

Minutes of 508th meeting of the Canterbury Regional Council held in the Council Chamber, 200 Tuam Street, Christchurch on Thursday, 20 February 2020 at 11.00 am

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Present

Chair Jenny Hughey, Deputy Chair Peter Scott, Councillors Tane Apanui, Phil Clearwater, Grant Edge, Megan Hands, Ian Mackenzie, Nicole Marshall, Claire McKay, Elizabeth McKenzie, Craig Pauling, Lan Pham, Vicky Southworth and John Sunckell.

Management and officers present

Bill Bayfield (Chief Executive), Miles McConway (Director Finance and Corporate Services), Nadeine Dommissie (Chief Operating Officer), Katherine Trought (Director Strategy and Planning), Tafflyn Bradford-James (Director Communications and Engagement), Stefanie

Rixecker (Director Science), Catherine Schache (General Counsel), and Louise McDonald (Senior Committee Advisor).

Report writers and other staff were also present.

1. **Welcome, Mihi Whakatau and Karakia**

Chair Hughey opened the meeting. Cr Pauling welcomed everyone with a mihi whakatau and Cr Scott provided a karakia.

2. **Apologies**

There were no apologies.

3. **Conflicts of interest**

There were no conflicts of interest declared.

4. **Deputations and Petitions**

There were three deputations and one petition presented.

4.1 **Deputation - Waste Management NZ Resource Consent application**

Chris Hutchinson and Diane White, with other concerned Prebbleton residents, were at the meeting to express concerns about the Waste Management NZ application to discharge contaminants to the air from a waste treatment facility at Marshs Road.

Mr Hutchinson thanked the Chief Executive for attending the recent public meeting. He explained that the residents wanted protection for their air, water, children and the health of the community.

The community felt let down by the notification process as they had been denied their rights under the Resource Management Act to have a say. They wanted more information and believed that the 500-metre notification zone applied by the Council was wrong.

Diane White explained that the discharge of toxic hazards to the air would also impact on food producers in the area.

Resolved

That the Council:

1. ***receive the deputation about the Waste Management NZ resource consent application CRC194083 to discharge contaminants to air from a waste treatment facility at Marshs Road; and***
2. ***that the Chief Executive be requested to investigate the matter raised.***

Chair Hughey/Cr Marshall

CARRIED

4.2 Petition – Bromley Air Quality

Catharina van Herwaarden, with Cr Yani Johanson (Christchurch City Councillor for the Linwood Ward), presented a petition requesting fresh air for Bromley.

Ms van Herwaarden explained that she had moved to Bromley after her Burwood home was destroyed in the earthquake. She was concerned about the bad smells in the area over the last 2 years that have forced her keep her windows closed.

She tabled a petition from her community; a letter that included a log of bad odours experienced since December 2019; a letter of support from MP Ruth Dyson; and newspaper articles describing bad smells in the area.

During questions the matter of usability of the mobile application (app) for logging complaints was raised. Ms van Herwaarden explained that the App did not enable exact times to be logged and that it did not provide enough options to describe the smell. She also said that she had made thousands of phone complaints but nothing had happened.

Cr Johanson said that the problem appeared to be getting worse and encouraged the Council to apply the precautionary principle and either don't approve activities or impose conditions to deal with the risks.

Resolved

That the Council:

- 1. receive the petition regarding Bromley air quality from Catharina van Herwaarden; and**
- 2. that the Chief Executive be requested to investigate the matter raised.**

Chair Hughey/Cr Clearwater
CARRIED

4.3 Deputation – Protection of Hector's Dolphins and other species – Banks Peninsula

Genevieve Robinson spoke to a PowerPoint presentation with photographs and maps to illustrate her concerns about protection for Hector's Dolphins around Banks Peninsula. The current marine reserve did not provide protection from fishing operations for dolphins and sea birds.

Banks Peninsula is a unique landscape and was experiencing a loss of species and biodiversity.

Ms. Robinson advised that a recent Court of Appeal decision (Motiti Rohe Moana Trust) had confirmed regional councils' powers in the marine environment. Noting that the Canterbury Regional Coastal Plan was 15 years old she requested that:

- Officers report back on options for using the Motiti Island precedent for strengthening the Regional Coastal Plan in light of increased threats to ecosystems since the Plan was developed.
- Officers investigate and report back on the Coastal Plan and other roles where better protection of Hector's dolphins and other marine animals could be achieved.

Resolved

That the Council:

1. receive the deputation from Genevieve Robinson about protection of Hector's Dolphins; and
2. that the Chief Executive be requested to investigate the matter raised.

Chair Hughey/Cr Pauling
CARRIED

4.4 Deputation – Consent Conditions Living Earth

Geoffrey King explained that some of the odour in the Bromley area was caused by consent conditions not being met at the Living Earth composting operation. These included dumping of offal and the size of the windrows.

Noting the deputation from Catharina van Herwaarden, Mr King also said that he had experienced problems using the app for logging complaints.

The composting operation is on a site owned by the Christchurch City Council. He had raised concerns with both Environment Canterbury and Christchurch City

Resolved

That the Council:

1. receive the deputation from Geoffrey King regarding consent conditions at Living Earth; and
2. that the Chief Executive be requested to investigate the matters raised.

Chair Hughey/Cr Sunckell
CARRIED

5. Minutes

Refer pages 10 to 19 of the agenda

Resolved

That the Council:

1. confirms and adopts as a true and correct record the minutes of the meeting held on 12 December 2019.

Cr McKenzie/Cr Marshall
CARRIED

Resolved

That the Council:

1. confirms and adopts as a true and correct record the minutes of part of the meeting, held with the public excluded, on 12 December 2019.

Cr Scott/Cr Pham
CARRIED

6. Matters Arising

There were no matters arising from the minutes.

7. Committee Reports

7.1 Standing Committees

7.1.2 Regulation Hearing Committee

Refer pages 21 to 25

Cr McKay presented this item and advised that the minutes from the meetings held on 12 December 2019 had been confirmed at the committee meeting held on 13 February 2020.

Resolved

That the Council:

- 1. receives the confirmed minutes of the Regulation Hearing Committee meeting held on 12 December 2019.**

Cr McKay/Cr Edge
CARRIED

7.1.2 Canterbury Water Management Strategy Regional Committee

Refer pages 26 to 34 of the agenda

Resolved

That the Council:

- 1. receives the unconfirmed minutes of the Canterbury Water Management Strategy Regional Committee meeting held on 10 December 2019.**

Cr McKay/Cr Pauling
CARRIED

7.1.2 Canterbury Civil Defence and Emergency Management

Refer pages 35 to 42 of the agenda.

Resolved

That the Council:

- 1. receives the unconfirmed minutes of the Canterbury Civil Defence and Emergency Management Group Joint Committee meeting held on 29 November 2019.**

Cr Sunckell/Cr McKay
CARRIED

8. Matters for Council Decision

8.1 Draft Annual Plan 2020/21 Engagement

Refer to pages 43 to 45 of the agenda plus the draft Plan circulated separately

Councillors thanked all the staff for the work done on the draft Annual Plan.

While the tension between the organisation having adequate resources and meeting government requirements against increasing rates was acknowledged, there was concerns raised about the proposed rate increase of 9.8%.

While the draft plan was out for public engagement it was requested that staff continue to review expenditure and look at alternative funding sources.

It was noted that this Council had critical work to do on biodiversity, biosecurity, climate change and public transport.

Councillors encouraged the community to look at the draft Plan and provide feedback.

Resolved

That the Council:

- 1. approves the draft Annual Plan 2020/21 for use in the engagement process**
- 2. delegates to the Council's Chief Executive the authority and responsibility for agreeing any minor editorial changes and correction of minor errors to the draft 2020/21 Annual Plan ahead of the engagement period.**

Cr Sunckell/Cr Pham

CARRIED

Cr Hands voted against the recommendation

Cr Marshall abstained

8.2 Streamlined Planning Process – Chapter 6 Canterbury Regional Policy Statement Proposed Change

Refer pages 46 to 54 of the agenda

Resolved

That the Council acting under section 34A of the Resource Management Act 1991:

- 1. Delegates to the Chief Executive the functions, powers and duties under Clause 5 of Schedule 1 of the Resource Management Act 1991 to publicly notify the Proposed Change to Chapter 6 of the Canterbury Regional Policy Statement for written submissions following receipt of the Minister for the Environment's Direction to use the streamlined planning process.**
- 2. Delegates to the Chief Executive all functions, powers and duties under the Resource Management Act 1991 necessary to act in accordance with the Minister's Direction, including to:**
 - 2.1 Direct the preparation of a recommendations report showing how submissions have been considered and the changes (if any) recommended to the Proposed Change; and**
 - 2.2 Submit the final report to the Minister but excluding the power to appoint an independent commissioner to peer review the report, if required by the Minister's Direction.**

Cr Hands/Cr Clearwater

CARRIED

8.3 Retrospective Approval of Environment Canterbury Submissions

Refer pages 55 to 78 of the agenda.

Resolved

That the Council:

- 1. approves retrospectively the attached submission on:**
 - a. Ministry for the Environment proposals for a more effective landfill levy**
 - b. the Land Transport (NZTA) Legislation Amendment Bill**
 - c. the Land Transport (Rail) Legislation Bill**
 - d. the Urban Development Bill**

Cr Scott /Cr Clearwater
CARRIED

8.4 Biosecurity Advisory Group Membership

Refer pages 79 to 81 of the agenda

It was noted that a recommendation on the appointments to the Biosecurity Advisory Group Councillor Working Group will made to the next Council meeting.

Resolved

That the Council:

- 1. confirms the nomination of Clinton McConchie as a Papatipu Rūnanga representative on the North Canterbury Biosecurity Advisory Group;**
- 2. confirms the following nomination of Territorial Authority representatives:**
 - 2.1 Cr Vince Daly (Hurunui District Council) to represent Territorial Authorities on the North Canterbury Biosecurity Advisory Group**
 - 2.2 Cr Bob Mugford (Selwyn District Council) to represent Territorial Authorities on the Central Canterbury Biosecurity Advisory Group**
 - 2.3 Cr Jeff Bland (Selwyn District Council) to represent Territorial Authorities on the Christchurch and Banks Peninsula Biosecurity Advisory Group**
 - 2.4 Cr Anne Munro (Mackenzie District Council) to represent Territorial Authorities on the South Canterbury Biosecurity Advisory Group.**
- 3. appoints Environment Canterbury Councillors as establishment Chairs:**
 - 3.1 Cr Grant Edge as establishment Chair for the North Canterbury Biosecurity Advisory Group**
 - 3.2 Cr Ian Mackenzie as establishment Chair for the Central Canterbury Biosecurity Advisory Group**
 - 3.3 Cr Lan Pham as establishment Chair for the Christchurch and Banks Peninsula Biosecurity Advisory Group**
 - 3.4 Cr Elizabeth McKenzie as establishment Chair for the South Canterbury Biosecurity Advisory Group.**

- 4 approves the establishment of, and delegates to, a Biosecurity Advisory Councillor Working Group the power to:
- 4.1 consider applications for membership from community candidates in accordance with the Biosecurity Advisory Group Terms of Reference and to appoint Community Members; and
 - 4.2 confirm the Papatipu Rūnanga representative(s) nominated by the relevant Papatipu Rūnanga within the area (noting that Resolution 1 confirms the appointment of the Papatipu Rūnanga representative for one of the four Biosecurity Advisory Groups); and
 - 4.3 confirm any future Territorial Authority representative(s); and in accordance with the Biosecurity Advisory Group Terms of Reference.

Cr Scott/Cr Pauling
CARRIED

9 **Other Business**

There was no other business.

10. **Notices of motion**

There were no notices of motion.

11. **Questions**

There were no questions.

12. **Next meeting**

The next meeting will be held on Thursday 12 March 2020.


13. **Closing karakia**

The Chair thanked everyone for their participation and invited Cr Pauling to close the meeting with a karakia at 1.00pm.

CONFIRMED

Date

12/03/2020



Chair