MINUTES OF THE MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 215 HIGH STREET, RANGIORA ON TUESDAY 24 OCTOBER 2017 AT 1.00PM.

PRESENT:

Mayor D Ayers (Chair), Deputy Mayor K Felstead, Councillors N Atkinson, R Brine (departed 2.52pm after item 3.5), A Blackie (arrived 1.20pm during item 3.4), W Doody, J Meyer, S Stewart and P Williams.

IN ATTENDANCE:

J Palmer (Chief Executive), J Millward (Manager Finance and Business Support), K Simpson (3 Waters Manager), G Bennett (Land Drainage Engineer), K Graham (Journey Planner/Road Safety Coordinator), J Fraser (Utilities Planner), O Davies (Drainage Asset Manager), M Johnston (Environmental Services Manager) and S Nichols (Governance Manager).

1. APOLOGIES

Moved: Councillor Meyer Seconded: Councillor Williams

An apology for absence was received and sustained from Councillor Gordon.
An apology for lateness was received and sustained from Councillor Blackie.
An apology for early departure was received and sustained from Councillor Brine.

CARRIED

2. CONFLICTS OF INTEREST

Nil.

Mayor Ayers advised the order of the agenda would alter, with item 3.1 being taken as the last report as additional information was anticipated from Audit New Zealand.

3. REPORTS

3.1. Adoption of the Annual Report for the year ended 30 June 2017 – J Millward (Manager Finance and Business Support)

J Millward outlined the key issues in the report. It was noted operating surplus was $28m. The surplus is mainly attributed to capital items that need to be accounted for through the Profit and Loss Account, including vested assets and development contributions received for growth-related infrastructure assets. The 2016/17 year is the first time the rate equity exceeded $1.5b, and was primarily due to roading and utilities revaluations.

J Millward confirmed that Audit New Zealand had confirmed an unmodified opinion this afternoon which means it is clear and unqualified opinion.

Councillor Williams referred to the summary document and queried borrowing levels relative to those outlined in the Pre-Election report.

Councillor Stewart referenced the recent LGNZ Excellence Review report and a comment on the complexity of financial information presented to the public and use of terminology such as the word “surplus”. Councillor Stewart enquired how the Council would publicise information from a ratepayer viewpoint.
J Millward responded that effort has been put into the explanation in the annual summary document. The explanation is about the surplus not being interpreted as profit as it includes capital items.

J Palmer commented that the summary document utilises pictures to highlight achievements and what has been physically achieved, acknowledging several pages of required reporting within the document, with the format being more web-based.

J Millward advised the Council may not be receiving recognition from the public but sector recognition is high, regarding the way this Council accounts to the community.

Councillor Atkinson referred Councillor Stewart to pg 25, stating he believed there was an adequate explanation in the document.

Councillor Stewart enquired if there was another word rather than profit/surplus that could be used; also completion of works and how it relates and peoples understanding. J Palmer advised that all Councils have a complex set of accounts and understanding the complexities is different from a private/commercial company balance sheet. The Council should report on ‘did we do what we said and did it cost what we said it would’, therefore surplus becomes less relevant.

Councillor Williams referred para 3.2. referencing Silverstream subdivision matters with foundation levels, enquiring who is responsible for costs. It was advised that the Council incurred some costs, as have the developer and surveyor. J Palmer advised $50-$100,000 had been spent for survey of floor levels, legal advice and modelling. The Council took an approach of providing independent advice for the public good. If there is a loss then it will go through the courts, which is likely to be many years into the future before we know all the questions and answers. The surveyor and developer have also incurred costs.

In a secondary question, Councillor Williams enquired if the Council will receive costs back. J Palmer advised that conversation with the surveyor was yet to occur, however there was a low expectation of any recovery. The Council had already been put on notice from some residents, which had been discussed as part of Audit and Risk Committee matters.

Councillor Felstead queried para 3.2 referencing Oxford No.1 water scheme. Staff confirmed one well produced 7l/s and the other well was dry.

Moved: Councillor Atkinson Seconded: Councillor Felstead

THAT the Council:

(a) Receives report No. 171018112616.
(b) Adopts the Annual Report for the year ended 30 June 2017 (TRIM 170731080695).
(c) Approves the Annual Report Summary for the year ended 30 June 2017 (TRIM 170817089048).
(d) Notes the Net Surplus before taxation of $28.5m for the Council includes vested assets of $14.3m and $15.2m comprising primarily of development contributions and assets transferred to council ownership as a result of subdivisions.
(e) Authorises the Manager Finance and Business Support, in conjunction with the Chief Executive to make necessary minor edits and corrections to the Annual Report prior to printing.

CARRIED
Councillor Atkinson believed the summary document was improving each year for readability, advising of key matters and being understandable for the public. He stated it was a good result to receive an unqualified (unmodified) report from the auditors. Councillor Atkinson stated the Council was in good stead for reporting, and this was reflected through various results, industry ratings and awards. Staff are to be commended for their continual efforts into the financial management of the Council.

Councillor Felstead stated it was a good result, however Councillors should not be surprised as the Council is continually updated throughout the year at Audit and Risk Committee meetings. The summary report is good however most importantly the Council has received an unmodified Audit certificate. This achievement is in great part due to the financial acumen of the Council’s Chief Executive and Finance Manager with their wealth of sector experience.

Councillor Stewart concurred with colleagues comments.

3.2. Appointment of a Chairperson, Deputy Chair, Councillor and Commissioner to the Waimakariri District Licensing Committee – M Johnston (Environmental Services Manager)

M Johnson spoke briefly to the report, outlining its purpose.

Mayor Ayers enquired about member training, which was outlined by M Johnson. Any new Committee member would undergo a range of training sessions.

Councillor Williams indicated his interest in the Committee and advised he had already attended several training sessions.

Moved: Councillor Doody Seconded: Councillor Stewart

THAT the Council:

(a) Receives report 170928104745

(b) Appoints Councillor Neville Atkinson as Chairperson of the Waimakariri District Licensing Committee.

(c) Appoints Commissioner Jim Gerard as the Deputy-Chair of the Waimakariri District Licensing Committee.

(d) Appoints Councillor Paul Williams as a member of the Waimakariri District Licensing Committee.

(e) Appoints Mr Al Lawn to the Waimakariri District Licensing Committee as a Commissioner until 31 December 2018.

CARRIED

3.3. Road Safety Action Plan – K Graham (Journey Planner/Road Safety Coordinator)

K Graham briefly highlighted aspects of the report focusing on education and results of activities throughout the year.

Moved: Councillor Meyer Seconded: Councillor Doody

THAT the Council:

(a) Receives report No. 171004107285.

(b) Notes the Road Safety Action Plan 2016-17 activity results (Doc 171005107719).
(c) **Endorses** the 2017–2018 Action Plan (Doc 171005107741).

(d) **Circulates** this report to the Community Boards.

**CARRIED**

Councillor Meyer commented on valued staff input, work with the Waimakariri Access Group, and new safety messages at the local cinema.

Councillor Doody stated this Road Safety Committee is valuable and provides worthwhile information.

Mayor Ayers commented on the importance of the Council having an appropriate action plan which can aid implementing government safety plans. Mayor Ayers reflected on work undertaken at a national level, how roads are engineered and the high number of single vehicle accidents on straight roads.

3.4. **Stormwater Drainage Bylaw Review 2017/18 – J Fraser (Utilities Planner) and O Davies (Drainage Asset Manager)**

J Fraser outlined the reason for the report, highlighting key changes to the proposed bylaw from the current bylaw. O Davies spoke of changes proposed including extension of the Southbrook industrial area to cover the whole of the district.

J Palmer provided context to changes to freshwater management that flows from the Land and Water Regional Plan (LWRP), and the need to have aspects in place by June 2018. The proposed bylaw will be one of a number of tools that will assist the Council with the significant changes coming due to the LWRP. The Council will assume responsibility for stormwater management across this district as part of the Regional Plan requirements. This bylaw will assist in strengthening aspects of enforcement against non-compliant property owners. High risk property/businesses will require Ecan consent, and medium risk businesses will be required to implement a plan. These changes will put a higher emphasis on the Council to monitor and enforce discharge matters. It will have staff resourcing implications to the Council.

Councillor Atkinson referred to 3.1.1, seeking clarification on responsibilities between Ecan and ourselves, and enquiring if the Council should pause until the proposed Ecan rules are confirmed. Councillor Atkinson also commented that he held no issue with early consultation. K Simpson responded that the bylaw was due for its five yearly review. The first major change is to consent high risk sites (which applies to the Southbrook area) and the bylaw would assist with clarifying what can and cannot occur. High risk property/businesses will require Ecan consent, and medium risk businesses will be required to implement a plan. These changes will put a higher emphasis on the Council to monitor and enforce discharge matters. It will have staff resourcing implications to the Council.

Councillor Blackie arrived at 1.20pm.

K Simpson advised that Ecan matters are not fully resolved and it is 2025 before full responsibility comes to the Council. This bylaw provides more certainty; including those areas currently not rated, with the bylaw providing guidance on what can and cannot occur. The bylaw would be reviewed again in less than 10 years. J Palmer added a main point of contention between the Council and Ecan is managing high risk sites and construction sites as management believe ongoing Ecan input is vital due to their expertise.

Councillor Atkinson sought reassurance on the flexibility of changing the proposed bylaw as Ecan changes were yet to be fully worked through. J Palmer responded and commented on the Stormwater Forum which
currently held a strong collaborative and productive approach. It was advised that the Council is able to initiate a review of any bylaw at any time.

Mayor Ayers enquired if neighbouring councils are taking a similar and consistent approach to matters. K Simpson commented on Stormwater Forum discussions and outlined three areas including the planning and regulation arm incorporating stormwater. The intention was to utilise a bylaw template which any council to use as a basis. Staff advised that when revising the proposed bylaw many aspects that Hurunui District Council had incorporated into their bylaw were reflected into the proposed bylaw, along with referencing from Christchurch and Auckland Council bylaws. The aim was to be consistent as possible with neighbouring councils, whilst making aspects relevant to this council.

Councillor Stewart referred to the proposed bylaw commenting on enforcement rather than prosecution, particularly in reference to waterway damage from stock or herbicide use and sought to quantify the definition of ‘excessive’. Staff advised the proposed bylaw referred to outcomes rather than specifying quantities of herbicide.

Mayor Ayers enquired if the proposed bylaw has the ability to define areas of the district. J Palmer outlined options to manage the stormwater and what were acceptable practices. It was acknowledged that there may be some educating about an appropriate regime of spraying practices and the process allows for further investigation. O Davies referenced damage to drain structure how the Council would approach adjacent landowners for education rather than enforcement in the first instance.

Councillor Stewart queried the additional $100,000, and associated enforcement staff. J Palmer advised that approximately $300,000 had been identified for associated consent management, with a report to be presented for consideration during the Long Term Plan meetings, outlining resource implications. J Palmer advised that if this Council was serious about giving effect to the proposed bylaw and other consenting matters (which were a growing issue) before the Council then dedicated time and resource will be required.

Councillor Stewart again referenced enforcement and prosecution, enquiring if there was any proposal to go report back to the government. J Palmer advised the Stormwater Forum and joint councils (forum) could be effective in seeking Government attention on these related matters. It was acknowledged that prosecution is expensive and limiting to what can be done currently, whilst enforcement matters tend to be for more minor matters. Mayor Ayers commented that LGNZ are addressing all bylaw matters as a sector wide issue.

Moved: Councillor Atkinson Seconded: Councillor Stewart

THAT the Council:

(a) Receives report No. 170907097266.
(c) Appoints Councillor Sandra Stewart (Drainage and Stockwater Portfolio Holder), together with Councillor Felstead and Councillor Backie to hear submissions on the proposal and to recommend decisions to the Council.
(d) Notes the proposed hearing of submissions and deliberations date is Tuesday 27 February 2018 commencing at 9am.
Notes that upon adoption, the bylaw will be renamed the Stormwater Drainage Bylaw 2018 to reflect the date of its last review.

Notes that, once adopted, the Stormwater Drainage Bylaw 2018 will not be required to be formally reviewed for another 10 years.

Refers this report to the Community Boards for their information.

CARRIED

Councillor Atkinson believed it is necessary to have an appropriate bylaw and this matter is something that the Council should be involved with and control what goes into the district waterways.

Councillor Stewart welcomed the proposed bylaw, and remarked it was good for the Council to take the lead on fresh water management, reflecting on limited powers through the Water Zone Committee. Councillor Stewart reiterated her desire for the definition of 'excessive' to be clarified through the process, along with enforcement.

3.5. Cam River Enhancement Allocation of Funding – J Fraser (Utilities Planner) and O Davies (Drainage Asset Manager)

J Fraser outlined the purpose of the report and drew attention to an approval letter from Fish & Game regarding allocation of funds.

O Davies advised the Cam River fund is now completely allocated. A question had arisen at the recent subcommittee meeting about what happens to the subcommittee, now their task is effectively completed. Members were keen to explore options and would like to carry on into the future, therefore a report would be presented to the Council for consideration in due course.

Mayor Ayers confirmed Councillors on the subcommittee were Councillors Felstead, Meyer and Stewart.

Councillor Doody sought clarity on how much funding had been allocated. Staff explained approximately $200,000 was allocated, with some pre-allocation to Ecan ($140,000) that came out of recommendations from Dr Hudson's report.

Moved: Councillor Stewart Seconded: Councillor Meyer

THAT the Council:

(a) Receives report No. 170925103162.

(b) Adopts the "Scoping Strategy for the Three Brooks and Channel Enhancements in the Middle Cam River and Tuahiwi Stream" report by Dr Henry Hudson published in August 2017.

(c) Notes the "Scoping Strategy" provides a basis for allocating funding from the Cam River Enhancement Fund.

(d) Notes the allocation of the Cam River Enhancement Fund among prioritised projects was confirmed by the Cam River Enhancement Fund Subcommitteee at its 24 August 2017 meeting.

(e) Notes that a further report on the future role of the Cam River Enhancement Fund Subcommitteee will be brought to Council following completion of all of the physical works which are undertaken through the fund.

(f) Circulates this report and its attachments to the Kaiapoi-Tuahiwi, Rangiora-Ashley and Woodend-Sefton Community Boards.
Councillor Stewart stated progress had been 16 years in development. There is, now, a significant report (Dr Hudson) to base future work on, and was pleased that funds were allocated appropriately to where they were intended to go many years ago, she remarked. Councillor Stewart was eager to benchmark the stream and bank quality, to enable a record of what has been achieved over time.

Councillor Meyer stated this action is an extremely positive step forward and could be used as a modelling tool for the future. Councillor Meyer believed much good would come from the funding allocation and reflected on the many people who are interested in progress going forward.

Councillor Felstead, endorsed comments that reaching this stage had been a long time coming, however in efforts to get matters right it had been wise not to rush into projects he remarked. Councillor Felstead believed it was a good outcome for how funds would be spent. Councillor Felstead indicated support for the subcommittee group to remain involved in a modified format as it was important not to lose expertise that has been shared, therefore he believed thought should be given to a possible advisory group in the future.

Mayor Ayers enquired if there was a danger the subcommittee group would cover matters of the central drainage group. Staff would review the group functions so as not to double up, and report back appropriately.

Councillor Atkinson commented that once people see enhancement occurring, interest often increases and these proposed actions would enhance assets across the district. Councillor Atkinson endorsed Councillor Felstead comments.

As a right of reply Councillor Stewart was keen for the Council to publicise the significance of the subcommittee (and its funding). Councillor Stewart believed it would be beneficial if the project had a bi-lingual element to it, with more signage providing information and creating interest as an educational tool.

Councillor Brine departed the meeting at 1.52pm.

Mayor Ayers, as a member of Forest and Bird thanked the subcommittee and staff involved for their contribution. Mayor Ayers endorsed Councillor Stewarts comment on signage and education.

3.6. **CAREX Report on Glyphosate – G Bennett (Land Drainage Engineer)**

G Bennett introduced Carex report authors, Catherine Febria and Katie Collins who are fresh water ecologists.

G Bennett introduced the report and reflected on past discussions and inclusion of previous recommendations of both the Council and Kaiapoi Community Board, commenting on the ecological consequences on drains and weeds.

As part of the freshwater research group, C Febria provided an overview and trialling solutions from the past four years. Glyphosate was just one aspect that had been monitored, with smaller trials undertaken in various other districts.
K Collins outlined what the research was trying to understand both short and longer term. Five drains within Waimakariri were monitored over three months, with measurements and samples taken of stream water and sediment, with researchers considering effectiveness of controlling the weeds. Key findings found both AMPA (product of glyphosate) and glyphosate itself in streams prior to spraying and could be identified for the first five days but not present shortly thereafter. There appeared to be no effect on invertebrates or fish as a result of the glyphosate spraying.

C Febria advised that Waimakariri samples were no different from other waterways sampled however acknowledged that tolerant species were present in the streams.

Councillor Atkinson enquired how many species have been lost because of glyphosate. C Febria stated it was a troubling worldwide issue of degeneration of biodiversity.

Councillor Atkinson referred to pre-spray sites being monitored daily, enquiring why there had not been daily testing for invertebrates post spraying. K Collins outlined invertebrates testing and flaws in sampling. She commented on aquatic plant die-back with no visible die-back after six days as it occurs approximately six weeks after spraying. K Collins reflected on literature commenting on effect of oxygen levels.

C Febria commented on sampling practices, reflecting on spraying at the correct dosage. Comment was made on the labour intensity of the trial; balancing cost and time.

Councillor Williams acknowledged this was a short term trial and enquired if long term effects had been studied. K Collins advised there are very few worldwide studies on long term effects of glyphosate, commenting on other aspects affecting information such as agricultural practices and road runoff. This particular study was about the application itself.

Councillor Meyer enquired if fish were alive when caught in the sample nets. It was confirmed all caught fish and invertebrates were alive at capture during the trial.

Following a supplementary question, referring to the study and the Environmental Protection Authority report K Collins spoke of different combinations of glyphosate spray and what it attaches to. Just glyphosate was used and not other additives that attach to plants or the water differently. C Febria spoke of the precautionary principle, of glyphosate being a known carcinogen and the broader context.

Councillor Doody enquired when spraying, if penetrants were used. It was confirmed penetrants were not used and the spray contractors were asked to undertake spraying as they would normally.

Mayor Ayers enquired if any species were missing from the streams that researches expected to find. K Collins advised life in the streams was similar to other sites, with no unusual aspects, commenting it was a tolerant community.

Councillor Stewart queried recommendation (c). G Bennett advised the study concentrated on the effects of glyphosate on water, however the study did not cover allegations relating to exposure to humans and other animals. If a Council investigation expanded to the road and parks department use, then drainage staff would assist with collation of information with other council departments. K Simpson commented that as the report was extensive, staff were still working through the material. Staff also liaise with Christchurch City who no longer use glyphosate, and would investigate alternatives, giving consideration to aspects such as best practice, cost, quantity and where used.
THAT the Council:

(a) Receives report No. 171012110892.

(b) Notes that CAREX study did not detect any short term effect of glyphosate on freshwater invertebrates and fish following spraying of waterways.

(c) Notes that a follow up report on the wider use of glyphosate by Council and future maintenance provisions will be presented to Council as part of the LTP process.

(d) Circulates this report to the Community Boards, Drainage Advisory Groups and the Waimakariri Water Zone Committee for their information.

CARRIED

Councillor Atkinson stated he was not yet convinced of the merits of glyphosate. He believed there was no clear explanation one way or the other, however he welcomed the report and was pleased there were further reports to come through the Long Term Plan process. Councillor Atkinson commented on literature and spray container labels stating not to spray glyphosate over water. Councillor Atkinson said he recognised there is a cost associated with alternative weed control methods and the need to stop spraying around waterways, continue research and consider other methods. Councillor Atkinson remarked that the district has some resilient life in our waterways.

Councillor Blackie remarked that this was the first time the Council has sustainable information and he looked forward to further reports.

Councillor Doody commented that she can see both sides of the debate, including glyphosate benefits, however appreciated reading the report.

Councillor Meyer appreciated the work in the report and study undertaken.

Councillor Stewart believed the Council should lead the way on environmental matters and welcomed alternative solutions to weed control around waterways. Councillor Stewart stated it was an indictment on how we use the land and waterways and would welcome further information in the near future.

Mayor Ayers commented on chemical labels and the precautionary measure taken by manufacturers trying to guard against irresponsible misuse of products. Mayor Ayers remarked that of the five sites only one is a natural stream with the others being drains. He reflected on the increased population; changes to the environment from paddocks to lawns, more traffic with sealed roads effecting run-off and continual environmental change. Mayor Ayers appreciate the work undertaken as it helps inform members for future deliberations.

In his right of reply Councillor Atkinson stated he was not knocking the report, reflecting on internet research, the vast and mixed quality of information available. Councillor Atkinson concurred with comments from the Mayor, however cautioned that it did not mean that the Council should not do something about the issue. Councillor Atkinson commented on health, safety and the need to proceed with the science. The popularity of glyphosate usage was commented on, however Councillor Atkinson believed someone/organisation should take a lead, acknowledging Christchurch City Council had started by utilising alternative methods of weed control.
3.7. **Electoral Voting System – S Nichols (Governance Manager)**

The report was taken as read.

Moved: Councillor Atkinson    Seconded: Councillor Doody

**THAT** the Council:

(a) **Receives** report No. 171013110952.

(b) **Retains** the First Past the Post (FPP) voting system for the 2022 and 2025 local authority elections.

**CARRIED**

Councillor Doody was pleased to have the opportunity to determine the way forward believing FFP was easy to understand for people.

Mayor Ayers spoke on the ease of STV if there were only a few candidates. However, he accepted it was more complex when there were 25-30 candidates, such as CDHB elections, and acknowledged it can be a disincentive to voting.

Councillor Atkinson commented that if the district did not have a ward system then the voting processes would be reviewed.

4. **QUESTIONS (UNDER STANDING ORDERS)**

Nil.

5. **URGENT GENERAL BUSINESS (UNDER STANDING ORDERS)**

Nil.

6. **NEXT MEETING**

The next scheduled meeting of the Council is on Tuesday 7 November 2017 commencing at 1.00pm.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3.08PM.

CONFIRMED:

__________________________________________
Chairperson

__________________________________________
Date