

Ōtakaro Avon River Corridor Co-Governance Establishment Committee

Co-Chairs	Hon Lianne Dalziel and Dr Te Maire Tau
Membership	Cllr Barber Tania Wati Dr John Reid Thomas Hildebrand Tutehounuku Korako Hayley Guglietta Cynthia Roberts Julyan Falloon
Quorum	Half of the members
Meeting Cycle	TBC
Reports To	Council and Te Rūnanga o Ngāi Tūāhuriri

Introduction

- The Ōtakaro/Avon River is a taonga which has been enjoyed by the people of Ōtautahi/Christchurch for generations.
- Ngāi Tūāhuriri is a principal hapū and Papatipu Rūnanga of Ngāi Tahu, and Ngāi Tahu recognise the tino rangatiratanga that resides within these bodies. The Ōtakaro Avon River Corridor sits within Ngāi Tūāhuriri takiwā . Ngāi Tahu hapū have exercised rangatiratanga throughout its rohe for centuries. Its rangatiratanga existed before Te Waipounamu was colonised after 1840. Te Tiriti o Waitangi confirmed the right of Ngāi Tahu to its rangatiratanga, and the Crown reconfirmed Ngāi Tahu rangatiratanga in the Ngāi Tahu Claims Settlement Act 1998. That Act also provided that the Crown would enter a new era of cooperation with Ngāi Tahu.
- Regenerating the 602-hectare Ōtakaro Avon River Corridor (the Corridor) is a once in a life lifetime opportunity to create a legacy which benefits present and future generations. Stretching from the city to the sea the Corridor will provide a range of environmental, cultural, social, and economic benefits, focusing on the health and wellbeing of the Ōtakaro/Avon River (Te Mana O Te Wai) and ensuring a healthier place for people, the natural ecosystem (Te taiao) and the natural security of the people of Ōtautahi/Christchurch in preparation for climate change and the environmental changes during the 21st century and beyond.
- The regeneration of the Corridor is also an opportunity for Ōtautahi/Christchurch and Ngāi Tūāhuriri to demonstrate genuine partnership in a co-governance arrangement.
- While this agreement recognises the rangatiratanga of Ngāi Tūāhuriri, it also recognises the intergenerational investment and ownership of the people of Ōtautahi /Christchurch and the Christchurch City Council (the Council). This agreement does not undermine the authority of the Crown or local government but commits to a coordinated approach wherein the Corridor is forever protected and cloaked by both entities for the future well-being of the people of Ōtautahi /Christchurch.
- The role of Ngāi Tūāhuriri is to ensure that both parties govern the Corridor so that the environmental integrity and mahinga kai is secured and protected for future generations by

the custom of Topuni¹ whereby the Corridor and awa are secured and developed as an environmental taonga for all citizens of Ōtautahi /Christchurch.

- In 2019, the global settlement agreement was entered into by the Crown and the Council. It provided for the ownership of the Corridor to be transferred progressively to Council during 2022 as property title matters were resolved. Once the Council owns all or most of the land and exercises decision-making powers over the land, an enduring co-governance entity will be established by the Council and Ngāi Tūāhuriri. This entity will make decisions under the delegation of the Council.
- In December 2021, the Council confirmed its intent to establish such a co-governance entity to govern the Corridor. That entity will comprise equal membership by Ngāi Tūāhuriri and the Council, noting that the Council appointees would be drawn from the Council and the wider community. Council also agreed to set up a Co-governance Establishment Committee.
- The establishment of a co-governance entity and a partnership with Ngāi Tūāhuriri and the Council, provides for and enables the exercise of rangatiratanga and kaitiakitanga by mana whenua, and provides for the relationship of mana whenua and their cultures and traditions with their ancestral lands, mahinga kai, water, sites, wāhi tapu and other taonga.

Purpose

The purpose of the Committee is to:

- Provide strategic direction, leadership and decision-making to ensure the Ōtākaro Avon River Corridor (ŌARC, the Corridor) and the Ōtākaro/Avon River are developed, managed and maintained to provide the optimal ecological, cultural, social and economic benefits.
- Provide advice on the development of the enduring co-governance entity/framework for the ŌARC

Functions

Provide strategic direction

- Develop a collective understanding of current and proposed future land uses, the various agreements already in place, and the strategic direction of the Council.
- Set the strategic direction for the integrated development of the Corridor with reference to the ŌARC Regeneration Plan; Mahaanui Iwi Management Plan; the Christchurch District Plan; the Council's ŌARC Activity Plan; and other national, regional and Council policies and strategies.
- Provide governance over-sight for the implementation of the Ōtākaro Avon River Corridor Activity Plan.

Advise on the enduring co-governance entity for the ŌARC

- Provide advice on roles and functions of the co-governance entity and the potential legal structure of the entity.

¹ The concept of Tōpuni derives from the traditional Ngāi Tahu tikanga (custom) of persons of rangatira (chiefly) status extending their mana and protection over a person or area by placing their cloak over them or it. <https://ngaitahu.iwi.nz/ngai-tahu/the-settlement/settlement-offer/cultural-redress/ownership-and-control/mana-recognition>

- Investigate and develop advice on the development of a local bill to establish the entity and provide an enduring legal status for the Corridor within a local Act of Parliament.

Land uses and projects

- Make decisions on leases, licenses, and access authorities for use of the land within the Corridor.
- Review significant applications for land uses to determine their appropriateness for the proposed location; the benefits they offer for the environment, adjacent communities and all residents; and their alignment with the Activity Plan and any regeneration plans.
- Approve project concept plans, feasibility and business cases.

Engagement and consultation

- Identify and understand stakeholder interests to be able to direct engagement for specific decisions.
- Establish and maintain effective dialogue and relationships with stakeholders to support the role of the Committee.
- Ensure appropriate engagement and consultation has occurred with communities and organisations.
- Provide information and report to the public using methods such as reports, meetings, and newsletters.

Funding

- Make financial decisions in accordance with the Council's delegations' policy.

Monitoring performance and reporting

- Receive regular performance reports on the Activity Plan
- Monitor the implementation of the Activity Plan including monitoring the delivery of the Levels of Service.
- The Activity Plan describes capital projects that will be delivered in the Corridor through four other Council Activity Plans: Parks Activity Plan; Stormwater Drainage Activity Plan; Flood protection and Control works Activity Plan; and Transport Activity Plan. The Council Parks Unit is responsible for the integrated planning and delivery of investment across Council.
- Consider and advise on conflicts and risks to achieving the Activity Plan.
- Report to Council quarterly, or more frequently if required.

Delegations

The Council delegates the following responsibilities to the Establishment Committee:

- To make decisions on land uses and activities on the Council-owned Ōtākaro Avon River Corridor land to be able to develop the land in accordance with the Committee's strategic direction.
- To make financial decisions in accordance with Council's delegations' policy

Committee membership

- The Committee has eight to ten members selected for their relevant skills, knowledge and leadership capabilities.
- At least one member will be a City Councillor/Mayor, and half will be identified by Ngāi Tūāhuriri.
- Ngāi Tūāhuriri accepts the requirements under the LGA 2002. Council will work with Ngāi Tūāhuriri to ensure the tikanga of its four members is respected in the appointment process.
- Co-Chairs will be appointed jointly by the Council and Ngāi Tūāhuriri.
- A quorum comprises 50% of members.
- The Co-governance Establishment Committee will be discharged once the establishment of an agreed and co-governing entity over ŌARC is constituted.

Meetings

- The Committee will operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987. Meetings will be advertised, and an agenda published.
- The Committee will meet monthly
- The Committee will work to achieve consensus wherever possible, and work in a collaborative and cooperative manner taking into account the interests of all sectors of the community.
- Members will contribute their knowledge and perspective but not promote the views or positions of any particular interest or stakeholder group.
- The Committee may receive presentations by invitation or agreement of the Co-Chairs.

Committee remuneration

- Remuneration for chairs and members will be set annually.
- The participation of an elected member in the Committee is part of their remunerated role as a councillor or Mayor.

Support for the Committee

The Council and Te Rūnanga o Ngāi Tūāhuriri will provide support to the Committee including:

- A Council General Manager and an advisor from Ngāi Tūāhuriri as Principal Advisors
- A Committee Advisor from the Hearings and Council Support Team will provide administrative and procedural support to the Committee.
- Relevant staff from across the Council will provide advice to the Committee.

Limitation of powers

- The Committee does not have the authority to commit Council to any course of action or unbudgeted expenditure.

- The general delegations to this Committee exclude any specific decision-making powers that are delegated to a Community Board, another Committee of Council or Joint Committee. Delegations to staff are set out in the delegations register.
- The Council retains the authority to adopt policies, strategies and bylaws

Appendix 1: Vision and Objectives of the ŌARC Regeneration Plan

The Vision from the Regeneration Plan

The river is part of us, and we are part of the river.
It is a living part of our city.

A place of history and culture
where people gather, play, and celebrate together.

A place of learning and discovery
Where traditional knowledge, science and technology meet.

A place for ideas and innovation
where we create new ways of living and connecting.

Our vision is for the river to connect us together –
with each other, with nature and
with new possibilities.

Nōku te awa. The river is mine.
We all share in the future of this river.
Ōtākaro Avon River. Together we thrive.

The Objectives from the Regeneration Plan

For Christchurch:

- Support safe, strong and healthy communities that are well connected with each other and with the wider city.
- Provide opportunities for enhanced community participation, recreation and leisure.
- Create a restored native habitat with good quality water so there is an abundant source of mahinga kai, birdlife and native species.
- Create opportunities for sustainable economic activity and connections that enhance our wellbeing and prosperity now and into the future.

For New Zealand:

- Develop the Ōtākaro Avon River Corridor as a destination that attracts a wide range of domestic and international visitors.
- Establish a world-leading living laboratory, where we learn, experiment and research; testing and creating new ideas and ways of living.
- Demonstrate how to adapt to the challenges and opportunities presented by natural hazards, climate change and a river's floodplain.

Appendix 2: Guiding documents

Mahaanui Iwi Management Plan 2013

- The Mahaanui Iwi Management Plan 2013 and its successive plans outlined by Ngāi Tūāhuriri must be given effect to when Council prepares or changes a district plan. The section on Ihutai includes the catchments of the Ōtākaro/Avon River and Ōpāwaho/Heathcote River and is an essential resource and guide when making decisions on the ŌARC.

Ōtākaro Avon River Corridor Regeneration Plan

- The ŌARC Regeneration Plan (August 2018) and the Christchurch District Plan together contribute to the strategic direction for the Corridor. The Regeneration Plan provides examples of preferred land uses, and the variability of land use in different reaches of the ŌARC. The Regeneration Plan centres on the awa/river and the vital role that the river plays within the Corridor and within the city. The plan emphasises a restored natural environment, and strengthened connection between people, the river and the land.
- The Regeneration Plan requires the development of an Implementation Plan to provide greater certainty about the funding, sequencing and delivery of the Regeneration Plan, and ensure coherent and co-ordinated development of the ŌARC.

Christchurch District Plan

- Section 13.14 of the Christchurch District Plan is particularly relevant. It defines the Specific Purpose (Ōtākaro Avon River Corridor) Zone, and provides objectives, policies, rules, standards and assessment criteria which seek to manage activities in the Zone. It sets out specific provisions for each sub-area defined in the Development Plan in Appendix 13.14.6.1 of the District Plan.

Council's Ōtākaro Avon River Corridor Activity Plan

- Regeneration will be delivered through significant investment in projects within the Corridor that include regenerative planting, tidal wetland development, long-term stopbank construction, stormwater treatment facilities, bridges, landings, and walking and cycling corridors.
- The Council has prepared an Ōtākaro Avon River Corridor Activity Plan in its Draft Annual Plan 2022-23 which describes capital projects that will be delivered through four other of Council's activity plans: Parks Activity Plan; Stormwater Drainage Activity Plan; Flood protection and Control works Activity Plan; and Transport Activity Plan.

- The infrastructure and environmental investments identified within this Activity Plan will facilitate a broad range of uses and activities within the Corridor, generating significant social, ecological and economic benefits. Careful integrated planning and delivery of investment will be required to ensure the most beneficial and cost-effective implementation.
- The Council Parks Unit is responsible for coordinating the cross-Council programme, reporting to the co-governance Establishment Committee and engaging with the community.
- The success of the Activity Plan will be measured by the health of the river and the environment; the restoration of mahinga kai; and present and future generations' enjoyment of the river and the corridor. The regeneration of the Ōtākaro Avon River Corridor is an opportunity for Ōtautahi Christchurch and Ngāi Tūāhuriri to demonstrate genuine co-governance, alongside innovative environmental leadership.