

MINUTES of a Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Tuesday 30 June 2009, commencing at 1.30 pm.

PRESENT: His Worship the Mayor, 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 L P Lowe, J Sparks, P W Reveley and B A Tasker.

In attendance Chief Executive, Manager Democracy & Community Services, Operations Manager, Finance Manager, Property Manager, Community Planning Manager and Committee Secretary.

Also present: Policy Analysts and Project Support Officer.

The opening prayer was offered by Rev Luisa Fruean.

Public Forum

• Wills Street Parking

Regent Cinema proprietors Donna and David Favel spoke about the effect on their business from the change in parking status on Wills Street. Of particular concern to them is the 5 minute parking restriction at all times, regardless of whether or not there is an event taking place. While recognising the need for the Event Centre to have a drop-off zone that will accommodate cars and buses, they asked Council to consider reducing this area and reinstate the 8 parking spaces that were previously available. They also suggested that 'no standing' signs could be used to mark off the drop-off area when required.

Other points noted were –

- most Cinema patrons require parking – the closest parking, sufficient for duration of a movie, is the Devon car park or in the designated cinema parking (20 spaces) at the rear of the Event Centre
- the mobility car park is 100m from the Cinema front entrance and the Cass St kerb and channel is deep and difficult to negotiate
- cobblestone paving makes it difficult to differentiate between road and footpath when parking
- street lights are on the opposite side of street.

The presentation concluded at 1.45 pm. The matters raised will be referred to the Operations Committee.

Confirmation of Minutes

“That the minutes of the meeting of Ashburton District Council held on 21 May 2009, be taken as read and confirmed.”

Leadley/Burgess

Carried

It was noted that Cr Beavan was absent from the Extraordinary Council meeting.

“That the minutes of the Extraordinary meeting of Ashburton District Council held on 18 June 2009, as amended, be taken as read and confirmed.”

Leadley/Tasker

Carried

Mayor's Report

“That the report be received.”

Burgess/Holmes

Carried

Christchurch School of Medicine Students

“That the Christchurch School of Medicine’s donation of \$500 be given to the Ashburton Branch of the Heart Foundation.”

Tasker/Kilworth

Carried

Mayor’s Diary

• Canterbury Water Management Strategy

The Mayor reported on his participation in the CTV panel discussion on 29 May. In a survey that followed this discussion CTV advised that of the 1200 respondents, 65% supported the direction of the Mayoral Forum. The document will be forwarded to the Minister by 30 June with the intention that the final strategy will be released by 30 August 2009. The Mayor also met with Ministers N Smith and D Carter on this issue, both of whom support the process.

• Canterbury District Health Board

The Mayor and Chief Executive met with the Canterbury District Health Board’s Chief Executive on 29 June. From discussions, and to assist with improving communication between the CDHB and Council, the offer was made to the Board to use Council’s District Diary as a way in which they can promote their strategies to this community.

• Social Development

Representatives of the Ministry of Social Development met with the Mayor on 23 June to discuss the Youth Transition Service. The Safer Community Council will facilitate this social development initiative which involves a mapping exercise of all children of school age who are not at school and those who have just left school. The aim is to put those in need of assistance in contact with relevant social services agencies.

Chief Executive’s Report

“That the report be received.”

Holmes/Tasker

Carried

Canterbury Mayoral Forum

• Air quality exceedences

The Chief Executive said that a disconnect exists with regard to the impact if there were exceedences, in that the causes are not matched to the proposed consequences and don’t take into account the number of variables that could lead to the one exceedence that is allowed. Mr Lester explained that if there is an exceedence the onus is on the regional council not to renew consent for discharges. While acknowledging the issue government still want to achieve the targeted standards.

Cr Kilworth noted that the Regional Air Plan has been signed off with regard to Ashburton district and asked whether the request made of the regional council to write to the Environment Minister advocating a review of air quality standards has been followed through.

The Chief Executive advised that the opportunity will come through the review, noting that ECan supports the Minister’s initiatives.

Cr Kilworth said that the intention was that the request be carried out now rather than later.

[NB Council has subsequently been advised that ECan resolved not to write to the Minister.]

• Canterbury Regional Council Energy Strategy

The Chief Executive reported on a meeting held to discuss the strategy which will consider efficiency options and renewable generation opportunities. This will need to link with the water strategy and options such as piping water will be further addressed through the Mayoral Forum.

Cr Beavan spoke about his attendance at the launch of central government's new insulation package which also provides a subsidy for clean heat projects. It was reported that central government has budgeted \$123m to insulate 180,000 homes over the next four years.

- **Insurance**

The Chief Executive reported that the Minister of Local Government has expressed the view that councils should not be the insurers of last resort for other's mistakes. The Minister has said that councils have become very risk adverse, adding significantly to processing costs. The Minister will review the current legislation with a view to reduce exposure and assist processing costs.

Operations Committee – 4 June 2009

It was noted that Cr Kingsbury also attended the Committee meeting on 4 June.

“That the report and minutes of the Operations Committee meeting held on 4 June 2009, be received.”

Tasker/Leadley

Carried

Trade Waste Bylaw

The Operations Manager reported that the review process has been implemented and a number of site visits have been carried out. In most cases the requirement for a trade waste consent has been confirmed, however two properties have been removed. Mr Rouse explained that the reviews are referred by the Trades Waste Officer to the Operations Manager with final sign-off from the Chief Executive. He acknowledged that there are some issues with the process but considers that it is generally working well.

Cr Lowe recommended that the bylaw be reviewed. The implementation will be further reported to the Operations Committee on 23 July.

Environmental Services Committee – 11 June 2009

“That the report and minutes of the Environmental Services Committee meeting held on 11 June 2009, be received.”

Kilworth/Beavan

Carried

Finance & Corporate Services Committee – 18 June 2009

“That the report and minutes of the Finance and Corporate Services Committee meeting held on 18 June 2009, be received.”

Holmes/Brown

Carried

Adoption of Ashburton District Community Plan 2009-2019

Council acknowledged the contribution of staff involved in the Plan preparation and thanked Cr Holmes for chairing the submission hearings and deliberation meetings. The Mayor endorsed these comments and also thanked the Councillors for their participation in what has been the most significant annual and long term planning process for the District Council and this community.

- “1. That Council adopts the Ashburton District Community Plan 2009–2019, noting that annual budgets contained in the Community Plan include forecast unbalanced budgets for the 2009/10, 2012/13 and 2013/14 years.

Cont'd

2. That Council adopts the policies contained in the Community Plan 2009-19; these being: Policy on Significance, Policy on Partnerships with the Private Sector, Policy on Development and Financial Contributions, Revenue and Financing Policy, Rates Remission and Postponement Policy, and the Treasury Policy.
3. That Council adopts the schedule of fees and charges contained within the Community Plan 2009-19.”

Holmes/Brown

Carried

Setting of Rates for the 2009/10 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 2009 and ending on 30 June 2010.

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 \$147.00 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 0.000444 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 \$0.000659 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 \$55.60 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.

	Connected	Serviceable
Group	\$180.00	\$90.00
Ashburton	\$137.00	\$68.50
Methven	\$172.00	\$86.00
Rakaia	\$147.00	\$73.50
Fairton	\$360.00	\$180.00
Hakatere	\$361.00	\$180.50
Hinds	\$287.00	\$143.50

Mayfield	\$544.00	\$272.00
Chertsey	\$250.00	\$125.00
Mt Somers	\$309.00	\$154.50
Dromore	\$1,487.00	\$743.50
Winchmore	\$1,921.00	\$960.50
Lake Hood	\$156.00	\$78.00

The Group rate applies to all the above schemes except for Winchmore and Dromore.

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.

Lyndhurst Water Rate

A targeted rate under section 16(3)(b) and 16(4)(b) of \$294.00 on all rating units connected to the Lyndhurst water scheme.

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.

	Connected	Serviceable
Ashburton	\$399.00	\$199.50
Methven	\$186.00	\$93.00
Rakaia Maintenance Rate	\$299.00	\$149.50
Rakaia Loan Rate	\$318.00	\$159.00

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	\$132.80
Methven	\$62.20
Rakaia Maintenance Rate	\$99.80

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	\$38.00
Ashburton Inner Central Business Area	\$76.00
Methven	\$52.00
Rakaia	\$44.00
Hinds	\$58.00
Mayfield	\$50.00
Mt Somers	\$52.00
Lake Clearwater	\$28.00
Rangitata	\$23.00

Ashburton Community Pool Rate

A targeted rate for the Ashburton community pool under section 16(3)(b) and 16(4)(a) of \$10.40 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

0.000244 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

0.000461 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

0.000246 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

0.002178 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
- Community Safety & Wellbeing

Ashburton Residential Amenity Rate

0.000413 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

0.002818 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

0.000230 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

0.000843 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

0.000308 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

0.001907 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

0.000895 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

0.000059 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

0.000095 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 0.000170 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 \$11.90 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 \$494.00 per rating unit within or connected to the Montalto stockwater scheme, and \$16.30 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 \$554.00 on all rating units connected to the Methven/Springfield stockwater scheme.

A targeted rate under section 19 of \$44.60 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) \$42.40 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 30.0 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 \$52.00 for each pond service, pipe service, ram service, pump service, water wheel or windmill, and
- d) the sum of \$26.00 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 2009, 20 October 2009, 20 December 2009, 20 February 2010
20 April 2010, 20 June 2010

Where the 20th 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 20th 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 2009 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 2009, if unpaid as at 31 August 2009."

Holmes/Brown

Carried

Business taken with the public excluded (2.20 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 – 9/04/09 <ul style="list-style-type: none">• Aquatic Park Charitable Trust• Property Matter• BCI Ltd• Police report• Electricity Ashburton presentation	Section 7(2)(h) Commercial activities Section 7(2)(i) Conduct of negotiations Section 7(2)(h) Commercial activities Section 7(2)(f) Maintain conduct of public affairs Section 7(2)(h) Commercial activities

	<p>[Now in open meeting]</p> <ul style="list-style-type: none"> • ACL Draft Statement of Intent • Range St Properties • Ashburton Business Estate 	
5.1.2	<p>Extraordinary Council – 18/05/09</p> <p>[Now in open meeting]</p> <ul style="list-style-type: none"> • Contract C561 	
5.1.3	<p>Operations Committee – 4/06/09</p> <p>[Now in open meeting]</p> <ul style="list-style-type: none"> • Disposal of cleanfill material • Mt Somers water supply upgrade • Water Professional Services Provider 	
5.1.4	<p>Finance & Community Services – 18/06/09</p> <ul style="list-style-type: none"> • Police report <p>[now in open meeting]</p> <ul style="list-style-type: none"> • Sale of Council land – Tancred St • Sale of Council land – Arundel Rakaia Gorge Rd • Sale of freehold land – Cnr Arundel Rakaia Gorge Rd / McFarlanes Rd • Claim accretion – Irwins Rd / Rakaia • Glasgow leased land – Pyatt 10 Co • Forestry 	Section 7(2)(f) Maintain conduct of public affairs

Holmes/Tasker

Carried

Business taken with the public excluded now in open meeting

Ashburton Contracting Ltd – Draft Statement of Intent

“That the current performance target (clause 5b) remains at 10-15% but excludes the costs relating the Lake Hood extension project; and that the dividend clause remains unchanged.”

Holmes/Brown

Carried

Turton Land (Range St Properties)

“That Range Street Properties Ltd (Turton) be released from the covenant and Council surrenders its purchase option in respect of Lot 4 DP 306348.”

Holmes/Tasker

Carried

Ashburton Business Estate – Installation of Telecommunications Equipment

“That Council approves the advance payment of \$298,000 including GST, to Chorus, for the supply of telecommunications equipment and associated costs for Stage 1 of the Ashburton Business Estate.”

Mayor/Tasker

Carried

Ashburton Business Estate – Landscaping Preferred Service Provider

“That Council approves negotiations for the landscaping work for the Ashburton Business Estate with Council’s Parks Department on a preferred service provider basis.”

Leadley/Tasker

Carried

Tender Award for Contract C561 – Supply services kerbside collection, disposal of recyclable materials, refuse bags, litter bin refuse Ashburton district – 1/07/09 to 30/06/12

1. That the tender from GJ Preston Ltd in the sum of Nine Hundred and Fifty Six Thousand Eight hundred and Eighty Dollars and thirty six cents (\$956,880.36), excluding GST, for Contract 561: the supply of services for the kerbside collection and disposal of recyclable materials, refuse bags and litter bin refuse in the Ashburton District, 1 July 2009 to 30 June 2012, be accepted.
2. That the budget for this work in the 2009-10 financial year of the 2009-2019 LTCCP be approved.”

Tasker/Burgess

Carried

Disposal of Cleanfill and Building and Demolition Material

“That the investigation and further discussion relating to the establishment and operation of a private facility to appropriately process and dispose of construction and demolition material and green waste be approved.”

Leadley/Holmes

Carried

Mount Somers Water Supply – Trunk Main Upgrade

1. That the construction of the new trunk main in the larger 150mm diameter pipe be approved; and
2. That the negotiated price submitted by Ashburton Contracting Limited for the Mt Somers water supply – trunk main upgrade in the amount of \$144,359.50 exclusive GST, be accepted as a variation to Contract AM-AH10 water pipeline renewals 2008/09.”

Lowe/Holmes

Carried

Water Services Department Preferred Professional Services Provider – 12 Month Extension to Contract 477

“That Contract 477 with Opus International Consultants Limited is extended for a further 12 month period; 1 July 2009 to 30 June 2010, subject to the negotiation of a satisfactory contract price.”

Mayor/Holmes

Carried

Forestry

“That the Forestry Subcommittee be reinstated and the members be Councillors Reveley (Chair), Brown, Everest and Lowe.

Kilworth/Kingsbury

Carried

Sale of Council Land off Tancred Street

1. That Council approves the sale of part of the land legally described as Lot 3 DP 23374, being 6m² out of a total 18m² held in CT4B/481, to the adjoining land owner, at price of \$100.00 plus GST, subject to the condition that this land shall be amalgamated into the adjoining freehold title;
2. That all survey costs and legal costs be borne by the purchaser.”

Brown/Kilworth

Carried

Sale of Council Land – Arundel Rakaia Gorge Road – Rural Section 40208

1. That Council approves the sale of Council land at corner of Arundel Rakaia Gorge and Forks Roads containing 2.0234ha, legally described as Rural Section 40208 held in title of CT11K/906, to the adjoining landowner at current market value of \$20,000.00 plus GST.
2. That the sale be subject to the conditions that the existing title shall be relinquished and the land be amalgamated into the adjoining freehold titles; and
3. That the purchaser shall meet all legal and survey costs associated with the sale.”

Holmes/Tasker

Carried

Sale of Freehold Land – Cnr Arundel Rakaia Gorge Road & McFarlanes Rd

- “1. That Council approves the calling of tenders for the sale of Council land at the corner of Arundel Rakaia Gorge Road and McFarlanes Road, containing a total of 17.0094 ha, legally described as Rural Section 32797 and 34064 held in two titles, viz CB93/152 containing 7.2843ha and CB10K/214 containing 9.7251ha;
2. That the tenders received be referred, along with a market valuation, to Council for acceptance.”

Lowe/Reveley

Carried

Claim Accretion – Lateral End Irwins Rd / Rakaia River

“That Council gives approval to commence the road stopping procedure in respect of part of Irwins Road.”

Brown/Holmes

Carried

Glasgow Leased Land – 47-49 South St - Pyatt 10 Co Ltd

“That Council approves the sale of the land on 47- 49 South Street, being Lot 1 Deposited Plan 80482, containing approximately 1013 m² comprised in Certificate of Title CB46A/1214, to the current lessee (Pyatt 10 Co Limited) at a minimum price of \$150,673.40 plus GST or a sales based current market value whichever is higher.”

Holmes/Leadley

Carried

The meeting concluded at 4.06 pm.

Confirmed this 13th day of August 2009 by _____
MAYOR