

## COUNCIL MEETING – 10/08/06

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**MINUTES** of a Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 10 August, 2006, commencing at 1.30 pm.

**PRESENT:** His Worship the Mayor, Mr M B O'Malley; Councillors R C Beavan, N A Brown, I J Burgess, D Glass, K L Holmes, R J Kilworth, L J Leadley, K W P Lowe, D N Nelson, B A Tasker, P W Reveley and M J Urquhart.

Also in attendance Chief Executive, Corporate Services Manager, Operations Manager, and Committee Secretary.

Members of the public – 13 Hakatere residents and Dr A Taylor (1.45 pm)

The opening prayer was offered by Rev Rachel Judge.

### **Extraordinary Business**

“That pursuant to Section 46A (7)(a) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and considered as item 4.11:

- **Ashburton Wastewater Treatment and Disposal System Upgrade**

*Reason Seeking departure from Council's Delegations Register (purchase of goods and services) to fund site preparation work prior to commencing work on land disposal contract.*

Leadley/Holmes

**Carried**

“That pursuant to Section 46A (7)(a) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and considered later in the meeting with the public excluded as item 5.4:

- **Executive Committee Report – 10/8/06**

*Reason To consider the appointment of a representative to the Electricity Ashburton Shareholder Committee prior to its AGM*

Leadley/Kilworth

**Carried**

### **Confirmation of Minutes**

#### **Ordinary Meeting 29/06/06**

“That the minutes of the Ordinary Meeting of Ashburton District Council held on 29 June, 2006, be taken as read and confirmed.”

Kilworth/Holmes

**Carried**

### **Matters Arising**

#### **Electricity Ashburton Shareholder Committee**

A meeting of Council's Executive Committee was held this morning and the Committee's recommendation for the appointment of a representative will be discussed as item 5.4 of this agenda.

#### **2006 / 07 Rates**

The Chief Executive responded to concern that rate notices had been sent out several days later than usual, leaving only 9-10 working days for payment to be made. An explanation sought from the Finance Manager confirmed that the final date for payment is set through a statutory process and is therefore not able to be changed, however where undue hardship exists, requests for assistance will be considered on a case by case basis.

## **Mayor's Report**

“That the report be received.”

Tasker/Nelson

**Carried**

### **Christchurch School of Medicine Donation**

“That the Christchurch School of Medicine’s donation of \$500 be given to the Ashburton branch of the St Vincent de Paul Society.”

Leadley/Glass

**Carried**

## **Chief Executive's Report**

“That the report be received.”

Tasker/Nelson

**Carried**

### **After Hours Phone Service**

A 24 hour phone answering service was introduced on 31 July. All calls made outside Council’s regular hours will now be answered and processed by TAS answering services.

### **Snow Project**

The Chief Executive reported on the Government funded work scheme set up to assist rural landowners after the snow event. Council expressed disappointment that this has been received too late for some farmers who have met their own costs.

Cr Leadley spoke about the other initiatives which Government is assisting with – one through MAF for animal welfare and the setting up of a rural facilitator role. Cabinet approved funding of approximately \$760,000 to be spent in the worst affected areas, including Ashburton. Mr Barry Vessey was appointed as the local Rural Relief Co-ordinator.

Council will be making a claim through the Ministry of Civil Defence of around \$45,000 for costs incurred during the snow event. Internal debriefs and meetings with key groups involved during the event will be held before reporting back to Council.

### **Private Members Bill**

A Private Members Bill has been drawn relating to the period for processing building consents, proposing that if these are not completed within the statutory timeframe, then no charge be made. The Chief Executive advised that this matter is likely to be discussed next Thursday at the Rural and Provincial Sectors meeting in Wellington.

### **Canterbury Regional Biodiversity Strategy**

ECan is establishing an advisory group to assist in preparation of its Biodiversity Strategy and two representatives are required from this Council.

“That Mr David Askin and Councillor Derek Glass be appointed to the Canterbury Regional Biodiversity Strategy Advisory Group.”

Leadley/Kilworth

**Carried**

### **Social Services Discretionary Fund Application**

“That the Mid-Canterbury Adult Community Education Network be granted \$300.00 to cover the venue hire for their Awards evening.

Beavan/Burgess

**Carried**

### ***Professional Services Contract***

Following Council's decision of 30 June 2006, to extend the professional services contract with Opus International Consultants for a further 12 months, the Chief Executive reported that this has been confirmed with a price of \$551,275 compared with a budget of \$612,264.

"That this information be received."

Tasker/Nelson

**Carried**

### ***Services and Operations Committee – 13 July 2006***

"That the report and minutes of the Services and Operations Committee meeting held on 13 July 2006, be received."

Tasker/Nelson

**Carried**

### **Bremners Rd / Seafield Rd Race Closure**

"That Council approves closure of the section of race running from Bremners Road for a length of 4.7 kilometres and terminating in a junction 160 metres south east of Keenans Road on Lot 3 DP 61443 on Grayburn Road, to be effective from 31 August 2006.

Nelson/Tasker

**Carried**

### **Ashburton Transportation Study**

The Operations Manager reported that he met with Transit on 17 July and yesterday with Opus representatives. Transit will be attending the Committee meeting on 24 August to present information obtained so far.

### ***Environmental Services Committee – 20 July 2006***

"That the report and minutes of the Environmental Services Committee meeting held on 20 July 2006, be received."

Kilworth/Beavan

**Carried**

### ***Finance & Corporate Services Committee – 27 July 2006***

"That the report and minutes of the Finance and Corporate Services Committee meeting held on 27 July 2006, be received."

Holmes/Brown

**Carried**

The Property Manager attended the meeting at 2.10 pm.

### ***Wastewater Servicing of Hakatere***

"That Council approves, subject to consultation with and agreement of the affected property owners:

1. Investigation up to a total cost of \$2,500 from the operations investigations account to establish a solution for servicing only the four critical properties situated in Upper Hakatere; and
2. That costs associated with the investigation be recovered from the affected property owners at conclusion of physical works."

Leadley/Brown

**Carried**

### ***Deed of Grant Between New Zealand Railways Corporation and Ashburton District Council***

“That Council enters into a Deed of Grant with New Zealand Railways Corporation for the proposed new rail crossing to be constructed at the north end of Ashburton between East Street and West Street.”

Tasker/Nelson

**Carried**

### ***Funding Council’s Share of Roothing & Footpath Costs arising from 12 June Snow Event; and Uncompleted Projects***

“That Council applies for additional funding from Land Transport NZ to cover the costs of the snow event over and above the current 2005/06 budget; total funding required is \$372,500 and the Council share of \$193,700 is to be funded from favourable variances in the 2006/07 roading budget.”

Tasker/Holmes

**Carried**

“That Council makes an application to Land Transport NZ to carry over the unspent funds for project works in the 2005/06 annual plan for work not completed by 30 June 2006, due to the snow event, at a total sum of \$103,300; the Council share of \$24,291 is to be funded initially from favourable variances in the 2006/07 budget.”

Tasker/Kilworth

**Carried**

The Operations Manager reported that there is the option to use the emergency relief (disaster) fund, however the officers’ view is to manage the local share of expenditure within the existing budget. He acknowledged Council’s concern that the work scope may be reduced and at the wide ranging work which has resulted from the snow event.

“That Council funds the forecast unfavourable variance of \$33,350 in the 2005/2006 Ashburton footpath account from the disaster relief fund.”

Holmes/Tasker

**Carried**

### ***Stopping of Unformed Roads – Waterton***

“That Council agrees to the stopping of unformed legal roads shown as Sections 1, 2, 3 and 4 on the plan attached being SO 374614, and pursuant to the Tenth Schedule of the Local Government Act 1974 advertising the proposal be undertaken and objections called for.”

Holmes/Glass

**Carried**

### ***Local Government New Zealand Conference / AGM Wellington – July 2006***

Council received the reports of the Mayor, Councillors Beavan and Kilworth and the Chief Executive.

Mr Lester reported that he will be referring a paper to Zone 5 seeking that LGNZ co-ordinate the sharing of information on private / public partnerships throughout the country, both past and future. The intention then would be to set up forums to discuss particular activities such as community facilities, infrastructure and roading. Also to be referred to Zone 5 will be a request for LGNZ to seek from central government an accurate cost / benefit analysis on proposed new legislation and national standards, with a sign-off from the Auditor General.

## **Ashburton Wastewater Treatment and Disposal System Upgrade**

“That Council

1. approves a departure from the delegations register with respect to purchase of goods and services;
2. approves the use of expedited procedures to engage service providers to carry out site preparation work at Ocean Farm; and
3. approves funding up to a maximum of \$160,000 to carry out site preparation work at Ocean Farm prior to work commencing on Contract 503 – Land Disposal.”

Leadley/Tasker

**Carried**

Council adjourned for afternoon tea at 2.50 pm and resumed at 3.12 pm.

### **Items taken with the public excluded (3.12 pm)**

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

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>Item no</b>	<b>General subject of each matter to be considered:</b>	<b>In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:</b>
<b>5.1.1</b>	<b>Council 29/06/06</b> <ul style="list-style-type: none"> <li>• Property Matters</li> <li>• Ashburton Wastewater Upgrade</li> <li>• Contract C477</li> <li>• Rakaia River Water Take</li> </ul>	Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities
<b>5.1.2</b>	<b>Services &amp; Operations 13/07/06</b> <ul style="list-style-type: none"> <li>• Water monitoring</li> </ul>	Section 7(2)(i) Conduct of negotiations
<b>5.1.3</b>	<b>Environmental Services 20/07/06</b> <ul style="list-style-type: none"> <li>• Resource Consent Matter</li> </ul>	Section 7(2)(h) Commercial activities
<b>5.1.4</b>	<b>Finance &amp; Corporate Services 27/07/06</b> <ul style="list-style-type: none"> <li>• Property Matters</li> </ul>	Section 7(2)(h) Commercial activities
<b>5.2</b>	<b>Rakaia Medical Centre</b>	Section 7(2)(h) Commercial activities
<b>5.3</b>	<b>Albert Street Subdivision</b>	Section 7(2)(h) Commercial activities

Beavan/Tasker

**Carried**

### **Business transacted with the public excluded now in open meeting**

#### **Albert Street Subdivision**

“That the tender submitted by Evergreen Realty Limited be accepted for the purchase of –

- Lot 1 at \$90,000 including GST (if any)
- Lot 2 at \$90,000 including GST (if any)
- Lot 3 at \$94,500 including GST (if any)
- Lot 59 at \$93,500 including GST (if any).”

Holmes/Brown

**Carried**

**Electricity Ashburton Shareholder Representatives**

“That Mr Chris Procter be appointed for the period of three years, ending 30 June 2009.”

Leadley/Kilworth

**Carried**

**Rakaia Medical Centre Trust – Request for Financial Assistance**

“That Council seeks to appoint an advisor to the Rakaia Medical Centre Trust and agrees to underwrite the Trust up to the amount of \$10,000 for the current financial year.”

Tasker/Leadley

**Carried**

“That a subcommittee be formed consisting of Crs Leadley, Tasker and Brown to liaise with the Trust and oversee the appointment of the representative.”

Nelson/Lowe

**Carried**

Council resumed in open meeting and concluded at 4.12 pm.

Confirmed this 21<sup>st</sup> day of September 2006 by

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MAYOR