

DRAFT MINUTES OF AN ORDINARY MEETING OF THE HURUNUI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 66 CARTERS ROAD, AMBERLEY ON THURSDAY 27 AUGUST 2009 AT 9.30AM

CONTENTS:

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

APOLOGIES: G Jackson (leave of absence)

IN ATTENDANCE: Ms K Wilson (Board Services, CES)

PART MEETING:

Mr Andrew Dalziel, Chief Executive Officer (CEO)
Mr B Yates, Manager of Engineering Services
Mr A Feierabend, Manager Environmental Services
Mr J Beck, Manager of Financial Services
Ms A van der Monde, Manager of Community and Corporate Services
Ms R McClung, Senior Policy Planner
Ms J Weaver, Policy Planner
Mrs J Batchelor, Customer Services Manger
Ms A Dalley, Policy Planner
Ms H Rigg, Senior Planner
Mrs L White, Consents Planner
Mr Allan Chalbot and Ms Cleo Corbett, visitors from British Columbia, Canada

BUSINESS:

URGENT BUSINESS:

- **Waste Update**
- **Leave of Absence**
- **Information on Latitude Group**
- **Public Toilets**

THAT THE ITEMS OF URGENT BUSINESS ARE DEALT WITH.

Malthus/ Smart

CARRIED

AFFIRMATION

The affirmation was read by Cr Malthus.

CONFLICT OF INTEREST DECLARATIONS:

Cr Meikle: Item 5.11 Rūnanga Position on the Environmental Services Committee.
Cr Daly: Item 5.7 Decision on proposed Plan Change 17 – Miscellaneous Changes and Corrections
Cr Dalley: Item 5.3 Findings of the Special Tribunal on the Proposed Hurunui River Conservation Order

RECORDING DEVICE:

Council was advised that a recording device was in use for the purpose of accurately recording the minutes and that a video will be made after morning tea for Secretarial training purposes.

1. MINUTES

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 30 JUNE 2009 AS CIRCULATED, ARE TAKEN AS READ AND NOW CONFIRMED WITH THE FOLLOWING AMENDMENTS AS REQUESTED.

Page 1, after 6.8

- Remove “*ERROR! BOOKMARK NOT DEFINED*”.

6.1 Disestablishment of the Alpine Pacific Tourism Board and establishment of a new Tourism Board

- Page 3 Para 7, last sentence - “*To replace ‘handled’ with ‘managed’ and remove ‘under the Alpine Pacific Tourism Board’.*”
- Page 4 Para 13, last sentence - “*Remove ‘contacted’ and replace with ‘confirmed’.*”

6.8 Local Government Conference

- Bullet point 4 - “*To replace ‘and’ with ‘for the remainder’.*”

Malthus/Smart

CARRIED

1.1 MATTERS ARISING

Cr Meikle suggested that the Finance and Expenditure Committee meeting be moved to the Council meeting day as the Committee Day was becoming too full to manage 3 committee meetings. She further suggested that the Finance and Expenditure Committee meets every 4 weeks rather than the current practise of every 6 weeks. Mr Beck responded that a 4 week cycle does not provide adequate time to prepare a meaningful Financial Report. Acting Mayor Malthus stated that the Finance Committee meeting would stay ‘as is’ at present with a review in the future if necessary.

2. ACTION SHEET

The Council was updated on the outstanding matters on the action list.

3. FORWARD WORK PROGRAMME

A programme of known reports and events was provided for the Council’s information.

4. MAYOR’S DIARY

Diary arrangements and media releases from the Acting Mayor for the period 23 July – 20 August 2009 had been circulated.

5. ENVIRONMENTAL

5.1 15 MINUTE PRESENTATION BY MR FRED MURRAY

Mr Murray presented the Department of Conservation St James' Cycleway Proposals. A tabled written report, inclusive of maps, outlining current walking tracks and a proposed cycleway were provided to the Council for information.

5.2 DEVELOPMENT STRATEGY FOR AMBERLEY TOWNSHIP – A DISCUSSION PAPER

A Feierabend spoke to this report which had been originally tabled at the Council's March 2009 meeting. Because the appeals on plan change 13 are likely to be resolved through mediation, it was considered appropriate for the council to consider the recommendations in the report and prioritise a work programme from it. He outlined the issues as follows:

Issue One – Future Residential Development Amberley Growth is superseded in context of mediation.

Mr Feierabend noted that Recommendations 1, 2 and 3 were redundant. Recommendation 4 in his view was still appropriate. This approach was agreed with.

Issue Two – Industrial Zoning - Amberley.

Mr Feierabend noted Recommendations 6, 7 and 8 were attempting to address the problem that the hearing panel on Plan Change 13 identified on this matter. Recommendation 6 - Mr Feierabend indicated the work should be completed within three months.

Acting Mayor Malthus queried whether this would allow enough time to complete this. Mr Feierabend confirmed that this was achievable.

Recommendations 7 and 8 – It was asked what affect this action would have on existing businesses. It was confirmed that any review should identify affects on existing businesses.

Recommendation 7 – as read by Acting Mayor Malthus:

THAT AS PART OF A REVIEW OF INDUSTRIAL ZONING IN AMBERLEY A NEEDS ANALYSIS INCLUDING AFFECTS ON EXISTING BUSINESSES BE UNDERTAKEN AS TO THE TYPE OF CURRENT AND FUTURE ACTIVITIES THAT SUCH A ZONING SHOULD PROVIDE FOR AND THAT THE ZONING PROMOTED BE TARGETED TO MEETING THAT NEED.

Recommendation 8 – shall read:

THAT THE CURRENT BUSINESS ZONING IN AMBERLEY BE REVIEWED TO ENSURE INAPPROPRIATE ACTIVITY WHICH MIGHT COMPROMISE THE DEVELOPMENT OF A STRONG COMMERCIAL CENTRE IN AMBERLEY BE EXCLUDED FROM THE ZONE VIA A PLAN CHANGE. THAT THIS WORK IS COMPLETED AND A PLAN CHANGE PREPARED TO ACHIEVE THIS OUTCOME FOR NOTIFICATION BY FEBRUARY 2010.

Acting Mayor Malthus questioned the 12 month period as he felt it was too long a time frame, and that 3 months would be more appropriate. Mr Feierabend felt that this could be comfortably pulled back to February 2010.

Cr Doody enquired regarding the Ward Committee's role in the decision making process of the above changes and was looking for assurance that the Ward Committee is well and truly involved in the decisions.

Issue Three - Town Centre Development & Street Upgrading Recommendations 9, 10, 11, and 12.

Acting Mayor Malthus enquired as to whether funds were available from this financial year and Mr Feierabend confirmed there were.

Acting Mayor Malthus called for discussion on the above issue.

Cr Prenter expressed concern re whether Council should have input on who would have the authority to select the consultant. His view was that the matter should come back to the Council.

Cr Smart asked if the question was the budget issue or it was the appointing of the consultant.

Cr Prenter clarified that it is the potential for not enough information to be brought to the Council.

Recommendations 9, 10, 11, 12 - taken as read.

Issue Four - Infrastructure Strategies – Amberley - Recommendation 13, 14 and 15

Recommendation 13 is a work in progress which includes roading, sewerage, water supply, stormwater and reserves which are all on schedule.

Acting Mayor Malthus raised the issue that the 12 month period should be reviewed from now for the next 3 months as the infrastructure issues were of some considerable urgency. Mr Dalziel noted that there were not the resources to fund the work in such a short amount of time. It would take outside consulting to meet a 3 month deadline and that would have budget implications. It was also clarified that a number of the strategies could only be updated once final decisions had been made on the infrastructure concerned. Amberley's future water supply was cited as an example.

It was agreed recommendation 13 should be redrafted to read as follows:

THAT THE COUNCIL COMPLETE A FORMAL REVIEW OF EACH OF AMBERLEY'S INFRASTRUCTURE STRATEGIES TO ENSURE IT REFLECTS CURRENT COUNCIL COMMITMENTS AND DIRECTIONS TO ACCOMMODATE EXISTING AND FUTURE GROWTH BY THE END OF THE CURRENT FINANCIAL YEAR.

Mr Feierabend explained the relationship between Recommendation 14 and 15. The function of the reserve on the eastern side of the township is a 2.5 – 3 hectares sports field. There needs to be a longer term strategy sorted out in terms of exactly what are the needs of Amberley into the future with respect to two sports fields and

grounds in the long term. This does not necessarily imply dispensing with a reserve on the eastern side of State Highway 1, but it could be smaller for example if it wasn't serving the function of a sporting field. Discussion ensued, with Cr Black expressing his concern that there could be an axe swinging over the eastern side project.

Cr Meikle expressed concern over any potential of losing the greenbelt and for the number of families that have to cross the highway to get to the reserve for any practice, sporting event etc.

Acting Mayor Malthus suggested new wording for recommendation 14 as follows:

THAT THE COUNCIL REVIEW ITS RESERVE MANAGEMENT STRATEGY FOR THE AMBERLEY TOWNSHIP.

It was determined that recommendation 15 was no longer required with the redrafting of the above recommendation.

Issue 5 – Establishment of a Governance – Staff Group - Recommendations 16, 17, 18

The purpose of the establishment of this group was to drive the work programme promoted in recommendations 4 and 6 -14.

A brief discussion about the transparency re the selection of the group took place.

Cr Smart recommended that a change be made to Recommendation 17 and that the 3 Amberley Ward Councillors be appointed to the group as follows:

THAT THE GOVERNANCE AND STAFF WORKING GROUP CONSISTS OF THE MAYOR, THE CHIEF EXECUTIVE OFFICER, THE CHAIR OF WORKS AND SERVICES, THE CHAIR OF ENVIRONMENTAL SERVICES, THREE WARD COUNCILLORS, THE CHAIR OF THE AMBERLEY WARD COMMITTEE AND THE NEW SENIOR RESOURCE MANAGEMENT POLICY PLANNER.

Acting Mayor Malthus sought feedback as to whether everyone was satisfied with the suggested makeup of the group. He proposed the governance group should keep the Ward Committee briefed via the Chair who was a member of the group.

Cr Smart agreed with this and suggested that if this motion is accepted it will be taken back to the Ward Committee at the next meeting.

Acting Mayor Malthus suggested that the Council be briefed on a regular basis as has been done previously on the progress of the governance group.

THAT THE COUNCIL RECEIVE THE REPORT TITLED "A DEVELOPMENT STRATEGY FOR AMBERLEY TOWNSHIP – A DISCUSSION PAPER" AND ADOPT THE RECOMMENDATIONS AS REDRAFTED.

Smart/Black

CARRIED

5.3 FINDINGS OF THE SPECIAL TRIBUNAL ON THE PROPOSED HURUNUI RIVER CONSERVATION ORDER

A brief explanation of this issue was given by Mr Feierabend and it was recommended that the meeting should go into Public Excluded Session.

Mr Dalziel suggested that number 3 of the planned Public Excluded session be conducted in the same session.

MOVED THE MEETING INTO PUBLIC EXCLUDED SESSION INCLUDING ITEM NUMBER 3.

Malthus / Black

CARRIED

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	Page
Item 3 Plan change 13 (Amberley) Mediation update Appeal – Conway Developments Limited	Subject to Appeal Enable commercial negotiations to be carried out	Section 48 (1) (a) Section 48 (1) (d) Section 48 (1) (a) (i)	323 - 325

MOVED THAT THE SESSION BE BROUGHT BACK INTO OPEN SESSION AND THAT WHAT HAS BEEN DISCUSSED IN THIS SESSION REMAINS PRIVATE AND CONFIDENTIAL.

Malthus / Black

CARRIED

Decision from the Public Excluded meeting re the Hurunui River Conservation Order carried over to the public minutes:

THAT THE COUNCIL LODGE A SUBMISSION TO THE ENVIRONMENT COURT OPPOSING THE FINDINGS OF THE SPECIAL TRIBUNAL ON THE HURUNUI RIVER WATER CONSERVATION ORDER.

Malthus/Smart

CARRIED

A Feierabend suggested that the public be informed of this decision via an appropriate media release.

THAT THE ABOVE DECISION BE RELEASED INTO THE PUBLIC DOMAIN.

Mathus/Coster

CARRIED

5.4 FORMER QUEEN MARY HOSPITAL SITE HANMER SPRINGS – RESERVE VESTING

A Feierabend provided a map and discussed the Hanmer Springs Thermal Reserve boundaries. The Crown is expected to vest 6.0 hectares of land and buildings (with 5.5 hectares) in the Council in early 2010. It is recommended that a stakeholder group be formed which can be used to develop a draft management plan for the Council to consider by 30 June 2010. This would include 4 elected members and one representative from each of the following groups:

1. Hanmer Springs Community Board
2. Historic Places Trust
3. Te Rūnunga o Kaikoura
4. Hanmer Springs Queen Mary Trust
5. Department of Conservation
6. Hanmer Springs Pools and Spa Management Committee
7. Hanmer Springs Business Association

The following recommendations were all considered and carried as shown below:

THAT THE INFORMATION BE RECEIVED.

THAT THE STAFF AND THE GENERAL MANAGER OF THE HANMER SPRINGS THERMAL POOLS AND SPA PROCEED TO PREPARE AN AMENDMENT TO THE EXISTING HANMER SPRINGS THERMAL RESERVE MANAGEMENT PLAN TO INCORPORATE THAT PART OF THE FORMER QUEEN MARY HOSPITAL SITE THAT WILL VEST IN THE COUNCIL AS RECREATION RESERVE. THAT THIS WORK BE COMPLETED BY 31 DECEMBER 2009 SO THE PLAN CAN BE APPROVED ON VESTING.

THAT THE COUNCIL ESTABLISH A STAKEHOLDER GROUP TO DEVELOP A DRAFT RESERVE MANAGEMENT PLAN FOR THE QUEEN MARY HISTORIC RESERVE. THAT THIS GROUP REPORT BACK TO THE COUNCIL WITH A DRAFT MANAGEMENT PLAN BY 30 JUNE 2010.

THAT THE STAKEHOLDER GROUP CONSIST OF THE MAYOR, THE LOCAL WARD COUNCILLOR TWO OTHER ELECTED MEMBERS AND ONE REPRESENTATIVE FROM: THE HANMER SPRINGS COMMUNITY BOARD, THE HISTORIC PLACES TRUST, TE RŪNUNGA O KAIKOURA, THE HANMER SPRINGS QUEEN MARY TRUST, THE DEPARTMENT OF CONSERVATION, THE HANMER SPRINGS THERMAL POOLS AND SPA MANAGEMENT COMMITTEE, AND THE HANMER SPRINGS BUSINESS ASSOCIATION.

THAT A GOVERNANCE / MANAGEMENT WORKING GROUP BE FORMED TO DEVELOP A PLAN TO SECURE EXPRESSIONS FOR INTEREST FROM EXTERNAL COMMERCIAL INTERESTS FOR ECONOMIC AND VIABLE END USES FOR THE NURSES BLOCK, THE CHISHLOM BLOCK AND THE OLD SOLDIERS BUILDING. THAT THE ABOVE GROUP HAVE THE ABILITY TO ENGAGE EXTERNAL ADVICE AS CONSIDERED NECESSARY TO ASSIST IN THE DEVELOPMENT OF THIS PLAN.

THAT THIS GROUP CONSIST OF THE MAYOR, COUNCILLOR MALTHUS, THE CHAIRS OF ENVIRONMENTAL SERVICES AND THE WORKS AND SERVICES COMMITTEE, THE CHIEF EXECUTIVE OFFICER, THE MANAGER OF FINANCIAL SERVICES, AND THE MANAGER OF ENVIRONMENTAL SERVICES. THAT THE GROUP REPORT THE PROPOSED PLAN BACK TO THE COUNCIL BY 30 JUNE 2010 FOR ITS CONSIDERATION.

THAT COUNCIL STAFF ORGANISE THE PREPARATION OF DRAFT CONSERVATION MANAGEMENT PLANS FOR THE NURSES BLOCK, THE CHISHLOM BLOCK AND THE OLD SOLDIERS BUILDING BY 30 JUNE 2010.

Malthus/Daly CARRIED

THAT THE COUNCIL APPOINT COUNCILLORS BLACK AND MEIKLE TO SIT ON THE STAKEHOLDER GROUP.

Malthus/Smart CARRIED

5.5 GREEN GATE LTD DRILLING DATA – KATE VALLEY REGIONAL LANDFILL

Mr Feierabend outlined that Green Gate had provided the Council with data from its drilling operations at Kate Valley. This information has been forwarded to Environment Canterbury.

Cr Black identified that he is a shareholder in Green Gate but there is not a conflict of interest on this issue. His view was that the report raises serious concerns about the geology under the landfill footprint and that there are a lot of people concerned about it. Council may not be legally required to do anything with the data but it has a moral responsibility to have it independently reviewed so the community can be satisfied one way or the other.

There was discussion about whether the Council needed to express its concerns to the Regional Council with a view to getting them to commission an independent report.

THAT THE COUNCIL WRITE TO ENVIRONMENT CANTERBURY AND REQUEST THAT IT COMMISSION A INDEPENDENT REPORT ON THE GREEN GATE DRILLING DATA TO DETERMINE WHETHER THE MATERIAL SHED ANY LIGHT ON THE GEOLOGICAL SUBSTRUCTURE BENEATH THE KATE VALLEY REGIONAL LANDFILL.

Smart/Black **CARRIED**

5.6 SUBMISSION ON FUTURE MANAGEMENT OF ST JAMES CONSERVATION AREA

J Weaver explained that the Department of Conservation is seeking comment on its discussion paper for the future management of the St James Conservation Area. It was recommended that the Council made a submission on the discussion paper.

A Feierabend clarified that the Hurunui Tourism Governance Board discussed this matter at its last meeting. There are significant tourism issues that need to be considered in respect of Hanmer Springs and the rest of the District. Jeff Dalley as a member of the Board, the Hanmer Springs Business Association, and the Hanmer Heritage Forest Trust has been asked to contribute to Council's submission to DOC from the tourism perspective.

B Yates was asked if he had any comments from an infrastructure point of view and replied that road access to St James raises significant infrastructural issues with an associated reduction in funding due to the loss of the rate take from this property. If the Tophouse Road was to be legalised then the Council would be required to maintain it.

It was noted that the removal of stock from St James would increase weeds and fire risk with a cost to ratepayers for controlling rural fires. B Yates clarified that in becoming a public road, the Council would maintain it.

An alternative non-vehicular route from Hanmer Springs to St James along the old stock route was discussed as there are safety issues around conflicts between vehicles, walkers, cyclists, and horse riders all using Clarence Valley Road.

A field trip was suggested to observe the situation to take place before 14 September when submissions close.

THAT THE COUNCIL MAKE A SUBMISSION TO THE DEPARTMENT OF CONSERVATION ON THE FUTURE MANAGEMENT OF THE ST JAMES CONSERVATION AREA.

THAT THE COUNCIL ESTABLISH A WORKING GROUP WITH A MINIMUM OF THREE COUNCILLORS AND THE WRITER OF THIS REPORT TO PREPARE AND LODGE A SUBMISSION ON BEHALF OF THE COUNCIL ON THE MATTERS IDENTIFIED IN THIS REPORT.

THAT THE COUNCIL INCORPORATE WITHIN ITS SUBMISSION COMMENTARY PROVIDED BY MR DALLEY ON BEHALF OF THE HURUNUI TOURISM GOVERNANCE BOARD RELATING TO TOURISM MATTERS THAT SHOULD BE TAKEN INTO ACCOUNT AS PART OF ANY SUBMISSION.

Cr Smart/Cr Meikle

CARRIED

5.7 DECISION ON PROPOSED PLAN CHANGE 17 – MISCELLANEOUS CHANGES AND CORRECTIONS

J Weaver presented the proposed plan change 17, a Council initiated plan change which makes 12 separate and miscellaneous changes to the Hurunui District Plan. The changes are to correct anomalies in the District Plan or to improve certainty when assessing activities for compliance.

THAT THE COUNCIL ADOPT THE HEARING PANEL'S RECOMMENDATIONS ON PROPOSED PLAN CHANGE 17 TO THE HURUNUI DISTRICT PLAN AS ITS DECISION AND PUBLICLY NOTIFY THIS PURSUANT TO CLAUSE 10 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991.

Cr Smart/J Meikle

CARRIED

5.8 HEARINGS PANEL FOR PROPOSED PLAN CHANGE 19 – GORE BAY DESIGN STANDARDS

There have been about 20 submissions surrounding the change to Plan Change 19. Discussion ensued.

THAT THE COUNCIL DELEGATES TO A HEARINGS PANEL THE POWER TO HEAR SUBMISSIONS AND RECOMMEND A DECISION ON PROPOSED PLAN CHANGE 19.

THAT THE COUNCIL DETERMINES THE COMPOSITION OF THE HEARINGS PANEL FOR PROPOSED PLAN CHANGE 19 WILL BE COUNCILLORS V DALY, J MEIKLE AND A COMMISSIONER.

Smart/Coster

CARRIED

5.9 NORTHERN PEGASUS BAY BYLAW

The Northern Pegasus Bay Coastal Management Group drafted a bylaw for the Council to consider and adopt. The aim of the bylaw is to provide statutory backing for a ranger service, which is due to begin in the next financial year. The bylaw has been prepared in accordance with the strategies outlined in the Northern Pegasus Bay Coastal Management Plan.

A Dalley gave a general overview of the bylaw and what the general provisions cover. Cr Smart provided background on the development of the non-statutory Northern Pegasus Bay Coastal Management Plan and the lengthy development and consultation process that it has undergone.

THAT THE COUNCIL DETERMINE THAT THERE IS A NEED FOR A BYLAW TO CONTROL VEHICLE AND HORSE ACTIVITY ALONG THE NORTHERN PEGASUS BAY COAST.

THAT THE PROPOSED BYLAW BE ADOPTED FOR PUBLIC CONSULTATION ALONG WITH THE STATEMENT OF PROPOSAL AND SUMMARY IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 2002.

5.10 NORTHERN PEGASUS BAY COASTAL MANAGEMENT REPORT ON IMPLEMENTATION

A report has been prepared for elected members' general information. The report is an update of the progress in implementing the non-statutory Northern Pegasus Bay Coastal Management Plan.

THAT THE INFORMATION BE RECEIVED.

Malthus/Coster

CARRIED

5.11 RŪNANGA POSITION ON THE ENVIRONMENTAL SERVICES COMMITTEE

On 28 May 2009, the Council decided that creating a seat on the Environmental Services Committee for Rūnanga representation was a significant issue and as such, the matter was required to undergo a Special Consultative Procedure as outlined in the Local Government Act 2002. The consultation documents were put to the Council for endorsement in order to be released for public information.

Cr Black requested that further amendments to the documents be made.

The amendments included:

- That the considered options from the statement of proposal be added to the summary
- That the words, '*Are you comfortable*' be changed to, '*do you agree*'
- That the words, '*binding on Council*' be used
- That paragraph 3 of the summary include a reference to the Works and Service Committee
- That the last 2 paragraphs under the heading 'Council Committees' at the end of the statement of proposal be rearranged

THAT COUNCIL APPROVE THE STATEMENT OF PROPOSAL DOCUMENT AND THE SUMMARY INCLUDING THE ABOVE AMENDMENTS TO BE RELEASED FOR PUBLIC CONSULTATION IN RESPECT OF THE PROPOSAL TO ESTABLISH A RŪNANGA SEAT ON THE ENVIRONMENTAL SERVICES COMMITTEE.

Malthus/Coster
Against

CARRIED
Prenter/Black/Smart

5.12 DECISION ON PRIVATE PLAN CHANGE 16 – MICAH PROPERTIES LIMITED

Ms Rigg, Senior Planner reported that Proposed Plan Change 16 is a private initiated plan change to rezone approximately 7 hectares of land in Hanmer Springs from General Management to Residential. The Hearing Panels recommendation is to approve the plan change with a slightly lower density for the zone than proposed and

subject to a new policy and some additional rules. The report proposes that the Hearings Panel's recommendation be adopted by the Council as its decision on the plan change.

Cr Malthus called for discussion.

Cr Malthus expressed surprise that there was no reference in the Hearing Panels recommendation on the Hanmer Springs Township Strategic Group findings and recommendations. He noted that these findings and recommendations had been referred to in the Hanmer Springs Community Board's submission. He asked the team members present from the hearing panel whether the strategic group findings and recommendations, which were endorsed by Council last year, were taken into account when reaching their decision. Cr Malthus noted that his reason for asking was that proposed plan change was for an area of land located approximately 2km from the centre of Hanmer Springs directly adjoining a rural lifestyle zone. The proposed plan change is for a residential subdivision within a floodplain with section sizes down to 460m² while within the town centre there is nothing below 500m².

In responding, Ms Rigg referred to the Outline Development Plan (ODP) on page 285. She explained that the ODP gives a detailed indication of the different zones on the site and also noted that there is a landscape plan attached to the ODP. Ms Rigg noted that the proposal provides for significant areas of open space within the stormwater detention reserves and swales and there are a number of areas of different densities within the application site. For example, the eastern boundary of the site contains the A1 zone which is a lower density zone with a minimum area of 700m² and a minimum average of 800m² which is very similar to those lots located on the south side of Woodbank Road which generally average around 800m².

Cr Malthus commented that the size of the allotments was dissimilar to the lots located to the north which are currently around 2000m². He noted that this could result in nine lots on one side of a boundary and 19 on the other side.

Ms Rigg pointed out that proposal provided for landscaping along the eastern boundary of the site and that there was a rule requiring a building setback of 4.5 metres on those sites adjoining the boundaries. This is a greater setback than other areas within the Hanmer Township. Ms Rigg also noted that there is a rule on fencing, which required that fences may only have a maximum of height of 1.2 metres. She considered that these rules would provide for greater open space and amenity. She noted that the higher density areas would be located to the centre of the site away from the edges. Ms Rigg concluded that whilst the density would be different from the adjoining rural lifestyle zone, the overall density would be no higher than that within the town centre.

Cr Malthus commented that the site however, was not located within the town centre. He indicated that his understanding of that the reasoning of the proposal is that the proposed mitigation by landscaping meant that the smaller lots located towards the centre would not be as visible.

Cr Malthus called for further discussion.

Cr Daly indicated that he had some concerns regarding building on a floodplain. He referred to the situation in the Waimakariri District where they were having some issues with stop banks.

Cr Malthus agreed with this particularly given the storms of last year where the floodwaters in the Chatterton River got behind the headwalls of the Woodbank Bridge and the adjacent stopbank.

Cr Doody noted that the Hearing Panel had walked the land and that the river was not visible from the site due to the stopbank and vegetation along the river banks.

Cr Smart indicated that he also had concerns about the flooding.

Cr Meikle confirmed that there was a new rule proposed in the plan change that would mean that any proposed subdivision or development of the site would be a non-complying activity until such time that the Council had received written confirmation from Environment Canterbury stating that the stopbank had been upgraded to provide for a 1:500 year flood event.

Ms Rigg noted that a new rule A9.2(c) on page 278 would require all buildings to have a minimum floor level of 340.15mRL.

There was some discussion around the state of the existing stopbank and how it had coped with the storms of last year. Mr Yates noted that the stop banks had performed their function last year – the waters didn't breach the stopbank and that the level of damage and maintenance after the event was normal for an event of that size.

Clarification was sought as to the relevant process if the Council did not accept the recommendation of the Hearing Panel. It was noted that if the Council did not accept the recommendation then the plan change would need to go back for another hearing.

Cr Smart indicated that he had an issue with the recommendation of the Hearing Panel as the Hanmer Springs Community Board had opposed the plan change. He also indicated that he had an issue with the proposed size of the allotments and the minimum floor level of any proposed buildings.

Cr Malthus advised that he would abstain from voting because he had some issues with the recommendation and in particular the proposed allotment size.

Cr Black noted that the proposal was for a private plan change and that the Council had appointed a commissioner and panel to hear the application and delegated to them to come back with their opinion. He commented that whilst he had difficulty accepting and agreeing with the panel's decision, he also had difficulty, in that having appointed a panel of commissioners to hear the application and make a recommendation, that then the Council might not accept their decision.

Cr Prenter expressed his concerns about potential flooding risk.

Some discussion centred on the Council being potentially liable if the site flooded in future. Mr Dalziel advised that if the Council wished to rehear the application then it

would be obligated to fund it. He noted that if there was a different hearing panel that they might not necessarily reach a different decision.

Further discussion was raised regarding the possibility of the Hanmer Springs Community Board appealing the decision and who would fund this. It was noted that the Community Board submitted on 3 points, these being: density, flood risk and consistency with Plan Change 14. It was also noted that other parties also have the right of appeal if the Council does not pass this.

THAT THE COUNCIL ADOPT THE HEARING PANEL'S RECOMMENDATIONS ON PROPOSED PLAN CHANGE 16 TO THE HURUNUI DISTRICT PLAN AS ITS DECISION.

THAT THE RECOMMENDATION AS STATED ABOVE BE ACCEPTED BY COUNCIL.

Daly/Malthus

CARRIED Cr Smart
(against)
Cr Malthus (abstained)

THAT THE COUNCIL PUBLICLY NOTIFY THE DECISION PURSUANT TO CLAUSE 10 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991.

THAT THE RECOMMENDATION AS STATED ABOVE BE ACCEPTED BY COUNCIL.

Daly/Black

CARRIED

6. CORPORATE

6.1 PROJECTS TO BE CARRIED FORWARD TO THE 2009/2010 FINANCIAL YEAR

J Beck provided a list of projects to be carried forward into the Fiscal year 2009/2010. Points raised in discussion:

- Amberley Sewerage had not been updated. A further \$750,000 from the budgets for the 2007/08 and 2008/09 year needed to be carried forward into the 2009/10 year.
- Discussion on the Leithfield Outfall Drain.
- Contestable Funds was explained.
- Hanmer Springs Stormwater Capital Project still to be determined. A further \$300,000 has been budgeted for in 2009/2010.

THAT THE COUNCIL APPROVES THE LISTED PROJECTS BEING CARRIED FORWARD FROM THE 2008/2009 FINANCIAL YEAR TO THE 2009/2010 FINANCIAL YEAR AND RECORDED AS PART OF THE AMENDED BUDGET FIGURES FOR FINANCIAL REPORTING PURPOSES.

Smart/Daly

CARRIED

6.2 HURUNUI TOURISM GOVERNANCE BOARD INDEPENDENT MEMBER APPOINTMENTS

A verbal report was received from A Dalziel stating that 7 applications were received for the independent member positions and interviews are scheduled for 31 August 2009.

7. ENGINEERING

7.1 2009 ROADING NZ CONFERENCE

Council were asked to consider appointing a delegate to attend the annual 2009 Roothing Conference.

THAT COUNCIL NOMINATES CR DALLEY TO ATTEND THE 2009 ROADING NEW ZEALAND CONFERENCE IN WELLINGTON AND REPORT BACK AFTER THE CONFERENCE.

Smart/Daly

CARRIED

7.2 DISTRICT BOUNDARY SIGNS

Discussion was held on the type of sign the Hurunui District should have for its 5 boundary signs. It was decided that the signs shall have the following features:

1. Greeting – 'Welcome to'
2. Title – 'The Hurunui'
3. No logo
4. Reflective wording
5. Metal sign on timber and plywood frame
6. Timber posts (150X150 drilled at base) to support the sign
7. White letters on a blue background

8. URGENT BUSINESS

8.1 WASTE SUB COMMITTEE RECYCLING UPDATE

A report on the current status of the Hurunui Recycling Project was tabled. At the Waste Board meeting on 11 August 2009, it was agreed to recommend to the Council that Hurunui Recycling must be in a position to sign their contract by the September Council meeting. This recommendation will need to be adopted formally by the Council. The Sub Committee reported that an outcome is taking longer than expected. If the contract is not signed by Hurunui Recycling by the September Council meeting, Council may have to consider what alternatives there may be.

THAT THE COUNCIL REQUIRES HURUNUI RECYCLING TO SIGN THE CONTRACT WITH THE COUNCIL BY THE SEPTEMBER COUNCIL MEETING.

Smart/Black

CARRIED
6/2

(Against Cr Doody, Cr Meikle)

8.2 INFORMATION ON LATITUDE GROUP

Cr Black provided an update on the Latitude Group's project in Waipara. He confirmed that the consents are through for the water take and the supply is enough to water the golf course, provide the hotel and supply water into Waipara township. The Group's intention is still to proceed and they have written to all people who have put down deposits and offered to refund the same. Only one has acted on that. They are currently renegotiating contracts to recommence work. Some of the consents with a 2 year life are running out and the potential is for them to ask for extensions. No time frame has been given at this time, but they have invested three million dollars so are not willing to walk away. Water quality is high enough for drinking.

8.3 PUBLIC TOILETS

Cr Doody raised her concerns about the Culverden public toilets which are regularly blocked. She said they have a very high tourist usage and feels there needs to be a strategy put in place.

B Yates responded that the septic tank is designed to cope with the high usage and that the cleaner usually fixes any problems quickly. Mr Yates agreed to follow up on this and bring a report back to the Budget meeting in November if more work or funding is required.

8.4 SMALL TOWN CONFERENCE, KAIAPOI, 16 – 19 SEPTEMBER 2009

Noted as may be of interest for Council.

8.5 LEAVE OF ABSENCE

Cr Malthus requested leave of absence from 14 – 25 September 2009.

MOVED THAT CR MALTHUS BE GRANTED LEAVE OF ABSENCE FROM 14 – 25 SEPTEMBER 2009.

Coster/Meikle

CARRIED

8.6 OF NOTE

Mayor Jackson will be returning from leave on 1 September 2009.

MOVED THAT THE MEETING MOVE INTO PUBLIC EXCLUDED SESSION.

Malthus/Smart

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 mater	Grounds under section 48 (1) for the passing of this resolution
Item 1 Public Excluded minutes of 30 July 2009	Minutes contain information which if released would affect the privacy of natural persons.	Section 48 (1) (a) (i)
Item 2 Canterbury Water Management Strategy Update	Enable commercial negotiations to be carried out.	Section 48 (1) (i)
Item 3 Plan change 13 (Amberley) Mediation update Appeal – Conway Developments Limited	Subject to Appeal Enable commercial negotiations to be carried out	Section 48 (1)(a) Section 48 (1)(d) Section 48 (1)(a)(i)
Item 4 Update on Bonds	Enable commercial negotiations to be carried out.	Section 48 (1)(a)(i)
Item 5 Purchase of Reserve – Leithfield Township	Enable commercial negotiations to be carried out.	Section 48 (1)(a)(i)

Meeting closed at 4.40pm.

Confirmed _____ **22 October 2009**