

## 9.0 Other business

### Council Report

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<b>Date of Meeting</b>	6 June 2019
<b>Author</b>	Louise McDonald Senior Committee Advisor

#### Purpose

Approval is sought to submit the following report to the Council meeting on 6 June 2019.

#### Hurunui Waiau Zone Committee Review

The reason, in terms of section 46A(7) of the Local Government Official Information and Meetings Act 1987, why the report was not included on the main agenda is that it was not available at the time the agenda was prepared.

It is recommended that the Council receive the report at this meeting to avoid delay to the review. This Zone Committee is a joint committee with Hurunui District Council. At its meeting held on 30 May 2019 the Hurunui District Council resolved in support of the review.

#### Recommendation

**That the report be received and considered at the Council meeting on 6 June 2019:**

**Hurunui Waiau Zone Committee Review**

#### Legal compliance and risk assessment

Section 46(A) of the Local Government and Official Information Act:

7. *An item that is not on the agenda for a meeting may be dealt with at the meeting if—*
- (a) the local authority by resolution so decides; and*
  - (b) the presiding member explains at the meeting at a time when it is open to the public, —*
    - (i) the reason why the item is not on the agenda; and*
    - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting*

## 9.1.1 Hurunui Waiau Zone Committee Review

### Council report

<b>Date of meeting</b>	6 June 2019
<b>Author</b>	Caroline Hart
<b>Responsible Director</b>	Nadeine Dommissie
<b>Legal review</b>	Catherine Schache

### Purpose

1. To support Council in responding to the Hurunui Waiau Zone Committee request for a review to identify changes that will improve its efficiency and effectiveness and as proposed in the draft Terms of Reference for the review.

### Recommendations

**That the Council:**

1. **approves that an independent review is undertaken of the Hurunui Waiau Zone Committee**
2. **notes that the draft Terms of Reference are appropriate for the review.**

### Key points

2. The Hurunui Waiau Zone Committee, as a joint committee of Hurunui District Council and Environment Canterbury, requested a review to identify changes that will improve its efficiency and effectiveness and has developed a proposed Terms of Reference for the review.
3. The Hurunui District Council has approved an independent review of the Hurunui Waiau Zone Committee and that the draft Terms of Reference are appropriate for that review.

### Background

4. The Hurunui Waiau Zone Committee was constituted by Hurunui District Council and Environment Canterbury in 2010.
5. The role of the committee has changed over the years and, broadly speaking, the initial focus on planning has been replaced by a desire to facilitate action “on the ground” to give effect to the delivery of the Canterbury Water Management Strategy (CWMS). As a result of its evolving role the committee requested a review (attached) that will identify changes that will improve its efficiency and effectiveness.

6. The zone committee has developed a draft Terms of Reference for the proposed review (attached). The Terms of Reference proposes an independent review of the governance and operation of the committee is undertaken and recommendations are reported back to the Councils.
7. The request for a review of the Hurunui Waiau Zone Committee was discussed when councillors met with Hurunui District Council councillors on 15 May 2019.
8. At its 30 May 2019 meeting the Hurunui District Council approved that an independent review of the Hurunui Waiau Zone Committee is undertaken and that the draft Terms of Reference are appropriate for the review.
9. The CWMS Fit for Future project has raised questions about zone committee role and governance. The review of the Hurunui Waiau Zone Committee could be part of addressing these questions.

## **Cost, compliance and communication**

### **Financial implications**

10. There will be a cost to undertake the review. Given the joint nature of the committee it is likely that the costs will be split between the Councils.
11. Timeframes and budgets determined in consultation with Hurunui District Council.

### **Risk assessment and legal compliance**

12. Supporting zone committees to shift their focus from planning to delivery has been identified as a strategic implementation leadership and accountability matter by the Mayoral Forum (CWMS Fit for the Future project). The review requested by Hurunui Waiau Zone Committee will contribute to ensuring there are effective mechanisms for leadership and accountability to support ongoing CWMS implementation. The recommendation from this review will contribute to the advice to Mayoral Forum in February 2020.
13. This review is timely and will in part address risks for the CWMS partners, and the zone committee itself regarding committee's mandate, authority, membership and governance arrangements.
14. There are no legal compliance risks associated with the review itself. Any legal implications of responding to the recommendations of the review will be considered once the independent review has been received.

### **Significance and engagement**

15. Zone committees are a formal mechanism used by Environment Canterbury and Territorial Authorities to enable collaboration and engagement with Ngāi Tahu and communities during the implementation of the CWMS. The Terms of Reference

developed by the Hurunui Waiau Zone Committee provide for input from the zone committees, Hurunui District Council, Environment Canterbury and “anyone who wishes to contribute to the review”. The public should be informed of this initiative via Zone Committee correspondence to ensure that those parties interested in the activities of the Hurunui Zone Committee remain informed.

### **Consistency with council policy**

16. This independent review is being undertaken in a manner that is consistent with the principles of CWMS and in partnership with Hurunui District Council. The independent review will make recommendations consistent with the terms of reference. Implications of any recommended changes to the Zone Committees as joint committees under the Local Government Act (and council policy associated with joint committees) will be evaluated once the recommendations have been received and considered.

### **Communication**

17. A communication plan will be developed as part of this review with Hurunui District Council.

### **Next steps**

18. The independent reviewer will be commissioned consistent with the Terms of Reference.

### **Attachments**

Attachment 1: Request for an independent review of Hurunui Waiau Zone Committee

Attachment 2: Draft Terms of Reference for a review of the Hurunui Waiau Zone Committee

<b>Legal review</b>	Catherine Schache
<b>Peer reviewers</b>	Ian Whitehouse, Anita Fulton

## Hurunui Waiau Water Zone Committee

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17 April 2019

Chair  
Environment Canterbury  
(via email)

Mayor  
Hurunui District Council  
(via email)

Kia ora Steve and Winton

### **Request for an independent review of Hurunui Waiau Zone Committee**

The Hurunui Waiau Zone committee is in a period of change and there have been frustrations, questions and criticism about how the committee operates and whether it can do enough to fully implement the CWMS in the Hurunui Waiau zone.

The Zone Committee asks that Environment Canterbury and Hurunui District Council review the Hurunui Waiau Zone Committee to identify changes that will improve the efficiency and effectiveness of the zone committee in implementing the CWMS in the Hurunui Waiau Zone.

The Zone Committee asks that the attached Terms of Reference be used for an independent review of the zone committee. These Terms of Reference have been prepared by the committee and agreed by committee members at the zone committee meeting on 15 April 2019.

The committee looks forward to more information on the review, its timetable and to be involved in the review.

Yours sincerely

John Faulkner  
Chair Hurunui Waiau Zone Committee

*Copy to:* Hamish Dobbie, CEO, Hurunui District Council  
Bill Bayfield, CEO, Environment Canterbury

## **Terms of Reference for a review of the Hurunui Waiau Zone Committee**

*Prepared by the zone committee and agreed unanimously by committee members at the 15 April 2019 meeting.*

### **1 Purpose of review:**

To identify changes that will improve the efficiency and effectiveness of the zone committee in implementing the Canterbury Water Management Strategy in the Hurunui Waiau zone.

### **2 Scope:**

1. Consider matters relating to the operation of the zone committee with the aim of identifying how the zone committee can improve its efficiency and effectiveness. This should include:
  - a. How meeting agendas are set and managed;
  - b. How participation from people other than the zone committee is managed at meetings and workshops;
  - c. The detail required in the record (minutes) of meetings;
  - d. The way the committee can use workshops, including whether the committee can have workshops without others being involved;
  - e. How the committee handles meetings between the Chair and Council staff/management and governance, and between zone committee members and Council staff/management and governance;
  - f. How the Committee could operate better to deliver more on-the-ground action, including through the use of Immediate Steps Biodiversity funding and other tools;
  - g. How the committee engages with local communities;
  - h. How the committee engages with environmental NGOs;
  - i. How the committee engages with rūnanga;
  - j. How the committee gets its information, including consideration of whether the information provided to the committee is independent;
  - k. How the zone committee decides what it will get involved in;
  - l. How new committee members are inducted and come up to speed;
  - m. What is working well (not just what is not).
2. Consider matters relating to the committee's mandate, authority, membership and governance arrangements to identify how the committee can better deliver the CWMS in the zone. This should include:
  - a. Whether the power of the committee and its authority (and limitations to this) are appropriate for its role in delivering the CWMS;
  - b. Whether the purpose of the zone committee, as per its Terms of Reference, should be revised to reflect changes since the committee was established in 2010;
  - c. Clarify the tools available for the zone committee to enable action on-the-ground to deliver the CWMS in the zone;
  - d. The committee's responsibilities in relation to the Treaty of Waitangi and whether these should be reflected in the committee's Terms of Reference;
  - e. Whether the membership of the committee and the selection process(es) are appropriate;

- f. Whether the committee members have the skills and experience to provide collaborative leadership and governance, and if not, how this could be developed;
- g. The role of the chair and facilitator, including whether these should be independent;
- h. How the zone committee provides community leadership to implement the CWMS in the zone.

### **3 Independent review**

The review should be carried out by an independent reviewer or reviewers who have knowledge of the CWMS and how zone committees operate and have cultural capacity with direction to Rūnanga interests.

### **4 Who should be involved in the review**

The reviewers should obtain input from anyone who wishes to contribute to the review. This should include input from the zone committee, Hurunui District Council and Environment Canterbury.

When compiling the review, views or comments should be kept anonymous.

### **5 Developing the final review recommendations**

A draft of the review should be discussed with the zone committee and staff of Hurunui District and Environment Canterbury. Final recommendations should be developed through this discussion.