

MINUTES OF THE 267<sup>TH</sup> MEETING OF ENVIRONMENT CANTERBURY HELD IN THE  
COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH ON WEDNESDAY,  
7 SEPTEMBER 2005 AT 4.05 P.M.

**CONTENTS**

1. APOLOGIES
2. LYNTON DAIRY RESOURCE CONSENT ENVIRONMENT COURT DECISION
3. MEETING WITH PUBLIC EXCLUDED
4. NEXT MEETING
5. CLOSURE

**PRESENT**

Crs T K Burke (Chairperson) A S Carroll, E H Cunningham, R H M Johnston, R M Kirk, R I R Little, A R McKay, M E Oldfield, J F Slee, N J Wagner and W E Woods.

**MANAGEMENT AND OFFICERS PRESENT**

Dr B R Jenkins (Chief Executive), Dr M C Freeman (Director Regulation), K G Lawn (Director Operations), J D Talbot (Director Policy and Planning), I W Thomas (Director Finance and Corporate Services), K Taylor (Environmental Quality Manager), K Crisley (Portfolio Manager Water Quantity, Quality and Ecosystems), M Dicker (Groundwater Resources Manager), R Phillips (Portfolio Manager Pests/Biosecurity), A Veltman (Senior Resource Management Planner), R Maw (Planning Team Leader – Environmental Flow Review), D Scott (Ground Water Quality Scientist), P Aitchison-Earl (Hydrologist), F Adank (Media Liaison Co-ordinator) and L M McDonald (Administration Officer).

**1. APOLOGIES**

Crs R A Budd, A G Neill (leave of absence) and J M Waters

**2. LYNTON DAIRY RESOURCE CONSENT ENVIRONMENT COURT DECISION**

Cr Burke welcomed everyone to the meeting and explained that an Extraordinary Council meeting had been called to consider legal advice on the matter of the Environment Court decision on the Lynton Dairy appeal. The deadline for appealing the Environment Court decision was 20 September 2005. The Extraordinary meeting had been arranged at this time, as Councillors were available following a Council workshop.

### 3. MEETING WITH PUBLIC EXCLUDED

Moved Cr Burke seconded Cr Johnston.

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

*Briefing Lynton Dairies Resource Consent Decision – Appeal to the Environment Court*

*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>Lynton Dairies Resource Consent Decision – Appeal to the 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>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 – Section 7(2)(g).*

*Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) Section 7(2)(i).*

CARRIED

The meeting moved into public excluded session from 4.10 to 5.20pm.

### IN OPEN MEETING

Moved Cr Burke, seconded Cr Johnston

*That the Committee resume in Open Meeting and that the resolutions on the Lynton Dairy appeal be available as public information.*

CARRIED

Moved Cr Oldfield, seconded Cr Johnston

*That Council resolves not to lodge an appeal against the Environment Court decision on Lynton Dairy Limited.*

*That reports be made to Council meetings on progress towards addressing the concerns outlined in Environment Court decision C108/2005.*

CARRIED

**4. NEXT MEETING**

Dr Jenkins advised that the Environment Court decision on the Southern Seas application to establish a marine farm in two blocks at Port Levy had been received. It was agreed that an Extraordinary meeting of the Council would be held on Wednesday 14 September 2005 commencing at 8.30am to enable Councillors consider this decision.

**5. CLOSURE**

The Chairman closed the meeting at 5.25pm.

CONFIRMED

DATE \_\_\_\_\_ CHAIRMAN