

**MINUTES OF THE EXTRAORDINARY MEETING (236<sup>TH</sup>) OF ENVIRONMENT  
CANTERBURY HELD IN THE COUNCIL CHAMBER, 58 KILMORE STREET,  
CHRISTCHURCH ON THURSDAY, 19 FEBRUARY 2004 AT 9.30 A.M.**

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**PRESENT**

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

**MANAGEMENT AND STAFF PRESENT**

Dr B R Jenkins (Chief Executive), J D Talbot (Director Policy and Planning), S D Hill (Director External Relations) and P C Berry (Manager Secretariat).

**1. APOLOGIES**

Crs V M Campbell and A G Neill (Leave of absence); Crs R H M Johnston and I A Robertson.

**2. REPORT OF REGIONAL PLANNING COMMITTEE**

Moved Cr Penno, seconded Cr Shand.

*That the report of the Regional Planning Committee held on 18 February 2004 be received and that the matters for Council decision be approved.*

**MATTERS FOR COUNCIL DECISION**

**2.1 GROUNDWATER ALLOCATION**

(a) *That the Regional Planning Committee receives further advice from staff on changes needed to the groundwater allocation provisions in NRRP Chapter 5 to reflect the content of this report in Section 6.1 in particular:*

- (i) *to amend the prohibited activity Rule WQN22 so that it does not apply to interim allocation limits calculated using the first and second order approaches;*

- (ii) *to develop a new non-complying rule for interim allocation limits calculated using the first and second order approaches.*
- (b) *That the Regional Planning Committee recommends to the Council that it adopt the approach and matters set out in Sections 6.2 and 6.3, in particular:*
  - (i) *that when considering any application to take groundwater in a “red” zone (determined in Report U04/02) regard shall be had to the information in Report U04/02 and the analysis in this paper, which should lead to consents being declined unless it can be demonstrated that the effects on the environment will be minor, or second or third order calculations can be made to justify a greater allocation limit;*
  - (ii) *that Council publicly articulate that in fully allocated first and second order situations, consent applicants will need to demonstrate that additional groundwater is available, otherwise applications should be declined;*
  - (iii) *that in those zones under pressure (“red” zones determined in Report U04/02), all existing groundwater take consents be assessed to determine the need for water usage recording for compliance and groundwater management purposes.*

An amendment was moved Cr Johnson, seconded Cr McKay.

*That the area titled “Waimakariri” on map 3.1 in the Groundwater Report be renamed to “Waimakariri-Selwyn”.*

The Chief Executive advised it was important to disseminate the information and put on the Council website as quickly as possible. There were descriptions that were spatially very clearly defined going into the website because people had to know what side of the line they were going to be on. The actual name was secondary. It was the actual boundary that was important.

Aspects of implementation of the recommendation, including how the information is disseminated would be brought back to the Council.

The mover and seconder of the amendment agreed to withdraw their motion and with the agreement of the Council a request for the Chief Executive to bring back to Council an implementation strategy on the groundwater policy would be incorporated in the motion proposed for adoption.

Other matters raised in consideration included:

- Need to “bold” the rivers on map 3.1.
- Acknowledgement that the reports presented at the Regional Planning Committee were technically excellent and the presentations made were very clear and concise. The Council should be proud of technical expertise within the Council.
- Important to ensure that it is known in the public arena that the policy does not mean a blanket ban on abstractions in the future even in the red zones.

The motion, incorporating an additional clause –

- (c) *That a further report on the implementation of the communication of the policy be reported to Council.*

was PUT and CARRIED.

### **3. MEETING WITH PUBLIC EXCLUDED**

Moved Cr Johnson, seconded Cr Wagner.

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

- 3.1 *Reference by Southern Seas Marine Farm Limited*
- 3.2 *Rangitata River WCO*
- 3.3 *Submission on Waitaki Consents*

*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:*

<b><i>General subject of each matter to be considered</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground(s) under section 48(1) for the passing of this resolution</i></b>
<i>3.1 Consideration of Resolution of Appeal</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>3.2 Consideration of matter referred by Environment Court</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>3.3 Consideration of submission</i>	<i>That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.</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:*

*A right of appeal lies to any Court or tribunal against the final decision of the local authority.*

CARRIED

### **IN OPEN MEETING**

Moved Cr Johnson, seconded Cr Oldfield.

*That the meeting resume in Open Meeting.*

CARRIED

**ITEM 3.2 RANGITATA RIVER WATER CONSERVATION ORDER**

Moved Cr McKay, seconded Cr Oldfield.

*That the Council provide further evidence to the Rangitata WCO Inquiry as sought in the Memorandum to the Parties, and consider draft evidence at its meeting on 25 March 2004.*

CARRIED

**4. CLOSURE**

The meeting concluded at 11.30 a.m.

CONFIRMED

DATE \_\_\_\_\_ CHAIRPERSON \_\_\_\_\_