

**ENVIRONMENT CANTERBURY
REGIONAL PLANNING COMMITTEE**

**MINUTES OF THE MEETING HELD IN THE COUNCIL CHAMBER, 58 KILMORE STREET,
CHRISTCHURCH ON WEDNESDAY 13 JUNE 2007 AT 11.05AM.**

PRESENT

Crs R A Budd (Chair), T K Burke, A S Carroll, E H Cunningham, R H M Johnston, R M Kirk, R I R Little, A R McKay, A G Neill, J M Waters and W E Woods.

MANAGEMENT AND STAFF

J D Talbot (Director Policy and Planning), R Ball (Coasts, Biodiversity & Pests Policy Manager), L Kissell (Resource Management Planner), R Maw (Planning Team Leader Environmental Flow Reviews), A Willis (Senior Policy Analyst) and L M McDonald (Administration Officer).

Jeff Page (Consultant)

1. APOLOGIES

Crs J F Slee (leave of absence), M E Oldfield and N J Wagner.
Cr R M Kirk absent from 11.36am to 1.20pm.

2. MINUTES OF MEETING – 16 MAY 2007

Resolved

That the minutes of the meeting held on 16 May 2007, subject to the word “taxing” being replaced with “taxiing” in item 6, be confirmed as a true and accurate record and be adopted.

Cr Waters /Cr Little

3. MATTERS ARISING

Cr McKay thanked John Talbot for providing the information that he had requested regarding applications to take water for stock or community issues in groundwater red zones and suggested that an easier way of dealing with this be considered in the future.

Cr Johnston requested that it be recorded that it was he who had referred to the principle of compensating landowners when use of their land was restricted.

4. DEPUTATIONS AND PETITIONS

There were no deputations or petitions.

MATTERS FOR RECOMMENDATION TO THE COUNCIL

5. REVIEW OF THE REGIONAL POLICY STATEMENT

Richard Ball spoke to a powerpoint presentation that provided a summary of consultation that had been undertaken on the policy papers (reviewed by this Committee at the 14 February 2007 meeting) on Natural Hazards, Natural Features and Landscapes, and Settlement, Transport and Versatile Soils. The next step in the review process will be recommendations to this Committee before consultation with key stakeholders and then redrafted policy will be presented back to this Committee.

Cr Kirk left at 11.36 am.

NATURAL HAZARDS, SETTLEMENT, TRANSPORT AND VERSATILE SOILS

The committee considered the policy recommendations contained in the report attached to the agenda. There was discussion regarding use of the word 'guidance' particularly in relation to hazard risk levels for existing settlements, with some Councillors suggesting use of the word 'advice'.

There was support for policy that would protect versatile productive soils close to urban settlements, and consideration of buffer zones between urban and rural activities, as raised in submissions to the Urban Development Strategy.

The meeting adjourned for lunch between 12.35 and 1.20pm. Cr Kirk returned at 1.20pm.

The meeting considered an amendment to the natural hazard policy recommendation regarding risk levels for existing settlements. The amended wording sought to reflect the Council's responsibility to provide information, the role of the Territorial Authorities to give effect to this policy, and the need for the community to assess the cost and benefits of any mitigation measures.

Recommended to the Council

That the following policy directions are adopted as the basis for drafting specific provisions for the Canterbury Regional Policy Statement:

- (a) *with respect to Natural Hazards:*
 - i) *Include guidance on planning for climate change.*
 - ii) *Clarify management responsibilities between Environment Canterbury and district councils.*
 - iii) *Revise wording to clarify expectations (for example, replace phrases such as "precautionary approach" with specific outcomes expected).*
 - iv) *Incorporate guidance on acceptable risk levels for new settlements where practical.*
 - v) *Provide advice on acceptable risk levels for existing settlements but do not incorporate requirements for risk mitigation for existing settlements on the basis of risk criteria without demonstrating positive benefit-cost analysis.*
- (b) *with respect to Settlement, Transport and Versatile Soils:*
 - i) *Combine the provisions for these topics into a single chapter.*
 - ii) *Remove ineffective provisions (such as Chapter 12, Objective 5).*
 - iii) *Introduce district plan requirements in relation to re-zoning and subdivision.*
 - iv) *Incorporate provisions for the strategic integration of infrastructure and land use.*
 - v) *Incorporate provisions for the adverse effects of dispersed developments outside of urban areas.*

- vi) *Provide general support for preserving versatile soils as a separate natural resource when considering settlement.*

Cr McKay/Cr Waters

Cr Kirk abstained as he was absent for part of the discussion.

The motion was carried on a show of hands, 6 in support, 3 opposed.

The Committee then reviewed policy papers (attached to the agenda) on the following topics:

1. Waste
2. Hazardous Substances
3. Contaminated Sites
4. Air Quality

AIR QUALITY

Jeff Page introduced this paper and spoke to a powerpoint presentation that provided background and a summary of possible policy approaches for the air quality provisions.

The following points were made:

- Due to the cost of monitoring, priorities for monitoring should be established.
- Make it clear in the papers those matters that are not directly the responsibility of this Council, for example national and global issues.
- Include reference to local initiatives, for example buses using biodiesel.
- Refer to the health studies that have been undertaken in Canterbury.

Recommended to the Council

That the policy discussion paper on Air Quality be adopted, as amended, for the purpose of consultation with key stakeholders.

Cr Cunningham/Cr Carroll

WASTE PROVISIONS

Lisa Kissell introduced this paper and spoke to a powerpoint presentation on the background and policy options for the waste provisions of the Regional Policy Statement. She explained that, while practices have changed since 1998, the amount of waste produced is still increasing.

The following points were made:

- Education to change public behaviour needs to be backed with regulation to be effective.
- The lack of disposal facilities in rural areas and the cost of disposal in urban areas can force people to look at less suitable alternative methods of disposal.
- The reference to waste disposal on 'farms' should refer to 'rural properties' where appropriate.
- The value of television programmes like "Wasted" for public education and advocacy.
- Support for the proposed new policy to address waste management in rural areas.

Recommended to the Council

That the policy paper on Waste Provisions be adopted, as amended, for the purpose of consultation with key stakeholders.

Cr McKay/Cr Waters

HAZARDOUS SUBSTANCES

Lisa Kissell introduced this paper with a powerpoint presentation including background and policy options.

The following points were made:

- The current definition of hazardous substances in the Regional Policy Statement is very broad.
- Recognition of the cross over of responsibilities with Territorial Authorities and the need to work closely with them.
- Noted recent changes to the Hazardous Substances and New Organisms Act which has placed additional requirement on rural properties with regard to fuel and chemicals.

Recommended to the Council

That the policy paper on Hazardous Substances be adopted for the purpose of consultation with key stakeholders.

Cr Budd/Cr Little

CONTAMINATED SITES

Lisa Kissell introduced this paper and spoke to a powerpoint presentation, a revised list of recommendations relating to page 39 of the agenda was tabled.

The following points were made:

- For ease of use the contaminated sites provisions in the Policy Statement should be with the hazardous substances provisions.
- The need to be aware of costs to applicants for reports required on potentially contaminated sites.
- Investigation of sites that could potentially contaminate public drinking water be given priority.

Recommended to the Council

That the policy paper on Contaminated Sites be adopted for the purpose of consultation with key stakeholders.

Cr Waters/Cr Little

6. NRRP VARIATION – LAKE ELLESMERE/TE WAIHORA 1 AREA RIVERS REVIEW OF ENVIRONMENTAL FLOWS

Ray Maw introduced this report and reported back on a number of matters raised when the Council considered draft reports on the proposed variation at the Council workshop held on 29 May 2007. These included:

- While surface water A allocation is capped, existing rights can be renewed.
- The Natural Resources Regional Plan (NRRP) will provide guidelines with regard to the transfer of permits.
- Lincoln at L2 – specifically have allowed for water to be made available for community water supply.
- Looking for a regional approach to include in the NRRP the small takes that are currently not included in the NRRP.
- Provision for B blocks to protect the flow into Lake Ellesmere.

Cr Cunningham, noting that the work done by the technical panel was done in 2003, pointed out that some of the runanga representatives have changed since then. The

bed of Te Waihora is vested in Te Runanga o Ngai Tahu on behalf of the local papatipu runanga.

Ray Maw confirmed that in 2003 a technical panel was used to assess a range of instream values and recommend minimum flow levels. Membership of this panel included experts on a number of values including mahinga kai and wahi tapu. Also consultation had been undertaken in 2004 with Te Runanga O Ngai Tahu (TRONT), Wairewa and Taumutu runanga. That had been followed up with a further request for comment in 2005 on the minimum flows that have been proposed. No written response was received.

Recommended to the Council

That the Council adopt and publicly notify, in accordance with Schedule 1 of the Resource Management Act, as a Variation (to amend Schedule WQN1 of Chapter 5 of the Proposed Natural Resources Regional Plan (PNRRP)) to incorporate into the PNRRP the minimum flow and allocation regimes recommended for four river catchments draining into Lake Ellesmere/Te Waihora (Halswell River including Knights Creek, L Il River, Kaituna River and Prices Stream), and including the Resource Management Act Section 32 report, and adoption of the Community Advisory Group Report (May 2007).

1. *That a minimum flow of 150 L/s be set for Knights Creek at the Jamieson property (at or about NZMS 260 M36:738-335). This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*

That an allocation regime for Knights Creek incorporates:

- (i) *An A allocation block of 580 L/s for the period 1 October to 30 April with a minimum flow of 150 L/s; and*
- (ii) *No further permits be granted to take surface water, or groundwater with stream depletion effects greater than 1L/s, from the A allocation block applying to the period 1 October to 30 April; but permit holders may reapply for permits lawfully established prior to 1 May 2007 that have not expired for more than 6 months; and*
- (iii) *No reallocation of water freed up through consents being relinquished, or from stream depletion effects proven to be less than currently estimated, within the A allocation block for the period 1 October to 30 April shall take place; and*
- (iv) *An A allocation block of 300 L/s for the period 1 May to 30 September with a minimum flow of 150 L/s; and*
- (v) *A B allocation block of 200 L/s for the period 1 October to 30 April, with abstractions ceasing at a flow of 930 L/s.*

2. *That the following minimum flows be set for the Halswell River:*

- (i) *320 L/s at Leadleys Bridge (at or about NZMS 260 M36:744-333);*
- (ii) *350 L/s at Ryans Bridge (at or about NZMS 260 M36:731-272);*
- (iii) *450 L/s at Tobecks Bridge (at or about NZMS 260 M36:708-262); and*
- (iv) *510 L/s at Neills Road (at or about NZMS 260 M36:730-232).*

These recommendations adequately provide for the values set out in Objective WQN1 of the Proposed NRRP.

That an allocation regime for the Halswell River Creek incorporates:

- (i) *An A allocation block of 2345 L/s (including 20 L/s for community water supply and stock water requirements) for the period 1 October to 30*

- April with a minimum flow of 320 L/s at Leadleys Road Bridge, or 450 L/s at Tobecks Bridge, or 510 L/s at Neills Road; and*
- (ii) No further permits be granted to take surface water, or groundwater with stream depletion effects greater than 1L/s, from the A allocation block applying to the period 1 October to 30 April; but permit holders may reapply for permits lawfully established prior to 1 May 2007 that have not expired for more than 6 months; and*
 - (iii) No reallocation of water freed up through consents being relinquished, or from stream depletion effects proven to be less than currently shall take place; and*
 - (iv) An A allocation block of 1000 L/s for the period 1 May to 30 September with a minimum flow of 320 L/s at Leadleys Road Bridge, or 450 L/s at Tobecks Bridge, or 510 L/s at Neills Road; and*
 - (v) A B allocation block of 200 L/s for the period 1 October to 30 April, with abstractions ceasing at a flow of 3695 L/s at Ryans Bridge.*

3. *That a minimum flow of 200 L/s be set for the L II River at Moir's Property (NZMS 260 M36:692-280) This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*

That an allocation regime for the L II River at Moir's property incorporates:

- (i) An A allocation block of 290 L/s (including 110 L/s for community water supply and stock water requirements) for the period 1 October to 30 April with a minimum flow of 200 L/s; and*
- (ii) No further permits be granted to take surface water, or groundwater with stream depletion effects greater than 1L/s, from the A allocation block applying to the period 1 October to 30 April; but permit holders may reapply for permits lawfully established prior to 1 May 2007 that have not expired for more than 6 months; and*
- (iii) No reallocation of water freed up through consents being relinquished, or from stream depletion effects proven to be less than currently estimated, within the A allocation block for the period 1 October to 30 April shall take place; and*
- (iv) An A allocation block of 300 L/s for the period 1 May to 30 September with a minimum flow of 200 L/s; and*
- (v) A B allocation block of 200 L/s for the period 1 October to 30 April, with abstractions ceasing at a flow of 690 L/s.*

4. *That the minimum flow site for the lower reach of the L II River be located at the bridge on Pannetts Road at or about NZMS 260-M36: 657-234.*

That a minimum flow of 1000 L/s be set for the lower L II Rivers at Pannetts Road (NZMS 260-M36: 657-234). This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.

That an allocation regime for the L II River at Pannetts Road incorporates:

- (i) An A allocation block of 2290 L/s for the period 1 October to 30 April with a minimum flow of 1,000 L/s; and*
- (ii) No further permits be granted to take surface water, or groundwater with stream depletion effects greater than 1L/s, from the A allocation block applying to the period 1 October to 30 April; but permit holders may reapply for permits lawfully established prior to 1 May 2007 that have not expired for more than 6 months; and*
- (iii) No reallocation of water freed up through consents being relinquished, or from stream depletion effects proven to be less than currently*

- estimated, within the A allocation block for the period 1 October to 30 April shall take place; and*
- (iv) An A allocation block of 1000 L/s for the period 1 May to 30 September with a minimum flow of 1000 L/s; and*
 - (v) A B allocation block of 200 L/s for the period 1 October to 30 April, with abstractions ceasing at a flow of 4290 L/s.*

5. *That the minimum flow site for the Kaituna River is located adjacent to the Kaituna Valley Road at or about NZMS 260 M36:844-166 and the minimum flow of 60 L/s be set for the site. This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*

That an allocation regime for the Kaituna River incorporates:

- (i) An A allocation block of 70 L/s for the period 1 October to 30 April with a minimum of 60 L/s; and*
 - (ii) No further permits be granted to take surface water, or groundwater with stream depletion effects greater than 1L/s, from the A allocation block applying to the period 1 October to 30 April; and*
 - (iii) An A allocation block of 70 L/s for the period 1 May to 30 September with a minimum flow of 60 L/s; and*
 - (iv) A B allocation block made up of 125 L/s when flow exceeds 1000 L/s, 100 L/s when flow exceeds 875 L/s, 75 L/s when flow exceeds 750 L/s, 50 L/s when flow exceeds 500 L/s, and 25 L/s when flow exceeds 325 L/s.*
6. *That the minimum flow site for Prices Stream is located adjacent to the Prices Valley Road at or about NZMS 260 M36:863-149 and the minimum flow be set at 40 L/s. This recommendation adequately provides for the values set out in Objective WQN1 of the Proposed NRRP.*

That an allocation regime for Prices Stream incorporates:

- (i) An A allocation block of 20 L/s for the period 1 October to 30 April with a minimum flow of 40 L/s; and*
- (ii) An A allocation block of 20 L/s for the period 1 May to 30 September with a minimum flow of 20 L/s.*

Cr Burke/Cr Waters

7. NOTICES OF MOTION

There were no notices of motion.

8. EXTRAORDINARY AND URGENT BUSINESS

There was no extraordinary or urgent business.

9. QUESTIONS

There were no questions.

10. NEXT MEETING

The next meeting is to be held on Friday 20 July with a workshop on Wednesday 18 July.

11. CLOSURE

The meeting closed at 4 pm.

CONFIRMED

DATE _____ CHAIRPERSON _____