

3.4 EXTRAORDINARY MEETING OF COUNCIL – 7/12/06

MINUTES of an Extraordinary Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 7 December, 2006, commencing at 1.30 pm.

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

Also in attendance Chief Executive, Corporate Services Manager, Operations Manager, Environmental Services Manager, Finance Manager, Property Manager, Community Consultation Manager and Committee Secretary.

Four members of the public attended.

Order of Business

The Mayor sought Council's agreement to adjourn the meeting prior to agenda item 4 and resume at the conclusion of the Finance and Corporate Services Committee meeting.

"That the Council meeting resume at the conclusion of the Finance and Corporate Services Committee meeting to consider agenda item 4."

Kilworth/Urquhart

Carried

Notice of Requirement for a New Designation for Roading Purposes – Northpark Road State Highway One

The Mayor advised that an amendment will be made to condition 2 of the recommendation to include reference to the Works Road / SH1 intersection.

The Operations Manager reported that the purpose of seeking the new designation is to ensure that land will be available for the upgrading works required as part of Stages 1 and 2 of the development. His report addressed a number of issues raised at the public meeting, and specifically commented on the reasons for the main entrance / exit being Northpark Road.

The Environmental Services Manager explained that once the process is adopted it will be submitted to Council as the planning authority and notified for public submission with the Plan Change requiring a second round of submissions.

The Operations Manager sought Council's agreement to revisit the land shown as Area H on the attached plan. There is some concern that the boundary may be considered a road boundary which would be onerous for the adjacent landowner who requires flexibility for building placement.

- "1. That Council resolves to construct a grade separated intersection if required, at the intersection of State Highway One and Northpark Road, in accordance with trigger levels and designs that will be finalised through the Notice of Requirement and Plan change processes; and
2. That Council approves the lodging of a Notice of Requirement for a new designation for roading purposes in the area of the Northpark Road-State Highway One intersection and the Works Road-State Highway One intersection."

Tasker/Nelson

Carried

Proposed Plan Change – North East Ashburton Business Area

The Environmental Services Manager said this resolution will set in motion a statutory process, part of which is prescribed by way of s32 of the First Schedule of the Resource Management Act. The s32 Analysis will be made available to the public.

Mr McKenzie reported that the Proposed Plan Change will be notified prior to Christmas with submissions closing on 2 February 2007. A summary of submissions would then be prepared and made available for the second round submission process.

Council considered that the length of time open to submitters should be extended, taking account of the Christmas / New Year holiday period, and it was suggested that the closing date be 16 February 2007. The Environmental Services Manager confirmed that the period could be extended and that the notice of requirement for the roading designation would be consulted on at the same time.

- “1. That the report be received.
2. That pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, the Ashburton District Council resolves to publicly notify proposed Plan Change No 2, (as per attached text), to its District Plan on 13 December 2006, with the closing date for submissions being 16 February 2007.
3. That pursuant to Section 32 of the Resource Management Act 1991, the Ashburton District Council:
 - (i) has had regard to the matters specified in that Section;
 - (ii) has carried out an evaluation, which it is satisfied is appropriate to the circumstances, of the matters specified in subsections (3) and (4) of that Section; and
 - (iii) is satisfied that the rules and other methods contained in Proposed Plan Change 2 are the most appropriate means of achieving the District Plan objectives, and thereby the purpose of the Resource Management Act, having regard to efficiency and effectiveness relative to other means.”

Kilworth/Beavan

Carried

Council adjourned at 2.01 pm and resumed at 4.07 pm.

Items taken with the public excluded (4.07 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:
4	Ashburton Performing Arts Theatre Trust	Section 7(2)(h) Commercial activities

Kilworth/Urquhart

Carried

Business transacted with the public excluded now in open meeting

Ashburton Performing Arts Theatre Trust

- “1. That the Council agree to act as guarantor for the loan for the Ashburton Performing Arts Theatre Trust for the interest payments on a principal sum of up to \$1,000,000.
2. That Council discuss with the Trust the eventual repayment of the principal sum, and accepts that Council may be required to fund all or part of this amount.
3. That if the grant application is unsuccessful, that the funding be revisited.
4. That provision to fund the loan interest be included in the 2007/08 Annual Plan.”

Holmes/Kilworth

Carried

The meeting concluded at 4.32 pm.

Confirmed this 14th day of December 2006 by

MAYOR