

Te Hononga Council - Papatipu Rūnanga Committee AGENDA

Notice of Meeting:

An ordinary meeting of Te Hononga Council - Papatipu Rūnanga Committee will be held on:

Date: Wednesday 9 September 2020
Time: 5.30pm
Venue: Council Chambers, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Membership

Members

Mayor Lianne Dalziel (Chairperson)
Dr Te Maire Tau - Te Ngāi Tūāhuriri Rūnanga (Chairperson)
Deputy Mayor Andrew Turner
Councillor Jimmy Chen
Councillor Pauline Cotter
Councillor James Daniels
Councillor Mike Davidson
Councillor Sara Templeton
Arapata Reuben - Tūāhuriri Rūnanga
Henrietta Carroll - Wairewa Rūnanga
Dr Matiu Payne - Te Rūnanga o Koukourārata
Liz Brown - Te Taumutu Rūnanga
Manaia Rehu - Te Hapū o Ngāti Wheke
Rik Tainui - Ōnuku Rūnanga

4 September 2020

Principal Advisor

Shayne Te Aika
Principal Advisor Ngai Tahu
Relationships

Aidan Kimberley
Committee and Hearings Advisor
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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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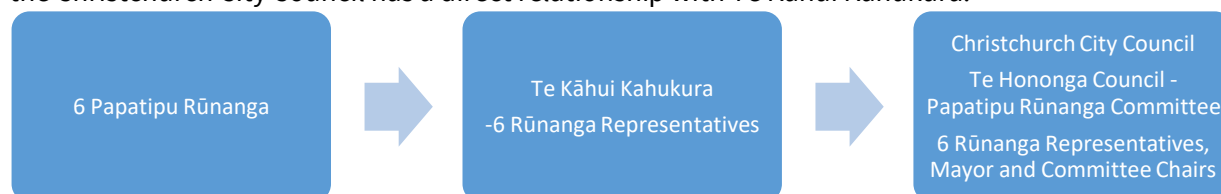
Te Hononga Council – Papatipu Rūnanga Committee - Terms of Reference / Ngā Ārahina Mahinga

Chair	Mayor Dalziel and Dr Te Maire Tau
Membership	Deputy Mayor Turner Councillor Chen Councillor Cotter Councillor Daniels Councillor Davidson Councillor Templeton The Chairperson (or alternate) of <ul style="list-style-type: none"> Te Rūnanga o Wairewa Te Ngāi Tūāhuriri Rūnanga Te Rūnanga o Koukourārata Te Taumutu Rūnanga Te Hapū o Ngāti Wheke Ōnuku Rūnanga
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly, with additional meetings as required.
Reports To	Council

Context

There are four Rūnanga whose takiwā or territories lie within the Christchurch City Council's area of jurisdiction. Two, Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga, have boundaries that include Christchurch City but also extend beyond the City Council's jurisdiction.

Representatives from each Rūnanga come together to form Te Kāhui Kahukura, a body which has the authority to exercise decision making powers on behalf of Ngā Papatipu Rūnanga. Through its various regulatory functions, such as District Planning and others prescribed by the Resource Management Act, the Christchurch City Council has a direct relationship with Te Kāhui Kahukura.

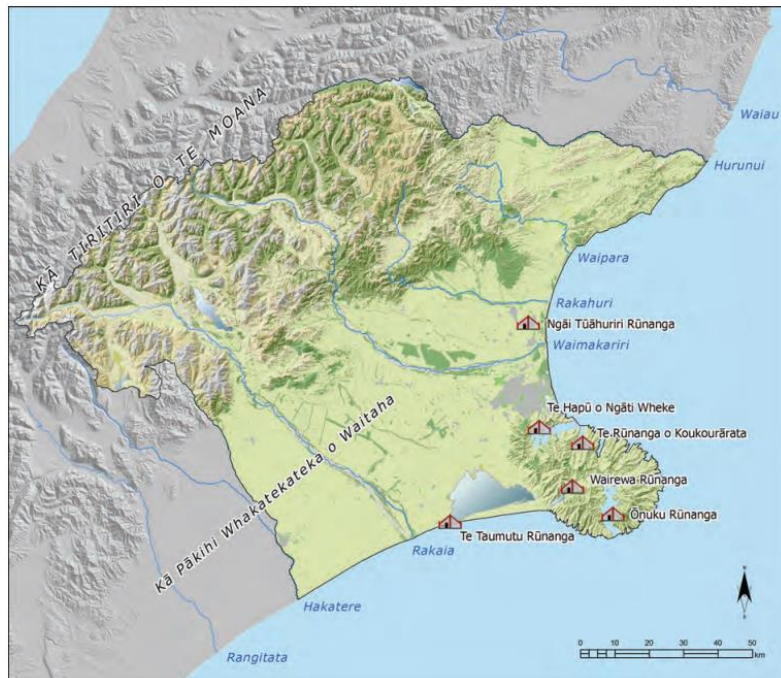


In this context, the Christchurch City Council established Te Hononga Council - Papatipu Rūnanga Committee, which includes representatives from the Council and the six Rūnanga, to further enhance the relationship between the Council and Ngā Tahu.

There are three intrinsic values which are fundamental to Ngā Papatipu Rūnanga. These are protecting and enhancing water quality, protecting Māori Reserve Land, and safeguarding the interests of future generations. These are closely aligned with three equivalent values held by the Christchurch City Council. The Council has statutory responsibility for meeting the needs of future generations, providing

safe drinking water and protecting its parks and reserves. The committee will work to seek alignment of these values and work towards them for the benefit of everyone in Christchurch and Banks Peninsula.

The takiwā of the six Papatipu Rūnanga was described Schedule 1 of the Te Rūnanga o Ngāi Tahu Act 1996, which has since been superseded by the Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001:



Te Ngāi Tūāhuriri Rūnanga

The takiwā of Te Ngāi Tūāhuriri Rūnanga centres on Tuahiwi and extends from the Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide.

Rapaki Rūnanga

The takiwā of Rapaki Rūnanga centres on Rapaki and includes the catchment of Whakaraupo and Te Kaituna.

Te Rūnanga o Koukourārata

The takiwā of Te Rūnanga o Koukourārata centres on Koukourārata and extends from Pohatu Pā to the shores of Te Waihora including Te Kaituna.

Wairewa Rūnanga

The takiwā of Wairewa Rūnanga centres on Wairewa and the catchment of the lake Te Wairewa and the hills and coast to the adjoining takiwā of Koukourārata, Onuku Rūnanga, and Taumutu Rūnanga.

Te Rūnanga o Ōnuku

The takiwā of Te Rūnanga o Ōnuku centres on Ōnuku and the hills and coasts of Akaroa to the adjoining takiwā of Te Rūnanga o Koukourārata and Wairewa Rūnanga.

Taumutu Rūnanga

The takiwā of Taumutu Rūnanga centres on Taumutu and the waters of Te Waihora and adjoining lands and shares a common interest with Te Ngāi Tūāhuriri Rūnanga and Te Rūnanga o Arowhenua in the area south to Hakatere.

Responsibilities

Te Hononga Council - Papatipu Rūnanga Committee is responsible for the following:

- Leading the development of an enduring collaborative relationship between the Council and Ngā Papatipu Rūnanga.
- Building shared understanding and strong coordinated leadership on matters of mutual interest within the respective areas of jurisdiction.
- Having oversight of, and providing advice and assistance to the Council on, matters of significance or priority to Māori, and to inform Council decision making.
- Receiving regular updates from staff on Council programmes and projects of significance or priority to Māori.
- Operating in accordance with the Relationship Agreement between Christchurch City Council and Ngā Papatipu Rūnanga signed on 15 December 2016.

Delegations

This Committee can make recommendations to the Council but does not have delegated authority to make formal decisions on behalf of the Council.

Resourcing

- The Principal Advisor Ngāi Tahu Relationships will act as the Principal Advisor to the Committee.
- A Senior Advisor also forms part of the Ngāi Tahu Māori Relationships team.
- A Committee Advisor from the Hearings and Council Support Team will provide administrative and procedural support to the Committee.
- All three of these positions will be provided by the Council.
- An annual budget allocation is also made in accordance with the work programme.

Part A	Matters Requiring a Council Decision
Part B	Reports for Information
Part C	Decisions Under Delegation

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1. Apologies / Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations of Interest / Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

3. Public Forum / Te Huinga Tūmatanui

A period of up to 30 minutes may be available for people to speak for up to five minutes on any issue that is not the subject of a separate hearings process.

4. Deputations by Appointment / Ngā Huinga Whakaritenga

There were no deputations by appointment at the time the agenda was prepared.

5. Presentation of Petitions / Ngā Pākikitanga

There were no petitions received at the time the agenda was prepared.

6. Council Response to key points raised on Rūnanga Priorities

Reference / Te Tohutoro: 20/1009447

Report of / Te Pou
Matua:

Mayor / Chief Executive

General Manager /
Pouwhakarae:

Sponsored by the Mayor

1. Brief Summary

- 1.1 The purpose of this report is provide to the six papatipu rūnanga, responses on the Rūnanga priorities outlined in the 17 August workshop. The Council's responses are under development and are not likely to be complete within normal Council processing timeframes. Responses will be provided at the meeting of 9 September.
- 1.2 Key responses relate to:
 - 1.2.1 **Ngāi Tahu.** Dr Te Maire Tau spoke to the Treaty relationship, the Ngāi Tahu Settlement Act, Section 33 of the RMA and the Local Govt Act 2002 and noted to the meeting that as a priority, the relationship must be premised on the responsibilities as outlined in these legislative documents and where the Crown and local authority are required to not only consult but also include Māori in decision making in areas of mutual interest (water, the environment, climate change, social and economic development etc).
 - 1.2.2 Ngāi Tahu's position is that it holds customary leadership authority on rights to Water as acknowledged by the Crown in settlement. It is opposed to Taumata Arowai – the Crown water authority and bill. Ngāi Tahu's preference if a wider water service provider is established as a result of the reforms, that there would be one entity to cover the tribal takiwā, and there would be an expectation that Ngāi Tahu had the opportunity to co-govern at that level as a reflection of the Treaty partnership. Ngāi Tahu will brief the Council on water after the 2020 central government election and in the interim, expect to be involved in water reform discussions post Tranche 1 with local authorities.
 - 1.2.3 Inhouse legal opinion is being sought to determine the extent of legislative obligation for the Council.
 - 1.2.4 **Rāpaki.** District Plan boundary set back constraints on Māori owned land at Rāpaki which prevents land owners from legally constructing dwellings because boundary setbacks are 10m+ from any boundary. The width and length of many properties do not allow alignment with stated set-back requirements. Currently the Council has served non-compliance notices on at least two landowners who have already undertaken construction works.
 - 1.2.5 Amendments to the District Plan are under action by Mahaanui Kurataiao in consultation with Council planning staff. The process and timeframes remain cumbersome.
 - 1.2.6 **Koukourāata.** The Chair raised the issue of a lack of a treaty based relationship and lack of recognition of rūnanga rangatiratanga (leadership authority) as the foundation of a positive and rewarding relationship. The Chair evidenced previous priorities that had not been followed through (MoUs, verbal agreements, reserve management plans, addressing lack of infrastructure, paper roading confiscations, crown confiscations) and felt that much of the uncertainty and lack of commitment was premised on the absence

of a true treaty based relationship. These issues whilst not addressed continue to impede progress on building effective relationships, not only for Koukourārata but across all rūnanga.

- 1.2.7 Lack of water infrastructure to support kāinga nohoanga development remains a key priority to be resolved for Koukourārata and is a significant constraint to kāinga nohoanga development. The rūnanga is seeking to develop financially viable solutions to support the rūnanga and community.
- 1.2.8 Okains Bay reserve management and kāinga nohoanga development constraints also impede progress in relationships and development within Okains Bay. Council operational staff are engaged with rūnanga presently, but this has not yet brought clarity or progress on a path forward.
- 1.2.9 **Ōnuku.** Notwithstanding the key matter of Akaroa Wastewater, Ōnuku is constrained by lack of infrastructure solutions to support kāinga nohoanga development. Having already invested in marae infrastructure at own cost, Ōnuku wish to engage with the Council on remedying lack of infrastructure to support kāinga nohoanga development. The Council has committed to advance outstanding works (\$3.1M) to escalate repairs to Akaroa Wastewater and Duvauchelle (\$2M) to reduce infiltration and overflow into the environment. There is a further commitment to work with rūnanga to find infrastructure solutions to support kāinga nohoanga development.
- 1.2.10 **Wairewa.** Key focus for Wairewa is the ecological restoration of the Lake and surrounding land and the current Council relationship is working productively. Kāinga nohoanga development is not a priority for Wairewa. Economic development opportunities are also an on-going priority.
- 1.2.11 **Taumutu.** The key priorities for this rūnanga is the ecological restoration of Lake Waihora and to support rūnanga economic development. Taumutu falls within the Selwyn District Council responsibility but has no plans for kāinga nohoanga development due to the pending effects of climate change on their coastal location.
- 1.2.12 **Ngāi Tūāhuriri.** The rūnanga is focusing on developing its commercial arm within the city and is developing both economic and educational opportunities in line with its priorities. Ngāi Tūāhuriri is mana whenua for Christchurch City and maintains a similar status and relationship with Waimakariri District Council.

2. Officer Recommendations / Ngā Tūtohu

That the Te Hononga Council - Papatipu Rūnanga Committee:

1. Receive subsequent responses as authorised by the Chief Executive.

Attachments / Ngā Tāpirihanga

There are no appendices to this report.

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not Applicable	Not Applicable

Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Shayne Te Aika - Principal Advisor Ngāi Tahu Relationship
Approved By	Dawn Baxendale - Chief Executive

7. Council Update on Three Waters Reform

Reference / Te Tohutoro: 20/1009701

Report of / Te Pou
Matua:

Dawn Baxendale, Christchurch City Council Chief Executive
David Adamson, Christchurch City Council General Manager City
Services

General Manager /
Pouwhakarae:

David Adamson, Christchurch City Council General Manager City
Services

1. Brief Summary

- 1.1 The purpose of this report is to provide an update to the six papatipu rūnanga on the decisions made by the Council in respect to Tranche 1 of the 3 Waters Reforms, post 31 August 2020.
- 1.2 It also provides an opportunity for the Committee to discuss the options between Tranche 1 and Tranche 2 in respect to papatipu rūnanga engagement and involvement in future decision making on Three Waters Reform, in light of the stance of the Council, and as to how any future relationship between the Council and papatipu rūnanga might proceed in respect to the decision of 31 August 2020.

2. Officer Recommendations / Ngā Tūtohu

That the Te Hononga Council - Papatipu Rūnanga Committee:

1. Receive the information in the report

Attachments / Ngā Tāpirihanga

There are no appendices to this report.

In addition to the attached documents, the following background information is available:

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Signatories / Ngā Kaiwaitohu

Author	Shayne Te Aika - Principal Advisor Ngāi Tahu Relationship
Approved By	Dawn Baxendale - Chief Executive

8. Plan For Canterbury - Mayoral Forum

Reference / Te Tohutoro: 20/1010340

Report of / Te Pou

Sam Broughton – Chair Mayoral Forum

Matua:

General Manager /

Dawn Baxendale, Chief Executive

Pouwhakarae:

1. Brief Summary

- 1.1 The purpose of this report is to provide the Rūnanga Chairs an update on the 'Plan for Canterbury' as developed by the Mayoral Forum in response to the operational environment post Covid 19 and as a replacement to the Canterbury Regional Economic Development (CRED) plan. The report is to be released on 4 September 2020.
- 1.2 The delivery of the plan also allows for further discussion on the impact/involvement of papatipu rūnanga.

2. Officer Recommendations / Ngā Tūtohu

That the Te Hononga Council - Papatipu Rūnanga Committee:

1. Receive the information in the report

Attachments / Ngā Tāpirihanga

There are no appendices to this report.

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Plan for Canterbury	https://canterburymayors.org.nz/forums/plan-for-canterbury/

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
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(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Author	Shayne Te Aika - Principal Advisor Ngāi Tahu Relationship
Approved By	Dawn Baxendale - Chief Executive

9. Other Business / Kaupapa anō

There was no other business considered at the meeting.