

Agenda 2022

Regional and Strategic Leadership Committee

Date: Thursday, 17 February 2022
Time: 10.30 AM
Venue: via online access



Regional and Strategic Leadership Committee

Membership

Committee Co-Chairs:	Chair Jenny Hughey Councillor Peter Scott
Deputy Chair:	Councillor Megan Hands
Committee Members:	Councillor Tane Apanui Councillor Phil Clearwater Tumu Taiao Yvette Couch-Lewis Tumu Taiao laean Cranwell Councillor Grant Edge Councillor Ian Mackenzie Councillor Nicole Marshall Councillor Claire McKay Councillor Elizabeth McKenzie Councillor Craig Pauling Councillor Lan Pham Councillor Vicky Southworth Councillor John Sunckell

REGIONAL AND STRATEGIC LEADERSHIP COMMITTEE

TERMS OF REFERENCE

Adopted by Council 29 April 2021

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. To work in the spirit of genuine partnership and assist the Council in fulfilling its duties as a partner with Ngāi Tahu and in alignment with the principles contained within the Tuia Agreement. In particular, the committee will support effective partnerships with Papatipu Rūnanga, recognise the relevance of Te Ao Māori and affirm the importance of an enduring and collaborative relationship between Environment Canterbury and Ngāi Tahu Papatipu Rūnanga.

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.

Regional and Strategic Leadership Committee

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- 1. Mihi / Karakia Timatanga - Opening**
- 2. Apologies**
- 3. Conflicts of Interest**
- 4. Public Forum, Deputations, and Petitions**
- 5. Extraordinary and Urgent Business**
- 6. Notices of Motion**

7. Minutes

Regional and Strategic Leadership Committee

Date of meeting	Thursday, 17 February 2022
Author	Barbara Strang, Committee Advisor
Endorsed by	Catherine McMillan, General Manager Governance

Purpose

1. To confirm the minutes from the Regional and Strategic Leadership Committee meeting held on 4 November 2021.

Recommendations

That the Regional and Strategic Leadership Committee:

1. **Confirms the minutes from the Regional and Strategic Leadership Committee meeting held 4 November 2021.**

Attachments

1. 2021-11-04 UNCONFIRMED Minutes Regional and Strategic Leadership Committee [7.1.1 - 5 pages]

Minutes of the Regional and Strategic Leadership Committee held in the Council Chamber, 200 Tuam Street, Thursday, 4 November 2021 at 10.32am

Contents

1. Mihi/Karakia Timatanga – Opening
2. Apologies
3. Conflict of Interest
4. Deputations and Petitions
5. Minutes
6. Information Items
 - 6.1. Environment Canterbury Youth Rōpū Update
 - 6.2. Portfolio Performance Report – First Quarter 1 July to 30 September 2021
 - 6.3. An Integrated Regional Planning Framework for Canterbury
 - 6.4. Compliance Monitoring and Enforcement
 - 6.5. Ngai Tahu Update
7. Notices of Motion
8. Extraordinary and Urgent Business
9. Next Meeting
10. Mihi/Karakia Whakamutunga – Closing

Present

The meeting was chaired by Co-chair Peter Scott.

Chair Jenny Hughey, Tumu Taiao Yvette Couch-Lewis and Iaeen Cranwell, Councillors Claire McKay, Elizabeth McKenzie, Nicole Marshall, Tane Apanui, Craig Pauling, Phil Clearwater, Lan Pham, Vicky Southworth, John Sunckell and Grant Edge.

1. Mihi/Karakia Timatanga – Opening

Co-Chair Scott welcomed everyone to the meeting.

Karakia: Councillor Scott

2. Apologies

Apologies for absence were received from Councillors Ian Mackenzie and Megan Hands. An apology for lateness was received from Councillor Sunckell, who arrived at 11.27am.

CARRIED

3. Conflicts of Interest

There were no conflicts of interest recorded.

4. Deputations and Petitions

There were no deputations or petitions.

5. Minutes for Confirmation

RESOLVED

That the Regional and Strategic Leadership Committee:

1. **confirms the minutes of the Regional and Strategic Leadership meeting held on 9 September 2021 are a true and accurate record.**

Cr McKay/Cr Southworth
CARRIED

6. Information Items

6.1 Environment Canterbury Youth Rōpū Update

Environment Canterbury Youth Rōpū (EYR) Chairperson Oscar Bloom spoke to the Committee about the Environment Canterbury Youth Rōpū Update report.

EYR is a formalised group of young people (ages 14-24 years old) who have an interest in the environment, developing leadership skills and who enjoy being part of an exciting team of young people making a difference. There are 16 members, including two Mana Whenua. The members are selected from each constituency within Canterbury.

Key Points

- Co-chair and Councillors thanked Oscar for his leadership, and acknowledged the work EYR have been doing
- Recruitment for EYR 2022 is nearing completion, with only two positions left to fill
- Time and logistical restraints are currently deterrents for members of EYR to contribute more extensively with Environment Canterbury projects as they work on a voluntary basis
- Oscar provided an outline of some of the activities and work the group are planning going forward

RESOLVED

That the Regional and Strategic Leadership Committee:

1. **notes the contents of the report from the Environment Canterbury Youth Rōpū.**

Cr Apanui/Cr Clearwater
CARRIED

6.2 Portfolio Performance Report – First Quarter 1 July to 30 September 2021 Director Katherine Trought

The Portfolio Performance Report was presented by Director Strategy and Planning Katherine Trought. The report contained results from the 40 Levels of Service for the first quarter of the 2021/22 financial year.

Directors responsible for the delivery of each level of service portfolio provided a brief description, highlighting risks and successes, followed by questions raised by Councillors.

The five portfolios are:

- Water and Land – Director Science Dr Tim Davie
- Biodiversity and Biosecurity – Director Operations Katherine Harbrow
- Climate Change and Community Resilience – Director Science Dr Tim Davie and Director Operations Katherine Harbrow
- Air Quality, Transport and Urban Development – Director Strategy and Planning Katherine Trought
- Regional and Strategic Leadership - Director Communications and Engagement Tafflyn Bradford-James

It was noted that further detailed reporting on the financial aspects will be presented at the next Audit, Finance and Risk Committee meeting on 18 November 2021.

Further development of the partnership with Ngāi Tahu and Rūnunga will be reported in the Quarter Two report.

RESOLVED

That the Regional and Strategic Leadership Committee:

- 1. notes the information in the Portfolio Performance Report (First Quarter) 1 July 2021 – 30 September 2021.**
- 2. notes that minor amendments to the Portfolio Performance Report (First Quarter) 1 July to 30 September 2021 prior to its publication may be approved by the Chief Executive of Environment Canterbury.**

Chair Hughey/Cr McKay
CARRIED

6.3 An Integrated Regional Planning Framework for Canterbury

A presentation was tabled by Environment Canterbury Principal Planning Advisor, with an overview of the development of an integrated planning framework, including its evolution, drivers and fit with codesign.

Key Points

- The National Policy Standards were gazetted in 2019, and require all regional plans to be brought into one regional plan
- A communications plan will be finalised once the codesign partnership with Papatipu Rūnanga has been established

RESOLVED

That the Regional and Strategic Leadership Committee:

1. **notes the information provided in the Integrated Regional Planning Framework for Canterbury report.**

Cr Sunckell/Cr Edge
CARRIED

6.4 Compliance Monitoring and Enforcement

Manager Zone Delivery and Regional Leader Compliance Delivery spoke about the information provided in the Compliance Monitoring and Enforcement report.

Key Points

- Anticipating an increase in consents monitoring
- A cost-recoverable community engagement role has been created to develop a new approach to working collaboratively with the community, industry and territorial authorities in relation to dust

RESOLVED

That the Regional and Strategic Leadership Committee:

1. **notes the annual reports on incident response and compliance monitoring**
2. **notes the update on progress towards compliance monitoring and enforcement initiatives agreed in the Long-Term Plan 2021-31**
3. **notes that Councillors and Tumu Taiao will have an opportunity to review the rolling Compliance Monitoring and Enforcement Five-Year Plan in early 2022.**

Tumu Taiao Cranwell/Chair Hughey
CARRIED

6.5 Ngāi Tahu Update

Te Koko Tataki Programme Leader presented an update report to the Committee on key strategic issues that relate to the Council relationship with Ngāi Tahu and spoke about recent progress.

Key Points

- Environment Canterbury Tuia team are working with Dr Eruera Prendergast-Tarena on a model for codesign
- A proposal on a tailored methodology for the codesign process of the integrated planning framework will be considered by Te Rōpū Tuia at their wānanga scheduled for 10 December 2021.

RESOLVED

That the Regional and Strategic Leadership Committee:

1. receives the report on the Council relationship with Ngāi Tahu.

Tumu Taiao Couch-Lewis/Chair Hughey
CARRIED

7. Notices of Motion

There were no notices of motion.

8. Extraordinary and Urgent Business

There was no extraordinary or urgent business.

9. Next Meeting

The next meeting of the Regional Strategic and Leadership Committee will be held in early 2022, with meeting dates for 2022 yet to be confirmed.

10. Closure

Karakia: Tumu Taiao Cranwell.

The meeting closed at 1.02pm.

CONFIRMED:

Co-Chair Jenny Hughey
Chair, Environment Canterbury

Date

Co-Chair Peter Scott
Deputy Chair, Environment Canterbury

Date

8. Report Items

8.1. Contestable Fund

Regional and Strategic Leadership Committee report

Date of meeting	Thursday, 17 February 2022
Author	Adrienne Lomax, Senior Strategy Advisor
Responsible Director	Tafflyn Bradford-James, Director Communications and Engagement

Purpose

1. To report to the Committee on the allocation of the contestable Waitaha Action to Impact Fund for 2021/22, and to outline the process for a review following the pilot funding round.
2. Undertaking a review will identify potential process improvements and opportunities for greater alignment with other Environment Canterbury funding.

Recommendations

That the Regional and Strategic Leadership Committee:

1. **receives the report on the allocations of funding from the Waitaha Action to Impact fund 2021/22**
2. **notes the proposed review of the criteria and processes for allocation of this fund in future years.**

Background

3. Level of Service 32 is to enrich community participation in regional decision making and action. Measure 32.4 seeks to enable community organisations to contribute to Council's community outcomes. One way to support community organisations is by providing funding. The target for 2021/22 is to establish a new contestable fund to support capacity building and action, and to report on the allocation of funds.
4. Through the Long-Term Plan, \$100,000 was made available for a new contestable fund specifically for community-based organisations to support community action and engagement. In addition, a further \$100,000 was available and, for 2021/22 only, priority for this funding was given to six community organisations that have received funding from Environment Canterbury in recent years (legacy groups).

Pilot funding round

5. The 2021 funding round was a pilot – with the working title of Waitaha Action to Impact (WAI) Fund. Criteria and an application process were developed, based on existing funding guidelines, and tested with a small number of community groups. Criteria included alignment with Council's strategic direction and enduring priorities. The fund was open for applications from 30 August until 11 October 2021. The legacy groups were required to use the new application process.
6. There were 46 applications, totalling over \$810,000.
7. All applications were assessed against the agreed criteria, which were explained in information for applicants, by a panel of staff comprising two directors and two senior managers. Twenty applicants were selected to receive funding for 2021/22 (see attachment 1). Some of the unsuccessful applicants are receiving funding through other Environment Canterbury channels, including the Zone Committees and biodiversity funding.
8. There was a good spread of recipients from across the region and a diverse range of projects supported.

Multi-year allocations

9. The initial intent was to allocate funding for up to three years to reduce the administrative burden for the applicants and Environment Canterbury. However, as 2021/22 was conducted as a pilot, and we may make changes to the application process/information required in future years, final decisions regarding further allocations to the successful applicants for Years 2 and 3 of the Long-Term Plan will be made once the review has been completed.
10. The exception is Avon-Heathcote Estuary Ihutai Trust. In this instance, we have a Memorandum of Understanding that commits Environment Canterbury to allocating for three years at the start of each Long-Term Plan. The decision was made to allocate \$25,000 for Year 1, and \$30,000 for each of Years 2 and 3 to Avon-Heathcote Estuary Ihutai Trust.

Reviewing the contestable fund

11. Feedback will be sought from all applicants and staff who were involved in the 2021/22 pilot process, including the decision panel members.
12. The review will consider:
 - fund purpose and criteria
 - alignment with other Environment Canterbury funding
 - the name of the contestable fund
 - timing

- online application form/software and administration requirements
 - decision making.
13. Staff will prepare options for future years based on this initial feedback and bring to a Councillor workshop in March 2022.

Cost, compliance, and communication

Financial implications

14. The Annual Plan process will set the amount available for 2022/23.

Risk assessment and legal compliance

15. Funding agreements are being reviewed and updated to ensure all legal requirements are met and there is greater consistency across different funds.
16. If changes are made to the criteria and processes, legal review will be sought.

Communication

17. Criteria and processes for future years will be communicated via the Community Support section of our website and direct to all community groups that engage with our Community Partnerships staff.

Next steps

18. A list of recipients is included as attachment 1. This information will be made available on our website.
19. An initial review of the contestable fund criteria and processes will be undertaken, and options prepared for workshopping with Councillors in March.
20. Through the Annual Plan process, the amount of funding for 2022/23 will be confirmed. This information, along with any changes to the criteria and processes, will be made available to community groups.

Attachments

1. Attachment 1 Allocations from the Waitaha Action to Impact fund 2021 [8.1.1 - 2 pages]

Peer reviewers	Alison Bower, Emma Davis
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Attachment 1

Allocations from the Community Partnerships Contestable Fund – Waitaha Action to Impact Fund 2021

Organisation name	Project name/description	Allocated Yr 1	Zone
Arthur's Pass Wildlife Trust	Feral cat eradication - eradicating all feral cats in the vicinity of Arthur's Pass Village to help protect native wildlife for future generations to enjoy.	**\$8,000	Selwyn Waihora
*Avon-Heathcote Estuary Ihutai Trust	Estuary restoration, protection and enhancement – building a better understanding of the values of the estuary, and what action we can take as individuals to enhance the quality of the Estuary, providing opportunities to volunteer in any of five wetland restoration projects.	\$25,000	Christchurch West Melton
Avon Ōtākaro Network Inc	World Rivers Day Event 2022 – multiple groups undertaking river clean ups and riparian planting in their specific area, with a shared BBQ and music event at a key site. Will include messaging about the effects of urban stormwater runoff into the river and climate change.	\$5,000	Christchurch West Melton
Bike Methven	Mt Hutt Forest Bike Park XC Rejuvenation Project – eradicating wilding sycamores on a family friendly bike track and re-planting with natives endemic to the Mt Hutt/Ōpuke Region.	**\$10,000	Ashburton
*Christchurch Envirohub	Community-led mapping and directory – a digital geological mapping application to enable users to visually see any environmentally-focused projects or activities occurring within the wider Canterbury region, eg, planting events, recycling drop points, pest management organisations, river care groups, restoration sites and energy organisations.	\$24,000	Christchurch West Melton
Helps Pōhutu Conservation Trust	Kororā (little blue penguin) monitoring at sea – aiming to protect kororā from possible ongoing population decline by monitoring their activities at sea using GPS sensors.	**\$10,000	Banks Peninsula
Hidden Valley Conservation Trust	Hidden Valley Conservation Quick Start – seventy-two hectares at Purau, long-recognised for its high natural, cultural and landscape values, with work to accelerate the change from farming to conservation for an immediate benefit to the biodiversity and public recreation, including weed and pest control and monitoring.	**\$8,000	Banks Peninsula
Hutton's Shearwater Charitable Trust	Kaikōura Community Conservation Kete – developing a “go anywhere” kit of diverse, multi-functional, educational and promotional resources for conservation groups of Kaikōura to enable recruitment / succession of volunteers, and to promote Kaikōura conservation.	**\$2,000	Kaikōura
Mackenzie Community Enhancement Board	Opihi River Revegetation Project – native vegetation planting alongside the Opihi River, partnering with the Fairlie Lions Club to create a community project that will involve all the schools in the Fairlie District and any interested groups and individuals.	\$4,560	Orari Temuka Opihi Pareora
Orari River protection Group Inc Soc.	Trapping predators and weed eradication – increasing the automatic trap assets to increase efficiency and uptake of traps by stakeholders in the upper and lower catchments	\$6,500	Orari Temuka

	of the Orari, and maintaining / increasing weed eradication to help sustain a safe environment for rare reptiles and other flora and fauna.		Opihi Pareora
Peel Forest Outdoor Pursuits Charitable Trust	Peel Forest river corridor trapping project –pest animal control, utilising technical expertise from biosecurity specialists, and engaging community in restoration activities to provide riparian habitat protection to promote local flora and fauna recovery in the wider landscape.	\$11,080	Orari Temuka Opihi Pareora
Port Hills Trust Board	Mt Vernon Park Enhancement project – planting of eco-sourced natives on erosion prone hillsides and flats, reducing sediment into the Ōpāwaho Heathcote, removal of woody weeds, volunteer opportunities.	\$10,000	Christchurch West Melton
Rod Donald Banks Peninsula Trust	Te Ahu Pātiki Park Ecological Survey and Stocktake – contributing to a management plan to secure enduring public access, respecting Ngai Tahu cultural values and protecting and restoring native biodiversity as part of its QEII covenant.	**\$10,000	Banks Peninsula
*Styx Living laboratory Trust	Pūharakekenui Work Programme (funding, from Three Waters funding) – supporting the community-led mahi to help create a 'living laboratory' for research and learning.	**\$10,050	Christchurch West Melton
Summit Road Society	Predator Free Port Hills – a backyard and community trapping programme which aims to eliminate rats, possums and mustelids from the Port Hills and Lyttelton Harbour by 2050.	\$20,000	Christchurch West Melton
Sustainable Ōtautahi Christchurch	Speak for the Planet (\$5k from Youth Education budget) - a speech, art, drama, poetry, video/music competition for young people from Year 7 to age 24. Based on the World Environment Day 2021 theme of 'ecosystem restoration'.	**\$6,000	Christchurch West Melton
*Sustainable South Canterbury Trust	Eco Centre Launch and Progression – a launch festival, sustainable and healthy food/living displays, and workshops to educate adults and children for actions on waste, energy, climate, land-use and water.	\$10,000	LW/ OTOP
Te Kōhaka o Tūhaitara Trust	Tūhaitara Coastal Park rehabilitation –enhancing the native biodiversity in this corridor linking the Waimakariri to the Ashley Rakahuri.	\$5,000	Waimakariri
*Te Korowai o Te Tai o Marokura	Coastal space impact study – collaboration with the community, identifying land subject to uplift to improve the habitats of rare and threatened species.	\$10,000	Kaikōura
*Waimakariri Ecological and Landscape Restoration Alliance (WELRA)	Upper Waimakariri Community Wilding Conifer Control 2021-2022 – galvanising and leading the community in the fight against wilding conifer spread in the upper Waimakariri catchment.	**\$20,000	Selwyn Waihora
		\$215,190	

NB - \$10,050 from Three Waters funding and \$5,000 from Youth Education topped up the contestable fund, so >\$200k could be allocated.

**Legacy group*

***A number of successful applicants requested more funding than has been allocated to them for 2021. The panel considered the application as a whole and, in some instances, allocated funding for parts of the proposal, or for a lesser amount where an activity was considered scalable.*

8.2. District Council Liaison Work Programme Regional and Strategic Leadership Committee report

Date of meeting	Thursday, 17 February 2022
Author	Sam Leonard, Principal Planner
Responsible Director	Tafflyn Bradford-James, Director

Purpose

1. To inform the Regional and Strategic Leadership Committee of the planning work undertaken by the Regional Integration Planning Team to support the territorial authorities in giving effect to the Regional Policy Statement.

Recommendations

That the Regional and Strategic Leadership Committee:

1. **notes the benefits of the work programme undertaken by Environment Canterbury to provide support to territorial authorities to help ensure there is consistent implementation of the regional planning framework across Canterbury.**

Key points

2. The overarching function of Environment Canterbury's Planning Section is to develop, implement and maintain regional plans under the Resource Management Act 1991 for the Canterbury Region. There are two teams within the Planning Section. One is predominantly focused on land and freshwater planning (the Land and Water Planning Team). The other team focuses on the regional policy statement, the regional coastal plan and the regional air plan (the Regional Integration Planning Team). The two teams come together to work on the current ki uta ki tai integrated planning programme.
3. This report is to provide information regarding one of the functions of the Regional Integration Planning Team, namely liaising with territorial authority (TA) partners to give effect to the Regional Policy Statement. Note: the 'integrated planning' referred to in this paper is integration of TA resource management processes with Environment Canterbury and is distinct from the 'ki uta ki tai integrated planning programme' referenced in 2. above.
4. The Regional Integration Planning Team (the 'Planning Team') contributes to a number of important resource management processes that are undertaken by or in partnership with our TA partners. This paper provides a summary of the most significant processes that the Planning Team is currently involved with in performing its liaison function with the TAs.

5. The work undertaken by the Planning Team in its district liaison capacity is important for the following reasons:
- Environment Canterbury sets its policy direction for the territorial authorities through the Regional Policy Statement
 - It is the role of staff in the district council liaison work programme to ensure that this policy direction is implemented
 - It builds and maintains strong relationships at an operational level
 - It provides a platform for collaboratively working on regional issues
 - It ensures Environment Canterbury participates in the development of regulatory documents and strategies around the region.

Background

6. The district council liaison work programme ties in significantly to the Council's strategic direction. It is premised on taking action together, working collaboratively with the Canterbury's TAs to achieve an integrated planning framework for Canterbury. It is a platform for championing the Council's transformational opportunities and enduring priorities in a legislated context (Resource Management Act (RMA) consultation and hearing process). The work programme is guided by the strategic operating principles, particularly: *working collaboratively with partners, regional leadership, and community participation locally and regionally.*
7. The work undertaken by the Planning Team under the district council liaison work programme implements Level of Service (LoS) 34.2 in the Long-Term Plan (LTP). This LoS is to: work collaboratively with the region's district and city councils to implement and give effect to the Regional Policy Statement. The target in each year of the LTP is to: provide planning support for Canterbury territorial authorities completing District Plan Reviews and Plan Changes on issues of regional significance.
8. The majority of the work is responsive to the work programmes of the Canterbury TAs, but some is led (or jointly led) by Environment Canterbury, particularly in the Greater Christchurch Partnership space. The work priorities for this work programme shift over time, depending on how much support the different TAs need and at what stage of their planning processes they are in.

District Council Liaison Work Programme

9. The most significant workstreams in the current District Council Liaison work programme are the ongoing district plan reviews or plan changes for many of the Canterbury TAs and the development of the Greater Christchurch spatial plan.

Kaikōura District Council

10. Kaikōura District Council (KDC) currently has a proposed plan change to the natural hazards chapter of their operative district plan. The Planning Team worked alongside KDC staff members throughout the review of the natural hazards chapter, contributing to the issues, options and drafting of the plan change. The Planning Team made a submission on the plan change and presented evidence alongside the Natural

Hazards Science Team at the hearing for this plan change in November last year. The decisions from the hearing panel will be notified in the coming months which will then be reviewed by the Planning Team.

Hurunui District Council

11. Hurunui District Council (HDC) is working through the Ministry for the Environment guidance on coastal adaptation and what it will mean for their coastal settlements. The Planning Team will assist HDC with the options they will present for discussion with the community. This is expected to happen in the coming months. No council-initiated plan changes are expected to occur until after the resource management reforms have landed.

Waimakariri District Council

12. Waimakariri District Council (WDC) notified their new district plan in September last year. The Planning Team supported WDC throughout the plan review process and represented Environment Canterbury on the Technical Advisory Group for the review. The Planning Team submitted on the notified plan in November 2021 and will review the summary of submissions when they are released early this year. The Planning Team is expecting to prepare and present evidence at the hearings for the significant topics in the notified plan.

Christchurch City Council

13. Christchurch City Council (CCC) is working on a coastal adaptation framework and a coastal hazards plan change. The Planning Team provided feedback on these pieces of work in December 2021, with a focus on supporting the options that would give effect to the Regional Policy Statement. The Planning Team will continue to support CCC with these pieces of work and will likely make a submission on the coastal hazards plan change once it has been notified.
14. The Planning Team continues to support the process for remediating the damage that occurred to indigenous biodiversity on the Kaitōrete Spit. The Environment Court mediation process that ran for three years has come to an end with the successful purchase of the property by Rūnanga and the Crown. The Planning Team is now involved with ensuring that the remediation plan (including planting and fencing) is completed.
15. The Planning Team submitted on CCC's indigenous vegetation plan change (Plan Change 7) in June 2021. The hearing date for this plan change has not been set but is likely to occur in 2022. The Planning Team will review the Council Officers' recommendations and prepare and coordinate evidence if required.

Selwyn District Council

16. Selwyn District Council (SDC) is in the middle of the hearings process for their notified plan. There are approximately 30 different topic hearings running back-to-back, which started in August 2021 and will run until July 2022. The Planning Team supported SDC

through their review process and submitted on the notified plan. Staff from the Planning Team have provided evidence and coordinated legal submissions at the Strategic Directions, Urban Growth, and Natural Hazards hearings. The Planning Team continues to review the Council Officer reports for the upcoming topic hearings and will provide further evidence on a case-by-case basis to support SDC and ensure that the Regional Policy Statement is given effect to.

17. There are also currently 17 active private plan change requests seeking to rezone land in the Selwyn District part of the Greater Christchurch area. Collectively, these plan changes seek to rezone over 1,000 hectares of land and would provide over 10,700 homes. At the time of writing, one of these applications (to rezone land for industrial purposes within the Projected Infrastructure Boundary in Rolleston) has been approved. The Planning Team is taking a consistent approach in lodging formal submissions on behalf of Environment Canterbury in response to private plan change requests, raising key matters. Where applications are seeking to rezone land outside the Projected Infrastructure Boundary, planning evidence and legal submissions have been presented in opposition at hearings on behalf of Environment Canterbury and the Christchurch City Council.

The Greater Christchurch Partnership

18. The Planning Team, together with the Strategy Section, is working collaboratively with Greater Christchurch partners and central government on the new spatial plan for Greater Christchurch. The spatial plan will build on the extensive planning work that has already been undertaken to consider the future of Greater Christchurch and will satisfy relevant requirements of the National Policy Statement on Urban Development 2020 to prepare a future development strategy. It will also inform the review of the Regional Policy Statement.
19. Initial work has focused on the development of the evidence base and strategic framework, and the consideration of potential future urban form options. This work will continue to be developed and refined during 2022, with engagement on potential urban form options currently expected to be held during mid-2022. This engagement will inform the development of a preferred urban form for Greater Christchurch.

Ashburton District Council

20. The Planning Team is working with the Ashburton District Council on issues that are affecting water quality in Ōtūwharekai as well as wastewater issues associated with rural-residential subdivisions and on-site treatment systems. No council-initiated plan changes are expected to occur until after the resource management reforms have landed.

Timaru District Council

21. The Planning Team continues to support the Timaru District Council (TDC) district plan review with one staff member co-locating in the TDC offices one day each week. Environment Canterbury has provided non-statutory feedback on the draft TDC district plan and will be making a statutory submission on the plan once notified. The plan is

expected to be notified in the coming months between February and April 2022. The Planning Team is also expecting to prepare and present evidence at the hearings for the significant topics in the notified plan.

Mackenzie District Council

22. Mackenzie District Council (MDC) has a proposed indigenous vegetation plan change (Plan Change 18) which is under appeal and is currently before the Environment Court. In December 2021 the Planning Team reviewed MDC's position on the appeals and responded with general support for the policy intent of the recommended changes but also sought clarification where some of the details of the changes to definitions or rules were unclear. The basis for supporting the recommended changes is where they will provide more certainty about environmental outcomes, better implement the Regional Policy Statement, and are likely to bring the Te Mōkihi partners closer to a resolution of the appeals.
23. A second element to the Environment Court proceedings on Plan Change 18 is whether there was enough legal scope for the decision to include a map identifying most of the Mackenzie Basin as 'significant indigenous vegetation and significant habitat of indigenous fauna'. In January 2022 the Planning Team filed a memorandum not taking a position on the jurisdictional issue of scope but noting if the Court finds that the definition of 'significant indigenous vegetation and significant habitats of indigenous fauna' is outside the scope of Plan Change 18 that we would like to reserve our position on any consequential changes to the provisions that would be required as a result of any findings by the Court. Once the scope issue has been decided, the next step will be mediation on the other points raised in the appeals. Environment Canterbury will take part in this mediation.
24. MDC is also reviewing critical elements of their District Plan, rather than opting to undertake a full review of the District Plan all at once. The work programme for the district plan review will be presented to MDC Councillors late February. The Planning Team is working with MDC to identify areas of increased support from Environment Canterbury prior to the work programme being presented to their Council.
25. The Planning Team will have a lead role in scoping the 'Ahuriri Integrated Plan' project that sits within the Te Mōkihi joint initiative that focuses on the Mackenzie Basin and will be scoped alongside Rūnanga. The initial phase of scoping will occur internally and will focus on establishing the primary project parameters, the current planning and consenting controls that are in place and issue identification.

Waimate District Council

26. Waimate District Council is waiting to see the outcome of the RMA reform before undertaking much work for the district plan review. Some preliminary work has been done on new industrial zoned land and heritage protection.

Waitaki District Council

27. Waitaki District Council also has their district plan review underway. The Planning Team has been supporting Waitaki Council staff by reviewing draft chapters against the Regional Policy Statement and providing advice on regionally significant issues. The draft plan is expected to go to their Council for a decision to notify in May 2022. The Planning Team intends to make a submission on the notified plan and will likely appear at the hearings if required.

Chatham Islands Council

28. The Planning Team attends monthly steering group meetings held by the Chatham Islands Council (CIC) to scope out and support a freshwater work programme to give effect to the National Policy Statement on Freshwater Management. The Planning Team also drafted a submission on the Essential Freshwater and RMA reform consultation documents on behalf of the CIC.
29. The Planning Team have put together a budget for the substantial amount of work required to implement the Government's Essential Freshwater Package. If this is successfully included in the Government's Budget for the 22/23 year, the planning work for the Chatham Islands Council will greatly increase.

Cost, compliance, and communication

Financial implications

30. The budget for the district council liaison workstream will come under pressure for the remainder of this financial year and the next. This is due to the numerous district council planning processes that are occurring simultaneously. There is capacity in the overarching planning section budget, however, to ensure that this workstream is delivered according to the approved budgets within the LTP.

Risk assessment and legal compliance

31. It is important for Environment Canterbury to be actively involved in these district council processes. The main risk of not being involved is missed opportunities to ensure that an integrated regional planning framework is delivered for the Canterbury region. There is also a reputational risk, given that these are very visible processes within the community and there are expectations from both our TA partners and the community that Environment Canterbury is constructively involved.

Engagement, Significance and Māori Participation

32. The district council liaison work programme is a significant opportunity for engagement with the TAs. The Planning Team works alongside the TAs during their district plan reviews in a collaborative capacity. This builds a collegial relationship and provides early opportunities to address any issues that arise in giving effect to the Regional Policy Statement. This makes it less likely that Environment Canterbury will need to oppose provisions through a submissions process and can instead use the submissions

process to publicly support the TAs. This public visibility demonstrates to our partners, community, and stakeholders that the regional council and TAs are working together in a constructive manner.

33. The relationships developed at an operational level between the Planning Team and district councils will be fundamental in the progression of Environment Canterbury's ki uta ki tai planning programme. The TAs are important partners for the development of this planning programme and the collegial relationships built between staff will provide a solid foundation for constructive work and better decisions.
34. Planning staff are also involved in the Te Mōkihi projects, as part of the Mackenzie alignment programme, in collaboration with the South Canterbury Rūnanga. These projects are valuable in building our relationship with these Rūnanga, and this will be useful in the development of the regional planning framework.

Consistency with council policy

35. The district council liaison work programme is structured around giving effect to existing Environment Canterbury Policy, primarily the Regional Policy Statement. The focus of the Planning Team's involvement with these processes is to ensure consistency with the Regional Policy Statement and to avoid duplication with the regional planning framework.

Climate Change Impacts

36. The Planning Team uses these district planning processes to raise and support the inclusion of planning policies to address the impacts of climate change across the districts. The Planning Team makes submissions on these TA process to ensure that climate change effects are being addressed, particularly within the overarching strategic directions in the notified district plans.

Next steps

37. The Planning Team will keep the Regional and Strategic Leadership Committee informed of significant developments in the district council liaison work programme. The responsive nature of this work programme means there is uncertainty around exactly when significant developments such as notified district plans will take place. An updated version of this paper will be presented to the Regional and Strategic Leadership Committee in six months' time, with any individual topics brought to Council in the interim as required.

Peer reviewers	Andrew Parrish – Planning Manager, Tammy Phillips – Principal Planner
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8.3. Delegating Authority to the Chair to Approve Submissions on Territorial Authority Annual Plans

Regional and Strategic Leadership Committee report

Date of meeting	Thursday, 17 February 2022
Author	Adrienne Lomax, Senior Strategy Advisor
Responsible Director	Tafflyn Bradford-James, Director Communications and Engagement

Purpose

1. To delegate authority to the Chair and Deputy Chair to approve Council submissions on the 2022/23 Annual Plans of Canterbury territorial authorities.

Recommendations

That the Regional and Strategic Leadership Committee:

- 1. delegates authority to the Chair and Deputy Chair to approve Council submissions on the 2022/23 Annual Plans of Canterbury territorial authorities.**

Background

2. Every three years, local authorities must prepare and adopt a Long-Term Plan that covers at least the next 10 years. For the first year of the plan, the funding impact statement and financial statement in the long-term plan is regarded as that year's Annual Plan. For the second and third years of the Long-Term Plan, the local authority must prepare an Annual Plan.
3. In accordance with the Local Government Act 2002, councils do not need to consult on Annual Plans for the second and third years of the Long-Term Plan if there are no significant or material differences from the content of the Long-Term Plan for the financial year to which the Annual Plan relates. However, when proposing significant or material differences from the Long-Term Plan for the financial year covered by the proposed Annual Plan, they must prepare a consultation document.
4. Councils may also choose to undertake formal consultation or less formal engagement with their communities where no significant or material differences are proposed.
5. In Canterbury there are ten territorial authorities, comprised of a city (Christchurch) and nine district councils. If consultations are to be held for any of the ten territorial authority Annual Plans, they will likely occur between March and May 2022.
6. In previous years, Environment Canterbury has made a submission when a formal consultation is being undertaken.

Submitting on Territorial Authority Annual Plans

7. A formal written submission is an opportunity to strengthen relationships with territorial authorities, to acknowledge key areas of the council-to-council relationship and contributions to regional activities, and to highlight areas of mutual importance and offer support for specific proposals. It is also an opportunity to raise any concerns.
8. Council approved a process for development of Council submissions at the 6 October 2021 meeting. Consistent with this process, staff will prepare a draft submission, with guidance and feedback from the Councillors leading the relationship with the territorial authorities. The elected Councillors for that district and the Tumu Taiao will also be asked for guidance.
9. Where there are matters that are likely to be of particular interest to all Councillors, opportunities to review and provide feedback on the submission will be provided before it is finalised.
10. The agreed process includes asking the relevant standing committee, in this case the Regional and Strategic Leadership Committee, to approve the arrangements for sign-out of a submission.
11. Due to the relatively short time available, generally four to five weeks, to draft, review and submit on an Annual Plan, there is unlikely to be the opportunity for these draft submissions to come to this Committee or to a Council meeting for approval.
12. The Regional and Strategic Leadership Committee is asked to delegate authority to the Chair/Deputy Chair to sign out each submission on behalf of Environment Canterbury. This will enable the submission deadlines of the territorial authorities to be met.
13. Copies of all submissions will be made available to all Councillors at the time of submission.

Next steps

14. Councillors will be informed of any 2022/23 Annual Plan consultations, including dates, the Canterbury territorial authority in question. Relevant Councillors and Tumu Taiao will be asked to participate in the preparation of submissions.

Peer reviewers	Emma Davis
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8.4. Canterbury Regional Council (Ngāi Tahu Representation) Bill: Progress Report

Regional and Strategic Leadership Committee report

Date of meeting	Thursday, 17 February 2022
Author	Julian Phillips, Te Koko Tataki
Responsible Director	David Perenara-O'Connell, Te Pou Herenga

Purpose

1. To provide an update on the Canterbury Regional Council (Ngāi Tahu Representation) Bill (the Bill).

Recommendations

That the Regional and Strategic Leadership Committee:

1. **notes the update on the Canterbury Regional Council (Ngāi Tahu Representation) Bill, including that Hearings are proposed to be held in Christchurch in the week starting 1 or 7 March 2022**
2. **notes that the timing for Hearings for the Canterbury Regional Council (Ngāi Tahu Representation) Bill may be affected by COVID-19 Protection Framework traffic light settings.**

Key Points

2. The Bill had its First Reading on 8 December 2021 and is now at the Māori Affairs Select Committee (Select Committee). Submissions to the Select Committee closed on 2 February 2022.
3. Environment Canterbury did not provide a written submission, following external advice that the Briefing Notes already provided to the Select Committee covers the same points and will serve the same purpose.
4. It is important to note that as the promotor of the Bill we have automatic entry into the hearings process, and we do not need to have lodged a written submission to do so. This will allow us to address any new issues that may arise through the process.
5. At this stage hearings are proposed to be held in Christchurch in the week starting 1 or 7 March 2022. However, it is important to note with the country at RED (COVID-19 Protection Framework) Parliament will be affected as all 120 MPs are unable to meet in one place. We will have further details on what those changes look like and the implications for this Bill once the house has resumed (8 February).

Pro- forma Submissions

6. The Committee Clerk has indicated that the Committee has received over 8,000 submissions.
7. On investigation staff identified two entities that have been promoting template submissions in opposition to the Bill. These are Hobson's Pledge and Democracy Action. These templates raise points around the extent of pre-consultation undertaken, conflicts of interest arising from "the significant business interests and assets controlled by Ngāi Tahu", a breach of Article III of Te Tiriti, and that it should require a supermajority in Parliament.

Next steps

8. High level analysis of submissions will be provided to Council. Further details on Hearings will be made available once Parliament resumes (8 February).

Attachments

1. 2022-02-03 LT Select Committee re proforma submissions FINAL [8.4.1 - 4 pages]

3 February 2022

Committee Secretariat
Māori Affairs Committee
Parliament Buildings
Wellington

Customer Services
P. 03 353 9007 or 0800 324 636
 200 Tuam Street
 PO Box 345
 Christchurch 8140
www.ecan.govt.nz/contact

By email to: maori.affairs@parliament.govt.nz

Dear Māori Affairs Committee Secretariat

Canterbury Regional Council (Ngāi Tahu Representation) Bill – additional information

As we have indicated to the Clerk of the Committee, Environment Canterbury does not wish to appear in person at next week's hearing of the Committee, as we would prefer to wait until the Committee's decision is made regarding hearings in Christchurch. We would very much like to appear alongside the local people if Covid and other circumstances allow.

We nonetheless thought that the Committee might like the Council's views on some of the matters that have been canvassed in pro-forma submissions that have been circulated, in particular by Hobson's Pledge and Democracy Action, as these template submissions appear to form the basis for a large number of the submissions that the Committee has received.

Those submissions focus on a range of issues but in particular assert that the proposal for Ngāi Tahu to appoint councillors will raise conflicts of interest arising from "the significant business interests and assets controlled by Ngāi Tahu".

Environment Canterbury submits that this allegation is ill-conceived, for a number of reasons as set out below.

No automatic conflict

The argument seems to be that Ngāi Tahu has so many business interests that every Ngāi Tahu person is automatically conflicted, rather than that a Ngāi Tahu appointee is conflicted by being Ngāi Tahu.

This is not how the law of conflicts nor the Local Authorities (Member' Interests) Act 1968 operates – rather, each time any matter were to come to the Council for a decision, the Ngāi Tahu appointed Councillors (alongside all other Councillors) would consider and assess whether they had a conflict of interest.

Indeed, if the submitters' argument were valid, this would apply equally to every iwi-affiliated Māori elected to any local authority anywhere in NZ.¹

This does not mean that a Ngāi Tahu appointee may not have a conflict in a particular case, for example if the person were also a director of a Ngai Tahu company that was applying for a resource consent, but that position applies today to all other Councillors and is resolved each time as appropriate.

Environment Canterbury's former appointed Councillors (under the Environment Canterbury (Transitional Governance Arrangements) Act 2016) and its current Tumu Taiao (who are appointed by Ngāi Tahu as mana whenua experts to the Council) have always been fully cognisant of their responsibilities to declare any conflicts of interest and have done so as necessary.

It might assist the Committee (and the submitters) to draw an analogy with farming. Currently, the Environment Canterbury Council includes a number of farmers. They are not disqualified from participating in policy discussions affecting farmers generally.

However, if Environment Canterbury is setting discharge levels into a river, and a councillor owns an adjoining farm with discharge consents, there is a reasonable perception of a conflict which would be declared as appropriate.

The Council's position is therefore that there is no "automatic" conflict of interest simply by virtue of any appointed Councillor's whakapapa to Ngāi Tahu. Rather, this assessment would be made on a case by case basis when specific matters that affected Ngāi Tahu arose – in precisely the same way that our Councillors currently consider and respond to potential conflicts of interest.

No Ngāi Tahu control over appointed Councillors

The allegations made in the submissions also appear to proceed from the assumption that Ngāi Tahu will control their appointed Councillors throughout their term. This is not the case, particularly because after they have exercised their power of appointment, Ngāi Tahu cannot remove the appointee (clause 9) and therefore cannot "control" their appointees through a threat of dismissal.

In addition, the process of appointment proposed under the Bill relates to "how" the person would be appointed to the Environment Canterbury Council, not their duties once they have been appointed. Once appointed, the appointees have to act in the best interests of the region as a whole.

¹ There is no prohibition on someone holding both iwi and other governance roles, let alone preventing iwi-affiliated Māori from being elected within their rohe. Existing examples include David MacLeod (Chairman, Taranaki Regional Council; and Committee of Management, Parininihi Ki Waitotara Incorporation) and Lisa Tumahai (Kaiwhakahaere [Chair], Te Rūnanga o Ngāi Tahu; and Deputy Chairperson, Climate Change Commission).

They are not there to promote the interests of Ngāi Tahu ahead of others, though no doubt they will be alert to them. This same approach holds true for other elected councillors; once elected, they must act in the interests of the region.

That may mean supporting expenditure in constituencies other than their own (and to its disadvantage), if the need is greater. All of this is clear from the declaration that each member must make before acting as a Councillor (in Schedule 7, clause 14 of the Local Government Act 2002).

The declaration is not constituency or ward based, and reads as follows (our emphasis):

Declaration by mayor or chairperson or member

“I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [region or district], the powers, authorities, and duties vested in, or imposed upon, me as [mayor or chairperson or member] of the [local authority] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act

Dated at: [place, date]

Signature:

Signed in the presence of: CD, [mayor or chairperson or member or chief executive of local authority]

Environment Canterbury’s position is that there is no ability for Ngāi Tahu to exert “control” over Councillors and that Councillors will fulfil their duties in accordance with their oath of office.

Other matters raised in the template submissions

The template submissions make a number of other assertions – Environment Canterbury’s position on a number of those is set out below:

- The Bill sets a precedent for other local authorities: This is patently incorrect. This is a local Bill for a local situation. Whether any other council may want to promote a similar measure is not immediately relevant.

The approach of the Bill might well be proposed by other Councils but each proposal would be considered on its merits at that time.

- This type of change requires a super-majority: Super-majorities for any legislation is a matter to be addressed in a Standing Orders Review, or in specific statutes such as the Electoral Act; both clearly out of scope for this Bill.

- There is no mandate for the Bill and the community should have been consulted: Environment Canterbury has received a number of comments from its communities on this point.

Environment Canterbury's Councillors, as representatives of their community, were unanimous in their support of this Bill at a vote taken at an advertised, public Council meeting.

Further, the Bill has been promoted in accordance with Parliament's Standing Orders, including the requirement to publish information about the Bill, formally notify specified parties, make the Bill publicly available, and culminating in this Select Committee process, which provides everyone with the opportunity to make their views known and have them considered.

Environment Canterbury has gone beyond the requirements of Standing Orders to ensure that as many of our community as possible are aware of the Bill and the Committee's process. I personally contacted all Mayors and Councils across Canterbury regarding the Select Committee process, alongside making myself available to address the rationale for the Bill and to answer questions during this period.

- The Bill is inconsistent with the Treaty of Waitangi: this assertion raises issues similar to those assessed in the advice provided by the Ministry of Justice Chief Legal Counsel to the Attorney General. That advice concluded as follows:

11. Empowering Te Rōnanga o Ngāi Tahu to appoint two non-elected members to Environment Canterbury adheres to the same principle as the decisions to give Ngāi Tahu input into other environmental governance bodies in the Settlement. Ngāi Tahu have a unique claim to input into the Environment Canterbury context on the basis of their special association with the Canterbury natural environment. No comparator group is currently recognised by the government as having this special association in this region.
12. In the context of the provisions within this Bill, no other persons or groups can be considered to be in comparable circumstances to Ngāi Tahu and no persons or groups will be materially disadvantaged by the passing of the Bill. The result of this assessment is that s 19 of the Bill of Rights Act is not engaged.

Environment Canterbury's views accord with that advice – namely that the Bill is consistent with the approach taken by the Crown in its Treaty settlement with Ngāi Tahu.

I trust that this information is of use to the Committee ahead of its hearings next week. I look forward to the opportunity to speak to the Committee once you have determined whether to conduct hearings here in Christchurch.

Yours sincerely



Jenny Hughey
Chair

8.5. Submissions Policy

Regional and Strategic Leadership Committee report

Date of meeting	Thursday, 17 February 2022
Author	Cecilia Ellis, Senior Strategy Advisor
Responsible Director	Katherine Trought, Director Strategy and Planning

Purpose

1. The purpose of this report is to seek Regional and Strategic Leadership Committee approval to present the Submissions Policy to Council for approval ahead of consultation on the draft Annual Plan 2022/23.
2. Adoption of the Submissions Policy ahead of Annual Plan consultation will provide clarity for staff, Council and the public on how we will manage submissions.

Recommendations

That the Regional and Strategic Leadership Committee

1. **recommends to Council that the attached Submissions Policy be approved.**

Background

3. An action from the Long-Term Plan 2021-31 project was to develop and implement a Submissions Policy. This was largely in response to offensive, frivolous and late submissions and the need for a consistent approach to managing these submissions across different consultations.
4. Legislation, such as the Resource Management Act, has prescriptive requirements for managing submissions, including late and offensive submissions. Consultations under other legislation, such as those under the Local Government Act (e.g., Long-term Plan and Annual Plan consultations) do not have the same prescriptive requirements for managing submissions. Therefore, it is up to each Council to set a process for how they manage submissions. Without a policy, this can lead to an inconsistent approach being taken for each consultation process.
5. The adoption of a Submissions Policy will help staff and Council implement a more consistent approach for how offensive, frivolous, and late submissions are managed so staff and Council can be clear to the public about circumstances in which submissions may not be considered.

Submissions Policy

6. The final draft Submissions Policy is attached. In developing this policy, staff have reviewed other Councils' policies on accepting submissions. Staff have also reflected on best practice and previous experience of managing submissions.
7. 'How to make a submission' guidance has been developed to sit alongside the Submissions Policy on Environment Canterbury's website.
8. Feedback from Council on the draft Submissions Policy was sought at a Council workshop on 2 February 2022 and has been incorporated.

Cost, compliance and communication

Financial implications

9. The Submissions Policy has been developed considering current practice with managing submissions.

Risk assessment and legal compliance

10. The Submissions Policy relates mainly to consultation processes under the Local Government Act 2002 (LGA). The LGA, stipulates principles of consultation (section 82 of the LGA) including
 - 82 d) that persons who wish to have their views on the decision or matter considered by the local authority are provided a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons, and
 - 82 e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration.
11. Staff consider that the Submissions Policy complies with the above principles and the principles of engagement under the Council's Engagement, Significance and Māori Participation Policy.
12. The Submissions Policy is not a deviation from how submissions have been managed previously (e.g. Council resolutions on receiving late submissions), therefore the adoption of this Policy is not deemed to be significant.

Communication

13. Following the Regional and Strategic Leadership Committee's decision regarding recommending approval by Council, and any subsequent approval, a link to the Submissions Policy will be communicated as part of the guidance on how to make a submission on the draft Annual Plan 2022/23 and subsequent relevant consultations.

Next steps

14. The Submissions Policy will be presented to the 24 February 2022 meeting of Council for approval on the recommendation of this Committee.
15. If approved, the Policy will be uploaded to Environment Canterbury's website ahead of consultation on the draft Annual Plan 2022/23 and incorporated into guidance on how to make a submission.
16. The Submissions Policy will be reviewed following the 2022/23 Annual Plan consultation process, and thereafter will be reviewed as part of the development of consultation materials for the Long-Term Plan (three-year cycle).

Attachments

1. Submission Guide Policy FINAL 4 Feb 2022 (1) [8.5.1 - 5 pages]

Peer reviewers	Adrienne Lomax, Diane Dinnis
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Submissions – Policy & Guide

- 1) [Policy for handling submissions](#)
- 2) [Guide to making a submission](#)

Policy for handling submissions

Introduction

Submissions are an important part of Environment Canterbury’s decision-making process. A submission is formal feedback from an individual or an organisation/group in response to a Council proposal. It is one of the main ways Council can better understand the views on an issue and factor them into their decision making.

This policy relates to handling submissions under the Local Government Act 2002 (including Annual and Long-Term Plans). The principles in this policy may also be used for other areas of legislation. It does not cover submissions under the Resource Management Act 1991, where a separate process is applied.

Who can make a submission?

Anyone can make a submission regardless of their age or place of residence. You don’t need to be a ratepayer to make a submission. Submissions can be made by individuals or representatives of an organisation, group or agency.

Submissions are public documents

Submissions are public documents. While personal contact details may be removed, the submitter’s name will be published unless they specify otherwise. Only Council and relevant staff members will have access to unredacted versions of submissions.

Submission minimum criteria

To be considered, all submissions must include:

- First and last name
- Organisation, if appropriate.
- One of the following:
 - Postal address
 - Email address
- Telephone number – while not mandatory this may be helpful if you wish to arrange attendance at a Council Hearing.

Accepted submission methods

Environment Canterbury will receive submissions:

1. Online – through a survey on Environment Canterbury’s engagement portal at haveyoursay.ecan.govt.nz
2. By post – to: **Freepost 1201, Environment Canterbury, PO Box 345, Christchurch 8140**
3. By email – to a specified consultation email address
4. In person – Drop a form off at one of our offices.

Accepted submission formats and languages

Environment Canterbury will accept submissions that are:

- Written or spoken in English or Te Reo Māori
- New Zealand Sign Language (NZSL)
- Recorded as video or audio files.

Environment Canterbury can provide assistance for people who need help to make a submission. Note: guidance on the content of the submission cannot be provided.

Submission content conditions

Environment Canterbury reserves the right to remove from consideration, any submission – in part or in full – that contains content that is clearly determined to be of the following nature:

1. Frivolous or vexatious
2. Offensive language
3. Discriminatory or derogatory
4. Personal threats or harassment of Councillors or staff members
5. Would be an abuse of the hearing process to allow the submission (or part thereof) to be taken further
6. Unrelated to Environment Canterbury work (in which case Environment Canterbury would endeavour to forward the submission to the appropriate agency if they can be identified).

Submitters will not be unfairly denied the opportunity to make genuine submissions. Where there is uncertainty, the default position will be to allow the submission with every effort made to preserve as much of the content as possible.

Environment Canterbury’s Chair, Deputy Chair and/or Chief Executive will be responsible for the final decision on whether any submission or part thereof should be removed from consideration.

Any substantial redactions or removals of submissions will be listed and provided to Council prior to deliberations.

Late submissions

A late submission is any submission received after the indicated consultation closing date and time. For postal submissions, this is any submission post-marked after the consultation’s closing date.

Late submissions may be accepted subject to a Council resolution before the hearing or deliberations begin. Acceptance of late submissions will be at Council's discretion. In considering whether to accept late submissions, Council will consider whether:

- the submission is received at a practical point in the process (eg before hearings begin)
- the submitter will have an unfair advantage over others.

Guide to making a submission

(not part of the policy, but a supporting guide)

Making a submission is one way you can get involved in Environment Canterbury's Council decision-making processes. We provide many ways to make a submission so you can get involved and influence decisions that may affect you, your community or the environment.

Ways to make a submission:

Submissions are formal feedback that you can provide on a specific topic. We accept submissions:

Online

Visit haveyoursay.ecan.govt.nz where you can read about issues, proposals and consultation topics, then fill out an online form with your feedback. This is our preferred way to receive submissions.

By email

Email us at the specified consultation email address. Please make sure you include the name of the consultation in the email's subject.

By post

Please mail all paper submissions to Freepost 1201, Environment Canterbury, PO Box 345, Christchurch 8140. You may either:

- **Use our form**
You can download, print, and fill in a manual submission form, from haveyoursay.ecan.govt.nz. These are also available to collect from your local library in Canterbury or by **contacting our office on 0800 324 636**.
- **Use your own form**
You may also draft your own submission form/document and mail to the address above.

In person

You may drop a copy of your submission at one of our offices.

Format of submissions

You may make a submission in English, Te Reo Māori, or New Zealand Sign Language (NZSL). It can be written or provided as an audio or video file.

You may also present at public hearings in English, Te Reo Māori or NZSL. We can provide you with assistance if you need help to make your submission. Note: we cannot provide guidance on the content of your submission.

What do we do with your submissions?

All submissions are public documents and after the consultation period closes, submissions and/or a summary of submissions are published on our website. Personal contact details will be redacted, but the name of the submitter will be included unless you let us know that do not wish your name to be made public. Council and relevant staff reviewing the submissions will receive unredacted versions of submissions.

If you have indicated you wish to speak to your submission, Environment Canterbury staff will contact you about attending a hearing. Hearings are public Council meetings and dates are published on our website, in the consultation document and in public notices.

Tips for writing an effective submission

Be prepared! A clear, well-written submission is more effective than one prepared in haste.

- Stick to the topic and the purpose. Please keep your submission relevant to the matter being consulted on.
- Be concise and clear. Tell Council what you want to see happen.
- You may submit supporting documents along with your submission form if you wish.
- You may form a combined submission, if you wish to speak on behalf of a group.
- If you wish to speak to your submission at a public hearing, please indicate this in your submission and ensure you provide an email address and contact phone number.
 - Public hearings are held at Environment Canterbury offices, where anyone who has made a submission, may request an opportunity to speak to Councillors about their submission. It is a chance for you to speak in support of your submission, and for Council to ask questions to learn more about your submission and case.
 - Note that hearings are always recorded, published and form part of the public record.

9. Next Meeting

10. Mihi / Karakia Whakamutunga - Closing