

**MINUTES OF THE 298TH MEETING OF ENVIRONMENT CANTERBURY HELD IN THE
COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH ON THURSDAY,
31 MAY 2007 AT 8.40 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 I R Little, A R McKay, A G Neill, M E Oldfield, N J Wagner, J M Waters (until 3.00pm) and W E Woods (until 12.35pm).

MANAGEMENT AND OFFICERS PRESENT

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

M C Freeman (Director Regulation), K Lawn (Director Operations) and J D Talbot (Director Policy and Planning) were in attendance for part of the meeting and some report authors were in attendance to present their reports.

Prior to the commencement of Council business Cr Waters announced her retirement as a Canterbury Regional Councillor, effective from October 2007.

1. APOLOGIES

Cr J F Slee (Leave of Absence) and Cr R M Kirk.

2. MINUTES OF MEETINGS – 18 APRIL, 26 APRIL AND 9 MAY 2007

Resolved

That the Council minutes of 18 April, 26 April and 9 May 2007, as circulated, be confirmed as true and correct records, and be adopted.

Cr Burke/Cr Cunningham

3. MATTERS ARISING

Cr Waters advised that her leave of absence will extend to 15 August 2007, not 14 August 2007 as initially advised.

4. DEPUTATIONS AND PETITIONS

Cr Oldfield arrived at 8.45 a.m.

A petition was received from Waikuku residents requesting an extension to the Northern Star bus service. This will be forwarded to staff as input to the review of the Northern Star.

Clive Smith, Chairman Northwood Residents' Incorporated and residents Andrew King and Bob Davidson presented a petition and a survey on the proposed Styx Mill and Northwood bus services.

Documents were tabled relating to the deputation.

Cr Woods arrived at 9.00 a.m.

Item 6 was taken at this time.

6. EXTENSION TO THE 11 STYX MILL BUS SERVICE TO THE NORTHWOOD SUPA CENTA

Shannon Ussher (Passenger Services Strategic Planner) presented this item and tabled a copy of a PowerPoint document.

There was discussion on whether the consultation had been adequate to enable a decision at this time. Views were expressed supporting the excellent work by Council staff while also recognising the need to engage adequately with residents.

Council recognised the lengthy process to date and also expressed appreciation to the Northwood community for their enthusiasm and for the work they had put into preparing the survey.

Resolved

That the Council:

- (a) Studies the implications of the Northwood Residents Incorporated report before making a decision on the proposed route for the 11 Styx Mill Bus Service.***
- (b) Reviews the findings of the survey conducted by the Northwood Residents Incorporated and if required form a working party to progress this matter with the community.***
- (c) Makes a decision on the proposed route for the extension to the Northwood bus service at the 26 July Council meeting.***

Cr Wagner/Cr Johnston

5. OUTSTANDING CONTRIBUTION AWARD

An Outstanding Contribution Award was presented to Rob Phillips by the Chairman.

The Deputy Chairman read the following citation:

"In recognition of outstanding service in protecting and improving land quality in Canterbury.

Rob began his Council career in soil conservation with the North Canterbury Catchment Board.

When the Regional Council was formed in 1989, Rob extended his career into biosecurity and was involved with the original regional pest plan at that time.

He co-ordinated the review of pest rating systems in the region and also co-ordinated the development of a system based on pest prone-ness using soil types and vegetation. The system had a GIS basis.

At a national level he was involved in the development of the Biosecurity Act and was a member of the Biosecurity Technical Advisory Group (a small group of senior regional council officers). In that capacity he was involved in giving advice on the development of regional pest management strategies, a review of the Biosecurity Act, development of regulatory guidelines and also of monitoring guidelines.

He was also involved in developing a national pest management strategy for bovine Tb and following that was part of the team that looked at broadening the strategy and lifting the objective of the national strategy so that it focused on eradication of bovine Tb. The team also worked on increasing crown funding for the strategy and on capping regional funding at about \$6-7million nationally.

At Environment Canterbury Rob played a key role in developing our own Regional Pest Management Strategy. The strategy signalled a change in the way biosecurity activities were funded with a significant shift to targeted rate.

Rob was the Portfolio Manager for Pests and Biosecurity, but this was merely a title as he was also involved in many land and biodiversity issues.

He has always been respected for his enthusiasm and for his ability to develop new and innovative solutions to difficult issues. Throughout his career at Environment Canterbury he showed great skills in listening to the concerns of land-holders, being tactful and for advocating for landholders within the council.”

Morning tea was taken from 10.25 to 10.50 a.m.

7. BUILDING ACT 2004

Mike Freeman (Director Regulation) introduced this item by saying that the report was following on from what had been presented to the April 2007 Council Workshop.

Andrew Willis (Senior Policy Analyst) spoke to the report and advised that Council was required to make a decision whether Canterbury Regional Council should become an accredited Building Consent Authority under the Building Act 2004 or transfer these functions to another local authority.

Dr Freeman advised that it is proposed to have three regional councils (two in the South Island and one in the North Island) accredited as Building Consent Authorities under the Building Act 2004 with other Councils transferring these functions to these authorities. A request has been received from the Chatham Islands Council to transfer their functions for this responsibility to the Canterbury Regional Council.

Dr Freeman also advised that the responsibilities under the Building Act 2004 would sit with the Compliance and Enforcement Section with technical specialists being engaged to carry out technical tasks, including dam inspections. This additional work would not compromise any of the major resource consent processes in place at this time.

There was discussion on implications (including costs) associated with each of the three options presented and in particular with Option 3 (the preferred option), Environment Canterbury becoming fully accredited as an independent Building Consent Authority and processing building consent applications.

Resolved

That the Council:

- (a) **Undertake directly its full responsibilities under the Building Act.**
- (b) **Agrees in principle to accepting Building Act transfer requests from Regional Authorities subject to being satisfied with any transfer agreement.**

Cr McKay/Cr Budd

A division was called for and the motion was CARRIED, the voting being as follows:

For (8)

Cr Budd
Cr Burke
Cr Carroll
Cr Cunningham
Cr McKay
Cr Neill
Cr Wagner
Cr Waters

Against (4)

Cr Johnston
Cr Little
Cr Oldfield
Cr Woods

Absent (2)

Cr Slee
Cr Kirk

8. COMMITTEE REPORTS

8.1 REPORT OF THE REGULATION OVERVIEW COMMITTEE

Cr McKay, Chairman of the Regulation Overview Committee, presented the report of the Committee meeting held on 26 April 2007.

Resolved

- (a) **That the report of the Regulation Overview Committee held on 26 April 2007 be received.**
- (b) **That the Biosecurity Section provide a report on bio-diversity, pest plants (plants and animals and including wilding confers).**

Cr McKay/Cr Neill

Cr Woods left the meeting at 12.35 p.m.

Lunch was taken from 12.35 p.m. to 1.25 p.m.

8.2 REPORT OF THE MAORI ADVISORY COMMITTEE

Cr Cunningham, Chairperson of the Maori Advisory Committee, presented the report of the Committee meeting held on 27 April 2007, which was the first meeting to be held with external members present.

Resolved

- (a) *That the report of the Maori Advisory Committee held on 27 April 2007 be received.***
- (b) *That the Terms of Reference for the Maori Advisory Committee be amended to:***
 - (i) *include the appointed members: Donald Couch, Maurice Gray, Graeme Grennell, Bill Karaitiana, Edie Moke, Ramon Pink, Raewyn Solomon and Gail Tipa; and***
 - (ii) *that the Committee will meet four times per annum, with workshops and other meetings as required; and***
 - (iii) *that the Terms of Reference to be a 'living document', to be amended as the Committee's role evolves.***

Cr Cunningham/Cr Oldfield

Crs Wagner and Little returned at 1.30 p.m.

8.3 REPORT OF THE REGIONAL PLANNING COMMITTEE

Cr Budd, Chairperson of the Regional Planning Committee, presented the report of the Committee meeting held on 16 May 2007.

Resolved

That the Council:

- (a) *Receives the report of the Regional Planning Committee held on 16 May 2007.***
- (b) *Adopts the Section 32 report on Proposed Changes 1 and 2 to the Regional Coastal Environment Plan;***
- (c) *Formally notifies Proposed Plan Changes 1 and 2 to the Regional Coastal Environment Plan.***
- (d) *Endorses the use of Navigation Safety Bylaws to manage existing swing moorings.***
- (e) *Adopts the Draft Variation for Christchurch Groundwater Zones (Attachment 1 to the RPC report), as amended, as the basis of the variation to Chapter 4 of the Proposed Natural Resources Regional Plan for completion of First Schedule consultation and consideration on 26 July 2007 for notification on 28 July 2007.***

Cr Budd/Cr Neill

9. AMHERST DEVELOPMENTS LIMITED – CONTRIBUTION TO JOHNS ROAD RESERVES DEVELOPMENT

Neville Bishell (Property and Reserves Manager) introduced this item to obtain approval for the payment of a contribution to the Johns Road development by Amherst Developments Limited that provides a betterment to adjoining Environment Canterbury leases. A total of \$225,167 had been requested by Amherst, but there was seen to be a \$29,087 benefit to Amherst in the formation of Jet Place that had not been acknowledged by them in their request

Resolved

That the Council approve the payment to Amherst Developments Limited of \$196,080 as a contribution to the increases in services capacity and for additional roading and services provided during the development of their subdivision of Lots 5(2) and 6 Johns Road.

Cr Neill/Cr Budd

10. REGIONAL POLICY STATEMENT REVIEW

Richard Ball (Coasts, Biosecurity and Pests Manager) presented an update on the review of the RPS. He commented that feedback on the consultation process has been positive and mentioned that this review does not include the RPS matters related to the UDS implementation process.

Resolved

That Council receives the report on the Regional Policy Statement Review.

Cr Budd/Cr Cunningham

11. CHAIRMAN'S REPORT

The Chairman gave a verbal report and spoke on the following matters:

11.1 Leave

The Chairman questioned the need to record the actual dates that Councillors have been granted leave, as this could raise some security issues. It was agreed that while there needs to be a process advising of the actual dates when Councillors are on leave, these dates do not need to be in the public record.

11.2 Representation Review

It was noted that there had been no appeals lodged with the Local Government Commission regarding the decision on the Representation Review.

11.3 Rates Inquiry

Sir Kerry reported that he had been part of the RAC group which made a submission to the Local Government Rates Enquiry in Wellington, and listed the points made in their submission.

11.4 David Walter resignation

The Chairman advised that David Walter, Chairman of the Taranaki Regional Council and Chair of the Regional Affairs Committee had announced his retirement.

Resolved

That the Chairman's oral report be received.

Cr Burke/Cr Budd

12. MINUTES OF MEETINGS FOR INFORMATION

12.1 CANTERBURY MAYORAL FORUM

Cr Burke presented the minutes of the Canterbury Mayoral Forum meeting held on 30 April 2007. He commented that a theme for the 6 August 2007 meeting of the Canterbury Mayoral Forum was Economic Development.

Resolved

That the minutes of the Canterbury Mayoral Forum held on 30 April 2007 be received.

Cr McKay/Cr Budd

12.2 CANTERBURY CIVIL DEFENCE AND EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE

Cr Burke presented the tabled minutes of the Canterbury Civil Defence and Emergency Management Group Joint Committee meeting held on 21 May 2007.

Resolved

That the minutes of the Canterbury Civil Defence and Emergency Management Group Joint Committee meeting held on 21 May 2007 be received.

Cr Burke/Cr McKay

13. FINANCIAL REPORTS ON COUNCIL PORTFOLIO ACTIVITIES

Mark Smith (Management Accountant) presented the financial summary of the Council's activities for the ten months ended 30 April 2007.

Resolved

That the information on the financial reports for the period ending 30 April 2007 be received.

Cr Burke/Cr Johnston

14. CHIEF EXECUTIVE'S ITEMS

Bryan Jenkins (Chief Executive) presented information on the documents sealed.

Dr Jenkins advised of the retirement of his Executive Assistant, Margaret Manson on Friday, 1 June 2007.

Resolved

(a) ***That the Chief Executive's items be received.***

Cr Burke/Cr Oldfield

(b) ***That Council conveys to Mrs Margaret Manson its sincere thanks for her years of service to Chief Executives and Councillors and extends to her its best wishes for the future.***

Cr Burke/Cr McKay

15. COUNCILLOR REPORTS EXTERNAL APPOINTMENTS/CONFERENCE/ SEMINARS

Crs Budd, Burke and Oldfield talked on their attendance at the Accelerating Now ICLEI Oceanea Conference held in Melbourne from 2 – 5 May 2007. Conference material was made available for Councillors' information.

Cr McKay commented that Lake Pukaki levels were low.

Cr Burke made available papers from the recent Parliamentary Commissioner for the Environment seminar.

Cr Budd advised that the first meeting of the UDS Implementation Committee had been held.

Cr Burke commented that a number of Councillors had attended the recent Zone 5/6 meeting and that the minutes would be available in the near future. It was suggested that Dr George Hooper be invited to attend a future Council Workshop to update Council on the work being carried out in the energy area.

Cr Waters talked about her attendance at the recent Sustainable Business Network meeting and the Canterbury Active Network.

Cr Cunningham advised she had attended the Urban Design conference in Wellington on 4 May.

Cr Little advised of his up-coming leave of absence.

Resolved

That the reports be received.

Cr Burke/Cr Budd

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.

The meeting moved into public excluded session from 3.00 p.m.

Cr Waters left the meeting at this time.

19. MEETING WITH PUBLIC EXCLUDED

Resolved

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

- 19.1 Draft Memorandum of Understanding between Environment Canterbury/Te Runanga o Ngai Tāhu/Runanga*
- 19.2 Minutes of the 26 April and 9 May 2007 Meetings and Matters Arising*

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:

<i>General subject of each matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>19.1 Draft Memorandum of Understanding between Environment Canterbury/Te Runanga o Ngai Tāhu/Runanga</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>
<i>19.2 Minutes of the 26 April and 9 May 2007 Meetings and Matters Arising</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:

19.1 and 19.2

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

Cr Burke/Johnston

The meeting resumed in Open Meeting at 3.58 p.m.

20. NEXT MEETINGS – 20 AND 28 JUNE 2007

21. CLOSURE

The Chairperson closed the meeting at 4.00 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____