

**MINUTES OF THE 295<sup>TH</sup> MEETING OF ENVIRONMENT CANTERBURY HELD IN THE  
COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH ON THURSDAY,  
26 APRIL 2007 AT 8.30 A.M.**

**CONTENTS**

1. APOLOGIES
2. MINUTES OF MEETINGS – 7 AND 15 MARCH 2007
3. MATTERS ARISING
4. DEPUTATIONS AND PETITIONS

**MATTERS FOR COUNCIL DECISION**

5. SUBMISSIONS ON NEW ZEALAND ENERGY STRATEGY AND RELATED DOUMENTS
6. MARINE OIL SPILL CONTINGENCY PLAN
7. REGULATORY DELEGATIONS
8. 2007 LOCAL AUTHORITY ELECTIONS – PROCESSING OF VOTING DOCUMENTS
9. COUNCILLORS ALLOWANCES AND REIMBURSEMENTS
10. COMMITTEE REPORTS
  - 10.1 REPORT OF THE CENTRAL AREA COMMITTEE
  - 10.2 REPORT OF THE NORTHERN AREA COMMITTEE
  - 10.3 REPORT OF THE FINANCE AND AUDIT COMMITTEE
  - 10.4 REPORT OF THE REGIONAL PLANNING COMMITTEE
  - 10.5 REPORT OF THE COMBINED PORTFOLIOS COMMITTEE
  - 10.6 REPORT OF THE REGIONAL LAND TRANSPORT COMMITTEE
  - 10.7 REPORT OF THE CANTERBURY REGIONAL LAND TRANSPORT ADVISORY SUBCOMMITTEE
  - 10.8 REPORT OF THE SOUTHERN AREA COMMITTEE
  - 10.9 REPORT OF THE REGIONAL PLANNING COMMITTEE

**MATTERS FOR COUNCIL INFORMATION**

11. CHAIRMAN'S REPORT  
SOUTHERN COMMITTEE – INCREASED DELEGATED AUTHORITY
12. MINUTES OF THE CHRISTCHURCH CITY COUNCIL/ ENVIRONMENT CANTERBURY JOINT COMMITTEE
13. FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES
14. CHIEF EXECUTIVE'S ITEMS  
DOCUMENTS SEALED

**MATTER FOR COUNCIL DECISION**

15. COUNCILLOR REPORTS EXTERNAL APPOINTMENTS/ CONFERENCES/SEMINARS
16. NOTICES OF MOTION

17. QUESTIONS
18. EXTRAORDINARY AND URGENT BUSINESS
19. MEETING WITH PUBLIC EXCLUDED  
**MATTERS FOR COUNCIL DECISION**
  - 19.1 MINUTES OF THE 15 MARCH 2007 MEETING AND MATTERS ARISING
  - 19.2 REPORT OF THE FINANCE AND AUDIT COMMITTEE
20. NEXT MEETINGS – 30 AND 31 MAY 2007
21. CLOSURE

## **PRESENT**

Councillors T K Burke (Chairman), R A Budd, A S Carroll, E H Cunningham, R H M Johnston, R M Kirk, R I R Little, A R McKay, A G Neill, J F Slee, N J Wagner (from 8.40 a.m. until 12.40 p.m.) and J M Waters.

## **MANAGEMENT AND OFFICERS PRESENT**

B R Jenkins (Chief Executive) and J C Pani (Manager Secretariat).

M C Freeman (Director Regulation), J D Talbot (Director Policy and Planning) and I W Thomas (Director Finance and Corporate Services) were in attendance for part of the meeting and some report authors were in attendance to present their reports.

### **1. APOLOGIES**

Cr W E Woods and M E Oldfield. Cr N J Wagner (late arrival and early departure)

### **2. MINUTES OF MEETINGS – 7 AND 15 MARCH 2007**

#### ***Resolved***

***That the Council minutes of 7 March 2007, as circulated, be confirmed as a true and correct record, and be adopted.***

Cr Burke/CrWaters

#### ***Resolved***

***That the Council minutes of 15 March 2007, as circulated, be confirmed as a true and correct record, and be adopted.***

Cr Burke/CrWaters

### **3. MATTERS ARISING**

There were no matters arising from the minutes.

Item 5 was taken at this time.

**5. SUBMISSIONS ON NEW ZEALAND ENERGY STRATEGY AND RELATED DOCUMENTS**

John Talbot (Director Policy and Planning) presented this item seeking Council endorsement of two submissions on the draft New Zealand Energy Strategy submitted to the Ministry of Economic Development on 30 March 2007.

Cr Wagner arrived at 8.40 a.m.

There was discussion on the submission points with clarification provided by Mike O'Connell (Senior Policy Analyst).

Cr Budd left the meeting at 8.47 a.m.

Discussion on this item was adjourned to receive a deputation, agenda item 4.

**4. DEPUTATIONS AND PETITIONS**

Nick Davidson QC and Jane Borthwick, Associate, Young Hunter, made a deputation and spoke to agenda item 10.9 (1), Report of the Regional Planning Committee (NRRP Variation for Groundwater Allocation Limits). A letter from Jane Borthwick to the Chief Executive was tabled. As requested a letter from Federated Farmers emailed to Councillors earlier in the morning was tabled later in the meeting.

Cr Neill left the meeting at 9.10 a.m.

**5. SUBMISSIONS ON NEW ZEALAND ENERGY STRATEGY AND RELATED DOCUMENTS (CONTINUED)**

The meeting returned to discussion on the submission document with the following changes noted for forwarding as part of Council's submission. It was considered appropriate to include a reference in the submission to a range of arable land farming practices, and encouraging the use and uptake of renewable energy technologies including solar water heating.

***Resolved***

***That the Council approves the submissions, attached to the agenda, and as amended, on the Government's energy and related discussion documents.***

Cr McKay/Cr Waters

Cr Neill returned at 9.20 a.m.

6. **MARINE OIL SPILL CONTINGENCY PLAN** Frank Stewart (Senior Policy Analyst) presented for Council approval an amendment to an objective of the (Tier 2) Marine Oil Spill Contingency Plan for the Canterbury Region.

Cr Budd returned at 9.27 a.m.

**Resolved**

***That the Council approve the amendment to Objective 2 of the Marine Oil Spill Contingency Plan for the Canterbury Region for submission to Maritime New Zealand for approval with the Objective to read as follows:***

***“Objective 2 - Response Capability***

***To provide an oil spill response organisation with documented procedures and ready access to sufficient equipment and personnel to respond to and adequately deal with all oil spills in the Canterbury Region that do not exceed the equivalent of the Basic Response Capability.***

***The Basic Response Capability is as follows:***

<b><i>Oil Type</i></b>	<b><i>Location</i></b>	<b><i>Basic Response Capability</i></b>
<b><i>Light Oil Spills</i></b>		<b><i>100 tonnes</i></b>
<b><i>Heavy Oil Spills</i></b>	<b><i>Off-shore</i></b>	<b><i>100 tonnes</i></b>
<b><i>Heavy Oil Spills</i></b>	<b><i>Within Harbours</i></b>	<b><i>50 tonnes</i></b>
<b><i>Heavy Oil Spills</i></b>	<b><i>Shoreline Clean-up</i></b>	<b><i>50 tonnes”</i></b>

Cr Kirk/Cr Wagner

7. **REGULATORY DELEGATIONS**

Mike Freeman (Director Regulation) introduced this item to update regulatory delegations.

**Resolved**

- (a) ***That the Council revoke the following 30 March 2006 resolution: “That the Council approves the delegations of powers (attached to the agenda) under the Local Government Act 1974 and the Environment Canterbury Navigation Safety Bylaws 2005”.***
- (b) ***That the Council approve the delegations of powers, attached to the agenda, under the Local Government Act 2002 and the Environment Canterbury Navigation Safety Bylaws 2005.***
- (c) ***That the Council add the positions of Environmental Protection Manager Implementation/Strategy and Environmental Protection Manager Operations to the membership of the Resource Management Officers Group.***

Cr Kirk/Cr Budd

8. **2007 LOCAL AUTHORITY ELECTIONS – PROCESSING OF VOTING DOCUMENTS**

Jude Pani (Electoral Officer) presented this item.

**Resolved**

***That the Council adopts early processing (but not counting) of the returned Environment Canterbury voting documents over the voting period.***

Cr McKay/Cr Budd

## **9. COUNCILLORS ALLOWANCES AND REIMBURSEMENTS**

Jude Pani (Manager Secretariat) spoke to the tabled draft Councillors' Allowances and Reimbursements Policy document, updated following discussion at the 19 April Council Workshop.

**Resolved**

- (a) That the Council receives the information relating to Councillors' allowances and reimbursements following the 19 April 2007 Council workshop.***
- (b) That the Councillors' Allowances and Reimbursements Policy (April 2007), tabled, be amended to show the increased allowance for staying privately to \$50.00, and be approved.***
- (c) That the application for approval of expense rules applicable to Councillors of Environment Canterbury from 1 July 2007 be forwarded to the Remuneration Authority for Determination.***

Cr Budd/Cr Waters

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

## **10. COMMITTEE REPORTS**

### **10.1 REPORT OF THE CENTRAL AREA COMMITTEE**

The report of the Central Area Committee was presented.

**Resolved**

- (a) That the report of the Central Area Committee held on 13 March 2007 be received.***
- (b) That the following topics be considered for workshops in 2007:***
  - Water updates – Hinds, Chertsey, Dunsandel and West Melton (late spring 2007).***
  - Meetings on the Canterbury Strategic Water Study, as necessary.***

Cr McKay/Cr Cunningham

## 10.2 REPORT OF THE NORTHERN AREA COMMITTEE

Cr Little presented the report of the Northern Area Committee.

### ***Resolved***

***That the report of the Northern Area Committee held on 13 March 2007 be received.***

Cr Little/Cr Burke

Item 10.4 was taken at this time.

## 10.4 REPORT OF THE REGIONAL PLANNING COMMITTEE

Cr Budd presented the report of the Regional Planning Committee.

### ***Resolved***

***(a) That the report of the Regional Planning Committee held on 14 March 2007 be received.***

***(b) That consultation during the preparation of the Proposed Change to the Regional Coastal Environment Plan include an option that all structures, including boatsheds and swing moorings existing outside designated areas, lawfully occupying the Coastal Marine Area on the date the plan becomes operative, be included as permitted activities.***

Cr Budd/Cr Slee

## 10.5 REPORT OF THE COMBINED PORTFOLIOS COMMITTEE

Cr Burke presented the report of the Combined Portfolios Committee.

### ***Resolved***

***That the report of the Combined Portfolios Committee held on 15 March 2007 be received.***

Cr Burke/Cr Budd

## 10.6 REPORT OF THE REGIONAL LAND TRANSPORT COMMITTEE

Cr Waters presented the report of the Regional Land Transport Committee.

### ***Resolved***

***That the report of the Canterbury Regional Land Transport Committee held on 21 March 2007 be received.***

Cr Waters/Cr Little

## 10.7 REPORT OF THE CANTERBURY REGIONAL LAND TRANSPORT ADVISORY SUBCOMMITTEE

Cr Waters presented the report of the Canterbury Regional Land Transport Advisory Subcommittee.

### ***Resolved***

***That the report of the Canterbury Regional Land Transport Advisory Subcommittee held on 21 March 2007 be received.***

Cr Waters/Cr Little

## 10.8 REPORT OF THE SOUTHERN AREA COMMITTEE

Cr Slee presented the report of the Southern Area Committee. There was discussion on the recommendations relating to the item "Southern Area Committee increased delegated authority" with a view expressed that recommendations (a) and (b) item 2 should be considered at a later date. The following Southern Area Committee recommendations moved Cr Slee, seconded Cr McKay were put and LOST.

Southern Area Committee – Increased Delegated Authority.

- (a) That the Working Party looking at the formation of a new southern committee be driven by representatives of the southern area.
- (b) That the working party produces an issues and options paper with a broad scope of options for consideration by the committee.

Crs Slee and Little requested that their votes for these recommendations be recorded.

### ***Resolved***

- (a) ***That the report of the Southern Area Committee held on 16 April 2007 be received***
- (b) ***That the discussion and recommendations from the Southern Area Committee meeting be referred to the meeting with mayors on 30 April 2007.***
- (c) ***That the following items be considered for inclusion in the 2007 work programme:***
  - ***Air campaign – presentation of new inventory***
  - ***Waitaki resource consent process – update for community on progress.***

Cr Slee/Cr McKay

Item 10.3 was taken at this time.

### **10.3 REPORT OF THE FINANCE AND AUDIT COMMITTEE**

Cr Kirk presented the report of the Finance and Audit Committee meetings held on 14 March and 18 April.

Helen Sellwood (Finance Manager) spoke to the Draft Fraud Policy circulated with the agenda and advised of some minor changes.

The Council submission to the Independent Inquiry into Local Government Rates Inquiry was discussed. It was requested that even though it was a territorial authority responsibility, the wording be changed (Issue 7, item 27) to better reflect the Council's position relating to grounds for providing rates exemptions for categories of Maori land.

#### ***Resolved***

- (a) That the report of the Finance and Audit Committee held on 14 March and 18 April 2007 be received.***
- (b) That the Council adopts the Fraud Policy, as amended, to be applied Council wide.***
- (c) That the Council approves the submission, attached to the agenda, as amended, as Environment Canterbury's submission to the 2007 Independent Inquiry into Local Government Rates.***
- (d) That the Council receives the report "Tri-annual Report of Progress on Project Levels of Service for 1 November 2006 to 28 February 2007" and approves the recommendations in the Tri-annual Report.***

Cr Kirk/Cr Budd

Item 19 was taken at this time.

The meeting moved into public excluded session from 12.10 – 2.20 p.m.

### **19. MEETING WITH PUBLIC EXCLUDED**

#### ***Resolved***

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

- 19.1 Minutes of the 15 March 2007 Meeting and Matters Arising***
- 19.2 Report of the Finance and Audit Committee***

***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>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>19.1 Minutes of the 15 March 2007 Meeting and Matters Arising</b>	<b>That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.</b>	<b>Section 48(1)(a)</b>
<b>19.2 Report of the Finance and Audit Committee</b>		

***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:***

- 19.1 *Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – section 7(2)(i).***
- 19.2 *Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the Council-controlled organisation which supplied or which is the subject of the information – section 7(2)(b)(ii).***

***That Mr Stephen Tubbs and Mr Colin Gower remain for discussion on item 19.2.***  
Cr Burke/Cr Johnston

The meeting resumed to Open Meeting at 2.20pm.

Item 11 was taken at this time.

## **11. CHAIRMAN'S REPORT**

### **SOUTHERN COMMITTEE – INCREASED DELEGATED AUTHORITY**

Cr Burke presented the Chairman's report on Southern Committee – increased delegated authority.

***Resolved***

***That the information be received.***

Cr Burke/Cr Budd

## **12. MINUTES OF THE CHRISTCHURCH CITY COUNCIL/ENVIRONMENT CANTERBURY JOINT COMMITTEE**

Cr Burke presented the minutes of the Christchurch City Council/Environment Canterbury Joint Committee. It was noted that only one Christchurch City Council Councillor attended the 7 March meeting.

***Resolved***

***That the minutes of the Christchurch City Council/Environment Canterbury Joint Committee meeting held on 7 March 2007 be received.***

Cr Burke/Cr Budd

Item 10.9 was taken at this time.

## **10.9 REPORT OF THE REGIONAL PLANNING COMMITTEE**

Malcolm Miller (Natural Resources Planner) presented this item.

Margo Perpick (Barrister, Wynn Williams) was in attendance to brief the meeting on the Council position, to respond to the issues raised by Nick Davidson QC during the deputation, and reply to any questions from Councillors.

An information sheet summarising the points raised by Ms Perpick was circulated. Ms Perpick confirmed that the variation would not involve the Rakaia Selwyn applicants in a further round of hearings/submissions and that the change to be made by the variation would have no effect upon the current resource consent applications or their hearing process.

### ***Resolved***

***That the report of the Regional Planning Committee meeting held on 18 April 2007 be received.***

### **NRRP VARIATION FOR GROUNDWATER ALLOCATION LIMITS**

- (a) That the Council adopt and publicly notify in accordance with Schedule 1 of the Resource Management Act, Proposed Natural Resources Regional Plan Variation 4 – Groundwater Allocation Limits, as described and detailed in the report attached to the Regional Planning Committee agenda of 18 April 2007, with the additional information provided at the meeting. (Attached document “Detailed Amendments for NRRP Variation 4 Groundwater Allocation Limits”).***
  
- (b) That a series of meetings will be held in the most affected zones, where deemed appropriate, to explain the proposed NRRP Variation 4 – Groundwater Allocation Limits.***

### **NRRP VARIATION 5 – KAIKOURA AREA RIVERS REVIEW OF MINIMUM FLOWS**

***That the Council adopt and publicly notify, in accordance with Schedule 1 of the Resource Management Act, as Variation 5 (to amend WQN1 of Chapter 5 of the Proposed NRRP) to incorporate into the PNRRP the flow and allocation regimes recommended for seven river catchments in the Kaikoura area (Hapuku River; Luke Creek; Middle Creek; Lyell Creek; Kowhai River; Ewelme Stream (Stoney Creek); Kahutara River), and including adoption of the report and references as the RMA section 32 Report, attached to the Regional Planning Committee agenda of 18 April 2007:***

- (a) ***That an environmental flow of 670 L/s be set for the Hapuku River at State Highway One (NZMS 260:O31 695-772). This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.***
- (b) ***That an allocation regime for the Hapuku River incorporates:***
- (i) ***An A allocation block of 178 L/s for the period 1 October to 30 April with an environmental flow of 670 L/s; and***
  - (ii) ***No further permits be granted to take surface water from the A allocation block applying to the period 1 October to 30 April; and***
  - (iii) ***An A allocation block of 178 L/s for the period 1 May to 30 September with an environmental flow of 670 L/s; and***
  - (iv) ***A B allocation block for October to April inclusive of 100 L/s with abstractions ceasing at a flow of 950 L/s.***
- (c) ***That an environmental flow of 15 L/s immediately below Bolton's take (NZMS 260:O31 620-741) be retained for Luke Creek. This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.***
- (d) ***That an allocation regime for Luke Creek incorporates:***
- (i) ***An A allocation block of 68 L/s for the period 1 October to 30 April with an environmental flow of 15 L/s; and***
  - (ii) ***No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from the A allocation block applying to the period 1 October to 30 April; and***
  - (iii) ***An A allocation block of 68 L/s for the period 1 May to 30 September with an environmental flow of 15 L/s; and***
  - (iv) ***A B allocation block of 25 L/s for the period 1 October to 30 April with abstractions ceasing at a flow of 110 L/s.***
- (e) ***That an environmental flow of 165 L/s for the period of 1 March to 31 December (inclusive) and 115 L/s for January and February be set for Middle Creek and the site for monitoring the flows is relocated to SH 1 (NZMS 260:O31 658-706). This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.***
- (f) ***That an allocation regime for Middle Creek incorporates:***
- (i) ***An A allocation block of 117 L/s for the period 1 October to 30 April with an environmental flow of 165 L/s during October, November, December, March and April and 115 L/s during January and February; and***
  - (ii) ***No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from the A allocation block applying to the period 1 October to 30 April; and***
  - (iii) ***An A allocation block of 117 L/s for the period 1 May to 30 September with an environmental flow of 165 L/s; and***
  - (iv) ***A B allocation block of 50 L/s for the period 1 October to 30 April with abstractions ceasing at a flow of 330 L/s.***
- (g) ***That an environmental flow of 420 L/s for the period 1 May to 30 September, 290 L/s for the period 1 October to 31 December, 200 L/s for***

**January and February and 290 L/s for March and April be set for the mainstem of Lyell Creek/Waikawau at the permanent recorder site below the confluence with Warrens Creek (NZMS 260:O31 658-680). This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.**

- (h) That an allocation regime for the mainstem of Lyell Creek/Waikawau incorporates:**
- (i) An A allocation block of 58 L/s for the period 1 October to 30 April with an environmental flow of 290 L/s during October, November, December, March and April and 200 L/s during January and February; and**
  - (ii) No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from the A allocation block applying to the period 1 October to 30 April; and**
  - (iii) An A allocation block for May to September inclusive of 58 L/s with an environmental flow of 290 L/s; and**
  - (iv) A B allocation block of 100 L/s for the whole Lyell Creek/Waikawau catchment of 100 L/s but subject to a maximum of 50 L/s from Warrens Creek/Lyell Creek mainstem, 25 L/s from the Left Branch and 25 L/s from the Right Branch for the period 1 October to 30 April, with abstractions ceasing at a flow of 725 L/s at the Lyell Creek/Waikawau recorder site (below the confluence with Warrens Creek, at NZMS 260:O31 658-680).**
- (i) That an environmental flow of 25 L/s be set for the Right (south) Branch of Lyell Creek/Waikawau adjacent to the Mill Road/Mt Fyffe Road intersection (NZMS 260:O31 641-696); and**
- (i) The environmental flows specified at the permanent recorder site on the Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680) also apply to abstractions from the Right (south) Branch; and**
  - (ii) Abstractions shall cease when the environmental flow on either the Lyell or Right Branch is reached.**
- This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.**
- (j) That an allocation regime for the Right (south) Branch of Lyell Creek/Waikawau incorporates:**
- (i) An A allocation block of 34 L/s for the period 1 October to 30 April with an environmental flow of 25 L/s adjacent to the Mill Road/Mt Fyffe Road intersection (NZMS 260:O31 641-696) and an environmental flow of 290 L/s during October, November, December, March and April and 200 L/s during January and February at the permanent recorder site on Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680); and**
  - (ii) No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from the A allocation block applying to the period 1 October to 30 April; and**
  - (iii) An A allocation block of 34 L/s for the period 1 May to 30 September with an environmental flow of 25 L/s adjacent to the Mill Road/Mt Fyffe Road intersection (NZMS 260:O31 641-696) and**

*an environmental flow of 420 L/s at the permanent recorder site on Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680).*

- (k)** *That an environmental flow for the Left (north) Branch on the Mackle property at NZMS 260:O31 649-700 remain as 45 L/s; and*
- (i)** *The environmental flows specified at the permanent recorder site on the Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680) also apply to abstractions from the Left (north) Branch; and*
  - (ii)** *Abstractions shall cease when the environmental flow on either the Lyell or Left Branch is reached.*
- This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*
- (l)** *That an allocation regime for the Left (north) Branch of Lyell Creek/Waikawau incorporates:*
- (i)** *An A allocation block of 114 L/s for the period 1 October to 30 April with an environmental flow of 45 L/s on the Mackle property at NZMS 260:O31 649-700 and an environmental flow of 290 L/s during October, November, December, March and April and 200 L/s during January and February at the permanent recorder site on Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680); and*
  - (ii)** *No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from the A allocation block applying to the period 1 October to 30 April; and*
  - (iii)** *An A allocation block of 114 L/s for the period 1 May to 30 September with an environmental flow of 45 L/s on the Mackle property at NZMS 260:O31 649-700 and an environmental flow of 420 L/s at the permanent recorder site on Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680).*
- (m)** *That an environmental flow for Warrens Creek at the Rorrison's Road Bridge (NZMS 260:O31 654-681) be set at 180 L/s for the period 1 May to 30 September, 110 L/s for the period 1 October to 31 December, 75 L/s for January and February and 110 L/s for March and April; and*
- (i)** *The environmental flows specified at the permanent recorder site on the Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680) also apply to abstractions from Warrens Creek; and*
  - (ii)** *Abstractions shall cease when the environmental flow on either the Lyell or Left Branch is reached.*
- This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*
- (n)** *That an allocation regime for Warrens Creek at the Rorrison's Road Bridge (NZMS 260:O31 654-681) incorporates:*
- (i)** *An A allocation block of 131 L/s for the period 1 October to 30 April with an environmental flow of 110 L/s during October, November, December, March and April, and 75 L/s during January and February and an environmental flow for 290 L/s for October, November, December, March and April and 200 L/s for January and February at the permanent recorder site on Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680); and*
  - (ii)** *No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from*

- the A allocation block applying to the period 1 October to 30 April; and*
- (iii) *An A allocation block of 131 L/s for the period 1 May to 30 September with an environmental flow of 180 L/s and environmental flow of 420 L/s at the permanent recorder site on Lyell Creek/Waikawau mainstem (NZMS 260:O31 658-680).*
- (o) *That an environmental flow of 690 L/s be set for the Kowhai River at the Gorge (NZMS 260:O31 558-732); and*
- (i) *That for the minor tributaries set out in Table 16, the existing environmental flows determined via consent conditions be retained.*
- This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*
- (p) *That an allocation regime for the Kowhai mainstem incorporates:*
- (i) *An A allocation block of 75 L/s for the period 1 October to 30 April with an environmental flow of 690 L/s; and*
- (ii) *An A allocation block of 75 L/s for the period 1 May to 30 September with an environmental flow of 690 L/s.*
- (q) *That an environmental flow of 55 L/s be set at Quarry Road (NZMS 260:O31 584-691) for the Ewelme Stream. This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*
- (r) *It is therefore recommended that an allocation regime of Ewelme Stream incorporates:*
- (i) *An A allocation block of 126 L/s for the period 1 October to 30 April of 126 L/s with an environmental flow of 55 L/s; and*
- (ii) *No further permits be granted to take surface water or to take groundwater with stream depleting effects greater than 1 L/s from the A allocation block applying to the period 1 October to 30 April; and*
- (iii) *An A allocation block of 126 L/s for the period 1 May to 30 September with an environmental flow of 55 L/s; and*
- (iv) *A B allocation block of 25 L/s for the period 1 October to 30 April with abstractions ceasing at a flow of 205 L/s.*
- (s) *That an environmental flow of 80 L/s for the period October to April inclusive and 370 L/s for the period May to September inclusive be set for the Kahutara River at Blunts Road (NZMS 260:O31 508-674). This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*
- (t) *That an allocation regime for the Kahutara River at Blunts Road incorporates:*
- (i) *An A allocation block of 10 L/s for the period 1 October to 30 April with an environmental flow of 80 L/s; and*
- (ii) *No further permits be granted to take surface water from the A allocation block applying to the period 1 October to 30 April; and*
- (iii) *An A allocation block of 50 L/s for the period 1 May to 30 September with an environmental flow of 370 L/s; and*

- (iv) ***A B allocation block of 50 L/s for the period 1 October to 30 April with abstractions ceasing at a flow of 370 L/s.***
- (u) ***That the current environmental flow of 40 L/s at Mahunga Farm (property of R Acton-Adams) NZMS 260:031 477-678 is retained. This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.***
- (v) ***It is therefore recommended that an allocation regime for this un-named tributary of the Kahutara River incorporates:***
  - (i) ***An A allocation block of 30 L/s for the period 1 October to 30 April with an environmental flow of 40 L/s; and***
  - (ii) ***No further permits be granted to take surface water from the A allocation block applying to the period 1 October to 30 April; and***
  - (iii) ***An A allocation block of 30 L/s for the period 1 May to 30 September with an environmental flow of 40 L/s; and***
  - (iv) ***A B allocation block of 25 L/s for the period 1 October to 30 April with abstractions ceasing at a flow of 95 L/s.***

Cr Budd/Cr Waters

### **13. FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES**

Helen Sellwood (Finance Manager) presented the financial summary of the Council's activities for the nine months ended 31 March 2007.

***Resolved***

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

Cr Little/Cr McKay

### **14. CHIEF EXECUTIVE'S ITEMS**

Bryan Jenkins (Chief Executive) presented this report.

***Resolved***

***That the Chief Executive's items be received.***

Cr Burke/Cr Budd

### **15. COUNCILLOR REPORTS EXTERNAL APPOINTMENTS/ CONFERENCES/ SEMINARS**

Cr Waters reported on her attendance at the Commonwealth Local Government Forum in Auckland. (Written report circulated with the agenda.)

It was commented that any consideration of any Sister City relationship for Council should be discussed at a future date.

Cr Johnston commented on his attendance as Acting Chairman at the tangi for Kelly Davis.

Cr Slee also attended the tangi thanked Cr Cunningham for her support on matters relating to tikanga Maori at the tangi.

**Resolved**

**(a) That the reports be received.**

Cr Burke/Cr Johnston

**(b) That Cr Robert Johnston and Cr Elizabeth Cunningham attend the Local Government Conference in Dunedin from 15-18 July, 2007, along with the Chairman and Chief Executive.**

Cr Budd/Cr Slee

**(c) That leave of absence be approved for Cr Budd (7 May to 11 May 2007), Cr Waters (21 June to 14 August 2007), and Cr Slee (from 24 May to 17 June 2007).**

Cr Burke/Cr Johnston

**16. NOTICES OF MOTION**

There were no notices of motion.

**17. QUESTIONS**

There were no questions.

**18. EXTRAORDINARY AND URGENT BUSINESS**

There was no extraordinary and urgent business.

**20. NEXT MEETINGS – 30 AND 31 MAY 2007**

**21. CLOSURE**

The Chairperson closed the meeting at 3.10pm

CONFIRMED

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