

**MINUTES OF THE 242ND MEETING OF ENVIRONMENT CANTERBURY HELD IN THE
TEKAPO ROOM, 75 CHURCH STREET, TIMARU ON THURSDAY, 29 APRIL 2004 AT
9.00 A.M.**

CONTENTS

1. APOLOGIES
2. MINUTES OF MEETINGS – 1 APRIL AND 15 APRIL 2004
3. MATTERS ARISING
4. DEPUTATIONS AND PETITIONS
5. ISSUE OF WARRANTS
6. LOCAL GOVERNMENT LAW REFORM BILL (NO.3)
7. SUBMISSION TO CHRISTCHURCH CITY COUNCIL ON THE DRAFT CYCLING STRATEGY
8. PASSENGER TRANSPORT SERVICE DEVELOPMENT
9. ALTERATION OF RESOLUTION
10. INFORMATION ITEMS
11. FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES
12. REPORT OF THE AUDIT COMMITTEE
13. REPORT OF THE REGIONAL PLANNING COMMITTEE – 7 APRIL 2004
14. REPORT OF THE REGIONAL PLANNING COMMITTEE –15 APRIL 2004
15. REPORT OF THE NORTHERN AREA COMMITTEE
16. REPORT OF THE CHRISTCHURCH AREA COMMITTEE
17. REPORT OF CENTRAL AREA COMMITTEE
18. REPORT OF SOUTHERN AREA COMMITTEE
19. COUNCILLOR REPORTS OTHER COMMITTEES/CONFERENCES/SEMINARS
20. NOTICES OF MOTION
21. QUESTIONS
22. EXTRAORDINARY AND URGENT BUSINESS
23. MEETING WITH PUBLIC EXCLUDED
24. NEXT MEETING – 27 MAY 2004
25. CLOSURE

PRESENT

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

MANAGEMENT AND STAFF PRESENT

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

1. APOLOGIES

Crs Budd and Burke.
Cr Neill (Leave of absence).

2. MINUTES

Moved Cr Johnston, seconded Cr Waters.

That the minutes of the 240th meeting held on 1 April and the 241st meeting held on 15 April 2004, be confirmed as true and accurate records.

CARRIED

3. MATTERS ARISING

Cr McKay advised that the information he requested from the Chair, Project Overview Committee on 1 April 2004 relating to groundwater investigations in Ashburton areas had not been received.

The matter was referred to staff to supply the answers.

4. DEPUTATIONS AND PETITIONS

Nil.

5. ISSUE OF WARRANTS

Moved Cr McKay, seconded Cr Wagner.

That for the purposes of taking levels or making surveys or inspections, the following persons be authorised under Section 111 of the Public Works Act 1981 (as applied by subsection (1) of Section 132 of the Soil Conservation and Rivers Control Act 1941) to examine any dam, weir, sluice, flood gate, or stopbank, or any other work erected in or upon any watercourse, and open or raise any flood gate or sluice, and make any soundings, or bore the bed or channel of any part of any watercourse –

*D Aires
M Hyett
R Strong
G Griffiths
M Chivers*

CARRIED

6. LOCAL GOVERNMENT LAW REFORM BILL (NO.3)

Council agreed that a submission in support of the amendments be forwarded to the Select Committee. It was also agreed that the submission seeks to clarify the term "any resolution" in clause 60 of the Bill and seeks to amend Section 177 of the Local Government Act 2002, to allow Chief Executives to have the power to appoint enforcement officers.

Moved Cr Oldfield, seconded Cr Little.

- (a) *That the proposed amendments contained in the Local Government Law Reform (No.3) Bill be received.*
- (b) *That Council makes a submission to the Local Government and Environment Select Committee.*

CARRIED

7. SUBMISSION TO CHRISTCHURCH CITY COUNCIL ON THE DRAFT CYCLING STRATEGY

Moved Cr Waters, seconded Cr Shand.

That the Regional Council receives the draft submission and endorses the submission to Christchurch City Council.

Cr Wagner considered the submission was negative and wished it to be seen as more positive. The meeting agreed that the details of the submission be expressed as strong support for the strategy and bullet points 3 to 8 be offered as positive comments as minor editorial suggestions.

The motion, as amended, was PUT and CARRIED.

8. PASSENGER TRANSPORT SERVICE DEVELOPMENT

Moved Cr Shand, seconded Cr Campbell.

- (a) *That the investigation and development of a new cross-suburban service specification be advanced.*
- (b) *That the Long Term Council Community Plan for 2004 - 2014 include a notification that the introduction of a service may be brought forward to 2004/05 subject to the availability of appropriate funding.*
- (c) *That appropriate consultation be undertaken.*

Councillors noted the very good research that had gone into the process and congratulated staff for their efforts.

The motion was PUT and CARRIED.

9. ALTERATION OF RESOLUTION

Moved Cr Penno, seconded Cr Oldfield.

That the Council confirms the following resolution passed at its meeting of 15 April 2004.

- (a) That the Council will proceed with a water allocation strategy as a new activity under Section 16 of the Local Government Act 2002 and that this be included in the draft Long Term Council Community Plan.*
- (b) That if the Resource Management Waitaki Catchment Amendment Bill addresses the issue the Section 16 activity will not proceed.*

Chief Executive gave an update on progress. He advised that a decision still was to be made as to what form the Bill would take. Environment Canterbury was giving advice on the process. A statutory framework was needed for a water allocation strategy and the Bill could provide this. The previous Bill overrode the regional planning work being undertaken by this Council. This Council was on course to have its NRRP notified in early July 2004. There would be a need to set flow requirements for the main stem and tributaries and setting flow sharing rules. Another key component was treatment of consents including future consents. There was potential for a minimal spill by a water allocation framework.

It was understood that two Cabinet committees were needed to consider the proposal, with a possibility of legislation into Parliament in July 2004.

The motion was PUT and CARRIED.

Cr McKay stood aside from voting on this matter.

OUTSTANDING CONTRIBUTION AWARD

Presentation of an Outstanding Contribution Award was made to Graham McClintock. The citation read as follows:

“In recognition of a lifetime of outstanding service to fish and game management and the natural environment of the Central South Island.

With 33 years as a ranger behind him, Graham McClintock is undoubtedly one of the longest-serving officers with Fish and Game New Zealand.

Graham first joined the former South Canterbury Acclimatisation Society as a ranger in 1968. He served alongside the legendary Head Rangers of the 1950s, 60s and 70s, including the late John Bull of the South Canterbury Acclimatisation Society, and the late Mervyn Kellior of the Waitaki Valley Acclimatisation Society.

Graham soon became recognised as the “face” of Fish and Game in the southern region, and has been widely respected by licence holders, and by Acclimatisation Society and Fish and Game councillors, for his firm but fair approach.

In particular, Graham is appreciated for his willingness to bridge the gap between the community and Fish and Game. Those who know him say Graham has always been approachable and prepared to listen to other points of view, taking a moderate and practical line whenever possible.

Graham has also made significant contributions to the environment. Over the years he has been a good ally of the former South Canterbury Catchment Board, and later of the Canterbury Regional Council.

Over the years he has been a central figure in fish salvage, Canada Goose control, the enhancement of the Lake Alexandrina and Lake McGregor fishery, working with the late John Anderson and is noted for his dedication in the attempts to get grey partridge and red legged partridge established in the central South Island. His willingness to work with the River Engineers and River Works sections of the Catchment Board and Environment Canterbury has helped to achieve positive results for the river and river users alike."

Morning tea was taken 10.30 a.m. – 11.05 a.m.

Cr Johnston left at 11.05 a.m.

10. INFORMATION ITEMS

Moved Cr Johnson, seconded Cr Little.

That the information items be received.

CARRIED

11. FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES

Moved Cr Penno, seconded Cr Wagner.

That the information on the financial reports for the period ending 31 March 2004 be received.

CARRIED

Moved Cr Oldfield, seconded Cr Waters.

That the Council records its appreciation for the work carried out by Viv Smith, Portfolio Manager, who had resigned from the Council.

CARRIED

12. REPORT OF THE AUDIT COMMITTEE

Moved Cr Wagner, seconded Cr Penno.

That the report of the Audit Committee held on 1 April 2004 be received.

CARRIED

MATTERS FOR INFORMATION

12.1 GRANT THORNTON REPORT: REVIEW

13. REPORT OF THE REGIONAL PLANNING COMMITTEE – 7 APRIL 2004

Moved Cr Campbell, seconded Cr Little.

That the report of the Regional Planning Committee held on 7 April 2004 be received and the matters for Council decision be approved.

CARRIED

MATTERS RECOMMENDED TO THE COUNCIL

13.1 NATURAL RESOURCES REGIONAL PLAN CHAPTER 4 – NUTRIENT NITRATE RULE

Resolved

That NRRP Chapter 4 Regional Rule WQL 7 be adopted, as amended.

13.2 NATURAL RESOURCES REGIONAL PLAN CHAPTER 4 - INDICATORS OF STOCK ACCESS TO INLAND SPRING-FED STREAMS AND BASINS

Resolved

That existing Policies WQL 4 and WQL 9 be modified and a new regional rule developed to manage the effects of changes to land use where these occur in inland basins and are likely to impact on water quality and the condition of spring-fed or groundwater-fed streams.

14. REPORT OF THE REGIONAL PLANNING COMMITTEE –15 APRIL 2004

Moved Cr Campbell, seconded Cr Shand.

That the report of the Regional Planning Committee held on 15 April 2004 be received and the matters for Council decision be approved.

CARRIED

Cr Johnston returned at 11.45 a.m.

MATTERS RECOMMENDED TO THE COUNCIL

14.1 NRRP CHAPTER 5 WATER YIELD – FORESTRY PROVISIONS

Resolved

That policy WYD1 and Rule WYD1-3 be approved in principle.

Members were advised that the Regional Planning Committee meeting proposed for 5 May 2004 had been cancelled, but a meeting was now proposed for 20 May 2004.

Moved Cr Campbell, seconded Cr Penno.

That a Regional Planning Committee be held on Thursday, 20 May 2004.

CARRIED

Chief Executive urged members to meet the deadline of early July 2004 for notification of NRRP Water.

15. REPORT OF THE NORTHERN AREA COMMITTEE

Moved Cr Johnston, seconded Cr Waters.

That the report of the Northern Area Committee held on 13 April 2004 be received and the matter for Council decision be approved.

CARRIED

MATTER RECOMMENDED TO THE COUNCIL

15.1 POSSIBLE CALENDAR OF EVENTS

Resolved

That consideration be given to holding workshops on the topics identified.

16. REPORT OF THE CHRISTCHURCH AREA COMMITTEE

Moved Cr Johnson, seconded Cr Waters.

That the report of the Christchurch Area Committee held on 21 April 2004 be received and the matter for Council decision be approved.

CARRIED

MATTER RECOMMENDED TO THE COUNCIL

16.1 POSSIBLE CALENDAR OF EVENTS

Resolved

That consideration be given to holding workshops on the topics identified.

17. REPORT OF CENTRAL AREA COMMITTEE

Moved Cr McKay, seconded Cr Robertson.

That the report of the Central Area Committee held on 20 April 2004 be received and the matter for Council decision be approved.

CARRIED

MATTER RECOMMENDED TO THE COUNCIL

17.1 POSSIBLE CALENDAR OF EVENTS

Resolved

That consideration be given to holding workshops on the topics identified.

18. REPORT OF SOUTHERN AREA COMMITTEE

Moved Cr Oldfield, seconded Cr Penno.

That the report of the Southern Area Committee held on 28 April 2004 be received and the matter for Council decision be approved.

CARRIED

MATTER RECOMMENDED TO THE COUNCIL

18.1 POSSIBLE CALENDAR OF EVENTS

Resolved

That consideration be given to holding workshops on the topics identified.

19. COUNCILLOR REPORTS OTHER COMMITTEES/CONFERENCES/SEMINARS

- Cr Shand advised brief details of attendance at an Urban Form Sustainability Conference recently held in Christchurch.
- Cr Little briefly advised details of attendance at meetings of the Sustainable Business Network.
- Cr Waters advised of attendance at a Resident's group meeting.

20. NOTICES OF MOTION

- (1) Moved Cr Little, seconded Cr McKay.

That the paper "Property Rights and Regulations, A Framework for Decision Making by Environment Canterbury" received by the Council on 25 July 2002 be referred to a Council workshop, prior to referral to the Council for adoption.

CARRIED

- (2) Moved Cr Robertson, seconded Cr Oldfield.

That Tuhawaiki of Ruapuke (1795 – 1844) who was drowned at Timaru while trading in his own whaleboat be recognised properly as a true hero, among other heroes, his practical and peaceful trading people; the Southern Maori.

CARRIED

21. QUESTIONS

Nil.

22. EXTRAORDINARY AND URGENT BUSINESS

Nil.

23. MEETING WITH PUBLIC EXCLUDED

Moved Cr Johnson, seconded Cr McKay.

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

- (a) *Environment Canterbury References to the Waitaki District Plan*
- (b) *Confirmation of In Committee Minutes 1 and 15 April 2004*

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
(a) <i>Consideration of further action</i>	<i>That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.</i>	
(b) <i>Confirmation of Minutes</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.

- (b) *Maintain legal professional privilege (Section 7(2)(g)).*

CARRIED

IN OPEN MEETING

Moved Cr Waters, seconded Cr Wagner.

That the meeting resume in Open Meeting.

CARRIED

24. NEXT MEETING – 27 MAY 2004

25. CLOSURE

The meeting closed at 1.10 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____

