

3.3 EXTRAORDINARY MEETING OF COUNCIL – 30/11/06

MINUTES of an Extraordinary Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 30 November, 2006, commencing at 3.21 pm.

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

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

APOLOGY: Cr D N Nelson

Sustained

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 business transacted with the public excluded – item 8:

- **Resource Consent Matter** *Section 7(2)(h) Commercial activities*
Reason To consider matter referred from Environmental Services Committee-

Kilworth/Tasker

Carried

Archibald Street Water Main Replacement

“That Council approves

1. the removal of the Sealy Street water main replacement (Grigg Street to Winter Street) from the 2006/07 works programme and rescheduling onto future works programmes;
2. the addition of the Archibald Street water main replacement (Manchester Street to Johnstone Street) onto the 2006/07 works programme; and
3. project expenditure of up to \$117,500 excluding GST to be met from existing budget provisions.”

Kilworth/Tasker

Carried

Road Closure – Ashburton Car Club

Revocation of motion

“That Council revokes its decision of 2 November 2006, approving the closure of Chertsey Road, between Wards Road and Singletree Road between 10 am and 6 pm on Saturday 9 December 2006.”

Leadley/Urquhart

Carried

Closure of Chertsey Road between Wards and Taverners Road

“That the following road be closed to ordinary vehicular traffic from 10.00 am to 6.00 pm on Saturday 9 December 2006, for the purpose of allowing the Ashburton Car Club to hold a Standing and Flying Quarter Mile meeting:

CHERTSEY ROAD, from Wards Road to Taverners Road.”

Leadley/Urquhart

Carried

Constitution of a Conduct Review Committee

The Chief Executive reported that Council has adopted a Code of Conduct policy, however the legislation also requires the forming of a Conduct Review Committee, and this was omitted at the time other Council Committee appointments were made following the 2004 triennial elections.

Appointing the Executive Committee members as the Code of Conduct Review Committee was not supported by Crs Beavan, Lowe and Reveley.

“That the members of the Executive Committee be appointed as Council’s Conduct Review Committee.”

Brown/Burgess

A show of hands gave 9 for and 3 against
Cr Beavan abstained from voting.

Carried

Items taken with the public excluded (3.41 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:

| Item no | General subject of each matter to be considered: | In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter: |
|---------|---|---|
| 6 | Contract C501 Wastewater Upgrade | Section 7(2)(h) Commercial activities |
| 7 | Property Matter | Section 7(2)(h) Commercial activities |
| 8 | Extraordinary Business – Resource Consent Matter | Section 7(2)(h) Commercial activities |

Tasker/Glass

Carried

Business transacted with the public excluded now in open meeting

Contract 501 – Upgrade of the Ashburton Wastewater Treatment and Disposal Systems – Treatment Facilities – Contract Award

- “1. That the tender from Works Civil Construction in the sum of Five Million, Five Hundred and Fifty Nine Thousand, Nine Hundred and Thirty Three Dollars (\$5,559,933) excluding GST, for Contract 501 – Upgrade of the Ashburton Wastewater Treatment and Disposal Systems – Treatment Facility be accepted, subject to satisfactory agreement on the following condition (2).
2. That negotiations be held with the contractor to vary the tendered price to reflect changes to the work scope. The contract sum being five million, four hundred and fifty nine thousand, four hundred and sixty eight dollars (\$5,459,468) excluding GST.”

Leadley/Tasker

Carried

Sale of Property – Tait's Road

“That Council confirms the purchase of Lot 1, DP 45702, CT DB24B/293 (being 4.0056ha) situated at 132 Tait's Road, Ashburton, with the conditions referred.

Brown/Glass

Carried

ECan Representation Review Appeal

At the conclusion of the meeting the Chief Executive reported that the 10 participating Canterbury councils have supported the appeal against the decision of the Canterbury Regional Council. The further submission has been forwarded to the Regional Council and the outcome of the Commissioner's consideration is anticipated in January / February 2007.

The meeting concluded at 4.32 pm.

Confirmed this 14th day of December 2006 by

MAYOR