

CANTERBURY REGIONAL COUNCIL
Kaunihera Taiao ki Waitaha

AGENDA|2019

Council

Thursday, 12 December 2019

.....

Time: 11.00am

Venue: Council Chamber,
200 Tuam Street, Christchurch

Council

Membership

Chair	Cr Jenny Hughey
Deputy Chair	Cr Peter Scott
Membership	Cr Tane Apanui Cr Phil Clearwater Cr Grant Edge Cr Megan Hands Cr Ian Mackenzie Cr Nicole Marshall Cr Claire McKay Cr Elizabeth McKenzie Cr Craig Pauling Cr Lan Pham Cr Vicky Southworth Cr John Sunckell

Council Meeting

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- 1. Karakia**
- 2. Apologies**
- 3. Conflicts of Interest**

4. Deputations and Petitions

5. Minutes

Minutes of 506th meeting of the Canterbury Regional Council held in the Council Chamber, 200 Tuam Street, Christchurch on Thursday, 14 November 2019 at 11.00 am

Contents

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7. Matters for Council Decision
 - 7.1 Committee Structure and Appointments
 - 7.2 Appointment of Councillors to Partnership Fora
 - 7.3 Councillor Remuneration
 - 7.4 Audit NZ Engagement Letters
8. Other business
9. Exclusion of the Public
10. Notices of Motion
11. Questions
12. Closing Karakia

Present

Chair Jenny Hughey, Deputy Chair Peter Scott, Councillors Tane Apanui, Phil Clearwater, Grant Edge, Megan Hands, Ian Mackenzie, Nicole Marshall, Claire McKay, Elizabeth McKenzie, Craig Pauling, Lan Pham, Vicky Southworth and John Sunckell.

Management and officers present

Bill Bayfield (Chief Executive), Miles McConway (Director Finance and Corporate Services), Tafflyn Bradford-James (Director Communications and Engagement), Nadeine Dommisie (Chief Operating Officer), Katherine Trought (Director Strategy and Planning), Stefanie Rixecker (Director of Science), Catherine Schache (General Counsel), and Louise McDonald (Senior Committee Advisor).

1. **Welcome and opening karakia**

Chair Hughey welcomed everyone to the meeting and invited Cr Pauling to open the meeting with a karakia.

2. **Apologies**

There were no apologies.

3. **Conflicts of interest**

There were no conflicts of interest declared.

4. **Deputations and Petitions**

There were no deputations or petitions.

5. **Minutes**

Refer pages 7 to 12 of the agenda

Resolved

That the Council:

1. **confirms and adopts as a true and correct record the minutes of the meeting held on 24 October 2019.**

Chair Hughey/Cr McKay
CARRIED

6. **Matters Arising**

6.1 **Kauhau whakataki – introductory speech**

The Chair invited each Councillor to speak on their motivation for standing for Council and on what they were looking forward to in this term of Council.

7. **Matters for Council Decision**

7.1 **Committee Structure and Appointments**

Refer to pages 14 to 97 of the agenda

Resolved

That the Council:

- 1. adopts a committee structure consisting of:**
 - 1.1 four standing committees;**
 - **Performance Audit and Risk Committee**
 - **Regulation Hearing Committee**
 - **Canterbury Water Management Strategy Regional Committee**
 - **Chief Executive Employment, Performance and Remuneration Committee**
 - 1.2 two statutory committees;**
 - **Canterbury Civil Defence Emergency Management Joint Committee**
 - **Canterbury Regional Transport Committee**
 - 1.3 twelve joint committees;**
 - **Greater Christchurch Public Transport Joint Committee**
 - **Greater Christchurch Partnership Committee**
 - **Ashburton Zone Committee**
 - **Banks Peninsula Zone Committee**
 - **Christchurch-West Melton Zone Committee**
 - **Hurunui-Waiau Zone Committee**
 - **Kaikōura Zone Committee**
 - **Lower Waitaki-South Coastal Canterbury Zone Committee**
 - **Orari-Temuka-Opihi-Pareora Zone Committee**
 - **Selwyn-Waihora Zone Committee**
 - **Upper Waitaki Zone Committee**
 - **Waimakariri Zone Committee.**

Cr Sunckell/Cr McKay
CARRIED

Standing Committees

Resolved

That the Council:

- 1. establishes pursuant to clause 30(1) of Schedule 7 of the Local Government Act 2002, the Performance, Audit and Risk Committee.**
- 2. appoints Cr Sunckell (chair), Crs Hughey, Edge, Hands, Mackenzie & McKay to the Performance Audit and Risk Committee to sit along with one independent member.**

Cr Scott/Cr Pauling
CARRIED

It was noted that the previous Council, at its meeting of 29 August 2019, resolved that the Regulation Hearing Committee and Canterbury Water Management Strategy Regional Committee not be discharged at the end of the triennium and that individuals appointed to those committees continue until the time the new Council made its own appointments.

Resolved

That the Council:

1. **appoints Crs McKay (chair) Edge, Marshall, Pauling & Pham to the Regulation Hearing Committee.**

Cr Clearwater/Cr Marshall
CARRIED

Resolved

That the Council:

2. **appoints Crs McKay & Pauling as members of the Canterbury Water Management Strategy Regional Committee.**

Cr Mackenzie/Cr Edge
CARRIED

Resolved

That the Council:

1. **establishes the Chief Executive Employment, Performance and Remuneration Committee.**
2. **appoints the Chair, the Deputy Chair, Crs Clearwater & Mackenzie as members of the Chief Executive Employment, Performance and Remuneration Committee.**

Cr Marshall/Cr Apanui
CARRIED

Statutory Committees

Resolved

That the Council:

1. **establishes the Canterbury Regional Transport Committee pursuant to section 105(1) of the Land Transport Management Act 2003.**
2. **appoints Crs Scott (chair) & Clearwater (deputy chair) to act as the Chair and Deputy Chair of the Canterbury Regional Transport Committee, in accordance with the requirements of the Land Transport Management Act 2003.**

3. notes that under the Land Transport Management Act 2003, Canterbury Regional Council is delegated responsibility to appoint members to the Canterbury Regional Transport Committee following receipt of nominations from the region's territorial authorities, New Zealand Transport Agency and sector groups, and these nominations will be reported to Council for appointment in due course.

Cr McKay/Cr Sunckell
CARRIED

Resolved

That the Council:

1. notes that the Canterbury Civil Defence Emergency Management Group Joint Committee is a permanent Committee required by statute.
2. appoints Cr Sunckell to the Canterbury Civil Defence Emergency Management Group Joint Committee, pursuant to Section 13(4) of the Civil Defence Emergency Management Act 2002.
3. delegates to Cr Sunckell the authority to act for the Environment Canterbury Chair in performance of this role.

Cr Scott/Cr Pham
CARRIED

Other Joint Committees

Resolved

That the Council:

1. notes that under clause 4.5 of its Terms of Reference the Greater Christchurch Public Transport Joint Committee is not discharged at the end of a triennium.
2. appoints Chair Hughey, Crs Apanui & Clearwater to the Greater Christchurch Public Transport Joint Committee, noting that Alister James has been appointed as Independent Chair of this committee for up to three years.
3. notes that under clause 4.2 of the Greater Christchurch Public Transport Joint Committee Terms of Reference the parties (Christchurch City Council, Waimakariri District Council, Selwyn District Council and the New Zealand Transport Agency) will each appoint their representatives. Council will be advised of these appointments in due course.

Cr Marshall/Cr Edge
CARRIED

Resolved

That the Council:

- 1. notes that the Greater Christchurch Partnership Committee has appointed an Independent Chair Bill Wasley and is administered by the Christchurch City Council.**
- 2. appoints Chair Hughey and Crs Clearwater & Edge to the Greater Christchurch Partnership Committee.**

Cr Apanui/Cr Pham
CARRIED

Resolved

That the Council:

- 1. notes that the former Council, at its meeting on 29 August 2019, resolved that the Canterbury Water Management Strategy Zone Committees not be discharged at the end of the triennium, and that the membership of those committees continue until the Council resolves to make new appointments.**
- 2. appoints one Councillor to each of the zone committees;**
 - Cr Mackenzie - Ashburton Zone Committee**
 - Cr Pham - Banks Peninsula Zone Committee**
 - Cr Clearwater - Christchurch-West Melton Zone Committee**
 - Cr McKay - Hurunui-Waiau Zone Committee**
 - Cr Edge - Kaikōura Zone Committee**
 - Cr Marshall - Lower Waitaki-South Coastal Canterbury Zone Committee**
 - Cr McKenzie - Orari-Temuka-Opihi-Pareora Zone Committee**
 - Cr Southworth - Selwyn-Waihora Zone Committee**
 - Cr Sunckell - Upper Waitaki Zone Committee**
 - Cr Hands – Waimakariri Zone Committee.**
- 3. notes that local authorities and Rūnanga members on each Zone Committee appoint their own representatives.**

Cr Pauling/Cr Apanui
CARRIED

Resolved

That the Council:

- 1. notes the community members on each Zone Committee are appointed by the constituent local authorities on a rotating membership with one third of community member positions open for appointment each year.**

Cr Edge/Cr Clearwater
CARRIED

Resolved

That the Council:

Terms of Reference

1. **adopts the proposed Committee Terms of Reference and relevant Agreements attached as Attachment 1 to the report.**

General

2. **agrees there will be a meeting of the full Council and of the Performance, Audit and Risk Committee on a four weekly cycle or otherwise, as required.**
3. **agrees there will be a meeting of the Canterbury Water Management Strategy Regional Committee every two months.**
4. **agrees the Statutory Committees and Joint Committees will meet as and when required.**

Cr Marshall/Cr Edge
CARRIED

7.2 Appointment of Councillors to partnership fora

Refer pages 98 to 152 of the agenda

Resolved

That the Council:

1. **confirms the continuation of the Te Rōpū Tuia Governance Forum and appoints all Councillors to it.**
2. **notes that the Environment Canterbury Chair becomes a Co-Governor and Co-Chair of the Te Waihora Co-Governance Group by virtue of office and appoints Cr Pauling to represent Environment Canterbury as a Te Waihora Co-Governor.**
3. **notes that the Environment Canterbury Chair becomes a member of the Canterbury Mayoral Forum by virtue of office.**
4. **appoints Crs Apanui, Hands, Marshall, McKenzie, Pauling, Pham & Southworth to liaise with the Youth Rōpū.**
5. **appoints Cr Pham to represent Environment Canterbury on the Whakaraupō Governance Group.**
6. **appoints Cr Edge to represent Environment Canterbury on the North Canterbury Biosecurity Advisory Group**

7. **appoints Cr Mackenzie to represent Environment Canterbury on the Central Canterbury Biosecurity Advisory Group**
8. **appoints Cr Pham to represent Environment Canterbury on the Christchurch and Banks Peninsula Biosecurity Advisory Group**
9. **appoints Cr McKenzie to represent Environment Canterbury on the South Canterbury Biosecurity Advisory Group.**
10. **appoints Cr Southworth to represent Environment Canterbury on the Avon Heathcote Estuary Ihutai Trust.**

Cr Sunckell/Cr McKenzie
CARRIED

In conjunction with the appointments made, the Chair supported councillors to mentor or shadow other councillors to provide learning opportunities and to share knowledge.

7.3 **Councillor Remuneration**

Refer pages 153 to 172 of the agenda.

In addition to the proposal contained in the report an alternative proposal was tabled for the Council to consider.

The alternative proposal recognised the additional responsibilities of the Deputy Chair, with all other Councillors to be remunerated on an equal basis.

Cr McKay requested that it be noted that this proposal did not remunerate the chair of the Performance, Audit and Risk Committee.

Resolved

That the Council:

1. **adopts the following remuneration structure, salary allocations and descriptions for additional responsibilities and submits this proposal to the Remuneration Authority for approval:**

Office	Additional Rem per role \$	Total Rem per role \$	Total Pool \$
Chairperson x1		\$180,000	
Minimum rate per Councillor		\$63, 570	
<i>Pool for Councillor remuneration and additional responsibilities</i>			\$964,061
Total base remuneration for Councillors (\$63,570 x13)			\$826,410
Balance of pool available for additional duties or increased base remuneration			\$137,651
Councillors base remuneration x12		\$71,599	\$859,188

Council Deputy Chair x1	\$33,274	\$104,873	\$104,873
<i>Pool allocated</i>			\$964,061

2. **adopts the Environment Canterbury Councillors' Expenses, Allowances and reimbursements Policy and submits it to the Remuneration Authority for approval.**

Cr Clearwater/Cr Edge
CARRIED

7.4 **Audit NZ Engagement Letters**

Refer pages 173 to 182 of the agenda

Resolved

That the Council:

1. **authorises the Chair of the Canterbury Regional Council to sign letters agreeing:**
 - 1.1 **to the terms of engagement in respect of the audit of funding received for the Freshwater Improvement Funding Deed (Waikirikiri/Selwyn River).**
 - 1.2 **letter of representation limiting the independent assurance that Audit New Zealand can provide for the audit of Canterbury Regional Council's Debenture Trust Deed.**

Cr Scott /Cr Clearwater
CARRIED

5. **Other Business**

Cawthron New Zealand River Awards

The Chair reported on her attendance at the Cawthron New Zealand River Awards. On behalf of the Council she had accepted an award as a finalist in the most improved river awards. This award was for the Ōtākaro/Avon River from Manchester Street to Victoria Square in Christchurch and reflected the benefit of collaboration.

The project to improve the health of the river was undertaken by Christchurch City Council, the Canterbury Earthquake Recovery Authority, Ōtākaro and Environment Canterbury. Scientist Shelley McMurtrie of EOS Ecology employed by the City Council was a key champion of the work.

On behalf to the Council the Chair thanked all those who worked on this project.

6. **Notices of motion**

There were no notices of motion.

7. **Questions**

There were no questions.

8. **Next meeting**

The next meeting will be held on Thursday 12 December.

9. **Closing karakia**

The Chair thanked everyone for their participation and invited Cr Pham to close the meeting with a karakia at 12.12pm.

CONFIRMED

Date _____ **Chair** _____

6. Matters Arising

7. Committee Reports

7.1. Standing Committees

7.1.1. Performance, Audit and Risk Committee

Council report

Date of meeting	12 December 2019
Author	Vivienne Ong Committee Advisor
Endorsed by	Nicholas Hill Risk & Business Improvement Manager

Purpose

1. For the Council to receive the unconfirmed minutes from the Performance, Audit and Risk Committee held on 28 November 2019.
2. These minutes will be presented to the next meeting of the Performance, Audit and Risk Committee for adoption.
3. There are two recommendations to Council regarding:
 - A change to the Fixed Hedging Percentages in the Liability Management and Investment Policy
 - Transfer of funds from the Energy Efficiency reserve

Recommendations

That the Council:

1. **Receives the unconfirmed minutes of the Performance, Audit and Risk Committee meeting held 28 November 2019**
2. **Receives the summary of the financial reports for the period ending 31 October 2019**
3. **Approves that Environment Canterbury's Liability Management and Investment Policy has its hedging % changed per the table below.**

	Minimum Fixed Rate	Maximum Fixed Rate
0 – 2 years	40%	100%
2 – 4 years	25%	80%
4 – 8 years	0%	60%

4. Approves the transfer of funds from the Energy Efficiency reserve for provision of subsidy support for Waimate and Geraldine communities (and the subsequent closing of the reserve account)
5. Notes the resolutions made by the Committee under delegated authority

Attachments

1. Minutes - Performance Audit and Risk Committee meeting - 28 November 2019 - Unconfirmed [7.1.1.1 - 7 pages]
2. Financial Summary Reports [7.1.1.2 - 2 pages]

Legal review	
Peer reviewers	Nicholas Hill

Minutes of the 151st meeting of the Performance, Audit and Risk Committee held in the Council Chamber, 200 Tuam Street, Christchurch on Thursday, 28 November 2019 at 2.00pm

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1. Apologies
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 - 4.1 Health and Safety
5. Performance
 - 5.1 Public Transport Financial Update
 - 5.1 Action List
 - 5.2 Treasury Policy Change
 - 5.3 Approve transfer of Energy Efficiency Reserves
 - 5.4 Portfolio Financial Report October 2019
 - 5.5 Financial Health Reports October 2019
 - 5.6 Portfolio Performance Report
6. Audit
 - 6.1 Audit New Zealand report to the Council on the 2018/19 Annual Report
7. Public Excluded
8. Notices of Motion
9. Extraordinary and Urgent Business
10. Questions
11. Next Meeting
12. Closure

Present

Cr John Sunckell (Chair)	Cr Claire McKay	Cr Megan Hands
Chair Jenny Hughey	Cr Ian Mackenzie	Cr Grant Edge
Graeme McGlinn		

In Attendance

Cr Vicky Southworth	Myles O'Connor, Bancorp (Treasury Advisor)
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Management and officers present

Bill Bayfield (Chief Executive), Nadeine Dommissie (Chief Operating Officer), Tafflyn Bradford-James (Director Communications), Catherine Schache (General Counsel), David Perenara-O'Connell (Senior Strategy Manager), Stewart Gibbon (Senior Manager Public Transport), Nicholas Hill (Risk and Business Improvement Manager), Caroline Hart (Senior Strategy Manager), Samantha Elder (Senior Strategy Manager), Matthew Bennett (Principal Health and Safety Advisor), Tarsha Triplow (Team Leader Corporate Reporting), and Vivienne Ong (Committee Advisor)

Report writers and supporting staff were also in attendance.

Welcome

The Chair welcomed everyone to the Performance, Audit and Risk Committee meeting.

1. **Apologies**

An apology was received from Chair Hughey.

2. **Conflicts of interest**

There were no conflicts of interest recorded.

3. **Deputations and petitions**

No petitions or requests for deputations were received.

4. **Risk**

4.1 **Health and Safety Report**

Refer page 8 – Performance, Audit and Risk Committee Agenda

Matthew Bennett advised that Section Health and Safety Plans, which were used to monitor and drive safety performance, have been moved to a digital platform (using existing software systems).

Resolved

That the Performance, Audit and Risk Committee:

- 1. Receive the Health and Safety Governance report.**

Cr Mackenzie / Cr Edge
CARRIED

5. **Performance**

5.1 **Action List**

Refer page 26 – Performance, Audit and Risk Committee Agenda

Nicholas Hill advised there were no outstanding actions for this meeting, and at future meetings a table of Actions would be provided.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Receives the Audit List report**

Cr Hands / Cr McKay
CARRIED

5.1 Public Transport Financial Update

Refer page 17 – Performance, Audit and Risk Committee Agenda

Stewart Gibbon spoke to his report and explained the negative patronage shown in the report was primarily attributed to the relocation of Avonside Girls/Shirley Boys High Schools and Unlimited school. This was a customer service improvement for patrons accessing their destinations more directly; however, it did display as a downward trend on the network.

Farebox measurements were down by 0.5% year to date. Whilst patronage was down, farebox had not been impacted as much. Analysis also showed more patrons had moved to using MetroCard (customers using cash fares paid a higher rate). This was good from a service perspective but did yield less revenue.

Total Mobility revenue was over budget mainly due to increased usage.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Receives the financial update on Public Transport**

Cr McKay / Cr Mackenzie
CARRIED

Agenda item 5.3 was taken at this time.

5.3 Transfer of Energy Efficiency Reserves

Refer page 59 – Performance, Audit and Risk Committee Agenda

Tafflyn Bradford-James advised the Energy Efficiency reserve would be used to provide financial assistance to Waimate and Geraldine communities to transition to cleaner home heating. There was a waitlist for the new home heating subsidy.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Notes the support from the Energy Efficiency and Conservation Authority (EECA) for the utilisation of the funds in the Energy Efficiency reserves.**
- 2. Recommends to Council the transfer of the funds from the Energy Efficiency reserve for provision of subsidy support for Waimate and Geraldine communities (and the subsequent closing of reserve account)**

Cr Hands / Cr McKay
CARRIED

5.4 Portfolio Financial Report

Refer page 63 – Performance, Audit and Risk Committee Agenda

Tarsha Triplow and Katherine Harbrow reported on financial performance for the period ended 31 October 2019.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Receives the Portfolio Financial report for the period ended 31 October 2019**
- 2. Receives the Council approved unbudgeted expenditure for this financial year**

Cr McKay / Cr Mackenzie
CARRIED

5.5 Financial Health Reports October 2019

Refer page 71 – Performance, Audit and Risk Committee Agenda

Tarsha Triplow and Katherine Harbrow reported on financial results for the period ended 31 October 2019 and provided an update on the cash position.

The Chair noted the minor breach in investment funding that the auditors had noted in their report and that it would be rectified.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Receives the monthly Financial Health Report for the period ended 31 October 2019**
- 2. Receives the Bancorp Quarterly Treasury report to 30 September**
- 3. Notes the table of Council approved unbudgeted expenditure listed in the Financial Health Report**

Cr Edge / Cr Hands
CARRIED

Agenda item 5.2 was taken at this time.

5.2 Treasury Policy Change

Refer page 27 – Performance, Audit and Risk Committee Agenda

Katherine Harbrow spoke to the report and Myles O'Connor presented an economic overview and explained management of the Liability Management Policy, borrowing management, internal controls and LGA (Local Government Act 2002) requirements. Myles advised due to good management and good timing of debt, the impact was positive resulting in Environment Canterbury's cost of funds being one of the lowest in the sector of New Zealand.

Audit New Zealand recommended a change in policy to enable flexibility to select the best strategy for treasury management.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Recommends to Council that Environment Canterbury's Liability Management and Investment Policy has its hedging % changed per the table below**

	<i>Minimum Fixed Rate</i>	<i>Maximum Fixed Rate</i>
0-2 years	40%	100%
2-4 years	25%	80%
4-8 years	0%	60%

Cr Mackenzie / Cr McKay
CARRIED

5.6 Portfolio Performance Report

Refer page 91 – Performance, Audit and Risk Committee Agenda

David Perenara-O'Connell, Caroline Hart and Sam Elder presented the first quarterly report summarising activity across six portfolios and commitments to the community via the Long-Term Plan 2018-28.

Progress remained on track for the majority of levels of service in the Transport and Urban Development Portfolio; however, it was highlighted old targets set pre-earthquake were not achievable by the end of the financial year and the intent is to make amendments for future years.

The Chair commented it took a while to be able to locate in the report the detail on level of service targets not on track or not achieved; however overall, the presentation and format of the report was very good.

Resolved

That the Performance, Audit and Risk Committee:

- 1. Receives the Portfolio Performance report for the first quarter of the financial year 1 July – 30 September 2019**

Cr McKay / Cr Edge
CARRIED

6. Audit

6.1 Audit New Zealand report to the Council on the 2018/19 Annual Report

Refer page 113 – Performance, Audit and Risk Committee Agenda

Katherine Harbrow spoke on the four areas of improvement and next steps.

Unconfirmed

The Chair congratulated the team on a successful audit.

Resolved

That the Performance, Audit and Risk Committee:

1. receive the Audit New Zealand report on Canterbury Regional Council for the year ended 30 June 2019
2. acknowledge the four new recommended beneficial (pages 13-15 of the attached report) and the clearance of the five previous recommendations (page 23 of the attached report)
3. note the commentary (page 6 of the attached report) in respect of old MetroCard credits and expired balances

Cr Mackenzie / Cr Edge
CARRIED

7. Public Excluded

Resolved

1. That the public be excluded from the following part of the proceedings of this meeting.

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	Minutes/Report of	General Subject of each matter considered	Reason for passing this resolution to each matter	Ground(s) under section 48(1) for the passing of this resolution
1.1	Sensitive Expenditure BI Report – October 2019	Update	Good reason to withhold exists under section 7	Section 48(1)(a)
1.2	Risk Report			

This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceeding of the meeting in public are as follows:

Item No.	
1.1 & 1.2	Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii) Enable the Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)

That appropriate officers remain to provide advice to the Committee.

Cr McKay / Cr Mackenzie
CARRIED

Unconfirmed

The meeting went into public excluded session from 2.50pm to 3.02pm.

7. **Notices of motion**

There were no notices of motion.

9. **Questions**

There were no questions.

10. **Next Meeting**

The next meeting will be held on 27 February 2020.

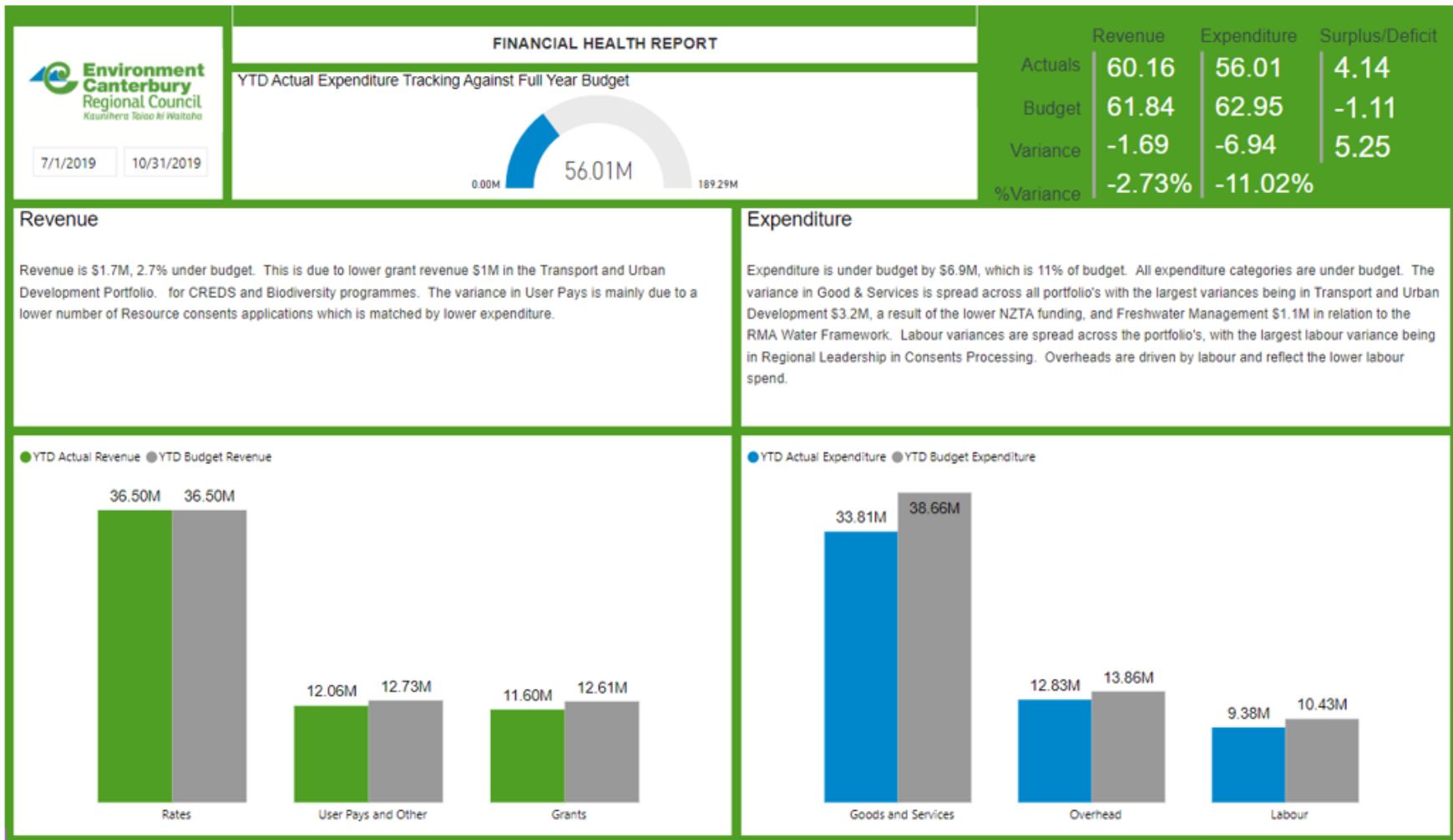
11. **Closure**

The Chair declared the meeting closed at 3.04 pm.

CONFIRMED

Date

Chairperson



Cash and Bank

as at 10/31/2019

37.9M

Cash

0.8M

Metrocard

3.9M

Investment

33.2M

Investment Details (\$000)

\$	Maturity	Days	Rate
3000	13/11/2019	50	2.18%
1300	22/11/2019	270	3.35%
900	4/12/2019	180	3.29%
1200	30/12/2019	213	3.26%
2500	27/01/2020	90	2.31%
3000	3/02/2020	91	2.30%
600	17/04/2020	213	2.78%
12000	28/04/2020	216	2.74%
1000	12/05/2020	263	2.76%

Total Actual Cash & Bank

37.9M

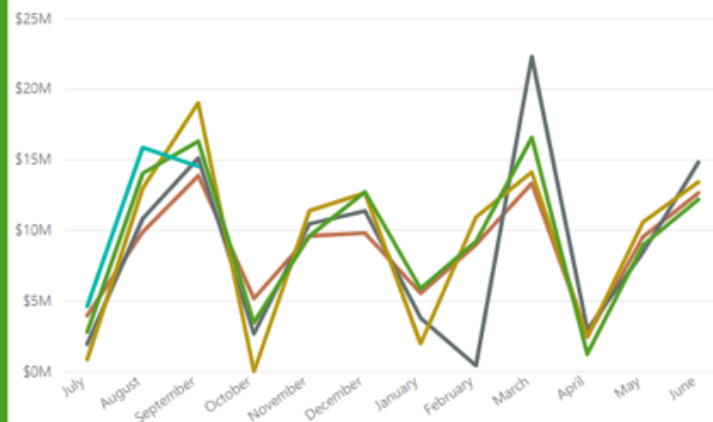
Cash Reserve Policy: 12.81M

Financial Position

Cash and Bank	37.9M
Other Current Asset	21.9M
Non Current Asset	967.2M
Current Liabilities	-22.1M
Non Current Liabilities	-55.1M
Net Assets	949.7M

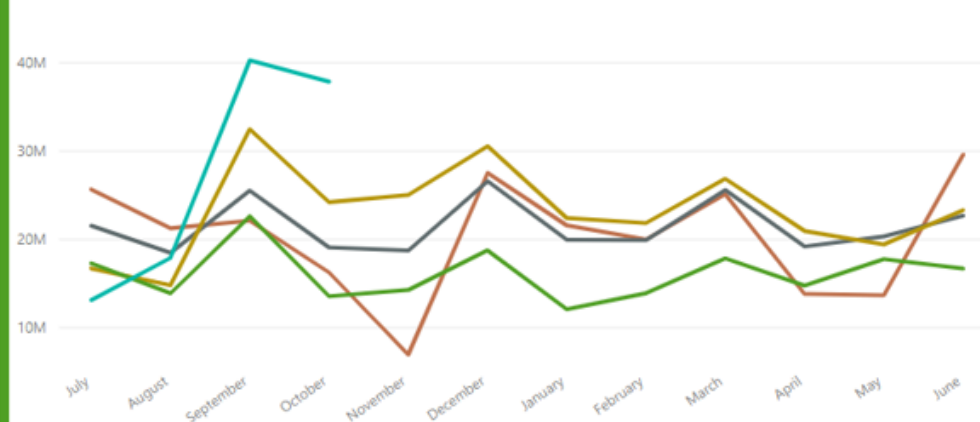
Rates Revenue Tracking Against Previous Years

Financial Year ● 2016 ● 2017 ● 2018 ● 2019 ● 2020



Cash and Bank Balance Tracking Against Previous Years

Financial Year ● 2016 ● 2017 ● 2018 ● 2019 ● 2020



7.1.2. Regulation Hearing Committee

Council report

Date of meeting	12 December 2019
Author	Alison Cooper, Consents Hearing Officer

Purpose

1. For the Council to receive, for information, minutes from the Regulation Hearing Committee.

Recommendations

That the Council:

1. **receives the unconfirmed minutes of the Regulation Hearing Committee meeting held on 14 November 2019.**
2. **receives the unconfirmed minutes of the Regulation Hearing Committee meeting held on 28 November 2019.**

Attachments

1. Regulation Hearing Committee – unconfirmed minutes 14 November 2019
2. Regulation Hearing Committee – unconfirmed minutes 28 November 2019

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chamber, 200 Tuam Street, Christchurch, on
Thursday, 14 November 2019 at 9.00am

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- 6.0 Item for Discussion
 - 6.1 Appointment of Hearing Commissioner – Wangan Hills Limited
- 7.0 Extraordinary and Urgent Business
- 8.0 Next Meeting
- 10.0 Closure

PRESENT

Councillors Claire McKay (Chair), Lan Pham and Peter Scott

IN ATTENDANCE

Hayleigh Brereton (Regional Leader Consents Delivery), and Alison Cooper (Consents Hearings Officer)

1. APOLOGIES

There were no apologies.

2. CONFLICT OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF MEETING – 7 NOVEMBER 2019

The Committee clarified and amended Item 2 on page 1 of the minutes by adding the following words to the sentence so it read: It was noted and agreed that it was not a conflict of interest in this matter as the appointment was of a decision maker, and not the decision.

The Regulation Hearing Committee:

Noted the minutes of the meeting held on 7 November 2019 be taken as read

Cr Scott / Cr Pham
CARRIED

4. MATTERS ARISING

There were no matters arising.

5. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

6. ITEMS FOR DISCUSSION

6.1 Appointment of Hearing Commissioner – Wongan Hills Limited

Resolved:

That the Regulation Hearing Committee in regard to resource consent applications CRC193743, CRC193745 and CRC193748 to be held by Wongan Hills Limited:

- 1. Appoints Emma Christmas as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
- 2. Delegates to Emma Christmas, pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide the resource consent applications.**

Cr Pham / Cr **Scott**

CARRIED

7. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

8. OTHER BUSINESS

Councillor Scott noted that this was his last Regulation Hearing Committee meeting. He noted that Regulation Hearing Committee members should undertake the Good Decision makers course as it added value to the decision-making. He said that changing the terms of reference of the committee should be reconsidered to undertake making decisions on applications.

9. NEXT MEETING - To be advised

10. CLOSURE - The Chairperson declared the meeting closed at 8.39 am

CONFIRMED

Date:

Chairperson:

REGULATION HEARING COMMITTEE

Minutes of the meeting held in the
Council Chamber, 200 Tuam Street, Christchurch, on
Thursday, 28 November 2019 at 8.30am

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- 1.0 Apologies
- 2.0 Conflict of Interest
- 3.0 Minutes of Meeting – 14 November 2019
- 4.0 Matters Arising
- 5.0 Deputations and Petitions
- 6.0 Item for Discussion
 - 6.1 Appointment of Hearing Commissioner – Fulton Hogan Limited
- 7.0 Extraordinary and Urgent Business
- 8.0 Next Meeting
- 10.0 Closure

PRESENT

Councillors Claire McKay (Chair), Grant Edge, Nicole Marshall, and Craig Pauling

IN ATTENDANCE

Tania Harris (Senior Manager Operational Support), Marie Dysart (Solicitor) and Alison Cooper (Consents Hearings Officer)

1. APOLOGIES

It was moved that the apology of Councillor L Pham be received.

Cr McKay/Cr Edge
CARRIED

2. CONFLICT OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF MEETING – 14 NOVEMBER 2019

The amended minutes of the 14 November 2019 were tabled, with the minutes to come back for approval at a subsequent meeting due to unavailability of a committee member, who was at the meeting.

4. MATTERS ARISING

There were no matters arising.

5. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

6. ITEMS FOR DISCUSSION

Marie Dysart advised that the return of the application was incorrectly stated in paragraph 2. She noted an application is returned under s88(3) of the Resource Management Act 1991.

Councillor Edge asked for clarification of a return of application under s88; and a s92 request for further information. It was explained that a return of an application under s88 was because the application did not have all the required information as required by Schedule 4 when it was lodged; and a request for further information under s92 could be made once an application had been accepted and it was considered further information on part or parts of the application was necessary to better understand an application.

6.1 Appointment of Hearing Commissioner – Fulton Hogan Limited

Resolved:

That the Regulation Hearing Committee in regard to an objection to decision on resource consent application CRc201684 to be held by Fulton Hogan Limited:

- 1. Appoints Cindy Robinson as a Hearings Commissioner under s34A of the Resource Management Act 1991; and**
- 2. Delegates to Cindy Robinson, pursuant to s34A(1) Resource Management Act 1991, the function, powers and duties required to: deal with any preliminary matters; hear; and decide the objection to decision.**

Cr McKay/ Cr Edge
CARRIED

7. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

8. OTHER BUSINESS

8.1 Hearing Commissioners appointments

Councillor Marshall asked how appointees were determined. It was advised that hearing commissioners are appointed as per the criteria listed in the Hearing Policy.

It was agreed that a briefing paper outlining the criteria for hearing commissioner appointments be prepared for the Committee.

8.2 Hearing Policy

It was noted the Hearing Policy be placed into the Councillors sharepoint site.

8.3 Resource Management timeframes

Councillor Marshall asked about the resource management timeframes over the Christmas period. It was advised that timeframes are not counted during the period commencing 20 December and ending with the 10 January.

9. NEXT MEETING - To be advised

10. CLOSURE - The Chairperson declared the meeting closed at 8.45 am

CONFIRMED

Date:

Chairperson:

8. Matters for Council Decision

8.1. Te Ara Whakamua

Council report

Date of meeting	12 December 2019
Author	Julian Phillips
Responsible Director	Katherine Trought

Purpose

1. To provide Council with an independent report that recommends how future Ngāi Tahu participation in Environment Canterbury governance arrangements could be provided for by the Council.

Recommendations

That the Council:

1. **Receives the report prepared by Bob Penter titled: Ngāi Tahu Participation within Environment Canterbury Governance Arrangements (the report)**
2. **Endorses the report as a sound basis for the development of an implementation plan for Ngāi Tahu participation in future governance arrangements within Environment Canterbury.**

Background

2. The decision of Parliament earlier this year not to support the Canterbury Regional Council local bill that sought to secure permanent Ngāi Tahu positions on Council means that the Ngāi Tahu appointed representatives have ceased since the local body elections held on October.
3. The two Ngāi Tahu mandated Council seats were provided for through the Environment Canterbury (Transitional Governance Arrangements) Act 2016 (ECan Act) which came to an end at the local body elections this year.
4. This means an alternative option for participation of Ngāi Tahu in Council is required.
5. It is important to note that even where there are candidates of Ngāi Tahu descent elected to Council, their role is to represent the constituency in which they are elected rather than representing Ngāi Tahu as the manawhenua of the region as the previous Ngāi Tahu appointed and mandated Councillors did.

6. Ngāi Tahu participation in Council governance will ensure that Councillors will have peers that can inform their thinking and understanding of Ngāi Tahu values, issues and opportunities when making their decisions.
7. Ngāi Tahu participation in Council governance will also promote continued engagement by Papatipu Rūnanga in key Environment Canterbury led processes, such as the Canterbury Water Management Strategy, thereby reverting to a more adversarial relationship.
8. There are a number of strategic drivers that highlight why it is important to respond to the changes that will occur to Ngāi Tahu participation in the future governance arrangements of Council now that the ECan Act has come to an end, including:
 - the need to maintain an effective and proactive relationship with Ngāi Tahu
 - the need to continue to deliver Council functions informed by Ngāi Tahu values and mātauranga
 - the need to deliver on specific national policy requirements such as recognising Te Mana o Te Wai and the integration of Mātauranga Māori in freshwater management and monitoring
 - the implementation of regional plans that will require Ngāi Tahu support
 - the need to deliver on Canterbury Water Management Strategy, in particular the Kaitiakitanga Targets.
9. The 'Ngāi Tahu Participation within Environment Canterbury Future Governance Arrangements' (the report) was commissioned by the previous Council to provide independent advice that documents the background, the need for a solution, options considered and a preferred approach for Ngāi Tahu participation in future Council decision making as required by section 81 of the Local Government Act 2002.
10. The report contains eight recommendations that are grouped into two aligned areas outlined below:
 - **Tuia recommendation 1:** retain the Tuia Agreement as the relationship anchor. It is the foundation upon which the relationship is built and provides an essential platform that enables Environment Canterbury to be responsive to the concerns, expectations and interests of mana whenua.
 - **Tuia recommendation 2:** generate a greater separation in the level of issues/information responded to at Te Rōpū Tuia hui and by staff within Te Paiherenga (Joint Technical Working Group). Te Rōpū Tuia hui should be forward looking with a strategic focus to enable high-level discussion. Te Paiherenga is best able to respond to delivery/operational issues and staff can report back to their respective organisations. This approach will ensure Te Rōpū Tuia hui do not bog themselves down in more routine day-to-day business.

- **Tuia recommendation 3:** encourage Papatipu Rūnanga/Te Rūnanga/Environment Canterbury pre-hui coordination to prioritise the Te Rōpū Tuia hui agenda items so the time spent together is to best effect. Ensure Te Paiherenga staff do not 'overload' hui participants with written material.
- **Tuia Recommendation 4:** request that Papatipu Rūnanga endorse one or more kaumātua to act as a 'Pou' for the Tuia Agreement and to support Environment Canterbury in matters of tikanga at both a governance and staff level.
- **Governance recommendation 1:** retain the current Environment Canterbury governance structure:
 - a. Non-statutory portfolios;
 - b. Weekly full Council workshop;
 - c. Existing two standing committees;
 - d. Monthly formal Council meeting.
- **Governance recommendation 2:** enable two Ngāi Tahu appointed representatives to participate in an advisory role in the above governance structure, across the breadth of Council business. This is a non-voting role with a clear role description. The two Ngāi Tahu appointed advisors will work closely with mana whenua and participate in Te Rōpū Tuia hui. These advisory positions do not have councillor decision-making powers. However, they will support the opportunity for better decision-making outcomes for tangata whenua through direct advice at the key points within Environment Canterbury's decision-making process.
- **Governance recommendation 3:** ensure the Regulation and Hearings Standing Committee continues the practice of appointing at least one Ngāi Tahu commissioner to hearing panels.
- **Governance recommendation 4:** revisit, at the appropriate time, the opportunity for ECan and Ngāi Tahu to support the passing of specific legislation to secure Ngāi Tahu appointed councillors within Environment Canterbury.

11. The report was tabled and discussed at the Te Rōpū Tuia meeting held 6 September. Te Rōpū Tuia recommended it be received by the previous Council and be recommended for consideration by the current Council.

Next steps

12. If Council agrees to the recommendations in this paper the next step will be for Te Rōpū Tuia to consider commissioning the joint (Ngai Tahu and Environment Canterbury) development of an implementation plan.

Attachments

1. Ngai Tahu Participation within Environment Canterbury Governance Arrangements - Bob Penter [8.1.1 - 23 pages]

File reference	[SharePoint link for this paper]
Legal review	
Peer reviewers	[Names of two peer reviewers who have reviewed this paper]

Environment Canterbury

Ngāi Tahu Participation within Environment Canterbury Governance Arrangements

Prepared by Bob Penter



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Executive Summary

Environment Canterbury (ECan), Ngāi Tahu and the regional community have benefited by the appointment of initially one Ngāi Tahu councillor and, for the past several years, two Ngāi Tahu councillors under ECan transitional governance arrangements. These arrangements cease at the 2019 local body elections in October. The defeat at first reading of proposed legislation to continue Ngāi Tahu representation into the future was a significant setback for both Ngāi Tahu and ECan. There was no alternative plan to the proposed legislation.

Our interviews with Ngāi Tahu representatives, ECan councillors, and ECan's Executive Leadership Team make it clear that too much progress has been made in the relationship between Ngāi Tahu and ECan to risk it stalling at best, or eroding at worst, after the 2019 local body elections. This risk arises with what will be a largely new group of elected ECan councillors that must quickly come to grips with how they want to structure ECan's governance arrangements and best respond to ECan's ongoing relationship with Ngāi Tahu in the absence of two Ngāi Tahu appointed councillors.

We have found that the relationship between Ngāi Tahu and ECan is still evolving and faces challenges, particularly in regard to freshwater management. However, the depth of relationship is valued enormously by both organisations who have expressed their desire to see the incoming ECan council support the growth of this pivotal relationship during this next phase of ECan returning to a full democracy model.

We detailed the breadth of iwi participation models that could be applied to ensuring Ngāi Tahu a place within ECan's decision-making processes. However, in our view none of these models are entirely fit for purpose because they do not operate at the highest level of decision-making (that all interviewees suggested is required) and would detract from the streamlined decision-making processes already in place within ECan.

Our view is that Ngāi Tahu influence within ECan's decision-making process is best achieved through a bespoke approach that builds on the structures and processes currently in place and that appear to be working effectively and efficiently. We were particularly impressed by the Tuia Agreement between Ngāi Tahu and ECan, and ECan's commitment to resourcing it as the primary arrangement for engaging with mana whenua. We believe in this next phase there is an opportunity to strengthen and further support Tuia to ensure its increased effectiveness and success. This will require commitment from both organisations, including at a staff level, to support raising Tuia discussions to a consistently strategically focussed level.

We were impressed by the relatively low number of standing committees within ECan compared to other councils, and the highly inclusive and effective approach to developing positions on governance-level matters through a non-statutory portfolio approach and weekly workshop for all councillors. Once matters have been sufficiently workshopped by councillors, they are tabled at a formal council meeting for decision. It is our view that this approach represents best practice within local government. It does require a high level of commitment from councillors and a well performing Executive Leadership Team to respond to a weekly turnaround on workshop agenda items. We found this to be the case and it gave us confidence in recommending our bespoke approach for Ngāi Tahu participation within ECan's decision-making processes.

Ngāi Tahu interviewees stressed the importance of participating at the highest level within the ECan decision-making process, and having the ability to 'touch' that process as it develops through to a final decision. In the past several years this has allowed Ngāi Tahu a high degree of influence throughout the ECan decision-making process. It was also acknowledged that it is not possible to create roles that duplicate the full functions of councillors (even with a different role title). Our challenge was to determine an approach that best supports the highest level of Ngāi Tahu participation without undermining a clearly successful decision-making methodology that operates within ECan.

We therefore recommend:

Tuia Agreement

Tuia Recommendation 1: retain the Tuia Agreement as the relationship anchor. It is the foundation upon which the relationship is built and provides an essential platform that enables ECan to be responsive to the concerns, expectations and interests of mana whenua.

Tuia Recommendation 2: generate a greater separation in the level of issues/information responded to at Te Rōpū Tuia and by staff within Te Paiherenga (Joint Technical Working Group). Te Rōpū Tuia should be forward looking with a strategic focus to enable high-level discussion. Te Paiherenga is best able to respond to delivery/operational issues and staff can report back to their respective organisations. This approach will ensure Te Rōpū Tuia do not bog themselves down in more routine day-to-day business.

Tuia Recommendation 3: encourage Papatipu Rūnanga/Te Rūnanga/ECan pre-hui coordination to prioritise the Te Rōpū Tuia agenda items so the time spent together is to best effect. Ensure Te Paiherenga staff do not 'overload' hui participants with written material.

Tuia Recommendation 4: request that Papatipu Rūnanga endorse one or more kaumātua to act as a 'Pou' for the Tuia Agreement and to support ECan in matters of tikanga at both a governance and staff level.

Ngāi Tahu Participation within ECan Governance Processes

Governance Recommendation 1: retain the current ECan governance structure:

- Non-statutory Portfolios;
- Weekly full Council workshop;
- Existing two standing committees; and
- Monthly formal Council meeting.

Governance Recommendation 2: enable two Ngāi Tahu appointed representatives to participate in an advisory role in the above governance structure, across the breadth of Council business. This is a non-voting role with a clear role description (see Appendix Two). The two Ngāi Tahu appointed advisors will work closely with mana whenua and participate in Te Rōpū Tuia. These advisory positions do not have councillor decision-making powers. However, they will support the opportunity for better decision-making outcomes for tangata whenua through direct advice at the key points within ECan's decision-making process.

Governance Recommendation 3: ensure the Regulation and Hearings Standing Committee continues the practice of appointing at least one Ngāi Tahu commissioner to hearing panels.

Finally, we recognise that specific legislation, as proposed in the Local Bill discussed elsewhere in this report, remains the most desirable solution to ensure Ngāi Tahu representation is as a full decision-maker (appointed councillors) and is not subject to three-yearly agreement being achieved with a newly elected council. Accordingly, we recommend:

Governance Recommendation 4: revisit, at the appropriate time, the opportunity for ECan and Ngāi Tahu to support the passing of specific legislation to secure Ngāi Tahu appointed councillors within ECan.

Introduction

Background

The *Environment Canterbury (Transitional Governance Arrangements) Act 2016* (ECan Act) has provided for two Councillors to be appointed on the recommendation of Te Rūnanga o Ngāi Tahu (Te Rūnanga). The transitional legislation expires in October 2019 when Environment Canterbury will return to the normal elected model under the *Local Electoral Act 2001*.

Ngāi Tahu representation, as mana whenua, on the Council has been a key pathway to ensure that the values and concerns of mana whenua are given full expression in the Council's decision making and environmental work. Representation of mana whenua at governance level is the most effective way for a council to meet its statutory obligations under the Resource Management Act 1991 and the Local Government Act 2002.

In October 2018 Environment Canterbury promoted a Local Bill to secure permanent Ngāi Tahu representation on Environment Canterbury. However, the Bill did not receive the necessary political support to pass the first reading.

Clarity is now needed on potential alternative options to achieve Ngāi Tahu representation and participation in Environment Canterbury's work, policy development and decision making.

The purpose of this report is to document the background, the need for a solution, options considered and a preferred approach for Ngāi Tahu representation to be recommended by the current Council to the incoming Council post-October 2019 elections.

Environment Canterbury (ECan)

The Canterbury Regional Council (referred to as ECan in this report) was established in 1989 as part of the largest local government reforms in over a century. It is responsible for the largest regional jurisdiction in the South Island and consists of all the river catchments on the east coast of the South Island from the Clarence River, north of Kaikōura, to the Waitaki River, in South Canterbury. The region includes the Canterbury Plains and the major braided rivers of the South Island (the Waimakariri River, the Rakaia River and the Rangitata River), the Mackenzie Basin and the Waitaki River. Its responsibilities include overseeing the use, development and protection of natural resources (air, land, water and the coastal marine area) as well as public transport.

Ngāi Tahu

Ngāi Tahu are a resilient, entrepreneurial people who made our home in Te Waipounamu (South Island) over 800 years ago. Our ancestors were the first long distance seafarers, riding the ocean currents and navigating by stars on voyaging waka (canoes) from Hawaiki Nui. They populated the islands of the South Pacific eventually making their way to Aotearoa and Te Waipounamu.

Ngāi Tahu formed permanent and semi-permanent hapū settlements in coastal and inland regions supported by an intricate network of mahinga kai (customary food gathering sites). Whānau travelled seasonally between mahinga kai sites enjoying the bounty of seafood, eels, birds and plants, leaving traditions, knowledge and rock art to guide future generations.

Not long after our ancestors signed the Treaty of Waitangi, Ngāi Tahu entered into contracts with the Crown to sell some of our land, with the promise of the creation of reserves sufficient for our people to thrive; as well as the provision of key social infrastructure including schools and hospitals. As history shows, the Crown did not honour its side of the bargain. Ngāi Tahu were forced into being a people almost devoid of land, depleted by disease and became divorced from the growing economy. Hence Te Kerēme – the Ngāi Tahu Claim was born.

Over seven generations, Ngāi Tahu carried its quest for justice, led and inspired by the tribal philosophy of Mō tātou, ā, mō kā uri, ā muri ake nei – for us and our children after us. We overcame legal and practical barriers to continue our mahinga kai practices. We conducted the world's first indigenous census so that our descendants would always be able to trace their whakapapa. We wrote petitions to the Queen, supported our tribal

leadership to become Members of Parliament and lobbied for Commissions of Inquiry so that we would one day reclaim the land and resources we needed to ensure our people would once again flourish. The quest for justice culminated in the Ngāi Tahu Settlement of 1998 and through the transfer of a range of resources and tools, forged the next stage of our tribal journey to preserve our tribal identity and begin to create a prosperous future for our people.

In the 21st century, Ngāi Tahu identity continues to evolve and adapt as it has always done. The responsibility of current generations is to honour the deeds and values of our tīpuna and to create an inheritance for future generations. Ngāi Tahu has a responsibility to be steward; to grow and use the resources we have fought to reclaim in order to achieve the culturally rich, boundless future our tīpuna dreamed we could achieve.¹

Within the Canterbury region Ngāi Tahu are represented by Te Rūnanga and ten of its eighteen constituent Papatipu Rūnanga:

Kaikōura	Ōnuku
Ngāi Tūāhuriri	Taumutu
Rāpaki	Arowhenua
Koukourārata	Waihao
Wairewa	Moeraki

History of Ngāi Tahu Representation in Local Governance

Ngāi Tahu and ECan have a relationship that extends back to the council's establishment in 1989. However, the impetus for growth in the relationship followed the 1998 Treaty of Waitangi Settlement between Ngāi Tahu and the Crown. The re-establishment of the relationship between Ngāi Tahu and their treasured natural resources, places and mahinga kai was the cornerstone of the Settlement. To reinforce the status of Ngāi Tahu as mana whenua and kaitiaki the Settlement legislation contained an apology from the Crown, and statements from the Crown acknowledging the special relationship held by Ngāi Tahu with locations and natural resources throughout Te Waipounamu. The Settlement included new legal instruments to recognise this relationship, including Statutory Acknowledgements.

The Statutory Acknowledgements created a requirement for local bodies, including ECan, to forward a summary of every application for a resource consent for activities within, adjacent to, or impacting directly on a Statutory Acknowledgement area. In the early to mid-2000s this resulted in a somewhat transactional relationship between ECan and Ngāi Tahu. The culture within ECan during this time could be characterised by a willingness to comply with the regulations but not recognise Ngāi Tahu as an affected party for the approximately 90% of consent applications that were non-notified. This created an on-going friction between kaitiaki Ngāi Tahu, especially once these non-notified applications were disclosed by ECan in its summary of applications to Te Rūnanga.

Prior to May 2010, Environment Canterbury provided very limited support to ensure Ngāi Tahu had access to aid and influence the protection of their values as mana whenua. Post Settlement Act there were two Māori Liaison roles within Environment Canterbury, and for a significant period only one was filled— a Māori Advisory Committee met four times each year and regulatory protection of significant Ngāi Tahu sites was provided on an *ad hoc* consent-by-consent basis. This meant that planning and consent processes were often adversarial in nature and would get slowed down in court processes

¹ Abridged from source: <https://ngaitahu.iwi.nz/ngai-tahu/>

adding unnecessary time and expense. There was little to no opportunity to influence other functions of the Council.^[1]

As the economic influence of Ngāi Tahu grew alongside a renaissance within Ngāi Tahu for mahinga kai practices and environmental stewardship (kaitiakitanga) there was a culture shift within ECan that saw staff become more aware, and inclusive of, Ngāi Tahu within planning and consent processes.

This shift within ECan was further catalysed following a review of ECan's performance by the government in 2010. The outcome of this review was the removal of elected councillors with appointed commissioners installed in their place. A requirement was that one of the seven new commissioners be appointed by Te Rūnanga to support better decision-making outcomes for tangata whenua. Donald Couch, then the Deputy Kaiwhakahaere of Te Rūnanga, was appointed to this role, until his retirement in 2015, when Elizabeth Cunningham filled the role.

The Environment Canterbury (Transitional Governance Arrangements) Act 2016 subsequently required that two of the thirteen councillors (seven appointed and six elected councillors) be appointed by Te Rūnanga. Elizabeth Cunningham stayed in the role, joined by Iaeen Cranwell, and both have held these appointments since that time. The 2019 local government triennial elections mark the expiry of this legislation as ECan returns to a fully elected model. The two Te Rūnanga appointed councillor positions will therefore no longer exist.

Current Arrangements

The Ngāi Tahu-ECan relationship was formalised in 2012 with the Tuia Agreement, which, at this time, is the only current Canterbury-wide arrangement in place that will continue after the 2019 triennial elections.^[2]

The Tuia Agreement represented a step change in the relationship between Ngāi Tahu and ECan. The 'Tuia – Our Journey So Far' document sets out the clear purpose and principles for the agreement:

Tuia is about creating clear and consistent expectations for how the Environment Canterbury and Papatipu Rūnanga relationship will operate and enables a greater understanding of Ngāi Tahu values and their relevance to Environment Canterbury's work. It has four guiding principles:

- Create an intergenerational relationship that is dedicated to enhancing outcomes for current and future generations;
- Forge kotahitanga (unity) between Environment Canterbury and Papatipu Rūnanga;
- Act as stewards and caretakers of the environment, while recognising the respective contributions of both parties to environmental stewardship and shared commitment to acting as kaitiaki; and
- Anchor the relationship in face to face engagement to build shared understanding and be committed to resolving any differences through discussion and building shared understanding.

Effect is given to the agreement through an annually agreed joint work programme, which is monitored at a governance level via quarterly meetings of the ten Papatipu Rūnanga Chairs/governors with the ECan Councillors. A joint working group, Te Paiherenga, supports the technical and operational oversight of the joint work programme.

^[1] Tuia – Our Journey So Far, Environment Canterbury.

^[2] In 2012 a significant relationship milestone was also achieved with the Te Waihora Co-Governance Agreement signed between Ngāi Tahu and ECan.

Review Approach

The review approach was divided into three components:

1. Interviews with a selection of Councillors, the CEO, a selection of Directors, Programme Manager Regional Leadership, Tuia Programme Lead, and a selection of Papatipu Rūnanga representatives to identify risks and gaps once the dedicated Ngāi Tahu Councillor arrangement ceases and explore solutions that could work in an Environment Canterbury context.
2. A review of the Relationship Agreement between Papatipu Rūnanga and Environment Canterbury December 2012 (known as the 'Tuia Agreement') and advise any changes to be made to provide for new or improved arrangements.
3. Analyse feedback from the interviews and provide a final report that documents the background, the need for a solution, options considered and a preferred approach to be recommended by the current Council to the incoming Council post the October 2019 election.

Options for Iwi Participation in Governance Decision-Making

The Treaty of Waitangi laid the foundations of biculturalism for Aotearoa New Zealand through the guiding principles of partnership, participation and protection between Māori and the Crown. In order to recognise and honour the Crown's responsibility to take account of the principles of the Treaty of Waitangi, councils are required to preserve and enhance opportunities for Māori to contribute to local government decision-making processes.

The historical landscape of interactions between iwi and councils around the country is highly varied, and no two experiences are the same. As a result, there are many different models of iwi participation in local government, ranging from Memoranda of Understanding that provide for nomination to Council Committees or other bodies from hapū, tribal or mandated Māori trusts, through to appointed members of a Council, Māori committee or other standing committees.

The nature of the management agreement or position on a committee has a large bearing on the extent to which iwi can participate and influence decision-making processes in local government.

Standing Committees

A Standing Committee of Council is generally formed to do assigned work on an ongoing basis. In the context of local government, standing committees are usually established to deliver the core function of implementing and monitoring Council's legislative obligations within the bounds of its role (e.g. Strategy and Policy, or Resource Management). In some situations, standing committees are not delegated the mandate to vote and deliver programmes on behalf of Council, and are required to report back to the full Council with recommendations.

It should be noted that the degree of iwi participation and influence is not always consistent between standing committees and Councils; Māori members can be full members with voting rights, or be observers, who generally have the right to speak but not vote. Although voting appointments can be made to committees and subcommittees, the legislation does not allow for non-elected members to have a vote at full Council (Section 41 of the Local Government Act 2002).

Even if appointments are made to reflect sectors of the community, the focus of Māori participation is to benefit the whole community, not just their interest group. This does not undermine the purpose of Māori participation, which is to provide for a Māori perspective into Council decision-making. It is this perspective, if

not otherwise reliably present, which strengthens the make-up of the decision-making processes of the Council, and broadens the range of perspectives being considered.

Joint Management Agreements

Sections 36B-36E of the Resource Management Act provide for the development of joint management agreements between a local authority and an iwi authority (or other group representing hapū) that provide for the parties to jointly perform the local authority's functions in relation to a natural or physical resource in all or part of the region/district. A local authority that wants to prepare a joint management agreement must satisfy itself that each party to the joint management agreement represents the relevant community of interest and has the technical or special capacity or expertise to perform or exercise the function, power, or duty jointly with the local authority. Ultimately, a joint management agreement ensures that a statutory iwi authority is given joint decision-making powers over natural resources with Council.

Mana Whakahono ā Rohe

A Mana Whakahono provides a mechanism for iwi authorities and local authorities to discuss, agree, and record ways in which tangata whenua may, through their iwi authorities, participate in resource management and decision-making processes under the RMA. The relationship can be between:

- an iwi authority and a local authority / local authorities
- a combination of iwi authorities and a local authority / local authorities
- a combination of an iwi authority / iwi authorities and hapū, and a local authority or local authorities
- a hapū and a local authority (if initiated by the local authority)
- a combination of hapū and local authorities (if initiated by the local authorities).

A Mana Whakahono could be a detailed document, or a simple umbrella document under which other documents, such as existing or new agreements (e.g., a memorandum of understanding), could sit. The design is up to local authorities and tangata whenua (through their iwi authority or hapū) and will vary, as each local context is different.

While the Mana Whakahono policy is primarily aligned with RMA functions, parties need to think about how a Mana Whakahono fits with other arrangements between the participating authorities under other legislation (e.g. the Local Government Act 2002, Fisheries Act, iwi participation legislation). Fundamentally, a Mana Whakahono cannot limit a Treaty of Waitangi settlement, however it does provide participating authorities the opportunity to discuss how Treaty settlement redress is being implemented. Unless agreed by all parties, a Mana Whakahono cannot be amended or terminated.

Māori Wards and Constituencies

Māori wards may be established for cities and districts and Māori constituencies may be established for regions. Similar to the Māori Parliamentary seats, these Māori wards and constituencies establish areas where only those on the Māori Parliamentary electoral roll vote for the representatives. They sit alongside the general wards and constituencies which also cover the whole city, district or region. Those voting in Māori wards and constituencies receive only the same number of votes as anyone else. Māori elected members are part of the full Council and have equal voting rights as general constituencies. The number of Māori seats at Council varies between regions. Electing someone to a Māori constituency is not necessarily the same as having mana whenua iwi representation on Council as a successful candidate may not whakapapa (have genealogical links) to that tribal area.

Local Government Commission

In cases where local government is perceived to be failing to properly provide for Māori to participate and contribute in decision-making, central government may establish a Local Government Commission. This is a mechanism which helps to uphold the principles of the electoral system by providing (among other things) fair and effective representation for individuals and communities, including but not limited to Māori. At least one

member of the Local Government Commission must have knowledge of tikanga Māori, and must be appointed in consultation with the Minister of Māori Affairs. (See section 33 of the Local Government Act 2002).

Examples of Options Applied in New Zealand

The table below provides a comparison between various approaches of Councils within the New Zealand context.

<i>Organisation</i>	<i>Council Membership</i>	<i>Standing Committee Membership</i>	<i># of Representatives</i>	<i>Tangata Whenua Advisory Entity</i>	<i>Mana Whakahono ā Rohe</i>	<i>Joint Management Agreement</i>	<i>Approach Guided by Treaty of Waitangi</i>	<i>Approach Guided by Separate Legislation</i>
Bay of Plenty Regional Council	✓	✓	3	X	X**	X	X	✓
Southland Regional Council	X	✓	4	X	X	X	✓	✓
Taranaki Regional Council	X	✓	6	X	X	X	✓	✓
Gisborne District Council	X	X	N/A	X	X	✓	X	✓
Hastings District Council	X	✓	6	X	X	X	✓	X
Masterton District Council	X	✓	2	X	X	X	✓	X
Environment Canterbury	✓*	X	2**	✓	X	X	✓	✓

* Councillors were replaced with Crown-appointed Commissioners, including two Ngāi Tahu appointed councillors.

** First council to initiate a Mana Whakahono ā Rohe agreement (with Tapuika) but this was superseded by the Ngā Puna Wai o Te Tokotoru collective.

The most common approach to iwi participation in governance observed across both District and Regional Councils is the Standing Committee option. The type and function of the standing committees with a Māori presence was varied, some councils allocated positions for Māori on existing committees such as *'Strategy and Policy'* or *'Regional Services'* (Southland Regional Council and, most recently, Otago Regional Council), whereas others established new Māori-centric structures that were a subset of the main Regional Council (e.g. *'Komiti Māori'*, Bay of Plenty Regional Council) yet retained general constituency Councillors.

Joint management agreements existed in a couple of situations where there was a need for a more structured approach to the management of a particular resource or area (e.g. Waipapu Catchment in Gisborne), but generally, these were uncommon. At this stage, no Mana Whakahono ā Rohe have been implemented, however two invitations to participate have been received by Bay of Plenty Regional Council and are under negotiation.

In a Local Government New Zealand (LGNZ) 2017 published report it was noted that:

This review highlighted that the arrangements are highly variable and tend to evolve over time. One key consideration on the adequacy of the current arrangement is related to the capacity of each party to engage at all levels, with a clear understanding of their mutual and individual goals, and transparent decision-making/engagement processes.²

Overall, the approach to iwi participation across all of the examples is grounded in statutory legislation. Many organisations have adopted a terms of reference in-line with both the Treaty of Waitangi document as well as other legislation such as the Local Government Act 2002 and the Resource Management Act 1991, however the exact nature of the relationship with iwi is dictated through context-specific local government approach.

² Council-Māori Participation Arrangements, LGNZ, 2017.

Interviews with Ngāi Tahu Papatipu Rūnanga Representatives

Process

A questionnaire circulated to a number of Papatipu Rūnanga representatives was followed with a 1-1 phone interview.

Summary of Findings

All interviewees valued the relationship between Ngāi Tahu and ECan, even if at times there was some frustration felt. In commenting on the value of two Ngāi Tahu appointed councillors, one interviewee noted this had been very successful in a relatively short space of time:

For us to have two Ngāi Tahu councillors has been hugely beneficial. They have only had three years to get the face of Ngāi Tahu up and visible. They've done a sterling job and the evidence was ECan councillor support to the bill and first reading.

Other interviewees described the benefit of the two Ngāi Tahu councillors as being of enormous value, supporting a turning point in the relationship and being of value to the Council as a whole. Overall, it was felt this has led to Ngāi Tahu being treated as a Treaty Partner more than at any other time.

However, one interviewee felt it was still token participation by Ngāi Tahu ultimately serving ECan's agenda rather than leading a Ngāi Tahu one, *"when we meet we sometimes waste the opportunity by going around the table listening to minor local issues from Ngāi Tahu reps instead of taking the opportunity to challenge the councillors on the big strategic issues."*

All interviewees cautioned against the relationship weakening post the October 2019 local government elections due to losing the Ngāi Tahu appointed councillors. One interviewee summed this up by commenting, *"it is fundamental that we continue to have the highest level of voice within the Council's decision-making process, not as a bolt-on to it but by remaining an integral part of it shoulder to shoulder with councillors"*.

Some interviewees felt this high level role is necessary to respond to some of the challenges that still persist, for example, being more inclusive of mātauranga Māori in decision-making processes and addressing Ngāi Tahu aspirations for freshwater via the *Canterbury Water Management Strategy* (by 'being in the front seat rather than the back seat' of its development). One interviewee noted they wish to see a direct relationship between ECan and individual Papatipu Rūnanga.

All interviewees understood that with the defeat of the local bill there is no ability to create councillors in function if not name.

There was consensus across the interviewees that Ngāi Tahu must have the opportunity to participate at a high level across the breadth of ECan's business, *"...if there are areas to prioritise at the expense of others then that is for us [Ngāi Tahu] to decide."* It is clear that there is no desire from interviewees to see others determine what Ngāi Tahu is interested in and what it has no interest in. There was some concern that ECan staff that are Ngāi Tahu are expected to be available for karakia, pōwhiri and other occasions when it would be appropriate that a kaumātua supported such kaupapa on behalf of ECan.

Asked what they would advise to the incoming councillors the interviewees commented:

Listen to our sense of values, they are not the same as others, we are not solely focussed on economics.

Ask to understand the aspirations of Ngāi Tahu. We don't want to go backwards; we want to build on all the work and the relationship that we have invested in over the past decade. Good mahi has already been done and should be respected. Be brave and embrace the opportunity to grow the relationship for the better of all of Canterbury's communities.

ECan is more than just water; transport and infrastructure are also an issue for us. With CWMS need to get first order priorities back to the top, with real data on economics not just farming returns.

Not to be afraid of the relationship that it is a benefit more than a hindrance, environmentally we are well aligned...we are in the same waka. Be a terrible shame if the progress we made together is lost.

It hasn't been plain sailing, but it is a journey and we should be building from where we are now.

Interviews with Environment Canterbury Councillors

Process

A questionnaire was circulated to Councillors followed by a face to face interview with available councillors.

Summary of Findings

Nearly all interviewees strongly felt Ngāi Tahu councillors had been of tremendous value for ECan. One interviewee described the experience of sitting at the Council table with the Ngāi Tahu appointed councillors as, *"life changing"*.

However, one interviewee felt that the presence of Ngāi Tahu councillors had not been very beneficial and was largely symbolic. On testing this viewpoint it was stated that this symbolism, *"is important and sufficient to justify the arrangements proposed to Parliament"*. There was an appreciation that while the quality of decision-making may be less affected by the presence of Ngāi Tahu appointed councillors at the Council decision-making table, the importance to Ngāi Tahu and the wider community in witnessing that presence holds tremendous value.

One interviewee noted, *"I couldn't imagine not having mana whenua at the Council table given we sit in Polynesia...mana whenua are woven into the fabric of ECan and I don't want to see that unravelled."* Another interviewee similarly noted the Ngāi Tahu councillors, *"allow us to take on board our special relationship...takes us on as a Treaty Partner for those matters in our control...and the different lens, longer timeframe, is especially helpful in the water space."*

It was also noted that, *"having Ngāi Tahu councillors has changed our culture, our language, and from the outside we look like an organisation that respects Māori culture and values...for Ngāi Tahu, ECan is an organisation they can be more confident/comfortable interacting with."*

The strength of the mutual relationship and the trust ECan has built with Ngāi Tahu means both parties are able to have tough conversations was a sentiment echoed by a number of interviewees.

All interviewees were open to Ngāi Tahu continuing to participate at a high level within ECan decision-making processes, although unsure on how to now best achieve this. One interviewee noted that, *"with our informal Portfolio briefs – Portfolio Leader and self-selected councillors – there is no reason why we shouldn't have Ngāi Tahu folk participate"*.

However, another interviewee cautioned that with an elected/appointed position, *"there may be a likelihood the best Ngāi Tahu person isn't put forward...the Ngāi Tahu leadership faces extraordinary demands, so it may be difficult to find people able to speak for the iwi"*.

Several interviewees commented on the extent of the extra work performed by the appointed Ngāi Tahu councillors to engage with Papatipu Rūnanga to develop an alignment of position with council. One interviewee noted that, *"the two Ngāi Tahu councillors are great whips to alignment of Rūnanga, and able to put out fires at a Rūnanga level"*.

A number of interviewees had expressed concern about 'bolting' new apparatus and mechanisms into the current council structure to create space for Ngāi Tahu, *"Councils current structure builds a certain culture with avoiding the trap you get in larger councils where you get A and B teams"* (a reference to the politicking

associated with chair roles/seats across multiple standing committees). One interviewee noted that the Council does not have a lot of standing committees, *“unlike most councils we only have two standing committees – a Regulatory and Hearings Committee, and a Performance, Risk and Audit Committee.”* Supporting this approach is a weekly full-day full Council workshop, which allows councillors to work through an item to a point *“where the creases are largely ironed out and it can be brought to the Council for formal approval.”*

A number of interviewees indicated they value the Tuia meetings, and that this approach works well with quarterly hui, *“it is a great way to reach Papatipu Rūnanga”*. However, the loss of the two Ngāi Tahu appointed councillors, *“may mean we need to put more into them (Te Rōpū Tuia), more formality, and resources.”*

Several interviewees felt Tuia alone is unlikely to provide Papatipu Rūnanga with adequate influence of decision-making processes at a governance level, *“Tuia is simply too big and meets infrequently”*. Increasing the frequency of Tuia meetings was considered difficult both because of its size and the long distances to be travelled by some Papatipu Rūnanga representatives. One interviewee suggested a zone approach with 5 zones, 5 councillors, and 5 Papatipu Rūnanga reps that meet a week before full Council meetings.

All interviewees were mindful of not being seen to direct the incoming councillors following the 2019 local body election. *“We don’t want to be seen as instructing the new Council, in fact we can’t, but we do want to give them our best advice on the value and importance of our relationship with Ngāi Tahu because getting it right benefits the entire Canterbury community”*, noted one interviewee.

Interviews with Environment Canterbury Executive Leadership Team (ELT)

Process

The Councillor questionnaire was circulated to the ELT and followed up with an interview.

Summary of Findings

All interviewees valued the Ngāi Tahu and ECan relationship. The development of Te Waihora Co-Governance, the jointly held Te Rūnanga/ECan Te Waihora lake opening consent, and the Tuia Partnership Agreement were significant milestones that brought value to both parties and the regional community.

One interviewee commented that, *“without them (Ngāi Tahu) on board we would not have been able to move the policy/plans that we have...that is worth time and money to Canterbury.”* There was a clear theme in comments that the ability of the relationship, and the role of the Ngāi Tahu appointed councillors, meant issues between the parties were able to be resolved, or significantly narrowed down, and this had been vital in enabling the business of ECan to proceed at a pace otherwise not possible.

Interviewees commented that Ngāi Tahu should remain engaged at the highest level of ECan decision-making and, *“both Ngāi Tahu and ECan are evolving organisations, which has the advantage of being able to explore what approach suits both of us best.”* However, interviewees felt that no current model (of shared decision-making) fits well with ECan.

We tested during our ELT interviews the cost implications of the current ECan governance arrangements against the traditional standing committee approach prevalent in other councils. We were told that the current approach is probably cost-neutral with a more traditional standing committee approach. We then tested the value of each approach (quality/number of decisions made) and were told that if, for example, twenty key decisions were required in a year, then the current workshop approach would likely achieve that number while a standing committee approach might achieve half that number. We explored why there would be such a marked difference and were told this is because the workshop approach brings all councillors uniformly along in the development of a position, while a standing committee approach may not (as a standing committee typically has a smaller number of councillors participating within it). The default position for councils receiving

a standing committee recommendation for which there is not a high degree of Council support is to refer the matter back to the standing committee to address issues/questions raised. This loop approach, or as one interviewee suggested, the A and B teams of councillors, meant that council decisions could be on slower track.

All ELT interviewees acknowledged it is the role of the incoming Council to determine the approach ECan adopts with Ngāi Tahu (in terms of how the relationship is expressed/structured), and saw their role as providing robust and sound advice to enable the best decision on this key matter to be made.

Recommended Approach for Environment Canterbury and Ngāi Tahu Papatipu Rūnanga

Summary of Stakeholder Perspectives

Everyone we spoke to was disappointed at the defeat of the local bill to secure Ngāi Tahu representation on Council. Many were proud of the relationship and the milestones achieved, and all were concerned this could be put at risk after the 2019 local body elections with new ECan councillors that do not know the history of the relationship and its importance to both organisations.

We found that there is an overwhelming appreciation from Ngāi Tahu regarding the maturing relationship it has with ECan, particularly with the culture changes within ECan at both governance and operational levels. These changes reflect a “more understanding and more inclusive” ECan towards the Ngāi Tahu perspective and role as mana whenua and kaitiaki.

Conclusion and Recommendations

We were impressed by the governing arrangements Ngāi Tahu and ECan have developed, and the influence of the Ngāi Tahu appointed councillors to support good outcomes for both organisations and the regional community.

As with any relationship, there are still challenges to be overcome, particularly in regard to freshwater management. The strength of the Ngāi Tahu-ECan relationship, at present, allows these discussions to take place and the relationship to remain intact even where the parties do not agree. However, the opportunity to do this well is sometimes lost within the large size of Te Rōpū Te Rōpū Tuia, and the length of time between the hui.

In relation to Tuia, we believe this is one of the most invested approaches adopted by any local body organisation in New Zealand to support and grow a relationship with mana whenua. In our view it has the potential to bring enormous benefits to both parties. For ECan, the benefit is the reach it gives councillors to directly engage with mana whenua leadership across the largest region in New Zealand. For Ngāi Tahu, the benefit is a rare opportunity for all Canterbury Papatipu Rūnanga to collectively engage on their natural resource strategic objectives with ECan councillors. In our view, the flat governance structure within ECan – with the absence of numerous standing committees but with the all-of-Council weekly workshop approach – is highly successful and should be retained.

None of the arrangements adopted elsewhere in New Zealand will achieve the same level of Ngāi Tahu participation within ECan's decision-making process and retain the benefits that come with the current flat ECan governance structure. A bespoke approach is required that builds on existing arrangements, acknowledges the maturity of the relationship between the parties, and is one that does not unnecessarily encumber the current effective and efficient ECan governance structure.

Recommendations

The recommended approach will deliver significant benefits for Ngāi Tahu, ECan, and the regional community by ensuring the depth of relationship between the parties continues in spite of the two Ngāi Tahu appointed councillors ceasing their role. We believe it will also grow the relationship momentum generated by Ngāi Tahu and ECan in their journey together so far. Recommendations are grouped in two aligned areas below.

Tuia Agreement

Tuia Recommendation 1: retain the Tuia Agreement as the relationship anchor. It is the foundation upon which the relationship is built and provides an essential platform that enables ECan to be responsive to the concerns, expectations and interests of mana whenua.

Tuia Recommendation 2: generate a greater separation in the level of issues/information responded to at Te Rōpū Tuia and by staff within Te Paiherenga (Joint Technical Working Group). Te Rōpū Tuia should be forward looking with a strategic focus to enable high-level discussion. Te Paiherenga is best able to respond to delivery/operational issues and staff can report back to their respective organisations. This approach will ensure Te Rōpū Tuia do not bog themselves down in more routine day-to-day business.

Tuia Recommendation 3: encourage Papatipu Rūnanga/Te Rūnanga/ECan pre-hui coordination to prioritise the Te Rōpū Tuia agenda items so the time spent together is to best effect. Ensure Te Paiherenga staff do not 'overload' hui participants with written material.

Tuia Recommendation 4: request that Papatipu Rūnanga endorse one or more kaumātua to act as a 'Pou' for the Tuia Agreement and to support ECan in matters of tikanga at both a governance and staff level.

Ngāi Tahu Participation within ECan Governance Processes

Governance Recommendation 1: retain the current ECan governance structure:

- Non-statutory Portfolios;

- Weekly full Council workshop;
- Existing two standing committees; and
- Monthly formal Council meeting.

Governance Recommendation 2: enable two Ngāi Tahu appointed representatives to participate in an advisory role in the above governance structure, across the breadth of Council business. This is a non-voting role with a clear role description (see Appendix Two). The two Ngāi Tahu appointed advisors will work closely with mana whenua and participate in Te Rōpū Tuia. These advisory positions do not have councillor decision-making powers. However, they will support the opportunity for better decision-making outcomes for tangata whenua through direct advice at the key points within ECan's decision-making process.

Governance Recommendation 3: ensure the Regulation and Hearings Standing Committee continues the practice of appointing at least one Ngāi Tahu commissioner to hearing panels.

Finally, we recognise that specific legislation, as proposed in the local bill discussed elsewhere in this report, remains the most desirable solution to ensure Ngāi Tahu representation is as a full decision-maker (appointed councillors) and is not subject to three-yearly agreement being achieved with a newly elected council. Accordingly, we recommend:

Governance Recommendation 4: revisit, at the appropriate time, the opportunity for ECan and Ngāi Tahu to support the passing of specific legislation to secure Ngāi Tahu appointed councillors within ECan.

Appendix One – Council Approaches to Iwi Participation

Bay of Plenty Regional Council

Structure:

The Komiti Māori (Standing Committee) has the core function of implementing and monitoring Council's legislative obligations to Māori. Komiti Māori is a subset of, and reports directly to the Regional Council.

Membership:

Three Māori constituency councillors and three general constituency councillors (the membership of the general constituency councillors to be rotated every two years), and the Chairman as ex-officio.

Delegated Function:

To set operational direction for Council's legislative obligations to Māori and monitor how these obligations are implemented.

The Komiti Māori is delegated the power of authority to:

- Monitor Council's compliance with its obligations to Māori under the Local Government Act 2002 and the Resource Management Act 1991;
- Approve actions to enhance Māori capacity to contribute to Council's decision-making processes for inclusion in the development of the Long Term Plan;
- Recommend to Council effective Maori consultation mechanisms and processes;
- Identify any relevant emerging issues for the region relating to the principles of the Te Tiriti o Waitangi, legislative obligations to Māori under different statutes and programmes to build the capability of Māori;
- Facilitate tangata whenua input into community outcomes, Council policy development and implementation work;
- Formally receive iwi/hapū management plans;
- Make submissions on Māori related matters, except where the submissions may have a wide impact on Council's activities, in which case they might be handled by the Regional Direction and Delivery Committee or Council;
- Establish subcommittees and delegate to them any authorities that have been delegated by Council to the Komiti Māori and to appoint members (not limited to members of the Komiti Māori);
- Approve its subcommittee's recommendations for matters outside the subcommittee delegated authority;
- Recommend to Council the establishment of advisory groups to represent sub-region or constituency areas and to consider specific issues.

Summary:

Equal membership between Māori and general constituency councillors ensures that a balanced process is maintained, communication channels are well-established, and provides an effective voice for iwi. Local democracy and democratic responsibilities of the Council are maintained through the balance of committee representation.

Southland Regional Council

Structure:

Two mana whenua members elected to each of the Strategy and Policy Committee (11 members total) and the Regional Services Committee (9 members total).

Membership:

Member positions are offered to tangata whenua o Murihiku through Te Ao Marama Incorporated (Te Ao Marama Inc is the liaison support agency for the four papatipu rūnanga of Murihiku). Candidates are appointed by iwi based on merits and are not required to be existing Council members.

Delegated Function:

To deliver for iwi on the objectives being sought in relation to iwi involvement in Council decision-making processes.

Mana whenua members are assigned the following responsibilities:

- Standing Committee Members will not undertake the consultation role of the Te Taiao Tonga (i.e. Council still has responsibility to engage with Te Ao Marama on Annual Plan, Regional Plans and Regional Policies etc).
- Maintain local democracy, and deliver good environmental, economic, social and cultural outcomes for iwi and the people of Murihiku generally.
- Direct engagement in decision-making processes of the Council.
- Direct iwi input into a wide range of Council policy, regulatory and advocacy work, and not be limited to resource management planning functions only.

Summary:

Having two iwi representatives on each committee provides an effective voice for iwi. It also allows more value to be added (than say one representative) to committee and Council deliberations. This is particularly important given the growing economic base, political influence and community development initiatives and aspirations of iwi in Murihiku and throughout the Ngai Tahu rohe generally. Having two iwi representatives on each Standing Committee significantly broadens the Council's ability to benefit from growing iwi influence in the economic, social and cultural life of the region.

Importantly for the Council, local democracy and democratic responsibilities of the Council are maintained through the balance of committee representation, noting the different levels of delegation of the Council's decision-making powers to the two committees, and through the Council's ultimate decision-making role.

Hastings District Council

Structure:

The Hastings District Council does not have allocated membership for tangata whenua within Council. Hastings District Council incorporates its Mission, Vision and Values along with Te Kura Nui (the Māori Responsiveness Framework) to foster effective Māori participation in democracy and to deliver outcomes for Māori. Te Kura Nui recognises the Treaty of Waitangi as the Council's statutory obligations to tangata whenua. Iwi participation is facilitated through the HDC: Māori Joint Committee, which seeks to inform and make recommendations to Council on matters concerning Māori.

Membership:

No allocated Māori seats at Council; only general constituency Councillors. The HDC: Māori Joint Committee comprises 6 Māori (or tangata whenua) appointees and 6 Councillors.

Delegated Function:

The framework recognises that in order to foster effective Māori participation in democracy and to build strong Māori communities, an empowered Council organisation is needed, one which places emphasis on developing staff to enhance the organisation's ability to respond more effectively to Māori.

Te Kura Nui framework is used as a tool to:

- support Council to fulfil its responsibilities and obligations to tangata whenua and to the Treaty of Waitangi;
- support Council to take appropriate account of the principles of the Treaty of Waitangi;
- improve and maintain opportunities for tangata whenua to contribute to local government decision-making processes;
- facilitate participation by tangata whenua in local government decision-making processes;
- enable the assessment of Council performance where the underlying objective is to integrate in a mutually appropriate way, Māori responsiveness, into the organisation's culture, and practices.

Summary:

Since 2017, the Māori Joint Committee has been researching the nature and purpose of their role and how Māori participation can be increased to be more effective in Council decision-making. Membership and terms of reference for the Māori Joint Committee is to be revised and refreshed for the 2019-22 triennium.

Taranaki Regional Council

Structure:

Representation for each of the three Taranaki iwi on two separate standing Council subcommittees; representatives are nominated by the iwi and do not have to be Councillors. The Treaty of Waitangi document and recent Settlement Claims Acts provide statutory guidance for how Council facilitates iwi participation in Council decision-making.

Membership:

Three iwi representatives (Ngāruahine, Te Atiawa and Taranaki) each on the Policy and Planning (6 members total) and Consents and Regulatory committees (7 members total); Māori representatives have the same standing as Council-elected members. Members of the Standing Committees are elected based on merits (appropriate knowledge, skills and capabilities to effectively participate in the decision-making processes of the Council).

Not all iwi will be individually represented at any one time. Iwi are required to develop a selection process and appoint representatives.

Opportunities for iwi participation from the remaining five Taranaki iwi have not been foreclosed.

Delegated Function:

Iwi of Taranaki are able to participate directly in the decision-making processes of the Council (within the two subcommittees), to contribute directly to a wide range of the Council's policy, regulatory, and advocacy functions.

Summary:

The recently settled *Ngāruahine Claims Settlement Act 2016*, the *Taranaki Iwi Claims Settlement Act 2016* and the *Te Atiawa Claims Settlement Act 2016* (the Acts), specifically provided for effective mechanisms for the iwi of Taranaki to contribute to the decision-making processes of the Taranaki Regional Council.

Having three (3) iwi representatives on each Standing Committee significantly broadens the Council's ability to benefit from growing iwi influence in the economic, social and cultural life of the region.

Having three (3) iwi representatives on the Policy and Planning Committee provides some synergy with the representatives of the region's three (3) district councils that currently sit on the Committee.

Gisborne District Council

Structure:

Joint Management Agreement between Te Runanganui o Ngati Porou and Gisborne District Council (first agreement of its type in the country). Mechanism provided for under Section 36B of the Resource Management Act.

Membership:

No membership.

Delegated Function:

An agreement between iwi and Council to enable the sustainable and responsible management of the Waiapu Catchment.

Ensures joint decision-making powers over natural resources between Council and a Statutory Iwi Authority.

Summary:

The Joint Management Agreement sits alongside the Ngati Porou hapu Taiao (Environmental Management) Plans that enable a Maori / tikanga (values) based framework for freshwater management.

Masterton District Council

Structure:

Iwi representation on three different Council Standing Committees. Council's decision to include iwi representatives at the table recognises obligations under the Treaty of Waitangi.

Membership:

Two iwi representatives (Rangitāne o Wairarapa and Kahungunu ki Wairarapa) appointed to the Infrastructural Services Committee, Community Wellbeing Committee and the Strategic Planning Policy Committee with full speaking and voting rights. Iwi representatives do not have voting rights at Council meetings but are invited to attend. Iwi representatives are recommended by iwi through their processes and are subsequently approved by Council.

Delegated Function:

Iwi participation is to ultimately strengthen Māori participation in Council decision-making. Included within that is their ability to bring an iwi perspective, te ao Māori perspective, mātauranga Māori and kaupapa Māori frameworks to each of the Standing Committees.

Summary:

Māori members can be full members with voting rights, or be observers, who generally have the right to speak but not vote. Although voting appointments can be made to committees and subcommittees, the legislation does not allow for non-elected members to have a vote at full Council. (Section 41 of the Local Government Act 2002).

8.2. Committee Appointments

Council report

Date of meeting	12 December 2019
Author	Louise McDonald, Senior Committee Advisor
Responsible Director	Miles McConway

Purpose

1. To appoint agency and territorial authority members to the Canterbury Regional Transport Committee.
2. To change one of the two Environment Canterbury representatives appointed to the Canterbury Regional Transport Committee.
3. To nominate a representative to attend meetings of the Selwyn District Council District Plan Committee as an observer.
4. To appoint a representative to the Hekeao/Hinds Water Enhancement Trust.
5. To appoint a representative to the Post Earthquake Farming Governance Group.
6. To appoint another Councillor to liaise with the Youth Rōpū.

Recommendations

That the Council:

1. **appoints the following to the Canterbury Regional Transport Committee:**
 - **New Zealand Transport Agency – Jim Harland**
 - **Mackenzie District Council – Mayor Graham Smith**
 - **Waimate District Council – Mayor Craig Rowley**
 - **Hurunui District Council – Mayor Marie Black**
 - **Ashburton District Council – Mayor Neil Brown**
 - **Timaru District Council – Mayor Nigel Bowen**
 - **Kaikōura District Council – Mayor Craig Mackle**
 - **Selwyn District Council – Mayor Sam Broughton**
 - **Waimakariri District Council – Mayor Dan Gordon**
 - **Christchurch City Council – Cr Mike Davidson**
2. **appoints Cr Tane Apanui as an Environment Canterbury representative on the Canterbury Regional Transport Committee to replace Cr Phil Clearwater.**

3. **nominates Councillor Craig Pauling be Environment Canterbury's observer at meetings of the Selwyn District Planning Committee.**
4. **appoints Councillor Ian Mackenzie as its representative trustee on the Hekeao/Hinds Water Enhancement Trust.**
5. **appoints Cr Grant Edge as its representative on the Post Earthquake Farming Governance Group.**
6. **Appoints Cr Nicole Marshall to liaise with the Youth Rōpū.**

Background

Canterbury Regional Transport Committee

7. Section 105 of the Land Transport Management Act 2003 requires every regional council to, as soon as practicable after each triennial election, establish a regional transport committee for its region. The Act currently requires the Council to appoint two persons to represent the regional council; one person from each territorial authority; and one person to represent the New Zealand Transport Agency (NZTA). The Act does not provide for the appointment of alternates.
8. At the Council meeting of 14 November 2019 the Council approved its Committee Structure and appointed Deputy Chair Peter Scott and Councillor Phil Clearwater to the Canterbury Regional Transport Committee. Following that decision Cr Clearwater has agreed to step back from this appointment to enable Cr Apanui the opportunity to be on the committee.
9. Under the Land Transport Management Act 2003 the two Environment Canterbury representatives are the Chair and Deputy Chair of the Regional Transport Committee. Cr Scott is its Chair and Councillor Apanui will join him as its Deputy Chair.
10. The Council has now received from the NZTA and the territorial authorities within Canterbury their nominations for members of the Regional Transport Committee and wishes to appoint those nominees to the Committee.

Selwyn District Plan Review: Environment Canterbury Representative

11. In May 2015, the Selwyn District Council resolved to undertake a full review of the Selwyn District Plan. A District Planning Committee was established as a governance structure and an Environment Canterbury representative was invited to sit with the Committee as an observer with speaking rights. This was to continue the strong relationship between the two councils and to improve linkages between the Canterbury Regional Policy Statement, Regional Plans and the next version of the Selwyn District Plan.

12. Cr Peter Skelton was the Environment Canterbury representative. Selwyn District Council have acknowledged the significant value that Cr Skelton added to the process and have invited Environment Canterbury to appoint a replacement.

Hekeao/Hinds Water Enhancement Trust

13. At the 14 March 2019 Council meeting, following a recommendation from the Ashburton Zone Committee, the Council approved the establishment of the Hekeao/Hinds Water Enhancement Trust and appointed Cr David Caygill as its representative trustee.
14. The Trust was established to continue catchment scale Managed Aquifer Recharge implementation within the Ashburton Zone in line with Environment Canterbury's Land and Water Regional Plan.
15. The Trust Deed provides for one appointment from Environment Canterbury. A replacement is needed to replace Cr David Caygill.

Post Earthquake Farming Project Farming Group

16. The purpose of the Post Quake Farming Project is to help hill and high-country farmers and their families to look to the future of their land-based resource and how it can continue to sustain their livelihoods; through earthquake recovery and beyond. The Project is funded through the MPI Earthquake Recovery Fund with contributions from Beef and Lamb New Zealand and Environment Canterbury. It will run for the next 1.5 years.
17. The project covers the rural areas impacted by the Kaikoura earthquakes - north of Amberley / Waiau through to Blenheim.
18. Environment Canterbury was represented on the Governance Group by Cr Tom Lambie. A replacement is needed to replace Cr Tom Lambie.

Youth Rōpū

19. At the 14 November 2019 meeting the Council resolved to appoint six Councillors to liaise with the Youth Rōpū. Cr Nicole Marshall has offered to join this group and in particular to support Cr Elizabeth McKenzie liaise with the South Canterbury Rōpū.

Cost, compliance and communication

Financial implications

20. There are no financial implications from this proposal.

Attachments

Nil

Legal review	Catherine Schache, General Counsel
Peer reviewers	Tarryn Burt, Team Leader Governance Services Vivienne Ong, Committee Advisor

8.3. Canterbury Local Authorities' Triennial Agreement 2020-22

Council report

Date of meeting	12 December 2019
Author	Cecilia Ellis, Senior Strategy Advisor
Responsible Director	Katherine Trought, Strategy and Planning

Purpose

1. This paper invites the Canterbury Regional Council (Environment Canterbury) to ratify the Canterbury Local Authorities' Triennial Agreement (the Agreement) 2020–22, including terms of reference for the Canterbury Mayoral Forum.
2. An effective working relationship with the region's territorial authorities is critical to Environment Canterbury's success across all portfolios. The Agreement formalises how we communicate, co-operate and collaborate and mandates the Mayoral Forum as the primary mechanism for implementing the Agreement.

Recommendations

That the Council:

1. **approves the attached Canterbury Local Authorities' Triennial Agreement 2020–22**
2. **authorises the Chair to sign the Canterbury Local Authorities' Triennial Agreement 2020–22 on behalf of the Canterbury Regional Council.**

Key points

3. The Agreement mandates the work of the Mayoral Forum, the Chief Executives Forum and other regional forums and working groups.
4. The parties to the Agreement are the 11 local authorities of Canterbury, including Environment Canterbury.
5. To comply with the Local Government Act, all councils are required to ratify the Agreement no later than 1 March 2020.

Local Government Act requirements

6. The Local Government Act 2002 (s.15) requires all local authorities within a region to enter into a triennial agreement not later than 1 March after each triennial election of members.

7. The purpose of a triennial agreement is to ensure that appropriate levels of communication, co-ordination and collaboration are maintained between local authorities within the region. Agreements must include:
 - protocols for communication and co-ordination between councils
 - the process by which councils will comply with section 16 of the Act, which applies to significant new activities proposed by regional councils
 - processes and protocols through which all councils can participate in identifying, delivering and funding facilities and services of significance to more than one district.
8. Triennial agreements may also include commitments to establish joint governance arrangements to give better effect to the matters set out in paragraph 7 above.
9. A triennial agreement may be varied by agreement between all the local authorities within a region and remains in force until local authorities ratify a new agreement.

Canterbury triennial agreement

10. Attached is the Canterbury Triennial Agreement as adopted by the Mayoral Forum on Friday 29 November 2019. The Agreement was prepared at the direction of the outgoing Mayoral Forum for the incoming Forum.
11. The Agreement includes terms of reference for the Mayoral Forum and mandates it as the primary mechanism for implementing the Agreement in Canterbury (Agreement, paragraph 14). The Agreement (paragraph 16) also mandates the Chief Executives Forum and other regional forums and working groups.
12. At the Mayoral Forum meeting on 29 November 2019, two changes were requested, which have been incorporated into this final version. These were:
 - paragraph 15, 2nd bullet: “develop and lead implementation of a sustainable development strategy for Canterbury region” to replace previous wording about a “Canterbury regional development strategy”
 - Mayoral Forum terms of reference, paragraph 5(c) – to reflect discussion on representation, attendance and participation of Te Rūnanga o Ngāi Tahu in meetings of the Mayoral Forum.

Canterbury Mayoral Forum

13. While a non-statutory body, the Mayoral Forum is the primary mechanism to give effect to a statutory requirement (the Triennial Agreement). The Mayoral Forum’s Charter of Purpose (terms of reference) forms part of the Triennial Agreement and makes explicit that decisions of the Mayoral Forum are not binding on member councils.
14. Jenny Hughey, as Chair of Environment Canterbury, is a member of the Mayoral Forum.

15. The Mayoral Forum is supported by the Chief Executives Forum, which is also mandated by the Triennial Agreement. The Canterbury Policy Forum and other regional forums and working groups support the Chief Executives Forum to provide advice to the Mayoral Forum and implement its decisions.

Cost, compliance and communication

Financial implications

16. There are no new financial implications from signing this Agreement. Environment Canterbury provides secretariat support to the Mayoral Forum, Chief Executives Forum and the Policy, Corporate and Operations Forums. This is a longstanding arrangement budgeted for from the regional general rate.

Risk assessment and legal compliance

17. The Agreement complies with requirements in section 15 of the Local Government Act 2002.
18. The Agreement needs to be ratified by the parties to the agreement – the 10 territorial authorities in Canterbury and the regional council – no later than 1 March 2020.

Significance and engagement

19. Adopting and ratifying a triennial agreement as required by the Local Government Act 2002 s.15 is unlikely to trigger Significance and Engagement Policies as adopted by councils to comply with s.76AA of the Local Government Act 2002.

Communication

20. When all councils have ratified and signed the Agreement, the secretariat will publish it on the Mayoral Forum's website at <https://canterburymayors.org.nz/>

Next steps

- If Council agrees, the Chair will sign the Agreement on behalf of the Canterbury Regional Council
- Mayors and Chief Executives will arrange for other member councils to ratify the Agreement before 1 March 2020
- Once all member councils have ratified the Agreement, the Mayoral Forum Secretariat will arrange for the Agreement to be signed.

Attachments

1. Canterbury Local Authorities' Triennial-agreement-adopted 2019-11-29 [8.3.1 - 7 pages]

Legal review	Catherine Schache, General Counsel
Peer reviewers	Adrienne Lomax, David Bromell

Canterbury Local Authorities' Triennial Agreement 2020–22

Background

1. Section 15 of the Local Government Act 2002 (the Act) requires local authorities within a regional council area to enter into a Triennial Agreement (the Agreement) by 1 March following triennial local body elections.
2. The purpose of the Agreement is to ensure appropriate levels of communication, co-ordination and collaboration between local authorities within the region. The agreement must include:
 - protocols for communication and co-ordination between the councils
 - the process by which councils will comply with section 16 of the Act, which applies to significant new activities proposed by regional councils
 - processes and protocols through which all councils can participate in identifying, delivering and funding facilities and services of significance to more than one district.
3. Agreements may also include commitments to establish joint governance arrangements to give better effect to the matters set out in paragraph 2 above.

Parties to the Agreement

4. The Parties to the Agreement are the Kaikōura, Hurunui, Waimakariri, Selwyn, Ashburton, Timaru, Mackenzie, Waimate and Waitaki District Councils, the Christchurch City Council, and the Canterbury Regional Council (Environment Canterbury).

Standing together for Canterbury

5. The Parties agree to work collaboratively and in good faith for the good governance and sustainable development of their districts, cities and region.

Communication

6. The Parties value and will maintain open communication, collaboration and trust. In the interest of “no surprises”, the Parties will give early notice of potential disagreements between, or actions likely to impact significantly on, other Parties.

Significant new activities

7. When a Party is considering a major policy initiative or proposal that may have implications for other Parties, they will give early notification to the affected Parties and share the information with the Canterbury Mayoral Forum and the Canterbury Chief Executives Forum.

8. The Canterbury Regional Council will provide early advice to the Canterbury Chief Executives Forum and the Canterbury Mayoral Forum of any significant new activity, in addition to other requirements specified in s.16 of the Act.

Local government structure in Canterbury

9. Notwithstanding the spirit of co-operation and collaboration embodied in the Agreement, the Parties, individually or collectively, reserve the right to promote, consult and/or research change to the structure of local government within the Canterbury region.
10. This right is consistent with the intent to improve the effectiveness and efficiency of local government (Local Government Act 2002 s.24AA), having particular regard to communities of interest and community representation.

Regional Policy Statement review

11. The Agreement applies to any change, variation or review of the Canterbury Regional Policy Statement.

Collaboration

12. The Parties commit to working collaboratively to:
 - enable democratic local decision-making and action by, and on behalf of, communities
 - promote the social, economic, environmental, and cultural well-being of communities in the present and for the future (Local Government Act 2002, s.10).
13. Collaboration may be undertaken on a whole of region, or sub-regional basis.
14. The primary mechanism to implement this Agreement is the Canterbury Mayoral Forum. The Forum will meet quarterly and operate in accordance with its agreed terms of reference, which are attached as **Appendix 1**.
15. The Canterbury Mayoral Forum will:
 - continue to provide governance of the Canterbury Water Management Strategy
 - develop and lead implementation of a sustainable development strategy for Canterbury region for the local government triennium 2020–22
 - advocate for the interests of the region, its councils and communities.
16. The Canterbury Mayoral Forum will be supported by the Canterbury Chief Executives Forum and other regional forums and working groups as agreed from time to time.
17. The Chief Executives Forum will:
 - report quarterly to the Canterbury Mayoral Forum on delivery of its work programme to implement and manage collaborative projects and agreed actions of the Canterbury Mayoral Forum

- identify and escalate to the Canterbury Mayoral Forum strategic issues and opportunities for collaboration from the Policy, Corporate and Operational Forums and other regional and sub-regional working groups.
18. As requested by the Canterbury Mayoral Forum, Environment Canterbury will host a permanent regional forums secretariat and resource this from the regional general rate.

Other agreements

19. This Agreement does not prevent the Parties from entering into other agreements among themselves or outside the Canterbury region. Any other such agreement should not, however, be contrary to the purpose and spirit of this Agreement.

Agreement to review

20. A triennial agreement may be varied by agreement between all the local authorities within the region and remains in force until local authorities ratify a new agreement.
21. Any one or more of the Parties can request an amendment to this Agreement by writing to the Chair of the Canterbury Mayoral Forum at least two weeks before a regular quarterly meeting of the Forum.
22. The Canterbury Mayoral Forum will review the Agreement no later than the final meeting before triennial local body elections and recommend any changes to the incoming councils.

Authority

23. This Canterbury Local Authorities' Triennial Agreement 2020–22 is signed by the following on behalf of their respective authorities:

COUNCIL	SIGNATURE	DATE
Ashburton District Council Mayor Neil Brown		
Canterbury Regional Council Chair Jenny Hughey		
Christchurch City Council Mayor Lianne Dalziel		

Hurunui District Council Mayor Marie Black		
Kaikōura District Council Mayor Craig Mackle		
Mackenzie District Council Mayor Graham Smith		
Selwyn District Council Mayor Sam Broughton		
Timaru District Council Mayor Nigel Bowen		
Waimakariri District Council Mayor Dan Gordon		
Waimate District Council Mayor Craig Rowley		
Waitaki District Council Mayor Gary Kircher		

Appendix 1: Canterbury Mayoral Forum terms of reference

1. Name

The name of the group shall be the Canterbury Mayoral Forum.

2. Objectives

- (a) To provide a forum to enable Canterbury councils to work more collaboratively with each other and with central government and other key sector leaders in Canterbury to identify opportunities and solve problems together.
- (b) To identify and prioritise issues of mutual concern and foster co-operation, co-ordination and collaboration to address these issues (including where appropriate joint work plans).
- (c) To formulate policies and strategies on matters where all member councils may act collaboratively in determining plans for the co-ordination of regional growth.
- (d) To ensure increased effectiveness of local government in meeting the needs of Canterbury communities.
- (e) To act as an advocate to central government or their agencies or other bodies on issues of concern to members.
- (f) To develop and implement programmes, which are responsive to the needs and expectations of the community.

3. Principles

In pursuit of these objectives the Canterbury Mayoral Forum will observe the following principles.

- (a) Establish and maintain close liaison with other local government networks to ensure as far as possible the pursuit of common objectives and the minimisation of duplication.
- (b) Establish and maintain close liaison with Ministers of the Crown and local Members of Parliament.
- (c) Establish and maintain close liaison with a wide number of diverse stakeholders and key sector organisations within the region.
- (d) Exercise its functions with due regard to the tangata whenua and cultural diversity of the Canterbury community.
- (e) Keep the local community informed about its activities by proactively releasing information about key projects in a timely manner, as agreed by the member councils.
- (f) Encourage member councils to promote and apply cross-boundary structures and systems.
- (g) Establish a provision for reporting back to its respective Councils.

4. Powers

- (a) The Canterbury Mayoral Forum shall have the power to:
 - (i) levy for any or all of its objects in such amount or amounts as may be mutually determined and acceptable to individual local authorities
 - (ii) determine and make payments from its funds for any or all of the purposes of its objects
 - (iii) receive any grant or subsidy and apply monies for the purposes of such grant or subsidy
 - (iv) fund appropriate aspects of the Forum's activities regionally.
- (b) The Canterbury Mayoral Forum does not have the power to legally bind any council to any act or decision unless that act or decision has been agreed to by decision of that council.

5. Membership

- (a) Membership of the Canterbury Mayoral Forum shall be open to the following councils:
 - Ashburton District Council
 - Canterbury Regional Council (Environment Canterbury)
 - Christchurch City Council
 - Hurunui District Council
 - Kaikōura District Council
 - Mackenzie District Council
 - Selwyn District Council
 - Timaru District Council
 - Waimakariri District Council
 - Waimate District Council
 - Waitaki District Council.
- (b) Each member council shall be represented by its Mayor (or Chairperson in the case of Environment Canterbury) and supported by its Chief Executive. On occasions where the Mayor or Chair cannot attend, a council may be represented by its Deputy Mayor or Chair.
- (c) The Canterbury Mayoral Forum shall have the power to invite people to attend and participate in its meetings on a permanent and/or issues basis. The Forum has issued a standing invitation to the Kaiwhakahaere or other representative/s of Te Rūnanga o Ngāi Tahu to attend and participate in meetings of the Forum. The Kaiwhakahaere has indicated a process to determine representation from the ten Canterbury papatipu rūnanga of Te Rūnanga o Ngāi Tahu.

6. Chairperson

- (a) The Canterbury Mayoral Forum shall select a Chairperson at the first meeting immediately following the Triennial Elections. This appointment may be reviewed after a period of 18 months.

- (b) The Chairperson selected will preside at all meetings of the Canterbury Mayoral Forum.
- (c) The Canterbury Mayoral Forum shall select a Deputy Chairperson at the first meeting immediately following the Triennial Elections.
- (d) The Canterbury Mayoral Forum may appoint spokespersons from its membership for issues being considered, in which case each member council agrees to refer all requests for information and documents to the duly appointed spokespersons.

7. Meetings

- (a) Meetings will be held as required with an annual schedule, covering a calendar year, to be determined by the members. Meetings will be held quarterly at venues to be determined.
- (b) Special meetings may be called at the request of four members.
- (c) The secretariat will prepare an agenda for Mayoral Forum meetings in consultation with the Chair and the Chief Executives Forum.
- (d) Agendas for meetings will be issued and minutes will be taken and circulated.
- (e) A summary of each meeting will be drafted, agreed by the Chair, and circulated by the secretariat to members for distribution within member councils as a high-level record of the meeting.
- (f) Approved minutes and approved final reports and papers will be made available via a Mayoral Forum website as agreed by the Canterbury Mayoral Forum.

8. Decision making

- (a) The practice of the Forum will be to determine issues before it by consensus.
- (b) If the consensus is to determine issues by voting, the determination shall be determined by a majority of votes of the authorities represented at the meeting through the Mayor (or Chair) or their nominated representative.

9. Secretariat

The Canterbury Mayoral Forum will appoint Environment Canterbury to carry out the secretariat function on such terms and conditions as it shall decide for the discharge of duties. This includes taking minutes, keeping any books and accounts and attending to any other business of the forum.

8.4. Submission on Climate Change/ETS Bill

Council report

Date of meeting	12 December 2019
Author	Cam Smith
Responsible Director	Katherine Trought/Stefanie Rixecker

Purpose

1. This paper seeks Council's approval to Environment Canterbury's submission on the Climate Change Response (Emissions Trading Reform) Amendment Bill.
2. Making a submission to the Environment Select Committee provides an opportunity to support the Government's climate change programme and demonstrate a willingness to work with Government to ensure climate change policies complement Environment Canterbury's work to improve freshwater and biodiversity outcomes.

Recommendations

That the Council:

1. **approves the Environment Canterbury submission on the Climate Change Response (Emissions Trading Reform) Amendment Bill**

Key points

- The Climate Change Response (Emissions Trading Reform) Amendment Bill focuses on changes to the Emissions Trading Scheme (ETS) to improve effectiveness and reduce complexity
- Environment Canterbury's interests centre on the Bill's provisions for agriculture and forestry, and how the ETS will better deliver on New Zealand's domestic and international emission reduction targets
- Making a submission is consistent with our efforts to advocate for and support Government leadership and action on climate change
- The submission is due with the Environment Select Committee on 17 January 2020.

Background

3. The Emissions Trading Scheme (ETS) is the Government's main tool for incentivising emission reductions and delivering on New Zealand's domestic and international targets. The ETS puts a price on greenhouse gas emissions and creates a financial incentive for businesses to reduce their emissions, and for landowners to earn money by planting forests that absorb carbon dioxide as the trees grow.

4. The Climate Change Response (Emissions Trading Reform) Amendment Bill proposes changes to improve the effectiveness of the ETS, improve policy certainty and reduce complexity. The most relevant components of the Bill to Environment Canterbury are:
 - Measures to better align the ETS with climate targets through capping emissions (we support efforts to deliver on New Zealand's climate targets)
 - Reducing complexity of forestry settings and carbon accounting to better incentivise new planting (we support efforts to incentivise planting although preferably for permanent native planting)
 - Pricing agricultural emissions by 2025 through either a new mechanism designed through a Government and primary sector formal agreement, or should this not succeed, through the ETS (we support efforts to incentivise emissions reductions across all sectors, working collaboratively, and improving policy certainty through time-bound targets)
5. On 2 December a supplementary order paper (SOP) was lodged proposing further amendments to the Bill concerning agriculture. The SOP contains provisions to support the formal agreement between the Government and the agriculture sector, known as the Joint Action Plan, and requires Ministers to report back on an alternative pricing system for farm-level agriculture emissions by 31 December 2022.
6. The SOP also includes a requirement for all farms to have a written plan (i.e. farm plan) in place to measure and manage their greenhouse gas emissions by 1 January 2025. Environment Canterbury has rich experience in implementing a Farm Environment Plan (FEP) and Audit framework. Environment Canterbury's FEP framework has proven to be an effective system for engaging with industry and driving farmers towards meeting freshwater quality outcomes, and key lessons have been learnt along the way – these are being shared with Government as it develops a national farm plan programme.
7. There will be an opportunity to speak to the submission at Select Committee, likely in February/March. This can be considered in the new year.

Cost, compliance and communication

Financial implications

8. There are no financial implications from making a submission. Any financial implications of the draft Bill will be explored once there is more certainty on the Bill's final provisions and clarity from Government on how these will be implemented

Significance and engagement

9. The proposals within the draft Bill will impact certain stakeholders, and particularly the agricultural sector. We note that the sector has largely welcomed the approach taken by the Government – working in partnership with the sector to develop a new pricing mechanism.

Consistency with council policy

10. This paper is consistent with Council policy and is consistent with our efforts to advocate strongly for greater Central Government leadership and action on climate change.

Next steps

11. If Council approves, the submission will be lodged with the Environment Select Committee.

Attachments

1. 2020 CCR (Emissions Trading Reform) Amendment Bill Environment Canterbury submission [8.4.1 - 4 pages]

File reference	[SharePoint link for this paper]
Legal review	Catherine Schache, General Counsel
Peer reviewers	Morag Butler

12 December 2019

Committee Secretariat
Environment Committee
Parliament Buildings
Wellington
en@parliament.govt.nz

To whom it may concern

Submission on the Climate Change Response (Emissions Trading Reform) Amendment Bill

Environment Canterbury thanks the Environment Committee for the opportunity to submit on the Climate Change Response (Emissions Trading Reform) Amendment Bill (the Bill). This submission follows our submissions made on the *Our Climate Your Say: Consultation on the Zero Carbon Bill* discussion document and Climate Change Response (Zero Carbon) Amendment Bill in 2018 and 2019, and on the *Action on agricultural emissions* discussion document in 2019.

Environment Canterbury's interest in the Bill is threefold:

- We support efforts to ensure the Emissions Trading Scheme (ETS) helps deliver New Zealand's international climate commitments under the Paris Agreement and the domestic targets and emissions budgets set under the Climate Change Response (Zero Carbon) Amendment Act 2019
- We want to work alongside Government and the agricultural sector to ensure policies for reducing agricultural emissions complement the work we are doing to improve freshwater outcomes
- We support efforts to reduce operational complexity and incentivise new, and particularly permanent, forests, but caution against incentivising exotic forestry at a scale that is not in the long-term interests of New Zealand.

An Emissions Trading Scheme that delivers on New Zealand's climate commitments

Environment Canterbury strongly supports those components of the Bill that enable the ETS to drive emissions reductions and help deliver on our climate objectives. While the ETS has long been the key pillar of climate mitigation policy in New Zealand, it has been somewhat disconnected from our international climate targets and has lacked the necessary tools to drive emissions reductions.

The Bill addresses this through measures to cap emissions covered by the ETS and manage the supply of New Zealand Units via an auctioning mechanism. We **strongly support these provisions** and are particularly supportive of unit supply in the ETS being set in accordance

with emissions budgets set through the Climate Change Response (Zero Carbon) Amendment Act 2019. We do not have specific comment on these provisions within the Bill, however we will continue to follow the Bill's progress and the development of regulations that enable auctioning and set overall NZU limits and price control settings.

Delivering agricultural policies that complement freshwater work

Environment Canterbury **strongly supports efforts to reduce on-farm agricultural emissions** and we will seek opportunities to support this work where possible. We are particularly keen to see policies aimed at reducing agricultural emissions complement policies for improving water quality, and working in partnership with the regional sector will be critical to ensure this. As noted in our submission on the Climate Change Response (Zero Carbon) Amendment Bill, we have a particular focus on and relevant experience in delivering better land use outcomes and know the rural sector well. A huge part of this is improving water quality in Canterbury through Good Management Practice. This work has required a significant shift in how our communities manage land use, and any efforts to reduce biological agricultural emissions will require an equally significant shift. Gaining insight from the experiences the regional sector has gathered over the past 10 years will be highly valuable as agricultural emissions are tackled.

Action on reducing agricultural emissions in New Zealand has been undermined up till now by significant policy uncertainty, which constrains investment in low emissions research, technology and uptake. The Bill's provisions that price agricultural livestock emissions at farm level, and fertiliser emissions at processor level, from 2025, will provide much needed increased policy certainty and we hope will incentivise actions to reduce on-farm emissions. So too will those provisions within the 2 December supplementary order paper that give effect to the formal agreement between the Government and the agriculture sector (the Joint Action Plan).

Our experience with freshwater management in Canterbury highlights the importance of working together with tangata whenua and our communities, so **we support the partnership approach** between Government, Iwi/Māori and the primary sector. Through the Canterbury Water Management Strategy (CWMS) we know that the buy-in of affected landowners has been critical, as has the ambitious, constructive and forward-thinking approach applied by all parties. We are hopeful that the Bill and the Government – Primary Sector formal agreement will help deliver a similar level of partnership and buy-in for the changes sought through this Bill. Our experience in delivering the CWMS also shows that setting clear, time-bound expectations is critical, so **we support the 2022 review** as a backstop mechanism. It will be important that the independent Climate Change Commission can test progress on developing an alternative pricing mechanism to the ETS for farm level pricing and on other commitments made within the formal agreement.

We also note that the supplementary order paper proposes that all farms are required to have a written plan (i.e. farm plan) in place to measure and manage their greenhouse gas emissions by 1 January 2025 and includes a staged transition for getting there. This will sit

alongside national efforts to roll-out farm plans to manage freshwater outcomes. Environment Canterbury implemented a Farm Environment Plan (FEP) and Audit framework as a statutory tool via the Land and Water Regional Plan, and it became operative in 2016. Our FEP framework has proven to be an effective system for engaging with industry and driving farmers towards meeting freshwater quality outcomes, and we have learnt key lessons along the way. One key challenge has been the capacity and capability of industry professionals able to deliver robust FEPs and audits – it's difficult to find industry professionals with extensive knowledge of all farm systems and with the ability to conduct comprehensive assessments. This challenge will grow significantly should FEPs be expanded in scope and across the country. We will continue to work with the Government and share the lessons we've learnt from implementing our FEP framework.

Incentivising new forestry that delivers on New Zealand's long-term interests

Environment Canterbury **supports those forestry-related changes** in the Bill that reduce operational complexity and incentivise afforestation. As a pre-1990 and post-1989 ETS forest owner, we expect these changes, and particularly the introduction of averaging accounting and the exemption from surrendering NZUs for temporary adverse events, will reduce compliance costs with the scheme and provide increased incentives to trade post-1989 NZUs. We are also supportive of changes that reduce administration costs for permanent post-1989 forests. As a regional council we know that permanent forests, and especially native forests, can also have considerable biodiversity and erosion control benefits. Any efforts to further incentivise permanent native forestry are welcomed.

We would, however, like to caution against incentivising exotic forestry at a scale that is not in the long-term interests of New Zealand. As a regional council we are particularly keen that ETS forestry rules incentivise afforestation that complements the freshwater and biodiversity outcomes that we are seeking to achieve. There needs to be increased consideration of how forestry impacts water/flow sensitive catchments, and whether local authorities are well placed to protect biodiversity values on scrubland in the face of significant economic drivers to clear this land for plantation forestry. There remains considerable risk that climate mitigation objectives incentivise large-scale exotic afforestation, and it's not clear the extent to which this would be in New Zealand long-term interests – from an environmental, economic and rural community perspective. This was noted by the Committee in its report back on the Climate Change Response (Zero Carbon) Amendment Bill, however there are still concerns over the extent to which the Government is actively managing this issue. It is most likely beyond the scope of this Bill, but the changes to forestry incentives created through this Bill need to be considered alongside those created through the Climate Change Response (Zero Carbon) Amendment Bill, the One Billion Trees Programme, and increasing carbon prices.

Environment Canterbury supports the passage of the Climate Change Response (Emissions Trading Reform) Amendment Bill through the House, and thanks the Environment Committee for the opportunity to submit. Environment Canterbury wishes to be heard.

Yours sincerely

Jenny Hughey
Chair

8.5. Delegation of Resource Management submission approval

Council report

Date of meeting	12 December 2019
Author	Cam Smith
Responsible Director	Katherine Trought

Purpose

1. This paper seeks Council agreement to delegate approval of the Environment Canterbury submission on the Resource Management Review Panel's Issues and Options paper.
2. Making a submission to the Resource Management Review Panel provides an opportunity to inform the Panel's early thinking and advocate for changes to the resource management system that would help deliver improved environmental outcomes. Delegated approval is sought as the 3 February submission closing date falls before the first Council Meeting in 2020.

Recommendations

That the Council:

1. **delegates approval of the Environment Canterbury submission on the Resource Management Review Panel's Issues and Options paper to the Chair.**

Key points

- The Resource Management Review Expert Panel has released an Issues and Options paper as part of its review of the resource management system
- Delegated approval is being sought as the closing date for submissions on the Issues and Options paper is 3 February 2020, and this falls before the first Council Meeting in 2020
- Staff will provide a draft submission to Councillors for comment in January
- This is the first step in the reform process, and there will be further opportunities to engage as the Government progresses this work.

Background

3. In July 2019 the Government launched a comprehensive review of the resource management system and appointed the Hon Tony Randerson QC as Chair of the expert Panel undertaking the review.

4. The review is taking a first principles approach, from examining the purpose and principles of the Resource Management Act 1991 (RMA) through to how compliance, monitoring and enforcement functions are operating. The scope of the review includes looking at how the RMA interfaces with the Local Government Act 2002, Land Transport Management Act 2003 and the Climate Change Response Act 2002.
5. The Issues and Options paper released on 12 November explores what issues should be considered and addressed by the review and the Panel's initial thoughts on possible options. Submissions are due on 3 February, and the Panel will continue to engage with stakeholders and iwi/Māori over the course of the review. It will also work with expert reference groups on certain important topics of interest: the natural and rural environment, urban and built environment and te ao Māori.
6. The Panel's final report is due with the Minister for the Environment at the end of May 2020. Following this the Government will engage further on any detailed proposals, although it is expected that this will be within the next parliamentary term.
7. The Environment Canterbury submission will focus on those elements of the resource management system that are critical for improving environmental outcomes and are of particular interest to Environment Canterbury. The submission will complement a submission being developed by the Canterbury Mayoral Forum.
8. Given the breadth and depth of the issues raised by the review, staff have not had the opportunity to draft the Council's submission in time for it to be considered at this Council meeting. Work on the submission is underway and a draft will be circulated to councillors as soon as possible.
9. Delegated approval is being sought for the Environment Canterbury submission as the closing date is 3 February 2020, which falls before the first Council Meeting in 2020. The Panel's timeframes do not therefore leave time for Council to approve the submission prior to it being lodged, as approval needs to take place at a formal Council meeting. Staff therefore propose that a draft submission be provided to Councillors in January for comment, and then the submission be approved by the Chair. The final submission will be presented to a Council Meeting following this.
10. Council should note that the Chair has sought an extension from the Panel to later in February 2020, however, this has not yet been granted. Should an extension be provided that falls after the February 2020 Council Meeting, the submission will be presented to Council for approval.

Cost, compliance and communication

Financial implications

11. This paper has no financial implications.

Significance and engagement

12. Opportunities for Council to engage with the Panel will be sought in the new year.

Communication

13. The Environment Canterbury submission will be published on Environment Canterbury's website.

Next steps

14. A draft submission will be provided to Councillors in January 2020 ahead of delegated approval by the Chair.

Attachments

Nil

File reference	[SharePoint link for this paper]
Legal review	Catherine Schache, General Counsel
Peer reviewers	Adrienne Lomax

8.6. Council and Committee Schedule 2020

Council report

Date of meeting	12 December 2019
Author	Louise McDonald, Senior Committee Advisor
Responsible Director	Miles McConway

Purpose and value

1. To consider the draft Council and committee schedule for 2020.

Recommendations

That the Council:

1. **adopts the Council and Committee Schedule 2020.**

Background

2. A meeting schedule is prepared each year to meet the requirements of Schedule 7 of the Local Government Act 2002 (LGA).

The proposal

3. The meeting schedule proposed for 2020 is based on the pattern used for the 2019 schedule.
4. The dates for Performance, Audit & Risk Committee (PARC) meetings are timed to fit in with the financial reporting cycle.
5. The Council meetings are scheduled for two weeks after the PARC meeting, plus meetings to meet the requirements for the Annual Plan and Annual Report processes.
6. The Regulation Hearing Committee meetings are scheduled for every Thursday at 8.30am and will meet as required.
7. The meeting dates for the Regional Transport and Civil Defence Emergency Management Committees are aligned with the meetings of the Canterbury Mayoral Forum as many of the region's Mayors are members of both of those committees. Those committees meet quarterly.
8. The Canterbury Water Management Strategy (CWMS) zone committees meeting dates are set on a separate schedule. The CWMS Regional committee meetings are shown on both the CWMS and Council meeting schedules.

9. The dates proposed for the Councillors leave are the first two weeks of July being the school holidays.

Cost, compliance and communication

Financial implications

10. There are no financial implications from the meeting schedule proposed for 2020. Councillors are paid a salary and the only variable expenditure from the number of meetings held is mileage and accommodation costs. There is a budget for Councillor expenses.
11. There is a budget for Governance staff attending meetings. All other staff time is charged to the project or activity that is subject of the report.

Risk assessment and legal compliance

12. The meeting schedule meets the requirements of the Schedule 7(19)(5) of the LGA to advise members of meetings.
13. Separate to the LGA requirements to advise members of meetings, Section 46 of the Local Government Official Information and Meetings Act 1987 (LGOIMA) requires the Council to advertise meeting dates, times and venues each month.

Communication

14. The meeting schedule will be available of the Council's website and will be updated if any changes are made through the year.

Attachment

Draft Council and Committee meeting schedule 2020

Legal review	Catherine Schache, General Counsel
Peer review	Tarryn Burt, Team Leader Governance Services

2020 Council and Committees Meeting Schedule

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
MON						1 Queen's Birthday							MON
TUE						2			1			1	TUE
WED	1 New Year's Day			1		3	1		2			2	WED
THU	2 New Year holiday			2 RHC		4 RHC	2 RHC PARC		3 RHC	1 RHC PARC		3 RHC	THU
FRI	3 office closed			3 GCPC	1 LGNZ Reg sector	5 Te Waihora	3		4 Te Waihora	2		4 Te Waihora	FRI
SAT	4	1		4	2	6	4	1	5	3		5	SAT
SUN	5	2	1	5	3	7	5	2	6	4	1	6	SUN
MON	6	3	2	6	4	8	6	3	7	5	2	7	MON
TUE	7	4	3	7	5	9	7	4	8	6	3	8 CWMS Reg Cttee	TUE
WED	8	5	4	8	6	10	8	5	9	7	4	9	WED
THU	9	6 Waitangi Day	5 RHC	9 RHC	7 RHC	11 RHC	9	6 RHC	10 RHC	8 RHC	5 RHC	10 RHC COUNCIL	THU
FRI	10	7	6 Te Waihora	10 Good Friday	8 GCPC	12 GCPC	10 GCPC	7	11 GCPC	9 GCPC	6 GCPC	11 GCPC Te Rōpū Tuia	FRI
SAT	11	8	7	11	9	13	11	8	12	10	7	12	SAT
SUN	12	9	8	12	10	14	12	9	13	11	8	13	SUN
MON	13	10	9	13 Easter Monday	11	15	13	10	14	12	9	14	MON
TUE	14	11 CWMS Reg Cttee	10	14 CWMS Reg Cttee	12	16 CWMS Reg Cttee	14	11 CWMS Reg Cttee	15	13 CWMS Reg Cttee	10	15	TUE
WED	15	12	11	15	13	17 GCPTJC	15	12	16	14 GCPTJC	11	16	WED
THU	16	13 RHC	12 RHC COUNCIL	16 RHC COUNCIL	14 RHC COUNCIL	18 RHC COUNCIL adopt AP	16 LGNZ conference	13 RHC PARC	17 RHC	15 RHC LGNZ zone 5&6	12 RHC	17	THU
FRI	17	14 GCPC	13 GCPC	17	15	19	17 LGNZ conference	14 GCPC	18	16 LGNZ Zone 5&6	13 Show Day	18	FRI
SAT	18	15	14	18	16	20	18 LGNZ AGM	15	19	17	14	19	SAT
SUN	19	16	15	19	17	21	19	16	20	18	15	20	SUN
MON	20	17	16 LGNZ zone 5&6	20	18	22	20	17	21	19	16	21	MON
TUE	21	18	17 LGNZ zone 5&6	21 AP hearings	19	23	21	18	22	20	17	22	TUE
WED	22	19 GCPTJC	18	22 AP hearings	20	24	22	19	23	21	18	23	WED
THU	23	20 RHC COUNCIL Annual Plan for consultation	19 RHC	23 RHC	21 RHC COUNCIL AP Deliberations RTC	25 RHC	23 RHC COUNCIL	20 RHC RTC	24 RHC COUNCIL	22 RHC COUNCIL Adopt Annual Report	19 RHC PARC	24	THU
FRI	24	21 LGNZ Reg sector	20	24	22 CMF CDEMG	26 Te Rōpū Tuia	24	21 CMF CDEMG	25 Te Rōpū Tuia	23	20	25 Christmas Day	FRI
SAT	25	22	21	25 ANZAC	23	27	25	22	26	24	21	26	SAT
SUN	26	23	22	26	24	28	26	23	27	25	22	27	SUN
MON	27	24	23	27 ANZAC observed	25	29	27	24	28 South Canterbury anniversary	26 Labour Day	23	28 Boxing Day observed	MON
TUE	28	25	24	28	26	30	28	25	29	27	24	29 office closed	TUE
WED	29	26	25	29	27		29	26	30	28	25	30 office closed	WED
THU	30 RHC	27 RHC PARC RTC	26 RHC PARC	30 RHC PARC	28 RHC PARC		30 RHC	27 RHC COUNCIL		29 RHC	26 RHC RTC	31 office closed	THU
FRI	31	28 CMF CDEMG	27 Te Rōpū Tuia		29		31	28 LGNZ Reg sector		30	27 LGNZ Reg sector CMF CDEMG		FRI
SAT		29	28		30			29		31	28		SAT
SUN			29		31			30			29		SUN
MON			30					31			30		MON
TUE			31										TUE
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	

Annual Plan Timetable (Council)

20 Feb – adopt draft AP for consultation

21 & 22 April – hear submissions

21 May – AP deliberations

18 June – adopt AP and set rates

Annual Report Timetable

22 Oct – Council final Annual Report

Councillors' Leave/school holidays 6 to 17 July

Council	Council meetings (usually 11.00 am)
PARC	Performance, Audit & Risk Committee (usually 2 pm)
CWMS Reg Cttee	Canterbury Water Management Strategy Regional Committee
GCPTJC	Greater Christchurch Public Transport Committee
RHC	Regulation Hearing Committee (8.30 am) as required
RTC	Canterbury Regional Transport Committee
CDEMG	Canterbury Civil Defence Emergency Management Group
GCPC	Greater Christchurch Partnership Committee
CMF	Canterbury Mayoral Forum
Te Waihora	Te Waihora Co-Governance Group
Te Rōpū Tuia	Partnership between Environment Canterbury and Ngā Rūnanga
LGNZ	Local Government NZ - Regional sector/Zone 5 & 6/AGM & Conference

9. Exclusion of the Public from Part of the Council Meeting

Council paper

Meeting Date	12 December 2019
Author	Louise McDonald, Senior Committee Advisor

Recommendations

That the public be excluded from the following part of the proceedings of this meeting, namely:

- 1. Minutes from part of the meeting of the Performance, Audit and Risk Committee meeting held, with the public excluded, on 28 November 2019.**

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	Report	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1.	Minutes from part of the meeting of the Performance, Audit and Risk Committee meeting held, with the public excluded, on 28 November 2019.	That good reason exists for not discussing this matter with the public present and is not outweighed by the public interest.	Section 48(1)(a)

This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceeding of the meeting in public are as follows:

Item No.	
1	Conduct of negotiations (Section 7(2)(c)(i)) Protect commercial information (Section 7(2)(b)(ii))

- 2. That appropriate officers remain to provide advice to the Committee.**

10. Other Business

11. Notices of Motion

12. Questions

13. Next Meeting

14. Closing Karakia