MINUTES OF THE MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA, ON TUESDAY 5 FEBRUARY 2019 COMMENCING AT 1PM.

PRESENT:
Mayor D Ayers (Chair), Deputy Mayor K Felstead, Councillors N Atkinson (arrived 1.05pm at commencement of item 3.2), K Barnett, A Blackie, R Brine, W Doody, D Gordon, J Meyer, S Stewart and P Williams.

IN ATTENDANCE:
J Palmer (Chief Executive), J Millward (Manager Finance & Business Support), M Kwant (Community Projects Officer), and S Nichols (Governance Manager).

The meeting adjourned at 2.47pm and reconvened at 3.03pm.

1. APOLOGIES
Nil.

2. CONFLICTS OF INTEREST
Nil.

3. ACKNOWLEDGEMENTS

3.1. New Year’s Honours
Mayor Ayers recognised persons awarded in the New Zealand New Year’s Honours and acknowledged their contribution to the Waimakariri community.

Member of New Zealand Order of Merit (MNZM)
- Sharon Torstonson for services to the community

Queen’s Service Medal (QSM)
- Kenneth (Don) Fairbrother for services to seniors and the disabled
- Lindsay Kerr for services to sport
- Janet Pentecost for services to the community, particularly seniors.

3.2. Community Service Award
Councillor Felstead read the citation of Michael Petterson acknowledging his contribution to the Waimakariri District, in particular to the Passchendaele, Belgium relationship with Waimakariri.

M Petterson remarked he was both honoured and humbled to receive the award. M Petterson commented on the meaningful relationship with Zonnebeke and Waimakariri, which had done New Zealand proud in his view. He also commented that the relationship with the local Rangiora and Kaiapoi RSA’s was a positive bonus.

4. CONFIRMATION OF MINUTES

4.1. Minutes of a meeting of the Waimakariri District Council held on 4 December 2018
These minutes will be confirmed at the next ordinary Council meeting.
5. DEPUTATIONS AND PRESENTATIONS

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6. NOTICE OF MOTION

Councillor Dan Gordon submitted a Notice of Motion pursuant to Standing Order 26.1.

Moved Councillor Gordon seconded Councillor Williams

THAT the Council resolves to:

(a) Approve Council staff investigating a possible Property Maintenance and Nuisance Bylaw to cover instances of long grass on undeveloped sections.

(b) Request that staff report back to the Councils March 2019 meeting on options for such a Bylaw.

(c) Note that in scoping the Bylaw other instances of nuisance may be identified and that such matters be reported back for possible inclusion in the preparation of a draft Bylaw.

CARRIED

Councillor Gordon spoke to the motion, reflecting on neighbourhood long grass issues particularly prevalent in spring and autumn when higher vegetation growth occurs. He acknowledged the Council has a responsibility when vermin were involved, however matters relating to fire risk are referred to Fire Emergency NZ (FENZ). Councillor Gordon believed there were issues with enforcement and FENZ only intervene when it is deemed a direct fire risk. Councillor Gordon spoke of neighbours making the effort to keep their properties in a tidy condition, subdivision covenants, absentee landowners and neighbourhood pride; reflecting on occurrences prior to changes in legislation and the enactment of FENZ.

Councillor Gordon commented on an Auckland City Council Bylaw (Public Safety and Nuisance Bylaw 2013) outlining aspects that were similar to what he was seeking. Councillor Gordon reflected on media commentary over the past few months, and growing concern for the Port Hills area. Councillor Gordon queried if other areas of nuisance could be scoped during the consultation phase such as overhanging trees and noise nuisance in residential areas. He believed the status quo, where there is no ability to act, is frustrating for both the community and the Council, and therefore deemed this proposal worthy of consideration by the Council. Councillor Gordon stated that this Notice of Motion seeks staff to investigate and scope matters to be considered at a future meeting and sought the support of fellow councillors.

Councillor Williams echoed the comments made by his colleague.

Councillor Felstead queried whether the purpose of the proposal was more related to residential sections as he was concerned about the implications for rural properties. He asked if recommendation (a) could be amended to read “undeveloped residentially developed sections”. Councillor Gordon advised that he would prefer to leave the recommendation broad at this stage, and await staff feedback.
Councillor Felstead stated he was supportive of the proposal, as he believed that with the changeover of enforcement to FENZ has left a gap in responsibilities and legislation that needs to be covered.

Councillor Blackie suggested the word “sections” be changed to “property”, however he would wait staff feedback.

Mayor Ayers advised matters related to overhanging trees over the footpath can, and are, dealt with already by the Council enforcement team.

Councillor Barnett enquired if there was any indication of cost or failure/success as a result of the Auckland City Council Bylaw. Councillor Gordon stated no, acknowledging some aspects of that particular bylaw would not be applicable to this District, however that could be a matter for staff to explore.

Councillor Barnett directed a question to the Chief Executive, stating that the Council has received complaints about unkempt properties for years, particularly involving undeveloped sections in Pegasus and asked why the Council had not done something earlier. J Palmer commented that prior to FENZ, the Council had legislation under the Rural Fire provisions which had a lower threshold, so the Council dealt with many issues through the previous legislation, however now with the FENZ Act the Council only have the power to persuade. J Palmer confirmed previously the Council has mowed sections and sent an account to the land owner, using legislative provisions to encourage compliance. There were not many properties where this action was undertaken, however action was undertaken.

Councillor Barnett was supportive of the motion and thought it should have come through a report from the Environmental Services Unit rather than a Notice of Motion. Councillor Barnett commented on how effective we can be and enforcement, reflecting on powers to enforce under bylaws. Councillor Barnett stated she was supportive of investigating a process but cautious on the ability to deliver for the community.

Councillor Atkinson was supportive of the motion and investigation, but cautioned that he did not want to see the Council bylaw and enforcement is the default position for FENZ.

Councillor Brine reflected on interactions with the Council using the Rural Fire Act to enforce in the past. He commented on a fire that had occurred in the Selwyn District the previous day as a consequence of a spark from a passing train, and landowner’s responsibility. Councillor Brine remarked that it was unlikely FENZ would undertake any education or action on many rural properties, however he looked forward to staff bringing a practical information report back to the Council.

Councillor Felstead sought clarification on the legislation in regard to growth of non-noxious weeds. J Palmer commented on the power of persuasion in the past, and confirmed noxious weeds were a component of the issue. It was acknowledged main arterial roads are mown by the Council/NZTA up to a width of one metre, however in the wider context berms could be considered; both residential and rural.

Mayor Ayers mentioned past comments on Facebook related to Pegasus properties. In some of those instances he had approached Pegasus real estate agents to consider undertaking low grade property maintenance contracts to ensure properties were kept mown for overseas/absent landowners. Mayor Ayers commented on differences between Auckland City Council operations and Waimakariri. However on the Auckland City Council website their advice is consistent with our current advice and action; being for vermin contact the Council and for fire risk concerns to contact FENZ.

Councillor Doody commented on tussocks planted as roadside landscaping which could be considered, a fire risk if they are not tended properly as they can become a fire risk.
In his right of reply Councillor Gordon reflected on how matters were efficiently dealt with prior to the FENZ legislation. He stated that nothing has been promised to residents but he is seeking an investigation into options following much feedback from members of the community who rightly expect an elected member to bring up such matters. The motion does allow other nuisance aspects to be considered. If the council decide to take the next step then community consultation would occur and further consideration given before any bylaw is implemented.

7. **ADJOURNED BUSINESS**

Nil.

8. **REGENERATION REPORTS**

Nil.

9. **REPORTS**


M Kwant spoke to a PowerPoint and provided an overview of the work that has occurred to date, highlighted occurrences where vehicles on the beach and estuary had caused damage to the environment and outlined daily staff involvement in the area.

Councillor Barnett enquired if community education related to how to report issues and general awareness to ensure compliance at the Waikuku Beach estuary end had occurred. M Kwant acknowledged there has not been a lot of specific work in that area however, staff have attended a fishermen’s meeting, and the group are keen to promote the bylaw and spread the word. It was advised there are many signs located in the area, although some are ready for a review and reposition.

Councillor Atkinson queried horses on the beach and if any improvement had occurred since the bylaw was reviewed. M Kwant commented on a beach user survey, where horses were hardly mentioned however, there were comments that people enjoyed seeing horses at the beach. Staff advised matters involving dogs and vehicles were mentioned the most in the survey. The commercial horse trainers’ agreement had recently been reviewed and ratified and the trainers continue to work with the Council on how they undertake their activity. Staff advised there is research yet to be undertaken on the impact of horses travelling over the shellfish beds.

Councillor Felstead enquired if agreement had been reached and completed with the Fenton Reserve Trustees. Staff acknowledged the matter is ongoing and the documents were currently with the Trustees, however there is no further buy-in.

Moved Councillor Atkinson seconded Councillor Barnett

**THAT** the Council:

(a) **Receives** report No. 190115003407.

(b) **Acknowledges** the Northern Pegasus Bay Advisory Group for the progress made on achieving the *Northern Pegasus Bay Bylaw 2016 Implementation Plan* during its nine months of operation.

CARRIED
Councillor Blackie reflected positively on the staff work occurring and was of the understanding that enforcement had improved as more ranger time was spent in the area. Councillor Blackie continued to encourage more funding for patrolling rangers to be sourced from Ecan. He acknowledged the finalisation of the agreement with the Fenton Reserve Trustees was slower than desirable. Councillor Blackie reported that work in the Rakahuri Estuary area was ongoing, and that both commercial horse trainers and kite surfers had MOU's and were supportive of the bylaw. Overall Councillor Blackie stated the behaviour in the Northern Pegasus Bay area was better than two years ago.

Councillor Barnett appreciated the comprehensive report and remarked that it was pleasing that groups were working together, and the community were sharing information. Councillor Barnett believe messages about the Bylaw were being promoted well and some areas are seeing improvements as a result.

Councillor Atkinson was very supportive of the collaboration that has occurred through this bylaw, and believed the public contribution had been positive. Councillor Atkinson believed that the Bylaw has helped bring communities together for the wellbeing of the environment and it was a good example of the Council collaboratively working with the community in a positive way.

Councillor Gordon reflected on how far things have come from the first bylaw and the present one. He was appreciative of all the work of the community, the involvement of different recreational groups and the staff to bring about positive change to the environment enjoyed by many.


J Millward spoke to the report briefly highlighting key changes and improvements from the last review. It was advised this policy forms part of an 18 month improvement programme.

Councillor Brine queried the delegations and whether it impacts on financial delegations. J Millward explained that it did not at this time and outlined the process. The Delegation Policy is a conjunctive document.

Councillor Blackie sought clarification on how recent contractor training enhanced the process. Staff explained that the policy enables a framework and training processes. In the future consideration may be given to a procurement manager which may enable other improvements to occur in-house, rather than externally.

Councillor Williams enquired how gains are accessed. J Millward commented on the criteria around the improvement programme, acknowledging measurement was not straightforward and often anecdotal. He advised that gains will occur related to the establishment of the panel and the pre-qualification processes which will save time.

Councillor Barnett enquired what occurs when some specialist work is required and it is a struggle to attract three quotations. J Millward advised in such circumstances it would be considered by the management team and would require a staff report to be presented outlining reasons for a deviation from the policy. J Millward provided examples of when such a situation may occur such as a specialist provider. The All of Government contract and consultancy policy were also outlined when they may be used.

Moved Councillor Gordon seconded Councillor Atkinson

**THAT** the Council:
(a) Receives report No.190117004507;
(b) Approves the Procurement and Contract Management Policy (Trim 19021005949), Noting a small change in section 6.1 paragraph 2 from the contract owner to the department owner.
(c) Notes this policy replaces the Purchasing (including tendering) Policy (Trim 15904127396).

CARRIED

Councillor Gordon reflected on previous discussions at the Audit and Risk Committee and was supportive of the policy. He acknowledged there are costs involved however, he believed this would enable improved and appropriate checks to be in place prior to purchasing goods and services.

Councillor Atkinson endorsed comments made by his colleague and stated he believed the Council was heading in the right direction with this continuous improvement processes.

HEALTH AND SAFETY


J Palmer took the report as read.

Councillor Brine had a query about staff being abused and also when two persons are required to deal with an issue. J Palmer commented on the process when visiting property that has a known issue, which could involve persons or animals. He advised there are very few instances of confrontation.

Moved Councillor Atkinson  seconded Councillor Felstead

THAT the Council:

(a) Receives report No 190123007100.
(b) Notes that there are no significant Health and Safety issues at this time, and that WDC is, so far as is reasonably practicable, compliant with the PCBU duties of the Health and Safety at Work Act 2015.

CARRIED

Councillor Atkinson commented on the value of reading these reports and the efforts taken to keep staff safe.

Councillor Felstead reflected on unknown dangers and the importance of safety. J Palmer acknowledged ongoing training and risk assessment.

10. COMMITTEE/WORKING PARTY/JOINT COMMITTEE MINUTES FOR INFORMATION

10.1. Minutes of a meeting of the Waimakariri Youth Council held on 27 November 2018

10.2. Minutes of a meeting of the Audit and Risk Committee held on 20 November 2018
10.3. Minutes of a meeting of the Community and Recreation Committee held on 20 November 2018

Minutes of a meeting of the Regeneration Steering Group held on 3 December 2018

10.4. Minutes of a meeting of the District Planning and Regulation Committee held on 11 December 2018

Minutes of a meeting of the Utilities and Roading Committee held on 11 December 2018

10.5. Minutes of a meeting of the Community and Recreation Committee held on 18 December 2018

Moved Councillor Doody seconded Councillor Meyer

THAT the information in items 10.1 to 10.5 be received.  
CARRIED

11. COMMUNITY BOARD MINUTES FOR INFORMATION

11.1. Minutes of a meeting of the Rangiora-Ashley Community Board held on 13 November 2018

11.2. Minutes of a meeting of the Kaiapoi-Tuahiwi Community Board held on 19 November 2018

11.3. Minutes of a meeting of the Oxford-Ohoka Community Board held on 6 December 2018

11.4. Minutes of a meeting of the Woodend-Sefton Community Board held on 10 December 2018

11.5. Minutes of a meeting of the Rangiora-Ashley Community Board held on 12 December 2018

11.6. Minutes of a meeting of the Kaiapoi-Tuahiwi Community Board held on 17 December 2018

Moved Councillor Blackie seconded Councillor Doody

THAT the information in items 11.1 to 11.6 be received.  
CARRIED

12. CORRESPONDENCE

Nil.

13. MAYOR’S DIARY

13.1. Mayor’s Diary 27 November 2018 – 28 January 2019

Moved Mayor Ayers seconded Councillor Barnett

THAT the Council:
14. COUNCIL PORTFOLIO UPDATES

14.1. Iwi Relationships – Mayor Ayers
Waitangi Day with an event being held at Trousselot Park, Kaiapoi.

14.2. Canterbury Water Management Strategy – Councillor Stewart
Councillor Stewart advised the first Water Zone Committee meeting for the year was occurring next week and outlined key agenda items.

Councillor Stewart commented on predominant upcoming issues being drinking water and nitrate levels affecting Christchurch. It was advised that the recently endorsed Waimakariri ZIPA and upcoming Plan Change are not supported by the Christchurch City Council, as they believe the nitrate levels are set too high. Councillor Stewart cautioned that if the City Council are successful in reducing the nitrate levels lower, that it will have long term effect on farming practices in the Waimakariri district.

Councillor Stewart commented on the reporting process previously from Ecan and improvements that are expected for the Water Zone meetings going forward.

14.3. International Relationships – Deputy Mayor Felstead
Councillor Felstead advised that Japan Day was being celebrated on 3 March.

14.4. Regeneration (Kaiapoi) – Councillor Blackie
Councillor Blackie provided an update from the Regeneration Steering Group meeting held the previous day.

It was advised that discussions with the Harbourmaster regarding future moorings was positive. The discussions included a familiarisation visit down the Kaiapoi River area.

It was advised The Terraces work was progressing in readiness for the River Carnival Day being held on 17 February.

15. QUESTIONS
Nil.

16. URGENT GENERAL BUSINESS
Nil.

The meeting adjourned at 2.47pm and reconvened at 3.03pm.

17. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

Section 48, Local Government Official Information and Meetings Act 1987

Moved Councillor Felstead seconded Councillor Doody
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>
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<tbody>
<tr>
<td>18.1</td>
<td>Minutes of the Public Excluded portion of a meeting of the Council on 4 December 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>Deputation – Debbie and Rex Jeffcoate</td>
<td>Waikuku Beach Holiday Park</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
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<td>18.3</td>
<td>Report of Mayor David Ayers</td>
<td>Establishment of Mahi Tahi (Working Together) Development Committee with Te Ngāi Tūāhuriri Rūnanga</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>
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</thead>
<tbody>
<tr>
<td>18.1 and 18.2</td>
<td>Protection of privacy of natural persons.</td>
<td>7(2)(a)</td>
</tr>
<tr>
<td>18.3</td>
<td>Maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority, in the course of their duty; Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</td>
<td>7(2)(f)(i) 7(2) i</td>
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CARRIED
CLOSED MEETING

The public excluded portion of the meeting occurred from 3.04pm to 4.07pm.

Resolution to resume in Open Meeting

Moved Mayor Ayers    seconded Councillor Blackie

THAT the open meeting resumes and the business discussed with the public excluded remains public excluded.

CARRIED

18. NEXT MEETING

The next scheduled meeting of the Council is at 3.15pm on Tuesday 19 February 2019 in the Council Chambers.

There being no further business, the meeting closed at 4.08pm.

CONFIRMED

____________________________  
Chairperson

____________________________  
Date