



# Ashburton District Council

## AGENDA

A MEETING of the ASHBURTON DISTRICT COUNCIL  
will be held as follows:

**Date:** Thursday 22 May 2008

**Venue:** Council Chamber  
5 Baring Square West  
Ashburton

**Time:** 1.30 pm

### MEMBERS:

His Worship the Mayor, M B O'Malley  
Cr R C Beavan  
Cr N A Brown  
Cr I J Burgess  
Cr J A Everest  
Cr K L Holmes  
Cr R J Kilworth  
Cr J A Kingsbury  
Cr L J Leadley  
Cr K W P Lowe  
Cr P W Reveley  
Cr J Sparks  
Cr B A Tasker

B LESTER  
Chief Executive

16 May 2008

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# AGENDA

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[Now in open meeting]

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<b>Timetable</b>
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<b>1.30 pm</b>	<b>Ordinary Meeting Commences</b>
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	<b>OPENING PRAYER</b>
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<b>3 pm</b>	<b>Afternoon Tea</b>
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16 May 2008

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1  
DATE: 22 May 2008  
REPORT TO: Council  
FROM: Mayor

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### 4.1. MAYOR'S REPORT

#### 4.1.1 *Calendar*

Some of the meetings and functions I have attended since reporting to the last Council meeting on 10 April are as follows:

- 9 April Attended RDR Directors' Meeting  
Met with Trustpower representative in Christchurch  
Met with Dr Bryan Jenkins, Ecan
- 11 April Attended local business representatives' breakfast hosted by Rabobank, guest speaker John Key  
Met with Chairmen of ACWT and Electricity Ashburton  
Met with Sergeant Mark Offen  
Opened CRT business in Ashburton  
Guest speaker at NZ Kidney Foundation A G M
- 14/15 April Attended Land Transport New Zealand meeting in Christchurch
- 16 April Met with representatives of Museum / Art Gallery Trust  
Met with John Wright, BCI  
Met with ratepayer re rates rebate  
Guest speaker at Ashburton Plains Rotary Club  
Attended Ashburton Trust function at 'The Shed'
- 17 April Attended Ashburton Learning Centre function
- 18 April Chaired Ashburton Hearing Association AGM
- 21-25 April Out of district on leave
- 28 April Meeting with Art Gallery Trust  
Attended Hinds Annual Plan Public meeting
- 29 April Me with Architect for proposed Art Gallery/Museum building
- 30 April Chaired meeting of Canterbury Strategic Water Study Group in Christchurch  
Met with Trustpower, BCI and Electricity Ashburton on water issues  
Attended Methven Annual Plan Public meeting
- 1 May Attended Rakaia Annual Plan Public meeting
- 5 May Attended Ashburton Annual Plan Public meeting
- 6 May Met with Sheryl Stivens & Tony Dawson from Wastebusters  
Attended Ashburton Resource Centre Trust meeting  
Attended meeting at Art Gallery  
Attended joint water groups meeting held at Rolleston
- 7 May Met with Aquatic Park Trustees Appointments Committee
- 8 May Attended Zone 5 meeting in Dunedin
- 9 May Attended Ashburton Trust Event Centre Blessing  
Attended official opening of Ashburton Trust Event Centre
- 10 May Attended Musical Clubs and spoke at VIP concert
- 11 May Attended J P's annual mid-year lunch

- 12 May Met with CEO, Designline  
Met with representatives from C M P  
Hosted 'Breakfast Club' members at Ashburton District Council
- 13 May Attended Buddle Findlay Road Show at Waimate District Council  
Attended Hakatere Annual Plan Public meeting
- 14 May Met with Chairman and CEO of Canterbury District Health Board in Christchurch  
Attended Ashburton Charitable Trust meeting
- 15 May Guest speaker at Automobile Association Canterbury/Westland Branch meeting held in Ashburton
- 16 May Judged at SELL programme for students at Ashburton College  
Met with representatives of Aquatic Park Trust  
Attended Mid-Canterbury Sports Awards function
- 19 May Attended Canterbury Mayoral Forum in Christchurch
- 20 May Attended Auditor-General's Office Working Group meeting in Wellington
- 21 May Attended R D R Directors' meeting

BEDE O'MALLEY

**Mayor**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/24/3  
DATE: 10 April 2008  
REPORT TO: Council Meeting  
FROM: Chief Executive

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### 4.2 CHIEF EXECUTIVE'S REPORT

#### 4.2.1 *Chief Executives' – Deputy Secretaries' Meeting*

The meeting was held in Christchurch on 15 April with the Deputy Secretaries from the Department of Labour, Economic Development, Internal Affairs, Social Development, Transport. The meeting was facilitated by the Department of the Prime Minister and Cabinet.

It is intended to follow similar work groups undertaken in Auckland and Wellington, accepting that central government departments have not been good at recognising local authorities' input in early policy development and infrastructure work programmes, and in particular the importance of local priorities.

#### 4.2.2 *Infrastructure*

##### 4.2.2.1 *Water*

Discussion on water availability:

- sustainable arbitration limits
- issues of storage
- allocation efficiencies / swaps
- the Canterbury Study, including climate change and renewable generation

The departmental responses referred to the National Policy Statement due mid-year; however this is not seen as providing Canterbury with the necessary tools. They also referred to National Environmental Standards related to drinking water sources, metering of water takes, ecological flows.

##### 4.2.2.2 *Electricity*

The National Strategy has been developed to provide greater certainty around investment risk and consenting risk.

They were challenged to their approach, that it was fiddling with process, and not providing strategic direction for an integrated supply network. The long lead in times, particularly for Transpower, indicates that things will get worse before they get better. Concern also at a lack of cohesive planning across the departments (ie clean air v's reliable/affordable electricity supply).

We were assured that this winter is manageable.

### **4.2.2.3 Transport**

The focus was on the Greater Christchurch Urban Growth Strategy with reference to the wider regional transport plan (TRIP). The national planning favours this approach, and funding from central government would find greater support if it is developed from an integrated local process. There was acknowledgement that the TRIP request would receive support from central government, but not to the full extent requested. They are looking to release their Port / Coastal Shipping strategy next month (May), but that rail is not part of their brief at present.

The financial assistance rate was raised. This was acknowledged but no indicative direction was given. This suggests no change in the near future.

### **4.2.3 Sustainability / Climate Change**

The Ministry for the Environment are funding further research to develop a programme, likely to result in a National Standard. The major focus on adapting to climate change, recognising another layer of risk to deal with as we go about business. This needs to be considered in infrastructure such as wastewater, drainage, coastal development. The Government will help by providing the necessary layer of information.

The Department of Internal Affairs has established a group to consider sustainability issues, including procurement and housing affordability. It was acknowledged that the key drivers are land prices and taxation treatment.

### **4.2.4 LTCCP**

The officials are confident in the Community Outcome concept, but recognise it is early days. Need for better communication regarding local issues / local communities, and acknowledgement that many at central government level are only now “waking up”.

With respect to data-collection at the necessary local level, DIA are working on this.

### **4.2.5 Rates Inquiry**

There is unlikely to be any response from central government until the middle of this year. Areas likely to be further considered include:

- funding tools (Crown exemptions)
- sustainability / affordability (rebates)
- decision making / accountability (LGA review)
- valuation issues

The regulatory impacts will be considered in the above (somewhere).

### **4.2.6 Labour Demands**

Reference was made to Government’s national skills strategy to meet the demand by:

- ‘grow’ — schools / training
- ‘buy’ — immigration
- ‘fix’ — increase skills, better use, literacy / numeracy

#### **4.2.7 Housing Affordability**

Current concepts include:

- Expanding the role of ‘not for profit sector’ in housing provision
- The concept of large scale urban redevelopment, to be investigated to identify green and brown field development opportunities
- Looking at work undertaken in various centres including Australia (Australia include high levels of state intervention, including call in powers, powers of compulsory acquisition)
- Review of public land holdings and existing zoning (how available)
- Building consent processing (state homes)
- Territorial authority powers to require ‘affordable housing’

In general, the sessions were valuable, but very much on officials catching up on what is happening locally. Message is that we need their support, not regulation.

#### **4.2.8 Canterbury Transport Initiatives**

The Government has accepted the Canterbury Transport package. This identified a funding gap of \$410 million over the next 10 years. The Government has agreed to fund \$205 million of this (50%). This will be reviewed periodically to ensure adjustments as necessary for the construction index changes. This contribution will be by way of a direct Crown grant (‘C’ funding), similar to that provided in other regions.

Attached schedule indicates the project in our areas identified for this support.

**B LESTER**  
**Chief Executive**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:  
DATE: 22 May 2008  
REPORT TO: Council  
FROM: Manager  
SUBJECT: Fluoridation of Methven Water Supply

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### 4.6 FLUORIDATION OF METHVEN WATER SUPPLY

#### 4.6.1 PURPOSE

To background a request by the Methven community that a referendum be held in respect of fluoride in the Methven water supply.

#### 4.6.2 RECOMMENDATION

- “1. That the Ashburton District Council conduct a referendum of eligible electors in the Methven urban water supply area electoral district to determine whether or not fluoride should be an additive to the Methven water supply.
2. That the result of such referendum shall be binding.”

#### 4.6.3 BACKGROUND

On 14 April 2008, the Methven Community Board resolved:

- “1. *That the Ashburton District Council conduct a referendum of eligible electors in the Methven urban water supply area electoral district to determine whether or not fluoride should be an additive to the Methven water supply.*
2. *That the result of such a referendum shall be binding.*”

*Lowe/Wilson*

*Carried*

The matter had been first discussed at the Board’s March meeting as the result of a formal request.

In arriving at its decision the Board heard from two speakers at its public forum, Mr Kevin Thompson in support of a referendum, and Dr Justin Wall who spoke in support of retaining fluoride. Dr Daniel Williams, the Medical Officer of Health, was granted speaking rights pursuant to S.127 of the Health Act and spoke on community water fluoridation and referenda.

The Board was provided with the report prepared for Council at the time of the recent referendum in respect of the Ashburton urban water supply. That report follows:

#### **Fluoridation of Water in Ashburton District and New Zealand**

Fluoride was first added to the Methven water supply in July 1970. In Ashburton District, the Methven water supply is the only one fluoridated. Council has received no submissions from that community to discontinue fluoridation; and Council is not aware of any negative effects to the well-being of the Methven community, or any individuals within the community, arising from fluoridation.

At a regional level, Methven and the Burnham military camp are the only fluoridated water supplies in Canterbury.

Nationally 35 local authorities out of 76 fluoridate some or all of the water supplies they manage.

Fluoridation of water in New Zealand aims for a fluoride level of between 0.6 parts per million and 1.0 parts per million. This level is considered optimal by all countries that fluoridate water.

### **Governance Issues**

The impacts of fluoridated water supplies on community well-being have been debated intensely over the years and there remains little solid consensus on what the impacts on the community are. This situation has made policy development on fluoridation problematic throughout the world. This is particularly the case where the decision to fluoridate water or not is left to local communities to decide for themselves. Some countries have taken a central government policy approach of requiring water to be fluoridated, which has at least enabled consistent policy to be developed, even if some sectors of the community remain unhappy with the policy outcomes.

In New Zealand the current government has taken a policy position which strongly supports fluoridation but which leaves implementation decisions up to local authorities. This position has resulted in intense debate at the local level and frequent flip-flopping on fluoridation implementation. Tauranga City, for example, ceased fluoridation in 1987, then reinstated and then discontinued again all in the space of five years; a process that included three referenda.<sup>1</sup>

### **2006 Ashburton District Community Water Scheme Surveys**

As a result of a submission by the Canterbury District Health Board to Council's 2006/ 16 LTCCP for Council to fluoridate water in Ashburton, a commitment was made in the final version of the LTCCP to carry out further consultation with the communities in the District to gauge support for fluoridation.

Council carried out community surveys in September 2006, to assess support for the fluoridation of the Ashburton water supply and the fluoridation of the rural community water supplies within the District. National Research Bureau, using a telephone survey of a statistically representative group of 400 residents, surveyed Ashburton residents. Council undertook its own postal survey of the rural water scheme ratepayers. Council received a report detailing the results of the surveys on 2 November 2006.

Results of the Ashburton water scheme survey to the question - Do you support or oppose the fluoridation of Ashburton's water supply?

Support	56.1%
Oppose	31.2%
Don't Know	4.9%
No Opinion/ No Preference	7.3%
Happy to let the Council Decide	0.5%

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<sup>1</sup> Public Health Commission. 1994. "Water Fluoridation in New Zealand". Pg. 13.

Based on the survey results Council decided there was sufficient support in Ashburton to progress this option to the next stage, a report on impacts to community well-being, costs associated with fluoridation and options to progress fluoridation of the Ashburton water if this remains the preferred option.

The survey showed insufficient community support for fluoridation of the rural water supply schemes and this option was not progressed further. Council resolved to review this decision for the rural water schemes if at any time a community-initiated petition signed by at least 70% of residents connected to a particular water supply is presented to Council.

No survey of residents connected to the Methven water supply was carried out as this water supply is currently fluoridated and no submissions were received requesting that this change.

(NB Notwithstanding the apparent support for fluoridation the subsequent referendum voted that it be removed from the water supply.)

### **Impacts on Community Well-being**

Over the period of discussions regarding fluoridation in Ashburton, Councillors have been provided with large amounts of information on both sides of the fluoridation debate. There is a significant amount of information in the public arena representing the views of both the pro and anti fluoride views. The following community well-being analysis is an attempt to summarise the information available and to draw some reasonable conclusions from it. This analysis is not intended to be a definitive assessment as this is simply not feasible due to the conflicting evidence available and the philosophical bias one way or the other of many of the studies that have been undertaken.

Two key reference documents have been used in this analysis:

1. "A Systematic Review of Public Water Fluoridation", commonly referred to as the York Review or York Report. This is a review of fluoride studies worldwide, commissioned by the British National Health Service and completed in 2000; and
2. "Forum on Fluoridation", a review of fluoride studies and outcomes undertaken in Ireland and published in 2002.

### **Social Well-being**

#### **• Health**

The primary rationale for fluoridation of water supplies is that it is claimed to result in positive health outcomes for the community through lower levels of dental caries and lower levels of decayed, missing or filled teeth. The level of impact on oral health varies, sometime quite wildly, depending on which report is referred to. Establishing clear cause and effect is difficult as the impacts of fluoridation are affected by a variety of environmental and other factors including diet, oral hygiene practices, and exposure to non-water fluoride.

A summary of scientific evidence is, therefore, difficult. The following is an attempt at a summary which, given the varying approaches and philosophies which lie behind all of the research, is nevertheless likely to be contestable.

- Overall, most studies show at least some benefit from fluoridated water as evidenced by reduced dental caries and lower levels of decayed, missing or filled teeth.
- There are many studies, however, which show any benefits of fluoridated water to be temporary and resulting in merely delaying the eruption of dental caries.

- Most studies show at least some benefit from fluoridated water, over and above the impacts from exposure to non- water fluoride, as evidenced by reduced dental caries and lower levels of decayed, missing or filled teeth.
- Most studies show the impact of fluoridated water is generally decreasing, however, as exposure to fluoride from non-water sources such as toothpaste and tablets is increasing.
- There is less evidence of lifetime benefit than there is for benefit in children and young adults. Some studies have shown lifetime benefit with older people having less decayed, missing and filled teeth while other studies show little or no long-term benefits in this regard. The vast majority of studies into the effectiveness of fluoridated water use statistics for children and young people aged between 5 and 14.

There are no positive health benefits associated with fluoride other than those for oral health described above.

Many studies have concluded that there can be negative health impacts from fluoridation including:

- **Dental fluorosis** (a discolouration of the teeth caused by excess fluoride intake).

Most studies acknowledge the risk of fluoridated water contributing to fluorosis. Some reports find that the risk lies primarily from swallowing toothpaste, use of fluoride tablets as well as fluoridated water or from high levels of tea drinking using fluoridated water (tea has quite high levels of fluoride in it). The “York Review” predicted 12.5% of children exposed to fluoridated water at 1 part per million would develop fluorosis of aesthetic concern.<sup>2</sup> The Irish “Forum on Fluoridation 2002” also acknowledges the occurrence of dental fluorosis. Although the studies referred to in this report cite lower incidence rates than the York Review, the report notes that incidence of fluorosis in Ireland is increasing over time.<sup>3</sup> Both reports make recommendations to designed to reduce the risk of fluorosis, including reducing the concentration of fluoride in water to between .6 and .8 parts per million, teaching children to not swallow toothpaste and ensuring heavy tea drinkers are aware of the risks of fluorosis and take mitigation measures.

- **Infant Formula**

Research suggests the use of fluoridated water to reconstitute infant formula may put infants at risk of receiving a higher than optimal dose of fluoride and may increase the risk of fluorosis. The American Dental Association, while being committed to the benefits of fluoridated water for dental health, has issued a warning for parents to avoid reconstituting infant formula with fluoridated water. The Forum on Fluoridation recommended that boiled water continue to be used for this purpose.

- **Cancers**

Some studies have linked fluoridated water with increases in cancers, including bone cancer. There is no consensus on a clear link between fluoridation and cancer although most reports have not been able to prove a causal relationship.

- **Bone Health**

Some studies have linked fluoridated water with deterioration of bone health and in particular with hip fractures. There is no consensus on a clear link between fluoridation and compromised bone health.

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<sup>2</sup> McDonagh, M.S. et al. 2000. “A Systematic Review of Public Water Fluoridation”. Pg. xiii. York University.

<sup>3</sup> Forum on Fluoridation (2002). Pp. 105-108. Dublin: Stationery Office.

Local dentists have all written letters to Council supporting the Canterbury District Health Board's submission to have fluoridation reinstated to the Ashburton water supply.

All have stated that the oral health of Ashburton children and young people has deteriorated since fluoridation was withdrawn in 2002. Crown Public Health statistics appear to back this up with the percentage of caries-free 6-year-olds in Ashburton going from 44% in 2000 to around 39% in 2005. Over the same period, the percentage caries-free 6-year-olds in the remainder of Canterbury has remained around 41%. Likewise, the average number of decayed, missing or filled tooth surfaces per 6-year-old in Ashburton has increased from around four in 2002 to over five in 2005 and is now close to the Canterbury average, having previously been an average of about one surface less.

#### ▪ **Social Equity**

Many proponents of fluoridation claim it has strong social equity effects in that it evens out health outcomes across the socio-economic divide. In general there is a clear and consistent correlation between the level of oral health, as measured by the proportion of the population being caries-free and the level of decayed, missing or filled teeth among the population, and socio-economic status, with higher economic status corresponding to better oral health. Some ethnicities have even worse oral health than their socio-economic grouping, particularly Maori and, to a lesser extent, Pacific people. This is due to differences in diet and oral hygiene, either by choice or by necessity. A fluoridated water supply has been shown in many reports to close the gap between the have and the have-nots in terms of oral health and to give much better oral health outcomes to children from lower socio-economic groupings, although in other studies the impact of fluoride has been shown to be negligible in this respect.

#### ▪ **Freedom of Choice**

One of the key arguments against fluoridating water supplies is that this contravenes freedom of choice to take fluoride or not.

There is no doubt that the compulsory nature of adding fluoride to such a fundamental ingredient of life takes away much choice. Avoiding fluoridated water is an expensive option with the need to buy bottled water or an expensive water filter (common carbon water filters do not filter fluoride).

The argument for denying people freedom of choice in this instance is that the overall benefits to the community outweigh the harm caused by denying freedom of choice.

#### ▪ **Alternative Methods of Fluoridation**

Alternative sources of fluoride such as fluoride toothpastes, salt fluoridation, milk fluoridation, sugar fluoridation, fluoride supplements, fluoride mouth rinses and applied fluoride products have all been trialed or implemented in various parts of the world.

The Forum on Fluoridation explored all of these options and found shortcomings in all of them in terms of universal accessibility, efficacy and cost. The only option considered close to fluoridated water in overall effectiveness was salt but there considered to be problems in promoting the use of a mineral which itself can have detrimental effects on health if used inappropriately.<sup>4</sup>

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<sup>4</sup> Forum on Fluoridation (2002). Pp. 50-58. Dublin: Stationery Office.

### ▪ **Impacts on Economic Well-being**

Any reduction in dental caries, and therefore in the treatment of dental caries, will result in economic benefit accruing to the fonder of that treatment.

In the case of children, the main economic beneficiary is likely to be the government, which funds dental care for all children under 17 years old. In the case of adults, the main beneficiary is likely to be the individual, or, where dental care is funded by the government over and above any other assistance, then there is again economic benefit accruing to the government.

Money not spent on dental care is available for alternative expenditure, either by the individual or by the government, which may result in some downstream economic benefit to the wider community or parts of the wider community.

The government does appear recognize there is an economic benefit for itself arising from fluoridation of water supplies and this is reflected in the subsidies available to local authorities for the capital costs of installing water fluoridation equipment.

The downstream economic benefit accruing to the community at large, or to sections of the community at large, is reflected in the operational costs of fluoridation of water being met by the local authority.

### **CONCLUSIONS**

- **There is likely to be some improvement in dental health for most people as a result of fluoridation of the water supply.**
- **The actual level of improvement in dental health of each individual will vary, and will be dependant on a variety of factors including diet, oral hygiene, access to alternative sources of fluoride and overall dental care.**
- **Fluoridation will generally produce a higher level of benefit to those who are unwilling or unable to access complementary oral health measures including diet, oral hygiene, other sources of fluoride and regular dental care.**
- **The risk of dental fluorosis arising from a higher than optimum intake of fluoride should be recognized and the ministry of Health and local dentists should be responsible for advising the community on the risks and on ways to mitigate those risks.**
- **While fluoridation of water compromises individual freedom of choice, it is the most comprehensive and cost effective means of providing fluoride to whole communities.**
- **Any reduction in dental health costs will have economic benefit to the fonder of treatment whether that is the state or the individual.**
- **A clear majority of residents surveyed supported the fluoridation of the Ashburton water supply.**
- **Fluoridation of the Ashburton water supply would be likely to have a net positive effect on the overall well-being of the residents of Ashburton, but the level of benefit accruing to individuals is impossible to predict and some residents may not receive any benefit at all.**
- **Some residents would consider their overall well-being diminished if the fluoridation of the Ashburton water supply proceeds.**

### **Impacts on Environmental Well-being**

Water is fluoridated in New Zealand to a rate of between 0.6 and 1.0 parts per million, with a target optimum level of 0.8 parts per million. Fluoride appears naturally in much of the environment, and particularly rock formations, at much higher levels. At the optimum water fluoridation levels used in New Zealand there is no evidence fluoridation can affect the environment.

### **Impacts on Cultural Well-Being**

There are considered to be no impacts on cultural well-being. Impacts associated with ethnicity are considered social impacts and are identified above.”

The issue of fluoridation of the Methven water supply was previously raised at the Community Board’s meeting of 16 April 2007 following a petition from 99 signatories. On that occasion members voted 4 to 3 for Methven’s water to remain fluoridated.

Council has maintained a neutral stance on the fluoride issue in recent times.

## **4.6.4 OPTIONS**

The options available to Council are the same as those available to the Board.

1. Conduct a referendum of eligible electors in the Methven water supply area. If this option is pursued it is strongly recommended that the result be binding. The outcome of a referendum is arguably the best expression of a community’s opinion and should settle the issue for the medium term future.
2. Retain the status quo, continuing to fluoridate the Methven Urban water supply. This should have the effect of taking the issue off the Board’s agenda until at least after the next triennial elections in 2010.
3. Defer any decision until the opinion of the community is better known. Council has already indicated on the issue of **adding** fluoride to a rural water scheme that it requires a community initiated petition signed by at least 70% of residents connected to the water supply. Notwithstanding a Community Board request to hold a referendum, Council would be being consistent if it required the same weight of opinion to convince it to do so in this instance.

## **4.6.5 STATUTORY IMPLICATIONS**

Section 9 of the Local Electoral Act, 2001, provides

### **9. Holding of referendum**

- (1) A local authority may direct the electoral officer of conduct a referendum that is not required to be held under this or any other Act on –
  - (a) any matter relating to –
    - (i) the services that are provided or that may be provided by the local authority; or ....
- (2) The local authority –
  - (a) must determine whether the matter that is the subject of the referendum affects all or part of its local government area; and

- (b) must direct the electoral officer to conduct the referendum for all or the appropriate electors of the local government area accordingly. ....
- (7) The result of any referendum conducted as a consequence of a direction under this section is not binding on the local authority unless it resolves otherwise or any enactment provides otherwise.

#### **4.6.6 CONSULTATION**

There has been no community consultation. In the event that a referendum is considered appropriate a consultation process will be adopted reflecting Council's hands-off view while aiming to provide a channel for the respective parties to present their arguments.

#### **4.6.7 STRATEGIC LINKS**

##### **Community Outcomes**

**Outcome 5: Healthy, Active People enjoying a good quality of life in a caring and safe community.**

Strategic Objectives:

- a. Healthy, active people with good access to health services (Priority Objective)
- b. A range of agencies work together to create a safe environment.
- d. Young people are supported to lead healthy and safe lives and are active participants in community life.

**Outcome 7: A community that contributes to improving our quality of life through democratic participation.**

Strategic Objectives:

- a. The community is provided with opportunities to participate in local decision making.

#### **4.6.8 FINANCIAL**

A referendum would cost approximately \$5000.

To retain the status quo will incur no additional cost. This will need to be provided for in the 2008-9 budget in the Democracy - Methven Community Board activity.

J G ROLLINSON  
**Manager**  
**Democracy & Community Services**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 10/8/10  
DATE: 22 May 2008  
REPORT TO: Council  
FROM: Property Manager  
SUBJECT: Rangitata Terrace Proposed Road Stopping

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### 4.7 RANGITATA TERRACE PROPOSED ROAD STOPPING

#### 4.7.1 SUMMARY

To consider referring the proposed road stopping to the Environment Court.

#### 4.7.2 RECOMMENDATION

“That Council refers the proposed stopping of part of the Rangitata Terrace Road to the Environment Court, pursuant to clause 5 of the 10<sup>th</sup> Schedule of the Local Government Act 1974.”

#### 4.7.3 BACKGROUND

On 25 May 2000, Council agreed to formalise the roading pattern in the vicinity of the Cracroft stockwater intake. As part of this formalisation Council resolved to close portions of unformed roads and to declare the formed access into the Rangitata River as public road and access-way. The proposal is shown on the attached diagram.

The proposal was pursued in accordance with the Act and when the final digital plan, which was approved as to survey, was received in March 2007, the proposal was publically notified and objections invited. Immediate neighbours' consents were obtained.

When the period for objections closed two were received. Both objections centred their concerns on their interpretation that stopping the road would stop access into the river. The total proposal in fact achieves the objective of facilitating public access. Currently no practical public access to the river is available.

The legal road which does enter the river is impassable as it traverses swamp land and a major stream. The proposed roading pattern will provide an all weather vehicular access over what is a formed Council track currently used for access to the stockwater intake. A second foot access will be available by way of easement over private land. This arrangement has been negotiated on the understanding that the present legal (unformed) road traversing what is (was) cultivated paddock would be stopped.

The matter was referred to the Minister of Lands for consideration pursuant to Section 342 of the Local Government Act 1974 on 22 May 2007. Consent under delegated authority was received on 7 May 2008.

The 10<sup>th</sup> Schedule requires that, when an objection to a proposed road stopping is received Council may either allow the objection which has the effect of the roads remaining or refer the proposal along with the objections to the Environment Court for consideration. In the event the Court finds in favour of the objectors the road must remain as is and no further consideration shall be given to the matter for a minimum of two years.

The proposed restructuring of access in this vicinity is supported by Fish & Game, local anglers and local land owners.

#### **4.7.4 OPTIONS**

Council may allow the objections which would effectively retain the status of no practical legal access into the Rangitata River in the reach covering approximately 5-10 kms.

#### **4.7.5 STATUTORY IMPLICATIONS**

The proposal will, if approved, follow the statutory requirements of the Act.

#### **4.7.6 CONSULTATION**

The proposal was consulted on with neighbouring landowners who support it. The proposal was publicly notified and recreational users of the river support it. There is no provision under the Act for submitters in support to be considered.

#### **4.7.7 STRATEGIC LINKS**

The provision of legal practical access into the Rangitata River enhances the public's ability to enjoy the recreational opportunities.

#### **4.7.8 FINANCIAL**

Costs involved in this matter will be partially offset by the sale of the land contained in the unformed roads to the adjoining owners. The matter was instigated by Council and landowners because of lack of access to the river and problems relating to trespass. The costs are budgeted within the Property Administration budget.

J M ROONEY  
**Property Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:  
DATE: 22 May 2008  
REPORT TO: Council  
FROM: Community Planning Manager  
SUBJECT: Zone 5

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### 4.8 LGNZ COMBINED ZONES 5 & 6 MEETING – DUNEDIN, 8-9 MAY

#### 4.8.1 Local Government New Zealand Reports

**Basil Morrison** welcomed delegates and thanked delegates for their contributions over the time of his presidency. Basil announced Wanganui District Council had resigned from LGNZ (following a similar decision by Far North District Council).

Kerry Prendergast – LGNZ vice president, and Lawrence Yule – provincial sector group representative, were invited to address the meeting.

**Kerry Prendergast** reported back on work being undertaken with central government:

- Rooding Financial Assistance Rate (FAR) – government had made it clear there would be no significant changes to the FAR or to how it was calculated.
- Rates Rebates – government had indicated there would be some movement in this area, probably around an adjustment to qualifying thresholds.
- Digital Strategy – Telecom had indicated they would not be investing in enhancing their network unless there were partnerships formed with local and central government. National are pledging \$1.5 billion in central government investment in this area.
- Leaky buildings – CEOs of metro councils had been meeting with government to develop a solution package to enable settlements to proceed. The solution is expected to be signed off in the next 2 weeks and would be based on a “no fault” provision. She noted that the group had accepted the view that all monolithic cladding would leak in time and the solution would need to limit exposure to this inevitability. Auckland leaky home problem likely to cost \$1 billion and 33,000 could be affected.

**Lawrence Yule** focused on roading issues:

- No substantial change to the FAR and no new money – any tinkering with the margins would produce winners and losers.
- The merger of Transit and LTNZ was continuing. Geoff Dangerfield had been appointed CE and an establishment board was in place. No other senior staff had been appointed yet. Lawrence expressed concern at the lack of detail considering the new agency starts operating on 1 July.
- Local government and Regional Land Transport Committees had not yet been provided with any details around the structure of the new entity and around the delegations of responsibilities to regional and local authorities and RLTCs.

- In the absence of clear information regional authorities have been assuming they will have a greater role in the future and have been recruiting transport planners in anticipation – mostly from territorial authorities, which was causing chronic skills shortages in this area for TAs.

**Eugene Bowen**, CEO of LGNZ reported on LGNZ's current and future work programmes

- The December 2007 “Half Yearly Economic and Fiscal Update” provided as clear an indication of government intentions as is possible. Again this showed there would be no new money for the FAR and little or no change to the calculation basis. Some additional funding could be available for rates rebates.
- The Local Government Rating Inquiry is continuing analysis of the information presented. LGNZ had identified the key issue for local government was government policy and the introduction of community outcomes in particular had increased community expectation of what local government would provide but there had been little or no central government funding or commitment to match this expectation.
- LGNZ are developing a 2008 manifesto and work programme. As part of this LGNZ would like to see government using community outcomes as a driver for government spending – currently it is not on the radar screen.
- The focus for the metro group would be on community safety issues such as youth gangs, boy racers, street violence and domestic violence.
- The LGNZ Annual Conference is in Rotorua, July 27 – 30 and has a theme of sustainable communities. Remits need to be in with LGNZ by 28 May.

*Note: An update on the Rating Inquiry has been included in the SOLGM Financial Management Working Party report received 13 May. This offers no new information:*

*All indications are that:*

- *some changes to the Rates Rebate Scheme are being contemplated, we believe some may be announced in the budget*
- *any additional assistance for infrastructure will be targeted in nature, and not of the scale envisaged in the Shand Report. In other words, the sector as a whole should not expect significant alleviation of funding pressures out of this process*
- *the Government will place heavy emphasis on good practice with particular focus on improving LTCCPs.*

**Frana Cardno and Bede O'Malley** provided brief reports from Zones 5 and 6.

**Yvonne Palmer** gave the Community Boards' report.

**Stephen Cairns** reported back on a proposed National Policy Statement for Urban Design and asked whether the delegates thought LGNZ should work with government in the development of the Statement. The LGNZ National Council had left the issue on the table to enable further discussion with members.

Clive Geddes spoke of Queenstown and Lakes District Council having a decade-long discussion about Urban Design and that they were still not clearer on agreement as to what constitutes good urban design. He felt the issue was so subjective and location and context specific that there should not be a NPS.

Mr Geddes said what councils needed from government was more flexibility to design urban environments that suited the location and that more flexibility from government agencies like Transit would improve urban design outcomes.

Kerry Prendagast spoke of the need to be “inside the tent” and that central government would develop the NPS with or without LGNZ involvement.

Maureen Pugh said that District Plans cover urban design issues in ways relevant to the local community and feared that a NPS could conflict with District Plans and force Plan changes.

No vote was called for on this issue.

#### **4.8.2 Proposed Remit – Southland District Council – Rural Ambulance Services**

See attached paper.

#### **4.8.3 NZ Community Trust – Paul Matheson**

- Presentation on NZ Community Trust 2007 Annual Report.
- Gaming machine profit for 2007 was \$109m; Op-ex \$64m; Distributions \$45m.
- Distributions – Sport 76%; community 16%; health and education 5%; arts and culture 3%.
- Invitation to work closely with councils and to align with community outcomes.
- Have venues in Ashburton District at the Blue and Brown pubs in Methven.
- Profit for Ashburton District was \$740,000

#### **4.8.4 Proposed Remit – McKenzie District Council**

**– seeking legislative amendment(s) to enable elected members to participate in and vote on issues at local authority meetings by way of video or teleconference**

- Large travel distances for elected members to attend meetings results in significant travel time and mileage expenses.
- Modern technology should be able to be utilised to improve outcomes for elected members and ratepayers.
- Retain defined meeting place(s) and public access.
- One McKenzie District councillor has a 450km round trip to meetings.
- Southland District Council strongly supported the remit and expressed similar issues.

**Remit was carried.**

#### **4.8.5 John Carter – National Party Local Government Spokesperson**

- Acknowledged National have had a poor relationship with the local government sector in the past.
- Noted that the current Labour government had passed 67 pieces of legislation that have passed responsibility from central government to local government, with little accompanying funding or resourcing.
- 59% increase in the cost of local government from 2000 - 2007

National government would aim to:

- Shift compliance costs out of local government and off ratepayers, particularly through RMA processes such as not allowing frivolous objections and limiting the ability of non-directly affected parties from submitting and through introducing the ability to take significant national projects straight to the environment court.
- Encourage joint service delivery between local authorities and extend joint service delivery options to central government and the private sector.
- Introduce benchmarking to encourage best practise.
- Amend the Electoral Act to give communities more influence, particularly with respect to boundaries.
- Improve the building regulation environment to address leaky homes, improve the regulatory framework, look at shifting risk management responsibilities to the building sector through compulsory liability insurance for builders or similar.
- Look at funding options for infrastructure.

Questions were asked from the floor regarding audit fees for small councils, the nature of LG reform in Auckland, whether DoC and SOEs might start paying rates.

- 3% of Waimate DC expenditure is in audit fees.
- In Auckland 22 authorities need to be consulted on roading decisions.
- Mayor O'Malley pointed out that National had not factored investment in irrigation into its infrastructure cost of service calculations and suggesting this should be done.

#### **4.8.6 Global Warming and Peak Oil**

##### **Dr Gerrit van der Lingen – Climate Change Consultant**

Dr van der Lingen is a sceptic regarding human causation for climate change and believes it is a natural phenomenon. A vast array of statistics and other information was provided in support of this.

Key points:

- Most important greenhouse gas is water 95% – CO2 only accounts for 3.6%
- No evidence human CO2 emissions are causing significant global warming
- Increased CO2 and higher temperatures will increase plant production
- No historic correlation between CO2 levels and temperature but strong correlation between sun spot activity and temperature.
- We appear to be in a time of global cooling – temperatures have not increased since 1998
- Following the last ice age sea levels increased 120m – have fluctuated since
- Even if Kyoto Protocol was implemented honestly there would only be a decrease in temperature of 0.06 degrees C.
- Resources will be better placed in reducing poverty than trying to cool the planet

Several delegates left the auditorium at the commencement of this presentation apparently in some strange protest at the content of the presentation.

In later questioning Dr van der Lingen supported the concept of peak oil and of the need to address its implications – discussed further below.

### **Bob Lloyd – University of Otago**

Mr Lloyd's presentation focused on peak oil. Mr Lloyd began by stressing his strongly opposite opinion to global warming from Dr van der Lingen.

Key points:

- Peak oil is the point where the reserves of oil remaining are equal to the amount of oil we have used
- Our use of oil continues to grow exponentially meaning once peak oil is reached we will use the remainder much faster than we have used the first half
- Estimates vary as to when we will reach the point of peak oil – general consensus is between 2007 and 2012
- How long reserves last will depend largely on future demand and on the degree of substitution we achieve.
- Need to be getting serious about substitution

### **Poul Tvermoes - MWH**

Mr Tvermoes focussed on lifestyle changes necessary because of peak oil and used a “new urbanist” approach to this.

Key points:

- Need to develop low energy lifestyles
- Minimise transport and increase alternative transport, reduce travel, particularly for work
- High density, small footprint urban areas
- Live, work and play in the same area
- New word “transmaterialisation” i.e. recycling
- US is mining landfills for raw materials

### **Steve Henry – Otago Polytechnic**

Mr Henry gave a presentation on a new eco-community development in Sweden he has visited.

## **4.8.2 Proposed Remit – Southland District Council – Rural Ambulance Services**

### **1. Minister of Local Government – Nanaia Mahuta**

The minister suggested there were four key priorities shared by central and local government:

The Rates Inquiry

- Recommendations that affect central government are being evaluated and responses developed
- Rates rebates are being looked at with possible movement around the upper limit of the rebate and abatement thresholds
- Some issues/ recommendations of the Rates inquiry have been pushed out – rating of maori land, and rebate qualification for retirement villages and papakainga.
- Minister is aware that 40 new pieces of legislation have imposed costs on the LG sector.

Promotion of social wellbeing.

Economic wellbeing and infrastructure

- Unformed legal roads and walking access

Consultation in central government policy processes

- Government is conscious of cost impacts associated with legislation that requires local government implementation.
- Need to look at how best to link local government policies into central government policy development processes

In responses to questions the minister also commented:

- The solar heating subsidy is not being taken up at the expected rate and will need to be promoted further
- Statutory fees – heavy transport, liquor and amusement devices – would remain set by central government to maintain national consistency but would be reviewed and updated every 3 years

## 2. **Minister of Transport – Annette King**

\$2.75 billion package to be announced

Rail purchase will enable more integration of transport modes – road, rail and sea.

Government Policy Statement on land transport funding to be made public in July.

- Will be reviewed every 3 years
- Will link to the Land Transport Strategy
- Provide information to territorial authorities for the 3 year period
- Funding proposed to be hypothecated (ring-fenced) funding derived from fuel excise, road user charges and vehicle registrations will all go to the transport budget (see LGNZ Report section d)
- Government will provide additional funding for a budgeted year 1 shortfall but will be self-funding after that.
- Only funders (on the RLTCs) will vote on Regional Land Transport Programmes
- Maximum of 5 non-funder representatives to be on RLTCs

Road User Charge Review

- Analysis found no justification for a full review of the RUC framework or charges

Government has a goal to double the amount of domestic freight going by sea. Some transport funding will go into a Sea Transport Strategy. Funding likely to go to rail also. Some funding has also gone to sea search and rescue to compensate for excise duty paid by boaties who don't use the fuel on the roads.

Study into freight in NZ available June.

Trials on increasing maximum vehicle weights to 50 tonnes will be done on 3 specific routes over 3 month periods. Notes that Fonterra say they could take up to 50 trucks off the road if they could go from 44 tonnes to 50 tonnes nationally.

Public transport – noted that the government had increased investment in recent years.

Regional fuel tax must be project specific and must be used in line with project timelines – cannot be levied in anticipation and banked.

Freight volumes could double by 2020.

Comment by Southland District that they currently spend \$345 per resident on roading.

L J LEADLEY  
Deputy Mayor

G THOMAS  
Community Planning Manager