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## Update to Cabinet on progress following review of Environment Canterbury

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<b>Date:</b>	26 February 2010	<b>MfE Priority:</b>	Urgent
<b>Security Level:</b>		<b>Number of Attachments:</b>	Nil
		<b>MfE Ref No:</b>	10-B-00404

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	<b>Description</b>	<b>Deadline</b>
Minister for the Environment Hon Dr Nick Smith	Briefing note to accompany Cabinet Paper 10-C-00399 "Update to Cabinet on progress following review of Environment Canterbury"	26 February 2010 for submission to Cabinet Office in time to include on agenda for Cabinet meeting on Monday 1 March 2010.

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### Ministry for the Environment Contacts

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<b>Name</b>	<b>Position</b>	<b>Telephone</b>		<b>1st Contact</b>
		<b>(cell)</b>	<b>(work)</b>	
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## **Purpose**

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This briefing note accompanies a Cabinet paper you requested to update your colleagues on events since 19 February 2010 when the report and recommendations of the Environment Canterbury (ECan) review were made publicly available.

## **Key Points**

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- The Cabinet paper:
  - sets out the broad options for a Government response to the ECan review in paragraph 18
  - notes that you are tending towards the option of: introducing special legislation to appoint a commission in place of ECan's councillors until the 2013 local body elections; providing the commissioners with enhanced powers to address the matters raised in the review group's report; and requiring them to investigate and report to Government on the review group's recommendations for institutional reform in Canterbury (the Canterbury Regional Water Authority)
  - notes that you do not wish to make any decisions before (a) considering the formal responses of ECan and Ngai Tahu to the report and recommendations of the review (due Wednesday 3 March 2010); and (b) discussing options with your Cabinet colleagues
  - advises your colleagues that you will be presenting a proposed Government response to Cabinet on 8 March 2010.
- We have worked and will continue to work with officials across government to develop and evaluate the available options for Government response to the ECan review
- We will, in particular continue to work with Ministry of Agriculture and Forestry officials to develop options for immediately addressing pressing fresh water management issues in Canterbury as part of any Government response to the review of Environment Canterbury.
- We note that the timeframes are very tight if Government wishes to enact any enabling legislation by March 2010. To help ensure they can be met, we recommend you seek authorisation to direct the Parliamentary Counsel Office to commence drafting in advance of policy decisions by Cabinet on 8 March 2010.

Mark Sowden  
**Director Natural and Built Systems Policy Directorate**

**Date**