

Christchurch City Council

SUPPLEMENTARY AGENDA

Notice of Meeting:

An ordinary meeting of the Christchurch City Council will be held on:

Date: **Thursday 7 April 2022**

Time: **9.30am**

Venue: **Held by Audio/Visual Link**

Under the current provisions of the Covid-19 Protection Framework (traffic lights) the meeting is open to the public through access to the live broadcasting of the meeting: <http://councillive.ccc.govt.nz/live-stream>

Membership

| | |
|--------------------|----------------------------|
| Chairperson | Mayor Lianne Dalziel |
| Deputy Chairperson | Deputy Mayor Andrew Turner |
| Members | Councillor Jimmy Chen |
| | Councillor Catherine Chu |
| | Councillor Melanie Coker |
| | Councillor Pauline Cotter |
| | Councillor Mike Davidson |
| | Councillor Celeste Donovan |
| | Councillor Anne Galloway |
| | Councillor James Gough |
| | Councillor Yani Johanson |
| | Councillor Aaron Keown |
| | Councillor Sam MacDonald |
| | Councillor Phil Mauger |
| | Councillor Jake McLellan |
| | Councillor Tim Scandrett |
| | Councillor Sara Templeton |

4 April 2022

Principal Advisor

Dawn Baxendale
Chief Executive
Tel: 941 6996

Jo Daly
Council Secretary
941 8581
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www.ccc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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23. Resolution to Include Supplementary Reports

1. Background

- 1.1 Approval is sought to submit the following reports to the Council meeting on 07 April 2022:
 24. Mayor's Monthly Report - March 2022
 25. Covid Business Recovery Update
 26. OARC Co-governance Establishment Committee
- 1.2 The reason, in terms of section 46A(7) of the Local Government Official Information and Meetings Act 1987, why the reports were not included on the main agenda is that they were not available at the time the agenda was prepared.
- 1.3 It is appropriate that the Council receive the reports at the current meeting.

2. Recommendation

- 2.1 That the reports be received and considered at the Council meeting on 07 April 2022.
 24. Mayor's Monthly Report - March 2022
 25. Covid Business Recovery Update
 26. OARC Co-governance Establishment Committee

24. Mayor's Monthly Report - March 2022

Reference / Te Tohutoro: 22/341348

Report of / Te Pou
Matua: Lianne Dalziel, Mayor, mayor@ccc.govt.nz

General Manager /
Pouwhakarae: Dawn Baxendale, Chief Executive, dawn.baxendale@ccc.govt.nz

1. Purpose of Report Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Mayor to report on external activities she undertakes in her city and community leadership role; and to report on outcomes and key decisions of the external bodies she attends on behalf of the Council.
- 1.2 The attachments to this report support the Mayor's recommendations below.
- 1.3 This report is compiled by the Mayor's office.

2. Mayors Recommendations Ngā Tūtohu o Te Koromatua









That the Council:

1. Receive the information in the Mayor's Report (attachment A).
2. Endorses Unity Week (dates 15 - 21 March) as an official annual week on the Council calendar, receiving support from staff as appropriate, as part of the Council's broader package of support and recognition to the bereaved families and injured survivors of 15 March 2019, and in addition seeks to make this a national Unity Week.
3. Adopts the amended schedule of meetings (Attachment B and C), amending the schedule adopted on 11 November 2021 [CNCL/2021/00176], and delegates to the Hearings and Council Support Manager and/or the Team Leader Hearings and Committee Support, as the case may be, the ability to make any changes to the schedule as necessary to meet circumstances as required.

Notes that that Chairs and Deputy Chairs of committees of the whole retain oversight of the workplans of their committees.

4. Notes the information (attachment D) provided on the proposed Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill (the Bill)
 - a. Supports the Bill, which aims to:
 - i. remove the special appeal process through Local Alcohol Policies
 - ii. wind-down alcohol advertising and sponsorship of sports.
 - b. Requests the proposed private member's bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, is supported by Parliament, noting that 61 non-Executive MPs can promote the Bill onto the Order Paper without it being drawn from the ballot.
 - c. Requests the New Zealand Government review the Sale and Supply of Alcohol Act 2012.

Attachments Ngā Tāpirihanga

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| A   | Mayor's Monthly Report March 2022 | 7 |
| B   | 2022 Schedule of Council meetings for the pre-election period | 11 |
| C   | Amended meeting schedule for 2022 pre-election period | 12 |
| D   | Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill | 15 |

25. Covid Business Recovery Update

Reference / Te Tohutoro: 22/408443

Report of / Te Pou Bruce Rendall, Head of Facilities Property and Planning,
Matua: bruce.rendall@ccc.govt.nz

General Manager / Leah Scales, General Manager Resources/CFO
Pouwhakarae: leah.scales@ccc.govt.nz

1. Purpose of the Report Te Pūtake Pūrongo

- 1.1 In March 2022 officers briefed Councillors on the financial stresses being experienced by Council tenants as a result of the COVID 19 pandemic and response. Officers also presented proposed actions aimed at retaining tenants so that they could continue to provide services to Council's customers and add to the activation of facilities.
- 1.2 Based on this briefing Councillors requested information and ideas for helping to assist the recovery of the City's economy and vibrancy.
- 1.3 This report is an interim update to inform the Council of work underway and to seek approval for some immediate actions.
- 1.4 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by the relatively low number of people affected by the decision and the non-material funding required.

2. Officer Recommendations Ngā Tūtohu

That the Council:

1. Acknowledge that the Covid-19 response has placed pressures on many individuals, families, organisations and businesses;
2. Note that one business sector that has been under significant stress is the retail hospitality sector;
3. Note that this sector contributes to the vitality and vibrancy of Christchurch;
4. Notes that a collaborative group including, but not limited to, the Canterbury Employers' Chamber of Commerce, Central City Business Association, ChristchurchNZ, Property Council and Christchurch City Council is working to identify actions that can help businesses survive and improve City vibrancy;
5. Notes that the group is working on ideas to reduce costs and provide immediate relief to those business most impacted by the COVID 19 environment including waiving alcohol licensing fees for on-licences (including cafes and restaurants), outdoor dining licences, and annual food registration for retail food business.
6. Notes that the group is also working ideas to attract workers back to the office and encouraging citizens to eat, play and shop locally across Christchurch including transport support for business and community led initiatives, and promotions;
7. Authorises the use of up to \$1.55 million for the purposes of funding the initiatives in Resolution 5 and 6;
8. Authorises the Chief Executive (or her delegate) to determine the best mechanisms to fund and implement these initiatives, and to commence implementation;

9. Directs the Chief Executive (or her delegate) to report back on the funding and progress at the Finance and Performance Committee of the Whole meeting of 28 April 2022;
10. Requires the Chief Executive (or her delegate) to consider other aims of Council, including but not limited to alcohol harm reduction, when implementing these decisions; and
11. Notes that the Council is also working to support its tenants who are facing COVID 19 pandemic and response related hardship.

3. Reason for Report Recommendations Ngā Take mō te Whakatau

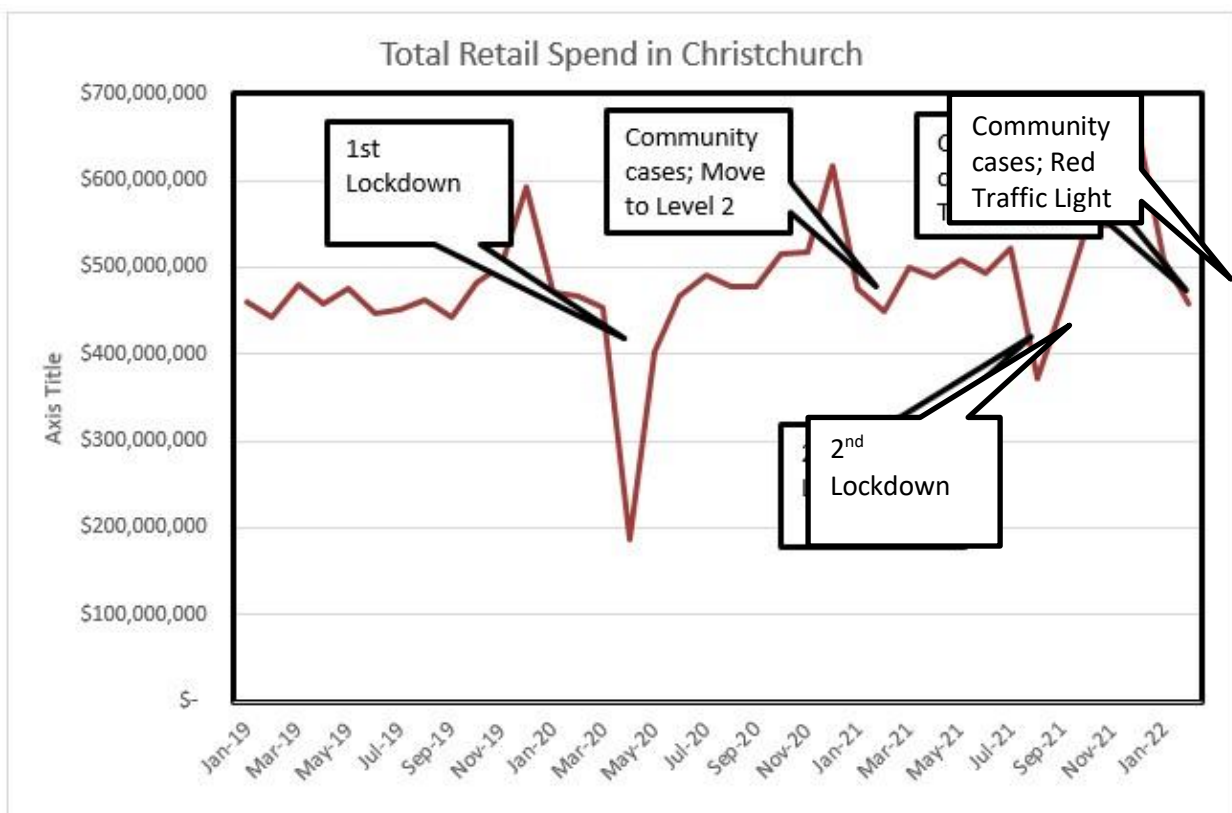
- 3.1 The recommendations in this report focus on providing timely, albeit modest, support to effected businesses. They are based on advice from collaborative stakeholders.
- 3.2 The recommendations indicate Council's direction, rather than a fully developed plan of action. Additional work is required to develop implementation plans for these actions.
- 3.3 The collaborative group's support plans are a work in progress and further information will be provided to the Council as plans develop.
- 3.4 It is not possible to separate business from community in Aotearoa NZ – the majority of businesses, and especially those under stress at the moment, are SMEs, owned and operated by people in our local communities.
- 3.5 This means that the stresses being felt are not just a business problem – they are a whole of community problem. If these businesses continue to fail, then we could see a scenario where unemployment goes up, mental illness and suicide increases, our communities become more disconnected, and poverty increases. To counter this negative cycle, this report advocates for a modest proactive, preventative course of action to improve confidence.

4. Alternative Options Considered Ētahi atu Kōwhiringa

- 4.1 The Council could consider not providing any support to address the stresses being felt by businesses.
 - 4.1.1 The advantage of this is that the Council would not have to find funds to undertake unbudgeted initiatives. Any surplus could be used for other purposes such as reducing debt.
 - 4.1.2 The disadvantages of this approach are primarily reputational.
 - 4.1.3 This option also does not consider the confidence effects on businesses, families and communities due to the stresses.
- 4.2 Waiving alcohol licensing fees could be considered as inconsistent with the Council's broader alcohol harm minimisation aims and consideration could be given to not include these fees in the initiative.
 - 4.2.1 The advantage of this approach is that it ensures consistency of messaging around alcohol harm minimisation.
 - 4.2.2 The disadvantage is that it removes a simple targeted measure for assisting businesses from the Council's toolkit.
 - 4.2.3 Any concerns can be addressed through putting in place measures that target the majority of licences holders who exhibit good practice.

5. Detail Te Whakamahuki

- 5.1 The Covid 19 pandemic and the national response has impacted on the community as a whole.
- 5.2 Council has responded to these impacts in various ways over the last two years.
- 5.3 Under the current response measures one sector that is under significant stress is the hospitality sector. Data on overall retail spending is showing a significant drop across January and February 2022. While some of the drop is attributable to post Christmas slowdown, analysis of the data shows a reduced number of transactions, increases in total expenditure in the fuel and automotive sector, and significant reductions in spending at cafes, restaurants, bars and takeaways (a decline of -11.3 percent compared to February 2021). Overall, the data is indicating the effects of inflation, fuel price increases, and COVID-related factors are placing stress on multiples sectors, but specifically hospitality.



- 5.4 Anecdotally, footfall has decreased in the central city. Accurate year-on-year data is not available due to a change in measuring introduced in April 2021, however, pedestrian count data supports these anecdotes. Across the central city pedestrian counts have been dropping since January, and were only slightly higher in March than during August and September 2021 lockdown.



- 5.5 Anecdotal evidence from our business sector partners shows that businesses are failing. Total numbers are not available, but our partners are talking about several business per week
- 5.6 Councillors have requested advice on steps that can be taken to assist the business sector of our community in the face of these challenges.
- 5.7 With a focus on collaboration, Council has brought together a working group including Canterbury Employers' Chamber of Commerce (CECC), Central City Business Association (CCBA), ChristchurchNZ, and Property Council. Mana whenua, Environment Canterbury, and Canterbury District Health Board have been invited to contribute to the collaborative working group, as their capacity allows.
- 5.8 The group is working to ensure connections with suburban business associations.
- 5.9 Three time horizons are the focus of the group's work – immediate; Easter to Spring 2022; and Summer 2022/23. This report touches on the first two horizons only.
- 5.10 The groups work is guided by the longer term *Ōtautahi Christchurch Recovery Plan 2020*, but is specifically focused on business survival / jobs retention in the response stream, and city vibrancy and visitor economy in the recovery stream.
- 5.11 The business survival / jobs retention focus has the aim of providing reassurance and hope to local businesses, giving them confidence to survive. Survival of these businesses means retaining local jobs, and has psychosocial and wider community impacts.
- 5.12 The city vibrancy stream is initially focused on safe steps to attract workers back to workplaces and encouraging Christchurch residents to visit central city and suburban retail and hospitality precincts. Reactivation of a sustainable visitor economy and visitor spending will follow via ChristchurchNZ's ongoing work in this space.
- 5.13 There is already work occurring to implement other aspects of the *Ōtautahi Christchurch Recovery Plan 2020*. An update on this work is outside the scope of this report and is not addressed.
- 5.14 This report is focused on local actions and responses. It is not intended to address any broader central government or regional initiatives.

- 5.15 Reflecting the rapid, collaborative, and agile response required of this threat to hospitality businesses in the city, the recommendations in this report aim to enable immediate relief option, whilst longer-term, more robust relief can be enabled.

Immediate Steps

- 5.16 A possible immediate step is to waive or refund specific business related Council fees with the aim of reducing costs to these organisations. While this is likely to produce a small benefit for individual businesses, any costs savings will assist.
- 5.17 Fees that might be waived / refunded include alcohol licensing fees for on licences including cafes and restaurants, outdoor dining licences, and annual food registration for retail food business fees.
- 5.18 The estimated cost of the waiver or refunding these fees is circa \$2.9 million per annum.
- 5.19 The revenue obtained from these fees is used to fund services, such as inspection programmes, and these services will still need to be delivered. Council is forecasting a surplus in the 2021/22 financial year, which could be used to fund the fee waiver.
- 5.20 Based on spending data that showed a rebound in activity after previous lockdowns, a six month waiver period is recommended 6 months. This will reduce the total cost to circa \$1.45 million.
- 5.21 There are existing support mechanisms operated by CECC that provide advice to businesses about accessing professional services' support and Government funding programmes. The Council can assist by using its networks and communications channels to ensure that a wide variety of businesses are aware of the help line.
- 5.22 The free COVID-19 Business Helpline number is 0800 50 50 96.
- 5.23 By telephoning this number businesses, including sole traders, can get support and advice on:
- 5.23.1 Government financial support
 - 5.23.2 What different COVID-19 Protection Framework levels mean for their business
 - 5.23.3 Business continuity



Where do I go for business support and advice?

Call the Business Helpline

North Island 0800 500 362 South Island 0800 505 096

- 5.24 The working group identified that changes to the vaccination pass system for international visitors would be beneficial. While all parties agreed to advocate for this, the Government has now made changes and this work is no longer required.
- 5.25 Parking changes were also considered, however, due to implementation challenges, these were not deemed to be feasible. Instead the group recommended advocating that all parking facility operators and owners participate and invest in attracting visitors, particularly into the central city.

Easter to Spring 2022

- 5.26 The foci of the Easter to Spring 2022 horizon are getting workers back to their workplace and encouraging citizens to eat, play and shop locally across Christchurch, especially over the winter period.
- 5.27 The emphasis of the group is on stimulating cross-city collaboration to bring the city to life by enabling the following stakeholders to participate :
 - 5.27.1 Enabling organisations able to remove barriers, advocate, promote supports and activations - for example economic development, business support and business leadership organisations, property owners, transport providers, council, media, and media content providers.
 - 5.27.2 Businesses through business-led collaborations, promotions, activations, events and team reconnection opportunities.
 - 5.27.3 Community groups seeking to engage, re-connect with, and energise those they work for and with; for example: youth, migrant, arts, cultural, sport and recreation, play, and social and environmental innovation groups.
- 5.28 A number of ideas are currently being worked on including promotion of existing events, provision of transport support to these events, promotional activities, and initiatives that draw on tactical urbanism, urban play and place-making concepts.
- 5.29 One of the initial actions is to improve the comprehensiveness of existing events databases, identify activity clusters for promotion, and identify any supports that can be given to increase the chances of success.
- 5.30 The specific transport support involves the potential for free transport around the central city on selected days. This allows easy access to key retail and attraction sites. More details of this ideas will be shared once a funding decision allows for commercial arrangements to be finalised.
- 5.31 The tactical urbanism involves the use of temporary parklets for outdoor dining. This has proved successful elsewhere and could be used in a Christchurch environment. Details still need to be worked out about how to handle alcohol licensing in these spaces, however, this is underway.

General Matters

- 5.32 The recovery planning is being developed at speed, with a focus initially on getting the immediate “response” actions underway.
- 5.33 More work is required to develop the Easter to Spring 2022, and Summer 2022-23 recovery programmes, so fully developed plans and budgets are not yet available. The collaborative working group has also not yet had sufficient time to identify and access all relevant funding sources, including any support from other levels of Government, or from larger businesses who may both benefit from the work and have more resilience to the economic headwinds. This exploratory work is underway.
- 5.34 Some funding will be required to enable support for promotion of existing events and business-led promotions, and small scale community or business-led activations. This includes:
 - 5.34.1 Transport support: \$30,000
 - 5.34.2 Promotions: \$70,000
- 5.35 This initial funding could come from Council’s forecast surplus.

- 5.36 It is not anticipated that ratepayers will be the sole source of funding for this programme of works, however, with the group working to identify other potential funders or contributors.
- 5.37 Council must consider the views and preferences of its community when making decisions. This decision is likely to attract a variety of views.
- 5.37.1 Some will argue that economic development and support for businesses is not Council's core role. This argument might suggest that Council sticks to the provision of infrastructure and community services. Potentially they may argue that this is a central Government or business role, not one for the local authority. Those holding this view may oppose the use of ratepayer funds based on a perception that it supports businesses.
- 5.37.2 There will argue that Council's efforts are too little and late. This group will be critical of Council and will argue for more expenditure to help the business sector.
- 5.37.3 It is likely that there will be a group that recognises that businesses contribute not only financially (directly through rates and fees or indirectly through rent), but also add vitality and vibrancy to Christchurch. They are likely to be supportive of the modest contribution from Council and of work to involve stakeholders both in the identification of actions and funding activities.
- 5.38 The decision affects the following wards/Community Board areas:
- 5.38.1 All. The immediate action will have wide spread impact across all wards and Community Board areas.

6. Policy Framework Implications Ngā Hiraunga ā- Kaupapa here

Strategic Alignment Te Rautaki Tīaroaro

- 6.1 The actions proposed in this report align with Council's strategic framework.
- 6.2 Council's vision of a city of opportunity for all is based on principles including:
- 6.2.1 Ensuring the diversity and interests of our communities across the city and the district are reflected in decision-making; and
- 6.2.2 Actively collaborating and co-operating with other local, regional and national organisations.
- 6.2.3 Both of these principles are drivers for the actions outlined in this report and the process taken to develop the recommended actions.
- 6.3 The work is directly consistent with three out of four community outcomes – resilient communities, liveable city, and prosperous economy.
- 6.4 This report does not support the [Council's Long Term Plan \(2018 - 2028\)](#), activity or funding included in the Plan.

Policy Consistency Te Whai Kaupapa here

- 6.5 This report supports and is aligned with the Ōtautahi Christchurch Recovery Plan 2020.

Impact on Mana Whenua Ngā Whai Take Mana Whenua

- 6.6 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does specifically impact Mana Whenua, their culture and traditions.
- 6.7 Notwithstanding this recognising values such as kaitiakitanga, Mana whenua have been invited to contribute to the collaborative working group.

Climate Change Impact Considerations Ngā Whai Whakaaro mā te Āhuarangi

6.8 Climate change impact has not been specifically considered in the work undertaken to date.

Accessibility Considerations Ngā Whai Whakaaro mā te Hunga Hauā

6.9 Accessibility has not been specifically considered in the work undertaken to date, however, it will be a consideration in future detailed planning particularly relating to the tactical urbanism initiatives.

7. Resource Implications Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

7.1 Cost to Implement – For the initial actions described in this report, this is estimated at no more than \$1.55 m. As a comparison Auckland City Council, which has had longer periods of lockdown, has a budget of \$37.5 million, and Wellington City Council has announced a package costing \$2.3 million.

7.2 Maintenance/Ongoing costs - Nil

7.3 Funding Source – The Council’s forecast surplus provides a potential funding source for all or part of the cost to implement. There are inflationary pressures that may impact on this surplus, such as interest, material, and wage costs. While advice is that the Council is able to fund the proposed initiatives, more financial analysis is required to identify specific sources and the split between the 2021/22 and 2022/23 financial years.

Other / He mea anō

7.4 The collaborative group is seeking advice, expertise and support from across Council and Christchurch NZ. This includes events, marketing, urban development, regulatory compliance and finance functions.

8. Legal Implications Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

8.1 Council has the statutory power to undertake the proposals in this report.

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

8.2 Legal advice has been sought during the preparation of this report. There are no legal matters that preclude Council taking the proposed course of action.

9. Risk Management Implications Ngā Hīraunga Tūraru

9.1 Risk management implications of the decisions in this report fall into two areas.

9.2 From a customer perspective, the risk is that our actions do not target or benefit the “right” customers. The immediate actions focus on hospitality businesses city wide, while the Easter to Spring 2022 initiatives will benefit retail and hospitality businesses city wide, but particularly in the inner city. Other sectors such as accommodation are also facing stress. While not directly targeted they may receive benefit from the initiatives proposed.

9.3 From a reputation perspective, there is dual risk. There could be criticism of actions to assist businesses by those in the community who perceive that dosing so is not Council’s role or responsibility. Others could criticise Council for doing “too little too late”. Both types of criticism could impact on Council’s reputation. The approach taken to date and

recommended in this paper attempts to mitigate this risk by proposing modest Council funding that leverages investment by other stakeholders.

Attachments / Ngā Tāpirihanga

There are no attachments to this report.

In addition to the attached documents, the following background information is available:

| Document Name | Location / File Link |
|---------------|----------------------|
| | |

Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

| | |
|--------------------|--|
| Author | Bruce Rendall - Head of Facilities, Property & Planning |
| Approved By | Leah Scales - Acting General Manager Resources/Chief Financial Officer |

26. OARC Co-governance Establishment Committee

Reference Te Tohutoro: 22/111134

Report of Te Pou Matua: Mary Richardson, General Manager Citizens & Community,
mary.richardson@ccc.govt.nz

General Manager Mary Richardson, General Manager Citizens & Community,
Pouwhakarae: mary.richardson@ccc.govt.nz

1. Purpose of the Report Te Pūtake Pūrongo

- 1.1 The purpose of this report is to present the proposed Terms of Reference for the Ōtākaro Avon River Corridor Co-governance Establishment Committee. This report has been written in response to the Council resolution from 9 December 2021, (CNCL/2021/00210) which requested that staff provide advice to the Council meeting in February 2022 on the terms of reference of an Establishment committee.
- 1.2 The decisions in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by a review of the financial implications, level of public consultation and the impact on the community. If any subsequent proposal is deemed to be of high significance and meets the requirements under the Local Government Act 2002, public consultation would occur.

2. Officer Recommendations Ngā Tūtohu

That the Council:

1. Appoints the Ōtākaro Avon River Corridor Co-governance Establishment Committee as a Committee of Council.
2. Adopts the Terms of Reference for the Ōtākaro Avon River Corridor Co-governance Establishment Committee.
3. Appoints Lianne Dalziel as a Chair of the Committee.
4. Invites Te Rūnanga o Ngāi Tūāhuriri to identify four members including a Co-Chair for the Committee.
5. Requests that the Chairs identify three other members of the Committee.

3. Reason for Report Recommendations Ngā Take mō te Whakatau

- 2.1 The Ōtākaro Avon River Corridor represents an extraordinary opportunity for the city and the region. The Council has previously agreed to establish a permanent co-governance entity to help to ensure that decisions regarding the land's future are made in line with long-term community and mana whenua aspirations.
- 2.2 In December 2021, the Council confirmed its intent to establish a co-governance entity to govern the Ōtākaro Avon River Corridor comprising equal representation by Ngāi Tūāhuriri and Christchurch City Council, noting the Council appointees would be drawn from the Council and the wider community.

“The concept of co-governance responds to the wish from many iwi to have greater participation in the management of the environment.”

...Involving iwi in the management of natural resources brings with it a number of benefits. Iwi often have unique knowledge of particular resources and can help local authorities better manage them. There is a growing consensus that the utilisation of traditional knowledge can lead to better environmental 'decision-making'. More generally, ensuring Maori have an appropriate level of input into natural resource management is just a matter of good government, consistent with contemporary Treaty rights." Christopher Finlayson and James Christmas, 2021. He Kupu Taurangi. Treaty Settlement and the Future of Aotearoa New Zealand, page 120.

- 2.5 The Council sought advice on the Terms of Reference of an Establishment Committee. It was intended that the Committee would:
 - 2.2.1 Provide advice on the development of the enduring co-governance entity and framework for the ŌARC, including options for the entity to be established by way of a local Act of Parliament or a Trust Deed and the inclusion of the Ōtākaro Avon River Corridor within a local bill.
 - 2.2.2 Provide strategic direction, leadership and decision-making to ensure the Ōtākaro Avon River Corridor (ŌARC, the Corridor) and the Ōtākaro/Avon River are developed, managed and maintained to provide the optimal ecological, cultural, social and economic benefits, until the permanent entity is established.
- 2.3 Council has worked with mana whenua, community stakeholders, and the Chair of Te Tira Kāhikuhiku and has sought advice from Hon. Christopher Finlayson on co-governance arrangements involving local iwi and hapū in the administration of significant natural resources in conjunction with local government and other community groups as appropriate. These parties have provided advice on the Terms of Reference.
- 2.6 This report presents the draft terms of reference for the Ōtākaro Avon River Corridor Co-governance Establishment Committee.

3. Policy Framework Implications Ngā Hiraunga ā- Kaupapa here

Strategic Alignment Te Rautaki Tīaroaro

- 6.1 This report supports the Council's Long Term Plan (2021 - 2031):
 - 6.1.1 Activity: Parks and Foreshore
 - Level of Service: 6.8.12.2 Operational Co – Governance entity for the Residential Red Zone - Draft Options developed for public consultation.

Policy Consistency Te Whai Kaupapa here

- 6.2 The decision is consistent with Council's Plans and Policies.

Impact on Mana Whenua Ngā Whai Take Mana Whenua

- 6.3 The decision involves a decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision impacts Mana Whenua, their culture and traditions.
- 6.4 The establishment of a governance entity for the ŌARC is an opportunity to recognise and respect Ngāi Tahu's interests and rights in the Ōtākaro/Avon River, and for Ngāi Tūāhuriri as

mana whenua to be a key partner in the implementation of the Regeneration Plan in a co-governance role.¹

Climate Change Impact Considerations Ngā Whai Whakaaro mā te Āhuarangi

- 6.12 Proposals developed in the next stage will take into account climate change considerations. The evaluation of proposals will need to consider environmental impacts, and the effect on the environmental wellbeing of communities.

Resource Implications Ngā Hīraunga Rauemi

Capex/Opex Ngā Utu Whakahaere

- 3.1 The capex costs associated with the ORAC programme of works has been included in the LTP and in an OARC Activity Plan.
- 3.2 The costs associated with the Co-governance Establishment Committee are included in the 2022/23 draft budget. There is currently Red Zones Transitional Use grant funding in future budgets.

4. Legal Implications Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report Te Manatū Whakahaere Kaupapa

- 4.1 The Council has powers of general competence in section 12 of the Local Government Act 2002 for the purposes of performing its role. The role of the Council includes giving effect to the purpose of local government stated in section 10. The purpose of local government includes promoting the social, economic, environmental and cultural well-being of communities in the present and for the future.
- 8.2 Clause 32(1) of Schedule 7 of the Local Government Act 2002 also provides that
- “Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*
- ...
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- ...”.
- 4.2 The Council has the powers to appoint a Committee under Section 30 of Schedule 7 of the Local Government Act 2002.

Other Legal Implications Ētahi atu Hīraunga-ā-Ture


- 4.3 Detailed legal implications for the formal entity and land status will be provided in advice for any future decision making.

5. Risk Management Implications Ngā Hīraunga Tūraru

- 5.1 The water reforms may impact on the future ownership of land associated with stormwater management.

¹ Williams (2021) Governance of the Ōtākaro Avon River Corridor - Discussion paper

Attachments Ngā Tāpirihanga

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| A  | Terms of Reference for the Establishment Committee | 31 |

Additional background information may be noted in the below table:

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| | |

Confirmation of Statutory Compliance Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories Ngā Kaiwaitohu

| | |
|--------------------|--|
| Author | Mary Richardson - General Manager Citizens & Community |
| Approved By | Mary Richardson - General Manager Citizens & Community |

