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Committee Council
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Memorandum of Understanding for the Parangarahu Lakes Area

1. Purpose

To seek endorsement of a Memorandum of Understanding between Greater Wellington Regional Council and the Port Nicholson Block Settlement Trust for management of the Parangarahu Lakes Area.

2. The decision-making process and significance

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002. Part 6 sets out the obligations of local authorities in relation to the making of decisions.

2.1 Significance of the decision

Part 6 requires Greater Wellington to consider the significance of the decision. The term 'significance' has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance. In coming to this view, officers recognise that the matters referenced in this report may have a high degree of importance to affected or interested parties and the Council.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

3. Background

The Parangarahu Lakes Area includes Lakes Kohangapiripiri and Kohangatera and the Parangarahu Recreation Reserve (which forms part of East Harbour Regional Park). East Harbour Regional Park is administered and managed by Greater Wellington. Greater Wellington is the fee simple owner of the

Parangarahu Recreation Reserve. A map of the Parangarahu Lakes Area is appended as **Attachment 2**.

On 19 August 2008 Port Nicholson Block Settlement Trust (PNBST) executed a Deed of Settlement with the Crown in settlement of a number of historical claims in respect of the Port Nicholson Block. The Port Nicholson Block (Taranaki Whanui ki Te Upoko o Te Ika) Claims Settlement Act 2009 came into force on 5 August 2009.

The Deed of Settlement provides for:

- The fee simple estate in the land forming the beds of Lakes Kohangapiripiri and Kohangatera, and the esplanade strips that surround each lake to be vested in PNBST. PNBST granted a conservation covenant over the Lakebeds and the Adjacent Land.
- The Crown to retain ownership of the water column and airspace above Lakes Kohangapiripiri and Kohangatera.

The Water Column and Airspace is classified as a scientific reserve, controlled and managed in accordance with section 21 of the Reserves Act 1977, and Greater Wellington was appointed as the Administering Body (in terms of the Reserves Act 1977) of the Scientific Reserve.

4. The draft Memorandum of Understanding

Officers of Greater Wellington and PNBST have held discussions in relation to our future relationship, and the manner in which the Parangarahu Lakes Area will be collaboratively managed. Discussions have resulted in the development of a draft Memorandum of Understanding, which is set out in **Attachment 1**.

The purpose of the draft Memorandum of Understanding is to set out how Greater Wellington and PNBST will collaboratively prepare a management plan for the Parangarahu Lakes Area and maintain an effective relationship.

Key matters proposed in the draft Memorandum of Understanding are:

- The parties will collaboratively work on and contribute to the establishment and implementation of the management plan for the Parangarahu Lakes Area.
- An operational group (Roopu Tiaki) will be established, tasked with developing a management plan and recommending annual work programmes.
- All funding in respect of the ongoing repairs and maintenance of the Reserve will be the responsibility of the Council, subject to budget availability through the Long Term Plan and annual plans.
- The Chair of the Council and the Chairman of PNBST will meet on an annual basis to discuss progress with the plan and other issues of mutual interest in the Parangarahu Lakes Area.

- The Memorandum of Understanding will be reviewed upon the adoption of the management plan, after which the parties shall review it every three years.

5. Process

Port Nicholson Settlement Trust has a Trustees meeting on the 7th of March 2012. The draft Memorandum of Understanding is being presented to the Trustees at that meeting and their endorsement sought.

Subject to the Memorandum of Understanding being endorsed by both parties, a signing ceremony will be arranged.

6. Communication

The signing ceremony will be organised in conjunction with PNBST. Communications about the Memorandum of Understanding and the signing ceremony will be considered as part of ceremony organisation.

7. Recommendations

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Endorses the Memorandum of Understanding set out in Attachment 1, subject to any changes agreed at the meeting.*
4. *Delegates to the Chair the authority to make minor changes to the Memorandum of Understanding in response to feedback from Port Nicholson Block Settlement Trust.*
5. *Delegates to the Chair the authority to sign the Memorandum of Understanding on behalf of the Council.*

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