
Te Pātaka o Rākaihautū
Banks Peninsula Community Board
OPEN MINUTES

Date: Monday 22 April 2024
Time: 10.09 am
Venue: Lyttelton Community Boardroom,
25 Canterbury Street, Lyttelton

Present

Chairperson	Lyn Leslie
Deputy Chairperson	Nigel Harrison
Members	Tyrone Fields
	Jillian Frater
	Asif Hussain
	Cathy Lum-Webb
	Howard Needham
	Luana Swindells

Principal Advisor

Penelope Goldstone
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- Part A Matters Requiring a Council Decision**
Part B Reports for Information
Part C Decisions Under Delegation
-

Karakia Tīmatanga

The agenda was dealt with in the following order.

The meeting adjourned at 10.09 am and reconvened at 10.34 am.

1. Apologies Ngā Whakapāha

Part C
Community Board Decision

There were no apologies received.

2. Declarations of Interest Ngā Whakapuaki Aronga

Part B

Luana Swindells declared an interest in Item 7 - 27 Hunters Road & 43 Whero Avenue, Diamond Harbour – FENZ and Te Pā o Rākaihautū Unsolicited Proposals, and took no part in the Board's discussion or voting on this item.

3. Confirmation of Previous Minutes Te Whakaāe o te hui o mua

Part C
Community Board Resolved BKCB/2024/00028

That the minutes of Te Pātaka o Rākaihautū Banks Peninsula Community Board meeting held on Monday, 8 April 2024 be confirmed.

Tyrone Fields/Nigel Harrison

Carried

4. Public Forum Te Huinga Whānui

Part B

There were no public forum presentations.

5. Deputations by Appointment Ngā Huinga Whakaritenga

Part B

5.1 27 Hunters Road and 43 Whero Avenue – Land Use

The following presenters spoke in support of their submissions to Item 7 - 27 Hunters Road and 45 Whero Avenue – FENZ and Te Pā o Rākaihautū Unsolicited Proposal:

Item number	Name
5.1.1	Ian Flatley

5.1.2	Sarah Pritchett
5.1.3	Bailey Peryman representing Nōku Te Ao Charitable Trust
5.1.4	Jonathan Wright
5.1.5	Euan Godfrey

The meeting adjourned at 11.29 am and reconvened at 11.42 am.






Item number	Name
5.1.6	Rulon Nutira
5.1.7	Sam Fowler representing the Ministry of Education
5.1.8	Manaia Cunningham and Elizabeth Cunningham
5.1.9	Adrian Matthews

The meeting adjourned at 12.13 pm and reconvened at 12.57 pm.

Item number	Name
5.1.10	Rangimarie Parata representing Te Pā o Rākaihautū
5.1.11	Mishelle Radford representing Te Hapu o Ngati Wheke

After questions from members, the Chairperson thanked each presenter for their presentation.

Attachments

- A Item 5 - Deputation Ian Flatley Te Pātaka o Rākaihautū Banks Peninsula Community Board - 22 April 2024 [⇒](#) 
- B Item 5 - Deputation Sarah Pritchett Te Pātaka o Rākaihautū Banks Peninsula Community Board - 22 April 2024 [⇒](#) 
- C Item 5 - Deputation Baily Perryman - Noku Te ao Trust - Te Pātaka o Rākaihautū Banks Peninsula Community Board - 22 April 2024 [⇒](#) 
- D Item 5 - Deputation Euan Godfrey Te Pātaka o Rākaihautū Banks Peninsula Community Board - 22 April 2024 [⇒](#) 
- E Item 5 - Deputation Rangimarie Parata Te Pātaka o Rākaihautū Banks Peninsula Community Board - 22 April 2024 [⇒](#) 

6. Presentation of Petitions Ngā Pākikitanga

Part B

There was no presentation of petitions.

7. 27 Hunters Road & 43 Whero Avenue, Diamond Harbour – FENZ and Te Pā o Rākaihautū Unsolicited Proposals

Community Board Comment

1. Staff presented reviewed submission results that included submissions from Charteris Bay, Church Bay, Purau and Port Levy counted as being local for paragraph 8.30 of the report.
2. The Board took into consideration the deputations. (Item 5.1 of these minutes refers).


3. The Board acknowledged that it heard from its community through the submissions and deputations.
4. The Board wishes submitters to 27 Hunters Road and 43 Whero Avenue, Diamond Harbour – FENZ and Te Pā o Rākaihautū Unsolicited Proposals be updated on the two projects as they develop.

Officer Recommendations Ngā Tūtohu

That Te Pātaka o Rākaihautū Banks Peninsula Community Board recommend to the Council that:

1. It depart from its Disposal of Property Policy 2000 and the requirement to sell by public tender, noting that the Council does not intend to amend the Policy to accommodate this decision.
2. It deal unilaterally with Fire and Emergency New Zealand and Te Poho o Tamatea Limited and conditionally sell the part of the land as shown in Attachment B and C to this report and described as:
 - a. Part Lot 1 DP 14050 contained in Record of Title CB12F/538 and marked “FENZ Site” in Attachment B to this report to Fire and Emergency New Zealand for a Fire Station; and
 - b. Part Lot 1 DP 14050 marked “Te Pā o Rākaihautū” in Attachment C to this report to Te Hapū o Ngāti Wheke investment company Te Poho o Tamatea Limited for a Character School under section 156 of the Education Act 1989.
3. Authorise the Manager Property Consultancy, to undertake all actions, negotiate and conclude all the agreements necessary to facilitate Recommendations 1 and 2 in general accordance with this report on terms and conditions acceptable to him at his sole discretion, and in doing so make any decisions necessary to give effect to this.
4. Require the matter to be referred back to the Council should the Manager Property Consultancy in his sole discretion consider the terms in the attached Terms Sheets (Attachment A and B) cannot be reasonably met.

Attachments

- A Item 7 - 27 Hunters Road & 43 Whero Avenue, Diamond Harbour - FENZ and Te Pā o Rākaihautū Unsolicited Proposals reviewed results that included submissions from Charteris Bay, Church Bay, Purau and Port Levy were counted as being local - 22 April 2024 [↔](#) 

Community Board Decided BKCB/2024/00029

Part A

That Te Pātaka o Rākaihautū Banks Peninsula Community Board recommends to the Council that:

1. It departs from its Disposal of Property Policy 2000 and the requirement to sell by public tender, noting that the Council does not intend to amend the Policy to accommodate this decision.
2. It deals unilaterally with Fire and Emergency New Zealand and Te Poho o Tamatea Limited and conditionally sell the parts of the land as shown in Attachment B and C to this report and described as:
 - a. Part Lot 1 DP 14050 contained in Record of Title CB12F/538 and marked “FENZ Site” in Attachment B to this report to Fire and Emergency New Zealand for a Fire Station; and

- b. Part Lot 1 DP 14050 marked “Te Pā o Rākaihautū” in Attachment C to this report to Te Hapū o Ngāti Wheke investment company Te Poho o Tamatea Limited for a Character School under section 156 of the Education Act 1989.
3. Authorises the Manager Property Consultancy, to undertake all actions, negotiate and conclude all the agreements necessary to facilitate Recommendations 1 and 2 in general accordance with the report on the meeting agenda on terms and conditions acceptable to him at his sole discretion, and in doing so to make any decisions necessary to give effect to this.
4. Requires the matter be referred back to the Council should the Manager Property Consultancy in his sole discretion consider the terms in the attached Terms Sheets (Attachment A and B to the report on the meeting agenda) cannot be reasonably met.
5. Requests that access points to the site do not materially impact the existing street layout or alter existing streets.
6. Notes the community concerns, regarding the proposed Te Pā o Rākaihautū kura, of the potential additional load on roading and utilities, and requests staff to provide information on these potential impacts, including the impact on the transport network both on land and sea and report to Te Pātaka o Rākaihautū Banks Peninsula Community Board and the Council.
7. It ensures any decision made in relation to 27 Hunters Road & 43 Whero Avenue, Diamond Harbour – FENZ and Te Pā o Rākaihautū Unsolicited Proposals aligns with the declared climate emergency.
8. It notes that any sale of the land would be at a price that fits with Council policy and at market value.

Nigel Harrison/Asif Hussain

Carried

8. Elected Members’ Information Exchange Te Whakawhiti Whakaaro o Te Kāhui Amorangi

Part B

There was no information exchanged at this meeting.

Karakia Whakamutunga

Meeting concluded at 2.35 pm.

CONFIRMED THIS 6th DAY OF MAY 2024.

LYN LESLIE
CHAIRPERSON