

**MINUTES OF A MEETING OF THE MAHI TAHI JOINT DEVELOPMENT COMMITTEE  
HELD VIA ZOOM ON TUESDAY 24 AUGUST COMMENCING AT 9.00AM.**

**PRESENT**

Mayor Dan Gordon, Tania Wati, Te Maire Tau, Deputy Mayor Neville Atkinson and Councillor Al Blackie

**IN ATTENDANCE**

Councillors P Redmond and S Stewart

J Harland (Chief Executive), S Markham (Manager Strategy and Engagement), N Rykers (Consultant Planner), T Tierney (Manager Planning and Regulation), G Cleary (Manager Utilities and Roading), T Ellis (Development Planning Manager), Duncan Roxborough (Implementation Project Manager – District Regeneration), E Stubbs (Governance Officer)

**MEETING START TIME**

Moved: Mayor Gordon

Seconded: Councillor Blackie

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

- (a) **NOTES** that a quorum was present within statutory timeframes however due to technical difficulties it was not possible to start agenda items until 9.20am.

**CARRIED**

**KARAKIA**

T Tau provided a Karakia.

**1** **APOLOGIES**

There were no apologies.

**2** **CONFLICTS OF INTEREST**

No conflicts of interest were declared.

**3** **CONFIRMATION OF MINUTES**

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

Moved: T Wati

Seconded: Councillor Atkinson

**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.

**CARRIED**

### **3.2 Matters Arising**

T Wati asked whether the Pegasus Pou maintenance budget had been approved. Through G Cleary, C Brown (Community and Recreation Manager) provided the response that there was provision through the parks fund to pay for it. Staff were still waiting for an exact quote.

## **4 REPORTS**

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

D Roxborough advised that a joint report had gone to the Te Kōhaka o Tūhaitara Trust in July. The Trust supported the proposal. This report was to recommend to Council approval of the co-governance arrangements. There would be a future report with further information regarding financials, lease agreement and other details. Members of the Joint Working Group had the 'on the ground' role.

Councillor Atkinson noted that the report referred to the neighbouring Kaiapoi Community Hub as having the right to be consulted as the Heritage and Mahinga Kai area progressed. He asked if it was necessary that they had an automatic right to consultation. D Roxborough explained that the Kaiapoi Community Hub would likely be effected by the development of the Heritage and Mahinga Kai Area and therefore had an interest, as such the Joint Working Group would consider their views. Subsequent to discussion the Committee expressed general agreement to removing specific reference to consultation with the Kaiapoi Community Hub, but this did not prevent engagement where appropriate.

Councillor Blackie referred to the section of the report which stated the purpose 'to facilitate the planting of native wetland and Podocarp forest - to service Tūāhuriri Runanga'. He asked about the inclusion of the wider community. D Roxborough commented that reference had come through from Mahaanui Kurataiao Ltd (MKT) report. From a Council perspective the purpose was to service the whole of the community. He was happy to discuss further with MKT. T Wati agreed with Councillor Blackie that the area was for the whole community, however it needed to be managed so it was not a 'free for all'. Tūāhuriri Rūnanga had 28,000 registered members and their needs needed to be balanced. How this was managed, for example seasonally, would need to be discussed.

Councillor Blackie questioned if the concerns raised regarding the Huria Reserve name had been resolved. T Wati advised it had not been a priority and asked if it was slowing progress on the project. D Roxborough advised that the name had been deliberately kept from the recommendation in case the matter had not been concluded.

Mayor Gordon asked if there was a pathway to resolution. T Tau was of the opinion the name should remain. The name had been endorsed by the Tūāhuriri Rūnanga representative responsible for approving names. There was general agreement to retain the 'Huria Reserve Heritage and Mahinga Kai Area' name as resolved previously by the Mahi Tahi Joint Development Committee.

Councillor Atkinson commented that in the Memorandum of Understanding there had been no recognition of people still owning former red zone property

adjoining the land and suggested recognition of those residents was required. D Roxborough acknowledged that the Trust and Joint Working Group would need to engage with those residents on a number of issues. Councillor Atkinson noted the work to be done by the Joint Working Group, however, he would still like a line to be included in the Memorandum of Understanding referring to ongoing engagement with remaining private property owners within the area identified.

T Wati disagreed that it was the responsibility of the Joint Working Group to liaise with the community. It was asking too much of M Rupene (the Tūāhuriri Rūnanga representative). Councillor Atkinson commented it was not the community at large, it was two property owners. T Wati reiterated that she believed it was not the responsibility of Tūāhuriri Rūnanga to liaise with the community in that way. D Roxborough noted it was a valid concern regarding workload. He commented that under the Terms of Reference there was an objective to keep the community engaged throughout the process, and the Council had budget for staffing to support that engagement as well as deliver other objectives as required.

T Wati asked if the level of commitment required to the Joint Working Group had been discussed with M Rupene. D Roxborough noted that G Byrnes had been in discussion with M Rupene and there would be further follow up around specifics. T Wati was concerned regarding the time commitment for one person. There was general consensus to having an 'alternate' representative from Tūāhuriri Rūnanga.

T Wati questioned if M Rupene would be representing Tūāhuriri Rūnanga or Environment Canterbury in the role. D Roxborough advised it was Tūāhuriri Rūnanga. T Wati requested that any reference to his role at Environment Canterbury be removed.

T Wati asked if the amount of \$1.74 million would be enough for the project. D Roxborough noted the opportunity the working group had to seek other funding. Mayor Gordon commented that ongoing funding would be addressed through the Long Term Plan process and would be looked at on a regular basis. The intent of the asset was that it would remain Council owned and be managed via the Trust.

T Wati sought clarity on the time period of the lease. D Roxborough commented it would be long term – potentially 30 years. T Wati requested clarity on that.

T Wati asked if there was any appetite for gifting the area to the Trust. S Markham noted that consideration would involve engagement with the Crown; it was possible but would require due process.

T Wati asked about the timeline for establishment and implementation. D Roxborough advised this report would be referred to Council and would be followed up with another report detailing specifics around lease, financials and other considerations. Timing for the mobilisation of the Joint Working Group and the commencement of the physical works was early 2022.

T Wati referred to the Kaiapoi-Tuahiwi Community Board retaining an interest in the reserve development and asked how they would be involved. Mayor Gordon noted that the area was within the community that the Board represented. Councillors Blackie and Atkinson were representatives on both that Board and the Mahi Tahi Joint Development Committee and could therefore report back.

Moved: Councillor Blackie

Seconded: Mayor Gordon

**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), or alternate.
- (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.

**CARRIED**

Mayor Gordon supported the motion and thanked D Roxborough for his work in establishing a framework for co-governance.

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

T Ellis provided a background to Council and Rūnanga discussions and decision making around District Plan provisions and to the point which they had now reached.

T Wati explained that the Rūnanga was well versed in the process of these plans having now been through three. The Rūnanga had a resolution which they were prepared to put to the Council.

G Cleary spoke to the roading topic which had been raised as a point of discussion during a recent Committee workshop. He noted the funding that Council had put towards providing services into Tuahiwi and noted the proposed road and footpath upgrade to ensure that infrastructure was present to support long term aspirations.

G Cleary referred to a map of the Tuahiwi area showing those roads that were not marked which had a road reserve width suitable for full development of the area. Those that were highlighted had a smaller legal road reserve width and as such would provide a challenge to future development. G Cleary explained the challenge using an engineering code of practice diagram that set out roading specifics including required widths. If MR873 was to be developed to its full extent it was not physically possible to fit in all road requirements to those highlighted roads, as 16 metre width was the bare minimum.

G Cleary acknowledged that he was very conscious that the Rūnanga did not wish to see the road reserve expanded and respected that position. He explained his concern around the 10 metre wide road reserve, while it would not be a barrier for development of a few houses, it would be a serious impediment to full development. If it was not addressed now it would be a problem deferred to the future. He wished to put future proofing of the roading corridors servicing MR873 to the Committee to consider. He apologised for the apparent lateness in which this issue had been raised but believed it was best to address before notification so there was a conscious decision on the best way forward.

T Tau referred to the individual roads in question, Topito Road, Bramleys Road, Turiwhaia Road, Waikoruru Road and Okaihau Road in respect to development. He asked how much land would be lost with setback. G Cleary replied there would be no land loss at the time if there was provision for setback. Ideally any new development would provide 6 metres for development. He understood there was clear direction from the Rūnanga and suggested 3 metres each side.

T Wati asked about the new RMA reforms and asked what sort of lifespan the District Plan therefore had. She expressed concern that going closer to notification there would be more issues to rush to deal with. Mayor Gordon commented that was why they believed it needed to come to the table today.

*The meeting adjourned from 10.35am – 10.45am*

Upon reconvening the meeting, Mayor Gordon asked if the question around road reserves would be covered as part of the recommendations as present. S Markham commented if not resolved before notification it could be addressed during submissions if necessary.

T Tau commented in regard to the roading issue he could see the logic in the required width. There was one road however where a setback could not be considered at this time.

There was general consensus from members of the Committee to the District Plan provisions incorporating the 3m setback for MR873 i.e. 16 metre road width excluding the noted road.

T Wati provided the following recommendation that the Rūnanga wished to put forward.

### **AMENDMENT**

- (a) Recognising the work that has gone into the draft District Plan, Ngāi Tūāhuriri could offer to provide its provisional support or endorsement for the draft Proposed District Plan at this stage, subject to:
- i. A final review of rules EI-R10, EI-R45 and EI-R46, Sub-S9 and Sub-S10 (all concerned with infrastructure requirements) to the satisfaction of Ngāi Tūāhuriri that any consenting barriers to the development of papakāinga are resolved; and
  - ii. A final review of the Special Purpose Zone (Kāinga Nohoanga). This is currently being edited by Council to ensure that development opportunities across all Māori Reserves are equal.
- (b) Mahaanui Kurataiao Ltd can advise that all other matters identified to date, have been or are close to being satisfactorily addressed by Council.
- (c) Ngāi Tūāhuriri may also wish to have a discussion/agreement with the Council on the following:
1. If any further issues or concerns arise in relation to the draft Proposed District Plan between now and the closing of submissions, that either one or both of the parties will make a submission to address the issue.
  2. Clear understanding and documentation on the process that was discussed at the joint hui on Monday 16 August for those rules which impose costs on descendant landowners i.e. flooding rules and acoustic insulation requirements for new homes.

There was general agreement from the Committee that the abovementioned recommendations from the Rūnanga should be incorporated as an additional element to the recommendation as presented in the report.

Moved: T Wati      Seconded: N Atkinson

**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.

**Noting the following:**

1. Recognising the work that has gone into the draft District Plan, Ngāi Tūāhuriri could offer to provide its provisional support or endorsement for the draft Proposed District Plan at this stage, subject to:
    - A final review of rules EI-R10, EI-R45 and EI-R46, Sub-S9 and Sub-S10 (all concerned with infrastructure requirements) to the satisfaction of Ngāi Tūāhuriri that any consenting barriers to the development of papakāinga are resolved; and
    - A final review of the Special Purpose Zone (Kāinga Nohoanga). This is currently being edited by Council to ensure that development opportunities across all Māori Reserves are equal.
  2. Mahaanui Kurataiao Ltd can advise that all other matters identified to date, have been or are close to being satisfactorily addressed by Council.
  3. Ngāi Tūāhuriri may also wish to have a discussion/agreement with the Council on the following:
    - If any further issues or concerns arise in relation to the draft Proposed District Plan between now and the closing of submissions, that either one or both of the parties will make a submission to address the issue.
    - Clear understanding and documentation on the process that was discussed at the joint hui on Monday 16 August for those rules which impose costs on descendant landowners i.e. flooding rules and acoustic insulation requirements for new homes.
- (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 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.

**CARRIED**

Mayor Gordon recognised the momentous piece of work the resolution represented and acknowledged all members of the Mahi Tahī Joint Development Committee. He understood there was work still to be completed but was pleased to see positive progress. He acknowledged the work of staff in particular T Ellis and N Rykers.

T Tau agreed the resolution represented a good way forward. The detail could be tidied up.

**NEXT MEETING**

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

**KARAKIA**

There being no further business the meeting closed at 10.58am

CONFIRMED

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Co-Chairperson

Date