
Christchurch City Council SUPPLEMENTARY AGENDA

Notice of Meeting:

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

Date: Thursday 7 July 2022
Time: 9.30am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

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 July 2022

Principal Advisor

Dawn Baxendale
Chief Executive
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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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To view copies of Agendas and Minutes, go to:

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32. Resolution to Include Supplementary Reports

1. Background

- 1.1 Approval is sought to submit the following report to the Council meeting on 07 July 2022:
 33. Draft submission on Water Services Entities Bill
- 1.2 The reason, in terms of section 46A(7) of the Local Government Official Information and Meetings Act 1987, why the report was not included on the main agenda is that it was not available at the time the agenda was prepared.
- 1.3 It is appropriate that the Council receive the report at the current meeting.

2. Recommendation

- 2.1 That the report be received and considered at the Council meeting on 07 July 2022.
 33. Draft submission on Water Services Entities Bill

33. Draft submission on Water Services Entities Bill

Reference / Te Tohutoro: 22/760233

Report of / Te Pou
Matua:

David Griffiths, Head of Strategic Policy and Resilience,
David.Griffiths@ccc.govt.nz
Vivienne Wilson, Senior Legal Counsel, Vivienne.Wilson@ccc.govt.nz

General Manager /
Pouwhakarae:

Lynn McClelland, Assistant Chief Executive Strategic Policy and
Resilience, Lynn.McClelland@ccc.govt.nz

1. Purpose of the Report Te Pūtake Pūrongo

- 1.1 The purpose of this report is for the Council to delegate authority to approve the Council's submission on the [Water Services Entities Bill](#) to a sub-group of elected members.
- 1.2 The final submission is due with the Finance and Expenditure Select Committee by Friday 22 July 2022.
- 1.3 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. This recognises that while there is significant community interest in the Government's water reform programme, the specific decision (to delegate authority to approve the Council's submission) is of a lower level of significance.

2. Officer Recommendations Ngā Tūtohu

That the Council:

1. [Delegate to Mayor and \[named Councillors\] authority to finalise and approve the Council submission on the Water Services Entities Bill, to be submitted by Friday 22 July 2022.](#)

3. Reason for Report Recommendations Ngā Take mō te Whakatau

- 3.1 The Council regularly makes submissions on proposals which may significantly impact Christchurch residents or Council business. Making submissions is an important way to influence national policies and legislation development, and we need to allow as much time as possible to ensure the final submission considers each section of the Bill.
- 3.2 Submitting on this Bill gives Council an opportunity to provide constructive feedback to the Select Committee to ensure that Christchurch city obtains the best outcomes possible in light of this reform.
- 3.3 Staff recommend the submission be delegated to a small group of elected members because the July Council meeting schedule does not align with the submission development timeline. Drafting of a submission on the Bill has commenced but will not be completed before the Council meeting on 7 July. The consultation period closes on Friday 22 July 2022 and the next Council meeting is not until Thursday 28 July 2022.

4. Alternative Options Considered Ētahi atu Kōwhiringa

- 4.1 The alternative option to the recommendation outlined above is for the Council to not make a submission on these proposals. This is not the preferred option as it is important for the

Council to advocate on issues that affect the Christchurch community, Council business and our strategic priorities.

5. Detail Te Whakamahuki

Water Services Entities Bill

- 5.1 The Water Services Entities Bill establishes four publicly-owned water services entities that will provide water services in place of local authorities. The Bill contains the ownership, governance, and accountability arrangements relating to those entities, and provides for transitional arrangements during an establishment period.
- 5.2 The Council will be part of the Southern Water Services Entity (Entity D). Entity D will be owned by the territorial authorities within the Ngāi Tahu takiwā, with shares allocated on a population basis. The Council will have eight shares out of 32 shares in total.
- 5.3 The Regional representative groups (RRG) will provide regional and local level direction and oversight, including monitoring of the water services entities, and statements of strategic and performance expectations. RRGs will consist of 12-14 members, with membership split between local government and mana whenua.
- 5.4 The water services entities will commence delivery of services on 1 July 2024.
- 5.5 There are at least two additional pieces of legislation to come to set up the Water Service Entities. Further legislation will provide for:
 - implementation arrangements for the entities and service delivery;
 - specific powers and functions for managing water services;
 - economic regulation and consumer protection regimes;
 - changes to Treaty settlement legislation; and
 - changes to the Local Government Act 2002, the Water Services Act 2021, and other legislation.
- 5.6 The Council has received the draft submission from Taituarā — Local Government Professionals Aotearoa, and the LGNZ submission outline. These are attached to this report (**Attachment A** and **Attachment B**).

Community Engagement

- 5.7 A [Newsline article](#) was published 23 June, encouraging Christchurch residents with concerns about the proposed legislation to make a submission to the Select Committee.
- 5.8 The Council's submission will ask the Finance and Expenditure Select Committee to hold hearings in Christchurch so the Committee can hear directly from the Council and Christchurch residents.
- 5.9 Community Board input was sought by staff during the drafting of the submission. Feedback on the Bill was received from Waikura Linwood-Central-Heathcote and Te Pātaka o Rākahautū Banks Peninsula Community Boards and is being considered by staff in developing the submission

6. Policy Framework Implications Ngā Hiraunga ā- Kaupapa here

Strategic Alignment Te Rautaki Tīaroaro

- 6.1 This submission aligns with the Council's strategic framework.
- 6.2 This report supports the Council's Long Term Plan [Council's Long Term Plan \(2021-2031\)](#):

6.2.1 Activity: Strategic Planning, Future Development and Regeneration

- Level of Service: 17.0.1.1 Advice to Council on high priority policy and planning issues that affect the City. Advice is aligned with and delivers on the governance expectations as evidenced through the Council Strategic Framework. - Triennial reconfirmation of the strategic framework or as required.

Policy Consistency Te Whai Kaupapa here

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

Impact on Mana Whenua Ngā Whai Take Mana Whenua

- 6.4 The Bill provides for mana whenua representation on each of the Entities' RRGs and requires the Entities to give effect to the principles of Te Tiriti o Waitangi and Te Mana o te Wai.
- 6.5 The Council has engaged with Te Rūnanga o Ngāi Tahu Governors on the Government's water reform programme and remains committed to ongoing partnership and engagement with mana whenua.

Climate Change Impact Considerations Ngā Whai Whakaaro mā te Āhuarangi

6.6 While the decision to delegate authority to approve this submission does not have direct climate change impacts, the draft submission requests clarity on the roles and responsibilities of water entities and local government with respect to planning matters impacted by climate change and adaptation.

Accessibility Considerations Ngā Whai Whakaaro mā te Hunga Hauā

6.7 The decision to delegate authority to approve this submission does not have direct accessibility impacts.

7. Resource Implications Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

- 7.1 Cost to Implement - the cost of preparing a submission has been met from existing budgets.
- 7.2 Maintenance/Ongoing costs - there will be no ongoing costs associated with making this submission. If Council wishes to be heard at Select Committee, this will require staff time - the cost of which will be met from existing budgets.
- 7.3 Funding Source - existing operational budgets.

8. Legal Implications Ngā Hīraunga ā-Ture

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

8.1 This consultation is open to the public and any legal person can make a submission to the Select Committee.

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture





- 8.2 The Bill constitutes the biggest reform of local government since the 1989 reorganisation process.
- 8.3 Given that this is the first Bill in the water reform process, it is difficult to evaluate the legislative proposals in the absence of the details about the transitional process and the interface with the resource management reforms.

- 8.4 Nevertheless, the Council's submission should address the major policy issues, as well possible improvements and amendments to the detailed provisions in the Bill (should the reform proceed).

9. Risk Management Implications Ngā Hiraunga Tūraru

- 9.1 There are no risks identified with making this submission.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A  	Taituarā — Local Government Professionals Aotearoa Draft Submission	9
B  	LGNZ Submission Outline	64

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

Document Name	Location / File Link
Water Services Entities Bill	https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_124081/water-services-entities-bill

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

Authors	Ellen Cavanagh - Policy Analyst Vivienne Wilson - Senior Legal Counsel Sara Hames - Principal Advisor Policy
Approved By	David Griffiths - Head of Strategic Policy & Resilience Ron Lemm - Manager Legal Service Delivery, Regulatory & Litigation Lynn McClelland - Assistant Chief Executive Strategic Policy and Performance

**Submission of
Taituarā – Local Government Professionals Aotearoa
regarding the
Water Services Entities Bill**

Draft for discussion - not Taituarā policy

