



*388th MEETING OF THE
MACKENZIE DISTRICT COUNCIL*

**TO THE MAYOR AND COUNCILLORS OF THE
MACKENZIE DISTRICT COUNCIL**

MEMBERSHIP OF THE COUNCIL

Claire Barlow (Mayor)

John Bishop

Peter Maxwell

Annette Money

Graeme Page

Graham Smith

Evan Williams

*Notice is given of an extraordinary meeting of the Mackenzie District Council
to be held on Tuesday 1 March 2011 at 4.00 pm*

VENUE:

Council Chambers, Fairlie

BUSINESS:

As per Agenda Attached

GLEN INNES

CHIEF EXECUTIVE OFFICER

24 February 2011



AGENDA FOR TUESDAY 1 MARCH 2011 AT 4.00 PM

- I. OPENING
- II. APOLOGIES
- III. DECLARATIONS OF INTEREST
- IV. ADOPTION OF TRIENNIAL AGREEMENT FOR CANTERBURY
- V PROPOSAL FOR A COLLABORATIVE GOVERNANCE PROCESS TO PREPARE A SHARED VISION FOR THE UPPER WAITAKI

VI PUBLIC EXCLUDED:

That the public, be excluded from the following part of the proceedings of this meeting namely:

1. People Suggested as Suitable Chairs for The Collaborative Process

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
--	--	---

People Suggested as Suitable Chairs for The Collaborative Process	To Protect the Privacy of Persons	48(1)(a)(i)
---	-----------------------------------	-------------

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *People Suggested as Suitable Chairs for The Collaborative Process* section 7(2)(a)

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: ADOPTION OF CANTERBURY REGION TRIENNIAL AGREEMENT
MEETING DATE: 1 MARCH 2011
REF: PAD 7/1/3/1
FROM: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To formally adopt the Triennial Agreement for the Canterbury Region. This is a legislative requirement under Section 15 of the Local Government Act 2002. All local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them for the period until the next triennial general election. Each agreement also includes a statement of the process for consultation on proposals for new regional council activities.

The report also recommends that an updated Charter of Purpose for the Canterbury Mayoral Forum be endorsed.

RECOMMENDATIONS:

1. That the report be received.
2. That the draft Canterbury Local Authorities Triennial Agreement for the 2010-13 period be adopted by Council and signed by the Mayor.
3. That the updated Charter of Purpose of the Canterbury Mayoral Forum be endorsed by the Mackenzie District Council.
4. That authority be delegated to the Mayor and the Deputy Mayor to approve other minor changes to the wording of the agreement.

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS

1. Draft Canterbury Local Authorities Triennial Agreement
2. Draft Charter of Purpose for the Canterbury Mayoral Forum.

BACKGROUND:

Every three years local authorities within each region are required to adopt a triennial agreement. This should be done by 1 March in the year following the triennial elections. Essentially this sets down protocols of how the local authorities will communicate with each other and co-ordinate their activities. It also must contain a statement for the process for consultation of proposals for new regional council activities. This is a safeguard for the change introduced in the 2002 Act whereby the activities of a regional council were no longer strictly constrained and could overlap or clash with those of territorial authorities.

Supporting the Triennial Agreement is the Canterbury Mayoral Forum which comprised of the Mayors, Regional Council Chairperson and Chief Executives of all the local authorities within the Canterbury region. It provides a central vehicle for coordinating region-wide activities, although it does not have the power to bind any particular Council. The Charter of Purpose has been amended following discussion at the Mayoral Forum to make provision for a Chief Executive Forum to develop an annual work programme.

An earlier section has been dropped. This dealt with the rights of member authorities to explore other means of structuring local government within the region.

POLICY STATUS

Essentially this is a matter of statutory compliance. Previous Councils have adopted agreements broadly similar to what is proposed.

SIGNIFICANCE OF DECISION REQUESTED:

This issue does not trigger any aspects of Council policy on significance and can be considered a routine matter.

No particular consultation with the community or consideration of community views is required in this instance.

ISSUES AND OPTIONS

In this case, there is no 'do nothing' option as some form of agreement has to be adopted. No controversial issues emerged during discussion at the last Mayoral Forum in 2010 and the proposed changes are quite minor. The documents are recommended for Council approval.

CONSIDERATIONS

Legal Considerations

This matter is covered in Section 15 of the LGA 2002.

Financial Considerations

These are minor.

Other Considerations

Nil.

CONCLUSION:

Both the Triennial Agreement and Charter of Purpose for the Mayoral Forum are documents that have developed through a process of consensus and are broadly similar to what has worked satisfactorily in the past. It is therefore recommended that both documents be adopted.

CANTERBURY LOCAL AUTHORITIES TRIENNIAL AGREEMENT

1. PURPOSE

All local authorities within each region must enter into a triennial agreement containing protocols for communication and co-ordination amongst them during the period until the next triennial general election of members (Section 15, Local Government Act, 2002 – the Act).

This triennial agreement will seek to ensure appropriate levels of communication and co-ordination are maintained between the local authorities of the Canterbury region.

2 AGREEMENT

The parties:

Ashburton District Council
Canterbury Regional Council
Christchurch City Council
Hurunui District Council
Kaikoura District Council
Mackenzie District Council
Selwyn District Council
Timaru District Council
Waimakariri District Council
Waimate District Council
Waitaki District Council

agree to work in good faith together for the good governance of their localities and the region.

As signatories to this agreement each local authority will ensure:

- early notification to affected local authorities party to this agreement through the distribution of draft documentation, of major policy initiatives or proposals which may have implications beyond the current geographic boundaries (or for constituent authorities) of the decision-making authority;
- opportunities for involvement by affected local authorities in the development of policies or plans that have inter-jurisdictional or cross boundary implications;
- the application of a “no surprises” policy whereby early notice will be given of potential disagreements between local authorities
- that where practicable, processes for engaging with communities and agencies in order to identify community outcomes, and prioritise these outcomes, are undertaken jointly or in a collaborative manner.

3 NEW REGIONAL COUNCIL ACTIVITIES

Section 15 (2) of the Local Government Act requires the inclusion in this agreement, the process for consultation on proposals for new regional council activities. The process to be followed is:

- Any new significant activity, as defined in Section 16 (1) of the Act, proposed by the Canterbury Regional Council, will be advised to the appropriate meeting of the Canterbury Mayoral Forum, in addition to any Section 16 (1) requirement.
- Any new activity proposed by the Canterbury Regional Council not considered to be significant will be advised to the appropriate territorial authorities in the Canterbury Region.

4 CHIEF EXECUTIVE FORUM

There will be a Chief Executive Forum which will develop a work programme for:

- (a) The ~~oversight~~ **facilitation** of the implementation of the Canterbury Water Management Strategy,
- (b) Sharing of services across the Canterbury region, and
- (c) Economic development across the Canterbury region.
- (d) Other matters promoting the charter objectives.

5 LOCAL GOVERNMENT STRUCTURE

Notwithstanding the spirit of co-operation embodied within this agreement, the local authorities, individually or collectively, reserve the right to promote, consult, and/or research change to the structure of local government within the Region.

This right is consistent with the intent of effective and efficient governance sought in the Local Government Act 2002, having particular relevance to the ideals of interest and community representation.

6 COMMUNICATION AND CO-ORDINATION

Co-ordination and communication in relation to this agreement will be primarily through, but not limited to, the Canterbury Mayoral Forum (the Forum). The Forum will meet three-monthly and operate in accordance with its agreed Charter of Purpose (attached).

The Forum will be supported by:

- Meetings of the Chief Executives within the region;
- Other regional and sub-regional forums as required;
- Meetings between staff as necessary.

7 AGREEMENT TO REVIEW

The parties to the triennial agreement may meet and agree to amendments to the agreement at the next available Forum meeting following a request from any one or more authorities party to this agreement in writing to the Secretary of the Forum, received at least two weeks prior to the meeting date.

This agreement will be placed on the Forum agenda at the final Forum prior to a triennial election to review, with the purpose of recommending changes (if any) to the incoming councils.

8 OTHER AGREEMENTS

This agreement does not prevent local authorities entering into other agreements amongst themselves or outside the region to facilitate their responsibilities. Any other such agreement should not be contrary to the purpose of this agreement.

9 REGIONAL POLICY STATEMENT REVIEW

This Triennial Agreement will apply to any change, variation or review of the Canterbury Regional Policy Statement.

Authority

This agreement is signed on this -----day of-----2011 by the following on behalf of their respective authorities.

COUNCIL

SIGNATURE

Ashburton District Council

Angus McKay – Mayor

Canterbury Regional Council

Dame Margaret Bazley –Commissioner Chair

Christchurch City Council

Bob Parker – Mayor

Hurunui District Council

Winton Dalley – Mayor

Kaikoura District Council

Winston Gray – Mayor

Mackenzie District Council

Claire Barlow – Mayor

Selwyn District Council

Kelvin Coe – Mayor

Timaru District Council

Janie Annear – Mayor

Waimakariri District Council

David Ayres – Mayor

Waimate District Council

John Coles – Mayor

Waitaki District Council

Alex Familton – Mayor

CANTERBURY MAYORAL FORUM

CHARTER OF PURPOSE

1. NAME

The name of the group shall be Canterbury Mayoral Forum. **There shall also be a Chief Executive Forum.**

2. OBJECTIVES

- (a) To provide a forum to enable the group to work more closely with each other and the region's community leaders in an endeavour to identify opportunities and solve problems together.
- (b) To identify and prioritise issues of mutual concern and foster co-operation amongst members to address these issues (including where appropriate joint work plans).
- (c) To formulate policies and strategies on matters where all member councils may act collaboratively in promoting sustainable development in the region.
- (d) To ensure increased effectiveness of local government in meeting the needs of Canterbury communities.
- (e) To act as an advocate to central government or their agencies or other bodies on issues of concern to members.
- (f) To develop and implement programmes, which are responsive to the needs and expectations of the community.

3. PRINCIPLES

In pursuit of these objectives the Canterbury Mayoral Forum will observe the following principles:

- (a) Establish and maintain close liaison with other local government networks to ensure as far as possible the pursuit of common objectives and the minimisation of duplication.
- (b) Establish and maintain close liaison with Ministers of the Crown and local Members of Parliament.
- (c) Establish and maintain close liaison with a wide number of diverse stakeholders and key sector organisations within the region.
- (d) Exercise its functions with due regard to the tangata whenua and cultural diversity of the Canterbury community.
- (e) Keep the local community informed about its activities.

- (f) Encourage member councils to promote and apply cross-boundary structures and systems.
- (g) Establish a provision for reporting back to its respective Councils.

4. POWERS

- (a) The Canterbury Mayoral Forum shall have the power to:
 - (i) Levy for any or all of its objects in such amount or amounts as may be mutually determined and acceptable to individual local authorities.
 - (ii) Determine and make payments from its funds for any or all of the purposes of its objects.
 - (iii) Receive any grant or subsidy and apply monies for the purposes of such grant or subsidy.
 - (iv) Fund appropriate aspects of the Forums activities regionally.
- (b) The Canterbury Mayoral Forum does not have the power to legally bind any council to any act or decision unless that act or decision has been agreed to by decision of that council.

5. MEMBERSHIP

- (a) Membership of the Canterbury Mayoral Forum shall be open to the following councils.
 - Ashburton District Council
 - Christchurch City Council
 - Environment Canterbury
 - Hurunui District Council
 - Kaikoura District Council
 - Mackenzie District Council
 - Selwyn District Council
 - Timaru District Council
 - Waimakariri District Council
 - Waimate District Council
 - Waitaki District Council
- (b) Each member council shall be represented by its Mayor (or Chairperson in the case of Environment Canterbury) and supported by its Chief Executive.
- (c) In the absence of the Mayor/Chairperson and/or Chief Executive, the member council may appoint another person to attend meetings.
- (d) The Canterbury Mayoral Forum will have the power to co-opt other members on a permanent and/or issues basis.

6. CHAIRPERSON

- (a) The Canterbury Mayoral Forum shall appoint a Chairperson at the first meeting immediately following the Triennial Elections. This appointment may be reviewed after a period of 18 months.
- (b) The Chairperson elected will preside at all meetings of the Canterbury Mayoral Forum.
- (c) The Canterbury Mayoral Forum shall elect a Deputy Chairperson at the first meeting immediately following the Triennial Elections.
- (d) The Canterbury Mayoral Forum may appoint spokespersons from its membership for issues being considered.

7. MEETINGS

- (a) Meetings will be held as required with an annual schedule, covering a calendar year, to be determined by the members. It is anticipated that meetings would be held three-monthly at venues to be determined.
- (b) Special meetings may be called at the request of four Mayors/Chairpersons.
- (c) **The Chief Executive Forum will:**
 - i. **Meet as required, with an annual schedule, to develop the work programme as noted in paragraph 4 of the Triennial Agreement, and**
 - ii. Facilitate preparation of material to be considered by the Canterbury Mayoral Forum.
- (d) Agendas for meetings will be issued and minutes would be taken and circulated.

8. DECISION MAKING

The practice of the Forum will be to determine issues before it by consensus. If the consensus is to determine issues by voting the determination shall be determined by a majority of votes of the authorities represented at the meeting through the Mayor (or Chair) or their nominated representative.

9. SECRETARIAT

The Canterbury Mayoral Forum will appoint Environment Canterbury to carry out the secretariat function on such terms and conditions, as it shall decide for the discharge of duties, including the taking of minutes and the keeping of any books and accounts and attending to any other business of the forum.

Proposal for a collaborative governance process to prepare a Shared Vision for the Upper Waitaki

Drafted by Guy Salmon for consideration by interested groups

2 February 2011

Background

The Minister for the Environment, Dr Nick Smith, speaking in Twizel on 27 November 2010, indicated that he favoured a collaborative governance process to develop solutions to strategic development issues in the Mackenzie, Omarama and Ohau basins.

He said that favourable consideration would be given to a widely agreed application for funding from the Community Environment Fund for this purpose. Such a process would have to be driven by local people, have a strong scientific underpinning, and be respectful of property rights.

The Minister did not think the adversarial approach through litigation had served New Zealand or the environment very well and the Government was looking to a more collaborative approach with all groups working together.

The Collaborative Opportunity in the Upper Waitaki

At the November symposium and in subsequent discussions with about 20 organizations, a range of land and water-related issues have been raised:

- A need to make better provision on the basin lowlands for protecting landscape and biodiversity values, for which there are various options, including possibly some kind of drylands park concept
- In exploring such options, a need to focus on new mechanisms for protecting landscape and biodiversity values, that are less intrusive on established property rights
- A need to manage weeds and pests effectively, both on agricultural and conservation land
- Doubts about the ongoing profitability and sustainability of traditional pastoral farming, in the face of modest returns and high costs of weed and pest control
- A sense that tourism and irrigation offer key growth opportunities for the area, but that some of these new developments could come into conflict with each other and with the aspirations and values of others
- The challenge therefore, is to make these transitions in a way that avoids unnecessary and costly conflicts, and causes as few regrets as possible

- As part of this, there is a need to accommodate some irrigation to sustain livelihoods within the area, either to support existing farmers or to enable new, more intensive farming options, or both
- There is a need to ensure that natural assets which underpin recreational and tourist enjoyment of the basin are not eroded by slow cumulative impacts of various kinds
- The key point to emerge is that existing activities and the future development of conservation, irrigation and tourism should ideally be co-ordinated and integrated in accordance with a shared vision for the future of the area.

Collaborative governance is an approach well-suited to tackling these inter-related issues and achieving a shared vision for the Upper Waitaki. The proposal is to bring together in such a process, representatives of landholders and other stakeholders who live in the area or who have a strong association with the area. There is wide agreement that this collaboration should take a broad, inclusive and strategic approach to considering all the major issues which are being raised.

The Proposed Scope of Work

The geographic focus for this project is on the Upper Waitaki catchment above Lake Benmore, including the communities of Omarama, Twizel and Lake Tekapo.

The proposed objectives are:

- to develop a shared vision and strategy for the future development of this area, taking account of economic, social, cultural and environmental values, including those inherent in the land and water resources, and any downstream impacts;
- to express this vision and strategy in part through an indicative, high-level spatial plan; and
- to identify preferred mechanisms (including novel mechanisms) for implementing the vision and strategy.

This work should recognize the need for integration of strategy development, and any public consultation, with the work of the Upper Waitaki Zone Water Management Committee (see below).

The Proposed Governance Framework

The proposed governance framework closely follows that which successfully operated with the recent Land and Water Forum process in Wellington. The core elements are a Trust and a Working Party.

Jacqui Dean MP has established the Mackenzie Sustainable Futures Trust. She proposes that the trustees should include herself, Mayors Claire Barlow of Mackenzie and Alex

Familton of Waitaki, and additional trustees appointed by agreement of the Working Party participants (see below).

The role of the Trust will be to seek funding for the collaborative process, to manage and be accountable for those funds, to contract a chairman agreed by the participants, and such other contractors as may be required, and if necessary to safeguard the collaborative process by finding a way to resolve any disputed issues of process and procedure which may be referred to the Trust.

The main work of the collaborative process is to be conducted by the representatives of the participating organizations themselves, expected to be no more than twenty in number, who will form a Working Party, select a chair, and agree a protocol of how they will conduct themselves, including a commitment to operate by consensus (see below).

In addition to the twenty full members of the Working Party, it is proposed that there should be a non-voting role for active observers from central, regional and local government agencies, scientific and advisory bodies which have knowledge, expertise and experience to offer the process.

It is hoped that the Working Party process can robustly represent the various communities of interest, and can culminate in an agreement between the participating organizations. To make this possible, representatives participating in the collaborative process will need to be in regular contact with their organizations and networks, and individuals from those organizations and networks should be free to observe the collaborative process at work should they wish to do so. In addition, it is anticipated that there would be occasional public meetings to update the community as a whole with the thinking of the Working Party and to enable dialogue and feedback.

Relationship with the Zone Committee

Operating alongside the Shared Vision process is the already-existing Upper Waitaki Zone Water Management Committee, which is tasked with developing a Water Management Implementation Programme to give effect to the Canterbury Water Management Strategy. The focus of the Shared Vision process is broader and operating at a higher level than the Zone Committee, while the Zone Committee will continue its work for much longer and will focus more on implementation. It is nonetheless important that the two processes are well co-ordinated. To avoid conflict, confusion or duplication of work, we propose that:

- The chairman of the Zone Committee should be a participant in the Shared Vision Working Party;
- A representative of ECan should be appointed as a trustee of the Mackenzie Sustainable Futures Trust;
- There should be a significant overlap between the community members of the Zone Committee and those of the Shared Vision Working Party;

- The Shared Vision process should seek to integrate strategy development, and any public consultation work, with the Zone Committee's work, bearing in mind the shorter timeframe for the Shared Vision process;
- The desired integration should include mechanisms for alignment of recommendations during the lifetime of the Shared Vision process, including reconciliation of any conflicting recommendations should they arise.

The Consensus Rule

A core commitment of all those participating in the Shared Vision process is to work within the discipline of a consensus rule. Under this rule, participants may not necessarily support a negotiated compromise position, but they must not oppose it, if that position is to be adopted by the group. The aim is to achieve agreements that everyone can live with.

The use of this rule means that:

- It is very important to listen carefully to each other and understand each others' views, feelings and interests
- It is very important to absorb and understand the technical information (economic, social and environmental) which must guide practical decision-making
- It is very important to devise and put forward proposals which have a good prospect of ultimately winning the support of all other participants
- Everyone needs to be committed to staying with the process, and to achieving a positive outcome from it for the Upper Waitaki as a whole.

Issues To Be Resolved By Participants

Considerable effort has been put into resolving points of difference, but there are several issues which we still have to resolve before the funding application can be finalized. In addition, landholders in the basin wish to obtain a better understanding of the agendas of other players before finally committing themselves. A meeting in Twizel is planned on 10-11 February for this purpose, and to agree on the following issues:

- 1. An agreed scope of work for the Working Party.** We have found that there is general agreement around the need for a broad, high level and strategic approach which brings together all the issues which participants want to raise. However, the proposed wording for this (set out above) will need to be discussed, amended if necessary, and adopted by consensus.
- 2. An agreed list of participants for the Working Party.** We have made good progress on this, and the current list, which is very widely supported, is attached below at **Appendix A**. However, some organizations have not yet confirmed their participation. The final membership of the Working Party will have to be

agreed at Twizel on 11 February. For workability and budgetary reasons, the Working Party cannot be any larger than this, and hopefully could be a little smaller.

3. **An agreed chairman for the process.** We have had difficulty in obtaining agreement on a widely acceptable chair. The latest list of persons under consideration for this role is attached at **Appendix B**. We need to approach one or two preferred candidates ahead of the meeting on 10-11 February and therefore seek your comments on this list no later than 5 pm, Monday 7 February.
4. **An agreed duration for the process.** There are currently three viewpoints on this. One is that there is a need for speedy resolution of issues that are inhibiting investment, and that the collaborative process should aim to achieve agreed outcomes by the end of September, and thereafter to seek commitment from each of the political parties in the general election to support what has been agreed. The main alternative viewpoint is that it will take some time for the Working Group members to build up trust in each other, and to bring together and absorb all the technical information that is needed for good decision-making. Also it would be preferable to avoid announcements during the election period. For these reasons, the process should run for twelve months from its commencement. A third viewpoint, put forward as a compromise between these two, is that the process should aim to complete its work by 30 November 2011.
5. **An agreed basis for good faith discussions.** One viewpoint is that we should not enter into discussions with each other if some parties intend to take actions which cut across the process, for example: constructing irrigation infrastructure and substantially changing land uses while discussions are ongoing, or actively litigating against other parties in the process. An alternative view is that it is not possible to place litigation or land conversions on hold when, at this stage, the terms of possible consents which may be granted by commissioners to water permit applicants are not even known. A third viewpoint, put forward as a compromise, notes that the option of putting water-related litigation on hold is not likely to arise until July at the earliest. There is an opportunity for us to get started and make progress in building up confidence in the collaborative process before then, and to agree on the terms and duration of any “holding strategy” for litigation and land use changes at that time.
6. **An agreed group of Trustees.** It is envisaged that as well as the sponsoring mayors, Member of Parliament and ECan representative, Trustees would include balanced representation of the interests on the Working Party, once this is finalized.

What Happens Next

The deadline for applications to the Ministry for the Environment for funding is 14 February, so we must resolve all the outstanding issues by then.

Jacqui Dean MP intends to circulate invitations to organizations to attend a meeting in Twizel on 10-11 February as mentioned above. This meeting, to be held at the Mackenzie Country Inn, will start with lunch at noon on the first day, and conclude with lunch on the second day.

Representatives of the organizations which it is proposed would be members of the Working Group are being invited to attend this meeting for two purposes:

- To make presentation of their organisations' aspirations and objectives for the Upper Waitaki area and for this process, and to be questioned by other participants on this (first day);
- To resolve the outstanding issues and agree to the establishment of the collaborative process (second day).

This is a meeting of the organizations listed in Appendix A. While it is not practical to make it a completely public meeting, we intend to take a liberal approach to accepting requests for attendance, particularly from landholders and other local people. However, the consensus we are seeking from the meeting is a consensus of the invited organizations rather than of all individuals present. Thus organizations will need to identify their representative at the time of registration.

Prior to the meeting, we need to have feedback on the issues still to be resolved (listed above) so that we can narrow down the areas of disagreement ahead of the meeting and circulate a revised version of this proposal to those attending. It is particularly important to get early responses on the question of chairman (see appendix B below) as we will need to approach a preferred candidate to ascertain his/her availability for this role ahead of the meeting. Please email or phone your comments to Guy Salmon, guy@ecologic.org.nz, phone 021 548 336, no later than 5 pm on Monday 7 February.

Assuming all the outstanding issues can be agreed at the Twizel meeting by noon on 11 February, a budget and funding application will be finalized by the Trustees and submitted to the Community Environment Fund by 14 February. If the application is successful, the first meeting of the Working Party should be convened in March.

APPENDIX A:

Proposed list of participant stakeholders for Upper Waitaki Shared Vision Working Party

A. Land use and business interests

High Country Federated Farmers – South Canterbury
 High Country Federated Farmers – North Otago
 Upper Waitaki Water Applicants Group
 Large-scale irrigation applicants group
 Lake Tekapo Promotions Association
 McKenzie Tourism and Development Trust
 Fonterra or Dairy New Zealand
 Meridian Energy
 Genesis Energy

Notes:

1. The most appropriate representation of farming and irrigation interests is still under discussion.
2. It is possible that a single person may represent both energy companies – to be confirmed.

B. Community interests - environmental and recreation

Environmental Defence Society
 Fish & Game
 Forest & Bird
 Mackenzie Guardians
 Ohau Protection Society
 NZ Institute of Landscape Architects – High Country Landscape Group
 Federated Mountain Clubs

C. Community interests - other

Upper Waitaki Zone Water Management Committee
 Ahuriri Community Board
 Twizel Community Board
 Tekapo Community Board
 Te Runanga o Ngai Tahu

Total: 20-21 full participants, plus an independent chairman, and active observers as below.

Active observers to be invited (interested government advisers)

Mackenzie District Council

Waitaki District Council

Environment Canterbury

Department of Conservation

Ministry of Agriculture and Forestry

Ministry for the Environment

Land Information NZ

Canterbury-Aoraki Conservation Board

National Institute of Water and Atmosphere Research (NIWA)

Landcare Research

TWIZEL MEETING ON SHARED VISION PROCESS – RECORD OF DECISIONS

Meeting convened by Jacqui Dean MP and held in the conference room at the Mackenzie Country Inn, Twizel on 10-11 February.

Attendance:

Lisa Anderson, Bog Roy Station
 Scott Aronson, Twizel business interests
 Ben Aubrey, NZ Merino Company and Benmore Range Residents Association
 Donald Aubrey, Federated Farmers
 Claire Barlow, mayor of Mackenzie
 Matthew Bayliss, Meridian Energy
 Guy Beatson, Ministry for the Environment
 Paddy Boyd, Mackenzie Irrigation Company
 Philip Brownie, Mackenzie Tourism and Development Trust
 David Caygill, Environment Canterbury
 Bill Chisholm, Ohau Protection Society
 Elaine Curin, Lake Pukaki Wildling Trust
 Jacqui Dean, Member of Parliament for Waitaki
 Andrew Feierabend, Meridian Energy
 Cathy Ferguson, Ahuriri Community Board
 Blake Foster, Pukaki Downs Station
 Peter Glasson, consultant to Simons Pass Station
 Tony Gloag, Benmore Range Residents Association
 Bill Gordon, Omarama Residents Association
 Jay Graybill, Central South Island Fish and Game Council
 Michael Hide, Fonterra
 Nathan Hole, Mackenzie District Council
 Jim Hopkins, Waitaki District Council
 Glenn Innes, Mackenzie District Council
 Di Lucas, Mackenzie Guardians
 Doug McIntyre, Irrigation interests
 Jen Miller, Forest and Bird
 Toni Morrison, Mackenzie District Council
 John Murray, Mackenzie branch, Federated Farmers
 Michael Neilson, Ohau Snow Holdings
 George Ormond, Pukaki Downs Station
 Richard Peacocke, Southdown Holdings Ltd
 Christina Robb, Environment Canterbury
 Guy Salmon, Ecologic, consultant to Mackenzie Sustainable Futures Trust
 Anne Steven, High Country Landscape Group
 Richard Subtil, Upper Waitaki Water Applicants Group
 Graham Sullivan, Ahuriri Community Board
 Kerryn Thomas, Killermont Station

Richard Thompson, meeting facilitator
 Chris Todd, Forest and Bird
 Mark Urquhart, Mackenzie Irrigation Company
 Barbara and Murray Valentine, Simons Pass Station & Pukaki Irrigation Ltd
 Simon Williamson, North Otago High Country Federated Farmers
 Peter Wilson, Federated Mountain Clubs
 Kees Zeestraten, Five Rivers Ltd.

Apologies:

Peter Bell, Twizel Community Board
 Murray Cox, Tekapo Community Board
 Tracey Hickman, Genesis Energy – her company is not wishing to participate in the process
 Margaret Munro, Lake Tekapo Promotions Association
 Joy Paterson, Twizel Promotion and Development Association – her committee decided not to participate in the process
 David Perenara-O’Connell, Te Runanga o Ngai Tahu
 Peter Robinson, Waitaki Development Board
 Karen and Andrew Simpson, Balmoral Station

Support staff:

Niki Anderson
 Pete Christian
 Charlene Napier

The Minister for the Environment, Hon Nick Smith, briefly attended and addressed the meeting on Friday morning.

DECISIONS OF THE MEETING:

1. Scope of Work for the Shared Vision Forum:

The geographic focus for the Forum is the Mackenzie, Omarama and Ohau basins.

The proposed objective is:

- to identify issues; and
- to develop a shared vision and strategy for the future management of this area, taking account of economic, social, cultural and environmental values, including those inherent in the land and water resources, and any downstream impacts; and
- to express this vision and strategy in part through an indicative, high-level spatial plan and report; and
- to identify preferred mechanisms (including novel mechanisms) for implementing the vision and strategy.

This work should be aware of the work of the Upper Waitaki Zone Water Management Committee.

The parties enter the collaborative process in good faith. There is a shared agreement that landholders' property rights under existing law will not be affected under this process without their individual consent. Any individual property owner can veto any proposal on or affecting their property rights, but not the Forum's findings.

2. Consensus Rule

A core commitment of all those participating in the Shared Vision Forum is to work within the discipline of a consensus rule. This is a departure from the majority voting rule normally used in governance settings. Decisions will be made in a truly collaborative way, where all delegates must agree.

It is important that:

- Everyone listen carefully to each other, and understand each others' views, feelings and interests
- Everyone absorb and understand the technical information (economic, social and environmental) which must guide practical decision-making
- Everyone is committed to devising and putting forward proposals which have a good prospect of ultimately winning the support of all other participants
- Everyone is committed to staying with the process, and to achieving a positive outcome from it for the Upper Waitaki as a whole.

3. Participating organisations in the Shared Vision Forum:

A. Land use and business interests:

- High Country Federated Farmers – South Canterbury
- High Country Federated Farmers – North Otago
- Mackenzie Irrigation Company
- Benmore Irrigation Company
- Upper Waitaki Water Applicants Group
- Existing irrigators (not included above)
- Large irrigation applicants
- Waitaki Development Board
- Lake Pukaki Wildling Trust
- Lake Tekapo Promotions Association
- McKenzie Tourism and Development Trust
- Fonterra and Dairy New Zealand
- NZ Merino Company
- Meridian Energy

- Alpine Tourist Operators

NB: Federated Farmers is to advise whether a separate additional representative is required by dryland farmers.

B. Community interests - environmental and recreation:

- Environmental Defence Society
- Fish & Game
- Forest & Bird
- Mackenzie Guardians
- Ohau Protection Society
- High Country Landscape Group
- Federated Mountain Clubs

C. Community interests – other:

- Upper Waitaki Zone Water Management Committee
- Benmore Range Residents Association
- Ahuriri Community Board
- Twizel Community Board
- Tekapo Community Board
- Te Runanga o Ngai Tahu

Active observers to be invited (interested government advisers):

- Mackenzie District Council
- Waitaki District Council
- Environment Canterbury
- Department of Conservation
- Ministry of Agriculture and Forestry
- Ministry for the Environment
- Land Information NZ
- Canterbury-Aoraki Conservation Board
- National Institute of Water and Atmosphere Research (NIWA)
- Landcare Research

Future meetings would be open to interested observers from community organizations and landholders, but not to the news media.

Notes:

1. Several of the above organizations have not yet confirmed their participation. They will confirm their position, and advise who are to be their representatives on the Forum, once they have consulted their members/governance body.

2. The Minister for the Environment indicated that the funding of the process would depend on the appropriate involvement of Ngai Tahu, and the support of the two district councils.

4. Governance arrangements

There will be a Trust and a working party.

Jacqui Dean MP has established the Mackenzie Sustainable Futures Trust with interim trustees under her chairmanship. The role of the Trust is to seek funding for the collaborative process, to manage and be accountable for those funds, to contract a chairman after consultation with the participants, and subject to resources being available, to arrange such other contractors as may be requested by the Forum.

The meeting agreed that the future trustees should include Jacqui Dean MP, Mayors Claire Barlow of Mackenzie and Alex Familton of Waitaki (subject to the agreement of their councils), a representative of ECan (subject to the agreement of the commissioners), a representative of Ngai Tahu, and one trustee each to represent the main communities of interest on the Working Party, as follows:

- Land Use and Business Interests – Ben Aubrey
- Community Interests – Environment and Recreation – Jay Graybill (subject to the agreement of the Central South Island Fish and Game Council)
- Community Interests – Other: Cathy Ferguson

The main work of the collaborative process is to be conducted by the representatives of the participating organizations themselves, currently those listed in section 2 above, who will form a working party to be known as the Shared Vision Forum.

In addition to the 20-30 full members of the Forum, there should be a non-voting role for active observers from central, regional and local government agencies, scientific and advisory bodies which have knowledge, expertise and experience to offer the process.

The meeting agreed that the Forum should be chaired by one of a short list of five individuals. The final decision on the chairmanship is to be made by the Trustees taking into account competence and previous experience, as supported by reference checking; value for money; and any further comments received from Forum members. The shortlist is:

- Jan Caunter
- Mike Holm
- Denis Nugent
- Richard Thompson

- Graeme Todd.

Richard Thompson was appointed Interim Chair.

An application for funding for the process will be made on behalf of the Trust to the Community Environment Fund by 5 pm on Tuesday 15 February. An application for interim funding will also be made to the Minister for the Environment.

5. Duration of the process

It was noted that the minimum duration which could be eligible for funding was twelve months. It was also noted that the Minister had indicated some interim funding might be made available, enabling an early start, with ongoing funding depending on good progress being made by June.

6. Agreed basis for good faith discussions

These issues would be addressed after funding had been granted and the Forum had begun its work.

7. Statement to the news media

Jacqui Dean MP should be the sole spokesperson for the meeting. The points she could cover in her media statement were:

- The agreement to start a collaborative process, and the agreed consensus rule
- The agreed scope of work
- The agreed potential membership of the Forum, noting that some organizations have yet to confirm their participation
- The agreement to establish the Trust
- Future meetings of the Forum are to be open to interested observers from community organizations and landholders, but not to the news media; all interested parties will be invited to attend the next meeting
- It was agreed that an application will be made for funding.

8. Record of this meeting

A record of this meeting is to be approved by Richard Thompson and circulated by Monday morning.

On account of the urgency of the funding application, anyone with substantial concerns about the meeting record should contact Richard by 5 pm on Monday. Richard's contact details are as follows:

Richard Thompson
R.D.14
Whanganui 4584

Phone 06 3425728
Mobile 027 4400861
richard@richardthompson.co.nz

Mackenzie Trust to make next step

Media release by Jacqui Dean MP Waitaki

13 February 2011

Central South Island representatives attending discussions on the proposed Mackenzie Sustainable Futures Trust at Twizel ended their Friday session on a positive note.

The Mackenzie Sustainable Futures Trust proposal is in the process of being set up to bring together a variety of interest groups to develop a shared vision for resolving land use issues in the Mackenzie, Ohau and Omarama basins.

Recommendations from the Shared Vision process would be developed over the next 12 months and would then go to the Mackenzie and Waitaki District Councils, Environment Canterbury and the Government.

Dr Nick Smith, Minister for the Environment, opened Friday's session and told the 40 stakeholder representatives present that locals who were concerned they could be 'out-voted' by outsiders need not be concerned, as the Trust would not work like that.

"The Government would not support anything unless it had local buy-in, particularly from the district councils," he said.

Participants in the meeting agreed on a rule that all decisions would be made in a truly collaborative way, where all delegates must agree.

They also agreed on the scope of work and the proposed membership of the Trust and the working party, with participating organisations to confirm their involvement in due course.

Waitaki MP Jacqui Dean, charged with setting up the Trust, said she was pleased with the high degree of good will and open mindedness displayed by those who attended.

"Those concerned about personal property rights had their fears allayed when, after an intelligent and constructive debate, the meeting unanimously agreed to add a special statement on property rights as part of the scope of work.

"This includes an assurance that any individual property owner can veto any proposal on or affecting their property rights, but not the working party's findings. It was an illustration of the collaborative spirit in action, and bodes well for the future of the process."

Participants in the meeting included Forest and Bird, Mackenzie Tourism and Development Trust, Waitaki and Mackenzie District Councils, ECan, Fonterra, Twizel and Omarama communities, mountain clubs, irrigation interests and Federated Farmers.

Meetings of the working party would in future be open to landholders and other members of the community to attend, Mrs Dean said.

Concluding the meeting acting working party chairman Richard Thompson said all interested parties would be invited to the next meeting, expected to be held sometime in March.

Waitaki MP Jacqui Dean said the Trust had now advanced to a position where application could be made for interim funding.

While some stakeholders had still to consult their members, she was confident the Environment Minister would "sit on the application" until those groups notified their position.

Ends.