

Council Meeting

Minutes of the Council meeting held on Thursday 14 April, 2011, commencing at 1.30 pm, in the Council Chamber, 5 Baring Square West, Ashburton.

Present

His Worship the Mayor, A R McKay; Councillors N A Brown, I J Burgess, D M Favel, J Sparks, R J Kilworth, L J Leadley, D G McLeod, D N Nelson, M J Nordqvist, A B Totty, P J Reveley and R S Wilson.

In attendance

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

5 members of the public attended.

The Opening Prayer was offered by Fr Geoff Gray, Holy Name Church.

1 Apologies

Nil.

2 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 item and considered as item 4.12:

- Ashburton District Tourism – earthquake response
Reason: to consider the request for immediate action and funding

Mayor/Sparks

Carried

- Item 5.2, Ashburton Railway Station

That item 5.2, become the business of open meeting.

Wilson/Reveley

A show of hands gave 4 for and 9 against

Lost

3 Confirmation of Minutes

It was noted that Cr Marshall served four terms as a District Councillor (1992-2004).

That the minutes of the Council meeting held on 3 March, 2011, as amended, be taken as read and confirmed.

That the minutes of the Extraordinary Council meeting held on 24 March, 2011, be taken as read and confirmed.

Nelson/Burgess

Carried

4 Reports

4.1 Mayor's Report

- **Ballance Farm Environment Awards**

The Mayor reported that the Canterbury Ballance Farm Environment Awards Supreme Award has this year been won by Eric and Maxine Watson. They were also recipients of the Ballance Agri-nutrients Nutrient Management Award, the Environment Canterbury Water Efficiency Award and the Hill Laboratories Harvest Award.

Another local farming couple, Andrew and Nicky Watt were recipients of the LIC Dairy Farm Award.

That letters of congratulations be sent to Mr and Mrs Watson and Mr & Mrs Watts.

Leadley/Mayor

Carried

That the Mayor's report be received.

Nelson/Reveley

Carried

[\[click here to read the report\]](#)

4.2 Chief Executive's Report

That the report be received.

Mayor/Nordqvist

Carried

[\[click here to read the report\]](#)

4.3 Environmental Services Committee

That the report and minutes of the Environmental Services Committee meeting held on 17 March, 2011, be received.

Kilworth/Leadley

Carried

4.4 Operations Committee

That the report and minutes of the Operations Committee meeting held on 17 March, 2011, be received.

Leadley/Brown

Carried

Revised Stockwater Race Guidelines and Closure Policy

1 **That** the word 'estimated' be removed from Appendix E of the Stockwater Race Closures Guidelines & Policy Document, and

2 **That** Council adopts the Stockwater Race Closures Guidelines & Policy Document in the amended format.

Leadley/Nelson

Carried

[\[click here to read the report\]](#)

Barrhill Rakaia Stockwater Race – Investigations into Proposed Race Closure

That the Committee, for the purposes of discussions/negotiations, approves the realignment of the stockwater race onto Rakaia Barrhill Methven Road and approves discussions / negotiations with the primary beneficiaries of the partial race closure with a view to seeking the funding of the physical works by the landowners identified in area.

Brown/Leadley

Carried

Cr Reveley recorded his vote against the motion.

That Council delegates authority to the Chief Executive Officer and the Operations Manager acting separately to close stockwater races that have met the "Not Significant" criteria as described in the "Stockwater Race Closures Guidelines and Policy Document.

Nelson/Leadley

Carried

[\[click here to read the report\]](#)

4.5 Finance & Community Services Committee

That the report and minutes of the Finance & Community Services Committee meeting held on 31 March, 2011, be received.

Brown/Sparks

Carried

Ashburton Contracting Ltd – Draft Statement of Intent

That Council approves Ashburton Contracting Limited’s draft 2011/12 Statement of Intent, as amended, including a recommendation that the following words are added under paragraph 14 –

“Ashburton Contracting Limited under any contract with Ashburton District Council will be required to meet levels of service determined by the Council”.

Brown/McLeod

Carried

[\[click here to read the report\]](#)

4.6 Elected Members Remuneration

- 1 **That** the recommended remuneration for Councillors and Methven Community Board Members, for the 2011-2012 year to 30 June 2012, for consideration by the Remuneration Authority, as outlined in Model 1 and listed below, be on a salary only basis:

Position	Annual Salary	No.	Total Annual Salaries
Deputy Mayor	27,861.73	1	27,861.73
Committee Chair	27,861.73	3	83,585.20
Councillor	18,412.97	8	147,303.78
Community Board Chair	3,391.86	1	**3,391.86
Community Board Member	969.10	4	**3,876.42

Total Salaries \$266,018.99

***The total salaries figure is half of the remuneration of community board members. The other half is excluded from the indicative pool and is funded by a targeted rate.*

- 2 **That** Council adopts the remuneration basis determined by the Remuneration Authority, for the Mayor, for the 2011-2012 year to 30 June 2012.
- 3 **That** the applicable rules for the recovery of expenses by elected members and community board members, for the 2011-2012 year to 30 June 2012, be referred to the Remuneration Authority for approval.

Burgess/Mayor

Carried

[\[click here to read the report\]](#)

4.7 Smoke-free Playgrounds and Sports Fields Policy Amendment

That Council extends the existing Smoke-free Playgrounds and Sports Fields Policy to include the Ashburton Skate Park by adopting the policy amendment below –

SMOKEFREE PLAYGROUNDS AND SPORTS FIELDS POLICY

Policy Objective: Ashburton District Council believes the children and young people of our district have a right to be able to enjoy playground and sport field facilities provided by Council in a smoke free environment.

All Council-owned playgrounds, the Ashburton Skate Park and sports field facilities listed below are smoke-free areas.

The community will be advised through appropriate signage and ongoing communication, as deemed necessary by Council.

Sports fields covered by this policy are those located in

Ashburton Domain
Argyle Park
Robilliard Park
Digby Park

Kilworth/Sparks

Carried

[\[click here to read the report\]](#)

4.8 Heritage Assessment Subcommittee

- 1 **That** the application from South Rakaia Bach Owners Association for Rakaia Hut, Rakaia Bach Settlement, for funding from the District Council's Heritage Reserve Fund be accepted and a grant of \$2500.00 made, subject to Council staff gaining reassurance that the reserves held are appropriate;
- 2 **That** the balance of the Heritage Grant fund stands at \$45,831 as a result of this decision;
- 3 **That** approval be granted to carry over the funds from (2) above to the 2011-12 funding round; and
- 4 **That** the 2011-12 funding be available to consider applications from Heritage Items which sustained damage from the earthquakes, in conjunction with usual Heritage Grants requests.

McLeod/Sparks

Carried

[\[click here to read the report\]](#)

4.9 Mt Hutt -Riverbank Water Supply

That Council

1. declines to supplement the Methven potable water supply from the proposed Mount Hutt-Riverbank water supply;
2. approves the transfer of 20 l/sec from the Pudding Hill stockwater intake to the Mount Hutt-Riverbank Stockwater Supply Incorporated for a private stockwater supply; and
3. approves funding in the sum of \$7,500 to prepare and lodge a water transfer resource consent application.

Totty/Nordqvist

Carried

[\[click here to read the report\]](#)

The Property Manager attended the meeting at 2.20 pm.

4.10 Warrants of Authority – Acton Irrigation Ltd

Cr Brown declared an interest and withdrew from the discussion and decision.

That SHAUN PAUL FITZGERALD, Acton Race Manager, Acton Irrigation Limited, WAYNE ANDREW DUNGEY, Machine Operator, Rooney Earthmoving Limited, and SCOTT WILLIAM McMILLAN, Raceman, Rooney Earthmoving Limited, be authorised under the seal of the Ashburton District Council to act as indicated below:

- Has the authority to enter private land under Sections 171-173 and 182 of the Local Government Act 2002, being limited to those properties serviced by the stockwater network in the Acton Irrigation scheme and as detailed in Schedule 4 of the "Deed of Licence to Use the Water Race System" between the Ashburton District Council and Acton Irrigation Limited,
- As an authorised Officer under the Ashburton District Council Bylaws 2008.

These warrants are issued pursuant to Sections 174 and 177 of the Local Government Act 2002.

Leadley/Nelson

Carried

[\[click here to read the report\]](#)

4.11 Warrant of Authority – Animal Control Officer

That the contracting staff member scheduled below be authorised under seal of the Ashburton District Council to act under the following legislation:

- Animal Control Officer within the Ashburton District under Section 11 of the Dog Control Act 1996.
- Authorised Officer under the Ashburton District Council Dog Control Bylaw.
- Stock Ranger in accordance with the Impounding Act 1955.
- Noise Control Officer in accordance with the Resource Management Act 1991 .
- Litter Control Officer in accordance with the Litter Act 1979.

This warrant is issued pursuant to Sections 174 and 177 of the Local Government Act 2002, Section 13 of the Dog Control Act 1996, Section 63 of the Stock Impounding Act 1955, Section 38(5) of the Resource Management Act 1991 and section 5 of the Litter Act 1979.

DAWN ELIZABETH NORN

Statutory Function

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

Kilworth/Burgess

Carried

[\[click here to read the report\]](#)

The meeting was adjourned from 2.25 – 2.30pm pending the ADT presentation.

4.12 Extraordinary Business

- **Ashburton District Tourism Earthquake Response**

Ashburton District Tourism Board Chairman, Kelvin Holmes, and General Manager Nigel Birt attended with a request for funding of \$35,000. A detailed project report and strategy timeline was tabled.

ADT is responding to the effects of the Christchurch earthquake on the tourism sector and has identified two key projects that align with the Canterbury Tourism and Christchurch Airport partnership, being a PR / media campaign and an upgraded web site about to be released by Tourism NZ.

Council heard that ADT is working closely with Canterbury Tourism to ensure that this district has a strong profile on the Tourism NZ web site. Additional funding of \$21,000 has been obtained from other parties.

- 1 **That** Council approves the Ashburton District Tourism response to reduce threat impacts and to maximise opportunities, with project timelines to be for a one year period; and
- 2 **That** budget provision of \$35k be approved for -
 - Media hosting 20k
 - Online messaging 15k

Mayor/Kilworth

Carried

That Ashburton District Tourism's request be approved in principle, subject to a report and budget be being considered by the Finance & Community Services Committee on 12 May.

Nelson/Reveley

Lost

A show of hands gave 7 for and 6 against and the original motion was carried.

Crs Leadley, Reveley and Wilson recorded their votes against the motion.

Council adjourned for afternoon tea at 3.20pm and resumed at 3.38 pm.

Business transacted with the public excluded (3.38 pm)

That the public be excluded from the following parts of the proceedings of this meeting, namely – 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	Confirmation of Minutes		
5.1.1	Council 3/03/11– <ul style="list-style-type: none"> Property matters Mayfield water supply Ashburton business estate 	Section 7(2)(h) Section 7(2)(i) Section 7(2)(h)	Commercial activities Conduct of negotiations Commercial activities
5.1.2	Executive Committee – <ul style="list-style-type: none"> Ashburton business estate Earthquake response strategy 	Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities
5.1.3	Operations Committee – <ul style="list-style-type: none"> Mayfield water supply 	Section 7(2)(i)	Conduct of negotiations
5.1.4	Finance & Community Services 17/02/11 <ul style="list-style-type: none"> Police report Audit & Budget Property & Investment Property matters Art Gallery/Museum and Railway Station <p>[now in open meeting]</p> <ul style="list-style-type: none"> Sale of land RS 40477 	Section 7(2)(f) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(i)	Maintain conduct of public affairs Commercial activities Commercial activities Commercial activities Conduct of negotiations
5.2	Ashburton Railway Station	Section 7(2)(h)	Commercial activities
5.3	Future Dog Pound	Section 7(2)(h)	Commercial activities

Mayor/Brown

Carried

Business transacted with the public excluded now in open meeting

Sale of Council Land – Rural Section 40477 [Finance & Community Services 31/3/11]

That approval be given to the sale of Council land at corner of Ashburton Staveley Road and Forks Road, containing 2.5810ha, legally described as Rural Section 40477 and held in title of CB15A/1485, to the adjoining landowner at current market value of \$10,000.00 plus GST, subject to the following conditions:

- a) the existing title to be relinquished and the land to be amalgamated into the adjoining freehold titles; and
- b) the purchaser to meet all legal and survey costs associated to the sale, as well as the following –
 - (i) tree compensation costs of 20,988.00 plus GST
 - (ii) carbon liabilities cost range from \$16,000 to \$21,000 plus GST, subject to the final cost of the carbon units.

Mayor/Nelson

Carried

Mayfield Water Supply Upgrade

That Council agrees to waive its rights in regard to any effects from a future water abstraction from a bore on a property number 61988 (Lot 103, DP 20333).

Totty/Wilson

Carried

Crs Brown and Nelson recorded their votes against the motion.

- 1 **That** Council confirms its approval to purchase of the private bore (K37/3290) subject to-
 - (a) Transfer of resource consent CRC102941 from the current holder to the Ashburton District Council;
 - (b) Satisfactory negotiation of the value of reimbursement payable to the bore owner - to be limited to the original drilling costs, all reasonable costs associated with securing the resource consents for bore drilling and water abstraction, and an additional amount up to a maximum of \$5,000 to cover incidental administration.
 - (c) Written agreement in principle is obtained from the current landowner for all easements necessary where bore K37/3290 and associated equipment is situated;
- 2 **That** the design requirements for the facility remain solely Council's responsibility subject to;
 - (a) The water treatment plant being located at the rear of the Mayfield fire shed; and
 - (b) Storage in the amount of 240m³ being provided;
- 3 **That** upon transfer of resource consent CRC102941, an application be prepared and lodged to support a variation of the consent as follows:-
 - (a) The maximum instantaneous abstraction be varied from 3.0 l/s to 3.5 l/s
 - (b) The total daily volume be varied from 130 m³ to 300 m³
 - (c) The total annual volume be varied from 37,500 m³ to 50,000 m³.
- 4 **That** Council approves additional budget provision of up to \$105,000 in the 2010/11 Mayfield water supply capital works budget.

Totty/Nordqvist

Carried

Cr Reveley recorded his vote against the motion after his amendment opposing the additional budget provision was lost.

Ashburton Railway Station Funding Options

- 1 **That** Council receives this report.
- 2 **That** Council offers loan funding of up to \$425,000 to the Ashburton Heritage Trust for a period of 5 years to enable that organisation to purchase the building; funding to be from the Dividend Account;
- 3 **That** the loan be subject to the Trust receiving external funding and undertaking renovation of the building to allow it to be leased; and
- 4 **That** the building returns to Council ownership after 5 years if it remains unrenovated and untenanted.

Kilworth/Sparks

Lost

- 1 **That** Council receives this report.
- 2 **That** Council agrees to provide grant funding of up to \$425,000 to the Ashburton Heritage Trust to enable that organisation to purchase the building; funding to be from the Dividend Account.
- 3 **That** Council agrees to provide assistance to the Ashburton Heritage Trust to apply for grant funding from other sources to renovate the building.

McLeod/Sparks

Lost

A show of hands gave 3 for and 10 against.

The meeting concluded at 5.10 pm.

Confirmed this 26th day of May 2011 by the Mayor.