

Terms of Reference

1. Background and context

- 1.1. The Global Settlement Agreement, Section 19, sets out the proposed agreement between the Crown and the Council for land use governance arrangements for the red zones in Christchurch, for land uses which are for less than five years.
- 1.2. In summary, the parties agree to take a phased approach to increasing community involvement in temporary, transformative land use governance.
- 1.3. As Land Information New Zealand (LINZ) is the current landowner of most of the land within the red zones in Christchurch, the Global Settlement envisages that LINZ remains the final decision-maker for land use applications.
- 1.4. Phase 1 involves the Council and LINZ establishing a group to advise both parties on land use applications of less than five years while land ownership remains with the Crown.
- 1.5. In Phase 2, which will occur as parcels of land are transferred from LINZ to Council ownership, Council will assume decision-making powers over this land and proposes to establish a community co-governance entity to make decisions on Council's behalf (the exact nature of this co-governance is still to be determined).
- 1.6. Transformative land use is defined as a range of uses from one-off events to longer lasting activities, which assist with the transition to the permanent use of red zones land and can also reduce the operating costs of maintaining the land.
- 1.7. For the purposes of clarification, temporary, 'transformative land use' does not include Council public works. Council would continue to go directly to LINZ for approval for leases, licences or access authorities relating to storage of equipment, access arrangements, etc for public works.

2. Function of the Red Zones Transformative Group

- 2.1. The Red Zones Transformative Group has a fixed term of three years or until a permanent governance structure (or structures) for the red zones is / are confirmed.
- 2.2. As per the Global Settlement Agreement, the Crown and the Council agree that this land use may:
 - Strengthen the connection between the red zone land and adjacent communities.
 - Provide a range of recreational and other opportunities for Christchurch residents.

- Improve the environmental health of red zone land.
- Enable the testing of new and innovative ideas.
- Support any Regeneration Plans or planning or more permanent uses of red zone land.

2.3. The Red Zones Transformative Group supports these land uses by:

- Recommending temporary land use licences, leases and access authorities for the red zones.
- Making decisions or recommendations on grant funding for temporary land uses of the red zones.

3. Delegations

- 3.1. To recommend to Land Information New Zealand, for its final decision, any leases, licences, and access authorities for temporary uses of the land in the Ōtākaro Avon River Corridor, and other areas of red zone (Brooklands, the Port Hills and Southshore).
- 3.2. Recommendations for leases, licences and access authorities from this Group will be taken into consideration by LINZ, alongside any other factors they consider material to their decision-making.
- 3.3. To make decisions, up to and including \$20,000, for contestable grant funding from the Red Zones Transformative Fund for projects that support temporary, transformative uses of the land in the Ōtākaro Avon River Corridor, and other areas of red zone (Brooklands, the Port Hills and Southshore).
- 3.4. To recommend to Council, for its final decision, funding greater than \$20,000 from the Red Zones Transformative Fund for projects that support temporary, transformative uses of the land in the Ōtākaro Avon River Corridor, and other areas of red zone (Brooklands, the Port Hills and Southshore).

4. Role of the Red Zones Transformative Group

4.1. The role of the Group is to:

- Review applications for temporary land use leases, licences and access authorities to determine their appropriateness for the proposed location, the benefits they offer for the environment, adjacent communities and all residents, and their support for any regeneration plans or more permanent use.
- Make decisions (within delegations of authority) to recommend leases, licences and access authorities.
- Review applications for grant funding of projects that support temporary, transformative land uses.
- Make decisions (within delegations of authority) to fund projects, and recommend funding from the Red Zones Transformative Fund, for projects that support temporary land uses.

- Have oversight of current and proposed future land uses (as per the Regeneration plan for the OARC) across all red zones land, to ensure good decisions are made.

4.2. The role of the individual members of the Group includes:

- Working in a collaborative and co-operative way, using best endeavours to make decisions that take account of the interests of all parts of the community, and residents of Christchurch.
- Contributing their knowledge and perspective but not promote the views or positions of any particular interest and stakeholder group.
- Promoting a collaborative and supportive working relationship within the Group, and between the communities and agencies.
- Being genuinely interested in the initiatives and outcomes.
- Having a broad understanding of current and proposed future land uses, the various agreements already in place, and the strategic direction of the Council.
- Understanding the strategic implications and outcomes of initiatives proposed for temporary, transformative land use.

5. Membership

5.1. The Group shall be comprised of:

| Number | Title | Details |
|--------|--|---|
| 1 | Independent Chair. | Appointed by Council, in consultation with Ngāi Tahu and LINZ. |
| 1 | Linwood-Central-Heathcote Community Board representative. | As democratically elected by the local community. |
| 1 | Coastal Burwood Community Board representative. | As democratically elected by the local community. |
| 1 | Banks Peninsula Community Board representative. | As democratically elected by the local community. |
| 2 | Ngāi Tahu appointees – Ngāi Tūāhuriri and Ngati Wheke (as required). | Appointed by Ngāi Tahu. |
| 5 | Community members and members of representative groups. Of the five representatives, three must represent the Ōtākaro Avon River Corridor and one of the five must be a youth representative (aged under 30) | Community members with demonstrated ability to hold a good strategic oversight and understanding of Council Plans, strategies and processes relating to resolution of earthquake legacy issues and adaptation to natural hazard risk. |

5.2. The constitution of the group relating to decisions and recommendations for each red zone will be determined once the membership is confirmed. However, Community Board

and Mana Whenua representatives will make decisions relating to applications within their Board and rohe areas.

6. Convener/Chair

- 6.1. The Chair shall convene the Group meetings.
- 6.2. For occasions where there are even numbers of members involved in the decision-making (for example, on temporary use and funding decisions for Brooklands, Southshore and the Port Hills) the Chair will have the casting vote.
- 6.3. If the Chair is not available, then a member will be nominated as the Acting Chair by the Chair. The Acting Chair will be responsible for convening and conducting that meeting
- 6.4. The Acting Chair is responsible for informing the Chair as to the salient points / decisions raised or agreed to at that meeting.

7. Conflict of Interest

- 7.1. All Group members are required to complete a Conflict of Interest and Confidentiality Statement prior to assessing any grant funding applications.
- 7.2. Members of the Group are ineligible to receive any grant funding from Council that is awarded through or on the advice of this Group.
- 7.3. Members of the Group are also required to sign and abide by a code of conduct.

8. Agenda Items

- 8.1. The Group agenda with attached meeting papers, will be distributed at least one week ahead of the next scheduled meeting.
- 8.2. The Chair will agree the formal agenda and members may raise items as 'Other Business' as time permits.

9. Minutes & Meeting Papers

- 9.1. Meetings of the Group are not open to the public.
- 9.2. The minutes of each Group meeting will be recorded and distributed by the Secretariat.
- 9.3. Full copies of the minutes, including attachments, shall be provided to all Group members within two to three working days after each meeting.

9.4. Meeting minutes and any decisions will be made public on the Council website within one week of the meeting.

10. Frequency of Meetings

10.1. The Group shall typically meet monthly.

10.2. Additional meetings may be required during the first six months of the Group being established, to meet initial demand for decisions on leases and/or funding.

11. Quorum Requirements

11.1. The presence of at least two thirds of the Group members, with representation, is required for a meeting to be recognised as an authorised, decision-making meeting.