

Minutes of 480th meeting of the Canterbury Regional Council held in the Council Chamber, 200 Tuam Street, Christchurch on Thursday, 15 February 2018 at 11.00 am

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Present

Chair Steve Lowndes, Deputy Chair Peter Scott, Councillors David Caygill, Rod Cullinane, Elizabeth Cunningham, Tom Lambie, Claire McKay, Lan Pham, Dr Cynthia Roberts, Peter Skelton, and John Sunckell.

Management and officers present

Bill Bayfield (Chief Executive), Miles McConway (Director Finance and Corporate Services), David Perenara-O'Connell (Acting Director Strategy and Planning), Stefanie Rixecker (Director Science), Katherine Trought (Director Communications and External Relations), Catherine Schache (General Counsel), Cindy Butt (Team Leader Governance) and Louise McDonald (Committee Advisor)

Report writers and other staff were also in attendance.

Welcome

Cr Lowndes welcomed everyone to the meeting.

1. Opening karakia

David Perenara-O'Connell opened the meeting with a karakia and a poroporoaki (farewell) for David Bedford.

Councillors paid tribute to David citing his friendship, hard work, enquiring mind and people skills. He embraced collaboration with the community in particular with the Canterbury Water Management Strategy and the Air Plan.

Bill Bayfield on behalf of the staff praised David for his courage during his illness. He acknowledged David's work as a Commissioner and as Chair. He drove staff firmly but he cared and had great empathy.

2. Apology

Cr Iaeen Cranwell

3. Conflicts of interest

No conflicts of interest were declared.

4. Deputations and Petitions

There were no deputations or petitions.

Late items

Resolved

That the Council:

1. **Accepts and considers tabled document 1, the pre-circulated late item “Air Implementation – Subsidies’ as new item 8.9 on the agenda.**
2. **Accepts and considers tabled document 2, the reordered and amended recommendations for item 8.4 Consultation Document**

Cr Cunningham / Cr Pham
CARRIED

5. **Minutes**

5.1 **Council**

5.1.1 **Council Meeting held 14 December 2017** *Refer pages 9 to 21 of the agenda.*

Resolved

That the Council:

1. **Confirms and adopts as a true and correct record the minutes of the meeting held on 14 December 2017.**

Cr Scott / Cr Roberts
CARRIED

6. **Matters Arising**

There were no matters arising from the minutes.

7. **Committee Minutes**

7.1 **Standing Committees**

7.1.2 **Regulation Hearing Committee** *Refer pages 23 to 28 of the agenda.*

Cr Skelton presented this item.

Resolved

That the Council:

1. **Receives the confirmed minutes of the Regulation Hearing Committee meeting held on 7 December 2017.**
2. **Receives the unconfirmed minutes of the Regulation Hearing Committee meeting held on 1 February 2018.**

Cr Skelton / Cr Lambie
CARRIED

7.1.2 **Canterbury Water Management Regional Committee** *Refer pages 29 to 36 of the agenda*

Cr McKay presented this item.

A correction was noted to item 8.3 Braided Rivers – the word *timeframes* to be replaced with *floodlines* on page 34.

Resolved

That the Council:

1. **Receives the unconfirmed minutes of the Canterbury Water Management Strategy Regional Committee meeting held on 12 December 2017.**

Cr McKay / Cr Cullinane
CARRIED

7.2 Statutory Committees

7.2.1 Canterbury Regional Transport Committee

Refer pages 37 to 47 of the agenda

Cr Lowndes presented this item.

Resolved

That the Council:

1. **Receives the report of the meeting of the Canterbury Regional Transport Committee held on 1 December 2017.**
2. **Receives the unconfirmed minutes of the Canterbury Regional Transport Committee meeting held on 1 December 2017.**
 - 2.1 **Adopts the following recommendations from item 6.1 entitles 'Variation to Canterbury Regional Land Transport Plan' to:**
 - (a) **Notes that the following activities are proposed as a variation to the Regional Land Transport Plan**
 - a. **Waimakariri District Council LED Street Lighting Renewal Programme**
 - b. **Waimakariri District Council Increased Earthquake Funding for 2015-18 Programme.**
 - c. **Mackenzie District Council LED Street Lighting Renewal Programme for 2015-2018.**
 - (b) **Deems the requested variations to be non-significant.**
 - (c) **Agrees to vary the Regional Land Transport Plan adding the proposed activities to Appendix A 'Activities included in the Canterbury Land Transport Programme'.**

Cr Lowndes / Cr Roberts
CARRIED

7.3 Joint Committees

7.3.1 Canterbury Civil Defence and Emergency Management Group Joint Committee

Refer pages 48 to 54 of the agenda.

Cr Sunckell presented this item.

Resolved

Resolved

That the Council:

- 1. Receives the unconfirmed minutes of the Canterbury Civil Defence and Emergency Management Group Joint Committee meeting held on 1 December 2017.**

Cr Sunckell / Cr Cunningham
CARRIED

8. Matters for Council Decision

As there was no Performance, Audit and Risk Committee meeting held in February the regular reports (items 8.1, 8.2, 8.3 & 8.7) were presented directly to the Council.

8.1 2017/18 4+8 Forecasting

Refer to pages 55 to 60 of the agenda.

Miles McConway presented this report.

Resolved

That the Council:

- 1. Receives the 4+8 forecast and notes the anticipated effect upon the year end result.**

Cr Cullinane / Cr Pham
CARRIED

8.2 Financial Health Report December 2017

Refer pages 61 to 67 of the agenda.

Miles McConway presented this report.

Resolved

That the Council:

- 1. Receives the Financial Health report for the six months ended 31 December 2017.**

Cr Cullinane / Cr Scott
CARRIED

8.3 Operations Report December 2017

Refer pages 68 to 91 of the agenda.

Miles McConway presented this report.

It was noted that in the levels of services targets (page 72) that the period for public consultation on the Orari-Temuka-Opihi-Pareora Healthy Catchments Project was extended to 2 March 2018. The Zone Committee will then consider the feedback before finalising its Zone Implementation Programme Addendum.

Resolved

That the Council:

1. **Receives the monthly Financial Health report for the six months ended 31 December 2017.**

Cr Cullinane / Cr McKay
CARRIED

8.4 Consultation Document

Refer pages 92 to 119 of the agenda

Julian Tan, Audit New Zealand was welcomed to the meeting.

Miles McConway introduced this item and referred the meeting to 1. tabled document 2, the reordered and amended recommendations for item 8.4 Consultation Document.

Resolved

That the Council:

1. **Adopts for public consultation the draft Revenue and Financing Policies and the associated summary of these policies as provided in the Consultation Document (hard copy previously provided subject to minor editorial changes before the 26 February).**
2. **Resolves that the Long Term Plan (LTP) is financially prudent per section 100(2) of the Local Government Act 2002.**
3. **Adopts for public consultation the LTP supplementary information that is relied on by the content of the Consultation Document (hard copy previously provided, subject to minor editorial changes before the 26 February).**
4. **Approves the signing of the Audit representation letter (tabled at the meeting)**

Cr Cullinane / Cr Sunckell
CARRIED

The signed letter of representation for the audit of Canterbury Regional Council's Long Term Plan Consultation Document was presented to Mr Tan.

Mr Tan advised that the audit had been done and presented the audit clearance letter; 'Independent auditor's report on Canterbury Regional Council's Consultation Document for its proposed 2018-28 Long-Term Plan.'

Resolved

That the Council:

5. **Receives the audit clearance on the "Consultation on the Long Term Plan 2018-28 and the Revenue and Financing Policy", prepared in accordance with section 93C(4) of the Local Government Act 2002 (tabled at the meeting).**
6. **Adopts for public consultation the audited "Consultation Document on the Long Term Plan 2018-28 and the Revenue and Financing Policy" for public consultation as provided in Attachment 1).**
7. **Delegates the authority and responsibility for agreeing minor editorial changes and correction of minor errors to the "Consultation on the Long Term Plan 2018-28 and the Revenue and Financing Policy" to the Council Chief Executive.**

8.5 Flood Protection and Drainage Bylaw

Refer page 120 to 126 of the agenda.

Bill Bayfield presented this item and confirmed that this decision was to commence the review process. Staff will report back to the Council with proposed amendments and a consultation process.

Resolved

That the Council:

1. **Determines under section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing problems relating to the protection and effective management of flood protection and control schemes and drainage network assets owned or controlled by the Council.**
2. **Notes the staff recommendations that the overall form of the Flood Protection and Drainage Bylaw 2013 is generally appropriate but that amendments should be made to improve the substance of the Bylaw.**
3. **Determines under section 155(2)(a) of the Local Government Act 2002 that the Flood Protection and Drainage Bylaw 2013 is not the most appropriate form of bylaw.**
4. **Determines under section 155(2)(b) of the Local Government Act 2002 that the Flood Protection and Drainage Bylaw 2013 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
5. **Notes that the resolutions above (numbered 1 to 4) constitute the review of the Flood Protection and Drainage Bylaw 2013 required under the Local Government Act 2002.**
6. **Directs that staff provide to Council at a subsequent meeting:**
 - a. **proposed amendments to the Flood Protection and Drainage Bylaw 2013; and**
 - b. **recommendations on the appropriate consultation process to be undertaken.**

Cr Skelton / Cr Cunningham
CARRIED

8.6 Whakaraupo / Lyttelton Harbour Catchment Management Plan

Refer to pages 127 to 178 of the agenda.

That the Council:

1. **Approves *Whaka-Ora, Healthy harbour ki uta ki tai* – the Whakaraupō/Lyttelton harbour catchment management plan – for publication; and**
2. **Delegates Councillor Elizabeth Cunningham to sign the catchment management plan on behalf of the Canterbury Regional Council at the launch event on 7 March 2018.**
3. **Thanks Christchurch City Council, Lyttelton Port Company, Te Hapū o Ngāti Wheke (including their Tangata Tiaki) and Te Rūnanga o Ngāi Tahu (the Partners) for their contribution in bringing the Plan to this point, and look forward to partnering together for its implementation.**

Cr Skelton / Cr Roberts

CARRIED

The quality of the Plan was noted and the work done by the partners including Ngāi Tahu and Environment Canterbury staff.

8.7 **Public Transport Report**

Refer pages 179 to 183 of the agenda

Miles McConway and Edward Wright presented this item.

Resolved

That the Council:

1. **Receive the update on Public Transport Programmes**

Cr Cullinane / Cr McKay
CARRIED

8.8 **Winding up of Environment Canterbury Limited**

Refer page 184 to 186 of the agenda

Catherine Schache presented this item.

Resolved

That the Council:

1. **Resolves that Environment Canterbury Limited should be wound up on the grounds that the Company:**
 - 1.1 **Has ceased to carry on business;**
 - 1.2 **Has discharged in full its liabilities to all its known creditors; and**
 - 1.3 **Has distributed its surplus assets in accordance with the Companies Act 1993;**
2. **Authorises the Chief Executive to:**
 - 1.1 **Prepare and complete a shareholders' resolution on behalf of the Council (as sole shareholder in the Company) in the form attached to this paper;**
 - 1.2 **Obtain, prepare and submit all necessary documents to the Registrar of Companies to achieve the winding up of the Company;**
3. **Approves Miles McConway remaining as the sole director of the Company, pending its winding up and removal from the Companies Register.**

Cr Skelton / Cr Sunckell
CARRIED

8.9 **Late Item – Air Implementation Subsidies**

Refer tabled document 2

Cat White presented this item.

Resolved

That the Council:

1. Agree the use of that reserve monies being transferred to respective subsidy budgets and if required, these additional funds being used up to the maximum available.
2. Agree the transfer of \$215,000 (from the Energy Efficiency and Conservation Authority reserve), into the Timaru subsidy budget.

Cr Scott / Cr Lambie
CARRIED

9. **Exclusion of the public from part of the meeting**

Refer page 187 of the agenda.

Resolved

That the Council

1. Excludes the public from the following part of the proceedings of this meeting, namely:
 - a) Canterbury Civil Defence Emergency Management Group Joint Committee meeting 1 December 2017
 - b) Councillors leave of absence

The general subject of the matters 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:

Item No.	Report	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1.	Council minutes 19 October 2017	Good reason to withhold exists under section 7	Section 48(1)(a)
2.	Councillors leave of absence		

This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceeding of the meeting in public are as follows:

Item No.	
1	Protect information which is subject of an obligation of confidence or which any person had been or could be compelled to provide under the authority or any enactment, where the making available of the information would be likely to damage the public interest
2.	Protect the privacy of natural persons

2. That appropriate officers remain to provide advice to the Committee.

Cr Lambie / Cr Sunckell
CARRIED

The meeting went into public excluded session from 12.24 to 12.30 pm

10. **Notices of motion**

There were no notices of motion.

11. **Other Business**

There was a late item considered earlier in the meeting; item 8.9 Air Implementation Subsidies.

12. **Next meeting**

Thursday 15 March 2018

12. **Questions**

There were no questions

14. **Closing karakia**

The Chair thanked everyone for their participation and invited David Perenara-O'Connell to close the meeting with a karakia at 12.31 pm.

Confirmed

Date 15.3.18

David Perenara-O'Connell Chairperson