

Report To: UDS Implementation Committee (UDSIC)
Subject: UDS Bi-Monthly Implementation Report
Report Author(s): Independent Chair & Implementation Manager
Report Date: 19 April, 2010
Reference to UDS: Effective Governance and Leadership

1. PURPOSE OF REPORT

This report provides a bi-monthly update to the Committee on UDS implementation.

2. IMPLEMENTATION

2.1 UDS Implementation Management Group (UDSIMG)

Since February the UDSIMG has met twice, and considered the range of issues. Amongst other regular issues IMG has continued to focus on the PC1 process, and in particular the alignment of economic analysis workstreams.

UDSIMG is endeavouring to report most important work to the UDSIC no later than the June meeting in order to lighten the load in the second half of the year given the coming local government elections.

2.2 RPS PC1

Appeals against the Environment Canterbury decision on PC1 to the Regional Policy Statement closed in early March. 54 appeals have been lodged including a joint appeal from WDC and CCC, and a separate individual appeal from CCC. SDC decided not to lodge any appeals. The appeals by UDS partners cover 9 issues (as outlined to UDSIC at its February meeting):

1. Integrated Land use and Planning
2. Intensification
3. Special Treatment Areas
4. Groundwater Protection
5. Development Outside the Urban Limit
6. Key Activity Centres
7. Miscellaneous Issues
8. Airport Issues and Noise Sensitive Activities
9. Business Land

The period for lodging s274 notices on appeals closes tomorrow, 20 April. From there we will proceed to a first pre-hearing conference before the Environment Court Judge Jon Jackson on 26 May, where the shape of hearings is likely to emerge. We expect to be in front of the Court in actual hearings by the end of 2010.

2.4 Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010

The Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010 removes the elected councillors and replaces them with between four and seven commissioners for a period no longer than October 2013. The Act also provides increased powers to Environment Canterbury and the commissioners.

The government appointed Dame Margaret Bazley as Commission Chair. Naming and appointment of the remaining commissioners is expected in coming days.

Of most importance to the UDS is the sudden change in governance at ECan and any potential for this to effect a change in attitude towards the UDS partnership. This is seen as unlikely, although not impossible, and efforts need to be made to brief the incoming commissioners as to the importance of the UDS and the current vital work ECan is undertaking, including PC1 to the RPS.

The Act contains increased powers of decision making and limits the right of appeal on decisions made by Ecan following the appointment of the commissioners. There will no longer be rights of appeal on merit to the Environment Court on the Canterbury resource management planning and policy framework. Only appeals on points of law will be allowed. This will have a significant on RMA processes in the region.

While the full impact of the passage of this Act are only beginning to be worked through, we feel that UDSIC representation from ECan commissioners will be vital in maintaining the partnership relationship.

2.5 UDS Action Plan Update

(see separate agenda items)

2.6 Risk Profile

There are several key risks which this implementation phase of the project faces between now and the end of 2008:

Nature of Risk	Probability¹	Impact	Comment
Adequate and consistent resourcing in a timely manner. This covers both purely budgetary and staff resourcing.	2 (3)	5	Budgets are on track for the remainder of 09/10. Budgets have been adjusted for 10/11 to account for partnership costs of defending PC1 in the

¹ Rankings for both Probability and Impact are between 1 = low and 10 = high; Bracketed is previous

Nature of Risk	Probability ¹	Impact	Comment
(CEAG to address risk in the first instance)			Environment Court.
Failing to successfully implement, in a form intended by the UDS partners, the growth management strategy through the Regional Policy Statement.	7 (9)	10	Lack of a unified UDS position is of concern. Work amongst partners to provide information and evidence for ECan response to appeals is ongoing but complicated by differing positions.
Inconsistent communications/ Lack of alignment	3 (2)	3	<p>Ongoing work on social marketing and branding will need monitoring for alignment as it matures.</p> <p>Continued consistent messaging regarding PC1 despite appeal points.</p> <p>NZTA aligned RoNS Comms with UDS</p>
Government Engagement alignment	7 (5)	4	Situation highly uncertain given government intervention in ECan and impending elections.
Private Plan changes undermining RPS and UDS	7 (6)	3-9	While we have a large number of private plan changes in the pipeline, we now have a known quantum to deal with ahead of PC1, all new changes will be behind any decision on PC1 from the Court, provided there is adequate scope in submissions for UDS partners to appeal.

2.7 Future Agenda Items

UDSIMG expects the following items to be on the UDSIC agenda in June:

- Bi-monthly Report
- Potential presentation from CCC on Inner City Revitalisation – Public Open Space
- First Monitoring Report – Final – delayed from April due to resourcing issues which have now been resolved

- PT Corridors Study – Final – delayed from April pending finalisation of report from consultants.
- Outline Development Plan Guidance Document
- Tangata Whenua input into UDS and representation on UDSIC – held up from progression for April meeting by RPS PC1 work and ECan changes.
- UDS Action Plan Update

3. RECOMMENDATION

- 3.1 That the monthly report of the Independent Chair and Implementation Manager be received.***
- 3.2 That the Independent Chair be requested to seek representation from the ECan Commissioners on UDSIC.***
- 3.3 That the next meeting of the UDSIC be held on 21 June 2010 at a venue to be advised.***
- 3.4 Note that the last meeting of UDSIC for 2010 will be in August owing to the Local Government elections to be held in October.***

Bill Wasley - Independent Chair

James Caygill - Implementation Manager