

Minutes of the 554th meeting of the Canterbury Regional Council held at Environment Canterbury, Council Chamber, 200 Tuam Street, Christchurch on Thursday, 17 November 2022 at 11.00am

Present

Deputy Chair Craig Pauling, Councillors Greg Byrnes, Iaeen Cranwell, Joe Davies, Paul Dietsche, David East, Grant Edge, Tutehounuku Korako, Ian Mackenzie, Genevieve Robinson, Vicky Southworth, John Sunckell, Deon Swiggs, and Nick Ward

In attendance

Councillor Claire McKay*

*via audio-visual

1. Mihi/Karakia Timatanga - Opening

Councillor Cranwell opened the meeting with a mihi whakatau, followed with a karakia.

Deputy Chair Craig Pauling assumed the Chair.

2. Apologies

Apologies were received from Chair Scott (who was attending to Council business), and Claire McKay (for joining via audio-visual).

3. Conflicts of Interest

There were no conflicts of interest reported.

4. Public Forum, Deputations and Petitions

There were no requests for public forum, deputations, and petitions.

5. Extraordinary and Urgent Business

There was no extraordinary or urgent business.

6. Notices of Motion

There were no notices of motion.

7. Minutes

7.1 Unconfirmed Council Minutes - 27 October 2022

Resolved CNCL/2022/143

Staff recommendations adopted without change.

That the Council:

1. Confirms the minutes from the Council meeting held on 27 October 2022.

Cr Davies/Cr Southworth

CARRIED

8. Report Items

8.1 Beginning of Triennium Speeches

An opportunity was provided for Councillors to deliver a beginning of triennium speech.

Resolved CNCL/2022/144

Staff recommendations adopted without change.

That the Council:

1. Allow Members an opportunity to deliver a beginning of triennium speech to the Council.

Deputy Chair Pauling/Cr Korako

CARRIED

The meeting adjourned at 11.53am and reconvened at 12.01pm

8.2 Chief Executive's Report - November 2022

Councillor Iaeen Cranwell re-joined the meeting at 12.02pm

The Chief Executive updated Council regarding public forum presentations and other matters.

Resolved CNCL/2022/145

Staff recommendations adopted without change.

That the Council:

1. Receives the Chief Executive's report.
2. Notes that a response was provided on 12 October 2022 to Brookland/Spencerville residents to the petition that was presented at the Council meeting of 18 August 2022.
3. Notes there are currently no public forums or deputations requiring a response.
4. Notes that no matters of an urgent nature were required to be acted on by the Chief Executive under the authorisation made at the Council meeting of 22 September 2022.

Cr Cranwell/Cr East
CARRIED

8.3 Council Resolutions Status Report - November 2022

Councillor Tutehounuku Korako left the meeting at 12.06pm

Staff provided visibility on the status of resolutions made by Council.

Resolved CNCL/2022/146

Staff recommendations adopted without change.

That the Council:

1. Notes the status of previous resolutions provided in the Status of Council Resolutions report November 2022.

Cr Byrnes/Cr Dietsche
CARRIED

8.4 Previous Committee Activities and Minutes

Councillor Tutehounuku Korako re-joined the meeting at 12.11pm

Councillor Grant Edge provided an overview on the Greater Christchurch Partnership Committee minutes.

Councillor John Sunckell provided an overview on the Audit, Finance and Risk Committee minutes, Plan Change 7 Appeals Committee minutes, and the Civil Defence Emergency Management Group Joint Committee minutes.

Deputy Chair Pauling provided an overview on the Canterbury Regional Transport Committee minutes.

Resolved CNCL/2022/147

Staff recommendations adopted without change.

That the Council:

1. Notes the minutes and information received in relation to recent joint, external, and limited membership committee meetings.
 - Confirmed minutes from the Greater Christchurch Partnership Committee –9 September 2022.
 - Confirmed minutes from the Audit, Finance and Risk Committee – 15 September 2022
 - Confirmed minutes from the Plan Change 7 Appeals Committee – 20 September 2022
 - Confirmed minutes from the Civil Defence Emergency Management Group Joint Committee – 25 August 2022
 - Confirmed minutes from the Canterbury Regional Transport Joint Committee – 25 August 2022

Cr Swiggs/Cr Sunckell
CARRIED

8.5 Outstanding Committee Resolutions from previous Triennium

Resolved CNCL/2022/148

Staff recommendations adopted without change.

That the Council:

1. Notes the resolutions of the Council committees that are outstanding at the End of Triennium:
 - (a) Audit, Finance and Risk Committee
 - (b) Regional and Strategic Leadership Committee
 - (c) Air Quality, Transport and Urban Development Committee

Cr Ward/Cr Edge
CARRIED

8.6 Establishment of Committees and Appointments

Council established committees and appointed Councillors to roles within those committees.

Resolved CNCL/2022/149

That the Council:

Voting System

1. Chooses:

- 1.2 Voting system B (election by the greatest number of votes) for the election of Committee Chair, Committee Deputy Chair, and committee members

Cr Cranwell/Cr Byrnes
CARRIED

3. Agrees that in the event of a tie under voting system B, the candidate to be elected shall be resolved by lot as described in item 6. of this report.

Cr Edge/Cr Robinson
CARRIED

Councillor Tutehounuku Korako re-joined the meeting at 1.05pm

Resolution numbers 10 to 31 were taken at this time

CHIEF EXECUTIVE EMPLOYMENT, PERFORMANCE AND REMUNERATION COMMITTEE:

10. Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Chief Executive Employment, Performance and Remuneration Committee, and adopts the Terms of Reference in Attachment 8.6.2.

Deputy Chair Pauling/Cr Mackenzie
CARRIED

11. Appoints the Council Chair, Chair Scott, as a member and Committee Chair of the Chief Executive Employment, Performance and Remuneration Committee.

Deputy Chair Pauling/Cr Mackenzie
CARRIED

12. Appoints to the Chief Executive Employment, Performance and Remuneration Committee, as members: Deputy Chair Pauling, Councillor Mackenzie, Councillor Cranwell, and Councillor McKay.

Cr Sunckell/Cr East
CARRIED

13. Agrees the Chief Executive Employment, Performance and Remuneration Committee will meet on 28 November 2022.

Cr Byrnes/Cr Ward
CARRIED

REGULATION HEARING COMMITTEE:

14. Notes the previous Council, at its meeting of 18 August 2022, resolved that the Regulation Hearing Committee not be discharged at the end of the triennium and that Councillor Edge, Councillor McKay and Councillor Pauling who were appointed to that committee and have returned in this triennium, continue until the time the new Council made its own appointments.

15. Appoints to the Regulation Hearing Committee, as members: Councillor Edge, Councillor Davies, Councillor McKay, Councillor Swiggs, and Deputy Chair Pauling.

Cr Mackenzie/Cr Cranwell
CARRIED
16. Appoints, from the Councillors elected to the Regulation Hearing committee, Councillor McKay as the Regulation Hearing Committee Chair.

Cr Mackenzie/Cr Edge
CARRIED
17. Appoints, from the Councillors elected to the Regulation Hearing committee, Councillor Pauling as the Regulation Hearing Committee Deputy Chair.

Cr Korako/Cr Edge
CARRIED
18. Agrees the Regulation Hearing Committee will meet on 24 November 2022.

Cr Sunckell/Cr Byrnes
CARRIED

PLAN CHANGE 7 APPEALS COMMITTEE:

19. Notes the previous Council, at its meeting of 13 April 2022, resolved that the Plan Change 7 Appeals Committee not be discharged at the end of the triennium and that Councillor Sunckell who was appointed to that committee and has returned in this triennium, continue until the time the new Council made its own appointments.
20. Appoints to the Plan Change 7 Appeals Committee, as members: Councillor Sunckell, Councillor Pauling, and Councillor East.

Cr Cranwell/Cr Mackenzie
CARRIED
21. Appoints, from the Councillors elected to the Plan Change 7 Appeals Committee, Councillor East as the Plan Change 7 Appeals Committee Chair.

Cr Dietsche/Cr Byrnes
CARRIED
22. Agrees the Plan Change 7 Appeals Committee will meet as required.

Cr Byrnes/Cr Southworth
CARRIED

Statutory Committees

CANTERBURY REGIONAL TRANSPORT COMMITTEE:

23. Establishes the Canterbury Regional Transport Committee pursuant to section 105(1) of the Land Transport Management Act 2003.

24. Appoints to the Canterbury Regional Transport Committee, Chair Scott as Committee Chair.
25. Appoints to the Canterbury Regional Transport Committee, Councillor Edge as Committee Deputy Chair.
26. Notes that under the Land Transport Management Act 2003, Canterbury Regional Council is delegated responsibility to appoint members to the Canterbury Regional Transport Committee following receipt of nominations from the region's territorial authorities, New Zealand Transport Agency and sector groups, and these nominations will be reported to Council for appointment in due course.
27. Notes that the Chair and Deputy Chair appointed to the Canterbury Regional Transport Committee are offered membership to the South Island Regional Transport Committee as prescribed in their Collaboration Charter.

Cr Sunckell/Cr Davies
CARRIED

CANTERBURY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE:

28. Notes that the Canterbury Civil Defence Emergency Management Group Joint Committee is a permanent Committee required by statute.
29. Notes that the Canterbury Regional Council is required to appoint either the Council Chair or one Councillor to the Canterbury Civil Defence Emergency Management Group Joint Committee, pursuant to Section 13(4) of the Civil Defence Emergency Management Act 2002.
30. Delegates to the appointed Councillor, if it is not the Council Chair, the authority to act for the Council Chair in performance of this role.

Cr Mackenzie/Cr Edge
CARRIED

31. (a) Appoints to the Canterbury Civil Defence Emergency Management Group Joint Committee, Councillor Sunckell as Committee member.
- (b) Notes that the Canterbury Civil Defence Emergency Management Joint Committee (CDEM) Terms of Reference have provision to invite observers to attend its meetings "*The Canterbury CDEM Group may invite observers to attend its meetings*" and the Canterbury Regional Council (ECan), supports the CDEM group inviting Councillor Davies in this capacity.

Deputy Chair Pauling/Cr Swiggs
CARRIED

The meeting adjourned for lunch at 12.32pm and reconvened at 1.00pm

Resolution numbers 35 to 42 were taken at this time

CANTERBURY WASTE JOINT COMMITTEE:

35. Notes that the Canterbury Regional Council has been invited to and agreed to re-join the Canterbury Waste Joint Committee, with the entitlement of appointing two Councillors to the Committee.
36. Notes that the Constituting Agreement of the Canterbury Waste Joint Committee is in the process of being amended and ratified by member Councils.
37. In anticipation of the Constituting Agreement of the Canterbury Waste Joint Committee being ratified by the member Councils, appoints to the Canterbury Waste Joint Committee, as committee members: Councillor East, and Councillor Davies.

Cr Edge/Cr Dietsche
CARRIED

CANTERBURY WATER MANAGEMENT STRATEGY ZONE COMMITTEES:

38. Notes that a previous Council, at its meeting on 18 August 2022, resolved that the Canterbury Water Management Strategy Zone Committees not be discharged at the end of the triennium, and that the membership of those committees continue until the Council resolves to make new appointments.
39. Appoints one Councillor to each of the Canterbury Water Management Strategy (CWMS) zone Committees:
 - 39.1 Councillor Mackenzie as a member of the CWMS Ashburton Zone Committee
 - 39.2 Councillor Dietsche as a member of the CWMS Banks Peninsula Zone Committee
 - 39.3 Councillor Byrnes as a member of the CWMS Christchurch-West Melton Zone Committee
 - 39.4 Councillor Edge as a member of the CWMS Kaikōura Zone Committee
 - 39.5 Councillor East as a member of the CWMS Lower Waitaki-South Coastal Canterbury Zone Committee
 - 39.6 Councillor Swiggs as a member of the CWMS Orari-Temuka-Opihi-Pareora Zone Committee
 - 39.7 Councillor Southworth as a member of the CWMS Selwyn-Waihora Zone Committee
 - 39.8 Councillor Ward as a member of the CWMS Upper Waitaki Zone Committee
 - 39.9 Councillor McKay as a member of the CWMS Waimakariri Zone Committee.

40. Notes that local authorities and Rūnanga members on each Zone Committee appoint their own representatives.
41. Notes the community members on each CWMS Zone Committee are appointed by the respective local authorities on a rotating membership with one third of community member positions open for appointment each year.
42. Notes the intention of Hurunui District Council to disband the CWMS Hurunui-Waiiau Zone Committee and replace it with a water and land committee.

Cr Davies/Dr Ward

CARRIED

Resolution numbers 4 to 9 were taken at this time

Standing Committees

AUDIT, FINANCE AND RISK COMMITTEE:

4. (a) Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Audit, Finance and Risk Committee, with the amendment to the 'Membership and Quorum' (section 1) removing the words "and at least one Tumu Taiao Mana Whenua member" as per the tabled Terms of Reference.

Cr Cranwell/Cr Byrnes

CARRIED

Tabled Audit, Finance and Risk Committee Terms of Reference are attached at the end of these minutes.

- (b) Makes a further amendment to the Terms of Reference to the 'Membership and Quorum' (section 1) by removing the words "at least five Councillors" and replacing this with the words "six Councillors" as per the tabled Terms of Reference.

Cr Davies/Cr Byrnes

CARRIED

5. Noting that the Terms of Reference provide for independent members to be appointed to the Audit, Finance and Risk Committee, reappoints Graham Naylor until his term ends on 31 December 2023, under the same terms and conditions as his previous appointment to the Committee and reappoints Graeme McGlenn until 31 March 2023, under the same terms and conditions as his previous appointment to the Committee, and undertakes a recruitment process for future appointments.

Cr Sunckell/Cr Edge

CARRIED

Deputy Chair Pauling called for nominations for members to the Audit, Finance and Risk Committee:

Cr Cranwell moved to nominate Cr Korako, seconded by Cr Byrnes

Cr East moved to nominate Cr Mackenzie, seconded by Cr Sunckell

Cr Byrnes moved to nominate Cr Edge, seconded by Cr Southworth

Cr Mackenzie moved to nominate Cr East, seconded by Cr Ward

Cr Mackenzie moved to nominate Cr Sunckell, seconded by Cr Ward

Cr Edge moved to nominate Cr Southworth, seconded by Brynes

Cr Korako moved to nominate Cr Swiggs, seconded by Cr Ward

Cr Brynes moved to nominate Cr Robinson, seconded by Cr Davies

With no further nominations received, the Deputy Chair called for a vote in favour of six nominees.

Those with the highest number of votes for the six positions were:

1. Cr Sunckell
2. Cr Mackenzie
3. Cr Korako
4. Cr Southworth
5. Cr Edge, Cr Swiggs, Cr Robinson, tied

With an equal number of votes for the last two positions, the tie was resolved by lot. The names of the three candidates were placed in a container and the Acting General Counsel drew out the names of the two successful candidates, being Cr Edge and Cr Robinson.

6. Appoints to the Audit, Finance and Risk Committee, as members: Councillor Edge, Councillor Korako, Councillor Mackenzie, Councillor Robinson, Councillor Southworth, and Councillor Sunckell.

Deputy Chair Pauling/Cr Davies

CARRIED

Councillor Swiggs requested his vote against resolution number 6 be recorded.

Deputy Chair Pauling called for nominations for Chair to the Audit, Finance and Risk Committee:

Cr Mackenzie moved to nominate Cr Sunckell, seconded by Cr Ward

Cr Byrnes moved to nominate Cr Edge, seconded by Cr Cranwell

With no further nominations received, the Deputy Chair called for a vote in favour of each nominee.

7. Appoints, from the Councillors elected to the Audit, Finance and Risk Committee, Councillor Edge as the Audit, Finance and Risk Committee Chair.

Deputy Chair Pauling/Cr Robinson

CARRIED

Councillors Mackenzie, and East requested their votes against resolution 7 number be recorded.

Deputy Chair Pauling called for nominations for Deputy Chair to the Audit, Finance and Risk Committee:

Cr Korako moved to nominate Cr Sunckell, seconded by Cr Southworth

No further nominations were received.

8. Appoints, from the Councillors elected to the Audit, Finance and Risk committee, Councillor Sunckell as the Audit, Finance and Risk Committee Deputy Chair.

Deputy Chair Pauling/Cr Southworth

CARRIED

9. Agrees the Audit, Finance and Risk Committee will meet on 8 December 2022.

Deputy Chair Pauling/Cr Edge

CARRIED

Resolution numbers 32 to 34 were taken at this time

Other Joint Committees

GREATER CHRISTCHURCH PARTNERSHIP COMMITTEE:

32. Notes that the Greater Christchurch Partnership Committee has appointed an Independent Chair, Jim Palmer, and is administered by the Christchurch City Council. The Councillors appointed to the Greater Christchurch Partnership Committee are also to be appointed to Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch).

33. Appoints Chair Peter Scott to the Greater Christchurch Partnership Committee and Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch).

Deputy Chair Pauling/Cr Korako

CARRIED

Deputy Chair Pauling called for nominations for membership to the Greater Christchurch Partnership Committee and Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch).

Cr Davies moved to nominate Cr Edge, seconded by Cr Dietsche

Cr Byrnes moved to nominate Cr Southworth, seconded by Cr Edge

Cr East moved to nominate Cr Swiggs, seconded by Cr Mackenzie

With no further nominations received, the Deputy Chair called for a vote in favour of two nominees.

Those with the highest number of votes for the two positions were:

1. Cr Edge
2. Cr Southworth

34. Appoints to the Greater Christchurch Partnership Committee and Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch): Councillor Edge, Councillor Southworth.

Deputy Chair Pauling/Cr Davies
CARRIED

Councillors McKay, Swiggs, Mackenzie, East, and Korako requested their votes against resolution number 34 be recorded.

Cr Swiggs left the meeting at 1.48pm

8.7 Appointment of Councillors to Partnership Fora

Council appointed Councillors to represent Canterbury Regional Council on partnership fora, committees, and advisory groups.

Resolved CNCL/2022/150

That the Council:

TE RŌPŪ TUIA GOVERNANCE FORUM

1. Confirms the continuation of the Te Rōpū Tuia Governance Forum and appoints all Councillors to it.

Cr Edge/Cr Sunckell
CARRIED

TE WAIHORA CO-GOVERNANCE GROUP

2. Notes that under the Te Waihora Co-Governance Agreement dated January 2019, clause 10.3 (b), the Canterbury Regional Council Chair becomes a Co-Governor and Co-Chair of the Te Waihora Co-Governance Group by virtue of office.
3. Under the Te Waihora Co-Governance Agreement dated January 2019, clause 10.3 (a), appoints Councillor Pauling and Councillor Cranwell as the two Canterbury Regional Council members to represent Environment Canterbury as Te Waihora Co-Governors.

Cr Robinson/Cr Korako
CARRIED

BIOSECURITY ADVISORY GROUPS

4. Appoints Councillor Edge to represent Environment Canterbury on the North Canterbury Biosecurity Advisory Group.
5. Appoints Councillor Dietsche to represent Environment Canterbury on the Central Canterbury Biosecurity Advisory Group.
6. Appoints Councillor Byrnes to represent Environment Canterbury on the Christchurch and Banks Peninsula Biosecurity Advisory Group.

7. Appoints Councillor Ward to represent Environment Canterbury on the South Canterbury Biosecurity Advisory Group.

Cr Southworth/Cr Cranwell
CARRIED

CANTERBURY BIODIVERSITY CHAMPIONS

8. Appoints Councillor Pauling to represent Environment Canterbury on the Canterbury Biodiversity Champions.

Cr Korako/Cr Edge
CARRIED

CANTERBURY MAYORAL FORUM

9. Notes that the Environment Canterbury Chair becomes a member of the Canterbury Mayoral Forum by virtue of office.

Deputy Chair Pauling/Cr Ward
CARRIED

ENVIRONMENT CANTERBURY YOUTH RŌPŪ

10. Appoints Councillor(s) to liaise with the Youth Rōpū. Any number of Councillors may be appointed: Councillor Southworth, Deputy Chair Pauling, Councillor Dietsche, and Councillor Byrnes

Cr Cranwell/Cr Robinson
CARRIED

AVON HEATHCOTE ESTUARY IHUTAI TRUST

11. Appoints Councillor Dietsche to represent Environment Canterbury on the Avon Heathcote Estuary Ihutai Trust.

Cr Korako/Cr Byrnes
CARRIED

PROJECT OVERSIGHT GROUP OF THE PEST FREE BANKS PENINSULA / TE PĀTAKA O RĀKAIHAUTŪ INITIATIVE

12. Appoints Councillor Dietsche to represent Environment Canterbury on the Project Oversight Group of the Pest Free Banks Peninsula/Te Pātaka o Rākaihautū Initiative.

Cr Robinson/Cr Southworth
CARRIED

HEKAEO HINDS WATER ENHANCEMENT TRUST

13. Confirms Councillor Mackenzie as the Environment Canterbury representative on the Hekaeo Hinds Water Enhancement Trust.

Cr East/Cr Ward
CARRIED

SOUTH ISLAND REGIONAL COUNCILS ALIGNMENT AND COLLABORATION
GOVERNANCE GROUP

14. Notes that the membership can be Council Chair and Council Deputy Chair, or their nominees, and the Chief Executive.
15. Appoints Chair Scott and Deputy Chair Pauling to represent Environment Canterbury on the South Island Regional Councils Alignment and Collaboration Governance Group.

Cr Mackenzie/Cr Sunckell
CARRIED

WHAKA-ORA HEALTHY HARBOUR GOVERNANCE GROUP (WHAKARAUPŌ
CATCHMENT MANAGEMENT PLAN)

16. Appoints Councillor Southworth to represent Environment Canterbury on the Whaka-Ora Healthy Harbour Governance Group (Whakaraupō Catchment Management Plan).

Cr Dietsche/Cr Robinson
CARRIED

8.8 Whaka-Ora, Healthy Harbour Collaboration Agreement 2022

Cr Sunckell left meeting at 2.00pm, re-joining at 2.02pm

Dann Olykan, Team Leader Strategy and Planning, on behalf of report writer Cameron Smith, Senior Strategy Manager, presented the report to Council to delegate the signing of a Collaboration Agreement for the Whaka-Ora, Healthy Harbour partnership to the Environment Canterbury Councillor representative on the Governance Group for the partnership.

Resolved CNCL/2022/151

That the Council:

1. Notes the attached draft Collaboration Agreement between Te Hāpu o Ngāti Wheke, Te Rūnanga o Ngāi Tahu, Lyttelton Port Company, Christchurch City Council and Environment Canterbury for the implementation of the Whaka-Ora, Healthy Harbour, Whakaraupō/Lyttelton Harbour Catchment Management Plan (the Plan).
2. Agrees that signing of the Collaboration Agreement is to be delegated to the Environment Canterbury Councillor representative on the Whaka-Ora, Healthy Harbour Governance Group as appointed at the Council Meeting 17 November 2022.

Cr Byrnes/Cr Dietsche
CARRIED

8.9 Notification of Items Released from Public Excluded - Lease Buy Back

Staff advised Council on information in a previous public excluded agenda that has been made publicly available.

Resolved CNCL/2022/152

Staff recommendation adopted without change.

That the Council:

1. Receives the report as notification that the planning matter report made at the Council meeting on 16 June 2022, has been approved for release to the public.

Deputy Chair Pauling/Cr Edge

CARRIED

9. Resolution to go into Public Excluded

Resolved CNCL/2022/153

That Jeremy Dickson, Manager Public Transport Business Services and Improvement, be permitted to remain at this meeting for agenda item 9.1.3 after the public has been excluded because he has relevant knowledge relevant to the matter under consideration.

That at 2.08pm the resolution to exclude the public set out on pages 127 to 128 of the agenda be adopted.

Deputy Chair Pauling/Cr Southworth

CARRIED

The public were re-admitted to the meeting at 2.21pm.

10. Next Meeting

The next meeting will be held on Wednesday, 14 December 2022 at 10.30am.

11. Mihi/Karakia Whakamutunga - Closing

A karakia was provided by Councillor Cranwell.

The meeting concluded at 2.22pm.

TO BE CONFIRMED AT COUNCIL 14 DECEMBER 2022

CONFIRMED:

Chair Peter Scott
Councillor, Environment Canterbury

AUDIT, FINANCE AND RISK COMMITTEE TERMS OF REFERENCE

Adopted by Council 11 April 2019
Amended by Council 11 December 2020
Amended by Council 29 April 2021

1. MEMBERSHIP AND QUORUM

a) The Committee shall consist of

- ~~at least five Councillors and at least one Tumu Taiao Mana Whenua member; and~~ six Councillors;
- at least one independent member (that is, a member who is neither a Councillor nor a staff member, appointed to the role by the Council).

Council can appoint additional members for a period of time when their appointment is deemed necessary for the Committee to discharge its function.

The quorum shall be three members.

2. OBJECTIVES

The objectives of the Committee are to assist the Council to provide oversight of:

- a) financial and non-financial reporting including strategic performance management and operational performance,
- b) risk management (including cash and investment management),
- c) internal control systems including compliance with laws and regulation,
- d) satisfying itself about the existence and quality of cost-effective internal control and risk management systems, and the proper application of processes; and
- e) the external audit process, including:
 - monitoring the Council's external and internal audit process;
 - engaging with Council's external auditors regarding the external audit work programme and agreeing the terms and arrangements of the external audit;
 - reviewing the effectiveness of the annual audit and 10-year plan audit;
 - monitoring management responses to audit reports and the extent to which external audit recommendations concerning internal accounting controls and other matters are implemented.

3. ATTENDANCE AT MEETINGS

- a) Unless otherwise requested the Chief Executive and the Director of Finance and Corporate Services are to attend meetings.
- b) Other parties, including other members of the Council, may be invited to attend by the Committee to assist the Committee in its work.

- c) The public are welcome to attend any meeting of the Committee, except for any part of a meeting where the public are excluded for the reasons set out in the Local Government Official Information and Meeting Act.
- d) External Auditors may attend meetings during the year.
- e) External Auditors (or Internal Auditors) may request a special meeting, if they consider this to be necessary.

4. DELEGATED POWERS

The Committee is authorised by the Council to:

- a) review matters within its Term of Reference,
- b) seek information that it requires, within its terms of reference, from the Chief Executive who is required to co-operate with appropriate requests made by the Committee,
- c) request access to outside legal or independent professional advice should it consider this necessary to meet the objectives set out in its terms of reference. Such independent advisors may attend meetings if so requested,
- d) undertake other such matters of a financial nature that the Committee may from time to time deem important; and
- e) make recommendations to the Council on matters outside of the Committee's delegated powers.

5. RESPONSIBILITIES

Responsibilities of the Committee shall be:

5.1 Financial Reporting including Strategic/Operational Performance Management

- a) Review the Annual Report, the draft financial statements and groups of activities prior to being finalised by the External Auditor.
- b) Consider any changes in accounting policies, standards or reporting requirements requiring Council approval.
- c) Review financial and non-financial results during the year and the progress towards the achievement of strategic priorities and levels of service (these measures and targets are subject to audit under the Local Government Act).
- d) Review the cost effectiveness of major programmes in delivering Environment Canterbury's contribution to strategic priorities and levels of service.
- e) Review the contributions from Government and other organisations. The Council's role is facilitating contributions from those organisations to achieve strategic priorities and levels of service in partnership with Environment Canterbury.
- f) To set criteria and review portfolio budgets, early in the budget cycle, to understand the reasons behind budget decisions and to ensure that budget proposals have been systematically and rigorously analysed, and to make

recommendations that expenditure is required to meet strategic priorities.

- g) Receive and review reports on the performance of other Council commercial activities, including properties leased or rented to external parties.
- h) Consider matters relating to rating and other funding.
- i) Maintain an overview of our financial reserves policy to deal with unexpected financial contingencies.
- j) Maintain overview of contingent liabilities.

5.2 Risk Management (including cash and investment management)

- a) To review the risk management process to ensure the system for identifying, assessing, monitoring, mitigating and reporting strategic risks and key operational risks is adequate.
- b) To ensure risk management is integrated into strategic and operational management as business as usual.
- c) Appoint and review at least three yearly the Funds Manager contract in regard to the management of investment funds and as a result of that review, to determine that the contract may be extended or retendered.
- d) Review the performance of the investment portfolio, annually.
- e) Maintain an overview of overdue debt management.
- f) Maintain an overview of risk associated with Council-controlled trading organisations, if any exist.

5.3 Internal control systems including compliance with laws and regulation

- a) Consider any matters referred to it by an internal audit function.
- b) Review the proposed Annual Programme for the Internal Audit and recommend to Council.
- c) Satisfy itself about the existence and quality of cost-effective internal control systems and the proper application of procedures.
- d) Act on suspected or actual fraud and ensure failings or weaknesses that are identified from any review of internal controls have been, or are being, remedied.

5.4 External Audit

- a) The Auditor-General is the appointed External Auditor, in accordance with section 29B of the Public Finance Act 1989. The Committee must ensure it complies with both the Public Finance Act 1989 and Public Audit Act 2001. The Auditor-General is also auditor of all Council-Controlled Organisations, per section 70 of the Local Government Act 2002.
- b) Ensure that the provision of non-audit services by the External Auditors does not impair the auditors independence or objectivity.
- c) Discuss with the External Auditor, the nature and scope of the audit and review the Auditor's quality control procedures and changes in regulatory or

other requirements.

- d) Review the External Auditor's management letter, ensuring that management's responses are adequate.
- e) Consider other matters referred to the Committee by the Council.

6. REPORTING PROCEDURES

- a) The Committee shall be accountable to the Council, in relation to the Committee's activities and responsibilities.
- b) The Committee shall review the Terms of Reference periodically or as circumstances require.
- c) The appointment of 'other appointee' (refer 1(b)) to the membership of the Committee shall be a decision of the Council.