

STAFF REPORT

TO: Chair and Members, Engineering Services Committee

FROM: Philip Drummond, Asset Engineer Rivers

REFERENCE: R617

DATE: 11 October, 2010

SUBJECT: **PROPOSED RIVER CARE GROUP TERMS OF REFERENCE**

PURPOSE

To formalise and adopt a terms of reference for River Care groups.

BACKGROUND

“River Care Groups” in the Nelson Marlborough area were set up in the days of the Regional Council and their success was reported in an Ombudsman’s Report at the time of the demise of the Nelson-Marlborough Regional Council.

Staff have conducted a thorough investigation into the establishment of the groups and no record can be found of any formal Charter or Terms of Reference being established on how the River Care Groups were to function.

It is noted in the Rivers AMP Appendix T that *“the Rivers Task Force (1997) presented a policy to river care groups for the establishment of more formal committees with an elected convenor and secretary. The proposal was rejected unanimously by all the river care groups (reflecting the satisfaction with the existing informal arrangement) with the exception of the Upper Motueka Group.”*

Contact has been made with all the Regional and Unitary Authority River Managers to determine from them how they manage the groups in their areas. Generally they have liaison groups within each District Council area. In some regions they have developed into quasi environmental monitoring and project groups with funding provisions for a range of river, coastal and mountain protection and regeneration activities. They may have representatives from DoC, Fish and Game and Iwi.

Some of them provide annual programs of river maintenance type works to the groups for information and in return they request individual groups to make submissions to the relevant regional committee annually if there are aspects of the work that need debate.

Environment Southland is the only Regional Council that has a working set up similar to Tasman District Council. Their Liaison Committees operate in accordance with the following rules:

- a. That the Council encourages the formation and maintenance of liaison committees consisting of ratepayers evenly distributed throughout the major river catchments.
- b. That the purpose of liaison committees be to assist the Council to maintain better communications between the Council and ratepayers generally.
- c. That the Council meets formally with each liaison committee on at least an annual basis to receive expressions of opinion and given such explanations as may be requested.
- d. That complaints or other matters pertaining to individual ratepayers not be considered by liaison committees but redirected to the Council.
- e. That liaison committees not make decisions on the Council's behalf, as such decisions must rest with the Council in terms of its statutory authority.
- f. That all liaison committees hold an annual general meeting of ratepayers at an appropriate time, the meeting to be publicly advertised and an election by ratepayers be held to confirm membership of the committees.

Discussion

These seem quite workable and with a few changes to terminologies it is suggested that TDC could adopt the Terms of Reference for our River Care Groups.

There are some differences relating to the formalising of the individual committees in any one area that need to be reflected in any terms of reference. Currently the meetings are being chaired by the Asset Engineer Rivers and MWH act as secretary to record a basic set of minutes for each meeting.

In the case of the meeting run by the Motueka Community Board, I understand that they have been keeping their own records. The Asset Engineer, MWH Representative (if required) and the Sicon representative have attended as guests to present the information on maintenance matters.

Recommendation

That the following Terms of Reference are established for Council's River Care Groups to provide clear guidance for their function:

- 1. That the Council encourages the formation and maintenance of River Care groups consisting of ratepayers evenly distributed throughout the major river catchments and along sections of classified river length.**
- 2. That the purpose of River Care groups be to assist the Council to maintain better communications between the Council and ratepayers generally regarding the level of service along the classified river length.**
- 3. That the Council meets formally with each River Care group on at least an annual basis to review the proposed annual operations and maintenance programme, receive expressions of opinion and given such explanations as may be requested.**

4. That Council publicly advertises annual meetings with River Care Groups, conduct open meetings for all interested ratepayers that attend and provide administration services.
5. That complaints or other matters pertaining to individual ratepayers not be considered by River Care groups but be redirected to the Council.
6. That River Care groups not make decisions on the Council's behalf, as such decisions must rest with the Council in terms of its statutory authority.

Philip Drummond
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