

## Regional Committee briefing paper – Options Paper

Date of briefing	13 October 2020
Portfolio	Freshwater Management
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### Purpose

1. To update the Regional Committee on options being considered to refresh CWMS Regional Committee.

### Guidance sought

2. Committee guidance is sought to:
  - a) **Update** the Regional Committee of the intention to transition the Regional Committee to a smaller 'advisory panel.'
  - b) **Note** the aspects of form for an advisory panel, which are to be incorporated into a revised Terms of Reference.
  - c) **Discuss** options for the draft terms of reference especially the options for level of independence (see paragraph 19)
  - d) **Note** the recommended process for next steps

### Key points

3. With the importance and relevance of the CWMS confirmed by the Mayoral Forum in 2019 and the first ten years of the CWMS complete, it is timely to ensure that the Regional and Zone Committees are fit for purpose – in both function and form.
4. Consolidation of the views of Environment Canterbury Councillors and the CWMS Regional Committee favour transition to an Advisory Panel whereby:
  - The two existing monitoring and advisory functions are retained and added to. The core functions are:
    1. monitoring progress of the implementation of the CWMS across the Canterbury region and
    2. providing advice to Environment Canterbury on regional issues associated with implementation of the CWMS; *with the addition of regular reporting to the Mayoral Forum (in addition to Environment Canterbury)*
  - The size of the committee is reduced by removing zone committee members,
  - The size is reduced by also removing territorial authority members,
  - Ensuring more support (from Environment Canterbury) for cross-zone committee engagement through:
    - More regular zone committee Chair/Deputy forums
    - More invitations issued to zone committees for joint fieldtrips and meetings or community engagements

- More specific engagement as needed, e.g. an invitation to a specific zone committee to discuss a topic or project with the advisory panel
- Communication from the advisory panel with zone committees e.g. through regular updates incorporated in zone committee papers
- More options for region-wide CWMS collaboration e.g. Watershed forums
- Adjustments to membership would include refocusing the expertise required of community members and inviting the Canterbury District Health Board to have member rather than observer status.
- A letter of Expectation from Environment Canterbury to the advisory panel would be introduced.
- The meeting schedule would be synchronised with the Mayoral Forum schedule.

## Background

5. Since May 2020 Environment Canterbury Councillors have been considering the future role of the CWMS Regional Committee to ensure that it remains fit for purpose and is able to fulfil its role.
6. On 7 May 2020, the Freshwater Portfolio Councillors considered four different options for the future form of the committee:
  1. Continuing with the status quo
  2. Dissolution of the Regional Committee
  3. A refined Regional Committee
  4. An independent advisory group
7. The Freshwater Portfolio Councillors determined that the committee's core functions are still valid and showed preference for options 3) and 4)
8. The core functions are
  - monitoring progress of the implementation of the CWMS across the Canterbury region and
  - providing advice to Environment Canterbury on regional issues associated with implementation of the CWMS.
9. On 23 July 2020, all Councillors received a briefing on the future direction of the CWMS Regional Committee which asked them to consider the proposed options. The briefing paper provided detail on the reasons for review, the history, functions and makeup of the Regional Committee, outcomes and outputs from the Regional Committee to date, and a list of wider roles and functions that the Regional Committee holds. The paper also provided detailed analysis of the options, including an option 5 (A CWMS oversight Forum under the Canterbury Mayoral Forum) and risk assessment and legal compliance.
10. Councillors discussed these options and agreed to seek input from the CWMS Regional Committee at a workshop on 28 July as a next step.
11. The CWMS Regional Committee also discussed its future role and the options presented on 28 July 2020. Feedback from this engagement was presented to the Council on 28

August at which staff recommended the adoption of option 3 (a refined Regional Committee).

12. Council discussed again on 24 September and indicated a preference for an advisory panel. Two options emerged from this discussion: One would have greater independence, fewer members and the possibility of no council representation.

## Proposal

13. The proposal is for a smaller, more agile advisory panel. Form and function, terms of reference are being drafted as follows. Options around independence are yet to be considered in full.

## Form and Function

14. There was strong support to retain the Purpose and Function of the Committee, including:
  - **retaining:** Monitor progress of the implementation of the CWMS across the Canterbury Region
  - **retaining and amending:** Provide advice to Environment Canterbury and the Mayoral Forum on regional issues associated with implementation of the CWMS
15. There was strong support for the approach of transitioning the CWMS Regional Committee to an advisory panel such that it would be smaller, comprising 10-12 members and in doing so reduce the membership of the regional committee, including:
  - removing Zone Committee membership and
  - removing Territorial Authority membership
16. The rationale for this was that is that much work has been undertaken to refocus the zone committees on implementation. The reduced interaction between zone committee themselves, and with the regional committee is mitigated through proposed enhanced zone committee interactions. (see paragraph 20). And, the primary relationship between Territorial Authorities and Environment Canterbury comes through governor to governor meetings and opportunities for issues to be discussed through the Mayoral Forum and its working groups. Territorial Authorities and Zone Committees already have a direct relationship.

## Terms of Reference

17. Most aspects of form and function can be given effect to via a refreshed terms of reference which are currently being drafted based on existing terms of reference for zone committees and standing committees. Terms of reference will cover the standard form, function and procedural aspects and include an updated code of conduct and appointment process.
18. Terms of reference will reflect the recent discussions surrounding the Regional Committee which resulted in the following advice;  
**Membership**
  - Zone committee representatives are removed

- Membership by Territorial Authorities is removed.
- Membership by Environment Canterbury Councillors, Ngāi Tahu (Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga) representatives and Community representatives is retained.
- The Canterbury District Health Board<sup>1</sup> are invited to be a member of the Regional Committee rather than have observer status
- Council to appoint an independent chair
- Expertise required of community members is focused to ensure strong alignment to the principles and priorities of the CWMS.

### **Functions**

- Environment Canterbury introduce a Letter of Expectation to be sent every three years to the advisory panel to help strengthen the focus. This would be similar to the Letter of Shared Priorities proposed for zone committees from the Territorial Authorities and Environment Canterbury.
- The advisory panel would meet four times annually with a meeting schedule synchronised with the Mayoral Forum's meeting schedule to allow strategic and efficient reporting and relationship building.

### **Options on Independence**

19. Two options have emerged that provide for different levels of independence as follows:

#### **Advisory Panel**

- Advisory panel with members as follows 6 community/experts, TRONT (1), papatipu Rūnanga (3) CDHB (1).
- The Advisory Panel would remain as a committee of council,
- This would mean that as a committee of council – elected membership would be mandatory and would include 1-2 Councillors
- Appointed members would be highly familiar with the CWMS and have expertise in specified areas
- Council would provide a Letter of Expectation to the Advisory Panel

#### **Independent Advisory Panel**

- As above: advisory panel with members as follows 6 community/experts, TRONT (1), papatipu Rūnanga (3) CDHB (1)
- Not a committee of council. The Advisory panel would be convened by the Chair of Environment Canterbury and operate under a clear terms of reference similar to the advisory panels established at Auckland City Council
- This less formal structure would provide the option of no involvement from the elected members (councillors)
- 6 other members selected for technical expertise.
- Other members as already agreed above

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<sup>1</sup> Council was concerned about South Canterbury District Health Board representation on the advisory panel. The CWMS Regional Committee representative is an employee of the Community and Public Health (CPH) branch of the CDHB. CPH also provides the Community and Public Health services for the South Canterbury District Health Board (SCDHB) under contract with the CDHB. A single representative would therefore cover both Health Boards.

## Zone Committee interactions

20. The council also supported that in lieu of zone committee membership on the advisory panel practical mechanisms should be put in place to support enhanced zone committee interactions including:
- More regular Chair/Deputy forums
  - More invitations issued to neighbouring zone committees for joint fieldtrips and meetings or community engagements
  - More specific engagement as needed, e.g. an invitation to a specific zone committee to discuss a topic or project with the advisory panel
  - Communication from the advisory panel with zone committees e.g. through regular updates incorporated in zone committee papers
  - More options for region-wide CWMS collaboration e.g. Watershed forums

## Next Steps

21. Councillors to advise the CWMS Regional Committee of the council intent to transition the committee to smaller advisory board at the 13 October CWMS Regional Committee meeting.
22. Council to advise the Mayoral Forum (27 November) of the intent to transition to an advisory board. [Although a committee of council, the CWMS Regional Committee is a *committee of the Regional Council for the CWMS* and has provided a quasi-regional oversight role on behalf of the Mayoral Forum].
23. Council to formally agree the new advisory panel structure, a transition plan and agree a revised term of reference for the advisory panel at the December council meeting.

## Significance and engagement

24. Input from the Regional Committee was sought through a workshop on 28 July 2020.
25. As we move to transition it is important to maintain communication with all affected parties including Zone Committees and Territorial Authorities, Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga and to acknowledge the valuable input from each member.
26. There are not anticipated to be any negative implications for relationships with Ngāi Tahu (Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga). Territorial Authorities will remain connected on water issues and CWMS matters through the Mayoral Forum and its working groups and through and governor to governor forums.
27. Engagement with NGOs has been undertaken regarding the zone committee review but has not extended to engagement on options regarding the CWMS Regional Committee to date. The smaller membership of the advisory panel could mean limited opportunity for their involvement in water issues at this level. As part of the LTP we are looking at strengthening our work programmes with these agencies.
28. Engagement with other key agencies is proposed to be undertaken through the refresh of Environment Canterbury's Joint Work Programmes in the 2020/21 Financial Year.

## Timeline

Next meeting of CWMS Regional Committee	13 Oct 2020
Update Mayoral Forum on revised CWMS Regional Committee	27 Nov 2020
Formal Council decision on future structure and revised TOR	Dec 2020
Appointment process for Advisory Panel	Feb 2021
First formal meeting of Advisory Panel	Apr 2021