

Agenda

**Notice is hereby given of
a District Infrastructure Committee Meeting**

Tuesday 10 November 2020

To follow the Environmental Services & Finance
Committee Meeting

Council Chamber
Waimate District Council
125 Queen Street
Waimate

www.waimatedc.govt.nz

Notice is hereby given that a meeting of the District Infrastructure Committee will be held in the Council Chamber, Waimate District Council, 125 Queen Street, Waimate, on Tuesday 10 November 2020, to follow the Environmental Services & Finance Committee Meeting.

Committee Membership

Miriam Morton	Chairperson
Sheila Paul	Deputy Chairperson
Craig Rowley	Mayor
Sharyn Cain	Deputy Mayor
Fabia Fox	Councillor
Sandy McAlwee	Councillor
Tom O'Connor	Councillor
David Owen	Councillor
Colin Pankhurst	Councillor

Quorum – no less than five members

Significance Consideration

Evaluation: Council officers, in preparing these reports have had regard to Council's Significance and Engagement Policy. Council and Committee members will make the final assessment on whether the subject under consideration is to be regarded as being significant or not. Unless Council or Committee explicitly determines that the subject under consideration is to be deemed significant then the subject will be deemed as not being significant.

Decision Making

The Council, in considering each matter, must be:

- i. Satisfied that it has sufficient information about the practicable options and their benefits, costs and impacts, bearing in mind the significance of the decision;
- ii. Satisfied that it knows enough about and will give adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decisions to be made.

Stuart Duncan
Chief Executive

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OPENING

1 PUBLIC FORUM

There is no Public Forum held at this meeting.

2 APOLOGIES

3 VISITORS

Nil

4 CONFLICTS OF INTEREST

As per the Local Authorities (Members' Interests) Act 1968 (as below), the Chair will enquire if there are any Conflicts of Interest to be declared on any item on the agenda, and if so, for any member to declare this interest.

Local Authorities (Members' Interests) Act 1968

Councillors are reminded that if they have a pecuniary interest in any item on the agenda, then they must declare this interest and refrain from discussing or voting on this item and are advised to withdraw from the meeting table.

5 IDENTIFICATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

1. The Chair will call for any major (urgent business) or minor items not on the agenda to be raised according to Standing Orders, as below:

- a. **Standing Orders 3.7.5 – Major Items**

An item not on the agenda for a meeting may be dealt with at the meeting if the local authority by resolution so decides, and the presiding member explains at the meeting at a time when it is open to the public –

- i. The reason why the item was not listed on the agenda; and
 - ii. The reason why discussion of the item cannot be delayed until a subsequent meeting.

- b. **Standing Orders 3.7.6 – Minor Items**

An item not on the agenda for a meeting may be dealt with at the meeting if –

- i. That item is a minor matter relating to the general business of the local authority; and
 - ii. The presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - iii. No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

MINUTES

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE DISTRICT INFRASTRUCTURE COMMITTEE MEETING HELD ON 15 SEPTEMBER 2020

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Dan Mitchell, Asset Group Manager

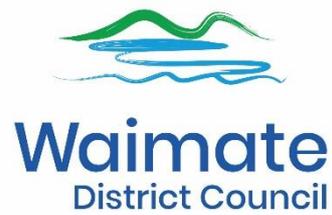
Attachments: 1. Minutes of the District Infrastructure Committee Meeting held on 15 September 2020

PURPOSE

For the unconfirmed Minutes of the District Infrastructure Committee Meeting held on 15 September 2020 to be presented for confirmation.

RECOMMENDATION

That the Minutes of the District Infrastructure Committee Meeting held on 15 September 2020 be adopted as a true and correct record.



MINUTES

District Infrastructure Committee Meeting

15 September 2020

**MINUTES OF WAIMATE DISTRICT COUNCIL
DISTRICT INFRASTRUCTURE COMMITTEE MEETING
HELD AT THE WAIMATE EVENT CENTRE, PAUL STREET, WAIMATE ON TUESDAY 15
SEPTEMBER 2020, COMMENCING AT 9.41AM**

- PRESENT:** Cr Miriam Morton (Chair), Mayor Craig Rowley, Cr Sharyn Cain (left the meeting at 9.55am), Cr Fabia Fox, Cr Sandy McAlwee, Cr Tom O'Connor, Cr David Owen, Cr Colin Pankhurst, Cr Sheila Paul,
- APOLOGIES:** Deputy Mayor Sharyn Cain (for early departure)
- IN ATTENDANCE:** Stuart Duncan (Chief Executive), Paul Cooper (Regulatory and Compliance Group Manager), Dan Mitchell (Asset Group Manager), Tina Stevenson (Corporate Services Group Manager), Karalyn Reid (Committee Secretary)

OPENING

1 PUBLIC FORUM

There was no Public Forum held at this meeting.

2 APOLOGIES

Nil

3 VISITORS

Nil

4 CONFLICTS OF INTEREST

Nil

5 IDENTIFICATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

Nil

MINUTES

6 CONFIRMATION OF MINUTES

**6.1 MINUTES OF THE DISTRICT INFRASTRUCTURE COMMITTEE MEETING HELD ON
28 JULY 2020**

COMMITTEE RESOLUTION 2020/20

Moved: Deputy Mayor Sharyn Cain
Seconded: Cr Colin Pankhurst

That the minutes of the District Infrastructure Committee Meeting held on 28 July 2020 be adopted as a true and correct record.

CARRIED

7 RECEIPT OF MINUTES

7.1 MINUTES OF THE DOWNLANDS JOINT STANDING COMMITTEE MEETING HELD ON 15 JUNE 2020

COMMITTEE RESOLUTION 2020/21

Moved: Cr Tom O'Connor
Seconded: Cr Sandy McAlwee

That the confirmed Minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020 be received.

CARRIED

Note:

Cr McAlwee will forward details of the upcoming Downlands Information Meetings to Councillors. There are ongoing discussions on the operation of the Downlands Standing Committee by the Chief Executive and staff towards an agreed understanding of the joint rural water scheme.

REPORTS

8 ASSET GROUP REPORT

8.1 MANAGEMENT REPORT - ROADING

COMMITTEE RESOLUTION 2020/22

Moved: Deputy Mayor Sharyn Cain
Seconded: Mayor Craig Rowley

That the Management Report – Roading is accepted.

CARRIED

Notes:

Mayor Rowley congratulated staff on the lifting of the FAR funding; and for Waimate District Council coming second in the entire Canterbury area on roading data.

Council expressed concern at the ongoing roadside signage vandalism around the district, and noted there has been damage to the grounds and potential risk to lambing stock from members of the public driving cars recklessly in Knottingley Park.

Cr Cain left the meeting at 9.55am.

8.2 MANAGEMENT REPORT - 3 WATERS AND SOLID WASTE

COMMITTEE RESOLUTION 2020/23

Moved: Cr Fabia Fox
Seconded: Mayor Craig Rowley

That the Management Report – 3 Waters and Solid Waste is accepted.

CARRIED

The Chief Executive updated Councillors on the new Waitaki Lakes Camping facebook page, which will be used for information sharing for staff, users and camp managers.

MEETING CLOSURE

There being no further business, the Chair closed the meeting at 10.04am.

The Minutes of this meeting are to be confirmed at the District Infrastructure Committee Meeting to be held on 10 November 2020.

.....
CHAIRPERSON

7 RECEIPT OF MINUTES**7.1 MINUTES OF THE CANNINGTON–MOTUKAIKA RURAL WATER COMMITTEE MEETING HELD ON 6 OCTOBER 2020**

Author: Stacey White, Asset Group Administrator

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. Minutes of the Cannington–Motukaika Rural Water Committee Meeting held on 6 October 2020

PURPOSE

For the unconfirmed minutes of the Cannington–Motukaika Rural Water Committee Meeting held on 6 October 2020 be presented for the information of the District Infrastructure Committee.

Permitted to be presented by Darryl Fowler, Cannington-Motukaika Rural Water Scheme Chair

RECOMMENDATION

That the unconfirmed minutes of the Cannington–Motukaika Rural Water Committee Meeting held on 6 October 2020 be received.

**MINUTES OF WAIMATE DISTRICT COUNCIL
CANNINGTON–MOTUKAIKA RURAL WATER COMMITTEE MEETING
HELD AT THE G & V PATTERSON'S HOUSE, MT NIMROD, RD 14, CAVE
ON TUESDAY 6 OCTOBER 2020, COMMENCING AT 2.00PM**

Welcome Daryl Fowler welcomed everyone to the meeting especially Sandy McAlwee (Councillor), Paul Roberts and Tracy from Waimate District Council

Attended D Fowler, G Patterson, V Patterson, P Scott, R Drummond, L Van Vugt, S McAlwee WDC Councillor, P Roberts WDC, Tracy WDC Water Team

Apologies C Crawford

Moved: G Patterson
Seconded: P Scott
CARRIED

Minutes

Minutes of the 28.1.2019 meeting were read and found to be a true and correct record.

Moved: D Fowler
Seconded: P Scott
CARRIED

Matters Arising from Minutes

Nil

Minutes

Minutes of the 25.11.2019 meeting were read and found to be a true and correct record.

Moved: D Fowler
Seconded: R Drummond
CARRIED

Matters Arising from Minutes

Paul Roberts spoke that overheads are calculated as a percentage ratio of the time spent in each area. For the water team it is calculated as a percentage of their time spent.

He clarified that *Depreciation Reserves* are what is collected. Paul said that he had to look up what *Special Reserves* were.

Financials

Paul Roberts said that he would take the **Statement of Financial Performance 30 June 2020** (attached) as read as people would have had time to go over these after they were sent out via email.

Currently the scheme has \$280,000 in the bank with no increase. Paul said that this money was definitely going to be needed.

The \$16K (rather than a deficit) difference was because the upgrade to the treatment plant has not been implemented yet.

The utility charges were higher due to leaks, and more frequent chlorine monitoring as the team was diligent on ensuring free available chlorine. The next budget is likely to show deficit however the overall bank balance is high.

That the Actual Budget Year Ending 30.6.2020 be accepted and approved.

Moved: G Patterson
Seconded: D Fowler
CARRIED

Updated Budget: Year Ended 30 June 2021

Paul Roberts spoke to the Updated Budget: Year Ended 30 June 2021 which is now active. As there were issues with Committees meeting through the Covid lockdown the budget is now in place. He said that it did not need to be passed by the Committee. Paul asked that there be an acknowledgement that this budget is active. It was noted that it has a 5 % increase in water rate, which is a blanket rate for all water schemes. This is down from the predicted 10% and Paul said that this money was not wasted. There was discussion around the need for a Committee if Council went ahead with their plans and budgets regardless of scheme committees and users.

Rural Agriculture Drinking Water Guidelines – Acceptable Solutions Group

Paul spoke about the working group committee he is part of. This group was looking at ways for water schemes to reach compliance. Discussion ensued about the issues with our scheme and that Council will go ahead with the first tranche (portion of money). There were no strings attached to the first tranche and we are not obligated to continue onto the second tranche which has conditions attached. As Council and Committees move step by step through the process decisions will be made about what are acceptable solutions for us in working towards compliance.

General Business

Graham Patterson spoke that there is hunting over winter in the Nimrod Reserve. He has had a report that hunters have shot animals above the weir in the Nimrod Reserve, taking the back steaks and leaving the carcasses in the water way. Paul and Tracy will take this up with Department of Conservation in Geraldine.

Graham Patterson spoke about scheme users phoning the Council directly when they have water issues. This meant that we were charged \$500 per callout to get water issues sorted. Paul spoke that water scheme users were expected to have four days water storage on site. Council also has response targets for loss of water supply and that the Committee need to sort the issue within a four hour timeframe or contact the council water team. It was decided that it is important when people had trouble with lack of water to first contact a committee member so we can ensure that there was no issue with the intake or flow into the main tank before leaks were looked for. Discussion ensued with a motion being passed that water scheme members be sent an email asking members to:

Please ring a committee member with water problems before phoning the council as callouts can cost the scheme and may be able to be solved by committee.

Moved D Fowler
Seconded: L Van Vugt

The meeting closed at 3.55pm. The minutes of this meeting are to be confirmed at the next meeting of the Cannington–Motukaika Rural Water Committee.

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CHAIRMAN

7.2 MINUTES OF THE WAIHAORUNGA RURAL WATER COMMITTEE MEETING HELD ON 23 SEPTEMBER 2020

Author: Stacey White, Asset Group Administrator

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. Minutes of the Waihaorunga Rural Water Committee Meeting held on 23 September 2020

PURPOSE

For the unconfirmed minutes of the Waihaorunga Rural Water Committee Meeting held on 23 September 2020 be presented for the information of the District Infrastructure Committee.

Permitted to be presented by James Gibson, Waihaorunga Rural Water Scheme Chair.

RECOMMENDATION

That the unconfirmed minutes of the Waihaorunga Rural Water Committee Meeting held on 23 September 2020 be received.

**Minutes from the Waihaorunga Rural Water Scheme Meeting held at the
Waimate District Council, Wednesday 23 September 2020, at 3.00pm**

Present D Glenie, P Roberts, C Pankhurst, J Gibson (Chair), G Sutton, J Colvill, J Gardner (Secretary), E McConway

Apologies J Davis

Previous minutes read and confirmed.

Financials

- Taken as read
- Discussed reasons for 40% plus increase over budget (mainly being increase in electricity charges)
- Capital – some carry over from the previous year
- Not rushing into treating all water – regulations are still evolving
- Intake must have treatable water, regardless of final regulations
- Still looking at treating at house
- Waihaorunga are classified as 'small' (e.g. under 500 users)
- Overheads keep going up
- Report tabled

Moved J Gibson – Seconded C Pankhurst that the financials be accepted. Carried.

Water Regulations

- Where are we at?
- Delivery Plan - WDC has accepted \$3.4 million
 - Put \$12,000 to Consultancy reform
 - Employing 1.5 more full time staff
- The Waihaorunga Rural Water Scheme will get the following done:
 - Shift intake to above bridge to improve
 - Reservoir upgrade new tanks plus all other tanks on scheme
 - Hydraulic modelling of scheme
 - Replace all AC pipe

General Business

- More leaks to fix
 - Hopefully this can reduce pumping hours

Meeting ended at 4.20pm

7.3 MINUTES OF THE DOWNLANDS JOINT STANDING COMMITTEE MEETING HELD ON 15 JUNE 2020

Author: Karalyn Reid, Committee Secretary and PA to the Mayor
Authoriser: Dan Mitchell, Asset Group Manager
Attachments: 1. Minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020

PURPOSE

For the confirmed minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020 be presented for the information of the District Infrastructure Committee.

RECOMMENDATION

That the confirmed minutes of the Downlands Joint Standing Committee Meeting held on 15 June 2020 be received.

**Minutes of Timaru District Council
Downlands Water Supply Committee Meeting
Held in the Meeting Room 1, District Council Building, King George Place, Timaru
on Monday, 15 June 2020, 1.00pm**

Present: Cr Richard Lyon, Mr John McDonald, Cr Sally Parker, Mayor Nigel Bowen, Cr Paddy O'Reilly, Cr Sandy McAlwee, Cr Stuart Barwood, Cr Bill Wright

In Attendance: Drainage & Water Manager (Grant Hall), Chief Financial Officer (David Codyre), Communications Manager (Stephen Doran) and Downlands Secretary (Kate Walkinshaw)

1 Apologies

Nil

2 Identification of Items of Urgent Business

There were no matters of urgent business identified.

3 Identification of Matters of a Minor Nature

There were no matters of a minor nature identified.

4 Declaration of Conflicts of Interest

Nil

5 Chairperson's Report

The Chairperson had nothing substantial to report.

6 Confirmation of Minutes

6.1 Minutes of the Downlands Water Supply Committee Meeting held on 2 December 2019

Resolution 2020/1

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the Minutes of the Downlands Water Supply Committee Meeting held on 2 December 2019 be confirmed as a true and correct record of that meeting.

Carried

7 Reports

7.1 Water Infrastructure Asset Revaluation

The Committee considered a report on the proposed change to the method of valuating the Downlands Water scheme infrastructure from Deemed Cost to Fair Value.

The Chief Financial Officer explained the difference between the deemed cost method and the fair value measurement method. The Committee agreed to adopt the fair value method but wanted to discuss the program and frequency of the valuation at the November meeting. The Chief Financial Officer will provide the Committee with a recommendation.

Resolution 2020/2

Moved: Cr Sally Parker

Seconded: Cr Bill Wright

That the Committee

1. Notes and receive the report, and
2. Adopts the fair value method of measuring assets for water infrastructure assets from 1 July 2019.

Carried

7.2 Draft Budget 20/21

The Committee considered a report by the Drainage & Water Manager in regards to the draft budget for 2020/21.

The draft budget is very much in line with year 3 of the Long Term Plan. There is a significant increase from last year's budget, due to an increase of unit and service charges, of 21%. The operational cost difference between the current and proposed years is due to a new water sampling program being implemented as required by the updated drinking water standards. There is also an increase in regards to operational electricity. Everything else is generally the same.

Total capital is correct. The interest may change if government funding comes through for shovel ready projects. The Te Ana Wai project is currently in the list of 800 projects in line for funding. If not, a loan will be required.

Resolution 2020/3

Moved: Mayor Nigel Bowen

Seconded: Mr John McDonald

That the Downlands Joint Standing Committee adopt the 2020/2021 draft budget.

Carried

7.3 Verbal Report on Te Ana Wai Water Supply Upgrade

A verbal report was given on the Te Ana Wai Water Supply Upgrade.

The Drainage & Water Manager provided a verbal update on the Te Ana Wai Water supply. Timaru District Council has applied for the government shovel ready programme for funding.

Trunk main renewal – Davidson Road to Cave – the contract has been let to Hadlee & Brunton. Sanitary liner to that section of pipe. Programmed to commence work in July. They will use fabricated steel as opposed to cast iron due to major delays caused by Covid-19 and international shipping and supply.

Cave to Water Treatment Plant – Richardson Road – is in final design stage. Working with Mayor of Mackenzie in regards to the location of pipe. Proposal to progress to Stage 2 to tender in August/September.

Intake – site visit with Arowhenua and they are fine with proposed works. The final documents are currently under review. Proposing to go to tender within the month. Construction commencement date is unsure at this stage due to lambing and fish movement, as discussed with Arowhenua.

Raw water reservoir contract been awarded to Rooney Earthmoving Limited. The site is fenced and the contractor is ready to go. There are issues around the designation of the site. Some land owners are refusing to sign the affected parties paperwork. Mackenzie District Council have been asked to confirm, via commissioner, whether they are an affected party or not. If they are, a limited notification hearing would need to proceed and their concerns heard, via commissioner. The Drainage & Water Manager tabled some visuals in regards to the effect on the party which is very minimal.

Water Treatment Plant – negotiations underway with Marshall Projects Consortium with the final proposal due this week. Review will commence the following week. Report to Tender & Procurement with design and build in next month.

Treated water reservoir – ready to be tendered next month.

Communications Manager discussed communications around Downlands. Now is the time to increase communication with the scheme users around the projects commencing and 21% rates increase. There was talk of a newsletter drop to all Downlands consumers with an option of signing up to an e-newsletter. All communications to be sent to the Downlands Joint Standing Committee prior to being sent to the consumers.

Resolution 2020/4

Moved: Mr John McDonald

Seconded: Cr Stuart Barwood

That the update be received.

Carried

8 Consideration of Urgent Business Items

There were no matters of urgent business.

9 Consideration of Minor Nature Matters

There were no matters of a minor nature.

The meeting closed at 2:33pm.

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Chairperson

REPORTS

8 ASSET GROUP REPORT

8.1 MANAGEMENT REPORT - ROADING

Author: Rob Moffat, Roading Manager

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. [Projects Report - Roading](#)  

PURPOSE

- To update the District Infrastructure Committee on roading activities.

DRAINAGE MAINTENANCE

- A failed 300mm culvert was replaced on Backline Road near Teschemaker School Road.
- Drainage maintenance has been undertaken on the following roads in September 2020:
The main focus has been drainage maintenance on roads included in the Reseal Programme.

Road	Side Drain Cleaning	Surface Water Channel Cleaning m
BAXTER AVENUE	312	
GARLANDS ROAD		1906
HIGH STREET		254
HOOK STATION ROAD		584
HOOK SWAMP ROAD		5950
LINDSAYS ROAD		1406
POINT BUSH ROAD		186
SHERWOOD ROAD		4816
TAVISTOCK ROAD		1288
TESCHEMAKER VALLEY RD	117	1527
	117	17917

SEALED PAVEMENT MAINTENANCE

- The following seal road repairs have been completed in September 2020:

Road	Chipseal m ²	Edge Break Repair m	Raise Low Shoulder m	Rip and Remake m ²	Stabilisation m ²
BAXTER AVENUE		5			
CANNINGTON ROAD		6			
GORDONS VALLEY ROAD	322				521
HARRIS STREET					22
MILL ROAD		2			
OLD STATION ROAD		16		42	223
PAKIHI ROAD		23			
PAREORA RIVER ROAD		7			
SPRINGBANK ROAD		2			
TAVISTOCK ROAD		76			
TAWAI-IKAWAI ROAD			192		
THACKERAY STREET		1			125
WAIMATE HUNTER ROAD			50		
	322	138	242	42	891

METALLING

5. Metalling has been undertaken on the following roads in September 2020:

Road	Metal m ³
ARCHIBALDS ROAD	27
BOYES ROAD	47
BYRNES ROAD	34
CENTREWOOD PARK ROAD	34
CHURCH HILL ROAD	64
CORRIGANS ROAD	85
COURTS ROAD	10
CROWES ROAD	42
DAISY HILL ROAD	129
DALEDEW ROAD	51
DONS ROAD	21
ESK BANK ROAD	10
FISHERIES ROAD	13
FITZMAURICE ROAD	40
HALF CHAIN ROAD	68
HODGES ROAD	16
HOOK STATION ROAD	17
HOSKIN ROAD	14
KOTINGA ROAD	17
LOWS ROAD	82
LYALLDALE ROAD	44
MAIROS ROAD	34
MCLEAYS ROAD	51
MORVEN BEACH ROAD	11
MOUNT BUSTER ROAD	51
PARK ROAD	34
PARK VIEW ROAD	35
SCARLETTS ROAD	35
SHERWOOD ROAD	7
SLAUGHTERYARD ROAD	14
SUB STATION ROAD	12
Total	1149

BRIDGES

6. A replacement superstructure has been installed on Dons Bridge. Recovered materials have been used for the beams and deck. The waterway area has been increased and protected by Rock Rip-rap.



Photograph 1: Dons Bridge Replacement Superstructure

7. Design work is progressing on Crouches Bridge replacement on Youngs Road. Geotechnical investigations have been completed for foundation design.



Photograph 2: Test drilling Crouches Bridge.

NATIONAL LAND TRANSPORT PROGRAMME 2021-24

8. The District's funding bid for the 2021-24 NLTP and Draft Activity Management plan has been submitted to Waka Kotahi NZTA. Initial feedback has been received that supports the bid with minor adjustments

ROAD NETWORK MAINTENANCE AND OPERATIONS CONTRACT RENEWAL

9. For the 2015-2020 Network Operations and Maintenance Contracts Ashburton, Timaru, Waimate and Mackenzie District Councils jointly prepared contracts as part of the roading collaboration. The contracts were tendered concurrently as four individual contracts. The Conditions of Tendering allowed for contractors to submit conditional tenders which would enable them to factor any scale related savings and efficiencies with combinations of tenders.
10. Waimate DC and Mackenzie DC agreed to accept the Conditional Tender of Whitestone Contracting Ltd which offered a discounted price if they were awarded both contacts.
11. Timaru, Waimate and Mackenzie District Councils have extended the contract period by seven months to 30 June 2021.
12. Ashburton District has retendered their contract alone. A new contractor, HEB Construction, has been awarded the contract starting December 1. South Canterbury councils' will ensure learnings from the Ashburton experience are included in the Request for Tender.
13. Timaru, Waimate and Mackenzie District Councils are jointly preparing new Road Network Operations and Maintenance Contracts as part of the roading collaboration.
14. The contract duration will be five years. The contracts may be extended by up to two years beyond the initial five year term, subject to satisfactory performance of the contractor and NZTA approvals. The duration of 5 + 2 years has been chosen for these reasons:
15. The proposed contract will be a NZS 3917:2013 based Lump Sum (LS) and Measure and Value (unit rate) format. This model is most suitable for the South Canterbury councils in the ARC and to ensure ongoing alignment of contract documentation.
16. The supplier selection method will be Price Quality Method (PQM). Given that the scope of work and objectives of the contract are clearly established, it should not be onerous for Tenderers to offer the best price to meet with set requirements.
17. This timeline takes into account supplier feedback re not wanting to be tendering over the Christmas holiday period.

Date	Key milestones
October	Contractor pre-procurement engagement - complete
Late January	Pre-tender meeting
1 February	Tenders open
25 March	Tenders close
28 April	Supplier presentations
30 April	TET finalises recommendation
3 – 12 May	Council approvals
15 May	Award contracts
1 July	Commencement of new contracts

ROADING SUBSIDISED EXPENDITURE TO 30 SEPTEMBER 2020

WC	Activities/Programmes	FAR	Total cost	Expenditure to date for claim
Local road maintenance - Local Roads				
111	Sealed pavement maintenance	60	\$520,019	\$138,512
112	Unsealed pavement maintenance	60	\$310,000	\$84,510
113	Routine drainage maintenance	60	\$380,000	\$140,765
114	Structures maintenance	60	\$150,000	\$42,463
121	Environmental maintenance	60	\$185,000	\$38,167
122	Traffic services maintenance	60	\$145,000	\$23,204
125	Footpath Maintenance	60	\$209,844	\$51,577
131	Level crossing warning devices	60	\$10,000	\$0
151	Network and asset management	60	\$450,000	\$126,557
211	Unsealed road metalling	60	\$360,000	\$116,973
212	Sealed road resurfacing	60	\$1,278,000	\$0
213	Drainage renewals	60	\$600,000	\$17,839
214	Sealed road pavement rehabilitation	60	\$308,000	\$0
215	Structures component replacements	60	\$245,000	\$46,119
222	Traffic services renewals	60	\$60,000	\$21,530
Total Maintenance Local Roads			\$5,210,863	\$848,216
324	Accelerated LED Street Light Renewal-Implementation	85	\$250,750	\$0
341	Minor improvements Local Roads	60	\$1,027,368	\$0
Total Local Roads improvement			\$1,278,118	\$0
Total Programme			\$6,488,981	\$848,216

REQUESTS FOR ACTION

Meeting	Date	Officer	Title	Target
District Infrastructure Committee	13/03/2018	Rob Moffat	Street Lighting Extension: Staff to provide a report on costings of street lighting in the new urban areas of Waimate and Glenavy. In progress	Early 2019
Notes The Roding Unit are preparing documents for the LED light renewal and then the street light extension.				

RECOMMENDATION

That the Management Report – Roding is accepted.

Projects Report

1 July 2020 to 30 September 2020

Roading and Footpaths

Completed
On track with time/budget for completion within the plan year
High risk (budget and/or timeframe)
Some risk (budget and/or timeframe) - highlight issues in comments

Project	Project Description	Budget	Spend to Date	% Complete	Status		Comments / Issues / Risks / Reasons
					Time	% Budget	
Drainage Renewals - Subsidised							
Drainage Construction	Construction of new surface drainage asset	\$245,000	\$13,000	0%		5%	ongoing
Culvert Renewal	Renewal of installation of culverts	\$115,000	\$9,900	0%		9%	ongoing
Kerb & Channel Renewal	Replacement of Kerb & Channel renewal and sumps	\$240,000	\$0	0%		0%	Tender in preparation for Parsonage Road (Herbert St to Butchers Lane) and Belt Street west side Mill to George Street.
Concrete Ford Renewal	Concrete ford renewal	\$45,000	\$0	0%		0%	
		\$645,000	\$22,900	4%			
Other Capital Projects - Subsidised							
Sealed Road Resurfacing	Resealing is programmed on an as needed basis to arrest and prevent the deterioration of the road surface	\$1,278,000	\$0	0%		0%	Timaru, Waimate and Mackenzie Road Resurfacing Contract. Work to start January 2021.
Pavement Rehabilitation	Replacement / Restoration of strength to pavement	\$307,900	\$0	0%		0%	Pareora River Road two sections east of Pleasant Valley 900m and east of Gordons Valley Road 570m, work to start December.
Structures component replacement	Bridge upgrade, deck, beam replacement etc.	\$245,000	\$43,293	18%		18%	Hook Beach and Dons Bridges Superstructure Replaced, Jacksons Bridge Milne Road Superstructure to be replaced including piles.
Sign Renewal	Replace signs and edge markers	\$60,000	\$21,530	36%		36%	ongoing
Footpath Renewal	Replacement of footpath pavements	\$157,000	\$40,446	0%		26%	285m of footpath constructed to date. Parsonage Road (Herbert St to Butchers Lane) and Belt Street west side Mill to George Street to be renewed inconjunction with K&C replacement.
Low Risk - Low Cost Improvements	Geometric Improvements, Safety footpath.	\$97,368	\$0	5%		0%	Developing plans for safety footpath - Gorge Road, Show Grounds to Studholme Bush carpark.
LRLC Box Culvert Cliffs Road	Replacement of weight limited failed side bridge with box culvert, remove sudden dip ford.	\$90,000	\$0	0%		0%	
LRLC Concrete Ford Backline Road	Concrete ford subject to score near Bluecliffs Road	\$30,000	\$0	0%		0%	Design Progressing
LRLC Drinnans Bridge	Re-pile Drinnans Bridge	\$200,000	\$0	5%		0%	Design Progressing
LRLC Crouches Bridge replacement Youngs Road	Crouches Bridge replacement Youngs Road	\$610,000	\$0	5%		0%	Design progressing, Geotechnical investigations complete.
		\$3,075,268	\$105,269	3%			
Capital Projects - Non Subsidised							
Development	Improvement and upgrade of infrastructure to enhance development	\$35,000	\$0	0%		0%	Council share of Bond Street subdivision for footpaths
Dust Seal	Dust sealing under Council policy, owner to fund 50%	\$52,000	\$0	0%		0%	Fitzmaurice Road west of Courts Road
Minor Improvements Non subsidy	Improvement upgrade of footpath etc.	\$26,000	\$0	0%		0%	
Landscaping Township entrance	Visual enhancement of township roadside entrances						
		\$113,000	\$0	0%			

Project	Project Description	Budget	Spend to Date	% Complete	Status		Comments / Issues / Risks / Reasons
					Time	% Budget	
Non infrastructure Projects							
Road Asset Valuation	Valuation of road assets owned by WDC as at 30 June 2020.						Review completed and presented to Council
Review of Roading Activities	Service delivery review of roading activities as required by section 17a of the Local Government Act						Valuation completed and presented to Council
Roading Activity Management Plan Improvement and NZTA funding bid	Improving and updating the AMP to support the 2021-24 Long Term Plan and funding bid to NZTA						The District's funding bid for the 2021-24 NLTP and Draft Activity Management plan has been submitted to Waka Kotahi NZTA. Initial feedback has been received that supports the bid with minor adjustments.
Roading Network Operations and Maintenance Contract Renewal	Procurement of Roading Network Operations and Maintenance Contract which expires 30 June 2021						Working collaboratively with Timaru and Mackenzie Districts in preparing a new contract to be tendered in January 2021. Contractor pre-procurement engagement has been completed.

8.2 MANAGEMENT REPORT - 3 WATERS AND SOLID WASTE

Author: Paul Roberts, Water and Waste Manager

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. Projects Report - Water, Sewerage and Waste [↓](#) 

PURPOSE

- To update the District Infrastructure Committee on 3 Waters and Solid Waste activities.

3 WATERS REFORM – DELIVERY PLAN

- Council staff received feedback relating to the draft Delivery Plan submitted to Crown Infrastructure Partners and the Department of Internal Affairs.
- Minor items were amended and / or clarified and resubmitted ahead of the 31 October deadline.
- Subsequently we have been advised that the Delivery Plan passed the second stage “testing” and we now await formal correspondence relating to a successful bid.
- The programme will require a high degree of project management to ensure that these works are completed in a timely manner alongside the existing capital works programmes for the remainder of the 2020/21 financial year and the 2021/22 financial year.

WATER**URBAN WATER****Contract 19/24 Parsonage Road Water Main Renewal**

- In total four conforming tenders were received for the Parsonage Road Water Main Renewal contract.
- Leathwick Contracting Ltd was the Lowest Priced Conforming Tender at \$158,486.70 (excluding GST) and was awarded the contract.
- Contracted works started on Tuesday 20 October 2020.

SOLID WASTE**Compactor**

- BJ Scarlett Engineering are planning to finally commission the compactor in the week ending 6 November 2020.

REQUESTS FOR ACTION**On Hold Requests**

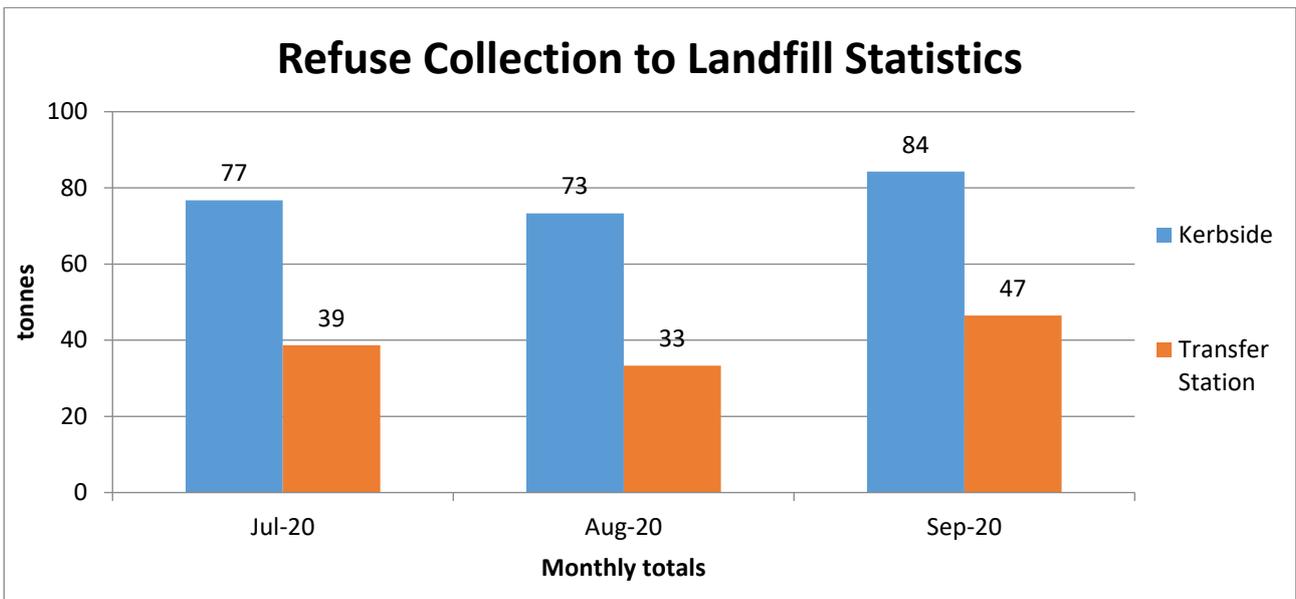
Meeting	Date	Officer	Title	Target
District Infrastructure Committee	26/01/2016	Paul Roberts	Workshop discussion on recycling and the reintroduction of a container deposit system On hold	Early 2018/19
Notes				
We await feedback on the consultation regarding product stewardship. Date placed on hold by the District Infrastructure Committee: 1 May 2018				

Meeting	Date	Officer	Title	Target
District Infrastructure Committee	08/03/2018	Paul Roberts	Hakataramea recycling depot On hold	Early 2018/19
Notes				
Subject to consultation.				
Date placed on hold by the District Infrastructure Committee: 1 May 2018				

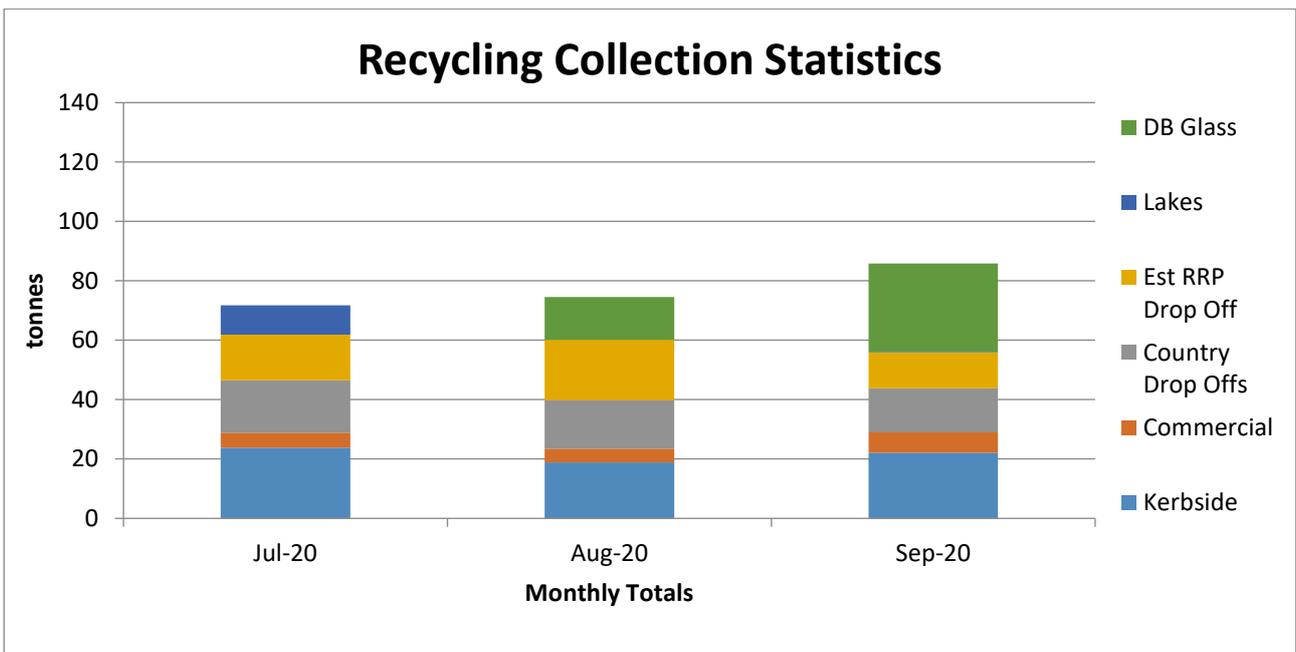
MONTHLY REFUSE and RECYCLING STATISTICS

10. These statistics represent the period to the end of September 2020.

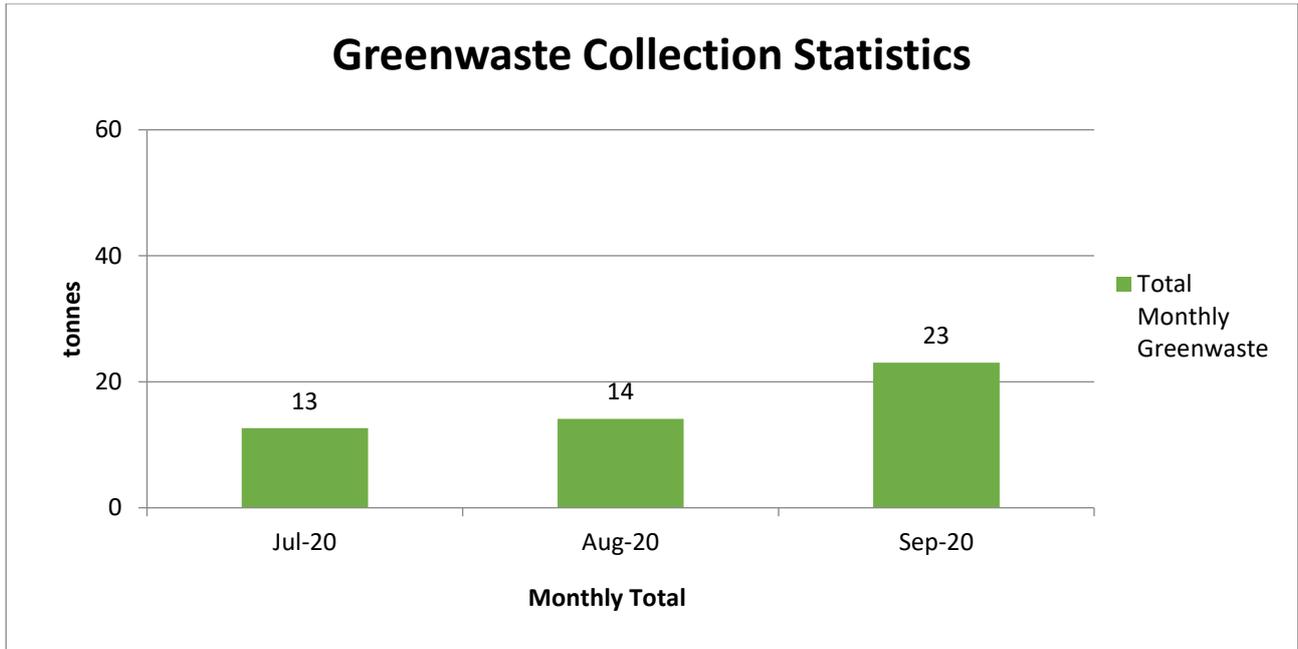
Graph 2: Refuse statistics



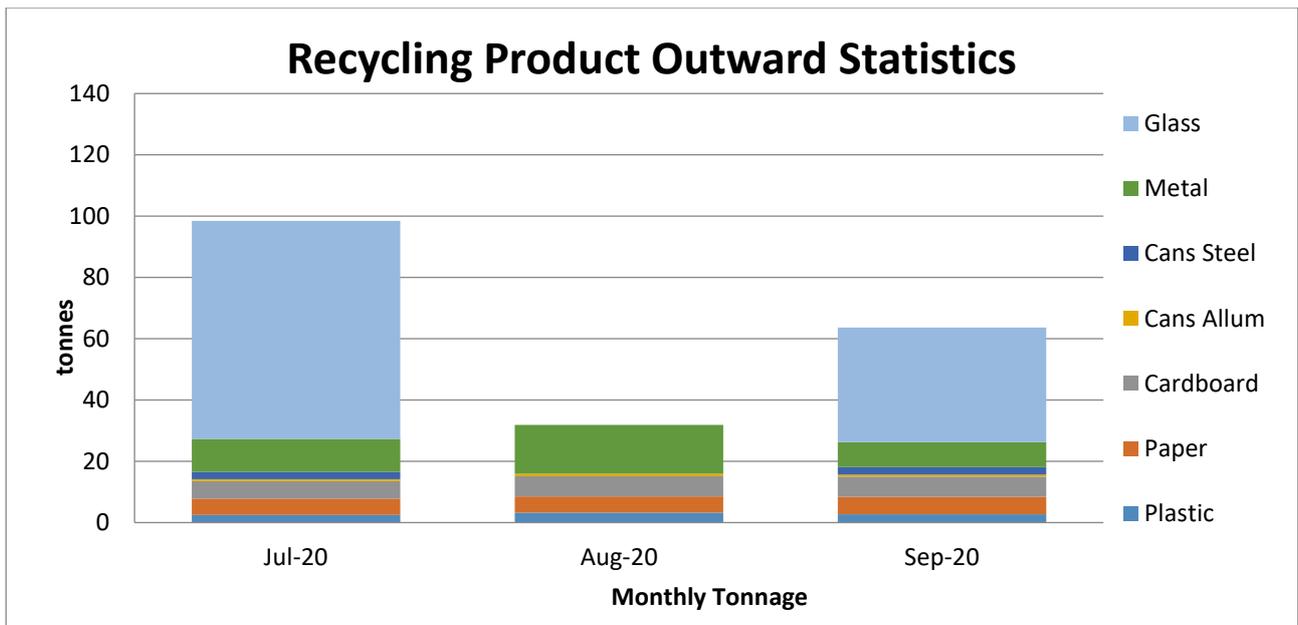
Graph 3: Recycling collection statistics



Graph 4: Green Waste statistics



Graph 5: Recycling product outward statistics



RECOMMENDATION

That the Management Report – 3 Waters and Solid Waste is accepted.

Quarterly Projects Report
1 July 2020 to 30 September 2020

Water, Sewerage and Waste

Financial Year	Project	Project Description	Budget	Spend to Date	% Complete	Status		Comments / Issues / Risks / Reasons
						Time	Budget	
Water Supply								
2016/17 (carry forward)	Lower Waihao DWSNZ CAP funded upgrade	Planned project that will increase service levels for 2016/17	Subsidised	\$350,798	25%			Planning Request for Proposal to upgrade both Hook and Lower Waihao.
2020/21	Cannington - Renewals	Miscellaneous renewals i.e. pipe, valves and plant equipment	\$5,265	\$0	0%			
2020/21	Hook / Waituna - Drinking Water Intake/Plant Compliance Upgrade	Drinking Water Standards upgrades to meet compliance	\$250,700	\$0	0%			Carried over from 2018/19. Planning Request for Proposal to upgrade both Hook and Lower Waihao. It is planned to have closer contractor involvement in the RFP process due to the past issues and fine particulate
2020/21	Hook / Waituna - O'Donnells Pumphouse Panel and Telemetry	Electical panel upgrade and additon of telemetry	\$23,166	\$0	0%			
2020/21	Lower Waihao - Renewals	Miscellaneous renewals i.e. pipe, valves and plant equipment	\$5,265	\$0	0%			
2020/21	Lower Waihao - Drinking Water Intake/Plant Compliance Upgrade	Drinking Water Standards upgrades to meet compliance	\$921,375	\$15,690	2%			Carried over from 2018/19. Planning Request for Proposal to upgrade both Hook and Lower Waihao.
2020/21	Lower Waihao - Old Ferry Rd 150mm AC Renewal	Renewal of aged and poor condition AC water main, with PVC	\$42,541	\$43,448	100%			Completed. Within +5% of budget
2020/21	Makikihi - Wilton - 2500m 80mm PVC + 400m 32 OD	Replacement of poor condition and undersized water main	\$28,536	\$26,434	100%			Completed. Budget brought forward in 2019/20 to install more pipe across farms, and avoid seasonal activities. Within budget
2019/20 & 2020/21	Otaio / Makikihi - Tavistock Bore - Treatment Filter & UV	Drinking Water Standards upgrades to meet compliance	\$143,400	\$48,213	34%			Still in Progress. Project managed in house. Medium Pressure UV and analytical equipment have been purchased. Planning of pipework and electrical control in progress.
2020/21	Waihaorunga - Drink Water Intake/Plant Compliance Upgrade	Drinking Water Standards upgrades to meet compliance	\$526,500	\$0	0%			
2020/21	Waikakahi - Renewals	Miscellaneous renewals i.e. pipe, valves and plant equipment	\$5,265	\$0	0%			Broad Gully pipe thrust, Line renewal Harts
2020/21	Waikakahi - Drinking Water Intake/Plant Compliance Upgrade	Drinking Water Standards upgrades to meet compliance	\$1,474,200	\$0	0%			Note, New Treatment Plant upgrade is on hold with the agreement of DWA until 2020/21 and clearer direction on legislation and standards. Investigation was done into alternate source which did not yeild any usable water. Turbidity meter instaled at shed.
2019/20	Urban Water - Tim Rd Plant - Treatment Filter & UV	Drinking Water Standards upgrades to meet compliance	\$278,588	\$76,685	28%			Project managed in house. Analytical equipment has been purchased and installed. MP UV unit being sourced. Planning of pipework and electrical control in progress.
2019/20	Urban Water - Rising Main Renewals	New water main	\$130,400	\$4,222	3%			
2019/20	Urban Water - Lateral Renewals	Toby and lateral renewals	\$63,180	\$5,535	9%			Toby and lateral renewals
2019/20	Urban Water - AC Water Main Renewals	Renewal of aged and poor condition AC water main, with PVC	\$115,830	\$0	0%			
2019/20	Urban Water - CI Water Main Renewals	Renewal of aged and poor condition CI water main, with PVC	\$212,780	\$0	0%			
2020/21	Urban Water - Pressure Management	Pressure Management to reduce stress on existing mains and prevent leakage	\$77,100	\$0	0%			Carry forward from 2015/16. The rising main installation is now complete which allows for pressure management to be implemented.
2020/21	Urban Water - Tim Rd Retic Sub Pump 1 Harmonic Filter	New Harmonic Filter on Variable Frequency Drive.	\$25,000	\$0	0%			Will be done with treatment plant upgrade
2020/21	Urban Water - Waimate Reservoir Wash Down Pump	Renewal of pump	\$3,686	\$0	0%			
2020/21	Urban Water - Waimate Reservoir 240V Switch Board	Renewal of Switchboard	\$8,220	\$0	0%			
				Overall Completion Average	14%			

Sewerage and Sewage							
2019/20	Sewer - Edward Street Upgrade (Renewal)		\$551,000	\$22,405	4%	High risk	Carried over from 2018/19. Investigative work and modelling by WSP. Still in progress
2019/20	WWTP Alarming/Monitoring of Out flow Meter		\$4,112	\$0	5%	High risk	In progress
2019/20	Sewer - Disposal Field Border Dyke Maintenance		\$11,000	\$2,275	21%	High risk	In progress. Waiting for sections to come clear of stock to continue repairs.
2020/21	Sewer - Waimate Urban Renewals		\$530,897		0%	On track	
2020/21	Permanent D.O. Probe and control - Dual Probe		\$10,300	\$0	5%	On track	In progress
2020/21	Sewer - WWTP Electric Winch for Sewer Pumps		\$2,106	\$0	0%	On track	
2020/21	Sewer - WWTP Submersible Pump 1 Renewal		\$21,060	\$0	0%	On track	
2020/21	Sewer - Pond Bypass Valves Renewal		\$12,636	\$0	0%	On track	
2020/21	Sewer - Disposal Field Border Dyke Maintenance		\$8,700	\$0	0%	On track	
					Overall Completion Average	4%	
Storm Water Drainage							
2020/21	Storm water - Belt Street to Town Belt		\$40,400	\$0	0%	Not started	Funds reallocated to improving inlet structures and various storm water improvements within the urban area
2020/21	Storm water - Consent & Management Plan		\$27,000	\$117,103	90%	On track	The draft storm water management plan is completed and work is now complete on the assessment of environmental effects. This assessment is a core requirement of the consenting process. Staff have lodged for consent. ECan have provided an extension for Waimate and many other District Councils. Original budget \$140k
2020/21	Storm water - Weather Station		\$6,700	\$0	0%	On track	Decision required for site, and telemetry requirements
2020/21	Storm water - Queen Street Upgrade		\$119,400	\$14,255	12%	On track	Investigation into options
2020/21	Storm water - CCTV Assessment of Mains		\$10,265	\$0	0%	On track	
					Overall Completion Average	20%	
Waste Management							
2020/21	Waste Management - Wheelie Bin Replacements		\$3,000	\$4,194	140%	High risk	Ongoing, for bin replacement
2020/21	Waste Management - Refuse/Recycle Bins - Public Toilet		\$4,000	\$0	10%	On track	Brought forward from 2018/19 year and working in conjunction with the Economic Development Beautification Project.
2020/21	Waste Management - Refuse/Recycle Bins - Boland Park		\$4,088	\$0	10%	On track	Working in conjunction with the Economic Development Beautification Project.
2020/21	Waste Management - Compactor		\$119,016	\$0	0%	On track	In progress
2020/21	Waste Management - Weighbridge		\$120,060	\$0	0%	On track	To coincide with Contract renewal. Position to be discussed with Envirowaste
					Overall Completion Average	30%	

Status Key:
 On track with time/budget for completion within the plan year
 High risk (budget and/or timeframe)
 Some risk (budget and/or timeframe) - highlight issues in comments
 Not started/external to Council

9 GENERAL REPORTS

9.1 DRINKING WATER SAFETY STATEMENT FOR WATER SAFETY PLANS

Author: Paul Roberts, Water and Waste Manager

Authoriser: Dan Mitchell, Asset Group Manager

Attachments: 1. [Waimate District Council Drinking Water Safety Statement - Draft](#) 

PURPOSE

1. To present for review the Waimate District Council Drinking Water Safety Statement. The statement's purpose is to affirm Council's commitment to safe and secure drinking water supplies under its management. This Statement will appear in all new Water Safety Plans prepared by the Waimate District Council.

BACKGROUND

2. As a result of the two inquiries into the Havelock North contamination event (August 2016) a number of issues, concerns and failings were identified. From those findings, Government brought about changes to how water supplies are managed. One of those findings was how water safety plans were written and implemented.
3. Since then the Ministry of Health introduced the "New Zealand Drinking-water Safety Plan Framework" and a "Handbook for Preparing a Water Safety Plan". Section one, "Commitment to Drinking-water Quality Management" in the handbook outlines what organisational commitment is required by the water supplier.
4. Organisational support and long-term commitment by senior leadership is the foundation of an effective system for providing safe and secure drinking-water. In addition to understanding and committing to legislative requirements, successful implementation requires:
 - An awareness and understanding of the importance of drinking-water quality management, and how decisions affect the protection of public health
 - An organisational philosophy that fosters commitment to continual improvement, and cultivates employee responsibility and motivation
 - The ongoing and active involvement of senior leadership to maintain and reinforce the importance of drinking-water quality management to all employees, as well as those outside the organisation.
5. Senior leadership should ensure that its policies and actions support the effective management of drinking-water quality (e.g. through appropriate staffing; employee training; adequate financial resources; and active participation on and reporting to the board, chief executive or elected officials).
6. Development of a drinking-water quality policy or statement is an important step in formalising the level of service to which drinking-water suppliers are committed, and in increasing focus on water quality management throughout the organisation. This policy or statement should define the organisation's commitments and priorities relating to drinking-water quality. It should incorporate the six fundamental principles of drinking-water safety in New Zealand (Government Inquiry into Havelock North Drinking Water 2017):
 - Principle 1: A high standard of care must be embraced
 - Principle 2: Protection of source water is of paramount importance
 - Principle 3: Maintain multiple barriers against contamination
 - Principle 4: Change (including changes to processes and hazardous events) precedes contamination

- Principle 5: Suppliers must own the safety of drinking-water
 - Principle 6: Apply a preventive risk management approach.
7. The policy or statement provides the basis on which all subsequent actions can be judged. As such, it should be clear and succinct, and should address broad issues and requirements of the organisation's commitment and approach to safe and secure drinking-water. The policy may cover issues such as:
- Commitment to best-practice drinking-water quality management and continual improvement
 - Intention to adopt the use of multiple barriers
 - The level of service provided, connected to affordability
 - The involvement of employees
 - Compliance with relevant regulations and other requirements
 - Liaison and cooperation with relevant agencies, including health and other regulators
 - Communication with employees and the public.
8. In developing the policy or statement, the organisation should consider the opinions and requirements of employees, consumers and other stakeholders.
9. Management should ensure that the policy or statement is highly visible, understood and implemented by all employees of the organisation involved in the supply of drinking-water and elected officials. It is the responsibility of all employees to support this commitment.
10. The proposed draft statement fulfils these new requirements and the council's commitment to safe and secure drinking-water it manages for its communities.

PROPOSAL

11. To present the Waimate District Council Drinking Water Safety Statement for review, and presenting for approval by Council and signing by the Chief Executive Officer on 8 December 2020 Council and Workshop.

Options

12. Council approves and the Chief Executive Officer signs the current Waimate District Council Drinking Water Safety Statement draft at the 8 December 2020 Council and Workshop to affirm its commitment to safe and secure drinking water supplies under its management, and fulfilment of drinking water compliance requirements; or
13. Council reviews and amends/changes/corrects the Waimate District Council Drinking Water Safety Statement to fulfil its required commitments, for safe and secure drinking water supplies under its management, ready for approval and signing on 8 December 2020; or
14. Council does not approve or sign off the Waimate District Council Drinking Water Safety Statement and fails to achieve drinking water compliance for all water supplies under its management.

ASSESSMENT OF SIGNIFICANCE

15. None. Legislative and compliance requirement. Stakeholder engagement is encouraged but does not require consultation.
16. Stakeholder engagement has been going on with the Rural Water Schemes.

CONSIDERATIONS

17. As stated in "Background", organisational support and long-term commitment by senior leadership is the foundation of an effective system for providing safe and secure drinking-

water. Therefore Council's commitment to safe and secure drinking water supplies needs to be stated and affirmed.

18. Without a Drinking Water Safety Statement the Council will not be able to succeed in getting its Water Safety Plans approved. And approved Water Safety Plans is a Legislative and compliance requirement as an operational Water Supplier.

Legislation

19. Water Safety Plans are a legal requirement for supplies with populations over 500 under the Health Act 1956 (Health [Drinking Water] Amendment Act 2019, Section 69Z).
20. Note, currently Small and Neighbourhood supplies (under population of 500) have the option of complying by meeting the requirements in sections 4 and 5 and 7–9, of the Drinking Water Standards for New Zealand 2005 (revised 2018) instead of following a Water Safety Plan.
21. However when the Water Services Bill is passed all drinking water suppliers, other than domestic self-suppliers will be required to have a drinking water safety plan that contains a multi-barrier approach to drinking water safety.

Territorial or Regional Council Regulations, Plans or Bylaws

22. The Drinking-water Statement reaffirms Council's commitment to its Asset Management Plans and Long Term Plans in order to progressively achieve full compliance with the Drinking Water Standards for New Zealand.
23. The statement also acknowledges the protection of source water is of paramount importance in protecting consumers against drinking water contaminations and illness.
24. This links to the objectives of the Canterbury Land and Water Regional Plan in identifying the resource management outcomes and or goals for land and water resources in the Canterbury region. Such as protection zones for Community drinking water sources in accordance with Schedule 1 of the proposed Canterbury Land and Water Regional Plan.

Risk

25. By approving the Waimate District Council Drinking Water Safety Statement, Council will affirm its commitment to safe and secure drinking water supplies under its management. Thereby reducing the risk to public health from contamination events.
26. By not approving the Water Safety Statement, Council places itself at risk of non-compliance with legislative requirements, and possible infringements, enforcements and other negative outcomes.

Other

27. Note, this Water Safety Statement is based on the "Handbook for Preparing a Water Safety Plan" example on page 5. It is also the same Water Safety Statement in the Hurunui District Council's Water Safety Plan for Culverden, which has been approved by the Ministry of Health and its Drinking Water Assessors.

FINANCIAL

28. The financial commitment is committing to Asset Management Plans and Long Term Plans in order to progressively achieve full compliance with the Drinking Water Standards for New Zealand.

Budget

29. No budget required for actual statement. Just reaffirming commitment to the existing budgets in Annual Plans, Asset Management Plans and Long Term Plans, to progressively achieve full compliance with current and future legislation (Heath [Drinking Water] Amendment Act 2019, Water Services Bill) and the Drinking Water Standards for New Zealand.

30. In the future this commitment to the Drinking Water Safety Statement will be a guide, driver and purpose to future budget request, as well as the reason for approval, changes to, or rejection of a budget request.

Cost-effectiveness

31. Compliance requirement.

RECOMMENDATION

1. That the Drinking Water Safety Statement for Water Safety Plans Report be accepted; and
2. That the District Infrastructure Committee recommends that Council approves the Waimate District Council Drinking Water Safety Statement draft as presented, to be signed by the Chief Executive at the 8 December 2020 Council Meeting and Workshop; or
3. That the District Infrastructure Committee requests modification to the Waimate District Council Drinking Water Safety Statement draft as presented, to be presented for approval at the 8 December 2020 Council and Workshop and signed by the Chief Executive.



Drinking Water Safety Statement

Waimate District Council is committed to provide safe, high-quality drinking water that consistently meets the expectations of the New Zealand Drinking –Water Safety Plan Framework, the requirements of the Health (Drinking water) Amendment Act 2007 and consumer and other regulatory requirements. Waimate District Council will work to progressively achieve full compliance with the Drinking Water Standards for New Zealand.

To achieve this, in partnership with stakeholders and relevant agencies, Waimate District Council will:

- Embrace a high standard of care to manage water quality at all points along the delivery chain from source water to the consumers to provide a continuous supply of safe drinking water.
- Upgrade treatment system in accordance with the Long Term Plan in order to progressively achieve full compliance with the Drinking Water Standards for New Zealand.
- Maintain a personal sense of responsibility and dedication for providing safe drinking water to consumers.
- Integrate the reasonable needs and expectations of the consumers, stakeholders, regulators and employees into the planning.
- Use a preventive risk-based approach in which potential threats to water quality are identified and managed.
- Acknowledge the protection of source water is of paramount importance in protecting consumers against drinking water contaminations and illness.
- Understand sources of contamination, the types of events that can precede contamination and maintain robust multiple barriers against contamination appropriate to the level of potential contamination and harm.
- Maintain appropriate contingency planning and incident response capability.
- Maintain regular monitoring of the quality of drinking water and effective reporting mechanisms to provide relevant and timely information, and promote confidence in the water supply and its management.
- Participate in appropriate investigative activities to ensure continued understanding water quality issues and performance.
- Continually improve the practices by assessing performance against the Council commitments, stakeholder expectations and regulatory requirements.

All the staff involved in the supply of drinking water are responsible for understanding, implementing, maintaining and continually improving the drinking water quality management system.

Signed:

Date:

Stuart Duncan
Chief Executive Officer
Waimate District Council
New Zealand

9.2 POINT BUSH ROAD STOPPING

Author: Dan Mitchell, Asset Group Manager

Authoriser: Stuart Duncan, Chief Executive

Attachments: 1. Road Stopping Report 24 October 2017  
2. Objections Received 5 October 2020  

PURPOSE

1. The purpose of this report is to enable the District Infrastructure Committee to consider the objections received in relation to the proposed road stopping of an unformed portion of Point Bush Road, Waimate.

BACKGROUND

2. In late 2016, the Waimate District Council was approached with a request to stop the remaining unformed section of Point Bush Road.
3. Prior to this request, the remaining unformed section of Point Bush Road had been stopped and purchased by the adjoining landowner. The adjoining landowner, at the time, was common to both the historic and the current road stopping process.
4. Council considered a report and on 14 November 2017 passed the following resolution:
5. *“That Council approves, in principle, the stopping of the unformed section of Point Bush Road, Waimate and enters into a Road Stopping Agreement with the applicant and that on agreement of the purchase price in Section 2 of the Local Government Act 1974 Schedule 10 procedures for the proposed road stopping are initiated”*
6. The appended report contains the background information for the road stopping process.
7. Following the resolution, and after resolving an issue with Ministerial approval, the road stopping was re-advertised on 27 August 2020 with objections received up to and including 5 October 2020.
8. During this period the stopping was advertised a second time as mandated by the Local Government Act 1974.
9. Twenty-three objections were received and are attached to this report.

PROPOSAL

10. The District Infrastructure Committee should review each of the objections as per the Local Government Act 1974, Schedule 10, 5:
11. *“If objections are received as aforesaid, the council shall, after the expiration of the period within which an objection must be lodged, unless it decides to allow the objections, send objections together with the plans aforesaid, and a full description of the proposed alterations to the Environment Court”*

Options

12. In lay terms, the District Infrastructure Committee may uphold all of the objections at which time the process to stop the road will cease; or
13. The District Infrastructure Committee may discount some, or all, of the objections and allow the Environment Court to make the decision.

ASSESSMENT OF SIGNIFICANCE

14. A review of the Significance and Engagement Policy has been undertaken and this matter is not deemed significant.

CONSIDERATIONS

15. It should be noted that a significant length of time has transpired since the original resolution and that the Point Bush Ecological Restoration Trust now exists. Whilst public access through the aforementioned land is at the discretion of the Trust, it is not considered that access will be forbidden.

Legislation

16. Local Government Act 1974

Risk

17. As with any road stopping process, there is an inherent risk associated with the Council decision. Matters referred to the Environment Court can result in costs being levied against any of the three parties involved, namely the Council, the submitter and / or the applicant.

FINANCIAL

18. The original applicant funds actual costs associated with the process. If stopped, sale proceeds are deposited in to the property reserve.

Cost-effectiveness

19. Cost-effectiveness is not a consideration in this case.

RECOMMENDATION

1. That the Point Bush Road stopping report is accepted; and
2. That the District Infrastructure Committee recommends that Council allows all of the objections and the road stopping process ceases; or
3. That the District Infrastructure Committee recommends that Council send the objections and necessary documentation to the Environment Court, subject to approval by the applicant.

Item 6 Road Stopping Request – Point Bush Road, Waimate

Prepared by: Dan Mitchell
Asset Group Manager

Purpose of Report

- 1 To obtain agreement "in principle" to commence the stopping of the remaining unformed section of Point Bush Road, Waimate.

Background

- 2 Council has been approached with a request to stop the remaining unformed section of Point Bush Road. A map of the proposal is appended to this report.
- 3 The proposal has a total area of approximately 1.5 hectares and is predominantly steep to rolling bush and farmland. It is unlikely, and technically difficult, that Council would wish to form a road on the proposed alignment.
- 4 This is further supported by a section of road that has already been stopped and means that the existing formed section of Point Bush Road can never be connected to Centrewood Park Road.
- 5 Two landowners are likely to be affected by the proposed stopping, one of which now owns the section previously stopped and the other who has recently subdivided and created the lot adjacent to the paper road.
- 6 Stopping of the road does not prevent access to any existing lots. Walking access is arguably maintained through the network of tracks leading from the Point Bush Estate through the native bush and up to the Whitehorse Monument.

Proposal / Options

- 7 In order to progress the proposal, the Waimate District Council is required to agree in principal to the application. This agreement facilitates an application to the office of the Chief Surveyor of the Waimate District. This is in the form of a road stopping report under the provisions of the Local Government Act 1974 (LGA 1974).
- 8 Schedule 10 requires a plan of the road proposed to be stopped, an explanation as to why the road is to be stopped and the purpose to which the road will be put. It would be prudent to include evidence of early consultation with all affected parties. This should include all utility, service, infrastructure, transport and emergency service agencies and adjoining landowners.
- 9 Section 342(1)(a) of the LGA 1974 provides the process for the stopping and closing of roads. Under this clause, the Council may, in the manner provided in Schedule 10 stop any road or part thereof in the district provided that the council shall not proceed to stop any road or part thereof in a rural area unless the prior consent of the Minister of Lands has been obtained.

- 10 Section 345 of the LGA 1974 provides for the disposal of land no longer required for road. Under this section, the Council, where in forming a new road, or in diverting or stopping or diminishing the width of any existing road, or part thereof is no longer required as a road, may:

(1) Subject to subsection (3), where in forming a new road, or in diverting or stopping or diminishing the width of any existing road, any part thereof is no longer required as a road, the council may -

(a) either -

(i) sell that part to the owner or owners of any adjoining land for a price to be fixed by a competent valuer appointed by the council to value that part; or

(ii) grant a lease of that part to the owner or owners of any adjoining land for a term and at a rental and subject to such conditions as the council thinks fit -

and, if no such owner or owners is or are willing to purchase the land at the price fixed or, as the case may be, take a lease of that part for the term and at the rental and subject to the conditions fixed, the council may sell or lease the land by public auction or private tender; and a conveyance, transfer, or lease under the seal of the council shall constitute a valid title to the land; or

(b) apply that part, or any part thereof, to any purpose to which the council may apply land, either under this Act or any other enactment; or

(c) grant a lease of that part, or any part thereof, for such term and on such conditions as it thinks fit for use for any purpose to which the council may apply land, either under this Act or any other enactment; or

(d) transfer that part, or any part thereof, to the Crown for a public reserve or for addition to a public reserve or for any purpose of public convenience or utility or as Crown land subject to the Land Act 1948.

(1A) To avoid doubt, this section does not apply to the common marine and coastal area within the meaning of the Marine and Coastal Area (Takutai Moana) Act 2011.

(2) Where the council pursuant to subsection (1)(a)(i) sells the land to the owner or owners of any adjoining land, it may require, notwithstanding the provisions of any other enactment, the amalgamation of that land with the adjoining land under 1 certificate of title. The District Land Registrar may, if he thinks fit, dispense with any survey that would otherwise be required for the purposes of the issue of a certificate of title under this section, and may issue a certificate of title limited as to parcels.

(2A) Where the council acting under subsection (2) requires the amalgamation of the land sold with the adjoining land under 1 certificate of title -

(a) the separate parcels of land included in the 1 certificate of title by virtue of that requirement shall not be capable of being disposed of individually or of again

being held under separate certificates of title, except with the consent of the council:

(b) where that adjoining land is already subject to a registered instrument under which a power to sell, a right of renewal, or a right or obligation is lawfully conferred or imposed, the land sold shall be deemed to be and always have been part of the land that is subject to that instrument, and all rights and obligations in respect of, and encumbrances on that adjoining land shall be deemed also to be rights and obligations in respect of, or encumbrances on, that land sold.

- 11 The formal road stopping process has been traversed on a number of occasions. Schedule 10 of the LGA 1974 states:

(1) The council shall prepare a plan of the road proposed to be stopped, together with an explanation as to why the road is to be stopped and the purpose or purposes to which the stopped road will be put, and a survey made and a plan prepared of any new road proposed to be made in lieu thereof, showing the lands through which it is proposed to pass, and the owners and occupiers of those lands so far as known, and shall lodge the plan in the office of the Chief Surveyor of the land district in which the road is situated. The plan shall separately show any area of esplanade reserve which will become vested in the council under section 345(3).

(2) On receipt of the Chief Surveyor's notice of approval and plan number the council shall open the plan for public inspection at the office of the council, and the council shall at least twice, at intervals of not less than 7 days, give public notice of the proposals and of the place where the plan may be inspected, and shall in the notice call upon persons objecting to the proposals to lodge their objections in writing at the office of the council on or before a date to be specified in the notice, being not earlier than 40 days after the date of the first publication thereof. The council shall also forthwith after that first publication serve a notice in the same form on the occupiers of all land adjoining the road proposed to be stopped or any new road proposed to be made in lieu thereof, and, in the case of any such land of which the occupier is not also the owner, on the owner of the land also, so far as they can be ascertained.

(3) A notice of the proposed stoppage shall, during the period between the first publication of the notice and the expiration of the last day for lodging objections as aforesaid, be kept fixed in a conspicuous place at each end of the road proposed to be stopped:

Provided that the council shall not be deemed to have failed to comply with the provisions of this clause in any case where any such notice is removed without the authority of the council, but in any such case the council shall, as soon as conveniently may be after being informed of the unauthorised removal of the notice, cause a new notice complying with the provisions of this clause to be affixed in place of the notice so removed and to be kept so affixed for the period aforesaid.

(4) If no objections are received within the time limited as aforesaid, the council may by public notice declare that the road is stopped; and the road shall, subject to the council's compliance with clause 9, thereafter cease to be a road.

(5) If objections are received as aforesaid, the council shall, after the expiration of the period within which an objection must be lodged, unless it decides to allow the objections, send the objections together with the plans aforesaid, and a full description of the proposed alterations to the Environment Court.

(6) The Environment Court shall consider the district plan, the plan of the road proposed to be stopped, the council's explanation under clause 1, and any objection made thereto by any person, and confirm, modify, or reverse the decision of the council which shall be final and conclusive on all questions.

(7) If the Environment Court reverses the decision of the council, no proceedings shall be entertained by the Environment Court for stopping the road for 2 years thereafter.

(8) If the Environment Court confirms the decision of the council, the council may declare by public notice that the road is stopped; and the road shall, subject to the council's compliance with clause 9, thereafter cease to be a road.

(9) Two copies of that notice and of the plans hereinbefore referred to shall be transmitted by the council for record in the office of the Chief Surveyor of the land district in which the road is situated, and no notice of the stoppage of the road shall take effect until that record is made.

(10) The Chief Surveyor shall allocate a new description of the land comprising the stopped road, and shall forward to the District Land Registrar or the Registrar of Deeds, as the case may require, a copy of that description and a copy of the notice and the plans transmitted to him by the council, and the Registrar shall amend his records accordingly.

- 12 All costs associated with the process will be on-charged to the applicant.

Obstacles

- 13 There are no known obstacles.

Assessment of Significance

- 14 This matter is not deemed significant under the Council's Significance and Engagement Policy. The roading networks and connected infrastructure are considered strategic assets, but unformed sections are not considered part of the network.

Budget Considerations

- 15 There are no known budget considerations as full cost recovery is proposed, alongside an unbudgeted income associated with the sale and purchase.

Cost-effectiveness

- 16 Cost-effectiveness consideration is not applicable.

Recommendation

- 1 That the Road Stopping Request – Point Bush Road, Waimate report is accepted; and
- 2 That the District Infrastructure Committee recommends that Council approves, in principle, the stopping of the unformed section of Point Bush Road, Waimate and enters into a Road Stopping Agreement with the applicant and that on agreement of the purchase price in Section 2 in the Local Government Act 1974 Schedule 10 procedures for the proposed road stopping are initiated; or
- 3 That the District Infrastructure Committee recommends that Council does not approve the stopping of the unformed section of Point Bush Road, Waimate.

Proposed Stopping of Legal Road
Unformed Section of Point Bush Road

Objections received:

1. Point Bush Ecological Restoration Trust Incorporated (Eco Sanctuary) – RSM Law, received 24 July 2020
2. Gary Dennison, Chairman Point Bush Ecological Restoration Trust – received 27 July 2020
3. Dr A J Saunders-Tack – received 27 July 2020
4. Debbie Stowell – received 23 July 2020
5. Danny Robinson – received 9 August 2020
6. John Begg – received 19 August 2020
7. Peter Collins – received 18 August 2020
8. Kelly Smith – received 8 September 2020
9. Ann & Gary Dennison – received 22 September 2020
10. Dr A J Saunders-Tack (objection #2) – received 28 September 2020
11. John Begg (objection #2) – received 29 September 2020
12. John Tonkin – received 29 September 2020
13. Sharon Tonkin – received 29 September 2020
14. Geoff Holgate, NZ Walking Access Commission – received 2 October 2020
15. Cheryl Murney – received 5 October 2020
16. Ella Schofield – received 5 October 2020
17. Robert Ireland – received 5 October 2020
18. Jake Schofield – received 5 October 2020
19. Linda Schofield – received 5 October 2020
20. Andrew Oliver – received 5 October 2020
21. Margaret Steer – received 5 October 2020
22. Rorina Mitchell, Virginia Cabreana, Giles Graham, Patrick Gordon, Josie Mitchell, Alan Mitchell – received 5 October 2020
23. Ian McIlraith – received 5 October 2020



Copy To
For Action By DTM
Enclosure Held By
21 July 2020

Asset Group Manager
Waimate District Council
PO Box 122
WAIMATE 7960

Attention: Dan Mitchell

OBJECTION TO STOPPING OF THE LEGAL ROAD, THE UNFORMED SECTION OF POINT BUSH ROAD

Our client, Point Bush Ecological Restoration Trust Incorporated (Eco Sanctuary), wishes to object the proposed stopping of the legal road, the unformed section of Point Bush Road.

We have received notice under Sections 319(1)(h) and 342(1)(a) of the Local Government Act 1974 that the Waimate District Council has resolved to commence the road stopping procedure under Schedule 10 of the Act.

Please confirm that s342(1)(a) Consent from the Minister of Lands has been obtained to proceed, as is required.

Once Consent has been established, we formally object to the stopping of the legal road, the unformed section of Point Bush Road. This is primarily on the bases of public benefit outweighing the private use. We find the situation materially similar to Upper Hutt CC v Akatarawa Recreational Access Committee Inc [2003] NZRMA 405 where the Court upheld the public benefit of the walkway and other recreational use because the exercise of the power to stop the road for private benefit was not consistent with the principle that the powers should be exercised for public purposes.

The fact that the walkway has not been established yet is immaterial. The desirability of retaining unformed legal roads for the potential use as public walkways or cycle ways, has been confirmed in Re Central Otago DC [2010] NZEnvC 364, [2011] NZRMA 370. Closure of an unformed road was opposed by a recreational users group, which could foresee the use of the public access way for cyclists and walkers, joggers and trampers. The Court concluded that the public benefit arising in the future by retaining the unformed road as part of the public road network exceeded significantly the public cost from maintaining the access way. A decision by the council to close the road was cancelled.

JW-7124451-3-76-V1



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Waimate Office

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Telephone (03) 687 5977 | (03) 687 7472 | **Facsimile** (03) 687 5977 | **Email** info@rsm.co.nz | **Web** www.rsm.co.nz

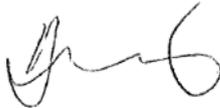
- 2 -

In support of this Objection, we advise and record that:

- The pest predator fence to be erected by our client will be sufficient to stop wallabies and will not restrict the erection of further fencing on Mr Buckingham's personal property.
- In order to discharge any firearm, the user must know where the bullet will end up. Shooting towards Eco Sanctuary was never a safe option and a walkway will not change the responsibility of the firearm users.
- There is no bigger risk for hunters than the current risk. A walkway used by the public is more likely to deter those wanting to push the boundaries of what is safe.
- The airstrip is a private benefit whereas the walkway is a public benefit.
- The main use of the road will be walking and not common use driving.

To summarise, we object to the proposed stopping of the legal road, the unformed section of Point Bush Road, and we suggest that our client Objector would have a strong case should this require consideration in the Environmental Court.

Yours faithfully
RSM LAW



K McKenzie
Director

Email: Ken.McKenzie@rsm.co.nz

JW-7124451-3-75-V1



29 JUL 2020
WAIMATE DISTRICT COUNCIL

Copy To
For Action By DM
Enclosure Held By

27 July 2020

Dan Mitchell
Asset Group Manager WDC

Dear Mr. Mitchell

Re Waimate District Council's Public Notice re Proposed stopping of Legal Road – Unformed Section of Point Bush Road Plan REF111750/01 under Schedule 10 of Local Government Act 1974

Point Bush Road – remaining unformed section

The Point Bush Ecological Restoration Trust (PBERT) wish to formally object to the proposed stopping of the legal road and to the reasons proposed by Council on behalf of Mr. Ken Buckingham for road stopping of the remaining unformed section of Point Bush Road. We also object to his expectation and the Council concession for all (full width and length) of the stopped road area to be transferred or amalgamated into his adjacent property on one side (not surrounding) of the public road. We submit our objection to the relevance of the five primary reasons for the road stopping as outlined in the Council notice of closure for the remaining unformed legal road (ULR) section of Point Bush Road.

1 Erect a wallaby fence along the boundary. The Trust requests clarification of Mr. Buckingham's proposed fence along the boundary, to identify positioning and his associated management plan of the wallaby fenceline along the shared boundary with the public road. Where will it go from there? The Trust plans to establish a pest/wallaby predator fenceline in this vicinity to include an inspection track to maintain integrity of the fenceline. See attached map detailing PBERT pest predator fenceline. The Trust is working closely with ECan Bio Security Officer Jason Hawker with regard to plans for Wallaby control that are pertinent not only to Waimate Hunter Hills but including wallaby management affecting the entire Waimate District and beyond. Wallaby eradication is crucial and we are fully engaged with ECan and DoC and their plans for this area.

2 Increase safety when carrying out shooting of pests on property. This stated reason is contentious as any shooting on private land is subject to well established National firearm regulations around hunting. Given the proximity of traffic on Centrewood Road, the many walking and biking tracks and visitors to the popular Whitehorse plus the close proximity of the neighbouring Trophy Deer Farm. Any shooting contemplated by Mr. Buckingham on his property in this area would need to be undertaken with great care and due diligence to Public Safety. Regardless of whether the Unformed Road is included in his property or not this still remains an area of Public enjoyment and Visitor attraction.

3 Carry out on-site activities without being concerned that hunters may be using the paper road. This stated reason conflicts with above stated reason. If this remains a Public access road there would be no shooting allowed of any nature.

4 Desire to reinstate the airstrip at the top of the owner's private property currently on Paper Road. The former airstrip was double the length and used to extend across the Centrewood Road onto the adjacent property. The remaining length of airstrip on Mr. Buckingham's property is now reduced to 140m. The claim to reinstate the airstrip is unlikely to meet aviation criteria and seemingly is only for his private use.

5 Steepness of terrain prohibiting formation of a road. Retaining Public Access to this Unformed Road is the issue with a suitable 4WD track for Public access through walking and biking and track servicing. To suggest closure of a Public Road on the basis that it would not be possible to form a "Road" is not an admissible reason. His unauthorised cycle tracks on the road are a counter to this point.

The Trust understands Mr Buckingham has made application for road closure however written consultation re the proposed road stopping to all adjoining landowners (other than the applicant) seems to be missing? We certainly haven't been consulted for such consent. His last words "I will see you in court" still leaves me astounded that he could expect this public road to be closed and handed over by Council without some protracted discussion after our written query re boundary fencing concessions on road verges.

Following the recent transfer of ownership of the adjacent 90 ha block through a gift from the previous owners on the south side of the public road, the aim of The Point Bush Ecological Restoration Trust (PBERT) is to make this land available as a community asset with public access guaranteed in perpetuity as per the Trust Deed. The Point Bush EcoSanctuary Restoration Project includes for the protection and enhancement of the native bush area protected by a predator fence with walking, biking

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and even horse trekking tracks accessible to the Public and Visitors alike along with some extensive native plantings to speed up the native forest restoration process. In keeping with the continued public benefit far outweighing any private use, the Trust would like to see the unformed section of Point Bush Road remain in the public domain with the intention of it being open to as well as accessible by the Public as a walking and biking link (and even horse riding) between the Maori Reserve, Centrewood Park Road and the existing Point Bush Road urban gateway to Waimate.

The lower section of this unformed public road is now incorporated into Trust land and connects via a publicly accessible and mowed 4WD track through the PBERT EcoSanctuary to the donated car park roundabout (Part of the former public road) on to the formed urban section of Point Bush Road. By retaining Public Access to the notifiable section would allow the public and particularly children access via an extended loop track that would include a continuous walkway from Studholme Bush Scenic Reserve through the Council endorsed and upgraded Whitehorse Monument Park area around the EcoSanctuary and down the Point Bush road Public track to Waimate town with iconic views all the way. A wonderful asset in perpetuity for Waimate once unrestricted access has been guaranteed.

Refer to attached schematic for our native afforestation plan and our reasoning for retention of the public road and its opening up for public access:

- 1 Trust plan for the establishment of a purpose built EcoSanctuary predator fence on the boundary fenceline that will encircle the EcoSanctuary including the formation of a 4WD perimeter inspection track and public walkway allowing for fence and weed management as well as public wellness. There is already a walking and 4WD track along most of the unformed public road, however, due to fencing and the locked gate, this public roadway and 4WD track has only been available for the exclusive use of Mr Buckingham on the public road side of the EcoSanctuary boundary fence. No public road signs have been erected on the gate or the boundary fence at each end of the public road. This is contradictory to the Local Government Act for fair and reasonable access for the public and adjacent landowners. Whilst public access has been previously obscured, there has been a considerable surge in use of all the trackways and trails through the EcoSanctuary and this public roadway will certainly be a future asset for walkways, cycle ways and supplemental movement corridors for the public.
- 2 Retaining the entire Unformed Section of Road for unfettered public access and use by recreational walking and mountain bike visitors. The public benefit shall always outweigh private occupation.
- 3 Through community groups and the EcoSanctuary Trust, develop this section of Unformed Public Road for walking, horse riding and biking by joining on to the existing lower section of accessible walkway as well as the neighbouring Trust area forming a continuous public use walking and biking track between Centrewood Park and Point Bush Road as well as providing crossover links to the existing Big Easy track system.
- 4 The Ecosanctuary fenceline will include predator proofed public gate entrances into the EcoSanctuary fenced area with public access to the planned EcoPods along the elevated boundary line in this area.
- 5 Retention of this unformed road for Public access is in line with the Council backed and MIA funded Waimate2gether project to enhance and upgrade visitor access and attraction to the Whitehorse Monument area including plans for extended Walking Tracks through to Kelcey's Bush and Mount Studholme.

The notice is not clear as to whether the wallaby fence is being proposed and installed by Mr Buckingham or he is referring to and taking credit for EcoSanctuary Trust plans? The predator fence proposal from the Trust received a flat rejection for any financial contribution whatsoever by Mr Buckingham nor any possibility of encroachment onto the public road verge. The general public are certainly not aware that this unformed public road exists for their unfettered use as the gate is kept locked and the outside boundary and some sections of the road are fenced off for his private and exclusive use. To all intents and purposes the remaining unformed section of Point Bush Road has always been presented to the public as private property, and we expect the existing public exclusion practices and policies will continue unchecked unless formal fencing is put in place. Mr Buckingham has developed a camera monitored private cycling track on his property which physically encroaches in several places on to the public road as it traverses the hillside. All these public access restricting earthworks are unauthorised. The lower section hosts mature native and exotic trees which belong to the Public and Council by default and should remain as they have heritage value and would be ideal as a mature exotic tree cluster for public viewing accessed by a new public walkway in this area. Waimate2gether and Trackways are researching such initiatives for access to the upgraded Whitehorse Park area. The unformed public road could accommodate a separate downhill option for the existing "Big Easy" public mountainbike track system managed by the Whitehorse MTB Riders on agreement with the Trust for young riders and their parents.

The existing boundary fence is on the ridgeline along the public road and has had 36 years of stock free regeneration of native vegetation right up to the adjoining public road fenceline. To take a swath out of that native bush for the new predator fence and 4WD inspection track would be deemed a senseless destruction of exactly what the Trust and our community are trying to achieve. i.e. the re-establishment of a native reserve for Community access in perpetuity. Outside the Trust boundary on the unformed public road there are some gorse and weed patches, whilst on the bottom section there are some obstructive fences and very large trees growing on the road space all additionally limiting public access. The private earthworks on the roadway would require restoration to allow unfettered public access.

Further to a letter to Mr Buckingham outlining our Trust goals sent on 19 June 2019, a neighbourly consultation meeting was held with Mr and Mrs Ken Buckingham at Te Kiteroa Lodge on 19 July 2019 to outline Trust plans including the predator fencing and native plantings and requesting a shared access and use of the public road and the 4WD track outside the existing

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fenceline for public use. A survey of the existing fenceline was requested by Mr Buckingham however was subsequently overridden with his flat rejection by email for any access to the public road area. Our letter to Council for limited access on 18 December 2019 resulted in a Council arranged meeting with Mr Buckingham on 10th February, 2020. At that meeting Mr Buckingham declared the current joint fenceline was adequate for purpose and stated he will not contribute in any way to replacing the existing fence nor allow any new predator proof fenceline within the public road area. This directly contradicts the first primary reason within the closure notice that he will erect a wallaby fence along the boundary having already insisted we replace the existing fence in its present position? His departing words were; "See you in Court". One a public minded suggestion for sharing and the other a private indulgence for the full takeover of prime public land.

The stopping of the public road will also isolate one side of the Maori Reserve block MR904 for which Te Rūnanga o Ngāi Tahu have been allowed totally unhindered access to their former ancestral lands by the previous owners and now the Trust. As one of our supporters, this situation has been referred on to Te Rūnanga o Waihai for their consideration in meeting their Takata Whenua values under the Tiriti o Waitangi, Tiriti o Ngai Tahu, Local Government Act 1974 and the RMA. Te Rūnanga o Waihai will make independent Council contact with their views on this matter.

The lower half of the Point Bush road was purchased on offer from Council in 1991 and is now a long 20m section (SO18206). This lower part is combined with all titles and has always been available for public access over the past 35 years and will remain so plus is used regularly for walking, cycling and horse riding recreation by locals, visitors and family groups.

Unrestricted public access onto the remaining part of the ULR remains very difficult, primarily due to access being fenced off, intermediate fences across the public road, the locked gate at the top end as well as several incursions by unauthorised and private mountain bike track works on the public road. No public road notices are evident as required under the Act. The unformed 4WD track certainly would assist public access to the top sections of the public road if made available. The exotic trees planted on the bottom section of the Point Bush Road ULR legally belong to Council and the public so as a suggestion, these trees could readily be incorporated into a public reserve as heritage specimens for public viewing by the installation of the new predator fence out on the unformed fenceline at the 20m mark in parallel to the existing fenceline. The trees could be manoeuvred around with a formal track route to protect their root structures. The road then remains in the public domain in perpetuity and no cost to the ratepayers for the new predator fence. A win, win for both Council and the public.

The request submitted by the Trust to Council on 18 December 2019 was for access to the public road verge for the establishment of a Predator fence around the EcoSanctuary perimeter to protect and preserve existing and planned native plantings and regenerated bush that had established itself undisturbed over the past 36 years from browsing animals (wallabies, pigs and deer excepted). The new predator fence will additionally provide protection to the birdlife and a safe habitat for them to flourish. We are consulting with DoC and ECan on the future potential for reintroducing bird varieties that previously inhabited our bush. The reason for our request for access to the road verges was to extend the former public road section of the Ecosanctuary onto the remaining unformed public road for access by the Public. This would allow the establishment of an encircling predator fence with a 4WD capable access track for fence integrity monitoring as well as providing public access for walking, biking and even horse riding from the Point Bush Road carpark up to Centrewood Park road and onward to Kelcey's Bush and Mt. Studholme without destroying a wide swath of the regenerating bush that has grown up to the current fenceline over the past 34 years. We are advocating for unfettered public access onto the unformed public road in perpetuity.

A safety issue also resolved in demarcating the public area. At no cost to either Council or Mr Buckingham, the predator fence siting could be easily shifted to the outside 20m boundary of the unformed public road. A win, win for perpetual public access and their ongoing health and safety protection from hunters and grazing cattle. Our planning for small EcoPod shelters for public use interspersed around the Trust property including this ridgeline could also be serviced by the 4WD access tracks.

To conclude. We strongly oppose the road closure in favour of public access extending from the publicly available section onto the closed off section of the unformed public road including a new predator fence in compliance with a predator free 2050 at no cost to the Public. Public access directly up to Centrewood Park road for the first time in our history is an attractive prospect for Wairate's future marketability and reputation for our world class walkways and cycle trails.

Yours sincerely



Gary Dennison
Chairman PBERT



27 July 2020

Dan Mitchell
Asset Group Manager WDC

Dear Mr. Mitchell

Re Waimate District Council's Public Notice re Proposed stopping of Legal Road – Unformed Section of Point Bush Road Plan REF111750/01 under Schedule 10 of Local Government Act 1974

Point Bush Road – remaining unformed section

The Point Bush Ecological Restoration Trust (PBERT) wish to formally object to the proposed stopping of the legal road and to the reasons proposed by Council on behalf of Mr. Ken Buckingham for road stopping of the remaining unformed section of Point Bush Road. We also object to his expectation and the Council concession for all (full width and length) of the stopped road area to be transferred or amalgamated into his adjacent property on one side (not surrounding) of the public road. We submit our objection to the relevance of the five primary reasons for the road stopping as outlined in the Council notice of closure for the remaining unformed legal road (ULR) section of Point Bush Road.

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and even horse trekking tracks accessible to the Public and Visitors alike along with some extensive native plantings to speed up the native forest restoration process. In keeping with the continued public benefit far outweighing any private use, the Trust would like to see the unformed section of Point Bush Road remain in the public domain with the intention of it being open to as well as accessible by the Public as a walking and biking link (and even horse riding) between the Maori Reserve, Centrewood Park Road and the existing Point Bush Road urban gateway to Waimate.

The lower section of this unformed public road is now incorporated into Trust land and connects via a publicly accessible and mowed 4WD track through the PBERT EcoSanctuary to the donated car park roundabout (Part of the former public road) on to the formed urban section of Point Bush Road. By retaining Public Access to the notifiable section would allow the public and particularly children access via an extended loop track that would include a continuous walkway from Studholme Bush Scenic Reserve through the Council endorsed and upgraded Whitehorse Monument Park area around the EcoSanctuary and down the Point Bush road Public track to Waimate town with iconic views all the way. A wonderful asset in perpetuity for Waimate once unrestricted access has been guaranteed.

Refer to attached schematic for our native afforestation plan and our reasoning for retention of the public road and its opening up for public access:

- 1 Trust plan for the establishment of a purpose built EcoSanctuary predator fence on the boundary fenceline that will encircle the EcoSanctuary including the formation of a 4WD perimeter inspection track and public walkway allowing for fence and weed management as well as public wellness. There is already a walking and 4WD track along most of the unformed public road, however, due to fencing and the locked gate, this public roadway and 4WD track has only been available for the exclusive use of Mr Buckingham on the public road side of the EcoSanctuary boundary fence. No public road signs have been erected on the gate or the boundary fence at each end of the public road. This is contradictory to the Local Government Act for fair and reasonable access for the public and adjacent landowners. Whilst public access has been previously obscured, there has been a considerable surge in use of all the trackways and trails through the EcoSanctuary and this public roadway will certainly be a future asset for walkways, cycle ways and supplemental movement corridors for the public.
- 2 Retaining the entire Unformed Section of Road for unfettered public access and use by recreational walking and mountain bike visitors. The public benefit shall always outweigh private occupation.
- 3 Through community groups and the EcoSanctuary Trust, develop this section of Unformed Public Road for walking, horse riding and biking by joining on to the existing lower section of accessible walkway as well as the neighbouring Trust area forming a continuous public use walking and biking track between Centrewood Park and Point Bush Road as well as providing crossover links to the existing Big Easy track system.
- 4 The Ecosanctuary fenceline will include predator proofed public gate entrances into the EcoSanctuary fenced area with public access to the planned EcoPods along the elevated boundary line in this area.
- 5 Retention of this unformed road for Public access is in line with the Council backed and MIA funded Waimate2gether project to enhance and upgrade visitor access and attraction to the Whitehorse Monument area including plans for extended Walking Tracks through to Kelcey's Bush and Mount Studholme.

The notice is not clear as to whether the wallaby fence is being proposed and installed by Mr Buckingham or he is referring to and taking credit for EcoSanctuary Trust plans? The predator fence proposal from the Trust received a flat rejection for any financial contribution whatsoever by Mr Buckingham nor any possibility of encroachment onto the public road verge. The general public are certainly not aware that this unformed public road exists for their unfettered use as the gate is kept locked and the outside boundary and some sections of the road are fenced off for his private and exclusive use. To all intents and purposes the remaining unformed section of Point Bush Road has always been presented to the public as private property, and we expect the existing public exclusion practices and policies will continue unchecked unless formal fencing is put in place. Mr Buckingham has developed a camera monitored private cycling track on his property which physically encroaches in several places on to the public road as it traverses the hillside. All these public access restricting earthworks are unauthorised. The lower section hosts mature native and exotic trees which belong to the Public and Council by default and should remain as they have heritage value and would be ideal as a mature exotic tree cluster for public viewing accessed by a new public walkway in this area. Waimate2gether and Trackways are researching such initiatives for access to the upgraded Whitehorse Park area. The unformed public road could accommodate a separate downhill option for the existing "Big Easy" public mountainbike track system managed by the Whitehorse MTB Riders on agreement with the Trust for young riders and their parents.

The existing boundary fence is on the ridgeline along the public road and has had 36 years of stock free regeneration of native vegetation right up to the adjoining public road fenceline. To take a swath out of that native bush for the new predator fence and 4WD inspection track would be deemed a senseless destruction of exactly what the Trust and our community are trying to achieve, i.e. the re-establishment of a native reserve for Community access in perpetuity. Outside the Trust boundary on the unformed public road there are some gorse and weed patches, whilst on the bottom section there are some obstructive fences and very large trees growing on the road space all additionally limiting public access. The private earthworks on the roadway would require restoration to allow unfettered public access.

Further to a letter to Mr Buckingham outlining our Trust goals sent on 19 June 2019, a neighbourly consultation meeting was held with Mr and Mrs Ken Buckingham at Te Kiteroa Lodge on 19 July 2019 to outline Trust plans including the predator fencing and native plantings and requesting a shared access and use of the public road and the 4WD track outside the existing

2

Tel: 03 6891088 Mobile: 021 576868 Email: pointbushecosanctuary@gmail.com Website: www.pontbush.co.nz

fenceline for public use. A survey of the existing fenceline was requested by Mr Buckingham however was subsequently overridden with his flat rejection by email for any access to the public road area. Our letter to Council for limited access on 18 December 2019 resulted in a Council arranged meeting with Mr Buckingham on 10th February, 2020. At that meeting Mr Buckingham declared the current joint fenceline was adequate for purpose and stated he will not contribute in any way to replacing the existing fence nor allow any new predator proof fenceline within the public road area. This directly contradicts the first primary reason within the closure notice that he will erect a wallaby fence along the boundary having already insisted we replace the existing fence in its present position? His departing words were; "See you in Court". One a public minded suggestion for sharing and the other a private indulgence for the full takeover of prime public land.

The stopping of the public road will also isolate one side of the Maori Reserve block MR904 for which Te Rūnanga o Ngāi Tahu have been allowed totally unhindered access to their former ancestral lands by the previous owners and now the Trust. As one of our supporters, this situation has been referred on to Te Rūnanga o Waihao for their consideration in meeting their Takata Whenua values under the Tiriti o Waitangi, Tiriti o Ngai Tahu, Local Government Act 1974 and the RMA. Te Rūnanga o Waihao will make independent Council contact with their views on this matter.

The lower half of the Point Bush road was purchased on offer from Council in 1991 and is now a long 20m section (SO18206). This lower part is combined with all titles and has always been available for public access over the past 35 years and will remain so plus is used regularly for walking, cycling and horse riding recreation by locals, visitors and family groups.

Unrestricted public access onto the remaining part of the ULR remains very difficult, primarily due to access being fenced off, intermediate fences across the public road, the locked gate at the top end as well as several incursions by unauthorised and private mountain bike track works on the public road. No public road notices are evident as required under the Act. The unformed 4WD track certainly would assist public access to the top sections of the public road if made available. The exotic trees planted on the bottom section of the Point Bush Road ULR legally belong to Council and the public so as a suggestion, these trees could readily be incorporated into a public reserve as heritage specimens for public viewing by the installation of the new predator fence out on the unformed fenceline at the 20m mark in parallel to the existing fenceline. The trees could be manoeuvred around with a formal track route to protect their root structures. The road then remains in the public domain in perpetuity and no cost to the ratepayers for the new predator fence. A win, win for both Council and the public.

The request submitted by the Trust to Council on 18 December 2019 was for access to the public road verge for the establishment of a Predator fence around the EcoSanctuary perimeter to protect and preserve existing and planned native plantings and regenerated bush that had established itself undisturbed over the past 36 years from browsing animals (wallabies, pigs and deer excepted). The new predator fence will additionally provide protection to the birdlife and a safe habitat for them to flourish. We are consulting with DoC and ECan on the future potential for reintroducing bird varieties that previously inhabited our bush. The reason for our request for access to the road verges was to extend the former public road section of the Ecosanctuary onto the remaining unformed public road for access by the Public. This would allow the establishment of an encircling predator fence with a 4WD capable access track for fence integrity monitoring as well as providing public access for walking, biking and even horse riding from the Point Bush Road carpark up to Centrewood Park road and onward to Kelcey's Bush and Mt. Studholme without destroying a wide swath of the regenerating bush that has grown up to the current fenceline over the past 34 years. We are advocating for unfettered public access onto the unformed public road in perpetuity.

A safety issue also resolved in demarcating the public area. At no cost to either Council or Mr Buckingham, the predator fence siting could be easily shifted to the outside 20m boundary of the unformed public road. A win, win for perpetual public access and their ongoing health and safety protection from hunters and grazing cattle. Our planning for small EcoPod shelters for public use interspersed around the Trust property including this ridgeline could also be serviced by the 4WD access tracks.

To conclude. We strongly oppose the road closure in favour of public access extending from the publicly available section onto the closed off section of the unformed public road including a new predator fence in compliance with a predator free 2050 at no cost to the Public. Public access directly up to Centrewood Park road for the first time in our history is an attractive prospect for Waimate's future marketability and reputation for our world class walkways and cycle trails.

Yours sincerely



Gary Dennison
Chairman PBERT

Dr A J Saunders-Tack
Wattle Grove
19 Bathgates Road
Waimate 7980
South Canterbury
NEW ZEALAND
July 27, 2020

Mr Dan Mitchell
Asset Group Manager
Waimate District Council

Re: Waimate District Council's Public Notice - Proposed stopping of Legal Road – Unformed Section of Point Bush Road Plan REF111750/01 under Schedule 10 of Local Government Act 1974

Dear Mr Mitchell

Before proceeding to the substantive content of this letter, I will first declare a related interest in the matter above as a member of the board of governance of the Point Bush Ecological Restoration Trust (PBERT). The board will communicate separately on this issue. However, this letter is written in my capacity as a private citizen.

With reference to the above public notice I wish to:

1. Challenge the integrity and completeness of the "due process" adopted in bringing the notice to the public, and;
2. to object, in the strongest possible terms to the proposed unformed road closure on the basis that closure is not in the public interest.

1. Due Process

- As I understand, before a rural unformed road can be disestablished the consent of the Minister for Land Information is required. I see no evidence of this approval and await your feedback on the matter.
- Prior to the case for disestablishment being presented for Ministerial approval it is both common practice and, I suggest a public expectation, that some preliminary research has been undertaken to evaluate the acceptability and feasibility of such an action. In this case I put it to you that such research is absent given that the proposed closure will significantly benefit the private interests of one adjacent landowner (K. Buckingham), whilst disadvantaging another (PBERT) and the wider community in the future. This is despite the latter having previously engaged with WDC to express their support for maintaining the unformed road status and the reasons for that support.

Further, the closure of an unformed road, where the beneficiary is solely a private owner versus a clearly declared public interest is virtually unprecedented and certainly not consistent with the intent of the relevant legislation. Given the objectives of PBERT and its goals of maintaining public access to the adjacent block there is clearly a "public interest" matter here that has been ignored.

Whilst (if ministerial approval is received) the mechanism of disposal of the unformed road is the responsibility of WDC. I believe the level of public interest in this matter requires there to be a much-improved level of transparency with respect to the legal and commercial arrangements entered into by WDC with respect to this matter.

2. Objection

The following are individually and collectively objections to the WDC proposal:

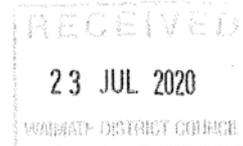
- Factual error – K Buckingham is described as being the “surrounding property” owner. This is incorrect. He is an adjacent property owner. PBERT is also an adjacent property owner and shall be consulted.
- Of the five bullet points raised in support of the closure, four do not stand as a basis for closure, as all are possible with adequate management of the status quo. I hence, put it to you that these are proposed to serve only the private interests of K Buckingham.
- The fifth bullet refers to the reinstatement of an airstrip. Any such airstrip is unlikely to satisfy basic CAA regulations, and hence, have no, or little, public benefit. Once again, I postulate this is solely proposed for the benefit of K Buckingham.
- There has been encroachment onto the unformed road by K. Buckingham and the access gate from Centrewood Park Road is permanently locked. Both contravene the requirements of the legislation applying to unformed roads. These facts give me no confidence that any closure action will have any public benefit.
- Finally and notwithstanding the above, given the community minded goals and objectives of PBERT, I fail to see how the proposal to close the unformed road has any element in favour of the public interest, even if due process had been properly adopted.

I await your acknowledgement of, and response to this letter.

Yours Sincerely



Dr A J Saunders-Tack



Waimate District Council
P O Box 122
Waimate 7960

Attention: Dan Mitchell, Asset Group Manager

Re: Objection to the Proposed stopping of Legal Road, the unformed section of Point Bush Road.

Dear Dan,

Please accept my objection with regards to stopping of the legal unformed road section of Point Bush Road.

I have walked this piece of land this week and it is a substantial piece of land that borders both Mr Buckingham's property and the MTB/Walking trails and proposed Eco Sanctuary that has been placed into trust for the benefit of all.

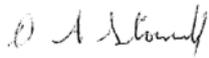
My reasons are as follows

- The act states
*"342 Stopping and closing of roads (1)
The council may, in the manner provided in Schedule 10,—(a) stop any road or part thereof in the district: provided that the council shall not proceed to stop any road or part thereof in a rural area unless the prior consent of the Minister of Lands has been obtained;"*
I see no evidence that this has been obtained to proceed with this request.
- There is a parcel of landlocked land I believe to be owned by Maori and this road leads to this property and is an access point, this impacts directly on the owners/owners of this property.
- 2/3rds of this road is clear and accessible to the boundary fence between both neighbours and will be of huge benefit for both predator fencing access and for future fence maintenance and predator control.
- Plans for the Eco Sanctuary are well under way and I can see this access will benefit this project immensely and using it for walkway linking to current tracks a very viable reason to keep it for the benefit to all.
- As this public road runs down the boundary of both neighbours there seems no valid reason for one person to benefit from the ownership of this piece of land when it could be better utilised by more people for the great benefit to Waimate as a whole.
- I do not see why Mr Buckingham feels he needs to acquire this parcel of land, it does not impede in any way to the use of his land.

- The reasons given in his proposal do not in anyway help his application with regards to public safety with the existing public mountain bike track running so close to his boundary fence at least it both serves as a barrier, and clear boundary, to carry out his proposed activities in a safe and lawful manor.

I'm sure there are many other reasons I could find to oppose this land acquisition but I am of the opinion that this public road must be kept intact for the good of the residents and visitors to Waimate and the progress in developing our public access to recreational land.

Yours sincerely



Debbie Stowell
Rate payer and Resident of Waimate

Danny Robinson
32 Mill Road
Waimate

Email: danny.robby@gmail.com

August 2020

Dan Mitchell
Asset Group Manager
Waimate District Council
P.O. Box 122
Waimate 7960

Dear Dan Mitchell
Asset Group Manager:

I wish to object to the proposed road stopping of Point Bush Road – remaining unformed section.
My objections are formed in three parts:
First, I wish to Object to the premise of the five reasons given for the stoppage.

- 1.1 On Wallaby fence, there is nothing preventing such a fence being erected by either adjoining property owner, as many people execute fencing duties on or within their property boundaries do already.
- 1.2 Safety: The adjoining owners and the public should not be firing firearms across a public road.
- 1.3 Hunters can traverse any road on any boundary and it is of no concern to the owners of adjacent properties otherwise our state highways would be stopped.
- 1.4 In my opinion there is no room to feasibly reinstate an airstrip in the historic position on Ken Buckingham's property in a similar location without dangerously utilizing part of the actual formed road on Centrewood park road which I use to access my property closer to the Whitehorse monument.
- 1.5 Finally, I dispute that the terrain is any steeper along any part of the unformed Point Bush Road than the start of Centrewood park road at the turnoff from Parkers Bush Road. There are in fact several fairly steep sections along Centrewood Park Road. I can through experience say, that at times Centrewood park road has been impassible by truck or car after heavy rain, roadworks or logging truck damage. Yet by foot or by mountain bike it has

Dan Mitchell
Asset Group Manager
August 2020
Page 2

been easy enough to ascend that section. Additionally, by foot or by mountain bike, this unformed public section of point bush road has trees in the path that are not only scenic, they can also help to provide wet weather shelter, traction and stability rather than a hindrance to progress.

Second, I wish to Object on Personal grounds as I wish to use and have other members of our public retain use of such public accessways long into the future, as large vehicles are not the only way in which the public can enjoy unformed public roads.

For instance, there are many walking and cycling tracks that can be very practical and scenic without formal road surface or forming. I would also like to point out, that it would be an alternative more direct route to walk or mountain bike, as alternative to the "Big Easy".

Third, I wish to object on the premise that in the far future our district's citizens may wish to use such a reserved roadway as a road or in travelling means we did not foresee.

For instance, if the ecosanctuary were to become more popular and host some attractive endangered species, there may be portions or the whole lot may be properly predator fenced to protect iconic native ground based animals, or to enable safe nesting, enriching the surrounding areas with those that can fly. Or simply there may be need as an actual sealed road in the future. It is much easier to keep an asset than to use the public works act, to pay out future land owners to allow land for projects.

An alternative to Parkers Bush Road may become urgently needed in future subsequent to seismic activity or slope movement or even large wind or rainfall weather events. Currently after the recent roadworks Parkers Bush Road remains a functionally single lane road passing between fractured rock cliffs with large overhanging trees atop them and a steep sided stream gorge which boils and foams after heavy rain. If the long-term effects of the Whitehorse monument project are as successful as hoped and anticipated then an alternate vehicle route to and from the monument park (and the transmitter tower) back directly into Waimate township seems a prudent backup.

In this unformed Point bush road instance I have tried to use this access in the past and found it hindered by confusing private property signs on the portion that appears to be public road as marked out by the council GIS maps and .govt website maps, and by hiking apps. Mr. Buckingham could be seen to have unfairly deprived the hiking and biking public from accessing what is there to be accessed; formalizing such a situation is giving in to one man at the detriment of the many. Has Mr. Buckingham formally requested permission to form earthworks across and within the public road? Has exemption to the rule been formally sought to put fencing across the public road with padlocked shut gates and no signage indicating the gate is across a public road? The council have forms for this; and if exemption has not been formally sought from Waimate District Council, will this disregard for fair-minded and official process be taken into account?

Dan Mitchell
Asset Group Manager
August 2020
Page 3

In conclusion, I would like this section of unformed point bush road to remain public, and in fact, wish to support its clear marking to actively encourage use by the public.

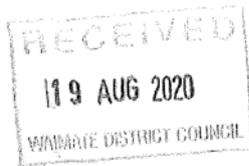
My wife and I did a lot of researching prior to deciding that Waimate is the district we wished to pay rates into. We spent time looking at mapping showed unformed public road allocations, birds eye views of tracks for walking and cycling over this series of hills, how many sections of DOC and QEII there are around the district. This added greatly to the reasons convincing me that we needed to buy property in Waimate, and better yet, we found a property in the rugged heart of it that we can maintain for the people who come after us.

As a nearby landowner, with my wife Niobe Carter, of 238 Centrewood park road (on the corner where Centrewood Park Road becomes unformed legal road turning South West from the monument), I lodge these objections and look forward to a future where the public can freely and with assurance access the entirety of this unformed legal road and the surrounding legal road network.

If such a stopping of the public road did go ahead, please consider a proper ground level survey of trees and natural assets for their current financial and ecological value before simply assigning such a valuable stretch of legal road to any individual, as there could be some hidden value to the public that we are being deprived of by such a stopping.

Sincerely,

Danny Robinson



14 Gorge Rd,

Waimate

Email: begg.j@outlook.com

Mobile: 0212030056

Copy To

For Action By D.M

Enclosure Held By

Dan Mitchell
Asset Group Manager,
Waimate District Council,
P.O Box 122,
Waimate.

Re proposed stopping of unformed section of Point Bush Road

Dear Sir,

I am writing to object to the above proposal regarding closing the above public road and transferring it to Mr Ken Buckingham's surrounding property.

My objections are as follows:

1. I believe that unformed public roads were set up to guarantee the public free access into rural areas and such these areas should not be transferred and locked away in any private ownership.
2. This public area has great views and a potential for a track which could link up with the Whitehorse walkway making a circuit with a great view of the coastal plains and towards Banks Peninsula. The lower steep section would not provide any difficulty in forming a track.
3. The lower section has some heritage conifers with regenerating native Bush including young totara, this would provide a buffer / corridor for birds from the proposed eco sanctuary, this area and trees needs to be preserved.
4. The five reasons the applicant has given for the road to be stopped are illogical and not applicable.
 - No need to change land ownership for a wallaby fence to be constructed. I would suggest a boundary fence to be placed on the applicant's boundary with the public road.
 - The landholder or guests shooting towards the public road endangering the public walking on the public land would be totally irresponsible especially as there are bike and walking tracks close by the boundary with the neighbouring property. Isn't it illegal to shoot across public roads?
 - Hunters using the public land, once again isn't it illegal to shoot on public roads. The applicant has no right to determine who can use public spaces.

19 AUG 2020
WAIMATE DISTRICT COUNCIL

- The previous airstrip went across the road. I do not believe that an airstrip would be compatible with the proposed Eco sanctuary. Why should the public be deprived of a public space with good views for a small private airstrip?
- An unformed road gives public access and is not necessarily about building roads. I would like to see public access via a track be established as stated before a track through the regenerating Bush would be easy to construct.

Unfortunately, the applicant via Facebook and social media has threatened people to stay off this public land thus has stopped access, the gate at the top is padlocked.

The applicant has also undertaken earthworks in forming a private cycle track crisscrossing the public land without permission.

Although the Waimate District council previously stopped part of the unformed road and transferred it to the adjoining landholder, this should not have anything to do with this application, especially as the adjoining landholder has maintained public access throughout his land, allowing public walking and biking tracks to be established and has even put the land into a trust where access is guaranteed.

Access maybe severely limited if this public land is transferred to the applicant.

My objection to the road stopping can only be met by the Council reversing its decision to stop this road.

Yours faithfully,



John Begg

Nicky Caird

From: Dan Mitchell
Sent: Wednesday, 19 August 2020 11:48 PM
To: Nicky Caird
Subject: Fwd: Submission - Closure of Unformed Section of Pt Bush Rd
Attachments: Submission.PtBushRd.docx; ATT00001.htm

FYI

Sent from my iPhone

Begin forwarded message:

From: peter collins <pete.wpf@gmail.com>
Date: 18 August 2020 at 9:33:36 PM NZST
To: Dan Mitchell <Dan@waimatedc.govt.nz>
Subject: Submission - Closure of Unformed Section of Pt Bush Rd

Hi Dan,

Could you please add this submission to the list.

Many thanks

Peter Collins

Dan Mitchell
Asset Group Manager
Waimate District Council

I would like to place a submission against the proposed "Stopping of Legal Road Unformed Section of Pt Bush Rd"

The Hunter Hills behind Waimate form a scenic backdrop to the Waimate town and are well utilized with the walking and cycle tracks available for use.

Presently there are two Waimate organisations, (Waimate2gether and Waimate Economic Development Group) in partnership and backed by numerous local clubs and groups that are investing time, money (D.I.A Community Led Development Programme and Waimate District Council) and energy to upgrade the White Horse area and tracks behind our community.

The closure of this road especially during this time of this growth is short sighted at best and in my opinion, without backing from the local community. Gary and Ann Dennison's land borders the unformed section. They are currently in the process of setting this land aside for an Eco sanctuary. This Legal Rd could be part of the track network as well as providing access for public viewing and maintenance of the pest fence.

Thank you for considering this submission when making your decision.

Regards
Peter Collins
027 2918763

Nicky Caird

From: Kim Quirke
Sent: Tuesday, 8 September 2020 9:43 AM
To: Dan Mitchell
Cc: Nicky Caird
Subject: FW: Ecosanctuary land

From: Kelly Smith <skgmco@gmail.com>
Sent: Tuesday, 8 September 2020 9:12 AM
To: council <council@waimatedc.govt.nz>
Subject: Ecosanctuary land

To Whom it May Concern,

I'm writing to express my views on the current fencing project for the Ecosanctuary proposal on the White Horse Hill.

This is something that will benefit the whole community as it will bring more people into our district. It will be a reason for visitors to come to Waimate and help to make us a true destination.

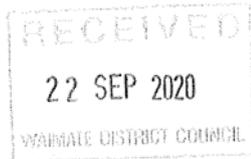
The council needs to ensure that the land required to fence the area is secured and protected in order to support both the future of our town and of the Ecosanctuary's inhabitants.

Many thanks,

--

Kelly Smith

027 658 6815



Te Kiteroa Lodge
227 Point Bush Road
Waimate 7979

Copy To Dm

For Action By Dm

Enclosure Hold By

Waimate District Council
Attn: Dan Mitchell, Assets Manager

22nd September 2020

Subject: Unformed Road Closure Notice - Point Bush Road

The latest Council Road Closure Notice has been altered from the original and has not been reposted on the fence and gate at each end of the Public Road as required. The current listing of the reasons for closure are a little conflicting.

The terrain gradient is the same on both sides of the public road as are the existing walking, cycling and 4WD access tracks on Trust land. Mr. Buckingham has made use of the Public Road to form illegal tracks. Council has turned a blind eye to this personalised use and considerable disturbance of the Public Road surface.

Mr Buckingham has also inserted an unauthorised and unnotified private access gate into the Trust's fence line approximately halfway up the hill providing access from the Public Road area and his private property over to the Trust Ecosanctuary area. The Public has always been able to access the lower section of the former Public Road but have been denied access to the upper part of the Public Road by means of fencing and a locked gate with no notice of Public Roadway - thereby unlawfully preventing public access.

The stopping of the lower section of Point Bush Road was at Council's suggestion in 1991. Although, Rosewood (now the Point Bush Ecological Restoration Trust) is Private land, Public access to this area has always been made available through unlocked gates and public signage. Access to the Whitehorse Monument area currently comprises a walking track (Whitehorse Walkway) as well as a dual-purpose walking and cycling track called the "Big Easy". These tracks are very popular with the Public as would be access via the Unformed Public Road above the bushline.

The erection of a predator fence along the boundary is an initiative of the Trust and I would be very sceptical that Mr Buckingham has any intention in this regard. Mr Buckingham has emphatically rejected any contribution towards replacing or upgrading the existing public road boundary fence. In this regard we have also recently been contacted by Mr Buckingham via Email viz.. "I read with interest regarding the Predator Fence. I assume along our boundary the underground skirt will be on the inside of the fence? And maybe you would prefer it if we didn't plant trees within a certain distance of our side of the fence? Or have large animals grazing up against it?" With respect to the Public Road, we do not have a shared boundary with Mr. Buckingham.

Hunting safety considerations come with gun ownership and licensing responsibility. The public are already active on the other side of the public fence in the guise of walkers and cyclists.

Reinstating the airstrip in any private commercial capacity will be a challenge. It is 140m long and currently has exotic and native trees along each side respectively, not to mention any commercial value being of conflicting interest.

The latest Notice states that it is anticipated that all of the Stopped Road will be transferred or amalgamated into Lot 2 DP 501463 CT 749454. This would include the existing mature specimen Oregon's and natives at the base of the hill on the Public Road and their disposal would certainly not be in anyone's best interest.

Council's re-worded second Notice has created considerable confusion within the Public domain. The Trust has published a Public Notice clarifying that the Trust has not applied for the road closure as is being interpreted by some in the community. The road closure action has been initiated solely by Mr Buckingham through Council in 2020. We have received no consultation as an adjoining neighbour other than the Council arranged meeting with Ken Buckingham in February where he walked out saying he would see us in court. This in response to our application to Council for a narrow verge strip on the Public Road for the new predator fence establishment to protect the existing regenerated native flora and fauna.

We would prefer that the status quo prevails and the Public road is fully opened to the public rather than being closed off as it has been in the past. Our adjacent boundary and the land therein does not provide easy access to the public road space as Council has inferred in the latest notice. In fact due to the very thick regeneration of native bush over the past 34 years, the only easily available access is now off the road space through the Maori Reserve area where the public have full and unfettered access from Point Bush Road directly onto the unformed part of the Public roadway or from Centrewood Park Road when access is notified and made available to the public.

The Public road will certainly make for an historical bridal pathway between Point Bush Road and Centrewood Park Road as never before.

Should this case proceed to the Environmental Court we wish to declare we are not the Applicant for the Stopping of the Unformed Road action and that the Applicant (Mr. Ken Buckingham) meets all costs.

Yours sincerely



Ann and Gary Dennison

P.S. We refer also to our Trust letter dated 27 July 2020 in response to the first notice and which contains additional points for consideration.

Dr A J Saunders-Tack
Wattle Grove
19 Bathgates Road
Waimate 7980
South Canterbury
NEW ZEALAND
September 26, 2020

Mr Dan Mitchell
Asset Group Manager
Waimate District Council

Re: Waimate District Council's Public Notice - Proposed stopping of Legal Road – Unformed Section of Point Bush Road Plan REF111750/01 under Schedule 10 of Local Government Act 1974

Objection

Dear Mr Mitchell

Further to my previous formal communication on the above matter (dated 27 July 2020) and Waimate District Council's (WDC) subsequent re-issue of the above notice following receipt of formal ministerial approval, I wish to lodge the following objection to the proposal on the grounds detailed below.

Addressing each of the notice bullet points in turn:

- "In consideration of the steep terrain....."
Firstly, the historical lower section of Point Bush Road has indeed been stopped, but the Point Bush Ecological Restoration Trust (PBERT) has, as a key tenet of its trust establishment terms, ensured enduring public access. This has been widely communicated to the Waimate community. In addition, the lower section has historically been open and maintained for public access by PBERT thus establishing the stated intent. The upper section of this road (affected by this notice) is currently used by the public (despite obstacles) and is potentially a key linking component of future walking and biking tracks in the Waimate district being considered by community groups (eg Track Ways). As a public road it carries with it the highest level of assured public access. There is no historical evidence or stated intent that any access would be available post stopping, as current access is routinely restricted by locked gates and structures on the road.

Secondly, construction and maintenance of a predator proof fence on the road frontage of the adjacent PBERT block will be significantly eased by access from the road. Given, the public minded objectives of PBERT, I submit that closure is clearly not in the public interest.
- "Substantial walking and bike....."
This is indeed true. However, whilst it is the stated intent of PBERT to ensure maximum public access to the adjacent block, there will potentially be limitations on bike and dog access related to conservation work, unlike the road where such

access is guaranteed via statute. Although a relatively minor consideration, closure of the road does result in an impairment of current public access rights.

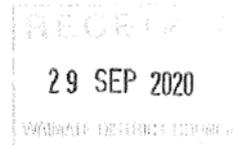
- "To erect a wallaby exclusion fence....."
If the applicant is to erect a wallaby exclusion fence, I do not see how closure of the road provides any unique benefit for this purpose. To the contrary, it is considered that retaining the road will allow ease of construction and maintenance of the boundary PBERT predator fence and I assume the same will apply for the adjacent landowner.
- "To increase safety when carrying out shooting....."
I would expect appropriate safety precautions to be adopted for shooting activity regardless of the presence of a public road or not. The potential presence of public on the adjacent block should drive these measures alone. As such, I fail to see how this is a basis for supporting road closure.
- "Desire to reinstate the airstrip....."
In consideration of the points above, and the current, and potential future, public use of the road, it is hard to understand how the creation of an airstrip for the benefit of the applicant alone (even if technically feasible) is in the public interest.

I await your acknowledgement of, and response to this letter.

Yours Sincerely



Dr A J Saunders-Tack



14 Gorge Rd,

Waimate

Email: begg.j@outlook.com

Mobile: 0212030056

Dan Mitchell
Asset Group Manager,
Waimate District Council,
P.O Box 122,
Waimate.
28th September 2020.

Re proposed stopping of unformed section of Point Bush Road

Dear Dan,

This is in addition to my previous submission, as your latest public notice regarding the closure of the unformed section of Point Bush Road has additional points which need addressing.

It is concerning that you have chosen to remove the landowners name who owns lot 2 DP 501463 CT 749454 which the council wants to transfer the public land to, this has muddled the water somewhat and has brought confusion, was this accidental or a ploy?

Has the council actually resolved to pass this public road to Ken Buckingham? If so when was the motion passed? Was the motion specific? I have talked to a long-term Councillor who has no recollection of this being put forward.

It appears that Ken Buckingham's application has only been lodged this year.

The Council's mandate is to keep these public roads and spaces open for the public of New Zealand to use at will, and not sell off at will, the land belongs to the public of NZ.

It is not for the Council's to dispose of. Council holds public roads under a duty of trust as Public Highways and for no other purpose. It is not for Council or neighbouring landholder to conjure up reasons for disposing of them. It appears that in the past that adjoining landholders have been able to assimilate such public spaces with Council's blessings, without public consultation and realising that these public roads provide an important opportunity for people to use, rather than being a wasted piece of land, the landholder do not have any right to prevent people from using such land.

It is the need for particular roads that the Courts recognize, in this case there are substantial reasons for this public land / road to be retained.

The two new points which have been added to the notice are not applicable or valid reasons for the council to dispose of this public land.

First point, the steepness of the terrain....the formation of an access road is not required. Again, this is not a valid point as the public road is about allowing unhindered public access and is not about a formed road. A walking track up the steep part is viable and this could meet up with the existing four wheel track already present.

The second point regarding walking and biking access in the adjoining property is also not valid. Although access is allowed at present due to the grace of the current landowners, this access may not be granted if the adjoining property is sold or there is a change of heart. This means that there is a more valid point in keeping the public road to maintain access in perpetuity.

Other areas which needs clarification:

- 1) Erection of a wallaby fence, by whom? As said in my previous submission why doesn't the Council and Ken Buckingham erect the fence on the boundary between Kens land and the public road.
- 2) Safety for the public using their public space, why would the applicant and his guests shooting consider shooting onto or towards a public space, when it is risky to the public, the rightful owners of the land, and also to the many users of the adjoining property.
- 3) Airstrip, why would the council think of getting rid of public land and hand it over for a private airstrip. Looking at the airstrip now, there is no way it could be considered one.

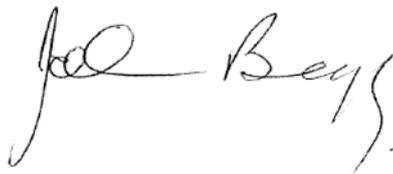
In closing, I am totally opposed to the Council closing and the land transferred to the applicant, I would like to see a walking track constructed, with every obstacle hindering public use, ie lock gates, fences removed. The applicant who has carved up part of the public road with his private bike track should be made to remedy his earthworks. Did he have Councils permission to construct these earthmoving works?

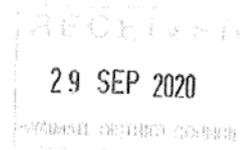
The heritage conifers need to be protected and the public road fenced of to prevent the applicants stock grazing any regenerating native plants.

I would like to have the opportunity to talk to the council regarding this issue.

Yours faithfully

John Begg





I am writing to object to the above proposal regarding closing the above public road and transferring it to Mr Ken Buckingham's surrounding property.

My objections are as follows:

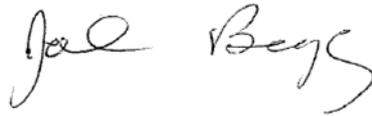
1. I believe that unformed public roads were set up to guarantee the public free access into rural areas and such these areas should not be transferred and locked away in private ownership.
2. This public area has great views and a potential for a track which could link up with the Whitehorse walkway making a circuit with a great view of the coastal plains and to Banks Peninsula. The lower steep section would not provide any difficulty in forming a track.
3. The lower section has some heritage conifers with regenerating native Bush including young totara, this would provide a buffer / corridor for birds from the proposed eco sanctuary, this area needs to be preserved.
4. The five reasons the applicant has given for the road to be stopped are illogical and not applicable.
 - No need to change land ownership for a wallaby fence to be constructed. I would suggest a boundary fence to be placed on the applicant's boundary with the public road.
 - The landholder or guests shooting towards the public road endangering the public walking on the public land would be totally irresponsible especially as there are bike and walking tracks close by the boundary with the neighbouring property. Isn't it illegal to shoot across public roads?
 - Hunters using the public land, once again isn't it illegal to shoot on public roads. The applicant has no right to determine who can use public spaces.
 - The previous airstrip went across the road. I do not believe that an airstrip would be compatible with the proposed Eco sanctuary. Why should the public be deprived of a public space with good views for a small private airstrip.
 - An unformed road gives public access and is not necessarily about building roads. I would like to see public access via a track be established as stated before a track through the regenerating Bush would be easy to construct.

Unfortunately the applicant via Facebook and social media has threatened people to stay of this public land thus has stopped access, the gate at the top is padlocked.

The applicant has also undertaken earthworks in forming a private cycle track crisscrossing the public land without permission.

Although the Waimate District council previously stopped part of the unformed road and transferred it to the adjoining landholder, this should not have any thing to do with this case, especially as the landholder has maintained public access throughout his land and has even put the land into a trust where access is guaranteed.

My objection to the road stopping can only be met by the Council reversing its decision to stop this road.

A handwritten signature in black ink, appearing to read "Joel Bergs". The signature is written in a cursive style with a large initial 'J' and a long, sweeping tail on the 's'.

John Tonkin
79 Shearman Street
Waimate

28 September 2020

29 SEP 2020

Copy To
For Action By
Enclosure Held By

Dear Mr Mitchell,

I am very concerned by the application to stop the legal road of the unformed section of Point Bush Road.

This application, if approved, will take away the enjoyment of this walk for myself and future generations.

The loss of a paper road is not in the interests of the community, but that of the applicant (Ken Buckingham).

I do not think that the applicant shows that this will serve anyone but him.

Please deny this application.

Very Concerned Resident



John Tonkin

29 SEP 2020

Sharon Tonkin
79 Shearman Street
Waimate

Copy To
For Action By
Enclosure Held By

28 September 2020

Dear Mr Mitchell,

PROPOSED STOPPING OF LEGAL ROAD
UNFORMED SECTION OF POINT BUSH ROAD

I object to the application of Ken Buckingham to stop the remaining section of Point Bush Road.

Paper roads are enjoyable access points to our beautiful land.

Stopping of paper roads is an opportunity for interested parties to deny access or charge, for what was a right of access, our children and grandchildren.

This application does not serve the interests of our community now or in the future.

Please deny application.

Concerned resident

A handwritten signature in black ink, appearing to read 'Sharon Tonkin', written in a cursive style.

Sharon Tonkin

Nicky Caird

From: Dan Mitchell
Sent: Friday, 2 October 2020 2:18 PM
To: Nicky Caird
Subject: Fwd: [EXTERNAL] PROPOSED STOPPING OF LEGAL ROAD - UNFORMED SECTION OF POINT BUSH ROAD [AS 5911]

Sent from my iPhone

Begin forwarded message:

From: Geoff Holgate <Geoff.Holgate@walkingaccess.govt.nz>
Date: 2 October 2020 at 12:20:41 PM NZDT
To: Dan Mitchell <Dan@waimatedc.govt.nz>
Subject: [EXTERNAL] PROPOSED STOPPING OF LEGAL ROAD - UNFORMED SECTION OF POINT BUSH ROAD [AS 5911]

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dan Mitchell - Asset Group Manager
Waimate District Council, PO Box 122, WAIMATE 7960

Dear Dan.

I refer to the Public Notice dated 27th August 2020, advising that pursuant to the provisions of Section 319(1)(h) and 342(1)(a) of the Local Government Act 1974, the Waimate District Council had resolved to commence the road stopping procedure under Schedule 10, to stop the remaining unformed section of Point Bush Road (ULR). Thank you for your assistance in my trying to understand this proposal.

I note that the ULR is effectively a dead end, and there is no opportunity of any public access loops or public access beyond the eastern end of the ULR. The ULR does provide legal access to the northern end of the stopped section of Point Bush Road (CB34C/579), and could be used to facilitate legal access to the adjoining land-locked title (RT CB515/2 (Waimate Maori Reserve 904 Block)).

While Council refers to substantial walking and bike access being provided through a number of adjacent lots, it is important to note that this is not public access, and really has no relevance when considering the future of the ULR.

The reasons given for the stopping of the ULR do not appear to provide significant justification for the stopping. There is little public benefit identified that would result from the stopping, and the stopping appears to be primarily for the private benefit of the owner of RT 749454 (Lot 2 DP 501463). I note that the ULR separates two titles, RTs 749454 and CB15K/66, but that it is anticipated that all of the stopped road would be transferred to or amalgamated into one title, RT 749454. No reason is given for this, and it might be construed as being unfair to the owners of RT CB15K/66?

The Commission usually encourages the retention of unformed legal roads in order to preserve access options for the future, and has significant misgivings regarding the justification for the stopping of the ULR in this proposal. However, given that there would be minimal practical impact on public access, the Commission sees no need to be further involved in this proposal.

Yours faithfully

GEOFF HOLGATE

Regional Field Advisor – Canterbury | Kaitohutohu ā-Rohe – Waitaha

New Zealand Walking Access Commission | Ara Hikoi Aotearoa

P: (03) 358 8989 | **M:** 021 190 1984 | **W:** www.walkingaccess.govt.nz

I work part-time and variable hours and will respond to enquiries as soon as possible

Promoting access in the outdoors



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you have received this communication in error, please notify us by return email immediately with the subject heading "Received in error", then delete the email and destroy any copies of it. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. The New Zealand Walking Access Commission cannot guarantee that email communications are secure or error-free, as information could be intercepted, corrupted, amended, lost, destroyed, arrive late or incomplete, or contain viruses.

Objection to the proposed road stopping.

Cheryl Murney

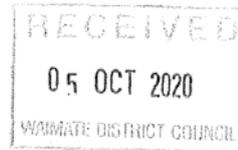
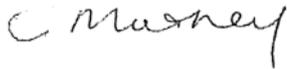
5 Queen St

Waimate

I feel this proposal is an injustice and that the Unformed Track should remain accessible to and for all the community and visitors to enjoy. Especially with the Whitehorse area being upgraded as a Visitor attraction for Waimate and plans to consider 2-3 day hiking tracks in this region to include Mount Studholme. This paper road adds another highlight to Waimate's amazing natural scenic terrain for all to enjoy.

Keeping existing Public tracks open enhances the uniqueness of Waimate and as a rate payer I endorse the ongoing support by the Waimate Council to keep unformed tracks accessible independent of landowners boundaries.

Yours sincerely



Objection to the proposed road stopping.

Ella Schofield

217 Mill Road RD 8

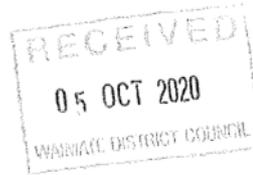
Waimate 7978

As a mum of two children we love to explore Waimate and the great tracks. I feel this proposal is an injustice and that the Unformed Track should remain accessible to and for all the community and visitors to enjoy. This paper road adds another highlight to Waimate's amazing natural scenic terrain for all to enjoy.

Yours sincerely

Ella Schofield





Objection to the proposed road stopping.

Robert Ireland

5 Queen St

Waimate

I feel this proposal is an injustice and that the Unformed Track should remain accessible to and for all the community and visitors to enjoy. Especially with the Whitehorse area being upgraded as a Visitor attraction for Waimate and plans to consider 2-3 day hiking tracks in this region to include Mount Studholme. This paper road adds another highlight to Waimate's amazing natural scenic terrain for all to enjoy.

Keeping existing Public tracks open enhances the uniqueness of Waimate.

Yours sincerely

R 



Objection to the proposed road stopping.

Jake Schofield

217 Mill Road RD 8

Waimate 7978

I feel this proposal is an injustice and that the Unformed Track should remain accessible to and for all the community and visitors to enjoy. Especially with the Whitehorse area being upgraded as a Visitor attraction for Waimate and plans to consider 2-3 day hiking tracks in this region to include Mount Studholme and Shrives. This paper road adds another highlight to Waimate's amazing natural scenic terrain for all to enjoy.

Keeping existing Public tracks open enhances the uniqueness of Waimate and the ongoing support by the Waimate Council.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jake Schofield".

Objection to the proposed road stopping.

Linda Schofield

217 Mill Road RD 8

Waimate 7978



I feel this proposal is an injustice and that the Unformed Track should remain accessible to and for all the community and visitors to enjoy. Especially with the Whitehorse area being upgraded as a Visitor attraction for Waimate and plans to consider 2-3 day hiking tracks in this region to include Mount Studholme and Shrives. This paper road adds another highlight to Waimate's amazing natural scenic terrain for all to enjoy.

As a rate payer I support keeping existing Public tracks open as this enhances the uniqueness of Waimate. The ongoing support by the Waimate Council is important for this to continue.

Yours sincerely

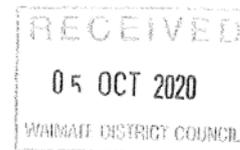
A handwritten signature in cursive script that reads "Linda Schofield".

Linda Schofield

1st October 2020

23 Butcher Lane
Waimate

Dan Mitchell - Asset Group Manager
Waimate District Council
PO Box 12
WAIMATE 7960



Dear Mr Mitchell

Re: PROPOSED STOPPING OF LEGAL ROAD UNFORMED SECTION OF POINT BUSH ROAD

I wish to offer my support to the Point Bush Eco Sanctuary stance by requesting that the unformed section of Point Bush Rd remain in public ownership and not be closed.

Gary and Ann Dennison have essentially donated a large area of land to the public for its' long-term ecological restoration and conservation. Sanctuaries such as they have proposed are exceedingly rare in New Zealand, with this being a first for Canterbury. Given that amongst developed nations we have the highest percentage of endangered species – their efforts are to be commended.

Internationally our flora and fauna are incredibly unique and are very susceptible to incursions by predators and invasive species. Having a readily accessible perimeter and 'dead' zone adjacent to the Eco Sanctuary – as the existing public road will provide - is but one, albeit important' component of a predator control system. The public access road will allow for ease of access to monitor predator traps and the boundary fence while at the same time preventing incursions of predators from over-fence trees or under-fence burrowing.

As I'm sure you are well aware, in addition to the conservation benefits this reserve brings, both nationally and internationally in terms of preserving an 80 million year old forest relic, the economic benefits the sanctuary will bring to the Waimate community will be significant. For example, we can anticipate a noticeable increase in both domestic and international tourism as has been shown by both the Orokonui and Zealandia Eco Sanctuaries in Dunedin and Wellington respectively. Enhanced biodiversity areas have also been shown to be more attractive as places to live near, attracting well-heeled life-stylers and their associated support services akin to the economic growth seen in the likes of Wanaka and Hanmer Springs. The recent establishment of a Visitor Centre as an integrated part of the Eco-Sanctuary is another welcome step in our positive Community wellbeing journey.

To close and deny future public access to this public road is to deny the impact of the Eco Sanctuary reaching its' full potential along with its associated conservation and economic benefits to the wider community.

Yours Sincerely

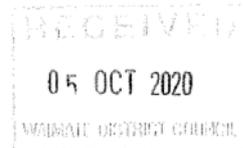
A handwritten signature in black ink, appearing to read "A.O.", written in a cursive style.

Andrew Oliver

7 Elizabeth St
Waimate

zuni20@actrix.co.nz

021 073 5649



Dear Waimate District Council

Re the stoppage of Point Bush Rd.

I object to the closure of a paper public road. This is common land, not private land. It should stay in public ownership and not be passed over to a private landowner. I am appalled at the suggestion.

I walked the piece of land and thought it works well as a fire-break and for future possible public use. There is plenty of room to erect a wallaby-proof fence.

Please see sense and commit to the common good.

Yours sincerely

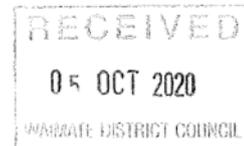
Margaret Steer

5 Oct 2020

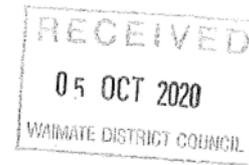
To whom it may concern,

I am writing to express my opposition to the changes that have been put forward in regard to the Ecosanctuary and the changes to land that have been proposed. I have concerns relating to public land becoming made private land. Also am concerned as to how close to public land the wallorby sheating with the guy who has land adjoining the track will be to public users. So I wanted to put in a submission about this. Regards Robin mitchell *RMitchell*.

Giles Graham *Giles Graham*
 Virginia Cabreana *V. Cabreana*
 Patrick Garbon *Patrick Garbon*
 Jesse Mitchell *Jesse Mitchell*
 Alan *Alan*
 Alan Mitchell



3 Hayes St.
WAIMATE.
5/10/20



Mr. Dan Mitchell-Asset Group manager
WAIMATE DC.

Dear Sir,
Re PROPOSED STOPPING of LEGAL ROAD, UNFORMED SECTION of POINT BUSH
ROAD.

I WISH TO SUBMIT THAT I am opposed to the resolution of the WDC and object absolutely to the listed proposed stopping of a legal public access.

PERSONAL BACKGROUND

I am a lifelong resident of the Waimate District and a ratepayer for some sixty odd years and have resided in the Waimate township for the last nine years. Since relocating to the township I have taken up recreational walking and cycling on a regular basis and have become very familiar with the existing formed trackways in this locale as a result. Historically, close family members have made themselves available to serve as elected members of the WDC . and I am of the same ilk to act in a public spirited manner. To that end I have submitted to WDC in the past specifically to protect community water supplies. In the first case some three decades ago I endeavoured in vain to oppose council mis-management and suffered intolerable personal loss as a consequence. From previous experience of Waimate local governance I am keenly aware of weaknesses which are within our system of democracy, and particularly on occasion witnessed outstanding bureaucratic expediency, blatant bias or favour of council with regards to private commercial interests, and not least what was unacceptable conduct and incompetence of some earlier council managers and their masters.

WITH REGARDS TO THIS PROPOSAL I DO QUESTION WHETHER COUNCIL has acted with due diligence and incorporated correct legal process from the outset because it is only recently that I saw the publicly advertised notice of the proposal when in fact I have since learned the council has been dealing with this matter for a very long time.

MY REASONS FOR OBJECTION.

- 1- I reject outright the reasons listed by council for the road to be stopped. I do not agree.
- 2- I reject and do not agree the further considerations as the reasons given by council, they plainly smack of facetiousness.
- 3- Currently and in the recent past nine years I have walked often over this area of public ground. I wish to incorporate as much walk variety and interest, while also taking an active part in helping to protect the biodiversity and dealing to pest plants around the area. I do not wish to see the available recreational opportunity diminished or the space of land.
- 4- The importance of this land to the public interest has clearly not been defined or recognised by council.
- 5- I would submit that the land concerned is worth significantly more to the community if utilized for the benefit of the adjoining Point Bush Ecosanctuary and or remain a part of the very popular

present trackways network.

6- There appears no evidence of council exploring or examining all available options or potential for future development of this land for the public good. One example could be a form of chairlift or other type of carriageway incorporated into the present trackways system that would enhance the attraction as it is developed and grows in popularity as time goes on.

If only to provide guaranteed public access it is paramount that council does not release this parcel of land from public ownership due to it's proximity and accessibility to the local and regional community.

Finally I would request that council keeps me updated and fully informed directly on the matter as it proceeds formally.

Thank you in anticipation of council accepting the validity of the points I have raised in my submission and hopefully shall agree that it would be highly imprudent to act unwisely with respect to the high public interest in utilizing this land for the greatest public benefit.

Yours faithfully

Ian McIlraith



PUBLIC EXCLUDED

10 EXCLUSION OF THE PUBLIC REPORT

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

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

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
10.1 - McNamaras Road Lease Block Termination	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**11 RE-ADMITTANCE OF THE PUBLIC REPORT
MEETING CLOSURE**