

**304th 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 R A Budd	Cr A G Neill
Cr A S Carroll	Cr M E Oldfield
Cr E H Cunningham	Cr J F Slee
Cr R H M Johnston	Cr N J Wagner
Cr R M Kirk	Cr J M Waters
Cr R I R Little	Cr W E Woods
Cr A R McKay	

A meeting of the Council will be held on

Thursday, 27 September 2007 at 8.30 a.m.

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

BUSINESS: As per Order Paper attached.

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.

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COUNCIL MEETING
ORDER PAPER**

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MINUTES OF 302ND MEETING OF ENVIRONMENT CANTERBURY HELD IN THE PUKAKI ROOM, ENVIRONMENT CANTERBURY, 75 CHURCH STREET, TIMARU ON THURSDAY, 30 AUGUST 2007 AT 9.00 A.M.

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15. NEXT MEETINGS – 19 SEPTEMBER AND 27 SEPTEMBER 2007
16. CLOSURE

PRESENT

Crs T K Burke (Chairperson), 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). Frank Stewart (Regional Policy Analyst) was in attendance for part of the meeting.

1. APOLOGIES

Crs R A Budd, A S Carroll and N J Wagner.

2. MINUTES OF MEETING – 26 JULY 2007

Resolved

That the Council minutes of 26 July 2007, as circulated, be confirmed as a true and correct record, and be adopted.

Cr McKay/Cr Woods

3. MATTERS ARISING

Item 6 – Proposed NRRP Chapter 4 Water Quality – Christchurch Groundwater System – It was requested that the minutes indicate that there had been no votes against the recommendations.

The Chairman led discussion later in the meeting, and prior to the public excluded session, about the release of records of public excluded minutes. At that stage Council discussed Standing Orders, in particular the process for receiving items of urgent business.

Item 12 – Southern Committee – There was discussion on the engagement process for the proposal to enhance the effectiveness of Environment Canterbury's functions in the southern area. Views were expressed on whether a new structure with apparent additional reporting layers would improve communications and local decision-making. There was also discussion on the timing of the engagement process with a comment made about the need to move at a speed to ensure appropriate engagement. Newspaper articles relating to this item were tabled by Cr Oldfield.

4. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

5. AMENDMENTS 2 (A) TO (M) TO THE ENVIRONMENT CANTERBURY NAVIGATION SAFETY BYLAWS 2005

Frank Stewart (Regional Policy Analyst) introduced this item and tabled additional information requesting approval for proposed Amendments (n) and (o) in addition to those Amendments (a) to (m) circulated with the agenda. Mr Stewart spoke to the amendments and clarified details including the background to extending the hours that motor boating is allowed on Lake Middleton. He undertook to provide financial information relating to swing moorings.

Resolved

That the Council:

- (a) Agrees that the proposed Amendments 2 (a) to (o), as presented, to the Environment Canterbury Navigation Safety Bylaws 2005 are the most appropriate means of addressing the navigation safety issues identified.**
- (b) Determines that the proposed Amendments 2 (a) to (o) to the Environment Canterbury Navigation Safety Bylaws 2005 do not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
- (c) Adopts the formal Statement of Proposal and proceeds with the Special Consultative process to make Amendments 2 (a) to (o) to the Environment Canterbury Navigation Safety Bylaws 2005.**
- (d) At its meeting on 25 October 2007 appoint three Councillors who will hear submissions and make recommendations to Council.**

Cr Kirk/Cr Waters

6. REGULATORY DELEGATIONS

Cr Neill, Chairman of the Regulation Hearing Committee, introduced this item. There was lengthy discussion on recommendation (c) and clarification sought on accountability for decisions back to a Council Committee. A minor addition was suggested to recommendation (c), which was accepted by the mover and seconder of the motion, to ensure appropriate reporting of this delegated authority to the Regulation Hearing Committee.

Resolved

That Council approves the following changes and additions to the Regulatory Delegations to the Regulation Hearing Committee, Chief Executive and staff under the Resource Management Act

- (a) Add the Regulatory Hearing Committee with the authority to hear and decide resource consent applications under Section 104 Resource Management Act and to hear and decide objections lodged under Section 357 Resource Management Act, including the determination of any preliminary matters with the full powers of the Council as a consent authority.**
- (b) Add the position of Team Leader, Regulation Advisory and Implementation, with the authority to extend cancellation of resource consents under Section 126; refuse partial surrender of a resource consent under Section 138, and to cancel or change abatement notices under Section 325A(2) and (5).**
- (c) Add the positions of Chief Executive, Director Regulation, Consents Manager and Principal Consents Advisor with the authority to decide resource consent applications subject to limited notification and to which there are no parties to be heard, and that these decisions be reported to the Regulation Hearing Committee.**

Cr Neill/Cr McKay

7. COMMITTEE REPORTS

7.1 REPORT OF THE COMBINED PORTFOLIOS COMMITTEE

Cr Burke, Chairman of the Combined Portfolios Committee presented the report of the Committee meeting held on 31 July 2007.

Resolved

- (a) That the report of the Combined Portfolios' Committee held on 31 July 2007 be received, and**
- (b) That the portfolio information, as amended, be adopted as the basis for preparing the portfolio sections of the 2006/07 Annual Report.**

Cr Burke/Cr Little

7.2 REPORT OF THE FINANCE AND AUDIT COMMITTEE

Cr Kirk, Chairman of the Finance and Audit Committee presented the report of the Committee meeting held on 15 August 2007. Bryan Jenkins confirmed that relating to the Target Pest Enterprises Limited (TPE) information item, a liquidator had been appointed following the receivership process and this item was reporting on a parallel process of the Council's treatment of the value of TPE shares and the loan advance to TPE in the draft Annual Report.

Resolved

- (a) That the report of the Finance and Audit Committee held on 15 August 2007 be received.**
- (b) That the report "Tri-annual Report of Progress on Project Levels of Service for 1 July 2006 to 30 June 2007" be received, and**
- (c) That the recommendations in the Tri-annual Report be approved.**

Cr Kirk/Cr Johnston

7.3 REPORT OF THE REGIONAL PLANNING COMMITTEE

Cr McKay presented the report of the Regional Planning Committee meeting held on 15 August 2007. Thanks were extended to staff and all involved in the Rangiora and Kaiapoi air quality project.

Resolved

- (a) That the report of the Regional Planning Committee held on 15 August 2007 be received, and**
- (b) That the Council approves Variations 11 (Rangiora) and 12 (Kaiapoi) to Chapter 3 Air Quality of the Proposed Natural**

Resources Regional Plan for public notification in accordance with the Resource Management Act 1991, subject to the following:

- 1. The Council awaiting its decisions on the Commissioners' recommendations on submissions to Chapters 1 and 3 of the Proposed Natural Resources Regional Plan, and making any necessary changes to the variations arising from those decisions.**
 - 2. The maps for the Clean Air Zones being amended so that the boundaries of the zones more closely coincide with cadastral boundaries.**
- (c) That, subject the changes outlined in (b) above, the Council adopt the Section 32 Reports for Variations 11 and 12.**
- (d) That recommendations (b) and (c) above are moved in anticipation of a range of funding sources, including from Central Government, being provided to implement the air quality proposals for Rangiora and Kaiapoi.**
- (e) That the Rangiora and Kaiapoi communities be advised of the Council's role in the discussions being held between the Regional Affairs Committee of Local Government New Zealand and the Ministry for the Environment with regard to the timeframe difficulties, and the burden of costs for small communities to meet the National Environmental Standards unless financial assistance is available from Central Government.**

Cr McKay/Cr Burke

Morning tea was taken from 10.40 – 11.00 a.m.

8. MINUTES OF MEETING FOR INFORMATION

Cr Burke presented the minutes of the Canterbury Mayoral Forum meeting held on 6 August 2007.

Resolved

That the minutes of the Canterbury Mayoral Forum be received.

Cr Burke/Cr Johnston

Item 10 was taken at this time.

10. COUNCILLOR REPORTS EXTERNAL APPOINTMENTS/CONFERENCES/ SEMINARS

Cr Slee briefed the meeting on her role on the Regional Animal Health Advisory Committee (RAHAC) and advised that post the October 2007 elections she would continue to be a member of RAHAC representing the Waitaki community for the rabbit and Bovine TB area. She commented that rabbits were back with a vengeance.

There was discussion on the current situation relating to the increase in rabbit numbers. Brent Glentworth, Biosecurity Team Leader, Timaru, commented on the success of two recent operations in Waitaki resulting in a large knock down in rabbit numbers. An exception was an area in Otakaieke not covered in the initial operation where rabbit numbers were increasing. Further, he said that there was a 20% increase in rabbit numbers in the Mackenzie Basin and that without secondary control, by February numbers will be quite high. Mr Glentworth commented on the 1080 global consent and confirmed that it was for wallaby, rabbit and possum. He also provided details of bi-kill and advised that with rabbits there would be a small bi-kill on possums. He reported that RHD immunity which is also impacting on rabbit numbers, and he expected the rate of Notices of Direction will increase.

There was discussion on the current situation relating to rabbit numbers, the Council's role in pest management, and the importance of keeping this issue as a priority for the Council.

Crs Burke, Cunningham and Johnston gave an overview of their attendance at the July Local Government New Zealand Conference held in Dunedin, and the pre-conference tour.

Cr Oldfield commented on his recent attendance at the Northern Lights: Ecologic Conference held in Wellington on 21 August.

Cr Woods advised of his attendance at the Zero Waste Seminar, held in Ashburton on 24 August.

Resolved

That the Councillor reports be received.

Cr Burke/Cr Cunningham

9. CHIEF EXECUTIVE'S ITEMS

Bryan Jenkins (Chief Executive) presented the Chief Executive's items.

Resolved

(a) That the Chief Executive's items be received, and

(b) That the Chief Executive's request for leave from 14-26 September be approved, and that the Director of Finance and Corporate Services be appointed as Acting Chief Executive during this absence.

Cr Burke/Cr Slee

13. NOTICES OF MOTION

There were no notices of motion.

14. QUESTIONS

There were no questions.

15. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary and urgent business.

The meeting moved into public excluded session from 12.08 p.m.

16. MEETING WITH PUBLIC EXCLUDED

Resolved

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

Decision on application for Costs: Malvern Hills Protection Society Inc (Verbal report)

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>
<i>Decision on application for Costs: Malvern Hills Protection Society Inc</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 are as follows:

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

Cr Burke/Cr Johnston

The meeting resumed in Open Meeting at 1.27 p.m.

17. NEXT MEETING – 19 SEPTEMBER (11.00 AM) AND 27 SEPTEMBER 2007 (8.30 AM)

18. CLOSURE

The meeting closed at 1.28 p.m.

Unconfirmed

CONFIRMED

DATE _____ CHAIRPERSON _____

AGENDA ITEM NO: 5	SUBJECT MATTER: OPERATIONAL PLAN, REGIONAL PEST MANAGEMENT STRATEGY
REPORT TO: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: Biosecurity and Pests PROJECT: 061400 Regional Pest Strategy Operational Plan OUTPUT: RPMS Operational Plan for 2007/08 is reviewed
REPORT BY: Brenda Greene Senior Resource Management Planner	ENDORSED BY: John Talbot Director Policy and Planning

PURPOSE

To adopt the Operational Plan (2007/08) for the Canterbury Regional Pest Management Strategy 2005.

ATTACHMENTS OR DOCUMENTS PREVIOUSLY CIRCULATED

A copy of the Operational Plan (2007/08) is attached.

BACKGROUND

The Biosecurity Act 1993 requires that the Canterbury Regional Pest Management Strategy (RPMS 2005-2015) Operational Plan be reviewed annually and that copies be available to the public. The RPMS states that Environment Canterbury will, in consultation with the Pest Management Liaison Committee chairpersons, review the operational plan annually.

THE PROPOSAL

Approve the reviewed Operational Plan (2007/08) to implement the Canterbury Regional Pest Management Strategy 2005-2015.

CONSULTATION

The Pest Management Liaison Committee Chairperson's have considered and provided advice on the pest programmes within their district during the preparation of the Council's LTCCP. This information forms the basis of the Operational Plan.

FINANCIAL

The budget for the current financial year has been previously approved through the LTCCP process.

RECOMMENDATION

That the Operational Plan (2007/08) to implement the Canterbury Regional Pest Management Strategy 2005-2015 be adopted.

AGENDA ITEM NO: 6	SUBJECT MATTER: NRRP HEARING COMMITTEE MEMBERSHIP CONTINUATION
REPORT TO: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: Water PROJECT: NRRP OUTPUT: Decisions on Submissions
REPORT BY: John Talbot Director Policy and Planning	ENDORSED BY:

PURPOSE

To ensure the continuation of the membership of the two NRRP hearing committees after the upcoming Council elections.

BACKGROUND

The Council has previously appointed the NRRP hearing committee memberships as follows:

“That the Council under S34 RMA delegate all relevant ancillary powers and duties in relation to hearings including S41 to 42A, to two Hearing Committees (the members comprising independent member Dr Brent Cowie as Chair of both Committees and who shall be present for all hearings and decision making, and members Crs Johnston, Kirk, Oldfield and Woods as the Committee dealing with Chapters 4 and 5; and Crs Carroll, Johnston and Oldfield as the Committee dealing with Chapters 6, 7 and 8) to hear submissions on Variations 1 and 2 of the Proposed Natural Resources Regional Plan and make decisions on those submissions.”

The Council will need to authorise the on-going appointment of membership of the two NRRP hearing committees. Clause 30(7) of the 7th Schedule to the Local Government Act 2002 provides as follows:

“(7) A committee, subcommittee, or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.”

So, after the election, upon the coming into office of the newly elected members, the existing committees will be discharged. The current Council can make a resolution now that the committees will not be discharged at that time, in which case the committees will remain on foot, with appointed members, whether they remain as Councillors after the election or not.

If none of the members of the committees are Councillors after the election, then there will need to be a new resolution, re-appointing the committees under section 34A as commissioners, because clause 31(4) of the 7th Schedule requires at least 1 member of a committee to be an elected member of the local authority.

CONSIDERATION OF OPTIONS

The Council needs to maintain at least some of the current committee membership to continue the hearings and fulfil the decision-making role delegated by the Council.

FINANCIAL

The financial implications are that we will need to negotiate with those who are not re-elected as Councillors about the terms upon which they would be willing to accept continuing committee membership.

RECOMMENDATIONS

That the Council resolves that the two Hearing Committees (including their current memberships) dealing with Variations 1 and 2 of the Proposed Natural Resources Regional Plan are not discharged on the coming into office of the members of the Council elected at the October 2007 triennial general election.

AGENDA ITEM NO: 7	SUBJECT MATTER: VARIATIONS TO THE PROPOSED NRRP CHAPTER 3 (AIR QUALITY) – PARTICULATE MATTER IN RANGIORA AND KAIAPOI
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES: NRRP/2002/V22/GEN1C	PORTFOLIO: Air PROJECT: NRRP OUTPUT: NRRP Chapter 3: Variations 11 and 12 (Rangiora and Kaiapoi)
REPORT BY: Katherine Wilson, Senior Resource Management Planner; and Jeff Page, Consultant Response Planning	ENDORSED BY: John Talbot Director Policy and Planning

PURPOSE

The purpose of this paper is to seek approval of Variations 11 and 12 to Chapter 3 of the Proposed Natural Resources Regional Plan (PNRRP). These variations introduce specific management regimes for PM₁₀ contaminant in Rangiora (Variation 11) and Kaiapoi (Variation 12).

ATTACHMENTS

In relation to Variation 11 (Rangiora)

1. Variation to Chapter 3 Air Quality, PNRRP
2. Section 32 report

In relation to Variation 12 (Kaiapoi)

3. Variation to Chapter 3 Air Quality, PNRRP
4. Section 32 report

In relation to both Variation 11 and Variation 12

5. Report from the Joint Environment Canterbury/Waimakariri District Council “Clean Air Warm Homes” Project – approved by the Chair of the Policy Working Group (Councillor Little) and the Chair of the Community Advisory Group (Councillor McRobie).

BACKGROUND

Draft Variations 11 and 12 were approved by the Regional Planning Committee on the 15th August 2007. The recommendations to Council were as follows:

1. *That the Council approve Variations 11 (Rangiora) and 12 (Kaiapoi) to Chapter 3 Air Quality of the Proposed Natural Proposed Natural Resources Regional Plan for public notification in accordance with the Resource Management Act 1991, subject to the following:*

- (a) *The Council awaiting its decisions on the Commissioners' recommendations on submissions to Chapters 1 and 3 of the Proposed Natural Resources Regional Plan, and making any necessary changes to the variations arising from those decisions.*
 - (b) *The maps for the Clean Air Zones being amended so that the boundaries of the zones more closely coincide with cadastral boundaries.*
2. *That, subject the changes outlined in (1) above, the Council adopt the Section 32 Reports for Variations 11 and 12.*
 3. *That recommendations (1) and (2) above are moved in anticipation of a range of funding sources, including from Central Government, being provided to implement the air quality proposals for Rangiora and Kaiapoi.*
 4. *That the Rangiora and Kaiapoi communities be advised of the Council's role in the discussions being held between the Regional Affairs Committee of Local Government New Zealand and the Ministry for the Environment with regard to the timeframe difficulties, and the burden of costs for small communities to meet the National Environmental Standards unless financial assistance is available from Central Government.*

In relation to Point 1(a) above, Council has now accepted the Commissioners' recommendations on submissions to Chapters 1-3 of the PNRRP. Some minor wording changes recommended by the Commissioners had implications for Variations 11 and 12. The changes that have been made to Variations 11 and 12 since they were approved by the Regional Planning Committee are highlighted in the attached text below.

In relation to Point 1(b) above, the maps for proposed Rangiora and Kaiapoi Clean Air Zones have been amended and the final versions are included with the Variations.

RECOMMENDATION

- (a) *That the Council approves Variations 11 and 12 to Chapter 3 of the Proposed Natural Resources Regional Plan for public notification in accordance with the Resource Management Act.*
- (b) *That the Council adopts the Section 32 reports for Variations 11 and 12.*

CHANGES TO EXISTING PROVISIONS, CITED IN VARIATIONS 11 AND 12

(1) Objective AQL2(a): Commissioners recommended changes to wording of the objective. This is incorporated into Variations 11 (Rangiora) and 12 (Kaiapoi) on page 5 of the respective documents.

Objective AQL2	Objectives for ambient air quality in Canterbury
(a)	Where existing ambient air quality is equivalent to or better than the acceptable target specified in the Regional Ambient Air Quality Targets in Schedule AQL1 maintain air quality at that better <u>its existing</u> level.
(b)	Where monitoring identifies existing ambient air quality to be poorer than the acceptable target specified in the Regional Ambient Air Quality Targets in Schedule AQL1, improve ambient air quality to at least the level identified as acceptable so as to protect human health and safety and reduce the nuisance effects of poor ambient air quality.

(2) Objective AQL2(a) Explanation and Principal Reasons: Commissioners recommended minor wording changes, which are incorporated into Variations 11 (Rangiora) and 12 (Kaiapoi) on pages 5-7 of the respective documents.

Paragraph 5

The Ministry for the Environment has established National Ambient Air Quality Guidelines <u>2002</u> (NAAQG). The NAAQG identify guideline values for primary air contaminants and priority hazardous air pollutants. They provide the basis for protecting public health from adverse effects of air pollutants and for eliminating, or reducing to a minimum, those contaminants of air that are known or likely to be hazardous to human health and well being.
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Paragraph 7 and Table 3-1

In the NAAQG, t The Ministry for the Environment's Environmental Performance Indicators Programme (Environmental Performance Indicators: Proposals for air, fresh water and land, 1997) provides a basis for establishing the RAAQT. Table 3.1 identifies the five categories of ambient air quality developed under the Environmental Performance Indicators Programme.																		
<p>Table 3-1 Ministry for the Environment National Ambient Air Quality Guideline (NAAQG) categories</p> <table border="1"> <thead> <tr style="background-color: black; color: white;"> <th>Category</th> <th>Measured value</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>Action</td> <td>Exceeds the NAAQG value.</td> <td>Exceedences of the NAAQG are a cause for concern and warrant action if they occur on a regular basis.</td> </tr> <tr> <td>Alert</td> <td>Between 66% and 100% of the NAAQG value.</td> <td>This is a warning level, which can lead to exceedences if <u>upward</u> trends are not curbed.</td> </tr> <tr> <td>Acceptable</td> <td>Between 33% and 66% of the NAAQG value.</td> <td>This is a broad category, where maximum values might be of concern in some sensitive locations, but are generally at a level that does not warrant dramatic action.</td> </tr> <tr> <td>Good</td> <td>Between 10% and 33% of the NAAQG value.</td> <td>Peak measurements in this range are unlikely to affect air quality.</td> </tr> <tr> <td>Excellent</td> <td>Less than 10% of the NAAQG value.</td> <td>Of little concern: if maximum values are less than a tenth of the guideline, average values are likely to be much less.</td> </tr> </tbody> </table>	Category	Measured value	Comment	Action	Exceeds the NAAQG value.	Exceedences of the NAAQG are a cause for concern and warrant action if they occur on a regular basis.	Alert	Between 66% and 100% of the NAAQG value.	This is a warning level, which can lead to exceedences if <u>upward</u> trends are not curbed.	Acceptable	Between 33% and 66% of the NAAQG value.	This is a broad category, where maximum values might be of concern in some sensitive locations, but are generally at a level that does not warrant dramatic action.	Good	Between 10% and 33% of the NAAQG value.	Peak measurements in this range are unlikely to affect air quality.	Excellent	Less than 10% of the NAAQG value.	Of little concern: if maximum values are less than a tenth of the guideline, average values are likely to be much less.
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Action	Exceeds the NAAQG value.	Exceedences of the NAAQG are a cause for concern and warrant action if they occur on a regular basis.																
Alert	Between 66% and 100% of the NAAQG value.	This is a warning level, which can lead to exceedences if <u>upward</u> trends are not curbed.																
Acceptable	Between 33% and 66% of the NAAQG value.	This is a broad category, where maximum values might be of concern in some sensitive locations, but are generally at a level that does not warrant dramatic action.																
Good	Between 10% and 33% of the NAAQG value.	Peak measurements in this range are unlikely to affect air quality.																
Excellent	Less than 10% of the NAAQG value.	Of little concern: if maximum values are less than a tenth of the guideline, average values are likely to be much less.																

Paragraph 13

Monitoring undertaken by Environment Canterbury indicates there are areas where the acceptable or even alert target of the RAAQT cannot be met. To date (2001), monitoring has identified these areas of poor or degraded air quality as being: Rangiora, Kaiapoi, Christchurch, Ashburton and Timaru. Policy AQL9(b) identifies that where this occurs a specific management regime is required, for example, ~~as-is-proposed~~ for Christchurch under Objective AQL3, *and Rangiora under Objective AQL4*. As knowledge of the air quality in other urban areas is obtained, then specific management regimes will be proposed, *if these are warranted*. This will entail the development of new objectives, policies and methods to be included in this chapter of the Proposed NRRP.

CHANGES TO PROPOSED NEW PROVISIONS FOR RANGIORA AND KAIAPOI

(3) Rule AQL76 (Rangiora) and Rule AQL87 (Kaiapoi): Commissioners recommended changes to wording of conditions in a similar rule for Christchurch. The changes relate to the nuisance effect of discharges beyond the property boundary from where the discharge originates. In order to maintain consistency, changes have been made to the conditions of Rule AQL76 for Rangiora and Rule AQL87 for Kaiapoi, on page 22 of the respective documents.

Rule AQL76 for Rangiora (the same changes have been made to Rule AQL87 for Kaiapoi)

Rule AQL76 Enclosed burners or open fires contained within heritage buildings in Rangiora Clean Air	
Activity	Conditions
<p><u>Notwithstanding Rules AQL1, AQL78 and AQL79, and except as prohibited by Rules AQL5 or AQL6, the discharge of contaminants into air in the Rangiora Clean Air Zone 1 from the burning of any fuel in any enclosed burner or open fire that is located in a heritage building listed in Schedule AQL4(b) Exemption heritage buildings in Rangiora is a permitted activity.</u></p>	<ol style="list-style-type: none"> 1. <u>The discharge shall not be dangerous or noxious beyond the boundaries of the property where the discharge originates.</u> 2. <u>The dispersal or deposition of particles shall not cause corrosion, or have noxious, dangerous, offensive or objectionable effects on the environment an objectionable or offensive effect beyond the boundary of the property where the discharge originates.</u> 3. <u>The discharge of odour shall not cause an objectionable or offensive effect on the environment beyond the boundary of the property where the discharge originates.</u> 4. <u>The sulphur content of the fuel to be burned shall not exceed 0.5% by weight.</u> 5. <u>The solid fuel burning device and chimney are original features of the building</u>

(4) Rules AQL82, AQL83 and AQL84 (Variation 11 – Rangiora) and Rules AQL93, AQL94 and AQL95 (Variation 12 – Kaiapoi): Commissioners added Rule AQL12A to the existing provisions. This rule is referred to in the Activity explanation of Rules AQL82, AQL83 and AQL84 for Rangiora and Rules AQL93, AQL94 and AQL95 for Kaiapoi on pages 28-29 of the respective documents.

Rule AQL82 for Rangiora (the same change has been made to Rule AQL93 for Kaiapoi)

<u>Rule AQL82 Combustion of solid fuel or light fuel oil in new large scale discretionary activity</u>
<u>Activity</u>
<u>Notwithstanding Rules AQL24, AQL26 and AQL27, and except as prohibited by Rule AQL12 or controlled by Rule AQL12A, the discharge of contaminants into air in the Rangiora Clean Air Zones 1 and 2 from the burning of solid fuel or light fuel oil in any large scale fuel burning device installed after the date of notification of this variation to the NRRP is a discretionary activity.</u>

Rule AQL83 for Rangiora (the same change has been made to Rule AQL94 for Kaiapoi)

<u>Rule AQL83 Combustion of solid fuel or light fuel oil in existing large scale discretionary activity</u>
<u>Activity</u>
<u>Notwithstanding Rules AQL24, AQL26 and AQL27, and except as prohibited by Rule AQL12 or controlled by Rule AQL12A, the discharge of contaminants into air in the Rangiora Clean Air Zone 1 from the burning of solid fuel or light fuel oil in any large scale fuel burning device installed and operated before the date of notification of this variation to the NRRP is a discretionary activity.</u>

Rule AQL84 for Rangiora (the same change has been made to Rule AQL95 for Kaiapoi)

<u>Rule AQL84 Large scale fuel burning devices burning of solid fuel or light fuel oil in the Rangiora Clean Air Zones 1 and 2- non-complying activity</u>
<u>Activity</u>
<u>Notwithstanding Rules AQL24, AQL26 and AQL27, and except as prohibited by Rule AQL12 or controlled by Rule AQL12A, the discharge of contaminants into air in the Rangiora Clean Air Zones 1 and 2 from the burning of solid fuel or light fuel oil in a large scale fuel burning device that requires resource consent under Rules AQL82 and AQL83 but does not meet the standards of those rules, is a non-complying activity.</u>

AGENDA ITEM NO: 8	SUBJECT MATTER: URBAN DESIGN PROTOCOL
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES: Gove/Cent/mfe/01500C-02	PORTFOLIO: Land PROJECT: Urban Development Strategy OUTPUT: Action Plan for Protocol
REPORT BY: Laurie McCallum Energy, Transport and Built Environment Section Manager	ENDORSED BY: John Talbot Director Policy and Planning

PURPOSE

To allow Council to approve an Action Plan as part of its membership of the Urban Design Protocol.

ATTACHMENTS

Action Plan.

BACKGROUND

In May 2005 the Council became a member of the New Zealand Urban Design Protocol, promoted by Ministry for the Environment. Environment Canterbury's project for the Protocol is the protection of Christchurch's Groundwater Recharge Zone from urban development and its integration with the Greater Christchurch Urban Development Strategy.

Since then, as Councillors are aware, the UDS has been approved by the Strategy Partners, launched by the Prime Minister, Helen Clark and Change No 1 (Development of Greater Christchurch) to the RPS and Variation 6 to the NRRP, Christchurch Groundwater Protection Zones have both been notified for public submission. The Council has also been involved with the Christchurch City Council and Christchurch International Airport Company in a study of stormwater options for the airport/Johns Road locality. These projects form the key basis of the Action Plan.

THE PROPOSAL

That Council approve the Action Plan and that it be forwarded to Ministry for the Environment.

CONSIDERATION OF THE OPTIONS

Preparing an Action Plan is a necessary part of being a member of the NZ Urban Design Protocol.

CONSISTENCY WITH EXISTING POLICY PLANS OR LEGISLATION

The Action Plan co-ordinates existing activities which the Council is carrying out.

VIEWS OF AFFECTED AND INTERESTED PARTIES

No other parties affected.

FINANCIAL

Included within existing project budgets.

RECOMMENDATION

That Council approve the Action Plan for the NZ Urban Design Protocol and forward it to the Ministry for the Environment.

NZ URBAN DESIGN PROTOCOL

Environment Canterbury (Canterbury Regional Council)

Urban Design Champion: Sir Kerry Burke_____

Email Address:kerry.burke@ecan.govt.nz_____

Phone Number:03 3653 828_____

Urban Design Contact: Laurie McCallum_____

Email Address:laurie.mccallum@ecan.govt.nz_____

Phone Number:_03 3717 174_____

Our organisation *is* prepared to share this action plan with other signatories to the New Zealand Urban Design Protocol and have it placed on the Champions' webspace

NEW ZEALAND URBAN DESIGN PROTOCOL ACTION PLAN

Approved on: 27 September 2007

Overall Goal : Ensure the recharge zone for Christchurch's aquifer system is protected from urban development

ACTION	ACTION CATEGORY ¹	IMPLEMENTATION TIMEFRAME ²	ACTION CARRIED OVER FROM A PRIOR ACTION PLAN?
Action: Greater Christchurch Urban Development Strategy <i>Description: Following public consultation defines an integrated land use transport approach for Greater Christchurch. Ensure protection of recharge zone within Strategy.</i>	Developing Strategy and Policy	2005 – June 2007	In part
Action: Change to Regional Policy Statement for Greater Christchurch Prepared and Notified <i>Description: Implements the UDS under the RMA ensuring protection of the recharge zone within the Change.</i>	Developing Strategy and Policy	May 2006 – July 2007	No
Action: Variation 6, Proposed Natural Resources Regional Plan, Christchurch	Planning Futures	2006 – July 2007	Yes

Groundwater Protection Zones prepared and notified. <i>Description: Detailed provisions, consistent with Change to RPS</i>			
Action: Making Change to RPS for Greater Christchurch operative <i>Description: Need to make operative expeditiously and ensure the protection of the recharge zone from urban development within the Change.</i>	Planning Futures	July 2007 – Dec 2008	No
Action: Make Variation 6 operative. <i>Description: Need to make Variation 6 operative expeditiously and ensure the protection of the recharge zone from urban development with the Variation.</i>	Planning Futures	July 2007 – Dec 2008	Yes
Action: Monitor development proposals within the recharge zone and through District Planning Liaison take appropriate action to protect the recharge zone from urban development <i>Description: Submission and appeal process under the RMA</i>	Making Decisions	On –going.	No
Action: Supporting role in UDS Project on Urban Design (Section 6.9 p71) <i>Description: Develop urban design strategies and prepare regulatory changes incorporating Low Impact Urban Design and Development.</i>	Planning Futures	On – going	No

<p>Action: Supporting role in approval of Outline Development Plans for new Greenfields development within Urban Limits over the unconfined aquifer.</p> <p><i>Description: Ensure protection of groundwater quality</i></p>	<p>Planning Futures</p>	<p>On-going.</p>	
<p>Action:</p> <p><i>Description:</i></p>			

AGENDA ITEM NO: 9	SUBJECT MATTER: INTERIM REGULATION HEARING COMMITTEE
REPORT TO: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Donald Fraser, Consents Hearings Officer and Faye Collins, Senior Solicitor	ENDORSED BY: Mike Freeman, Director Regulation

PURPOSE

To provide an interim framework to enable specific Resource Management Act regulatory powers to be implemented during the period immediately after the forthcoming elections.

ATTACHMENTS

Copy of Clause 30 & 31, Schedule 7 Local Government Act 2002.

BACKGROUND

Local Government committees are provided for in Part 1 of Schedule 7 of the Local Government Act 2002.

Clause 30 of Schedule 7 confers power to appoint committees, subcommittees and other subordinate decision-making bodies. Clause 30(5) provides specifically that a local authority may discharge or reconstitute a committee or subcommittee or other subordinate decision-making body and 30(7) provides that those matters are deemed to be discharged on the coming into office of the members of the local authority elected or appointed at or following the triennial general election next after the appointment of the entity. There is provision in sub-clause (7), however, for the local authority to resolve in any case that a deemed discharge shall not apply and the coming into office of the new Council will not then be taken to discharge a committee formerly appointed.

Clause 31 deals with the membership of committees and subcommittees providing that these may be appointed by a local authority. Clause 31(5) provides further that if a local authority resolves that a committee, subcommittee, or other subordinate decision-making body is not to be discharged under clause 30(7) the local authority may replace the members of that committee, subcommittee or other subordinate decision-making body after the next triennial general election of members.

There are currently two Regulation Hearing Committees (RHCs), each with a permanent chairperson, one being Councillor McKay and the other Councillor Neill. The additional membership of each committee comprises two Councillors rostered on in accordance with a schedule approved by Council. These committees have specific powers delegated to them by Council including power to consider and determine some resource consent applications and to appoint Resource Consent Hearings Committees and Commissioners.

In the absence of a resolution to the contrary from Council, the RHCs will be deemed to be discharged on the coming into office of members elected at the upcoming elections and it is anticipated that replacement committees may not be established until the first ordinary meeting of the new Council in November or thereafter. It is highly likely that some of the powers currently delegated to RHC will need to be exercised during this period and consideration should therefore be given to putting in place an interim framework to enable the full range of Resource Management Act regulatory powers to be implemented under delegation on a continuing basis.

It is proposed that Council resolve that one of the RHC's not be discharged on the election of a new Council and further resolve the following:

- (a) For a period from 13 October 2007 to 7 December 2007, Councillor McKay (who is unopposed at the election and will therefore be deemed to be elected on election day 13 October 2007) will continue to be the chairperson of one committee and other nominated Councillors shall sit on a interim rostered basis.
- (b) No interim roster be put in place for the committee chaired by Cr Neill.

It is then proposed that a roster of membership be recommended to the Council at the proposed 13 December 2007 meeting for approval.

This action would enable an RHC chaired by Councillor McKay to be available on a continuing basis post election to exercise the powers currently delegated and the ongoing membership of the committee could be revised when this has been reflected on by the new Council. Any Councillor appointed to the interim RHC who is not elected would be replaced by another successful Councillor from the roster.

RECOMMENDATIONS

- (a) *That the Council resolves that the Regulation Hearing Committee chaired by Cr McKay not be discharged on the coming into office of the members of the Council elected or appointed at or following the 2007 local body election.*
- (b) *That the Council approves the roster of members for the interim Regulation Hearing Committee meeting on the following dates:*

<i>19 October 2007</i>	<i>Councillors McKay, Little, Budd</i>
<i>26 October 2007</i>	<i>Councillors McKay, Little, Budd</i>
<i>2 November 2007</i>	<i>Councillors McKay, Cunningham, Neill</i>
<i>9 November 2007</i>	<i>Councillors McKay, Cunningham, Neill</i>
<i>23 November 2007</i>	<i>Councillors McKay, Little, Neill</i>
<i>30 November 2007</i>	<i>Councillors McKay, Little, Budd</i>
<i>7 December 2007</i>	<i>Councillors McKay, Budd, Cunningham</i>
- (c) *That the Council appoints Cr Angus McKay as chairperson of this Committee*
- (d) *That in the event of unavailability of any member rostered, that member may be replaced by an available Councillor rostered on for another meeting.*

Subordinate decision-making structures

30 Power to appoint committees, subcommittees, other subordinate decision-making bodies, and joint committees

- (1) A local authority may appoint—
 - (a) the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate; and
 - (b) a joint committee with another local authority or other public body.
- (2) A committee may appoint the subcommittees that it considers appropriate unless it is prohibited from doing so by the local authority.
- (3) A committee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body.
- (4) A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs.
- (5) Unless expressly provided otherwise in an Act,—
 - (a) a local authority may discharge or reconstitute a committee or subcommittee or other subordinate decision-making body; and
 - (b) a committee may discharge or reconstitute a subcommittee.
- (6) Nothing in this clause entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of decision by a committee, a subcommittee, or another subordinate decision-making body.
- (7) A committee, subcommittee, or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.
- (8) A joint committee appointed under this clause is deemed to be both a committee of the local authority and a committee of the other local authority or public body [].
- [(9) This Part applies to a joint committee except that—
 - (a) the powers to discharge any individual member and appoint another in his or her stead must be exercised by the local authority or public body that made the appointment; and
 - (b) the quorum at a meeting consists of—
 - (i) half of the members if the number of members (including vacancies) is even; or
 - (ii) a majority of members if the number of members (including vacancies) is odd; and
 - (c) the committee may appoint and remove its own chairperson or deputy chairperson.
- (10) For the purposes of a public body that is not a local authority, subclauses (8) and (9) apply to the extent that they are not inconsistent with the law applicable to committees of the public body.

31 Membership of committees and subcommittees

- (1) A local authority may appoint or discharge any member of a committee or a subcommittee.
- (2) Unless directed otherwise by the local authority, a committee may appoint or discharge any member of a subcommittee appointed by the committee.

Item 9 – Attachment

(3) The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee.

(4) Despite subclause (3),—

(a) at least 1 member of a committee must be an elected member of the local authority; and

(b) an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.

(5) If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30(7), the local authority may replace the members of that committee, subcommittee, or other subordinate decision-making body after the next triennial general election of members.

(6) The minimum number of members—

(a) is 3 for a committee; and

(b) is 2 for a subcommittee.

Compare: 1974 No 66 s114R

AGENDA ITEM NO: 10	SUBJECT MATTER: CATEGORIES FOR CONTAMINATED SITES – CHANGE TO PROCESS
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES: PL5C/78	PORTFOLIO: Waste, Hazardous Substances and Contaminated Sites PROJECT: 028700 OUTPUT: Contaminated Land Information Management
REPORT BY: Helen Davies Contaminated Sites Team Leader	ENDORSED BY: Ken Taylor, Acting Director Investigations and Monitoring Mike Freeman, Director Regulation

BACKGROUND

When Environment Canterbury (ECan) receives a contaminated site investigation report, it is audited using a template audit form, and a proposed category is determined. This process is in accordance with the regional council's s30 function to investigate land to identify and monitor contaminated land, and with ECan's *Contaminated Land Information Management Strategy* (ECan 2007).

Following notification being sent to the site owner, the proposed category is recommended to a representative of the Resource Management Officers Group (RMOG). This representative decides whether the category proposed is appropriate.

We have used the Surface Water Resources and Ecosystems Manager (Ken Taylor) as our RMOG representative since initiation of this process (over 5 years), and due to competing demands for his time, he has asked for a replacement.

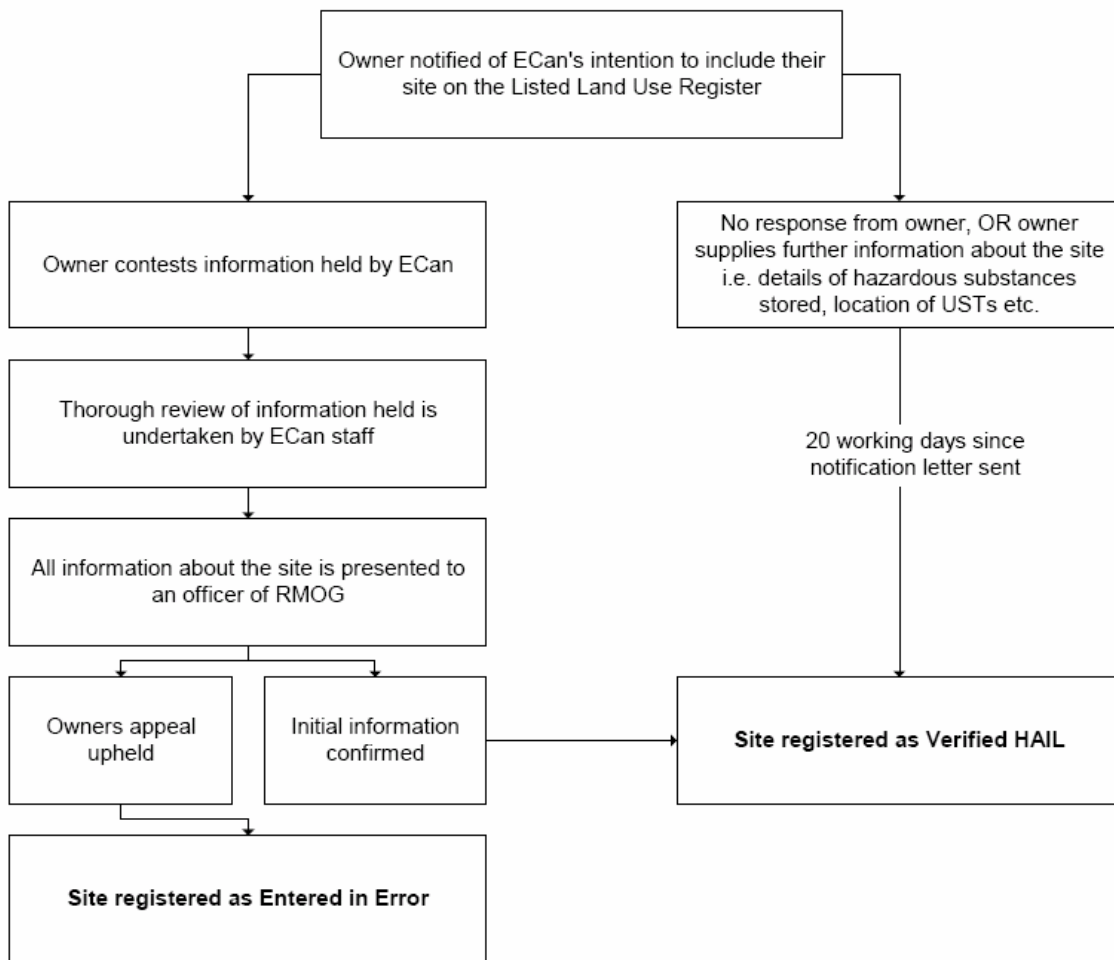
Environment Canterbury's *Contaminated Land Information Management Strategy* (2007) states that the RMOG officers are senior Environment Canterbury staff. This is consistent with the ECan document entitled 'Canterbury Regional Council – Regulatory Delegations, which states the following:

“Resource Management Officers Group (RMOG) comprises senior Environment Canterbury staff including: Chief Executive, Director Regulation, Director Policy and Planning, Director Investigations and Monitoring, Consents Manager, Energy Transport and the Built Environment Policy Manager, Natural Resources Policy Manager, Senior Solicitor, Solicitor, Surface Water Resources and Ecosystems Manager, Environmental Quality and Hazards Manager, RMA Compliance and Enforcement Manager, Team Leader Consent Investigations, Principal Consents Advisor and Principal Consents Investigating Officer.”

It is proposed to change the senior officer used and to improve the decision process as follows:

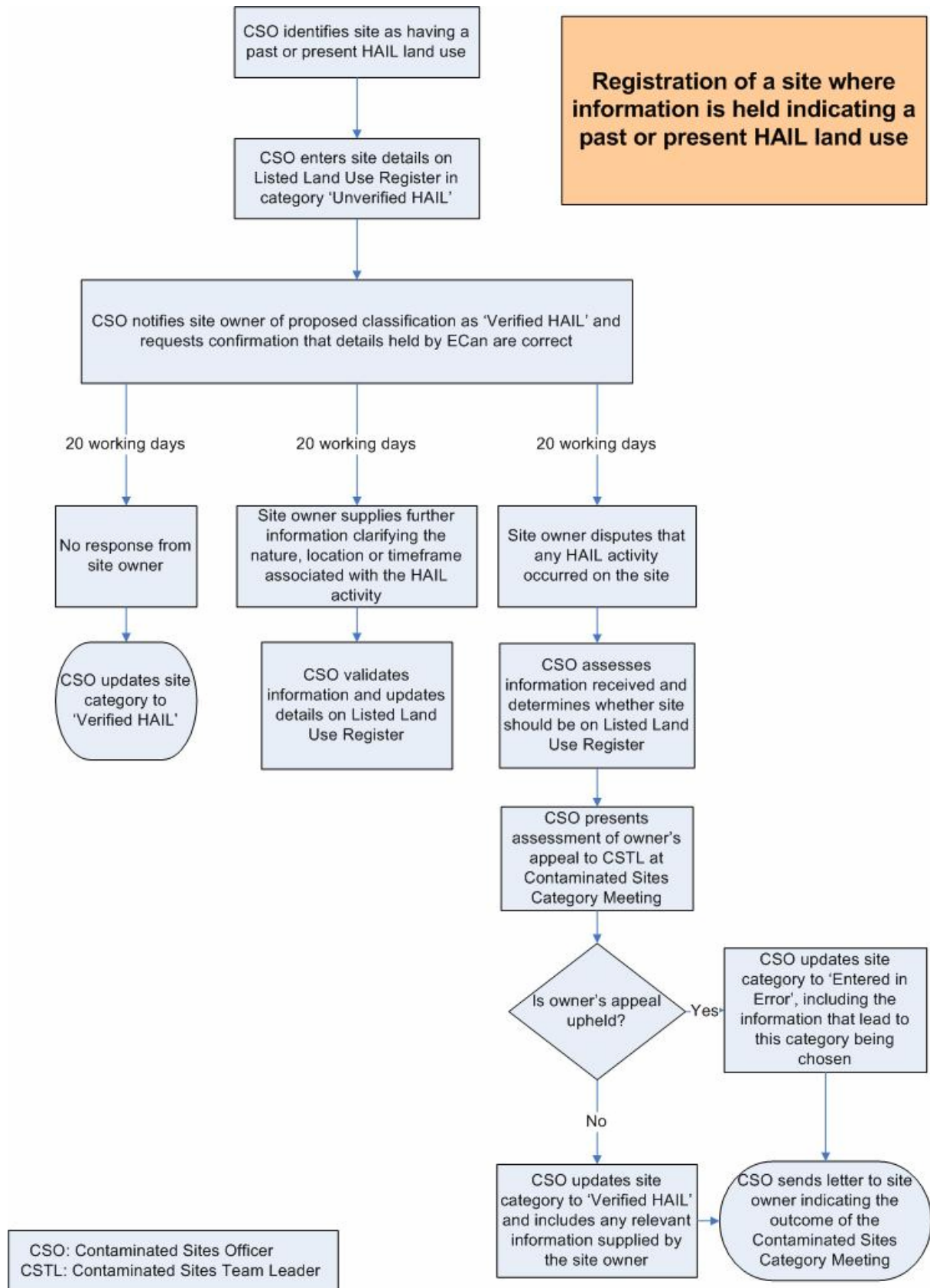
- inclusion of a compulsory internal peer review process,
- inclusion of a set format for presentation of summary information,
- decision on categories made by the Contaminated Sites Team Leader rather than an officer of the RMOG.

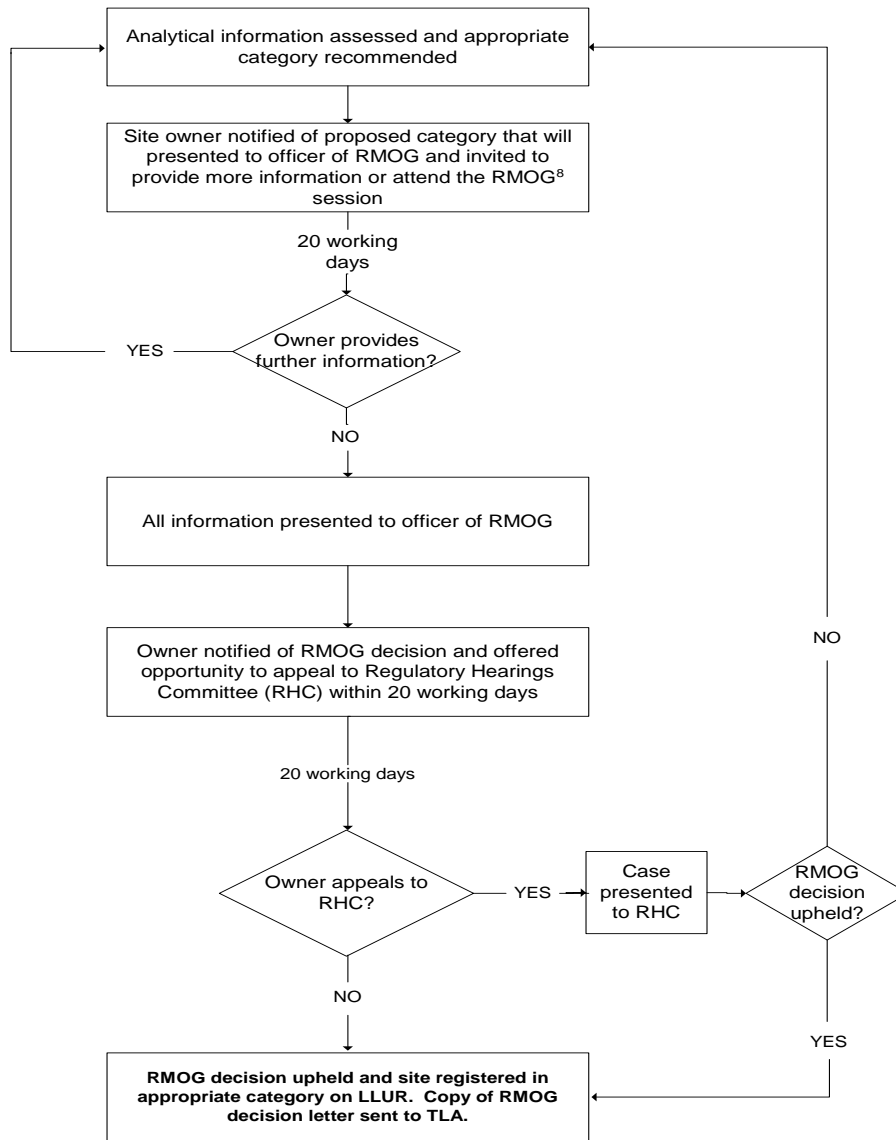
The current and proposed flow charts representing the processes involved are detailed below:



Ref. Contaminated Land Information Management Strategy (ECan 2007). Figure 3.1 Procedure for registration of a site where information is held indicating a past or present land use on the Hazardous Activities and Industries List (HAIL).

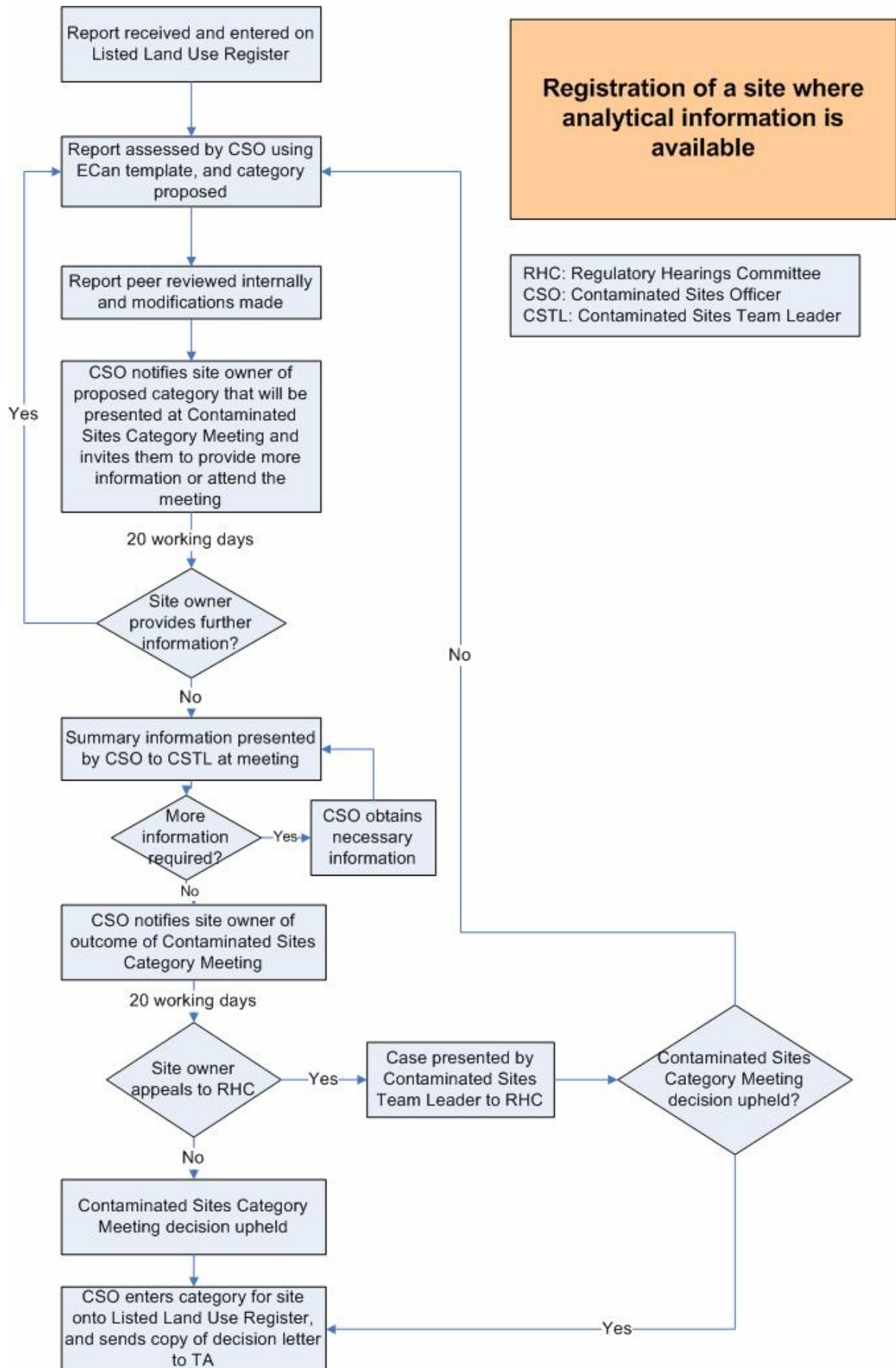
It is proposed to amend this process to:





Ref. *Contaminated Land Information Management Strategy* (ECan 2007) Figure.3.2 Procedure for the registration of a site where analytical information from a site investigation is available

It is proposed to amend this process to:



RECOMMENDED

That the Council approve:

- (a) *Replacement of Figures 3.1 and 3.2 in the Contaminated Land Information Management Strategy (ECan 2007) (section 3.3.1) with the proposed new flow charts.*
- (b) *Deletion of references to RMOG officers in section 3.2 and 3.3.2 and 3.3.3 of the Strategy.*

References

Environment Canterbury (ECan) 2007). *Contaminated Land Information Management Strategy*. Environment Canterbury Report Number U07/22. ISBN 978-1-86937-645-1.

AGENDA ITEM NO: 11.1	SUBJECT MATTER: REPORT OF THE FINANCE AND AUDIT COMMITTEE
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

The report of the Finance and Audit Committee meeting held on Wednesday, 19 September 2007, will be tabled.

AGENDA ITEM NO: 11.2	SUBJECT MATTER: REPORT OF THE REGIONAL PLANNING COMMITTEE
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

The report of the Regional Planning Committee meeting held on Wednesday, 19 September 2007, will be tabled.

AGENDA ITEM NO: 11.3	SUBJECT MATTER: REPORT OF THE CANTERBURY REGIONAL LAND TRANSPORT COMMITTEE
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

The report of the Canterbury Regional Land Transport Committee meeting held on Tuesday, 25 September 2007, will be tabled.

AGENDA ITEM NO: 12	SUBJECT MATTER: ANNUAL REPORT 2006/07
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: All PROJECT: OUTPUT:
REPORT BY: Neil Pilbrow Portfolio Manager Finance and Corporate Services Helen Sellwood Financial Services Manager	ENDORSED BY: Wayne Thomas Director Finance and Corporate Services

PURPOSE

To adopt the Annual Report 2006/07 and Annual Report Summary 2006/07.

ATTACHMENTS

Annual Report 2006/07
Annual Report Summary 2006/07

BACKGROUND

The annual report sets out ECan's financial and non-financial performance for the 2006/07 year. Significant achievements and gains made during the year are highlighted in "The Year in Review" section.

The Annual Report Summary contains details of the major matters dealt with in the report and is distributed to around 800 individuals and organisations.

Financial aspects of the report were considered by Finance and Audit Committee, as reported in the previous agenda item. Sections relating to portfolios' services and targets have been considered by the Combined Portfolios Committee, as the basis for compiling that part of the report.

The Annual Report and Summary have been prepared in accordance with section 98 and part 3, schedule 10 of the Local Government Act 2002

FINANCIAL STATEMENTS

- **Statement of Financial Performance**

Council's revenue and expenditure reflects the levels of activity in individual portfolios. In total, expenditure across the thirteen Groups of Activities was 1.5% below that forecast in the LTCCP however this was offset by writing down Environment Canterbury's investment in Target Pest Enterprises to zero value.

Some planned expenditure was deferred until 2007/08. This included work on updating the transport model for Christchurch, completing construction work for the Waimakariri Regional Park and expanding the gravel monitoring network.

Grant funding was higher than expected due to a number of unforeseen events including increased funding from Land Transport New Zealand to cover higher bus contract payments, increased funding from the Ministry of Civil Defence and Emergency Management to cover the cost of assisting people affected by last years winter snow emergency and additional funding from the Energy Efficiency Conservation Authority for installation of energy efficiency measures as part of the Clean Heat Project. Offsetting this, a grant for the Energy Demonstration project was not received and as a result this project did not go ahead and the Animal Health Board requested a reduction in the bovine Tb vector control programme, resulting in lower grant income.

User pays funding was lower than expected due to the number of resource consent applications for land-use being significantly lower than expected and fewer requests received by Customer Services for advisory services.

Funding from targeted reserves was higher than forecast. Public Passenger Transport reserves were required to fund part of the increased bus contract payments resulting from increased petrol price rises and wage increases. The Clean Heat Reserve was used to fund higher than anticipated numbers of full subsidy conversions to cleaner heating sources under the Clean Heat Subsidy programme.

- **Statement of Movements in Equity**

Equity (refer Note 15) has increased by the amount of the surplus for the year reflecting the reduction of the Clean Heat Reserve by \$2.388 million and the Passenger Transport Reserve by \$2.17 million offset by the increase in the General Reserve with a closing balance of \$4.2 million.

Movements in other reserves have been in line with expectations, with the largest being \$502k used for catchment works across various districts resulting in a closing Catchment reserve is \$6.79 million. Part of the Kainga Land Purchase reserve has been used for capital works in the Waimakariri Regional Park and this now has a closing balance of \$0.446 million. The Asset Replacement Reserve has increased to \$3.544 million and the Capital Reserve to \$78.3 million reflecting the increasing value of the assets employed by the Council.

- **Statement of Financial Position**

Current assets have reduced as investments have been realised to fund the Clean Heat Loan Scheme and Passenger Transport programmes. Current liabilities are at a slightly higher level to last year.

Non current assets have increased slightly due to a larger Clean Heat Loan balance - these loans will be repaid over the next ten years. Investments have decreased due to writing off Council's investment in Target Pest Enterprises. Council's investment in Property, Plant & Equipment has increased by \$2.4 million with the largest component increase being river control and drainage works of \$1.9 million.

Non current liabilities are at a similar level to last year and are lower than budgeted as no loan funding has yet been drawn to fund the Clean Heat Loan Scheme.

TARGET PEST ENTERPRISES LIMITED (TPE)

Target Pest Contracting Ltd & Target Pest Enterprises Ltd were placed in liquidation on 6 August 2007 by the High Court in Christchurch. As Environment Canterbury is unlikely to receive any return of these funds the value of the shares in Target Pest Enterprises of \$984,000, and the loan advance to Target Pest Enterprises of \$800,000 have been written down to zero.

NON-FINANCIAL PERFORMANCE

The Annual Report compares actual and intended levels of service provision for the 75 targets set out in the 2006-16 LTCCP for 2006/07 (220 in 2005/06 Annual Plan). These targets reflect the contribution Environment Canterbury is making towards achieving community outcomes. The lower number than previous years is due to the LTCCP focusing at a higher level than previous annual plans.

Achievement of targets	Number	%
achieved	43	56%
not achieved	29	40%
not reported in 2006/07*	3	4%
	Total 75	100%

* One level of service is reported in alternate years, two every five years.

RECEIPT OF THE AUDIT CERTIFICATE

The procedure for adopting the Annual Report and Summary is as follows:

- The council adopts the Annual Report and Summary as presented (recommendation a)
- Audit New Zealand provides audit certificates (recommendation b).
- The council adopts the audited Annual Report and Summary (recommendation c).

RECOMMENDATION

- That the Annual Report and Annual Report Summary for the year ended 30 June 2007 be adopted, subject to the receipt of a clear audit opinion.*
- That audit certificates for the Annual Report and Annual Report Summary for the year ended 30 June 2007 be received.*
- That the audited Annual Report and Annual Report Summary for the year ended 30 June 2007 be adopted.*

AGENDA ITEM NO: 13	SUBJECT MATTER: MINUTES OF MEETING FOR INFORMATION
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

CANTERBURY CIVIL DEFENCE AND EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE

The minutes of the meeting of the Canterbury Regional Civil Defence and Emergency Management Group Committee meeting held on 27 August 2007 are attached for information.

RECOMMENDATION

That the minutes of the Canterbury Regional Civil Defence and Emergency Management Group Committee be received.

**CANTERBURY CIVIL DEFENCE EMERGENCY
MANAGEMENT GROUP JOINT COMMITTEE**

**RECORD OF THE MEETING SCHEDULED FOR 10.00 A.M.
ON MONDAY, 27 AUGUST 2007 IN THE COUNCIL CHAMBER,
ENVIRONMENT CANTERBURY, 58 KILMORE STREET, CHRISTCHURCH**

PRESENT

Joint Committee Members:

Cr Darryl Nelson	Ashburton District Council
Cr Elizabeth Cunningham	Environment Canterbury
Mayor Michael McEvedy	Selwyn District Council
Mayor Jim Gerard	Waimakariri District Council

CEG Members:

Bob Upton	CDEM Group Controller
Murray Sinclair	Christchurch City Council
Paddy Clifford	Hurunui District Council (CEG Chair)
Douglas Marshall	Selwyn District Council

Canterbury Emergency Management Office Staff:

John Fisher	Regional Civil Defence Manager
Jon Mitchell	Group Emergency Planner

Environment Canterbury Staff:

Robyn Pay	Administration Officer
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In accordance with Environment Canterbury's Standing Orders 3.5.1 and clause 23 of Schedule 7 of the Local Government Act 2002, the meeting was unable to commence as there were insufficient members present to make a quorum within ten minutes of the scheduled start time.

No alternative meeting date was scheduled. Any business requiring a resolution of the Joint Committee will be held over to the next meeting (scheduled for 26 November 2007, following the local body elections).

AGENDA ITEM NO: 14	SUBJECT MATTER: FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Mark Smith Financial Accountant	ENDORSED BY: Wayne Thomas Director Finance and Corporate Services

Attached is the financial summary of the Council's activities for the two months ended 31 August 2007.

RECOMMENDATION

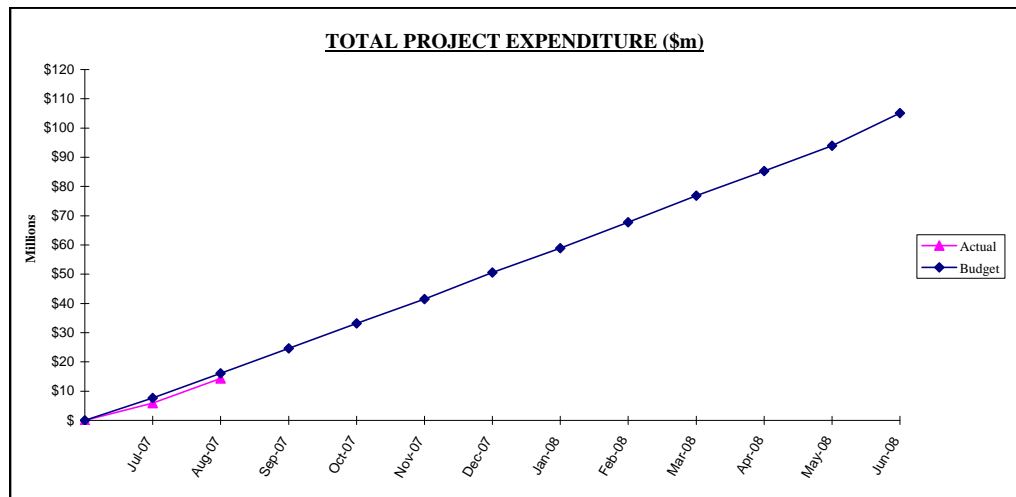
That the information on the financial reports for the period ending 31 August 2007 be received.

Environment Canterbury Financial Summary for the two months ended 31 August 2007.

\$000	Revenue YTD			Expenditure YTD			Surplus/(Deficit) YTD		
	Actual	Budget	Variance f/(u)	Actual	Budget	Variance f/(u)	Actual	Budget	Variance f/(u)
Summary									
Total Projects	\$ 15,205,526	\$ 15,764,276	\$ (558,750)	\$ 14,337,085	\$ 16,122,743	\$ 1,785,658	\$ 868,441	\$ (358,467)	\$ 1,226,908
By Portfolio									
Air Quality	1,438,183	1,136,914	301,269	1,604,814	1,406,288	(198,526)	(166,631)	(269,374)	102,743
Emergency Management	231,504	208,625	22,879	189,689	208,625	18,936	41,815	0	41,815
Coastal Environment	202,804	216,684	(13,880)	194,642	223,517	28,875	8,162	(6,833)	14,995
Energy	30,257	48,163	(17,906)	31,724	48,163	16,439	(1,467)	0	(1,467)
Land	1,024,941	955,650	69,291	629,268	750,978	121,710	395,673	204,672	191,001
Hazards	1,316,825	1,468,507	(151,682)	1,789,662	1,556,100	(233,562)	(472,837)	(87,593)	(385,244)
Navigation Safety	95,907	99,509	(3,602)	51,095	99,509	48,414	44,812	0	44,812
Pests and Biosecurity	1,214,224	1,609,275	(395,051)	885,983	1,637,199	751,216	328,241	(27,924)	356,165
Public Passenger Transport	5,035,520	5,489,509	(453,989)	5,240,302	5,564,632	324,330	(204,782)	(75,123)	(129,659)
Regional Land Transport	153,774	184,562	(30,788)	128,392	196,607	68,215	25,382	(12,045)	37,427
Waste, Haz Sub & Cont Sites	151,138	172,795	(21,657)	134,328	176,128	41,800	16,810	(3,333)	20,143
Water Quality, Quantity and Ecosystems	1,319,094	1,329,753	(10,659)	1,032,804	1,363,298	330,494	286,290	(33,545)	319,835
RMA Regulatory	1,691,307	1,812,634	(121,327)	1,445,261	1,842,203	396,942	246,046	(29,569)	275,615
Democratic Process	1,300,048	1,031,696	268,352	979,121	1,049,496	70,375	320,927	(17,800)	338,727
	\$ 15,205,526	\$ 15,764,276	\$ (558,750)	\$ 14,337,085	\$ 16,122,743	\$ 1,785,658	\$ 868,441	\$ (358,467)	\$ 1,226,908

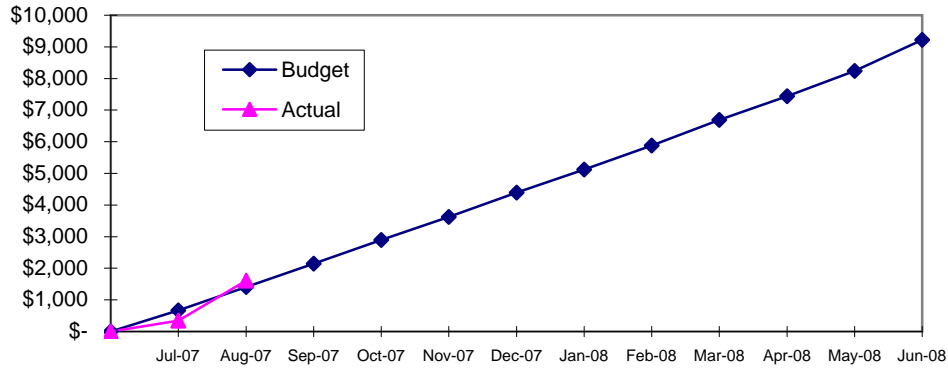
Surplus to budget (\$000's):

General Rate Funded	1,284
Separate Rate Funded	(207)
User Pays Funded	150

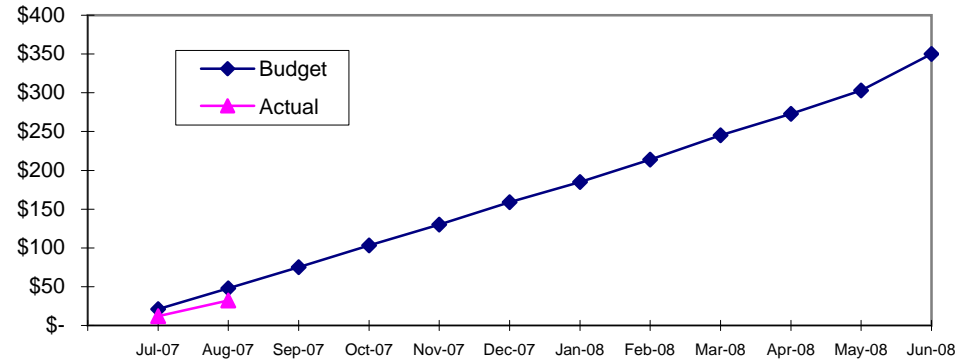


Expenditure By Portfolio

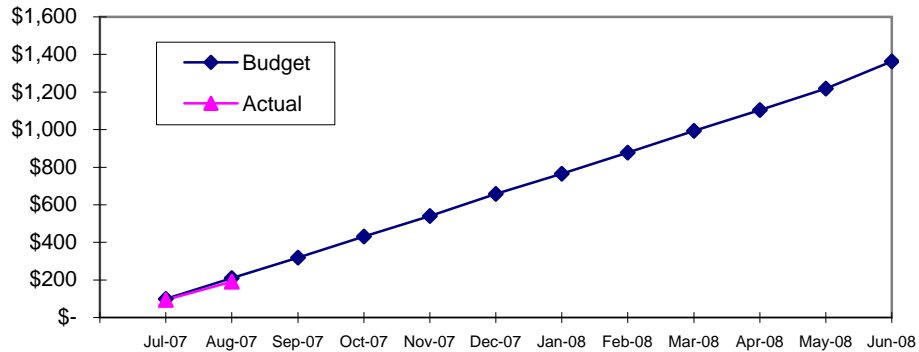
Air Quality (\$000)



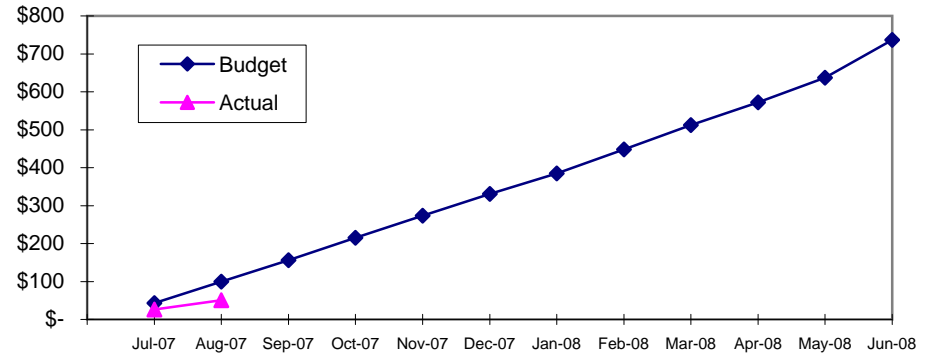
Energy (\$000)



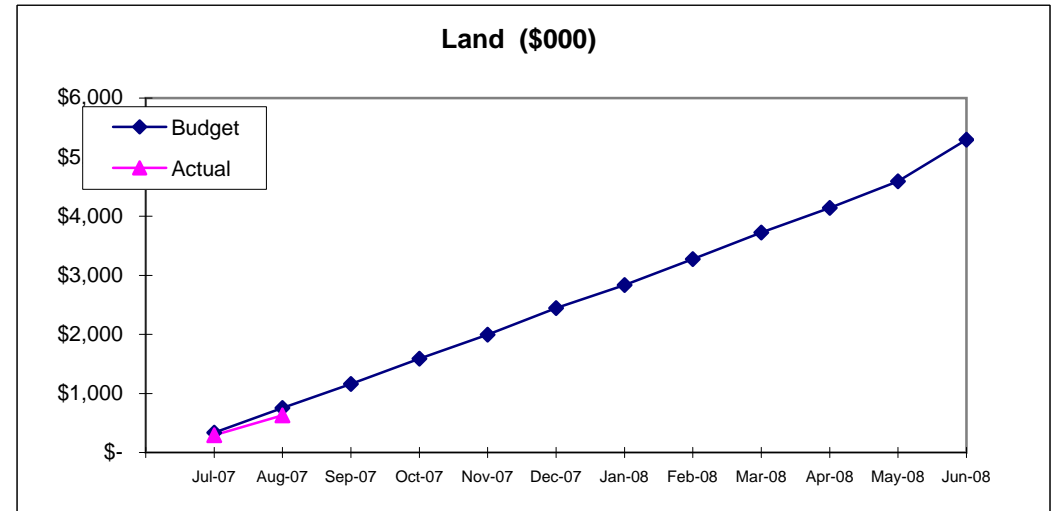
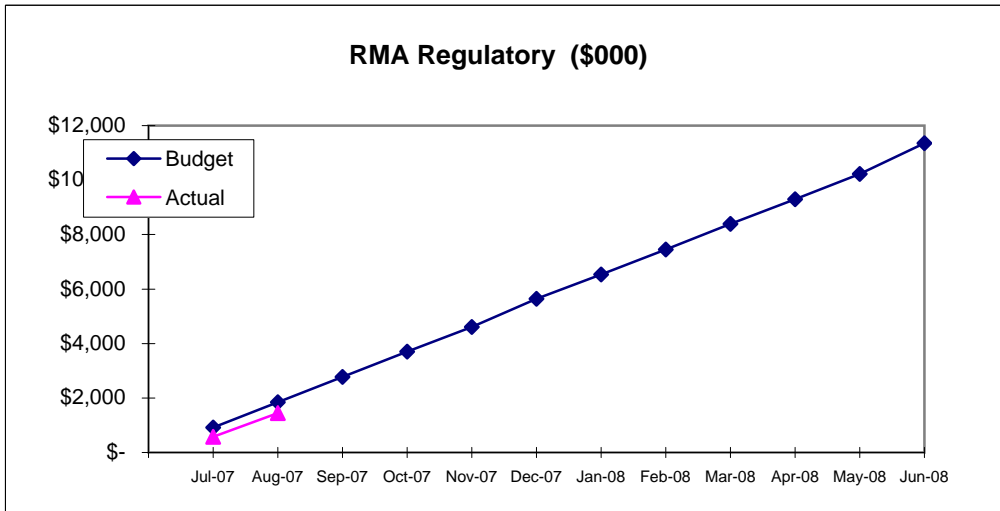
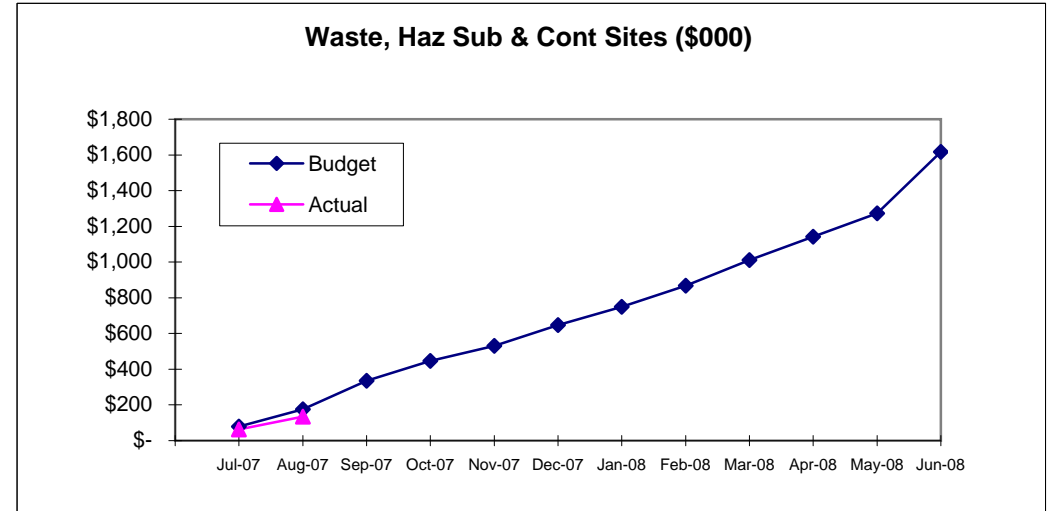
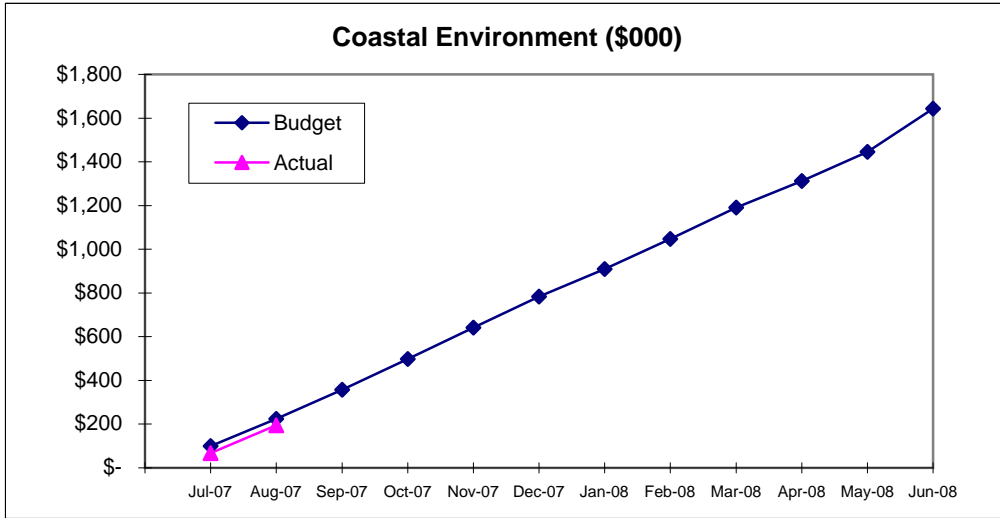
Civil Defence (\$000)



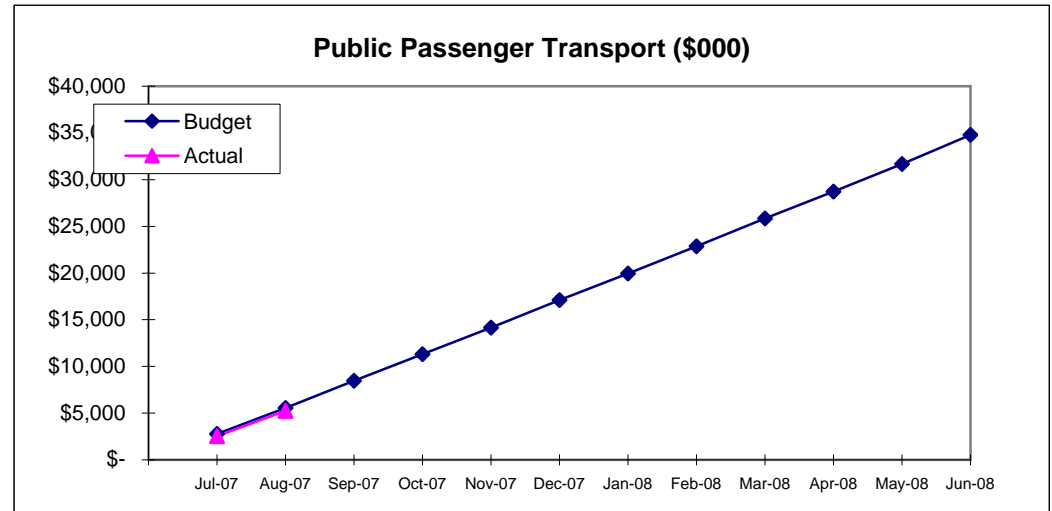
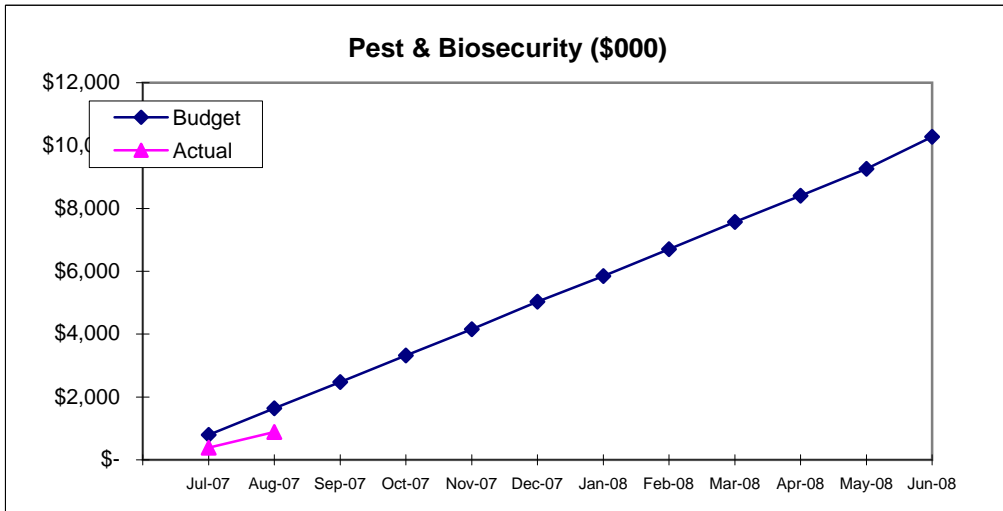
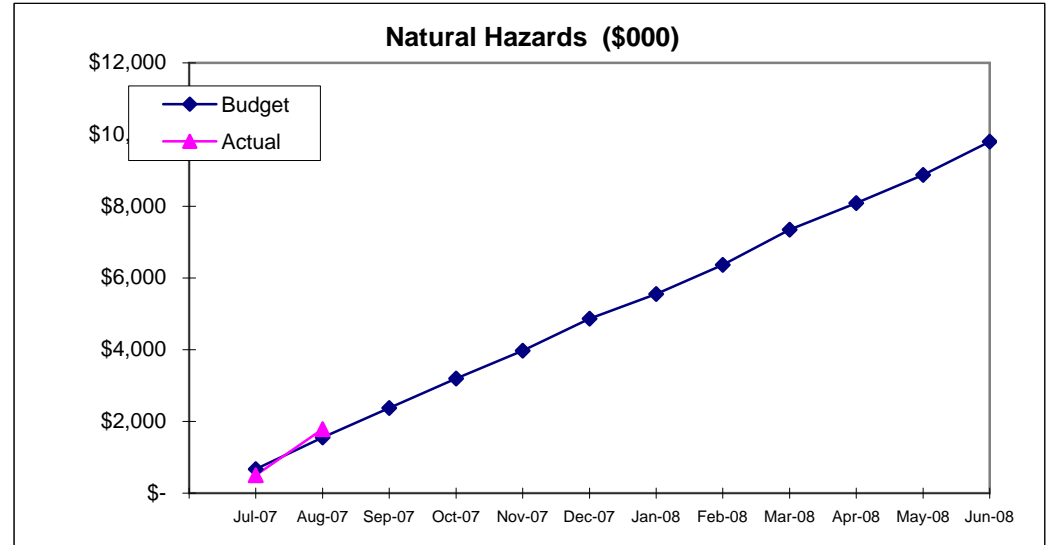
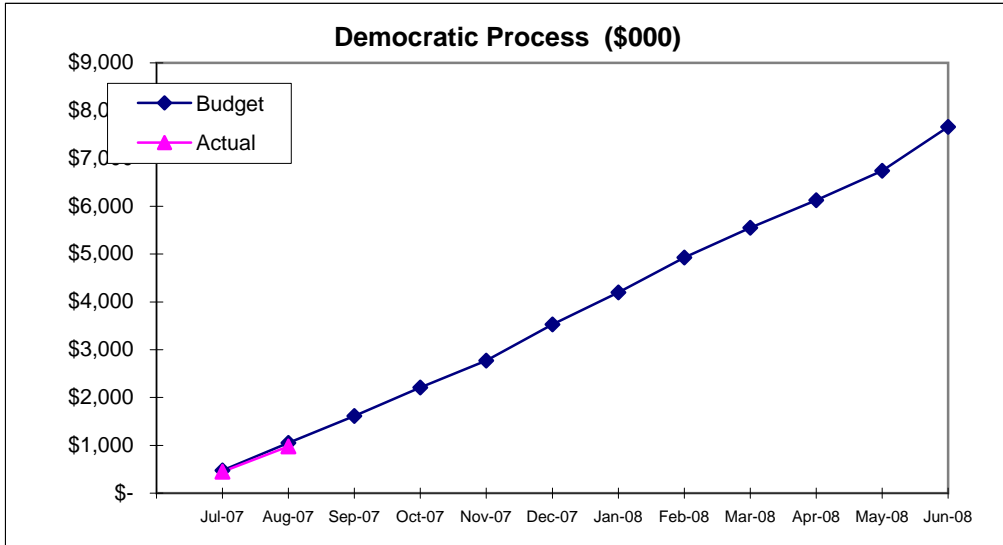
Navigation & Safety (\$000)



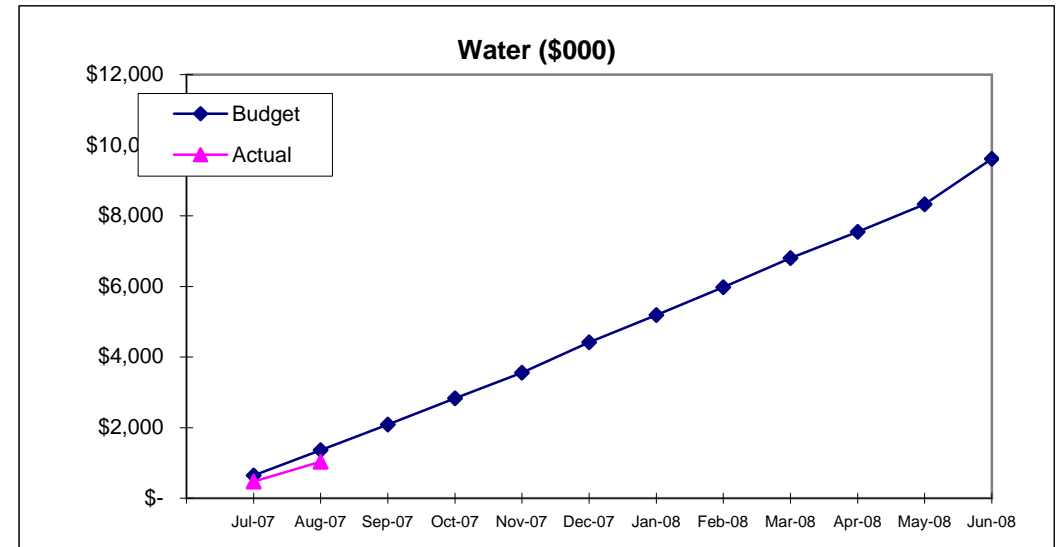
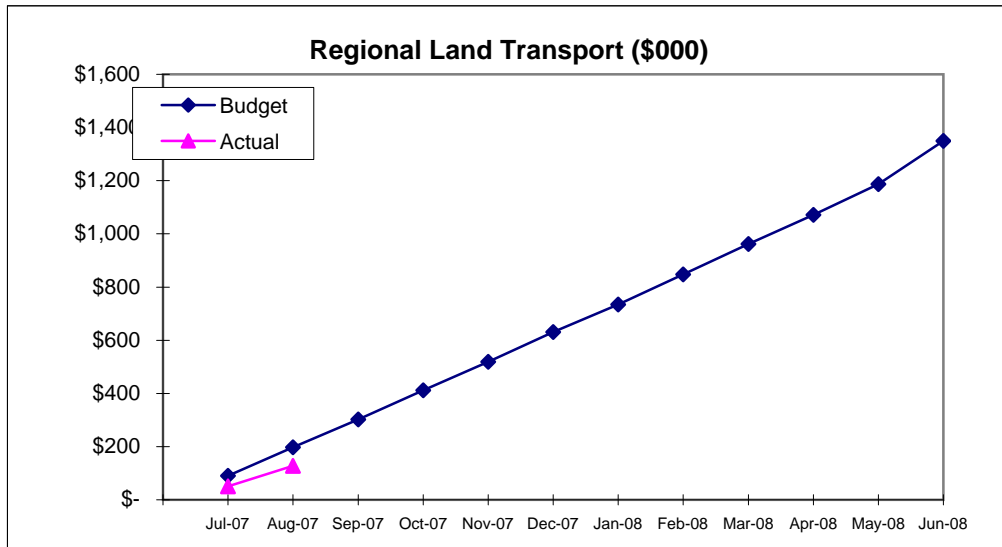
Expenditure By Portfolio



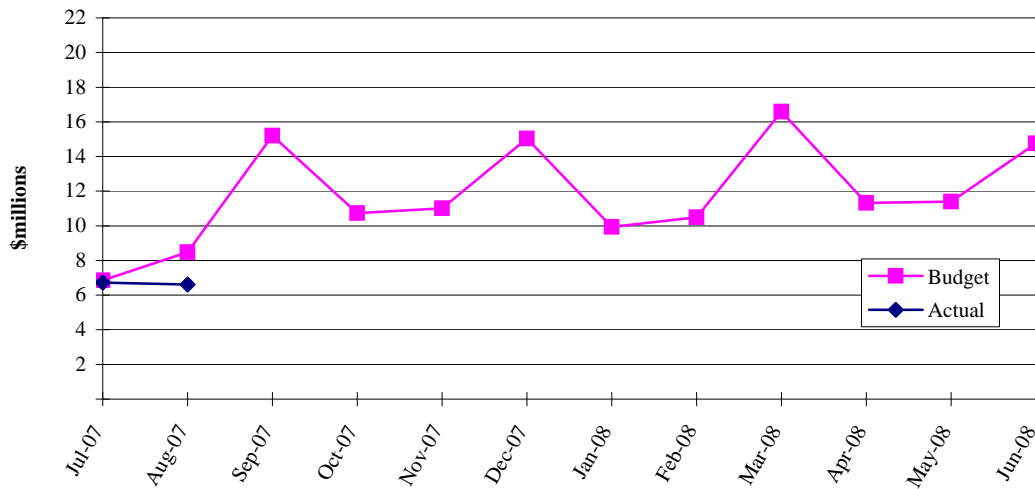
Expenditure By Portfolio



Expenditure By Portfolio

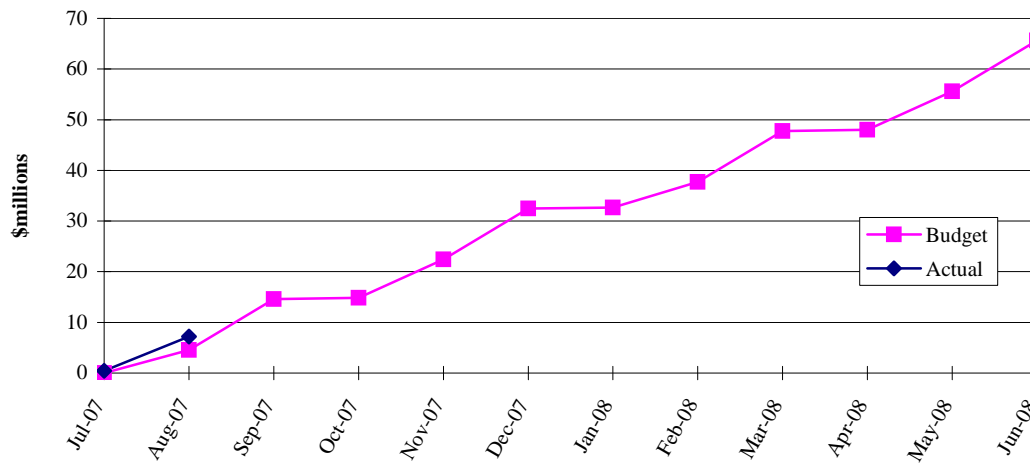


CASH POSITION



The cash position during the period ending 31 August 2007 fluctuated between \$6.3m and \$13.4m with an actual cash position at the end of the month of \$6.6m, \$1.8m below budget. Larger than budgeted creditor payments in July resulted in a shortfall.

RATES CASHFLOW



Actual rates cashflow to 31 August 2007 is showing a favourable variance compared to budgeted rates cashflow of \$2.6 million due to larger first instalment CCC payment than expected.

VARIANCE COMMENTARY ON AUGUST 2007 RESULTS

Air Quality (\$103k favourable)

- Clean Air Programme (\$74k favourable)
The number of jobs completed is on target. Some supplier invoices are yet to be received.
- Air Quality Investigations (\$55k favourable)
Labour costs are lower than budget due to two vacant positions. A new Air Quality Scientist position has just been filled and another scientist will soon return from leave.
- Natural Resources RP – Air (\$22k unfavourable)
An Environet contract has been completed earlier than budgeted and expenditure will even out in the following months.

Emergency Management (\$42k favourable)

- Public Information – Civil Defence – Regional (\$42k favourable)
A grant of \$36k was received in advance in relation to the pandemic road show.

Coastal Environment (\$15k favourable)

- Regional Coastal Environment Plan (\$21k favourable)
The majority of expenditure will occur from December 2007 onwards.
- Marine Pollution Enforcement (\$32k unfavourable)
Expenditure relating to the Cometa case which is currently in the Court of Appeal continues and costs relating to a number of oil spills have not yet been recovered (recoverability yet to be decided).

Land (\$191k favourable)

- Environment Enhancement Fund (\$72k favourable)
Revenue from the Honda Tree Fund was received in advance.
- ECan Land Management (\$49k favourable)
Lease rental received is higher than budgeted.
- Industry Initiatives (\$35k favourable)
Expenditure is under budget due to two vacant positions.

Hazards (\$385k unfavourable)

- Catchment Works In Rating Districts (\$410k unfavourable)
Approximately \$400k of capital works is included in this project and will be capitalised later. These capital works relate mainly to the Waimakariri and Kaikoura rivers, and the Ashburton town stopbank.
- Earthquake Hazard and Risk Assessment (\$26k favourable)
A number of projects are currently underway and most of related goods and services will be invoiced at the end of the project.

Navigation Safety (\$45k favourable)

- Navigation Safety – Harbours (\$20k favourable)
Goods and services are below budget due to the seasonal factor. Further expenditure will occur over the summer period.

Pests and Biosecurity (\$356k favourable)

- Bovine TB Operations (\$140k favourable)
Programmes carried out on behalf of Animal Health Board are lower than budget.
- Rabbit Compliance Inspections (\$38k favourable)
Goods and services are \$30k under budget. The reason for this is currently being investigated.
- Community Initiated Programmes (\$26k favourable)
Programmes have not yet commenced.

Public Passenger Transport (\$130k unfavourable)

- Total Mobility (\$38k unfavourable), Passenger Services Contract Management (\$32k unfavourable), and Advisory Services – Passenger Transport (\$28k unfavourable)
Revenue for these three projects is lower than budget due to a timing difference between LTNZ claim deadline and expenditure cut off.
- Clearing House (\$34k unfavourable)
Metrocard usage has been higher than anticipated.

Regional Land Transport (\$37k favourable)

- Road Safety Co-ordination (\$30k favourable)
Regional advertising funding of \$38k was received in advance from Land Transport New Zealand.

Water Quality, Quantity and Ecosystems (\$320k favourable)

- Natural Resources RP – Water (\$128k favourable)
The level of consultancy works has been lower than anticipated. It is expected that expenditure will even out during the year.
- Investigating Flow Regimes (\$45k favourable)
A scientist vacancy may exacerbate the ability to achieve outputs. The section is looking at ways of sharing workloads to mitigate impact.
- G/Water Investigations, Drilling & Testing (\$33k favourable)
Consultancy invoices of approximately \$20k are yet to be received.

RMA Regulatory (\$276k favourable)

- Environment Court Consent Objections and Appeals – Land (\$51k favourable)
Objections and appeals have not reached budgeted levels during the first two months of the year.

- RMA Enforcement – Water (\$34k favourable) and RMA Enforcement – Land (\$28k favourable)
Legal services for these two projects have been not reached levels anticipated.

Democratic Process (\$339k favourable)

- Chatham Islands Council Services (\$289k favourable)
Revenue of \$274k was carried over from the 2006/07 year.
- Public Information – Corporate (\$32k favourable)
Labour and attached overheads are \$21k lower than budget due to staff vacancies
- Portfolio Management (\$26k favourable)
Expenditure is under budget due to a vacant position.
- Advisory Services – Corporate (\$24k favourable)
Expenditure is under budget due to two staff vacancies. These vacancies have now been filled with start dates in October. Consultancy invoices have also yet to be received.
- Annual Report (\$30k unfavourable)
The 2006/07 annual report is nearing completion. Costs will even out during the year.

AGENDA ITEM NO: 15	SUBJECT MATTER: CHIEF EXECUTIVE'S ITEMS
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

DOCUMENTS SEALED

The following documents have been sealed under delegated authority.

- Assignment of Lease, Lot 14G Eyre – Cust Reserves J A & B L Properties Limited to B G & O J Nicol
- Deed of Assignment of Lease - Lot 27 Waimakariri Reserves Canterbury Land Trust Holdings Limited to Johns Road Horticulture Limited
- Tenancy Agreement Property 057, Chain Hills Highway, Omarama – Excell Corporation Limited
- Master High Agreement (vehicle hire) Orix New Zealand Limited
- Christchurch Total Mobility Wheelchair Accessible Vehicle Grant 2007/08 Craig Bellve

RECOMMENDATION

That the Chief Executive's items be received.

AGENDA ITEM NO: 16	SUBJECT MATTER: COUNCILLOR REPORTS EXTERNAL APPOINTMENTS/ CONFERENCES/SEMINARS
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: Democratic Process PROJECT: 020400 OUTPUT: Ratepayer Services
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

16.1 CONFERENCE ATTENDANCE APPROVED BY THE CHAIRMAN/COUNCIL – SEPTEMBER 2007

<i>Conference</i>	<i>Attendees</i>	<i>Estimated Cost</i>
Zone 5 Meeting, Blenheim, 13/14 September 2007	Cr, Johnston, Cr R Budd	\$400.00

ATTACHMENTS

- 2007/2008 monitoring report relating to Conference budget allocations
- 2007 LGNZ Conference Budget monitoring report.

16.2 COUNCILLOR REPORTS

Councillors are invited to provide reports to Council on attendance at recent Conferences/Seminars and external appointments.

RECOMMENDATION

That the reports be received.

2007/2008 – Monitoring Reports

CONFERENCE BUDGET – 020400 – RATEPAYER SERVICES (\$28,000)

Date	Conference/ Training	Attendees	Cost	Budget Available
27-28 August 2007	SOLGM Conference, Wellington	Cr Burke	\$1,033	\$26,967
21 August 2007	Northern Lights: Ecologic Conference, Wellington	Cr Oldfield	\$500.00	\$26,467
24 August 2007	Zero Waste seminar, Ashburton	Cr Woods	\$67.50	\$26,399.50
13-14 September 2007	Zone 5 Meeting, Blenheim	Cr Budd, Cr Johnston	\$400.00	\$25,999.50

2007 LGNZ CONFERENCE BUDGET – 020400 – RATEPAYER SERVICES (\$8,415)

Date	Conference	Attendees	Cost	Budget Available
12-18 July 2007	LGNZ Conference	Cr Burke Cr Johnston Cr Cunningham	\$9,804	-\$1,389

AGENDA ITEM NO: 20	SUBJECT MATTER: PUBLIC EXCLUDED
REPORT: Council	DATE OF MEETING: 27 September 2007
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

MEETING WITH PUBLIC EXCLUDED

The Chairman will move:

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

Minutes of 30 August 2007 Meeting and Matters Arising

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
Minutes of the 30 August 2007 Meeting and Matters Arising	That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.	Section 48(1)(a)

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:

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