

# Agenda 2022

## Council Meeting

Date: Wednesday, 14 December 2022  
Time: 10:30 AM  
Venue: Council Chamber  
Environment Canterbury  
200 Tuam Street, Christchurch



# Membership

<b>Chair</b>	Councillor Peter Scott
<b>Deputy Chair</b>	Councillor Craig Pauling
<b>Membership</b>	Councillor Greg Byrnes Councillor Iaeen Cranwell Councillor Joe Davies Councillor Paul Dietsche Councillor David East Councillor Grant Edge Councillor Tutehounuku Korako Councillor Ian Mackenzie Councillor Claire McKay Councillor Genevieve Robinson Councillor Vicky Southworth Councillor John Sunckell Councillor Deon Swiggs Councillor Nick Ward

# Council Meeting

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## **1. Mihi/Karakia Timatanga - Opening**

The meeting will be opened with a mihi whakatau, followed by a member of the Council with a karakia.

## **2. Apologies**

At the time the agenda closed there were no apologies received.

## **3. Conflicts of Interest**

Members are reminded to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

## **4. Public Forum, Deputations and Petitions**

### **4.1. Public Forum**

4.1.1 Sam Park, Chief Operating Officer, Kōrure New Zealand, will speak on *“Outlining the current algae bloom situation that is toxic to our water and dangerous for people and pets but bringing a possible solution around it”*.

4.1.2 David Hawke, Secretary, Halswell Residents Association, will speak on *“Concerns about ECAN's response to the bus driver shortage compared with other cities, the slow response of the public transport system to the growth in Halswell, and a planned change to the 125 bus route”*.

## **4.2. Deputations and Petitions**

There were no requests for deputations and petitions at the time the agenda was prepared.

## **5. Extraordinary and Urgent Business**

The Chairperson will give notice of items requiring urgent attention not on the agenda as follows.

### **Matters Requiring Urgent Attention as Determined by Resolution of the Council:**

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting. The item may be allowed onto the agenda by resolution of the Council.

### **Minor Matters relating to the General Business of the Council:**

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. The meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

## **6. Notices of Motion**

At the time the agenda closed there were no notices of motion received.

## 7. Minutes

### 7.1. Unconfirmed Council Minutes - 17 November 2022

#### Council

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Vivienne Ong, Committee Advisor
<b>Endorsed by</b>	Catherine McMillan, General Manager Governance

#### Purpose

1. The previously circulated minutes from the Council Meeting on 17 November 2022 are to be confirmed.

#### Recommendations

**That the Council:**

1. **Confirms the minutes from the Council meeting held on 17 November 2022.**

#### Attachments

1. 2022-11-17 UNCONFIRMED Minutes Council 17 November 2022 - final [7.1.1 - 15 pages]



# **Minutes of the 554<sup>th</sup> 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 laean 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-Waiau 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

- (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 McGlinn 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 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

## 8. Report Items

### 8.1. Beginning of Triennium Speeches

#### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Vivienne Ong, Committee Advisor
<b>Responsible Director</b>	Stefanie Rixecker, Chief Executive Officer

#### Purpose

1. To provide an opportunity for Councillors to deliver a beginning of triennium speech.

#### Recommendations

That the Council:

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

#### Key points

2. Members may each deliver a speech, not exceeding three minutes, publicly sharing autobiographical reflections and/or their hopes and aspirations for their time in Council.
3. Speeches will be heard by Council without interjection, or interruption. Standing Orders apply.
4. The speeches will be videoed, and copies made available on the Environment Canterbury website.

#### Financial implications

5. The costs involved will be absorbed in existing budgets.

#### Risk assessment and legal compliance

6. There is no additional risk with providing this opportunity.

#### Climate Change Impacts

7. There are no climate change impacts for this report.



## Next steps

8. Videos of the speeches will be made available on the Environment Canterbury website.

## Attachments

Nil

<b>Legal review</b>	Robyn Fitchett, Acting General Council
<b>Peer reviewers</b>	Catherine McMillan, General Manager Governance

## 8.2. Council Resolutions Status Report - December 2022

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Vivienne Ong, Committee Advisor
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. To provide visibility on the status of resolutions made by Council.

### Recommendations

**That the Council:**

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

### Status Reporting

2. The status of resolutions is reported at each ordinary Council meeting. The report includes all resolutions from the previous meeting plus any incomplete actions from prior meetings. Comments and progress updates on incomplete actions are provided where applicable.

### Cost, compliance, and communication

#### Financial implications

3. The report was compiled using existing staff resources, therefore there were no additional financial implications.

#### Risk assessment and legal compliance

4. This gives visibility to Council of matters outstanding to ensure appropriate actions have been taken as resolved.

#### Engagement, Significance and Māori Participation

5. Not applicable.

### **Consistency with council policy**

6. Under Environment Canterbury Standing Orders 28.3 discussion of minutes is limited to their correctness. This report allows members to be updated on the status of resolutions and to monitor progress.

### **Climate Change Impacts**

7. Not applicable.

### **Communication**

8. Not applicable.

### **Next steps**

9. An updated report will be provided to the first meeting of the Council in 2023.

### **Attachments**

1. Council Resolutions Status Report 17 November 2022 [**8.2.1** - 15 pages]
2. Council Resolutions Status Report Outstanding and In Progress December 2022 [**8.2.2** - 3 pages]

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
Council 17 November 2022	7.1 Unconfirmed Council Minutes - 27 October 2022	CNCL/2022/143	That the Council:  1. Confirms the minutes from the Council meeting held on 27 October 2022.	Yes
Council 17 November 2022	8.1 Beginning of Triennium Speeches	CNCL/2022/144	That the Council:  1. Allow Members an opportunity to deliver a beginning of triennium speech to the Council.	Yes
Council 17 November 2022	8.2 Chief Executive's Report - November 2022	CNCL/2022/145	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.	Yes
Council 17 November 2022	8.3 Council Resolutions Status Report - November 2022	CNCL/2022/146	That the Council:  1. Notes the status of previous resolutions provided in the Status of Council Resolutions report November 2022.	Yes

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
Council 17 November 2022	8.4 Previous Committee Activities and Minutes	CNCL/2022/147	<p>That the Council:</p> <ol style="list-style-type: none"> <li>Notes the minutes and information received in relation to recent joint, external, and limited membership committee meetings. <ul style="list-style-type: none"> <li>Confirmed minutes from the Greater Christchurch Partnership Committee – 9 September 2022.</li> <li>Confirmed minutes from the Audit, Finance and Risk Committee – 15 September 2022</li> <li>Confirmed minutes from the Plan Change 7 Appeals Committee – 20 September 2022</li> <li>Confirmed minutes from the Civil Defence Emergency Management Group Joint Committee – 25 August 2022</li> <li>Confirmed minutes from the Canterbury Regional Transport Joint Committee – 25 August 2022</li> </ul> </li> </ol>	Yes
Council 17 November 2022	8.5 Outstanding Committee Resolutions from previous Triennium	CNCL/2022/148	<p>That the Council:</p> <ol style="list-style-type: none"> <li>Notes the resolutions of the Council committees that are outstanding at the End of Triennium: <ol style="list-style-type: none"> <li>Audit, Finance and Risk Committee</li> <li>Regional and Strategic Leadership Committee</li> <li>Air Quality, Transport and Urban Development Committee</li> </ol> </li> </ol>	Yes

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
Council 17 November 2022	8.6 Establishment of Committees and Appointments	CNCL/2022/149	<p>That the Council:</p> <p><u>Voting System</u></p> <p>1. Chooses:</p> <p>1.2 Voting system B (election by the greatest number of votes) for the election of Committee Chair, Committee Deputy Chair, and committee members</p> <p>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.</p>	Yes
			<p><i>Resolution numbers 10 to 31 were taken at this time</i></p> <p>CHIEF EXECUTIVE EMPLOYMENT, PERFORMANCE AND REMUNERATION COMMITTEE:</p> <p>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.</p> <p>11. Appoints the Council Chair, Chair Scott, as a member and Committee Chair of the Chief Executive Employment, Performance and Remuneration Committee.</p> <p>12. Appoints to the Chief Executive Employment, Performance and Remuneration Committee, as members: Deputy Chair Pauling,</p>	Yes

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>Councillor Mackenzie, Councillor Cranwell, and Councillor McKay.</p> <p>13. Agrees the Chief Executive Employment, Performance and Remuneration Committee will meet on 28 November 2022.</p> <p>REGULATION HEARING COMMITTEE:</p> <p>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.</p> <p>15. Appoints to the Regulation Hearing Committee, as members: Councillor Edge, Councillor Davies, Councillor McKay, Councillor Swiggs, and Deputy Chair Pauling.</p> <p>16. Appoints, from the Councillors elected to the Regulation Hearing committee, Councillor McKay as the Regulation Hearing Committee Chair.</p> <p>17. Appoints, from the Councillors elected to the Regulation Hearing committee, Councillor Pauling as the Regulation Hearing Committee Deputy Chair.</p> <p>18. Agrees the Regulation Hearing Committee will meet on 24 November 2022.</p>	Yes

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>PLAN CHANGE 7 APPEALS COMMITTEE:</p> <p>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.</p> <p>20. Appoints to the Plan Change 7 Appeals Committee, as members: Councillor Sunckell, Councillor Pauling, and Councillor East.</p> <p>21. Appoints, from the Councillors elected to the Plan Change 7 Appeals Committee, Councillor East as the Plan Change 7 Appeals Committee Chair.</p> <p>22. Agrees the Plan Change 7 Appeals Committee will meet as required.</p>	Yes
			<p><b><u>Statutory Committees</u></b></p> <p>CANTERBURY REGIONAL TRANSPORT COMMITTEE:</p> <p>23. Establishes the Canterbury Regional Transport Committee pursuant to section 105(1) of the Land Transport Management Act 2003.</p> <p>24. Appoints to the Canterbury Regional Transport Committee, Chair Scott as Committee Chair.</p>	Yes



## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>25. Appoints to the Canterbury Regional Transport Committee, Councillor Edge as Committee Deputy Chair.</p> <p>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.</p> <p>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.</p>	Yes
			<p><b>CANTERBURY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE:</b></p> <p>28. Notes that the Canterbury Civil Defence Emergency Management Group Joint Committee is a permanent Committee required by statute.</p> <p>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.</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>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.</p> <p>31. (a) Appoints to the Canterbury Civil Defence Emergency Management Group Joint Committee, Councillor Sunckell as Committee member.</p> <p>(b) Notes that the Canterbury Civil Defence Emergency Management Joint Committee (CDEM) Terms of Reference have provision to invite observers to attend its meetings “<i>The Canterbury CDEM Group may invite observers to attend its meetings</i>” and the Canterbury Regional Council (ECan), supports the CDEM group inviting Councillor Davies in this capacity.</p>	Yes
			<p><i>Resolution numbers 35 to 42 were taken at this time</i></p> <p>CANTERBURY WASTE JOINT COMMITTEE:</p> <p>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.</p> <p>36. Notes that the Constituting Agreement of the Canterbury Waste Joint Committee is in the process of being amended and ratified by member Councils.</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>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.</p>	Yes
			<p>CANTERBURY WATER MANAGEMENT STRATEGY ZONE COMMITTEES:</p> <p>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.</p> <p>39. Appoints one Councillor to each of the Canterbury Water Management Strategy (CWMS) zone Committees:</p> <p>39.1 Councillor Mackenzie as a member of the CWMS Ashburton Zone Committee</p> <p>39.2 Councillor Dietsche as a member of the CWMS Banks Peninsula Zone Committee</p> <p>39.3 Councillor Byrnes as a member of the CWMS Christchurch-West Melton Zone Committee</p> <p>39.4 Councillor Edge as a member of the CWMS Kaikōura Zone Committee</p> <p>39.5 Councillor East as a member of the CWMS Lower Waitaki-South Coastal Canterbury Zone Committee</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>39.6 Councillor Swiggs as a member of the CWMS Orari-Temuka-Opihi-Pareora Zone Committee</p> <p>39.7 Councillor Southworth as a member of the CWMS Selwyn-Waihora Zone Committee</p> <p>39.8 Councillor Ward as a member of the CWMS Upper Waitaki Zone Committee</p> <p>39.9 Councillor McKay as a member of the CWMS Waimakariri Zone Committee.</p> <p>40. Notes that local authorities and Rūnanga members on each Zone Committee appoint their own representatives.</p> <p>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.</p> <p>42. Notes the intention of Hurunui District Council to disband the CWMS Hurunui-Waiarau Zone Committee and replace it with a water and land committee.</p>	Yes
			<p><i>Resolution numbers 4 to 9 were taken at this time</i></p> <p><b><u>Standing Committees</u></b></p> <p>AUDIT, FINANCE AND RISK COMMITTEE:</p> <p>4. (a) Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Audit, Finance and Risk</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>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.</p> <p>(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.</p> <p>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 McGlinn 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.</p> <p>6. Appoints to the Audit, Finance and Risk Committee, as members: Councillor Edge, Councillor Korako, Councillor Mackenzie, Councillor Robinson, Councillor Southworth, and Councillor Sunckell.</p> <p>7. Appoints, from the Councillors elected to the Audit, Finance and Risk Committee, Councillor Edge as the Audit, Finance and Risk Committee Chair.</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>8. Appoints, from the Councillors elected to the Audit, Finance and Risk committee, Councillor Sunckell as the Audit, Finance and Risk Committee Deputy Chair.</p> <p>9. Agrees the Audit, Finance and Risk Committee will meet on 8 December 2022.</p>	Yes
			<p><i>Resolution numbers 32 to 34 were taken at this time</i></p> <p><b><u>Other Joint Committees</u></b></p> <p>GREATER CHRISTCHURCH PARTNERSHIP COMMITTEE:</p> <p>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).</p> <p>33. Appoints Chair Peter Scott to the Greater Christchurch Partnership Committee and Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch).</p> <p>34. Appoints to the Greater Christchurch Partnership Committee and Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch): Councillor Edge, Councillor Southworth.</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
Council 17 November 2022	8.7 Appointment of Councillors to Partnership Fora	CNCL/2022/150	That the Council:	yes
			TE RŌPŪ TUIA GOVERNANCE FORUM	Yes
			1. Confirms the continuation of the Te Rōpū Tuia Governance Forum and appoints all Councillors to it.	
			TE WAIHORA CO-GOVERNANCE GROUP	Yes
			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.	Yes
			BIOSECURITY ADVISORY GROUPS	
			4. Appoints Councillor Edge to represent Environment Canterbury on the North Canterbury Biosecurity Advisory Group.	Yes
			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.	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			7. Appoints Councillor Ward to represent Environment Canterbury on the South Canterbury Biosecurity Advisory Group.	Yes
			CANTERBURY BIODIVERSITY CHAMPIONS 8. Appoints Councillor Pauling to represent Environment Canterbury on the Canterbury Biodiversity Champions.	
			CANTERBURY MAYORAL FORUM 9. Notes that the Environment Canterbury Chair becomes a member of the Canterbury Mayoral Forum by virtue of office.	
			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.	
			AVON HEATHCOTE ESTUARY IHUTAI TRUST 11. Appoints Councillor Dietsche to represent Environment Canterbury on the Avon Heathcote Estuary Ihutai Trust.	



## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
			<p>PROJECT OVERSIGHT GROUP OF THE PEST FREE BANKS PENINSULA / TE PĀTAKA O RĀKAIHAUTŪ INITIATIVE</p> <p>12. Appoints Councillor Dietsche to represent Environment Canterbury on the Project Oversight Group of the Pest Free Banks Peninsula/Te Pātaka o Rākaihautū Initiative.</p>	Yes
			<p>HEKAE O HINDS WATER ENHANCEMENT TRUST</p> <p>13. Confirms Councillor Mackenzie as the Environment Canterbury representative on the Hekaeo Hinds Water Enhancement Trust.</p>	Yes
			<p>SOUTH ISLAND REGIONAL COUNCILS ALIGNMENT AND COLLABORATION GOVERNANCE GROUP</p> <p>14. Notes that the membership can be Council Chair and Council Deputy Chair, or their nominees, and the Chief Executive.</p> <p>15. Appoints Chair Scott and Deputy Chair Pauling to represent Environment Canterbury on the South Island Regional Councils Alignment and Collaboration Governance Group.</p>	Yes
			<p>WHAKA-ORA HEALTHY HARBOUR GOVERNANCE GROUP (WHAKARAUPŌ CATCHMENT MANAGEMENT PLAN)</p> <p>16. Appoints Councillor Southworth to represent Environment Canterbury on the Whaka-Ora Healthy Harbour Governance Group (Whakaraupō Catchment Management Plan).</p>	

## Council Resolutions Status Report – 27 November 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
Council 17 November 2022	8.8 Whaka-Ora, Healthy Harbour Collaboration Agreement 2022	CNCL/2022/151	<p>That the Council:</p> <ol style="list-style-type: none"> <li>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).</li> <li>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.</li> </ol>	Yes
Council 17 November 2022	8.9 Notification of Items Released from Public Excluded - Lease Buy Back	CNCL/2022/152	<p>That the Council:</p> <ol style="list-style-type: none"> <li>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.</li> </ol>	Yes
Council 17 November 2022	9.0 Resolution to go into Public Excluded	CNCL/2022/153	<p>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.</p> <p>That at 2.08pm the resolution to exclude the public set out on pages 127 to 128 of the agenda be adopted.</p>	Yes

## Council Resolutions Status Report – Outstanding and In Progress December 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
Council Meeting 2022-10-27	6.5 Standing Orders	CNCL/2022/141	That the Council: 1. Notes the Canterbury Regional Council Standing Orders (21 October 2021) appended to this report. 2. Notes that the Local Government Act 2022 (clause 16 of schedule 7) requires members to comply with the Council's Standing Orders. 3. Notes that there will be an opportunity to review and, if Council considers appropriate, to adopt new Standing Orders at a later Council meeting.	#1, 2 – Yes
				#3 In progress
Council Meeting 2022-09-22	8.8 Tangata Whenua Involvement in Freshwater Management	CNCL/2022/127	That the Council: 1. Resolves that: 1.1. In discussion with ngā Papatipu Rūnanga, Council has considered the available mechanisms under the Resource Management Act 1991 (RMA) to involve tangata whenua in the development of a regional freshwater plan framework; and 1.2. Council has agreed with Ngā Papatipu Rūnanga to involve tangata whenua in the development of a planning framework by way of a Protocol under the Tuia Agreement to provide joint strategic direction. 2. Notes that decisions made on the recommendations of this report do not impact the ability of Council, in discussion with tangata whenua, to adopt any mechanism under the RMA at any time in the future.	No In progress
Council Meeting 2022-09-22	8.5 Chair's Report – Urban Waterways and Estuaries Joint Working Group	CNCL/2022/124	That the Council: 1. Receives the Chairperson's and Christchurch City Council's Deputy Mayor's report on the 2019-2022 term Urban Waterways and Estuaries Joint Working Group. 2. Refers this report to a meeting of the new Council for consideration as part of the establishment of governance arrangements for the 2022-2025 term.	#1 Yes
				#2 in progress and will be reporting a

## Council Resolutions Status Report – Outstanding and In Progress December 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
				<b>Council meeting early in 2023</b>
Council Meeting 2022-09-22	8.6 Natural Environment Committee Report – Request for Overspend for July 2022 Flood Event Impacts	CNCL/2022/125	That the Council: 1. Approves an overspend by up to \$150,000 in general rate funded 'out of scheme' goods and services budget, to support the July 2022 flood event impacts. 2. Recommends that staff work with Waimakariri, Selwyn, and other District Councils to consider alternative river rating options (such as whole of catchment) for consideration as part of the 2024-2034 Long Term Plan.	<b>#1 Yes</b> <b>#2 No In progress</b>
Council Meeting 2022-08-18	6.1 Notices of Motion – Councillor Vicky Southworth	CNCL/2022/114	That the Council: 1. Requests staff to investigate running a 'private well information roadshow' across the region to include an indicative nitrate test and provision of information about other testing such as pathogens and pesticides, and report back to Council in the new triennium.	<b>Reporting back to Council in 2023.</b>
Council Meeting 2022-08-18	8.5 Local Government Members (2022/23) Determination 2022	CNCL/2022/108	That the Council: 1. Adopts the Environment Canterbury Councillor's Expenses, Allowances and Reimbursements Guidelines and Procedures as attached at Attachment 8.5.1 (with track changes accepted). 2. Delegates to the Chief Executive the ability to make changes to the final version of the Environment Canterbury Councillor's Expenses, Allowances and Reimbursements Guidelines and Procedures to correct any minor errors or to make changes of minor effect.	<b>#1 Yes</b> <b>#2 Yes</b>
Council Meeting 2022-08-18	8.6 Delegation Under Section 91 of the	CNCL/2022/109	That the Council: 1. Delegates authority to the Building Consent Authority Co-ordinator to agree whether to issue code compliance certificates where the building consent authority that issued	<b>No In progress</b>

## Council Resolutions Status Report – Outstanding and In Progress December 2022

Meeting Name	Report	Resolution Number	Resolution	Complete [Yes/No]
	Building Act 2004		the building consent is not the Canterbury Regional Council but is Otago Regional Council, Southland Regional Council or West Coast Regional Council, pursuant to section 91(2) of the Building Act 2004.	
Council Meeting 2022-07-28	6.1 Notices of Motion – Cr Elizabeth McKenzie	CNCL/2022/100	That Council: 1. Requests staff to investigate how a cooperative initiative with Predator-Free 2050 to make fully automated, 'set and forget' possum traps available to all Canterbury households might work, with an estimate of the likely effectiveness on predator reduction and potential costs, and report back to Council for consideration in the lead-up to the next Annual Plan.	No In progress
Council Meeting 2022-04-13	8.2 Metro Bus Route 17 and 28 Service Review	CNCL/2022/27	That the Council Meeting: 1. Approves the proposed network changes to routes 17 and 28 to create a new high frequency 'Port-to-Port' route and a 'Northwood to Huntsbury' route. 2. Notes the planned procurement of 7 additional electric buses as part of this project. 3. Approves the changes proposed to alternate services on the 'Port to Port' route providing improved access to Ara Institute of Canterbury (Ara) all day on weekdays as a two-year trial. 4. Approves the removal of the airport terminal as a stop of route 125, allowing the new 'Port-to-Port' route to terminate at the airport terminal.	#1-4 No Implementation delayed, due to driver shortage
Council Meeting 2020-06-18	10.1 Kainga	CNCL/2020/044	In the open part of the meeting the Council resolved to: Delegate to the Acting Chief Executive and the Director Finance and Corporate Services the authority to publicly release information on Kainga Infrastructure Expenditure.	No The release of information will be reviewed in March 2023 because the project is still in progress.

## 8.3. Previous Committee Activities and Minutes

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Vivienne Ong, Committee Advisor
<b>Endorsed By</b>	Catherine McMillan, General Manager Governance

### Purpose

1. This report is to share the unconfirmed / confirmed minutes and previous activities from external, joint, and limited membership Committees.
2. Minutes from Committees of the Whole (ie where all Environment Canterbury Councillors are members) will be considered by each Committee at their next meetings.
3. This report attaches the most recent minutes from the joint, external, and limited membership committees. Environment Canterbury have been delegated governance responsibility for each of these meetings.

### Recommendations

**That the Council:**

1. **Notes the minutes and information received in relation to recent joint, external, and limited membership committee meetings.**
  - **Unconfirmed minutes from the Canterbury Civil Defence Emergency Management Joint Committee – 24 November 2022**

### Key points

4. Councillors who are members of the committees included in this report will be invited to present on key matters and activities from their respective committees during consideration of this report.
5. These minutes will be confirmed by their respective committees and are included in this Council report for information sharing purposes only.
6. It is not necessary to include minutes from Committees of the Whole since all councillors will participate in the information, discussion and consideration during the 'confirmation of previous minutes' agenda report, which is presented at each committee meeting.

## Next Steps

7. There are no next steps associated with this report. This report is for information sharing only. All unconfirmed minutes will be presented back to their respective committees for confirmation. All minutes, both unconfirmed and confirmed, are available on the Environment Canterbury website.

<https://www.ecan.govt.nz/get-involved/council-and-committee-meetings/>

## Attachments

1. C22C 282204 2022 11 24 Unconfirmed Minutes Civil Defence Emergency Management Join [8.3.1 - 7 pages]

# Minutes of the Canterbury Civil Defence Emergency Management Joint Committee, held at 200 Tuam Street, Christchurch on 24 November 2022 at 2.00pm.

## Present

Mayor Neil Brown (Ashburton District Council), Councillor John Sunckell (Environment Canterbury), Mayor Marie Black (Hurunui District Council), Mayor Craig Mackle (Kaikōura District Council), Mayor Anne Munro (Mackenzie District Council), Mayor Sam Broughton (Selwyn District Council), Mayor Nigel Bowen (Timaru District Council), Mayor Dan Gordon (Waimakariri District Council), and Mayor Craig Rowley (Waimate District Council).

Report writers and other staff were also present.

Bede Carran, Chairperson of Civil Defence Emergency Management Coordinating Executive Group and Chief Executive of Timaru District Council welcomed everyone to the meeting and chaired the meeting until the Civil Defence Emergency Management Joint Committee elected its Chairperson, at which time the newly elected Chairperson assumed the Chair.

## 1. Mihi / Karakia Timatanga – Opening

James Thompson, Team Leader Regional Emergency Management, opened the meeting with mihi whakatau.

There was a change to the order of business. Agenda item 8.1 Election of Chair and Deputy Chair was taken first, before any other agenda items.

## 8.1 Election of Chair and Deputy Chair

Report outlined options on ways the members can elect the Chairperson and Deputy Chairperson for the 2022-25 triennium. Once the option was resolved, nominations for the Chair and Deputy Chair were made.

### Resolved CDEMJC/2022/28

That the Civil Defence Emergency Management Joint Committee:

1. Chooses voting system B (election by the greatest number of votes) for the election of the Joint Committee Chairperson and Deputy Chairperson.
2. 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 section 7 of this report.

Mayor Sam Broughton / Mayor Neil Brown  
CARRIED

Bede Carran called for nominations for the election for Chairperson.



Mayor Dan Gordon moved to nominate Mayor Neil Brown, seconded by Mayor Sam Broughton.

There being no further nominations Mayor Neil Brown was duly elected Chairperson of the Civil Defence Emergency Management Joint Committee for the 2022-25 triennium.

Bede Carran then called for nominations for Deputy Chairperson.

Mayor Nigel Bowen moved to nominate Councillor John Sunckell, seconded by Mayor Marie Black.

There being no further nominations Councillor John Sunckell was duly elected Deputy Chairperson of the Civil Defence Emergency Management Joint Committee for the 2022-25 triennium.

## **2. Apologies**

Apologies for absence were received from Elizabeth Cunningham (Te Rūnanga o Ngāi Tahu) and Mayor Phil Mauger (Christchurch City Council).

Mayor Marie Black / Mayor Nigel Bowen  
CARRIED

## **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 Previous Minutes - 25 August 2022

#### **Resolved CDEMJC/2022/29**

Staff recommendations adopted without change.

That the Civil Defence Emergency Management Joint Committee:

1. Receives the confirmed minutes from the last meeting of the Civil Defence Emergency Management Joint Committee held on 25 August 2022, noting that in accordance with Environment Canterbury Standing Order 28.4 the minutes were confirmed at the end of the 2019-22 triennium.

Mayor Nigel Bowen / Mayor Dan Gordon  
CARRIED

## 8. Report Items

### 8.2 Civil Defence Emergency Management Joint Committee Resolutions Status Report - November 2022

Report provided visibility on the status of resolutions made by Civil Defence Emergency Management Joint Committee.

Megan Gibbs, Manager Service Continuity Transalpine at Te Whatu Ora Health New Zealand (previously Canterbury District Health Board) provided an update on a previous query raised by Mayor Sam Broughton regarding the closure of some rural hospitals. Megan confirmed that all rural hospitals have now reopened.

Mayor Sam Broughton thanked Te Whatu Ora Health New Zealand for working to reopen the hospitals; Mayor Marie Black endorsed Mayor Broughton's comments.

#### **Resolved CDEMJC/2022/30**

Staff recommendations adopted without change.

That the Civil Defence Emergency Management Joint Committee:

1. Notes the status of previous resolutions provided in the Status of Civil Defence Emergency Management Joint Committee Resolutions report November 2022.

Mayor Sam Broughton / Mayor Nigel Bowen  
CARRIED

## 8.3 Civil Defence Emergency Management Joint Committee Induction

James Thompson introduced Roger Ball, Acting DCE Emergency Management / Director Civil Defence Emergency Management.

A presentation (appendix A to these minutes) was provided, which included an overview of the structure of civil defence and emergency management, nationally, regionally, and locally and the role of elected officials across civil defence emergency management. Mayor Marie Black requested a more detailed presentation on the 'Board's Role in a Crisis' which was referred to in the attached presentation.

A visit to the Justice Precinct was also discussed and present members agreed that this could be completed on the day of the next meeting of the CDEM Joint Committee (23<sup>rd</sup> February 2023).

### **Resolved CDEMJC/2022/31**

Staff recommendations adopted without change.

That the Civil Defence Emergency Management Joint Committee:

1. Receives the Civil Defence Emergency Management Joint Committee elected officials' induction.

Councillor John Sunckell / Mayor Marie Black  
CARRIED

## 8.4 Action Working Groups November 2022 Update

Richard Ball, Group Recovery Manager provided a brief update on work and progress of the four lessons learnt working groups.

### **Resolved CDEMJC/2022/32**

Staff recommendations adopted without change.

That the Civil Defence Emergency Management Joint Committee:

1. Receive the Action Working Groups Update (November 2022) report.
2. Note that implementation of the road status system requires Road Controlling Authorities (Districts and Waka Kotahi) to agree:
  - a. a common schema for road status
  - b. to collect and maintain the primary data on road status
  - c. a process for establishing alternative routes.

Mayor Craig Rowley / Mayor Dan Gordon  
CARRIED

## 8.5 Recovery Process Overview

Richard Ball spoke to the committee about the current state of recovery readiness, and to obtain feedback on the proposed actions to enhance recovery preparedness. There is currently a low level of preparedness for recovery in Canterbury. Examples of this were provided in the report, along with recommended actions to enhance recovery outcomes.

Staff recommendations:

That the Civil Defence Emergency Management Joint Committee:

1. Notes that the current level of preparedness for recovery is low and may not meet legislative requirements.
2. Endorses the programme outlined in this report to enhance recovery preparedness across the Canterbury Civil Defence Emergency Management Group.
3. That the Joint Committee members consider what further actions may be taken within their respective organisations to support and enhance recovery preparedness.

*An amendment to .3 of the staff recommendations was moved by Mayor Sam Broughton.*

### **Resolved CDEMJC/2022/33**

That the Civil Defence Emergency Management Joint Committee:

1. Notes that the current level of preparedness for recovery is low and may not meet legislative requirements.
2. Endorses the programme outlined in this report to enhance recovery preparedness across the Canterbury Civil Defence Emergency Management Group.
3. Request that the Civil Defence Emergency Management Coordinating Executive Committee report back to the Joint Committee on enhancing recovery preparedness.

Mayor Sam Broughton / Mayor Dan Gordon  
CARRIED

## 8.6 National Emergency Management Agency November 2022 Update

Roger Ball and Rochelle Faimalo (National Emergency Management Agency) provided an update with emphasis on the Trifecta Programme and Catastrophic Planning and noted the effects of a foot and mouth outbreak.

**Resolved CDEMJC/2022/34**

Staff recommendations adopted without change.

That the Civil Defence and Emergency Management Joint Committee:

1. Receive the November 2022 National Emergency Management Agency Report.

Mayor Sam Broughton / Mayor Nigel Bowen  
CARRIED

**8.7 Financial Report November 2022**

James Thompson spoke about the financial report for November 2022. The report shows an underspend of \$37,000 for the first quarter of 2022/23. The underspend is due to delays in the review of the CDEM Group Plan, and initiation of two contractor supported projects. There were increases in revenue from the CDEM Resilience Fund for the Lifeline Resilience project.

**Resolved CDEMJC/2022/35**

Staff recommendations adopted without change.

That the Civil Defence Emergency Management Joint Committee:

1. Receives the Civil Defence Emergency Management Group finance report for the first quarter of 2022/23.

Mayor Marie Black / Mayor Craig Rowley  
CARRIED

**8.8 Group Controllers Report**

James Thompson provided an outline of recent activities, including a meeting of the South Island Civil Defence Emergency Management Group Managers, where resulting initiatives are shared training packages and delivery mechanisms, and shared geospatial platform and process. Review of regional capability is progressing.

**Resolved CDEMJC/2022/36**

That the Civil Defence Emergency Management Joint Committee:

1. Receives the November 2022 Canterbury Civil Defence Emergency Management Group Controller's report.

Mayor Dan Gordon / Mayor Craig Mackle  
CARRIED

## 9. Next Meeting

The next meeting will be held on 23 February 2022 at 2.00pm.

## 10. Mihi / Karakia Whakamutunga - Closing

A karakia was provided by Bede Carran to close the meeting.

Meeting concluded at 3.33pm.

CONFIRMED:

\_\_\_\_\_  
Chair Mayor Neil Brown  
Ashburton District Council

\_\_\_\_\_  
Date

## 8.4. Establishment of Council Committees and Appointments

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. To seek a decision from Council on establishing Council committees and to appoint Councillors to roles within those committees.
2. These committees will provide the means of enabling the Council to fulfil its responsibilities and carry out:
  - Effective and efficient decision-making,
  - Decision making at the appropriate level,
  - A balanced workload for Councillors.

### Recommendations

That the Council:

#### Voting System

#### 1. Chooses:

- 1.1. **Voting system A (election by the majority of members) for the election of Committee Chair, Committee Deputy Chair, and committee members**
- 1.2. **Agrees that in the event of a tie under voting system A, the candidate to be excluded from the next round of voting shall be resolved by lot as described in item 5. of this report.**

If that resolution fails

#### 2. Chooses

- 2.1. **Voting system B (election by the greatest number of votes) for the election of Committee Chair, Committee Deputy Chair, and committee members**
- 2.2. **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.**

### **Standing Committees**

#### **BIODIVERSITY AND BIOSECURITY COMMITTEE**

- 3. Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Biodiversity and Biosecurity Committee, and adopts the Terms of Reference in Attachment 8.4.1, noting that all Councillors are members of the committee.**
- 4. Appoints Councillor \_\_\_\_\_ as the Biodiversity and Biosecurity Committee Chair.**
- 5. Appoints Councillor \_\_\_\_\_ as the Biodiversity and Biosecurity Committee Deputy Chair.**
- 6. Agrees the Biodiversity and Biosecurity Committee will meet on 8 March 2023.**

#### **CATCHMENT RESILIENCE COMMITTEE**

- 7. Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Catchment Resilience Committee, and adopts the Terms of Reference in Attachment 8.4.2, noting that all Councillors are members of the committee.**
- 8. Appoints Councillor \_\_\_\_\_ as the Catchment Resilience Committee Chair.**
- 9. Appoints Councillor \_\_\_\_\_ as the Catchment Resilience Committee Deputy Chair.**
- 10. Agrees the Catchment Resilience Committee will meet on 8 March 2023.**

#### **REGIONAL LEADERSHIP, CLIMATE AND COMMUNITY RESILIENCE COMMITTEE**

- 11. Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Regional Leadership, Climate and Community Resilience Committee, and adopts the Terms of Reference in Attachment 8.4.3, noting that all Councillors are members of the committee.**
- 12. Appoints Councillor \_\_\_\_\_ as the Regional Leadership, Climate and Community Resilience Committee Chair.**
- 13. Appoints Councillor \_\_\_\_\_ as the Regional Leadership, Climate and Community Resilience Committee Deputy Chair.**
- 14. Agrees the Regional Leadership, Climate and Community Resilience Committee will meet on 29 March 2023.**



## TRANSPORT, URBAN DEVELOPMENT, AND AIR QUALITY COMMITTEE

- 15. Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Transport, Urban Development, and Air Quality Committee, and adopts the Terms of Reference in Attachment 8.4.4, noting that all Councillors are members of the committee.**
- 16. Appoints Councillor \_\_\_\_\_ as the Transport, Urban Development, and Air Quality Committee Chair.**
- 17. Appoints Councillor \_\_\_\_\_ as the Transport, Urban Development, and Air Quality Committee Deputy Chair.**
- 18. Agrees the Transport, Urban Development, and Air Quality Committee will meet on 8 February 2023.**

## WATER AND LAND COMMITTEE

- 19. Establishes, pursuant to Schedule 7 clause 30(1) of the Local Government Act 2002, the Water and Land Committee, and adopts the Terms of Reference in Attachment 8.4.5, noting that all Councillors are members of the committee.**
- 20. Appoints Councillor \_\_\_\_\_ as the Water and Land Committee Chair.**
- 21. Appoints Councillor \_\_\_\_\_ as the Water and Land Committee Deputy Chair.**
- 22. Agrees the Water and Land Committee will meet on 22 February 2023.**

## Voting System

3. Under Schedule 7 clause 25(1) subclauses (c)(d) of the Local Government Act 2022 (LGA), the Council must elect the Committee Chair and Committee Deputy Chair, and representatives of a local authority.
4. For each election the Council must choose one of two voting systems:
  - a. Election by the majority of members present and voting; or
  - b. Election by receiving a greater number of votes than any candidate.

### Characteristics of election by majority (voting system A)

5. The person who is elected receives the votes of a majority of the members of the Council.
  - a. There is a first round of voting for all candidates.

- b. If no candidate is elected in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded.
- c. If no candidate is successful in the second round there is a third, and so on. Each time the candidate with the fewest votes in the previous round is excluded.
- d. If, in any round, two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.
- e. Rounds of voting will only be required where there are more than two candidates.

### **Characteristics of election by greatest number of votes (voting system B)**

- 6. A person is elected if they receive more votes than any other candidate.
  - a. There is only one round of voting.
  - b. If two or more candidates tie for the most vote, the tie is resolved by lot.

### **Comment**

- 7. The Council can choose either of the two voting systems described above committee elections. The Council is entitled to adopt different systems for the election of the Committee Chair, Committee Deputy Chair, and committee members; however, for reasons of ease and practicality, it is recommended that Council adopt the same voting system for all the committee elections.

### **Determining by 'lot' when there is a tie**

- 8. Both voting systems require a resolution by 'lot' if two candidates receive an equal number of votes and no one else is elected. The most common procedure is for the names of the candidates with the same number of votes to be placed in a container and the name of the person drawn out by an independent person is deemed the winner, i.e., elected or not excluded from the next round. It is recommended that this process be used in the event that there is a tie between candidates.

### **Which voting system is best?**

- 9. If Council wants to guarantee that the Committee Chair, Committee Deputy Chair, and committee members receive the votes of a majority of the members of Council it should adopt voting system A, i.e., election by majority. This is because the alternative voting procedure, where a candidate is elected by receiving the greatest number of votes, does not ensure that the winning candidate has the support of more than half the members of Council in every instance.

## Background

10. Schedule 7 clause 30 of the LGA gives local authorities the power to appoint committees, subcommittees, other subordinate decision-making bodies and joint committees.
11. At the beginning of the triennium the Council must decide upon appropriate committees. The LGA provides the framework for decision-making by the Council and other statutes, particularly the Land Transport Management Act 2003 and the Civil Defence Emergency Management Act 2022, impose requirements to establish and maintain certain committees.
12. The committee structure has operated in tandem with the portfolio approach to groupings of activities.

## Proposed committee membership

### Standing Committees

13. It is proposed to appoint all Councillors as members to five standing committees:

Committee	Description
<b>Biodiversity and Biosecurity Committee (BBC)</b>	Oversee the development, implementation and review of biodiversity and biosecurity related plans and strategies, and compliance with its statutory functions and responsibilities.
<b>Catchment Resilience Committee (CRC)</b>	Oversee matters in relation to the effective provision of river and drainage engineering services and regional resilience programmes.
<b>Regional Leadership, Climate and Community Resilience Committee (RLCCRC)</b>	Oversee and inform the development and review of direction, strategies, policies and plans from a climate change and community resilience perspective.
<b>Transport, Urban Development, Air Quality Committee (TUDAQC)</b>	Oversee the development, implementation and review of strategic direction and policies for transport, urban development and air quality.
<b>Water and Land Committee (WLC)</b>	Oversee the development, implementation, and review of environmental, policies, plans, programmes, and initiatives to address environmental issues in the region.

14. Taking into consideration of appointments made at the previous Council meeting of 17 November 2022, the full committee structure for the triennium 2022-2025 is as follows:
  - Standing Committees:
    - Audit, Finance and Risk Committee
    - Biodiversity and Biosecurity Committee
    - Catchment Resilience Committee
    - Chief Executive Employment, Performance and Remuneration Committee
    - Plan Change 7 Appeals Committee

- Regional Leadership, Climate and Community Resilience Committee
- Regulation Hearing Committee
- Transport, Urban Development, and Air Quality Committee
- Water and Land Committee
- Statutory Committees:
  - Canterbury Civil Defence Emergency Management Group Joint Committee
  - Canterbury Regional Transport Committee
- Joint Committees:
  - Canterbury Waste Joint Committee
  - Canterbury Water Management Strategy Zone Committees (x9)
    - Ashburton
    - Banks Peninsula
    - Christchurch-West Melton
    - Kaikōura
    - Lower Waitaki-South Coastal Canterbury
    - Orari-Temuka-Opihi-Pareora
    - Selwyn-Waihora
    - Upper Waitaki
    - Waimakariri
  - Greater Christchurch Partnership Committee:
  - Whakawhanake Kainga (Urban Growth Partnership for Greater Christchurch)

### **Terms of Reference for proposed committees**

15. Each Committee has specified functions, responsibilities, and delegations. These form the Terms of Reference for the Committees.
16. The Terms of Reference are important as they define the business of each Committee and where decision making lies (the extent of the delegations). The proposed Terms of Reference for each of the committees being established in this meeting are attached. There is no change to other Terms of Reference.

### **Chairs and Deputy Chairs**

17. Clause 26 of Schedule 7 of the Local Government Act 2022 (LGA) deals with the chairperson of meetings. Relevant subclauses in relation to committees provide:
  - (2) *The chairperson of a committee must preside at each meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting.*
  - (3) *The local authority may appoint a member of a committee to be the chairperson of that committee and, if the local authority, on the appointment of the committee, does not appoint a chairperson, that power may be exercised by the committee.*
  - (4) *The local authority or the committee may appoint a deputy chairperson to act in the absence of the chairperson.*
  - (5) *If the mayor or chairperson of a local authority or the chairperson of a committee is absent from a meeting, the deputy mayor or deputy chairperson (if any) of the local authority or committee must preside.*

*(6) However, if a deputy mayor or deputy chairperson has not been appointed, or if the deputy mayor or deputy chairperson is also absent, the members of the local authority or of the committee that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the mayor or chairperson.*

18. All of these provisions in the LGA literally contemplate the traditional structure of a chairperson and a deputy chairperson. Singular language is used and, therefore, does not contemplate the appointment of more than one chairperson. If the chairperson is not available, the deputy chairperson will preside.
19. The Chairperson can vacate the chair for all or part of a meeting and enable the Deputy Chairperson to chair the meeting, with this being recorded in the minutes. The Chairperson is able to be present and participate in the meeting, including voting, while not chairing the meeting (unless they have vacated the chair for a reason such as a conflict of interest). This would enable the two roles to effectively act as co-chairs. This pre-supposes that the Chairperson agrees to vacate the chair to enable the Deputy Chairperson to chair the meeting, noting that only one person can chair a meeting at any one time. The person chairing the meeting has the powers of the chairperson as set out in standing orders.
20. The risk of appointing co-chairs instead of Chairs and Deputy Chairs, is that the Council would be operating outside the provisions of the LGA.

## **Cost, compliance and communication**

### **Financial implications**

21. The committees' activities are budgeted for in the Council's Annual Plan.

### **Risk assessment and legal compliance**

22. Other than those outlined above there are no legal implications from this proposal.

### **Engagement, Significance and Māori Participation**

23. Council staff are consulting with the territorial authorities and bodies from which members are also nominated to joint committees or groups.
24. The Committee structure will continue to ensure there is genuine partnership with Council fulfilling its duties as a partner with Ngāi Tahu and in alignment with the principles contained in the 7 December 2012 Tuia Agreement.

### **Consistency with council policy**

25. Council staff are continuing to liaise with their counterparts at other local authorities and with committee members to keep them informed about the processes following the triennial elections.

## Communication

26. Staff will upload to the Environment Canterbury website the Committee structure Councillor appointments.
27. Staff will communicate with territorial authorities, Rūnanga, and bodies with representation on joint committees to inform them of the Council's resolution affecting membership of committees.

## Next steps

28. Following the Council's decision, establish committees, appoint Councillors/ Chairs/ Deputy Chairs as appropriate, adopt of terms of reference/agreements.

## Attachments

1. Draft ToR Biodiversity and Biosecurity Committee [8.4.1 - 2 pages]
2. Draft ToR Catchment Resilience Committee [8.4.2 - 2 pages]
3. Draft ToR Regional Leadership Climate Community Resilience Committee [8.4.3 - 3 pages]
4. Draft ToR Transport Urban Development Air Quality Committee [8.4.4 - 2 pages]
5. Draft ToR Water and Land Committee [8.4.5 - 2 pages]

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## BIODIVERSITY AND BIOSECURITY COMMITTEE TERMS OF REFERENCE

Adopted by Council 14 December 2022

<b>REPORTING TO:</b>	Council
<b>MEMBERSHIP:</b>	All members of Council
<b>QUORUM:</b>	Eight (8)
<b>MEETING FREQUENCY:</b>	Three meetings per annum
<b>CHAIR:</b>	One Chair One Deputy Chair

### A. PURPOSE

1. Oversee the development, implementation and review of Council's biodiversity and biosecurity related plans and strategies (including the Canterbury-Biodiversity-Strategy and the Canterbury Regional Pest Management Plan).
2. Oversee the Council's compliance with its statutory functions and responsibilities relating to biodiversity and biosecurity, including functions under the Resource Management Act 1991 and Biosecurity Act 1993, and any relevant national direction.
3. 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

4. Consider emerging environmental issues relating to protecting and enhancing ecosystems and indigenous biodiversity in accordance with the Canterbury Regional Policy Statement and Resource Management Act 1991.
5. Oversee activities that protect, maintain, and enhance priority landscapes and ecosystems across the region.
6. Oversee activities that:
  - a. prevent, reduce, or eliminate adverse effects from harmful organisms
  - b. meet requirements under the Biosecurity Act 1993.
  - c. support the Biosecurity Advisory Groups,
  - d. encourage community involvement in biosecurity management and;
  - e. help deliver our biosecurity programme
7. Support external initiatives that deliver on shared regional biodiversity and biosecurity goals.

8. Receive regular monitoring reports and presentations on the matters set out in the Purpose.
9. Consider and, where relevant, make submissions on, regional, national, and international developments; emerging issues and impacts; and changes in legislative frameworks in relation to biodiversity and biosecurity for their implications for Council's:
  - a) Environmental strategies, policies, plans, programmes, and initiatives
  - b) Regulatory systems, processes, and tools
10. 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**

11. Subject to sections 12 and 13 below, 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.
12. 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.
13. The Committee may not make a decision that is materially inconsistent with the Council's Long-Term Plan or Annual Plan.

### **Document history and version control**

<b>Version</b>	<b>Date approved</b>	<b>Approved by</b>	<b>Brief description</b>
1.0	14 December 2022	Council	New Committee Terms of Reference.



## CATCHMENT RESILIENCE COMMITTEE TERMS OF REFERENCE

Adopted by Council 14 December 2022

<b>REPORTING TO:</b>	Council
<b>MEMBERSHIP</b>	All members of Council
<b>QUORUM</b>	Eight members (8)
<b>MEETING FREQUENCY</b>	Three meetings per annum
<b>CHAIR</b>	One Chair One Deputy Chair

### A. PURPOSE

1. Ensure, through appropriate performance monitoring and information receipt, the effective provision of river and drainage engineering services to the Region.
2. Oversee the development, implementation and review of Council's Regional resilience programmes in the delivery of plans, programmes, initiatives and activities for flood protection and regional parks and forests;
3. Ensure effective liaison with territorial authorities, scheme/catchment liaison committees and scheme ratepayers.
4. Where delegated by Council, recommend to Council for its adoption, finalised draft river and drainage scheme reviews and rating proposals, after taking due account of public submissions.
5. Have regard to the philosophy of ki uta ki tai — from the mountains to the sea — across its streams, lake, wetlands, estuaries, waterways, coastline, biodiversity, and water supplies and to the importance and unique characteristics of braided rivers.
6. 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

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

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

### C. DELEGATIONS

14. Subject to sections 15 and 16 below, 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.
15. 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.
16. The Committee may not make a decision that is materially inconsistent with the Council's Long-Term Plan or Annual Plan

### Document history and version control

Version	Date approved	Approved by	Brief description
1.0	29 April 2021	Council	New Committee Terms of Reference.
1.1	14 December 2022	Council	Changed name of committee Reporting line updated to Council Removed references to Tumu Taiao Changed membership to all members of Council Changed quorum Updated meeting frequency Changed from Co-chairs to Chair and Deputy Chair

# REGIONAL LEADERSHIP, CLIMATE AND COMMUNITY RESILIENCE COMMITTEE TERMS OF REFERENCE

Adopted by Council 14 December 2022

<b>REPORTING TO:</b>	Council
<b>MEMBERSHIP:</b>	All members of Council  Council may appoint additional members with the skills, attributes, or knowledge that will assist the work of the Committee, including a youth member.
<b>QUORUM:</b>	Eight (8)
<b>MEETING FREQUENCY:</b>	Four meetings per annum
<b>CHAIR:</b>	One Chair One Deputy Chair

## A. PURPOSE

### 1. To:

- a. Establish strategic priorities for organisational direction and policy setting, and set Council's strategic direction and policy responses;
- b. Specifically, oversee and inform the development and review of Council's direction, strategies, policies and plans from a climate change perspective;
- c. Signal climate-related and other regional issues;
- d. Respond to external agency statutory planning processes;
- e. Provide thought leadership across matters of regional significance;
- f. Specifically, provide effective leadership on climate change for the organisation and the region to reduce greenhouse gas emissions and ensure a climate resilient future;
- g. Support and enhance integration on climate change plans and actions, with Canterbury's territorial authorities and other agencies.
- h. Develop Council's non-financial performance monitoring framework, including to report on climate-related action.
- i. Provide guidance on natural hazards impacting the coastal marine area in accordance with the New Zealand Coastal Policy Statement 2010

- j. Enable the funding for identification and monitoring contaminated land, as required by the Resource Management Act 1991; Hazardous Substances and New Organisms Act 1996; and Local Government Act 2002
- k. Enable the funding for the Canterbury Civil Defence Emergency Management Group, as required by the Civil Defence Emergency Management Act 2002 and provide a Harbourmaster's Office and maritime spill response capability, as required by the Maritime Transport Act 1994
- l. Enable the funding for management of discharges of contaminants to land/water and controlling water quality/quantity, as required by the Resource Management Act 1991.
- m. 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, including but not limited to community engagement on climate change and community resilience;
  - e. Advocacy with central government and other agencies, on all matters relevant to the work of the regional council and in particular where the matter relates to climate change and tools that enable the region to respond to climate change;
  - 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.
- 3. To monitor performance and provide strategic advice to the Council's Climate Change and Community Resilience Portfolio (with the exception of building and maintaining infrastructure to control flooding)
- 4. To oversee the Council's coordination with other South Island regional councils.
- 5. To oversee the development and review of Council's regional strategies, policies, and plans, in particular with a climate change perspective, and recommend these matters (and variations) to Council. Provide regional leadership to:

- a. Consideration of initiatives enabling communities to adapt to climate change;
  - b. The transition of the region to a resilient low emissions economy with a particular focus on the Climate Change Commission's greenhouse gas budgets and emissions reduction advice;
  - c. Understanding the region's emissions and climate risks and making sure they are well understood by the Canterbury community.
  - d. Collaboration with other regional councils and territorial authorities in the interests of building a stronger regional consensus for climate change action.
  - e. Responding to regional, national and international developments, emerging issues and impacts, and changes in the legislative frameworks that have implications for Council's climate change strategies, policies, and plans.
6. Ensure that the Committee's decision making 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**

- 7. Subject to sections 8 and 9 below, 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.
- 8. 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.
- 9. The Committee may not make a decision that is materially inconsistent with the Council's Long-Term Plan or Annual Plan.

### **Document history and version control**

Version	Date approved	Approved by	Brief description
1.0	14 December 2022	Council	New Committee Terms of Reference.

# **TRANSPORT, URBAN DEVELOPMENT, AND AIR QUALITY COMMITTEE TERMS OF REFERENCE**

Adopted by Council 14 December 2022

<b>REPORTING TO:</b>	Council
<b>MEMBERSHIP:</b>	All members of Council
<b>QUORUM:</b>	Eight (8)
<b>MEETING FREQUENCY:</b>	Six meetings per annum
<b>CHAIR:</b>	One Chair One Deputy Chair

## **A. PURPOSE**

1. To oversee the development, implementation and review of Council's:
  - a. strategic direction and policies for transport and mode-shift;
  - b. set the operational direction to deliver public transport and mode-shift;
  - c. provide input into joint transport-related projects and initiatives;
  - d. development of integrated land use and regional transport; and
  - e. development of Council's position on regionally significant matters such as spatial planning.
  - f. To 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. Approve strategies, policies and guidelines to deliver clean air in Canterbury.
3. Approve transport strategies, policies, plans programmes and initiatives related to transport demand management and active mode promotion, including relevant aspects of the Regional Policy Statement;
4. Review and monitor performance trends related to public transport activities.

5. Advocate for the alignment of initiatives across the region with transport implications including spatial planning and land use planning including liaison with:
  - a. the Regional Transport Committee;
  - b. the Greater Christchurch Partnership Committee; and
  - c. territorial authorities in relation to the urban planning aspects of their District Plans.
6. 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

7. Subject to sections 8 and 9 below, 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.
8. 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.
9. The Committee may not make a decision that is materially inconsistent with the Council's Long-Term Plan or Annual Plan.

### Document history and version control

Version	Date approved	Approved by	Brief description
1.0	29 April 2021	Council	New Committee Terms of Reference.
1.1	13 April 2022	Council	Reporting on Air Quality is transferred from the Natural Environment Committee to the Transport and Urban Development Committee.
1.2	14 December 2022	Council	Changed name of committee Removed references to Tumu Taiao Updated meeting frequency Changed from Co-chairs to Chair and Deputy Chair

## WATER AND LAND COMMITTEE TERMS OF REFERENCE

Adopted by Council 14 December 2022

<b>REPORTING TO:</b>	Council
<b>MEMBERSHIP:</b>	All members of Council
<b>QUORUM:</b>	Eight (8)
<b>MEETING FREQUENCY:</b>	Six meetings per annum
<b>CHAIR:</b>	One Chair One Deputy Chair

### A. PURPOSE

1. Oversee the development, implementation, and review of Council's Environmental strategies (including the Canterbury Water Management Strategy), policies, plans, programmes, and initiatives to address environmental issues in the region (including issues in the area of land management, regional natural resources, fresh water, coastal marine environment, maritime navigation, and safety);
2. Oversee the Council's compliance with its statutory functions, including functions under the Resource Management Act 1991, Maritime Transport Act 1994, and all Council bylaws; and
3. 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

4. To consider emerging environmental issues relating to environmental and regulatory monitoring and performance matters and to provide advice on the implications for effective resource management within the region.
5. Receive information on the state of the environment monitoring trends and to direct the use of this information to inform policy and plan review.
6. Receive regular monitoring reports and presentations on the matters set out in the Purpose.



7.
  - a) Oversee the development and review of Council's Environmental strategies, policies, plans, programmes and initiatives, and Regional resilience programmes and priorities;
  - b) Prepare any variation to proposed regional plans or plan changes, including making recommendations to Council on the proposed plans, proposed variations and proposed plan changes that should proceed to public notification;
  - c) Oversee consultation under Schedule 1 to the Resource Management Act 1991;
8. Consider regional, national, and international developments; emerging issues and impacts; and changes in legislative frameworks for their implications for Council's
  - a) Environmental strategies, policies, plans, programmes, and initiatives
  - b) Regulatory systems, processes, and tools
9. 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**

10. Subject to sections 11 and 12 below, 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.
11. 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.
12. The Committee may not make a decision that is materially inconsistent with the Council's Long-Term Plan or Annual Plan.

### **Document history and version control**

Version	Date approved	Approved by	Brief description
1.0	14 December 2022	Council	New Committee Terms of Reference.

## 8.5. Canterbury Regional Transport Committee Appointments

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. To appoint agency and territorial authority members to the Canterbury Regional Transport Committee.

### Recommendations

That the Council:

1. **Appoints the following to the Canterbury Regional Transport Committee:**
  - 1.1. **Ashburton District Council – Mayor Neil Brown**
  - 1.2. **Christchurch City Council – Mayor Phil Mauger**
  - 1.3. **Hurunui District Council – Mayor Marie Black**
  - 1.4. **Kaikōura District Council – Mayor Craig Mackle**
  - 1.5. **Mackenzie District Council – Mayor Anne Munro**
  - 1.6. **Selwyn District Council – Mayor Sam Broughton**
  - 1.7. **Timaru District Council – Mayor Nigel Bowen**
  - 1.8. **Waimakariri District Council – Mayor Dan Gordon**
  - 1.9. **Waimate District Council – Mayor Craig Rowley**
  - 1.10. **Waka Kotahi (New Zealand Transport Agency) – James Caygill**
2. **Notes that Environment Canterbury appointed Chair Peter Scott and Councillor Grant Edge as Chair and Deputy Chair, respectively, to the Canterbury Regional Transport Committee at its 17 November 2022 meeting.**
3. **Notes the current Terms of Reference will be reviewed early 2023 to reflect the new Land Transport Rule: Setting of Speed Limits 2022.**

### Background

2. Section 105 of the Land Transport Management Act 2003 requires every regional council to, as soon as practicable after each triennial election, establish a regional

transport committee for its region. The Act currently requires the Council to appoint two persons to represent the regional council; one person from each territorial authority; and one person to represent the New Zealand Transport Agency (Waka Kotahi). The Act does not provide appointment of alternates.

3. Under the Land Transport Management Act 2003, the two Environment Canterbury representatives are the Chair and Deputy Chair of the Canterbury Regional Transport Committee. At the Council meeting of 17 November 2022, the Council appointed Chair Peter Scott and Councillor Grant Edge as those Canterbury Regional Transport Committee representatives: Chair Peter Scott as the Committee Chair and Councillor Grant Edge is the Deputy Committee Chair.
4. The Council has now received from Waka Kotahi (New Zealand Transport Agency) and the territorial authorities within Canterbury their nominations for members of the Regional Transport Committee and wishes to appoint those nominees to the Committee.

### **Terms of Reference for proposed committees**

5. The Canterbury Regional Transport Committee has specified functions, responsibilities, and delegations. These form the Terms of Reference for the Committee.
6. The Terms of Reference are important as they define the business of the Committee and where decision making lies (the extent of the delegations). The Terms of Reference for the Committee is attached. There has been no change made to the Terms of Reference; however, a change may be required in future to include the new Land Transport Rule: Setting of Speed Limits 2022.

### **Cost, compliance and communication**

#### **Financial implications**

7. The Committee's activities are budgeted for in the Council's Annual Plan.

#### **Risk assessment and legal compliance**

8. Other than those outlined above there are no legal implications from this proposal.

#### **Engagement, Significance and Māori Participation**

9. Council staff consult with the territorial authorities, agencies, and bodies as required.

### **Attachments**

1. 2020 Canterbury Regional Transport Committee Terms of Reference 27 February 2020 C [8.5.1 - 3 pages]

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor Clare Pattison, Principal Strategy Advisor - Air Quality, Transport & Urban Development

## **CANTERBURY REGIONAL TRANSPORT COMMITTEE**

### **TERMS OF REFERENCE 2020**

*Approved at the Regional Transport Committee meeting of 27 February 2020*

#### **ESTABLISHMENT**

The Canterbury Regional Transport Committee is established pursuant to the Land Transport Management Act 2003.

#### **PURPOSE AND FUNCTIONS**

Under section 106 of the Land Transport Management Act 2003, the functions of the Canterbury Regional Transport Committee are:

- to prepare for approval by the Regional Council a Regional Land Transport Plan or any variation to the Plan
- to provide the Regional Council with any advice and assistance it may request in relation to its transport responsibilities
- to adopt a policy that determines significance in respect of variations to the Regional Land Transport Plan and activities included in the Regional Land Transport Plan.

In addition, the Canterbury Regional Transport Committee will also:

- develop a strategic work programme, having regard to direction provided by the Canterbury Mayoral Forum
- engage directly with Ministers and central government to influence national policy.

#### **STATUTORY OBJECTIVES**

Under the Land Transport Management Act 2003, the Canterbury Regional Transport Committee must:

- develop every six years a Regional Land Transport Plan, including any associated documents desired by the region or as directed by the requiring legislation, and recommend these to the Regional Council for approval
- undertake a review of the Regional Land Transport Plan every three years following the preparation of the Regional Land Transport Plan.

#### **OTHER OBJECTIVES**

The Canterbury Regional Transport Committee will also

- promote the Regional Land Transport Plan within the region and monitor the progress of its implementation
- report and make recommendations to the Regional Council, territorial authorities and other organisations, where appropriate, on the Committee's legal responsibilities, objectives and delegated powers
- establish and support suitable working groups to help guide the development and implementation, and review of the Regional Land Transport Plan (including any associated documents)

- support the Chair of the Regional Transport Committee to take part in the South Island Regional Transport Committee Chairs Group, in order to collaborate with other regions to achieve better outcomes across the South Island
- provide the Regional Council with advice and assistance
- develop and implement a strategic work programme that aligns with direction provided by the Canterbury Mayoral Forum.

## **MEMBERSHIP**

- Regional Council:

Two Canterbury Regional Councillors  
(who shall be the Chairperson and Deputy Chairperson of the Committee)

- Territorial Local Authorities:

One elected member from each City/District Council in the region<sup>1</sup>

- Crown Entities:

One New Zealand Transport Agency representative

- Sector Representatives:

The Regional Transport Committee, at its discretion, can appoint or engage advisors on the terms it sees fit.

For avoidance of doubt, alternates cannot be appointed.

## **QUORUM**

Seven members, of whom at least one shall be a Regional Councillor.

## **MEETINGS**

Ordinary meetings of the Committee shall take place on a quarterly basis but may take place more or less frequently if determined by the Committee as necessary to effectively deliver its functions.

## **VOTING**

All members shall have full speaking rights; however, if advisors are appointed, they are not entitled to vote.

## **SUPPORT**

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<sup>1</sup> For the purposes of Canterbury Regional Transport Committee the following organisations are represented: Ashburton District Council, Canterbury Regional Council (Environment Canterbury), Christchurch City Council, Hurunui District Council, Kaikōura District Council, Mackenzie District Council, Selwyn District Council, the New Zealand Transport Agency, Timaru District Council, Waimakariri District Council and Waimate District Council.

The Canterbury Regional Transport Committee will be supported at a strategic level by the Chief Executives Forum and the Regional Transport Forum.

The Canterbury Regional Transport Committee will establish appropriate technical support groups, one of which will be the Transport Officers Group.

Environment Canterbury will provide secretariat services for meetings, including administrative support and policy advice.

## 8.6. Council and Committee Schedule 2023

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. For Council to consider the proposed Council and Committee Schedule for 2023.
2. To ensure Councillors are aware of their meeting commitments and the public are informed so they can access this key aspect of the democratic process.

### Recommendations

**That the Council:**

1. **Adopts the following Council and Committee Schedule for 2023:**
  - a. **Council meetings on 15 February 2023, 22 March 2023, 19 April 2023, 17 May 2023, 24 May 2023, 21 June 2023, 19 July 2023, 16 August 2023, 20 September 2023, 25 October 2023, 22 November 2023, and 13 December 2023**
  - b. **Audit, Finance and Risk Committee (AFRC) meetings on 1 February 2023, 15 March 2023, 26 April 2023, 7 June 2023, 23 August 2023, 4 October 2023, and 1 November 2023**
  - c. **Biodiversity and Biosecurity Committee (BB) meetings on 8 March 2023, 2 August 2023, and 8 November 2023**
  - d. **Catchment Resilience Committee (CR) meetings on 8 March 2023, 2 August 2023, and 8 November 2023**
  - e. **Chief Executive Employment, Performance and Remuneration Committee meetings on 13 February 2023, 22 May 2023, 28 August 2023, and 20 November 2023**
  - f. **Regional Leadership, Climate and Community Resilience Committee (RLCCR) meetings on 29 March 2023, 10 May 2023, 6 September 2023, and 15 November 2023**
  - g. **Transport, Urban Development and Air Quality Committee (TUDAQ) meetings on 8 February 2023, 5 April 2023, 14 June 2023, 9 August 2023, 11 October 2023, 6 December 2023**



- h. **Water and Land Committee (WL) meetings on 22 February 2023, 3 May 2023, 28 June 2023, 30 August 2023, 18 October 2023, and 29 November 2023**
- i. **Canterbury Regional Transport Committee on 23 February 2023, 1 June 2023, 24 August 2023, and 23 November 2023**
- j. **Canterbury Civil Defence Emergency Management Group Joint Committee on 23 February 2023, 1 June 2023, 24 August 2023, and 23 November 2023.**

## **Key points**

- 3. A meeting schedule is prepared each year to meet the requirements of Schedule 7 of the Local Government Act 2002 (LGA) to give notice to members of meetings.
- 4. The proposed meeting schedule is based on criteria designed to enable the effective operation of meetings for elected members and within relevant Terms of Reference.
- 5. Additional meetings can be schedule if necessary.
- 6. Following adoption of a meeting schedule, the Council's website will be updated, and meetings added to Councillors calendars.

## **Explanation for proposed meeting schedule**

- 7. The proposed meeting schedule is based on criteria designed to enable the effective operation of meetings for elected members and within relevant Terms of Reference.
- 8. Council meetings are scheduled monthly except for January, plus meetings as required to meet the requirements for the Annual Plan and Annual Report processes.
- 9. The dates for Audit, Finance and Risk Committee are set approximately six-weekly and to fit with the organisation's financial reporting cycle.
- 10. Meetings for the Transport, Urban Development and Air Quality Committee and the Water and Land Committee occur on an approximate six-weekly cycle.
- 11. There are four meetings for the Regional Leadership, Climate and Community Resilience Committee.
- 12. The Biodiversity and Biosecurity Committee and Catchment Resilience Committee each meet three times during the year.
- 13. The Regulation Hearing Committee meetings are scheduled for every Wednesday; however, they will only occur as required.
- 14. The meeting dates for the Canterbury Regional Transport Committee and the Canterbury Civil Defence Emergency Management Group Joint Committee are aligned

with the meetings of the Canterbury Mayoral Forum as many of the region's Mayors are members of both those committees. These committees meet quarterly.

15. Each of the Canterbury Water Management Strategy (CWMS) Zone Committee meetings are set on a separate schedule.
16. The meeting dates for the Greater Christchurch Partnership Committee have been provided by the Christchurch City Council.
17. The LGNZ Conference is during the last week of July 2023. It is proposed to schedule limited Council events during this week. In addition, it is proposed to provide a Councillor break the week immediately following Easter and to provide a two-week break for Councillors in the beginning of July 2023.

## **Cost, compliance and communication**

### **Financial implications**

18. There are no direct financial implications from the meeting schedule proposed for 2023. Councillors are paid a salary and the only variable expenditure from the number of meetings held is mileage and accommodation costs. There is a budget for Councillor expenses.
19. There is a budget for Governance staff attending meetings. All other staff time is charged to the project or activity that is the subject of the report.
20. Additional meetings will incur additional staff time and, therefore, indirect costs with an impact on other work commitments.

### **Risk assessment and legal compliance**

21. The meeting schedule meets the requirements of clause 19(5) of Schedule 7 of the LGA, requiring the Chief Executive to advise members of meeting dates.
22. Separate to the LGA requirements to advise members of meeting dates, Section 46 of the Local Government Official Information and Meetings Act 1987 requires the Council to advertise meeting dates, times and venues each month.

### **Engagement, Significance and Māori Participation**

23. Meetings in conjunction with mana whenua and Territorial Authorities are scheduled by mutual agreement.
24. The move to the Committee structure has enabled greater access to democracy for the public, as has been observed with the public deputations and attendance by the public at public fora.

## **Consistency with council policy**

25. There is some flex in the timing of meetings to accommodate public and school holidays. Where the schedule for a committee differs from its Terms of Reference, the relevant aspects of the Terms of Reference will be updated.

## **Climate Change Impacts**

26. Climate change does not have a material impact on the recommendations in relation to meeting schedules.

## **Communication**

27. The meeting schedule will be available on the Council's website and will be updated when any changes are made through the year.

## **Next steps**

28. The meeting schedule will be updated on the Council's website.
29. Meeting dates will be added to Councillors' calendars.

## **Attachments**

Nil

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## 8.7. Appointment of Councillor Representatives

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Stefanie Rixecker, Chief Executive

### Purpose

1. This report requests Council to appoint a Councillor to represent Canterbury Regional Council on the Climate Change Action Planning Reference Group under the Canterbury Mayoral Forum and on the Christchurch Foundation Trust.

### Recommendations

**That the Council:**

1. **Approves the establishment of the Climate Change Action Planning Reference Group under the Canterbury Mayoral Forum**
2. **Appoints Councillor \_\_\_\_\_ to represent Environment Canterbury on the Climate Change Action Planning Reference Group.**
3. **Appoints Chair Scott as a Trustee to the Christchurch Foundation Trust.**

### Key points

2. Canterbury Regional Council is represented on a number of partnership fora, committees and advisory groups. This paper requests appointment to the Climate Change Action Planning Reference Group under the Canterbury Mayoral Forum and the Christchurch Trust.
3. To ensure the work of these groups continue, the representatives from Canterbury Regional Council should be appointed at the earliest opportunity.

### Background

4. A number of partnership fora, committees and advisory groups, not required by legislation, make important contributions to meeting Environment Canterbury's community outcomes. No additional remuneration is attached to the appointment of Councillors to represent Environment Canterbury on these fora.
5. Councillors are appointed to represent Environment Canterbury in these fora, and they provide updates to Environment Canterbury Councillors and staff on the work of these

groups at briefings, workshops and Council meetings as required. Environment Canterbury Staff provide support for appointed Councillors.

## **Climate Change Action Planning Reference Group**

6. At the Canterbury Mayoral Forum on Friday 25 November 2022, it was agreed to establish the Climate Change Action Planning Reference Group. It is intended that this group will provide feedback and advice at a governance level to the Climate Change Working Group as they develop the Climate Change Action Plan.
7. The Councillor appointed will have the mandate to provide feedback on behalf of Environment Canterbury.

## **Christchurch Foundation Trust**

8. The Christchurch Foundation Trust is reaching the end of the establishment phase of their organisation. They have been making changes to best position the organisation for the future, including reviewing the governance structure, skills, experience and representation. Until now, the Mayor and Deputy Mayor of Christchurch City Council have been trustees, which was appropriate for the establishment phase.
9. Looking to the future, the Trustees would like their governance board to reflect the wider geographic area that they cover. To that end the Trustees have resolved to vary their Trust Deed so the council appointments will include:
  - a. The Mayor of Christchurch City Council
  - b. An appointee from the pool of Mayor of Selwyn District Council, Mayor of Waimakariri District Council and the Chair of the Canterbury Regional Council, to be agreed by the four entities.
10. The four entities have expressed their endorsement of the Chair of the Canterbury Regional Council Chair (Chair Peter Scott) in this position.

## **Cost, compliance and communication**

### **Financial implications**

11. There is no additional direct cost with these appointments.

### **Risk assessment and legal compliance**

12. These is in accordance with the legal provisions of the Mayoral Forum, the Christchurch Foundation Trust and Environment Canterbury.

## Communication

13. The Canterbury Mayoral Forum and the Christchurch Foundation Trust will be advised of these appointments, respectively.

## Next steps

14. Advise and record appointments.

## Attachments

Nil

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## 8.8. Councillor Remuneration

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. This report outlines recommended remuneration of Councillors.
2. It would be preferable for the remuneration structure to be decided immediately following the Council's decisions on its committee structure and submitted to the Remuneration Authority so remuneration can be set by the Authority in its second amending Determination.

### Recommendations

#### That the Council:

1. **considers and adopts its proposed remuneration structure, pool allocations and descriptions for additional positions of responsibility (Attachment 8.8.1) and submits this proposal to the Remuneration Authority for approval, being Option One**
  - **Council Deputy Chair (1)** **\$120,000**
  - **Councillor with no additional responsibility (12)** **\$71,463**

If that fails:

2. **considers and adopts its proposed remuneration structure, pool allocations and descriptions for additional positions of responsibility (Attachment 8.8.2) and submits this proposal to the Remuneration Authority for approval, being Option Two**
  - **Council Deputy Chair (1)** **\$120,000**
  - **Chair Audit, Finance and Risk Committee (1)** **\$80,630**
  - **Councillor with no additional responsibility (11)** **\$70,630**
3. **Adopts the Environment Canterbury Councillors' Expenses, Allowances and Reimbursements Policy (Attachment 8.8.3), based on the Local Government Members (2022/23) Determination 2022.**

## Key points

3. The Council must allocate the remuneration pool across 13 Councillors (excluding the Chair whose remuneration has already been set), factoring in the minimum base salary set by the Authority and any additional pay for additional responsibilities.
4. Under the Canterbury Regional Council (Ngāi Tahu Representation Act 2022), the Ngāi Councillors are paid the equivalent of constituency councillors; however, the amount does not come out of the pool.
5. After the Council has decided on its committee structure, it can determine its preferred remuneration structure to reflect those decisions and forward its recommendations to the Authority for approval and inclusion in the second amending determination, to be notified late February/ early March 2023.
6. The Authority also requires the Council to operate an expenses and allowances policy for its members. The policy outlining the rules for claiming of expenses by Councillors, and resources available to them during their term of office, is attached.

## Background

7. The Remuneration Authority (the Authority) is the independent body set up by Parliament to deal with the remuneration of key office holders including local government representatives. It operates under the Remuneration Authority Act 1977 and the Local Government Act 2002. Its role is to set the remuneration, expenses and allowances for local government representatives
8. In the Local Government Members (2022/23) Determination 2022, the Authority determined the following rates would apply after the 2022 election:
  - Chair salary \$180,000
  - Councillor (minimum allowable remuneration) \$ 64,460.
9. A remuneration pool of \$977,558 must be entirely allocated between Councillors' salaries (excluding the Chair) and rates for additional roles and responsibilities.

<b>Remuneration Pool available</b>	
Councillor minimum allowable remuneration	\$64,460
Pool for Councillor remuneration, including additional responsibilities	\$977,558
Total minimum remuneration (\$64,460 * 13)	\$837,980
Balance of pool available for additional duties	\$139,578



10. Local authorities are required to make decisions on their preferred remuneration structure after the election and must submit their proposals to the Authority for approval. The changes must be supported by evidence of extra workload and/or responsibility required on an ongoing basis for the position. The outcome of the remuneration decisions made by Council will be submitted as a proposal to the Authority on the governance pool allocation.

### **Additional pay for additional responsibility**

11. In addition to the base salary decided by Council, Councillors can receive extra pay for positions of additional responsibility (such as deputy chair and committee chair roles) and/or additional roles representing the Council at partnership fora, joint committees, advisory groups or other bodies.
12. The Remuneration Authority requires Council to describe each proposed position of additional responsibility and to provide evidence of the extra workload and responsibility required on an ongoing basis to carry out such positions. It can include the need to attend regular additional meetings, or to gain a technical knowledge base for a field of expertise.
13. The proposed committee structure contains Chair and Deputy Chair positions with additional responsibilities to that of a Councillor. In addition to Council committee responsibilities, Councillors are appointed to a range of partnership fora, joint committees, advisory groups and additional responsibilities.
14. There is, therefore, a wide range of responsibilities across the Councillors, some reflected in the Council committee structure, with many reflected in the wider workload. It is recognised that the Deputy Chair of Council has additional responsibilities over and above those of the remaining Councillors.
15. Four remuneration options have been considered. In each case the amount for the Deputy Chair of Council is proposed at \$120,000. The information about this position of responsibility is included in Attachment 8.8.1, for submission to the Remuneration Authority.
16. At the Council meeting of 17 November 2022, the following standing committees were established and/or confirmed:
  - a. Audit, Finance and Risk Committee
  - b. Chief Executive Employment, Performance and Remuneration Committee
  - c. Plan Change 7 Appeals Committee
  - d. Regulation Hearing Committee
17. It is proposed to establish five additional standing committees, being:
  - a. Biodiversity and Biosecurity Committee

- b. Catchment Resilience Committee
  - c. Regional Leadership, Climate and Community Resilience Committee
  - d. Transport, Urban Development and Air Quality Committee
  - e. Water and Land Committee
18. The Chair and Deputy Chair of Council are the Chair and Deputy Chair of Chief Executive Employment, Performance and Remuneration Committee. It is, therefore, not included in the calculations for those options based of appointment to positions of responsibility for Standing Committees.
19. Plan Change 7 Appeals Committee has been established to complete a specified piece and work and is chaired by the Deputy Chair of the Council, so has not been included in the calculations for those options based of appointment to positions of responsibility for Standing Committees.

### **Option One: Even split for remaining Councillors**

20. Seven of the 12 elected Councillors (excluding the Chair and Deputy Chair) have been appointed as Chairs or Deputy Chairs of Standing Committees of Council. Of the remaining five Councillors, all have been appointed to positions of responsibility representing the Canterbury Regional Council on partnership fora, joint committees, advisory groups or other bodies.
21. As a result of the wide spread of responsibilities and equivalent workload for Councillors, the pool could be split evenly.
22. This would support and encourage collaboration and potentially promote a willingness for all Councillors to contribute as much as possible.
23. However, some Councillors with Chair or Deputy Chair roles may think they are undertaking more 'formal' responsibilities and should, therefore, be compensated accordingly.
24. The calculations for this option are summarised in the following table.

Office	Base Councillor remuneration	Proposed additional remuneration	Total Pool
Councillor with no additional responsibility (12)	\$71,463		\$857,558
Council Deputy Chair (1)	\$71,463	\$48,537	\$120,000
<i>Pool allocated</i>			\$977,558

## **Option Two: Additional for Chair of Audit, Finance and Risk Committee; Even split for remaining Councillors**

25. The Chair of Audit, Finance and Risk Committee has a substantial workload, potentially in excess of chairs of other committees. It could, therefore, be argued that the role warrants an additional \$10,000 payment. The information about this position of responsibility is included in Attachment 8.8.2, for submission to the Remuneration Authority.
26. The remainder of the pool could be split evenly, as there is a wide spread of responsibilities and equivalent workload for remaining Councillors.
27. This would support and encourage collaboration and potentially promote a willingness for all Councillors to contribute as much as possible.
28. However, some Councillors with Chair or Deputy Chair roles may think they are undertaking more 'formal' responsibilities and should, therefore, be compensated accordingly.
29. The calculations for this option are summarised in the following table.

Office	Base Councillor remuneration	Proposed additional remuneration	Total Pool
Councillor with no additional responsibility (11)	\$70,630		\$776,928
Council Deputy Chair (1)	\$70,630	\$49,370	\$120,000
Chair Audit, Finance and Risk Committee (1)	\$70,630	\$10,000	\$80,630
<i>Pool allocated</i>			\$977,558

## **Option Three: Same additional remuneration for Chairs and Deputy Chairs of Standing Committees**

30. Seven of the elected Councillors, excluding the Chair and Deputy Chair of the Council, have been appointed Chairs or Deputy Chairs of Standing Committees. If this option was selected, the information about these positions of responsibility would need to be prepared for submission to the Remuneration Authority.
31. In this option, Chairs and Deputy Chairs are allocated an additional \$8,000. This is not increased if they are two Chair or Deputy Chair roles.
32. It recognises additional formal responsibilities of the Chairs and Deputy Chairs of Standing Committees.
33. It does not recognise:

- a. the additional responsibilities of those Councillors representing the Canterbury Regional Council on partnership fora, joint committees, advisory groups or other bodies.
  - b. the different cadence of meetings with some Standing Committees meeting 3 times per year, with others meeting up to 6 times per year.
- 34. It assumes that the Chair and Deputy will share the duties between Chair and Deputy and function as equals in the roles.
- 35. The calculations for this option are summarised in the following table.

Office	Base Councillor remuneration	Proposed additional remuneration	Remuneration per person	Total Pool
Councillor with no additional responsibility (5)	\$66,796		\$66,796	\$333,982
Chair or Deputy Chair of Standing Committee (7)	\$66,796	\$8,000	\$74,796	\$523,575
Council Deputy Chair (1)	\$66,796	\$53,204		\$120,000
<i>Pool allocated</i>				\$977,558

#### **Option Four: Based on all areas of responsibility, level dependent on requirements of the roles**

- 36. Seven of the 12 elected Councillors (excluding the Chair and Deputy Chair) have been appointed as Chairs or Deputy Chairs of Standing Committees of Council. Of the remaining five Councillors, all have been appointed to positions of responsibility representing the Canterbury Regional Council on partnership fora, joint committees, advisory groups or other bodies. If this option was selected, the information about these positions of responsibility would need to be prepared for submission to the Remuneration Authority.
- 37. This option recognises the responsibility attached to those appointments and is based on the cadence of meetings and varying additional workload.
- 38. All Councillors are allocated to one of the categories of position and receive additional remuneration. There is, therefore, no remainder of the pool.
- 39. This would support and encourage appropriate engagement with the work required for each appointment, and potentially promote a willingness for all Councillors to contribute as much as possible.
- 40. However, some Councillors with Chair or Deputy Chair roles may think they are undertaking more 'formal' responsibilities and should, therefore, be compensated accordingly. In addition, it is difficult to manage if Councillors would like to adjust the allocation of roles.

41. The calculations for this option are summarised in the following table.

Office	Base Councillor remuneration	Proposed additional remuneration	Total Pool
Councillor with no additional responsibility (0)	\$64,463		-
Council Deputy Chair (1)	\$64,463	\$55,537	\$120,000
Chair and Deputy of Audit, Finance and Risk Committee (2)	\$64,463	\$10,000	\$148,926
Chairs and Deputy Chairs of remaining standing committees, representatives of statutory bodies (5)	\$64,463	\$7,000	\$357,316
Members of Audit, Finance and Risk Committee, Chief Executive Employment, Remuneration and Performance Committee, Plan Change 7 Appeals Committee, Regulation Hearing Committee (4)	\$64,463	\$6,000	\$281,853
Representative on partnership fora, joint committees, advisory groups or other bodies (1)	\$64,463	\$5,000	\$69,463
<i>Pool allocated</i>			\$977,558

## Summary and evaluation of options

42. Options have been considered against criteria from the Remuneration Authority, including that roles to which additional differential remuneration can be attached may include not just internal council roles (such as deputy chair, committee chair or portfolio holder) but also other jobs representing the council on outside groups such as significant work arising from being involved on community or cross-council groups.
43. It is considered that the Deputy Chair of the Council receive \$120,000 remuneration. This has been used in all options.
44. Option Four attempts to bring all these aspects referred to by the Remuneration Authority into consideration. When reviewing that option against Option One (Even allocation of the remaining pool), it is noted that the remuneration level is within a 4% spread (up to \$3,000 over or up to \$2,000 under) the even allocation of the pool.
45. While Option Four may give a more accurate reflection of the allocation of responsibilities, it is more complex to administer and may discourage any appropriate reallocation of roles during the triennium. It also does not consider any additional relationship engagement lead roles Councillors may undertake (for example, with Territorial Authorities, papatipu rūnanga). These are not considered in any of the remuneration options as they are not formally appointed by Council resolution.

46. Option Two takes account of the wide spread of responsibility carried by all Councillors, while acknowledging the additional workload carried by the Chair of the Audit, Finance and Risk Committee.

47. It is, therefore, recommended that Option One or Option Two be adopted.

### **Expenses, Allowances and Reimbursements Policy**

48. The Authority is required to approve arrangements made for the reimbursement of expenses and allowances to councillors when they are outside the Determination. The Expenses Allowances and Reimbursements Policy adopted on 18 August 2022 reflected the provisions in the Determination. (Please refer to Attachment 8.8.1.)

### **Payments**

49. Once the remuneration approach is approved and gazetted by the Remuneration Authority, the remuneration rates will be backdated to the date after the adoption of remuneration schedule, i.e. 15 December 2022.

50. Councillors will receive remuneration payments on 5<sup>th</sup> and 20<sup>th</sup> of each month, for the first half and second half of the month, respectively.

51. Expenses will be processed as received and paid on the next available payment date after processing.

### **Cost, compliance and communication**

#### **Financial implications**

52. Councillor remuneration is budgeted for in the Council's annual plan.

#### **Risk assessment and legal compliance**

53. There are no additional risks or legal implication associated with the decision Council is being asked to make.

#### **Consistency with council policy**

54. The Expenses, Allowances, and Reimbursements Policy has been drafted to align with relevant Council Policy.

### **Next steps**

55. Following the Council's decisions, the proposed remuneration structure and adopted Expenses, Allowances, and Reimbursements Policy will be sent to the Remuneration Authority as soon as possible.

56. Proposals must be submitted to the Remuneration Authority by 27 January 2023 to be included in the second amending determination gazetted in late February/early March 2023.

## Attachments

1. Positions of Responsibility Option One [8.8.1 - 1 page]
2. Positions of Responsibility Option Two [8.8.2 - 2 pages]
3. Councillors Expenses Allowances and Reimbursements Policy [8.8.3 - 12 pages]

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## Information About Positions of Responsibility

**Name of Council:** Canterbury Regional Council (Environment Canterbury)  
**Position Title:** Council Deputy Chairperson  
**Number of Positions:** One (1)

### Description of Position:

In the absence of the Council Chair, the Deputy Chair role is a clearly identifiable person to take responsibility for the Council's political, governance, and community leadership

1. Assumes all duties and responsibilities the Chair would, either:
  - a. With the consent of the Chair at any time during their temporary absence
  - b. With the consent of the Chair, at any time the Chair is prevented by illness or otherwise from performing their duties
  - c. When there is a vacancy in the office of Council Chair
2. Deputises for the Chair when the Chair has competing commitments. This includes chairing Council meetings and workshops, informal meetings of Councillors, addressing the media on Council issues, representing the Chair and/or Council at regional events, and dealing with high level governance matters.
3. Community leadership through holding meetings with various community groups on topical issues, as requested by the Chair, and working with those groups and Council staff to resolve them.
4. Assists the Chair to ensure smooth and effective council decision-making, working closely with other Councillors and maintaining an in-depth knowledge of standing orders.



## Information About Positions of Responsibility

**Name of Council:** Canterbury Regional Council (Environment Canterbury)  
**Position Title:** Council Deputy Chairperson  
**Number of Positions:** One (1)

### Description of Position:

In the absence of the Council Chair, the Deputy Chair role is a clearly identifiable person to take responsibility for the Council's political, governance, and community leadership

1. Assumes all duties and responsibilities the Chair would, either:
  - a. With the consent of the Chair at any time during their temporary absence
  - b. With the consent of the Chair, at any time the Chair is prevented by illness or otherwise from performing their duties
  - c. When there is a vacancy in the office of Council Chair
2. Deputises for the Chair when the Chair has competing commitments. This includes chairing Council meetings and workshops, informal meetings of Councillors, addressing the media on Council issues, representing the Chair and/or Council at regional events, and dealing with high level governance matters.
3. Community leadership through holding meetings with various community groups on topical issues, as requested by the Chair, and working with those groups and Council staff to resolve them.
4. Assists the Chair to ensure smooth and effective council decision-making, working closely with other Councillors and maintaining an in-depth knowledge of standing orders.

## Information About Positions of Responsibility

**Name of Council:** Canterbury Regional Council (Environment Canterbury)

**Position Title:** Chairperson Audit, Finance, and Risk Committee

**Number of Positions:** One (1)

### Description of Position:

1. Chair meetings of a standing committee of the Council. Manage the meeting process to facilitate good decision-making, including a knowledge of standing orders
2. Meeting preparation: attend pre-agenda meetings with staff to confirm the meeting's programme, agenda items, keynote speakers and key decisions, including ensuring any financial and policy implication and risks associated with the decisions are considered. Address any media/communications issues associated with the items being presented at the meeting. Work with staff after meetings to make sure key issues and decisions are clearly communicated to media and public.
3. Meet weekly with the Director Corporate Services
4. Policy Leadership: provide guidance to Committee on financial (including investment) direction of the Council, audit and strategic risk performance of Council. Make financial policy recommendations and exercise financial stewardship. Advocate for financial and risk performance, and facilitate informal discussions between Councillors and staff on financial and risk matters.
5. External representation: represent the Council at meetings of pan-council working groups and other external organisations and groups. Attend official functions within the audit, finance and risk area of responsibility.
6. Communication: act as the Committee's principal spokesperson in communicating to the media and public the official financial strategic and operational policy of the Council.

# **Environment Canterbury Corporate Policy**

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## **Councillors' Allowances and Reimbursements**

<b>Effective date</b>	1 July 2022
<b>Review date</b>	June 2023 or earlier, as required
<b>Policy Owner</b>	Director Corporate Services

## **Policy statement**

1. The remuneration, expenses and allowances payable to members of Environment Canterbury are set out in the Local Government Members (2022/2023) Determination 2022, and actual and reasonable expenses are outlined in this policy, formally approved by the Remuneration Authority (but subject to the provisions in the Determination).
2. Clause 6 of Schedule 7 of the Local Government Act 2002 specifies the Remuneration Authority must determine the remuneration, allowance and expenses payable to members of local authorities. It also states that the Remuneration Authority may prescribe the rules under which remuneration or expenses are applied or reimbursed.
3. Remuneration, allowances and expense reimbursements not determined by the Remuneration Authority cannot be paid.
4. In all situations Environment Canterbury is mindful of the requirement to use public funds responsibly and to maintain public confidence in the organisation.
5. Actual and reasonable expenses may be incurred in relation to legitimate Council business events or legitimate Council business needs and travel.
6. Environment Canterbury will not (with some rare exceptions) fund alcohol related expenses and will be an alcohol-free site/organisation.

## **Purpose**

7. This policy outlines the eligible expenditure that may be reimbursed to members of Environment Canterbury in performing their duties as prescribed in the Local Government Act 2002.
8. From time-to-time members incur expenses on the Council's behalf, for which they can be reimbursed. Reimbursement and use of council supplied resources apply only to members personally, and only while they are acting in their official capacity as Councillors for Environment Canterbury.

## Applies to

9. All Councillors of Environment Canterbury.

## Responsibilities

10. The **Council Chairperson** is the primary signatory to approve members' expense claims and expenditure (except for the Chair of Audit, Finance and Risk Committee – see 11 below).
11. The **Chair of Audit, Finance and Risk Committee** is the primary signatory to approve the Chairperson's expenditure.
12. The **Deputy Chair** is the primary signatory to approve the Chair of Audit, Finance and Risk Committee's expenditure.
13. The **Director Corporate Services** is a second signatory to approve Chairperson and Councillor expense claims and expenditure.
14. The **General Manager Governance** is responsible for ensuring members are aware of the policy and accompanying guidelines, facilitating the preparation of Councillor expense claims, and checking for compliance before they are submitted to the Director Corporate Services and the Chairperson for approval.
15. **Members** are responsible for understanding and abiding by the policy.
16. The **Finance Section** is responsible for processing expenditure that complies with the policy.

## Policy principles

17. To be reimbursable, expenses must:
  - have a justifiable council-related business purpose; council business includes formal Council meetings, committee meetings, workshops, seminars, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups and meetings with members of the public (It does not include events where the primary focus is on social activity, political meetings or electioneering.)
  - be moderate and reasonable, having regard to the circumstances and able to pass the test of prudent use of ratepayers' money under public scrutiny
  - be actual and justified by an original receipt
  - be approved by the relevant authoriser
  - be within relevant budget provisions

- be presented on the approved Environment Canterbury Claim Form
- be signed as true and correct by the claimant
- be consistent with the rules set by the Remuneration Authority.

18. Costs for reimbursement will be processed through the payroll system.

## **Related Information**

19. Information relating to the Councillors' Expenses, Allowances, and Reimbursements Policy include:

- Guidelines to this Policy
- Members' Code of Conduct
- Environment Canterbury Fraud Policy
- Clause 6 of Schedule 7, Local Government Act 2002
- Remuneration Authority Act 1977
- Local Government Members (2022/23) Determination 2022

## **Monitoring and review**

20. Monitoring of this policy is the responsibility of the General Manager Governance and a review will occur every three years or earlier, in response to legislative changes, Remuneration Authority determinations and best practice. Any proposed amendments to this policy will be reviewed by the policy owner and presented to the Council for approval and adoption.

## **Policy Authorisations**

21. The policy, and any amendments, must be approved by the Council.

# Councillor's Expenses, Allowances and Reimbursements

## Guidelines and Procedures

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### Council process for payment

1. Payment of expense reimbursements require a claim form to be signed and submitted for approval. Councillor claims are processed and paid monthly.
  - All claims are to be accompanied by a detailed receipted tax invoice. It is not sufficient for payments made by credit card or EFTPOS to be supported only by the credit card/EFTPOS docket. Receipts must be itemised, for example, a hotel receipt must specify accommodation and meal costs separately.
  - Claims will be refused if no receipts are provided.
  - It is preferable for each person to submit their own meal and accommodation claims. However, where this is not possible and only combined claims are possible, meal and accommodation claims for multiple people must list the names of those people.
  - Detailed description of business reasons must be supplied.
  - Alcohol cannot be claimed unless pre-approval is obtained from the Chairperson.
  - Members must seek approval first before incurring expenses and submit an expense claim in the same month (where possible) as the expense is incurred.
  - Authorised approvers must review and approve each member's expense claim and pre-approved overnight stays, travel, accommodation, and conference attendance.
  - Claim forms are to be submitted to the General Manager Governance who will check and verify, arrange for the Chairperson and the Director Corporate Services to approve, and arrange payment with the payroll system.
  - Claim forms for each month are to be received within five working days following the end of the month. Members must submit their expense claims in the financial year expenses were incurred.
  - Receipts/claims submitted after three months will not be reimbursed except in extraordinary circumstances.

- Submitted claims will be reimbursed in the next available payment run.

## **Travel**

### **Airline clubs / air points / loyalty rewards**

2. No air points or loyalty rewards accumulated on travel or accommodation etc, while on Council business can be used for personal benefit.

### **Air travel – domestic**

3. Members are entitled to use domestic air travel for Council related travel where air travel is the most cost-effective travel option. All approved travel bookings are made through the Governance team.
4. For the sake of clarity, if a member resides outside of the Canterbury Regional Council area and, for personal reasons, chooses to travel by airline to the Council area on Council business, compensation will be paid for travel time only, as outlined in paragraphs 33 and 34.

### **Air travel – international**

5. The prior approval of the Council is required for any international air travel, where costs or partial costs are paid for by council funds. As a general policy all international air travel by members is economy class, where Council funds all or part of the fares. Council approval is required for exceptions, e.g., where Premium Economy or the equivalent air travel is desirable for health or other compelling reasons.
6. All approved bookings are to be made by the Governance team.

### **Accommodation in exceptional circumstances for Council related meetings**

7. The Governance team may arrange overnight accommodation for members when travel or business requirements make it unreasonable for a member to return on the same day, e.g, travelling after a late meeting, travelling in excess of 100km one-way, or in exceptional circumstances.
8. Environment Canterbury has negotiated corporate rates with hotels/motels and unless extraordinary circumstances arise, members are to use these venues where appropriate. Bookings are to be made in consultation with the Governance .
9. Accommodation should be cost-effective, taking into account the location relative to where members are working, the standard of accommodation and safety and security issues.
10. Purchases from hotel mini-bars and charges for in-room video or cable movies are to be paid for by the Councillor before checking out of the accommodation.

11. Councillors who choose to stay with friends or relatives are entitled to a special allowance of \$50 per overnight stay. In this instance, the member cannot claim other expenses such as meals and incidentals.

## Meals

12. Breakfast is not claimable on day one of travel, although in some exceptional circumstances approval may be given by the Chairperson for this expense up to a maximum of \$30 per head (e.g., if travel time commences pre-breakfast).
13. When staying overnight, a reasonable cost for breakfast may be claimed for day two onwards, or where possible, breakfast may be charged back to accommodation.
14. Lunch is **not claimable** on day one of travel within the boundaries of the Canterbury Regional Council.
15. Lunch **is claimable** on day one of travel outside the boundaries of the Canterbury Regional Council. A reasonable cost will be reimbursed.
16. Dinner **is claimable** when staying away overnight and will be reimbursed to a maximum of \$80 (including GST) per night.
17. Claims for alcohol will not be accepted unless pre-approval has been obtained from the Chairperson.
18. Morning and afternoon tea are **not claimable** (this includes takeaway coffee and bottled water).
19. Reimbursements will only be made when members are on official Council business.
20. Meals cannot be claimed if:
  - a complimentary meal is provided
  - a meal is prepaid through an accommodation package (e.g, hotel breakfast)
  - the cost of the meal is included in the cost of seminar or conference
  - members are entertained by their hosts.

## Car parking

21. Parking fees incurred while on Canterbury Regional Council business will be reimbursed on production of an original detailed receipted GST invoice.

## Rental cars

22. Rental cars may be used when attending meetings or conferences in other centres, where this is the most cost-effective travel option.



23. Approved rental car bookings are to be made by the Governance team using Environment Canterbury's preferred rental car agency.

### **Taxis and other transport**

24. Other than for agreed conference/meeting attendance, there may be occasions when a member requires a taxi service. Taxi fares can be booked in advance through the relevant Governance staff. Such taxi fare bookings will be paid directly by the Council and there is no need for Councillors to pay for the taxi fare individually. Pre-approval by the General Manager Governance (including taxi company to be used) is required.
25. Taxi costs paid for by the individual member for unanticipated taxi travel within New Zealand, or for international travel on Council business, will be reimbursed on presentation of actual receipts.

## **Vehicles**

### **Chairperson's car**

26. The Council Chairperson may be provided with a vehicle. The value of the vehicle shall be reasonable for the purpose intended and appropriate for public service use (as per the Office of The Auditor General guidelines and the then current Remuneration Determination). If the Chair elects to have the vehicle available for private use, a deduction will be made from their salary as determined by the Remuneration Authority. The Chairperson will not be able to claim for vehicle mileage.

### **Vehicle provision**

27. The Council does not provide Council vehicles for members attending meetings, except for the Chairperson of the Council.

## **Mileage and travel time allowances**

28. In accordance with the *Local Government Members (2022/23) Determination 2022*, the following rules apply:
- Vehicle mileage and travel time allowances will be paid for all travel on Council business when the member is travelling in a private vehicle by the most direct route that is reasonable in the circumstances.
  - The maximum allowance for a petrol or diesel vehicle is:
    - 83 cents per km for the first 14,000 kms travelled in the determination term (1 July 2022 to 30 June 2023)
    - 31 cents per kilometre for any distance over 14,000 kms travelled in the determination term (1 July 2022 to 30 June 2023).

- The maximum allowance for a petrol hybrid vehicle is:
    - 83 cents per km for the first 14,000 kms travelled in the determination term (1 July 2022 to 30 June 2023)
    - 18 cents per km for any distance over 14,000 kms travelled in the determination term (1 July 2022 to 30 June 2023).
  - The maximum allowance for an electric vehicle is:
    - 83 cents per km for the first 14,000 kms travelled in the determination term (1 July 2022 to 30 June 2023)
    - 10 cents per km for any distance over 14,000 kms travelled in the determination term (1 July 2022 to 30 June 2023).
29. If the Council is providing transport, and a member chooses, for personal reasons, to travel independently, they may not be entitled to a vehicle allowance.
  30. Where a member chooses, for personal reasons, to travel by private vehicle to a conference or seminar outside of the Canterbury region they will be entitled to reimbursement of the mileage travelled, up to the value of equivalent airfare.
  31. Any speeding fines and any other traffic infringement notices incurred will not be reimbursed.
  32. For the sake of clarity, the member is not required to be a member of the committee or subcommittee to claim mileage attendance.
  33. Compensation for travelling time within New Zealand on Council business can be claimed by members (other than the Chair) at a rate of \$40.00/hr for each hour of travel time after the first hour of travel time in a day. Travel must be by the quickest form of transport reasonable in the circumstances and by the most direct route reasonable in the circumstances. Only time travelled in excess of one hour will qualify for payment, up to a maximum of eight hours in a 24-hour period.
  34. If a member resides outside the Canterbury Regional Council area and travels to the Council area region on Council business, compensation for travel time will only be paid after the member crosses the Council's boundary and after the first hour of travel within the region.

## **Catering, hospitality and entertainment**

### **Annual Councillor function**

35. The Council will make budgetary provision for one Councillor function per year. The purpose of this function is to provide:
  - a forum for building relationships between members and senior staff

- an opportunity to give recognition to the supporting role that spouses/partners give to members and senior staff.
36. Attendance is generally limited to members and senior management staff, accompanied by spouses/partners.
37. If appropriate, costs of accommodation and associated meals will be paid for by members and partners attending the annual function.
38. The Chief Executive or Chairperson, when it is deemed appropriate for the function, may invite special guests.

### **Catering**

39. The Councillors' Lounge (adjacent to the Council chamber) is equipped with tea and coffee making facilities. Catering and refreshments will be provided to councillors attending formal meetings, served in the Councillors' Lounge. Catering and refreshments are arranged through the Governance team.
40. Members may use the Wharekai staff café at their personal cost.

### **Communication allowances**

41. In accordance with the *Local Government Members (2022/23) Determination 2022*, the following communications allowances are payable when councillors use their own mobile phone device and have chosen to use a council-owned HP X2 Tablet device:
- for use of a multi-functional (or other) printer, \$50 per annum
  - for use of a personal mobile phone, \$200 per annum; and
  - for use of a personal mobile phone service, \$500 per annum; and
  - for use of ICT consumables, up to \$200.
42. When a councillor has chosen not to use a council-owned HP X2 Tablet device they are entitled to the above allowance plus an additional \$400 per annum for use of a personal device.
43. If the Council requests a member to use the member's own internet service for the purpose of the member's work on local authority business, the member is entitled to an allowance for that use of up to \$800 for the determination term.
44. The Council will supply any necessary sundry consumables such as printer ink, paper and computer mice.
45. Sundry consumables should be arranged through the Governance team.
46. Any council-owned device and any unused peripheral consumables remain the

property of Environment Canterbury and must be returned when the member leaves office.

## **Mobile phones**

47. If the Council requests a member to use the member's own mobile telephone service for the purpose of the member's work on local authority business, the member is entitled, at the member's option, to:
- an allowance for that use of up to \$500 for the determination term; or
  - reimbursement of actual costs of telephone calls made on local authority business on production of the relevant telephone records and receipts.
48. The Council will provide a mobile phone for the Chair and cover all expenses associated with the use of that phone. The phone remains the property of Environment Canterbury. The Chair will not receive a mobile phone allowance.

## **Childcare allowance**

49. In accordance with the *Local Government Members (2022/23) Determination 2022*, members may claim a childcare allowance as a contribution to expenses of up to \$6,000 per child per annum if:
- the member is the parent or guardian of the child or is usually responsible for the day-to-day care of the child; and
  - the child is under 14 years of age; and
  - the childcare is provided by someone who is not the member's family member and does not ordinarily reside with the member.
50. Satisfactory evidence of the amount paid for childcare must be provided in the form of an original detailed receipted GST invoice.

## **Professional development, clubs and associations**

### **Conferences, courses, seminars etc**

51. An annual budget will be set aside for Councillors' attendance at conferences/ courses/ seminars. (Annual LGNZ Conference not included, see below). Councillors will be allocated \$2,500 each per year and can utilise future budget as long as the total does not exceed \$7,500.
52. When considered appropriate for a member to attend a conference/course/seminar at the cost of Environment Canterbury, approval shall only be given for the purpose of acquiring knowledge, including new developments, or transacting business that is appropriate to that member. Costs of attendance must be able to be met within the approved budgets.

Attendance will generally be authorised by resolution in a public session of a Council or Committee meeting but may also be authorised in writing by the Council Chairperson.

53. Members who have been authorised to attend a conference/course/seminar etc will have attendance fees, travel, accommodation and meals paid for. Unless otherwise agreed by the General Manager Governance, all travel and accommodation will be booked through the Governance team.
54. The Council will not meet costs of partners/spouses attending conferences/courses/seminars except in the rare circumstances that the involvement of a partner/spouse directly contributes to a clear business purpose.
55. Members, after attendance at an approved conference/course/seminar, should report to an appropriate meeting on relevant matters including course content, matters of interest to other members and staff, and an assessment of the value of the attendance.

#### **LGNZ Conference**

56. Attendance at the Local Government New Zealand (LGNZ) Annual Conference will be considered and resolved by the Council.

#### **Councillors travelling overseas (other than courses/conferences)**

57. Environment Canterbury may support the costs of members travelling overseas on fact-finding visits after consideration of the following factors:
  - the information to be gained is necessary to the achievement of the performance measures of a relevant Council project in the Annual Plan/Long Term Plan
  - a personal visit is required for the nature of the visit is such that a Councillor is appropriate for the task
  - the visit is an effective means of obtaining information
  - the Councillor applying for support is an appropriate member to undertake the proposed visit
  - any special circumstances which are seen to justify support.
58. All applications for support shall be in writing and will require support from the relevant principal Committee prior to consideration by the Council.
59. When a member will be travelling overseas on a personal visit and is asked by the Council to undertake some work which can be conveniently included in their itinerary, then the Council may approve any extra expense incurred as it sees fit.

## **Calculation and Taxation of allowances**

60. If any allowance is payable as a single amount for the determination term and a member is not a member for the whole of the determination term, the amount payable to that member shall be pro-rated in accordance with the formula provided in the *Local Government Members (2022/23) Determination 2022*.
61. Taxation on allowances shall be deducted at the prevailing taxation rates as determined by the Inland Revenue Department.

## **Resource consent hearing fees**

### **Fees for attending ATA and RMA resource consent hearings**

62. Fees for attending ATA and RMA resource consent hearings will be paid in accordance with the *Local Government Members (2022/23) Determination 2022*.

## **Breach of expense and reimbursement rules**

63. Instances where this policy has not been followed may lead to an investigation pursuant to the Members' Code of Conduct.

## 8.9. Ratification of the Canterbury Local Government Triennium Agreement

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. This paper invites the Canterbury Regional Council (Environment Canterbury) to ratify the Canterbury Local Authorities' Triennial Agreement (the Agreement) 2022–25, including terms of reference for the Canterbury Mayoral Forum.
2. An effective working relationship with the region's territorial authorities is critical to Environment Canterbury's success across all portfolios. The Agreement formalises how we communicate, co-operate, and collaborate and mandates the Mayoral Forum as the primary mechanism for implementing the Agreement.

### Recommendations

That the Council:

1. **Approves the attached Canterbury Local Authorities' Triennial Agreement 2022-25.**
2. **Authorises the Chair to sign the Canterbury Local Authorities' Triennial Agreement 2022-25 on behalf of the Canterbury Regional Council.**

### Key points

3. The Agreement mandates the work of the Mayoral Forum, the Chief Executives Forum and other regional forums and working groups.
4. The parties to the Agreement are the 11 local authorities of Canterbury, including Environment Canterbury.
5. To comply with the Local Government Act 2002, all councils are required to ratify the Agreement no later than 1 March 2023.

## **Local Government Act 2002 requirements**

6. The Local Government Act 2002 (s.15) requires all local authorities within a region to enter into a triennial agreement not later than 1 March after each triennial election of members.
7. The purpose of a triennial agreement is to ensure that appropriate levels of communication, co-ordination and collaboration are maintained between local authorities within the region. Agreements must include:
  - protocols for communication and co-ordination between councils
  - the process by which councils will comply with section 16 of the Act, which applies to significant new activities proposed by regional councils
  - processes and protocols through which all councils can participate in identifying, delivering and funding facilities and services of significance to more than one district.
8. Triennial agreements may also include commitments to establish joint governance arrangements to give better effect to the matters set out in paragraph 7 above.
9. A triennial agreement may be varied by agreement between all the local authorities within a region and remains in force until local authorities ratify a new agreement.

## **Canterbury triennial agreement**

10. Attached is the Canterbury Triennial Agreement as adopted by the Mayoral Forum on Friday, 25 November 2022. The Agreement was prepared at the direction of the outgoing Mayoral Forum for the incoming Forum.
11. The Agreement includes terms of reference for the Mayoral Forum and mandates it as the primary mechanism for implementing the Agreement in Canterbury. It also mandates the Chief Executives Forum and other regional forums and working groups.
12. While a non-statutory body, the Mayoral Forum is the primary mechanism to give effect to a statutory requirement (the Triennial Agreement). The Mayoral Forum's Charter of Purpose (terms of reference) forms part of the Triennial Agreement and makes explicit that decisions of the Mayoral Forum are not binding on member councils.
13. Chair Peter Scott, as Chair of Environment Canterbury, is a member of the Mayoral Forum.
14. The Mayoral Forum is supported by the Chief Executives Forum, which is also mandated by the Triennial Agreement. The Canterbury Policy Forum and other regional forums and working groups support the Chief Executives Forum to provide advice to the Mayoral Forum and implement its decisions.



## **Cost, compliance and communication**

### **Financial implications**

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

### **Risk assessment and legal compliance**

16. The Agreement complies with requirements in section 15 of the Local Government Act 2002.
17. The Agreement needs to be ratified by the parties to the agreement – the 10 territorial authorities in Canterbury and the regional council – no later than 1 March 2023.

### **Engagement, Significance and Māori Participation**

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

### **Communication**

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

### **Next steps**

20. If Council agrees, the Chair will sign the Agreement on behalf of the Canterbury Regional Council.
21. Mayors and Chief Executives will arrange for other member councils to ratify the Agreement before 1 March 2023.
22. Once all member councils have ratified the Agreement, the Mayoral Forum Secretariat will arrange for the Agreement to be signed.

### **Attachments**

1. Canterbury Local Authorities' Triennial Agreement 2022-2025 [8.9.1 - 7 pages]

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## **Canterbury Local Authorities' Triennial Agreement 2022–25**

### **Background**

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

### **Parties to the Agreement**

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

### **Standing together for Canterbury**

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

### **Communication**

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

### **Significant new activities**

7. When a Party is considering a major policy initiative or proposal that may have implications for other Parties, they will give early notification to the affected Parties and share the information with the Canterbury Mayoral Forum and the Canterbury Chief Executives Forum.
8. The Canterbury Regional Council will provide early advice to the Canterbury Chief Executives Forum and the Canterbury Mayoral Forum of any significant new activity, in addition to other requirements specified in s.16 of the Act.

## Local government structure in Canterbury

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

## Regional Policy Statement review

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

## Collaboration

12. The Parties commit to working collaboratively to:
  - enable democratic local decision-making and action by, and on behalf of, communities
  - promote the social, economic, environmental, and cultural well-being of communities in the present and for the future (Local Government Act 2002, s.10).
13. Collaboration may be undertaken on a whole-of-region, or sub-regional, basis.
14. The primary mechanism to implement this Agreement is the Canterbury Mayoral Forum. The Forum will meet quarterly and operate in accordance with its agreed terms of reference, which are attached as **Appendix 1**.
15. The Canterbury Mayoral Forum will:
  - continue to provide governance of the Canterbury Water Management Strategy
  - develop and lead implementation of a sustainable development strategy for Canterbury region for the local government triennium 2023–25
  - advocate for the interests of the region, its councils and communities.
16. The Canterbury Mayoral Forum will be supported by the Canterbury Chief Executives Forum and other regional forums and working groups as agreed from time to time.
17. The Chief Executives Forum will:
  - report quarterly to the Canterbury Mayoral Forum on delivery of its work programme to implement and manage collaborative projects and agreed actions of the Canterbury Mayoral Forum
  - identify and escalate to the Canterbury Mayoral Forum strategic issues and opportunities for collaboration from the Policy, Corporate and Operational Forums and other regional and sub-regional working groups.
18. As requested by the Canterbury Mayoral Forum, Environment Canterbury will host a permanent regional forums secretariat and resource this from the regional general rate.

## Other agreements

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

## Agreement to review

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

## Authority

23. This Canterbury Local Authorities' Triennial Agreement 2022–25 is signed by the following on behalf of their respective authorities:

COUNCIL	SIGNATURE	DATE
<b>Ashburton District Council</b> <b>Mayor</b>		
<b>Canterbury Regional Council</b> <b>Chair</b>		
<b>Christchurch City Council</b> <b>Mayor</b>		
<b>Hurunui District Council</b> <b>Mayor</b>		
<b>Kaikōura District Council</b> <b>Mayor</b>		

<b>Mackenzie District Council</b> <b>Mayor</b>
<b>Selwyn District Council</b> <b>Mayor</b>
<b>Timaru District Council</b> <b>Mayor</b>
<b>Waimakariri District Council</b> <b>Mayor</b>
<b>Waimate District Council</b> <b>Mayor</b>
<b>Waitaki District Council</b> <b>Mayor</b>

## **Appendix 1: Canterbury Mayoral Forum terms of reference**

### **1. Name**

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

### **2. Objectives**

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

### **3. Principles**

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

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

#### 4. Powers

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

#### 5. Membership

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

#### 6. Chairperson

- (a) The Canterbury Mayoral Forum shall select a Chair at the first meeting immediately following the Triennial Elections. This appointment may be reviewed after a period of 18 months.
- (b) The Chair selected will preside at all meetings of the Canterbury Mayoral Forum.
- (c) The Canterbury Mayoral Forum shall select a Deputy Chair at the first meeting immediately following the Triennial Elections.
- (d) The Canterbury Mayoral Forum may appoint spokespersons from its membership for issues being considered, in which case each member council agrees to refer all

requests for information and documents to the duly appointed spokespersons.

## **7. Meetings**

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

## **8. Decision making**

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

## **9. Secretariat**

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



## 8.10. Biosecurity Advisory Groups: Membership refresh and update to Terms of Reference

### Council report

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<b>Date of meeting</b>	14 December 2022
<b>Author</b>	Zoë Buxton, Senior Strategy Advisor
<b>Responsible Director</b>	Katherine Harbrow, Director Operations

### Purpose

1. This paper asks the Council to appoint a councillor working group to select community members for Environment Canterbury's four Biosecurity Advisory Groups (BAGs) for their next term (2023-2026).
2. This paper also asks Council to approve proposed updates to the BAGs' Terms of Reference based on an internal review of the BAGs toward the end of their last term.

### Recommendations

#### That the Council:

1. **Appoints a councillor working group to select community members for the Northern, Central, Southern and Christchurch/Banks Peninsula Biosecurity Advisory Groups, comprising the four councillors appointed as Environment Canterbury's representatives on the groups (Councillors Edge, Dietsche, Byrnes and Ward) and Chair Peter Scott.**
2. **Delegates to this councillor working group the power to recommend to Council the community members to Environment Canterbury's Northern, Central, Southern and Christchurch/Banks Peninsula Biosecurity Advisory Groups.**
3. **Approves the proposed amendments to the Biosecurity Advisory Groups Terms of Reference in Attachment 8.10.1.**
4. **Notes that staff are engaging with Papatipu Rūnanga to determine a preferred ongoing approach for Rūnanga membership on the Biosecurity Advisory Groups, and that any proposed changes to Rūnanga membership will be brought back to Council for consideration and approval.**

## Background

### ***Environment Canterbury's biosecurity role and delivery is through the Regional Pest Management programme***

3. Environment Canterbury is mandated under the Biosecurity Act 1993 to provide regional leadership for biosecurity activities in Canterbury.
4. Environment Canterbury fulfils this biosecurity role through the delivery of the Regional Pest Management programme, which sits within the Biodiversity and Biosecurity portfolio in the Council Long-Term Plan (LTP) 2021-31. The LTP Level of Service delivered by this programme is: "Provide regional leadership to act early and work in partnership to protect indigenous biodiversity, economic production and mahinga kai from harm caused by declared pests and other invasive organisms."
5. The Regional Pest Management programme meets this Level of Service by focusing in five programme objectives:
  - a. empower people to manage pests
  - b. prevent the establishment of new high-risk organisms in Canterbury
  - c. implement the Canterbury Regional Pest Management Plan, a Biosecurity Act tool that prioritises pests for management in Canterbury and sets objectives and measures for each pest
  - d. improve biosecurity outcomes through collaborative partnerships
  - e. improve biosecurity methods through research and development.

### ***Biosecurity Advisory Groups (BAGs)***

6. The BAGs are community advisory groups of Environment Canterbury. Their purpose is to support the effective delivery of Environment Canterbury's Regional Pest Management programme and to encourage community involvement in biosecurity.
7. There are four BAGs (Northern, Central, Southern, and Christchurch/Banks Peninsula). Under their current Terms of Reference, each BAG currently comprises seven to 10 community members, one to two Papatipu Rūnanga representatives, territorial authority (TA) staff or elected representatives, and one Environment Canterbury councillor. The BAGs met 3 - 4 times per year during their first term (2019-2022). Meetings are open to the public and public engagement with the groups is encouraged.
8. The BAGs fulfil an informal consultative and advisory role. The BAGs provide advice and community feedback on pest management issues, to inform the Regional Pest Management programme. The BAGs also liaise with local communities on biosecurity issues, advocate for good biosecurity practices, provide a public forum for discussion of biosecurity matters, and support biosecurity education and awareness programmes.

The groups do not have any statutory or delegated functions or powers (including decision-making powers).

## **Proposal**

### **Refresh of Biosecurity Advisory Groups membership**

9. The BAGs have reached the end of their first three-year term. The process to refresh the groups for the next term (2023-2026) is underway. The first round of meetings is planned for March/April 2023.

### ***Community members: Background information***

10. A public campaign to recruit community members to the groups began in mid-November. Applications are open until 23 January 2023.
11. Under the current Terms of Reference, community members are selected by a working group of Environment Canterbury councillors, supported by Environment Canterbury staff, who will consider applications and recommend preferred candidates for appointment by Council. Community members are recommended based on
  - a. their ability to work collaboratively, seek consensus and operate using a solution-based and future-focussed approach
  - b. ensuring each BAG achieves a balance of geographic spread, interests relating to biosecurity, pest management and/or biosecurity knowledge and experience, and links with local communities.
12. Under the Terms of Reference, the Council may delegate to the councillor working group the power to make the appointments itself.

### ***Community members: Proposal to Council***

13. The Council is asked to appoint the councillor working group to select community members (as detailed in paragraphs 11-12). This councillor working group will meet in late January/February 2023 to make its selections.
14. Staff recommend that the four councillors who were recently appointed as Environment Canterbury's representatives on the BAGs make up this working group, given that these councillors will be involved with the BAGs throughout their term.
15. The Council is also asked to consider delegating decision-making power to this working group, to enable the working group to appoint community members to the BAGs. This would provide for a simple appointment process and would remove the need to return to Council to make the appointments.

***Papatipu Rūnanga, territorial authority and Environment Canterbury representatives:  
Update on processes underway***

16. The following Environment Canterbury councillors were appointed to the BAGs at the Council meeting on 17 November 2022: Cr Edge (Northern), Cr Dietsche (Central), Cr Byrnes (Christchurch/Banks Peninsula), and Cr Ward (Southern).
17. Staff are currently engaging with Papatipu Rūnanga to determine a preferred approach for Rūnanga membership on the BAGs for the next term. Options for Rūnanga membership were discussed at the Te Paiherenga meeting on 4 November 2022. Staff are writing to individual Papatipu Rūnanga to seek further indication of a preferred approach. This may require a further amendment to the Terms of Reference; if so, this will be brought back to Council for consideration.
18. Following this Council meeting, territorial authorities will be contacted to seek nominations for territorial authority representatives on the groups, noting that these can be councillor or staff representatives.

**Biosecurity Advisory Groups review and proposed update to Terms of Reference**

19. An internal review of the BAGs was undertaken in mid-2022. The purpose of this review was to identify any learnings from the first three years and to ensure the groups are best set-up to carry out their role and purpose during their next term. The previous BAG members were involved and provided their reflections and feedback as part of this review.
20. Through this review, two priorities were identified for the next term of the BAGs:
  - a. Shift from 'inform' to 'involve' – increase focus on engaging with BAGs at the 'involve' end of the engagement spectrum, including by focusing on fewer, more in-depth topics, running meetings in a more interactive 'workshop' style, and by providing more opportunities to be involved in community engagement activities
  - b. Supporting members as champions for biosecurity – provide more support for members to be influential advocates for biosecurity in their communities.
21. The proposed updates to the BAG Terms of Reference (Attachment 8.10.1) are intended to support these priorities and to reflect the learnings from the BAG review. In summary, the main changes proposed are:
  - a. Provide for up to two elected and/or staff representatives from Territorial Authorities (TA) operating within the BAG area. During the last term, each BAG had one TA representative (total), although the Terms of Reference currently allows for one representative per TA operating in the BAG area. During the BAG review, TA representatives and other members provided feedback that they valued TA involvement in the groups. TA representatives also provided feedback that while they shared information with their own

council, this did not happen as easily with other TAs. The proposed approach is intended to strike a balance between enabling TA involvement, while also retaining the focus on community-level and community-led discussions.

- b. Remove provision for an establishment Chair for the first year of the groups and instead provide for annual election of a Chair by the membership. This change reflects that the BAGs have now been up and running successfully for three years and that an establishment Chair is no longer required to bed-in the groups.
- c. Provide for a slightly longer term for the BAGs (March/April 2023 to June 2026). This change is intended to move the timing of the next BAG refresh out of alignment with local government elections, to enable a more efficient and streamlined refresh process.
- d. Provide more clarity around when and how the groups will meet, including by specifying the option of shorter online sessions between in-person meetings. A more flexible approach to meetings was supported by members during the BAG review and is intended to enable the BAGs to work in a more issue-specific and dynamic way.
- e. Increase the payment to BAG members by \$50 per in-person meeting, to \$200 for community and Papatipu Rūnanga members and \$300 for the Chair. This change is intended to recognise the increased expectation on members to attend some shorter online sessions between in-person meetings (where agreed on between BAG members and Environment Canterbury staff).

22. Other proposed amendments are minor wording changes for clarity.

## **Cost, compliance and communication**

### **Financial implications**

23. Administering and supporting the Biosecurity Advisory Groups is budgeted for under the Regional Pest Management programme. If the payment to members is increased as proposed, this increase will be covered using existing budgets.

### **Risk assessment and legal compliance**

24. The BAGs were established in 2019 as 'other subordinate decision-making bodies' under the Local Government Act (LGA) 2002. Despite their formal classification under the LGA as 'subordinate decision-making bodies', the groups have no statutory powers or functions, nor are they delegated any functions or powers by the Council. Specifying the groups as 'other subordinate decision-making bodies' ensures they are not considered as 'joint committees' under the LGA and subject to additional obligations.
25. The BAGs were not discharged at the end of the last Council triennium, and therefore do not need to be re-established by Council resolution in order to continue for a second term.

26. The proposed amended Terms of Reference have undergone a legal review with all suggested changes incorporated.

### **Engagement, significance and Māori participation**

27. Staff are currently engaging with Papatipu Rūnanga to determine a preferred ongoing approach for Rūnanga involvement in the BAGs.
28. Options for Rūnanga involvement were discussed at the Te Paiherenga meeting on 4 November 2022. At this meeting, interest in continued involvement in the groups was balanced by feedback that BAG membership may not reflect a full partnership approach and that more work needs to be done to understand partnership opportunities across the whole Regional Pest Management programme.
29. Staff will continue to work with Papatipu Rūnanga to identify both a preferred approach regarding involvement in the BAGs and a shared picture of partnership opportunities within the Regional Pest Management programme. This may lead to further amendment to the Terms of Reference regarding Rūnanga membership on the groups; if so, this will be brought back to Council for consideration and approval.
30. Territorial authorities were involved in the review of BAGs through the territorial authority representatives on the groups. These representatives valued the learning and information sharing they gained by being on the BAGs and supported continued territorial authority involvement. Following this Council meeting, territorial authorities will be contacted to nominate representatives for the next term.

### **Consistency with council policy**

31. This proposal does not require or imply a departure from agreed and notified Council policy.

### **Climate change impacts**

32. Climate change will affect the future of pest management in Canterbury. The pest status of many species currently present in New Zealand may change significantly as a result of climate change. The risk profile of new biosecurity threats varies under different climate scenarios, and climate change will have impacts on many of the values that our biosecurity system is designed to protect (including agriculture, indigenous biodiversity, and mahinga kai).
33. The BAGs provide a valuable platform for Environment Canterbury to work with local communities to identify, understand and respond to climate change impacts on biosecurity in Canterbury.

### **Communication**

34. A multi-channel advertising campaign is underway to recruit community members from across the region to the BAGs. Applications are open until 23 January 2023.

## Next steps

35. If the Council approves the recommendations in this paper, the planned timeline for refreshing the BAGs will be:
- a. December 2022: Nominations sought for territorial authority representatives (letter to Chief Executives).
  - b. December 2022 – February 2023: Staff continue to work with Papatipu Rūnanga to determine preferred approach to Rūnanga membership.
  - c. 23 January 2023: Applications close for community members.
  - d. Late January/early February 2023: Councillor working group meets to select and recommend community members based on applications.
  - e. February/March 2023: Council confirms territorial authority representatives and approach to Papatipu Rūnanga involvement (if preferred approach has been determined). Councillor working groups reports back to Council for confirmation of community member appointments.
  - f. March/April 2023: First meetings of new BAGs.

## Attachments

1. Proposed amended Biosecurity Advisory Group Terms of Reference [8.10.1 - 13 pages]

<b>File reference</b>	[SharePoint link for this paper]
<b>Legal review</b>	
<b>Peer reviewers</b>	Alex Morgan, Verity Halkett, Rich Langley

# Biosecurity Advisory Group Terms of Reference

The areas of each Biosecurity Advisory Group are shown in Map 1.

## Context

Biosecurity Advisory Groups are community advisory groups of Environment Canterbury (Canterbury Regional Council). They work with Environment Canterbury and local communities to support the delivery of Environment Canterbury's ~~Biosecurity~~ ~~biosecurity~~ programme.

Environment Canterbury is responsible under the Biosecurity Act 1993 for providing leadership in activities that prevent, reduce or eliminate adverse effects from harmful organisms in Canterbury. This includes regulatory activities, like creating and enforcing the Canterbury Regional Pest Management Plan (CRPMP), and non-regulatory activities, including monitoring pests, eradicating or controlling pests in accordance with the CRPMP, and improving coordination between people involved or interested in managing pests.

Biosecurity Advisory Groups support Environment Canterbury in its biosecurity leadership role. The ~~G~~groups do this by providing advice and feedback that helps Environment Canterbury run an efficient, effective and relevant ~~Biosecurity~~ ~~biosecurity~~ programme, and by promoting public support for pest management in Canterbury.

## Purpose and Role

The purpose of each Biosecurity Advisory Group within ~~its specified~~ ~~the Group's~~ area is to:

- support the delivery of an effective ~~b~~Biosecurity programme for the Canterbury region (which includes supporting implementation of the CRPMP)
- encourage community involvement in biosecurity in Canterbury.

The ~~g~~Groups will achieve this purpose by:

- providing Environment Canterbury with advice on the management of ~~agricultural and biodiversity~~ pests ~~to protect a range of values including biodiversity, economic and cultural values~~<sup>1</sup>
- advising Environment Canterbury on emerging ~~pest-biosecurity~~ threats
- advocating for and championing the implementation of the CRPMP
- providing a public forum for discussion of biosecurity matters of concern<sup>2</sup>
- liaising with local communities and providing Environment Canterbury with community feedback and recommendations on ~~the B~~Biosecurity programme matters (including policy, operational plans and on-the-ground activities)
- supporting and championing good biosecurity practices (both pest control and hygiene practices)

<sup>1</sup> This may include other organisms not formally specified as a 'pest' under the Biosecurity Act 1993

<sup>2</sup> The forum is not intended to resolve CRPMP compliance complaints



- participating in promotional and educational programmes to improve community understanding of biosecurity ~~management~~ issues
- engaging with other groups ~~and committees~~ that are involved or interested in pest management.

## Limitations of Powers

The [Biosecurity Advisory](#) Groups are formed as other subordinate ~~decision-making~~ [decision-making](#) bodies under Schedule 7 of the Local Government Act 2002. Each ~~G~~group is intended to fulfil an informal consultative and advisory role in accordance with the above purpose and role. The ~~G~~groups have no statutory powers or functions nor are they delegated any functions or powers of the Council in relation to biosecurity.

Each [Biosecurity Advisory](#) Group has a consultative and advisory role and in accordance with its purpose may:

- Conduct meetings for the above purposes, including receiving reports and information;
- Make recommendations and provide advice to Environment Canterbury in accordance with its purposes outlined above;
- Submit on rating matters to Environment Canterbury as part of the Annual Plan or Long-Term Plan consultation processes;
- Provide advice to Environment Canterbury during the development of ~~b~~Biosecurity plans.

The [Biosecurity Advisory](#) Groups do not have the authority to commit Environment Canterbury to any path or expenditure.

Any recommendations made by the [Biosecurity Advisory](#) Groups do not bind Environment Canterbury.

The ~~g~~Groups do not have the authority to submit on resource consent matters, or plans made under the Resource Management Act 1991 (RMA) or Biosecurity Act 1993 or other local government plans. Membership on a [Biosecurity Advisory](#) Group does not prevent individuals or their organisations from submitting on resource consent matters or RMA, Biosecurity Act or other local government plans.

## [Biosecurity Advisory](#) Group Membership

Each Biosecurity Advisory Group will comprise:

1. Between 7 - 10 community members appointed in accordance with these terms of reference;
2. One to two Papatipu Rūnanga representatives ~~s~~ based on interests in the area, nominated by the relevant Rūnanga within the area and confirmed by Environment Canterbury
3. One ~~elected member~~ [Councillor](#) appointed by Environment Canterbury
4. ~~One elected or staff~~ [Up to two](#) representatives ~~nominated by each for the~~ Territorial ~~Authority~~ [Authorities](#) operating within the Biosecurity Advisory Group area, [nominated collectively by those Territorial Authorities](#) and confirmed by Environment Canterbury. [These representatives may be staff or elected members](#)
5. Any other appropriate representatives co-opted by the [Biosecurity Advisory](#) Group for a specific purpose, on recommendation by the selection working party and approved by Environment Canterbury.

## Selection of [Biosecurity Advisory](#) Group Members

### Selection of Environment Canterbury representatives

Environment Canterbury will appoint their ~~elected member~~[Councillor](#) representatives.

### Selection of Territorial Authority representatives

~~Each~~ Territorial Authority ~~ies~~ within the geographic area that the [Biosecurity Advisory](#) ~~Group~~ relates to will recommend ~~a~~[their](#) representatives.

### Selection of [Papatipu Rūnanga](#) representatives

Rūnanga will recommend their representatives.

### Selection of ~~C~~Community members

To be eligible for membership, community candidates must live in or have a significant relationship with the area.

Recommendations on the ~~c~~Community ~~m~~Members will be made by a working group of Environment Canterbury ~~of~~ councillors, supported by [Environment Canterbury](#) staff.

The working group will:

- consider applications from community candidates, and may invite applications from community members following discussion with relevant biosecurity stakeholders
- consider candidates and recommend community representatives to ensure each [Biosecurity Advisory](#) Group achieves a balance of the following:
  - geographic spread
  - a broad and balanced range of interests relating to biosecurity
  - pest management and ~~L~~-or biodiversity knowledge and experience
  - links with local communities
  - ability to work collaboratively and seek consensus
  - ability to operate using a solution-based and future-focussed approach
- make recommendations to Environment Canterbury on preferred candidates
- Environment Canterbury will receive the recommendations and make the appointments.

Environment Canterbury may delegate to the working group the power to make the appointments. If the working group is delegated the power to make the appointments, the working group is not required to make recommendations to Environment Canterbury on preferred candidates.

## Chair and Deputy Chair

~~The establishment Chair of each Group will selected by Council. This may be an elected member of Environment Canterbury or another individual with suitable leadership or biosecurity backgrounds. The establishment Chair will have a term of one year.~~

~~Beyond the term of the establishment Chair, each~~ [Each](#) Group shall appoint ~~the a~~ Chair from the membership by simple majority.

The Chair will be appointed annually, with a limit of six consecutive years in this position.

The Deputy Chair will [also](#) be appointed annually by simple majority.

### Review of Biosecurity Advisory Groups

Environment Canterbury may review or discharge the Biosecurity Advisory Groups at any point in the three-year term.

### Quorum

The quorum at a meeting consists of:

- Half the members (if number of members is even); or
- A majority of members (if number of members is odd).

### Term of Appointment

Group members are appointed for a term of [between three years and three years and six months. The term will commence at the date of appointment of community members and will expire on 30 June 2026.](#)

[From 1 July 2026 onwards, the term of appointment will be three years.](#) This three-year term may be reduced at the discretion of Environment Canterbury at the time the appointment is made.

Community members can serve consecutive terms, with no restriction on the number of terms served. All community members (whether returning or new) will be subject to the same selection process.

### Financial Delegations

None.

### Meeting and Remuneration Guidelines

[Each ~~The Biosecurity Advisory~~ Group will meet ~~in person two~~ three ~~four~~ times per year, or occasionally more frequently. Meetings will be run in a workshop style and may involve a field trip component as part of the meeting. There may be additional ~~\(separate\) field trips or workshops, invitations to attend community events, and shorter online sessions to progress work between in-person meetings.~~](#)

[The meeting venue will move around the Biosecurity Advisory Group area throughout the term.](#)

[A meeting of Group Chairs will be held once per year. Group Chairs will meet with Environment Canterbury staff prior to meetings to discuss the upcoming meeting.](#)

Proxies or alternates are not permitted.

Remuneration for [c](#)Community and [Papatipu](#) Rūnanga members will be paid per meeting, set at the following levels:

- a. Chair \$250
- b. [c](#)Community and [Papatipu](#) Rūnanga members (including Deputy Chair) \$150

This per-meeting payment covers meeting attendance, preparation for the meeting (which will involve reading any meeting materials provided in advance of the meeting), and online attendance at any shorter online sessions ahead of or following the in-person meeting.

Members will not receive remuneration for additional field trips or attendance at community events.

Environment Canterbury's ~~elected member~~ Councillor representatives, and the ~~S~~ staff or elected members of each Territorial Authority ~~ies or Environment Canterbury~~ who are appointed as its representatives, ~~shall~~ shall not be eligible for remuneration.

Mileage of community members and Papatipu Rūnanga members for travel to and from meetings will be reimbursed.

### Code of Conduct

Each participant in a Biosecurity Advisory Group agrees to abide by the Code of Conduct (attached) in all their engagement with, and on behalf of, the Biosecurity Advisory Group.

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## Public transparency

Meetings of the Biosecurity Advisory Groups shall be open to the public. [Meeting documents will be made available for the public to view on the Environment Canterbury website.](#)

All communications within or outside of the Biosecurity Advisory Groups will be subject to the Local Government Official Information Act 1987.

## Group Support

Each [Biosecurity Advisory](#) Group and its members will be supported by Environment Canterbury. In particular, Environment Canterbury staff will provide:

- information and advice on pest management matters
- opportunities to upskill in [b](#)Biosecurity knowledge and understanding
- updates and information from other organisations and agencies in the community that undertake pest management
- coordination and administration support for meetings
- financial support to cover incidentals such as photocopying, circulation of agenda material, advertising, and venue hire.

## Working Groups

Working groups may be required to progress a specific biosecurity issue. Working groups may only be established to achieve a specific objective and must have a specified end date.

The establishment of a working group must be approved by Environment Canterbury.

The membership of a working group may consist of members external to the relevant Biosecurity Advisory Group.

There is no remuneration for participation in a working group. Mileage of [community and Papatipu Rūnanga](#) ~~any~~ members of a working group will be reimbursed [for travel to and from working group meetings.](#) ~~(excluding for s~~Staff or elected members of Territorial Authorities or Environment Canterbury [Councillors that have been appointed to the Biosecurity Advisory Group as representatives will not be reimbursed for milage](#)).

## Engagement with other community groups

Environment Canterbury will engage with other biosecurity or pest management groups in the community outside of the Biosecurity Advisory Groups. This is to ensure activities of the [G](#)groups are as complementary as possible and do not duplicate effort.

## Conflicts of Interest

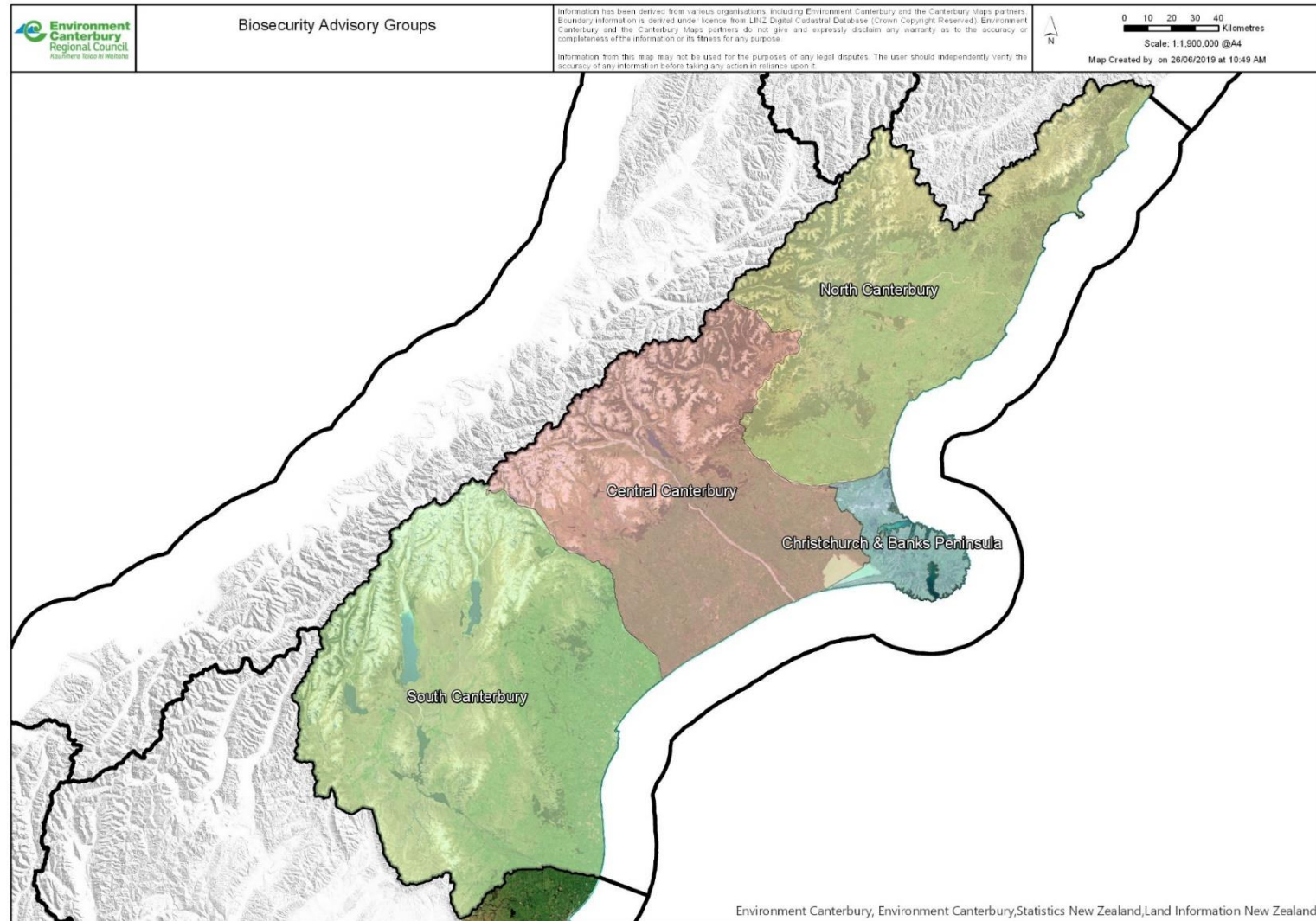
[Biosecurity Advisory](#) Group members must be careful that they maintain a clear separation between their personal interests and their duties as a [G](#)group member. This is to ensure that [G](#)group members carry out their duties free from bias (whether real or perceived).

It is the responsibility of [G](#)group members to identify and declare a conflict of interest. If in doubt on whether a conflict of interest exists, the [g](#)Ggroup member should disclose the potential conflict of interest. Group

members can seek guidance on conflict of interest concerns from the Chief Executive Environment Canterbury.

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Map 1





## Biosecurity Advisory Group Code of Conduct

### Introduction

Biosecurity Advisory Groups ([each a Group, or together the Groups](#)) have been established as part of Environment Canterbury's [b](#)Biosecurity programme. The purpose of the Groups is to support this programme by providing advice on local pest management issues and Canterbury Regional Pest Management Plan implementation, and championing good biosecurity practices.

The Code of Conduct describes how the Groups will work as [a](#) Groups and as individual Group members. It also outlines the role of the Chair and deputy Chair. This Code [of Conduct](#) shall apply to the liaison committee members acting in their capacity as a Group member, and not as a private citizen.

### Operating Philosophy

The following outlines the operating approach and how the Groups will:

- Take a collaborative and solution-focused approach;
- Engage with local communities and key stakeholders to understand and advise on local pest management matters;
- Recognise the Treaty of Waitangi and the roles and rights of Ngāi Tahu in the exercise of kaitiakitanga;
- Operate in accordance with Local Government Official Information and Meeting Act 1987 (LGOIMA) and Local Government Act 2002;
- Manage conflicts of interest;
- Expect Group members to act at all times in an ethical and professional manner;
- Respect confidential and privileged information.

### How the Groups will work

#### Collaborative, co-operative, participatory and solution-focused

The Groups will:

6. Work in a collaborative and co-operative manner using best endeavours to reach solutions that take into account the interests of all sectors of the community;
7. Cultivate a sense of group responsibility, emphasising the Group as a whole rather than individual Group members;
8. Use the expertise of individual members to enhance the Group as an advisory body;
9. Give consideration to and balance the interests of all pest management stakeholders in the [Group's](#) area;
10. Work in a manner that encourages the involvement and collaboration of the community, and other stakeholders in identifying, developing and implementing pest management solutions in the area;
11. Seek consensus in its recommendations or advice;
12. Work with other Biosecurity Advisory Groups or other groups with pest management interests to ensure a joined up, local approach to pest management;



13. Operate in a manner that emphasises:
  - o Solutions rather than issues or blame;
  - o Focus on the future rather than the past.

## Treaty of Waitangi

The Group will:

14. Operate in a manner that recognises Ngāi Tahu rights as protected under Treaty of Waitangi;
15. Operate in a manner that recognises the role and rights of Ngā Papatipu Rūnanga as Mana Whenua in the exercise of kaitiakitanga to all water and lakes, rivers, hapua, waterways and wetlands in the area;
16. Be culturally sensitive, observing tikanga Māori;
17. As required, access advice on Treaty of Waitangi responsibilities and tikanga Māori from Environment Canterbury staff or Ngāi Tahu group members.

## External communication (contact with the media)

18. Media contact and public comment on behalf of ~~a the~~ Group will be directed to and handled by the Chair.
19. The Chair can only represent the views of the ~~Group, and~~ Group and does not represent Environment Canterbury.
20. The Chair may refer any matter to a spokesperson agreed by the Group.
21. No other member may comment on behalf of the Group without having first obtained the approval of the Chair.
22. Group members are free to express a personal view in the media provided the following rules are observed:
  - o Media comments must not state or imply that they represent the views of the Group;
  - o Media comments must observe the other requirements of this Code of Conduct including:
    - i. Avoiding public criticism of other members, of the Group and its work, or other comments that could undermine the performance of the Group;
    - ii. Recognising the limitation of power of the Group;
    - iii. Not disclosing confidential information.

## Linkages to the community, stakeholder and interest groups

23. The Group is a conduit for community and stakeholder engagement in pest management matters in the area.
24. The Group will work in a manner that ensures the views of the local community and key stakeholders are reflected in advice provided to Environment Canterbury.
25. Where a Group member has a close association with a particular community, stakeholder, interest group or sector, the Group member will keep the Group informed.

## Linkage to Environment Canterbury

26. The Group will ensure that it maintains close links with and excellent working relationships with Environment Canterbury.
27. The Group will keep Environment Canterbury informed of its work, and of any issues that arise. This includes a “no surprises” approach for Environment Canterbury in relation to the Group.
28. The Group will report at the request of Environment Canterbury. This will include verbal reports, from the Chair to Environment Canterbury.

## How Group members will work

### Collaborative approach

29. Group members will behave in a manner that enables the Group to work effectively and collaboratively. This behaviour will include:
  - Listening respectfully to other members;
  - Engaging constructively with different views;
  - Helping the Group to build collaboration;
  - Helping the Group to reach solutions.
30. Members of the Group are appointed on the basis of their experience and knowledge and not to represent a particular interest or group. Accordingly, members will contribute their knowledge and perspective but not promote the views or positions of any particular interest or stakeholder group.

### Act in a professional and ethical manner

Group members will at all times act in a professional and ethical manner. This includes:

31. Members will extend towards each other respect, integrity, courtesy and fairness;
32. Members will avoid public criticism of other members, of the Group or its work;
33. Members will avoid actions, including public comment, that would or could undermine the performance of the Group or of other members in the duties as a Group member;
34. Members will act at all times in a manner that maintains public confidence in the Group;
35. Members will ensure they attend Group meetings and are adequately prepared for meetings;
36. Members will not influence, or attempt to influence, any Environment Canterbury employee to take actions that may benefit the member, or the member’s family or business interests;
37. Members will only claim for legitimate expenses, consistent with the appointment Terms of Reference.

## Relationship with Environment Canterbury staff

The Group members will, with respect to Environment Canterbury staff:

38. Recognise that the Chief Executive is the employer (on behalf of Environment Canterbury) of all Council employees, and as such only the Chief Executive may hire, dismiss, or instruct, or censure an employee;
39. Treat all employees with courtesy and respect;
40. Not do anything which compromises, or could be seen as compromising, the impartiality of an employee;
41. Not publicly criticise the competence, integrity and personality of any employee;
42. Raise concerns about employees only with the Chief Executive, and concerns about the Chief Executive, only with the Chair of Environment Canterbury.

## Confidential and privileged information

In the course of its duties the Group may occasionally receive information that may need to be treated as confidential or privileged. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation, or is legally privileged.

43. Group members shall not use or disclose confidential or privileged information for any purpose other than the purpose for which the information was supplied to the Group;
44. Members must be aware that any information they hold as a member of the Group shall be deemed to be official information held by Environment Canterbury. In terms of the LGOIMA this means information must be made publicly available upon request unless good reasons exist to withhold it.

## Conflicts of Interest

Group members must be careful that they maintain a clear separation between their personal interests and their duties as a Group member. This is to ensure that Group members carry out their duties free from bias (whether real or perceived).

It is the responsibility of Group members to identify and declare a conflict of interest. If in doubt on whether a conflict of interest exists, the Group member should disclose the potential conflict of interest. Group members can seek guidance on conflict of interest concerns from the Chief Executive Environment Canterbury.

## Adoption of this Code of Conduct

45. The Group will formally adopt this document as a record of how the Group and its members will work.
46. The Group will re-adopt this document every three years, in line with the three-year term for members.
47. Changes to this Code of Conduct can only be made with the agreement of all Group members and Environment Canterbury.

## Group roles

### Chair

48. Following the completion of the one-year term of the establishment Chair, the Group will appoint a Chair from its members in accordance with the Terms of Reference.

49. As a Group member the Chair shares the same responsibility as other Group members. In addition to this the Chair has the following roles:
- Chair Group meetings with all commonly recognised authority of that position. The Chair may have an Environment Canterbury staff member facilitate meetings and workshops of the Group.
  - Speak on behalf of the Group and act as an advocate for it, including taking the primary responsibility for interaction with the media and representing the Group at meetings with external parties.
50. The Group will appoint a Deputy Chair from its members in accordance with the Terms of Reference.
51. The Deputy Chair exercises the same roles as other members, and if the Chair is absent or incapacitated, the Deputy Chair must perform all of the responsibilities and duties of the Chair (as above).

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## 8.11. Emergency Committee December 2022 to February 2023

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. To establish an Emergency Committee to deal with any matters of urgency that may arise over the period 20 December 2022 to 30 January 2023.

### Recommendations

**That the Council:**

1. **Establishes an Emergency Committee comprising the Chair and Deputy Chair of the Council, the Chair of Audit, Finance and Risk Committee and the Canterbury Regional Council representative on the Canterbury Civil Defence Emergency Management Group Joint Committee to deal with any matters of urgency (including making any decisions) over the period 20 December 2022 to 30 January 2023; and**
2. **Notes the existing delegation to the Chief Executive of the authority to approve contingency expenditure of \$250,000 for emergency works; and**
3. **Notes the Emergency Committee and the Chief Executive then report any decisions made by the Emergency Committee or the Chief Executive, to the February 2023 Council meeting.**

### Key points

2. The quorum for a Council meeting is eight members. It is likely that over the Christmas/New Year period eight Councillors will not be immediately available to deal with any matters of urgency. It is recommended that an Emergency Committee be appointed.
3. The Emergency Committee should consist of the Chair and Deputy Chair of the Council, the Chair of Audit, Finance and Risk Committee and the Canterbury Regional Council representative on the Canterbury Civil Defence Emergency Management Group Joint Committee.

## Cost, compliance and communication

### Financial implications

4. The Chief Executive currently has the authority to approve contingency expenditure for an emergency, including but not limited to flood events, on the same basis and within the same maximum limits as operating expenditure (see Financial Delegations Register). This delegation is limited to \$250,000.

### Attachments

Nil

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## 8.12. Decision release from Public Excluded - CWMS Zone Committee Refresh 2022 Appointments

### Council report

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<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Catherine McMillan, General Manager Governance
<b>Responsible Director</b>	Dr Stefanie Rixecker, Chief Executive

### Purpose

1. To advise the Council of information in a previous public excluded agenda that has been made publicly available.

### Recommendations

That the Council:

1. **Receives the report as notification that the resolution to release the decision of the Canterbury Water Management Strategy (CWMS) Zone Committee Appointments, as listed, made at the public excluded Council meeting on 18 August 2022, has been approved for release to the public:**
  - **Kaikōura Water Zone Committee**

**Reappoint: 1.1 Nicky McArthur,**  
**1.2 Gina Solomon, and**  
**1.3 Therese (Teri) Sonal**
  - **Waimakariri Water Zone Committee**

**Reappoint: 1.4 Erin Harvie, and**  
**1.5 Carlyne Latham**  
**Appoint: 1.6 Claire Aldhamland, and**  
**1.7 Kirk Blumers**
  - **Christchurch West Melton Water Zone Committee**

**Reappoint: 1.8 Annabelle Hasselman**  
**Appoint: 1.9 Clare Piper, and**  
**1.10 Cailin Richardson Hall**

- **Banks Peninsula Water Zone Committee**
  - Reappoint: 1.11 Ben Manson**
  - Appoint: 1.12 Andrea Davis**
- **Selwyn Waihora Water Zone Committee**
  - Appoint: 1.13 Matt Dodson,**
  - 1.14 Allanah Kidd, and**
  - 1.15 Tayla Nelson Tūhuru**
- **Ashburton Water Zone Committee**
  - Reappoint: 1.16 William Thomas, and**
  - 1.17 Genevieve de Spa**
- **Orari Temuka Opihi Pareora (OTOP) Water Zone Committee**
  - Reappoint: 1.19 Suzanne Eddington**
  - Appoint: 1.18 Bryan Bassett-Smith,**
  - 1.20 Chris Konings, and**
  - 1.21 Bailey Lissington**
- **Upper Waitaki Water Zone Committee**
  - Reappoint: 1.22 Mathew (Mat) Baylis, and**
  - 1.23 Richard Subtil**
  - Appoint: 1.24 Marcelo Carena, and**
  - 1.25 Adriana Theobald**
- **Lower Waitaki South Coastal Canterbury Water Zone Committee**
  - Reappoint: 1.26 Bruce Murphy**
  - Appoint: 1.27 Jen Fellowes, and**
  - 1.28 Victoria Magazinovic**

## **Background**

2. A report titled 'CWMS Zone Committee Refresh 2022 Appointments' was considered by the Council at the 18 August 2022 meeting. This report included a request to approve appointments to the CWMS Zone Committee.



3. The resolution to release this information was subject to confirmation of appointments by the relevant territorial authorities.
4. Environment Canterbury Standing Orders provides the Chief Executive authority to release information 'where it is determined the grounds to withhold information no longer exist'.
5. There are no longer any grounds to withhold the information because the territorial authorities have confirmed the appointments of their zone committee members.
6. The names of the CWMS Zone Committee members should now be released to the public.

### **Authority to release from public excluded**

7. Environment Canterbury Standing Orders 18.4 and 18.5 provides a process for the release of information from a publicly excluded meeting.
8. The information was approved for release to the public by the Chief Executive on 1 December 2022.

### **Cost, compliance and communication**

#### **Financial implications**

9. There are no financial implications with the release of this information.

#### **Risk assessment and legal compliance**

10. The Acting General Counsel reviewed the information and reason for release and confirmed there were no reasons to withhold the names of the appointed CWMS Zone Committee members.

### **Engagement, Significance and Māori Participation**

11. No additional engagement was required prior to release of the information.

#### **Consistency with council policy**

12. The release of this information is consistent with Canterbury Regional Council Standing Orders adopted 21 October 2021 clauses 18.4 and 18.5.

#### **Climate Change Impacts**

13. There are no climate change implications with the release of the information.

## Communication

14. The Chief Executive is required to inform the subsequent meeting of the nature of the information released. There is no further communication required,

## Next steps

15. There are no further steps required.

## Attachments

1. Attachment CWMS Refresh Appointments [8.12.1 - 2 pages]

<b>Legal review</b>	Robyn Fitchett, General Counsel
<b>Peer reviewers</b>	Vivienne Ong, Committee Advisor

## Decision released from public excluded session

### Recommendation to release from public excluded:

*“Agrees to release the decision on CWMS Zone Committee appointments once all appointments have been confirmed by the respective Councils”*

The Chief Executive may release information which has been considered at a meeting from which the public has been excluded where it is determined the grounds to withhold the information no longer exist.

**Date of Meeting: Council, 18 August 2022**

**Report title:** CWMS Zone Committee Refresh 2022 Appointments

### To be released:

#### Resolved CNCL/2022/116

Staff recommendations adopted without change.

That the Council:

1. Receives this overview of the 2021 Canterbury Water Management Strategy Zone Committee Refresh.
2. Approves the following appointments to the CWMS Zone Committees (2.1 to 2.28).

Kaikōura Water Zone Committee

- Reappoint – 2.1 Nicky McArthur,  
2.2 Gina Solomon, and  
2.3 Therese (Teri) Sonal

Waimakariri Water Zone Committee

- Reappoint – 2.4 Erin Harvie, and  
2.5 Carlyne Latham  
Appoint – 2.6 Claire Aldhamland, and  
2.7 Kirk Blumers

Christchurch West Melton Water Zone Committee

- Reappoint – 2.8 Annabelle Hasselman  
Appoint – 2.9 Clare Piper, and  
2.10 Cailin Richardson Hall

Banks Peninsula Water Zone Committee

- Reappoint – 2.11 Ben Manson

- Appoint – 2.12 Andrea Davis  
Selwyn Waihora Water Zone Committee
- Appoint – 2.13 Matt Dodson,  
2.14 Allanah Kidd, and  
2.15 Tayla Nelson Tūhuru  
Ashburton Water Zone Committee
- Reappoint – 2.16 William Thomas, and  
2.17 Genevieve de Spa  
Orari Temuka Opihi Pareora (OTOP) Water Zone Committee
- Appoint – 2.18 Bryan Bassett-Smith,  
2.19 Suzanne Eddington,  
2.20 Chris Konings, and  
2.21 Bailey Lissington  
Upper Waitaki Water Zone Committee
- Reappoint – 2.22 Mat Baylis, and  
2.23 Richard Subtil  
Appoint – 2.24 Marcelo Carena, and  
2.25 Adriana Theobald  
Lower Waitaki South Coastal Canterbury Water Zone Committee
- Reappoint – 2.26 Bruce Murphy  
Appoint – 2.27 Jen Fellowes, and  
2.28 Victoria Magazinovic

3. Agrees to release the decision on CWMS Zone Committee appointments once all appointments have been confirmed by the respective Councils.

Cr Phil Clearwater/Cr John Sunckell  
CARRIED

## 9. Resolution to go into Public Excluded

### Council report

<b>Date of meeting</b>	Wednesday, 14 December 2022
<b>Author</b>	Vivienne Ong, Committee Advisor
<b>Endorsed by</b>	Catherine McMillan, General Manager Governance

### Recommendations

*Section 48, Local Government Official Information and Meetings Act 1987.*

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7.  
Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

### Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- a) Shall be available to any member of the public who is present; and
- b) Shall form part of the minutes of the local authority.”

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

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
8.2.1	Council Resolutions Status Report Public Excluded – December 2022			Refer to the previous public excluded reason in the agendas for these meetings.	Any decisions recorded in the minutes will be released separately dependent on specified criteria being met.
8.2.2	Land Purchase	7(2)(h)	The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	To enable commercial activities to proceed	This report is not released from public excluded, until after the land purchase and surrender of the lease has been executed and the legal land ownership has been transferred
		7(2)(i)	The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	To enable commercial or industrial negotiations	

## **10. Next Meeting**

The next meeting of the Council is to be confirmed.

## **11. Mihi/Karakia Whakamutunga - Closing**

The meeting will conclude with a karakia by a member of the Council.