

**MINUTES OF AN ORDINARY COUNCIL MEETING OF THE HURUNUI DISTRICT COUNCIL HELD
IN THE COUNCIL CHAMBERS, AMBERLEY ON 25 SEPTEMBER 2008 AT 9.32 A.M**

CONTENTS:

1. URGENT BUSINESS.....	2
2. CONFLICT OF INTEREST DECLARATIONS	2
3 AFFIRMATION.....	2
4. MINUTES	
4.1. MATTERS ARISING.....	2
5. ACTION LIST.....	3
6. MISCELLANEOUS ITEMS.....	3
7. MAYORS DIARY.....	3
8. BUSINESS.....	3
8.1 REVIEW OF COUNCIL'S HANDLING OF THE FLOOD EVENT 30/31 JULY 2008..	3
8.2 KAIKOURA ABOLITION PROPOSAL.....	4
8.3 PROPOSED NEW COUNCIL COMMITTEE.....	6
8.4 PLAN CHANGE 13 – AMBERLEY TOWNSHIP.....	6
8.5 OPERATIVE DISTRICT PLAN CHANGE NO.11 – CLAVERLEY COMPREHENSIVE DEVELOPMENT ZONE	7
8.6 APPOINTMENT OF A HEARING PANEL – BEATTIE PRIVATE PLAN CHANGE RIPPINGALE ROAD HANMER SPRINGS.....	7
8.7 PRIVATE PLAN CHANGE REQUEST – MICHA DEVELOPMENT LTD – WOODBANK ROAD HANMER SPRINGS.....	8
8.8 LTCCP STEERING GROUP RECOMMENDATIONS.....	8
8.9 WATER SUPPLY BYLAW.....	10
8.10 DRAFT LIQUOR LICENSING POLICY SUBMISSIONS.....	10
8.11 INFORMATION ON WASTE & RECYCLING SUBMISSIONS.....	11
8.12 FROST PROTECTION DEVICES – DISTRICT PLAN REVIEW	14
8.13 DRAFT LIQUOR POLICY.....	16
8.14 WOODBANK ROAD SEAL EXTENSIONS.....	16
8.15 NORTHERN PEGASUS BAY COASTAL PLAN.....	17
8.16 TEMPORARY ROAD CLOSURE FOR NZ SIVER FERN RALLY.....	18
8.17 SALE OF BONDS.....	19
8.18 LEAVE OF ABSENCE.....	19
9 PUBLIC EXCLUDED SESSION.....	19

PRESENT: Mayor Jackson (Chairperson) Councillors A Smart, J Coster, W Doody, W Dalley, J Meikle, V Daly, K Prenter, M Malthus , R Black.

APOLOGIES:

Nil.

IN ATTENDANCE: Mr A Dalziel (Chief Executive Officer), Mrs M Brown (Council Secretary).

Part Meeting: Ms J Weaver (Policy Planner), Mr J Beck (Manager Financial Services), Mr B Yates (Manager of Engineering Services), Mr A Feierabend (Manager of Environmental Services), Ms A

van der Monde (Manager of Community and Corporate Services), Mrs L White (Policy Planner), Ms L Weastell (Consultant Planner), Ms J Lester (District Librarian), Mr S Pearson (Tourism Manager), Mr A Parrish (Policy Planner), Mr M Spurr (Policy Planner), Ms S Cracknell (Solid Waste Manager), Mrs S Courtenay (Liquor Licensing Officer), Mrs J Batchelor (Team Leader Consents /Compliance) Mr B Wiremu (Emergency Management Officer)

BUSINESS:

1. URGENT BUSINESS

- 1.1 UPDATE ON BONDS**
- 1.2 RECORDING DEVICES**
- 1.3 BIODIVERSITY STRATEGY**
- 1.4 LEAVE OF ABSENCES**

THAT THE MATTERS OF URGENT BUSINESS ARE DEALT WITH

Jackson/Malthus

CARRIED

2. CONFLICT OF INTEREST DECLARATIONS

Nil

3. AFFIRMATION

Read by Mayor Jackson

4. MINUTES

Mayor Jackson asked that a note be included at the end of the Minutes that: following the closure of the meeting a Citizenship Ceremony was held at the Hurunui Library and attended by the Councillors and the name of the recipients of the Awards.

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 AUGUST 2008 AS CIRCULATED, ARE TAKEN AS READ AND NOW CONFIRMED WITH THE AMENDMENT AS ABOVE

Smart/Meikle

CARRIED

4.1. MATTERS ARISING

It was clarified that there would be not be any contamination risk with the surplus flooding water in any of the quarries.

Brennan Wiremu provided information on the Rural Recovery programme. It was reported that there had been very good feedback from the community on how the handling of the process by Rod Abbott, Terry Donaldson and Barbara McDonald has been carried out. The main set back has been that the Task Force Green labour have had to spend more hours in travel to the affected area than actual time working, so now are seeking accommodation close to hand. Cr Daly offered some suggestions to help Mr Wiremu, which will be communicated after Council meeting.

5. ACTION LIST

Matters outstanding included on the action list were provided for the Council's information. The item on the Waikari Storm water was raised and Vassilis is to contact Cr Malthus on his return to New Zealand.

The Okarihia Water Scheme will proceed with a meeting with landowners in the future.

6. MISCELLANEOUS ITEMS

Notices of Sale were tabled for the Council's information.

7. MAYORS DIARY

Diary arrangements and media releases from the Mayor for the period 29 August 2008 to 25 September 2008.

8. BUSINESS

8.1 REVIEW OF COUNCIL'S HANDLING OF THE FLOOD EVENT 30/31 JULY 2008

The Chief Executive reported that a weather bomb hit the Hurunui District late in the evening on Wednesday 30 July 2008. A large amount of rain fell over a very short period of time. It had a considerable impact on our roading and utilities infrastructure. Unfortunately it also caused damage to a number of homes and properties in the District.

This latter damage has resulted in comment and concern from some members of the public regarding Council's immediate management of the event. The opening of the lagoons at Amberley Beach and Leithfield Beach and the opening of the Dock Creek diversion gate at Stanton Road, Amberley Township were the particular cases in point that the report addressed.

The concerns that emerged were about Council maintenance regimes for rated drainage areas and questions about private landowner responsibilities for keeping watercourses cleared. These concerns are to be picked up in subsequent reports.

The Chief Executives' view was that Hurunui District Council's staff did a good job overall in responding to the event as it unfolded. Our emergency management response was well coordinated and integrated with local emergency services. There were some judgment calls that were made by Council officers that have proved to be contentious. In hindsight, there were some things Council officers would have done differently. However, the Chief Executive reported that he believed there was no negligence or misconduct with the actions of Council officers.

The Chief Executive Officer advised that Mark Pennington has been employed to look at the arial photos and all aspects of the infrastructure, the drainage, stormwater and the maintenance systems in place.

The Mayor pointed out that following on from the Catchment Board maintenance system, when this was disbanded there may have been matters that may have fallen through the cracks. Cr Dalley asked that the Chief Executive respond publicly to the matter of costs expended for this independent report. The Chief Executive considered it was money well spent and the necessary course of action to take given the public criticism that had been directed at Council engineers.

THAT THE INFORMATION BE RECEIVED

Smart/Malthus

CARRIED

THE CONTENT OF THIS REPORT WITH REGARD TO THE LESSONS LEARNED IS TO BE INTEGRATED AND REVIEWED ALONG WITH THE PENNINGTON REPORT WHEN IT COMES FORWARD TO THE WARD COMMITTEES AND COUNCIL.

Jackson/Coster

CARRIED

Meeting adjourned for presentation to Mr B Yates for Twenty Five Years Service at 10.19 am

Morning tea at 10.30 am

Meeting resumed at 10.45 am

8.2 KAIKOURA ABOLITION PROPOSAL

The Manager of Community and Corporate Services reported on the proposal for the Kaikoura District Council to be abolished and included into the Hurunui District. The report set out a range of comparable information to assist the Mayor and Councillors to form a position on the proposal. The Local Government Commission has called for submissions up until 13 October 2008. Council was asked to determine its position and then a submission will be prepared and sent to the Local Government Commission on the matter.

General discussion took place particularly regarding expenditure planned for the Kaikoura as stated in the Kaikoura District Council's Long Term Council Community Plan 2006 to 2016, and the potential impact on the Hurunui District. Mr Beck was asked for his view on the economics of the Kaikoura Council and he made some observations on the vested assets with a revenue surplus, however a considerable external debt was noted. Mayor Jackson sought opinions from Councillors on whether they were in favour of the Kaikoura Abolition:

Cr Smart stated a firm 'no' based on the geographic vastness, the length of coastline, financial implications as he believed it would be a burden on our ratepayer and could not see too many parallels. The issue of emergency services could also pose a problem.

Cr Meikle suggested that she was not in favour of the whole Kaikoura district amalgamation, but could see the merits in the tourism and dairy links at the southern end of the Kaikoura District.

Cr Doody could see merits for tourism for both Councils, but did not support the proposal, but no real strong view either way.

Cr Dalley did not support the amalgamation based on the social issues and the extremity of the area of administration would be difficult. He also felt that the downside is the financial aspect.

Cr Daly noted that there was not much roading infrastructure in the Kaikoura District and suggested there were some big pluses for amalgamation, but did not hold a strong view either way.

Cr Black stated a definite 'no' to the amalgamation with the Kaikoura Council as it was not in our ratepayers' interest based on what had already been stated.

Cr Prenter stated 'no' to the amalgamation.

Cr Malthus did not support the amalgamation as geographically it would not be viable.

Cr Coster could not see any advantage to an amalgamation.

Mayor Jackson summarised Councils' position by saying that it did not support the abolition due to the financial uncertainty in the community, the Kaikoura numbers, the coastline length, rural development planning, emergency management could also be an issue, and that there is a difference in community interests as well as insufficient knowledge on the representation review issues. However as a Council, Mayor Jackson wanted to be open to the sharing of resources and services to make efficiencies.

1. THAT THE COUNCIL DOES NOT SUPPORT THE PROPOSAL FOR THE ABOLITION OF THE KAIKOURA DISTRICT COUNCIL AND ITS SUBSEQUENT INCLUSION INTO THE HURUNUI DISTRICT.

2. THAT COUNCIL OFFICERS PREPARE A SUBMISSION TO THE LOCAL GOVERNMENT COMMISSION ON THE KAIKOURA ABOLITION PROPOSAL, IN ACCORDANCE WITH THE COUNCIL'S POSITION ON THE MATTER TAKING INTO ACCOUNT THE DISCUSSION POINTS THAT HAD BEEN RAISED.

3. THAT THE MAYOR BE GIVEN DELEGATED AUTHORITY TO APPROVE THE SUBMISSION ON BEHALF OF COUNCIL.

Jackson/Smart

CARRIED

It was noted that Council's submission to the proposal should include the fact that two of the elected members saw some merit in the possibility of a merger and that although they voted against the proposal, they were not strongly opposed.

8.3 PROPOSED NEW COUNCIL COMMITTEE

The Manager of Community and Corporate Services advised that as a result of funding approval from the Ministry of Youth Development to the Council to develop and deliver a youth project within the Hurunui District, consideration needs to be given to the governance structure of this programme. The report provided options for the governance of the youth programme for Council to consider, and it was suggested that a new committee be formed and the current Library Committee be disestablished. There was some discussion to clarify what the role of a new Community Services Committee would oversee and the consequences of disestablishing the Library Committee. Mayor Jackson pointed out that currently there is no link with a large number of social agencies and considered that the Library Committee needed to be revamped to include the youth project and incorporate welfare and community issues. Mayor Jackson sought the views of the elected members:

Cr Black, Cr Dalley and Cr Malthus supported option four of the report which was to replace the Library Committee with a new Community Services Committee. Cr Prenter also supported the move as long as the Committee is self funded and at no further cost to the ratepayer. Cr Smart stated that the future of the district is in the youth and as a Council it needs to be prepared to invest in youth.

THAT THE COUNCIL RESOLVED TO FORM A NEW COMMUNITY SERVICES COMMITTEE PURSUANT TO SCHEDULE 7 OF THE LOCAL GOVERNMENT ACT.

Dalley/Coster

CARRIED

THAT THE COUNCIL RESOLVED TO DISESTABLISH THE EXISTING LIBRARY COMMITTEE.

Jackson/Doody

CARRIED

When questioned, Ms van der Monde suggested that the new Community Services Committee would administer the decisions on the awards such as the Community Services awards, but the actual presentations could still be done by the Mayor in the manner they are done now with Councillors present. Mayor Jackson requested that a report come back to the next Council meeting with consideration to the delegations and membership of the committee rather than to decide now.

THE MEMBERSHIP OF THE COMMUNITY SERVICES COMMITTEE BE DEFERRED UNTIL THE OCTOBER COUNCIL MEETING.

Dalley/Malthus

CARRIED

8.4 PLAN CHANGE 13 – AMBERLEY TOWNSHIP

The Manager Environmental Services reported that District Plan Change 13 for Amberley remains on target for hearings to commence on the 20th October 2008 through to the end of that month. Formal notices of hearing will be sent to those submitters requesting to be heard in the week of the 1 October 2008. The Section 42A

reports will be released to submitters in the 2nd week of October. A meeting of the Hearing Panel is scheduled to occur in the week prior to the hearings commencing.

THAT THE INFORMATION BE RECEIVED

Meikle/Smart

CARRIED

8.5 OPERATIVE DISTRICT PLAN CHANGE NO.11 – CLAVERLEY COMPREHENSIVE DEVELOPMENT ZONE

The Policy Planner reported that the Council's decisions on submissions to proposed District Plan Change No. 11 – Claverley Comprehensive Development Zone were publicly notified on 12 July 2008. The 30 working day period for anyone to appeal these decisions to the Environment Court had expired and no appeals were made. Therefore, Plan Change No. 11 can be approved and deemed operative within 5 working days of public notice of such.

THAT THE COUNCIL RESOLVED THAT ALL THE CHANGES PROMOTED UNDER PLAN CHANGE NO. 11 – CLAVERLEY COMPREHENSIVE DEVELOPMENT ZONE ARE APPROVED PURSUANT TO CLAUSE 17 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991.

THAT THE COUNCIL PUBLICLY NOTIFIES THAT ALL THE CHANGES PROMOTED UNDER PLAN CHANGE NO. 11 – CLAVERLEY COMPREHENSIVE DEVELOPMENT ZONE WILL BE OPERATIVE AS OF 11 OCTOBER 2008 PURSUANT TO CLAUSE 20 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991.

Daly/Meikle

CARRIED

8.6 APPOINTMENT OF A HEARING PANEL – BEATTIE PRIVATE PLAN CHANGE RIPPINGALE ROAD HANMER SPRINGS

The Policy Planner reported that the Proposed Plan Change No 14 was a privately initiated plan change by J Beattie to rezone approximately 4ha of land in Hanmer Springs from General Management to Residential Zoning. The report addressed the constitution of a hearings panel to hear and make decisions requested on submissions on the plan change.

Mr Parrish was asked how long the hearings panel would take with 33 sections at stake. Mr Parrish replied that two days would be involved. Mr Feierabend suggested it could take 3 days in view of 30 submissions to be heard. Council now needed to determine the structure for the panel. Cr Meikle suggested the panel be made up of a Commissioner and two (2) elected members, which would be a good working partnership with knowledge and experience and this was supported by Cr Malthus and Cr Smart.

THE COUNCIL APPOINTS A HEARINGS PANEL MADE UP OF ONE COMMISSIONER AND TWO (2) ELECTED MEMBERS TO HEAR SUBMISSIONS

AND RECOMMEND A DECISION TO COUNCIL FOR THE RIPPINGALE ROAD PRIVATE PLAN CHANGE.

THAT THE COUNCIL GRANT TO THE HEARINGS PANEL, PURSUANT TO SECTION 34 OF THE RESOURCE MANAGEMENT ACT 1991 THE POWER TO DECIDE AND TO MAKE ANY PRELIMINARY DECISIONS TO ASSIST THE HEARING AND DECIDING OF THE MATTER AND IN PARTICULAR ALL RELEVANT POWERS UNDER SECTIONS 37 TO 42A OF THE RESOURCE MANAGEMENT ACT 1991.

Jackson/Malthus

CARRIED

Discussion took place on who was qualified and who might be available in December for the hearings panel. Cr Malthus indicated that as he was involved with the Hanmer Springs Growth Strategy Group he would prefer to stand aside. Cr Coster indicated knowledge of the developer in the past and could have a conflict of interest.

IT WAS RESOLVED THAT CR MEIKLE AND CR DOODY BE THE ELECTED MEMBERS ON THE HEARING PANEL.

Jackson/ Malthus

CARRIED

8.7 PRIVATE PLAN CHANGE REQUEST – MICHA DEVELOPMENT LTD – WOODBANK ROAD HANMER SPRINGS

The Policy Planner reported that the Council received a private plan change request on 16 May 2008 from Micha Development Limited. The plan change request sought to rezone approximately 7.7 hectare of rural land on the edge of the Hanmer Springs urban area to residential. Under the current minimum lot size rules for residential dwellings in Hanmer Springs, approximately 80 lots could be developed if the plan change was made operative in its current form.

It was clarified that this block of land was lifestyle blocks being turned into residential development. Mr Parrish was asked whether it would be appropriate to be a Council plan change as opposed to a Private Plan. Mr Parrish confirmed that no conditions were attached that would warrant this.

THAT THE COUNCIL ACCEPTS THE PRIVATE PLAN CHANGE REQUEST UNDER CLAUSE 25(2)(b) OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT AND PROCEEDS TO NOTIFY IT IN ACCORDANCE WITH CLAUSE 26 OF THAT SCHEDULE ONCE ALL NECESSARY AMENDMENTS TO THE PLAN CHANGE HAVE BEEN MADE.

Malthus/Smart

CARRIED

8.8 LTCCP STEERING GROUP RECOMMENDATIONS

The Policy Planner reported that at the LTCCP Steering Group meeting on the 1st of September 2008, a Draft Seal Extensions Policy was proposed. The draft policy provided guidelines for prioritising and funding sections of road for sealing. The draft

policy was now put to Council for approval for it to be included into the Draft Hurunui Long Term Community Plan 2009-2019 (HLTCP), where it would then undergo the special consultative procedure with the plan.

A requirement of the new policy is that 80% of the residents of any particular road to seal, agree to pay 50% of the cost involved. It was questioned by the Councillors what happened to the other 20% who could not afford to pay due to fixed incomes. The Councillors were advised that those persons would still have to pay and that it would added to their rates. Councillors expressed their views as stated below:

Cr Malthus pointed out that that the steering group had spent a lot of time working through this issue and they considered 80% to be a fair estimate threshold.

Some Councillors thought that it was not high enough.

Cr Black suggested the need to have flexibility with a case by case basis with a 90% threshold.

Cr Prenter pointed out that the costs encountered would add value to the property and that is the payback.

Cr Smart suggested an 80% threshold but wanted repayment options to pay off over 5 years.

Cr Daly had concerns with one owner having five separate titles on the road, but agreed with the 80% threshold.

Cr Doody agreed on an 80% threshold.

Cr Meikle agreed on an 80% threshold.

Cr Coster agreed on an 80 % threshold.

Council discussion continued with the remainder of the Policy Planner report which advised that the Steering group also considered the topic of financial assumptions and sought the Council's approval of the assumptions for use in preparation of the LTCCP 2009-2019.

At the LTCCP Steering Group meeting on the 15th of September 2008, representatives of the Canterbury Community Trust visited to make their funding sources known to Council and to find out more about the Council's plans for spending funds that they had made available for pensioner housing. The Trust advised the Steering Group that there were few applications for funding received by groups within the Hurunui District and were keen for Council to promote it.

1) THAT THE COUNCIL ADOPT THE DRAFT SEAL EXTENSIONS POLICY INCLUDING THE 80 PERCENT THRESHOLD FOR CONSULTATION VIA THE DRAFT HURUNUI LONG TERM COMMUNITY PLAN 2009-2019.

2) THAT THE COUNCIL RECEIVE THE INFORMATION ON THE

RECOMMENDED CATEGORIES OF FORECASTING ASSUMPTIONS
FOR CONSIDERATION IN PREPARING THE HLTCP 2009-2019.

3) THAT THE COUNCIL APPROVE THE PROPOSED USE OF FOUR
SETS OF RATES FOR INFLATION ASSUMPTIONS FOR USE IN
PREPARATION OF THE HLTCP 2009-2019.

4) THAT THE INFORMATION ON THE CANTERBURY COMMUNITY
TRUST BE RECEIVED.

Jackson/Smart

CARRIED

8.9 WATER SUPPLY BYLAW

The Policy Planner reported that at its meeting on 28th August 2008, the Council approved the proposed Water Supply Bylaw 2008 with the exception of Clause 5.7. This Clause was changed by staff from its equivalent in the 1999 Water Supply Bylaw in an attempt to ensure adequate representation of the viewpoint of staff in the event of an objections hearing panel being convened under Clause 5.6. It was suggested that the proposed change was unnecessary and that it had the potential to weight the hearing panel against the applicant. After discussions with staff and the elected members who raised the concerns, it was decided to revert to the wording of the 1999 Bylaw for this clause, but to add a subsequent clause making explicit a requirement for the hearing panel to hear both sides of any case, as presented by the applicant and Council staff.

THAT THE COUNCIL:

- a) ADOPT THE PROPOSED WATER SUPPLY BYLAW WITH THE SUGGESTED AMENDMENTS AND ANY FURTHER AMENDMENTS THAT IT MAY SEE FIT TO MAKE.
- b) ADOPT THE REQUIRED CHANGES TO THE TERMS AND CONDITIONS DOCUMENT WHICH ACCOMPANIES THE BYLAW.
- c) GIVE PUBLIC NOTICE OF THE MAKING OF THE "HURUNUI DISTRICT COUNCIL WATER SUPPLY BYLAW 2008" IN ACCORDANCE WITH SECTION 157 OF THE LOCAL GOVERNMENT ACT 2002.
- d) REVOKE THE "HURUNUI DISTRICT COUNCIL WATER SUPPLY BYLAW (1999)".

Jackson/Dalley

CARRIED

Meeting adjourned for lunch at 12.28 pm

Meeting resumed at 1.01 pm

8.10 DRAFT LIQUOR LICENSING POLICY SUBMISSIONS

Submitter Susan Biss From Hospitality Association of New Zealand

In the presentation from Ms Biss along with Kerry Mason (a licensee from Hanmer Springs) the main objection was to the closing time being 2 am in Hanmer Springs as it is a holiday destination and it would be a controlled environment. Ms Biss is fully supportive of the monitoring and liaison with licensees.

Noted the Police comments were suggesting a "One Way Door Policy". In particular in Hanmer Springs also notes a lack of policing in the area when needed and want to work more closely with the Police.

It was questioned why 2.00 am is an unreasonable time and the submitters responded by suggesting that 3.00 am was fairer and allows for staggering of the closing time and continued social engagement with serving of food. Mr Mason believed there was more concentration of vandalism in the timeframe from 12.00 am when the patrons are aggravated at having to be removed from the premises.

Submitter Barry MacDonald Canterbury District Health Board

The main recommendation for change from Mr MacDonald were the insertions in terms of page 3 on Duties and Functions. On page 5 The Liquor Ban would better fit with the Alcohol Policy. The alcohol policy can include some of these issues, beyond the liquor licensing policy. Advice to widen the overall issues to include special licenses and planning requirements along with security and the one way door policy based on a willing compliance model needs to be tightened according to the town. The one way door policy needs to be in terms of and appropriate to the town that it applies and needs to be supported by the Police.

A new bill has been put forth to Parliament by Leanne Dalzell, which will enable these terms to be locked into the policies in line with the Liquor Licensing and the Sale of Liquor Act.

8.11 INFORMATION ON WASTE & RECYCLING SUBMISSIONS

The Manager of Solid Waste updated the Council on the development the recycling model following previous Council and Waste Minimisation Board meetings.

Ms Cracknell reported on the timeline and background in terms of the review of the recycling services provided to the district. Cr Dalley stepped in to explain that at least two years previous to this the review consideration of the benefits of working with others was considered and supported by Hurunui Recycling, when raised at a Waste Board meeting. In summary Ms Cracknell advised there were some strong issues that were apparent from the submissions that were received:

- Residents asked Council to consider social implications and community benefits
- The need to resume glass recycling
- The benefits of diverting waste from landfill
- The benefit of the reuse store to the community
- Possibility of a working partnership between Becon Canterbury Ltd and Hurunui Recycling
- Need to compare like with like

- The recycling bags may lower the tonnage collected
- The need to promote re use and recycling in the community

Following the submission hearings four possible models for providing recycling services were devised at a Public Meeting. These models were reviewed by Council in early August and considered further by the Waste Board on the 18 September 2008. The Waste Board also considered a new fifth model to be considered middle of the road. During this meeting it was recommended that the following three models be placed forward to Council for consideration.

1. The Becon Model – the original proposal

- Becon run the Amberley transfer station
- A dual refuse and recycling collection service is provided by Waste Control NZ and Hanmer Refuse Services
- Glass recycling resumes again
- A minimum of 60% of dry waste from all transfer stations is recovered
- Back loading at Amberley for transportation in Container Waste vehicles to Becon
- Hurunui Recycling run the reuse store

2. Hurunui Recycling Model

- Hurunui Recycling run the Amberley transfer station and the reuse store
- Refuse and recycling is collected separately by the current contractors
- Green recycling bags are sorted at Amberley by Hurunui Recycling for marketing through Meta
- Glass recycling resumes again
- Up to 200 tonnes of construction waste is recycling back loading the asbestos vehicle returning from Kate Valley approximately every 6 weeks to Meta

3. A combined Becon Canterbury Ltd and Hurunui Recycling Model – middle road and takes into account the submission feedback and meets the Councils objectives

- Hurunui Recycling run the Amberley Transfer Station
- A dual refuse and recycling collection service is provided by Waste Control NZ and Hanmer Refuse Services
- Green recycling bags are sorted by Hurunui Recycling at Amberley who market the material and retain the income
- Glass recycling resumes again through Becon
- Maximum levels of dry waste would be recovered at all sites for back loading in Container Waste vehicles to Becon
- Hurunui Recycling run the reuse store

Increase in costs have been indicated by Hurunui Recycling (Chair) should they only be running the transfer station under model three.

One contractor has indicated they have flexibility in their costings but need a direction in choice of model to finalise costings.

Mayor Jackson highlighted that there may have been some double ups between transport costs – discussion with parties involved required – this is likely to be applicable to all models.

Discussion and questions of clarification was sought on where the \$100,000 proceeds from the reuse store fitted into model three by Cr Doody. Mayor Jackson advised Council that this amount (listing the individual components) was built in to their figures and should the shop income not be placed back in their costs would be \$500,000 not the requested \$400,000. All residents of the district were getting the benefits of the reuse store and Hurunui Recycling do not intend to exit running the re-use store as a business.

Cr Malthus asked whether Becon's numbers remain the same as time has past since submitting them and that they are still on board. Ms Cracknell confirmed they are unchanged and onboard.

Cr Malthus queried if increased diversion wanted under model 2, how would transportation to Christchurch be managed? Ms Cracknell confirmed if extra trips were required that would mean a charge of \$545 per trip and Meta had confirmed this figure.

Cr Black questioned the differing 60% diversion under the Becon Model and the up to 200 tonnes under the Meta model with the maximum level recovery under the combined model.

Cr Prenter questioned if a five year contract was a suitable arrangement for all 3 models. He had visited Becon with an 82.2% recovery of recycling and believed that the timeframe of the contract being five years is too long with recycling worth money and savings to the rate payers and demands for the unprocessed waste material could be of considerable value.

Mayor Jackson advised that under the fore mentioned proposals green waste had been excluded from the proportion of the waste stream as there is no charge to Council as all green waste will be diverted to the Envirocomp's nappy composting plant.

Mayor Jackson pointed out that the key factors that will emerge once Council has identified the preferred model will be:

- Further discussion with all parties to determine a robust arrangement
- An audit to be completed on the waste generated in the Hurunui District
- Capital requirements for the operation of the districts transfer stations
- Further discussion to finalise budget requirements
- Councils position in collecting recycling from Commercial businesses
- Contractual terms and arrangements including financial reviews to be considered
- Once the approved model is finalised consideration will be given to the new Amberley Transfer station.

THAT AS A COUNCIL GIVE DIRECTIONAL APPROVAL FOR MODEL THREE AS COUNCIL'S PREFERRED MODEL AT THIS STAGE AND AUTHORISE MS CRACKNELL , MAYOR JACKSON, CR DALLEY AND MR MANSON TO COMMENCE FACILITATED DISCUSSION BETWEEN THE PARTIES INVOLVED IN MODEL THREE

TO CLARIFY THE MODEL IN DETAIL IN RELATION TO POINTS 1 TO 7 AS LISTED ON PAGES 292 AND 293 OF THE AGENDA.

Jackson/Malthus

Cr Doody wanted to clarify whether the other options are dismissed and Mayor Jackson informed Council that more work will be done on Model Three to determine the final model bearing in mind all considerations, reduction of waste to landfill, financial costs and longevity of the contract, also including the trend from recent submissions. This information will be required to be brought back to the 30 October 2008 Council meeting.

Cr Doody against

CARRIED

8.12 FROST PROTECTION DEVICES – DISTRICT PLAN REVIEW

The Consultant Planner reported that the Council was currently reviewing the provisions for use of frost protection devices in the Hurunui District Plan. Feedback from the Council's Issues and Options Paper closed on 22nd August 2008, with 92 responses. The report discussed the key issues raised in the responses and the options available to the Council. It recommended the Council proceed with a plan change to the Hurunui District Plan to introduce specific provisions to manage effects from frost protection devices now, and undertake a comprehensive review of the provisions for managing the rural area in the District Plan. The report recommended the plan change to introduce rules by which the use of wind machines for frost protection is a permitted activity, with a resource consent requirement for activities which do not comply. Ms Weastell analysed the main points on the feedback that were included in the report and advised the Council the most important points that needed to be noted were:

In particular there were no regulations for this type of activity in the District Plan at present, nor wind machines as they require a resource consent in terms of height restriction. The RMA authority gives the consent authority (the council) the discretion to apply the permitted baseline test in considering the notification of resource consent applications. Each case can be considered on a case by case basis.

The legal requirements can be considered in terms of the RMA and the noise implications.

The more recent consent applications have not used the baseline approach. The value of the wine industry needs to be looked at in its entirety looking at the economic impact as well as the environmental issues.

Activities and expectations in the rural area is an important aspect with some respondents raising the point from the Environment Report on the McKean Estate. Appeal on the conditions of the Resource Consent.

Ms Weastell stressed that there were two key messages with the Hurunui District Plan specification for rural zoning. One: that it does not have the differentiation between rural and rural residential zones. Two: the District Plan does have objectives and policies and characteristics in terms of the General Management Area, but with no definitive

description. Hence the Hurunui District Plan is different to Marlborough and Hawkes Bay District Plans.

Ms Weastell highlighted the following points that must be considered when preparing a change to the District Plan:

- the extent of and the use of wind Machines for Frost Protection must be considered.
- there have been no major challenges of the higher noise levels by the Marshall Day report.
- Noise rules and the cumulative affects must be considered.
- Distance for established machines and prospective residential housing.
- Resource consents required, but cannot be incorporated in the District Plan.
- A definition of short duration needs to be tightened up and whether other noise devices need to be included
- A question whether visual requirements should be restricted?
- Helicopters would possibly not be considered due to high operating costs.

Mayor Jackson pointed out that from the submissions that have already been received, maybe those submitters might be expecting another opportunity to be heard. The Plan Change if proceeded will require a Plan Change being publicly notified to incorporate the provision for Wind Machines for Frost Protection in the District Plan.

This will be a process that will need to be considered on all aspects.

Cr Black questioned whether the Environment court would have the noise levels that were imposed at the Kate Valley site on the noise levels for operating machinery.

1. THAT THE COUNCIL PROCEEDS WITH A REVIEW OF THE DISTRICT PLAN TO:

(I) INTRODUCE SPECIFIC PROVISIONS FOR FROST PROTECTION DEVICES;

AND

(II) TO REVIEW THE APPROPRIATENESS OF THE GENERAL MANAGEMENT AREA CONCEPT AND PROVISIONS, FOR MANAGING ACTIVITIES IN THE RURAL AREA AS PART OF THE RURAL REVIEW PROGRAMMED FOR 2008/09.

2. THAT THE PLAN CHANGE FOR FROST PROTECTION DEVICES BE BASED ON THE CONCEPTS RECOMMENDED IN THIS REPORT, INCLUDING:

(I) A POLICY WHICH IDENTIFIES THE APPROPRIATE EFFECTS AND CIRCUMSTANCES FOR THE USE OF WIND MACHINES;

(II) INTRODUCING RULES FOR NOISE, SEPARATION DISTANCES AND USE OF THE MACHINES BY WHICH WIND MACHINES MAY ESTABLISH AND OPERATE AS A PERMITTED ACTIVITY;

(III) REQUIRING A RESOURCE CONSENT FOR A DISCRETIONARY ACTIVITY FOR WIND MACHINES WHICH DO NOT COMPLY (WHICH MAY BE NOTIFIED OR REQUIRE WRITTEN APPROVAL OF AFFECTED PARTIES);

(IV) AMEND RULE A1.2.7(a) FOR MAXIMUM HEIGHT OF STRUCTURES TO EXCLUDE ROTAR BLADES ON WIND MACHINES;

AND

(V) AMEND RULE A1.2.9(i) FOR EXEMPTIONS TO NOISE STANDARDS, TO INCLUDE A DEFINITION OF 'LIMITED DURATION' AND, IF RECOMMENDED BY AN ACOUSTIC EXPERT, AN L_{MAX} NOISE STANDARD WHICH APPLIES TO SUCH ACTIVITIES.

3. THAT THE COUNCIL PROCEEDS TO DRAFT AND NOTIFY THE PLAN CHANGE AND USE THE SUBMISSION AND HEARING PROCESS FOR THE PLAN CHANGE TO PROVIDE THE OPPORTUNITY FOR PEOPLE TO ADDRESS THE COUNCIL.

4. THAT THE COUNCIL ADVISES ALL RESPONDENTS TO THE ISSUES AND OPTIONS PAPER ON THE PROPOSED COURSE OF ACTION INCLUDING A COPY OF THE SUBMISSIONS IN FULL AND TO EACH SUBMITTER A COPY OF THIS AGENDA PAPER AND A SUITABLE COVER LETTER.

Jackson/Smart

CARRIED

Meeting adjourned for afternoon tea at 3.29 pm

Meeting resumed at 3.46 pm

8.13 DRAFT LIQUOR POLICY

Mayor Jackson suggested that the discussions and deliberations on the draft liquor policy and the issues associated should be carried over to a later date with the presence of the local Police from, Cheviot, Amberley and Hanmer Springs.

Presentation by Peter Allan and Debra Lawrence from the Waimakariri Development Trust

Mr Allan and Ms Lawrence from the Trust spoke of their work in the both the Hurunui and Waimakariri Districts. It was emphasised that there was a demand for their services within the Hurunui District and that funding was an issue. With more funding, they would provide more services to the Hurunui District. The Mayor shared with them Council's decision to establish a new Community Services Committee and welcomed them to discuss any ideas for the future with that Committee.

8.14 WOODBANK ROAD SEAL EXTENSIONS

The Policy Planner reported that a public meeting with Woodbank Road property owners was held on 12th September 2008 to discuss options for sealing Woodbank Road. 22 people attended. A proposal with costings for sealing two unsealed sections of Woodbank Road was prepared in accordance with the Draft Seal Extensions Policy and presented to residents.

A majority of the property owners present were in favour of the proposal, but were keen for the work to proceed sooner than the 2010-2012 period in which funds have been allocated for seal extensions in the Hurunui Long Term Community Plan 2006-2016 (HLTCP).

The Council needed to decide how it wished to progress on the issue. Whether it wished to proceed with this proposal, and whether it was willing to loan fund its share of the cost of sealing until the allocated funds become available in 2010?

The interest costs on such a loan could be passed on to Woodbank Road property owners as a part of their share of the cost of sealing. Since the first of the two sections of Woodbank Road under consideration is already high on the Council's list of priorities for sealing, it was proposed that the Council proceed to seal this section of road as soon as is practical. It was pointed out the delay may cause the road to deteriorate somewhat with no camber on the road, also the need to review the funding in terms of the LTCCP.

A suggestion was intimated that maybe the flood damaged roads be addressed first and how this was going to be funded should take priority. It was clarified that the loan would not be a cost to Council as the residents would be paying the shared cost plus the interest on the loan. Given that there is still 12% of the total cost of \$ 3.2 million as Councils' share of the repair bill, some Councillors expressed concern over how Council is going to fund the flood damaged roads and that this should take preference over sealing a road. It was also questioned whether a precedent was being generated in this particular case.

A suggestion was made that the Chief Executive, the Manager of Engineering Services and the Roothing Manager consider Council's concerns and bring this forth to the next Council meeting. It was suggested that the community should be asked for their understanding in view of the recent flood damage, which should be known in 30 days. At this stage it was suggested that Council need to be non committal and review the situation once Council's costs are known for flood damage repairs to roads.

MOVED THAT COUNCIL REVIEW THE SITUATION IN TERMS OF COSTS TO COUNCIL FOR THE FLOOD DAMAGED ROADS IN CONJUNCTION WITH MR YATES, MR EDGE AND MR BECK TO BE BROUGHT BACK TO COUNCIL FOR FURTHER CONSIDERATION AT THE 30 OCTOBER COUNCIL MEETING.

Dalley/ Smart

CARRIED

8.15 NORTHERN PEGASUS BAY COASTAL PLAN

The Manager of Environmental Services reported that the Council had participated over the last two years in the preparation of the Northern Pegasus Bay Coastal Management Plan. The Plan is non statutory in basis and has canvassed a wide range of environmental issues including managing vehicle access between the rocks north of the Waipara River to the Waimakariri River in the south.

The Plan was presented to members from the Regional Council, Waimakariri District Council, Department of Conservation, two Maori Trusts and this Council at Rangiora on Tuesday the 16th September 2008.

The meeting resolved to receive the plan and form a working group from the three Council's, the Te Kohaka o Tuhaitara Trust, Te Runanga o Tuahuriri and the

Department of Conservation to progress the recommendations contained in the plan. Correspondence was received from Environment Canterbury proposing a way forward with respect to the establishment of a governance group and a separate working group of staff working to specified terms of reference.

In the Plan it identified some itemised costs being a Ranger Service of \$70,000, monitoring costs, the toilet Facilities at the Rocks, signage, board walks, track upgrades, Ashworths Car Park maintenance and that these costs need to be included in the LTCCP Plan.

THAT THE COUNCIL RECEIVE THE NORTH PEGASUS BAY COASTAL MANAGEMENT PLAN.

THAT THE COUNCIL SUPPORT THE PROPOSAL PUT FORWARD BY ENVIRONMENT CANTERBURY FOR PROGRESSING THE PLAN AND APPOINT COUNCILLOR SMART AND COUNCILLOR COSTER TO BE REPRESENTATIVES TO THE GOVERNANCE GROUP AND MR PARRISH AND MR FEIERABEND TO THE WORKING PARTY.

Jackson/Black

CARRIED

MOVED THAT THE TERMS OF REFERENCE FOR THE WORKING PARTY AND THE GOVERNANCE GROUP RESPECTIVELY, AS LAID OUT ON PAGE 253 WITH THE REVISION THAT POINT(IV) FOR THE WORKING PARTY BE EXTENDED TO INCLUDE ALL OTHER COSTS AS WELL AS THE SIGNAGE.

AND THAT A THIRD TERM OF REFERENCE FOR THE GOVERNANCE GROUP BE ADDED NAMELY THAT THEY NEED TO MAKE ALL PARTIES AWARE OF THE IMPLEMENTATION OF THIS PLAN AND ITS' RELATIVE ACTIONS IS DEPENDANT OF INCLUSION IN AND APPROVAL OF WITHIN THE LTCCP PROCESS.

Jackson/Malthus

CARRIED

8.16 TEMPORARY ROAD CLOSURE FOR NZ SIVER FERN RALLY

The Asset Engineer Roading advised that the Council had received an application from the Marathon Rally Car Club Inc the organisers of the NZ SILVER FERN RALLY for the temporary closure of several sections of Council roads for the running of the NZ SILVER FERN RALLY, in October 2008. It was noted that the Rally organisers are quite flexible in organising around the Kaiawara Road not being in the loop.

The two letters of objection were tabled at the meeting by the Asset Engineer to holding the rally. Councillors sought clarification of the wording in the contract in relation to the grading and ongoing maintenance as a result of the rally event. Mr Yates advised that the bond would include payment of the grading as required after the rally event.

THAT APPROVAL BE GIVEN SUBJECT TO ANY OBJECTIONS BEING RECEIVED AND CONDITIONS ATTACHED.

NOTE - ROADS ON THE LIST AND EFFECTED BY FLOOD DAMAGE WILL BE ASSESSED CLOSER TO THE TIME OF THE RALLY FOR SUITABILITY.

Smart/Prenter

Cr Daly against

CARRIED

8.17 SALE OF BONDS

Mr Beck advised that to exit out of the BNZ bonds, as suggested by the financial advisor, would reap a profit of \$4,500.

MOVED THAT COUNCIL APPROVE THE SALE OF THE BNZ BONDS.

Jackson/Black

CARRIED

Councillors were sought opinions on whether to sell the ANZ Bonds and place the funds in a Westpac on Call account at 7.75%, which would encounter a loss of \$22,000 as at Monday 22 September 2008.

Cr Smart and Cr Doody advised not to sell.

Cr Daly, Cr Dalley, Cr Coster Cr Malthus Cr Prenter, Cr Black, Cr Meikle suggested to sell.

MOVED THAT COUNCIL APPROVE THE SALE OF THE ANZ BONDS AND PLACE IN THE WESTPAC CALL ACCOUNT.

Jackson/Coster

Against Cr Doody and Cr Smart

CARRIED

8.18 LEAVE OF ABSENCE

Leave of absence from Cr Malthus requested from 5th to 10th October 2008.

Leave of absence from Cr Smart requested from 29th September to 3rd October 2008.

THAT THE LEAVE OF ABSENCES BE APPROVED.

Jackson/Coster

CARRIED

MOVED MEETING INTO PUBLIC EXCLUDED SESSION.

Smart/Prenter

CARRIED

9 PUBLIC EXCLUDED SESSION

THE GENERAL SUBJECT OF THE MATTER TO BE CONSIDERED WHILE THE PUBLIC IS EXCLUDED, THE REASON FOR PASSING THIS RESOLUTION IN RELATION TO THE MATTER 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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under section 48 (1) for the passing of this resolution
Item 1 Public Excluded minutes of 28 August 2008	Minutes contain information which if released would affect the privacy of natural persons.	Section 48 (1) (a) (i)
Item 2 Report on serious misconduct complaint	May contain information which if released would affect the privacy of natural persons	Section 48 (1) (a) (i)
Item 3 Report on serious misconduct complaint	May contain information which if released would affect the privacy of natural persons	Section 48 (1) (a) (i)
Item 4 Report on development/ planning complaint	May contain information which if released would affect the privacy of natural persons	Section 48 (1) (a) (i)

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

Item 1

To protect the privacy of natural persons, including deceased natural persons. Section 48 (1) (a) (i) of the Local Government Official Information and Meetings Act (1987).

Item 2

To protect the privacy of natural persons, including deceased natural persons. Section 48 (1) (a) (i) of the Local Government Official Information and Meetings Act (1987).

Item 3

To protect the privacy of natural persons, including deceased natural persons. Section 48 (1) (a) (i) of the Local Government Official Information and Meetings Act (1987).

Item 4

To protect the privacy of natural persons, including deceased natural persons. Section 48 (1) (a) (i) of the Local Government Official Information and Meetings Act (1987).

MOVED OUT OF PUBLIC EXCLUDED SESSION AND THE MATTERS DISCUSSED IN THIS SESSION REMAIN CONFIDENTIAL.

Jackson/Black

CARRIED

Meeting closed at 5.41 pm

Confirmed _____ Date _____