

2. WASTEWATER CONSENTS AND ESTUARY'S WESTERN EDGE - MEMORANDUM OF UNDERSTANDING WITH NGAI TAHU

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Corporate Plan Output: Liquid Wastes	

The purpose of this report is to recommend to the Council that it adopt the attached Memorandum of Understanding as a guide to relationships between the Council and Te Runanga o Ngai Tahu regarding consents for the wastewater treatment plant and management of the estuary's western edge.

In developing plans for the city's wastewater treatment plant there have been extensive consultations over the last four years with Ngai Tahu and the local runanga, Ngai Tuahuriri. At a meeting in May 2000 between the Council's Wastewater Subcommittee and tangata whenua representatives it was agreed that a memorandum of understanding would be prepared, defining how the two parties would relate over developing further details on wastewater consents and development of the western edge of the estuary.

A copy of the proposed memorandum is attached. It has been reviewed by the Council's Legal Services Manager, has received preliminary agreement from tangata whenua representatives, and is to be put to a tangata whenua hui on 14 December for formal ratification.

Key points are that:

- it is not a legally binding relationship but is intended to enable the parties to work together in good faith for their mutual benefit,
- it is intended to ensure the Council takes into account spiritual and cultural values of tangata whenua, particularly relating to the use and management of water resources,
- it sets up a process of consultation over decisions that will be made, and
- it indicates that the scope of interest of the parties is likely to include drafting of consent conditions, consent monitoring, planning the development of the western edge of the estuary, possible mitigation measures, and relevant research.

Some of these items require attention immediately as the Council develops consent conditions and plans initial works on the estuary edge.

Recommendation: That, subject to agreement from appropriate tangata whenua representatives, the Council adopt and sign the attached Memorandum of Understanding as a guide to relationships between the two parties regarding consents for the wastewater treatment plant and management of the estuary's western edge.