

Minutes of 535th meeting of the Canterbury Regional Council (under COVID-19 Alert Level 2 restrictions) on Wednesday, 17 November 2021 at 11.00am

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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, Lan Pham, Craig Pauling, Vicky Southworth, and John Sunckell.

Ngā Tumu Taiao Yvette Couch-Lewis, and Iaeen Cranwell*

** attended virtually via MS Teams*

Management and officers present

Stefanie Rixecker (Chief Executive), Katherine Trought (Director Strategy and Planning), Katherine Harbrow (Director Operations), Tafflyn Bradford-James (Director Communications and Engagement), Tim Davie (Director Science), David Perenara-O'Connell (Te Pou Herenga), Catherine Schache (General Counsel), Andrew Parrish (Regional Planning Manager), Vivienne Ong (Committee Advisor), and Christina Eaglin (Committee Advisor)

In Attendance

Philip Maw, National Managing Partner, Wynn Williams

Report writers, supporting staff and media were also in attendance.

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

Councillor Craig Pauling provided a mihi whakatau and karakia timatanga.

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

2. **Apologies**

An apology was received from Councillor Megan Hands.

3. **Conflicts of interest**

Cr Phil Clearwater: Agenda Item 8.1 – Independent Hearing Panel's Recommendations on PC7 and PC2

Cr Ian Mackenzie: Agenda Item 8.1 – Independent Hearing Panel's Recommendations on PC7 and PC2

Cr Claire McKay: Agenda Item 8.1 – Independent Hearing Panel's Recommendations on PC7 and PC2

Cr Peter Scott: Agenda Item 8.1 – Independent Hearing Panel's Recommendations on PC7 and PC2

Cr Vicky Southworth: Agenda Item 8.1 – Independent Hearing Panel's Recommendations on PC7 and PC2

There were no further registrations of conflict of interest; however, Cr Nicole Marshall declared that after consulting legal counsel she did not have a conflict of interest regarding her work as an Environment Canterbury Hydrologist 2015/2016.

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

No requests for Public Forum, Deputation, or Petition had been received.

5. **Minutes**

5.1 **Council minutes – 21 October 2021**

Refer pages 7 of the agenda.

RESOLVED

That the Council:

- 1.1. **confirms and adopts as a true and correct record, with a minor typographical correction, the minutes of the Council meeting held on 21 October 2021.**

- *Agenda item 8.6 Climate Change, second key bullet point: remove the words 'hyper sensual' and replace with the word 'hyperspectral'.*

Cr Grant Edge/Cr Elizabeth McKenzie
CARRIED

6. **Matters Arising**

There were no matters arising.

7. **Committee Reports**

7.1 **Joint Committees**

7.1.1 **Canterbury Civil Defence and Emergency Management Group Joint Committee** *Refer pages 22-25 of the agenda.*

Councillor John Sunckell presented this item.

RESOLVED:

That the Council:

- 1. receives the unconfirmed minutes of the Extraordinary Canterbury Civil Defence and Emergency Management Group Joint Committee meeting held on 18 October 2021**

Cr John Sunckell/Cr Nicole Marshall
CARRIED

8. **Matters for Council Decision**

8.1 **Independent hearing Panel's Recommendations on PC7 and PC2** *Refer pages 26-394 of the agenda.*

This item was presented by a member of staff.

Cr Phil Clearwater declared a **conflict of interest** in this item, turned off his microphone and camera, and **abstained** from discussion and voting.

Cr Claire McKay declared a **conflict of interest** in this item, sat back from the table and **abstained** from discussion and voting.

Cr Ian Mackenzie declared a **conflict of interest** in this item, sat back from the table and **abstained** from discussion and voting.

Cr Peter Scott declared a **conflict of interest** in this item, sat back from the table and **abstained** from discussion and voting.

Cr Vicky Southworth declared a **conflict of interest** in this item, sat back from the table and **abstained** from discussion and voting.

Key Points:

- This was a binary decision-making process for Councillors with a choice of either adopting or rejecting the recommendations in their entirety. No amendments could be made.

- The effects of climate change were considered by the independent hearing panel noting that:
 - The Recommendation report needs to be considered in its totality, ie the narrative report must be considered with the decisions table.
 - Appendix A, which stepped through the individual decisions on submissions, contained climate change questions which were addressed by the independent hearing panel.
 - The Section 42A Reports each reference the effects of climate change.
 - Recognition of the effects of climate change were considered when the flow analysis allocation regimes were established for the rivers that were considered in Plan Change 7.

Key Points – Members:

- Commitment and substantial work of the community, zone committees, staff, independent hearing commissioners, and Councillors over the years regarding the development of Plan Change 2 and Plan Change 7 was acknowledged.

RESOLVED

That the Council:

- 1. receives the Report and Recommendations of the Independent Hearing Commissioners on the provisions of and submissions on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan and proposed Plan Change 2 to the Waimakariri River Regional Plan, comprising the following parts:**

- **Report and Recommendations of the Hearing Commissioners – (Attachment 1)**
- **Appendix A, Part 1 – Recommendations on submission points received on Plan Change 7 (Attachment 2)**
- **Appendix A, Part 2 – Recommendations on submission points received on Plan Change 2 (Attachment 3)**
- **Appendix B, Part 1 – Recommended Plan Change 7 Provisions (Attachment 4)**
- **Appendix B, Part 2 – Recommended Plan Change 2 Provisions (Attachment 5)**
- **Appendix B, Part 3 – Recommended Plan Change 7 Map Volume (Attachment 6)**
- **Appendix B, Part 4 – Recommended Plan Change 2 Map Volume (Attachment 7)**

Cr John Sunckell/Cr Grant Edge

CARRIED

- 2. adopts the Report and Recommendations of the Hearing Commissioners (as set out in Attachments 1 – 7), as the Council's decision on the provisions of and submissions on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan in accordance with Clauses 10(1), 10(2) and 10(4)(aaa) of Schedule 1 to the Resource Management Act 1991.**

3. **adopts the Report and Recommendations of the Hearing Commissioners (as set out in Attachments 1 – 7), as the Council’s decision on the provisions of and submissions on proposed Plan Change 2 to the Waimakariri River Regional Plan in accordance with Clauses 10(1), 10(2) and 10(4)(aaa) of Schedule 1 to the Resource Management Act 1991.**
4. **resolves, in accordance with Clause 10(4)(b) of Schedule 1 to the Resource Management Act 1991, to publicly notify on 20 November 2021:**
 - 4.1. **the Council’s decision on the provisions of and submissions on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan; and**
 - 4.2. **the Council’s decision on the provisions of and submissions on proposed Plan Change 2 to the Waimakariri River Regional Plan.**

Cr John Sunckell/Cr Grant Edge
CARRIED

**8.2 LATE PAPER that cannot be delayed:
Regional Transport Committee Waka Kotahi NZTA Representative**

Cr Peter Scott introduced this item.

RESOLVED

That the Council:

1. **accepts the late item of business (Waka Kotahi New Zealand Transport Agency representative) on the 17 November 2021 Council meeting agenda**
2. **confirms James Caygill as the Waka Kotahi New Zealand Transport Agency representative on the Canterbury Regional Transport Committee.**

Cr Peter Scott/Cr Tane Apanui
CARRIED

9. Exclusion of the Public
Refer page 395 of the agenda.

RESOLVED

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

1. **Council minutes – 21 October 2021**
2. **Canterbury Civil Defence and Emergency Management Group Joint Committee Minutes – 18 October 2021**

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 – 21 October 2021	Good reason exists under section 7	Section 48(1)(a)
2.	Canterbury Civil Defence and Emergency Management Group Joint Committee Minutes – 18 October 2021		

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	The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2) (i)
2	Protect the privacy of natural persons – Section 7(2)(a)

That appropriate officers remained to provide advice to the Council.

Chair Jenny Hughey/Cr Claire McKay
CARRIED

The meeting went into public excluded session from 12.09pm to 12.12pm.

10. **Other Business**

There was no other business.

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, 25 November 2021.

8 **Mihi/Karakia whakamutunga – closing**

Cr Craig Pauling provided a karakia whakamutunga.

12.13pm – The meeting **closed**.

CONFIRMED:


Chair Jenny Hughey
Chair, Environment Canterbury