

10. 9. 2009

**AKAROA/WAIREWA COMMUNITY BOARD
8 JULY 2009**

**Minutes of a meeting of the Akaroa/Wairewa Community Board
held on Wednesday 8 July 2009 at 9.30am in the Board Room,
Akaroa Service Centre, 78 Rue Lavaud, Akaroa.**


PRESENT: Stewart Miller (Chairman), Bryan Morgan, Pam Richardson, Claudia Reid and Eric Ryder

APOLOGIES: An apology for absence was received and accepted from Jane Chetwynd, and an apology for early departure was received and accepted from Claudia Reid who retired at 1.10pm and was absent for clauses 9, 10, 14, 15, 16 and 17.

The Board reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION

1. MANAGEMENT OF TE ROTO O WAIREWA/LAKE FORSYTH



General Manager responsible:	General Manager, Strategy and Planning, DDI: 941-8281
Officer responsible:	Programme Manager Healthy Environment
Author:	Liz Garson, Principal Adviser Natural Environment, Strategy and Planning Group

PURPOSE OF REPORT

1. The purpose of this report is for the Council to support:
 - (a) A Memorandum of Understanding (MOU) between the Christchurch City Council, the Wairewa Runanga (the Runanga), Environment Canterbury (ECan) and the Department of Conservation (DoC) to work together for the long-term benefit of Te Roto o Wairewa/ Lake Forsyth and its environs.
 - (b) A joint resource consent application from the Council and the Wairewa Runanga to ECan for the opening of Te Roto o Wairewa / Lake Forsyth.

EXECUTIVE SUMMARY

2. Following amalgamation of Christchurch City and Banks Peninsula District Councils, and as required by the Reserves and Other Lands Disposal Act (1955), the Council took over the responsibility of managing lake levels for Te Roto o Wairewa / Lake Forsyth in March 2006.
3. Members of the Runanga and their advisors met with Councillors on 16 July 2008 to present their vision for the future management of the lake. The Runanga's vision for the lake includes investigation into the establishment of a semi-permanent opening to the sea to reduce the current pattern of lake level peaks and troughs and to improve water quality. This would have benefits that include reduction of toxic algal blooms, possible use of the water for contact recreation and re-establishment of the eel fishery. A similar presentation was given to a group of staff from the Council, ECan and DoC on 12 November 2008. As a result the Runanga and these agencies have initiated discussions on working together on various aspects of the lake's management. There will be significant challenges in achieving the Runanga's vision, however, those aspects that align with the Council's objectives to manage lake levels and to enhance biodiversity values are supported and staff have agreed to consider practices that will meet the needs of both the Runanga and the Council.
4. Both DoC and ECan have statutory responsibilities related to the management of the lake and its surroundings and wish to be involved in greater dialogue about the future of the area. They also support the collaborative nature of the current initiative to establish agreed practices for the lake and its environs in line with the aims of the MOU.

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5. Further discussions between all four parties have resulted in proposals for two initiatives at this stage, the first of which is:
 - The development of an MOU between the four parties (currently being drafted).
6. The MOU aims to achieve better collaboration and coordination of effort for the organisations involved in various aspects of the management of the lake and its environs. Greater collaboration will provide improved opportunities for discussion and development of approaches to enhance the lake and its environs. This process will continue to involve the local residents and landowners that surround the lake. A joint approach to residents and landowners by all four signatories to the MOU will assist with greater integration of effort. Individual proposals and actions that result from dialogue between the signatories and the community may be developed through specific operational agreements to be developed in due course.
7. The second initiative is:
 - A joint application to ECan by the Council and Wairewa Runanga for a resource consent to open the lake. An application to renew the resource consent for the Council-operated opening of the lake is currently outstanding, however ECan have allowed the Council until September 2009 to lodge an application.
8. The current agreed protocol between the Council, the Runanga and local farmers with regard to the consideration and timing of lake openings will continue.

FINANCIAL IMPLICATIONS

9. It is considered that all of the tasks identified to date can be financed through existing budgets. The resource consent application and operations associated with the lake opening are funded from the income from Council endowment land (vested in the Council under the Reserves and Other Lands Disposal Act 1955) and will be rates neutral. Potential future costs related to possible individual operational agreements resulting from the MOU will be assessed as specific cases, as appropriate. Potential future costs related to implementation of any individual operational agreements may be addressed as part of the 2012 and future LTCCP processes.

LEGAL CONSIDERATIONS

10. The Council has responsibility for Te Roto o Wairewa / Lake Forsyth and its environs under legislation including the Local Government Act (2002) and the Resource Management Act (1991). The Reserves and Other Lands Disposal Act (1955) sets out the Council's responsibilities and powers in relation to landholding adjacent to the lake. This work is pursuant with the legislation.
11. Legal advice was sought from the Legal Services Unit in February 2009 with regard to the development of the MOU as an appropriate vehicle to promote greater coordination and cooperation of agencies with responsibility for Te Roto o Wairewa / Lake Forsyth and its environs. Advice received was that the MOU is appropriate, and further consultation with the Legal Services Unit will be carried out once the draft MOU is agreed in principle by the four parties.
12. It is the first time that the Council has entered into a joint resource consent. Legal advice was sought to ensure that this is a feasible approach. Liabilities (such as those relating to decisions over timing and extent of lake openings and other consent conditions) will be clarified through the development of an "Operational Agreement" between Wairewa Runanga and the Council, within which roles and responsibilities will be clearly defined. In order to avoid any potential for Council liability associated with the Runanga's consent, the joint consent will cover only the breaching of the shingle barrier to open the lake and will not cover the channel and groyne which have been developed by the Runanga. The application will be for two opening sites, with the advantage to the Runanga (and the Council) being that it allows for more opportunities to test the channel and groyne approach, given that the Runanga's consent limits them to just three trial attempts to open the lake.

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ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. The preparation of the MOU and associated operational agreements for the management of the lake and its environs is in line with the Council's Parks, Open Spaces and Waterways Activities and Services *"to protect and enhance waterways and their margins, their ecosystems and the biodiversity they sustain; to recognise cultural relationships with indigenous biodiversity and other taonga including mahinga kai; and to promote drainage, landscape, ecology, recreation, heritage and cultural values of waterways"*. (page 136)

ALIGNMENT WITH STRATEGIES

14. The preparation of the MOU and associated operational agreements falls under the suite of Healthy Environment Strategies; in particular the Biodiversity Strategy (2008) – through improving the health of the lake and its environs and working in collaboration with key partners for this purpose. It also falls within the realm of the Surface Water Strategy (draft 2009) which signals the preparation of a "Lakes" Integrated Catchment Management Plan in the future.

CONSULTATION FULFILMENT

15. The progress of this work has been informed by debate and discussion with the Wairewa Runanga, staff of the Department of Conservation, Environment Canterbury, local landowners and residents. Consultation with all parties will continue as part of the MOU process.

STAFF RECOMMENDATION

It is recommended that the Council give their support to the approach being taken, namely:

- (a) Entering into a Memorandum of Understanding to achieve better coordination and collaboration between the four parties (Wairewa Runanga, the Council, Environment Canterbury and Department of Conservation) relating to the long-term management of the lake and its environs.
- (b) Lodging a joint resource consent application shared by the Council and Wairewa Runanga for the opening of the lake.

BOARD CONSIDERATION

The Board felt that the proposal for a Memorandum of Understanding was a significant and positive step forward in trying to achieve a healthy lake, where the parties involved might have different priorities, but all wanted to achieve the same outcome.

Board members did feel that there was a need for this process to have a direct link back to the community and that this could be achieved through the Community Board. Members felt that a strong link with the community was paramount, as it was acknowledged that the lake is important to the Runanga, but is also important to everyone else in the community.

Other issues the Board noted were public access to the lake and the inclusion of the lake surrounds in any considerations. Staff were asked to make amendments to the Draft MOU to reflect the Board's comments.

BOARD RECOMMENDATION

The Board recommended that the staff recommendation be adopted.

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The Board **recommended** that the following amendments be made to the Draft MOU before its consideration by the Council:

Clause 7 - Anticipated Matters

7.1 - amend bullet point 7 to read - Recreation use of the lake *and its surroundings*.

7.1 - amend bullet point 9 to read - Collaboration with *the local community and* other interested parties as opportunities arise

7.1 - insert an additional bullet point - *Public facilities and access points*.

Clause 10 - MOU Delivery and Monitoring

10.2 - insert an additional bullet point - *Akaroa/Wairewa Community Board member (or delegated substitute)*.

BACKGROUND (THE ISSUES)

16. Te Roto o Wairewa is the only customary lake in the South Island - it is unique to Ngai Tahu. Wairewa Runanga is one of the eighteen Ngai Tahu Papatipu Rūnanga as described in the first schedule of the Ngai Tahu Settlement Act and the traditional Kaitiaki (guardian) of Te Roto o Wairewa/ Lake Forsyth. The lake and its environs were famous for its mahinga kai, but this has declined partly because of beach processes closing the lake to the sea. Wairewa Runanga is committed to rehabilitating the lake to support significant levels of fish and other species once again. The management of water levels is fundamental to success. In the words of the Chair of Wairewa Runanga: *"The Wairewa Runanga position is clear and they have invested considerable time and money to identify and begin testing a potentially workable bio-engineering solution to improve the health of the lake, turning it from a liability to an asset"*.
17. It is nevertheless an area of significant biodiversity: Te Roto o Wairewa / Lake Forsyth is among the top 15 wading bird sites in New Zealand for migratory birds and the main wintering site for the endangered Southern Crested Grebe. Control of lake levels is important to allow exposure of the mud flats at the head of the lake at key times and to prevent long term inundation of the endangered sea holly population on the lake shore. Catchment-wide management of sediment and nutrients entering the lake is desirable to achieve better water quality. There are populations of Nationally Endangered spotted skinks at Birdlings Flat. The area around the lake also provides some of the largest remaining coastal shrubland communities in Canterbury; suitable habitat for lizards which are generally in decline throughout New Zealand.
18. There are a number of organisations and agencies which have responsibilities to manage and promote the environmental and economic health of the area. The Council holds a 90 hectare reserve adjacent to the lake as endowment land pursuant to Section 21(4)(b) of the Reserves and Other Lands Disposal Act (1955). Income from leasing this land provides funding for managing the lake levels with opening of the lake to the sea when levels reach an agreed trigger point. The Council's Biodiversity Strategy (2008) recognises Te Roto o Wairewa / Lake Forsyth as a site of significance both locally and nationally. The Council works closely with ECan and DoC and local communities to safeguard the area's biodiversity importance. The development of the MOU will create new opportunities to achieve further joint goals.
19. The Department of Conservation has responsibility for administering and implementing the provisions of the Conservation Act 1987, Reserves Act 1977, Wildlife Act 1953 and associated amendments and regulations. The bed of the lake is defined as Conservation Area under part 3 of the Conservation Act and is managed through the Department's Mahaanui Area Office in Christchurch.
20. Environment Canterbury has the statutory responsibilities of managing the land, air and water quality in Canterbury, including the Wairewa area. This is achieved through managing resource consents, setting rules in plans around activities affecting the environment, investigating and monitoring environmental variables, and working with stakeholders and community to achieve environmental aims. Legislation enabling these responsibilities includes the Resource Management Act (1991) and the Local Government Act (2002).

PART B - REPORTS FOR INFORMATION

2. DEPUTATIONS BY APPOINTMENT

2.1 POLICE REPORT

Senior Constable Lyle Pryor updated the Board on several issues, including a number of thefts from boats stored in the Akaroa Boat Compound. He noted that the compound, which is owned by the Council, is relatively easy to enter and that the security at the facility could be improved.

Board members **decided** to look over the facility on the Town Walkabout scheduled for 19 August.

2.2 AGE CONCERN CANTERBURY

Stephen Phillips (CEO) and Yvonne Palmer (Project Co-ordinator) gave a presentation on the programmes run by Age Concern Canterbury.

3. PRESENTATION OF PETITIONS

Nil.

4. NOTICES OF MOTION

Nil.

5. CORRESPONDENCE

5.1 AKAROA POLICE - RUE JOLIE PARKING RESTRICTIONS

The Board considered a letter from the Akaroa Police, requesting changes to the parking restrictions on Rue Jolie in the vicinity of the Akaroa Area School.

Members felt it was important to assess all the options to resolve safety issues around parking and traffic management at the school, as simply changing the parking restrictions may lead to other safety concerns.

The Board **decided** to request that staff investigate this proposal, looking at the three streets adjacent to the school for an overall solution, and prepare a report for the Board to approve changes to the parking restrictions, if a solution can be identified that will improve on the current situation.

6. RESERVE MANAGEMENT COMMITTEE MINUTES

6.1 ATAAHUA RESERVE MANAGEMENT COMMITTEE - 23 APRIL 2009

The Board considered a letter from the Ataahua Reserve Management Committee requesting assistance in the maintenance of the Kaituna Hall. Members were aware that the Ataahua Reserve Management Committee had very limited income and the ability to maintain facilities was decreasing.

The Board **received** the letter from the Ataahua Reserve Management Committee and requested that staff consider the necessary repairs to the Kaituna Hall when preparing the works programme for Community Facilities for 2009/10.

The Board **decided** to also request that staff meet with the Ataahua Reserve Management Committee to discuss its concerns.

The Board **received** the minutes of the Ataahua Reserve Management Committee meeting held on 23 April 2009.

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6.2 DUVAUCHELLE RESERVE MANAGEMENT COMMITTEE - 11 MAY 2009

The Board **received** the minutes of the Duvauchelle Reserve Management Committee meeting held on 11 May 2009.

A decision was made under delegated authority (Part C), clause 14.1 of these minutes refers.

6.3 AWA-ITI RESERVE MANAGEMENT COMMITTEE - 4 JUNE 2009

The Board **received** the minutes of the Awa-iti Reserve Management Committee meeting held on 4 June 2009.

The Board **agreed** to seek clarification from the Committee as to why it was donating funds to another party to "further the use of the domain".

6.4 ROBINSONS BAY RESERVE MANAGEMENT COMMITTEE - 2 MARCH 2008, 11 JUNE 2008, 18 DECEMBER 2008, 19 FEBRUARY 2009, 24 MARCH 2009

The Board **received** the minutes of the Robinsons Bay Reserve Management Committee meetings held on 2 March 2008, 11 June 2008, 18 December 2008, 19 February 2009 and 24 March 2009.

A decision was made under delegated authority (Part C), clause 14.1 of these minutes refers.

7. AKAROA HARBOUR ISSUES WORKING PARTY MINUTES - 24 MARCH 2009

The Board **received** the minutes of the Akaroa Harbour Issues Working Party meeting held on 24 March 2009.

8. 2008/09 STRENGTHENING COMMUNITIES FUND - SIX MONTH ACCOUNTABILITY REPORT

The Board **received** a report on the progress of projects that had received a grant from the 2008/09 Strengthening Communities Fund (SCF).

9. BRIEFINGS

9.1 TRANSPORT AND GREENSPACE UNIT

Peter McDonald, Pavements Maintenance Team Leader, briefed the Board on the activities and services carried out by this Unit, including details of the new maintenance contract, which would be operated in a more collaborative style.

Sandy McQueen, Fulton Hogan contractor, also briefed the Board on general roading issues and explained that a programme on roads was presently underway which will identify those that have lost metal over the years. Members stressed that the quality and build up of metal on Banks Peninsula roads was critical.

The Board also pointed out to staff that they needed to be aware of the heritage aspect when dealing with maintenance and/or capital works on some of the roads around the Peninsula.

The Board **decided** to request that staff prioritise a restorative work programme for Banks Peninsula roads, to be completed in time for consideration for funding as part of the 2012 LTCCP process.

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10. COMMUNITY BOARD ADVISER'S UPDATE

The Board **received** information from the Community Board Adviser on forthcoming Board related activities and projects.

Duvauchelle and Pigeon Bay Reserve Management Plans

The Board **decided** to request that a seminar be held following its meeting on 12 August to discuss Reserve Management Plan issues in relation to Pigeon Bay and Duvauchelle and that representatives from both these Reserve Management Committees be invited to attend.

11. ELECTED MEMBERS INFORMATION EXCHANGE

Specific mention was made of the following matters:

- **Murray Thacker - A.C. Rhodes History Medal**
Members were advised that Mr Thacker has been honoured by the Canterbury History Association for his long commitment to preserving Banks Peninsula Maori and early European artefacts and buildings. Mr Thacker will receive this award on Sunday 26 July at 2.30pm at the Christchurch Girls High auditorium. Board members and the public are welcome to attend the ceremony.
- **Te Oka Bay - Management Plan**
It was **decided** to invite staff to provide a briefing to the Board on the purchase and future planning for the land in Te Oka Bay, recently purchased by the Council.
- **Okains Bay Reserve Management Committee**
Staff were asked to provide a list of issues to the Okains Bay Reserve Management Committee that the Board wished to discuss at the upcoming meeting to be held on 19 August.
- **Little River Speed Restriction**
It was **decided** that Board members Stewart Miller and Bryan Morgan meet with staff to discuss the speed restriction through Little River, after the Board was informed that staff had reviewed the speed restriction and decided that it should remain at 70 kilometres per hour.

12. QUESTIONS UNDER STANDING ORDERS

Nil.

PART C - DELEGATED DECISIONS

13. CONFIRMATION OF MINUTES

13.1 ORDINARY MEETING - 10 JUNE 2009

The Board **resolved** that the minutes of the ordinary meeting held on 10 June 2009 be confirmed.

13.2 ORDINARY MEETING - 13 MAY 2009

The Board **resolved** that the minutes of the ordinary meeting held on 13 May 2009, although previously confirmed at its meeting held on 10 June 2009, be amended as follows:

Delete Claudia Reid from being in attendance and insert under apologies:
"An apology for absence was received and accepted from Claudia Reid".

14. RESERVE MANAGEMENT COMMITTEE MINUTES - continued

14.1 DUVAUCHELLE RESERVE MANAGEMENT COMMITTEE - MEMBERSHIP

Further to clause 6.2 (Part B) of these minutes, the Board **resolved** to approve the appointment of Mr Chris Muirhead to the Duvauchelle Reserve Management Committee.

14.2 ROBINSONS BAY RESERVE MANAGEMENT COMMITTEE - MEMBERSHIP

Further to clause 6.4 (Part B) of these minutes the Board **resolved** to approve the appointments of the following people to the Robinsons Bay Reserve Management Committee:

Pip Archdall
Lyn Rhodes
Tracey Foley
Ken Elliot
Jeanette Elliot.

15. BEACH ROAD - PROPOSED P5 LOADING ZONE - GOODS VEHICLES ONLY

The Board considered a report seeking its approval that a P5 Loading Zone - Goods Vehicles Only be installed on the southern side of Beach Road.

The Board **resolved**:

- (a) To revoke the following parking restrictions: That the parking of vehicles currently restricted to a maximum period of 60 minutes (No Campervans) Monday to Sunday (1 October to 30 April 9am to 5pm) on the eastern side of Beach Road commencing at a point 75 metres north-east of its intersection with Church Street and extending in a north-easterly direction for a distance of 37 metres, be revoked.
- (b) That a time limited Loading Zone - Goods Vehicles Only (maximum period of 5 minutes) be installed on the eastern side of Beach Road commencing at a point 105 metres north-east of its intersection with Church Street and extending in a north-easterly direction for a distance of seven metres.
- (c) That the parking of vehicles be restricted to a maximum period of 60 minutes (No Campervans) on the southern side of Beach Road commencing at a point 75 metres north-east of its intersection with Church Street and extending in a north-easterly direction for a distance of 24 metres. This restriction is to apply to Monday to Sunday (from 1 October to 30 April between the hours of 9am to 5pm).

16. APPLICATION TO DISCRETIONARY RESPONSE FUND - DUVAUCHELLE SCHOOL SUPPORT GROUP

The Board considered a report requesting funding from the Duvauchelle School Support Group to the Board's 2009/10 Discretionary Response Fund.

The Board **resolved** to decline the request of \$2,000 from its 2009/10 Discretionary Response Fund from the Duvauchelle School Support Group as the building is owned by, and located on, Ministry of Education land.

17. ESTABLISHMENT OF AN AKAROA/WAIREWA YOUTH DEVELOPMENT SCHEME 2009/10

The Board considered a report seeking its approval to set aside \$2,000 from its 2009/10 Discretionary Response Fund for the purpose of establishing a Youth Development Scheme.

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The Board **resolved** to:

- (a) Establish a Youth Development Scheme for the 2009/10 year.
- (b) Approve the transfer of \$2,000 from the Akaroa/Wairewa Community Board's 2009/10 Discretionary Response Fund to the Akaroa/Wairewa Youth Development Scheme, with any unallocated balance as at 31 March to be returned to the Discretionary Response Fund.
- (c) Adopt the following guidelines when considering applications to the Akaroa/Wairewa Youth Development Fund:
 - Personal Development and Growth - For example leadership training, career development, Spirit of Adventure, extra curricular educational opportunities.
 - Representation at Events - Applicants can apply for assistance if they have been selected to represent their school, team or community at a local, national or international event or competition. This includes sporting, cultural and community events.
 - Age groups 12-20 years shall generally apply
 - Projects must have obvious benefits for the young person and if possible the wider community.
 - Only one successful application per applicant permitted per year.
 - Applicants should be undertaking other fundraising activities and not relying solely on Community Board support.
 - Successful applicants will be required to report back on their experiences and benefits to the Community Board.

18. AKAROA DESIGN AND APPEARANCE ADVISORY COMMITTEE - 8 JUNE 2009

The Board **received** the minutes of the Akaroa Design and Appearance Advisory Committee meeting held on 8 June 2009 but noted that the consultants carrying out the Akaroa Character Study should also meet with committee member John Davey.

The meeting concluded at 2.05pm.

CONFIRMED THIS 12TH DAY OF AUGUST 2009

**STEWART MILLER
CHAIRMAN**

‘Wairewa/Lake Forsyth Memorandum of Understanding’

1. Parties

1.1. The parties signing this MOU are Wairewa Runanga Inc and the government agencies with a statutory responsibility for Wairewa/Lake Forsyth and its environs; namely Department of Conservation, Canterbury Regional Council and Christchurch City Council

2. Purpose of MOU

2.1. The MOU is an expression of the present and future shared intent of the Parties to work together for the benefit of Wairewa/Lake Forsyth and its environs. The MOU develops relationships to promote and enable agreements and collaborative efforts to achieve common goals.

3. Shared Vision

3.1. The Parties wish to see Wairewa/Lake Forsyth and its environs functioning as a healthy and productive lake and ecosystem, so that Wairewa/Lake Forsyth and its surrounding area exemplifies coordinated efforts and achievements to protect and enhance biodiversity, recreational opportunities and cultural and community wellbeing.

4. The Cultural and Statutory Context

4.1. Wairewa Runanga:

Te Roto o Wairewa is the only customary lake in the South Island- it is unique to Ngai Tahu. The only other customary lake in New Zealand is Lake Horowhenua in the North Island. Wairewa Runanga is one of the eighteen Ngai Tahu Papatipu Rūnanga as described in the first schedule of the Ngāi Tahu Settlement Act and the traditional Kaitiaki (guardian) of Te Roto o Wairewa/ Lake Forsyth. Wairewa Runanga is committed to rehabilitating the lake.

(For more detail please see Appendix 1)

4.2. Department of Conservation:

The Department of Conservation has responsibility for administering and implementing the provisions of the Conservation Act 1987, Reserves Act 1977, Wildlife Act 1953 and associated amendments and regulations. The bed of the lake is defined as Conservation Area under part 3 of the Conservation Act and is managed through the Department's Mahaanui Area Office in Christchurch.

4.3. Canterbury Regional Council:

The Canterbury Regional Council (Environment Canterbury) has the statutory responsibilities of managing the land, air and water quality in Canterbury, including the Wairewa area. This is achieved through managing resource consents, setting rules in plans around activities affecting the environment, investigating and monitoring environmental variables and working with stakeholders and community to achieve environmental aims. Legislation enabling these responsibilities includes the Resource Management Act (1991) and the Local Government Act (2002).

4.4. Christchurch City Council:

Christchurch City Council has responsibility for Wairewa / Lake Forsyth and its environs under legislation including the Local Government Act (2002) and the Resource Management Act (1991). The Reserves and Other Lands Disposal Act (1955) sets out Council's responsibilities and powers in relation to landholding adjacent to the lake.

5. Principles of Relationship

5.1 An open and communicative relationship will be fostered between all Parties to develop trust, cooperation and mutual benefits.

5.2 The Parties agree to act reasonably toward each other in good faith, respecting areas of independence, difference and confidentiality, while seeking to maximise, where appropriate, mutually beneficial approaches to Wairewa/Lake Forsyth and its environs.

5.3 The Parties agree to identify and discuss matters of contention as early as practicable to enable opportunity for early resolution. Similarly, the parties agree to identify and discuss areas of opportunity as early as possible to optimise joint-working options.

5.4 This MOU is affirmative action under the Treaty of Waitangi.

5.5 The Parties recognise that this is the start of a long term approach to build a collaborative working relationship step by step in order to achieve mutual goals for the benefit of Wairewa/Lake Forsyth and its environs.

6. Relationship Areas

6.1. This MOU provides an overarching framework, beneath which specific implementation of activities will take place via a range of mechanisms; some of which are active or in development now, some of which are ideas for future discussion and action. The mechanisms include, but are not exclusive to, legal agreements, contracts and joint management plans. In the future they may include any other joint approaches deemed appropriate by all Parties.

7. Anticipated Matters

7.1. It is expected that many matters of relevance to the management of Wairewa/Lake Forsyth and its environs will arise and be addressed under this MOU. They may include:

- Agreement between Christchurch City Council and Wairewa Runanga related to the opening of Wairewa/Lake Forsyth
- Leasehold land agreements
- Commercial use of the fishery
- Joint Management Plans
- Capacity and resourcing
- Approaches for water quality management
- Recreational use of the lake
- New approaches for multi-agency collaboration
- Collaboration with other interested parties as opportunities arise

8. Term

8.1. The term of this MOU is 10 years from initial signing, with a full review within 5 years of signing. Annual assessments will be undertaken (see below) to ensure that the principles of the MOU are being upheld by all Parties.

9. Legal Status

9.1. The MOU is a non-binding statement of intent from all parties.

10. MOU Delivery and Monitoring

- 10.1. An annual meeting of an MOU working party will be convened at Christchurch City Council offices to discuss the application of the MOU and make recommendations about ways to further implement its principles.
- 10.2. Representatives from both Parties will make up the working party as follows:
- Wairewa Runanga – Chairman (or delegated substitute)
 - Department of Conservation – Area Manager Mahanui Office (or delegated substitute)
 - Canterbury Regional Council – Director of Investigation and Monitoring (or delegated substitute)

 - Christchurch City Council – Programme Manager, Healthy Environment (or delegated substitute)
 - MKT – Manager (or delegated substitute)
 - Advisors to each representative will attend as deemed appropriate.
- 10.3. The annual meeting will discuss progress and achievements related to the purpose and principles of the MOU as reflected in any formal or informal operational achievements undertaken in the 12 months prior to the meeting.
- 10.4. It will review the effectiveness of the MOU and seek ways to enhance the relationships between the parties.
- 10.5. It will disseminate information about discussions and agreements between any of the parties, relevant to Wairewa/Lake Forsyth.
- 10.6. The local community will be informed of achievements related to the principles and purpose of the MOU after the annual meeting.

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APPENDIX 1 – Statement by Wairewa Runanga

Te Upoko o Tahumaata te mauka, Okana te awa, Wairewa Te Roto, Kati Mako, Ngati Irakehu oku hapu,
 Tahumaata is the mountain
 Okana is the river
 Wairewa is the lake
 Kati Mako and Irakehu are the hapu

According to Ngai Tahu traditions the Waitaha lit the first fires of occupation arriving in the mighty waka Uruao led by Rākaihautū. Shortly after his arrival Rākaihautū decided to make the land more habitable for those that followed. Using his mighty magic Ko (digging stick) he carved out the great southern lakes and finished his works with Te Roto o Wairewa /Forsyth on the peninsula.

When he surveyed his works on the peninsula he was so impressed with its beauty he decided to stay. So he took up his mighty Ko one final time and drove it into the ground high above Akaroa Harbour where it turned into Tuhiraki or as some know it Mt Bossu and there it remains to this day

In his honour and in recognition of the abundance of mahinga kai (food) on the peninsula up until quite recently the people named the peninsula te Pātaka o Rākaihautū – the great store house of Rākaihautū.

Te Roto o Wairewa can be translated as rising waters. Its name is a direct reference to the tides that rose and fell twice a day. For approx 7000 years it was an estuary with an [estuarine](#) environment and was renowned for its thriving fishery. Estuaries were the life force of our ancestors; they lived camped and visited estuaries throughout the Ngai Tahu tribal area. Gathering, netting, fishing and digging for the riches only an estuarine environment can provide. Where the oceans meet the rivers the nutrients from the land and the sea combine in a rich tapestry of life. It was the place where you found Pūtangitangi and Pāpango, Inaka and Patiki, Tuna and Kahawai, Kokapu and Tuaki. Wairewa was no exception in fact it was famous for its mahinga kai. Core sampling undertaken in the lake recently produced evidence of large scallop beds.

The fishery and other associated foods water fowl were a taonga (treasure) of Ngai Tahu and Wairewa was famous for the quality and quantity of its mahinga kai that sustained the people. Mahinga kai (working the food) was the currency of the people. The regular exchange of foods between different areas and hapu (collections of families descending from eponymous ancestors) was known as Kai hau kai. Kai hau kai, were the quintessential social, political and economic events. According to The Waitangi Tribunal, mahinga kai was the most emotionally charged issue of the Ngāi Tahu Claim. The loss of mahinga kai gathering areas affected the economic, spiritual and cultural position of the people. The Waitangi Tribunal recommended in respect of Te Roto o Wairewa that a management plan be prepared, involving Ngāi Tahu as part of the decision making process along with the Department of Conservation, Regional Authority, Ministry of Agriculture and Fisheries, for the improvement of the water quality, with the Crown providing the same resources as recommended in respect of Lake Waihora.

This never happened but even if it did it is doubtful that a conventional management plan is what was needed. To save our lake action is required. In respect of the tuna fisheries the clock has been ticking for decades. Due to the increasing barrier beach at Kaitorete Spit, the elver (juvenile eel) have been unable to enter the lake in the quantities required to sustain the fishery.

All this changed quite rapidly when the estuary mouth closed in the 1880's (circa). The closure was accelerated by the deforestation of the major catchments to the south the Rakaia, Rangitata, and Waitaki. Removing the forests meant more gravel than usual entered the system through erosion and was transported up the coast and deposited where the estuary was open to the sea. This is a natural process but happened prematurely. Kaitorete Spit was no longer a spit but became a barrier beach. The fish no longer had free passage and the nutrients that once streamed into the ocean acting as a beacon for the Whales, Elva, Patiki and other species was shut down. The lake began to die and along with it the traditional fisheries. The nutrients that once flowed to the sea were trapped along with the sediment washed from the hills as a result of the deforestation of the Wairewa Catchment. As a result of the closure and sedimentation the lake is unable to breathe and the links in the food chain have been displaced. The water body has become over nutrified and reacted by growing Nodularia Spumigena (blue green algae) that blooms and produces Nodularia r a cyanotoxin deadly to pets, livestock and humans, during the summer months, impacting negatively on all lake interaction. During these blooms we have approx 5.4 billion litres of dangerously degraded water on Canterbury's door step. No real value has been attached to the lake for over a 100yrs or since it was once the Canterbury Rowing Regatta venue of choice.

However Te Roto o Wairewa is the only customary lake in the South Island- it is unique to Ngai Tahu. The only other customary lake in New Zealand is Lake Horowhenua in the North Island. Wairewa Runanga is one of the eighteen Ngai Tahu Papatipu Rūnanga as described in the first schedule of the Ngāi Tahu Settlement Act and the traditional Kaitiaki (guardian) of Te Roto o Wairewa/ Lake Forsyth.

Wairewa Runanga is committed to rehabilitating this lake and has embarked on a project to test the feasibility of reinstating a permanent opening as a means to breathing new life into the water body and changing the lake from a liability to an asset for all of Canterbury.

This is not a new idea, a permanent opening was first discussed in the 1930s. In December, 1937 an agreement was signed between the Minster of Works and Wairewa County Council for the government to carry out the construction of a permanent outlet for Lake Forsyth. This was dependent on the council raising £5,000 against a budget of £16,000. The £5,000 was raised and held by Council. Unfortunately the war intervened, costs escalated and post war the Government decided it was too expensive.

Nowadays when the lake is opened mechanically the good new clean water entering the system is lost and the "wai kino" (bad water) remains. The status quo that has remained in place for over 100 years has not improved the health of the lake and the once thriving fishery is now in critical decline.

Wairewa Runanga and Christchurch City Council are now entering a partnership that involves a joint Resource Management Consent to mechanically manage the lake level. This relationship will be governed by Councils Statuary obligations and an MoU between the partners.