

HURUNUI DISTRICT COUNCIL MINUTES



Meeting Regulatory Committee
Time and Date 1:07pm, Thursday, 11 May 2017
Venue Council Chambers, Carters Road, Amberley

Members Present Core Members: Councillor Marie Black (Chairperson), Mayor Winton Dalley, Councillors Dick Davison, Fiona Harris and Jason Fletcher (from 1.20pm).
Non Core Members: Councillors Michael Ward and Geoff Shier

In Attendance Hamish Dobbie (Chief Executive Officer), Judith Batchelor (Manager Regulatory Services), Sean Crocker (Senior Planner), Stephanie Chinn (Policy Planner, Rachael Elliott (Policy Planner), Andrew Brown Team Leader Compliance) and Kait Murray (Committee Secretary).

Apologies Jason Fletcher (lateness)
THAT THE APOLOGY BE GRANTED.
Black/Harris CARRIED

Absent

Conflict of Interest Declarations
2.1 Cr Harris declared she is a rate payer of Waipara.
3.1 Cr Fletcher noted his potential conflict of interest and withdrew from discussion in the areas he is involved in.
4.2 Cr Fletcher requested it be noted his company holds a contract for the Council to provide Animal Control services.

Recording Device A recording device was used for the purpose of the accuracy of the minutes.

Urgent Business Nil.

1. Minutes THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 9 MARCH 2017 BE CONFIRMED.

Black/Davison CARRIED

Matters Arising:
Nil.

The meeting dealt with the agenda items in order of importance, but the items are recorded in these minutes as they were numbered on the agenda

2. DECISION ITEMS

2.1 Frost control fans Waipara The Senior Planner presented his report on frost control fans and restrictions to Waipara urban development.

Some of the discussion around reimbursement and the Waipara noise report included :

- The Rickerbys site was one of three affected by changes in the proposed District Plan.
- Council Officers identified during the processing of the PIM (Project Information Memorandum) that a noise report would be required.
- Timing issues around the changes in the District Plan played a part in the Rickerbys issue.
- There is no relationship between the approval of the frost fan and the district plan review.
- Council is not trying to inhibit growth in Waipara, rather trying to balance residential and viticulture requirements.

In response to a question regarding the contents of the LIM report, the Senior Planner confirmed that a LIM would have identified existence of the frost control fan buffer. The Chief Executive Officer clarified a LIM confirms what Council knows about that property. He said when a PIM is also completed it provides more specific details regarding the intended structure. Council don't know what the property owner intends on doing with their land, that level of detail is not provided on a LIM it is provided on a PIM. The Chief Executive Officer also confirmed the onus is on the property owner and their legal advisor to identify and understand the implications of what is recorded on a LIM.

In response to a question regarding the timing of the plan changes and the specific rules of the zone. The Senior Planner confirmed the timing of the application did have a bearing on this issue. The Manager Regulatory Services further explained that these specific planning rules are deemed as having legal effect because they have not been subject to appeal.

The Committee discussion then moved to the benefits of a community wide acoustic report as against a requirement for site specific acoustic reports.

The Senior Planner was asked to provide further information for the Committee regarding the potential properties that could be subject to the frost control fan buffer and could require an acoustic report.

The Senior Planner clarified that existing homes have existing use rights and alterations to an existing dwelling would not require a report. He said only new dwellings would be affected and require an acoustic report. Cr Harris said a clear understanding of the existing use rule will alleviate the anxiety being felt by residents regarding this issue.

THAT THE COMMITTEE DECLINE THE REQUEST FOR THE REIMBURSEMENT OF THE ACOUSTIC REPORT REQUIRED FOR GC AND GG RICKERBY.

Davison/Dalley

CARRIED

THAT THE COMMITTEE DECLINE THE REQUEST FOR FURTHER ACOUSTIC FROST CONTROL FAN TESTING FOR WAIPARA.

Davison/Black

CARRIED

3. DISCUSSION ITEMS

3.1 Freedom Camping Bylaw

The Policy Planner presented the report which outlined the results of consultation with the ward committees and Hanmer Springs Community Board, a schedule of proposed designated areas for the proposed bylaw and an opportunity to discuss the process going forward.

The Policy Planner explained that the Committee were being asked to receive the results of the consultation and where required make determinations on conflicting ward/officer recommendations. She also explained the report seeks Committee approval to use these area designations as a basis for drafting the new proposed bylaw and provides the intended forward process for the bylaw review.

Proposed freedom camping restrictions – Amberley Ward

Ashley Forestry Area – The Committee determined the recommendation of the Officer should stand.

Proposed freedom camping designations - Glenmark

Glenmark Reserve, Church Road - The Committee determined the recommendation of the Officer should stand.

Scargill Motunau Reserve, Scargill Valley Road - The Committee determined the recommendation of the Officer should stand.

Proposed freedom camping restrictions – Cheviot Ward

St Annes Lagoon, 313 Parnassus Rd - The Committee determined the recommendation of the Officer should stand.

Port Robinson Coastal Reserves (RMP) – Port Robinson Rd, Port Robinson Road, Cathedral Road and Manuka Bay Road - The Committee determined the recommendation of the Officer should stand.

Lay-bys to the north and south of the Old Waiau Bridge (Parnassus Road, State Highway 1) - The Committee determined the areas are outside of Council jurisdiction, being NZ Transport Agency road reserve.

Lay-by area north of Hurunui River bridge on State Highway 1 – 1767 Domett Road - The Committee determined the recommendation of the Officer should stand.

Proposed freedom camping restrictions – Hurunui Ward

Either side of Frog Rock and lay-by area on Weka Pass (State Highway 7) - The Committee determined the recommendation of the Officer should stand.

Lay-by area on the southern side of the Wandle bridge (Inland Road, Route 70) - The Committee determined the recommendation of the Ward Committee should stand.

Rotherham Domain Freedom Camping Area, Davison Road - The Committee determined the recommendation of the Officer should stand.

Proposed freedom camping restrictions – Hanmer Springs

Hanmer River Reserve (683-692 Hanmer Springs Rd) - The Committee determined the recommendation of the Community Board should stand.

Chisholm Crescent Reserve carpark (27 Chisholm Crescent) - The Committee determined the recommendation of the Officer's should stand, with the following amendment, to exclude the months of June, July and August.

Cr Fletcher drew attention to the comments from the Hanmer Springs Community Board for the Committee's consideration before enacting a new Freedom Camping Bylaw. The Committee broadly discussed the comments of the Hanmer Springs Community Board and agreed they should be considered for other areas across the district. The Chief Executive Officer

suggested these items could be raised during the consultation process.

The Manager Regulatory Services summarised by saying the proposed bylaw and statement of proposal will come before Council before being opened for public consultation.

THAT THE COMMITTEE RECEIVE THE INFORMATION GATHERED FROM WARD CONSULTATION ON FREEDOM CAMPING BYLAW REVIEW.

THAT THE COMMITTEE RECEIVE THE OFFICER RECOMMENDATIONS ON THE AREAS PROPOSED FOR CERTAIN DESIGNATIONS FOLLOWING WARD CONSULTATION.

THAT THE COMMITTEE MAKE A DETERMINATION ON ANY CONFLICTING WARD/OFFICER RECOMMENDATION RELATING TO PROPOSED AREA DESIGNATIONS IN APPENDIX A.

THAT THE COMMITTEE DIRECT THE OFFICER TO CONTINUE THE BYLAW REVIEW PROCESS BY USING THE DESIGNATED AREAS AS AGREED IN APPENDIX A TO DRAFT A PROPOSED BYLAW. AFTER FURTHER CONSULTATION AROUND ROADING, LITTER AND FIRE ISSUES.

Black/Harris

CARRIED

Adjournment

The committee adjourned for afternoon tea at 3.19pm and reconvened at 3.26pm.

4. INFORMATION ITEMS

4.1 NES
contaminants soil

The Senior Planner presented the report containing Proposed Amendments to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health – Implications for Property owners.

THAT THE INFORMATION BE RECEIVED.

Davison/Harris

CARRIED

4.2 Compliance
Team Update

The Team Leader Compliance presented the report containing updates to the compliance team and their activities. Some of the points noted from his report were:

- The animal control officer has been quite busy, and the officer is doing regular patrols around the district.
- The Christchurch City Council offered assistance with relocating stock during the recent fire event on SH7.
- Alcohol premises controlled purchase operations have been undertaken and are done in conjunction with the New Zealand Police.

THAT THE INFORMATION BE RECEIVED.

Black/Davison

CARRIED

4.3 Verbal update
on District Plan
mediation

This item was discussed in a Public Excluded session.

4.4 Summary of
changes under the
Resource Legislation
Amendment Act

The Policy Planner presented the report containing a Summary of changes under the Resource Legislation Amendment Act 2017.

- The Resource Legislation Amendment Act 2017 became law on 18
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2017

April 2017.

- The Resource Legislation Amendment Act amends five pieces of legislation, including the Resource Management Act.
- Changes relating to national direction and plan-making under the Resource Management Act came into force on 19 April 2017.
- Changes relating to the Resource Management Act consenting process come into force on 18 October 2017.

The Policy Planner briefly explained some of the changes.

In response to a question regarding the clause that has been added relating to the management of significant risks from natural hazards. The Policy Planner explained this means the management of these risks needs to be recognised and provided for when implementing the RMA and that it sets a higher test. The Manager Regulatory Services provided further explanation by saying when a consent is being considered, Section 6 requires more weight or higher prominence to the natural hazard issues.

Regarding the fast tracking the Policy Planner confirmed it is for controlled activity land use consents only. She said the deadline has gone from 20 days for processing to 10 days for processing.

THAT THE INFORMATION BE RECEIVED.

Black/Fletcher

CARRIED

5 PUBLIC EXCLUDED PUBLIC EXCLUDED SESSION

THAT THE MEETING MOVE INTO PUBLIC EXCLUDED SESSION AND THE GENERAL SUBJECT OF THE MATTERS TO BE CONSIDERED WHILE THE PUBLIC IS EXCLUDED, THE REASON FOR PASSING THIS RESOLUTION IN RELATION TO THE MATTERS 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 this resolution
Item 5.1 District Plan Mediation	The minutes contains information which if released would affect the privacy of natural persons and information withheld to enable the local authority to carry on, without prejudice or disadvantage, negotiations.	Section 48(1)(a)(i) & Section 7(2)(a) & 7(2)(i)

Davison/Fletcher

CARRIED

THAT THE MEETING RESUME IN OPEN SESSION AND THAT THE MATTERS DISCUSSED IN PUBLIC EXCLUDED SESSION REMAIN CONFIDENTIAL, EXCEPT FOR THOSE MATTERS APPROVED FOR RELEASE.

Dalley/Harris

CARRIED

6 URGENT BUSINESS

MEETING ENDED The meeting closed at 4.34pm.
