

### 3.1 COUNCIL MEETING – 26 June 2008

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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 26 June 2008, 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, J A Everest, K L Holmes, R J Kilworth, J A Kingsbury, L J Leadley, K W P Lowe, P W Reveley, J Sparks and B A Tasker.

Also in attendance Chief Executive, Manager Democracy & Community Services, Community Planning Manager and Committee Secretary.

The opening prayer was offered by Rev Jacquie Paterson.

#### **Extraordinary Business**

“That pursuant to Section 7(2)(A) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and considered as item 4.13:

- District Signage

*Reason To meet 10 day timeframe for current tender price.*

Holmes/Kings bury

**Carried**

#### **Confirmation of Minutes**

“That the minutes of the meeting of Ashburton District Council held on 22 May, 2008, be taken as read and confirmed.”

Leadley/Holmes

**Carried**

It was noted that the Mayor was absent from the 29 May meeting, between 4.20 pm and 4.46 pm.

“That the minutes of the Extraordinary meeting of Ashburton District Council held on 29 May, 2008, as amended, be taken as read and confirmed.”

Kilworth/Burgess

**Carried**

#### **Matters Arising**

##### **Zone 5/6 Meeting**

It was noted that the information provided by the NZ Community Trust to the Zone meeting on lottery funding for this district had been incorrectly reported. The correct figures have been obtained showing that the allocation for Ashburton district was \$102,120 and of that amount, \$71,000 was distributed locally.

The Chief Executive referred to the Ministry of Transport overweight vehicle trial between Christchurch and Kate Valley, advising that the 20% weight increase on vehicles is likely to save 7,000 one way trips.

#### **Mayor's Report**

“That the Mayor's report, including the supplementary tabled report, be received.”

Leadley/Tasker

**Carried**

#### **Chief Executive's Report**

“That the report be received.”

Holmes/Burgess

**Carried**

### **Ministry of Agriculture**

The Mayor and Chief Executive met with the Deputy Secretary on 30 May, to update him on water development concepts for Canterbury. The need to communicate with Canterbury Members of Parliament and convey the key issues for Canterbury, and to ensure central government policy is complementary to work being undertaken in Canterbury, is to be progressed with assistance of Mayoral Forum over next few months.

### **World Cup Rugby**

The Chief Executive reported on the regional meeting to be hosted on 2 July, after which those areas interested in hosting World Cup Rugby teams in 2011 will be required to prepare a proposal by October this year. Mr Lester said that this district anticipates hosting a non-seeded team and confirmed that the Mid Canterbury Rugby Union is involved in the process.

### ***Operations Committee – 29 May 2008***

“That the report and minutes of the Operations Committee meeting held on 29 May, 2008, be received.”

Tasker/Leadley

**Carried**

### **Wills Street (Events Centre)**

The Operations Manager reported that the new 5 minute parking time limit signs are to be in place prior to the Young Farmer Competition on 9 July.

### **Rakaia Wastewater**

Council heard that the Farm Management Subcommittee will be responsible for the Rakaia wastewater operation. The Operations Manager advised that the current silage contract finishes in November this year and appropriate mechanisms are being put in place for the Farm Management Subcommittee to take over the operation at that time.

### **Burnett St Car Park**

It was reported that the contract has been let for the Burnett Street car park and it is anticipated that work will be completed by the end of July.

### ***Environmental Services Committee – 12 June 2008***

“That the report and minutes of the Environmental Services Committee meeting held on 12 June, and the Extraordinary Environmental Services Committee meeting, held on 26 June 2008, be received.”

Kilworth/Beavan

**Carried**

### **Railway Station Hearing**

It was reported that the Commissioner’s decision, reserved at this time, will be available next week.

### **Alcohol Strategy**

Cr Burgess advised that the meeting with ALAC representatives to discuss a possible alcohol strategy for this district has been held and will be the subject of further discussion at the next meeting of the District Licensing Agency.

### **Small Villages Development**

Council received the minutes of the meeting held this morning to adopt the Small Villages Development Plan. The non statutory document will provide guidance and direction and what is appropriate will be reviewed and included in the District Plan review consultation.

Cr Reveley referred to the proposal to reduce the greenbelt area in Hinds and noted that this has been opposed in six submissions.

“That Council adopts the Small Villages Development Plan subject to the listed amendments.”

Kilworth/Tasker

**Carried**

Cr Reveley recorded his vote against the motion, noting that his only objection to the Plan is the proposal to reduce the greenbelt area in Hinds.

### **Finance & Corporate Services Committee – 19 June 2008**

“That the report and minutes of the Finance and Corporate Services Committee meeting held on 19 June 2008, be received.”

Holmes/Brown

**Carried**

#### **Transpower Funding**

It was noted that the Transpower Community Care Fund is for one-off community projects with the value of between \$5,000 and \$100,000.

#### **Ashburton Family History Group**

Approval has been given for the rent relief to be granted to the Ashburton Family History Group. The Group rents an area of the former Aoraki Polytech building on Cass Street.

### **Ashburton District Council Annual Plan 2008/ 09**

1. That Council adopts the Ashburton District Council Annual Plan 2008/ 09 as attached.
2. That Council adopts the fees and charges for the 2008/ 09 financial year as scheduled in the Ashburton District Council Annual Plan 2008/ 09.”

Holmes/Brown

**Carried**

### **Setting of Rates for the 2008/ 09 Financial Year**

“That the Ashburton District Council set the following rates under the Local Government (Rating) Act 2002 on rating units in the district for the financial year commencing on 1 July 2008 and ending on 30 June 2009.

All section references are to sections in the Local Government (Rating) Act 2002. All amounts are GST inclusive.

- *The definition of connected and serviceable is contained in Council’s Funding Impact Statement and Rating Policy.*
- *The definition for the amenity rating areas is contained within Council’s Funding Impact Statement and Rating Policy.*

#### **Uniform Annual General Charge (UAGC)**

A uniform annual general charge of \$133.90 per separately used or inhabited part of a rating unit, set under section 15(1)(b).

#### **General Rate**

A general rate set under section 13(2)(a) of 0.000438 cents in the dollar of capital value on every rating unit.

#### **Roading Rate**

A targeted rate for roading services set under s16(3)(a) and 16(3)(b) of \$0.000588 cents in the dollar of capital value on every rating unit.

### **Library Rate**

A targeted rate for library services, set under s16(3)(a) and 16(4)(a) of \$53.10 on every separately used or inhabited part of a rating unit (excluding vacant sections).

### **Water Supply Rates**

The following differential targeted rates are set under section 16(3)(b) and 16(4)(b) for each water supply. In each case the differential categories are:

- (1) connected rating units
- (2) serviceable rating units

The targeted rates are set as a fixed amount per separately used or inhabited part of a rating unit.

	<b>Connected</b>	<b>Serviceable</b>
Ashburton	<b>\$313.00</b>	<b>\$156.50</b>
Methven	<b>\$282.00</b>	<b>\$141.00</b>
Rakaia	<b>\$328.00</b>	<b>\$164.00</b>
Fairton	<b>\$670.00</b>	<b>\$335.00</b>
Hakatere	<b>\$1,023.00</b>	<b>\$511.50</b>
Hinds	<b>\$573.00</b>	<b>\$286.50</b>
Mayfield	<b>\$776.00</b>	<b>\$388.00</b>
Chertsey	<b>\$443.00</b>	<b>\$221.50</b>
Mt Somers	<b>\$544.00</b>	<b>\$272.00</b>
Dromore	<b>\$1,636.00</b>	<b>\$818.00</b>
Winchmore	<b>\$1,877.00</b>	<b>\$938.50</b>
Lake Hood	<b>\$506.00</b>	<b>\$253.00</b>

In addition to the above targeted rates, a targeted rate for water supply, set under section 19, of 72 cents per 1,000 litres of water consumed in excess of the daily 1,000 litre allowance to any rating unit defined as a metered supply. Metered supplies are defined as extraordinary connections and non residential connections. This rate is levied on a quarterly basis.

### **Wastewater Rates**

The following differential targeted rates are set under section 16(3)(b) and 16(4)(b) for each wastewater (sewage) disposal. In each case the differential categories are:

- (1) connected rating units
- (2) serviceable rating units

The targeted rates are set as a fixed amount per separately used or inhabited part of a rating unit.

	<b>Connected</b>	<b>Serviceable</b>
Ashburton	<b>\$418.00</b>	<b>\$209.00</b>
Methven	<b>\$238.00</b>	<b>\$119.00</b>
Rakaia Maintenance Rate	<b>\$288.00</b>	<b>\$144.00</b>
Rakaia Loan Rate	<b>\$354.00</b>	<b>\$172.50</b>

The following uniform targeted rates set for wastewater pan charges under section 16(3)(b) and 16(4)(a) of a fixed amount on each pan or urinal (after the third) on every rating unit connected to the wastewater scheme:

Ashburton	<b>\$139.30</b>
Methven	<b>\$79.30</b>
Rakaia Maintenance Rate	<b>\$96.00</b>

## **Waste Collection Rates**

The following targeted rates are set under section 16(3)(b) and 16(4)(a) for waste collection as a uniform fixed charge per separately used or inhabited part of a rating unit in each area to which the service is provided:

Ashburton Urban	<b>\$35.00</b>
Ashburton Inner Central Business Area	<b>\$70.00</b>
Methven	<b>\$50.00</b>
Rakaia	<b>\$42.00</b>
Hinds	<b>\$54.00</b>
Mayfield	<b>\$50.00</b>
Mt Somers	<b>\$48.00</b>
Lake Clearwater	<b>\$28.00</b>
Rangitata	<b>\$23.00</b>

## **Ashburton Community Pool Rate**

A targeted rate for the Ashburton community pool under section 16(3)(b) and 16(4)(a) of \$9.00 per separately used or inhabited part of a rating unit within the Ashburton township area.

## **Amenity Rates**

Targeted rates for amenity services under section 16 (3)(b) and 16(4)(b) are as follows:

### **Ashburton Urban Amenity Rate**

0.000285 cents in the dollar of capital value on every rating unit in the Ashburton township area to meet the costs of stormwater and reserve board funding.

### **Ashburton Inner CBD Street Cleaning Rate**

0.000509 cents in the dollar of capital value on every business rating unit within the Ashburton inner central business district (CBD) **as defined by Council maps**, for the provision of additional street cleaning.

### **Ashburton CBD (Expanded) Conveniences Rate**

0.000269 cents in the dollar of capital value on every business rating unit within the Ashburton expanded central business district (CBD) **as defined by Council maps**, for the provision of public conveniences.

### **Ashburton Business Amenity Rate**

0.001940 cents in the dollar of capital value on every business rating unit within the Ashburton township, for the provision of the following services:

- Parks and Open Spaces
- District Promotion & Visitor Industry
- Transportation - Footpaths
- Solid Waste Collection

### **Ashburton Residential Amenity Rate**

0.000423 cents in the dollar of capital value on every non business rating unit within the Ashburton township, for the provision of the following services:

- Parks and Open Spaces
- Transportation - Footpaths

### **Methven Business Amenity Rate**

0.002526 cents in the dollar of capital value on every business rating unit within the Methven township rating area (as defined by Council Maps), for the provision of the following services

- Parks and Open Spaces
- Transportation - Footpaths

- Public Conveniences
- Solid Waste Collection
- District Promotion & Visitor Industry

**Methven Amenity Rate**

0.000233 cents in the dollar of capital value on every rating unit in the Methven township area to meet the costs of stormwater services, and reserve board funding.

**Methven Residential Amenity Rate**

0.000776 cents in the dollar of capital value on every non business rating unit within the Methven township, for the provision of the following services:

- Parks and Open Spaces
- Transportation - Footpaths

**Rakaia Residential Amenities Rate**

0.000287 cents in the dollar of capital value on every non business rating unit in the Rakaia township area for the provision of the following services:

- Parks and Open Spaces

**Rakaia Business Amenity Rate**

0.001767 cents in the dollar of capital value on every business rating unit within the Rakaia township rating area (as defined by Council Maps), for the provision of the following services

- Parks and Open Spaces
- Solid Waste Collection
- Public Conveniences
- District Promotion & Visitor Industry

**Rakaia Amenity Rate**

0.001095 cents in the dollar of capital value on every rating unit in the Rakaia township area for the provision of the following services

- Stormwater
- Transportation - Footpaths
- Reserve Board Funding

**Rural Amenity Rate**

0.000056 cents in the dollar of capital value on every rating unit in the rural area, excluding the townships of Methven and Rakaia, for the provision of the following services:

- Parks & Open Spaces
- Transportation - Footpaths
- Emergency management

**Hinds Stormwater Rate**

0.000043 cents in the dollar of capital value on every rating unit in the Hinds township area for the provision of stormwater services.

**Methven Community Board Rate**

A targeted rate for the Methven community board under section 16(3)(b) and 16(4)(a) of 0.000210 cents in the dollar of capital value of all rating units within the Methven township area.

**Methven Community Pool Rate**

A targeted rate for the Methven community pool under section 16(3)(b) and 16(4)(a) of \$12.00 per separately used or inhabited part of a rating unit within the Methven township area.

**Montalto Stockwater Rate.**

A targeted rate under section 16(3)(b) and 16(4)(a) of \$478.80 per rating unit within or connected to the Montalto stockwater scheme, and \$15.60 per hectare of land within or connected to the Montalto stockwater scheme.

**Methven/Springfield Rate**

A targeted rate under section 16(3)(b) and 16(4)(a) of \$549.80 on all rating units connected to the Methven/Springfield stockwater scheme.

A targeted rate under section 19 of \$46.00 per 1,000 litres of water supplied in excess of 12,000 litres to any rating unit within the Methven/Springfield stockwater scheme.

**General Stockwater Rate**

A targeted rate under section 16(3)(b) and 16(4)(a) on all rating units within the general stockwater scheme in accordance with the following factors:

- a) \$38.60 in respect of any race, aqueduct or water channel not exceeding one hundred and sixty one metres in length, and
- b) in respect of any race, aqueduct or water channel exceeding one hundred and sixty one metres in length the sum of 24.0 cents per metre for every metre where the same passes through, along or adjacent to or abuts the land of such occupier or owner, and
- c) the sum of \$48.00 for each pond service, pipe service, ram service, pump service, water wheel or windmill, and
- d) the sum of \$24.00 for each dip service or extension pump service using water from the Council’s water race system.

**Due dates for payment of rates**

That all rates will be payable in six equal instalments due on:

- 20 August 2008
- 20 October 2008
- 20 December 2008
- 20 February 2009
- 20 April 2009
- 20 June 2009

Where the 20<sup>th</sup> of a month in which rates are due does not fall on a working day, rate payments will be accepted without penalty up to and including the first working day after the 20<sup>th</sup> of that month.

**Penalties**

That the Council delegates to the Finance Manager to apply the following penalties on unpaid rates.

Under section 58(1)(a), a penalty of 10% on any instalment or part thereof that has been assessed after 1 July 2008 and which is unpaid after the due date.

Under section 58(1)(b), a further penalty of 10% on any unpaid rates and penalties to unpaid rates owed owing as at 30 June 2008, if unpaid as at 31<sup>st</sup> August 2008.”

Holmes/Brown

**Carried**

## **Ashburton District Council Bylaws 2008**

“That Council adopts the Ashburton District Council Bylaws 2008.”

Beavan/Kilworth

**Carried**

The Roading and Street Services Manager attended the meeting.

## **Adoption of the Ashburton District Walking and Cycling Strategy**

“That the Ashburton District Walking and Cycling Strategy dated June 2008 be adopted.”

Tasker/Everest

**Carried**

## **New Years Eve Street Party**

Senior Sergeant G Russell (Police), Ms J Sundberg (Business Association), Ms C Clark (ACADS) and Mr K Clifford (Safer Community Council) were welcomed to the meeting at 2.15 pm and granted speaking rights for this item of business.

Senior Sergeant Russell reported that the Police do not oppose the event but want to see the liquor ban reinstated and an earlier finishing time for the party. He said that eight Police were dedicated to the street party last year, with the remaining staff responsible for the rest of the district, and eight people were arrested at last year’s event, all were intoxicated. Police also issued warnings and infringements to a number of other people.

Senior Sergeant Russell presented a letter from Constable Chamberlain, the Ashburton Police Education Officer. The correspondence supported the concept of a street party, but not in its present form where alcohol is allowed in a public place until 3am. The desire of the Police is to put in place some boundaries that will make the street party a safer, more enjoyable event for families.

K Clifford gave the viewpoint of the Safer Community Council which has unanimously voted in favour of the liquor ban being retained for the street party. He said that research discussed at a recent crime prevention forum has shown that most councils are extending liquor bans for such events. Mr Clifford cited Timaru’s Bay Festival at New Year which is successfully run without alcohol.

Cr Leadley supported these comments and spoke about his attendance at the last street party. He reported that the event appeared to deteriorate around 2.15 am, although concerns with intoxication had been found earlier in the evening.

Council heard that in the past three years the Police and the Safer Community Council have asked that the liquor ban not be lifted for New Year’s Eve. The agencies do not support the option of a separate licensed area.

Cr Leadley proposed an amended recommendation that would see the liquor ban retained and the street party cease at the earlier time of 1 am.

The recommendation was not fully supported. It was noted that Council’s decision to reinstate the street party followed a submission the annual plan and was on the basis of the event being a partnership, rather than just Council, and should involve local business representatives. It was also suggested that problems with intoxicated people have not been addressed early enough in past events and that having a designated licensed area would mean offenders could be removed by the Police.

Speaking in support of Council retaining responsibility for the street party, the Mayor acknowledged the advice given by the four agencies represented at the meeting today and, in particular, the logistics for Police to resource other New Years Events events throughout the district. He said that Council should be promoting events without alcohol.

- “1. That Council agrees to hold a New Year’s Eve Street Party on the night of 31 December 2008;
2. That the event be held on East Street between Havelock and Tancred Streets;
3. That the alcohol ban not be lifted for the defined area for the night;
4. That the format of the event be modified to provide family entertainment from 6.30 pm to 9.00 pm;
5. That the Kidz Karnival continues until at least 7.00 pm; and
6. That the street party cease at 1.00 am.
7. That the management planning for the event be the function of a management group consisting of Cr Holmes, Cr Tasker, the Democracy & Community Services Manager and representatives of the Police, ACADS, Safer Community Council and the Business Association.”

Leadley/Sparks

**Carried**

Crs Beavan, Holmes and Reveley recorded their votes against the motion.

Council adjourned for afternoon tea at 2.57 pm and resumed at 3.15 pm.

### ***Adoption of 2006/ 07 Annual Report***

The Finance Manager attended the meeting at 3.19 pm.

The Chief Executive reported that the unqualified opinion of Audit NZ has been received today.

“That Council adopts the 2006/07 Annual Report and unqualified Audit opinion.”

Holmes/Brown

**Carried**

### ***Extraordinary Business – Signage and the District’s entrances***

The Chief Executive reported that Ashburton District Tourism has responded to Council’s request to investigate options for signs at the four entrance points to the Ashburton district. ADT has recommended its preferred design for Council’s consideration and advises that the cost of the four signs is \$22,080 plus GST. Because of the fluctuating price of steel this price will hold for only 10 days. It was further noted that an undertaking has been given from local Lions clubs to assist with installation of the signs.

Clarification was sought on whether Transit has been notified of the proposed signs, three of which would be located on sections of the state highway. There was some concern that this type of construction would not meet Transit’s approval.

“That Council approves the recommended design and accepts the tender of \$22,080.67 (plus GST) for the supply of four signs, subject to Transit’s approval of the design.”

Holmes/Kingsbury

A show of hands gave 7 for and 5 against

**Carried**

### **Business taken with the public excluded (3.34 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>	Council Meeting – 22/05/08 <ul style="list-style-type: none"> <li>• BCI Ltd</li> <li>• NE Ashburton Business Park</li> <li>• Ashburton Contracting Ltd</li> <li>• Property Matters</li> <li>• Performing Arts Theatre Trust</li> </ul> [Now in open meeting] <ul style="list-style-type: none"> <li>• Contracts C489, C487, C486, C418</li> <li>• Appointment of directors – Transwaste</li> <li>• Acton stockwater main</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 Section 7(2)(h) Commercial activities
<b>5.1.2</b>	Extraordinary Council Meeting – 29/05/08 <ul style="list-style-type: none"> <li>• NE Ashburton Business Park</li> </ul> [Now in open meeting] <ul style="list-style-type: none"> <li>• Albert St subdivision</li> <li>• CEO Appointment</li> </ul>	Section 7(2)(h) Commercial activities
<b>5.1.3</b>	Environmental Services Meeting – 12/06/08 <ul style="list-style-type: none"> <li>• District Plan change</li> </ul>	Section 7(2)(h) Commercial activities
<b>5.1.4</b>	Finance & Community Services Meeting – 19/06/08 <ul style="list-style-type: none"> <li>• Property Matters</li> </ul>	Section 7(2)(h) Commercial activities
<b>5.2</b>	Ashburton Contracting Ltd	Section 7(2)(h) Commercial activities
<b>5.3</b>	Water Services preferred professional services provider	Section 7(2)(h) Commercial activities
<b>5.4</b>	Extension of Contract AM-AC10 – utility operation and maintenance	Section 7(2)(h) Commercial activities
<b>5.5</b>	Extension of Contract Duration – C419 pavement marking maintenance	Section 7(2)(h) Commercial activities
<b>5.6</b>	Tender Award – Contract AM-AF11, NE Ashburton business park water supply – Stage 1	Section 7(2)(h) Commercial activities
<b>5.7</b>	Ashburton Community Water Trust budget	Section 7(2)(h) Commercial activities

Kingsbury/Leadley

**Carried**

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

**Ashburton Contracting Limited – Community Support (Charitable Gifts)**

- “1. That Council adopts the policy regarding Ashburton Contracting Limited making significant charitable gifts.
2. That Council approves ACL making a charitable gift of \$400,000 to the Ashburton Performing Arts Theatre Trust.”

Kilworth/Burgess

**Carried**

**Extension of Contract Duration – C419: Pavement Marking Maintenance, Ashburton District 2004/05 to 2006/07**

“That Council approves that the duration of contract 419 - Pavement Marking Maintenance, Ashburton District 2004/05 to 2006/07, awarded to Spraymarks Roadmarking Ltd, be extended for a further 12 months to 30 June 2009, at an additional cost of \$171,668.”

Tasker/Leadley

**Carried**

***Aoraki Conservation Board***

The Chief Executive briefly reported on correspondence received from the Aoraki Conservation Board inviting Councillor representation on the Rangitata Landcare Group. Councillors Leadley, Lowe, Sparks and Tasker indicated their interest in meeting with the Board, the date and time of this meeting to be advised.

The meeting concluded at 4.50 pm.

Confirmed this 7<sup>th</sup> day of August 2008 by \_\_\_\_\_

MAYOR