

**MINUTES OF THE EXTRAORDINARY MEETING (234TH) OF ENVIRONMENT
CANTERBURY HELD IN THE COUNCIL CHAMBER, 58 KILMORE STREET,
CHRISTCHURCH ON THURSDAY, 29 JANUARY 2004 AT 9.30 A.M.**

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PRESENT

Crs R B Johnson (Chairman), R A Budd, T K Burke, V M Campbell, R H M Johnston, R I R Little, A R McKay, A G Neill, M E Oldfield, W S Penno, I A Robertson, D R Shand and J M Waters.

MANAGEMENT AND STAFF PRESENT

J D Talbot (Acting Chief Executive), S D Hill (Director External Relations) and P C Berry (Manager Secretariat).

1. APOLOGIES

Cr Wagner.

2. SUBMISSION ON THE RESOURCE MANAGEMENT (WAITAKI CATCHMENT) AMENDMENT BILL

Frank Stewart, Policy Analyst presented details of the draft submission. The following ten matters were identified as the major points of the submission.

- Use familiar RMA procedures, language and terms, rather than something new or different.
- Keep the Board and the Panel separate.
- Put the Board and the Panel procedures in the legislation.

- Provide for the framework to be amended by Environment Canterbury at a later date if necessary.
- Allow for the provisions of the Canterbury Transitional Regional Plan. (In particular permitted minor activities.)
- Allow for other regional plans affecting water use to apply in the Waitaki Catchment, provided they are consistent with and do not derogate from the framework.
- Take account of the Regional Policy Statements of Canterbury and Otago.
- Provide for councils to be fully reimbursed for reports and analysis commissioned by the Board and Panel.
- More practical provision for implementation via review of existing resource consents. (This will help to free up water.)
- Rationalise the resource consent hearing process to ensure all related resource consents are heard together.

Advice was given that work was continuing with Otago Regional Council and its legal advisors to produce a unified submission.

Moved Cr Oldfield, seconded Cr Penno.

That the Council approve in principle the submission on the Resource Management (Waitaki Catchment) Amendment Bill, the final form of the submission being subject to final discussions with the other consenting authorities, and that the Council request to be heard in Oamaru together with the other consenting authorities.

Council then considered the submission on a page-by-page basis with clarifications sought and amendments agree.

Morning tea was taken 10.30 a.m. – 10.45 a.m.

The motion was PUT and CARRIED.

Crs McKay and Burke abstained from voting because of their possible future involvement to hear and decide applications (CRC030573 and CRC030579) by Meridian Energy Limited.

Cr Robertson requested that it be recorded he abstained from voting on this item.

3. PROPOSED VARROA NPMS

Chairman tabled a paper enclosing details from the National Pest Management Strategy Proposal Varroa Bee Mite. He suggested changes should be made to the recommendation to incorporate a new project into its Draft Annual Plan and LTCCP commencing on 1 July 2004 with funding via a new rate or rural land based on unimproved land value (the amount to equate to the proportion of the total South Island rate of \$530,000 which is allocated to Environment Canterbury calculated as a fraction of the rural land area divided by the total South Island rural land area).

Discussion on this item centred on the proposed allocation of costs and funding rationale. Points raised included:

- Need for flexibility.
- Opposition to funding only on the rural ratepayer.
- Term “unimproved value” should be replaced by “land value”.
- There were other beneficiaries in addition to pastoral farmers.
- Emphasis of the strategy was on surveillance.
- Concern the industry was not united.
- If funding was already determined before annual plan goes out it would make a nonsense of consultation.
- Biosecurity Act required a funding strategy to be included in the NPMS. The Proposed NPMS did not give a funding formula.
- The strategy had identified beneficiaries, including home gardeners, and the Council was the mechanism to collect the money. There were two Acts (Biosecurity and Local Government) setting out what was required and that was the difficulty.
- Suggestion that the funding be determined by each individual regional council.
- Concept of seeking direction from the Minister.
- Suggestions of funding by general rate as opposed to separate rate.

Moved Cr McKay, seconded Cr Robertson.

That Environment Canterbury share (the amount to be equated to the proportion of the total South Island rate of \$530,000 which is allocated to Environment Canterbury) is funded by general rate.

Cr Budd said that this motion was ultra vires and the funding requirements of the Biosecurity Act 1993 had to be observed.

An amendment was moved Cr Budd, seconded Cr Waters.

That Environment Canterbury supports the Proposed National Pest Management Strategy for Varroa Bee Mite subject to the Strategy meeting the funding requirements of the Biosecurity Act 1993.

CARRIED

The amendment was PUT as the substantive motion and CARRIED.

Lunch was taken 12.35 p.m. – 1.15 p.m.

Cr Robertson left at 1.15 p.m.

Moved Cr Johnston, seconded Cr Waters.

That this Council supports for consideration in the Annual Plan that the funding formula be that by way of a rate on land value of 75% for the rural sector and 25% for the urban section.

Cr Robertson returned at 1.55 p.m.

The mover and seconder agreed to a suggestion that the 25% rate be general not a rate on land value.

Cr Neill advised that the rate should not be general rate and should be a specific rate based on a formula as required by the Biosecurity Act.

An amendment was moved Cr Shand, seconded Cr Campbell.

That the rate be 85% rural land value and 15% general rate across the region to represent the public good.

LOST

An amendment was moved Cr Burke, seconded Cr Budd.

That the rate be a special rate of 80% of rural land value and 20% urban land value.

CARRIED on a SHOW OF HANDS vote 7 – 6.

The motion.

That this Council supports for consideration in the Annual Plan that the funding formula be by way of a special rate of 80% rural land value and 20% urban land value.

was PUT and CARRIED.

Crs Oldfield, Robertson and McKay requested that their votes against the motion be recorded.

Council agreed that the submission, amended by deleting all references to the allocation of costs and funding rationale, be forwarded.

Moved Cr Penno, seconded Cr Waters.

That Environment Canterbury approves the submission, as amended, to the Minister of Agriculture.

CARRIED

4. THE RESOURCE MANAGEMENT (AQUACULTURE MORATORIUM EXTENSION) AMENDMENT BILL

Moved Cr McKay, seconded Cr Penno.

That a submission noting that the delays in resolving the moratorium were having a negative economic effect on local industry be sent.

CARRIED

5. PROJECT AQUA AND WAITAKI CALL-IN

Moved Cr Oldfield, seconded Cr Penno.

(a) *That submissions be prepared on the Project Aqua resource consents and designation and the Waitaki call – in resource consents, for consideration by Council prior to their being lodged.*

(b) *That the submissions seek to achieve consistency with the Canterbury Regional Policy Statement, the proposed Natural Resources Regional Plan and the standard consent conditions.*

CARRIED

6. CHANGE OF COUNCIL MEETING DATE

Moved Cr Waters, seconded Cr Budd.

That the Council meeting scheduled for 26 February be rescheduled to Wednesday, 3 March 2004.

CARRIED

7. RLTC MEMBERSHIP 2004

Moved Cr Waters, seconded Cr Johnston.

That the Council invite new Regional Land Transport Committee membership to represent public health, economic development and cultural (iwi), and re-establish the Regional Land Transport Committee by approving the current and new appointments before June 2004.

CARRIED

8. CLOSURE

The meeting closed at 2.30 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____