development master plan for the HMK Area that:

- Provides a full expression of mahinga kai (in terms of place and practice) that is relevant to the site.
- Is an expression of Ngāi Tūāhuriri history, presence and practices.
- Acknowledges the importance and history of the site to the Kaiapoi community.
- Provides for wellbeing (in multiple facets – environmental, physical, mental, cultural, social etc.)
- Provides opportunities/space/facilities for:
  - Cultural and social activities
  - Education and learning
  - Natural play, including incorporating NCF Park
  - Informal recreation (e.g. walking, cycling, experiencing nature)
- Integrates with the Kaiapoi River, Courtenay Stream and Courtenay Lake.
- Integrates with existing reserves in the wider area.
- Links to the proposed Kaiapoi Community Hub and Kaiapoi Town Centre.
- Considers the remaining residential properties in the HMK Area.

This development master plan will require the endorsement of Te Ngāi Tūāhuriri Rūnanga, and the Waimakariri District Council (including the Kaiapoi-Tuahiwi Community Board) and will be subject to community consultation. The master plan will form the basis of future concept plans and a multi-year staged work programme to develop the HMK Area. The master plan will also be used to seek funding from external third-party providers.

## 6. Council contacts

The Waimakariri District Council staff contacts for this project are:

- Chris Brown - Manager Community and Recreation (chris.brown@wmk.govt.nz)
- Kevin Dwyer - Landscape Architect, District Regeneration (kevin.dwyer@wmk.govt.nz)

**Appendix A: Ngahere rongoā (Red Zone)**

**Appendix B: Draft Co-Governance Structure.**

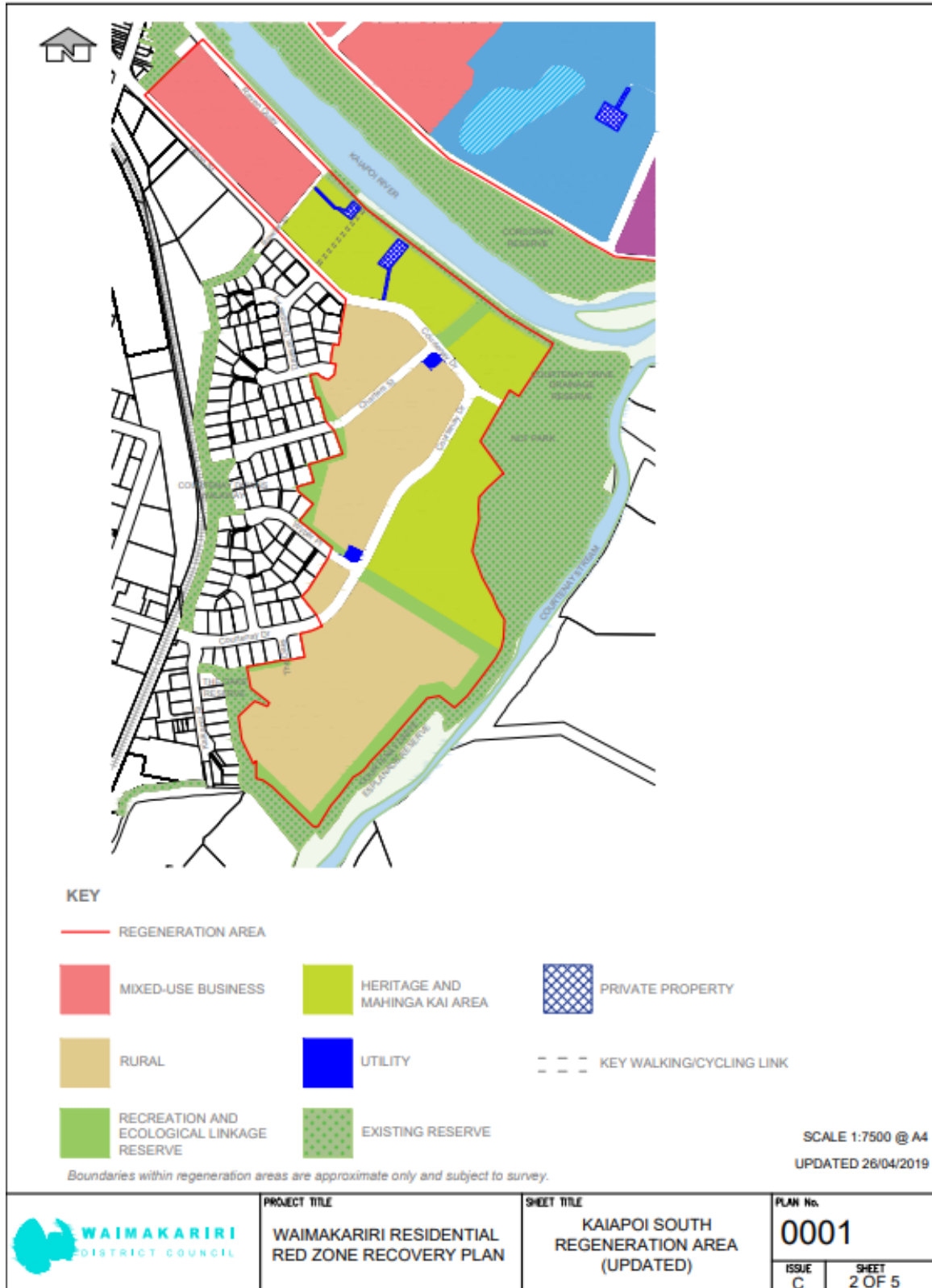


Ngahere rongoā (Red Zone)

**Ngahere Rongoā (Wahi where)**

*Edible forest (red zone)*

To facilitate the planting of native wetland and Podocarp forest - to service Tūāhuriri Runanga



## Ngahere rongoa (Red Zone)

### Overview

This is a preliminary report on a proposed regeneration project for the Kaiapoi South Regeneration Area. The proposed project has been provided direction by Tūāhuriri rūnanga.

### Background

The Waimakariri District Council Regeneration Committee have queried Runanga representatives regarding direction for a regeneration project. The project is intended to enhance mahinga kai values. Therefore, Arapata Reuben and Makarini Rupene of Tūāhuriri, Identified regenerating native plant communities as an aspiration for rūnanga. A site inspection was undertaken to further identify any opportunities. Area considered are the red zoned blocks between Bowlers St, Raven Quay and along Courtenay Drive, along the south bank of the Kaiapoi awa and around to the Courtenay stream.

### How we assessed the sites

Makarini Rupene (Ngai Tūāhuriri / ECan), Al Blackie (WDC) and Irai Weepu (Tangata whenua facilitator – ECan) conducted a walk and talk in the area, discussing the native plants required and potential usage. We walked from Bowler street down Courtenay Drive towards the Courtenay stream.

### Considerations

#### Area type

**wetland area**  
Freshwater swamps/wetlands occur where soils retain high water levels throughout the year. Either the water table is permanently above ground level or only centimetres below it. These areas have organic peaty soils (Waimairi soil type).

#### Suggested plants

**Groundcovers, rushes, tussocks, ferns, flax**  
jointed wire rush/oioi  
twig rush/baumea  
swamp kiokio (fern)  
Māori onion/bog lily  
Glen Murray tussock/cutty grass  
sedge/pūrei  
tussock sedges/pūkiō  
toetoe  
sundew  
thousand-leaved fern  
water fern  
tussock rushes/wiwi  
harakeke/New Zealand flax

Ngahere rongoa (Red Zone)

	prickly shield fern lake clubrush sedge tussock/bog rush  raupö/bulrush
<p><b>Tötara/matai podocarp forest</b></p> <p>This plant community occurs on the moist, loamy Waimakariri, Wakanui, Templeton and Kaiapoi soil types. These soils are more free draining than Taitapu soils, hence the absence of kahikatea except in moist gullies or hollows.</p>	<p><b>Tall trees</b></p> <p>tötara matai/black pine</p> <p><b>Trees and large shrubs</b></p> <p>karamü karamü cabbage tree/ti köuka broadleaf/päpäuma, kápuka narrow-leafed lacebark/puruhi känuka mänuka/tea tree New Zealand myrtle/röhutu golden akeake/akiraho lemonwood/tarata black matipo/köhühü lowland ribbonwood/mänatu lancewood/horoeka</p>

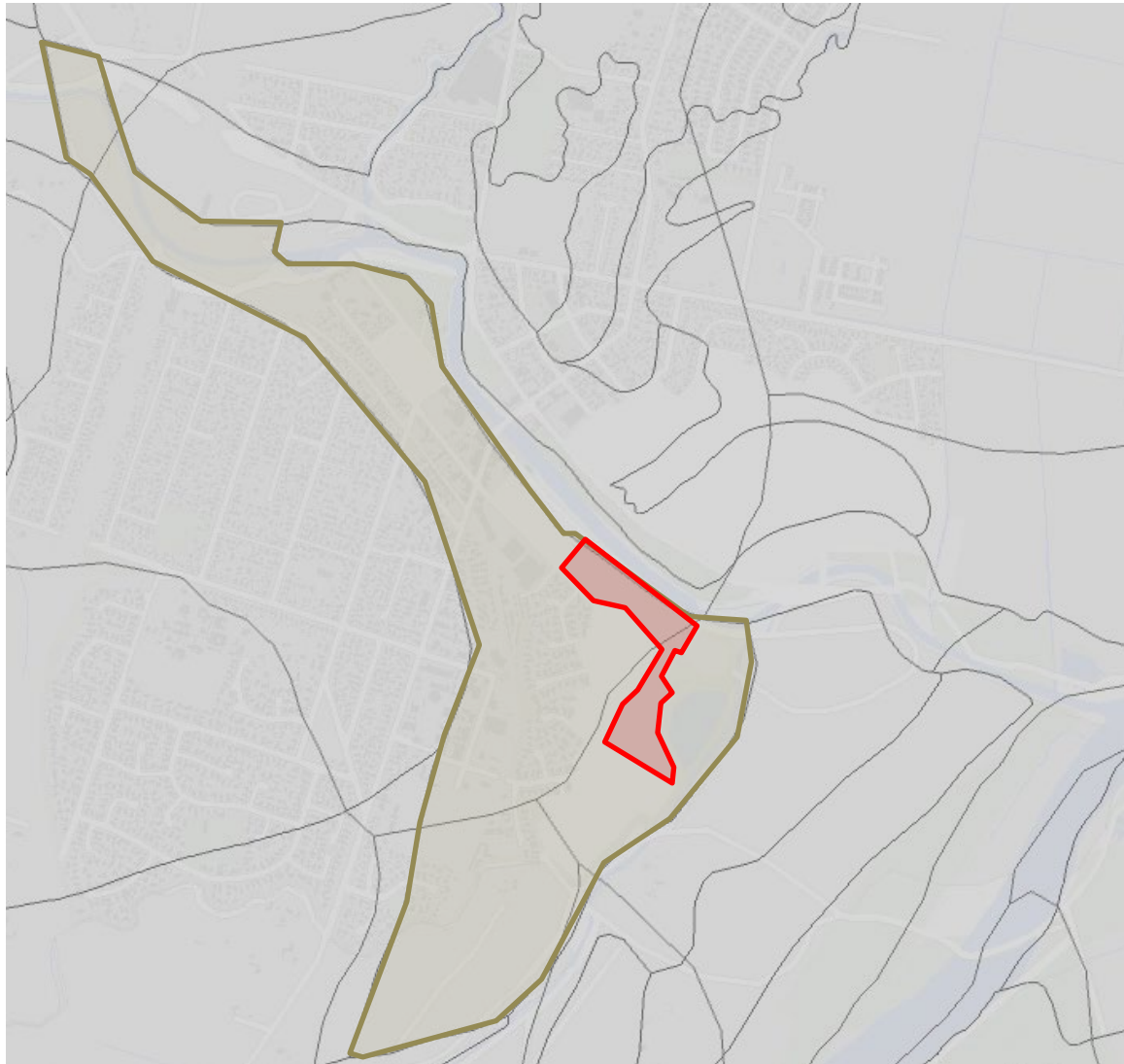
Soil type	
<b>S-Map Soil Unit:</b>	
SMU	PandD\k524
Data Source	SMap
Long Soil Name	Kaiapoi moderately deep silty loam
Smap Name	Kaia_2a.1
Sibling Proportion	30
Sibling Rank Order	2
Sibling Texture Description	silty loam
Sibling Confidence	H
NZSC Description	Mottled-weathered Fluvial Recent Soils
NZSC	RFMW
Permeability	m/r
Permeability Description	moderate over rapid

*Ngahere rongoā (Red Zone)*

Sibling Depth	md
Sibling Depth Description	Moderately Deep (45 - 100 cm)
Sibling Drainage	i
Sibling Drainage Description	Imperfectly drained
Sibling Texture	z
Shape	
oldLUTcode	H
Slope	A
Ecan NLoss Soil Category	D
Ecan PLoss Soil Category	L1
Relative Runoff Potential	VL
Relative PLeach Risk	H
Septic Tank Wastewater Soakage	B4
AWmm30	76.30
AWmm60	144.60
PAWmm	185.90
PRetentionTopsoil	33.00
Relative Bypass Flow	Low
Relative NLeach Risk	L
Effluent Class	B
Root Barrier	N
Root Barrier Description	No barrier
Area (m2)	1,440,972.17

*Ngahere rongoā (Red Zone)*

**Soil Type layer (ECan maps)**



*Kaiapoi moderately deep silty loam area (brown area)*

Ngahere rongoā (Red Zone)

**Black map of past environment**

*The mahinga kai area was previously Flax, Toitoi and grass, a typical wetland.*



**Site Data Table**

#	Site (Address)	Runanga	Aspiration	Soil type
1	Courtenay Drive, Bowler St, Raven Quay	Ngai Tuahuriri, Arapata Reuben, Makarini Rupene	Natives (Forest/Wetland) are planted. An edible forest is created. A pontoon is reserved for waka. The most eastern land (on the other side of the stop bank) is returned to a wetland. Fish passage improved at Courtney stream flood gate (Maori Dam).	Kaiapoi moderately deep silty loam

Ngahere rongoā (Red Zone)

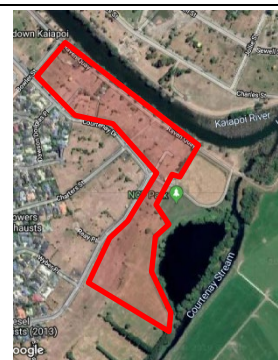
**Analysis**

Preliminary information gathered has been analysed to suggest which native plants would be most suitable for the area. Black map records indicate the area was once part of a large wetland area with vegetation comprising of flax, toitoi, raupo and grasses. The ECan soil data indicates a Totara/Matai podocarp forest can grow in the soil type present which is 'Kaiapoi moderately deep silty loam'.

The block of land pictured below (within the red circle) is situated with three water bodies (Courtaney stream, a Lake and the Kaiapoi awa on three of its four sides. While inspecting it was noted by AI and Makarini that this land is naturally reverting back to a wetland and should be encouraged.



The block of land pictured below (within the red shape) is situated slightly more elevated and along the banks of the Kaiapoi river. This area would be viable for a podocarp forest.



## Ngahere rongoā (Red Zone)

### Suggestions moving forward

The red zone mahinga kai project creates an edible forest, consisting of two plant communities, a wetland and a Podocarp.

Wetlands;

This will be the smaller community nestled against the lake, Courtenay and Kaiapoi awa. It will consist of native groundcovers, rushes, tussocks, ferns and flax.

Podocarp;

This will be the larger community running along the river and into the wetland. It will consist of native tall trees like Matai, other smaller trees, ground covers, shrubs, ferns, ground covers and flax. Edible plants to be selected, such as the Karamu, Manuka and Koromiko etc.

Further to the above, it is suggested that a pontoon is reserved for traditional waka. This will allow waka from local iwi to dock, further enhancing local iwi and Maori identity within the area.

It is noted that action has been undertaken to remediate the Courtney Floodgate.

### Recommended Next Steps

1. Runanga Endorsement
  - a. In order to ensure this report reflects rūnanga aspirations, this preliminary report is endorsed by Ngai Tūāhuriri rūnanga. – **completed. This report has been endorsed by Ngai Tūāhuriri.**
2. Voicing the Aspiration
  - a. This report is tabled and endorsed at the next Regeneration steering group meeting.
3. Kotahitanga – unified approach
  - a. A project team developed to plan, design and deliver the project.



Ngahere rongoā (Red Zone)

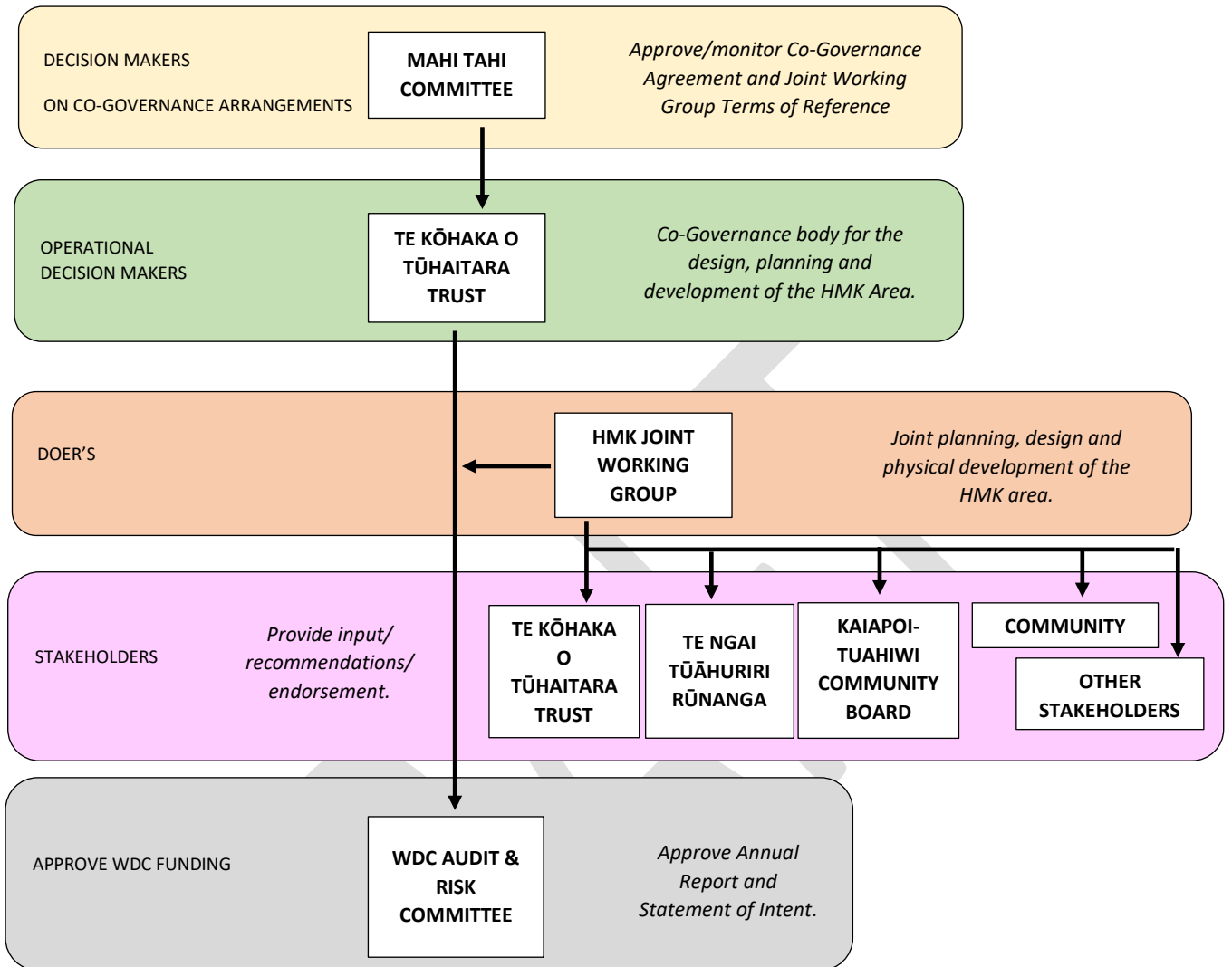
#	Images
1	
2	
3	

Ngahere rongoā (Red Zone)

4



## Heritage and Mahinga Kai Area - Draft Co-Governance Structure



### **Mahi Tahi Committee**

Key responsibility:

1. Approve (recommend to Council for approval) and monitor Co-Governance Agreement.
2. Approve Heritage and Mahinga Kai Area Joint Working Group Terms of Reference.

### **Te Kōhaka o Tūhaitara Trust**

Key responsibilities

1. Co-governance body and operational decision maker
2. Approve Heritage and Mahinga Kai Area Master Plan.
  - Taking into consideration feedback and recommendations from Stakeholders.
3. Approve Heritage and Mahinga Kai Area Reserves Management Plan.
  - Taking into consideration feedback and recommendations from Stakeholders.
4. Implement Heritage and Mahinga Kai Area Master Plan and Management Plan; including design, procurement, contract management, construction monitoring.
5. Prepare Annual Reports and Statements of Intent (for expenditure approval by Council's Audit and Risk Committee).
6. 'Ring-fence' any Heritage and Mahinga Kai Area funds to keep separate from Coastal Park.
7. Ensure annual budgets are spent in accordance with the Statement of Intent, Master Plan and Management Plan.
8. Seek external funding for the ongoing development (and operation) of the Heritage and Mahinga Kai Area.

### **Joint Working Group**

Membership:

MEMBER	KEY CONTRIBUTION	WHO
Rūnanga Representative	Mahinga Kai/Cultural values	Makarini Rupene
WDC Representative	Planning/design	Kevin Dwyer
TKOT Representative	Operational/implementation	Greg Byrnes

Key responsibilities:

1. Prepare a master plan for the Heritage and Mahinga Kai Area:
  - Spatial plan (s)
  - Planting plan (s)
  - Staging/implementation plan (s)
  - Funding plan
  - Management plan (operational)
2. Prepare a Reserves Management Plan (under the Reserves Act)
  - (Could be combined with master plan or amend TKOT RMP to include HMK Area)
3. Prepare an Annual Report and Statement of Intent seeking WDC budget for each year's implementation actions and summarising previous years achievements.
4. Prepare and submit progress report to TKOT (every two months).

Rūnanga Representative led tasks:

1. Advise and inform design, and update Te Ngai Tūāhuriri Rūnanga on important design and operational management matters and project progress.

WDC Representative led tasks:

1. Keep Kaiapoi-Tuahiwi Community Board updated on project progress (via briefings or reports).
2. Keep WDC Green Space Manager updated on project progress.
3. Consult community on draft master plan and draft management plan (the latter in accordance with the Reserves Act).
4. Seek recommendations from Kaiapoi-Tuahiwi Community Board on draft master plan, draft management plan and Annual Reports and Statements of Intent.

Activities of the Joint Working Group will be funded by the project budget (e.g. staff time)

Some elements of Joint Working Group responsibility may be delivered via engagement of external consultants, utilising project budget, for example:

- Design documentation
- Reserves Management Plan Preparation
- Specialist services not already covered by Joint Working Group members – e.g. Resource Management Planning, survey

### **Stakeholders**

Key responsibilities:

1. Input to the planning, design and development of the Heritage and Mahinga Kai Area.
2. Provide feedback/recommendations/endorsement of draft master plan, management plan and Annual Reports and Statements of Intent.

### **Audit and Risk Committee**

Key responsibilities:

1. Approve Annual Report and Statement of Intent.
2. Monitor annual budget and expenditure in accordance with the Statement of Intent.

### **Council**

Key responsibilities:

1. Council remains the underlying land owner of the Heritage and Mahinga Kai Area.
2. Draft and Issue lease for to Te Kōhaka o Tūhaitara Trust.
3. Declare Heritage and Mahinga Kai Area as reserve under the Reserves Act.
4. Allocate funding for ongoing maintenance activities for the Heritage and Mahinga Kai Area (to be carried out by the Trust).

## TERMS OF REFERENCE

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# HERITAGE & MAHINGA KAI JOINT WORKING GROUP

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## 1. Purpose

To champion the planning and design of the Heritage and Mahinga Kai Area (HMK Area) in Kaiapoi South.

While Council has landscape architects who can lead the planning and design of the HMK Area, for this to be a partnership, a te ao Māori perspective is essential. A fully collaborative planning and design approach with mana whenua endorsed knowledge holders, would lead to better project and community outcomes.

A collaborative design-led approach is suggested as the methodology to plan and design the HMK Area. A collaborative approach using a Joint Working Group would bring together designers and knowledge holders to work in focussed, inquiry by design (IBD) sessions.

The Joint Working Group will report to Te Kohaka o Tuhaitara Trust (TKOT - as co-governance entity) on the progress of the project and in seeking decision making for key issues during the life cycle of the project. The Joint Working Group members will act as representatives of the respective key stakeholders of the project, and engage with key stakeholders at appropriate milestones to ensure views are represented and those stakeholders are kept informed of progress.

***Heritage & Mahinga Kai Area Vision:*** To restore lost natural and cultural heritage through the re-establishment of a podocarp forest and wetland for mahinga kai purposes in the Kaiapoi South Regeneration Area.

## 2. Membership

The following key stakeholders will be represented by the membership of the Joint Working Group:

- Waimakariri District Council (WDC); and principally the Kaiapoi-Tuahiwi Community Board (KTCB)
- Te Ngai Tuahuriri Runanga (TNTR)
- Te Kohaka o Tuhaitara Trust (TKOT)

Joint Working Group membership:

Member	Key Contribution	Who
Rūnanga Representative	Mahinga Kai/Cultural values	Makarini Rupene
WDC Representative	Planning/design	Kevin Dwyer
TKOT Representative	Operational/implementation	Greg Byrnes

## TERMS OF REFERENCE

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### HERITAGE & MAHINGA KAI JOINT WORKING GROUP

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#### 3. Staff, Consultant and Community Support

- Duncan Roxborough, District Regeneration Programme Manager.
- Grant MacLeod, Greenspace Manager
- Hannah-Rose White, Landscape Architect
- Kate Steel, Ecologist – Biodiversity
- Sophie Allen – Water Environment Advisor
- Karen Lindsay-Lees – Communications Advisor
- Planning Consultant (tbc).

#### 4. Administrative Support

- Helen Leslie, Greenspace Administrator

#### 5. Quorum

All three members.

#### 6. Objectives

- 6.1 The overall aim of the project is to develop a HMK Area that:
- a) Provides a full expression of mahinga kai (in terms of place and practice) that is relevant to the site.
  - b) Is an expression of Ngāi Tūāhuriri history, presence and practices.
  - c) Acknowledges the importance and history of the site to the Kaiapoi community.
  - d) Provides for wellbeing (in multiple facets – environmental, physical, mental, cultural, social etc.)
  - e) Provides opportunities/space/facilities for:
    - Cultural and social activities
    - Education and learning
    - Natural play, including possibly incorporating NCF Park
    - Informal recreation (e.g. walking, cycling, experiencing nature)
  - f) Integrates with the Kaiapoi River, Courtenay Stream and Courtenay Lake.
  - g) Integrates with existing reserves in the wider area.
  - h) Links to the proposed Kaiapoi Community Hub and Kaiapoi Town Centre.
  - i) Considers the remaining residential properties near the HMK Area.
- 6.2 To work under the co-governance framework for the HMK Area, and in line with the terms of the HMK Area lease agreement between WDC and TKOT.

## TERMS OF REFERENCE

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### HERITAGE & MAHINGA KAI JOINT WORKING GROUP

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- 6.3 To ensure the views of key stakeholders are represented in planning and design decisions, including community views, cultural aspirations and te ao Maori perspective, and landscape design technical expertise.
- 6.4 To recommend a reserve category for vesting the HMK Area under the Reserves Act 1977.
- 6.5 To produce a master plan for the development of the HMK Area
- 6.6 To guide the preparation of a reserve management plan for the HMK Area.
- 6.7 To create a work plan that covers staging, timing, implementation and procurement for the development of the HMK Area.
- 6.8 Seek coordination or staff support as required across other departments or agencies.
- 6.9 Technical and cultural design support/advice to TKOT to potentially enable partnerships with other agencies, or third-party funding providers as required.
- 6.10 To seek involvement of the community at appropriate stages to ensure they have a role within the project.
- 6.11 Support/information to TKOT on their Annual Reports/Accountability Reports and Statement of Intent for each delivery year.

#### 7. Outcomes

- 7.1 Project decision making by TKOT (co-governance entity) is supported by the Joint Working Group technical design and cultural advice and recommendations.
- 7.2 An agreed work plan is approved, with clear targets for implementation by TKOT (and subsequent reporting to WDC and TNTR).
- 7.3 A HMK Area that is fit-for-purpose and meets the objectives of the project is implemented to budget and on time.
- 7.4 TKOT are able to effectively develop, manage and fund the ongoing operations of the HMK reserve through good planning and design of the development and associated management plan.
- 7.5 Key stakeholders are kept informed of progress, and are involved in design recommendations included in key documents such as draft Master Plan, and draft Reserve Management Plan.
- 7.6 Engagement of project support resource as required, including external consultants as required in order to deliver the project(s).



## TERMS OF REFERENCE

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### HERITAGE & MAHINGA KAI JOINT WORKING GROUP

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- 7.7 Effect is given to the following key overarching or regulatory documents:
- a) Waimakariri Residential Red Zone Recovery Plan (2016)
  - b) Land Divestment Agreement (2018) between WDC and the Crown
  - c) District Regeneration Implementation Plan
  - d) Cultural Values Report – Mahaanui Kurataiao Ltd
  - e) Preliminary Report - Ngahere Rongoa (Wahi whero)
  - f) Any necessary resource consent or other authorities required
- 7.8 Key deliverables from the Joint Working Group include:
- a) Reserve Master plan, including:
    - i. Spatial & planting plans
    - ii. Staging/implementation/procurement plans
    - iii. Funding Plan – including cost & expenditure estimates
    - iv. Management plan (operational)
  - b) Specifications and drawings, schedules
  - c) Reserve Management Plan, (Reserves Act)
  - d) Joint Working Group Progress reports (to TKOT)
  - e) Information to support TKOT Annual Report and Statement of Intent seeking WDC budget for each year's implementation actions and summarising previous years achievements.
- 7.9 WDC is able to fulfil its reporting/monitoring obligations to the Crown for the implementation of the Recovery Plan.
- 7.10 WDC is able to declare the area as Reserve under the Reserves Act.

## TERMS OF REFERENCE

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### HERITAGE & MAHINGA KAI JOINT WORKING GROUP

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#### 8. Delegation

8.1 The Joint Working Group will have delegation to create and recommend the master plan, reserve management plan and work plan for the HMK Area to TKOT for approval.

8.2 The Joint Working Group will have the authority to issue works orders, purchase orders for the work in accordance with the work plan and delegations and expenditure plan approved by TKOT (and successively approved by WDC), including that referenced in 10.5.

#### 9. Decision Making

9.1 Decisions within delegations will, in so far as it is possible, be reached by unanimous consensus.

9.2 The Joint Working Group will have the option of referring any matter to TKOT for a decision.

#### 10. Financial Management

10.1 The Council's and TKOT financial year is from 1 July to 30 June.

10.2 Accounts are closed off at the end of each year, and any under/over expenditure is to be managed by TKOT.

10.3 Carrying over of unspent funds is possible where they relate to capital (including design) works which were not completed for a specific reason, which would be outlined in TKOT accountability through their Annual Report.

10.4 Bringing forward of funds between years if required (and where not included in the TKOT statement of Intent) would require TKOT to seek approval from Council.

10.5 Funding of Joint Working Group members contributions will be recovered from the project budget held by TKOT, by monthly invoice from the employer to TKOT as required.

#### 11. Legal Responsibilities

In working together to achieve the objectives of the project, the key stakeholders and the Joint Working Group are required to comply with all relevant legislation and regulations.

These include, but are not limited to:

- Greater Christchurch Regeneration Act 2016
- The Health and Safety at Work Act 2015

## TERMS OF REFERENCE

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### HERITAGE & MAHINGA KAI JOINT WORKING GROUP

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- Local Government Act 2002
- Reserve Management Act 1991
- Reserves Act 1977

#### 12. Administration

The agenda and minutes for formal meetings of the Joint Working Group meeting will be prepared by the Greenspace Administrator. The agenda and minutes will be filed in TRIM and distributed to all members.

The outline agenda for the meeting shall generally be as follows:

1. Apologies
2. Previous Minutes
3. Matters Arising
4. Staff Reports (milestones, programme, issues, budget, risk, health and safety)
5. Risks, Issues or Concerns
6. Community Engagement and Media
7. Reports to TKOT
8. General Business

Inquiry by Design sessions will have notes taken by members and kept on file.

#### 13. Meeting Frequency

The Joint Working Group shall meet monthly or when requested to do so for urgent matters, or matters relating to the purpose of the Joint Working Group.

Design meetings and Inquiry by Design sessions will be held as required and agreed between the members, with informal notes taken by members and kept on file.

#### 14. Duration

The Joint Working Group will function until the completion of the design and planning phases of the project, including development of the Reserve Management Plan, after which time the physical implementation and operations will be managed directly by the Trust through the General Manager.

#### 15. Review

This Terms of Reference will be reviewed at six months after formation of the Joint Working Group

**WAIMAKARIRI DISTRICT COUNCIL**

**REPORT FOR DECISION**


**FILE NO and TRIM NO:** DDS-06-10-02-04-04 / 210819136006

**REPORT TO:** Mahi Tahi Joint Development Committee

**DATE OF MEETING:** 24 August 2021

**FROM:** Trevor Ellis, Development Planning Manager

**SUBJECT:** Proposed District Plan Provisions – Recommendations to Te Ngāi Tūāhuriri Rūnanga and Council

  
\_\_\_\_\_  
Chief Executive

**1. SUMMARY**

- 1.1 This report requests that the Mahi Tahi Joint Development Committee receives and recommends the Proposed Waimakariri District Plan (Plan) for public notification. Many of the provisions within the Plan relate to places of cultural significance and ancestral values. The Plan also includes significant new provisions for Māori, including a Special Purpose Zone (Kāinga Nohoanga). These proposed provisions have been collaboratively developed by Mahaanui Kurataiao Ltd and Waimakariri District Council planners.
- 1.2 In addition, this report recommends alternative processes, provided for under the RMA, to address various matters related to Proposed District Plan provisions.

Attachments:

- i. Recommendations passed by the Committee in December 2020. (noted below)
- ii. Māori Purpose Zone (Kāinga Nohoanga) provisions that would apply to Māori reserve land in the District. (210819136023)
- iii. Sites and areas of Significance to Māori provisions that would apply across the District. (210819136024)

**2. RECOMMENDATION**

**THAT** the Mahi Tahi Joint Development Committee:

- (a) **Receives** report No. 210819136006
- (b) **Recommends** the Proposed Waimakariri District Plan to Te Ngāi Tūāhuriri Rūnanga and Council for public notification under the Resource Management Act 1991.
- (c) **Notes** the intention to seek to agree with Ngāi Tūāhuriri arrangements for Te Ngāi Tūāhuriri Rūnanga to be delegated responsibility under s33 of the RMA to provide for validation of consent applicant descendance, drawing on the resources of Ngāi Tahu's Whakapapa Unit; such arrangements to be subject of a future report for approval by the Council and the Rūnanga.
- (d) **Requests** the Council and the Rūnanga to direct the Mahi Tahi Joint Development Committee to further consider and advise on other appropriate forms of collaboration with Te Ngāi Tūāhuriri Rūnanga under the RMA, including joint management agreements under s36 to implement the Notified Proposed District Plan provisions that relate to the

Kāinga Nohoanga zoning that applies to Māori Reserves; to occur in parallel with progressing notification and consideration of the Proposed Waimakariri District Plan.

- (e) **Notes** that areas of potentially significant natural areas (SNA) in whanau ownership that are candidate sites for inclusion in the Notified Proposed District Plan have not been included in the Proposed Waimakariri District Plan; in favour of reaching separate and specific agreement with affected landowners for their appropriate management.
- (f) **Circulates** this report to all Community Boards for information.

### 3. **BACKGROUND**

- 3.1. The Committee received a report in December 2020 that passed the recommendations included in Attachment (i). Among other matters, that report recommended the Māori Purpose Zone (Kāinga Nohoanga) provisions to Te Ngāi Tūāhuriri Rūnanga and Council. It also noted that a further report on possible RMA s33 (transfer of power) provisions would be brought to the Committee at a later date, that community engagement be carried out and that specific matters of detail or refinement be addressed.
- 3.2. The focus of the Committee to date has been on the Māori Purpose Zone (Kāinga Nohoanga) provisions and it is worth reiterating the background for the purposes of this report. In brief, the Operative Waimakariri District Plan zones Māori Reserve land as predominantly Rural, much like the remainder of the non-urban areas of the District, with the exception of land in and around Tuahiwi village that is zoned Residential 3 and an area along Old Main North Road at Kaiapoi.
- 3.3. Through the Land Use Recovery Plan in 2015, the District Plan was amended to include residential development provisions within MR873 outside of the Tuahiwi village. Additional land was zoned Residential 3 at the village along with a basic Outline Development Plan (ODP). These provisions were inserted into the District Plan through decision by the then Minister for Earthquake Recovery.
- 3.4. These amended provisions to the District Plan provided for 'cluster housing' development on the Rural zoned land where owners traced descendancy to original grantees following from the Kemp Deed in 1848. This applies to Māori land, that is, land in ownership by descendants from original grantees or land subsequently confirmed as 'Māori Land' by the Māori Land Court.
- 3.5. Further, land that may be held in general title and/or is repurchased by owners who trace descendancy to an original grantee anywhere in the reserve qualify for these development rights. Descendancy is confirmed through the records maintained by the Whakapapa Unit Te Rūnanga o Ngāi Tahu. A recommendation of this report is that this process is confirmed by undertaking a s33 delegation of responsibility.
- 3.6. Some expansion of the Residential 3 zoning around the village was also included in the amendments to the District Plan. An ODP was included with these provisions. As regards to the cluster housing, provisions in the operative plan require consent for cluster developments, which may be staged, in accordance with an approved 'outline plan' and the use of Unit Title tenure to implement and maintain this plan over time.
- 3.7. From a District Plan Review perspective, the opportunity to fully review these provisions is available via the review of the District Plan as whole. In preparation for this, Mahaanui Kurataiao Ltd provided Council with a report on the efficacy of the existing provisions and any changes that should be made. That report made a number of recommendations for change that have been specifically factored into the revised provisions (Attachment (ii)).

- 3.8. The Committee has been briefed on the development of a new set of provisions that better address the Kemp Deed of 1848. This has been in the form of 4 memos and the above mentioned report, outlining the approach to drafting and versions of the draft chapter as they progressively developed between Mahaanui Kurataiao Ltd and WDC contracted staff.
- 3.9. In general, the approach taken in the proposed chapter that responds to the recommendations made by Mahaanui Kurataiao Ltd, differs from the existing provisions. While the 'descendancy test' is maintained, no form of tenure is prescribed. Permitted activity status is assigned to residential development and provision is made for a wider range of non-residential activities on land across Reserve 873. Rules are primarily designed to address boundary to boundary and reverse sensitivity issues.
- 3.10. There is no residential density control per se i.e. minimum lot size to build. The intensity or scale of non-residential activities is subject to rules, mainly via floor space quantum's which have been highlighted to the Committee over the course of the year as a means of managing change in the Reserve. Boundary setbacks are also included which is a common approach to managing boundary to boundary effects within a district plan.
- 3.11. This approach is intended to better meet the position articulated in the Mahaanui Kurataiao Ltd report, based on a contemporary interpretation of rights provided for through the Kemp Deed. It represents a changed planning/development regime compared to the LURP provisions and highlights the importance of progressing plans and funding arrangements for servicing infrastructure in MR873 in particular.
- 3.12. The remaining provisions of the Plan have been reviewed based on a set of priorities identified by Mahaanui Kurataiao Ltd and this includes the Sites and Areas of Significance to Māori provisions that would apply across the District. In regard to the latter, these set of provisions have also been extensively informed by a report from Mahaanui Kurataiao Ltd and have been reviewed or had input as part of its development.
- 3.13. This new set of provisions significantly addresses a weakness of the Operative Waimakariri District Plan. It specifically seeks to recognise and provide for the relationship of Ngāi Tūāhuriri with their ancestral lands, water, sites wāhi tapu and other taonga in the future development of the District, within the context of the what a District Plan can most appropriately address. Attachment (iii) includes a copy of these provisions.

#### **4. ISSUES AND OPTIONS**

##### s33 Transfer of Powers

- 4.1. Section 33 deals with transfer of powers including what powers can be transferred, to whom and under what circumstances. It states that (s33(1)) 'A local authority may transfer any one or more of its functions, powers, or duties under this Act, except this power of transfer, to another public authority in accordance with this section.' Under s33(2) the RMA states 'For the purposes of this section, 'public authority' includes any local authority, iwi authority, Government department, statutory authority, a joint committee set up for the purposes of the section 80 (combined regional and district documents), and a local board (within the meaning of section 4(1) of the Local Government (Auckland Council) Act 2009.'
- 4.2. The recommendation of this report is that s33 is an appropriate means to provide for the special purpose zone provisions, as outlined in paragraph 3.5 above, that relates to descendancy validation. It is not the recommendation of this report to outline the nature or agreement of that transfer of powers, but to indicate that it is an appropriate path given the direction of the proposed provisions outlined in the Māori Purpose Zone (Kāinga Nohoanga) provisions.

- 4.3. To this effect, the recommendation is that Ngāi Tūāhuriri Rūnanga to be delegated responsibility under s33 of the RMA to provide for validation of consent applicant descendency, drawing on the resources of Ngāi Tahu's Whakapapa Unit; such arrangements to be subject of a future report for approval by the Council and the Rūnanga. The RMA sets out that a public engagement procedure is used under the Local Government Act 2002 for such a s33 agreement. This will require a notice of proposal and a draft agreement between Council and Ngāi Tūāhuriri Rūnanga to be made public.

#### s36B Power to make joint management arrangement

- 4.4. A feature of the preparation of the Kāinga Nohoanga provisions has been joint working consistent with the established relationship between the two parties so that the notified plan provisions enjoy a high level of support. The RMA recognises this by enabling continuation of that through joint management arrangements for implementing the Plan and several Councils and iwi have entered into such arrangements. These must be agreeable to both parties before they are entered into.
- 4.5. A further recommendation of this report therefore is that Council and the Rūnanga direct the Mahi Tahi Joint Development Committee to further consider and advise on other appropriate forms of collaboration with Te Ngāi Tūāhuriri Rūnanga under the RMA. This includes joint management agreements under s36 to implement the Proposed District Plan provisions that relate to the Kāinga Nohoanga zoning that applies to Māori Reserves and for that consideration to occur in parallel with progressing notification and steps to finalise the Proposed Waimakariri District Plan.
- 4.6. Section 36 could feasibility apply to one or more provisions of the Proposed Waimakariri District Plan, such as residential development within the proximity of Rangiora Woodend Road and any noise insulation or setback requirements. Once again, the purpose of this report is not to provide detail as to applicability of s36B but to recommend that such an arrangement is provided for under the RMA and that this be further considered as a means to contribute to decision making under the provisions of the Proposed Waimakariri District Plan when operative.

#### Specific matters of detail or refinement

- 4.7. As outlined in the earlier report, final 'bedding in' was to be carried out between Mahaanui Kurataiao Ltd and WDC including:
- A check with other sets of provisions within the Proposed Plan including other zones and district wide matters including earthworks, transport, infrastructure, light and noise provisions;
- 4.8. In March 2021, Council received comment from various statutory parties on the provisions of the Proposed Plan. Suggested changes were reviewed and incorporated as necessary and subsequent to that, the Plan was made available to Mahaanui Kurataiao Ltd. Council received extensive comment, looking at the various District wide matters that have a relationship with the above-mentioned provisions. These were subsequently talked through and changes made by WDC staff to the Proposed Plan. This particularly applies to the Kāinga Nohoanga provisions where the rules that do and do not apply have been updated in a table at the end of the chapter. (see Attachment (ii)).
- 4.9. Further review process of these changes has recently been underway by Mahaanui Kurataiao Ltd and it is expected that the outcome of that review process will be made available ahead of the Committee meeting.

- 4.10. The key matters outstanding at the time of writing are provisions relating to noise insulation for new houses adjacent to Rangiora Woodend Road (in regard to MR873 and which could be addressed by a s36B agreement (see paragraph 4.6 above)), building/structure setbacks from waterbodies (District wide) and flood hazard mitigation (MR873). In addition, there were a couple of matters of advice to come from Mahaanui Kurataiao Ltd:
- Natural Hazards – NH-P18 – Kaitiaki to provide comment; and
  - SASM-R4 –comment on earthworks depth and volume.

#### Significant natural areas

- 4.11. Recommendation (f) notes that areas of potentially significant natural areas (SNA) in whanau ownership that are candidate sites for inclusion in the Notified Proposed District Plan have not been included in the Proposed Waimakariri District Plan. This is in favour of reaching separate and specific agreement with affected landowners for their appropriate management.
- 4.12. This follows a memo to the Committee in July that indicated that mapped SNAs currently on Māori Reserve Land could be removed from the Proposed District Plan maps and schedule. Further, the memo indicated that an exemption be added to the Kāinga Nohoanga Zone provisions for Māori Land (Specific Areas) so that the SNA rules do not apply and to retain the currently drafted exemption for MR873 land as drafted i.e. SNA rules do not apply.
- 4.13. In doing so, it was outlined that an option for responsibility for SNAs on Māori Reserve land would be to manage these via an approach outside of the District Plan to achieve the same objective. This would likely need to include landowners. At the time it was suggested that one option could be to develop a Memorandum of Understanding (MOU) between parties. This remains the case, however this could also be addressed by an agreement under s36B in a way that minimises the need for additional documentation.

#### **Implications for Community Wellbeing**

- 4.14. There are no specific implications on community wellbeing by the issues and options that are the subject matter of this report. Subsequent District Plan process that follow do enable whanau exercising descendency rights to advance their wellbeing.
- 4.15. The Chief Executive has reviewed this report and supports the recommendations.

### **5. COMMUNITY VIEWS**

#### **5.1. Mana whenua**

Te Ngāi Tūāhuriri hapū are likely to be affected by, or have an interest in the subject matter of this report.

The attached provisions (Attachment iii) have been developed collaboratively with Mahaanui Kurataiao Ltd on behalf of Te Ngāi Tūāhuriri Rūnanga and reported to the Mahi Tahi Committee over recent months.

#### **5.2. Groups and Organisations**

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

#### **5.3. Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report.



There has been high level community engagement carried out as part of the Waimakariri 2048 District Development Strategy – Our District. Our Future (2018).

Two recent hui on the special zone provisions have also been held and they were generally well received.

The community will be able to make submissions and further submissions on the proposed provisions which may influence the final provisions.

## **6. OTHER IMPLICATIONS AND RISK MANAGEMENT**

### 6.1. Financial Implications

There are not financial implications of the decisions sought by this report.

### 6.2. Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

### 6.3. Risk Management

There are not risks arising from the adoption/implementation of the recommendations in this report.

### 6.4. Health and Safety

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

## **7. CONTEXT**

### 7.1. Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### 7.2. Authorising Legislation

Resource Management Act 1991. Council is required to provide further opportunity to the Iwi Authority and consider comment received ahead of the public notification of the Proposed District Plan.

Council's Manager Planning & Regulation has delegation under the RMA (Clause 4A) and subsequent to the outcomes of this report will write to the Iwi authority.

### 7.3. Consistency with Community Outcomes

The Council's community outcomes are relevant to the actions arising from recommendations in this report. This includes:

- Effect is given to the principles of the Treaty of Waitangi.
- The Council in partnership with Te Ngāi Tūāhuriri Rūnanga, continue to build our relationship through mutual understanding and shared responsibilities.
- The distinctive character of our takiwā - towns, villages and rural areas is maintained.
- The community's cultures, arts and heritage are conserved and celebrated.
- Mana whenua are acknowledged and respected.

#### 7.4. Authorising Delegations

The Mahi Tahi Joint Development Committee has responsibility for preparing recommendations to Council and Te Ngāi Tūāhuriri Rūnanga in respect to development aspirations for MR873, other reserves and the District Plan under the Resource Management Act 1991.

### **Attachment (i)**

Recommendations passed by the Committee in December 2020.

**THAT** the Mahi Tahi Joint Development Committee:

- (g) **Receives** report No. 201021141244.
- (h) **Recommends** the attached provisions to Council and to Te Ngāi Tūāhuriri Rūnanga for inclusion in the Proposed District Plan.
- (i) **Notes** specific matters remaining to be completed by staff, as set out in paragraph 4.19.
- (j) **Circulates** this report to all Community Boards for information.
- (k) **Notes** that as part of pre-notification Proposed District Plan engagement, the proposed provisions will be shared with the Greater Christchurch Strategic Partners.
- (l) **Considers** the necessity and nature of further consultation with landowners subject to the changed zoning provisions.
- (m) **Notes** that a separate report will be prepared for the consideration of the Committee in regard to s33 (transfer of powers).

**Attachment (ii)** Māori Purpose Zone (Kāinga Nohoanga) provisions that would apply to Māori reserve land in the District.

**Attachment (iii)** Sites and areas of Significance to Māori provisions that would apply across the District.

# SPZ(KN) - Special Purpose Zone - Kāinga Nohoanga

## Introduction

The purpose of the Special Purpose Zone (Kāinga Nohoanga) is to provide for activities within all of Māori Reserve 873. The chapter also applies to other areas of land held or administered under Te Ture Whenua Maori Act 1993 in the District as described under *Māori Land Outside of Māori Reserve 873*.

### *Māori Reserve 873*

The zone recognises the original purpose of the 1,068ha of land reserved to local Māori as part of the Kemp's Deed purchase in the South Island. The purpose of Māori Reserve 873 was to provide mana whenua with kāinga nohoanga and the ability to maintain mahinga kai. Due to fragmentation of, and changes in, land tenure over the past 160 years, the original purpose of Māori Reserve 873 has been largely negated. The purpose of the zone is to enable Te Ngāi Tūāhuriri Rūnanga to further develop Māori Reserve 873 for the purposes as originally intended, including places of residence and for the use and processing of natural resources.

The zone includes a variety of land tenure and ownership, but the only land that is able to be used or developed for papakāinga and/or kāinga nohoanga purposes, is land which comes within the definition of Māori Land which has the following status:

1. gazetted or determined by an order of the Māori Land Court as having a particular land status as defined or provided for within Te Ture Whenua Maori Act 1993, which may apply to any form of ownership that is recognised or provided for under Te Ture Whenua Maori Act 1993; and/or
2. where one or more owners of the land are direct descendants of the original grantees of the land.

For land that is not Māori Land that is within the zone, a range of Rural Lifestyle activities are provided for outside of Tuahiwi; a range of Settlement Zone activities are provided for within the Tuahiwi Precinct; and the activities of the Large Lot Residential Zone are provided for in the Large Lot Residential Precinct. These are shown on the planning map.

### *Māori Land Outside of Māori Reserve 873*

The provisions of the Special Purpose Zone (Kāinga Nohoanga) as they apply to the areas of Māori Land outside of Māori Reserve 873, is to provide primarily for papakāinga, residential and rural activities thereby enabling the return of rūnanga members to the land. The areas of land are described below and shown on the planning map:

- Reserve 2486 & Te Akaka 896, River Road, Waikuku;
- Rural Section 41401 & Taerutu No 898, Kaiapoi Pa Road, Kaiapoi;
- Orohaki MR 893 & Orohaki MR 894, Maori Reserve Road, Glentui;
- Māori Reserve 2038, Mairangi Road, Starvation Hill;
- Reserve 2061 (Tawera) & Section 18776, Luers Road, Coopers Creek; and
- Section 2 MR 897 Tawera, Island Road & Ram Paddock Road, View Hill.

The provisions in this chapter give effect to the matters in Part 2 - District Wide Matters - Strategic Directions, particularly objective SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga.

## Other potentially relevant District Plan provisions

As well as the provisions in this chapter, district wide chapters may be relevant to the Kāinga Nohoanga Zone, and these are set out in Appendices SPZ(KN)-APP1 to SPZ(KN)-APP5.

<b>Objectives</b>	
<b>SPZ(KN)-O1</b>	<p><b>Use and development of Te Ngāi Tūāhuriri Rūnanga Māori Reserve 873 and other Māori land</b></p> <p>Te Ngāi Tūāhuriri Rūnanga exercise kaitiakitanga in the use and development of ancestral land for their social, cultural and economic well-being.</p>
<b>Policies</b>	
<b>SPZ(KN)-P1</b>	<p><b>A range of activities within Māori Reserve 873</b></p> <p>Enable the use and development of Māori land within Māori Reserve 873 for a wide range of activities in accordance with tikanga Māori, including kāinga nohoanga and mahinga kai, to support the social, cultural and economic aspirations of mana whenua.</p>
<b>SPZ(KN)-P2</b>	<p><b>A range of residential and non-residential activities for Māori land outside Māori Reserve 873</b></p> <p>Enable the use and development of Māori land outside of Māori Reserve 873 for mainly residential and rural activities, in accordance with tikanga Māori to support the social, cultural and economic aspirations of mana whenua.</p>
<b>SPZ(KN)-P3</b>	<p><b>Land use and development</b></p> <p>Land use and development on Māori land throughout the zone and within Māori Reserve 873 is undertaken in a way which:</p> <ol style="list-style-type: none"> <li>1. integrates land use with infrastructure in a manner that responds to the characteristics of the site and proposed development;</li> <li>2. facilitates the exercise of kaitiakitanga and tikanga Māori, including in the design and layout of buildings, facilities and activities;</li> <li>3. avoids or mitigates risks from natural hazards;</li> <li>4. the residential privacy and amenity values of adjoining landowners is consistent with the planned change to a more urban environment; and</li> <li>5. adverse effects on the environment are avoided, remedied or mitigated.</li> </ol>
<b>SPZ(KN)-P4</b>	<p><b>Future development</b></p> <p>Support the application of the Special Purpose Zone (Kāinga Nohoanga) provisions in other locations, where it would assist in the use and development of Te Ngāi Tūāhuriri Rūnanga ancestral land for a range of activities in accordance with tikanga Māori, to support their social, cultural and economic well-being.</p>
<b>SPZ(KN)-P5</b>	<p><b>Rural activities</b></p> <p>Enable agricultural activities on any Māori land within the Special Purpose Zone (Kāinga Nohoanga), outside of the Tuahiwi and Residential Large Lot precincts.</p>
<b>SPZ(KN)-P6</b>	<p><b>Tuahiwi Precinct and Large Lot Residential Precinct activities</b></p> <p>Apply:</p> <ol style="list-style-type: none"> <li>1. the Tuahiwi Precinct to land in and immediately around Tuahiwi marae to recognise the previous zoning (Residential 3) and use of the land for urban purposes, mainly residential; and</li> <li>2. the Large Lot Residential Precinct to land along Old North Road, Kaiapoi to recognise the previous zoning (Residential 4B) and the use of the land for mainly rural residential purposes.</li> </ol>
<b>SPZ(KN)-P7</b>	<p><b>Activities on other land within Māori Reserve 873</b></p> <p>Apply the activities and standards of the Rural Lifestyle Zone to other land within Māori Reserve 873 (outside the Tuahiwi and Large Lot Residential precincts) to recognise the</p>

	use of this land for mainly rural productive purposes and that the predominant character is of small rural sites with an intensive pattern of land use and buildings.
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## Rules

### How to interpret and apply the rules

1. The rules that apply to activities in the Special Purpose Zone (Kāinga Nohoanga) are outlined in SPZ(KN)-APP1, SPZ(KN)-APP2, SPZ(KN)-APP3, SPZ(KN)-APP4, and SPZ(KN)-APP5.

### Activity Rules – Special Purpose Zone (Kāinga Nohoanga - Māori Reserve 873) outside the Tuahiwi Precinct and the Large Lot Residential Precinct SPZ(KN)-APP1

<b>SPZ(KN)-R1 Marae complex</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> The activity standards in the following rules do not apply where the activity is included within a marae complex: <ol style="list-style-type: none"> <li>1. SPZ(KN)-R2 - Papakāinga housing, and residential activity (including minor residential units and accessory buildings);</li> <li>2. SPZ(KN)-R6 - Community facility;</li> <li>3. SPZ(KN)-R7 - Health care facility;</li> <li>4. SPZ(KN)-R8 - Educational facility (including kohanga reo and kura kaupapa);</li> <li>5. SPZ(KN)-R9 - Recreation activities and Recreation facilities (hākinakina);</li> <li>6. SPZ(KN)-R11 - Commercial activity;</li> <li>7. SPZ(KN)-R12 - Commercial services;</li> <li>8. SPZ(KN)-R13 - Rural produce retail;</li> <li>9. SPZ(KN)-R14 - Rural tourism activity;</li> <li>10. SPZ(KN)-R15 - Office; and</li> <li>11. SPZ(KN)-R17 - Visitor accommodation.</li> </ol>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R2 Papakāinga and residential activity (including minor residential units and accessory buildings)</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. there is a maximum of seven residential units per site.</li> </ol>	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R3 Mahinga kai</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	

<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R4 Urupā</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R5 Home business</b>	
<i>This rule applies to land held as Māori Land or descendant land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R6 Community facility</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum total GFA 300m <sup>2</sup> .	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R7 Health care facility</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum total GFA 300m <sup>2</sup> .	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R8 Educational facility (including kohanga reo and kura kaupapa)</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum total GFA 300m <sup>2</sup> .	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R9 Recreation activities and recreation facilities (hākinakina)</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum total area of land (including buildings and facilities) used for the activity 500m <sup>2</sup> .	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R10 Agriculture (ahuwheua)</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and</i>	

<i>the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R11 Commercial activity</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum of 100m <sup>2</sup> GFA per business.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>SPZ(KN)-R12 Commercial services</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum of 100m <sup>2</sup> GFA per business.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>SPZ(KN)-R13 Rural produce retail</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum of 100m <sup>2</sup> GFA per business.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>SPZ(KN)-R14 Rural tourism activity</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and</i>	



<i>the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum of 100m <sup>2</sup> GFA per business.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>SPZ(KN)-R15 Office</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum of 100m <sup>2</sup> GFA per business.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>SPZ(KN)-R16 Farm building</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R17 Visitor accommodation</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. the activity shall be undertaken within a residential unit, minor residential unit or accessory building; and 2. a maximum of eight visitors shall be accommodated per site, at any one time.	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R18 Community garden</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	

Activity status: PER	Activity status when compliance not achieved: N/A
<b>SPZ(KN)-R19 Domestic animal keeping and breeding</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
<b>SPZ(KN)-R20 Conservation activities</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
<b>SPZ(KN)-R21 Emergency service facility</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
<b>SPZ(KN)-R22 Public amenities</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
<b>Activity status: PER</b> Where: 1. maximum of 100m <sup>2</sup> GFA per building.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities  <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
<b>SPZ(KN)-R23 Any other activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity</b>	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: DIS	Activity status when compliance not achieved: N/A
<b>SPZ(KN)-R24 Any activity on other land not held as Māori Land in Māori Reserve 873 SPZ(KN)-APP2</b>	
<i>This rule applies to land <b>not</b> held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
The activities, activity status and built form	Activity status when compliance not achieved:

standards of the Rural Lifestyle Zone applies	The activity status applicable to the Rural Lifestyle Zone applies
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### Activity Rules - Special Purpose Zone (Kāinga Nohoanga - Specific Areas) SPZ(KN)-APP3

- Reserve 2486 & Te Akaka 896, River Road, Waikuku;
- Rural Section 41401 & Taerutu No 898, Kaiapoi Pa Road, Kaiapoi;
- Orohaki MR 893 & Orohaki MR 894, Māori Reserve Road, Glentui;
- Māori Reserve 2038, Maitangi Road, Starvation Hill;
- Reserve 2061 (Tawera) & Section 18776, Luers Road, Coopers Creek; and
- Section 2 MR 897 Tawera, Island Road & Ram Paddock Road, View Hill

<b>SPZ(KN)-R25 Papakāinga and residential activity (including minor residential unit and accessory building)</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b> Where: 1. there is a maximum of seven residential units per site.	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R26 Mahinga kai</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R27 Urupā</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R28 Home business</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R29 Agriculture (Ahuwhenua)</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R30 Farm building</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R31 Visitor accommodation</b>	

<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b> Where: 1. the activity shall be undertaken within a residential unit, minor residential unit or accessory building; and 2. a maximum of eight visitors shall be accommodated per site, at any one time.	<b>Activity status when compliance not achieved: DIS</b>
<b>SPZ(KN)-R32 Conservation activities</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R33 Emergency service facility</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SPZ(KN)-R34 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision</b>	
<i>This rule applies to the Special Purpose Zone (Kāinga Nohoanga - Specific Areas).</i>	
<b>Activity status: DIS</b>	<b>Activity status when compliance not achieved: N/A</b>

## Built Form Standards

1. Special Purpose Zone (Kāinga Nohoanga - Māori Reserve 873) – outside the Tuahiwi Precinct and the Large Lot Residential Precinct SPZ(KN)-APP2; and
2. Special Purpose Zone (Kāinga Nohoanga - Specific Areas) SPZ(KN)-APP3

<b>SPZ(KN)-BFS1 Internal boundary building setback</b>	
1. For sites 1ha or less in area, the minimum building setback from internal boundaries for buildings and structures shall be 3m and shall apply to the legal boundary containing a site where it adjoins another site which is not held in the same ownership or used for the same development. 2. For sites greater than 1ha, the minimum building setback from internal boundaries for buildings and structures shall be 10m and shall apply to the legal boundary containing a site where it adjoins another site which is not held in the same ownership or used for the same development.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SPZ(KN)-MD2 - Internal boundary setbacks <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.
<b>SPZ(KN)-BFS2 Road boundary setback</b>	

<p>The minimum building setback from any road boundary for buildings and structures shall be:</p> <ol style="list-style-type: none"> <li>1. 20m from the road boundary with any strategic road;</li> <li>2. 10m from the road boundary with any arterial road or collector road; and</li> <li>3. 3m from the road boundary of all other roads.</li> </ol>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> SPZ(KN)-MD3 - Road boundary setbacks</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.</p>
<p><b>SPZ(KN)-BFS3 Height</b></p>	
<ol style="list-style-type: none"> <li>1. There is no maximum height for art, carvings or other cultural symbols fixed to Māori land or fixed to buildings on Māori land; and</li> <li>2. the maximum height of any building shall be 9m above ground level.</li> </ol>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> SPZ(KN)-MD4 - Building height and height in relation to boundaries</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.</p>
<p><b>SPZ(KN)-BFS4 Height in relation to boundary</b></p>	
<p>Structures shall not project beyond the building envelope defined by recession planes constructed 2.5m from ground level above any site boundary as shown in Appendix APP3 except for the following:</p> <ol style="list-style-type: none"> <li>1. flagpoles;</li> <li>2. chimneys, ventilation shafts, lift and stair shafts;</li> <li>3. decorative features such as steeples, towers and finials;</li> <li>4. for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and</li> <li>5. where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary.</li> </ol>	<p><b>Activity status when compliance not achieved:</b> <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> SPZ(KN)-MD4 - Building height and height in relation to boundaries</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.</p>

<p>provided that none of the structures listed in (3) to (5) has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary.</p>	
<p><b>SPZ(KN)-BFS5 Building coverage</b></p>	
<ol style="list-style-type: none"> <li>1. For sites 1ha or less in area, there is no maximum building coverage standard; and</li> <li>2. for sites greater than 1ha, the maximum building coverage by buildings, shall be 35% of the site.</li> </ol>	<p><b>Activity status when compliance not achieved: RDIS</b>  <b>Matters of discretion are restricted to:</b>          SPZ(KN)-MD5 - Building coverage  <b>Notification</b>          An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.</p>

## Matters of Discretion

1. **Special Purpose Zone (Kāinga Nohoanga - Maori Reserve 873) – outside the Tuahiwi Precinct and Large Lot Residential Precinct SPZ(KN)-APP2; and**
2. **Special Purpose Zone (Kāinga Nohoanga - Specific Areas) SPZ(KN)-APP3**

<p><b>SPZ(KN)-MD1</b></p>	<p><b>Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities</b></p> <ol style="list-style-type: none"> <li>1. Development in accordance with Tikanga:             <ol style="list-style-type: none"> <li>a. the extent to which the development achieves or enables the exercise of tikanga as expressed in policies SPZ(KN)-P1, SPZ(KN)-P2 and SPZ(KN)-P3.</li> </ol> </li> <li>2. Traffic Generation and Access:             <ol style="list-style-type: none"> <li>a. the extent to which the traffic generated is in accordance with the character, amenity, safety and efficient functioning of the access and road network;</li> <li>b. the ability to mitigate any adverse effects of the additional traffic generation;</li> <li>c. the location of the proposed vehicle crossing in terms of road and intersection efficiency and safety, including availability or otherwise of space on the road for safe right hand turning into the site.</li> </ol> </li> <li>3. Scale of Non-Residential Business Activity:             <ol style="list-style-type: none"> <li>a. the extent to which the scale is consistent with the surrounding environment taking into account:                 <ol style="list-style-type: none"> <li>i. hours of operation;</li> <li>ii. vehicle or pedestrian movements generated;</li> <li>iii. any adverse effects, including unreasonable noise and loss of privacy; and</li> <li>iv. the extent to which the activity contributes to the local employment and the economic base of Ngāi Tūāhuriri and/or the needs of residents in the surrounding area.</li> </ol> </li> </ol> </li> <li>4. Infrastructure – Water supply, Wastewater system and Stormwater infrastructure:             <ol style="list-style-type: none"> <li>a. the extent to which the development is self-sufficient with respect to the provision of potable water supply, wastewater system and stormwater infrastructure, or whether the development will need to connect to public reticulated infrastructure.</li> </ol> </li> <li>5. Community:</li> </ol>
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	<p>a. the extent to which the development is integrated with and supports the development of any existing community facility, cultural facility or recreation facility.</p>
<b>SPZ(KN)-MD2</b>	<p><b>Internal boundary building setback</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the layout and use of spaces maintains adequate levels of privacy and outlook for any adjoining residents, taking into account: <ol style="list-style-type: none"> <li>a. the need to enable an efficient, practical and/or pleasant use of the remainder of the site;</li> <li>b. the need to provide future occupants within the development and adjoining properties with adequate levels of daylight and outlook from internal living spaces;</li> <li>c. the need to provide future occupants within the development with adequate levels of privacy from any adjoining neighbouring residential unit or site;</li> <li>d. adequate separation distance from any existing direct facing windows or balconies (within the development or on any adjoining site) or to ensure levels of privacy are maintained; and</li> <li>e. any adverse effects of the proximity or bulk of the building in relation to any adjoining site.</li> </ol> </li> </ol>
<b>SPZ(KN)-MD3</b>	<p><b>Road boundary setback</b></p> <ol style="list-style-type: none"> <li>1. Any loss of privacy for adjoining properties through overlooking;</li> <li>2. The effects on amenity and character values;</li> <li>3. Reverse sensitivity in relation to noise and vibration; and</li> <li>4. Physical features, existing development and other practicalities that restrict alternative practical locations on the site.</li> </ol>
<b>SPZ(KN)-MD4</b>	<p><b>Building height and height in relation to boundary</b></p> <ol style="list-style-type: none"> <li>1. The extent to which an increase in building height and any associated increase in the scale and bulk of the building;</li> <li>2. Reflects the cultural and functional requirements of the building and purposes of the zone; and</li> <li>3. Affects on amenity values of adjoining properties, resulting from visual dominance, loss of daylight and sunlight admission, and loss of privacy from overlooking.</li> </ol>
<b>SPZ(KN)-MD5</b>	<p><b>Building coverage</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the additional coverage of the zone with buildings is in context taking into account: <ol style="list-style-type: none"> <li>a. the function of the building to support Te Ngāi Tūāhuriri Rūnanga to deliver economic, social and cultural development;</li> <li>b. the extent to which the topography and the location, scale, design and appearance of the building, landscaping, natural features or existing buildings mitigate the visual effects of additional buildings; and</li> <li>c. any loss of privacy or other amenity values to adjoining residents and the effectiveness of any mitigation measures.</li> </ol> </li> </ol>

## Activity Rules – Tuahiwi Precinct SPZ(KN)-APP4

<b>PREC1-R1 All activities</b>	
<i>Land held as Māori Land in Māori Reserve 873 within the Tuahiwi Precinct</i>	
<p><b>Activity status:</b></p> <p>1. The activities and activity status of rules <a href="#">Link, 18177 SPZ(KN)-R1 to SPZ(KN)-R23</a></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>1. The activity status of rules <a href="#">Link, 18177, SPZ(KN)-R1 to SPZ(KN)-R23</a> apply</p>

<p><b>apply; and</b></p> <p><b>2. The activities and activity status of rules in the Settlement Zone also apply.</b></p> <p>Where:</p> <p>1. the activity is provided for in both rules PREC1-R1(1) and PREC1-R1(2), the activity status and rules of PREC1-R1(1) (that is {Link, 18177,SPZ(KN)-R1 to SPZ(KN)-R23}) shall apply instead of rule PREC1-R1(2)</p>	<p>with respect to rules PREC1-R1(1); and</p> <p>2. The activity status of rules in Settlement Zone apply with respect to rule PREC1-R1(2).</p>
<b>PREC1-R2 All activities</b>	
<i>Other land not held as Māori Land in Māori Reserve 873 within the Tuahiwi Precinct</i>	
<p><b>Activity status:</b></p> <p><b>1. The activities and activity status of rules in Settlement Zone apply.</b></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>1. The activity status of rules in Settlement Zone apply.</p>

### Built Form Standards – Tuahiwi Precinct SPZ(KN)-APP4

<b>PREC1-BFS1 All built form standards</b>	
<p>Land held as Māori Land in Māori Reserve 873</p> <p>1. The standards set out in SPZ(KN)-BFS1 to BFS5 apply.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>1. The activity status set out in {SPZ(KN)-BFS1 to SPZ(KN)BFS5} apply.</p>
<p>Other land not held as Māori Land in Māori Reserve 873</p> <p>1. The built form standards set out in Settlement Zone provisions apply.</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>1. The activity status set out in Settlement Zone apply.</p>

### Activity Rules – Large Lot Residential Precinct SPZ(KN)-APP5

<b>PREC2-R1 All activities</b>	
<i>Land held as Māori Land in Māori Reserve 873 within the Large Lot Residential Precinct</i>	
<p><b>Activity status:</b></p> <p><b>1. The activities and activity status of rules SPZ(KN)-R1 to SPZ(KN)-R23 apply; and</b></p> <p><b>2. The activities and activity status of rules in the {Link, 27088, Large Lot Residential Zone} also apply.</b></p> <p>Where:</p> <p>1. the activity is provided for in both rules PREC2-R1(1) and PREC2-R1(2), the activity status and rules of PREC2-R1(1) (that is SPZ(KN)-R1 to SPZ(KN)-R23) shall apply instead of rule PREC2-R1(2).</p>	<p><b>Activity status when compliance not achieved:</b></p> <p>1. The activity status of rules SPZ(KN)-R1 to SPZ(KN)-R23 apply with respect to rules PREC2-R1(1); and</p> <p>2. The activity status of rules in Large Lot Residential Zone apply with respect to rule PREC2-R1(2).</p>
<b>PREC2-R2 All activities</b>	
<i>Other land not held as Māori Land in Māori Reserve 873 within the Tuahiwi Precinct</i>	
<p><b>Activity status:</b></p> <p><b>1 The activities and activity status of rules</b></p>	<p><b>Activity status when compliance not achieved:</b></p> <p>1. The activity status of rules in Large Lot</p>



in Large Lot Residential Zone apply.	Residential Zone apply.
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## Built Form Standards – Large Lot Residential Precinct SPZ(KN)-APP5

PREC2-BFS1 All built form standards	
Land held as Māori Land in Māori Reserve 873 1. The standards set out in SPZ(KN)-BFS1 to BFS5 apply.	<b>Activity status when compliance not achieved:</b> 1. The activity status set out in {SPZ(KN)-BFS1 to SPZ-BFS5} apply.
Other land <b>not</b> held as Māori Land or descendant land in Māori Reserve 873 1. The built form standards set out in Large Lot Residential Zone provisions apply.	<b>Activity status when compliance not achieved:</b> 1. The activity status set out in {Large Lot Residential Zone} apply.

## Appendices

### SPZ(KN)-APP1 - How to interpret and apply the rules

Within Māori Reserve 873, for Māori land – **outside** the Tuahiwi Precinct and the Large Lot Residential Precinct, the rules that apply are as follows:

Activity rules SPZ(KN)-R1 to SPZ(KN)-R23	Activity rules – Special Purpose Zone (Kāinga Nohoanga) (Maori Reserve 873) – <b>outside</b> the Tuahiwi Precinct and the Large Lot Residential Precinct	
Built form standards SPZ(KN)-BFS1 to SPZ(KN)-BFS5 on land which is zoned	Special Purpose Zone (Kāinga Nohoanga) (Maori Reserve 873) – <b>outside</b> the Tuahiwi Precinct and the Large Lot Residential Precinct and Special Purpose Zone (Kāinga Nohoanga) (Specific Areas)	
Matters of discretion SPZ(KN)-MD1 to SPZ(KN)-MD5 on land which is zoned	Special Purpose Zone (Kāinga Nohoanga) (Maori Reserve 873) – <b>outside</b> the Tuahiwi precinct and the Large Lot Residential Precinct and Special Purpose Zone (Kāinga Nohoanga) (Specific Areas)	
The rules in <b>Part 2 - District wide matters</b> chapters that either apply or do not apply to activities are as set out in this table.	EI-Energy and Infrastructure	Rules EI-R1 to EI-R56 apply.
	T-Transport	Rules TRAN-R1 to TRAN-R8, TRAN-R20 to TRAN-R22 apply; Rules TRAN-R9 to TRAN-R19, and TRAN-R23 do not apply.
	HS-Hazardous Substances	Rules HS-R1 to HS-R3 apply.
	NH-Natural Hazards	Rules NH-R2 to NH-R10 and NH-R13 apply; Rules NH-R11 and NH-R12, NH-R14 to NH-R20 do not apply;
	HH-Historic Heritage	Rules HH-R1 to HH-R10 apply.

	TREE-Notable Trees	Rules TREE-R1 to TREE-R7 apply.
	SASM-Sites and Areas of Significance to Māori	Rules SASM-R1 to SASM-R4 do not apply.
	ECO-Ecosystems and Indigenous Biodiversity	Rules ECO-R1 to ECO-R7 do not apply.
	NATC-Natural Character of Freshwater Bodies	Rules NATC-R1 to NATC-R10 apply.
	NFL-Natural Features and Landscapes	Rules NFL-R1 to NFL-R14 do not apply.
	SUB-Subdivision	Rules SUB-R1 and SUB-R15 do not apply.
	ASW-Activities on the Surface of Water	Rule ASW-R1 applies; Rule ASW-R2 does not apply.
	EW-Earthworks	Rules EW-R1 to EW-R11 apply; Rule EW-R12 does not apply.
	LIGHT-Light	Rules LIGHT-R1 and LIGHT-R3 apply; Rule LIGHT-R2 does not apply;
	NOISE-Noise	Rules NOISE-R2 to NOISE-R11 apply; Rules NOISE-R1 and NOISE-R12 to NOISE-R15 do not apply
	SIGN-Signs	Rules SIGN-R1 to SIGN-R9 apply.
	TEMP-Temporary Activities	Rules TEMP-R1, TEMP-R2 (only activity standards 3 and 4 apply) to TEMP-R5, TEMP-R7 to TEMP-R9 (only activity standard 4 applies) apply; Rule TEMP-R6 and TEMP-R10 do not apply;

### SPZ(KN)-APP2 - How to interpret and apply the rules

Within Māori Reserve 873, for other land **not** held as Māori land in Māori Reserve 873 – **outside** the Tuahiwi Precinct and the Large Lot Residential Precinct, the rules that apply are as follows:

1. Activity rule SPZ(KN)-R24: Activity rules – Special Purpose Zone (Kāinga Nohoanga) (Maori Reserve 873) – **outside** the Tuahiwi Precinct and the Large Lot Residential Precinct; and
2. All the relevant rules in **Part 2 - District wide matters** chapters apply.

### SPZ(KN)-APP3 - How to interpret and apply the rules

For the Māori Land (Specific Areas) within the specific areas zoned as Special Purpose Zone (Kāinga Nohoanga-Specific Areas), the rules that apply are as follows:

• Reserve 2486 & Te Akaka	1. Activity rules SPZ(KN)-R25 to SPZ(KN)-R34: Activity Rules - Special Purpose Zone (Kāinga Nohoanga) (Specific Areas);
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896, River Road, Waikuku; • Rural Section 41401 & Taerutu No 898, Kaiapoi Pa Road, Kaiapoi; • Orohaki MR 893 & Orohaki MR 894, Maori Reserve Road, Glentui; • Māori Reserve 2038, Maitangi Road, Starvation Hill; • Reserve 2061 (Tawera) & Section 18776, Luers Road, Coopers Creek; and • Section 2 MR 897 Tawera, Island Road & Ram Paddock Road, View Hill	2. Built form standards on land which is zoned: a. Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – <b>outside</b> the Tuahiwi precinct and the Large Lot Residential Precinct; and b. Special Purpose Zone (Kāinga Nohoanga) (Specific Areas); and
	3. Matters of discretion on land which is zoned: a. Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – <b>outside</b> the Tuahiwi precinct and the Large Lot Residential Precinct; and b. Special Purpose Zone (Kāinga Nohoanga) (Specific Areas); and
	4. All the relevant rules in <b>Part 2 - District wide matters</b> chapters apply.

#### SPZ(KN)-APP4 - How to interpret and apply the rules

All land **within** the Tuahiwi Precinct, the rules that apply are as follows:

1. Activity rules PREC1-R1 and PREC1-R2: Activity rules – Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – <b>within</b> Tuahiwi Precinct; and 2. Built form standards: Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – <b>within</b> Tuahiwi Precinct; and 3. All the relevant rules in <b>Part 2 - District wide matters</b> chapters apply.
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#### SPZ(KN)-APP5 - How to interpret and apply the rules

All land **within** the Large Lot Residential Precinct, the rules that apply are as follows:

1. Activity rules PREC2-R1 and PREC2-R2: Activity rules – Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – <b>within</b> Large Lot Residential Precinct; and 2. Built form standards: Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – <b>within</b> Large Lot Residential Precinct; and 3. All the relevant rules in <b>Part 2 - District wide matters</b> chapters apply.
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# SASM - Sites and Areas of Significance to Māori

## Introduction

This chapter relates to the management of sites and areas of cultural significance to Ngāi Tūāhuriri, who hold mana whenua status over the area within the District. It recognises and provides for the relationship of Ngāi Tūāhuriri mana whenua with their ancestral lands, water, sites, wāhi tapu and other taonga, in the future development of the District.

For a fuller description of the history and relationship of Ngāi Tūāhuriri, refer to the chapter Tangata whenua/mana whenua in Part 1 - Introduction and General Provisions.

Ngā tūtohu whenua are the cultural landscapes which encompass entire catchments, including both the Rakahuri and Waimakariri River catchments, thereby encompassing the whole of the District. Ngā tūtohu whenua is the starting point for establishing the extent of areas of particular cultural interests, associations and sensitivity. There are no specific provisions applying to this broader ngā tūtohu whenua cultural landscape.

The provisions of this chapter apply only to the following described cultural landscapes:

- wāhi tapu and wāhi taonga – are treasured places that include wāhi tapu, which are sites and places that are held in reverence due to their significance according to whakapapa (including urupā, pā, maunga tapu, kāinga, and tūrangā waka). In addition to wāhi tapu, other places are treasured due to their high intrinsic values or their capacity to sustain the quality of life and provide for the needs of present and future generations (including areas important to support ecosystems and sites related to food gathering and cultural resources);
- ngā tūrangā tūpuna – larger extents of land within which there is a concentration of wāhi tapu or taonga values, or which are of particular importance in relation to Ngāi Tūāhuriri cultural traditions, history or identity; and
- ngā wai – is water and represents the essence of all life, is integral to tribal identity, and source of mahinga kai.

The objectives, policies, rules, standards and matters of discretion in this chapter seek to protect wāhi tapu/wāhi taonga sites from the adverse effects that subdivision, use and development may have on the values of the sites. They also seek to manage the adverse effects of activities on those sites and other sites of cultural significance including waterbodies, repo/wetlands, and coastal areas identified as ngā wai, and ngā tūrangā tūpuna landscapes of Ngāi Tūāhuriri cultural significance.

The objectives and policies in this chapter are relevant to the assessment of any resource consent that may affect sites and areas of cultural significance to Māori, as set out in this chapter.

The provisions in this chapter give effect to the matters in Part 2 – District Wide Matters - Strategic Directions, particularly strategic objective SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga.

## Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Sites and Areas of Significance to Māori include:

- Earthworks: this chapter contains provisions for earthworks for different zones and activities.
- Natural Character of Freshwater Bodies: this chapter contains provisions that complement the Ngā wai provisions of the SASM chapter.

- Historic Heritage: this chapter contains policy in regard to archaeological sites.
- Energy and Infrastructure: this chapter contains provisions relevant to protecting wāhi tapu sites.
- Special Purpose Zone (Kāinga Nohoanga): how the Sites and Areas of Significance to Māori provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in Appendices SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

<b>Objectives</b>	
<b>SASM-O1</b>	<p><b>Ngā tūtohu whenua</b></p> <p>The historic and contemporary cultural significance for Ngāi Tūāhuriri mana whenua, of and their relationship with ancestral lands, water, sites, wāhi tapu, wāhi taonga and coastal environment is recognised and provided for.</p>
<b>Policies</b>	
<b>SASM-P1</b>	<p><b>Integrated management of land and water</b></p> <p>Adopt an integrated approach that reflects ki uta ki tai (from the mountains to the sea), by recognising the relationship between land use, ecosystems, natural processes and water.</p>
<b>SASM-P2</b>	<p><b>Urupā</b></p> <p>Protect urupā from disturbance, except for activities associated with the cultural use, identification and protection of such sites which are undertaken by Te Ngāi Tūāhuriri Rūnanga or their authorised agent.</p>
<b>SASM-P3</b>	<p><b>Wāhi tapu and wāhi taonga</b></p> <p>Protect wāhi tapu and wāhi taonga sites from development, disturbance, damage or destruction that would adversely affect the sites and their values and provide for enhancement of cultural and ecological values.</p>
<b>SASM-P4</b>	<p><b>Ngā tūranga tūpuna</b></p> <p>Recognise the historic and contemporary relationship of Ngāi Tūāhuriri with the areas and landscapes identified as ngā tūranga tūpuna and:</p> <ol style="list-style-type: none"> <li>1. facilitate opportunities to provide information about the historic occupation or use of these areas and their associated values by Ngāi Tūāhuriri;</li> <li>2. do not preclude the representation of the association of Ngāi Tūāhuriri with these areas into the design of public buildings and/or community facilities;</li> <li>3. manage earthworks involving disturbance of soils through the implementation of a Te Ngāi Tūāhuriri Rūnanga/Heritage New Zealand Pouhere Taonga authorised accidental discovery protocol and opportunity for cultural monitoring;</li> <li>4. facilitate opportunities to enhance mahinga kai and other customary use of taonga species through planting and landscaping;</li> <li>5. enhance the natural character and cultural values of waterbodies, repo/wetlands and coastal waters, including reinstating original water courses where practicable;</li> <li>6. maintain, restore or enhance natural features with cultural values within these areas, such as ngā reporepo (wetlands); and</li> <li>7. do not preclude the recognition of culture values within the design, location and installation of infrastructure, while enabling their safe, secure and efficient installation.</li> </ol>
<b>SASM-P5</b>	<p><b>Ngā Wai</b></p> <p>Recognise the cultural significance of the waterbodies, repo/wetlands and those parts of</p>

	<p>the coastal environment identified as Ngā Wai, and manage the effects of land uses, and activities on the surface of water, to:</p> <ol style="list-style-type: none"> <li>1. protect the health of these waterbodies and associated coastal waters, including by maintaining their natural character where it is high and enabling enhancement where it is degraded, including through the reinstatement of original water courses where practicable;</li> <li>2. recognise historic and contemporary Ngāi Tūāhuriri customary uses and values associated with these waterbodies and coastal waters and enhance opportunities for customary use and access;</li> <li>3. ensure any land uses adjoining these sites, or structures and activities on the surface of water do not adversely affect taonga species or Ngāi Tūāhuriri customary uses in these areas;</li> <li>4. ensure new land uses do not create an additional demand for the discharge of sewage or stormwater directly into Ngā Wai, and where the opportunity arises, reduce the need for existing land uses to discharge untreated wastewater or stormwater into these areas;</li> <li>5. protect the health and natural functions of riparian margins from the adverse effects of adjoining land use activities; and</li> <li>6. do not preclude the recognition of cultural values within the design, location and installation of infrastructure, while enabling their safe, secure and efficient installation.</li> </ol>
<b>SASM-P6</b>	<p><b>Archaeological sites</b></p> <p>Through the identification of sites and areas of cultural significance to Ngāi Tūāhuriri, assist Te Ngāi Tūāhuriri Rūnanga and HNZPT to protect identified and any unmarked or unrecorded archaeological sites from modification, disturbance, damage and destruction.</p>
<b>SASM-P7</b>	<p><b>Access for customary activities</b></p> <p>Support access of Ngāi Tūāhuriri to sites of cultural significance in order to undertake customary activities.</p>
<b>SASM-P8</b>	<p><b>Engagement with rūnanga</b></p> <p>Te Ngāi Tūāhuriri Rūnanga and the District Council to encourage engagement with the rūnanga prior to persons undertaking activities and/or applying for resource consent where the activity has the potential to adversely affect identified sites or areas of Ngāi Tūāhuriri cultural significance. Where prior engagement with Te Ngāi Tūāhuriri Rūnanga has not been undertaken by an applicant for an activity that has the potential to adversely affect an identified site, the District Council will consult with the rūnanga.</p>




## Activity Rules

### How to interpret and apply the rules

1. Rules SASM-R1 to SASM-R4 **do not** apply to Māori Land within the Special Purpose Zone (Kāinga Nohoanga).
2. The following rules **do not** apply to SASM 011, areas shown as 'Ngā reporepo' (wetlands). If there is a resource consent required for an activity within or that would adversely affect reporepo, then the objectives and policies of this chapter would also need to be considered.
3. Rule SASM-R4 **only** applies to the following listed in SASM-SCHED1:
  - a. SASM 008 Wāhi Tapu - Silent File WD2
  - b. SASM 009 Wāhi Tapu - Maunga Tawera
  - c. SASM 010 Wāhi Tapu - Maunga Puketeraki

d. SASM 020 Ngā Tūranga Tūpuna - Pukenui

e. SASM 021 Ngā Tūranga Tūpuna - Pukeriki

<b>SASM-R1</b>	<b>Maintenance of existing fence</b> 	
	<i>This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1.</i>	
<b>Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay</b>	<b>Activity status: PER</b> Where: 1. for the maintenance of an existing fence, the extent and/or volume of land disturbance is limited to that necessary to replace existing fence posts in the existing post hole along its existing alignment.	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> SASM-MD1 - Wāhi tapu and wāhi taonga SASM-MD2 - Ngā Tūranga Tūpuna SASM-MD3 - Ngā Wai <b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga and HNZPT, in respect of sites on the New Zealand Heritage List Rārangi Kōrero, where the consent authority considers this is required, absent their written approval.
<b>SASM-R2</b>	<b>Structures that are ancillary to mahinga kai activity or other customary harvesting</b> 	
	<i>This rule applies to Wāhi Tapu/Wāhi Taonga, Ngā Tūranga Tūpuna and Ngā Wai in SASM-SCHED1.</i>	
<b>Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay</b>	<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>SASM-R3</b>	<b>Earthworks associated with and structures ancillary to interments in an urupā, burial ground or cemetery</b> 	
	<i>This rule applies to Wāhi Tapu/Wāhi Taonga and Ngā Tūranga Tūpuna in SASM-SCHED1.</i>	
<b>Wāhi Tapu and Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay</b>	<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>

Ngā Wai Overlay		
SASM-R4	<b>Earthworks and land disturbance associated with other activities</b>	
<i>This rule applies to Wāhi Tapu/Wāhi Taonga and Ngā Tūranga Tūpuna SASM 008, SASM 009, SASM 010, SASM 020 and SASM 021 in {Link, 10018,SASM-SCHED1 except where SASM-R1 to SASM-R3 apply.</i>		
Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay	<p><b>Activity status: PER</b> Where:</p> <ol style="list-style-type: none"> <li>1. the earthworks and land disturbance is limited to: <ol style="list-style-type: none"> <li>a. planting of trees;</li> <li>b. gardening;</li> <li>c. building foundations and freestanding sign foundations to a maximum depth of 200mm or to the depth already disturbed (whichever is the greater);</li> <li>d. drain and track maintenance;</li> <li>e. cultivation, stopbanks, roadworks and other activities within land previously disturbed by previous earthworks to the depth already disturbed;</li> <li>f. cultivation to a maximum depth of 200mm; and</li> <li>g. the drilling of a well or bore.</li> </ol> </li> </ol>	<p><b>Activity status when compliance not achieved or provided for: RDIS</b> <b>Matters of discretion are restricted to:</b> SASM-MD1 - Wāhi tapu and wāhi taonga SASM-MD2 - Ngā tūranga tūpuna SASM-MD3 - Ngā wai</p> <p><b>Notification</b> An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga and HNZPT, in respect of sites on the New Zealand Heritage List Rārangī Kōrero, where the consent authority considers this is required, absent their written approval.</p>

## Matters of Discretion

SASM-MD1	<p><b>Wāhi tapu and wāhi taonga</b></p> <ol style="list-style-type: none"> <li>1. The potential adverse effects, including on sensitive tangible and/or intangible Ngāi Tūāhuriri values as determined by Te Ngāi Tūāhuriri Rūnanga through consultation, and how the development or activity responds to, or incorporates the outcome of that consultation.</li> <li>2. Effects on sites of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing).</li> <li>3. The extent to which sites of cultural significance are protected.</li> <li>4. Any cultural impact assessment that has been undertaken by a Te Ngāi Tūāhuriri Rūnanga mandated writer and the proposal's consistency with values and</li> </ol>
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	<p>recommendations identified.</p> <ol style="list-style-type: none"> <li>5. In respect of sites on the New Zealand Heritage List Rārangī Kōrero, whether HNZPT has been consulted and the outcome of that consultation.</li> <li>6. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout would be suitable.</li> </ol>
<b>SASM-MD2</b>	<p><b>Ngā tūrangā tūpuna</b></p> <ol style="list-style-type: none"> <li>1. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation, including the incorporation of mana whenua associations with areas/sites within Ngā tūrangā tūpuna areas.</li> <li>2. Whether and the extent to which the proposal will result in the disturbance of any culturally significant sites and proposed mitigation measures.</li> <li>3. Effects of the proposal on Ngāi Tahu values and proposed mitigation measures.</li> <li>4. Whether, and the extent to which, the proposed activity will result in the removal of indigenous vegetation and the proposed mitigation measures.</li> <li>5. Adverse effects on mahinga kai and other customary uses, and access for these purposes.</li> <li>6. Whether, and the extent to which, the proposal maintains or restores natural features with cultural values within these areas.</li> <li>7. Effects on sites of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing).</li> <li>8. The extent to which the proposed activity will affect the natural character of Te Tai o Mahaanui (the coastal environment).</li> <li>9. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout would be suitable.</li> </ol>
<b>SASM-MD3</b>	<p><b>Ngā wai</b></p> <ol style="list-style-type: none"> <li>1. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation.</li> <li>2. Effects on sites of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing).</li> <li>3. Effects of the proposal on Ngāi Tahu values and proposed mitigation measures, including new planting and improved access for customary use.</li> <li>4. Whether, and the extent to which, the proposed activity will result in the removal of indigenous vegetation and the proposed mitigation measures.</li> <li>5. Adverse effects on mahinga kai and other customary uses, and access for these purposes.</li> <li>6. The extent to which the proposed activity will affect the natural character values of the water body and its margins.</li> <li>7. The manner in which any wastewater system and stormwater infrastructure recognise the cultural significance of ngā wai and do not create additional demand to discharge directly to any water body.</li> <li>8. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout/methodology would be suitable.</li> </ol>

## Schedules

## SASM-SCHED1 - Sites and areas of significance to Māori



SASM ID	Classification	Sub-class	Location/Name	Description
SASM 001	Wāhi Tapu	Silent File	Silent File 017	Silent File
SASM 002	Wāhi Tapu	Silent File	Silent File 018	Silent File
SASM 003	Wāhi Tapu	Silent File	Silent File 019	Silent File
SASM 004	Wāhi Tapu	Silent File	Silent File 020	Silent File
SASM 005	Wāhi Tapu	Silent File	Silent File 021	Silent File
SASM 006	Wāhi Tapu	Silent File	Silent File 022	Silent File
SASM 007	Wāhi Tapu	Silent File	Silent File WD1	Silent File
SASM 008	Wāhi Tapu	Silent File	Silent File WD2	Silent File
SASM 009	Wāhi Tapu	Maunga	Tawera	Tupuna Maunga - features in central tribal traditions
SASM 010	Wāhi Tapu	Maunga	Puketeraki	Tupuna Maunga - features in central tribal traditions
SASM 011	Wāhi Taonga	Ngā Reporepo		Wetlands. The rules in this chapter do not apply to areas shown as 'Ngā reporepo' (wetlands). If there is a resource consent required for an activity within or that would adversely affect ngā reporepo, then the objectives and policies of this chapter would also need to be considered
SASM 012	Ngā Tūranga Tūpuna	Cultural Landscape	Tawera Maunga	Tawera, the Mt Oxford massif including its forests
SASM	Ngā Tūranga	Cultural Landscape	Waimakariri ki	Cultural Landscape

013	Tūpuna		Rakahuri	encompassing an area of high coastal settlement (in both contemporary and ancestral senses). It comprises significant clusters of recorded archaeology of Māori origin and silent files
SASM 014	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere Manuka	The vast former manuka bush that occurred adjacent to the former course of the Waimakariri River
SASM 015	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Hohoka	The former podocarp forest extent which centred on present day Ohoka
SASM 016	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Rangiora	The former podocarp forest extent which centred on present day Rangiora
SASM 017	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Okohana	The former podocarp forest extent which occurred half-way along the south-west portion of the Tuahiwi Reserve MR 873
SASM 018	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Tuahiwi	The former podocarp forest extent which dominated the bottom half of the Tuahiwi Reserve MR 873
SASM 019	Ngā Tūranga Tūpuna	Cultural Landscape	Ngahere a Opiha	A small, former podocarp forest extent which occurred adjacent to the western portion of the Tuahiwi Reserve MR 873
SASM 020	Ngā Tūranga Tūpuna	Cultural Landscape	Pukenui	A named promontory in the upper District, likely to have been a navigational marker referenced during usage of the Ara Tawhito trail network
SASM 021	Ngā Tūranga Tūpuna	Cultural Landscape	Pukeriki	A named promontory in the upper District,

				likely to have been a navigational marker referenced during usage of the Ara Tawhito trail network
SASM 022	Ngā Wai	Awa/ngā manga	Waimakariri River (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 023	Ngā Wai	Awa/ngā manga	Waiarariki/Eyre River (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 024	Ngā Wai	Awa/ngā manga	Cam/Ruataniwha (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 025	Ngā Wai	Awa/ngā manga	Rakahuri (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 026	Ngā Wai	Awa/ngā manga	Te Akeake/Saltwater Creek (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 027	Ngā Wai	Awa/ngā manga	Makirikiri/Makerikeri River (incl. Tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 028	Ngā Wai	Awa/ngā manga	Ōkuku River (incl. tributaries)	River and tributaries (ngā awa me ngā manga) with Mahinga Kai environs, habitats and taonga species
SASM 029	Ngā Wai	Awa/ngā manga	Te Tai o Mahaanui	Coastal dune systems, coastal waters (ngā waitai). This feature extends into the CMA. Rules in this chapter only apply to the landward extent of SASM 029

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SASM 030	Ngā Tutohu Whenua	Cultural Landscape/Catchment	Rakahuri	Mahaanui IMP 2013 section 6.3 Waimakariri (Pg.202- 210)
SASM 031	Ngā Tutohu Whenua	Cultural Landscape/Catchment	Waimakariri	Mahaanui IMP 2013 section 6.4 Waimakariri (Pg.213- 225)