

CANTERBURY REGIONAL COUNCIL
Kaunihera Taiao ki Waitaha



Agenda 2021

Council Meeting

Thursday, 29 April 2021

Time: 10.30am

Venue: 200 Tuam Street, Christchurch



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

Tumu Taiao Yvette Couch-Lewis
Iaeen Cranwell

Council Meeting

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- 1. Mihi/Karakia Timatanga - Opening**
- 2. Apologies**
- 3. Conflicts of Interest**

4. Public Forum, Deputations and Petitions

5. Minutes

Minutes of 523rd meeting of the Canterbury Regional Council held in the Council Chamber, 200 Tuam Street, Christchurch, on Thursday, 15 April 2021 at 10.30am

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14. Mihi/Karakia Whakamutunga – Closing

Present

Chair Jenny Hughey, Deputy Chair Peter Scott, Councillors Tane Apanui, Phil Clearwater, Grant Edge, Ian Mackenzie, Nicole Marshall, Elizabeth McKenzie, Craig Pauling, Lan Pham and Vicky Southworth

Tumu Taiao: Yvette Couch-Lewis and Iaeen Cranwell

Management and officers present

Stefanie Rixecker (Chief Executive), Katherine Trought (Director Strategy & Planning), , Tafflyn Bradford-James (Director Communications and Engagement), Katherine Harbrow (Director Operations), Tim Davie (Director Science), Catherine Schache (General Counsel),

Anna Puentener (Executive Officer), Toshi Hodliffe (Governance Services Team Leader) and Louise McDonald (Senior Committee Advisor).

Report writers and other staff were also present.

1. **Mihi/Karakia Timatanga – Opening**

Chair Hughey welcomed everyone to the meeting. Cr Pauling gave a mihi whakatau and Cr Mackenzie a karakia.

2. **Apologies**

Councillors Megan Hands, Claire McKay and John Sunckell

3. **Conflicts of interest**

No conflicts of interest were declared.

4. **Deputations and Petitions**

Public Forum

Philip Haythornthwaite

Mr Haythornthwaite with photos, advised the Council of a safety problem at the bus exchange where the steps at the exchange doors do not align with the steps on the buses as people access and leave the bus. This is a safety issue for passengers, especially those in the disability community, and for drivers when they install the ramp for wheel chair users.

He also referred to the bus stop in St Asaph Street outside St John. There is a safety issue for passengers accessing the bus across the cycle lane.

Resolved

That the Council:

- 1. receives the information from Philip Haythornthwaite and;**
- 2. refers the matters raised to the Chief Executive to reply.**

Cr Edge/Cr Clearwater
CARRIED

Nelson Early

Mr Early described his farming practices on his family cropping farm at Greendale as back ground for his concerns regarding water allocation and nutrient allocation.

His crops; including linseed, clover and barley are planted based on how much water they use and how much nutrients they require. He plants in autumn when the plants need less water and does not have winter grazing.

The problem with the current consent system is that is this on a 'first in / first served' basis, this is not good for environmental management. His consent is up for renewal and he is worried that under the proposed changes he would have less reliability of supply.

Mr Early encouraged the Council to look at changing adaptive management consents to promote good farming in Canterbury. He would like to see Environment Canterbury support low impact farming.

It was noted that as Mr Early's consent was currently being considered the matter raised to be investigated was around the planning framework not his consent.

Resolved

That the Council:

1. receives the information from Nelson Early and;
2. refers the matters relating to the planning framework for low impact farming to the Chief Executive to reply.

Cr Mackenzie/Cr Pham
CARRIED

5. **Minutes**

Refer pages 10 to 20 of the agenda.

11 March 2021

Resolved

That the Council:

1. confirms and adopts as a true and correct record the minutes of the meeting held on 11 March 2021 as amended to include the movers and seconders for item 8.2.

Cr McKenzie/Cr Apanui
CARRIED

11 March 2021 – public excluded

Resolved

That the Council:

1. confirms and adopts as a true and correct record the minutes of part of the meeting held, with the public excluded, on 11 March 2021.

Cr Edge/Cr Scott
CARRIED

6. **Matters Arising**

The Chief Executive advised that replies had been sent to Mike Patchett (Water and Wildlife Trust), Davina Penny, Ann-Marie Youngman and Graham Townsend.

A reply is being prepared to be sent to the Rod Donald Banks Peninsula Trust (from the 25 February meeting).

The meeting adjourned between 11.15am and 1.33am

Item 8.1 was then taken

Matters for Council Decision

8.1 Annual Reports Ashburton and Hurunui-Waiau-Uwha Zone Committees *Refer pages 39 to 48 of the agenda*

Cr Marshall introduced this item and welcomed the Zone Committee Chairs to the meeting.

Ashburton

William Thomas, Zone Committee Chair, presented the Ashburton Zone Committee's 2020 Progress Report. He acknowledged that the Ashburton Rivers consent review process was very controversial and that it was very well handed by Andrew Parrish and Henry Winchester. He also thanked facilitator Dave Moore and all the Environment Canterbury staff who attend zone committee meetings.

Referring to the Long-Term Plan he suggested that as the Managed Aquifer Recharge project (MAR) would benefit both the rural and urban communities, the proposed targeted rate should be more widely applied.

He explained the importance of getting rūnanga input and the importance of getting rūnanga representatives to replace out-going members.

Hurunui-Waiau-Uwha

Ken Hughey, Zone Committee Chair presented the Hurunui-Waiau-Uwha Zone Committee's 2020 Progress Report.

He reflected on a year of frustration as the Committee's future structure is being reviewed and thanked the Committee members who have stayed during this uncertain time.

He acknowledged Cr Claire McKay and Mayor Marie Black for their efforts in working through the issues and thanked the facilitators and staff who worked on Plan Change 1 (re dryland farming) for their support.

Mr Hughey said to meet the new requirements from central government, everyone needs to work together, including central government agencies, irrigation companies.

Resolved

That the Council:

- 1. receives the Ashburton Annual report for 2020.**
- 2. receives the Hurunui-Waiau-Uwha Zone Committee Annual report for 2020.**

Cr Marshall/Cr Mackenzie
CARRIED

The meeting adjourned between 12.04pm to 1.09pm

Attendance Cr Scott returned to the meeting after item 7.1.2

7. Committee Reports

7.1 Standing Committees

7.1.1 Performance, Audit and Risk Committee

Refer pages 23 to 34 of the agenda.

Cr Edge presented this item.

Resolved

That the Council:

- 1. receives and confirms as correct record of minutes of the Performance, Audit and Risk Committee meeting held 25 March 2021**
- 2. receives the summary of the financial reports for the period ending 28 February 2021**
- 3. approves arranging a borrowing facility with the Local Government Funding Authority for up to \$805,000 for the purposes of providing funding arrangements for a national wells database solution**
 - 3.1 approves entering into arrangements with Regional Software Holding Limited, for the; management of the funds, collection of payments from participating councils, ongoing repayments of the loan, and the final full repayment of the loan within three years**
 - 3.2 approves the unbudgeted interest cost and acknowledges that the funding will come from general reserves until the Regional Software Holding Limited begins making repayments around July 2021**
 - 3.3 approves deviating from the Council's Financial Strategy as the loan funds would be applied in the short term to operating expenses rather than capital expenses**
- 4. notes the resolutions made by the Committee under delegated authority.**

Cr Edge/Cr Southworth
CARRIED

7.1.2 Regulation Hearing Committee

Refer pages 35 to 38 of the agenda.

Cr Pham presented this item.

Resolved

That the Council:

1. receives the confirmed minutes of the Regulation Hearing Committee meeting held on 18 March 2021.

Cr Pham/Cr Edge
CARRIED

8.2 Climate Emergency Update

Refer pages 47 to 48 of the agenda.

Crs Southworth and McKenzie presented this item.

Attendance: Cr Scott returned at 1.19pm

Councillors expressed interest in attending the World Wetlands Conference to be held in Christchurch in October 2021.

Resolved

That the Council:

1. receives the update on the climate change programme.

Cr McKenzie/Cr Southworth
CARRIED

8.3 Canterbury Water Management Strategy Regional Committee

Refer pages 49 to 62 of the agenda

Cr Pauling introduced this item and acknowledged the significant work done on the refresh of the Canterbury Water Management Strategy Regional Committee.

He advised that following the preparation of this report Te Rūnanga o Ngāi Tahu had indicated support for the role of a co-chair. With this advice, revised recommendations were provided at the meeting.

Resolved

That the Council:

1. approves the Terms of Reference for the Canterbury Water Management Strategy Regional Committee.

Cr Pauling/Cr Pham
CARRIED

Resolved

That the Council

2. approves the role description for the Canterbury Water Management Strategy Regional Committee Independent Chair and co-Chair.

Cr Pauling/Cr Southworth
CARRIED

Resolved

That the Council:

3. **agrees option 2 for selecting the Canterbury Regional Water Strategy Regional Committee Independent Chair as:**

- **Environment Canterbury to advertise and interview for an independent Chair using standard recruitment processes.**

Cr Pauling/Cr McKenzie
CARRIED

Resolved

That the Council:

4. **agrees to confirm a sub-group of Councillors McKay, Pauling, Marshall and Edge with Tumu Taiao Cranwell to work with staff to interview and select an independent chair.**

Cr Scott/Cr Apanui
CARRIED

Resolved

That the Council:

5. **agrees that following a conversation with Te Rūnanga o Ngāi Tahu, agrees that the Terms of Reference includes the following provision “Ngāi Tahu representative on the Canterbury Regional Water Strategy Regional Committee will be appointed to the position of co-Chair by Environment Canterbury Te Rūnanga o Ngāi Tahu working with Papatipu Rūnanga, and in consultation with the Canterbury Mayoral Forum.**

Cr Pauling/Cr McKenzie
CARRIED

Resolved

That the Council:

- 5. **approves the Letter of Shared Priorities, noting possible additions in accordance with recommendation 7.**
- 6. **agrees to invite Te Rūnanga o Ngāi Tahu to coordinate Papatipu Rūnanga priorities into the Letter of Shared Priorities.**
- 7. **agrees the next steps for implementing the outcomes of the Canterbury Regional Water Strategy Regional Committee review.**

Cr Pauling/Cr Edge
CARRIED

8.4 **Long-Term Plan 2021-31 Late Submissions**

Refer pages 63 to 64

Chair Hughey introduced this report.

Resolved

That the Council:

1. receives the update on the process for dealing with any late submissions to the Long-Term Plan 2021-31, and
2. notes that a formal policy on the process for dealing with late submissions will be prepared for Council approval at a subsequent meeting.

Chair Hughey/Cr Mackenzie
CARRIED

8.5 Local Government New Zealand Conference Attendance

Refer pages 65 to 67 of the agenda

Chair Hughey introduced this item.

Resolved

That the Council:

1. appoints Environment Canterbury's delegates to the 2021 Local Government New Zealand Conference and Annual General Meeting are Chair Jenny Hughey, Deputy Chair Peter Scott, Councillor Phil Clearwater, Councillor Megan Hands and Tumu Taiao laean Cranwell.
2. appoints Chair Jenny Hughey as the authorised person to vote on remits on the Council's behalf.
3. notes that Councillor Lan Pham will be attending the conference as a Co-Chair of the Young Elected Members Committee.
4. agrees that Environment Canterbury will not provide its own remits this year. notes staff will provide advice on other councils' remits and this will be presented to the Councillors for discussion with the councillor authorised to vote prior to the AGM.

Chair Hughey/Cr Apanui
CARRIED

9. Exclusion of the Public

Refer page 68 of the agenda.

Resolved

1. That the public be excluded from the following part of the proceedings of this meeting, namely:
 - 1.1 Performance, Audit and Risk Committee minutes

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	Report	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution

1.	Performance, Audit and Risk Committee minutes	Good reason to withhold exists under section 7	Section 48(1)(a)
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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	
1	<p>The withholding of the information is necessary to 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)</p> <p>Enable the Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) - Section 7(2)(i)</p> <p>The withholding of the information is necessary to maintain legal professional privilege – Section 7(2)(g)</p>

2. That appropriate officers remain to provide advice to the Council

Cr Scott/Cr Apanui
CARRIED

The meeting went into public excluded session from 1.45pm to 1.51pm

12. Questions

Referring to the report from the Performance Audit and Risk Committee meeting of 25 March 2021 Cr Scott asked about the cash situation (page 34 of the agenda) as this may have implications for the LTP. He was advised that information would be available in the next 8+4 report due late April.

13. Next meeting

The next meeting was scheduled for Thursday 29 April 2021

14. Mihi / Karakia whakamutunga – closing

The Chair thanked everyone for their participation and invited Cr Mackenzie to close the meeting with a karakia.

The meeting closed at 1.54pm

CONFIRMED

Date _____

_____ Chair

6. Matters Arising

7. Matters for Council Decision

7.1. Council Committee Structure

Council report

Date of meeting	29 April 2021
Author	Catherine Schache
Responsible Director	Stefanie Rixecker

Purpose and value

1. This report proposes a decision-making structure for Council to consider. The structure will enable Council to effectively undertake its Local Government Act (LGA) and the Local Government Official Information and Meetings Act (LGOIMA) responsibilities, while better achieving the goals of the Te Ara Whakamua Agreement.
2. Given the extent of the changes proposed, it is recommended that the structure be reviewed after an initial six month period, so that any necessary improvements can be promptly incorporated.

Recommendations

That the Council:

Overall structure

- 1.1. **Notes that Cr Scott is the current Chair, and that Cr Apanui is the current Deputy Chair of the Regional Transport Committee;**
- 1.2. **Establishes:**
 - **a Regional & Strategic Leadership Committee**
 - **a Natural Environment Committee**
 - **with a Catchment Subcommittee**
 - **a Transport and Urban Development Committee**
 - **a Climate Change Action Committee,**

as described further in this paper and with Terms of Reference for each as attached;

Audit, Finance and Risk Committee

- 1.3. Replaces the Performance Audit and Risk Committee with the Audit, Finance and Risk Committee,
- 1.4. Appoints Cr Sunckell to be the Chair of the Audit, Finance and Risk Committee;

Regulation Hearing Committee

- 1.5. Amends the Terms of Reference for the Regulation Hearing Committee to increase the maximum number of members from six to seven;
- 1.6. Appoints Tumu Taiao Couch-Lewis to be the Chair of the Regulation Hearing Committee;
- 1.7. Appoints Councillor Marshall to be the Deputy Chair of the Regulation Hearing Committee;
- 1.8. Appoints Councillor Elizabeth McKenzie to be an additional member of the Regulation Hearing Committee, noting that Cr McKenzie holds the Ministry for the Environment's *Making Good Decisions* accreditation;

Chief Executive Employment Performance and Remuneration Committee

- 1.9. Appoints Tumu Taiao Couch-Lewis to be an additional member of the Chief Executive Employment Performance and Remuneration Committee;

Regional Water Management Committee

- 1.10. Appoints Councillor Pham to be the sole Council appointee as a member of the CWMS Regional Water Management Committee;

Regional & Strategic Leadership Committee

- 1.11. Appoints Councillors Hughey and Scott as Co-Chairs and Councillor Hands as Deputy Chair of the Regional & Strategic Leadership Committee;

Natural Environment Committee

- 1.12. Appoints Councillors McKay and Pauling as Co-Chairs of the Natural Environment Committee;

Catchment Subcommittee

- 1.13. Appoints the following to be members of the Catchment Subcommittee:

- (a) Cr Clearwater;
- (b) Cr Ian MacKenzie;
- (c) Cr Scott;
- (d) Cr Elizabeth McKenzie;
- (e) Cr John Sunckell;
- (f) Cr Craig Pauling;
- (g) Cr Grant Edge;
- (h) Cr Claire McKay;
- (i) Tumu Taiao Cranwell; and
- (j) Tumu Taiao Couch-Lewis.

- 1.14. Appoints Councillors Ian MacKenzie and Tumu Taiao Cranwell as Co-Chairs of the Catchment Subcommittee;

Transport and Urban Development Committee

- 1.15. Appoints Councillors Scott and Clearwater as Co-Chairs of the Transport and Urban Development Committee; and

Climate Change Action Committee

- 1.16. Appoints Councillors Elizabeth McKenzie and Southworth as Co-Chairs of the Climate Change Action Committee;

General matters

- 1.17. Agrees that each of the new committees will meet as soon as reasonably practicable and in any event prior to 1 August 2021;
- 1.18. Notes that the Council may review and change any committee's Terms of Reference at any time; and
- 1.19. Agrees to review the new structure within six months of it being implemented.

The case for change

3. Our current governance structure was established nine years ago and is based on a multi-layered framework of portfolios and briefings to inform Council and Committee members.

4. It is common practice for a Council to review its governance arrangements at the beginning of a triennium, however after the 2019 local body elections it was decided to maintain the 'status quo' structure. After more than one year of operating the new council and following the disruptions caused by COVID and the appointment of a new CE, it is now opportune to review our governance arrangements.
5. Reflecting on the past year, our structure has exposed the challenges and complexity of the multi-layered approach both in terms of Councillor/Tumu Taiao and staff workload, meeting our statutory obligations under the LGA and also achieving the goals of the Te Ara Whakamua Agreement. The current volume and frequency of briefings is not sustainable, and it is proposed to remove the portfolio briefing layer and integrate it into a whole of council workshop structure. This will ensure all Council members and ngā Tumu Taiao are kept well informed about each portfolio activity.

Review goals

6. The goals of this review are to facilitate better governance, decision-making and to better achieve the goals of the Te Ara Whakamua Agreement. It is also acknowledged that structure is not the only thing that will help achievement of this goal.
7. There is no statutory requirement for Council to establish standing committees. Should it so choose, Council could undertake all decision-making at the full Council level. While this can work well in smaller Councils, a committee structure for this Council will enable:
 - maximising democratic processes with public meetings where decisions are made; and briefings/workshops where Council Members and ngā Tumu Taiao can receive detailed background information
 - participation in decision making by Environment Canterbury's Tumu Taiao
 - effective and efficient decision-making
 - a balanced workload for Council and Committee members
 - integration between and within key activity areas
 - clear entry points for decision-making and of tracking decisions once made
 - clear delegations and reporting lines.

Principles

8. An effective governance support structure should provide the right balance between governance and management and facilitate decision-making at a strategic level that is transacted in an open and transparent way.
9. Underpinning the principle of effective governance is the fostering of robust relationships between Council and Committee Members, and the CE based on mutual respect and understanding.

10. Conventional local government decision-making structures are commonly based on committee structure models, as well as informal meetings (such as workshops and briefings) so that a balance of formal and informal meetings provide for democratic and transparent decision making.

11. The proposed structure is based on the following principles:

- all Council, ngā Tumu Taiao and Committee members are part of key decision-making and are well informed to debate and speak publicly on issues
- to the greatest extent possible within the law, Environment Canterbury will treat the Tumu Taiao as having the same mana, rights, powers, duties and obligations as councillors
- shared and consistent workload – all Council, ngā Tumu Taiao and Committee members actively working in the governance of Council – at formal meetings and outside of formal meetings
- equality of information for all Council, ngā Tumu Taiao and Committee members – ensuring that all have an equal understanding of the issues that arise
- enabling strategic ‘regional’ decision-making
- capability and capacity building through the use of deputies and alternates
- reframe and reduce the number of portfolio briefings, council briefings, briefing papers – business must be transacted at meetings
- meetings make decisions
- managing staff workload
- the provision of information, the facilitation of discussion and stakeholder engagement being undertaken through a number of mechanisms, as appropriate
- Council, ngā Tumu Taiao and Committee members are well-prepared to discuss and then make decisions in meetings, when matters are presented to them
- each item is presented once for decision, with transparency around that process including tracking of the implementation of those decisions
- provide Committee chairing experience which builds up the skills and knowledge of Committee members
- committees can co-opt external members – to bring on specialised knowledge
- this model can build collegiality of members
- to make the work of the Council clear and transparent (especially for the public)

- climate change is integrated across all committees and the Council's work.

Proposal

12. This proposal establishes four additional standing committees (see table at paragraph 21 for detail), with a separation of work-types between them along portfolio lines in terms of the Natural Environment, Transport and Urban Development and Regional & Strategic Leadership Committees. We also propose a new sub-committee, the Catchment Subcommittee, to oversee river and drainage engineering services. For reasons explained below, the fourth new committee, the Climate Change Action Committee, will meet less regularly than the others and will maintain a watching brief over all matters relating to climate change.
13. The practice, or way in which the committee structure is implemented, is also key to successful Council decision-making. Good (or improving) practice to address these matters will include:
 - the Committee Co-Chairs, and Committee Lead Advisor (that is, the Director/Sponsor responsible) working productively together in terms of setting items on the agenda and at meetings
 - a senior leader holding the role of business owner of each Committee to support its work and work programme, in partnership with the Governance Services' Committee Advisor
 - shared understanding by Council and Committee members, and staff of the governance/management division in terms of roles and decision-making
 - effective implementation of the committee delegations through them being well understood by staff and Council and Committee members
 - planned calendar/programme of decisions required from each committee for the year ahead
 - planned work programme for each committee for the year ahead
 - effective meeting facilitation
 - timely provision of agendas and reports
 - appropriate use of workshops.
14. It is recommended the Performance Audit and Risk Committee be replaced with an Audit, Finance & Risk Committee to focus on finance and audit responsibilities, but with no changes to the membership of that Committee (including the independent members). As part of that change, it is also proposed that performance reporting is transferred to the Regional Leadership Committee.
15. Further, it is proposed Council workshops are also utilised to support the structure, as and when required.

Rationale and roles

16. These four new committees and one subcommittee are in addition to those required by statute and the joint collaborative arrangements Council has with other organisations (refer the attached structure diagram, appendix 1).
17. The standing committees will make decisions under delegated authority from full Council. This means that committee decisions are full and final decisions and do not require 'ratification' subsequently from full Council. There will be limited instances when a committee will consider a matter that requires a decision that is beyond its delegated authority. When this occurs, the committee will make a recommendation to full Council. The decision is therefore not made until such time as full Council has had an opportunity to consider the matter.
18. It is noted that no delegation relieves Council from its responsibility or right to perform any function or duty. Therefore in the event a decision cannot wait for a meeting of the delegated committee, the matter could be taken to full Council to consider.
19. In most cases this model results in 'single tier' decision-making. This is the most efficient and effective way for Council to make decisions.
20. Each committee would have co-chairs with shared responsibility for running the meetings, setting agendas, and liaising closely with the Committee Lead Advisor (a senior staff member), Governance Services' Committee Advisor and other appropriate staff. The Chair will be an ex-officio member of all of those committees.
21. Broadly the reasoning for, and role of each standing committee and full Council is as set out in the following table, with draft Terms of Reference for each also attached:

Standing committees of Council

(excluding statutory committees and joint committees)

Key:

Existing committee
Proposed new committee

Committee	Function	Membership	Meeting frequency
Regulation Hearing	To consider and decide resource consent applications, to appoint Consent Hearing Committees; and to appoint Hearing Commissioners	6 Members of Council and one Tumu Taiao	Weekly as required
CWMS Regional Water Management	To monitor progress of the implementation of the CWMS; and to provide advice to Council on regional issues associated with implementation of the CWMS	As current	As required
Chief Executive Employment Performance & Remuneration	To act for and advise Council on matters pertaining to the employment of the Council's Chief Executive	Chair, Deputy Chair and 2 Councillors One Tumu Taiao	Quarterly
Audit, Finance and Risk	Formulation and monitoring of audit and risk frameworks. The Committee also develops and reviews the Council's funding and financial policies and financial performance monitoring framework (financial) before making recommendations to Council).	8 (Members of Council/ and ngā Tumu Taiao) and the Chair Ex Officio, plus independent members 1 Chair	6-weekly
Regional & Strategic Leadership	The development, implementation and review of Council's strategies, policies, plans, programmes, and initiatives, including: <ul style="list-style-type: none"> • strategic planning and direction • long-term and annual plan • engagement with the community • advocacy with central government and other agencies • legislative reviews including submissions to select committees • monitoring of the four well-beings • regional coordination with other South Island regional councils • oversight of consent processing • oversight of all statutory compliance monitoring (including RMA, Biosecurity, and bylaws) • oversight of Harbourmaster functions developing and reviewing Council's non-financial performance monitoring framework.	All Members of Council and ngā Tumu Taiao Chair as an ex-officio member 2 Co-chairs 1 Deputy Chair	6-weekly
Natural Environment Committee	The development and review of Council's strategies, policies, plans, programmes and initiatives for: <ul style="list-style-type: none"> • freshwater regulatory framework • freshwater resilience 	All Members of Council and ngā Tumu Taiao Chair as an ex-officio member	6-weekly

	<ul style="list-style-type: none"> • healthy waterway actions • clean air • monitoring and understanding our environment • stewardship of land and water • working together for healthy land and water • braided river revival • leading and partnering for biodiversity outcomes • me uru rākau (planting for regeneration programme) • priority habitats wetland protection • regional pest management • climate change and community resilience • leading flood and river resilience • managing contaminated land, hazardous substances and waste • managing the coastal environment <p>including all RMA plans.</p>	2 Co-chairs	
Catchment Subcommittee	<p>To ensure, through appropriate performance monitoring and information receipt, the effective provision of river and drainage engineering services to the Region, including:</p> <ul style="list-style-type: none"> • conducting a review of the existing river rating districts and advisory committee structure, to recommend to Council an updated structure; and • oversight of river and drainage engineering services. 	<p>A maximum of 8 Councillors Ngā Tumu Taiao 2 Co-Chairs</p>	6-weekly
Transport and Urban Development Committee	The development, implementation and review of Council's strategic direction and policies for integrating land use, and regional transport and transforming public transport.	<p>All Members of Council and ngā Tumu Taiao Chair as an ex-officio member 2 Co-Chairs</p>	6-weekly
Climate Change Action Committee	<p>The purpose of the committee is to:</p> <ul style="list-style-type: none"> • Oversee and inform the development and review of Council's strategies, policies, plans, programmes and initiatives from a climate change perspective; • Review the implementation and delivery of these matters; • Provide effective leadership on climate change for the organisation and the region to reduce greenhouse gas emissions and ensure a climate resilient future for the Canterbury Region. • Support and enhance integration on climate change plan and actions with Canterbury's territorial authorities 	<p>A maximum of 14 Councillors Chair as an ex-officio member Ngā Tumu Taiao 2 climate change experts Other appointees, including a youth member 2 Co-Chairs</p>	4-monthly

Process details

Membership and meeting frequency

22. Following a number of 'principles' outlined above, it is recommended that all Council Members and ngā Tumu Taiao be part of each of the proposed four new Committees. This will ensure that all Council Members are part of most of the Council's decision-making through either full Council meetings or meetings of those Committees. It will also ensure that there is an equality of information for all Council Members and ngā Tumu Taiao.
23. It is recommended that full Council and each of the Transport and Urban Development, Natural Environment and Regional and Strategic Leadership Committees meet six-weekly, with:
 - The Transport and Urban Development Committee and Natural Environment Committee meeting on the same day (one in the morning and one in the afternoon)
 - those meetings off-set from the Regional and Strategic Leadership Committee and Council meetings by two weeks.
24. The proposed six-weekly meeting cycle will strike a good balance between timely decision-making (keeping governors current, and ensuring staff receive 'in-time' direction and decisions from Council). It also allows each Committee's minutes to be approved promptly, which ensures easy decision tracking.
25. It is proposed that the Climate Change Action Committee meet four-monthly (that is, three times per year) given that its work will be occurring across longer timeframes and given that the Terms of Reference of all of the other three new committees also include climate change aspects.
26. The Audit, Finance and Risk Committee will continue to play an essential governance role for the Council, focussed on ensuring that the Council has sound frameworks, systems and processes that ensure the organisation is accountable, transparent, managing its risk, and self-monitoring that in turn will enable it to deliver outcomes for its communities. Given this enabling role, rather than a direction-setting role, it is considered that a committee of eight members (plus its two independent members) is appropriate.
27. Currently the Performance Audit and Risk Committee meets (generally) each month, and it is recommended the Audit, Finance and Risk Committee has a six-weekly meeting cycle, with monthly financial information and updates provided to all Council members and ngā Tumu Taiao outside of the formal meeting process. These meetings will be scheduled for the same day as the Regional and Strategic Leadership Committee, with that Committee meeting in the morning and the Audit, Finance and Risk Committee meeting in the afternoon.

Meeting cadence

28. The cadence for is set out below, with briefings and workshops taking place in the weeks without meetings:

Week	Meeting:
1	Council
2	
3	Natural Environment Committee (am) Transport and Urban Development Committee (pm)
4	
5	Regional and Strategic Leadership (am) Audit, Finance and Risk Committee (pm)
6	
7	Council
8	
9	Natural Environment Committee (am) Transport and Urban Development Committee (pm)
10	
11	Regional and Strategic Leadership (am) Audit, Finance and Risk Committee (pm)
12	
13	Council
Etc....	

(Noting that the Climate Change Action Committee meetings would be four monthly and scheduled so as not to coincide with other meetings)

Other committees or sub-committees

29. It is also proposed to establish a separate catchment subcommittee, to have oversight of river and drainage engineering services to the region. It is proposed that this be a subcommittee of the Natural Environment Committee.
30. No change is proposed to the other committees and collaborative partnerships Council operates (refer the attached structure diagram, appendix 1).
31. The Regulation Hearing Committee (**RHC**), which is a small and very specialised Committee, will continue to meet as required. That Committee's focus is the appointment of independent hearing commissioners to hear resource consents and, in certain circumstances, for the Committee itself to hear and decide resource consent applications. Because all of those functions are driven by the demands of consent applicants and by the statutory timeframes set under the Resource Management Act, the Committee needs to meet as frequently as once a week, even where its agenda is small.

That is, because of the need to meet statutory timeframes, it is not possible to bundle decisions together and to hold longer, less frequent meetings.

32. Cr Elizabeth McKenzie has recently obtained her *Making Good Decisions* qualification and has asked to be appointed to the RHC, which will necessitate Council resolutions to change the Committee's Terms of Reference (to increase the maximum number of members) and to appoint her to the Committee.

Reframing the briefing regime

33. It is proposed to dis-establish the portfolio briefing layer and integrate portfolio 'briefs' into a more formal all of council workshop structure. This will promote the Council to have a strategic focus on policy setting, and an operational focus on 'doing.' It will also assist us to better manage Council and Committee members', and staff's workload and reduce the time spent and cost involved in preparing for and holding portfolio briefings (making sure that Council and Committee members are not 'overloaded' with meetings and briefing papers, and that staff can get on with the 'doing').
34. Making use of all of council workshops also removes the need for specific portfolio governors and portfolio leads.
35. It is proposed that council briefings (and portfolio briefings) will be reframed into a formal workshop structure with a clear purpose to assimilate information and to seek direction, feedback and guidance from Council and Committee member (no decisions) for staged work such as the development of policy. It is recommended that Council workshops are scheduled on a weekly basis.
36. In terms of process – a record of each workshop will be kept. The workshop record will outline the discussion and direction, and then be reported to Full Council. This facilitates Council telling its "decision-making story" and promotes business being transacted in an open and transparent manner¹.

Council workshops and working groups

37. It is recommended Council dis-establish portfolio and council briefings and replace them with a Council workshop structure that meets weekly, in those weeks between Council and committee meetings.
38. It is also recommended that forthcoming committee meetings consider whether to dis-establish the two working groups it had previously set up, given that the work programmes of both working groups fall within the scope of the proposed committees.

Next steps

39. If approved, we will roll out the new committees and schedules progressively as soon as possible (likely to be from Monday 30 May 2021, giving time to prepare a new meeting

¹ LGA, s14(1)(a)(i), Principles relating to local authorities. "A local authority should – **conduct its business in an open, transparent, and democratically accountable manner**; ..."

schedule, give public notices of those meetings and attend to other administrative matters).

40. We propose a post-implementation review after six months of operation, prior to the end of 2021.

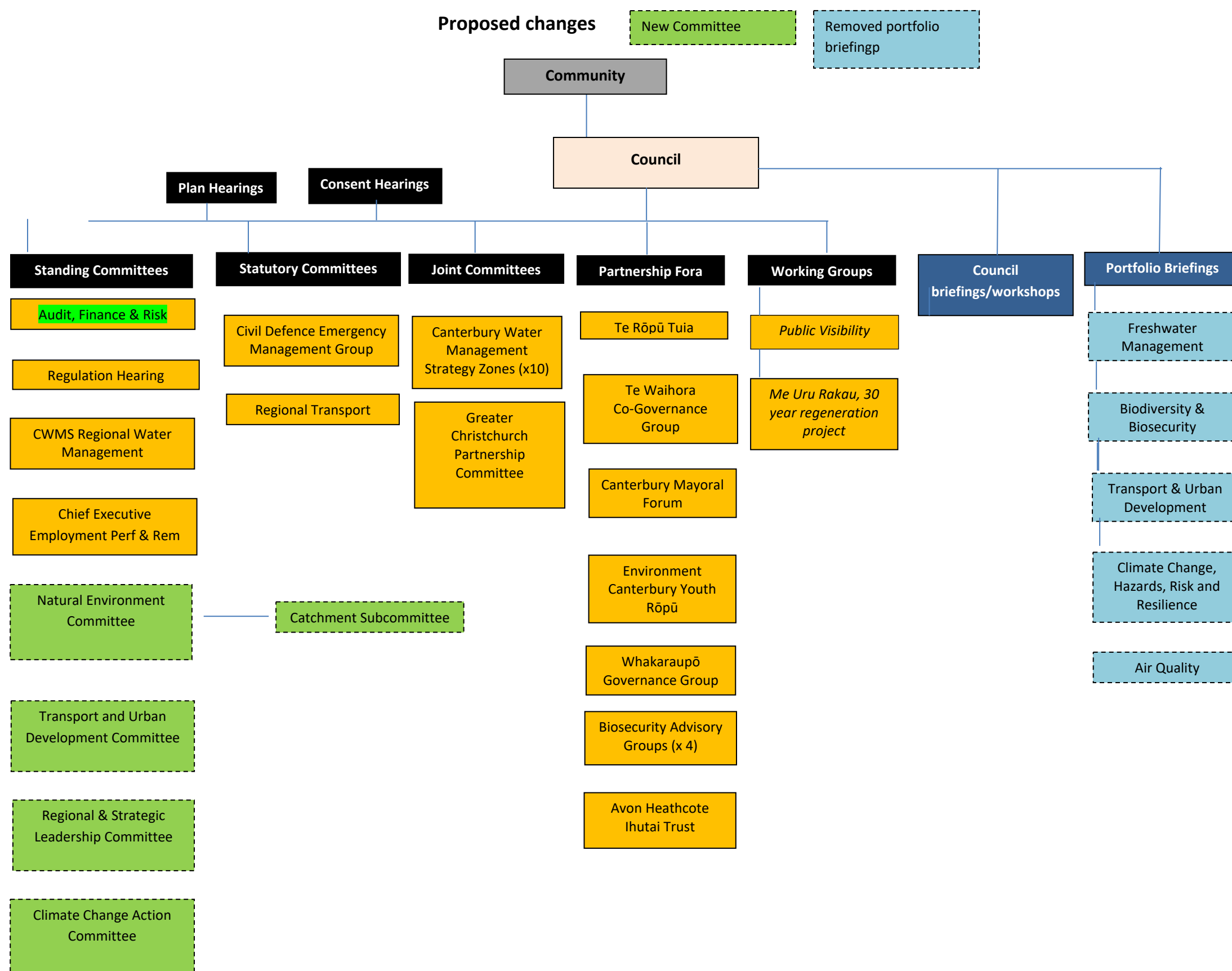
Attachments

1. FINAL COMMITTEE STRUCTURE CHART 23 Apr 21 [7.1.1 - 1 page]
2. FINAL REGIONAL AND STRATEGIC LEADERSHIP COMMITTEE TOR 22 Apr 21 [7.1.2 - 2 pages]
3. FINAL NATURAL ENVIRONMENT COMMITTEE TOR 22 Apr 21 [7.1.3 - 2 pages]
4. FINAL CATCHMENT SUBCOMMITTEE TOR 22 Apr 21 [7.1.4 - 2 pages]
5. FINAL TRANSPORT AND URBAN DEVELOPMENT COMMITTEE TOR 22 Apr 21 [7.1.5 - 2 pages]
6. FINAL CLIMATE CHANGE ACTION COMMITTEE TOR 22 Apr 21 [7.1.6 - 2 pages]

File reference	[SharePoint link for this paper]
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Canterbury Regional Council proposed committee structure

Appendix 1



REGIONAL AND STRATEGIC LEADERSHIP COMMITTEE: TERMS OF REFERENCE

REPORTING TO:	Council
MEMBERSHIP	All members of Council Ngā Tumu Taiao
QUORUM	Eight (8)
MEETING FREQUENCY	Six weekly
CHAIR	Two Co-chairs One Deputy Chair

A. PURPOSE

1. To:
 - a. Set Council's strategic direction and policy responses;
 - b. Signal regional issues;
 - c. Respond to external agency statutory planning processes; and
 - d. Provide thought leadership across matters of regional significance;
 - e. Establish strategic priorities for organisational direction and policy setting.
 - f. Develop Council's non-financial performance monitoring framework.
 - g. assist the Council in fulfilling its duties as a partner with Ngāi Tahu and with the papatipu rūnanga, and to affirm the importance of an enduring and collaborative relationship between us.

B. SPECIFIC RESPONSIBILITIES

2. To advise Council on matters relating to its regional governance role, which will include:
 - a. Developing Council's strategic direction and recommending policy responses;
 - b. Developing Council's position on regionally significant issues;
 - c. Developing Council's long-term and annual plan and recommending those plans to the Council;
 - d. Oversight of the Council's engagement with the community;
 - e. Advocacy with central government and other agencies;

- f. Legislative reviews, including preparing and making of submissions to Select Committees;
 - g. Monitoring of the impact of Council's policies on the social, economic, environmental and cultural well-being of the region.
 - h. Oversee the Council's coordination with other South Island regional councils.
- 3. Ensure that the Committee's decision making:
 - a. Considers climate-change related risks; and
 - b. Is consistent with Council's plans and initiatives to give effect to Council's declaration of a climate emergency on 16 May 2019.

C. DELEGATIONS

- 4. Subject to sections 5 and 6, Council delegates to the Committee all the powers, functions and duties necessary to perform the Committee's responsibilities, except those that must not be delegated.
- 5. The Committee may make decisions on matters with a financial impact only where the related costs are budgeted for within a current, adopted Long Term Plan or Annual Plan, otherwise the matter must be referred to the Council for decision.
- 6. The Committee may not make a decision that is materially inconsistent with the Council's Long Term Plan or Annual Plan.

NATURAL ENVIRONMENT COMMITTEE: TERMS OF REFERENCE

REPORTING TO:	Council
MEMBERSHIP	All members of Council Ngā Tumu Taiao
QUORUM	Eight (8)
MEETING FREQUENCY	Six weekly
CHAIR	Two Co-chairs

A. PURPOSE

1. To:
 - a) oversee the development, implementation and review of Council's Environmental strategies (including the Canterbury Water Management Strategy), policies, plans, programmes and initiatives to address environmental issues in the region (including issues in the area of land management, regional natural resources, fresh water, river control, flood protection, regional parks and reserves, coastal marine environment, maritime navigation and safety, biosecurity and biodiversity), and clean air;
 - b) oversee the development, implementation and review of Council's Regional resilience programmes in the delivery of plans, programmes, initiatives and activities for flood protection and regional parks and forests;
 - c) Oversee the Council's compliance with its statutory functions, including functions under the Resource Management Act 1991, Biosecurity Act 1993, Maritime Transport Act 1994 and all Council bylaws; and
 - d) To assist the Council in fulfilling its duties as a partner with Ngāi Tahu and with the papatipu rūnanga, and to affirm the importance of an enduring and collaborative relationship between us.

B. SPECIFIC RESPONSIBILITIES

1. To consider emerging environmental issues relating to environmental and regulatory monitoring and performance matters and to provide advice on the implications for effective resource management within the region.
2. To receive information on the state of the environment monitoring trends and to direct the use of this information to inform policy and plan review.
3. To receive regular monitoring reports and presentations on the matters set out in the Purpose.
4. Approve strategies, policies and guidelines to deliver clean air in Canterbury.

5. To:
 - a) oversee the development and review of Council's Environmental strategies, policies, plans, programmes and initiatives, and Regional resilience programmes and priorities;
 - b) Prepare any variation to proposed regional plans or plan changes, including making recommendations to Council on the proposed plans, proposed variations and proposed plan changes that should proceed to public notification;
 - c) Oversee consultation under Schedule 1 to the Resource Management Act 1991;
 - d) Appoint hearing committees or hearings panels, composed of accredited persons, to hear and decide upon submissions on proposed regional plans, proposed variations and proposed plan changes.
6. To consider regional, national and international developments; emerging issues and impacts; and changes in legislative frameworks for their implications for Council's
 - a. Environmental strategies, policies, plans, programmes and initiatives
 - b. Regulatory systems, processes and tools
7. Ensure that the Committee's decision making:
 - a. Considers climate-change related risks; and
 - b. Is consistent with Council's plans and initiatives to give effect to Council's declaration of a climate emergency on 16 May 2019.

C. DELEGATIONS

8. Subject to sections 9 and 10, Council delegates to the Committee all the powers, functions and duties necessary to perform the Committee's responsibilities, except those that must not be delegated.
9. The Committee may make decisions on matters with a financial impact only where the related costs are budgeted for within a current, adopted Long Term Plan or Annual Plan, otherwise the matter must be referred to the Council for decision.
10. The Committee may not make a decision that is materially inconsistent with the Council's Long Term Plan or Annual Plan.

CATCHMENT SUB-COMMITTEE: TERMS OF REFERENCE

REPORTING TO:	Natural Environment Committee
MEMBERSHIP	A maximum of 8 councillors together with ngā Tumu Taiao
QUORUM	Five members
MEETING FREQUENCY	Six weekly
CHAIR	Two Co-Chairs

A. PURPOSE

1. To ensure, through appropriate performance monitoring and information receipt, the effective provision of river and drainage engineering services to the Region.
2. To ensure effective liaison with territorial authorities, scheme/catchment liaison committees and scheme ratepayers.
3. Where delegated by Council, recommend to Council for its adoption, finalised draft river and drainage scheme reviews and rating proposals, after taking due account of public submissions.
4. To have regard to the philosophy of ki uta ki tai — from the mountains to the sea — across its streams, lake, wetlands, estuaries, waterways, coastline, biodiversity and water supplies and to the importance and unique characteristics of braided rivers.
5. To assist the Council in fulfilling its duties as a partner with Ngāi Tahu and with the papatipu rūnanga, and to affirm the importance of an enduring and collaborative relationship between us.

B. SPECIFIC RESPONSIBILITIES

6. Conduct a review of the existing river rating districts and advisory committee structure, to recommend to an updated structure to the Natural Environment Committee.
7. Monitor the implementation and progress of river control, erosion control and drainage schemes administered by the Council.
8. Monitor the development of asset management plans to ensure service levels are consistent with stakeholder expectations
9. Monitor the implementation of investigations and works on non-scheme rivers.

10. As delegated by Council, develop policy and plans (including scheme reviews, rating systems, scheme upgrades and new schemes).
11. Encourage establishment of Scheme and/or Catchment Liaison committees, monitor their operation and participate as appropriate.
12. Ensure that the Sub-committee's activities:
 - a. Take into account climate-change related risks; and
 - b. are consistent with Council's plans and initiatives to give effect to Council's declaration of a climate emergency on 16 May 2019.

C. DELEGATIONS

13. The Sub-committee has no general decision-making or financial delegations, but from time to time may be given such delegations by Council for specific matters.

TRANSPORT AND URBAN DEVELOPMENT COMMITTEE: TERMS OF REFERENCE

REPORTING TO:	Council
MEMBERSHIP	All members of Council Ngā Tumu Taiao
QUORUM	Eight (8)
MEETING FREQUENCY	Six weekly
CHAIR	Two Co-chairs

A. PURPOSE

1. To oversee the development, implementation and review of Council's:
 - a. strategic direction and policies for transport and mode-shift;
 - b. set the operational direction to deliver public transport and mode-shift;
 - c. provide input into joint transport-related projects and initiatives;
 - d. development of integrated land use and regional transport; and
 - e. development of Council's position on regionally significant matters such as spatial planning.
 - f. To assist the Council in fulfilling its duties as a partner with Ngāi Tahu and with the papatipu rūnanga, and to affirm the importance of an enduring and collaborative relationship between us.

B. SPECIFIC RESPONSIBILITIES

2. Approve transport strategies, policies, plans programmes and initiatives related to transport demand management and active mode promotion, including relevant aspects of the Regional Policy Statement;
3. Review and monitor performance trends related to public transport activities.
4. Advocate for the alignment of initiatives across the region with transport implications including spatial planning and land use planning including liaison with:
 - a. the Regional Transport Committee;
 - b. the Greater Christchurch Partnership Committee; and

- c. territorial authorities in relation to the urban planning aspects of their District Plans.
- 5. Ensure that the Committee's decision making:
 - a. Considers climate-change related risks; and
 - b. Is consistent with Council's plans and initiatives to give effect to Council's declaration of a climate emergency on 16 May 2019.

C. DELEGATIONS

- 6. Subject to sections 7 and 8, Council delegates to the Committee all the powers, functions and duties necessary to perform the Committee's responsibilities, except those that must not be delegated.
- 7. The Committee may make decisions on matters with a financial impact only where the related costs are budgeted for within a current, adopted Long Term Plan or Annual Plan, otherwise the matter must be referred to the Council for decision.
- 8. The Committee may not make a decision that is materially inconsistent with the Council's Long Term Plan or Annual Plan.

CLIMATE CHANGE ACTION COMMITTEE: TERMS OF REFERENCE

REPORTING TO:	Council
MEMBERSHIP	<p>A maximum of 14 Councillors</p> <p>Chair as an ex-officio member</p> <p>Ngā Tumu Taiao</p> <p>2 independent experts on climate change matters</p> <p>The Committee may appoint additional members with the skills, attributes, or knowledge that will assist the work of the Committee, including a youth member</p>
QUORUM	Nine
MEETING FREQUENCY	Four monthly
CHAIR	Two Co-chairs

A. PURPOSE

1. To:
 - a) Oversee and inform the development and review of Council's strategies, policies, plans, programmes and initiatives from a climate change perspective;
 - b) Review the implementation and delivery of these matters;
 - c) Provide effective leadership on climate change for the organisation and the region to reduce greenhouse gas emissions and ensure a climate resilient future for the Canterbury Region.
 - d) Support and enhance integration on climate change plan and actions with Canterbury's territorial authorities.
 - e) To assist the Council in fulfilling its duties as a partner with Ngāi Tahu and with the papatipu rūnanga, and to affirm the importance of an enduring and collaborative relationship between us.

B. SPECIFIC RESPONSIBILITIES

2. Oversee the development and review of Council's climate change strategies, policies, plans, programmes, and initiatives, and recommend these matters (and variations) to Council for adoption.
3. Review Council's other strategies, policies, plans, programmes, and initiatives, and recommend changes that improve the effectiveness of these matters from a climate change perspective.

4. Review the role of Canterbury in regional climate change programmes and initiatives, including:
 - a) Regional initiatives enabling communities to adapt to climate change.
 - b) Supporting the transition of the region to a resilient low emissions economy with a particular focus on the Climate Change Commission's greenhouse gas budgets and emissions reduction advice.
5. Monitor the Canterbury Region's emissions and climate risks.
6. Consider regional, national and international developments; emerging issues and impacts; and changes in the legislative frameworks for their implications for Council's climate change strategies, policies, plans, programmes, and initiatives.
7. Advocate for the alignment and advancement of central government's and other external organisations' programmes and initiatives in climate change programmes and initiatives.
8. Advocate to central government for a more comprehensive set of climate tools for application by local authorities.
9. Liaise with other regional councils and territorial authorities in the interests of building a stronger regional consensus for climate change action.
10. Engage with constituents to promote initiatives on climate change and resilient communities;
11. Flag maladaptive practices and barriers to adaptation with staff and with central government, where necessary.

C. DELEGATIONS

12. Subject to sections 13 and 14, Council delegates to the Committee all the powers, functions and duties necessary to perform the Committee's responsibilities, except those that must not be delegated.
13. The Committee may make decisions on matters with a financial impact only where the related costs are budgeted for within a current, adopted Long Term Plan or Annual Plan, otherwise the matter must be referred to the Council for decision.
14. The Committee may not make a decision that is materially inconsistent with the Council's Long Term Plan or Annual Plan.

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

Council paper

Meeting Date	29 April 2021
Author	Louise McDonald, Senior Committee Advisor

Recommendations

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

1. Council minutes 15 April 2021 – public excluded

1. 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	1. Council minutes 15 April 2021 – public excluded	Good reason exists under section 7	Section 48(1)(a)

2. 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	<p>The withholding of the information is necessary to 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)</p> <p>Enable the Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) - Section 7(2)(i)</p> <p>The withholding of the information is necessary to maintain legal professional privilege – Section 7(2)(g)</p>

2. That appropriate officers remain to provide advice to the Council.

9. Other Business

10. Notices of Motion

11. Questions

12. Next Meeting

13. Mihi/Karakia Whakamutunga - Closing