

## 7. AVON HEATHCOTE ESTUARY/IHUTAI TRUST MEMORANDUM OF UNDERSTANDING

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The purpose of this report is to seek approval for the attached Memorandum of Understanding to be executed by the Avon Heathcote Estuary/Ihutai Trust, Environment Canterbury and the Christchurch City Council.

### BACKGROUND

Following the joint preparation by the Christchurch City Council (CCC) and Environment Canterbury (ECan) of an Issues and Options document relating to the Avon Heathcote Estuary/Ihutai, a series of public consultation meetings were held. Evolving from these meetings a trust was formed to develop a non-statutory management plan for the Avon Heathcote Estuary/Ihutai (the estuary). Both Councils resolved (June 2002) to support the formation of the trust and to work and interact with it to develop the non-statutory management plan.

As part of the process of working with the trust, a Memorandum of Understanding (MoU) was to be drawn up between the parties (the Trust, CCC and ECan). The MoU was to outline that it is the common intent of the parties to work together on the development and implementation of a non-statutory management plan for the estuary and that the plan is to be based upon the objects of the Trust. Appendix 1 outlines the draft MoU, including the objects of the trust.

### THE AVON HEATHCOTE ESTUARY/IHUTAI TRUST

Incorporated as a charitable trust in February 2003, the Trust's vision for the estuary is:

Communities working together for  
Clean water  
Open space  
Safe recreation  
and  
Healthy ecosystems  
Enjoyment and respect

The Trust Board can comprise up to 15 members, including representatives from the Christchurch City Council (currently Cr David Cox), Environment Canterbury (currently Cr Richard Budd) and Te Ngai Tuahuriri (currently Mr Rik Tau).

The role of the Board is to set the policy direction for the trust and monitor the Business Plan. Various working groups have been established to work on differing management areas, including Education and Publicity, Management Plan and Research and Monitoring.

A diagram outlining the structure of the Trust is shown in Appendix 2.

### MEMORANDUM OF UNDERSTANDING (MoU)

The MoU is intended to clearly spell out the working relationship between the parties in the development of a non-statutory plan for the estuary and to act as an acknowledged record of how the parties came to work together for the better management of the estuary. It also outlines what resources might be provided to the Trust to facilitate the formation and implementation of the plan.

The MoU has been worked on jointly between the trust, Christchurch City Council and Environment Canterbury. The trust approved the draft version of the MoU at their October 2003 Board meeting. It has also been examined by the legal teams and directors from both Environment Canterbury and the Christchurch City Council.

### ENVIRONMENT CANTERBURY

It is intended that the MoU will go before the December meeting of Environment Canterbury for ratification.

## **SIGNING OF THE MEMORANDUM OF UNDERSTANDING**

The MoU will be executed at a joint signing involving the leaders of the partners. The Chief Executive of Environment Canterbury, Dr Bryan Jenkins, has indicated his support for the Trust and will sign the Memorandum on behalf of Environment Canterbury. It is therefore recommended that the Christchurch City Council's Chief Executive, Dr Lesley McTurk, (or nominee) sign on behalf of the Council.

## **CONCLUSION**

The non-statutory management plan process for the Avon-Heathcote Estuary/Ihutai was first flagged by Environment Canterbury and Christchurch City Council as a way of improving and integrating management of the estuary. The establishment of a trust as a partner in the process and vehicle to develop the plan is seen as vital in getting engagement and commitment from all parties to working on this issue. The memorandum of understanding between the parties provides a formalisation of the goodwill intent between the partners and recognition of the commitment to integrated management.

**Recommendation:** That the Council represented by the Chief Executive (or nominee) execute the Memorandum of Understanding between the Avon Heathcote Estuary/Ihutai Trust, the Christchurch City Council and Environment Canterbury.

(Note: Councillor Chrissie Williams declared an interest in this clause and took no part in the discussion or voting thereon.)