



**HURUNUI**  
*District Council*

# Regulatory Committee

## Agenda

**1pm, Thursday, 14 February 2019**

**Council Chambers, Carters Road, Amberley.**

**Community partnership in growth and wellbeing.**

Regulatory Committee

**Committee Membership:**

Cr Marie Black (Chairperson)  
Mayor Winton Dalley  
Cr Dick Davison  
Cr Jason Fletcher  
Cr Fiona Harris

**Quorum:**

The quorum of the Committee will be three (3) members.

Secretary: Penny Cairns

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**The purpose of local government:**

- (1) The purpose of local government is—
  - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
  - (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
  
- (2) In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—
  - (a) efficient; and
  - (b) effective; and
  - (c) appropriate to present and anticipated future circumstances.

*(Local Government Act 2002 – Amendment Act 2012)*

**REGULATORY COMMITTEE**  
**THURSDAY, 14 DECEMBER, 1PM**

1.00pm	Meeting begins
3pm	Morning Afternoon tea
4pm	Meeting Concludes

ITEM	ORDER OF BUSINESS	SIGNIFICANCE	PAGES										
	<ul style="list-style-type: none"> <li>• Health and Safety briefing</li> <li>• Apologies</li> <li>• Announced Urgent Business</li> <li>• Conflict of Interest Declarations</li> <li>• Recording Device</li> </ul>												
<b>1</b>	<b>Minutes:</b> Confirmation of the Minutes from the meeting held on 6 December 2018.		4 - 8										
<b>2</b>	<b>Decision Items:</b> There are no information items for this meeting.												
<b>3</b>	<b>Discussion Items:</b> There are no information items for this meeting.												
<b>4</b>	<b>Information Items:</b> 4.1 District Licensing Committee Update 4.2 Freedom Camping Bylaw 2018 – Complaints Update	Low Low	9-12 13-18										
<b>5</b>	<b>Public Excluded Session:</b> 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:												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">General subject of each matter to be considered</th> <th style="width: 30%;">Reason for passing this resolution in relation to each matter</th> <th style="width: 25%;">Grounds under section 48 (1) for the passing of this resolution</th> <th style="width: 10%;">Significance</th> <th style="width: 10%;">Pages</th> </tr> </thead> <tbody> <tr> <td> <b>Item 5.1</b>            Minutes of the PE Session of the 6 December meeting.         </td> <td>           The report contains information which if released would affect the privacy of natural persons <u>and</u> information withheld to enable the local authority to carry on, without prejudice or disadvantage, negotiations.         </td> <td>           Section 48(1)(a)(i) &amp; Section 7(2)(a) &amp; 7(2)(i)         </td> <td>Medium</td> <td>20-21</td> </tr> </tbody> </table>	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	Significance	Pages	<b>Item 5.1</b> Minutes of the PE Session of the 6 December meeting.	The report contains information which if released would affect the privacy of natural persons <u>and</u> 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)	Medium	20-21		
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<b>6</b>	<b>Urgent Business:</b>												

# HURUNUI DISTRICT COUNCIL MINUTES



<b>Meeting</b>	Regulatory Committee
<b>Time and Date</b>	1pm, Thursday, 6 December 2018
<b>Venue</b>	Council Chambers, Carters Road, Amberley

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<b>Members Present</b>	Core Members: Councillor Marie Black (Chairperson), Mayor Winton Dalley, and Councillor Dick Davison. Non Core Members: Councillors Julia McLean, and Vince Daly
<b>In Attendance</b>	Hamish Dobbie (Chief Executive Officer), Judith Batchelor (Manager Regulatory Services), Sean Crocker (Senior Planner), Andrew Brown (Team Leader Compliance), Kelsey Ashworth (Planner), Stephanie Chinn (Policy Planner), Stephen Gardner (ECan Scientist) and Graham Aveyard (ECan Team Leader Contaminated Land and Waste) and Penny Cairns (Committee Secretary).
<b>Apologies</b>	Councillors Jason Fletcher, Geoff Shier and Fiona Harris THAT THE APOLOGIES BE ACCEPTED. Black /Davison <span style="float: right;">CARRIED</span>
<b>Leave of Absence</b>	
<b>Conflict of Interest Declarations</b>	Nil
<b>Recording Device</b>	A recording device was used for the purpose of the accuracy of the minutes.
<b>Urgent Business</b>	Nil.
<b>1. Minutes</b>	THAT THE MINUTES OF THE ORDINARY MEETING HELD ON 11 OCTOBER 2018 BE CONFIRMED. Black /Davison <span style="float: right;">CARRIED</span> Matters arising Nil
<b>2. DECISION ITEMS</b>	
2.1 Regional Council HAIL Identification Project	The Senior Planner introduced the visitors from the Canterbury Regional Council ( <i>Ecan</i> ) and gave a brief overview of the report. Officers Stephen Gardner (Scientist) and Graham Aveyard (Science Team Leader, Contaminated Land and Waste) from the Contaminated Sites Team ( <i>"the team"</i> ) gave a presentation providing information on this summer's

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hazardous activities and industries list (*HAIL*) identification project in the Hurunui and Kaikoura Districts.

Points covered in the presentation:

- The Ecan Team Leader advised he has nearly 30 years of experience as an Environmental Health Officer in the UK and Auckland Council, and that he has experience working in the management of contaminated land.
- The Hurunui District Council (*HDC*) has a list of contaminated sites but this is not necessarily a complete record.
- The project will include a review of aerial photography to identify other possible contamination sites. This information will then be further tested using HDC files, such as resource consents and lists of historic land use.
- Aerial photography can pick up unconsented uses, such as rubbish dumps.
- There are 10 major categories of prior use, including landfills and sheep dips. The Ecan Team Leader will provide this list.
- The vast majority sites identified are livestock dips or spray race operations.
- When mapping *HAIL* sites, only affected areas are included, e.g., when mapping a sheep dip, the drafting area is not included.
- For horticulture properties to be identified, there needs to have been use of persistent pesticides e.g., DDT, and heavy metals. The residential areas in horticultural sites will be not included.
- Sports grounds/golf courses are other sites where persistent pesticides were, in some cases, used.
- Timber treatment sites can contaminate soil as well as ground water.
- The overall purpose of the exercise is to protect human health.
- A Licensee Event Report (LER) search is undertaken to identify relevant change of use consents. Resource Management consents are required to permit change of use, soil disturbance or sub-division.
- A comprehensive communications plan is part of the exercise; letters, information packs, and drop-in sessions are tools used to engage and inform the community.
- The Ecan team will report back to the *HDC* in June or July. Land owners will be approached and asked for any further information.
- The project will be advertised as a joint effort between the Ecan and Hurunui District Council. Therefore, support from the committee is sought. The reporting Officer recommends the committee support the project.

In the subsequent group discussion, the following points were made:

- Cr. Davison expressed concern that the boundaries of *HAIL* sites be appropriately sized to that of the original contaminated area. Ecan advised that soil samples can be used to help focus on area needed to.

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- It was mentioned that a project was conducted approximately 10 years ago in Hurunui district, so there is already a lot of information available for the towns.
  - It was advised that the Hurunui district is already included in the Ecan mapping system
  - The point was made that if the contamination affects water, then it is covered by different legislation.
  - It was noted that the liability for contamination is held by person who owns the property, therefore, earlier investigation helps potential purchasers or liability holders.
  - While the information is not publically notified, it does become publically accessible.
  - Landowners are contacted and informed.
  - The Ecan Team Leader advised that the desktop exercise is designed to identify sites where an activity that may have caused contamination. Many of these sites may present no current or future contamination problems.
  - This process is already a requirement of the National Environmental Standard (NES).
  - Ecan provides the best system for identifying these sites in the whole of the country.
  - It was asked, in the case where the landowner disagrees to a contamination classification, who does the burden of proof fall upon? The Ecan Team Leader advised that HAIL identifies if it is or isn't a contaminated site. While the process is respectful of information that landowners are able to provide, it comes down to bounds of probability.
  - The question was raised as to whether this is sufficient to protect new activities. It was noted that it is the council's decision whether to put this information on the properties' LIM. Information belonging to the HDC must be disclosed on a LIM. This is Ecan information.
  - Ecan is using a live process so that the information can be updated.
  - The Regulatory Manager will work with Ecan to develop a media release to go out shortly, prior to the Ecan work beginning.
  - This committee asked to review the letter advising of HAIL site identification.

The Senior Planner requested that his report be taken as read.

Key points from the report included:

- The desk review will be conducted this summer
- The intention to consult with landowners in July.
- This process will help the HDC meet its requirements and provide better knowledge to property owners who want to develop their site.
- The committee is invited to contact the Ecan presenters through their email addresses or through the Senior Planner.

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THAT THE COMMITTEE AGREE TO SUPPORT THE PROJECT

Davison /Dalley

CARRIED

*Senior Planner and Ecan staff left the meeting.*

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2.2 RC180145 &  
RC180146 – Hanmer  
Springs Thermal  
Pools and Spa –  
Appointment of a  
Hearing  
Commissioner

The Planner presented the report, which outlines the resource application from Hanmer Pools and Spa and requested public notification.

The Planner advised that Mr Chrystal is available to act as an Independent Commissioner.

THAT THE COUNCIL APPOINT DEAN CHRYSTAL AS AN INDEPENDENT HEARING COMMISSIONER PURSUANT TO SECTION 34A(1) OF THE RESOURCE MANAGEMENT ACT 1991, TO HEAR AND DETERMINE RESOURCE CONSENT APPLICATIONS RC180145 & RC180146

Dalley /Davison

CARRIED

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2.2 NZPI Conference  
– Elected Member  
Attendance

The Regulatory Manager presented the report, which outlines the NZPI Conference is in Napier in April. This year's conference theme is weaving strands. Liz White and Andrew McLennan had an abstract accepted regarding SNAs. The committee requested to hear this presentation at a future meeting.

Field days are held on the first day of the conference. Attending days 2 and 3 only, is an option. At last year's conference, the elected members' session was poorly attended. In total, the conference includes 4 nights away.

The committee agreed to canvas other councillors not at this meeting to ask for expressions of interest.

THAT THE COMMITTEE DECIDES THAT UPTO 2 COUNCILLOR(S) SHOULD ATTEND THE NEW ZEALAND PLANNING INSTITUTE CONFERENCE IN APRIL 2019 IN NAPIER AND APPROVE THE ATTENDANCE OF THOSE COUNCILLORS.

Dalley / Davison

CARRIED

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### 3. DISCUSSION ITEMS

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There were no discussion items for this meeting.

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### 4. INFORMATION ITEMS

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4.1 Freedom  
Camping Bylaw 2018  
– Complaints Update

The Team Leader (Compliance) provided a report reviewing the first few months of the Hurunui District Council Freedom Camping Bylaw being in effect.

Points covered in the presentation were:

- It is too early in the season to be able to comment on the data.
- Cr Davison observed that campers who were merely stopping for a few hours were being reported to the council. He does not want public money to be wasted chasing people who are not doing anything wrong.
- Cr Daly expressed concern that Gore Bay incidents will never be attended because of the location's remoteness. He felt the public would stop complaining if they don't get a response.

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THAT THE INFORMATION BE RECEIVED.

Davison / Dalley

CARRIED

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**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:

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<b>Item 5.1</b> Minutes of the PE Session of 11 October 2018	The minutes may contain information which if released would affect the privacy of natural persons.	Section 48(1)(a)(i) & Section 7(2)(a).

Dalley / Davison

CARRIED

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**6. URGENT BUSINESS** The Team Leader (Compliance) attended court for sentencing of owner of dog attack. He reported that the total fine was \$1000, and court costs were \$678. It cost \$15,000 – 20,000 to bring prosecution.

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**MEETING ENDED** The meeting closed at 2:45 pm.

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# HURUNUI DISTRICT COUNCIL MEETING REPORT



**To:** Regulatory Committee  
**Report Prepared by:** Kelly Marchant – District Licensing Committee Secretary  
**Date:** 14 February 2019  
**Significance Level:** Low

## District Licensing Committee Update

**Recommendation** THAT THE INFORMATION BE RECEIVED.

**Executive Summary** This is to update the Committee on the activities of the District Licensing Committee for the months July 2018 to January 2019

**Background** As of 18 December 2013, the function of the District Licensing Committee has been to consider and determine all applications for new and the renewal of licences and managers certificates.

As a Committee of Council, quarterly reports are produced to update the Council on all activities undertaken by the District Licensing Committee.

As requested at the meeting of the Regulatory Committee on 11 August 2016 – 6 monthly financial breakdown of figures are also included in this report.

**Activity undertaken by the licensing committee in the period July 2018 to January 2019.**

The Chair of the District Licensing Committee (and the quorum when necessary) determine all unopposed applications via email with the Secretary.

July 2018	On the Papers	
Chairperson	Managers Certificate (renewal)	8
	Managers Certificates (new)	3
	Off , On or Club -licence (renewal)	5
	Off , On or Club -licence (new)	0
	Special licence	3
Full Committee	Temporary Authority	2

<b>August 2018</b>	<b>On the Papers</b>	
Chairperson	Managers Certificate (renewal)	0
	Managers Certificates (new)	1
	Off , On or Club -licence (renewal)	1
	Off , On or Club -licence (new)	0
	Special licence	5
Full Committee	Temporary Authority	1

<b>September 2018</b>	<b>On the Papers</b>	
Chairperson	Managers Certificate (renewal)	4
	Managers Certificates (new)	6
	Off , On or Club -licence (renewal)	9
	Off , On or Club -licence (new)	0
	Special licence	9
Full Committee	Temporary Authority	0

<b>October 2018</b>	<b>On the Papers</b>	
Chairperson	Managers Certificate (renewal)	5
	Managers Certificates (new)	7
	Off , On or Club -licence (renewal)	6
	Off , On or Club -licence (new)	0
	Special licence	8
Full Committee	Temporary Authority	0

<b>November 2018</b>	<b>On the Papers</b>	
Chairperson	Managers Certificate (renewal)	8
	Managers Certificates (new)	1

	Off , On or Club -licence (renewal)	3
	Off , On or Club -licence (new)	0
	Special licence	5
Full Committee	Temporary Authority	1

<b>December 2018</b>	<b>On the Papers</b>	
Chairperson	Managers Certificate (renewal)	15
	Managers Certificates (new)	5
	Off , On or Club -licence (renewal)	6
	Off , On or Club -licence (new)	0
	Special licence	10
Full Committee	Temporary Authority	0

<b>January 2019</b>	<b>On the Papers</b>	
Chairperson	Managers Certificate (renewal)	4
	Managers Certificates (new)	3
	Off , On or Club -licence (renewal)	1
	Off , On or Club -licence (new)	2
	Special licence	9
Full Committee	Temporary Authority	1

**DLC Hearings**


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There has not been a Public Hearing held by the Committee during this period.

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**CPO Results**


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There has not been a Controlled Purchase Operation during the period.

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**Alcohol Licensing budget to date**


A breakdown of income and expenditure of the Licensing budget for the last seven months to the end January 2019.

		Actual YTD To end Jan 2019	Budget Full Year
Income	• General Rates	\$14,185.50	\$28,368.00
	• Licensing fees	\$77,213.39	\$140,004.00
Expenditure	• Salaries & Wages	\$78,998.36	\$97,584.00
	• Legal Fees	\$0.00	\$2,004.00
	• Operating Costs	\$18,411.10	\$38,784.00
	• Refunds to ARLA	\$4,153.98	\$9,996.00
	• DLC Costs	\$1,501.72	\$19,992.00


**Report Prepared by:**

Kelly Marchant

District Licensing Committee Secretary


**Report Reviewed by:**

Judith Batchelor

Manager Regulatory Services

**Officer in Attendance:**


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The report author will be in attendance to speak to this report.

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# HURUNUI DISTRICT COUNCIL MEETING REPORT



**To:** Regulatory Committee  
**Report Prepared by:** Andrew Brown, Team Leader - Compliance  
**Date:** 14 February 2019  
**Significance Level:** Low

## **Freedom Camping Bylaw 2018 – Complaints Update**

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**Recommendation** THAT THE INFORMATION BE RECEIVED.

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**Executive Summary** The Hurunui District Council Freedom Camping Bylaw 2018 came into effect on 1 September 2018. At the direction of the Council the bylaw is subject to review.

This report is to update and inform the committee about progress made implementing the bylaw, and complaints received in relation to freedom camping since the bylaw came into effect.

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## Signage

At the time of writing, new signage for the Bylaw “Schedule 2” areas (where freedom camping is permitted with conditions), is part way through being installed.

Signage has been installed at the following locations:

- Chisholm Crescent car park, Hanmer Springs
- Council car park, 66 Carters Road, Amberley
- Cheviot Rest Stop, Cadman Street, Cheviot
- Old School Reserve, Cathedral Road, Gore Bay

The signs at these locations are scheduled to be installed by 12 February:

- Hawarden Community War Memorial Hall, Horsley Down Road, Hawarden
- Stocks Reserve, Weka Pass Road, Waikari
- Rutherford Reserve car park, Culverden.
- Cheltenham Street, Hanmer Springs.

The following signs are not ready for installation:

- Hanmer River Reserve
- Glenmark Reserve

The Council’s Roading contractor has been identifying and removing old signage during routine road patrols in the Hanmer area, and other obsolete signage is being removed as we come across it.

A web link and a QR code have been added to the sign design to direct people to Freedom Camping maps and information on the Council’s website.

### 1 Web link and QR code on new signage



### 2 Updated signage designs



## Complaints

All reports of freedom camping incidents since the introduction of the bylaw on 1 September are set out below.

The largest number of complaints have been from Gore Bay. The Council's after hours contractor is based in Hanmer Springs, so attending complaints in Gore Bay is time consuming and at times logistically difficult. As a result, a small number of the complaints have not been attended, and enforcement costs are quite high.

To try to address this we have requested the contractor commence twice weekly proactive patrols of Gore Bay. So far the findings have varied, and on at least one occasion the contractor has been called back to Gore Bay for a camper that arrived after the patrol was done.

Staff are looking at options for locally based enforcement and monitoring in the Cheviot Ward.

Infringement notices for camping in a prohibited camping area have been issued on two occasions at Gore Bay.

Complaints	Sep	Oct	Nov	Dec	Jan	Total
Complaints	8	0	4	8	16	<b>36</b>
Individual Incidents	7	0	4	8	16	<b>35</b>

How Reported	Sep	Oct	Nov	Dec	Jan	Total
Snap, Send, Solve	4	0	3	2	7	<b>16</b>
Phone	4	0	0	6	8	<b>18</b>
Other (text message)	0	0	1	0	0	<b>1</b>
Email	0	0	0	0	1	<b>1</b>

NB. One incident reported twice.

Location	Sep	Oct	Nov	Dec	Jan	Total
Amberley	1	0	0	1		<b>2</b>
Hanmer Springs	6	0	1		4	<b>11</b>
Gore Bay				7	11	<b>18</b>
Waiau	0	0	3			<b>3</b>
Waipara					1	<b>1</b>

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Attended/Not attended	Sep	Oct	Nov	Dec	Jan	Total
Attended	5	0	1	5	7	<b>18</b>
Not attended	2	0	3	3	9	<b>17</b>

Attended by	Sep	Oct	Nov	Dec	Jan	Total
Staff	1		1	1	1	<b>4</b>
Contractor	3			4	6	<b>13</b>
Both	1					<b>1</b>

Reason for non-attendance	Sep	Oct	Nov	Dec	Jan	Total
Reported after the fact	2		3	2	8	<b>15</b>
No staff/contractor available				1	1	<b>2</b>

Breach of bylaw	Sep	Oct	Nov	Dec	Jan	Total
Yes	4			6	11	<b>21</b>
No	3		3		3	<b>9</b>
Unclear			1	2	2	<b>5</b>

N.B. Incidents reported after the fact are included in these numbers.  
Compliance with the bylaw is assessed on the information available.

Reason for breach of bylaw	Sep	Oct	Nov	Dec	Jan	Total
In a prohibited camping area	4			6	10	<b>20</b>
Deposits waste generated while freedom camping					1	<b>1</b>

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Action taken	Sep	Oct	Nov	Dec	Jan	Total
Moved on	2			3	1	<b>6</b>
Infringement					2	<b>2</b>
No action	2		1		2	<b>5</b>

N.B. Where an infringement was issued the campers were also moved on, but we have only recorded this as an infringement.

Other issues noted	Sep	Oct	Nov	Dec	Jan	Total
Litter	0	0	0	0	2	<b>2</b>

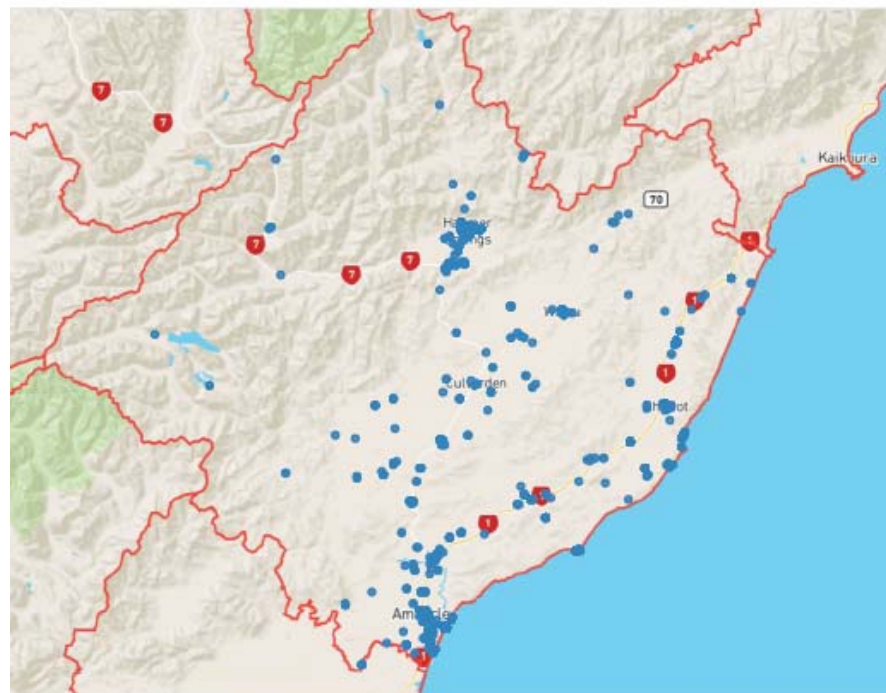
### Data From CamperMate App

A company called GeoZone has provided the Council with information collected from its CamperMate smartphone application. The data doesn't capture all campers so should be considered a good indicator of trends, rather than absolute numbers.

The following data is from December 2018.

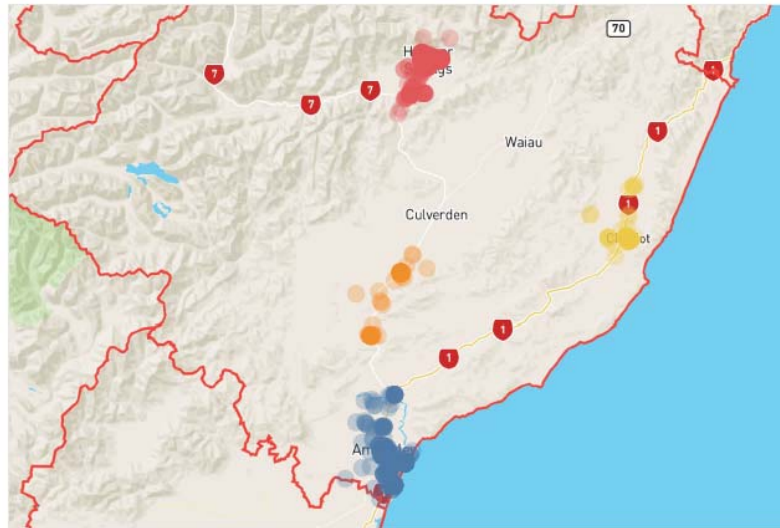
**Overnight Stays in Hurunui District during December: 2251.**

**Overnight Stay Locations (One Dot = One Night)**



### Key Areas

Data is captured showing where users are spending the night. The visualisation below creates four distinct clusters of where the main areas of overnight stays take place (these must be within a 10km radius to be counted as a cluster). The table below this visualisation shows the number of overnight stays per clustered area.



Number Of Overnight Stays Per Cluster



This data could be of use for planning future freedom camping related initiatives.

Of interest is that the areas showing higher numbers of campers don't seem to have a corresponding higher number of complaints, with there being one complaint in Amberley, and none in Hanmer Springs during the period shown in the above maps.

**Significance Consideration**

This is an information only report and is considered to be of low significance.

**Report Prepared by:** Andrew Brown  
Team Leader - Compliance

**Report Reviewed by:** Judith Batchelor  
Manager Regulatory Services

**Officer in Attendance:** The report author will be in attendance to speak to this report.