

**Workshop - Ōtākaro Avon River Corridor Co-
governance Establishment Committee**
NOTES

Date: Monday 12 February 2024
Time: 10.06am
Venue: Committee Room 2, Level 2, Civic Offices, 53 Hereford Street

Present

Co-Chairs Lianne Dalziel and Dr Te Maire Tau
Members Kelly Barber
Julyan Falloon
Hayley Guglietta – via audio/visual link
Thomas Hildebrand
Tutehounuku Korako
Dr John Reid
Dr Cynthia Roberts

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Please Note:

All information provided in briefings should be considered as confidential unless otherwise stated.

This forum has no decision making powers and is purely for the purpose of information sharing.

The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

There was an apology received from Tania Wati for absence.

2. Otakaro Avon River Corridor Enduring Governance Recommendation

Staff outlined the OARC Enduring Governance Recommendation Report (see attachment A).

The Committee discussed the draft OARC Enduring Governance Recommendation Report.

The Committee requested that another Workshop be held on 25 March 2024 to discuss the second stage of the process in further depth, specifically focusing on the Charitable Trust.

The Committee requested that staff circulate a memo detailing the Committee questions about the Trust.

The Committee requested that Chris Finlayson be present at the 25 March 2024 OARC Workshop.

The Committee made the following requested changes to the recommendations in the draft report:

- Resolution 3 – change “*appropriate governance structure*” to “*appropriate enduring governance structure*”.
- Resolution 3(b) - delete “*after significantly more development has occurred*” from the staff recommendation for the Committee’s resolution.
- Resolution 4(e) – change/clarify meaning of “*within the policy*”, and change/clarify the meaning of “*does not negatively impact the budget set by the Council*”.
- Resolution 5 – Include more detail about why staff recommend against transfer of Resource Management Act 1991 (RMA) powers and duties.

The Committee made the following requested changes regarding the Terms of Reference for the proposed Committee:

- Move the section covering Recommendations to Council above the Delegations section.

The Committee requested that the following questions and input relating to the OARC Enduring Governance Recommendation Report be included at the workshop on 25 March 2024:

- Merits of a full transfer of Council’s RMA powers to iwi under section 33 of the RMA.
- Council staff work with whoever Dr Tau requests to be involved from Ngai Tuahuriri in preparing material for the workshop.
- Committee membership – does the Establishment Committee want to request the Council to appoint the Establishment Committee members to be the members of the new Council? Or should it be smaller but with more elected members e.g. the Council representatives being the Mayor, Deputy Mayor, and Councillor Barber, and three members appointed by Ngai Tuahuriri?
- What are the risks and liabilities for Committee members and for Council or Ngai Tuahuriri as the bodies appointing the Committee members?
- Pros and cons of various Trust structures – why a Charitable Trust instead of another type of trust?

- Use Council/community experience with other trusts e.g. the Rod Donald Trust.
- How to maintain a charitable structure?
- How would the Charitable Trust get funds from Council?
- Pros and cons of a transition from Council Committee to a Charitable Trust.
 - More about the costs as a current constraint.
- The ability for the Trust to get other funding sources?
- What would the Trust own? Infrastructure? Why or why not?
- Should RMA powers and duties be transferred to the Trust? Why or why not?
- Risks and liabilities of the Trust/Trustees?
- Timing: Discuss options for the Establishment Committee's recommendation to Council on timing of when a Charitable Trust should be set up:
 - No Decision yet: i.e. the Council Committee will decide later whether/when it wants to ask the Council to set up a trust.
 - Request that there be a Trust and that the timing be at Council's discretion at some future date depending on development being finished, or some other trigger?
 - Request Council to set up a Trust immediately, to run in parallel with the Council Committee.
- Expert/professional assistance for the Trust?

Attachments

- A OARC workshop PowerPoint 

Thomas Hildebrand left the workshop at 11.49am

Meeting concluded at 12.01pm.