

MINUTES OF THE 258TH MEETING OF ENVIRONMENT CANTERBURY HELD IN THE
COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH ON THURSDAY, 28
APRIL 2005 AT 9.30 A.M.

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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, M E Oldfield, J F Slee, N J Wagner, J M Waters and W E Woods.

MANAGEMENT AND OFFICERS PRESENT

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

W Falconer (Director External Relations), K Lawn (Director Operations), J D Talbot (Director Policy and Planning) and I W Thomas (Finance and Corporate Services) were in attendance for part of the meeting and report authors were in attendance to present their reports.

1. APOLOGIES

Nil.

2. MINUTES OF MEETINGS

Moved Cr Waters, seconded Cr Little.

That the minutes of the 256th and 257th meetings held on 31 March 2005 and 7/12 April 2005 be confirmed as true and accurate records.

CARRIED

3. MATTERS ARISING

Cr Burke advised that the Christchurch City Council/Environment Canterbury Joint Committee inaugural meeting is to be held on 31 May 2005 at 4.15 p.m.

Cr Oldfield joined the meeting at 9.45 a.m.

Cr Cunningham requested that the membership of the Christchurch Area Committee include a representative of the Avon-Heathcote Ihutai Trust. Representation by the Avon-Heathcote Ihutai Trust was supported by the Chair of the Christchurch Area Committee, Cr Wagner.

Moved Cr Cunningham, seconded Cr Budd.

That a representative of Avon-Heathcote Ihutai Trust be invited to join Christchurch Area Committee.

CARRIED

Cr Slee advised that there were aspects of the submission on the Draft Waitaki Water Allocation Regional Plan that she wished to discuss. Cr Slee confirmed that she will follow the advice provided by John Talbot and raise any issues through the formal Council meeting process.

4. DEPUTATIONS AND PETITIONS

Nil.

5. HSNO BILL

Andrew Willis, Senior Policy Analyst, spoke to the submission to the Education and Science Committee on the Hazardous Substances and New Organisms (Approvals and Enforcement) Amendment Bill. Andrew advised that the main issue is that the Bill allows the Regional Council to become involved in administering the HSNO Act. He advised that Council “may” become involved rather than “has to” become involved.

Cr Neill pointed out that the submission should be in the name of Canterbury Regional Council rather than the promotional name of Environment Canterbury. Staff agreed that the correct title for Environment Canterbury in a submission process was its official name Canterbury Regional Council.

Moved Cr Waters, seconded Cr Wagner.

That the Council endorses the submission as amended on the Hazardous Substances and New Organisms (Approvals and Enforcement) Amendment Bill by Canterbury Regional Council.

CARRIED

6. SUBMISSION ON PROPOSED REGIONAL PEST PLANT MANAGEMENT STRATEGY FOR THE WEST COAST

Brenda Green, Senior Resource Management Planner, spoke to the submission on the proposed Regional Pest Plant Management Strategy for the West Coast. Minor amendments were noted by Brenda to be incorporated into the submission to be presented by the Canterbury Regional Council.

Moved Cr Johnston, seconded Cr Kirk.

That the Council endorses the submission as amended on the Regional Pest Plant Management Strategy for the West Coast.

CARRIED

7. PLANNING OPTIONS FOR MARINE FARMING FOLLOWING FROM THE AQUACULTURE REFORM LEGISLATION

Cr Cunningham declared an interest as a member of the Te Runanaga o Koukourarata who is an applicant for marine farming.

David Gregory, Senior Resource Management Planner, circulated additional information including a map “deemed AMAs (Aquaculture Management Areas) March 2005” and an additional recommendation (d) requesting Council endorsement of the resolution passed at its meeting of 19 February 2004.

David Gregory spoke to his report including providing an explanation of the three options detailed in the attachment to the report.

Richard Ball, Coast Biodiversity and Pest Policy Manager advised Council that he had been meeting with aquaculture firms to discuss any issues.

There was discussion on any potential impact of recommendation (d) on issues that are at present before the Environment Court. David Gregory advised Council that it was likely, by Council endorsing its 19 February 2004 resolution, influence on the Environment Court would be minimal

Moved Cr Waters, seconded Cr Kirk.

- (a) *That Environment Canterbury does not proceed with a Coastal Water Space Allocation Plan Change at this stage.*
- (b) *That Environment Canterbury continues work to identify areas where Private Plan changes will not be acceptable, including First Schedule consultations on such areas.*
- (c) *That Environment Canterbury continues to work with the aquaculture industry to identify areas of interest for new AMAs, and other ways of supporting the sustainable development of aquaculture in Canterbury.*

CARRIED

Moved Cr Waters, seconded Cr Kirk.

- (d) *That Environment Canterbury endorses the resolution of the Council meeting of 19 February 2004 that stated: "That Council supports, in part, the decision by Environment Canterbury on the Southern Seas marine farm consent applications through mediation and/or Environment Court hearing to the extent that it is consistent with independent technical evidence on the level of acceptable adverse effects, that is one site in one specific location, while endeavouring to ensure that the integrity of the Proposed Regional Coastal Environment Plan is maintained."*

CARRIED

Crs Little, McKay, Neill and Oldfield recorded their votes against recommendation (d).

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

8. PROGRESS REPORT ON PREPARATION FOR VARIATION TO NRRP

John Talbot, Director Policy and Planning, introduced this item by advising Council that progress had been slower than previously indicated.

Mr Talbot circulated to Councillors additional information by way of correspondence exchanged between himself and Ms Pru Steven, Partner, Goodman Steven Tavendale and Reid. Ms Steven had copied her letter addressed to Mr Talbot dated 26 April 2005 to Councillors. Mr Talbot advised Council of his concern about a solicitor communicating directly to Councillors and himself about a case that was before the Court.

Mr Talbot advised that there were two processes in place (Section 293 application and the NRRP variation) and confirmed that consultation on the NRRP variation would be extensive and involve affected groups and individuals. Mr Talbot further advised that reporting back on the draft variation would include land use issues, including effects on the Council's own land.

Moved Cr Budd, seconded Cr Waters.

That the April progress report on the process to prepare a draft Variation to the NRRP to protect Christchurch's groundwater be received.

CARRIED

Items 13 and 14 were taken at this time.

13. SOUTHWEST AND EAST METRO SERVICE REVIEW

Rachel Gibson, Passenger Services Operations Planner, supported by Matthew Noon, Strategic Planner (Operations), gave a PowerPoint presentation to Councillors on the information provided in their report on the South West and East Metro Service Review.

Ms Gibson confirmed that in recommendation (c) Russley should read Hei Hei and recommendation (c) should read as follows: "That the 83 Hornby via Hei Hei be through-routed with the 43 New Brighton via Burwood."

Moved Cr Wagner, seconded Cr Budd.

- (a) *That the 5 Southshore to Hornby, 51 New Brighton via Aranui, Lincoln to Hornby Shuttle and 81 Lincoln as outlined in this report be tendered.*
- (b) *That a Hornby to Templeton shuttle and a Hornby to Rolleston and Burnham shuttle be introduced.*
- (c) *That the 83 Hornby via Hei Hei be through-routed with the 43 New Brighton via Burwood.*
- (d) *That the 84 Hornby via Russley be through-routed with the 42 New Brighton via Avondale service.*
- (e) *That an hourly shuttle between Southbridge, Leeston, Doyleston, Irwell, Springston and Lincoln be trialled for a one-year period.*

CARRIED

14. REVISED FARE ZONE BOUNDARIES FOR THE GREATER CHRISTCHURCH METRO SYSTEM

Matthew Noon, Strategic Planner (Operations), gave a PowerPoint presentation on the information provided in the revised fare zone boundaries for the greater Christchurch Metro system.

Moved Cr Wagner, seconded Cr Woods.

That the revised fare zone boundaries (map B) for the greater Christchurch Metro system be adopted.

CARRIED

Item 9 was taken at this time.

9. CANTERBURY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP MINUTES OF MEETING 9 AND 30 MARCH 2005

Cr Kirk commented that the minutes of these meetings contained a significant number of submissions to the Civil Defence Management Plan (Plan), but the report of the meetings did not provide comment on all issues raised in the submissions. There was discussion on the response being planned to warn seaside residents of impending tsunami dangers, which were included in the Plan.

Cr McKay responded explaining that there would be warning sirens in place as well as selected radio stations, who have access to their own emergency generators, providing public information. This information will be listed in the telephone directory. It was also commented that Jon Mitchell, Civil Defence Emergency Management Planner would be able to provide additional information. It was also commented that all submitters to the management plan process would receive responses on the issues that they raised.

All people in the foreshore area, and well back if there is time, will be informed by loud hailing systems and Police sirens. They will also be informed where to go for evacuation.

Dr Bryan Jenkins advised Cr Slee that he would provide her with information relating to the area along the lower Waitaki.

Wilma Falconer confirmed that it is the responsibility of Environment Canterbury Communications Team to provide support and advice on communication issues. The details of what is communicated will be driven by the Plan.

Moved Cr Burke, seconded Cr McKay.

That the unconfirmed minutes of the Canterbury Civil Defence Emergency Management Group Joint Committee meetings held on 9 and 30 March 2005, be received.

CARRIED

10. REPORT OF REPRESENTATION REVIEW COMMITTEE

Mr Peter Berry, Consultant, assisting Environment Canterbury with its representation review was in attendance for this item. Cr Johnston, Chair of the Representation Review Committee spoke to the report. Peter Berry then presented an overview of the process and reminded Council that it needed to consider both its electoral system and Māori constituencies prior to reviewing its representation arrangements.

There was discussion on the information received from Statistics New Zealand relating to Māori details. Clarification is required on the numbers of Māori for the purposes of this exercise.

Cr Little advised that he had made a submission to the Select Committee reviewing the 2004 elections. Cr Little offered to abstain from voting on this item if that was appropriate. Cr Burke advised that he would circulate the Bay of Plenty decision to all Councillors.

Moved Cr Johnston, seconded Cr Budd.

- (a) *That the report on Representation Review be received.*
- (b) *That the Representation Review Committee endorses the options detailed in the report for recommendation to the Council.*
- (c) *That the Representation Review Committee recommends to Council that it considers the matters of voting systems and Māori Constituencies at an early date.*
- (d) *That the proposed timetable for the Representation Review be endorsed.*

Lunch was taken at 12.30 to 1.15 p.m.

11. REPORT OF THE PORTFOLIO COMMITTEES

It was confirmed that minutes from the Portfolio Committee meetings will be provided to the next meetings of the Portfolio Committees and the report included with the Council agenda is the report to Council. There was discussion on appropriate timeframes for the Portfolio Committee meetings. Some Councillors considered more time was required, others felt the timeframes were generous.

Minor amendments to the Land Biodiversity Waste Hazardous Substance and Contaminated Sites report were identified: Inclusion of "Regional" as well as District Plans in the reference to changes to legislation and correcting the spelling of Mackenzie

Moved Cr Burke, seconded Cr Budd.

That the report of the Portfolio Committees held on 26 and 27 April 2005 be received.
CARRIED

15. INFORMATION ITEMS

Moved Cr McKay, seconded Cr Waters.

- (a) *That the information on the documents sealed under delegated authority be received.*
- (b) *That the Chair, Cr Burke, Cr Oldfield and Cr Slee work with staff to identify an appropriate date for a Council meeting to be held in Timaru.*

CARRIED

That the following leave of absence be received:

- Cr Burke: 13-20 May 2005
- Cr Slee: 16-24 May 2005
- Cr Oldfield: 19 June - 8 July 2005.

16. LGNZ CONFERENCE – COUNCILLOR ATTENDANCE

Moved Cr Johnston, seconded Cr Budd.

- (a) *That the Council be represented at the LGNZ Conference 2005 by the Chairman, Chief Executive and two Councillors.*
- (b) *That the two Councillors be Cr Carroll and Cr Oldfield.*

CARRIED

Cr Johnston considered that being represented by two Councillors at the Local Government New Zealand Conference was an insufficient number, particularly considering that the conference was being held in Christchurch. The Chair suggested Cr Johnston might like to raise this issue at next month's meeting.

17. FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES

Wayne Thomas presented the financial reports on Council Portfolio activities. He advised that project leaders had been requested to provide a projection to year-end and that these showed a reduced surplus for general rate funded programmes. He further advised that with targeted rate programmes, there would be significant surpluses arising in regard to CleanHeat and a lesser surplus for River Engineering. The targeted rate surpluses will be carried forward at year-end and applied in the future against the respective programmes.

Moved Cr Budd, seconded Cr Johnston.

That the information on the financial reports for the period ending 31 March 2005 be received.

CARRIED

17A. TARGET PEST ENTERPRISES – CASH FACILITY

Cr Johnston and Cr Woods declared an interest as Directors of Target Pest Enterprises Limited.

Moved Cr Budd, seconded Cr Waters.

- (a) *That the Finance and Audit Committee be requested to consider a proposal to be prepared for the grant to Target Pest Enterprises Limited of a short-term cash facility.*
- (b) *That the Committee be granted power to approve the proposal, if appropriate, and to set the terms and conditions to which the facility would be subject as it sees fit.*

CARRIED

Cr Oldfield requested his vote against this recommendation be recorded.

18. COUNCILLOR REPORTS EXTERNAL APPOINTMENTS/CONFERENCES/ SEMINARS

The Chair reported back on his recent attendance at the Regional Development Conference.

The Chair supported by the Chief Executive reported back on a recent presentation by the Ministry for the Environment on climate change.

Cr Little briefed Council on his attendance at the recent Ballance Farm Awards and advised he would be attending a field day on 29 April 2005.

Crs Budd and Neill provided feedback to Council as representatives on the Urban Development Strategy Forum. They commented on the very successful public meeting facilitated by Chris Laidlaw. They advised that the launch was held on 19 April 2005. Cr Neill congratulated The Press newspaper for its contribution to the profile of the Urban Development Strategy.

Cr Cunningham advised that several Councillors attended a programme on Enviro Education recently held at Christchurch City Council. Awards were presented to four schools in the Christchurch and Ashburton areas. She congratulated the staff at both Councils for initiating the programmes and supporting the schools.

19. NOTICES OF MOTION

Nil.

20. QUESTIONS

Cr McKay asked what progress has been made in attending to Schedule WQN9 of the Proposed NRRP, and what process is being followed to amend the Schedule. The Chief Executive advised that a response would be provided at next month's meeting.

21. EXTRAORDINARY AND URGENT BUSINESS

Council received a request for consideration of item 21.1 – Community Initiated Possum Control Programme for Banks Peninsula – as urgent business. Council had previously approved a Stop Press in the Annual Plan on consultation on this programme. The reason why the discussion of this item could not be delayed until a subsequent meeting was that the Council needed to resolve the weighting of individual landowners votes prior to consultation which is to occur with the consultation of the Annual Plan Stop Press during May.

Moved Cr Budd, seconded Cr Neill.

That the Council receives item 21.1 Community Initiated Possum Control Programme for Banks Peninsula for discussion.

CARRIED

21.1 COMMUNITY INITIATED POSSUM CONTROL PROGRAMME FOR BANKS PENINSULA

Rob Phillips, Portfolio Manager Pests/Biosecurity presented this item for discussion and decision on a proposal by the Banks Peninsula Pest Management Liaison Committee on district wide possum control programmes.

Moved Cr Johnston, seconded Cr Budd.

- (a) *That the Banks Peninsula Pest Management Liaison Committee proposal be accepted and used as a basis for consultation with the Banks Peninsula and Port Hills communities including a survey of the level of support.*
- (b) *That the weighting of individual land owner votes be one vote per rural valuation assessment with at least 75% of the responses supporting the proposal.*

CARRIED

The meeting moved into public excluded at 2.45 p.m.

22. MEETING WITH PUBLIC EXCLUDED

The meeting then moved into Public Excluded.

Moved Cr Burke, seconded Cr Budd.

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

- 22.1 *Public Excluded Minutes, 31 March 2005*
- 22.2 *Report of the Regional Land Transport and Public Passenger Transport Portfolio Committee (Public Passenger Transport Issues)*

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 |
|--|--|---|
| 22.1 <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> | Section 48(1)(a) |
| 22.2 <i>Report of the Regional Land Transport/Public Passenger Transport Portfolio Committee (Public Passenger Transport Issues)</i> | <i>That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest.</i> | Section 48(1)(a) |

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:

22.1 *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).

22.2 *Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – section 7(2)(b)(ii).*

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 open meeting at 3.20 p.m.

IN OPEN MEETING

Moved Cr Budd, seconded Kirk.

That the Council move back into Open Meeting.

CARRIED

23. NEXT MEETING

Next meeting is to be held on 26 May 2005.

24. CLOSURE

The meeting closed at 3.30 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____