



HURUNUI
District Council

STRATEGY & POLICY COMMITTEE

AGENDA

FOR AN EXTRAORDINARY MEETING TO BE HELD ON:

THURSDAY 26 APRIL 2012
COMMENCING AT 1.00PM

IN THE HANMER SPRINGS MEMORIAL HALL, CONICAL HILL
ROAD, HANMER SPRINGS.

In Hurunui we live the lives the rest of the world would love to live.

STRATEGY & POLICY COMMITTEE

For the meeting timetable and order of business please refer to the back page fold-out.

Committee Membership

Cr Michael Malthus (Chair)
(Hanmer Springs Ward)
Winton Dalley (Mayor)
Cr Gary Cooper (Amberley Ward)
Cr Ross Little (Amberley Ward)
Cr Jude McKendry (Amberley Ward)
Cr Marie Black (Amuri/Hurunui Ward)
Cr Dick Davison (Amuri/Hurunui Ward)
Cr Jim Harré (Amuri/Hurunui Ward)
Cr Vincent Daly (Cheviot Ward)
Cr Russell Black (Glenmark Ward)

Quorum Number – Is no less than five (5) members.

26 APRIL 2012

TIMETABLE

Time	Item
1.00pm	Meeting commences.

Item	Order of Business	Pages
	<ul style="list-style-type: none"> • Apologies: Cr Jim Harre – Leave of Absence. • Conflict of Interest Declarations • Recording Device 	
1	Corporate: 1.1 Notice of Motion: Revocation or Alteration of Resolution.....	1 - 6

Notice of Motion – Revocation or Alteration of Resolution

For Extraordinary Strategy & Policy Committee Meeting – 26 April 2012

I propose, subject to Standing Order 2.18.14, that the Committee revoke the resolution as detailed below:

Resolution to be revoked:

Strategy & Policy Committee meeting of 12 April 2012

5.5 Council Response to Deputations on State Highway 1 Traffic Safety Concerns

“THAT THE COUNCIL IS NOW CONCERNED ABOUT THE TRAFFIC SAFETY ISSUES OF USING THE MOTUNAU BEACH ROAD OPTION FOR ACCESS TO THE PROPOSED HURUNUI WIND FARM AND ASKS FOR A REPORT ON ACCESS VIA THE REECES ROAD ROUTE IDENTIFIED BY MERIDIAN.”

The Committee may at the meeting consider an alternative resolution with respect to this matter.

Signed:

Cr Michael Malthus

(This is a copy of the original motion signed by Cr M Malthus. The signatures of Crs J McKendry, D Davison, G Cooper and M Black were also obtained, pursuant to Standing Orders.)

EXTRACT OF DRAFT MINUTES OF THE MEETING OF THE HURUNUI DISTRICT COUNCIL'S STRATEGY AND POLICY COMMITTEE HELD ON THURSDAY 12 APRIL 2012 AT 9.30AM IN THE COUNCIL CHAMBERS, 66 CARTERS ROAD, AMBERLEY.

PRESENT:

Cr Michael Malthus (Chairperson), Mayor Winton Dalley, Councillors Marie Black, Russell Black, Gary Cooper, Dick Davison, Jim Harré, Judith McKendry and Ross Little (until 3.13pm.).

IN ATTENDANCE:

Andrew Dalziel (Chief Executive Officer), Judith Batchelor (Manager Environmental Services), Jason Beck (Manager Financial Services), David Edge (Manager Roding and Utilities), Audrey van der Monde (Manager Community and Corporate Services), Bruce Yates (Manager Amenities and Special Projects) and Graham Sutherland (Council Secretary).

APOLOGIES:

Cr Vince Daly. Cr Little for early departure. (It was noted that Cr Harré had leave of absence but was in attendance due to a change of plans.)

5.5 Council Response to Deputations on State Highway 1 Traffic Safety Concerns

The Council Secretary reported that at the last Council meeting held on 29 March 2012, two members of the public made deputations to the Council highlighting concerns about the proposed route for construction vehicles for the Hurunui Wind project, if consented. The Council heard the deputations but did not deliberate or consider any action it may wish to take. The report provided the opportunity for the Strategy and Policy Committee to give direction to officers regarding how it wishes to proceed with respect to this matter.

Cr Little noted that he has a wind testing mast on his property and in the past some members of the community have suggested that this creates a conflict of interest when considering wind farm matters. He said he did not agree that he had a conflict of interest but he would withdraw from the discussion on this item to remove any doubt and possible negative reflection on the Council.

Mayor Dalley said this matter was not about the proposed wind farm but safety of traffic on Hurunui roads. He said he did not believe that Cr Little had a conflict of interest but he respected the position he had taken and noted it was each individual councillor's decision to make on these issues. Other councillors shared the view that Cr Little did not have a conflict of interest but respected his decision.

Cr Malthus noted that this item was for the Committee to consider any action with respect to the deputations and he said there was no officer report or recommendations at this stage.

Cr R Black said this was a traffic safety issue regarding the proposed access to the wind farm and he said he agreed with the issues raised. He noted this was an area and roads that he was very familiar with. He said Reeces Road would be a vastly safer route than Motunau Beach Road and the Council's first obligation must always be safety for the community.

Cr R Black said he supported the Committee asking the Council's roading expert to do a study of Reeces Road as an alternative route to Motunau Beach Road and the Council would be remiss if it did not do that.

Cr Davison said the Council needed to separate the issues between traffic safety and the proposed wind farm. He said he was comfortable endorsing work to be done on traffic safety but was worried about potential distortion of the information by parties with particular interests. He said as long as the report requested is focused solely on the matter of traffic safety it would be satisfactory.

Cr Malthus noted that the Council had adopted a neutral position on the wind farm proposal and wondered if this position would be compromised in any way if the Council instructs its expert as requested. The Chief Executive Officer said the Council position would not be compromised as it has received deputations from its constituents asking it to undertake certain action and it needs to consider that. He advised that the Council expert, Mr Chesterman, had already prepared his evidence in which he states that the proposed Motunau Beach Road access is safe. The NZTA and Meridian experts have concurred. He said that to consider an alternative access using Reeces Road would place an obligation on the Council to look at who is affected and what other parties might say about the matter. He said currently all submitters have submitted based on the Motunau Beach Road access only and raising a new access route alternative undermines all the submissions made on the basis of the consent application. He said that other affected parties may not have submitted because Reeces Road was not part of the application, so to raise it now may leave them feeling excluded.

Mayor Dalley said the difficulty is that the system does not appear to allow for an alternative to be put in front of the court at this stage, even if it is found to be a better solution. He said it may be satisfactory to say the Motunau Beach Road access is feasible but it does not mean it is the best and safest option. He said the Council has an obligation to find the safest option for its community.

Cr R Black said if the Council asks its expert to prepare a report then the court will decide whether to consider the report or not. If it is out of order then the Council would be told by the court.

Cr Malthus suggested that the Glenmark community group opposing the wind farm could be encouraged to take this alternative up as its proposal. Cr R Black said he did not favour this approach as it was the Council's responsibility to do this study, not other groups. He said if the Council believes Reeces Road is the safer route then it should take action itself.

Cr Cooper said he supported finding out if Reeces Road is safer but he noted that the Council had already provided funding to the Glenmark group for expert evidence regarding the consent application and this issue would best be addressed by them.

Cr Harré said he agrees the Reeces Road route is more logical but the Council expert has considered Reeces Road and discounted it in his evidence. He said it would put the Council and its expert in a difficult position by going back now on that view.

Cr Malthus said the councillors seem to generally agree that Reeces Road may be a safer route but how it signals that to the Environment Court is a challenge as the Council must be seen to be acting appropriately in such matters. Cr R Black said the only way is by commissioning a report so at least the Council has that knowledge.

Cr Harré suggested that the Council could ask Mr Chesterman to review what he has said in his evidence and raise the Reeces Road issue when cross-examined in court, if asked, which was his preferred option.

The Manager Environmental Services provided clarification about the reports prepared by the traffic expert. She said there were two reports – one was in response to the application and the second report is a response to submissions. In response to a question from Cr R Black, the Manager Environmental Services said that Mr Chesterman would have only made an assessment of the application, not an assessment of possible alternatives. Cr R Black said Meridian did prepare a report on Reeces Road and Mr Chesterman did not respond to that. The Manager Environmental Services said he was not obliged to as it was not part of the formal application.

Mayor Dalley expressed frustration about the Council having information about relevant matters like traffic safety and yet this cannot be put before the court. He said he was disappointed that easily accessible knowledge of accidents and traffic safety data was not referred to in the traffic report.

The meeting adjourned for afternoon tea 3.05pm and reconvened at 3.16pm.

Cr R Black reiterated that this was a very important issue for the Glenmark community and he urged the Committee to support the community interests. He said that councillors all agreed that safety is paramount and the Council therefore has to find a way through this problem.

Cr Malthus said the Committee should be cautious about making a decision on this matter without full information and he recommended that the Committee first decide if it thinks the matter is important enough to justify action and then if so, ask Council officers to find a way for it to be introduced to the court.

The Chief Executive Officer noted that Mr Messervy, one of the depositions who raised the traffic safety issues, is a s274 party to the application and he can raise this as a matter for consideration by the court. As discussed earlier, he noted that the Council is being asked to raise this issue with the court - and that is problematic. The Chief Executive Officer said the Committee can direct officers to do this work and officers would be obliged to action this but the Committee would need to also decide where the unbudgeted money comes from for this work.

The Chief Executive Officer also noted that there had been discussion about the Council expert's reports and these reports were not in front of councillors for this discussion. He said that all information should be considered before making a decision, as would other relevant traffic reports as well.

Cr Harré advised the Committee that earlier discussions about Mr Chesterman's report and a reference made to Mr Carr, related to Meridian's traffic expert and not Mr Carr who was one of the deputations in question. The Chief Executive Officer said this reinforces why the Council needs an officers report, providing all relevant information before making a decision on the matter. He said due to timing issues a full report was not available for this meeting.

Mayor Dalley said that a practical way of progressing this might be for Mr Messervy to raise the alternative option of Reeces Road as a s274 party under cross-examination. However the Council expert currently could not respond as he has not done a report on Reeces Road. Mayor Dalley said that if the Council instructs its expert to do that report then he would be in a position to respond and explain that he had looked at an alternative route along Reeces Road and say what he found. Mayor Dalley said this then would not compromise his report and the Council's position but allows him to have an informed view to contribute under cross-examination.

Cr Malthus said the Committee needs to find a way forward on this matter and he sought a motion. The Committee discussed at length the wording of a proposed motion, noting that the way it was worded was important to its effectiveness and appropriateness.

A motion was proposed that the Committee instruct officers to require a report from Mr Chesterman in providing an alternative route to Motunau Beach Road, for the proposed wind farm, in respect of Reeces Road, based on road safety grounds.

Cr Davison said that all the Council is doing at this stage is asking for a report, there has been no decision yet on what it would do with it. Cr Cooper agreed and said he was slightly uneasy about this as it was better for an independent person to do this report and he prefers that the Glenmark community group does it themselves.

Cr McKendry said this was about investigating one of the options looked at by Meridian, that being the Reeces Road route. She said she was not happy with the wording of looking at an alternative route. Cr McKendry said the Council is only interested at this stage in looking at Reeces Road from a safety aspect.

Cr Malthus agreed and said the Committee was signalling that the Council is after more information.

THAT THE COUNCIL IS NOW CONCERNED ABOUT THE TRAFFIC SAFETY ISSUES OF USING THE MOTUNAU BEACH ROAD OPTION FOR ACCESS TO THE PROPOSED HURUNUI WIND FARM AND ASKS FOR A REPORT ON ACCESS VIA THE REECES ROAD ROUTE IDENTIFIED BY MERIDIAN.

Malthus/R Black

CARRIED

The Committee further instructed the Chief Executive Officer that:

- The report is to be available in time for the Environment Court hearing in relation to the wind farm application.
- The report is to be funded from the consultancy budget.
- If Mr Chesterman is not available to do the report, the matter will be reported back to the 26 April 2012 Council meeting for consideration.
- The Council has not committed itself to a particular course of action in relation to the report; it will receive the report and consider any possible further action at that time.

The Chief Executive Officer noted that the report requested would be a public document and would be presented back to the Council via a report. He said that the request from Mr Carr was that the report be ready in time for expert caucusing in May, so it would need to be done urgently and completed in time for the 26 April Council meeting to achieve this. Cr Davison said the report should be done properly and if it does not coincide with caucusing, that is fine as it was more important that the report is done correctly.

Cr R Black said there was obviously no point in doing the report if it is not completed until after the consent hearing. However he said he was interested in the safety issues foremost and not the timeline set by Mr Carr. He said he was satisfied as long as the report is completed in time for the court to consider the matter. The Committee agreed to this approach.

Cr Malthus reiterated that the Council was not committed to a particular course by the request for a report. He said the Council reserves the right to decide at a later date how it will proceed with the report. Mayor Dalley agreed and said nothing necessarily will happen with the report, it would depend on what the findings are and the Council cannot prejudge that.

The Chief Executive Officer sought direction regarding how the report would be funded. Cr Malthus considered that this report should cost considerably less than Mr Chesterman's original report as the work was already done in terms of Motunau Beach Road and this provides a comparative basis to Reeces Road. It was agreed that it would be funded from the consultancy budget.