ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 1:30pm Date: Wednesday, 11 November 2020 Venue: Ngake (16.09) Level 16, Tahiwi 113 The Terrace Wellington

PRESENT

Mayor Foster Councillor Calvert Councillor Condie Councillor Day Councillor Fitzsimons Councillor Foon Deputy Mayor Free Councillor Matthews Councillor Matthews Councillor O'Neill Councillor Pannett Councillor Pannett Councillor Paul (via audio-visual link) Councillor Rush Councillor Sparrow Councillor Woolf Councillor Young

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 1:32pm with the following karakia.Whakataka te hau ki te uru,Cease oh winds of the westWhakataka te hau ki te tonga.and of the southKia mākinakina ki uta,Let the bracing breezes flow,Kia mātaratara ki tai.over the land and the sea.E hī ake ana te atākura.Let the red-tipped dawn comeHe tio, he huka, he hauhū.with a sharpened edge, a touch of frost,Tihei Mauri Ora!a promise of a glorious day

1.2 Apologies

No apologies were received.

1.3 Announcements by the Mayor

The Mayor acknowledged that it was Armistice Day and members stood for a moment of silent reflection.

1.4 Conflict of Interest Declarations

No conflicts of interest were declared.

1.5 Confirmation of Minutes

Moved Mayor Foster, seconded Councillor Sparrow the following motion

Resolved That the Council:

1. Approve the minutes of the Ordinary Council Meeting held on 28 October 2020, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young <u>Against:</u>

None

<u>Absent:</u>

Deputy Mayor Free

Majority Vote: 14:0

Carried

1.6 Items not on the Agenda

There were no items not on the agenda.

The meeting adjourned at 1:36pm and reconvened at 1:40pm with all the members present. (Deputy Mayor Free joined the meeting during the adjournment)

Challenge to Chairperson's Ruling on Standing Order 20.11

The Chairperson's ruling on standing order 20.11 Personal Explanation was challenged which required a vote. A 75% majority of the members present and voting was required, as per standing order 16.3.

A division was required under standing order 27.6, voting on which was as follows:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Paul

Against:

Mayor Foster, Councillor Calvert, Deputy Mayor Free, Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 7:8

Lost

The meeting adjourned at 1:43pm and reconvened at 1:46pm with all the members present.

Councillor Condie tabled a document related to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7 Public Participation

1.7.1 Thomas Wutzler and Mary Anderson - Enterprise Miramar Peninsula Inc

Representing Enterprise Miramar Peninsula Inc, Thomas Wutzler and Mary Anderson spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.2 Earl Hope Pearson – The Wellington Company/Shelly Bay Taikuru Limited Representing The Wellington Company and Shelly Bay Taikuru Limited, Earl Hope Pearson spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.3 Syd Mepham and Anaru Mepham – Mau Whenua Inc

Representing Mau Whenua Inc, Syd Mepham and Anaru Mepham spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.4 Victoria Heine

Representing the plaintiffs of the High Court case including Mau Whenua Inc, Victoria Heine spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.5 Craig Stevens

Representing Sir Peter Jackson and Dame Fran Walsh, Craig Stevens spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.6 Randall McDonnell

Randall McDonnell spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.7 Hannah Higgison

Hannah Higgison spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.8 Sally Dossor

Sally Dossor spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.9 Patrick Morgan – Cycle Wellington, Mark Coburn – Port Nicholson Poneke Cycle Club, and Russell Tregonning – The Great Harbour Way Trust

Representing Cycle Wellington, Patrick Morgan, representing Port Nicholson Poneke Cycle Club, Mark Coburn, and representing The Great Harbour Way Trust (Te Aranui O Poneke), Russell Tregonning spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.10 Kura Moeahu – Te Runanga o Te Atiawa

Representing Te Runanga o Te Atiawa, Kura Moeahu spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.11 Liz Mellish - Wellington Tenth Trust

Representing Wellington Tenth Trust, Liz Mellish spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.12 Richard Burrell – Building Solutions

Representing Building Solutions, Richard Burrell spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.13 Darcy Nicholas

Darcy Nicholas spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7.14 Derek Kawiti - Te Motukairangi Design Group

Representing Te Motukairangi Design Group, Derek Kawiti spoke to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

1.7 Tabled Documents at Public Participation

Attachments

- 1 Enterprise Miramar Peninsula Inc
- 2 Craig Stevens Presentation
- 3 Craig Stevens
- 4 Kura Moeahu Te Runanga o Te Atiawa
- 5 Derek Kawiti Te Motukairangi Design Group

(Councillor Day left the meeting at 3:04pm) (Councillor Day returned to the meeting at 3:06pm)

The meeting adjourned at 3:32pm and reconvened at 3:51pm with all the members present.

(Councillor Paul left the meeting at 4:28pm) (Councillor Paul returned to the meeting at 4:30pm) (Councillor O'Neill left the meeting at 4:10pm) (Councillor O'Neill returned to the meeting at 4:11pm)

The meeting adjourned at 5:52pm and reconvened at 5:58pm with all the members present.

2. General Business

2.1 Shelly Bay - Key Commercial Terms of Proposed Development

Secretarial note: Representatives from the Port Nicholson Block Settlement Trust (PNBST), Toarangatira Pomare, Chair of Taranaki Whānui Limited and Trustee PNBST, Jamie Tuuta, Director Taranaki Whānui Limited, Huia Puketapu, Trustee PNBST, Lisle McErlane, Commercial Advisor to Taranaki Whānui Limited, Kara Dentice-Puketapu, member PNBST, Maiora Puketapu-Dentice, member PNBST and Kirsty Tamanui, General Manager Business Services & Operations, spoke prior to debate on the item.

Meeting duration

Moved Mayor Foster, seconded Councillor Day, the following motion

Resolved

That the Council:

1. Agree to continue the meeting beyond the six hours limit as per standing order 11.7.

A division was required under standing order 27.6, voting on which was as follows:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

None

Majority Vote: 15:0

Carried

The meeting adjourned at 6:54pm and reconvened at 7:36pm with all the members present.

The meeting adjourned at 7:57pm and reconvened at 7:59pm with all the members present.

Moved Mayor Foster, seconded Councillor Day, the following motion

Resolved

That the Council:

- 1. Receive the information.
- 2. Note that in September 2017, following a public consultation process the Council made several resolutions, as per Attachment 1. The key resolutions included:
 - a) agreement in principle to the sale and lease of Council land at Shelly Bay;

- b) instruction to officers to negotiate the terms of a development agreement;
- c) delegation of authority to the Chief Executive Officer and Deputy Mayor to finalise and execute the relevant agreements;
- d) instruction to officers to investigate the potential for any future upgrade to Shelly Bay Road.
- 3. Note that in July 2019 the (then) Chief Executive Kevin Lavery announced that the authority delegated to him by Council to finalise and execute the agreement would not be exercised and officers would report back to the Council.
- 4. Note that, in accordance with the Council resolutions and the commitment made by the (then) Chief Executive, officers have negotiated the proposed Key Commercial Terms which (if approved) would form the basis of a development agreement.
- 5. Approve the Key Commercial Terms as set out in Column A of Table 1 of this paper.
- 6. Note that the land transfer payments from the sale and lease of Council land at Shelly Bay are expected to repay borrowings in accordance with the Revenue and Financing Policy.

If the Key Commercial Terms are approved in accordance with recommendation 5, that the Council:

- 7. Note that (as per resolution 'xii' of the September 2017 Council report) officers will proceed to prepare a development agreement outlining the principal commercial and legal terms of a sale and lease agreement.
- 8. Delegate to the Chief Executive Officer the authority to finalise and execute the relevant agreement(s) based on the Key Commercial Terms approved by the Council;
- 9. Approve the following resolutions required to give effect to the Key Commercial Terms:
 - a) Make the declarations set out in Attachment 2 schedule of land decisions, pursuant to the Public Works Act 1981.
 - b) Alter the resolutions of 27 September 2017 as follows:
 - i. Amend the references to Shelly Bay Limited ('v', 'vi', and 'xii'.) to Shelly Bay Taikuru Limited, consistent with the KCTs.
 - ii. Amend reference to the Council's Chief Executive Officer and the Deputy Mayor ('xiii') to Council's Chief Executive Officer, in accordance with recommendation 8.
 - c) Approve the remission of Development Contributions in respect of the development.
- 10. Note that, except as revoked or altered by resolutions at this meeting, the resolutions set out in the September 2017 paper remain in force.
- 11. Note the approach to engagement on Shelly Bay Road as set out in the Shelly Bay Road section from paragraph 72 of this report.

If the Key Commercial Terms are not approved in accordance with recommendation 5 then the Council:

12. Note that the developer currently holds a resource consent relating to privately owned land and land owned by Wellington City Council. If the proposed sale and lease of Council land does not proceed the development parties may apply for a variation of the resource consent which (if approved) could allow development to proceed without Council owned land.

- 13. Note that officers will be required to prepare a report to the Council detailing:
 - a) Any resolutions (including those from September 2017) that need to be altered, and/or revoked.
 - b) The future commitments in respect of any proposed Council upgrades to Shelly Bay Road.
 - Proposals to deal with the repair, maintenance and/or future use of the existing c) structures and consideration of any long-term plan funding required.

A division was required under standing order 27.6, voting on which was as follows:

For:

Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Young Against:

Mayor Foster, Deputy Mayor Free, Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf

Majority Vote: 9:6

Carried

Moved Councillor Young, seconded Councillor Sparrow, the following procedural motion

That the motion under debate be now put.

A division was required under standing order 27.6, voting on which was as follows:

For:

Councillor Calvert, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Sparrow, Councillor Young

Against:

Mayor Foster, Councillor Condie, Councillor Foon, Deputy Mayor Free, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf

Majority Vote: 7:8

Lost

Secretarial note: A 75% majority of the members present and voting was required, as per standing order 25.3.

Secretarial note: Councillor Foon tabled a document related to item 2.1 Shelly Bay – Key Commercial Terms of Proposed Development.

Attachments

- 1 Councillor Condie tabled document
- 2 Councillor Foon tabled document

The meeting concluded at 8:47pm with the reading of the following karakia:

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana, te wairua	Draw on the supreme sacredness To clear, to free the heart, the body
l te ara takatū Koia rā e Rongo, whakairia ake ki runga Kia wātea, kia wātea Āe rā, kua wātea!	and the spirit of mankind Oh Rongo, above (symbol of peace) Let this all be done in unity

Authenticated:

Chair

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTE ITEM ATTACHMENTS

Time:	1:30pm
Date:	Wednesday, 11 November 2020
Venue:	Ngake (16.09)
	Level 16, Tahiwi
	113 The Terrace
	Wellington

Business

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Te Motu Kairangi

Enterprise Miramar Peninsula Inc



Enterprise Miramar

Established 2006 1st Wellington BID (Business improvement district) Volunteer board – dedicated to furthering Miramar and the Peninsula Work to enhance prosperity, safety, and security

MOU – WCC & EMPI

Signed 21 March 2014 Accountability:

- Trust based relationship
- No surprises approach
- Open Communication
- Commitment to future planning and capacity building

The Council regrettably has not lived up to this promise

A Vision for the Peninsula

957people answered our survey

What did people like most about the Peninsula?



The survey asked:

What do you like least about the Peninsula ?

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Main concerns

- Process cut out community
- Traffic congestion
- Impacts on recreation
- Cost to fix Shelly Bay Road
- Climate change
- Council conduct

Process

Cut out the community

Hamstrung by your bad SHA decision

As the Council – as the landowner - you could have done more

Why have you not carried out your own review of process

Daylight is the best disinfectant

SHA also encompasses the Council land

Traffic congestion

Try leaving the Peninsula at 3pm?

Try leaving in the morning?

Traffic impacts have not been been modeled

Impacts on recreation

Remarkable that the Council might support this as it stands

There is no road in Wellington that is comparable

You are a 'walking and cycling' Council - everywhere but Shelly Bay Road !

If the project goes ahead - the impact on recreation - will be devastating

Especially when someone gets killed or hurt badly

The only way to stop this will be:

- to spend \$
 OR
- for cycling to stop

Cost to fix Shelly Bay Road

'I want this Council to be on notice that **we're going to have to spend a lot of money** to make a decent and safe road and we're going to have to do that sensitively to the natural values of the site....

We simply must have better access and so that people continue to enjoy the amenity of this very special part of

Wellington'.

Cr Free – Council debate - 27 September 2017

Cost to fix Shelly Bay Road – cont.

It will cost - a lot !

No attempt to (openly) estimate the cost

Marine Drive (Eastbourne \$30M)

Condition x – <u>NZTA Guidelines as a minimum</u>

Condition x is not just about talking – it's about making this right



Sea Level Rise – Storm events

Tonkin & Taylor report commissioned for WCC June 2013

Impacts:

The Coastal Road from Miramar north around Point Halswell to Seatoun may be inundated in localised areas even with the lowest sea level rise scenario of a 0.6m rise

Two main intervention options:

- Managed retreat
- Road raising with accompanying seawalls

WCC response:

- Encourage development at Shelly Bay
- Mitigation: garages on the ground floor

Sea Level Rise – Storm events - cont

There will be issues:

- Storm surges
- Inundation of wastewater and stormwater infrastructure
- Road access expectations

Get ready for the wave of new litigation

Councils are always the 'last man standing'

You can't wind yourself up like everyone else

Council conduct - this past year

Kevin Lavery promised a re- consideration of Shelly Bay 'with all information' including the upgrade, costs and funding for Shelly Bay Road

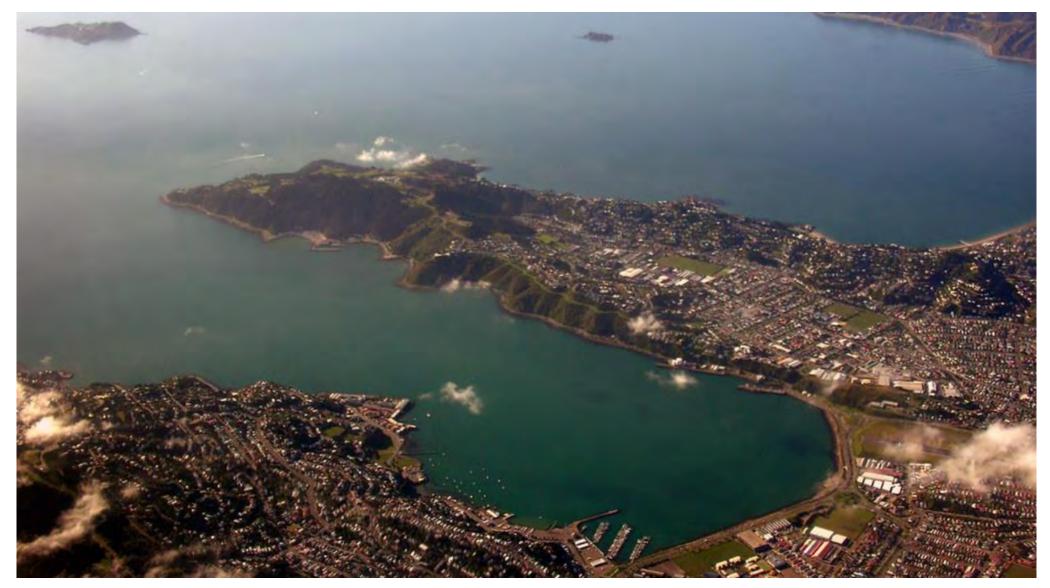
We took him at his word

So did voters

We are all being ignored

What Enterprise Miramar wants from the Council ?

- 1. A Council that acts in the best interest of Wellington
- 2. A Council that is brave and admits it has made mistakes
- 3. A Council that listens and responds
- 4. A Council that unifies this community











SHELLY BAY - KEY COMMERCIAL TERMS OF PROPOSED DEVELOPMENT

Synopsis on behalf of Sir Peter Jackson and Dame Fran Walsh Wellington City Council Meeting 11 November 2020

1. There is no agreement with Developer

Court of appeal:1

It should also be recorded that no binding legal agreement has been entered into between the Council and TWCL, committing the Council to sell the land necessary for TWCL to proceed with the project as proposed. The Council has wisely decided to avoid such obligations at this stage.

2. Shelly Bay - Integrated project.

Two issues related to "An Integrated masterplan for Shelly Bay"

- Council must consider relevant matters, which in this case are particularly roading/pathways and sea level rise. A court would consider relevant matters that were not considered on any judicial review.
- Council "only" owns 10% of the land WCC is an enabler "off ramp" doesn't resolve this when TWC can on-sell at any time.

Analogy: Councillors are being taken blindfolded to a pool and told dive in – but not told how deep the water is, or even if there is any water in the pool. Q & A showed this can't be an informed vote on an integrated development.

It is also not "a partnership between TWC and PNBST".² It does not meet this key 2017 strategic outcome.³ Instead Council is supporting a private developer's interests through:

- 1. Not requiring 100% development contribution.
- 2. Ratepayers will wear road upgrade New initiative Request \$2-20m.4
- Alienating the public's estate which is critical to enable TWC to proceed.

Road is absolutely integral to the commercial terms for any sale and lease – history of this before the council shows this. Resolution 27 September 2017

x. Request officers to further investigate, including key stakeholder engagement, the upgrade of Shelly Bay Road between Miramar Avenue and Shelly Bay, <u>comprising options that more closely aligns to New Zealand Transport Agency</u> <u>guidance as a minimum</u> and the Great Harbour Way plan as an aspiration, which aims to deliver a safer and more inviting environment for walkers, cyclists and other users.

Steve Spence email shows why 6m +3m was "a practical minimum"⁶- yet was cut back when free and frank advice of officers was supressed.

⁴ Shelly Bay Road - New Initiative Request for funding for the Shelly Bay Governance Group.

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¹ Enterprise Miramar Peninsula Inc. v Wellington City Council & Anor [2018] NZCA 541at [81]

² Officers' Report, p7 at para 2

³ Officers' Report, p11 at para 33 Confirmation that the strategic out comes that formed the rational for the 2017 decision are still valid ...

⁵ Steve Spence email 18/8/16 – based on his assessment of needs for recreation, WCC's Code of Practice and NZS 4404:2010

No traffic advice in the Report nor at the Q & A. Claims that questions couldn't be answered were extremely exaggerated e.g. What is the NZTA's guidance? It is 3.5m for a mixed use path.⁶ What is your typical width?

The Great Harbour Way is recognised in numerous Council policies. It is not credible that this development is consistent with Council policies which supports a hierarchy for pedestrians, then cyclists and then vehicles.⁴

S80 LGA 2002:

- If a decision of a local authority is significantly inconsistent with ... any policy ... the
- local authority must, when making the decision, clearly identify-
- (a) the inconsistency, and
- (b) the reasons for the inconsistency, and
- (c) any intention of the local authority to amend the policy or plan to accommodate the decision.

Reinforce sea level rise through the development agreement:

viii <u>Request officers to reinforce and encourage stronger mitigation</u> and adaptation measures to respond to the effects of climate change, such as sea level rise, through the development agreement negotiations and through the detailed design and review process.

Low point of Q&A - "garages are more floodable than living rooms".

Dealing on a fully informed basis was assured by the Chief Executive, on 11 July 2019. He wrote to all Councillors and included ⁵

- (b) The key terms of the transaction that Council proposes entering into in respect of the development, including the counter parties;
- (d) the timeframe, scope and funding of further work in respect of Shelly Bay Road. This will ensure that the Council has an opportunity to consider the

transaction with all relevant factors before them, as was the case on 27 September 2017.

Judicial review as to proper decision making include the Court examining relevant considerations that are excluded from the decision making.

The vote is therefore not just what the officers choose to bring back before the Council but what they exclude to bring back to Council.

Graig Stevens, 11 November 2020.

^{*} https://www.nzta.govt.nz/assets/resources/pedestrian-planning-quide/docs/chapter-14.pdf, tbl 14.13 * Adopted in Urban Growth Plan 2015 and subsequently

⁸ https://wellington.govi.nz/your-council/projects/shelly-bay-development - Chief Executive response to the Notice of Motion from Cr Foster - 11 July 2019.

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My name is Kura Moeahu. I am the chairman of Waiwhetu Marae, being one of three ahikă marae.

I am also the chairman Te Rünanganui o Te Ätiawa ki te Upoko o te Ika a Maui Inc; Äti Awa Toa FM; and Waiwhetu Pā Reservation No.4 being the last parcel of land controlled and still in hapū ownership.

The following whakatauäki confirms our permanent existence and continuation of ahikāroa.

"Te Āti Awa tupua rau.

He auripo i te manganui, he ahikāroa ki te whenua"

(Te Āti Awa of a hundred phenomenon's. As there are swirls in the greater waters, there is continued fires of occupation on the land)

The following quotation was uttered by the first Pacific navigator to these shores. On entering the harbour for the very first time, Kupe of the Matawhaorua canoe uttered his famous saying *"Kua kā kē ngā ahī"*, translated as the fires of occupation were already a light reaffirming our existence was well established well before the arrival of the waka migrants.

Since that time the people of Waiwhetu have maintained and continue to this day to uphold the practices of "... ahikā o te mana whenua o tēnei takiwā", which means we have and continue to keep the home fires burning of the mana of the land within our tribal boundaries.

You may ask why a representative of Waiwhetu is having a say here in this forum. It is because, we were ahikā of Pipitea Kainga until shunted and forced off the land. That land today is one of the richest suburbs within the Wellington Central business district, Thorndon Quay.

Secondly, five councils live in my backyard. So when issues that have an impact on either the Upper Hutt, Lower Hutt, Wellington, Porirua City Councils or the Wellington Regional Council, I have a right to speak as these councils reside within Te Ati Awa takiwa.

Waiwhetu marae is the only tuturu papakainga that continues to uphold the practices of ahikā of Te Āti Awa. Attachment 1 outlines the various terms, an explanation and the Te Aka dictionary definition of the term Ahikā.

The practice of ahikâ that I refer to are those who continually support the three mana whenua marae regularly expressing their Te Āti Awatanga daily on either Te Tatau o te Põ Marae, Waiwhetu marae or Pipitea Marae.

The only uniqueness that makes us different from any other entity is the practices of our cultural expression and Tikanga of Te Ati Awa. Take our cultural expression away we are merely just another organisation fighting for a position.

Our cultural identity and expression have been maintained and learnt on our Marae where we live and practice them daily. The people of Waiwhetu continue to practise ahikā as we did on Pipitea Kainga.

These practises were based on the original social fabrication of Te Ao Māori, being whänau and hapū. Whānau and hapū have continued to keep the fires burning thereby maintaining ahikā.

Introduction of legislation violated our treaty rights and initiated the colonial process to extinguish our fires, whereby colonial constructs were enforced with terms like the words 'iwi' and 'mana whenua' which have been accepted by successive governments and councils.

There have been many times where we have often heard acknowledgements; "... thanks to the local iwi Wellington Tenths Trust and the Port Nicholson Block". Let me say this now and let me say it once, they are not the iwi, Te Äti Awa Taranaki Whānui are the iwi.

Like Te Rünanganui o Te Äti Awa, those bodies are entities that support the advancement of our people.

Through the process of establishing the post settlement entity our people agreed to support the Port Nicholson Block Settlement Trust. This body was responsible for settling our claim. Through legislation we have been defined by a legal process however our ahikā status continues to be ignored.

The three mana whenua marae hold the mana of who we are as a people. The marae have maintained our ahika practises.

Te Rūnanganui o Te Âtiawa and Waiwhetu Marae have been at the forefront of Māori development for many years, and played an instrumental role in a number of movements that catapulted the Māori nation to the bi-cultural identity that we embrace today.

Waiwhetu were the first urban papakainga established in 1947, where urbanisation squatted in our backyard. The establishment of Köhanga Reo, Te Mãori, and Kura Kaupapa were born out of Waiwhetu, through the calling of Mãori leaders to Waiwhetu. We have lead from the

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front and the back and we will continue to play our role to lead with pride and dignity as we uphold our responsibilities to our past, present and future.

As Te Atlawa Taranaki Whanui we are coping with our damage, our hurt, our shared colonial experience. We will continue set fires ablaze as ahika so that our tamariki and mokopuna cultural sustainability and expression is continually present. Waiwhetu are focused on growth to build our future potential.

We as Te Ātiawa Taranaki Whānui nation have now become part of the Te Kahui Ao (global nation) through marriage into many cultures and every religion known to man. But one thing we can say categorically is that we as Te Ātiawa Taranaki Whānui nation are not Ngāti Shelly Bay.

We are living in a post treaty settlement world, and like our tupuna we are navigating our way through the journey of how best do we do this! Since the settlement and up until now we must admit that Te Tutu Puehu (chaos) has never settled and that chaos has ensued, and it is this chaos which lies between us and realising our true future potential.

Te Tutu Puehu was an outcome of a purchase of land for \$15M commercial redress with a \$25M settlement, that chaos was a further loss of \$10M in cash in the bank in ventures and projects that yielded little to no return, that chaos was the rise and fall of our tribal leadership, that chaos was the sale of our cultural redress of Waiwhetu school to cover debts, land that was set aside part of the WAI105 settlement.

This chaos has challenged in our ahikā status, our tikanga, our tribal lore's – the things that Te Āti Awa Taranaki Whānui rely on to give us peace of mind, that ground us to who we are as a Ahikā.

Our future, as with our past comes from our passion, and today we are suffering from the suppression of our passion, our identity and culture and instead of being fluent in our Te Reo Māori, we are facing anger, frustration and resentment.

Our work going forward is to mend this sense of hopelessness and lack of direction. So that we can put an end to the frustration and anger which is seen so evidently today – all you have to do is read todays, yesterdays and probably tomorrows newspaper! I am embarrassed to see our business on the front pages of the papers.

The big question is where to from here? Our future is informed by our the past – it is an interconnection with past, present and future.

Our long term memory of our whakapapa and narratives through waiata connects us to our past, both good and bad. We must learn from the past, in order for us to manage our future.

Te Ati Awa Taranaki Whānul is strong in our views and is driven to succeed so our people can enjoy prosperity and peace.

Our future requires inclusion, our people's inclusion, our entities, our marae, our tikanga, our culture and identity. This is about all of us moving together with a common purpose.

Te Ati Awa we will not leave out takiwa, we are here in perpetuity, we are now, we are the present we are the designers of the new future of our city that represents our narratives, values, interests and aspirations. We want to embed Te Ati Awa Taranaki Whānui right through our takiwa.

Shelly Bay is more than a development, it is a kaupapa that will test our will and resolve to challenge how we do things and most importantly how we respond to the pressing environmental needs of our time.

This is an opportunity to share our narrative, our stories of Te Ara Tupua.

Shelley Bay has been transacted, but that is ok, because it was set aside as commercial redress. When those responsible purchased it, it was a commercial deal. Te Ati Awa Taranaki are still here, we are going no-where, our interests are still here, our rights to lands in this area still exist. We are not going anywhere – our commercial partners know that, the Crown knows that and today you know that! In years to come, you will start to see our presence and position, growing our potential bringing forward a new future that is uniquely ours!

Kura Moeahu

Chairman

Te Runanganui o Te Ati Awa o te Upoko a Maui Inc

Waiwhetu Marae Trust

Atiawa Toa FM Radio

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Absolutely Positively Wellington City Council Me Heke Ki Pöneke

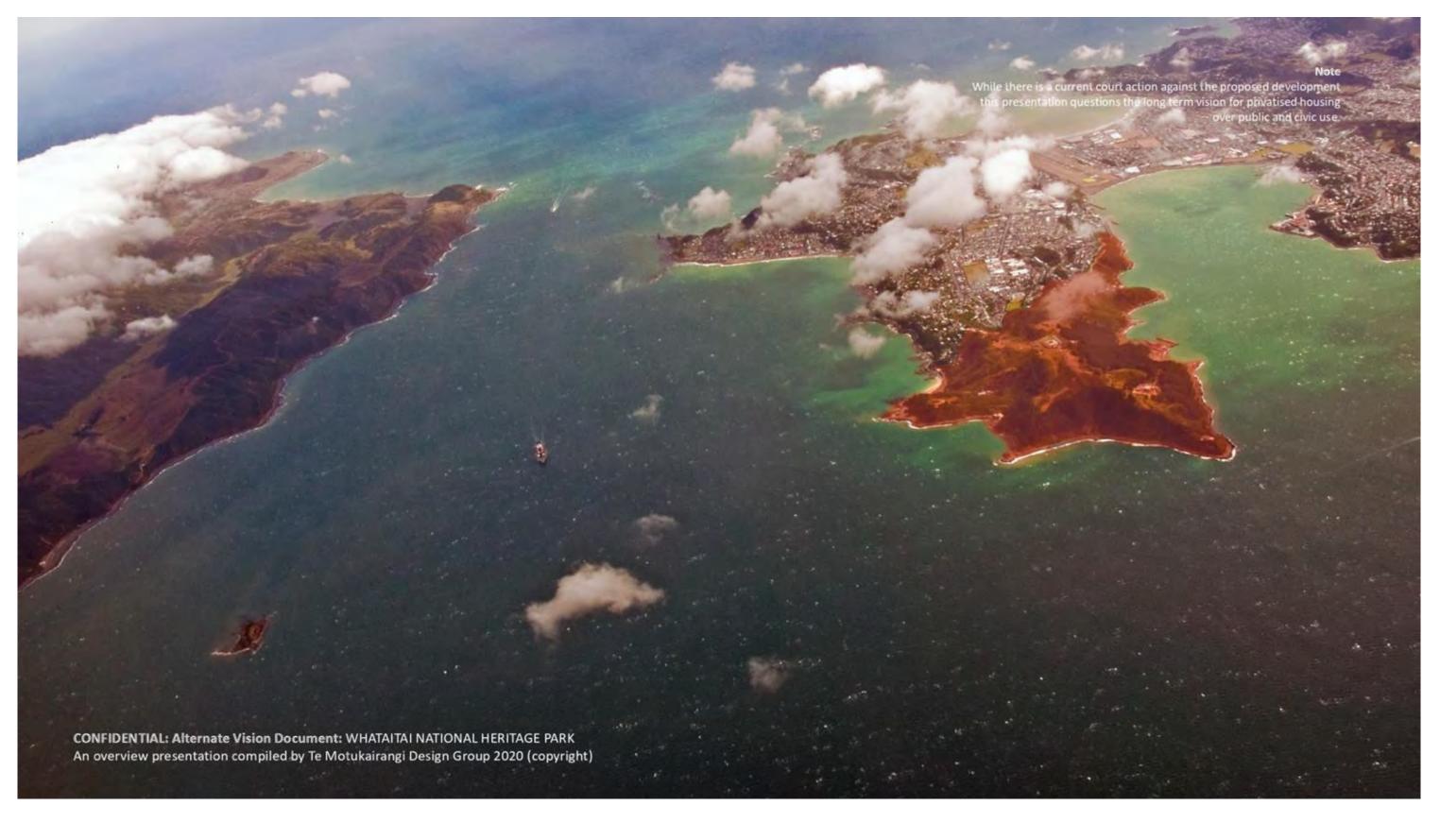
Item Tabled Documents at Public Participation Attachment 4

Attachment 1

Terri	Explanation	Definition takan inom Te Aka Mison ingisis-English-Misori Distributish app
Te Ahikā	Ahi kā is a reference to the fire that one must keep burning on their whenua, as a symbol or sign of their continued occupation of that whenua. Ahi kā is a metaphor too for the home people of a pā, who keep the home fires burning. The word 'kā' means to burn, kāinga which means home, derives from the kupu 'kā' - so another rendering of kāinga means 'where the fire burns' - where the ahi kā burns.	(noun) burning fires of occupation, continuous occupation - title to land through occupation by a group, generally over a long period of time. The group is able, through the use of <i>whakapapa</i> , to trace back to primary ancestors who lived on the land. They held influence over the land through their military strength and defended successfully against challenges, thereby keeping their fires burning.
Ahi mahana / ahi teretere	This is a 'warm fire', not fully ablaze, but nonetheless burning. (stative) flickering fire, unstable fire - a term used when This refers to those who live away from the ahi kä, but now members of a <i>whänou</i> have not returned to their tribal lands and again, return home to hui, gatherings etc, and put some to 'keep the fires burning' for three or four generations and wahie (firewood) on the ahi. You are still a 'kanohi kitea, he hokinga mahara', 'a seen face, a home-coming of memories'. In today's context we have many of our people who live outside of our tribal takiwa, however may return daily purely for work, however have little to do in supporting the daily commitment to the marae.	(stative) flickering fire, unstable fire - a term used when members of a <i>whānau</i> have not returned to their tribal lands to 'keep the fires burning' for three or four generations and their rig
Ahimātao	This fire has been reduced to dyeing embers, it's nearly out, gone, no warmth. It's nearly an 'ahi pirau' - which is a fire that no longer burns. The whakatauki that goes with this is 'he noaro tranata ora' or 'the living who has been lost' in a sense	(noun) cooling fires of occupation - a term used where the customary title to land may be lost through lack of occupation

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that the faces of those who have been missing for so long from the whānau or hapū have been forgotten. Nō reira, the ahi kā of the pā keep the ahi burning so when you come home, you feel the warmth of the ahi, the warmth of our whare, the warmth of the wharekai. Make an effort to go home, more often than 'once and a while' - and not just for tangihanga or hui: It is important to take the tamariki and the mokopuna - if your tamariki do not feel the warmth of the ahi, it is YOUR responsibility to get them closer to that fire. Therefore, when you do go home, get involved, don't just sit next to the ahi, 'chuck some wood on the fire'. In today's context this refers to those whānau and hapū members who have moved away from the marae and out of the takiwā who very rarely return.	











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Natural Beauty/ Civic Access



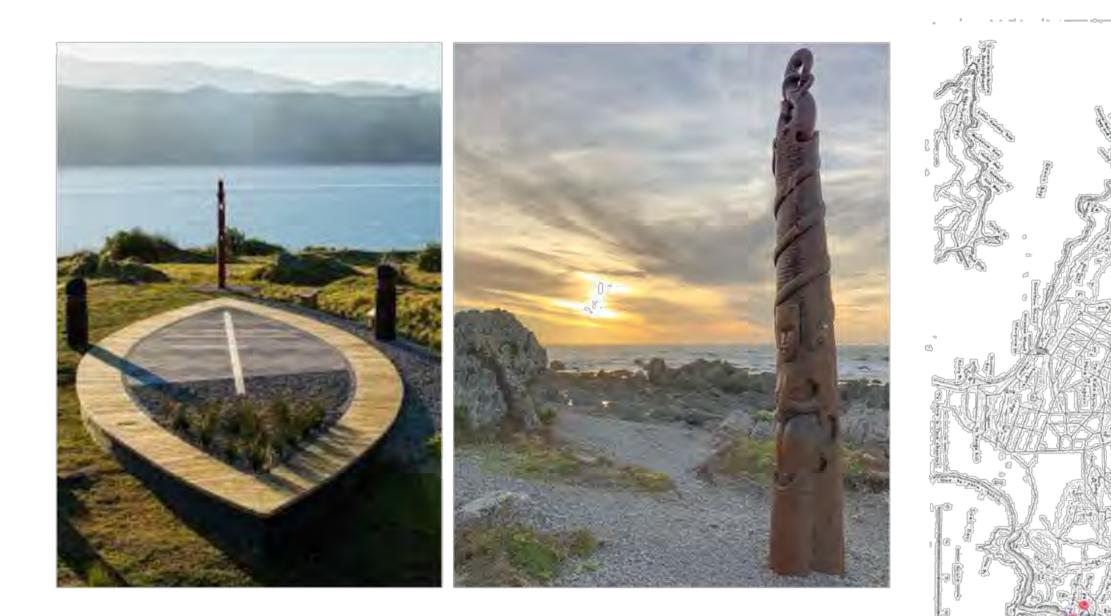
Source: Dark Halide.com

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Heritage Layers





Cultural Landscape



Wellington's magazine head ARTS FASHION FOOD AND DRINK LIFE OPINION PEOPLE PLACES REVIEWS PERSPECTIVE - UP FRONT At Karaka Bay

It David Machaniner May 28 (1) P) No Comments

David Colquhoun on the Miramar Peninsula's forgotten Māori history



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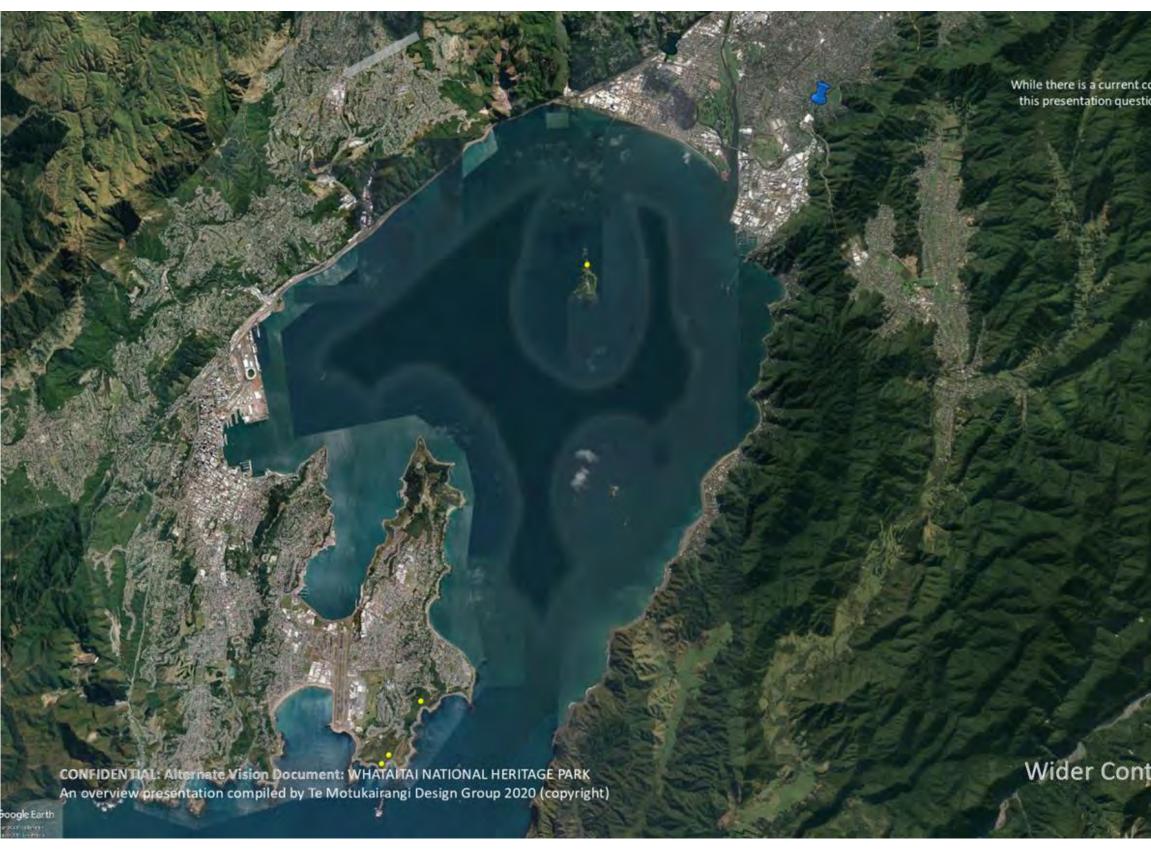


"Iwi do not have a history here."

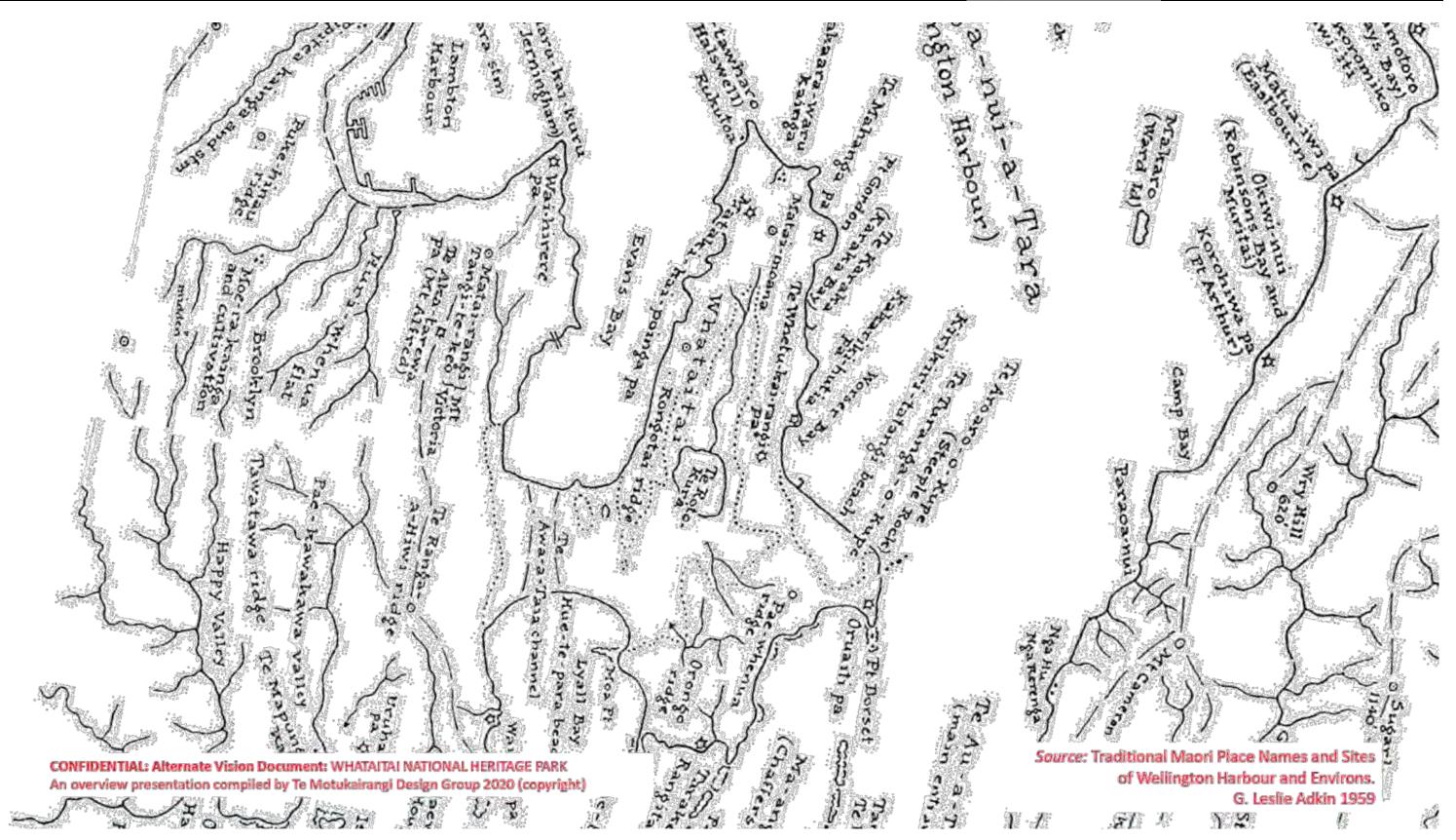
"Taranaki Whānui don't have a history here."

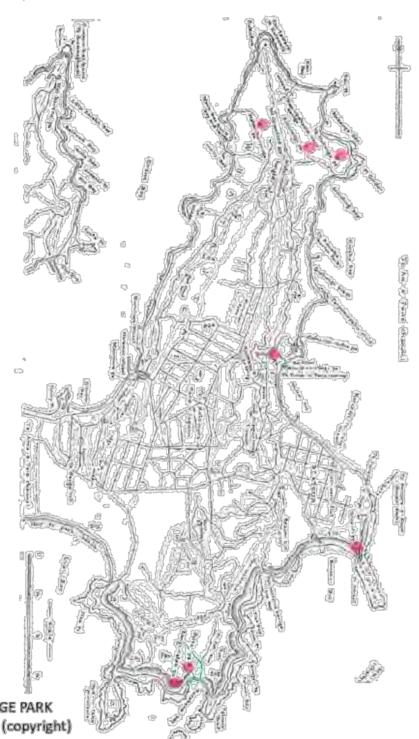
Un-named Speaker PNBST Public Submissions 2018

Kaupapa 01



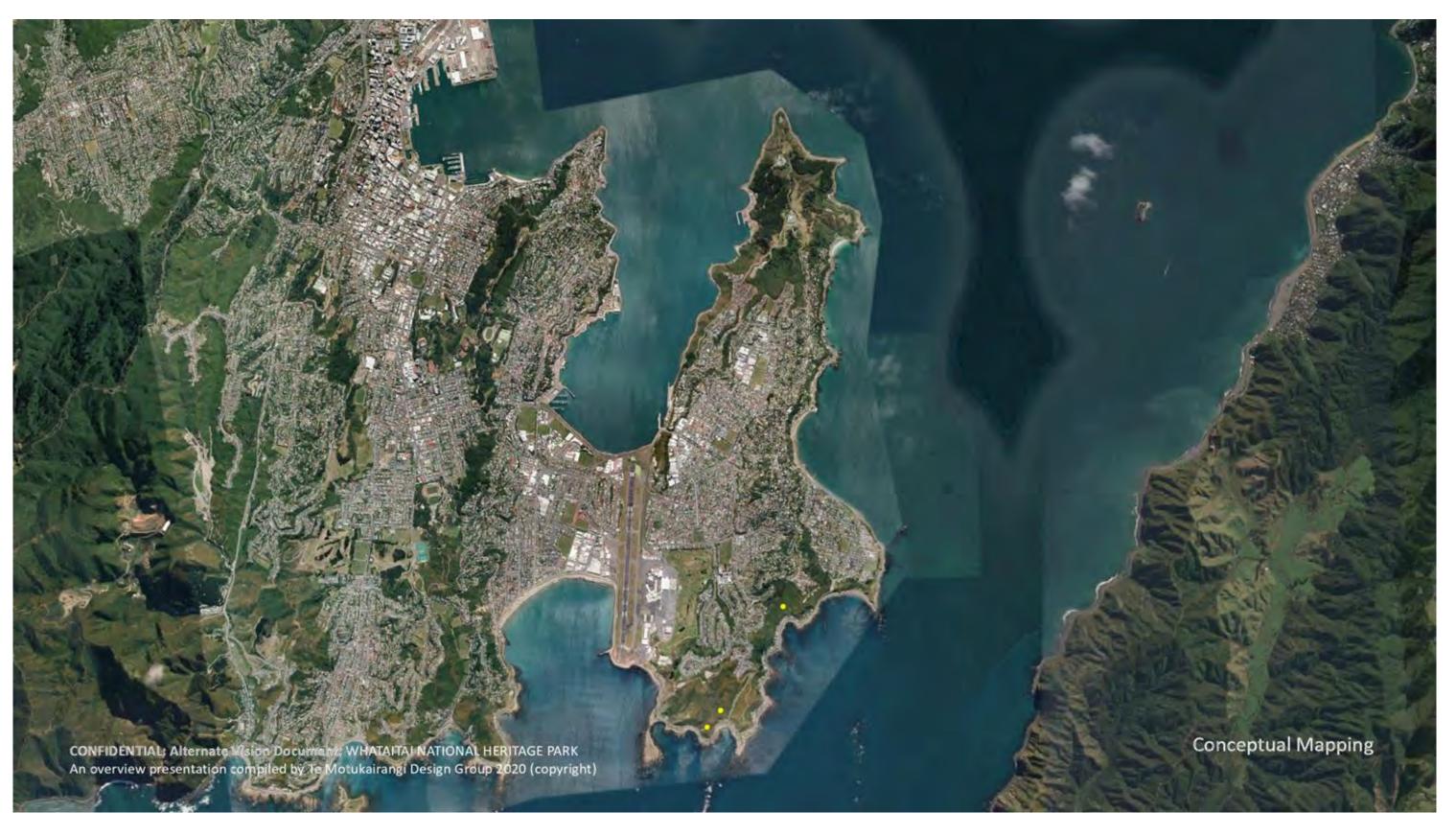
Note While there is a current court action against the proposed development this presentation questions the long term vision for privatised housing over public and civic use. Wider Context/ Cultural Landscape







Source: Traditional Maori Place Names and Sites of Wellington Harbour and Environs. G. Leslie Adkin 1959











Heritage layers Convergence/ alignment





Heritage layers Convergence/ alignment

Project Masterplan:

1+1a Gateway: Cultural centre Whare Pupuri Taonga Motukairangi Maori Observatory

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2a. Gondola/ Cable Car

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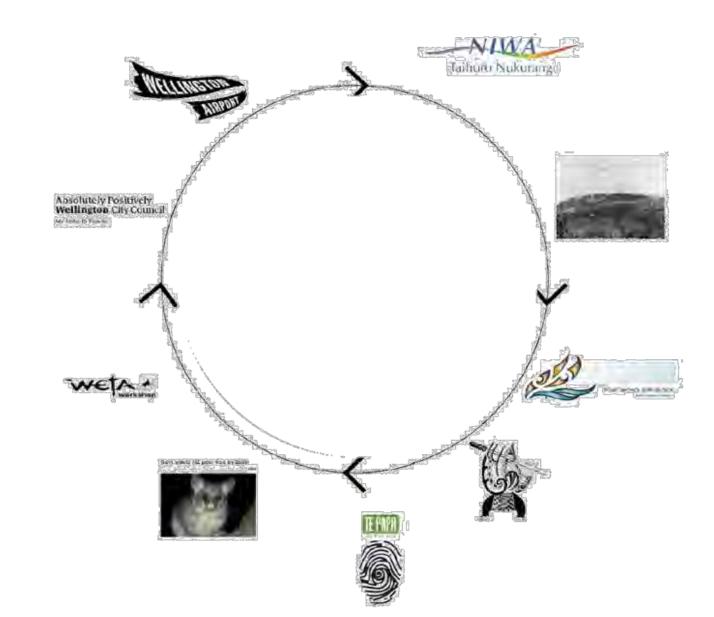
4. Research: Education Centre Sustainability/ Kaitiaki Centre Global University Network Star astronomy/ Archaeology

The Project goals:

Environmental Historical Cultural Social/Communities Tourism Financial viability Feasibility

Potential Partners:

WCC Weta Te Papa Department of Conservation MAF NIWA NZ Tourism Airport Residents Research - VUW, Massey MBIE CHCH Dunedin



Retail Infrastructure

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homes, a boutique hotel; a brewery, a rest home and a ferry service.,

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NEW ZEALAND IS BUILDING more homes now than it has in the last 45 years. This is critical to make up the housing supply deficit of recent years, but as Ireland and other jurisdictions overseas have found, building more houses is not the same as building houses affordable to middle and low-income households.

58% of new homes in top 25% of prices It is well established that New Zealand's building industry has been moving upmarket with higher and higher proportions of dwellings built in the top 25% of house values. That rush to building high-value housing rather than low-cost housing has been particularly pronounced since the 1990s. By 2014, almost 58% of house new builds were in the highest quarter of house prices. The housing crisis partly reflects that reduction in low-cost housing production.

Issue 177 April/May 2020





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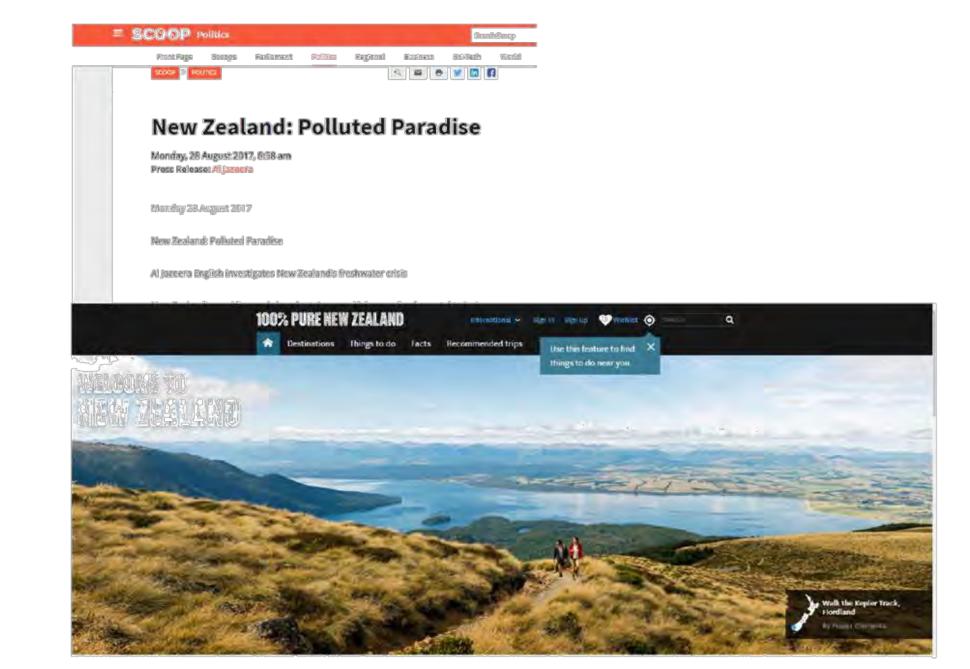


Jamie Morton once Reporter, NZ Hehald

Avonside.

the dairy industry.3

HEW ITALAND



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The Herald has been provided an audio recording of Sir Tim speaking at Country Land and Business Association (CLA) Redefining Farming conference, held in Westminster, London on Tuesday, where he commented on New Zealand's freshwater issues and took a swipe at

International & Local media

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TRAP.NZ

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Predator Free Miramar - Backyard Trapping



Setting out to rid Wellington's Miramar Peninsula of rats and mustelids to bring back the birds and trees to the eastern suburbs Email us at PredatorFreeMiramar@gmail.com and we'll help you get started trapping in your backyard for freel Visit the website http://bit.ly/predatorfreemiramar - or sign up using this form. http://bit.ly/pfmbackyardsignupform. (Note that our area covers Miramar, Maupula and Strathmore Park Seatoun and Breaker Bays have their own project "Predator Free Seatoun" contact, predatorfreeseatoun@gmail.com)

Links Predator Free Miraman, website: Our page on Predator Free Welkington's website. Our Facebook group the state of the second second Group

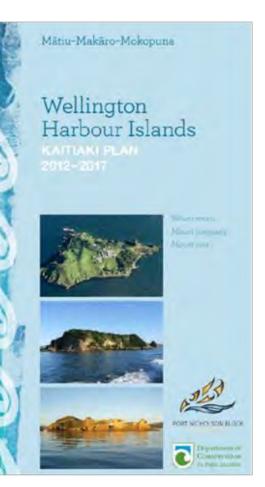
Request membership







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Kaitiaki Taiao





Climate Change



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'Indigenous peoples are the best guardians of world's biodiversity'

Interview with UN Special Rapporteur Victoria Tauli-Corpuz to mark the International Day of the World's Indigenous Peoples



A UN Special Rapporteur Victoria (tau) - Sorpurya Karkansey Igoroft woman from the Philippleses Photographi

Today is the United Nations' (UN) International Day of the World's Indigenous Peoples, numbering an estimated 370 million in 90 countries and speaking roughly 7,000 languages. To mark it, the Guardian interviews

Indigenous revitalisation





A city-based approach to developing Wellington as an eco-city

- Involve everyone in a city level approach to Wellington's future? as an eco-city.
- . Understand where city activities. can support change.
- · Acknowledge the importance of Wellington's unique natural. environment and how this) supports healthy communities · Be clear about what we
- want to achieve to support a Readership role for Wellington beyond the city.

Infrastructure to create a secure and resilient city

- Continue to prioritise they Council's work to develop: an approach to earthquake) resilience, consistent with their work of central government.
- investigaintrastructure to build resilience to climate change impacts, sea level rise and unexpected natural events.
- . Anvest in smart infrastructure; that can increase the effectiveness and efficiency, of out ohysical infrastructure through better information

- A sustainable urban environment Incentives and investment that
- (encourage innovation in green) building design and transportinfrastructure.
- · Support for the growth of domestic based energy efficiency initiatives.
- Protect Wellington's green infrastructure, including. the Town Belt, to support? biodiversity and offset carbon emissions.

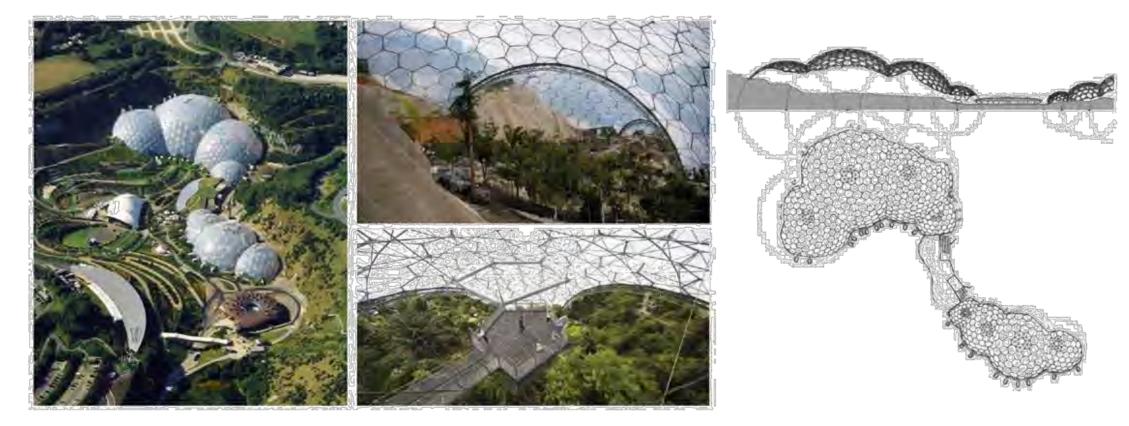
A city with a green economy

- . Grow the city's knowledge based/creative industries as part of a 'green, weightless' economy
- Require businesses to
- integrate sustainability into their business models. Develop innovation; partnerships to explore the potential of Wellington's Tenewable energy resources and emerging green technologies)



Towards 2040

Eden Project: Cornwall, UK 1999 Architect Nicholas Grimshaw & Partners



Completed March 2001.

Year 1: 1.9 million visitors Year 2: 1.8 million Current yearly average: 1.2 million Total build cost:GBP 130 million GBP 700 million over 5 years.

Future plans: geothermal energy project, Redwood forest, rainforest canopywalkway and 109-bedroom hotel Delivers significant economic and community benefits to the region. Fosters and develops sustainable research projects partnering with industry and Universities.

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1.2m visitors per year on average

Singapore Bay Gardens, Singapore 2009 Architect: Wilkinson Erye Architects (UK).

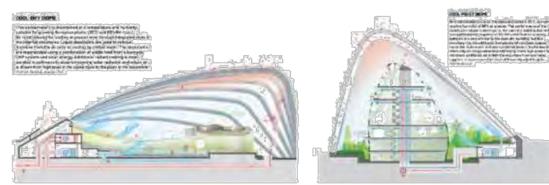


Opened: June 2012 (phase 01) & June 2015.

June and October 2012: 1.7 million visitors. 2014: 6.4 million

(Comparison; New York Botanic Gardens and Kew Gardens in Lon-don, where the numbers are around 1-2 million visitors).

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6.4m visitors 2014

Seed Cathedral / British Pavilion, China 2011



6 month Expo: 8+ million visitors. Total build cost: GBP25 million.

UK's most visited tourist attraction and won the BIE Gold award for best pavilion design.

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Generational Seedbank

Orongo Station, Poverty Bay, New Zealand: Architect Thomas Woltz (US)



Completed 2007

Reinstatement of the cultural landscape and assets.

Orongo Station serves as a national model for sustainable land management. Reforesting with over 500,000 trees planted while maintaining a working sheep and cattle farm.

Predator-proof enclosures and Tuatara Preserve.

Over 75 acres of fresh and saltwater wetlands restored and constructed.

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Precedent/ Restorative Development

Item Tabled Documents at Public Participation Attachment

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MASDAR CITY PROJECT/ Abhu Dhabi UAE 2013





Carbon Neutral



Guggenhiem Bilbao, Spain 2000

The 'BILBAO Effect' Iconic attraction for small city.



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Project Masterplan:

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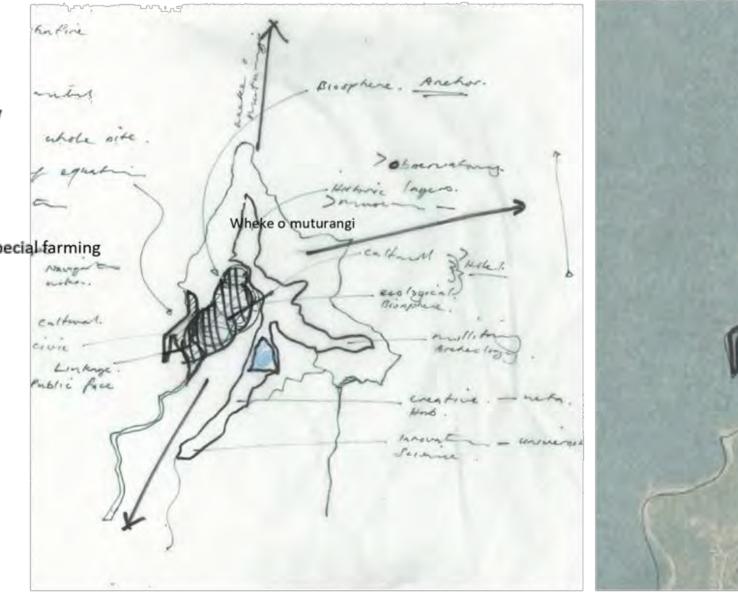
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Retail Infrastructure

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Called No.

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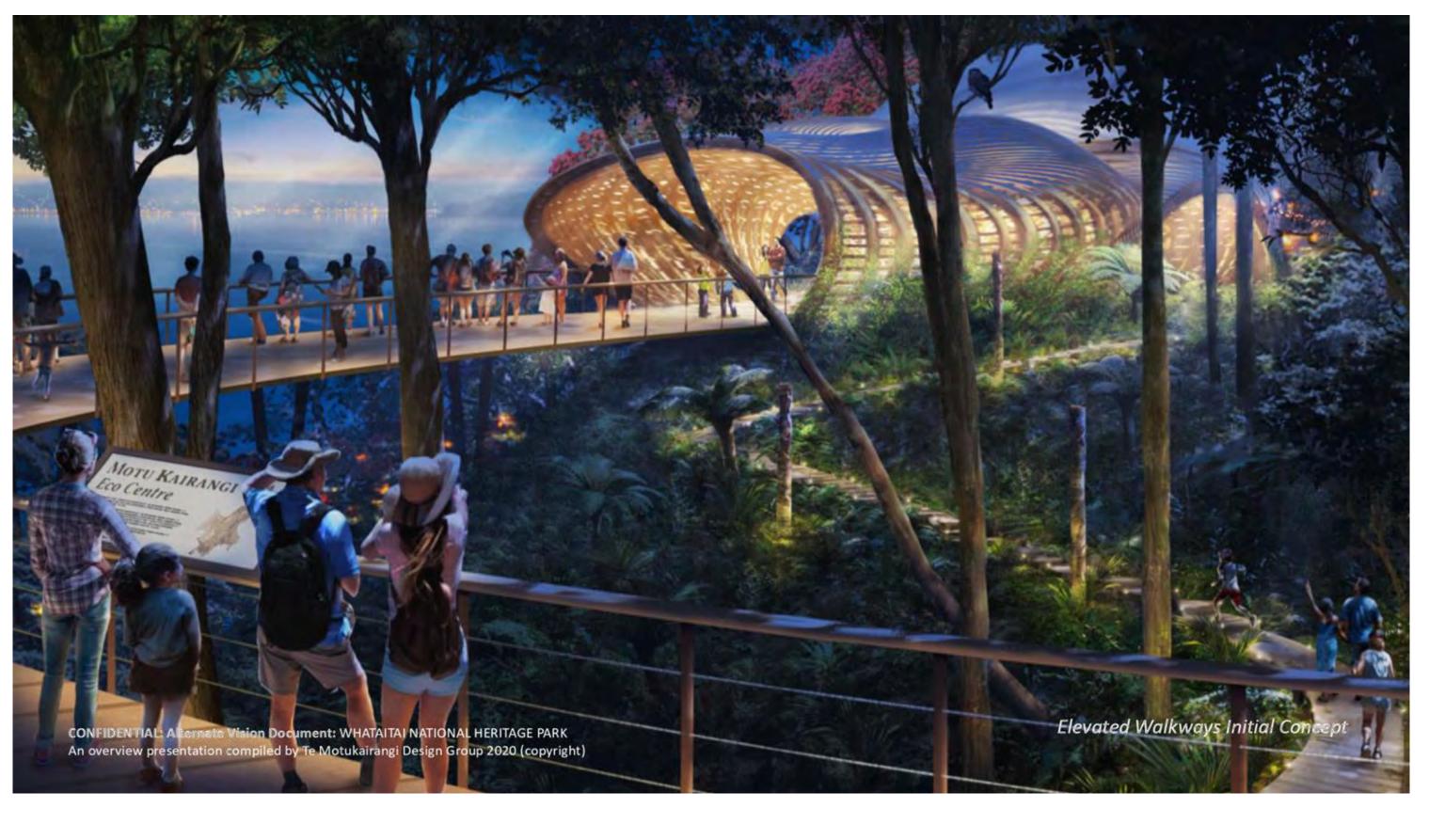


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Waharoa Concept











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COUNCIL 11 NOVEMBER 2020

Absolutely Positively Wellington City Council Me Heke Ki Pöneke







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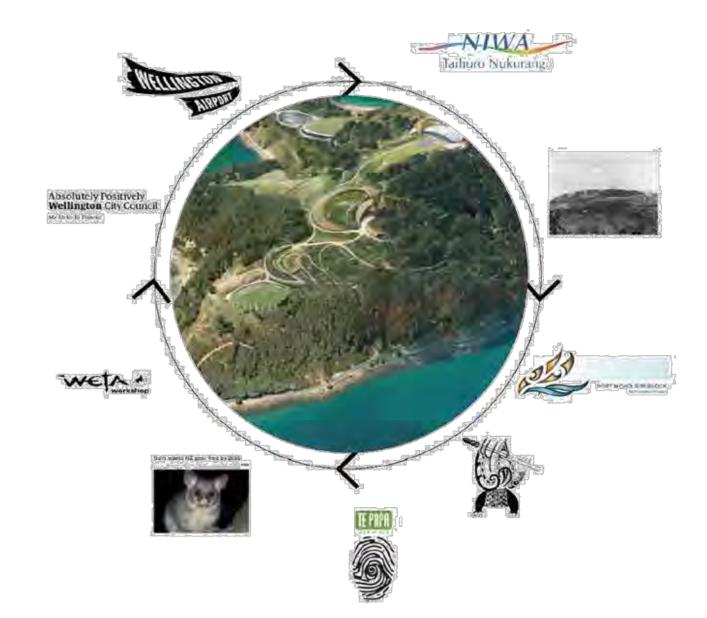
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WCC Weta Te Papa Department of Conservation MAF NIWA NZ Tourism Airport Residents Research - VUW, Massey MBIE CHCH Dunedin



Retail Infrastructure

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Me aha tatou? Where to from here?

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Absolutely Positively Wellington City Council Me Heke Ki Pöneke

From: Councillor Jenny Condie <<u>Jenny.Condie@wcc.govt.nz</u>> Sent: Wednesday, 11 November 2020 1:18 pm To: Barbara McKerrow <<u>Barbara.Mckerrow@wcc.govt.nz</u>> Cc: GRP: Councillors <<u>Councillors@wcc.govt.nz</u>> Subject: Complaint about Mayor Foster

Kia ora Barbara

This email is to make a formal complaint about the behaviour of Mayor Andy Foster in the lead up to the vote on the key commercial terms for the sale and lease of Council land at Shelly Bay.

Today at 11.27am I received a text message from the mayor asking me to drop by his office.

We also spoke on the phone and he asked he again to drop by his office and said that he had something to show me. I immediately went to see him.

At that meeting he told me that he wanted to show me notes that he had made during a conversation with **sector sector** regarding the width of the road going to Shelly Bay.

When I got to his office, he told me the information was significant and that he believed it would change my view about Shelly Bay Road.

The Mayor made it clear to me that he did not have permission to share this information and asked me to read some notes he had taken which I did. Nothing in the notes gave me cause for concern about the actions or integrity of any Council officer.

I asked Mayor Foster if he would be making these notes publicly available and available to all other Councillors, he indicated he would not do so. I disagreed with him during the meeting as I considered this was improper. This is particular so given the over-riding public interest in all Councillors making decisions based on the same information.

I understand that Mayor Foster has hinted on numerous occasions that he has important information which was not previously disclosed and that other Councillors have advised him to disclose any information to the Ombudsman for independent oversight and assessment. I believe this is likely to be the information he showed me.

When I read these notes they contained potentially defamatory allegations about the behaviour of former **and the second s**

The actions of Mayor Foster were improper in my view and I am taking this opportunity to request that you investigate his actions. I believe that I am not the only councillor that Mayor Foster has shown this information to.

Sincerely Dr Jenny Condie

Jenny Condie

Kalasunhera o Pônske | Wolington City Councillor TakepütHorthern Ward Portfolio – Associate Transport (Parking; Roeding; Sefety; Traffic resolutions) E Jenny, Condie@wcc.govt.nz | P 021 972 763 | W Welington.govt.nz | III | III The information contained in this email is privileged and confidential and intended for the addressee only. If you are not the intended recipient, you are asked to respect that confidentially and not diactose, copy or make use of its

contents. If received in error you are asked to dealery this erroll and contect the cender immediately. Your essistance is appreciated.

Absolutely Positively Wellington City Council Me Heke Ki Poneke

SHELLY BAY TAIKURU

Kia ora Wellington,

Shelly Bay Taikuru - All Go.

Both Taranaki Whânui and The Wellington Company would like to thank everyone who took the time to visit the display suite at Shelly Bay Taikuru or provided feedback to us via email.

On the first night we hosted iwi members of Taranaki Whānui who provided their thoughts, ideas and questions about the project followed by a three-week period of engagement with the community. The overwhelming response was positive and the development of Shelly Bay Taikuru will proceed, with many new enhancements directly influenced by community.

The enhancements proposed clearly align with the aspirations of both partners which will see Shelly Bay Taikuru become New Zealand's first Green Star Community at scale.

We believe that this is what people are asking for, it aligns with our values and we think it will provide a clear and positive approach to addressing the significant infrastructure challenges our City is facing. We intend for Shelly Bay Taikuru to be a beacon for how we can do development into the future and in a world where the pressing issues of climate change become more apparent and real.

In delivering on Shelly Bay Taikuru we will be giving effect to our consent and we commit to the following enhancements:

- Shelly Bay Taikuru will be New Zealand first Green Star Community of scale.
- Shelly Bay Taikuru will be distinctively Taranaki Whānui in identity, with Taranaki Whānui artists and designers contributing directly to the design and artistic applications of Shelly Bay Taikuru.
- We will be investing in transport alternatives to help mitigate the effects of increased traffic from the development.
- An artist in residence programme will be established, with the founding artists in residence being of Taranaki Whânui descent.
- Mechanisms have been created for Taranaki Whänui to acquire and own key commercial
 assets at Shelly Bay Taikuru without incurring any of the normal development risk.
- We will be delivering affordable housing for key sector workers, including teachers, nurses, policeman and emergency services workers.
- We will be making a donation of \$10,000 to the Wellington City Mission for every house sold over \$800,000.
- We will be engaging a design collective of leading local architects and designers
 (appointed by both partners) who have crafted some of Wellington's more unique places.
 Their mandate will be to actively collaborate in designing what will be Wellington's
 coolest little new community: watch this space. To ensure what is developed, a design
 panel will check and validate every design before it is consented.





The partnership will prove that we can create a paradigm shift in how we create housing which is founded on authentic and meaningful partnership values and practices.

More will unfold as Shelly Bay Taikuru progresses. We have achieved consent; we have engaged with our community and we have incorporated a lot of your great ideas.

Over the coming months you will see Shelly Bay Taikuru unfold and if this is a community you want to be part of, please do register your interest at <u>www.shellybaytaikuru.co.nz</u>.

Now it is time to get things moving and start building New Zealand's first Green Star Community of scale.

We look forward to keeping you updated on the development.

Nāku noa,

Kim Skelton

ram skenon Chairperson Taranakî Whānuì kî Te Upoko o te Ika

Toa Pomare Chairperson Taranaki Whānui Limited

Director The Wellington Company Ltd



