

# COUNCIL MEETING MINUTES

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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 25 September 2008, commencing at 1.30 pm.

**PRESENT:** His Worship the Mayor, Mr M B O'Malley; Councillors I J Burgess, K L Holmes, 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, Roading and Street Services Manager, Regulatory Manager and Committee Secretary.

**APOLOGIES:** Crs R J Kilworth, N A Brown and R C Beavan (absence); Cr J A Everest (lateness)

**Sustained**

Two members of the public attended.

The opening prayer was offered by Rev Luisa Fruean.

## **Public Forum (1.30-1.42pm)**

Mr Roger Bray (President Central Canterbury Ward of National Beekeepers Association) and Mrs Bray spoke about their concerns relating to Council's administration of the HSNO Act. They offered to meet with Councillors and staff to discuss the issue.

The Property Manager attended the meeting at 1.40 pm.

In response, the Mayor gave an undertaking that the issues raised would be addressed and appropriate action taken.

## **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 with the public excluded as items 5.4 and 5.5:

- NE Ashburton Business Park  
*Section 7(2)(h) Commercial activities*
- Railway Station Correspondence  
*Section 7(2)(h) Commercial activities*

Holmes/Leadley

**Carried**

The Mayor gave notice that the report of the Ashburton Community Water Trust has been deferred until 9 October and will be considered at the Operations Committee meeting.

## **Confirmation of Minutes**

"That the minutes of the meeting of Ashburton District Council held on 7 August 2008, be taken as read and confirmed."

Holmes/Leadley

**Carried**

"That the minutes of the Extraordinary meetings of Ashburton District Council held on 4 and 18 September 2008, be taken as read and confirmed."

Leadley/Tasker

**Carried**

## **Mayor's Report**

"That the report be received."

Burgess/Tasker

**Carried**

### **Zone 5 Meeting**

Cr Leadley reported that the meeting attracted only 26 attendees and the issue of low attendance will be addressed at a later date with a suggestion that zone meetings be centralised.

Household sustainability was addressed at the meeting and the success of Council's Albert Street subdivision was noted. MfE have indicated they will visit this subdivision.

LGNZ will be seeking submissions on a national policy statement on water management.

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

"That the report be received."

Holmes/Kingsbury

**Carried**

### **Arowhenua**

Following a visit by a group of staff, and Crs Leadley and Kilworth on 24 September, it was agreed that a full Council visit to the Arowhenua Marae will be undertaken this year with a date to be confirmed.

### **Civil Defence Pandora Exercise**

Crs Holmes and Lowe acknowledged the involvement of staff, community organisations and councillors in the successful simulated flood incident Pandora exercise held this month.

Cr Everest attended the meeting at 2.00 pm.

### ***Operations Committee – 21 August 2008***

"That the report and minutes of the Operations Committee meeting held on 21 August, 2008, be received."

Tasker/Leadley

**Carried**

### **Trees Shading Roads Policy**

It was reported that a number of roads affected by tree shading have been identified. To ensure land owners have sufficient time to arrange tree clearing, information on Council's policy will be forwarded by the end of October.

### ***Environmental Services Committee – 4 September 2008***

"That the report and minutes of the Environmental Services Committee meeting held on 4 September 2008, be received."

Leadley/Burgess

**Carried**

### **Naming of Street – Albert St**

Cr Leadley reported that confirmation of Mr Geering's acceptance of Council's offer to name the new street after him has been confirmed. The matter will be referred back to the Committee on 16 October for ratification.

### **CBD Liquor Issues**

It was noted that there are two licensee representatives on the CBD Action Group, being a representative of the independent licensees and a representative from the Licensing Trust.

### ***Finance & Corporate Services Committee – 18 September 2008***

"That the report and minutes of the Finance and Corporate Services Committee meeting held on 18 September 2008, be received."

Holmes/Lowe

**Carried**

### **Proposed Road Stopping – off Thompsons Track**

- “1. That the unformed road, shown as sections 1 and 2 on SO 373272, containing 1.6550 ha be declared stopped; and
2. That the land contained in stopped road be disposed of to the adjoining landowner conditional up on it being amalgamated into the existing adjoining title at the present market value of \$28,000 plus GST assessed against the adjoining land value of \$17,250/ha.”

Brown/Lowe

**Carried**

### ***Methven Trotting Club Private Plan Change – Final Consideration of Change to Ashburton District Plan***

- “1. That the report be received.
2. That the Methven Trotting Club Private Plan Change to the Ashburton District Plan be approved.”

Lowe/Tasker

**Carried**

### ***Uplift of the Building Line Restriction – 103 Peters Street, Hinds***

“That the building line restriction 549949 imposed on Lot 1 DP 21788, be cancelled.”

Tasker/Holmes

**Carried**

### ***Warrants of Authority – Building Officials***

“That LYNDSEY JOHN BARNETT, Building Official, be authorised under seal of the Ashburton District Council to act under the legislation below:

- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- As an Agent and Authorised Officer of Ashburton District Council under Sections 111 & 222 of the Building Act 2004.
- Is authorised to issue infringement notices under Section 229 of the Building Act 2004.
- As an Authorised Officer under the Ashburton District Council Bylaws.

This warrant is issued pursuant to 206 of the Building Act 2004 and Sections 174 and 177 of the Local Government Act 2002

#### **Statutory Function**

The officer above may exercise all powers and duties including such power to enter land, conduct inspections, issue notices as provided by and for the purpose of the Acts and associated Regulations and Bylaws listed.”

“That GEORGE CUTHBERT, Building Official, be authorised under seal of the Ashburton District Council to act under the legislation below:

- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- As an Agent and Authorised Officer of Ashburton District Council under Sections 111 & 222 of the Building Act 2004.
- Is authorised to issue infringement notices under Section 229 of the Building Act 2004.
- As an Authorised Officer under the Ashburton District Council Bylaws.

This warrant is issued pursuant to 206 of the Building Act 2004 and Sections 174 and 177 of the Local Government Act 2002.

**Statutory Function**

The officer above may exercise all powers and duties including such power to enter land, conduct inspections, issue notices as provided by and for the purpose of the Acts and associated Regulations and Bylaws listed.”

Leadley/Tasker

Carried

**Agency Reports**

**Ashburton District Tourism**

M Bungard and D McLaren welcomed to the meeting at 2.24 pm to present the Board’s six month report 1/01/08 – 30/06/08.

It was noted that meeting of the Rugby World Cup 2011 group was held this morning to discuss the proposal which will be submitted at the end of October. The Board is waiting on confirmation from the Licensing Trust that there will be sufficient accommodation in Ashburton to meet the Rugby World Cup criteria.

The presentation concluded at 2.33 pm.

**Citizenship Ceremony**

Council adjourned at 2.33 pm for citizenship ceremonies of Mrs L Eddington, Mrs C Moronta, Miss N Mink and Mr T Deng. At the conclusion of the ceremony the new citizens and their guests were invited to join the Mayor and Councillors for afternoon tea.

Council resumed at 3.19 pm.

**Community Pool Report**

B Vessey and R Cruse were welcomed to the meeting to present the Community Pool Board’s six month report – 1/01/08 – 30/06/08. Council heard that a \$26,000 surplus has been achieved before depreciation.

The Mayor took the opportunity to acknowledge the work of the Pool Manager and the success of Ashburton’s competitive swimmers over the past 12 months.

The presentation concluded at 3.35 pm.

**Business taken with the public excluded (3.35 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:
5.1.1	Council – 7/08/08 <ul style="list-style-type: none"> <li>• AM-AD10 &amp; AM-AC10 Utility Operation</li> <li>• NE Ashburton Business Park</li> <li>• Liquor licensing matter</li> <li>• Aquatic Park Charitable Trust</li> </ul>	Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities Section 7(2)(i) Conduct of negotiations Section 7(2)(h) Commercial activities

	[Now in open meeting] <ul style="list-style-type: none"> <li>• NE Ashburton Project Board</li> <li>• Contract AM-AF11, NE Ashburton water supply (stage 1)</li> <li>• Ashburton Stadium Complex Trust</li> <li>• Land use options for plantations</li> <li>• Lyndhurst water scheme</li> </ul>	
5.1.2	Extraordinary Council – 4/09/08 <ul style="list-style-type: none"> <li>• Property Matter</li> </ul>	Section 7(2)(h) Commercial activities
5.1.3	Extraordinary Council – 18/09/08 <ul style="list-style-type: none"> <li>• NE Ashburton Business Park</li> </ul> [Now in open meeting] <ul style="list-style-type: none"> <li>• Contract C550 – Reseals &amp; Preseal repairs, Ashburton district 08/09</li> </ul>	Section 7(2)(h) Commercial activities
5.1.4	Operations Committee – 21/08/08 <ul style="list-style-type: none"> <li>• Contract AM-AD10 provision of professional services for water dept</li> </ul>	Section 7(2)(i) Conduct of negotiations
5.1.5	Finance & Community Services Committee – 18/08/08 <ul style="list-style-type: none"> <li>• Ashburton Stadium Complex Trust</li> <li>• Property Matter</li> <li>• Property Matter</li> <li>• Finance Matter</li> <li>• Extraordinary business (Property matter)</li> </ul>	Section 7(2)(i) Conduct of negotiations Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities Section 7(2)(i) Conduct of negotiations Section 7(2)(h) Commercial activities
5.2	Property Matter	Section 7(2)(i) Conduct of negotiations
5.3	Property Matter	Section 7(2)(h) Commercial activities
5.4	Extraordinary Business – NE Ashburton Business Park	Section 7(2)(h) Commercial activities

Leadley/Holmes

**Carried**

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

**Ashburton Aquatic Park Charitable Trust – Interest Capitalisation (7/08/08)**

- “1. That Council agrees to capitalise the interest owing to March / April 2008 of \$97,900.03.
2. That Council defers any decision to capitalise the following year’s interest until further information is received from the AAPCT.”

Tasker/Holmes

**Carried**

**Sale of Property – 132 Taits Road (4/09/08)**

- “1. That Council approves that the minimum acceptable sale price for 132 Taits Road be established at \$450,000 plus GST (if any); and
2. That the Finance and Property Managers be delegated authority to counter-offer any offer received below the minimum price up to a minimum of \$450,000 plus GST (if any).”

Holmes/Kingsbury

**Carried**

**North East Ashburton Business Park**

**(18/09/08)**

***Naming***

“That Council’s decision of 4 September 2008, naming the North East Ashburton Business Park, be revoked.”

Sparks/Leadley

**Carried**

“That the proposed North East Ashburton Business Park be formally named “North East Technology Park.”

Sparks/

**Lapsed**

“That the proposed North East Ashburton Business Park be formally named “the Ashburton Business Estate.”

Holmes/Beavan

**Carried**

***Advertising Signage***

“That Council approves the erection of three large advertising signs “on site” at each entranceway to the Business Park; the signs to be installed as soon as possible.

Tasker/Leadley

**Carried**

“That an application be lodged for planning consent to erect two advertising signs “off site” on State Highway One at both entranceways to the Business Park.”

Tasker/Leadley

**Carried**

**AM-AD10 – Provision of Professional Services  
- Water Services Department, 2008/09 (Year 4)**

**(21/08/08)**

“That the negotiated price for AM-AD10 – Professional Services for the Water Services Department, 2008/09 (Year 4) as submitted by Opus International Consultants Limited in the amount of \$483,400 exclusive GST be accepted.”

Leadley/Burgess

**Carried**

**Glasgow Leased Land – 59 Creek Road**

**(18/09/08)**

“That Council approves the sale of the land at 59 Creek Road, being Lot 1-3 Deposited Plan 20729, containing approximately 686m<sup>2</sup> comprised in Certificate of Title 33F/250 to the Lessee (Maxey Family Trust) at the current market value of \$170,000 plus GST subject to work commencing on the building.”

Brown/Kilworth

**Carried**

**Glasgow Leased Land – Cnr Dobson St & Chalmers Ave**

**(18/09/08)**

“That Council declines the sale of the land at the corner of Dobson Street and Chalmers Avenue, being Lots 9-19 DP 15468, containing 10,069 m<sup>2</sup> in CTs CB11K/110, CB11K/111, CB11K/112, CB11K/113 and CB11K/114 to the parent company of current Lessee – HW Richardson Group Limited.”

Mayor/Brown

**Carried**

**Claim Accretion – Lateral End of Irwins Road / Rakaia River**

“That approval be given to claim part of the Rakaia Riverbed, between the lateral end of Irwins Road and Crown land parcel ID 3529086 SO 944, as accretion.”

Tasker/Lowe

**Carried**

The meeting concluded at 5.06 pm.

Confirmed this 30<sup>th</sup> day of October 2008 by \_\_\_\_\_

MAYOR

