

# Terms of Reference

COMMITTEES OF THE WHOLE, STANDING COMMITTEES AND  
WORKING GROUPS

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# Finance and Performance Committee of the Whole - Terms of Reference / Ngā Ārahina Mahinga

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Chair	Cllr MacDonald
Deputy Chair	Cllr Coker
Membership	The Mayor and all Councillors
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd
Meeting Cycle	Monthly
Reports To	Council

## Delegations

The Council delegates to the Finance and Performance Committee authority to oversee and make decisions on:

### Capital Programme and operational expenditure

- Monitoring the delivery of the Council’s Capital Programme and associated operational expenditure, including inquiring into any material discrepancies from planned expenditure.
- As may be necessary from time to time, approving amendments to the Capital Programme outside the Long-Term Plan or Annual Plan processes.
- Approving Capital Programme business and investment cases, and any associated operational expenditure, as agreed in the Council’s Long-Term Plan.
- Approving any capital or other carry forward requests and the use of operating surpluses as the case may be.
- Approving the procurement plans (where applicable), preferred supplier, and contracts for all capital expenditure where the value of the contract exceeds \$15 Million (noting that the Committee may sub delegate authority for approval of the preferred supplier and /or contract to the Chief Executive provided the procurement plan strategy is followed).
- Approving the procurement plans (where applicable), preferred supplier, and contracts, for all operational expenditure where the value of the contract exceeds \$10 Million (noting that the Committee may sub delegate authority for approval of the preferred supplier and/or contract to the Chief Executive provided the procurement plan strategy is followed).

### Non-financial performance

- Reviewing the delivery of services under s17A.
- Amending levels of service targets, unless the decision is precluded under section 97 of the Local Government Act 2002.
- Exercising all of the Council's powers under section 17A of the Local Government Act 2002, relating to service delivery reviews and decisions not to undertake a review.

### Council Controlled Organisations

- Monitoring the financial and non-financial performance of the Council and Council Controlled Organisations.
- Making governance decisions related to Council Controlled Organisations under sections 65 to 72 of the Local Government Act 2002.
- Exercising the Council's powers directly as the shareholder, or through CCHL, or in respect of an entity (within the meaning of section 6(1) of the Local Government Act 2002) in relation to –
  - (without limitation) the modification of constitutions and/or trust deeds, and other governance arrangements, granting shareholder approval of major transactions, appointing directors or trustees, and approving policies related to Council Controlled Organisations; and
  - in relation to the approval of Statements of Intent and their modification (if any).

## Development Contributions

- Exercising all of the Council's powers in relation to development contributions, other than those delegated to the Chief Executive and Council officers as set out in the Council's Delegations Register.

## Property

- Purchasing or disposing of property where required for the delivery of the Capital Programme, in accordance with the Council's Long-Term Plan, and where those acquisitions or disposals have not been delegated to another decision-making body of the Council or staff.

## Loans and debt write-offs

- Approving debt write-offs where those debt write-offs are not delegated to staff.
- Approving amendments to loans, in accordance with the Council's Long-Term Plan.

## Insurance

- All insurance matters, including considering legal advice from the Council's legal and other advisers, approving further actions relating to the issues, and authorising the taking of formal actions (Sub-delegated to the Insurance Subcommittee as per the Subcommittee's Terms of Reference)

## Annual Plan and Long Term Plan

- Provides oversight and monitors development of the Long Term Plan (LTP) and Annual Plan.
- Approves the appointment of the Chairperson and Deputy Chairperson of the External Advisory Group for the LTP 2021-31.

## Submissions

- The Council delegates to the Committee authority:
- To consider and approve draft submissions on behalf of the Council on topics within its terms of reference. Where the timing of a consultation does not allow for consideration of a draft submission by the Council or relevant Committee, that the draft submission can be considered and approved on behalf of the Council.

## Limitations

The general delegations to this Committee exclude any specific decision-making powers that are delegated to a Community Board, another Committee of Council or Joint Committee. Delegations to staff are set out in the delegations register.

The Council retains the authority to adopt policies, strategies and bylaws.

The following matters are prohibited from being subdelegated in accordance with LGA 2002 Schedule 7 Clause 32(1) :

- the power to make a rate; or
- the power to make a bylaw; or
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- the power to adopt a long-term plan, annual plan, or annual report; or
- the power to appoint a chief executive; or
- the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
- the power to adopt a remuneration and employment policy.

## Chairperson may refer urgent matters to the Council

As may be necessary from time to time, the Committee Chairperson is authorised to refer urgent matters to the Council for decision, where this Committee would ordinarily have considered the matter. In order to exercise this authority:

- The Committee Advisor must inform the Chairperson in writing the reasons why the referral is necessary.
- The Chairperson must then respond to the Committee Advisor in writing with their decision.

If the Chairperson agrees to refer the report to the Council, the Council may then assume decision-making authority for that specific report.

## Urgent matters referred from the Council

As may be necessary from time to time, the Mayor is authorised to refer urgent matters to this Committee for decision, where the Council would ordinarily have considered the matter, except for those matters listed in the limitations above.

In order to exercise this authority:

- The Council Secretary must inform the Mayor and Chief Executive in writing the reasons why the referral is necessary.
- The Mayor and Chief Executive must then respond to the Council Secretary in writing with their decision.

If the Mayor and Chief Executive agrees to refer the report to the Committee, the Committee may then assume decision-making authority for that specific report.

# Audit and Risk Management Committee - Terms of Reference / Ngā Ārahina Mahinga

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Chair	Kim Wallace (Independent)
Deputy Chair	Cllr McLellan
Membership	Cllr Fields Cllr MacDonald Cllr Scandrett  External Members Mrs Hilary Walton Ms Jacqueline Robertson Cheyne
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly and as required
Reports To	Council

## Purpose

To assist the Council to discharge its responsibility to exercise due care, diligence and skill in relation to the oversight of:

- the robustness of the internal control framework;
- the integrity and appropriateness of external reporting, and accountability arrangements within the organisation for these functions;
- the robustness of risk management systems, process and practices;
- internal and external audit;
- accounting policy and practice;
- compliance with applicable laws, regulations, standards and best practice guidelines for public entities; and
- the establishment and maintenance of controls to safeguard the Council’s financial and non-financial assets.

The foundations on which this Committee operates, and as reflected in this Terms of Reference, includes: independence; clarity of purpose; competence; open and effective relationships and no surprises approach.

## Procedure

- In order to give effect to its advice the Committee should make recommendations to the Council and to Management.
- The Committee should meet the internal and the external auditors without Management present as a standing agenda item at each meeting where external reporting is approved, and at other meetings if requested by any of the parties.
- The external auditors, the internal audit manager and the co-sourced internal audit firm should meet outside of formal meetings as appropriate with the Committee Chair.

- The Committee Chair will meet with relevant members of Management before each Committee meeting and at other times as required.

## Responsibilities

### Internal Control Framework

- Consider the adequacy and effectiveness of internal controls and the internal control framework including overseeing privacy and cyber security.
- Enquire as to the steps management has taken to embed a culture that is committed to probity and ethical behaviour.
- Review the processes or systems in place to capture and effectively investigate fraud or material litigation should it be required.
- Seek confirmation annually and as necessary from internal and external auditors, attending Councillors, and management, regarding the completeness, quality and appropriateness of financial and operational information that is provided to the Council.

### Risk Management

- Review and consider Management's risk management framework in line with Council's risk appetite, which includes policies and procedures to effectively identify, treat and monitor significant risks, and regular reporting to the Council.
- Assist the Council to determine its appetite for risk.
- Review the principal risks that are determined by Council and Management, and consider whether appropriate action is being taken by management to treat Council's significant risks. Assess the effectiveness of, and monitor compliance with, the risk management framework.
- Consider emerging significant risks and report these to Council where appropriate.

### Internal Audit

- Review and approve the annual internal audit plan, such plan to be based on the Council's risk framework. Monitor performance against the plan at each regular quarterly meeting.
- Monitor all internal audit reports and the adequacy of management's response to internal audit recommendations.
- Review six monthly fraud reporting and confirm fraud issues are disclosed to the external auditor.
- Provide a functional reporting line for internal audit and ensure objectivity of internal audit.
- Oversee and monitor the performance and independence of internal auditors, both internal and co-sourced. Review the range of services provided by the co-sourced partner and make recommendations to Council regarding the conduct of the internal audit function.
- Monitor compliance with the delegations policy.

### External Reporting and Accountability

- Consider the appropriateness of the Council's existing accounting policies and practices and approve any changes as appropriate.

- Contribute to improve the quality, credibility and objectivity of the accounting processes, including financial reporting.
- Consider and review the draft annual financial statements and any other financial reports that are to be publicly released, make recommendations to Management.
- Consider the underlying quality of the external financial reporting, changes in accounting policy and practice, any significant accounting estimates and judgements, accounting implications of new and significant transactions, management practices and any significant disagreements between Management and the external auditors, the propriety of any related party transactions and compliance with applicable New Zealand and international accounting standards and legislative requirements.
- Consider whether the external reporting is consistent with Committee members' information and knowledge and whether it is adequate for stakeholder needs.
- Recommend to Council the adoption of the Financial Statements and Reports and the Statement of Service Performance and the signing of the Letter of Representation to the Auditors by the Mayor and the Chief Executive.
- Enquire of external auditors for any information that affects the quality and clarity of the Council's financial statements, and assess whether appropriate action has been taken by management.
- Request visibility of appropriate management signoff on the financial reporting and on the adequacy of the systems of internal control; including certification from the Chief Executive, the Chief Financial Officer and the General Manager Corporate Services that risk management and internal control systems are operating effectively;
- Consider and review the Long Term and Annual Plans before adoption by the Council. Apply similar levels of enquiry, consideration, review and management sign off as are required above for external financial reporting.
- Review and consider the Summary Financial Statements for consistency with the Annual Report.

## External Audit

- Annually review the independence and confirm the terms of the audit engagement with the external auditor appointed by the Office of the Auditor General. Including the adequacy of the nature and scope of the audit, and the timetable and fees.
- Review all external audit reporting, discuss with the auditors and review action to be taken by management on significant issues and recommendations and report to Council as appropriate.
- The external audit reporting should describe: Council's internal control procedures relating to external financial reporting, findings from the most recent external audit and any steps taken to deal with such findings, all relationships between the Council and the external auditor, Critical accounting policies used by Council, alternative treatments of financial information within Generally Accepted Accounting Practice that have been discussed with Management, the ramifications of these treatments and the treatment preferred by the external auditor.
- Ensure that the lead audit engagement and concurring audit directors are rotated in accordance with best practice and NZ Auditing Standards.

## Compliance with Legislation, Standards and Best Practice Guidelines



- Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines.

## Appointment of Independent Members

- Identify skills required for Independent Members of the Audit and Risk Management Committee. Appointment panels will include the Mayor or Deputy Mayor, Chair of Finance & Performance Committee and Chair of Audit & Risk Management Committee. Council approval is required for all Independent Member appointments.
- The term of the Independent members should be for three years. (It is recommended that the term for independent members begins on 1 April following the Triennial elections and ends 31 March three years later. Note the term being from April to March provides continuity for the committee over the initial months of a new Council.)
- Independent members are eligible for re-appointment to a maximum of two terms. By exception the Council may approve a third term to ensure continuity of knowledge.

## Long Term Plan Activities

- Consider and review the Long Term and Annual Plans before adoption by the Council. Apply similar levels of enquiry, consideration, review and management sign off as are required above for external financial reporting.

# Health, Safety and Wellbeing Committee - Terms of Reference / Ngā Ārahina Mahinga

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Chair	Cllr Scandrett
Deputy Chair	Cllr Barber
Membership	Cllr Moore Cllr Peters  External Members Mr Bevan Killick 1 vacancy
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly
Reports To	Council

## Purpose

Maintain and continually improve Health, Safety & Wellbeing by promoting consultation, co-operation and coordination between Management and Council. Ensuring active engagement in the ongoing development of a health, safety and wellbeing programmes.

## Objective:

The role of the Health, Safety and Wellbeing Committee of Council (Committee) is to assist Council to provide leadership in discharging its health and safety management responsibilities within the organisation.

## Secretarial and Meetings:

- The committee may have in attendance such members of management, including the Chief Executive and such other persons as it considers necessary to provide appropriate information and explanations.
- Meetings shall be held at least quarterly. Further meetings will be arranged on an as-needed basis.
- The Chair of the Committee will report all recommendations, key issues and findings to the Council.

## Responsibilities:

- To assist the Council in discharging its due diligence responsibilities as a Person Conducting a Business or Undertaking (PCBU), by taking reasonably practicable steps to understand the health and safety risks, and ensure that they are managed so that the organisation meets its legal obligations. Review and monitor the robustness of the organisation's health, safety and wellbeing risk management framework.

- Review and monitor the robustness of the organisation's health, safety and wellbeing risk management framework.
- Seek assurance that the organisation is effectively structured to manage health and safety risks.
- Review progress with completion of organisational Health and Safety Plan objectives.
- Monitor compliance with policies and relevant legislation.
- Seek assurance that systems used to identify and manage health and safety hazards and risk are fit for purpose, effectively implemented, regularly reviewed and continuously improved.
- Ensure that the Council is properly and regularly informed and updated on matters relating to health and safety risks.
- Enquire as to the steps management have taken to embed a proactive culture through engagement with workers and provide reasonable opportunities for workers to participate in health, safety & wellbeing.
- Seek assurance that Council are working in partnership so far as reasonably practical with other PCBU's as a primary duty of care to ensure the health and safety of workers.
- Seek advice periodically from internal and external auditors regarding the effectiveness and completeness of the health and safety systems.
- Ensure management are keeping the Committee fully apprised of all independent sources of assurance, via the health and safety framework including any internal or external audits undertaken.
- Consider whether appropriate actions are being taken by management to mitigate Council's significant health and safety risks.
- Ensure that management is kept apprised of the Council's governance body's views on health and safety issues.
- Any other duties and responsibilities that have been assigned to it from time to time by the Council.

## Appointment Process for External Members:

### Principles

The following principles guide the appointment process for External Members of the Committee:

- The Head of Human Resources will provide candidates to the Chief Executive and GM Resources for consideration.
- The Chair of the Committee and Chief Executive will endorse the nominations, if appropriate.

Candidates will be contacted at the appropriate time to confirm their willingness to serve for the term for which External Members are appointed as set out below. If they are willing to serve, independence and confidentiality requirements and a background check will be conducted. They will also be informed of Council policies.

The Chair of the Committee and the Health and Safety Manager or Head of Human Resources will review the candidates to develop a shortlist by assessing the following:

- Professional credentials and relevant experience
- Their understanding of current Health and Safety legislative requirements
- Experience with prevention, and response to compliance risks; education, auditing and monitoring concepts
- Experience overseeing or assessing the performance of organisations with respect to their health and safety compliance or risk function
- Understanding implications for compliance and culture in a changing regulatory environment
- Potential conflicts for the candidate
- Affiliations or connections with the Council and its related entities
- Reference and background check reports

The results of the review of the candidates will be reported to the Committee's External Members Appointments Panel, who will select from the shortlist which External Members are appointed to the Committee.

## Term

- External Members of the Committee will be appointed for a term of three years (subject to the terms their contract and the Council failing to resolve anything that would by implication necessarily shorten that term). The term for External Members shall, unless the Chief Executive specifies otherwise, begin on 1 April following the Triennial elections and end on 31 March three years later to provide continuity for the Committee over the initial months of a new Council.
- External Members are eligible for re-appointment by the Committee's External Members Appointments Panel for one further term. However, the Council may approve the re-appointment of External Members for any number of subsequent terms to ensure continuity of knowledge.

## Delegations

### External Members Appointments Panel:

- The Committee delegates to its External Members Appointments Panel (Panel) the authority to consider shortlisted candidates for appointment as the External Members of the Committee and to appoint 2 External Members.
- The Chair of the Panel shall be the Chair of the Committee, and the further members of the Panel shall be the elected members of the Committee.
- The quorum of the Panel shall be half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.

## Te Hononga Council – Papatipu Rūnanga Committee - Terms of Reference / Ngā Ārahina Mahinga

Co-Chairs	Mayor Mauger and Dr Te Maire Tau
Membership	Deputy Mayor Cotter Cllr Donovan Cllr Fields Cllr Harrison-Hunt Cllr Templeton Chair of the Finance and Performance Committee or Deputy Chair of the Finance and Performance Committee (as alternate)  The Chairperson (or alternate) of <ul style="list-style-type: none"> <li>• Te Rūnanga o Wairewa</li> <li>• Te Ngāi Tūāhuriri Rūnanga</li> <li>• Te Rūnanga o Koukourārata</li> <li>• Te Taumutu Rūnanga</li> <li>• Te Hapū o Ngāti Wheke</li> <li>• Ōnuku Rūnanga</li> </ul>
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly, with additional meetings as required.
Reports To	Council

### Context

There are four Rūnanga whose takiwā or territories lie within the Christchurch City Council's area of jurisdiction. Two, Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga, have boundaries that include Christchurch City but also extend beyond the City Council's jurisdiction.

Representatives from each Rūnanga come together to form Te Kāhui Kahukura, a body which has the authority to exercise decision making powers on behalf of Ngā Papatipu Rūnanga. Through its various regulatory functions, such as District Planning and others prescribed by the Resource Management Act, the Christchurch City Council has a direct relationship with Te Kāhui Kahukura.



In this context, the Christchurch City Council established Te Hononga Council - Papatipu Rūnanga Committee, which includes representatives from the Council and the six Rūnanga, to further enhance the relationship between the Council and Ngāi Tahu.

There are three intrinsic values which are fundamental to Ngā Papatipu Rūnanga. These are protecting and enhancing water quality, protecting Māori Reserve Land, and safeguarding the interests of future generations. These are closely aligned with three equivalent values held by the Christchurch City Council. The Council has statutory responsibility for meeting the needs of future generations, providing safe drinking water and protecting its parks and reserves. The committee will work to seek alignment of these values and work towards them for the benefit of everyone in Christchurch and Banks Peninsula.

The takiwā of the six Papatipu Rūnanga was described Schedule 1 of the Te Rūnanga o Ngāi Tahu Act 1996, which has since been superseded by the Te Rūnanga o Ngāi Tahu (Declaration of Membership) Order 2001:



**Te Ngāi Tūāhuriri Rūnanga**

The takiwā of Te Ngāi Tūāhuriri Rūnanga centres on Tuahiwi and extends from the Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide.

**Rapaki Rūnanga**

The takiwā of Rapaki Rūnanga centres on Rapaki and includes the catchment of Whakaraupo and Te Kaituna.

**Te Rūnanga o Koukourārata**

The takiwā of Te Rūnanga o Koukourārata centres on Koukourārata and extends from Pohatu Pā to the shores of Te Waihora including Te Kaituna.

**Wairewa Rūnanga**

The takiwā of Wairewa Rūnanga centres on Wairewa and the catchment of the lake Te Wairewa and the hills and coast to the adjoining takiwā of Koukourārata, Onuku Rūnanga, and Taumutu Rūnanga.

**Te Rūnanga o Ōnuku**

The takiwā of Te Rūnanga o Ōnuku centres on Ōnuku and the hills and coasts of Akaroa to the adjoining takiwā of Te Rūnanga o Koukourārata and Wairewa Rūnanga.

## Taumutu Rūnanga

The takiwā of Taumutu Rūnanga centres on Taumutu and the waters of Te Waihora and adjoining lands and shares a common interest with Te Ngāi Tūāhuriri Rūnanga and Te Rūnanga o Arowhenua in the area south to Hakatere.

## Responsibilities

Te Hononga Council - Papatipu Rūnanga Committee is responsible for the following:

- Leading the development of an enduring collaborative relationship between the Council and Ngā Papatipu Rūnanga.
- Building shared understanding and strong coordinated leadership on matters of mutual interest within the respective areas of jurisdiction.
- Having oversight of, and providing advice and assistance to the Council on, matters of significance or priority to Māori, and to inform Council decision making.
- Receiving regular updates from staff on Council programmes and projects of significance or priority to Māori.
- Operating in accordance with the Relationship Agreement between Christchurch City Council and Ngā Papatipu Rūnanga signed on 15 December 2016.

## Delegations

This Committee can make recommendations to the Council but does not have delegated authority to make formal decisions on behalf of the Council.

# Ōtakaro/Avon River Corridor Co-Governance Establishment Committee

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Co-Chairs	Hon Lianne Dalziel and Dr Te Maire Tau
Membership	Cllr Barber Tania Wati Dr John Reid Thomas Hildebrand Tutehounuku Korako Hayley Guglietta Cynthia Roberts Julyan Falloon
Quorum	Half of the members
Meeting Cycle	TBC
Reports To	Council and Te Rūnanga o Ngāi Tūāhuriri

## Introduction

- The Ōtakaro/Avon River is a taonga which has been enjoyed by the people of Ōtautahi/Christchurch for generations.
- Ngāi Tūāhuriri is a principal hapū and Papatipu Rūnanga of Ngāi Tahu, and Ngāi Tahu recognise the tino rangatiratanga that resides within these bodies. The Ōtakaro Avon River Corridor sits within Ngāi Tūāhuriri takiwā . Ngāi Tahu hapū have exercised rangatiratanga throughout its rohe for centuries. Its rangatiratanga existed before Te Waipounamu was colonised after 1840. Te Tiriti o Waitangi confirmed the right of Ngāi Tahu to its rangatiratanga, and the Crown reconfirmed Ngāi Tahu rangatiratanga in the Ngāi Tahu Claims Settlement Act 1998. That Act also provided that the Crown would enter a new era of cooperation with Ngāi Tahu.
- Regenerating the 602-hectare Ōtakaro Avon River Corridor (the Corridor) is a once in a life lifetime opportunity to create a legacy which benefits present and future generations. Stretching from the city to the sea the Corridor will provide a range of environmental, cultural, social, and economic benefits, focusing on the health and wellbeing of the Ōtakaro/Avon River (Te Mana O Te Wai) and ensuring a healthier place for people, the natural ecosystem (Te taiao) and the natural security of the people of Ōtautahi/Christchurch in preparation for climate change and the environmental changes during the 21st century and beyond.
- The regeneration of the Corridor is also an opportunity for Ōtautahi/Christchurch and Ngāi Tūāhuriri to demonstrate genuine partnership in a co-governance arrangement.
- While this agreement recognises the rangatiratanga of Ngāi Tūāhuriri, it also recognises the intergenerational investment and ownership of the people of Ōtautahi /Christchurch and the Christchurch City Council (the Council). This agreement does not undermine the authority of the Crown or local government but commits to a coordinated approach wherein the Corridor is forever protected and cloaked by both entities for the future well-being of the people of Ōtautahi /Christchurch.
- The role of Ngāi Tūāhuriri is to ensure that both parties govern the Corridor so that the environmental integrity and mahinga kai is secured and protected for future generations by



the custom of Topuni<sup>1</sup> whereby the Corridor and awa are secured and developed as an environmental taonga for all citizens of Ōtautahi /Christchurch.

- In 2019, the global settlement agreement was entered into by the Crown and the Council. It provided for the ownership of the Corridor to be transferred progressively to Council during 2022 as property title matters were resolved. Once the Council owns all or most of the land and exercises decision-making powers over the land, an enduring co-governance entity will be established by the Council and Ngāi Tūāhuriri. This entity will make decisions under the delegation of the Council.
- In December 2021, the Council confirmed its intent to establish such a co-governance entity to govern the Corridor. That entity will comprise equal membership by Ngāi Tūāhuriri and the Council, noting that the Council appointees would be drawn from the Council and the wider community. Council also agreed to set up a Co-governance Establishment Committee.
- The establishment of a co-governance entity and a partnership with Ngāi Tūāhuriri and the Council, provides for and enables the exercise of rangatiratanga and kaitiakitanga by mana whenua, and provides for the relationship of mana whenua and their cultures and traditions with their ancestral lands, mahinga kai, water, sites, wāhi tapu and other taonga.

## Purpose

The purpose of the Committee is to:

- 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.
- Provide advice on the development of the enduring co-governance entity/framework for the ŌARC

## Functions

Provide strategic direction

- Develop a collective understanding of current and proposed future land uses, the various agreements already in place, and the strategic direction of the Council.
- Set the strategic direction for the integrated development of the Corridor with reference to the ŌARC Regeneration Plan; Mahaanui Iwi Management Plan; the Christchurch District Plan; the Council's ŌARC Activity Plan; and other national, regional and Council policies and strategies.
- Provide governance over-sight for the implementation of the Ōtākaro Avon River Corridor Activity Plan.

Advise on the enduring co-governance entity for the ŌARC

- Provide advice on roles and functions of the co-governance entity and the potential legal structure of the entity.

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<sup>1</sup> The concept of Tōpuni derives from the traditional Ngāi Tahu tikanga (custom) of persons of rangatira (chiefly) status extending their mana and protection over a person or area by placing their cloak over them or it. <https://ngaitahu.iwi.nz/ngai-tahu/the-settlement/settlement-offer/cultural-redress/ownership-and-control/mana-recognition>

- Investigate and develop advice on the development of a local bill to establish the entity and provide an enduring legal status for the Corridor within a local Act of Parliament.

#### Land uses and projects

- Make decisions on leases, licenses, and access authorities for use of the land within the Corridor.
- Review significant applications for land uses to determine their appropriateness for the proposed location; the benefits they offer for the environment, adjacent communities and all residents; and their alignment with the Activity Plan and any regeneration plans.
- Approve project concept plans, feasibility and business cases.

#### Engagement and consultation

- Identify and understand stakeholder interests to be able to direct engagement for specific decisions.
- Establish and maintain effective dialogue and relationships with stakeholders to support the role of the Committee.
- Ensure appropriate engagement and consultation has occurred with communities and organisations.
- Provide information and report to the public using methods such as reports, meetings, and newsletters.

#### Funding

- Make financial decisions in accordance with the Council's delegations' policy.

#### Monitoring performance and reporting

- Receive regular performance reports on the Activity Plan
- Monitor the implementation of the Activity Plan including monitoring the delivery of the Levels of Service.
- The Activity Plan describes capital projects that will be delivered in the Corridor through four other Council Activity Plans: Parks Activity Plan; Stormwater Drainage Activity Plan; Flood protection and Control works Activity Plan; and Transport Activity Plan. The Council Parks Unit is responsible for the integrated planning and delivery of investment across Council.
- Consider and advise on conflicts and risks to achieving the Activity Plan.
- Report to Council quarterly, or more frequently if required.

## Delegations

The Council delegates the following responsibilities to the Establishment Committee:

- To make decisions on land uses and activities on the Council-owned Ōtākaro Avon River Corridor land to be able to develop the land in accordance with the Committee's strategic direction.
- To make financial decisions in accordance with Council's delegations' policy

## Committee membership

- The Committee has eight to ten members selected for their relevant skills, knowledge and leadership capabilities.
- At least one member will be a City Councillor/Mayor, and half will be identified by Ngāi Tūāhuriri.
- Ngāi Tūāhuriri accepts the requirements under the LGA 2002. Council will work with Ngāi Tūāhuriri to ensure the tikanga of its four members is respected in the appointment process.
- Co-Chairs will be appointed jointly by the Council and Ngāi Tūāhuriri.
- A quorum comprises 50% of members.
- The Co-governance Establishment Committee will be discharged once the establishment of an agreed and co-governing entity over ŌARC is constituted.

## Meetings

- The Committee will operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987. Meetings will be advertised, and an agenda published.
- The Committee will meet monthly
- The Committee will work to achieve consensus wherever possible, and work in a collaborative and cooperative manner taking into account the interests of all sectors of the community.
- Members will contribute their knowledge and perspective but not promote the views or positions of any particular interest or stakeholder group.
- The Committee may receive presentations by invitation or agreement of the Co-Chairs.

## Committee remuneration

- Remuneration for chairs and members will be set annually.
- The participation of an elected member in the Committee is part of their remunerated role as a councillor or Mayor.

## Support for the Committee

The Council and Te Rūnanga o Ngāi Tūāhuriri will provide support to the Committee including:

- A Council General Manager and an advisor from Ngāi Tūāhuriri as Principal Advisors
- A Committee Advisor from the Hearings and Council Support Team will provide administrative and procedural support to the Committee.
- Relevant staff from across the Council will provide advice to the Committee.

## Limitation of powers

- The Committee does not have the authority to commit Council to any course of action or unbudgeted expenditure.

- The general delegations to this Committee exclude any specific decision-making powers that are delegated to a Community Board, another Committee of Council or Joint Committee. Delegations to staff are set out in the delegations register.
- The Council retains the authority to adopt policies, strategies and bylaws

## Appendix 1: Vision and Objectives of the ŌARC Regeneration Plan

The Vision from the Regeneration Plan  
The river is part of us, and we are part of the river.  
It is a living part of our city.

A place of history and culture  
where people gather, play, and celebrate together.

A place of learning and discovery  
Where traditional knowledge, science and technology meet.

A place for ideas and innovation  
where we create new ways of living and connecting.

Our vision is for the river to connect us together –  
with each other, with nature and  
with new possibilities.

Nōku te awa. The river is mine.  
We all share in the future of this river.  
Ōtākaro Avon River. Together we thrive.

### The Objectives from the Regeneration Plan

For Christchurch:

- Support safe, strong and healthy communities that are well connected with each other and with the wider city.
- Provide opportunities for enhanced community participation, recreation and leisure.
- Create a restored native habitat with good quality water so there is an abundant source of mahinga kai, birdlife and native species.
- Create opportunities for sustainable economic activity and connections that enhance our wellbeing and prosperity now and into the future.

For New Zealand:

- Develop the Ōtākaro Avon River Corridor as a destination that attracts a wide range of domestic and international visitors.
- Establish a world-leading living laboratory, where we learn, experiment and research; testing and creating new ideas and ways of living.
- Demonstrate how to adapt to the challenges and opportunities presented by natural hazards, climate change and a river's floodplain.

## Appendix 2: Guiding documents

### Mahaanui Iwi Management Plan 2013

- The Mahaanui Iwi Management Plan 2013 and its successive plans outlined by Ngāi Tūāhuriri must be given effect to when Council prepares or changes a district plan. The section on Ihutai includes the catchments of the Ōtākaro/Avon River and Ōpāwaho/Heathcote River and is an essential resource and guide when making decisions on the ŌARC.

### Ōtākaro Avon River Corridor Regeneration Plan

- The ŌARC Regeneration Plan (August 2018) and the Christchurch District Plan together contribute to the strategic direction for the Corridor. The Regeneration Plan provides examples of preferred land uses, and the variability of land use in different reaches of the ŌARC. The Regeneration Plan centres on the awa/river and the vital role that the river plays within the Corridor and within the city. The plan emphasises a restored natural environment, and strengthened connection between people, the river and the land.
- The Regeneration Plan requires the development of an Implementation Plan to provide greater certainty about the funding, sequencing and delivery of the Regeneration Plan, and ensure coherent and co-ordinated development of the ŌARC.

### Christchurch District Plan

- Section 13.14 of the Christchurch District Plan is particularly relevant. It defines the Specific Purpose (Ōtākaro Avon River Corridor) Zone, and provides objectives, policies, rules, standards and assessment criteria which seek to manage activities in the Zone. It sets out specific provisions for each sub-area defined in the Development Plan in Appendix 13.14.6.1 of the District Plan.

### Council's Ōtākaro Avon River Corridor Activity Plan

- Regeneration will be delivered through significant investment in projects within the Corridor that include regenerative planting, tidal wetland development, long-term stopbank construction, stormwater treatment facilities, bridges, landings, and walking and cycling corridors.
- The Council has prepared an Ōtākaro Avon River Corridor Activity Plan in its Draft Annual Plan 2022-23 which describes capital projects that will be delivered through four other of Council's activity plans: Parks Activity Plan; Stormwater Drainage Activity Plan; Flood protection and Control works Activity Plan; and Transport Activity Plan.

- The infrastructure and environmental investments identified within this Activity Plan will facilitate a broad range of uses and activities within the Corridor, generating significant social, ecological and economic benefits. Careful integrated planning and delivery of investment will be required to ensure the most beneficial and cost-effective implementation.
- The Council Parks Unit is responsible for coordinating the cross-Council programme, reporting to the co-governance Establishment Committee and engaging with the community.
- The success of the Activity Plan will be measured by the health of the river and the environment; the restoration of mahinga kai; and present and future generations' enjoyment of the river and the corridor. The regeneration of the Ōtākaro Avon River Corridor is an opportunity for Ōtautahi Christchurch and Ngāi Tūāhuriri to demonstrate genuine co-governance, alongside innovative environmental leadership.

# Civic Awards Committee - Terms of Reference / Ngā Ārahina Mahinga

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Chair	Councillor Johanson
Deputy Chair	Cllr Donovan
Membership	Cllr Fields Cllr Moore Cllr Peters
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Yearly
Reports To	Council

## Area of Focus

The Civic Awards Committee considers and reports to Council on the following matters:

- Reviewing civic awards processes and to report on the process for making civic awards
- Providing oversight and recommendations on Civic Awards processes
- Reviewing nominations for Civic Awards
- Recommending to Community Boards nominations considered worthy of a community award
- Recommending to the Council nominations to receive Civic Awards
- Other matters referred to it by the Council

# Chief Executive Performance and Employment Committee - Terms of Reference / Ngā Ārahina Mahinga

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Chair	The Mayor
Deputy Chair	Councillor Gough
Membership	Deputy Mayor Cotter Cllr MacDonald Cllr McLellan
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly and as required
Reports To	Council

## Purpose

The purpose of the Committee is to enable the Council to meet its good employer obligations to its Chief Executive. These obligations, as well as those of the Chief Executive, are set out in the Local Government Act 2002, in employment law generally and in the Chief Executive's employment agreement.

## Areas of Focus

The Committee acts for and advises the Council on all matters relating to the Chief Executive's employment including recruitment, remuneration, performance and relationship management.

## Responsibilities and Delegations

- Recommend to Council for approval when required, a recruitment, selection and appointment process for a Chief Executive
- Oversee within the Council agreed process, Chief Executive recruitment and selection, and recommend candidates and proposed remuneration to Council for approval
- Conduct and complete a review of employment at least 6 months prior to the end of the Chief Executive's first term of employment (LGA 2002, Sch7, cl35) and recommend to Council whether or not the Chief Executive should be appointed for a second term of up to two years or that the position be declared vacant (LGA2002, Sch7, cl34)
- Negotiate an initial performance agreement, subsequent agreements and any variations with the Chief Executive and recommend to Council for approval
- Provide feedback and support to the Chief Executive and undertake performance reviews, all consistent with the process and timeline in the relevant performance agreement
- Report the outcome of the annual review of the Chief Executive's performance and make recommendations to Council on the outcome of that review for approval
- Review the Chief Executive's remuneration and package in accordance with the employment agreement and make recommendations to the Council for approval
- Provide updates on issues and progress to Council at other times and on request



- Engage relevant external advice including independent legal advice to assist the Committee with all or any of the matters within its delegations ensuring that such advisors are not otherwise contracted to Council for similar services
- Agree with the Chief Executive how the administration needs of the Committee will be met.

## Limitations

The power to appoint a Chief Executive is one that is reserved for the Council to make and cannot be delegated (LGA 2002, Sch7, cl 32(1)(e)). The power to adopt a remuneration and employment policy also cannot be delegated by Council (LGA2002, Sch7, cl32(1)(h)).

Note: The following responsibility is removed from the Committee TOR and by default will now be a Council responsibility: Council remuneration and employment policy including the living wage

## Youth Committee Te Pau Pakari - Terms of Reference / Ngā Ārahina Mahinga

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Chair	
Deputy Chair	
Membership	Cllr Coker Cllr Donovan Cllr Harrison-Hunt Cllr McLellan Cllr Moore
Quorum	
Meeting Cycle	

### Responsibilities and Delegations

- To be developed and reported back to the Council for confirmation

## Insurance Subcommittee - Terms of Reference / Ngā Ārahina Mahinga

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Chair	Cllr MacDonald
Deputy Chair	Cllr Henstock
Membership	Cllr Barber Cllr McLellan
Quorum	Two
Meeting Cycle	Twice yearly and as required
Reports To	Finance and Performance Committee of the Whole

### Responsibilities and Delegations

- Oversee the conduct and progress of the ongoing review of the Council's 2010/11 insurance portfolio.
- Make all decisions, with full delegation to progress the conduct of that review and associated actions of any nature including final resolution.
- Oversee the conduct and progress of any significant claim processes.
- Make all decisions including final decisions, with full delegation to progress and settle all significant claims.
- Report back to the next practicable Finance and Performance Committee or Council meeting on any final resolutions.
- Power to sub-delegate any of these responsibilities or delegations to Subcommittee Members and/or Council Officers, including settlement and final decisions.

## Funding Subcommittee - Terms of Reference / Ngā Ārahina Mahinga

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Chair	Cllr Templeton
Deputy Chair	Cllr Donovan
Membership	Committee of the Whole (all Councillors)
Quorum	Five
Meeting Cycle	Annually and as required
Reports To	Council

### Responsibilities

The Funding Committee will consider and make decisions on the applications to the Metropolitan Strengthening Communities fund, where the decision is not already delegated to staff.