

COUNCIL MEETING MINUTES

MINUTES of a Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 18 December 2008, commencing at 1.30 pm.

PRESENT: His Worship the Mayor, M B O'Malley; Councillors, N A Brown, I J Burgess, K L Holmes, J A Everest, 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, Operations Manager, Senior District Planner and Committee Secretary.

APOLOGY: Cr R C Beavan **Sustained**

Two members of the public attended.

The opening prayer was offered by Rev David Brown.

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:

- Private Plan Change

To adopt for public notification

Kilworth/Tasker

Carried

Confirmation of Minutes

“That the minutes of the meeting of Ashburton District Council held on 30 October 2008, be taken as read and confirmed.”

Leadley/Holmes

Carried

Mayor's Report

“That the report be received.”

Kilworth/Everest

Carried

Mayor's Diary

Council acknowledged the work undertaken by Mayor, in particular his involvement with Canterbury Strategic Water and National Council.

The Deputy Mayor reported on two of the events he has attended on the Mayor's behalf, being the official opening of the Youth Health Centre and the Top Town competition.

Top Town

“That Council writes to the Ashburton Top Town competitors, management group and sponsor, commending them for their involvement and participation.”

Leadley/Lowe

Carried

Submission – Freshwater Management

A submission has been prepared on the proposed national policy statement for freshwater management. The Chief Executive advised that LGNZ will be reviewing and if there are any changes it will be brought back to Council. Submissions close at the end of January.

Chief Executive's Report

"That the report be received."

Burgess/Kingsbury

Carried

Sale of Liquor Act

A discussion paper is to be released by the Law Commission in mid 2009 and will seek the views of local government.

Canterbury Water Management Strategy

The Chief Executive and the Mayor attended the Steering Group meeting on 5 November and a report has since been made to the Mayoral Forum. A draft strategy is expected to be available in February with the final proposal out for public consultation in mid 2009.

The Property Manager attended the meeting at 1.51 pm.

Zone 5

Crs Leadley and Tasker attended the recent Zone 5 meeting where the possibility of reviewing the frequency of meetings was discussed. It was suggested that 2-3 meetings be held each year with one either side of National Conference. The Mayor advised that National Council had also discussed this and the decision has been passed back to the Zones for consideration at their February meetings.

Elderly Persons Housing Upgrades

The Property Manager reported that questionnaires sent out to tenants are due back by 19 December. Tenants also had the opportunity to provide feedback on options for upgrading the units when they attended a forum on 11 December. Mr Rooney said that responses to date were in favour of option 2 – the provision of heat pumps only.

Operations Committee – 20 November 2008

"That the report and minutes of the Operations Committee meeting held on 20 November, 2008, be received."

Tasker/Brown

Carried

Lake Hood Toilets

The Operations Manager reported that the design for the new toilet block was finalised last week. The orientation has been the subject of consultation with representatives of the Aquatic Park Trust. There is one outstanding issue, being land access, however this is not expected to cause delay and Mr Rouse will be meeting with the Trust's Chairman this week to discuss the matter.

Environmental Services Committee – 27 November 2008

"That the report and minutes of the Environmental Services Committee meeting held on 16 October 2008, be received."

Kilworth/Sparks

Carried

Finance & Corporate Services Committee – 4 December 2008

"That the report and minutes of the Finance and Corporate Services Committee meeting held on 4 December 2008, be received."

Holmes/Brown

Carried

Ashburton District Social Wellbeing Strategy

"That Council adopts the Ashburton District Social Wellbeing Strategy."

Holmes/Leadley

Carried

Industrial Development Reserve

“That Council’s special fund called the Industrial Development Reserve be applied against the costs of the Ashburton Business Estate Development.”

Holmes/Kilworth

Carried

Rakaia – SH1 Pedestrian Safety Works

Council did not fully support the recommendation or consider it to be the safest option, however it was noted that a full review had been undertaken by the consultants with an outcome that will address the need for safety awareness and a review of the speed limit.

Cr Lowe opposed the recommendation and suggested that the only options should be traffic lights or an over / underpass. Cr Holmes also opposed the intention to construct kerb protrusions but agreed that a review of the speed limit should be undertaken.

- “1. That Council supports the construction of kerb protrusions and pedestrian refuges on SH1; and
2. That a review of the 70kph speed limit on SH1 in the urban area of Rakaia be undertaken.”

Brown/Reveley

Carried

Crs Holmes and Lowe recorded their votes against motion.

Hakaterere Water Supply – Standby Generator Public Consultation

The Operations Manager reported on the outcome of the consultation process which resulted in only 27 submissions being received in response to the 57 consultation documents sent out. Although 59% of respondents asked for the generator to be removed, the recommendation to retain the generator was made on the basis that 51% of the properties did not respond at all and an assumption was made that although they were not necessarily in support of retention, they did not consider it to be a significant issue. Mr Rouse reminded Council that the Hakaterere water supply is reliant on electricity supply and it is good risk management practice to have a standby generator installed.

Council in the main supported the removal of the standby generator and disagreed with the assumption made that non responses would be in favour of retaining it.

The Chief Executive spoke about the number of events in recent years where a backup generator was used at Hakaterere, the costs of which were met by rates throughout the district. He said that in future these costs would be met from the Hakaterere water supply.

“That Council approves the removal of the standby generator from the Hakaterere water supply in accordance with the result of community consultation.”

Brown/Reveley

Carried

Rakaia Water Supply Upgrade– Resource Consent Replacement

“That Council confirms the formal appeal of Condition 10 of Resource Consent CRC073787 (Water Take for the Rakaia Community Water Supply)”

Tasker/Leadley

Carried

Methven Springfield Water Supply – Restrictor Replacement

- “1. That Council approves the inspection of all service connections on the Methven Springfield water supply and the replacement of restrictors and removal of bypass plumbing where required, and
2. In cases where interference has been confirmed, the costs of remedial work shall be recovered from the property owner.”

Tasker/Brown

Carried

Naming of Streets – Braebrook Subdivision

“That the new streets within the subdivision of Braebrook Developments Ltd, being consent SUB07/0078, be named as follows:

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|--------|------------------|
| Road 1 | Braebrook Drive; |
| Road 2 | Orchard Grove.” |

Kilworth/Burgess

Carried

Road Closure – Tinwald Cycling

The application for temporary closure of streets resulted in eight objections being received. Four objections were withdrawn and one objector requested to be heard. A hearing panel of Crs Kilworth, Leadley and Burgess was convened on 17 December. The Hearing Panel has recommended that the application be granted subject to a number of conditions.

- “1. That Council approves the following roads being closed to ordinary vehicular traffic from 11.30 am to 7.00 pm on Sunday December 28, 2008, for the purpose of allowing Tinwald Cycling to hold a Christmas Criterium.
 - EAST STREET, from Havelock Street to Cameron Street
 - HAVELOCK STREET, from East Street to Baring Square
 - CAMERON STREET, from East Street to William Street
 - VICTORIA STREET, from Cameron Street to Wills Street
 - CASS STREET, from Havelock Street to Wills Street
 - BARING SQUARE EAST, from Havelock Street to Cameron Street, Ashburton.
2. That approval be granted subject to the following conditions:
 - a) No objections being upheld against the closure in response to the statutory advertisement;
 - b) Provision of a Traffic Management Plan, conforming to the requirements of the Transit NZ Code of Practice for Temporary Traffic Management; this plan to be amended to show that East Street will be closed from Havelock to Cameron Street, with ‘no through road’ signage and appropriate road detour signs to be placed at the Wills Street intersection;
 - c) Arrangements are to be made for a pre-event and post-event inspection with a representative from the Council’s Operations Department. The inspections are to be completed within three days of the event and results of the inspections will be recorded by Council;
 - d) Tinwald Cycling shall be responsible to ensure that the correct road signs and barricades are in place during the full period of the closure and promptly removed after the conclusion and clearance of the road;

- e) Tinwald Cycling shall comply strictly with the Traffic Management Plan requirement and road closure signs shall not be put in place until 11.30 am;
- f) The road must be reinstated to the condition that existed prior to the event. Any costs incurred by the Council as a result of this event, including maintenance costs or reinstatement costs, will be charged to Tinwald Cycling. Any restoration work required is to be carried out to an arranged programme with Council;
- g) Necessary arrangements are made for the tidying and clearing of the road on the closed section of the road and the disposal of any litter;
- h) Tinwald Cycling is required to arrange adequate insurance against its liability to pay damages to any person or entity in respect of any claim on account of damage to property or injury to persons where the damage or injury results from the holding of this event;
- i) The public address system shall be used, on a hourly basis throughout the event, to notify that the Limited Editions and Triangle Fish Shop businesses are open; and to notify the availability of facilities at the Ashburton Club & MSA and the public toilet facilities on East Street;
- j) The registration table shall be located not less than 10 metres away from any premises that are open on the day;
- k) Tinwald Cycling is required to provide adequate safety marshals in distinctive clothing for the event; and
- l) Should weather conditions become sufficiently adverse that the road could be damaged as a result of holding the event, the organisers shall take the necessary steps to protect the road. This may include delaying or cancelling the event.”

Kilworth/Leadley

Carried

Ashburton Railway Station Mediation

The Chief Executive reported that Council has participated in mediation with the owner of the building (Redson Corporation Ltd), the Historic Places Trust and the Ashburton Heritage Trust. As a result a working party has been established to look at economically viable options for railway station site.

“That Council’s appointees to the Ashburton Railway Station Working Party be Councillor Kilworth and the Manager Democracy & Community Services, John Rollinson.”

Tasker/Sparks

Carried

Private Plan Change – Ashburton Aquatic Park Charitable Trust

Cr Leadley declared an interest as a Trustee and left the meeting at 2.27 pm.

- “1. That the report be received.
- 2. That Council accepts the proposed Ashburton Aquatic Park Charitable Trust Plan Change for public notification.”

Kilworth/Holmes

Carried

Cr Leadley returned to the meeting 2.28 pm.

Business taken with the public excluded (2.30 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 – 30/10/08 <ul style="list-style-type: none"> • Ashburton Business Estate • Barrhill Chertsey Irrigation Ltd • Stadium Complex Trust • Property Matters • Art Gallery / Museum [Now in open meeting] <ul style="list-style-type: none"> • Demolition of 86 South St • Albert St Subdivision • Glasgow lease – 630 East St • Council non-residential Glasgow leases • Rakaia Medical Centre addition 	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 Section 7(2)(h) Commercial activities
5.1.2	Operations Committee – 20/11/08 <ul style="list-style-type: none"> • Roading matters 	Section 7(2)(i) Conduct of negotiations
5.1.3	Finance & Community Services Committee – 4/12/08 <ul style="list-style-type: none"> • Property Matters • Neighbourhood Support [Now in open meeting] <ul style="list-style-type: none"> • SPARC Funding application 	Section 7(2)(h) Commercial activities Section 7(2)(a) Protection of privacy of natural persons
5.2	Property Matter	Section 7(2)(i) Conduct of negotiations
5.3	Awarding of Contract C551: footpath resurfacing Ashburton 2008/09	Section 7(2)(h) Commercial activities
5.4	Awarding of Contract C552: kerb & channel & footpath Ashburton 2008/09	Section 7(2)(h) Commercial activities
5.5	Ashburton Business Estate	Section 7(2)(h) Commercial activities
5.6	Ashburton Performing Arts Theatre Management Trust – Council appointee	Section 7(2)(a) Protection of privacy of natural persons

Burgess/Kingsbury

Carried

Business transacted with the public excluded now in open meeting

Glasgow Leased Land – 215 Tancred Street

“That Council declines the gifting or rent relief to the current lessee of Council’s land situated at 215 Tancred Street, being Section 434 Town of Ashburton, containing approximately 1012m² comprised in CT12A/973.”

Holmes/Brown

Carried

Awarding of Contract C551: Footpath Resurfacing, Ashburton District 2008/ 09

“That Council accepts the tender of Four Hundred and Twenty Six Thousand, Four Hundred and Eleven Dollars and forty cents (\$426,411.40) excluding GST from Fulton Hogan Ltd for contract C551: Footpath Resurfacing, Ashburton District 2008/2009.”

Tasker/Leadley

Carried

Awarding of Contract C552: New and Replacement Kerb & Channel and Footpaths – Ashburton 2008/09

“That Council accepts the tender of Ashburton Contracting Ltd in the sum of Five Hundred and Sixty Three Thousand and Seventy Four Dollars and Seven Cents (\$563,074.07) for Contract 552: new and replacement kerb and channel, new footpaths, Ashburton District, 2008/2009.”

Tasker/Leadley

Carried

Ashburton Performing Arts Theatre Management Trust

“That Mr David Welsh be appointed as Council’s representative on the Ashburton Performing Arts Theatre Trust Board.”

Kilworth/Holmes

Carried

The meeting concluded at 5.10 pm.

Confirmed this 26th day of February 2008 by

MAYOR