

# **Minutes of 531<sup>st</sup> meeting of the Canterbury Regional Council held via Microsoft Teams (due to COVID-19 Alert Level 4 restrictions) on Thursday, 26 August 2021 at 10.30am**

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## **Present**

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

Ngā Tumu Taiao: Yvette Couch-Lewis and Iaeen Cranwell

## **Management and officers present**

Stefanie Rixecker (Chief Executive), David Perenara-O'Connell (Acting Director Strategy and 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), Fiona Myles (Principal Strategy Advisor), and Vivienne Ong (Committee Advisor).

Report Writers and other staff were also present.

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

Tumu Taiao laean Cranwell opened the meeting with a mihi whakatau. The karakia for the day had been made at an earlier meeting.

The Chair advised that the meeting was being recorded and that the recording would be made available on the Council website.

2. **Apologies**

Cr Megan Hands

3. **Conflicts of interest**

Cr Claire McKay: Agenda Item 8.1 – Plan Changes 7 and 2 extension to timeframe.

Cr Peter Scott: Agenda Item 8.1 – Plan Changes 7 and 2 extension to timeframe.

Cr Phil Clearwater: Agenda Item 8.1 – Plan Changes 7 and 2 extension to timeframe.

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

Due to the COVID-19 Alert Level 4 restrictions, no public forum, deputations, or petitions were presented to Council.

5. **MINUTES**

*Refer page 8-14 of the agenda.*

**5 August 2021**

**RESOLVED**

**That the Council:**

- 1. confirms and adopts as a true and correct record the minutes of the meeting held on 5 August 2021.**

Cr Peter Scott/Cr John Sunckell  
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 5 August 2021.**

Cr Peter Scott/Cr John Sunckell  
CARRIED

## 6. **Matters Arising**

### **Public Forum Update – Report from the Chief Executive**

The Chief Executive advised that a response had been sent to Mr Axel Downard-Wilke following his presentation at the public forum on 5 August 2021, and a response was in progress to Penny Carnaby and Kate Whyte of the Banks Peninsula Conservation Trust.

## 7. **Committee Reports**

### 7.1 **Standing Committees – Minutes to be received**

#### 7.1.1 **Natural Environment Committee**

*Refer pages 16-21 of the agenda.*

Presented by: Cr Claire McKay; Cr Craig Pauling

#### Key Points

- The Canterbury Mayoral Forum has signed off the Canterbury Water Management Strategy (CWMS) Targets report. Due to scheduling difficulties, the Targets report Regional Councillors workshop could not be scheduled until September.
- The Target report was now an online document allowing flexibility for minor adaption of target reporting if required. Any major change would need to go back to Canterbury Mayoral Forum.
- As requested by the Natural Environment Committee, a review of the William Dench report on irrigation and water use in the Ashburton/Hinds zone would go back to that meeting.
- A correction to the Natural Environment Committee 1 July 2021 minutes would be made at the next Natural Environment Committee meeting. Agenda Item 6.3 Report on 29-31 May 2021 Flood:
  - Striking out the words '*... statistics as the per annum chance of the event occurring figures often cited ...*' and have added in its place the words '*... statistics as the one in one-hundred-year figure often cited ...*'

#### **RESOLVED:**

#### **That the Council:**

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

Cr Claire McKay/Cr Craig Pauling  
CARRIED

#### 7.1.2 **Regional and Strategic Leadership Committee**

*Refer page 23 - 27 of the agenda.*

Presented By: Cr Peter Scott

#### Key Point

- Advice was received that the Contestable Fund, which had been delayed from early August, would be launched on Monday, 30 August 2021.

## RESOLVED

That the Council:

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

Cr Peter Scott/Cr Lan Pham  
CARRIED

## 8. Matters for Council Decision

### 8.1 Plan Changes 7 and 2 extension to timeframe

*Refer page 28 - 40 of the agenda.*

Presented by: General Counsel

Cr Peter Scott declared a **conflict of interest** in this item and **abstained** from discussion and voting.

Cr Claire McKay declared a **conflict of interest** in this item and **abstained** from discussion and voting.

Cr Phil Clearwater declared a **conflict of interest** in this item and **abstained** from discussion and voting.

#### Key Points

- Due to the delay in receiving the Overseer report an extension was being sought from the Minister. COVID-19 Alert Level 4 restrictions occurred after Council agenda publication; therefore, a further extension in time would be sought to amend the application to the Minister for the Environment regarding the proposed Plan Change 7 (Canterbury Land and Water Regional Plan) and Plan Change 2 (Waimakariri River Regional Plan).
- The extension allowed would provide additional time for Councillors to consider whether the Overseer report had implications for Plan Change 7 or Plan Change 2.

## MOTION

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.

An amendment was moved by Cr Jenny Hughey and seconded by Cr Grant Edge

That point one (1) of the above motion be amended by striking out the date "11 November 2021", and have added in its place the date "9 December 2021" ie:

1. *resolves to amend the application to the Minister for the Environment for an extension of the time (from 20 October 2021 to 9 December 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;*

The amendment was CARRIED

This became part of the substantive motion.

## RESOLVED

**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 9 December 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.**

Cr Jenny Hughey/Cr Lan Pham  
CARRIED

## 8.2 **Freshwater Farm Plan submission - delegation**

*Refer page 41 - 44 of the agenda*

Presented by: Principal Strategy Advisor, Canterbury Water Management Strategy

### Key Points

- Since Council agenda publication, the Ministry for the Environment announced an extension for the consultation period of the Freshwater Farm Plan to 26 September 2021.

### MOTION:

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.

An amendment was moved by Cr Jenny Hughey and seconded by Cr Claire McKay.

That point one (1) of the above motion be amended by replacing the words "Council Chair" with the words "Council Chair and Deputy Chair" ie:

1. *delegates authority to the Council Chair and Deputy 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.*

The amendment was CARRIED

This became part of the substantive motion.

### RESOLVED:

That the Council:

1. **delegates authority to the Council Chair and Deputy 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.**

**8.3 Climate Emergency Update***Refer pages 45 - 46 of the agenda*

Presented by: Cr Elizabeth McKenzie; Director of Science

Key Points

- Climate change proposed a direct threat to natural ecosystems through increased hazards, eg flooding, drought and fire. There was also an indirect risk through climate change induced land use change, making ecosystems vulnerable to invasive plant pest species and browsing mammals.
- In response to emerging risks, the Biosecurity Regional Pest Management Programme was moving away from a reactive approach, to prioritising resources and interventions at the start of an invasion curve prior to pest species becoming established.
- Environment Canterbury partners with Manaaki Whenua Landcare Research and AgResearch to develop models to predict potential for distribution of invasive species. Modelling includes different climatic scenarios for different pest species.

Models map a potential 30 invasive plant species. Of those, eight plant species were categorised as probable high-risk and were being investigated.

The eight species identified as highest risk of spread (from a list of 30):

- |                       |                               |
|-----------------------|-------------------------------|
| 1. Rum cherry         | <i>Prunus serotina</i>        |
| 2. Himalayan balsam   | <i>Impatiens glandulifera</i> |
| 3. Tree of Heaven     | <i>Ailanthus altissima</i>    |
| 4. Bermuda buttercup  | <i>Oxalis pes-caprae</i>      |
| 5. African love grass | <i>Eragrostis curvula</i>     |
| 6. Nutgrass           | <i>Cyperus rotundus</i>       |
| 7. Noogoora bur       | <i>Xanthium strumarium</i>    |
| 8. Bathurst bur       | <i>Xanthium spinosum</i>      |

Staff noted that this risk assessment should not be taken out of context. Three of the species above were not known to occur in Canterbury (CRPMP Exclusion pests). While the risk of spread might be high, the impact might be low. Other species may have slightly less risk of spread but their impact could be major.

The next step being taken this financial year is to understand the impacts, potential high-risk areas of occurrence and risk pathways for most of the 30 species.

**RESOLVED:****That the Council:**

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

Cr Elizabeth McKenzie/Cr Vicky Southworth



9. **Exclusion of the Public**

*Refer page 47 of the agenda.*

**RESOLVED**

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

**1. Chief Executive Performance Review**

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.	Chief Executive Performance Review	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 negotiations (including commercial and industrial negotiations). – Section 7(2)(i)

**That Pamela Peters of Watson Peters be permitted to join the public excluded section of the meeting due to her knowledge of the matter under discussion, being Agenda Item 1.0 Chief Executive Performance Review**

Cr Jenny Hughey/Cr Grant Edge  
CARRIED

The meeting went into public excluded session from 11.15am to 12.42pm

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, 30 September 2021



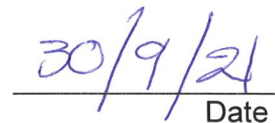
13 **Mihi/Karakia whakamutunga – closing**

A karakia was provided by Cr Claire McKay.

The meeting closed at 12.43pm.

**CONFIRMED:**

  
Chair Jenny Hughey  
Chair, Environment Canterbury

  
Date