MINUTES OF THE MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA, ON TUESDAY 4 SEPTEMBER 2018, COMMENCING AT 1PM.

PRESENT:

IN ATTENDANCE:
J Palmer (Chief Executive), G Cleary (Manager Utilities & Roading), J McBride (Roading and Transport Manager), R Hawthorne (Property Manager), D Lewis (Engineer), Kieran Straw (Civil Project Team Leader), B Rice (Senior Transport Engineer), K Waghorn (Solid Waste Asset Manager), C Roxburgh (Water Asset Manager), C Brown (Community Greenspace Manager), M O’Connell (Senior Policy Analyst), S Allen (Water Environment Advisor), and A Smith (Committee Advisor).

The meeting adjourned at 3.20pm and reconvened at 3.35pm.

1. APOLOGIES

Moved Councillor Williams seconded Councillor Gordon

THAT an apology for absence be received and sustained from Councillor Stewart.

CARRIED

2. CONFLICTS OF INTEREST

Councillor Brine declared a conflict of interest in Items 7.1 Cones Road Safety Improvements (depending on which option is taken) and Item 7.3 Adoption of the Alcohol Control Bylaw 2018, Recommendations from the Hearing Panel.

3. ACKNOWLEDGEMENTS

Mayor Ayers noted that today is the eighth anniversary of the September 2010 Canterbury earthquake and acknowledged the impact on the residents of the district. There were many people who came from within our district and also from across the country to assist the recovery in the worst hit areas of Kaiapoi and The Pines Beach, and Kairaki – including the Student Army and Defence Forces. There were many people who were volunteering as well as having to deal with their own suffering as a result of the earthquakes. There was significant disruption on housing, jobs and everyday life. On a positive note, Mayor Ayers noted the recovery progress and regeneration that has been made in the recent years, highlighting the new Feldwick Drive which replaces something that was broken by the earthquakes. Mayor Ayers also paid tribute to members of the business community, who have remained under huge pressure and keep our towns alive following the earthquakes. This has been an historic time for the district and there are still exciting things to happen in the regeneration areas in the future.
4. CONFIRMATION OF MINUTES

4.1. Minutes of a meeting of the Waimakariri District Council held on 7 August 2018

Moved Councillor Atkinson seconded Councillor Blackie

(a) Confirms as a true and correct record the circulated minutes of a meeting of the Waimakariri District Council held on 7 August 2018.

CARRIED

MATTERS ARISING

There were no matters arising.

5. DEPUTATIONS AND PRESENTATIONS

There were no deputations or presentations.

6. ADJOURNED BUSINESS

Nil.

7. REPORTS

7.1. Cones Road Safety Improvements – Gerard Cleary (Manager Utilities and Roading), Bill Rice (Senior Transport Engineer), and Chris Brown (Community Greenspace Manager)

G Cleary and C Brown presented this report. G Cleary noted that there had been a site visit (last week) with a number of Councillors and staff who have been involved with this project. Following questions raised and some issues identified, a memo was circulated to members yesterday, in addition to the report in the agenda. Staff sought geotechnical advice and on the basis of this Mr Cleary advised the Council that it should not pursue any significant roading works on this section of Cones Road due to the physical constraints of the site and that it would also open up the potential cost of those works. Council would have to construct a retaining wall, due to the potential for slumping and this would put the project into a different budget category.

Mr Cleary spoke to the revised Staff Recommendations which had been circulated to members that morning. These recommend an option of approving a 30km per hour speed limit for the whole of the road, which would be consistent with the earlier advice received from Ableys and would not require any remedial or other roading works. Several safety improvements (signs indicating there are pedestrians present, convex mirror outside 352 Cones Road) were recommended and there was a list of maintenance that needed to be carried out on that road regardless. Cost of the signage and a convex mirror would be a little over $2,000. There is an allocation of $11,800 in the LTP towards the cost of the track. Staff proposed they would carry out a speed survey and traffic count after the improvements have been carried out and report back to the Utilities and Roading Committee and the Rangiora-Ashley Community Board. The other option for the Council is to instruct staff to not proceed any further on this project.
Questions

Following a question from Councillor Doody, Mr Cleary confirmed that all the safety improvements would need to be put in place. It was noted that there is already pedestrian signs at the lower end of Cones Road. There would be two pedestrian signs go up near the hilly section of Cones Road, on either side of the road. The 30km/h speed limit sign would be positioned at the start of the road.

Councillor Williams noted that at the bottom of the proposed walkway, there is a stream which would require a bridge. Who would fund the cost of this bridge? Mr Brown advised that the standard of the track to be built would not necessarily include a bridge and would depend on how much water is in the stream and how steep the sides of the banks are. The stream is very small and the proposed track would be to Department of Conservation track standards which do require people to potentially have to cross streams. Mr Brown said it is anticipated that there will not be the need for a $20,000 bridge. Councillor Williams noted that yesterday afternoon there was just under a metre of water flowing through the stream. Mr Brown said the Council has a 20 metre area to work with crossing the stream and it would be the intention to stay away from the areas with larger amounts of water.

Councillor Barnett asked about budget for the project and any potential future costs. Mr Cleary said there will be no additional budget being requested other than the $11,800 in the LTP. (The original report included $20,000 budget for lowering the road on the two humps, and this has been removed).

Councillor Brine asked about the earlier comments on geotechnical report. Mr Cleary advised that the original report included this funding, on the basis that it was a basic cut and fill operation on the road. There has recently been some slumping in the area and there is concern that any work such as this, could cause a maintenance issue, far beyond any issues that are already there. The geotechnical advice was sought following these concerns, and it has confirmed that there is a maintenance issue there. The advice received was that if there was any cut carried out, it is likely to require a retaining wall and that it would not be advisable to put any substantial fill on the downhill side of the road. The Council would not be able to do the work for $20,000 and Mr Cleary’s advice is that it would not be a good thing for the Council to pursue doing these physical works. Councillor Brine asked whether it would be responsible for the Council to continue with this project. Mr Cleary said the original advice received from Ableys was not to undertake any work on the road and reduce the speed limit to 30km an hour. The reason that the 40km an hour speed limit has been previously recommended is a result of the consultation with the residents of this part of Cones Road, who did not support the lower speed limit and wanted it to be higher than 30km an hour. In order to try to accommodate this, the 40km an hour speed limit was suggested. Having 40km an hour would require longer sight distances and therefore involved some site works, which, as advised, would require more work than originally anticipated.

Councillor Felstead asked if the track did not go ahead, would the Council be recommending any speed limits on this part of Cones Road or some physical work to go ahead anyway, now that the Council has had a look at it? Mr Cleary said this probably would not be the case, as having the track in place was the reason for the Council was considering speed restrictions due to more pedestrians using the road.

Mayor Ayers questioned the width of the road and the safety of pedestrians when vehicles pass at the top of the rise. Mr Cleary said there is very little room to widen the road. The Council could undertake some maintenance there which
would provide some relief, but it will always be constrained with traffic passing pedestrians. It was noted that there are several roads in the district that have similar constraints, with frequent mountain bikers and walkers on and mostly drivers and pedestrians are courteous.

Councillor Gordon noted that the report states that the clearing of vegetation on the sides of the road could assist with improving the situation on the crests of the road. Mr Cleary said there are definitely some areas that need maintenance, (including some wilding trees) which would help improve the situation, but there are still constraints on that road.

Councillor Meyer asked if there are any other public roads with the same width of carriageway for vehicles that are also used as public walkways? Mr Cleary clarified that the other roads are not designated as walkways and nor would he put Cones Road into that category. There has been no measurement or assessment carried out on other roads in the district in comparison to Cones Road. Mr Cleary said there are any gravel roads in the district that are not wide enough for two trucks to pass. Councillor Meyer said there is not room for two cars to pass on Cones Road. Councillor Meyer sought confirmation that any people using the proposed track would need to walk on the southern end of Cones Road and is there any intention for this to be designated as a walkway? Mr Cleary said there is no intention to change the designation of the road to a walkway and he pointed out that people walk on that road today, as they do on many roads in the district. If the walkway was built, the issue is that the road would be used by more pedestrians.

Councillor Barnett noted on page 55 of agenda, it was advised that some of the fences are on road reserve and is there a case for these fences to be moved? Mr Cleary replied that there are other situations where fences are on road reserve and it could be that these are moved in the future. The main issue is the physical constraints on the site, rather than just the fences themselves. It is quite steep and getting more land will create more of a maintenance issue.

Moved Councillor Gordon seconded Councillor Barnett

**THAT** the Council:

(a) **Receives** report No. 180823095984 and memo No. 180903100247.

(b) **Notes** that the walkway is supported by the Rangiora Ashley Community Board

(c) **Approves** a speed limit of 30km/h on Cones Road, north of Carrs Road, along with the following safety improvements:

- Speed advisory and pedestrian warning signage.
- Improvements to the timber site rails at the beginning of the unsealed portion of Cones Road.
- Outdoor convex mirror opposite the driveway at 352 Cones Road.
- Clearing of vegetation adjacent to the road and including the berm areas in the Council’s maintained mowing list.
- Letter drops to residents, who are the predominant users of this road, leading up to the installation of the new walking track. These will outline the protocols to enable safe operation of this section of road.
(d) Notes that the Register of Speed Limits will be updated to include the changed speed limit.

(e) Notes that the Speed Limits Bylaw 2009 allows speed limits to be changed by Council resolution following consultation as required by the Land Transport Rule: Setting of Speed Limits.

(f) Notes the signage and maintenance costs will be met by existing road maintenance budgets. The estimated cost of the signs and convex mirror is approximately $2,100 plus GST.

(g) Notes that the Council, during the LTP deliberations, approved $11,800 towards the cost of the track construction in the 2018/19 financial year.

(h) Notes that post track completion staff will monitor speed and traffic count and report this back to the Rangiora Ashley Community Board and Utilities and Roading Committee.

(i) Circulates this report, memo and resolution to the Rangiora Ashley Community Board.

LOST

A division was called.

For 4: Councillors Felstead, Barnett, Gordon, Mayor Ayers
Against 5: Councillors Atkinson, Blackie, Doody, Meyer and Williams
Councillor Brine abstained

Councillor Gordon said the debate today is not about the walkway itself, which is a delegated decision of the Community Board. This has been dealt with by both the former Woodend-Ashley Community Board and latterly the Rangiora-Ashley Community Board. The decision today is about the speed limits and this is the matter that concerns Council today. Councillor Gordon advised he has had many site visits with both Community Board members and recently with Council colleagues and staff. The original 40km recommendation was with the crest removed and this is no longer the recommendation. The series of recommendations deal with safety improvements and the reduced speed limit of 30km/h. This is back to where the Rangiora-Ashley Community Board’s original recommendation was. Councillor Gordon noted that if a pedestrian is walking on a shingle road, the noise of a vehicle approaching can be heard from some distance away. With clearing of vegetation on the roadsides, this will allow time for pedestrians to step away in the event of a car approaching. This is a difficult issue and safety is extremely important and Councillor Gordon appreciated that a number of residents have rightly expressed their concerns. On the other side, there is support from other members of the community for the walkway to proceed. Councillor Gordon supports this community built project and it is in the hands of the community as it is not a Council walkway. He would like to be part of a Council that has an enabling philosophy rather than a negative one, providing that safety is not compromised.

Council Barnett supported the comments of Councillor Gordon and supported the benefits of this walkway to the area, with the safety concerns addressed. Councillor Barnett noted she was on the Woodend-Ashley Community Board when it was first approached regarding this project in 2015 and noted that there was strong support to investigate the potential for this area, knowing it was of benefit to the local residents. The Rangiora-Ashley Community Board has continued to support the project, as long as safety issues were addressed. There have been a number of consultations and conversations regarding this
and already one safety improvement has been put in place in the area (Cones/Carrs Road intersection improvements). Having visited the site, Councillor Barnett supports the 30km per hour speed limit. Councillor Barnett had an issue with the cost but there is no extra rating for this project. This project does show some community benefit overall. All rural drivers have to drive with care, and this recommendation addresses the safety concerns that were raised by the Rangiora-Ashley Community Board. She thanked staff for the thorough way they have approached this matter and the information that had been provided. This is a community project and Councillor Barnett wished the community group well with progressing the project and believes this recommendation addresses any safety concerns that have been raised.

Councillor Williams pointed out that the Rangiora-Ashley Community Board did not fully support of this project. When this was passed by the Community Board, it was to be at no cost to the Council. Since then $11,800 has been included in the Council LTP budget. He has real concerns with the safety of having pedestrians using this part of Cones Road, noting that local residents do not allow their own children to walk along the road. Simply by installing 30km per hour signs on this road, will not mean that traffic will actually travel at that speed. Councillor Williams also has concerns that where the track is currently marked is on private land in some places and not in the reserve and suggests there may need to be survey undertaken which will involve another cost to the Council. The major concern is pedestrian safety and there are too many questions for this road to be a walkway as well. Councillor Williams noted that slumping has occurred in recent times on the roadway and believes there will be slumping on the walkway as well, and questioned who would be responsible for the maintenance of the walkway in the future? The majority of local residents who responded to the consultation do not want this walkway to proceed and Councillor Williams suggested that the Council needs to start spending money wisely and this is one project that is not needed.

Councillor Blackie noted that his major concern is safety, with the potential increase in the number of people using this road as a walkway to join with the proposed track. It is the strangers or those unfamiliar with the road and speed who will cause a fatality. There is no way for vehicles to get off this road with the bank on one side and the drop off on the other side. Councillor Blackie said he would not let his grandchildren walk on this road to get to the proposed track.

Mayor Ayers said the walkway depends on this road being safe. No road is totally safe and this is a public road that anybody is entitled to walk on. People will continue to walk on it and there are other country roads that people walk on. Most of these roads do not have footpaths. It is important to remember that there are two parties, the pedestrians and the motorists. Mayor Ayers believes that pedestrians have a good view of vehicles coming from either direction on this part of Cones Road and there is no issue with not hearing the vehicles. Pedestrians are standing higher than most motorists are. There needs to be thought given to the pedestrians’ reactions as well as the drivers. “Hoons” may go on this road, but they go on all roads in the district and sometimes poor drivers cause crashes. That should not stop us from doing projects that are desirable. Some of these people can be on motorbikes as well, but once again, these will be seen and heard by pedestrians. This is part of the lifestyle of the district and people will continue to use some of the roads for walking. By allowing the walkway to go ahead would increase the number of pedestrians using that part of Cones Road and it is possible that having more pedestrians on the road may make it safer, as drivers will be more aware of pedestrians.

Councillor Meyer commented that walkways are becoming more popular than they used to be and will continue to. Councillor Meyer does not oppose the walkway nor is he against the people in the community building it. The challenge is the safety issue, having been involved with the Road Safety Committee and also noted that there is a degree of common sense required. Councillor Meyer has concerns with the Cones Road carriageway and travelling
in a car cannot guarantee that people walking on the road would hear any cars. This road is not safe and he does not want to be part of this especially if something negative happens and encouraged fellow Councillors to vote very carefully on this matter. Councillor Meyer believes what the Community Board was trying to do was right, but it is in the wrong place at the wrong time. There is not the money to spend on being able to provide the safety measures needed to have people accessing the proposed walking track.

Councillor Felstead acknowledged the differing opinions of fellow Councillors around the table, but also referred to the expert opinions that have been sourced by the Council, from Abley Consulting. On their safety assessment of the unsealed section of the road, with the reduced speed limit of 30 km per hour, pedestrian warning signage, mirror and clear the area next to the road to give users more space, overall the proposed walking route along Cones Road can be supported from a traffic and safety perspective. Councillor Felstead noted he will be taking the opinion of these experts on this matter.

Councillor Atkinson noted he had been to Cones Road on two occasions in the past week. On one of these occasions when driving up the road he was met by four motor cross riders travelling together at speed coming over the crest of the hill. These drivers may not be there every weekend, but it only needs them to be there once to cause a road death. Residents that live on this road have children who would walk to neighbouring properties or to bus stops. Councillor Atkinson understands that all the residents of Cones Road are against this proposed walkway due to the proposal increasing pedestrian traffic and the resulting safety issues. Councillor Atkinson asked where does the Council and Councillors personally stand with Health and Safety and where does the responsibility lie? He does support walkways and use of these is gaining support in the district but is looking at the long term pedestrian safety. Councillor Atkinson said allowing this project to happen as a catalyst for the walkway to happen, would be a very sad mistake for the Council to make.

Councillor Doody had been to the site visit to Cones Road and noted that she was not comfortable walking on the higher part of Cones Road. Councillor Doody agrees with the Community Board considering this matter, but does not believe that the car park is in the right place and will not be supporting this recommendation.

In reply, Councillor Gordon noted the comments of fellow Councillors. People travelling at speed will always be an issue on the district’s rural roads, noting that being a resident in this area, there are many other users of the surrounding roads that vehicle drivers share the road with – e.g cyclists, runners and walkers. Responding to comments from Councillor Williams, he noted that it was always acknowledged that the Council would be including some funding in the LTP. The road safety concerns of fellow Councillors were acknowledged, noting that this is a concern for all around the table. Regarding community support, Councillor Gordon mentioned a petition that had 120+ signatures supporting this proposal and some of these people who signed the petition live on Cones Road and in the local area. Also noted there was a public meeting with over 100 people attending the meeting with the views expressed. The view was taken from that meeting to ask Council staff to progress the matter. He acknowledged the comments on the Abley Report with the recommended speed limit of 30km/h with the safety improvements in place. The comment from Councillor Doody regarding the location of the walking track, Councillor Gordon said there is no other location to link this piece of public road. This is not an easy issue, but the project will only proceed if the community are enthused enough to construct the walkway. He asked Councillors to consider the comments of Councillor Felstead and the advice of experts, and that the Community Board supported this project, Councillor Gordon urged colleagues to support it.

Mayor Ayers provided clarification on the alternative staff recommendation for this matter.
Moved Councillor Williams seconded Councillor Atkinson

THAT the Council

(a) Receives report No. 180823095984 and memo no. 180903100247

(b) Notes that the walkway is supported by the Rangiora Ashley Community Board.

(c) Instructs staff not to proceed any further on this project.

CARRIED

A division was called

For: Six: Councillors Atkinson, Blackie, Doody, Meyer and Williams, Mayor Ayers
Against: Four: Councillors Felstead, Barnett, Brine and Gordon

Councillor Atkinson believes this is not a safe environment and does not support this project with the catalyst for this being the proposed walkway.

Councillor Brine is in favour of the walkway, noting that there are safety issues on all our roads. There are safety issues on our beaches and these need to be mitigated, with people being responsible for their children.

Councillor Barnett does not support this motion and believes it sets a dangerous precedent. This matter has been supported by a majority of members of two community boards. There have been concerns raised by residents who live on this road, but there are many roads in the district where people have to take care. This is a matter of personal safety and personal responsibility. Councillor Barnett does not believe we should be living in a district where people do not obey the road rules or drive to the conditions and it is not the Council’s job to decide the road rules. This walkway is on a paper road, which would connect between Boundary Road and Cones Road. The support for this track was from the local community, who were prepared to fundraise, do the work and would have removed the gorse and broom and made it an ecological area which would have been a great benefit for the district. Councillor Barnett is disappointed that the Council has made this decision today to not proceed with the community board’s recommendation.

Councillor Gordon noted he would not be supporting this recommendation. He felt that a thorough process has been followed, supports the project proceeding, subject to the road safety concerns being addressed, as agreed they would and also because of the community related project that was to follow, as mentioned by Councillor Barnett.

Mayor Ayers noted that the legal description of the area where the proposed walkway would have gone is on a legal unformed road. If it was not for the gorse etc, people could be using it now.

Councillor Williams voiced disagreement with the comments of Councillor Barnett on safety issues and believes it is the responsibility of the Council to consider safety and speed limits on the district’s road. He referred to comments on this not being a popular track at the moment – maybe not at the moment, but it would become so, and this could create the problem in the area. It is the job of the Council to consider safety in every aspect around the community.

7.2. **Ashley Gorge Road Trunk Main – Colin Roxburgh (Water Asset Manager)**
Mr G Cleary and Mr C Roxburgh presented this report which requested that $35,000 of funding be brought forward from the Ashley Gorge Road Trunk Main budget of $218,000 in 2024/25 to allow a section of new 125mm diameter main along Ashley Gorge Road to be constructed and to move the existing main out of private property. This would be constructed in the current financial year. This is to resolve an ongoing issue with a section of shared lateral in private property that has been a cause of an ongoing dispute between two property owners and has involved the Council. Council staff have checked what water is going through the restrictor and can verify the property at 101 Ashley Gorge Road is receiving its full allocation at its point of supply, but they have concerns that this full allocation is not making its way through the private section of infrastructure, which goes through the neighbouring property at 120 Sales Road.

Councillor Williams asked why should the Council be looking at bringing in an extra line, when it is the issue of the property owner. G Cleary commented that though this is bringing the money forward, it is at no additional cost to the Council. C Roxburgh said the property owners are still having to invest some money for some infrastructure as well.

Councillor Felstead sought confirmation of the funding for this proposal. C Roxburgh said the $35,000 would come from the $218,000 capital budget of 2024/25, but this is a growth budget to come from development contributions. It was noted that this proposal would have a fairly minor rate component.

Moved Councillor Doody seconded Councillor Felstead

THAT the Council:

(a) Receives report No. 180717079353.
(b) Approves $35,000 of the $218,000 capital budget in 2024/25 to be brought forward to the 2018/19 financial year to allow a section of this project to be constructed early.
(c) Notes that this work is ultimately required to accommodate growth on the scheme, but by constructing this portion early it will allow Council to resolve an ongoing dispute by providing a point of supply at the property frontage to 101 Ashley Gorge Road, rather than their point of supply requiring pipework through a neighbouring property.

CARRIED

Councillor Doody supported this recommendation and this was a wise decision for the Council to make.

Councillor Felstead agreed that with little or no rating impact this is the sensible decision to make.
7.3. **Adoption of the Alcohol Control Bylaw 2018 Recommendation of the Hearing Panel – Councillors N Atkinson (Chair), W Doody and J Meyer**

Councillor Brine left the table during consideration of this report and took no part in discussion or voting.

Mr N Harrison presented this report, in the absence of L Beckingsale, on behalf of the Hearing Panel that considered submissions to the draft Alcohol Control Bylaw 2018. A total of 11 submissions were received on the Bylaw during the consultation process. The Hearing Panel heard the submissions and agreed to retain a Bylaw. Key changes to come out of this process were the addition of Murphy Park, Kaiapoi, to be covered by the Bylaw, during the rugby league season. The Hearing Panel did not agree to include Pegasus Town areas in the Bylaw area, as supported by some of the submissions received. Currently there is no evidence to support the extension of the alcohol control areas to Pegasus Lake and surrounding area, but it has been recommended that ongoing monitoring should be undertaken.

Councillor Atkinson, as Chairperson of the Hearing Panel, commented that the request by some submitters to include Pegasus Town was not supported, as there has currently been no alcohol related issues experienced there. This is a requirement under legislation, before the bylaw can extend coverage of any area. Including Murphy Park was as a result of submissions received and that there had been issues with supporters drinking alcohol for extended periods of time on the side-line of rugby league matches at Murphy Park and subsequent issues between different Clubs’ supporters.

Councillor Meyer as a member of the Hearing Panel commended the Chair of the Hearing Panel and that of the late Councillor Peter Allen in the role of Chair of the District Licensing Committee.

Councillor Felstead asked about whether the drainage reserve in Weka Street, Oxford which could be included. It was then pointed out that there may need to be some consistency on drainage reserves across the district.

Following a question from Council Barnett on the next review date for this Bylaw, Mr Harrison advised that the Bylaw is required to be reviewed again by 1 September 2023 but it can be reviewed at any other time before that date as determined by resolution of the Council.

Moved Councillor Gordon seconded Councillor Barnett

**THAT** the Council:

(a) **Receives** report No. 180815091951.

(b) **Adopts** the draft Alcohol Control Bylaw 2018 (TRIM: 180409037733), incorporating the changes made by the Hearing Panel as attached, to take effect from 1 October 2018.

(c) **Notes** the extension of the alcohol control area to Murphy Park during the rugby/rugby league season (1 April to 1 September).

(d) **Revokes** the Liquor Ban Bylaw 2007 on 1 October 2018.

(e) **Notes** an audit of all signage will be undertaken by staff.

(f) **Notes** a copy of this report will be sent to the Community Boards for their information.
CARRIED

Councillor Gordon commented on the importance of having such a Bylaw and thanked the Hearing Panel. Noted that Waimakariri is the envy of a number of other Councils in the way that alcohol matters are handled in this district and commended the work of Councillor Atkinson in his role of Chairperson of the DLC and this Hearing Panel.

Councillor Barnett supported having the areas that are included in the Bylaw, and this gives the Police the extra “teeth” in dealing with any issues in these areas. Councillor Barnett believes that it is important to keep Pegasus under observation.

Councillor Atkinson is extremely disappointed in the NZ Police and the Medical Officer of Health who did submit on this matter, but did not attend the hearing. The Council are asked to take these matters extremely seriously and believe they should also. The Police did have a representative present at the deliberations, upon invitation from the DLC Secretary.

Mayor Ayers also extended thanks to the Hearing Panel and staff involved in this process.

7.4. **Draft Business Zone 1 and 2 Public Spaces Policy – Mike-O’Connell (Senior Policy Analyst)**

O’Connell presented this report to seek adoption of the Business Zone 1 and 2 Public Spaces Policy following public consultation during June and July 2018. Seventeen submissions were received during this process, predominantly from Rangiora and Southbrook business owners. Most submitters were in support of the Policy.

Following a question from Councillor Atkinson on signage, S Markham noted that the Policy gives direction for the existing Signage Bylaw 2012.

Councillor Barnett regarding smoking in public places, specifically outdoor dining areas, asked is this not something that other local authorities have already introduced? Mr Palmer noted that the Council has a smokefree policy which encourages smokefree in reserve areas, but cannot legally enforce this. Councillor Barnett asked with the amount of feedback that the Council is receiving, is there something that the Council should be revisiting, in view of Smokefree 2025. Mr Markham noted that the Council can strongly encourage, advocate, advertise and lead, but it cannot enforce a smoking ban. Enforcing this would be challenging for the Council. Mr Markham is hoping that there will be clearer national direction and set of tools that will be made available to Councils and other agencies, as a means of enforcement, as it gets closer to Smokefree 2025. Mr O’Connell added that the District Health Board has been working with local cafes and bar owners to discourage outdoor smoking.

Councillor Blackie noted the definition of skateboarding as being an “annoyance”. He understands there has been an issue with Rangiora, but is not aware of this being the case in Kaiapoi Business 1 and 2 Zone. Staff advised there has been no definition of annoyance, but did note that there have been reported issues with skateboarders in Kaiapoi. Mr Markham added that with more public spaces being made available, there was potential for this to become an issue and encouraged Council to include Kaiapoi zones in this Policy.
Councillor Atkinson noted the instances of children travelling to school on skateboards or scooters with a parent, who then rides these home, and then returns in the afternoon to collect the child on the said skateboard or scooter. Councillor Atkinson said he would not want to see the Council becoming draconian in the matter.

Moved Councillor Gordon seconded Councillor Felstead

THAT the Council:

(a) Receives report No. 180803087217.

(b) Adopts the Business Zones 1 & 2 Public Spaces Policy following minor amendments noted in officer recommendations with the Policy to come into effect from Wednesday 5 September 2018.

(c) Notes that public consultation took place from 25 June to 30 July 2018 with a total of fifteen submissions received in support of the policy.

(d) Notes that feedback received through consultation was considered by a staff Working Group and, where appropriate has been reflected in the final policy.

(e) Notes that the final policy will be circulated for information to all Community Board members and to Advisory Group members who provided input into policy development.

CARRIED

Councillor Gordon supported this recommendation and would also like to see more exploration on smoking in public spaces.

Mayor Ayers noted that living in a Business 1 zone, having skateboards and scooters going straight past his gate, can be hazardous. Sensibly ridden, all these plus mobility scooters are not an issue. Mayor Ayers has concerns with skateboarders using the cenotaph area, riding along the edges of the concrete and finds this unacceptable. Mayor Ayers would like to see education and work with schools, noting that not all users are school children and changing behaviours.

Councillor Barnett noted that she has had an issue with nearly being run over by a mobility scooter and suggested referring the skateboard issue to the Youth Council. Councillor Barnett questioned whether the Council has a responsibility for having its own properties being smokefree (which would include footpaths and therefore also include outdoor dining areas of restaurants and cafes). Councillor Barnett would like to see some “teeth” included in a Bylaw, suggesting a $50 fine for breaching the bylaw. This would make it a bit more of an actual deterrent. Mr Markham responded that there is currently a Government Bill with the Select Committee. This is being supported by LGNZ, SOLGM and a number of Councils (including Waimakariri).
The meeting adjourned at this time at 3.20pm and reconvened at 3.35pm.

7.5. **Amended Appointments to two Hearing Panels – Sarah Nichols (Governance Manager)**

Mayor Ayers spoke to this report which seeks support for amendments to previous Council decisions on membership of two upcoming hearing panels.

There were no questions.

Moved Councillor Brine seconded Councillor Felstead

**THAT** the Council:

(a) **Receives** report No. 180822095200.

(b) **Appoints** Councillor Meyer to the Unreinforced Masonry Building Hearing Panel, in the place of Councillor Gordon.

(c) **Appoints** Mayor Ayers to the Kaiapoi Town Centre Hearing Panel, in the place of Councillor Barnett.

CARRIED

8. **HEALTH AND SAFETY**


Mr Palmer presented this monthly update report.

There were no questions.

Moved Councillor Atkinson seconded Councillor Blackie

**THAT** the Council:

(a) **Receives** report No. 180821094715,

CARRIED

9. **MATTTERS REFERRED FROM COMMITTEES AND COMMUNITY BOARDS**

9.1. **Increase in Transwaste Disposal Charges for Expanded Polystyrene – Kitty Waghorn (Solid Waste Asset Manager)**

(refer attached report no. 180802086601 to the Solid and Hazardous Waste Working Party meeting of 15 August 2018)

K Waghorn (Solid Waste Asset Manager) was present for consideration of this report which was taken as read.

There were no questions.

Moved Councillor Brine seconded Councillor Williams

**THAT** the Council:

(a) **Receives** report No. 180802086601.
(b) **Approves** limiting acceptance at Southbrook resource recovery park of low density materials such as expanded polystyrene to a “domestic load” which is equivalent to a standard trailer holding up to a volume of 1.7m³ or up to a maximum weight of 40kg as from 8 September 2018.

(c) **Notes** that changing a gate fee after the fee has been adopted through the Long Term Plan process would require Council to undertake some form of consultation which would delay the implementation of such an increase.

(d) **Notes** that expanded polystyrene is not accepted separately at Oxford transfer station and that general waste is charged by volume at this site.

(e) **Notes** that staff will bring a report to Council in October to request approval of changes to the Terms and Conditions of the Solid Waste and Waste Handling Licensing Bylaw 2016, and that maximum limits on acceptance of low density materials will be included in those proposed changes.

**CARRIED**

9.2. **Annual Dog Control Report for 2017/18 – Malcolm Johnston (Environmental Services Manager)**

(Refer attached report no. 180704074535 to the District Planning and Regulation Committee meeting of 21 August 2018)

Mr Palmer presented this report noting that it has been to the DP&R Committee. It is a requirement that this information on the number of dogs registered, the number declared dangerous or menacing, and the number and nature of dog complaints received for each fiscal year is submitted to the Department of Internal Affairs. These statistics will also be publicly notified.

There were no questions.

Moved Councillor Gordon seconded Councillor Blackie

THAT the Council:

(a) ** Receives** report No. 180704074535.

(b) **Approves** the attached 2017/2018 Annual Report on Dog Control to the Department of Internal Affairs.

(c) **Circulates** a copy of this report to the Boards.

**CARRIED**

9.3. **Management of Nitrate Levels for WDC Community Water Supplies – Sophie Allen (Water Environment Advisor) and Colin Roxburgh (Water Asset Manager)**

(Refer attached report no.180719080422 to the Utilities and Roading Committee meeting of 21 August 2018)

Mr K Simpson and Ms S Allen presented this report which recommends the Council adopt a position on limits for nitrate levels in community water supplies in the Waimakariri Water Zone. The key position is that staff want to make sure that the community water supplies are not compromised in the long term. Staff see this as something that will require work in the future, working closely with Environment Canterbury. It was also noted that with farmers and other ratepayers in the district, as they improve their farming practices as new
technologies and different ways of doing things, this will be ongoing work. It is intended that this matter will be revisited on a ten yearly basis by the Waimakariri Water Zone Committee as the Land and Water Regional Plan is updated.

Following a question from Councillor Doody on how long it takes for any change to practices to make an impact on nitrate levels, Mr Simpson said it is difficult to determine this. Some of the nitrates that have been applied are already coming through in the groundwater. One of the matters for consideration is possibly installing additional monitoring bores in between the Kaiapoi and Rangiora supplies to the west to get a better indication of what is happening and how to respond to this. It is possibly going to take decades to see improvements to nitrate levels.

Moved Councillor Williams seconded Councillor Brine

THAT the Council:

(a) Receives report No. 180719080422

(b) Acknowledges that 3 Waters staff, who are responsible for providing safe high quality drinking water, will advocate for the management of nitrate leaching to groundwater in the Waimakariri Water Zone to limit groundwater nitrate levels to not exceed more than 50% of the Maximum Allowable Value (MAV), as defined in the Drinking-Water Standards New Zealand, for community drinking water supplies.

(c) Notes that a groundwater nitrate limit will be proposed by the Waimakariri Water Zone Committee in the draft Zone Implementation Plan Addendum, to be presented to the Council on the 11th September 2018.

(d) Notes staff are integrating management and monitoring of nitrate levels into current WDC management practices i.e. Activity Management Plans, and Water Safety Plans under the Drinking-Water Standards New Zealand.

(e) Notes that staff are working with Environment Canterbury for increased data input into the nitrate groundwater model from WDC water supply wells, to reduce modelled uncertainty and allow for more informed management.

(f) Notes that water treatment for nitrate removal is not considered a preferred option with current technology, however options such as catchment management, and blending of water supplies are viable options.

CARRIED

Councillor Williams said this matter is something that the Council needs to be looking at now to determine what is going to be involved.
10. COMMITTEE/WORKING PARTY/JOINT COMMITTEE MINUTES FOR INFORMATION

10.1. Minutes of a meeting of the Community and Recreation Committee held on 24 July 2018

10.2. Minutes of a meeting of the Audit and Risk Committee held on 24 July 2018

10.3. Minutes of a meeting of the Waimakariri Youth Council held on 31 July 2018

10.4. Minutes of a meeting of the Regeneration Steering Group held on 6 August 2018

10.5. Minutes of a meeting of the Solid and Hazardous Waste Working Party held on 15 August 2018

10.6. Minutes of a meeting of the District Planning and Regulation Committee held on 21 August 2018

Moved Councillor Atkinson seconded Councillor Felstead

THAT the information in items 10.1-10.6 be received.

CARRIED

11. COMMUNITY BOARD MINUTES FOR INFORMATION

11.1. Minutes of a meeting of the Rangiora-Ashley Community Board held on 8 August 2018

11.2. Minutes of a meeting of the Oxford-Ohoka Community Board held on 9 August 2018

Members were advised that Reynolds Pavilion is to have an opening function this Friday afternoon, 7 September

11.3. Minutes of a meeting of the Woodend-Sefton Community Board held on 13 August 2018

Councillor Blackie noted that there was an update provided by G Byrnes on Tekohaka Trust and the forestry work.

11.4. Minutes of a meeting of the Kaiapoi-Tuahiwi Community Board held on 20 August 2018

Moved Councillor Barnett seconded Councillor Meyer

THAT the information in items 11.1 to 11.4 be received.

CARRIED
12. REPORTS REFERRED TO COUNCIL FOR INFORMATION FROM THE UTILITIES AND ROADING COMMITTEE MEETING OF 21 AUGUST 2018 (refer to committee agenda to view)

12.1. Avian Botulism at the Kaiapoi Wastewater Treatment Plant – Sophie Allen (Water Environment Advisor) and Rob Frizzell (Wastewater Engineer)

12.2. 20 February 2018 Storm Event – Update on Service Requests – Kalley Simpson (3 Waters Manager)

12.3. Seal Extensions and Roading Subdivision Contribution Budget – Joanne McBride (Roading and Transport Manager)

12.4. Approval of new Footpaths Programme – Joanne McBride (Roading and Transport Manager)

Moved Councillor Atkinson seconded Councillor Meyer

THAT the information in items 12.1 to 12.4 be received. CARRIED

13. CORRESPONDENCE

There was no correspondence.

14. MAYOR’S DIARY

14.1. Mayor’s Diary 31 July – 27 August 2018

Mayor Ayers thanked Councillors for attending the meeting with Christchurch City Council. Further joint meetings are to be arranged with Selwyn District Council and Environment Canterbury in the coming months. Regarding the meeting recently arranged with ECAN Councillors for Tuesday 18 September, members were advised that it had been necessary to cancel this meeting and another date would be advised for this meeting once confirmed.

Moved Councillor Barnett seconded Councillor Williams

THAT the Council:

(a) Receives report no. 180827096666. CARRIED

15. COUNCIL PORTFOLIO UPDATES

15.1. Iwi Relationships

Nothing to report.

15.2. Canterbury Water Management Strategy

Mayor Ayers conveyed the following update submitted by Councillor Stewart.

The draft Zone Implementation Programme Addendum (ZIPA) will get its final look-over by committee members on Monday, September 10 and Waimakariri councillors will be briefed on its content on Tuesday, September 11.
Many hours of debate, discussion and technical scientific reports have been digested to get to this point, with some targeted consultation with affected water abstraction consent holders.

As councillors were aware the first full public consultation was July/August on the nitrates issue in Waimakariri.

The Draft ZIPA will go out for full public input on September 17 with drop-in sessions around the district from September 21 to October 5.

People who want to present a submission will be heard by the Zone Committee on October 8 with feedback and amendments to the ZIPA discussed over several meetings by the Zone Committee until a final document is settled on November 19.

This will then be presented to WDC on December 4 and ECAN on December 6.

The ZIPA process is NOT an RMA process which will occur next year with notification of the Waimakariri sub-regional plan - Plan Change 8 under the Canterbury Land and Water Plan.

But the ZIPA and all the consultation, technical reports, science and debate behind it is the precursor to the plan change and goes to form the basis for preparation of PC 8 for Waimakariri, which is scheduled for notification by June 2019.

Mayor Ayers added that in terms of nitrates, the initial target was to meet GMP (Good Management Practice). There was agreement with the first tranche of this, but there was discussion whether the next phase to 2030 was achievable. There was a range of views at the community meetings of the percentage achievable – from a 10 – 25% reduction. This is a complex matter but it is very important.

15.3. International Relationships

Councillor Felstead noted that a report will be presented to the Council in the near future to formalise the Waimakariri-Passchendaele Advisory Group, to replace the Trust which had never been formalised.

A business delegation from China is visiting from Enshi. ENC are hosting this visit and Mr Palmer added that this will also involve linking with Lincoln University

15.4. Regeneration (Kaiapoi)

Councillor Blackie noting the Reserves Master Plan goes out for consultation for four weeks, opening next week. The design and building contract for the floating pontoons on the Kaiapoi River is open at the moment. The works enablement contract is also out for tender, and closes on 12 September.

16. QUESTIONS

(under Standing Orders)

There were no questions.
17. URGENT GENERAL BUSINESS
(under Standing Orders)
There was no urgent general business.

18. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

Section 48, Local Government Official Information and Meetings Act 1987

Moved Mayor Ayers seconded Councillor Felstead

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each 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:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Minutes/Report of:</th>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.1</td>
<td>Minutes of the public excluded portion of Council meeting of 6 August 2018</td>
<td>Confirmation of minutes</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>18.2</td>
<td>Report of Joanne McBride (Roading and Transport Manager)</td>
<td>New Link Road Land Purchase</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>18.3</td>
<td>Report of Joanne McBride (Roading and Transport Manager)</td>
<td>Gladstone Road Cycleway – Purchase of property</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>18.4</td>
<td>Report of Greg Barnard (Parks Community Assets Officer)</td>
<td>Contract 17/22 – Street, Reserve and Cemetery Tree Maintenance Contract Tender Report</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>18.5</td>
<td>Report of Rob Hawthorne (Property Manager)</td>
<td>Contract 17/06 – Logging Contract 17/19 – variation to Harvest Contract</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>18.6</td>
<td>Report of Rob Hawthorne (Property Manager)</td>
<td>Purchase of Southbrook Property</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>18.7</td>
<td>Report of Mayor Ayers</td>
<td>Chief Executive</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
</tbody>
</table>

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 6 or section 7 of that Act which would be prejudiced by the
holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Reason for protection of interests</th>
<th>Ref NZS 9202:2003 Appendix A</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.1 – 18.7</td>
<td>Protection of privacy of natural persons To carry out commercial activities without prejudice</td>
<td>A2(a) A2(b)ii</td>
</tr>
</tbody>
</table>

**CARRIED**

**CLOSED MEETING**

The public excluded portion of the meeting took place from 4.10pm until 5.11pm.

Moved Mayor Ayers seconded Councillor Felstead

**THAT** open meeting resumes and the business discussed with the public excluded remains public excluded, with the recommendations as per the reports.

**CARRIED**

**OPEN MEETING**

19. **NEXT MEETING**

The next scheduled meeting of the Council is on Tuesday 2 October 2018 commencing at 1pm.

There being no further business, the meeting closed at 5.12pm.

**CONFIRMED**

____________________________
Chairperson

____________________________
Date