

43. CANTERBURY WATER MANAGEMENT STRATEGY: SELWYN - WAIHORA ZONE COMMITTEE MEMBERSHIP APPROVAL, AND AMENDED TERMS OF REFERENCE

General Managers responsible:	General Manager Strategy and Planning, DDI 941-8281 General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Programme Manager Healthy Environment
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PURPOSE OF REPORT

1. The purpose of this report is to seek Council:
 - (a) Approval of the recommended membership from the Canterbury Water Management Strategy (CWMS) Zone Facilitator, Mr Ian Whitehouse (on behalf of the CWMS Selection Working Group), for the CWMS Selwyn-Waihora Zone Committee.
 - (b) Endorsement of the amended Terms of Reference for the Selwyn - Waihora Zone Committee (**Attachment 2**)

EXECUTIVE SUMMARY

Part A: Background

2. Following several years of collaborative work by the Mayoral Forum, the Steering Group, Environment Canterbury (ECan), and the region's ten territorial authorities, the Canterbury Water Management Strategy (the Strategy) is in the initial stages of being implemented.
3. To implement the Strategy, ECan has established a committee called the Canterbury Water Management Strategy Regional Water Management Committee (the 'Regional Committee') to take an overview of water issues for the region and deal with cross-zone issues.
4. In addition, ten joint committees ('zone committees') are currently being formed by ECan and territorial authorities to address local issues within each zone. Of the three zones of direct significance to Christchurch, the Banks Peninsula zone is completely within Christchurch City and the Christchurch - West Melton zone is predominantly within Christchurch City.
5. The purpose of the 'zone committees', which report to their constituent Territorial Local Authorities and ECan, is to develop strategies, tactics and activities to give effect to the fundamental principles and targets of the Strategy within each zone. The focus for the Regional Committee, which reports to ECan, is on infrastructure associated with managing large scale storage and the transfer of water across Canterbury, along with related issues such as energy generation and region-level biodiversity issues. The Regional Committee is also tasked with co-ordinating the development of a Regional Implementation Programme that gives effect to the Strategy and takes into account the work of the zone committees. The Regional Committee is funded by a regional rate.
6. The Selwyn - Waihora Zone Committee has been established under the auspices of the Local Government Act 2002 in accordance with the Strategy as a joint committee of ECan, Selwyn District Council and Christchurch City Council. The Selwyn - Waihora Zone includes that part of Lake Ellesmere/Te Waihora within the Christchurch City boundary. This is a small but significant part of Christchurch City in terms of water resource and water management matters.
7. Zone Committees have the following general membership:
 - One member appointed by ECan who is an "elected member" (to initially be filled by a commissioner under the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010), (the ECan Act).
 - One member appointed by each Territorial Authority operating within the zone boundary who is an elected member (Christchurch City Council and Selwyn District Council both operate within the zone boundaries for the Selwyn - Waihora, and Christchurch - West Melton zones).

- One member appointed by each Runanga with interests in the zone.
 - Between four and six members appointed from the community and who come from a range of backgrounds and interests within the community.
8. Further detailed information on the nature and purpose of zone committees, and other background information on the Strategy, was presented in a report to Council on 22 July 2010.

Part B: Recommended Membership of the Selwyn - Waihora Zone Committee

9. The Council has received a recommendation from the CWMS Selection Working Group on the six community members for the Selwyn - Waihora Zone Committee. Approval of the membership of the Selwyn - Waihora Zone Committee by the Council is required before the Committee can commence its business.
10. The six community representatives for the Selwyn - Waihora Zone Committee recommended by the CWMS Selection Working Group are, Peter Jackson, Eugenie Sage, John Sunckell, Doug Catherwood, David Painter, and Sue Cumberworth. Some background information on the recommended community members is available in the attached letter from Mr Ian Whitehouse (CWMS Zone Facilitator) (**Attachment 1**).
11. The Selection Working Group comprised Mayor Kelvin Cole (Selwyn District Council), Councillor Sarah Waters (Selwyn District Council), Councillor Claudia Reid (Christchurch City Council), Ken Taylor (Director Investigations and Monitoring, ECan), Maani Stirling (Taumutu Runanga), and David Horn (Director Water Executive, ECan).
12. The Selection Working Group carried out a comprehensive selection process to select the six recommended community members. There were 29 applications received by CWMS for the Zone Committee community positions. The Selection Working Group believes the six people recommended cover the range of interests in water required and are an appropriate balance of interests for the Selwyn-Waihora Water Management Zone.
13. The following people have been recommended as representatives on the zone committee from the various organisations for which they work:
- Councillor Claudia Reid (Christchurch City Council)
Councillor Nigel Barnett (Selwyn District Council)
Commissioner Donald Couch (ECan)
Robin Wybrow (Wairewa Runanga)
June Swindells (Rapaki Runanga)
Teriranna Smith (Taumutu Runanga)
Clare Williams (interim appointee, Tuahuriri Runanga)
14. Onuku and Koukourarata Runanga also have an interest in the Selwyn - Waihora Zone but have not made appointments of representatives to the zone committee at the time of writing this report. The Council will be notified of these appointments on or before the Council meeting of 23 September 2010.

Part C: Amended Terms of Reference for the Selwyn - Waihora Zone Committee

15. The Council approved the Terms of Reference for the establishment of the Canterbury Water Management Strategy Zone Committees for Selwyn - Waihora Zone, Christchurch - West Melton Zone, and Banks Peninsula Zone on 22 July 2010.
16. A minor wording change has been made to Item 6 Operating Philosophy of the Selwyn - Waihora Zone Committee Terms of Reference. The proposed wording change describes more clearly the principle of integrated water management. The reworded text is:

“Promote a ~~shift in philosophy from an individual rights basis towards using water resource to a collective interests approach to water management~~ philosophy of integrated water management to achieve the multiple objectives of the range of stakeholders with interests in water.”

FINANCIAL IMPLICATIONS

17. There are currently no direct financial implications for the Council in approving the membership of the Selwyn - Waihora Zone Committee. Other financial matters have been presented to the Council on 22 July 2010.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

18. Yes. The cost of managing the appointment of members to the committees is included in existing budgets.

LEGAL CONSIDERATIONS

19. Legal matters on the establishment and appointments to zone committees (and the Regional Committee) were reported to the Council on 22 July 2010, and include:
- Existing powers and/or new legislation will be used to ensure the implementation programmes are given appropriate legal status under the Local Government Act 2002 and the Resource Management Act 1991. The zone and regional committees will be joint committees of ECan and the relevant district councils. The committees will operate in accordance with Local Government Act powers and terms of reference drawn up by their parent councils. It is intended that decisions will be made on a consensus basis rather than by majority voting.
 - The Canterbury Water Management Strategy is now recognised in the ECan Act 2010.
 - The ECan Act 2010 provides that the Commissioners assume all the responsibilities of the elected representatives under the Local Government Act 2002. This means that as currently proposed, an Environment Canterbury Commissioner will be required to be a member of each joint zone committee.

Have you considered the legal implications of the issue under consideration?

20. Yes. Refer above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

21. The recommendations in this report support, through the establishment and operation of the Selwyn - Waihora Zone Committee, a wide range of environmental, governance, prosperity, health and recreational community outcomes. Of particular significance is the Council's responsibility of providing clean and reliable water supply.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

22. Yes. The recommendations in this report, through the establishment and operation of the Selwyn - Waihora Zone Committee, supports levels of service under the areas of water supply, "A reliable supply of water that is safe to drink" (page 60), waterways and drainage (page 132), economic development (page 144), and city development (page 188).

ALIGNMENT WITH STRATEGIES

23. The recommendations are, through the establishment and operation of the Selwyn - Waihora Zone Committee, consistent with, and support, the Council's Surface Water Strategy and Water Supply Strategy.

Do the recommendations align with the Council's strategies?

24. As above.

CONSULTATION FULFILMENT

25. The steering group responsible for preparing the Canterbury Water Management Strategy consulted widely (over the last two years) with the public and the territorial authorities that were to participate in its implementation. Consultation on the selection and appointment process of zone committee members was an integral part of developing the Strategy.
26. It is the view of the Legal Services Unit that the process followed to select and appoint the various community, Runanga and other members of the zone committee is robust, and flows consequentially from decisions that were made earlier following public consultation.

STAFF RECOMMENDATIONS

That the Council:

1. Approves the membership of the Selwyn-Waihora Zone Committee as:

Councillor Claudia Reid (Christchurch City Council)
 Councillor Nigel Barnett (Selwyn District Council)
 Commissioner Donald Couch (ECan)
 Robin Wybrow (Wairewa Runanga)
 June Swindells (Rapaki Runanga)
 Teriranna Smith (Taumutu Runanga)
 Clare Williams (interim appointee, Tuahuriri Runanga)
 Peter Jackson (community representative)
 Eugenie Sage (community representative)
 John Sunckell (community representative)
 Doug Catherwood (community representative)
 David Painter (community representative)
 Sue Cumberworth (community representative)

The following members of the zone committee have not been appointed at the time of writing this report. The Council will be advised of the names of the Runanga representatives at or before the Council meeting on 23 September 2010.

Onuku Runanga representative
 Koukourarata Runanga representative

2. Endorse the amendments to the Terms of Reference for the Selwyn - Waihora Zone Committee.