

**MINUTES OF 305TH MEETING OF ENVIRONMENT CANTERBURY HELD IN THE
COUNCIL CHAMBER, ENVIRONMENT CANTERBURY, 58 KILMORE STREET,
CHRISTCHURCH ON THURSDAY, 11 OCTOBER 2007 AT 8.35A.M.**

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PRESENT

Crs T K Burke (Chairperson), R A Budd, E H Cunningham, R H M Johnston, R M Kirk, R I R Little, A R McKay, A G Neill, M E Oldfield, J F Slee, J M Waters and W E Woods.

MANAGEMENT AND OFFICERS PRESENT

B R Jenkins (Chief Executive) and J C Pani (Manager Secretariat).

M C Freeman (Director Regulation), J D Talbot (Director Policy and Planning), I W Thomas (Director Finance and Corporate Services), and some report authors were in attendance for part of the meeting.

1. APOLOGIES

Crs Wagner and Carroll.

2. MINUTES OF MEETING – 27 SEPTEMBER 2007

Resolved

That the Council minutes of 27 September 2007, as circulated, be confirmed as a true and correct record, and be adopted.

Cr McKay/Cr Budd

3. MATTERS ARISING

The Chairman confirmed that a written response to Cr Slee's questions presented to an earlier Council meeting would be included in the minutes.

Crs Waters and Woods arrived at 8.40 a.m.

4. DEPUTATIONS AND PETITIONS

A deputation was received from North Canterbury Federated Farmers (Chris Sundstrum, Dougal Maclean and Roger Gilbert) who spoke about a recent Federated Farmers survey on Council performance and rates report card results for Councils.

Mr Sundstrum tabled information and advised that it was the intention of Federated Farmers to repeat the survey on an annual basis.

There was discussion about the results of the survey, methodology and how Council might improve its communication and relationship with Federated Farmers. Mr Sundstrum agreed to provide information relating to the number of respondents to their survey from the Canterbury Region.

The Chairman thanked Federated Farmers for taking the time to make a deputation to the Council.

Item 11 was taken at this time.

11. NOTICE OF MOTION

Cr Little presented a notice of motion which was tabled earlier in the meeting. He thanked the Chief Executive, Bryan Jenkins, for providing a view on possible reasons for the poor Council rating in the Federated Farmers survey. Dr Jenkins provided comment to the meeting.

In responding to the motion, Dr Jenkins commented that it is important to note that the prime interface with the farming community is as a consent authority and as a regulator. As such effective performance is not necessarily a popularity contest. Environment Canterbury is grouped with other regional councils (Bay of Plenty and Waikato) where sustainability limits for water availability or water quality are being met and limits are being placed on the farming community. Taranaki has plentiful rainfall and little call for irrigation whereas Canterbury has the highest potential evapotranspiration deficit of any region.

It was stated that the Chief Executive would report to a future meeting of Council on this issue. There was a request that stakeholder meetings between Council and Federated Farmers be reintroduced.

After discussion on the value and learning to be gained from further consideration of the Federated Farmers' survey results, the motion was put and carried unanimously.

Resolved

That, following the recent national Federated Farmers survey of their members' opinions of their local Councils, Environment Canterbury investigates the reasons for its very low rating and whether it can improve its performance to engender better relations with the rural community. A look at methods used by the top performing Regional Council, Taranaki, for example, may be of benefit.

Cr Little/Cr Johnston

5. DOMESTIC SEWAGE EFFLUENT – PROPOSAL TO VARY RULES WQL8 AND WQL9 IN THE PROPOSED NATURAL RESOURCES REGIONAL PLAN

Mike Freeman (Director Regulation) introduced this item to request approval for Variation 14 of the Proposed Natural Resources Regional Plan (NRRP). Proposed Variation 14 involves amendments to Rules WQL8 and WQL9 in Chapter 4 (Water Quality) of the NRRP.

An updated document Variation 14 (on-site wastewater treatment systems) was tabled. Philippa Lynch (Senior Consents Investigating Officer) worked through the proposed amendments to Rules WQ8 and WQL9 as presented in the tabled document.

There was lengthy discussion on the details being presented and clarification sought on some detail included in the rules. Philippa Lynch, Mike Freeman and Leo Fietje responded to the points raised. Ms Lynch advised she would follow up on the issue raised regarding seepage to an urupā site.

Prior to the motion being put, staff were congratulated on the work put into this proposal.

Resolved

That the Council:

- (a) Approves and publicly notifies, in accordance with Schedule 1 of the Resource Management Act, the tabled document, Variation 14 to the Proposed Natural Resources Regional Plan (PNRRP) maintaining references to the Building Act 1991, (to amend Rule WQL8 and WQL9 of Chapter 4 in the PNRRP and other related amendments) to incorporate into the PNRRP the reduced separation distances for drip irrigation land application systems, to amend the reference to the Building Act, to amend the reference to the media to be used in treatment trenches and to amend the reference to wastewater treatment via in-situ soils.**
- (b) Adopts the Supplementary Section 32 Report.**
- (c) Requests the Chief Executive to identify potential sources of funding for the estimated \$50,000 needed for the 2007/08 financial year for the increased determinations required to assess compliance with Rule WQL8.**

Cr McKay/Cr Budd

Morning tea was taken from 10.47 until 11.05 a.m.

6. STORMWATER – PROPOSAL TO CHANGE THE TRANSITIONAL REGIONAL PLAN AND TO NOT ENFORCE RULES WQL5 AND WQL6 IN THE PROPOSED NATURAL RESOURCES REGIONAL PLAN

Mike Freeman (Director Regulation) and Brent Hamilton (Senior Consents Investigating Officer Discharge) presented this item to provide an opportunity to address implementation issues associated with the stormwater rules in the Transitional Regional Plan (TRP) and the proposed Natural Resource Regional Plan Chapter 4: Water Quality (pNRRP).

Resolved

That the Council approve:

- (a) The drafting (including initial consultation) of a change to the Transitional Regional Plan to permit the discharge of stormwater to land from residential and rural-residential subdivisions, involving fewer than 30 allotments; and**
- (b) The non-enforcement of rules WQL5 and WQL6 in the Proposed Natural Resources Regional Plan for residential developments provided the proposed stormwater discharges do not contravene the provisions of the Transitional Regional Plan or any Proposed Change to the Transitional Regional Plan. This non-enforcement shall not apply to discharges to land within Community Drinking Water Supply Protection Zones or within the Christchurch Groundwater Recharge Zone as defined in conditions 9 and 10 of Rule WQL5 in the Proposed Natural Resources Regional Plan.**

Cr McKay/Cr Little

7. NRRP CHAPTER 3 (AIR QUALITY) WORK PROGRAMME AND AGRICULTURAL PLASTICS

Katherine Wilson (Senior Resource Management Planner) introduced this item to report to Council, as requested, specifying when the implications of the changes to the deletion of Permitted Activity Rules AQL30, AQL31 and AQL68 will be assessed. This followed Council's adoption of the Commissioners' Recommendations on Chapters 1 – 3 of the proposed Natural Resources Regional Plan as its own decisions. Ms Wilson commented that issues raised by Commissioners had been noted and were being considered. These would be reported back to Council at a future date.

Resolved

(a) That the Council receives the report on the work programme for NRRP Chapter 3 Air Quality, and polyethylene agricultural wraps and agrichemical containers, and

(b) That the staff communicates delegated decisions back to Councillors.

Cr McKay/Cr Budd

8. END OF TRIENNIUM MATTERS

Jude Pani (Manager Secretariat) presented information relating to end of triennium matters and requested approval for emergency arrangements to be established for the "interregnum" period.

Resolved

That the Council:

(a) Receives the report of end of triennium matters.

(b) Authorises the Chief Executive to act on any emergency matters arising from the time the present Council and its committees are discharged until the members of the new Council make their declarations.

(c) Instructs the Chief Executive to report any such matters to the incoming Council at the first appropriate opportunity, and

(d) Notes that the Canterbury Civil Defence Emergency Management Group and any subcommittee established by that group shall not be deemed to be discharged on the coming into office of the members elected at the 2007 triennial general election of the Council.

Cr Budd/Cr Oldfield

9. MINUTES OF MEETING FOR INFORMATION

Resolved

That the minutes of the Canterbury Mayoral Forum be received.

Cr Burke/Cr McKay

10. CHIEF EXECUTIVE'S ITEMS

Bryan Jenkins talked to a document (tabled) – Achievements for the 2004/07 Triennium.

Resolved

That the Chief Executive's items including the report of achievements for the 2004/2007 triennium be received.

Cr Burke/Cr Johnston

Lunch was taken at 12.35 until 1.20 p.m.

COUNCILLOR REPORTS

Cr Waters commented on her attendance at the recent Canterbury Joint Waste Committee and Hazardous Waste Working Party meetings. She advised that the agrichemicals are being collected again.

Cr Little also reported on his attendance at the end of term meeting of the Canterbury Joint Waste Committee. He said that there was a view to combine the Canterbury Joint Waste Committee and the Hazardous Waste Working Party into the one forum.

Cr Burke commented on the recent unveiling of the mudfish commemorative plaque in Oxford on the corner of Bush and Mill Roads near the spot where Mr Burrows first discovered what was confirmed as a separate and new species of fish in 1924.

Cr McKay advised of his attendance at a recent meeting of the farming community and Council staff. There was willingness by the dairy farming community to work with Council and in future when a staff member was invited on to a farm for staff and administrative training, the costs will be treated on a user pays basis.

Cr Budd commented on the details of a factsheet released from Hon. David Parker, Minister of Energy, summarizing the key actions the government will implement or is already implementing to give effect to the objectives set out in the New Zealand Energy Strategy.

12. QUESTIONS

There were no questions.

The following had been provided to Cr Slee in response to her questions presented to the August Council meeting.

*“Answer to Question 1:
As I said on the phone the + and – 10% was not the only criteria, the other ones being the effective representation of the regional communities of interest, which on the night I agree I may have neglected to add through time constraints.*

What did become evident though in the Commission's findings throughout New Zealand, and particularly for the Canterbury region, was that regional constituency boundaries are more

particularly the function of regional communities of interest and activity rather than Territorial Authority boundaries.

Answer to Question 2:

I won't release to any person or body what is a private matter between myself and some colleagues. What I told you was in confidence and with the publication of your questions you have broken that confidence.

There was agreement to support the retention of six rural councillors which was honoured, and further elevated to unanimous support (of all 14 councillors) for the retention of a separate Waitaki constituency which was our Council's official submission to the Local Government Commission amongst other things as you know.

That the Commission chose to come to a different determination is not our fault or yours. What they did do though was to retain six rural Councillors when 9:5 or even 8:5 was distinctly possible.

The practicalities of giving positive effect to that determination and representation are for the newly enlarged constituency in the South to resolve; a situation very similar to what has existed in North Canterbury for 18 years."

13. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary and urgent business.

14. MEETING WITH PUBLIC EXCLUDED

Resolved

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

- 14.1 Minutes of 27 September 2007 Meeting and Matters Arising**
- 14.2 Report of the Chief Executive Performance Review 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:

<i>General subject of each matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
14.1 Minutes of the 27 September 2007 Meeting and Matters Arising	<i>That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.</i>	Section 48(1)(a)
14.2 Report of the Chief Executive Performance Review Committee		

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 are as follows:

14.1 Maintain legal professional privilege – section 7(2)(g).

14.2 Protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a).

Cr Burke/Cr Waters

The meeting moved into public excluded session from 1.45 p.m. to 3.15 p.m.

15. NEXT MEETING

To be advised.

16. VALEDICTORY SPEECHES

Crs Johnston, Slee and Waters made valedictory speeches.

17. CHAIRMAN'S REPORT – TRIENNIUM REVIEW

The Chairman presented a report on the achievements of the triennium. Points raised included work in the following areas: Greater Christchurch Urban Development Strategy, Regional Land Transport Strategy, Air Quality, Water Quality/Quantity, Public Passenger Transport, Committee Structure and Membership, Canterbury Mayoral Forum and the Canterbury Regional Council Representation Review.

Cr Burke included an overview of the formation and work of the Maori Advisory Committee. He advised that the Committee met on 10 October and were keen that the Committee continue for the next triennium.

Resolved

That the Council recommend to the incoming Council that a Maori Advisory Committee be established as a matter of priority with details of representation to be worked through by the new Committee.

Cr Burke/Cr Cunningham

18 CLOSURE

The meeting closed at 4.05 p.m.

In accordance with Standing Order Clause 3.18.2 we confirm the correctness of the minutes of the meeting of the Council prior to the next election of members.

CHAIRPERSON

CHIEF EXECUTIVE