

Agenda 2021

Council Meeting

Date: Thursday, 26 August 2021

Time: 10.30am

Venue: Council Chamber, 200 Tuam Street, Christchurch, or Virtual
– subject to COVID-19 Lockdown situation



Membership

Chair	Cr Jenny Hughey
Deputy Chair	Cr Peter Scott
Membership	Cr Tane Apanui Cr Phil Clearwater Cr Grant Edge Cr Megan Hands Cr Ian Mackenzie Cr Nicole Marshall Cr Claire McKay Cr Elizabeth McKenzie Cr Craig Pauling Cr Lan Pham Cr Vicky Southworth Cr John Sunckell
Tumu Taiao	Yvette Couch-Lewis Iaeon Cranwell

Council Meeting

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- 1. Mihi/Karakia Timatanga - Opening**
- 2. Apologies**
- 3. Conflicts of Interest**

4. Public Forum, Deputations and Petitions

Public Forum

1. Ben Manson and Harry Millar - Challenges and realities Banks Peninsula landowners face when exploring dedicating land to native forest regeneration
2. Nichola Wilkie - Would like to speak as Tohanga

5. Minutes

Minutes of 530th meeting of the Canterbury Regional Council held in the Council Chamber, 200 Tuam Street, Christchurch, on Thursday, 5 August 2021 at 10.34am

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2. Apologies
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4. Public Forum, Deputations and Petitions
5. Minutes
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7. Committee Reports
 - 7.1 Standing Committees
 - 7.1.1 Regulation Hearing Committee
 - 7.1.2 Transport and Urban Development Committee
8. Matters for Council Decision
 - 8.1 Hurunui Waiau Uwha Zone Committee and the new Hurunui Water and Land Committee – Update
 - 8.2 Audit New Zealand – Annual Report Audit Plan and Long-Term Plan 21-31 Report
9. Exclusion of the Public from part of the Council meeting
10. Other Business
11. Notices of Motion
12. Questions
13. Next Meeting
14. Mihi/Karakia Whakamutunga – Closing

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.

Ngā Tumu Taiao: Yvette Couch-Lewis and laean Cranwell

Management and officers present

Stefanie Rixecker (Chief Executive), David Perenara-O'Connell (Acting Director Strategy & Planning), Katherine Trought (Acting Director Finance and Corporate Services), Katherine Harbrow (Director Operations), Tafflyn Bradford-James (Director Communication and Engagement), Tim Davie (Director Science), Catherine Schache (General Counsel), Catherine McMillian (Chief Financial Officer), Stewart Gibbon* (General Manager Public Transport), and Vivienne Ong (Committee Advisor).

** attended virtually via MS Teams*

Report Writers and other staff were also present.

1. **Mihi/Karakia Timatanga – Opening**

Chair Jenny Hughey opened the meeting. Councillor Craig Pauling welcomed everyone with a mihi whakatau, and Tumu Taiao laean Cranwell provided a karakia.

2. **Apologies**

Councillor Lan Pham gave an apology for early departure.

3. **Conflicts of interest**

No conflicts of interest were declared.

4. **Public Forum, Deputations and Petitions**

Public Forum

- 4.1 **Penny Carnaby** and **Kate Whyte** gave a presentation on how the Banks Peninsula Conservation Trust (the 'Trust') worked with landowners and the wider community to promote the conservation and enhancement of indigenous biodiversity and sustainable land management on Banks Peninsula.

An overview of Environment Canterbury successful individually funded projects was presented. Penny proposed the Trust enter into a three-year agreement with Environment Canterbury for bulk funding. Bulk funding would enable extra staffing capacity increasing the number of habitat protection covenants and delivery of landowner education programmes.

It was noted there were currently 21 unfunded covenant projects, and 41 expressions of interest.

RESOLVED:

That the Council:

1. **receives the Public Forum matter on 'Banks Peninsula Conservation Trust' from Penny Carnaby**
2. **refers the matter to the Chief Executive to reply.**

Cr Megan Hands/Cr Ian Mackenzie
CARRIED

Councillor Lan Pham left the meeting at 11.14am

- 4.2 **Axel Downard-Wilke** spoke on the subject of 'near-future transport opportunities', suggesting:

1. Change free on street parking to paid parking where demand exceeds 80 per cent; put resulting finance back into public transport improvements.
 - In retail areas it would promote better utilisation of parking, eg changes from workers parking all day, to potential customer parking.
2. Zone Zero central city area promoting free central city public transport rides for MetroCard holders. Introduce double-decker buses.
3. Develop further bus priority infrastructure creating service reliability satisfaction for customers.

RESOLVED:

That the Council:

1. receives the Public Forum matter on 'Near future transport opportunities' from Axel Downard-Wilke
2. refers the matter to the Chief Executive to reply.

Cr Vicky Southworth/Cr Craig Pauling
CARRIED

5. **MINUTES**

Refer page 7 of the agenda.

RESOLVED

That the Council:

1. confirms and adopts as a true and correct record the minutes of the meeting held on 8 July 2021.

Chair Jenny Hughey/Cr Grant Edge
CARRIED

6. **Matters Arising**

Public Forums

The Chief Executive, Stefanie Rixecker, reported back to Council on the public forum matters that had been presented to Council.

- Ines Stäger and Nicky Snoyink of Forest and Bird "*Introduced Browsers and Forest Collapse*". A response has been given addressing recommendations made in the presentation, and the high value Council places on working collaboratively with partners.
- Roger Bray regarding mid-Canterbury flood event. Staff were in the process of collating a thorough response noting there was an ongoing conversation with all parties and communities working together.

7. **Committee Reports**

7.1 **Standing Committees**

7.1.1 Regulation Hearing Committee

Refer page 16 of the agenda.

Tumu Taiao Couch-Lewis presented this item.

RESOLVED:

That the Council:

- 1. receives the unconfirmed minutes of the Regulation Hearing Committee meeting held on 8 July 2021.**

Cr Claire McKay/Cr Grant Edge
CARRIED

7.1.2 Transport and Urban Development Committee

Refer page 20 of the agenda.

Councillor Peter Scott introduced this item.

It was clarified that the minutes of the Canterbury Regional Transport Committee would be put to the Council meeting.

RESOLVED

That the Council:

- 1. receives the unconfirmed minutes of the Transport and Urban Development Committee meeting held on 1 July 2021.**

Cr Peter Scott/Cr Grant Edge
CARRIED

8. Matters for Council Decision

8.1 Hurunui Waiau Uwha Zone Committee and the new Hurunui Water and Land Committee - Update

Refer page 28 of the agenda.

Regarding the disestablishment of the Hurunui Waiau Uwha Zone Committee, Councillor Claire McKay provided background history advising it was the first zone committee established under the Canterbury Water Management strategy.

There was a strong desire to see the newly established Hurunui Water and Land Committee succeed.

RESOLVED

That the Council:

- 1. discharges the Hurunui Waiau Uwha Zone Committee as a joint committee of Environment Canterbury and Hurunui District Council**

Cr Claire McKay/Cr Phil Clearwater
CARRIED

Councillors acknowledged and thanked the staff from Environment Canterbury and Hurunui District Council for their commitment.

RESOLVED

That the Council:

- 2. acknowledges the significant contributions of past and present members of the Hurunui Waia Uwha Zone Committee in addressing water management priorities in the Hurunui Waiau Uwha Zone over the tenure of this committee**

Cr Claire McKay/Cr Phil Clearwater
CARRIED

Councillors acknowledged and thanked all the community members over the years for their contributions.

RESOLVED

That the Council:

- 3. agrees to work with the Hurunui District Council, Te Rūnanga o Kaikōura, and Te Ngāi Tūāhuriri Rūnanga in the co-design of the Hurunui Water and Land Committee as a joint committee of Hurunui District Council and Environment Canterbury**

Cr Claire McKay/Cr Phil Clearwater
CARRIED

During questioning it was clarified:

- The Long-Term Plan community engagement fund would be available to the new Hurunui Water and Land Committee.
 - Facilitation would be provided from Hurunui District Council.
 - It was envisaged that mana whenua would have a strong involvement with the new committee.
- 4. appoints a Councillor to be the Environment Canterbury representative for the co-design of the Hurunui Water and Land Committee.**

Cr Claire McKay/Cr Phil Clearwater

Councillors felt it was essential that Tumu Taiao be engaged in the co-design of the Hurunui Water and Land Committee.

An amendment was moved by Chair Jenny Hughey, seconded by Councillor Grant Edge.

4. **appoints Councillor Craig Pauling to work with Tumu Taiao laean Cranwell to be the Environment Canterbury representatives for the co-design of the Hurunui Water and Land Committee**

Chair Jenny Hughey/Cr Grant Edge

The amendment was CARRIED and became part of the substantive motion

8.2 **Audit New Zealand – Annual Report Audit Plan and Long-Term Plan 21-31 Report**

Refer page 32 of the agenda

Catherine McMillan introduced this item advising Audit New Zealand had communicated they were experiencing significant resourcing issues (due to border closures) but were endeavouring to keep to their approval timeframes. In recognition of these issues, Parliament had extended the Audit New Zealand deadlines to receive Council audit reports. It was envisaged these delays would not interfere with statutory deadlines.

RESOLVED:

That the Council:

1. **receives the Audit New Zealand report titled “Audit Plan Canterbury Regional Council for the year ending 30 June 2021” dated 28 June 2021**
2. **receives the Audit New Zealand letter titled “Proposed audit fees for the 30 June 2021 and 30 June 2022 financial years” dated 28 June 2021**
3. **approves that the Chair of Canterbury Regional Council sign the Audit New Zealand letter titled “Proposed audit fees for the 30 June 2021 and 30 June 2022 financial years” dated 28 June 2021**
4. **receives the Audit New Zealand report on the Long-Term Plan 2021-31**
5. **acknowledges the six recommendations on pages 6 – 10 of the Audit New Zealand “Report to the Council on the audit of Canterbury Regional Council’s Long-term Plan for the period 1 July 2021 to 30 June 2031”**

Cr John Sunckell/Cr Peter Scott
CARRIED

8. **Exclusion of the Public**

Refer page 83 of the agenda.

RESOLVED

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

1. Council minutes

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	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	Good reason to withhold exists under section 7	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 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	
1.	Enable the Council holding the information to carry on, without prejudice or disadvantage commercial activities – Section 7(2)(h)

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

Chair Jenny Hughey/Cr John Sunckell
CARRIED

The meeting went into public excluded session from 11.54am to 11.56am

11. Notices of Motion

There were no notices of motion.

12. Questions

There were no questions.

13. Next meeting

The next meeting was scheduled for Thursday, 26 August 2021

13 Mihi/Karakia whakamutunga – closing

The Chair thanked everyone for their participation and invited Tumu Taiao Iaeen Cranwell to close the meeting with a karakia.

The meeting closed at 11.57am

CONFIRMED

Date _____

Chair _____

6. Matters Arising

7. Committee Reports

7.1. Standing Committees

7.1.1. Natural Environment Committee

Council report

Date of meeting	Thursday, 26 August 2021
Author	Juliet Bruce, Committee Advisor

Purpose

1. To receive the unconfirmed minutes for the Natural Environment Committee meeting held on 1 July 2021.
2. These minutes will be presented to the next meeting of the Committee for confirmation.

Recommendations

That the Council:

1. **receives the unconfirmed minutes from the meeting of the Natural Environment Committee held on 1 July 2021.**

Attachments

1. Minutes – Natural Environment Committee 1 July 2021

Minutes of inaugural meeting of the Natural Environment Committee held in the Council Chamber, 200 Tuam Street, Christchurch, on Thursday, 1 July 2021 at 10.15am

Contents

1. Mihi/Karakia Timatanga – Opening
2. Apologies
3. Conflict of Interest
4. Public Forum, Deputations and Petitions
5. Decision Items
 - 5.1 Terms of Reference/How We Work
 - 5.2 Canterbury Water Management Strategy - 2021 Targets Progress Reporting
6. Information Items
 - 6.1 Soil Conservation and Revegetation Programme
 - 6.2 Canterbury Water Management Strategy Zone Committee Refresh 2021
 - 6.3 Report on 29 – 31 May 2021 Flood
7. Notices of Motion
8. Extraordinary and Urgent Business
9. General Business
10. Questions
11. Next Meeting
12. Mihi/Karakia Whakamutunga – Closing

Present

Cr Claire McKay (Co-Chair) Councillors Tane Apanui, Phil Clearwater, Grant Edge, Nicole Marshall, Elizabeth McKenzie, Craig Pauling (Co-Chair), Lan Pham (via MS Teams), Peter Scott and Vicky Southworth

Management and officers present

Stefanie Rixecker (Chief Executive), Tim Davie (Director Science), David Perenara-O’Connell (Acting Director Strategy & Planning), Tafflyn Bradford-James (Director Communication and Engagement), Caroline Hart (Senior Strategy Manager), Jesse Burgess (Senior Strategy Manager), Judith Earl-Goulet (General Manager–Regulatory Services), Nick Daniels (General Manager–Field Operations), Toshi Hodliffe (Acting General Manager Governance), and Louise McDonald (Senior Committee Advisor).

Report writers and other staff were also present.

1. Mihi/Karakia Timatanga – Opening

Committee Co-Chair Cr McKay welcomed everyone to the inaugural meeting of the Natural Environment Committee. Committee Co-Chair Cr Pauling gave a mihi whakatau and a karakia.

2. **Apologies**

Council Chair Jenny Hughey, Tumu Taiao Yvette Couch-Lewis, Tumu Taiao laean Cranwell, Councillors Megan Hands, Ian McKenzie and John Sunckell

3. **Conflicts of interest**

No conflicts of interest were declared.

4. **Public Forum, Deputations and Petitions**

There were no public forum, deputations or petitions

5. **Decision Items**

5.1 **Terms of Reference/How We Work**

Refer pages 7 to 10 of the agenda.

It was explained that the Co-chairs would work with staff on agenda items that would include reporting on the relevant work programmes.

Clarification was sought on item 5(d) of the Committee's Terms of Reference relating to appointing hearing committees.

RESOLVED

That the Natural Environment Committee:

- 1. notes the Terms of Reference for the Natural Environment Committee adopted by Council on 29 April 2021**
- 2. notes the function of the Natural Environment Committee**
- 3. notes the connection to and scope of the Catchment Subcommittee.**

Cr Pauling/Cr Edge
CARRIED

5.2 **Canterbury Water Management Strategy Zone Committee Refresh 2021**

Refer pages 11 to 16 of the agenda

Staff presented this report with a demonstration of how the information in the Targets report will look on the Environment Canterbury web site.

Feedback from the Committee included on the Targets report included:

- Support for the move to reporting outcomes as well as reporting actions.
- Look to identifying expected timelines for anticipated improvements in nitrate levels, environmental flows and other indicators in the report.

A request was made for a review of a recent report on irrigation and water use in the Ashburton/Hinds zone.

There was a suggestion the Canterbury Water Management Strategy (CWMS) goals may need to be reviewed, particularly in the Target area of Recreation and Amenity. It was confirmed that through the Fit for Future project the CWMS Regional Committee had looked at this and agreed that this work would sit better with the zone committees.

The Committee Co-chairs would work with staff to ensure that the Committee has visibility over progress and financial performance for the work on Long-Term Plan levels of service and CWMS goals.

The Committee was advised that a workshop will be held on CWMS target reporting before it is presented to the Canterbury Mayoral Forum.

RESOLVED

That the Natural Environment Committee:

- 1. receives the Canterbury Water Management Strategy (CWMS) Targets Progress report for 2021**
- 2. approves the Canterbury Water Management Strategy (CWMS) Targets Progress Report for 2021 for sign off by the Canterbury Mayoral Forum on 20 August 2021, following a Committee workshop.**

Cr Scott/Cr Southworth
CARRIED

6. Information Items

6.1 Soil Conservation and Revegetation Programme

Refer page 17 to 24 of the agenda

Staff presented this report and acknowledged the support provided by Hurunui and Kaikōura District Councils.

In response to a question staff explained that landowners can register for the Emissions Trading Scheme if they meet the requirements.

The Committee thanked the staff for the report and expressed support for future applications to the Ministry for Primary Industries to run the programme in other areas.

RESOLVED

That the Natural Environment Committee:

- 1. receives the report on the Soil conservation and Revegetation programme.**

Cr McKay/Cr Clearwater
CARRIED

6.2 Canterbury Water Management Strategy Zone Committee Refresh 2021

Refer pages 25 to 27 of the agenda.

It was advised the appointment would be considered by the relevant territorial authorities and the Regional Council at upcoming meetings.

RESOLVED

That the Natural Environment Committee:

- 1. receives the update on the 2021 Canterbury Water Management Strategy (CWMS) Zone Committee Refresh.**

Cr Southworth/Cr Edge
CARRIED

6.3 Report on 29 – 31 May 2021 Flood

Refer pages 28 to 32 of the agenda.

Staff explained that the 1 per cent annual exceedance probability figure in the report was based on the same statistics as the per annum chance of the event occurring figures often cited for flood events. She said that work is being done on how best to explain rainfall probability. It was suggested that a comparison of the usual flow for a river against the flow during the flood event would also be useful.

The impact on the community of this event was acknowledged. The Chief Executive, staff and all those who worked on the response and recovery were thanked.

RESOLVED

That the Natural Environment Committee:

- 1. receives the 29 to 31 May 2021 flood event report.**

Cr Clearwater/Cr McKenzie
CARRIED

7. Notices of Motion

There were no notices of motion.

8. Extraordinary and Urgent Business

There was no urgent business.

9. General Business

Items for future meetings

The Co-Chair advised that the next meeting would have more of a focus on biodiversity. Members were invited to forward requests for future items to the Committee Co-Chairs.

10. Questions

There were no questions.

11. Next meeting

The next meeting was scheduled for Thursday, 23 September 2021.

12. Mihi / Karakia whakamutunga – closing

The Co-Chair thanked everyone for their participation and invited Cr Pauling to close the meeting with a karakia.

The meeting closed at 12.55pm.

CONFIRMED

Co-Chair _____

Date _____

Co-Chair _____

Date _____

7.1.2. Regional and Strategic Leadership Committee

Council report

Date of meeting	Thursday, 26 August 2021
Author	Juliet Bruce, Committee Advisor

Purpose

1. To receive the unconfirmed minutes for the Regional and Strategic Leadership Committee meeting held on Thursday, 29 July 2021.
2. These minutes will be presented to the next meeting of the Committee for confirmation.

Recommendations

That the Council:

1. **receives the unconfirmed minutes of the Regional and Strategic Leadership Committee meeting held on Thursday, 29 July 2021.**

Attachments

1. 2021 07 29 Minutes of the Regional and Strategic Leadership Committee Unconfirmed [7.1.2.1 - 5 pages]

Minutes of inaugural meeting of the Regional and Strategic Leadership Committee held in the Council Chamber, 200 Tuam Street, Christchurch on Thursday, 29 July 2021 at 10.30am

Contents

1. Mihi/Karakia Timatanga – Opening
2. Apologies
3. Conflict of Interest
4. Deputations and Petitions
5. Decision Items
 - 5.1. New contestable fund
 - 5.2. Environment Canterbury submission on the Inquiry into the Natural and Built Environment: Parliamentary Paper and exposure draft
6. Information Items
 - 6.1. Ngāi Tahu engagement – update on the local Bill
 - 6.2. Standing items – verbal Councillor updates
 - 6.3. Market Research
7. Notices of Motion
8. Extraordinary and Urgent Business
9. Questions
10. Next Meeting
11. Mihi/Karakia Whakamutunga – Closing

Present

Chair Jenny Hughey (Co-Chair)
 Councillor Peter Scott (Co-Chair)
 Councillor Craig Pauling
 Councillor Phil Clearwater
 Councillor Vicky Southworth
 Councillor John Sunckell
 Councillor Nicole Marshall

Councillor Claire McKay
 Councillor Elizabeth McKenzie
 Tumu Taiao Iaeen Cranwell*
 Councillor Lan Pham
 Councillor Grant Edge
 Councillor Ian Mackenzie

*Via MS Teams

Management and officers present

Stefanie Rixecker (Chief Executive), Tim Davie (Director Science), David Perenara-O'Connell (Acting Director Strategy and Planning), Jesse Burgess (Senior Strategy Manager), Judith Earl-Goulet (General Manager–Regulatory Services), Catherine Schache (General Counsel), Andrew Parrish (Regional Planning Manager),

Unconfirmed

Cam Smith (Acting Senior Strategy Manager), Olivia Cook (Principal Strategy Advisor), Adrienne Lomax (Senior Strategy Advisor), Mel Ranganathan* (Principal Strategy Advisor Water), Juliet Bruce (Committee Advisor).

*Via MS Teams

1. Mihi/Karakia Timatanga – Opening

Committee Co-Chair Peter Scott welcomed everyone to the inaugural meeting of the Regional and Strategy Leadership Committee. Councillor Lan Pham gave a mihi whakatau and a karakia.

2. Apologies

Apologies were received from Councillor Megan Hands (Deputy Chair), Tumu Taiao Yvette Couch-Lewis, and Councillor Tane Apanui.

3. Conflict of Interest

There were no conflicts of interest recorded.

4. Deputations and Petitions

There were no deputations or petitions.

5. Decision Items

Before beginning the Decisions Items, the Co-Chair drew the Committee's attention to the Terms of Reference and purpose of the Committee.

The Co-Chair highlighted the fact that the non-financial reporting for this Council would come through this Committee.

5.1 New contestable fund

Refer page 8 – Regional and Strategic Leadership agenda

Staff spoke to this report and explained that the purpose of the contestable fund is to test funding requests that are currently coming in, and to use the \$100,000 that was allocated for this purpose through the Long-Term Plan. This is based on feedback from the community that it can be difficult to understand how best to access funding from the Council. Staff recommended the "Waitaha Action to Impact Fund" name.

Clarification was sought on the process and timing of applications closing from a rural perspective, the flexibility of multiyear funding, and ensuring that funding is allocated evenly across the region.

Unconfirmed

Questions were also raised about the delegation approach to decision making as in Recommendation 3, in particular whether having Councillors involved in decision making would improve transparency and accountability.

RESOLVED

That the Committee:

1. **agrees to a pilot contestable funding round for 2021/22, to support the strategic direction of Environment Canterbury**
2. **agrees that the applications be accepted from early August for a period of at least six weeks**
3. **agrees that existing processes for receiving and assessing requests for funding be used for the 2021/22 pilot round**
4. **notes that feedback will be sought from staff and community organisations on these processes and Councillors will be asked to provide direction on establishing an enduring approach for 2022/23 onwards**
5. **agrees that name for the new contestable fund be the Waitaha Action to Impact fund.**

Chair Hughey/Cr McKay
CARRIED

5.2 Environment Canterbury submission on the Inquiry into the Natural and Built Environment: Parliamentary Paper and exposure draft

Refer page 25 – Regional and Strategic Leadership agenda

Staff spoke to this report and explained that staff are recommending that the Council Chair can submit the Environment Canterbury submission on the Natural and Built Environment Bill. Staff were able to take questions of clarification. Staff briefly spoke to the process used to draft the Bill and the process of drafting Environment Canterbury's submission on the Bill.

The submission process on the Inquiry closed on 4 August 2021. Submissions then opened on the whole content of the Bill.

There was a question of clarification about the Bill's purpose in supporting resource management reform objectives. It was acknowledged that the legislation needed cohesion as to these objectives.

MOTION

That the Committee:

1. receives the draft submission points on the exposure draft of the Natural and Built Environments Bill; and
2. delegates authority to the Council Chair to approve the final submission.

An amendment was moved by Cr Mackenzie and seconded by Cr McKay.

That point two (2) of the above motion be amended by adding "and Deputy Chair" ie:

2. *delegates authority to the Council Chair and Deputy Chair to approve the final submission.*

The amendment was CARRIED

This became part of the substantive motion.

RESOLVED

That the Committee:

- 1. receives the draft submission points on the exposure draft of the Natural and Built Environments Bill; and**
- 2. delegates authority to the Council Chair and Deputy Chair to approve the final submission.**

Cr Mackenzie/Cr Pham
CARRIED

6. Information Items

6.1 Ngāi Tahu engagement – update on the local Bill

Refer page 37 – Regional and Strategic Leadership agenda

Staff spoke to this report and explained the changes in timing since the report was written. There was a delay due to Parliament recess until 3 August.

RESOLVED

That the Regional and Strategic Leadership Committee:

- 1. receives the update on the Canterbury Regional Council (Ngāi Tahu Representation) Bill.**

Cr Sunckell/Cr Southworth
CARRIED

6.2 Standing items – verbal Councillor updates

Refer page 40 – Regional and Strategic Leadership agenda

Staff spoke to this report and explained meeting processes are governed by the Local Government Official Information and Meetings Act. Verbal updates therefore do not meet the standards required by the statute, and highlighted that written reports in advance are sufficient.

The Co-Chair suggested that this advice was noted and the recommendation was left on the table as follows:

Motion

That the Regional and Strategic Leadership Committee:

- 1. receives the reports concerning engagement with key stakeholders.**

Cr Scott/Cr Pauling
CARRIED

6.3 Market Research

Refer page 41 – Regional and Strategic Leadership agenda

Staff presented this paper and explained that community engagement processes have been reviewed over the past several years. This response was due to the feedback we have received from the community and to the Levels of Service the Council sought to achieve.

RESOLVED

That the Regional and Strategic Leadership Committee:

- 1. notes the report on current and future approaches to market research.**

Cr Southworth/Cr Mackenzie
CARRIED

7. Notices of Motion

There were no notices of motion.

8. Extraordinary and urgent business

There was no extraordinary or urgent business.

9. Next meeting

The next meeting was scheduled for Thursday, 9 September 2021.

10. Closure

The meeting closed at 11.58am. Karakia: Councillor Pham.

CONFIRMED

Co-Chair _____ Date _____

Co-Chair _____ Date _____

8. Matters for Council Decision

8.1. Plan Changes 7 and 2 extension to timeframe

Council report

Date of meeting	26 August 2021
Author	Andrew Parrish and Catherine Schache
Responsible Director	David Perenara-O'Connell

Purpose

1. To seek a Council decision to amend the application to the Minister for the Environment (Minister) for an extension of time within which the Council must make its decision on proposed Plan Change 7 (PC7) to the Canterbury Land and Water Regional Plan (LWRP) and proposed Plan Change 2 (PC2) to the Waimakariri River Regional Plan (WRRP), in accordance with clause 10A of Schedule 1 to the Resource Management Act 1991 (the Act) (and to delegate to the Chief Executive the necessary powers to seek such an extension).

Recommendations

That the Council:

1. Resolves to amend the application to the Minister for the Environment for an extension of the time (from 20 October 2021 to 11 November 2021) for giving a decision on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan and proposed Plan Change 2 to the Waimakariri River Regional Plan under clause 10 of Schedule 1 to the Resource Management Act 1991, in accordance with clause 10A of Schedule 1 to the Resource Management Act 1991;
2. Delegates to the Chief Executive any necessary powers to amend the application to the Minister for the Environment for an extension under recommendation 1, and to make further amendments to the application, including to the date of the extension, if such amendments are considered necessary to allow sufficient time for Council to consider the implications of the OVERSEER® reports;
3. Notes that the Council has taken into account:
 - 3.1. The interests of any person who, in its opinion, may be directly affected by an extension; and
 - 3.2. The interests of the community in achieving adequate assessment of the effects of proposed Plan Change 7 to the Canterbury Land and Water

Regional Plan and proposed Plan Change 2 to the Waimakariri River Regional Plan; and

3.3. Its duty under section 21 of the Resource Management Act 1991 to avoid unreasonable delay.

Key points

2. On 8 July 2021 the Council resolved to apply to the Minister for the Environment for an extension of the time for giving a decision on proposed PC7 to the LWRP and proposed PC2 to the WRRP¹. The relevant report from the Council meeting on 8 July is attached.
3. The Council delegated to the Chief Executive the necessary powers to make the application to the Minister for the Environment for the extension.
4. The extension was sought because the Ministry for the Environment (Ministry) was due to release two reports in relation to the use of OVERSEER® in regulatory frameworks which may have implications for PC7 and PC2, as outlined in the Council report of 8 July 2021.
5. Following the Council resolution, the Chief Executive made the application to the Minister for the extension. A three-month extension until 20 October 2021 was requested (being three months from 20 July 2021 which was the original date by which Council was required to notify the decision on PC7 and PC2).
6. Officials have reviewed the application for the timeframe extension and have requested additional information about the application, including additional details about the three-month timeframe requested.
7. The request for a three-month extension until 20 October 2021 was based on the understanding that the OVERSEER® reports would be released on or about 19 July 2021. The release of the reports was delayed, and they were not released until 11 August 2021.
8. As a result of the delays in the release of the reports, the three-month extension that was originally sought will no longer allow sufficient time for Council to consider the implications of the OVERSEER® reports before making a decision on PC7 and PC2 and notifying that decision.
9. Given the delay in the release of the reports, it is recommended that Council amends the application for an extension and requests an extension until 11 November 2021 (i.e., three months from the date of the release of the OVERSEER® reports).

Background

¹ Under clause 10 of Schedule 1 to the Resource Management Act 1991, in accordance with clause 10A of Schedule 1 to the Resource Management Act 1991

10. The reasons for the extension request are outlined in the Council report of 8 July 2021. Given that the release of the OVERSEER® reports by the Ministry was delayed, an amendment to the application is now recommended to allow time for Council to understand the implications, if any, of those reports, before making and notifying a decision on PC7 and PC2.
11. Before amending the request for extension, the Council has taken into account:
 - a. The interests of any person who, in its opinion, may be directly affected by an extension; and
 - b. The interests of the community in achieving adequate assessment of the effects of PC7 to the LWRP and PC2 to the WRRP; and
 - c. Its duty under section 21 of the RMA to avoid unreasonable delay.
12. Each consideration is addressed below.

Interests of persons directly affected by the extension

13. Persons directly affected by the extension are likely those who submitted on PC7 and PC2.
14. Submitters have an interest in the timely notification of the Council's decision on PC7 and PC2, but they also have an interest in that decision in ensuring that the Council can consider whether there are any potential implications for PC7 associated with the Science Advisory Panel and OVERSEER® Expert Advisory Group reports.

Interests of the community in achieving adequate assessment of the effects of PC7 and PC2

15. As discussed under the previous heading, submitters and the wider community have an interest in that decision, in considering whether there are any potential implications associated with the Science Advisory Panel and OVERSEER® Expert Advisory Group reports.
16. This is particularly so, in the light of the extensive community engagement in both PC7 and PC2.

Duty to avoid unreasonable delay

17. A three-month delay after the release of the OVERSEER® reports is not unreasonable, given that it is currently unclear what the implications for the Council will be with respect to the provisions of PC7 which refer to OVERSEER®.

Cost, compliance and communication

Financial implications

18. Seeking an amendment to the request for an extension to the timeframe for making decisions on PC7 and PC2 will have no direct financial implications.

Risk assessment and legal compliance

19. Seeking an amendment to the request for an extension to the timeframe under clause 10A of Schedule 1 to the Act will ensure that the Council is complying with the relevant statutory requirements.

20. Engagement, Significance and Māori Participation

21. The interests of persons directly affected by the amendment and the interests of the community have been assessed above.
22. PC7 and PC2 were extensively consulted on both through the development of the Zone Implementation Programme Addendum and the formal resource management submission and hearing process required under Schedule 1 of the Act. The amendment to the extension which the Council is seeking through this process preserves the public's right to engage on appeals in the High Court on points of law which is enabled under the Environment Canterbury (Transitional Governance Arrangements) Act 2016.
23. Prior to the release of the reports discussion with Te Rūnanga o Ngāi Tahu and Rūnanga representatives was limited to advising them of the request for the timeframe extension. Te Rūnanga o Ngāi Tahu and Rūnanga representatives have now been advised that the reports have been released.

Communication

24. The Hearing Panel appointed to hear submissions and evidence on PC7 and PC2 and make recommendations to the Council regarding those has been advised, at a high-level, of the extension application. All submitters to PC7 and PC2 have also been advised of the extension application. Further advice will be provided to the Hearing Panel and submitters once the outcome of the application for an extension is known and if the Minister grants an extension the Council will give public notice of that extension².

Next steps

25. If the Council accepts the staff recommendation, the Chief Executive will reply to the Ministry, and request that the extension be amended to three months from the date the OVERSEER® reports were released (i.e., until 11 November 2021).

² In accordance with clause 10A(6) of Schedule 1 to the Resource Management Act 1991.

Attachments

A copy of the report to Council on 8 July 2021 is attached.

Legal review	
Peer reviewers	[Names of two peer reviewers who have reviewed this paper]

1.3. Planning Matter

Council report

Date of meeting	8 July 2021
Author	Andrew Parrish
Responsible Director	David Perenara-O'Connell

Purpose

1. To seek a Council decision to apply to the Minister for the Environment (Minister) for an extension of time within which the Council must make its decision on proposed Plan Change 7 (PC7) to the Canterbury Land and Water Regional Plan (LWRP) and proposed Plan Change 2 (PC2) to the Waimakariri River Regional Plan (WRRP), in accordance with clause 10A of Schedule 1 to the Resource Management Act 1991 (the Act) (and to delegate to the Chief Executive the necessary powers to seek such an extension).

Recommendations

That the Council:

1. Resolves to apply to the Minister for the Environment for an extension of the time (to 20 October 2021) for giving a decision on proposed Plan Change 7 (PC7) to the Canterbury Land and Water Regional Plan (LWRP) and proposed Plan Change 2 (PC2) to the Waimakariri River Regional Plan (WRRP) under clause 10 of Schedule 1 to the Resource Management Act 1991, in accordance with clause 10A of Schedule 1 to the Resource Management Act 1991;
2. Delegates to the Chief Executive any necessary powers to make the application to the Minister for the Environment for an extension under recommendation 1; and
3. Notes that the Council has taken into account:
 - 3.1. The interests of any person who, in its opinion, may be directly affected by an extension; and
 - 3.2. The interests of the community in achieving adequate assessment of the effects of proposed Plan Change 7 to the Canterbury Land and Water Regional Plan and proposed Plan Change 2 to the Waimakariri River Regional Plan; and
 - 3.3. Its duty under section 21 of the Resource Management Act 1991 to avoid unreasonable delay.

Key points

2. PC7 and PC2 were notified on 20 July 2019;
3. The Council must give its decision on PC7 and PC2 pursuant to clause 10 of Schedule 1 to the Act within two years of PC7 and PC2 being notified (i.e., before 20 July 2021);
4. The Ministry will shortly release two reports (being a report of the Science Advisory Panel and a report of the OVERSEER® Expert Advisory Group) in relation to the use of OVERSEER® in regulatory frameworks;
5. Some of the provisions of PC7 to the LWRP rely on OVERSEER® and as such, the reports may have implications for PC7;
6. The reports are not currently publicly available and Council staff have not been authorised to disclose or discuss these reports with Councillors in any detailed way, so it is not possible for the Council to consider whether there are any implications for PC7 at this time;
7. As a result, more time is required for the Council to consider whether there are any implications for PC7 to the LWRP and accordingly the Council is unable to give its decision on PC7 and PC2 within the two-year timeframe required by the Act;
8. It is necessary to apply to the Minister for an extension to the two-year timeframe, pursuant to clause 10A of Schedule 1 to the Act;
9. This application has been prepared on the basis that an extension of three months (i.e., until 20 October 2021) will be sufficient; and
10. In seeking an extension, the Council must take into account:
 - a. The interests of any person who, in its opinion, may be directly affected by an extension; and
 - b. The interests of the community in achieving adequate assessment of the effects of PC7 to the LWRP and PC2 to the WRRP; and
 - c. Its duty under section 21 of the Act to avoid unreasonable delay.

Background

11. The Council notified PC7 and PC2 on 20 July 2019 and appointed an Independent Hearing Panel (consisting of David Sheppard, QSO (Chairman and former Principal Environment Judge), Robert van Voorthuysen and Raewyn Solomon), to which it delegated the necessary powers to hear public submissions and evidence on PC7 and PC2 and to make recommendations to the Council in respect of those submissions. Significantly, a number of provisions in PC7 to the LWRP refer to OVERSEER®.

12. The Act requires councils to give their decision on a plan change within two years of the proposed change being notified. Accordingly, the Council must notify its decision on PC7 to the LWRP and PC2 to the WRRP before 20 July 2021 to meet this statutory timeframe.
13. The Hearing Panel heard from submitters over five non-consecutive weeks between September and December 2020 and heard from the Council's officers in reply, on 26 February 2021. Having considered all of the submissions and evidence, the Hearing Panel has now completed its recommendations with respect to PC7 and PC2.
14. However, information regarding the use of OVERSEER® in regulatory frameworks has come to light in recent weeks, and the upcoming public release of this information will coincide with the Council's decision-making timeframes for PC7 and PC2.

Whole-model peer review of OVERSEER®

15. In late May 2021, Council staff were informed that the Ministry will soon release two reports (being a report of the Science Advisory Panel and a report of the OVERSEER® Expert Advisory Group) in relation to the use of OVERSEER® in regulatory frameworks.
16. Council staff understand that these reports will be released in July 2021, alongside a Government response, which is yet to be decided. Given this, it is currently unclear what the implications for the Council will be, particularly with respect to the provisions of PC7 which, as signalled above, refer to OVERSEER®.
17. While the provisions of PC2 to the WRRP do not refer to OVERSEER®, PC2 seeks to amend the area to which the WRRP applies in direct response to changes that are advanced over that same area by PC7 to the LWRP. It is therefore necessary for decisions to be made on both PC7 to the LWRP and PC2 to the WRRP at the same time, to avoid any policy gap in that specific area.

Application for extension

18. Clause 10A of Schedule 1 to the Act provides, relevantly, that a local authority must apply to the Minister for an extension of the time for giving a decision under clause 10(4)(a) of Schedule 1 to the Act if the local authority is unable, or is likely to be unable, to meet the two year timeframe prescribed in the Act.
19. As set out above, the Council must notify its decision on PC7 to the LWRP and PC2 to the WRRP before 20 July 2021.
20. Given the impending release of reports regarding the use of OVERSEER® in regulatory frameworks (which are not currently publicly available and which Council staff have not been authorised to disclose or discuss with Councillors in any detailed way), and noting that provisions of PC7 specifically refer to OVERSEER®, the Council is unable to meet the requirements of clause 10(4)(a) of Schedule 1 to the Act (i.e., the two-year timeframe).

21. An extension of three months (i.e., until 20 October 2021) is considered sufficient to allow the Council to consider whether they have any implications for PC7.
22. Before applying for this extension, the Council must take into account:
 - a. The interests of any person who, in its opinion, may be directly affected by an extension; and
 - b. The interests of the community in achieving adequate assessment of the effects of PC7 to the LWRP and PC2 to the WRRP; and
 - c. Its duty under section 21 of the RMA to avoid unreasonable delay.
23. Each consideration is addressed below.

Interests of persons directly affected by the extension

24. Persons directly affected by the extension are likely those who submitted on PC7 and PC2.
25. Submitters have an interest in the timely notification of the Council's decision on PC7 and PC2, but they also have an interest in that decision in ensuring that the Council can consider whether there are any potential implications for PC7 associated with the Science Advisory Panel and OVERSEER® Expert Advisory Group reports.

Interests of the community in achieving adequate assessment of the effects of PC7 and PC2

26. As discussed under the previous heading, submitters and the wider community have an interest in that decision, in considering whether there are any potential implications associated with the Science Advisory Panel and OVERSEER® Expert Advisory Group reports.
27. This is particularly so, in the light of the extensive community engagement in both PC7 and PC2.

Duty to avoid unreasonable delay

28. A three-month delay is not unreasonable, given that it is currently unclear what the implications for the Council will be with respect to the provisions of PC7 which refer to OVERSEER®.

Cost, compliance and communication

Financial implications

29. Seeking an extension to the timeframe for making decisions on PC7 and PC2 will have no direct financial implications.

Risk assessment and legal compliance

30. Seeking an extension to the timeframe under clause 10A of Schedule 1 to the Act will ensure that the Council is complying with the relevant statutory requirements.

Significance and engagement

31. The interests of persons directly affected by the extension and the interests of the community have been assessed above.
32. Plan Change 7 and Plan Change 2 were extensively consulted on both through the development of the Zone Implementation Programme Addendum and the formal Resource Management submission and hearing process required under Schedule 1 of the RMA. The extension which council is seeking through this process preserves the public's right to engage on appeals in the High Court on points of law which is enabled under the Environment Canterbury (Transitional Governance Arrangements) Act 2016.

Communication

33. Given the confidential nature of the information regarding the use of OVERSEER® in regulatory frameworks, communication regarding the extension application and the potential implications for PC7 has been very limited (noting the Ministry's requirements for non-disclosure agreements to be signed and prohibition on staff disclosing more information than is included in this paper).
34. However, the Hearing Panel appointed to hear submissions and evidence on PC7 and PC2 and make recommendations to the Council regarding those has been advised, at a high-level, of the extension application.

Next steps

35. If the Council accepts the staff recommendation, the Chief Executive will apply to the Minister for an extension to the time within which the Council must give its decision on PC7 to the LWRP and PC2 to the WRRP of three months (i.e., until 20 October 2021), in accordance with clause 10A of Schedule 1 to the Act.

Attachments

A copy of the draft application to the Minister is enclosed.

... July 2021

Hon David Parker, Attorney-General, Minister for the Environment, Oceans and Fisheries,
Revenue and Associate Minister of Finance
Freepost Parliament
Private Bag 18 888
Parliament Buildings
Wellington 6160

By email to: david.parker@parliament.govt.nz

Dear Minister

APPLICATION FOR EXTENSION OF TIME – CLAUSE 10A OF SCHEDULE 1 TO THE RMA

1. I am writing to you regarding the Canterbury Regional Council's upcoming decision on proposed Plan Change 7 (**PC7**) to the Canterbury Land and Water Regional Plan (**LWRP**) and proposed Plan Change 2 (**PC2**) to the Waimakariri River Regional Plan (**WRRP**).
2. Specifically, I am applying for an extension of time for the Council to give its decision on PC7 and PC2 under clause 10 of Schedule 1 to the Resource Management Act 1991 (**RMA**), pursuant to clause 10A of that Schedule.

Background to PC7 and PC2

3. The Council notified PC7 and PC2 on 20 July 2019 and appointed an Independent Hearing Panel (consisting of David Sheppard, QSO (Chairman and former Principal Environment Judge), Robert van Voorthuysen and Raewyn Solomon), to which it delegated the necessary powers to hear public submissions and evidence on PC7 and PC2 and to make recommendations to the Council in respect of those submissions. Significantly, a number of provisions in PC7 to the LWRP refer to OVERSEER®. I address this in more detail, below.
4. As you are no doubt aware, the RMA requires councils to give their decision on a plan change within two years of the proposed change being notified.¹ Accordingly, the Council must notify its decision on PC7 to the LWRP and PC2 to the WRRP before 20 July 2021 to meet this statutory timeframe.
5. The Hearing Panel heard from submitters over five non-consecutive weeks between September and December 2020 and heard from the Council's officers in reply, on 26

¹ RMA, Sch 1, cl 10(4)(a).

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February 2021. Having considered all of the submissions and evidence, the Hearing Panel has now completed its recommendations with respect to PC7 and PC2.

6. Plans were in place to brief Councillors on the process with respect to decision-making for PC7 and PC2 on 24 June 2021, and to further brief Councillors on the content of the Hearing Panel's Recommendation Report on 1 July 2021, before proceeding to making a decision on PC7 and PC2 at its meeting on 8 July 2021 with a view to notifying that decision on 17 July 2021.
7. However, information regarding the use of OVERSEER® in regulatory frameworks has come to light in recent weeks, and the upcoming public release of this information will coincide with the Council's decision-making timeframes for PC7 and PC2.

Whole-model peer review of OVERSEER®

8. In late May 2021, Council staff were informed that the Ministry for the Environment will soon release two reports (being a report of the Science Advisory Panel and a report of the OVERSEER® Expert Advisory Group) in relation to the use of OVERSEER® in regulatory frameworks.
9. Council staff understand that these reports will be released in July 2021, alongside a Government response, which is yet to be decided. Given this, it is currently unclear what the implications for the Council will be, particularly with respect to the provisions of PC7 which, as signalled above, refer to OVERSEER®.²
10. For this reason, the Council is seeking an extension of time for the Council to give its decision on PC7 and PC2 under clause 10 of Schedule 1 to the RMA, pursuant to clause 10A of that Schedule, to allow the Council to consider whether they have any implications for PC7.

Clause 10A, Schedule 1 to the RMA

11. Clause 10A of Schedule 1 to the RMA provides, relevantly, that a local authority must apply to the Minister for an extension of the time for giving a decision under clause 10(4)(a) of Schedule 1 to the RMA if the local authority is unable, or is likely to be unable, to meet the two year timeframe prescribed in the RMA.
12. As set out above, the Council must notify its decision on PC7 to the LWRP and PC2 to the WRRP before 20 July 2021.
13. Given the impending release of reports regarding the use of OVERSEER® in regulatory frameworks (which are not currently publicly available and which Council staff have not been authorised to disclose or discuss with Councillors in any detailed way), and noting that provisions of PC7 specifically refer to OVERSEER®, the Council is unable to meet the requirements of clause 10(4)(a) of Schedule 1 to the RMA.
14. Before applying for this extension, the Council has taken into account:
 - a. The interests of any person who, in its opinion, may be directly affected by an extension; and

² For completeness, I note that while the provisions of PC2 to the WRRP do not refer to OVERSEER®, PC2 seeks to amend the area to which the WRRP applies in direct response to changes that are advanced over that same area by PC7 to the LWRP. It is therefore necessary for decisions to be made on both PC7 to the LWRP and PC2 to the WRRP at the same time, to avoid any policy gap in that specific area.

- b. The interests of the community in achieving adequate assessment of the effects of PC7 to the LWRP and PC2 to the WRRP; and
 - c. Its duty under section 21 of the RMA to avoid unreasonable delay.
15. In the light of these considerations, an extension of three months (i.e., until **20 October 2021**) is considered sufficient to allow the Council to consider whether they have any implications for PC7.
16. Should you wish to discuss any aspect of this request further, please do not hesitate to contact me.
17. I look forward to your response.

Yours sincerely

Dr Stefanie Rixecker
Chief Executive

8.2. Freshwater Farm Plan submission - delegation

Council report

Date of meeting	26 August 2021
Author	Fiona Myles
Responsible Director	David Perenara-O'Connell

Purpose

1. The Ministry for the Environment (MfE) and Ministry for Primary Industries (MPI) is seeking feedback on the Freshwater Farm Plan Regulations discussion document and the Stock Exclusion Regulations: Proposed changes to the low slope map discussion document.
2. The paper asks Council to delegate authority to approve the final submission on both discussion documents to the Council Chair. This is necessary as the consultation period closes on 12 September 2021.

Recommendations

That the Council:

1. **delegates authority to the Council Chair to approve the final submission on the Freshwater Farm Plans Regulations discussion document and the Stock Exclusion Regulations: Proposed changes to the low slope map discussion document.**

Key points

3. MfE and MPI are seeking feedback on two discussion documents covering proposals for the freshwater farm plan regulations and proposed changes to low slope maps to support stock exclusion regulations. The consultation period ends on 12 September 2021.
4. A process for the development of a submission was discussed with Councillors at a briefing on Wednesday 18 August 2021, and Councillor feedback was provided on the draft submission.
5. As the Natural Environment Committee (NEC) will not meet until after the consultation period has closed, and as seeking approval from another Committee will considerably reduce submission drafting time, staff are asking for Council to delegate authority to the Council Chair to approve the final submission.

Background

6. MfE signalled the intention to develop national freshwater farm plan regulations as part of the Essential Freshwater package released in 2020. However, at this time only the regulation making power (Part 9A) in the Resource Management Act (RMA) was included in the package.
7. On 14 July 2021, a discussion document was released seeking feedback from the community on how a national freshwater farm plan system could be developed. A second discussion document was also released at this time to seek feedback on proposed changes to the low slope map, part of the stock exclusion regulations. The consultation period for both ends on 12 September 2021.
8. The Natural Environment Committee (NEC) will not meet until after the consultation has closed. Staff are therefore asking for Council to delegate authority to the Council Chair to approve the final submission. Councillors will have opportunity to inform the development of the submission in accordance with the process articulated at the briefing to council on Wednesday, 18 August 2021. This process included the following steps:
 - a. Wednesday 18 August, Council briefing (30 mins) – staff provide an overview of key themes for the submission and confirm the process that will be used for developing the submission.
 - b. 18-26 August – Staff prepare a draft submission.
 - c. Thursday 26 August, Council Meeting – the responsibility to sign off the submission is to be delegated to Chair Hughey.
 - d. Thursday 26 August – Staff (via Governance) to send the draft submission to councillors for feedback.
 - e. Monday 30 August – Staff collate feedback received from councillors.
 - f. Wednesday 1 September – Staff meet with the NEC co-chairs to discuss the draft submission and how councillor comments have been incorporated into the submission.
 - g. Thursday 9 September – Submission finalised and sign off completed by Chair Hughey.
 - h. Friday 10 September – Staff to submit the submission online.
 - i. Thursday 23 September – Submission to be tabled at NEC meeting.
9. Note that although the Regional and Strategic Leadership Committee is meeting on 9 September and could have been used to sign out the submission, this would have left very limited time for staff to collate councillor feedback and prepare the submission. Delegation of authority to Council Chair to sign out the submission (point c in the process above) will enable staff and councillors more time to consider their responses.

10. Over the past 12 months, in recognition of our experience with Farm Environment Plans (FEP) and FEP audit system, Environment Canterbury staff have been involved in a working group to provide advice to MfE and MPI as they have developed the discussion document.
11. It is important to note that the details of how the system will function have not yet been confirmed by MfE and MPI. The discussion document is therefore seeking feedback on a broad range of aspects that will help shape the design and implementation of the freshwater plan system. Although there is still a lot of uncertainty of what the final system will look like, there is an opportunity for Environment Canterbury to use this submission to influence the development process to ensure it is practical, implementable and will build on the progress made through the FEP and FEP audit programme.

Cost, compliance and communication

Financial implications

12. There are no immediate financial implications associated with the development of the submission. However, once established, the freshwater farm plan system will apply to a much higher number of farms than our current FEP system. This will have cost implications for Environment Canterbury and the community. Until the details of the regulations are known, it is difficult to quantify these implications with any certainty.

Risk assessment and legal compliance

13. There are no risks or issues of legal compliance.

Engagement, Significance and Māori Participation

14. Those farms already captured by the FEP and FEP audit processes are well placed to adapt to the new requirements of the freshwater farm plan with our support. However, permitted activity farms have not been on the same journey and it will likely take considerable engagement to get these farms ready for implementation. We will need to consider this in developing our implementation approach once the regulations are finalised.
15. Co-design with papatipu rūnanga as part of the wider approach to Essential Freshwater will provide an opportunity for Environment Canterbury to understand the short term and aspirational roles of mana whenua in the freshwater farm plan system.

Consistency with council policy

16. The proposal to delegate approval of the Council submission to the Council Chair is consistent with Council policy.

Climate Change Impacts

17. In the discussion document, MfE and MPI signal the intent that the freshwater farm plan will be integrated with systems for reporting greenhouse gas emissions, and He Waka Eke Noa. However, limited detail is provided on how or when this integration is to occur. Staff will keep a watching brief over this work to identify opportunities for aligning our existing approaches to meet additional future needs.

Communication

18. A copy of the submission will be added to the Council's website once finalised and approved by the Council Chair.

Next steps

19. Staff will continue to develop the submission in accordance with the agreed process outlined in Paragraph 8. The intent is for staff to have finalised the submission, including any councillor feedback to be signed out by the Council Chair on Thursday 9 September.

Attachments

Nil

File reference	[SharePoint link for this paper]
Legal review	
Peer reviewers	[Names of two peer reviewers who have reviewed this paper]

8.3. Climate Emergency Update

Council report

Date of meeting	26 August 2021
Author	Victoria Clare, Strategy Advisor
Responsible Director	Dr Tim Davie, Director of Science

Purpose

1. Environment Canterbury declared a climate emergency on 16 May 2019, ensuring that climate change is at the centre of the organisation's work and the Council's decision making. As part of its strategic direction, the Council has identified a transformational opportunity to 'lead climate change resilience'.
2. Councillors have requested a standing item that provides a cross-portfolio update on Environment Canterbury's climate change resilience and response work.

Recommendations

That the Council:

1. **receive the update on climate change resilience work at Environment Canterbury**

Background

3. Environment Canterbury is continuing work on climate change under the Long-Term Plan 2021-2031 by progressing the *Climate Change Resilience* programme and integrating climate change initiatives across all portfolios.
4. This update is focused on Environment Canterbury's climate related work in Regional Pest Management, within the Biodiversity and Biosecurity portfolio.
5. Climate change poses a significant direct threat to indigenous biodiversity as well as an indirect threat via impacts on changing land use and invasive species populations.

Update

6. As Council noted during the deputation from Forest & Bird (8 July Council meeting), invasive species, such as browsing mammals, have large-scale impacts on the health of native ecosystems, and can negatively impact the ability of these environments to sequester and store carbon.
7. Protection of indigenous biodiversity from invasive species through biosecurity interventions allows native ecosystems to provide climate change co-benefits more effectively, such as maintaining or increasing carbon sequestration, while increasing climate and ecological resilience.

8. The Regional Pest Management Programme works in collaborative partnership with Ngā Papatipu Rūnanga, landowners, communities, and industry to protect indigenous biodiversity, economic production and mahinga kai from harms caused by invasive plants and animals.
9. Over the last two years, Environment Canterbury has altered the focus of its biosecurity programme towards an integrated pest management approach. Understanding current and future distributions of invasive organisms combined with their risk of spread, potential impact on the regions values and how climate change may increase opportunities for these organisms to become established is increasingly important if we are to assist the community in successfully mitigating future impacts.
10. Environment Canterbury has partnered with Manaaki Whenua Landcare Research and AgResearch to conduct studies on invasive species. This research identifies species' current distributions and models the future climate suitability of species to inform pest management planning.
11. As reported in the 10 December 2020 update, in 2020 Environment Canterbury began a project researching Weed Risk in Canterbury in collaboration with AgResearch. The aim of the project is to determine the current and future modelled spread of various weed species in Canterbury under a range of potential climate adjusted scenarios.
12. This project has now identified eight high-risk weed species as part of an assessment of 30 terrestrial weed species based on:
 - weed status overseas
 - habitats invaded
 - New Zealand occurrences and proximity to Canterbury
 - dispersal pathways
 - future climate scenarios
13. Further work on the species identified as high-risk will include identification of potential impacts, spread risk, and high-risk arrival points and pathways of these species. Further collaborative work between Environment Canterbury and other Regional Councils to conduct climate niche modelling for the highest risk species is also being explored.

Attachments

{None}

Peer reviewers	Verity Halkett, Luke Carey
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9. Exclusion of the Public from Part of the Council Meeting

Council report

Meeting Date	26 August 2021
Author	Vivienne Ong, Committee Advisor

Recommendations

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

1. Chief Executive Performance Review

1. 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	Chief Executive Performance Review	Good reason exists under section 7	Section 48(1)(a)

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

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

10. Other Business

11. Notices of Motion

12. Questions

13. Next Meeting

14. Mihi/Karakia Whakamutunga - Closing