

Memorandum of Agreement

Greater Christchurch Partnership Committee

This Memorandum of Agreement is compliant with the requirements for joint committees as outlined in the Local Government Act (Clause 30A of Schedule 7), as amended by the Local Government Act 2002 Amendment Act 2014.

This Memorandum of Agreement includes, as part of the Agreement, the following appendices:

- § the Committee protocol for the resolution of conflicting views
- § the Public Deputations guidelines for the Committee
- § the Communications Protocol (and associated Regeneration Protocol) for the Committee

Dated:	<i>Endorsed by the Greater Christchurch Partnership Committee on 7 April 2017 and subsequently ratified at the governance meetings of voting partners and signed by partner Chief Executives, as per the Committee resolutions.</i>
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Greater Christchurch Partnership Committee Memorandum of Agreement (2017)

(Executed by Chief Executives at a meeting of the Chief Executives Advisory Group 19 July 2017)



Signed on behalf of
Canterbury Regional Council



Signed on behalf of
Canterbury District Health Board



Signed on behalf of
Christchurch City Council



Signed on behalf of
Greater Christchurch Group, Department of
Prime Minister and Cabinet



Signed on behalf of
Selwyn District Council



Signed on behalf of
New Zealand Transport Agency



Signed on behalf of
Waimakariri District Council



Signed on behalf of
Regenerate Christchurch



Signed on behalf of
Te Rūnanga o Ngāi Tahu

1. PURPOSE OF THE AGREEMENT

- 1.1. To outline the voluntary and collaborative approach agreed between the Partners to address strategic challenges and opportunities for Greater Christchurch.
- 1.2. To comply with the requirements for joint committees as outlined in Clause 30A of Schedule 7 of the Local Government Act 2002.

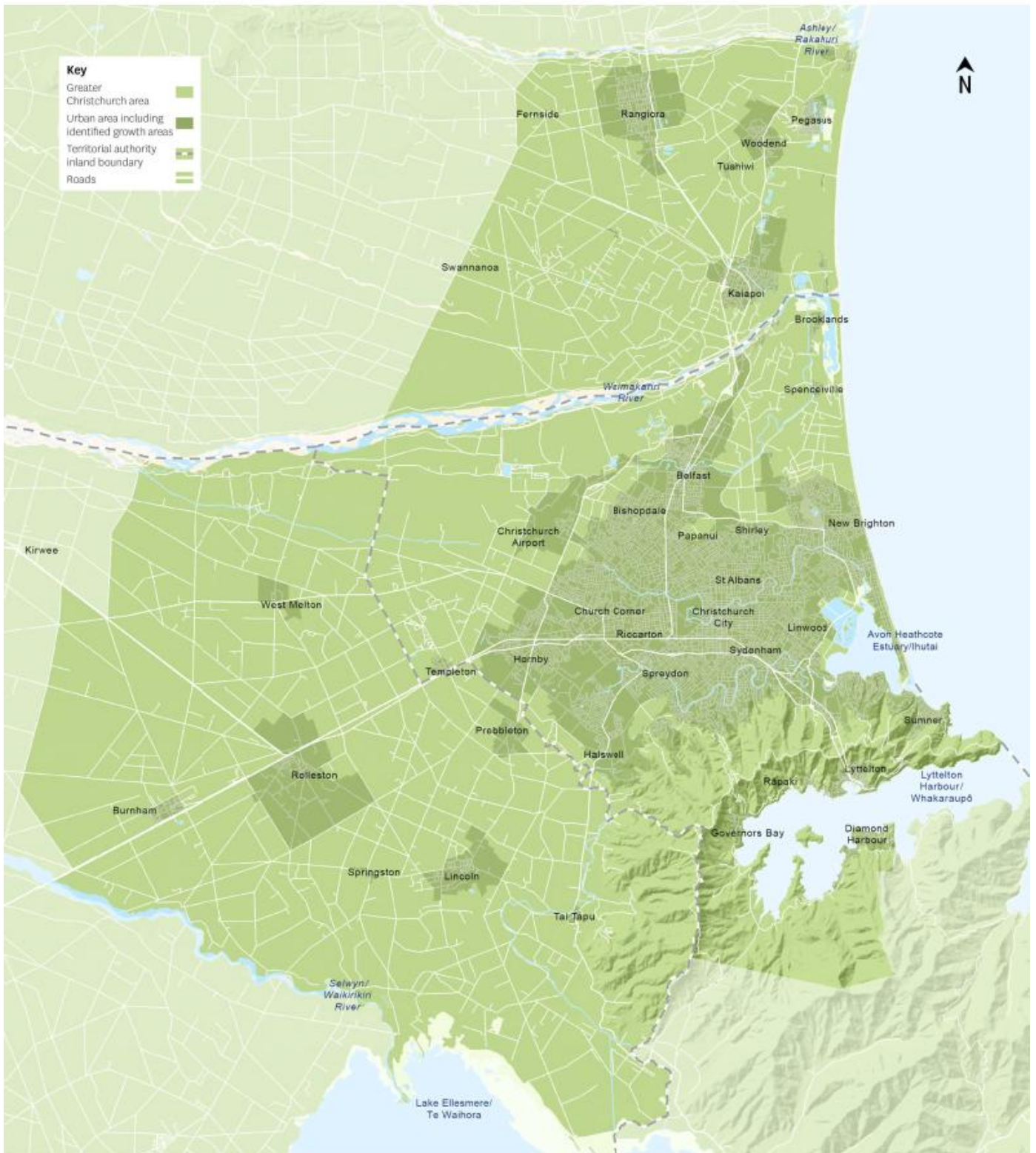
2. BACKGROUND

- 2.1. The value proposition for collaboration across Greater Christchurch is strong:
 - § many of the challenges and opportunities facing communities and councils in Greater Christchurch transcend the political boundaries of its territorial authorities
 - § improving the economic, social, cultural and environmental wellbeing of communities requires the application of statutory functions held by a number of local and central public agencies
 - § communities have a clear expectation that public agencies must work together efficiently and effectively to deliver agreed community outcomes
 - § ensuring Ngāi Tahu values and aspirations are reflected and incorporated into strategic planning and decision-making recognises and supports agreements with the Crown and enriches the bi-cultural heritage within our communities
- 2.2. Working in partnership can therefore:
 - § demonstrate visible and collaborative leadership
 - § build trust and stronger organisational and personal relationships
 - § enable Partners to better understand individual perspectives and identify shared objectives and areas of alignment
 - § result in an agreed framework in which to progress individual initiatives and provide confidence and certainty to stakeholders and the community
 - § assist information sharing, efficient and effective working, and provide a stronger voice when advocating to others
 - § establish a greater level of preparedness in responding to unforeseen events
- 2.3. The Greater Christchurch Partnership Committee is a further evolution of the Greater Christchurch Urban Development Strategy Implementation Committee (UDSIC). The latter was formally established in 2007 with the adoption of the Greater Christchurch Urban Development Strategy (UDS) to oversee implementation the Strategy.
- 2.4. Subsequently the UDSIC also provided a forum to advance earthquake recovery matters and resilience planning. In so doing the UDSIC expanded and strengthened its representation to include Te Rūnanga o Ngāi Tahu, the Canterbury District Health Board (CDHB) and the Greater Christchurch Group of the Department of the Prime Minister and Cabinet.
- 2.5. In 2016 the UDSIC adopted the UDS Update and the Resilient Greater Christchurch Plan.

3. INTERPRETATION

- i. Agreement means this Memorandum of Agreement with its Schedules, including any variations entered into from time to time.
- ii. Committee means the Greater Christchurch Partnership Committee.
- iii. Partners means together Canterbury Regional Council, Christchurch City Council, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, Canterbury District Health Board, New Zealand Transport Agency, Regenerate Christchurch and the Greater Christchurch Group of the Department of the Prime Minister and Cabinet.
- iv. Greater Christchurch means the area covering the eastern parts of Waimakariri and Selwyn Districts Councils and the metropolitan area of Christchurch City Council, including the Lyttelton Harbour Basin. It includes the towns of Rangiora, Kaiapoi and Woodend/Pegasus to the north and Rolleston, Lincoln and West Melton to the south-west and is shown on the map attached overleaf as Figure 1.
- v. Greater Christchurch Partnership (or Partnership) means the voluntary arrangements established to support collaboration amongst the Partners, including the Committee, the Chief Executives Advisory Group and staff coordination and implementation groups.
- vi. Strategic framework means the agreed overarching Strategy of the Partnership, supported by any other partnership strategies, plans and programmes necessary to manage growth and address urban development, regeneration, resilience and long-term economic, social, cultural and environmental wellbeing for Greater Christchurch. Currently the overarching Strategy is documented through the Greater Christchurch Urban Development Strategy (2007) and complemented by the Strategy Update (2016).
- vii. Regional Council means Canterbury Regional Council (operating as Environment Canterbury).
- viii. Territorial Authorities means Christchurch City Council, Selwyn District Council and Waimakariri District Council.
- ix. LGA 2002 means the Local Government Act 2002.
- x. RMA 1991 means the Resource Management Act 1991.
- xi. LTMA 2003 means the Land Transport Management Act 2003.
- xii. GCRA 2016 means the Greater Christchurch Regeneration Act 2016.

Figure 1: Map of area referred to as Greater Christchurch.



4. COMMITTEE MEMBERSHIP

- 4.1. The Committee will have a membership of twenty, comprising seventeen voting members and three non-voting members, made up as follows:
 - i. An Independent Chairperson;
 - ii. The Chair and two council members from Canterbury Regional Council;
 - iii. The Mayor and two council members from Christchurch City Council;
 - iv. The Mayor and two council members from Selwyn District Council;
 - v. The Mayor and two council members from Waimakariri District Council;
 - vi. The Kaiwhakahaere of Te Rūnanga o Ngāi Tahu and two representatives appointed by Te Rūnanga o Ngāi Tahu
 - vii. The Board Chairperson or a board member of Canterbury District Health Board;
 - viii. The Director, Regional Relationships of the New Zealand Transport Agency, with speaking rights but in a non-voting capacity
 - ix. The Chief Executive of Regenerate Christchurch, with speaking rights but in a non-voting capacity
 - x. The Director of the Greater Christchurch Group of the Department of the Prime Minister and Cabinet, with speaking rights but in a non-voting capacity
- 4.2. The Partners may replace their unspecified representatives from time to time by providing written notice to the Committee confirming the amended appointment.
- 4.3. The Committee may agree to appoint up to two additional non-voting observers from time to time and for a specified period of time where such appointments will contribute to and support the work of the committee.
- 4.4. The Committee will not be discharged at the point of each election period (in line with Clause 30(7) of Schedule 7 of the LGA 2002.
- 4.5. There is no provision for alternates. Other Partner representatives are welcome to attend and may seek speaking rights.

5. INDEPENDENT CHAIRPERSON AND DEPUTY CHAIRPERSON

- 5.1. The Independent Chairperson will be appointed by the Committee and will continue in the role unless otherwise resolved by the Committee or upon a resignation being received.
- 5.2. Remuneration and contractual arrangements for the Independent Chair will be agreed by the Chief Executives Advisory Group.
- 5.3. A Deputy Chairperson will be appointed by the Committee at the commencement of each triennium, and who shall be a voting member of the Committee. The Deputy Chairperson will continue in the role for the duration of the triennium unless otherwise resolved by the Committee or upon a resignation being received.
- 5.4. There will be no remuneration for the Deputy Chairperson.

6. QUORUM AND CONDUCT OF MEETINGS

- 6.1. The quorum at a meeting of the Committee consists of the majority of the voting members
- 6.2. Voting shall be on the basis of the majority present at the meeting, with no alternates or proxies.
- 6.3. For the purpose of clause 6.2, the Independent Chairperson:
 - i. has a deliberative vote; and
 - ii. in the case of equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).
- 6.4. Other than as noted in this Agreement, the standing orders of the administering Council at the time, shall apply.

7. MEETING FREQUENCY

- 7.1. The Committee shall meet monthly, or as necessary and determined by the Independent Chair in liaison with the Committee.
- 7.2. Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987.
- 7.3. The Committee welcomes external speakers by deputation however the right to speak at meetings must be in accordance with the adopted public deputation guidelines of the Committee.

8. TERMS OF REFERENCE

- 8.1. The role of the Committee is to:
 - i. Foster and facilitate a collaborative approach between the Partners to address strategic challenges and opportunities for Greater Christchurch.
 - ii. Show clear, decisive and visible collaborative strategic leadership amongst the Partners, to wider stakeholders, agencies and central government and to communities across Greater Christchurch.
 - iii. Establish, and periodically review, an agreed strategic framework to manage growth and address urban development, regeneration, resilience and long-term economic, social, cultural and environmental wellbeing for Greater Christchurch
 - iv. Oversee implementation of strategies and plans endorsed by the Committee and ratified at individual partner governance meetings, including through the adoption and delivery of an annual joint work programme.
 - v. Ensure the Partnership proactively engages with other related partnerships, agencies and organisations critical to the achievement of its strategic goals.
- 8.2. The functions of the Committee are to:
 - i. Establish an agreed strategic framework to manage growth and address urban development, regeneration, resilience and long-term wellbeing for

Greater Christchurch. This is currently expressed through the Greater Christchurch Urban Development Strategy (2007) and the associated Strategy Update (2016).

- ii. As required, develop new and review existing strategies and plans to enable Partners to work more collaboratively with each other and to provide greater clarity and certainty to stakeholders and the community. Existing strategies and plans endorsed by the UDSIC and inherited by this Committee are:
 - a. Greater Christchurch Urban Development Strategy (2007)
 - b. Greater Christchurch Travel Demand Management Strategy and Action Plan (2009)
 - c. Greater Christchurch Urban Development Strategy Action Plan (2010)
 - d. Greater Christchurch Transport Statement (2012)
 - e. Greater Christchurch Freight Study and Action Plan (2014/15)
 - f. Greater Christchurch Urban Development Strategy Update (2016)
 - g. Resilient Greater Christchurch Plan (2016)
- iii. Recommend to Partners for ratification at individual partner governance meetings any new or revised strategies and plans.
- iv. Adopt and monitor the delivery of an annual joint work programme to deliver on strategic goals and actions outlined in adopted strategies and plans.
- v. Undertake reporting on the delivery of adopted strategies and plans, including in relation to an agreed strategic outcomes framework.
- vi. Identify and manage risks associated with implementing adopted strategies and plans.
- vii. Establish and maintain effective dialogue and relationships (through meetings, forums and other communications) with other related partnerships, agencies and organisations to the support the role of the Committee, including but not limited to:
 - a. Healthy Christchurch (and any similar arrangements in Selwyn and Waimakariri Districts) and other health partnerships
 - b. Safer Christchurch (and any similar arrangements in Selwyn and Waimakariri Districts)
 - c. Greater Christchurch Public Transport Joint Committee
 - d. Canterbury Mayoral Forum
 - e. New Zealand Police and other emergency services
 - f. Tertiary institutions and educational partnerships
 - g. Regeneration agencies, including Ōtākaro Limited and Development Christchurch Limited
 - h. Strategic infrastructure providers
 - i. Government departments

- viii. Undertake wider engagement and consultation as necessary, including where appropriate seeking submissions and holding hearings, to assist the development of any strategies and plans.
 - ix. Advocate to central government or their agencies or other bodies on issues of concern to the Partnership, including through the preparation of submissions (in liaison with the Canterbury Mayoral Forum as necessary).
- 8.3. In undertaking its role and performing its functions the Committee will consider seeking the advice of the Chief Executives Advisory Group.

9. DELEGATIONS

- 9.1. Establishing, and where necessary amending, protocols and processes to support the effective functioning of the Committee, including but not limited to those relating to the resolution of conflicting views, communications and public deputations.
- 9.2. Preparing communication and engagement material and publishing reports relevant to the functions of the Committee.
- 9.3. Undertaking engagement exercises in support of the terms of reference and functions of the Committee
- 9.4. Making submissions, as appropriate, on Government proposals and other initiatives relevant to the role of the Committee.
- 9.5. Selecting an Independent Chair and Deputy Chair in accord with any process agreed by the Committee and the requirements of the LGA 2002.
- 9.6. Appointing where necessary up to two additional non-voting observers to the Committee.

10. FINANCIAL DELEGATIONS

- 10.1. The Committee can make financial decisions within an agreed budget envelope and as long as the decision does not trigger any change to the statutory plans prepared under the LGA 2002, the RMA 1991, the LTMA 2003.

11. LIMITATION OF POWERS

- 11.1. In of itself the Committee does not have the authority to commit any Partner to any course of action or expenditure and its recommendations do not compromise the Partners freedom to deliberate and make decisions.
- 11.2. For the avoidance of doubt, the Partners are under no obligation to accept the recommendations of the Committee.
- 11.3. In accordance with legislative requirements Partners will retain decision-making and other statutory responsibilities in relation to their functions and responsibilities under the LGA 2002, the RMA 1991, the LTMA 2003 and, where relevant, the GCRA 2016.

12. OPERATING PRINCIPLES

- 12.1. The practice of the Committee will be to work to achieve consensus wherever possible to achieve alignment and integration across all Partners.
- 12.2. In making recommendations and when preparing strategies and plans the Committee will operate within the principle of subsidiarity where decision-making is the responsibility of individual Partners unless it would be more effective for the matter to be resolved through collaborative agreement.
- 12.3. The Committee will work in a collaborative and cooperative manner and take into account the interests of all sectors of the community.
- 12.4. The Committee will at all times operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987.

13. COMMITTEE SUPPORT

- 13.1. A Partner Council will act as the administrating authority to the Committee and this will be determined by the CEAG for each triennium.
- 13.2. The administrating authority will cover the costs associated with the provision of secretariat support from its staff.
- 13.3. A dedicated Implementation Manager supports effective functioning of the Partnership and works with the Committee Advisor to provide secretariat support to the Committee.
- 13.4. The Committee is also supported through the provision of advice by the Chief Executives Advisory Group and where required that of staff coordination and implementation groups.

14. PARTNERSHIP FUNDING

- 14.1. The Committee and the collaborative work of the Partnership is supported financially through the provision of a central fund, which includes meeting the costs associated with the roles of Independent Chair and Implementation Manager.
- 14.2. The agreed funding formula for this financial contribution is Environment Canterbury (37.5%); Christchurch City Council (37.5%); Selwyn District Council (12.5%) and Waimakariri District Council (12.5%).
- 14.3. Annual financial contributions will be determined by the CEAG as part of the annual plan processes of partner Councils and with reference to the agreed annual work programme of the Partnership.
- 14.4. Other Partners may from time to time make supplementary financial contributions to assist effective Partnership working and the delivery of agreed collaborative work programmes.
- 14.5. For the avoidance of doubt, the successful achievement of strategic goals and implementation of agreed actions within existing strategies and plans relies on the alignment of individual Partner resources through annual plans, long term plans and other funding processes.

15. VARIATIONS

- 15.1. The Committee may, at any time, make a recommendation to voting member Partners to vary this Agreement.
- 15.2. A recommendation to vary this Agreement must be ratified at the governance meetings of all the individual voting member Partners.
- 15.3. Any variation to this Agreement will be attached to a copy of this document.

APPENDIX 1

Greater Christchurch Partnership Committee

Resolution of Conflicting Views

The parties acknowledge the need for a mechanism to resolve any conflicting points of view that may arise from time to time and a mechanism by which any member(s) of the Committee may request its use to ensure that any matter or issue is given fair and reasonable consideration prior to formal consideration by the Committee.

For the purpose of conflict resolution the following procedures should apply:

- Any member(s) of the Committee may feel that further discussion, evaluation or consideration is required prior to moving forward on a particular matter.
- It is proposed that in such situations, any member(s) may request the referral of such matters for further review. It is noted that this mechanism is not for the purposes of creating any delay but solely to ensure matters have been given adequate consideration.
- If any matter is referred for review, the review is to be undertaken by the Independent Chair and two Committee members. The review group is to include the member, or at least one of the members, who requested that a matter be reviewed. The Independent Chair shall select the two members of the Committee who will participate in the review group having regard to the nature of the matter being reviewed. After consideration of the matter, the review group will report back to the Committee on the outcome.
- Requests for reviews shall be made at any meeting of the Committee. The Independent Chair shall be the final arbiter of what matters are to be referred for review. Review requests must be accompanied by reasons.
- Review requests are to be made without other Committee members criticising the request. The ability to make such a request in a non-threatening environment is part of “this is the way we do our business” approach.

APPENDIX 2

Greater Christchurch Partnership Committee

Public Deputations Guidelines

The Greater Christchurch Partnership Committee is a joint committee of the partner Councils and other organisations and welcomes speakers at its meetings. The right to speak at meetings must however be specifically requested and the following guidelines set out the process which must be followed.

Requests to speak

1. Notwithstanding any Standing Orders relating to public deputations, any person requesting to speak at a meeting of Committee must make such a request in writing to the Committee Advisor at least six clear working days before the date of the meeting concerned.
2. Such a request must detail who would be speaking, which organisation (if any) they would be representing and the topic of the presentation sought to be covered.
3. Presentation topics must relate to matters covered in the Greater Christchurch Urban Development Strategy (2007). Presentation topics do not need to relate to any specific agenda items for the meeting concerned.

Confirmation of requests

4. The Independent Chair will consider any request to speak and confirm his/her decision at least two working days before the date of the meeting concerned.
5. The Independent Chair may refuse requests for any reason set out in Standing Orders, including:
 - a. The speaker has already presented on the same topic.
 - b. The matter is subject to legal proceedings.
 - c. The matter is subject to a hearing.

Urgent requests

6. Notwithstanding point 1 above, where in the opinion of the Independent Chair a request made outside the above timeframes is considered urgent or of major public interest, such a request may be granted.

Presentations

7. It would be of assistance to Committee representatives and associated staff if a written summary of the speaker's topic is submitted to the Independent Chair prior to the meeting concerned.
8. If a written submission is presented prior to the meeting concerned it will not be necessary for the speaker to read it verbatim, but merely to outline the general content.
9. Unless given specific prior permission by the Independent Chair, speakers should present for no more than ten minutes.

10. The Chairperson may terminate a presentation in progress for any reason set out in standing orders, including:
 - a. The speaker is being repetitious, disrespectful or offensive
 - b. The Chairperson has reason to believe that statements have been made with malice.
11. If the presentation relates to an agenda item to be subsequently debated Committee representatives may ask questions of clarification but will not enter into debate.

Responses to depositions

12. An initial response to depositions will be provided at the end of the Committee meeting concerned. The Committee (or staff on behalf of the Partners) will then provide a written response to any points raised by speakers, as considered appropriate by the Independent Chair, within two working days of the meeting concerned.

Note: Presentations to the Committee may be made in English, Maori or any other language, including New Zealand sign language. Prior arrangement with the Independent Chair should be sought at least two working days before the meeting if the address is not in English. The Independent Chair may order that any speech or document presented be translated and/or printed in another language. If the other language is an official language of New Zealand (e.g. English, Maori or New Zealand sign language), the translation and printing costs will be met by the Partnership.

APPENDIX 3

Greater Christchurch Partnership Committee

Communications Protocol

(Adopted by the Greater Christchurch Partnership Committee at its meeting on 2 June 2017)

1.0 Purpose

This protocol has been prepared to enable members of the Greater Christchurch Partnership (GCP) to work together in a collaborative manner taking a ‘no surprises’ approach. It ensures early communication and consultation between the Partners during the preparation of reports, policy/plan initiatives and reviews that relate to the strategic goals of the GCP and other matters that could impact upon the Partnership. Using this Protocol will enhance the trust and mutual respect between Partner organisations and avoid misunderstandings or outcomes that undermine the benefits of unified sub-regional leadership.

This Protocol forms part of the Partnership’s Memorandum of Agreement and is supplemented by the more specific Regeneration Protocol.

2.0 Principles

The Partners commit to:

- 2.1 Work collaboratively: Partners maintain a free flow of information, by regular formal and informal reporting and discussions. In particular, partners will signal potential decisions on policies, plans and actions early via the GCP governance and management structure (Senior Managers’ Group, CEAG and at GCP Committee).
- 2.2 A ‘no surprises policy’: Partners communicate in an open and respectful manner, declaring issues and interests as soon as practicable. Partners consider the implications of their decisions and actions on the GCP and other partners ahead of time, and inform each other in advance of any major strategic initiative.
- 2.3 Demonstrate leadership: Partners will demonstrate their commitment to working collaboratively to their organisations and their communities, and champion the process of partnership when implementing any and all of the strategies and action plans agreed by the GCP.

2.4 Discuss funding: Partners discuss funding issues openly within the Partnership, particularly when there are gaps or changes that need to be made.

2.5 Respond promptly: Partners respond in an agreed and timely manner to any communication and consultative initiative by another Partner. The Partner proposing the policy, plan or action has responsibility for managing the associated timeframe and will advise other Partners accordingly.

3.0 Applications

This protocol applies in any and all of, but not exclusively, these situations:

- If any matter is a ‘statement of proposal’ relating to any strategy managed by the GCP (for example UDS, Resilient Greater Christchurch Plan, Greater Christchurch Transport Statement) that has the potential to impact on other Partners;
- The matter involves more than one Partner and requires or involves a sub-regional response;
- The matter involves funding from more than one Partner;
- The matter may impact across the boundary into another local authority Partner;
- The matter may result in significant additional traffic on neighbouring local authority roads, State Highways or public transport routes;
- The matter proposes a new service that may be used by residents of another local authority;
- The matter relates to infrastructure provision to or from an adjacent local authority.

4.0 Spokespeople

For general matters the Deputy Chair of the GCP Committee shall be the spokesperson. For Partner-specific matters the relevant Partner representatives shall be the spokespeople. For GCP specific projects the GCP may nominate a

spokesperson. For day-to-day operational matters the GCP Manager shall be the spokesperson.

5.0 Approvals, Implementation and Monitoring

The GCP Committee representatives adopt the protocol on behalf of their organisations. Thereafter, partner Chief Executives and the Senior Management Group has responsibility for Protocol management and ongoing implementation. It is the responsibility of each Partner to integrate the application of the Protocol within their organisation and through their representatives on each and every GCP group.

6.0 Resolution of Conflicts

The Partners commit to work in good faith to resolve any disagreements or conflicts that may arise in relation to the implementation of this Protocol. If any matters are unable to be resolved by the GCP Management Group, the matter is to be referred to the GCP Chief Executives Advisory Group for consideration and resolution of issues.

7.0 Review

This Protocol will remain in effect until further notice. It may be reviewed at any time by agreement of the Chief Executives Advisory Group, with any amendments recommended to the GCP Committee for endorsement.

Regeneration Protocol

(Adopted by the Greater Christchurch Partnership Committee at its meeting on 7 April 2017)

Partners with a role under the Greater Christchurch Regeneration Act 2016 (the Act) agree to use Urban Development Strategy Implementation Committee (UDSIC) as the forum for early socialisation of partners' interests to exercise the regeneration planning powers under Act (i.e. those set out in Part one, subpart 2 of the Act only) as follows:

Partners agree to:

- work collaboratively: There is a free flow of information between partners, by regular formal and informal reporting and discussion. In particular, partners will signal potential interest to use the Act early via the UDSIC governance structure (Senior Managers' Group, CEAG and at USDIC).
- a "no surprises policy": Partners are aware of any possible implications of their decisions and actions for other partners. That is, partners are aware of potential implications on their existing priorities and/or resources, issues that may be discussed in the public arena ahead of time; and that partners inform each other in advance of any major strategic initiatives.
- respond promptly: The Regeneration Plan process under the Act is a collaborative process but also includes specified statutory timeframes. As such it is vital that partners provide prompt responses to the proponents of Regeneration Plans when views are sought.

Partners recognise:

- the importance of using the Act wisely before its expiry: The full potential of the Act can be maximised through the adoption of a planned and co-ordinated approach to regeneration. In particular, a focus on prioritising those opportunities that have the potential to achieve the greatest regeneration outcomes.
- that UDSIC does not have any decision rights over partners' decision to avail themselves of the powers under the Act: In general, this protocol is not intended to constrain the use of powers under the Act by any of the partners.
- that some partners have no role under the Act, however they are able to contribute to related discussions: It is acknowledged that these partners might have an indirect interest in the use of powers under the Act.