

**335th MEETING OF THE
CANTERBURY REGIONAL COUNCIL**

COUNCIL MEETING

**TO THE CHAIRMAN AND COUNCILLORS OF THE
CANTERBURY REGIONAL COUNCIL**

MEMBERSHIP OF THE COUNCIL

Cr T K Burke (Chairman)

Cr J T Demeter	Cr B S Murray
Cr C J Evans	Cr A G Neill
Cr P C R Harrow	Cr M E Oldfield
Cr J M Kane	Cr E M Sage
Cr R M Kirk	Cr D P Sutherland
Cr R I R Little	Cr R M G Tindall
Cr A R McKay	

A meeting of the Council will be held on

Tuesday, 31 March 2009 at 9.00 a.m.

VENUE: Council Chamber
First Floor
Environment Canterbury
58 Kilmore Street
Christchurch

BUSINESS: As per Order Paper attached.
Agendas are available on our website three days prior to the date of the meeting -
<http://www.ecan.govt.nz/About+Us/Council+Info/Committee+Agendas.htm>

Dr Bryan Jenkins
CHIEF EXECUTIVE

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE TAKEN AS COUNCIL
POLICY UNTIL ADOPTED BY THE COUNCIL**

COMPLIANCE WITH LOCAL GOVERNMENT ACT 2002 DECISION-MAKING REQUIREMENTS

Except as below, a statement of compliance and a completed decision checklist is required for any agenda item on a council committee or the council recommending that a decision be made. This will be the responsibility of the person signing off the agenda item.

The compliance statement and checklist will not be used for:

- Recommendations that information be received or that the Council make a decision.
- Decisions taken under the Resource Management Act 1991 or the Biosecurity Act 1993 in relation to resource consents, decisions required when following the procedures set out in Schedule 1 of the Resource Management Act 1991, other permissions, submissions on plans, or references to the Environment Court.
- Decisions taken to proceed with enforcement procedures under various primary or secondary legislation or regulations, including procedures under the Resource Management Act 1991, the Biosecurity Act 1993, the Local Government Act 2002, and Environment Canterbury Bylaws.
- Administrative and personnel decisions that are entirely internal to Environment Canterbury.
- Other decisions where the procedures to be followed are set out in Legislation.

COMPLIANCE STATEMENT

The council committee (or the council) must formally certify that:

- (a) It is satisfied that it has sufficient information about the options and their benefits and costs, in terms of the region's social, economic, environmental and cultural well-being and the effects on community outcomes, bearing in mind the significance of the decisions.
- (b) It is satisfied that it knows enough about and has given adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decision.

INFORMATION CHECKLIST

(a)	A Statement of the Proposed Decision
(b)	A Statement of the Objective of the Proposed Decision and the Issue or Problem being addressed
(c)	A list of all reasonably practicable options, (including doing nothing).
(d)	For each option in (c): An evaluation of the Benefits and Costs, in terms of the region's social, economic, environmental and cultural well-being.
(e)	For each option in (c): A statement of the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner.
(f)	For each option in (c): A statement of the Impact, if any, on Environment Canterbury's capacity to undertake its statutory responsibilities
(g)	If the Proposed Decision is a significant decision in relation to land or a body of water, a statement of how Maori values have been taken into account
(h)	A Statement of significant inconsistencies, if any, with any Existing Policy, Plan or Legislation arising from the Proposed Decision.
(i)	A statement how the views and preferences of affected or interested persons have been given adequate consideration during the definition of the problem or issue, the objective, the assessment of options and the development of the proposed decision, including the particular contribution of Maori to the decision-making process.

Notes:

The significance of proposals and decisions determines how much time, money and effort is put into exploring and evaluating options and obtaining the views of affected and interested parties. The significance of proposals and decisions is determined through reference to criteria contained in the policy on significance.

The policy on significance together with Section 76 of the Local Government Act 2002 set out the Council's requirements in relation to decisions. Some decisions can only be made through the Long-Term Council Community Plan, or after the Special Consultative Procedures set out in the Act have been used, (refer to the policy on significance and the Act).

All decisions of Environment Canterbury are subject to the decision-making requirements of section 76 of the Act unless inconsistent with specific requirements of other legislation.

**CANTERBURY REGIONAL COUNCIL
COUNCIL MEETING**

ORDER PAPER

Page No.

1. APOLOGIES
2. SUBMISSION ON THE RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING) AMENDMENT BILL
3. EXTRAORDINARY AND URGENT BUSINESS
4. NEXT MEETINGS – 1 APRIL AND 29 APRIL 2009
5. CLOSURE

AGENDA ITEM NO: 2	SUBJECT MATTER: SUBMISSION ON THE RM (SS) AMENDMENT BILL 2009
REPORT: Council	DATE OF MEETING: 31 March 2009
FILE REFERENCES: GOVE/LEGI/73C - Government Relations - Legislation	PORTFOLIO: Corp & Demo Process PROJECT: 022700 OUTPUT: One Submission
REPORT BY: Andrew Willis Manager Regional Policy and Effectiveness	ENDORSED BY: Jill Atkinson Director Regional Programmes

PURPOSE

The purpose of this report is to seek the Council's endorsement of the proposed submission to the Local Government and Environment Committee on the Resource Management (Simplifying and Streamlining) Amendment Bill 2009.

ATTACHMENTS

Nil.

- Please note that the proposed submission will be sent to Councillors as soon as possible after incorporating the Councillors' feedback from the 26 March 2009 Council workshop. Additional copies will be available at the meeting.

BACKGROUND

The Government proposed making changes to the Resource Management Act (RMA) in late 2008. In December 2008, the Minister for the Environment sought local government input into the proposed changes. Environment Canterbury officers made a staff submission on the proposals. The Resource Management (Simplifying and Streamlining) Amendment Bill was subsequently introduced into Parliament in February and referred to the Local Government and Environment Committee for consideration. Submissions on the Bill were invited and are due by 3rd April.

Environment Canterbury officers have prepared a draft submission on the Bill. This submission includes input from all relevant sections of the Council, and has also relied on comments from other Councils and Local Government New Zealand. A workshop was held with Councillors on 12th March to consider the key changes and gain initial Councillor comment. This was followed by a Council workshop on 26th March where the draft submission was considered in detail.

THE PROPOSAL

That the Council endorses the proposed submission.

RECOMMENDATION

That the Council endorses the proposed submission on the Resource Management (Simplifying and Streamlining) Amendment Bill.