

**MINUTES OF THE 241ST MEETING OF ENVIRONMENT CANTERBURY HELD IN THE
COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH ON THURSDAY,
15 APRIL 2004 AT 9.30 A.M.**

CONTENTS

1. APOLOGIES
2. DRAFT ENVIRONMENT CANTERBURY COMMUNITY PLAN 2004-2014
3. PROPOSAL FOR ABOLITION OF BANKS PENINSULA DISTRICT
4. MEETING WITH PUBLIC EXCLUDED
5. CLOSURE

PRESENT

Crs R B Johnson (Chairman), R A Budd, T K Burke, V M Campbell, R H M Johnston, R I R Little, A R McKay, A G Neill, M E Oldfield, W S Penno, D R Shand, N J Wagner and J M Waters.

MANAGEMENT AND STAFF PRESENT

Dr B R Jenkins (Chief Executive), J D Talbot (Director Policy and Planning), I W Thomas (Director Services and Portfolio Management) and P C Berry (Manager Secretariat).

1. APOLOGIES

Cr I A Robertson.

2. DRAFT ENVIRONMENT CANTERBURY COMMUNITY PLAN 2004-2014

Chief Executive tabled a paper of a summary of indicators for the draft and final 2004 Community Plan and the 2006 Plan which set out the overall approach being taken. It was noted that a much more comprehensive suite of indicators were needed and were not yet in a form that could go into the draft plan. The purpose of the paper was intended as an indication of where the process was heading and the current status of the work.

Members considered the five volumes of the Draft Community Plan, concentrating mainly on Part A, Volume 1 (Draft Annual Plan 2004/2005; Draft Long Term Financial Strategy 2004/2005; Draft Resource Management Changes) and Part A, Volume 2 (Activity Information).

Advice was given that the public would receive a copy of Living Here containing summary details of the Draft Community Plan.

Morning tea was taken 10.35 a.m. to 10.55 a.m.

Cr Budd left at 11.15 a.m.

Discussion on the proposed publication changes included suggestions that residents groups and incorporated societies should receive free copies of reports. It was noted that if groups were to be separated out, clarity would be required as to what groups were to be included in the free category. Rather than trying to define groups it was agreed the waiver or adjustment of any charge for specific reports or documents should remain in the document.

Agreed that the suggestion of having loan copies would be considered.

Chief Executive drew attention to the resolution of the Council meeting on 1 April 2004 that Environment Canterbury proposes to undertake an assessment of water use in the Waitaki catchment in order to develop a water allocation strategy. The resolution also included provision of \$250,000 funding in the Community Plan to undertake this assessment.

Since this resolution it had been noted that a non-statutory allocation process was not being favoured by a number of organisations. It was suggested that the process detailed in Section 16 of the Local Government Act 2002 relating to significant new activities proposed by regional councils, would give a stronger lead.

The proposal would have to be included in the Long Term Council Community Plan for 2004/2005 otherwise no action could be taken until 12 months time.

Moved Cr Campbell, seconded Cr Waters.

- (a) *That the Draft Environment Canterbury Community Plan 2004-2014, as amended, be adopted.*
- (b) *That the Council releases the Draft Environment Canterbury Community Plan 2004-2014 for public consultation on 12 May 2004 with close of submissions on 11 June 2004.*
- (c) *That in pursuance of sections 83 and 89 of the Local Government Act 2002 the documents be distributed as indicated in the report.*
- (d) *That the Resource Management Charges under the Local Government Act 2002 and the Resource Management Act 1991 be adopted for inclusion in the Draft Environment Canterbury Community Plan 2004-2014.*
- (e)
 - (i) *That the Council will proceed with a water allocation strategy as a new activity under Section 16 of the Local Government Act 2002 and that this be included in the draft Long Term Council Community Plan.*
 - (ii) *That if the Resource Management Waitaki Catchment Amendment Bill addresses the issue the Section 16 activity will not proceed.*

Moved Cr McKay, seconded Cr Little.

That the motions (a) – (c), (d) and (e) be considered separately.

CARRIED

Cr Johnson left at 12.15 p.m. Cr Shand took over the Chair.

Motion (a) – (c) were PUT and CARRIED.

Motion (d) was PUT and CARRIED.

Cr Oldfield requested that his vote against the motion be recorded.

Motion (e) was PUT and CARRIED.

Crs Burke and McKay abstained from voting because of their possible future involvement to hear and decide applications (CRC30573 and CRC030579).

Lunch was taken 12.30 p.m. – 1.20 p.m.

3. PROPOSAL FOR ABOLITION OF BANKS PENINSULA DISTRICT

The draft submission was considered on a clause-by-clause basis as follows.

- Paragraphs 1, 2 and 3 – agreed.
- Paragraph 4.
Cr Neill suggested this clause should be deleted. Whilst noting that there appeared to be some community support for change from Banks Peninsula the general consensus was to leave this clause unchanged.
- Paragraph 5 – agreed.
- Paragraph 6.

Moved Cr Neill, seconded Cr Wagner.

That Clause 6 of the submission be deleted.

LOST on a Show of Hands vote 4 – 6.

Agreed to delete “disaffected”; change “powerful” to “large” and “may well” to “could”.

- Paragraph 7.
Agreed to amend details resulting from recently announced decision of the Local Government Commission on the Christchurch City Council Representation Review.

Agreed to alter “virtually no representation” to “negligible direct representation”.

- Paragraph 8
Moved Cr Penno, seconded Cr Waters.

That the third paragraph be altered that Banks Peninsula District be amalgamated with Selwyn District with the exception of the Lyttelton Harbour basin area to be amalgamated with Christchurch City.

LOST

Moved Cr Little, seconded Cr Wagner.

That the last paragraph be altered to read "that if the proposal proceeds Environment Canterbury recommends that the relevant catchment of Lake Ellesmere (Waihora) be included in the Selwyn District".

CARRIED

It was noted this would better assist with the Regional Council responsibilities.

- Paragraph 9 – agreed.

Moved Cr Waters, seconded Cr Wagner.

That the draft submissions to the Local Government Commission, as amended, be approved.

CARRIED

The meeting was adjourned from 2 p.m. to 3.15 p.m.

Crs Johnson and Campbell returned at 3.15 p.m.

4. MEETING WITH PUBLIC EXCLUDED

Moved Cr Johnson, seconded Cr Johnston.

That the matter of the Air Plan Hearing Committee (with Public Excluded), which has arisen in the last few days and requires resolution before hearings start in May 2004, be considered as extraordinary and urgent business.

CARRIED

Moved Cr Johnson, seconded Cr Oldfield.

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

Air Plan Hearing Committee

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

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
<i>Consideration of legal advice re Committee</i>	<i>That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.</i>	<i>Section 48(1)(a)</i>

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 7 of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public.

Maintain legal professional privilege (Section 7(2)(g)).

That Margo Perpick, Solicitor be permitted to remain at this meeting, item (a), after the public has been excluded, because of her knowledge of the legal situation. This knowledge which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of Ms Perpick's expertise in this matter.

CARRIED

IN OPEN MEETING

Moved Cr Johnson, seconded Cr Johnston.

That the meeting resume in Open Meeting.

CARRIED

5. CLOSURE

The meeting closed at 4.05 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____