



Ashburton District Council

AGENDA

A MEETING of the ASHBURTON DISTRICT COUNCIL
will be held as follows:

Date: Thursday 22 November 2007

Venue: Council Chamber
5 Baring Square West
Ashburton

Time: 1.30 pm

MEMBERS:

His Worship the Mayor, M B O'Malley
Cr R C Beavan
Cr N A Brown
Cr I J Burgess
Cr J A Everest
Cr K L Holmes
Cr R J Kilworth
Cr J A Kingsbury
Cr L J Leadley
Cr K W P Lowe
Cr P W Reveley
Cr J Sparks
Cr B A Tasker

B LESTER
Chief Executive

15 November 2007

AGENDA

	Page
1 APOLOGIES	
OPENING PRAYER	
– Monsignor James Harrington, Holy Name Church	
2 NOTIFICATION OF EXTRAORDINARY BUSINESS	
3 CONFIRMATION OF MINUTES	
3.1 Confirmation of Minutes of the 27/09/07 Meeting of Council	1
3.2 Confirmation of Minutes of the 25/10/07 Inaugural Meeting of Council	7
3.3 Matters Arising	
4 REPORTS	
4.1 Mayor	14
4.2 Chief Executive	16
4.3 Services and Operations Committee — 1 November 2007	27
— Recommendation <i>Receive Minutes of Meeting</i>	
— Recommendation <i>Revocation of motion – road closure</i>	
4.4 Environmental Services Committee — 8 November 2007	31
— Recommendation <i>Receive Minutes of Meeting</i>	
4.5 Finance and Corporate Services Committee — 15 November 2007	Tabled
— Recommendation <i>Receive Minutes of Meeting</i>	
— Recommendation <i>Smoke Free Playgrounds</i>	
— Recommendation <i>Proposed Meeting Schedule 2008</i>	
— Recommendation <i>Capital Works Loan 2007/08</i>	
4.6 Triennial Elections 2007	35
4.7 NE Ashburton Business Park – Plan Change Decision	40
4.8 Councillors’ Remuneration	43
4.9 Road Closure – Tinwald Cycling Club	45

5 BUSINESS TRANSACTED WITH THE PUBLIC EXCLUDED

5.1 Confirmation of Minutes

47

5.1.1 Ordinary Meeting of Council – 27/09/07

- Forestry Matter Section 7(2)(h) Commercial activities
- Budget Matter Section 7(2)(h) Commercial activities
- Property Matters Section 7(2)(h) Commercial activities
- Staff Matter Section 7(2)(a) Protection of privacy of natural persons

[Now in open meeting]

- Mt Hutt land acquisition

5.1.2 Finance & Corporate Services Committee – 15/11/07

Tabled

- Property Matters Section 7(2)(h) Commercial activities

5.2 Staff Matter Section 7(2)(a) Protection of privacy of natural persons

Tabled

Timetable

1.30 pm	Ordinary Meeting Commences OPENING PRAYER
1.35 pm	Local Services Mapping Presentation
2.30 pm	Citizenship Ceremony 10 candidates will receive NZ Citizenship
3 pm	Afternoon Tea

15 November 2007

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1
DATE: 22 November 2007
REPORT TO: Council
FROM: Mayor

4.1. MAYOR'S REPORT

4.1.1 *Calendar*

Some of the meetings and functions I have attended since reporting to the last Council meeting on 27 September are as follows:

- 28 Sept Guest speaker at Business Association Breakfast meeting
Classic Hits Radio Talkback
Attended Rotary Club/Trustpower Young Achievers Judging Panel meeting
- 29 Sept Attended official opening of Selwyn District Council building
- 30 Sept Attended Mayoral Forum
- 7 Oct Attended Bands Concert in the Park
- 9 Oct Met with Mayor Michael McEvedy
Attended Ashburton Trust Charitable Foundation meeting
Attended Rotary/Trustpower Young Achiever Awards
- 10 Oct Met with Mr Bob Lynn
Attended ECan end of term function
- 11 Oct Attended RDR Directors' meeting
- 12 Oct Met with MP Tim Barnett
Met with residents at Lills Road
- 15 Oct Met with Inspector and District Commander of NZ Police
Attended Ashburton Silver Band meeting
Attended Electronic Organ Club Proms
- 16 Oct Attended RDR meeting with Terry Heiler – Sustainable Water Progress
Attended Children's Day committee meeting
Opened new Bus Bay at Fairton School
Attended Lynn Historical Woodworking Trust AGM
- 17 Oct Attended Bikewise Week committee meeting
Attended Transpower function in Christchurch
- 18 Oct Met with Mr Watson re Council flat
Attended opening of "The Shed" Bar
- 19 Oct Attended Ashburton Hearing Association 50th Birthday lunch
- 24 Oct Met with West Street neighbouring property owners (adjacent to proposed Art Gallery/Museum site)
- 26 Oct Attended Hakatere Conservation Park Opening at Lake Heron
Attended Mid-Canterbury Rugby Awards function
- 27 Oct Attended Ashburton A & P Show
Met with CEO, ECan in Ashburton
Attended Ashburton Volunteer Fire Brigade presentation function

- 28 Oct Attended Bruce McIlroy Ltd new workshop opening
- 29 Oct Attended farewell to Sergeant Manderson at Christchurch Police Station
Attended Methven Community Board Inaugural meeting
Attended Advance Ashburton meeting
Attended Rakaia Community Association monthly meeting
- 30 Oct Gave presentation at Irrigation New Zealand Conference in Ashburton
Resource Centre Trust meeting
Attended High Country Herald Launch function
- 31 Oct Attended Safer Community Council meeting
Met with representatives from Ashburton Health Services
Attended Ashburton Seniors Centre AGM
- 1 Nov Met with Mr Crouchley
Met with Ashburton Trust representatives
- 5 Nov Met with representative from Ashburton Resource Centre
Met with Safer Community Council Co-ordinator
- 6 Nov Attended Ashburton Community Water Trust meeting
Met with representative from Art Gallery Trust
- 8 Nov Attended ECan meeting at Hinds
Attended Ashburton College Year 12 Prizegiving Ceremony
- 9 Nov Attended Water Strategy meeting, Christchurch
- 11 Nov Attended Rural Fire Open Day
- 12 Nov Attended Ashburton Aquatic Park Trust Meeting
- 13 Nov Attended Water Trust meeting
- 14 Nov Attended RDR Directors meeting
Attended Mt Hutt College Prizegiving Ceremony
- 15 Nov Attended RDR SWAT Meeting at Darfield
- 20 Nov Attended Children's Day Committee meeting
Attended J P's AGM
- 21 Nov Attended Timaru District Council meeting
Attended Ashburton District Health Committee meeting
Attended Mt Somers District Citizens Association AGM

B O'MALLEY
Mayor

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/24/3
DATE: 22 November 2007
REPORT TO: Council Meeting
FROM: Chief Executive

4.2. CHIEF EXECUTIVE'S REPORT

4.2.1 *Waste Management Bill - Supplementary Order Paper*

Submissions were called for on the Supplementary Order Paper by mid-November. A copy of our submission is enclosed separately. The Supplementary Order Paper has made some changes to the Bill as sought by Council (and others), in particular the removal of requirements for:

- Waste Minimisation Authority
- Waste control authorities
- Organisational waste minimisation plans
- Public procurement policies, and organisational reporting

There are still issues on definitions. The waste levy is proposed to be retained, initially at \$10/tonne with 50% returned to local authorities. In our case this would equate to approximately \$35-\$40,000 per annum.

4.2.2 *Economic Development Fund*

The attached report prepared by Tony Marryat (Chief Executive, Christchurch City), refers to the requirement by NZTE, related to the allocation of the Regional Economic Development Funds, to have regional structure in place to prioritise applications. The allocation is around \$250,000 per annum.

The recommended structure is an attempt to meet this requirement at a minimal cost, and maintaining a level of control by the territorial local authorities who are the main funders of the economic development agencies.

It is acknowledged that the formation of such a structure will require a Statement of Proposal as a council controlled organisation.

NZTE have confirmed that the proposed structure will meet their requirements.

RECOMMENDATION

“That the following Canterbury Regional Governance structure for requirements of NZTE be agreed for consultation:

- (i) The Canterbury Regional Governance Group be established as a company wholly owned in equal share by the territorial authorities of Canterbury and Environment Canterbury (100 shares, 10 shares each).

- (ii) The membership of the Governance Group be established as follows to meet the requirement of NZTE/MED for regional cross representation.

Local Government Representatives

North Canterbury -Hurunui, Waimakariri, Kaikoura	1 representative
City - Christchurch	1 representative
Mid Canterbury - Ashburton, Selwyn	1 representative
South Canterbury — Waimate, Timaru, McKenzie	1 representative
Environment Canterbury	<u>1</u> representative
	5

Maori and Industry

Ngai Tahu	1 representative
Industry	<u>4</u> representatives

Regional Governance Group 10 representatives

- (iii) Local Government appointees be limited to Elected Members/Council staff members, or independent persons, (ie. not members of any EDA).
- (iv) The four Territory Authorities groupings each appoint one of the four industry representatives to the Group, with a view to achieving collectively a geographical and sectorial spread of skills and expertise.
- (v) The Regional Governance Group meet twice annually in accordance with the funding application round to NZTE/MED.
- (vi) The Regional Governance Group appoint the Administrative Agent to act as the interface between, NZTE/MED and fund recipients.
- (vii) The Regional Governance Group not be remunerated.
- (viii) The Statement of Proposal and consultation documents for the establishment of the CCO and exemption from normal Local Government Act reporting requirements, be prepared by the Christchurch City Council on behalf of and for adoption by each Council and that the proposal be consulted on as part of the 2008/09 Annual Plan.
- (ix) Christchurch City Council facilitate the CCO Board appointment process and the initial meeting of the CCO.
- (x) The Regional Governance Group appoint an administrative agent to provide administrative support and act as a conduit between government, EDAs and other agencies who may be applicants for RSF and EPD funds”

4.2.3 Zone 5 Meeting — 2 November 2007 — Christchurch

4.2.3.1 This meeting was attended by Cr Leadley, Cr Tasker and myself. Being the first meeting of the Zone for the triennium, the first item of business was the election of the Zone 5 Chair, and the Zone 5 representative on LGNZ National Council.

Mayor Maureen Pugh (Westland District) was elected in a contest to be Chair, and Mayor Bede O’Malley elected unopposed as the Zone 5 representative National Council.

The LGNZ report was presented (copy enclosed separately).

Some items of note:

- The Fire and Rescue Services review options paper due to Cabinet in December.

- Sustainable Water Programme of Action, expecting a National Policy Statement for consultation in early 2008.
- FAR Review. The local government position is at odds with the rates inquiry. It appears unlikely the Government will cherry pick the review. LGNZ will still be pushing for an across the board increase in the FAR rate.
- Next Step Review. Land Transport Management Amendment Act submissions expected to be considered by Christmas for passing early 2008, effective by 1 July 2008.
- Drinking Water Supply Catchments, regulations are currently being drafted for gazetting.
- There are some 50 documents out for consultation between now and the end of March.

4.2.3.2 Freedom Camping (Clutha District)

Discussion related to having a common position throughout the South Island with respect to freedom campers to protect the environment. It was agreed to undertake some joint work to bring back to the February meeting.

4.2.3.3 Ministry of Transport (John Alland)

- Discussed the future direction / philosophy for the Ministry
 - need to provide direction
 - need to provide capacity / prioritise programmes
 - need for better linkages to wider government
- With respect to environmental sustainability, the Government's policy on reduced emissions needs to be balanced against access / mobility.
- Next Steps, focus on longer term planning (up to 30 years), needing to catch up with local government.
- Government Policy Statement on trends, issues and options with respect to transport to be available in July 2008.
- Regional co-ordination / priorities to be voted on by territorial authorities and other funding agencies (but not necessarily supported by other interest groups).

4.2.3.4 Ministry for Environment (Hugh Logan)

- Encourage communication direct regarding concerns.
- Emission Trading, currently concept only. Detail to be developed.
- Energy, currently 60% renewable, target of 90%. Likely to be greater central government direction, call in powers for national interest across territorial authority boundaries.
- Move to a greater number of National Policy Statements.
- Solid waste, producer responsibility focussing on semi-hazardous products. There will be provision for container deposits but require a 'process'.
- State of Environment report due mid-December. Indications are water-declining, air-improving, waste-improving.

4.2.4 Irrigation New Zealand

The Mayor and myself presented to the public forum at the Irrigation New Zealand AGM / Conference on the Canterbury Strategic Water Study. We will arrange a presentation to Council on the process to date.

4.2.5 Civil Defence Executive Group (CEG)

The meeting on 12 November agreed to recommend the ongoing administration function be undertaken by ECan to the CDEM committee. The budget is being prepared in line with the LTCCP, indicating a 3.6% increase.

4.2.6 Corporate Challenge

Some 25 staff represented the Council at the Corporate Challenge on the evening of 7 November in Christchurch.

4.2.7 Gambling Act Review

The Select Committee were hearing submissions this week. These were not able to be completed with this Council's presentation to be made ON Wednesday 21 November.

4.2.8 Malvern Hills Society

Council has received \$4,000 reimbursement towards the costs of defending the challenge to Central Plains Water's requiring authority status.

4.2.9 SOLGM Meeting — Reefton — 9 November 2007

4.2.9.1 Next Steps — Transport

Geoff Swainson (LTNZ) gave an update on progress and issues. Mr Rouse is on a national working group working through the details. The Government Policy Statement is being prepared and will indicate the FAR level for three years, but there is no consultation on this. The GPS will refer to sources of revenue and the method of allocation. Government is to prepare a number of policy papers, possibly 5-6, and are likely to be available in the next week. Local maintenance programmes are likely to be "received" by the Regional Council.

It is proposed that wider groups specified in the Bill will be involved on the regional committees for strategies, but hoped that only funders will vote on programmes. Regional Councils cannot amend a committee programme, but can refer back.

There is debate on regional land transport v's regional transport (ie rail, sea, air). There is no definition on cultural. Clarification on these issues are sought.

The regional fuel tax is not inflation adjusted. Issues of inter-regional and intra-regional levies need to be addressed.

There is a need to balance certainty with flexibility. It is noted that a change to a three year plan can be cumbersome.

4.2.9.2 ECCA (Graham Kerr)

Graham spoke on energy audit grants and design audit. ECCA can contribute to 50% of these costs, with upper limits. I propose to follow up on these, particularly for the proposed new buildings. It is noted that the new Selwyn building only has air conditioning in the Council Chambers. The building is being occupied this week.

4.2.10 North East Business Park

With the decision now out, it is considered necessary to have a Project Team set up to oversee the development. Terms of Reference have been prepared for a project team to undertake this.

RECOMMENDATION

“That the North East Business Park Project Team be set up with the following Terms of Reference:

1. Purpose

The purpose of the work described in these Terms of Reference is to develop the Business Park that allows existing businesses to expand and new businesses to locate in the Ashburton District, providing jobs, economic prosperity and social benefits to the district.

The Business Park development is included in the Ashburton District Council’s Long Term Council Community Plan.

2. Powers

To achieve the purpose set out above, the Project Team shall undertake the following:

- (a) Apply for necessary resource consents and/or building consents, and prepare the appropriate design, planning and project supervision necessary to develop a high quality Business Park in accordance with all approved consent conditions.
- (b) Seek appropriate legal and professional services.
- (c) Establish pricing for the sale of land.
- (d) Initiate and oversee all physical construction required to complete the development.
- (e) Ensure that all statutory requirements are met, ensuring that all matters are dealt with in a professional and transparent manner.
- (f) Negotiate sales of land and land leases with any necessary conditions to ensure the purpose of the Business Park are met, with due regard to local sensitivities.

3. Delegations

The Project Team will have the following delegations:

- (a) To award contracts and approve contract payments within budgets approved by Council.
- (b) To approve unbudgeted expenditure items within the scope of the project based on the following conditions:
 - (i) there is an immediacy for the expenditure that cannot wait until the next available full Council or Council Finance Committee meeting; or the expenditure is related to an approved work and within 10% of the budgeted sum; and that the item of expenditure does not exceed \$50,000 (+ GST).
 - (ii) enter into sale and purchase agreements for sale of Business Park lots up to 5 hectares without reference to Council.
- (c) Any opportunities for leasing lots within the Business Park, or sales in excess of 5 hectares to be referred to Council.

4. Reporting

The Project Team to report to Council on a quarterly basis. In respect of items covered in 3(b), to be reported to the earliest possible full meeting of Council.

5. Project Team Membership

- (a) The Project Team shall consist of:
- the Mayor
 - the Chairman of Finance and Corporate Services Committee
 - the Operations Manager
 - the Property Manager
 - the Finance Manager
- (b) The Project Team will be chaired by the Mayor, in his absence, the Chairman of Finance and Corporate Services Committee.

6. Meetings

- (a) The Project Team shall hold such meetings at such time and places as it needs.
- (b) The meeting will be regulated as per Standing Orders as adopted by the Council.
- (c) Project Team agendas will normally be issued as publicly excluded due to the commercially sensitive nature of information contained.
- (d) The quorum of the meetings will be 3 (three), one of which must be an elected representative.
- (e) Minutes will be kept with all decisions recorded.

7. Specific Responsibilities

Specific responsibilities may be delegated by the Project Team to individual team members, limited to the delegated authority of the Project Team. More specifically:

- (a) the Property Manager shall:
- be the contact person for sales enquiries, undertake negotiations for sale of lots, subject to ratification by the Project Team and subject to Clause 3(c)
 - oversee the process for subdivision into lots, including issuing of titles and completing settlements
 - negotiations with Ontrack/Toll for relocation of the rail facilities
- (b) the Operations Manager shall:
- be responsible for the technical services for infrastructure development and subdivision consents
 - oversee documentation for physical works for approval by the Project Team
 - take responsibility for physical works related to the construction of the Business Park, reporting to the Project Team
 - liaise with Transit NZ regarding Council obligations as per the Council / Transit agreement
- (c) the Finance Manager shall:
- provide financial management services to the Project Team, ensuring all revenues and costs are accounted for through the Ashburton District Council financial system
 - provide monthly financial statements to the Project Team
 - provide a summary report to the full Council on a quarterly basis
 - ensure, by 28 February each year, the Project Team prepares a projection of revenue and expenditure for the coming 12 month period ending 30 June for Council.

8. Term of the Project Team

The term of the Project Team will be for 3 (three) years and will terminate on the date of the Triennial Local Government Election in 2010. The need or otherwise for the continuation of the Project Team will be considered at the last full Council meeting of the Triennium, at which time a recommendation will be made to the incoming Council following the election, including, if continuance is recommended, any recommended changes to the Terms of Reference or membership as the Council considers appropriate.”

B LESTER
Chief Executive

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/13/1
DATE: 22 November 2007
REPORT TO: Council Meeting
SUBJECT: Triennial Elections
FROM: Electoral Officer

4.6 TRIENNIAL ELECTIONS

The 2007 triennial elections have been conducted in accordance with the relevant legislation and the following declaration has been made:

Election Results

ELECTION OF 7 MEMBERS OF THE ASHBURTON WARD

<i>Candidates</i>	<i>Votes Received</i>
HOLMES Kelvin	5031
BEAVAN Rod	4523
LEADLEY John	4700
KILWORTH Robin Joan	4486
BURGESS Jim	4145
SPARKS Jac	3841
KINGSBURY Judy	3665
WILSON Pauline	3146
PALMER-HESKETH Fraser	1470
INFORMAL	6
NO VOTE CAST	52

ELECTION OF 3 MEMBERS OF THE EASTERN WARD

<i>Candidates</i>	<i>Votes Received</i>
BROWN Neil	1681
EVEREST Jos	1452
REVELEY Peter	1588
OPTHOOG Peter	820
INFORMAL	0
NO VOTE CAST	44

ELECTION OF 5 MEMBERS OF THE METHVEN COMMUNITY BOARD

<i>Candidates</i>	<i>Votes Received</i>
NORDQVIST Martin	401
WILSON David	395
GILPIN Hamish	390
MCMILLAN Liz	361
DEN BAARS David	333
GRAY Michael	198
INFORMAL	0
NO VOTE CAST	0

Returned Unopposed

MAYOR

O'MALLEY Bede

COUNCILLORS – WESTERN WARD

LOWE Ken

TASKER Bev

CANTERBURY REGIONAL COUNCIL

McKAY Angus

ELECTION OF 6 MEMBERS OF THE ASHBURTON LICENSING TRUST

<i>Candidates</i>		<i>Votes Received</i>
TODD	Tony	6099
LILLEY	Alister	6072
NEUMANN	Alan	6003
PATERSON	Roger	5927
BAIN	Bevan	5285
NELSON	Russell	4195
LEADLEY	Stuart	4032
ROLLESTON	Glen	2483
ARTZ	Rene	1939
JOHNSTONE	Colin R	1004
INFORMAL		124
NO VOTE CAST		145

Electoral Roll

Residential Electoral Roll

The residential electoral roll received from the Electoral Roll Centre consisted of 20,055 (2004-19,219, 2001-19,063, 1998-18,997) electors (ie people who are registered as parliamentary electors and reside in the Ashburton district). There are also nine further electors in the Timaru district who fall within the Licensing Trust boundary.

Ratepayer Electoral Roll

The ratepayer electoral roll consists of people (who reside outside the Ashburton district) who have enrolled or been nominated as an elector in respect of a property within the Ashburton district. The roll is compiled by sending a ratepayer enrolment application form to all those electors who were on the previous Ratepayer Electoral Roll and who continued to own property in the district and also by advertisement. Applications were sent to the nine electors who were still ratepayers and all confirmed their enrolment.

Enrolments were also sought by a national advertising campaign to which this Council contributed. There were three further late enrolments. The total ratepayer roll numbered 13.

Voting Papers

The number of voting papers issued to residential and ratepayer electors and the valid returns for each election was:

Election	Voting Papers Issued	Valid Return	% Returned 2007
Ashburton Ward	13036	6493	54
Eastern Ward	5031	2206	43.8
Western Ward	2988	1097	36.7
Total	20055	9796	48.8

Components

Eastern Ward

Election	Voting Papers Issued	Valid Return	% Returned 2007
DHB and Councillor	1564	580	37.1
DHB, Councillor and ALT	5031	2206	43.8

Western Ward

Election	Voting Papers Issued	Valid Return	% Returned 2007
DHB only	839	194	23.1
DHB and ALT	1180	424	35.9
DHB and MCB	969	479	49.4
Council only	18036	9178	51
ALT only	16,681	8541	51.2
DHB only	20055	8734	43.5

In 1992 there was an overall 69% return, 1995 73.7%, 1998 59%, 2001 65%, 2004 59.5% and this year 48.8%. In 1998 there were no rural councillor or mayoral issues.

The printing, bar-coding and enveloping of the voting papers was carried out by Datamail (security mail processing and laser printing company) in Petone.

The printing was carried out on 10 September 2007. The vote forms were enveloped the next day and held by Datamail until 1.00 pm Thursday 20 September, 2007, when they were handed to New Zealand Post. They were transported to Ashburton that evening and delivered over the next five days.

Locally New Zealand Post again was very cooperative, carrying out their last clearance just before 12 noon on polling day. Our contract with NZ Post was for delivery of all voting papers by Wednesday 26 September and I had no complaints of late or non-delivery. There were two instances of incorrect issues as a result of Beach Road and Grahams Road being in both urban and rural wards and there were two instances of Selwyn voters being on the Ashburton roll. These were remedied by the Special Vote process and reported to the Electoral Enrolment Centre.

The CDHB election was conducted using the STV voting system. Councillors will recall that as a result of promised (by Internal Affairs) legislation change Council was obliged to

purchase a new software system for \$20,000. This was the only option available and led to our former supplier ceasing to provide the service completely. There was a positive in being put in this position in that the new software is able to count STV votes and I opted to do that instead of simply forwarding returned votes to Electionz.com as was the case in 2004.

The STV count is more demanding than FPP and another staff member was employed for that purpose. Notwithstanding the new costs of the election software and an additional staff member there should be little impact on Council's budget with the cost being divided between ECan, CDHB, the Licensing Trust and the Council.

Also, in contrast to earlier years, the second (final) count was completed progressively by the daily staff reducing the need for extra staff to be called in for this purpose.

183 envelopes were returned "Gone No Address" etc. These were kept in alphabetical order and if a person telephoned or called in to say they had not received their voting papers the returned envelopes were checked and in a number of instances the papers could be given out, reducing the number of special votes issued. Thirty seven late voting papers were received up to 30 October.

Scrutiny

The scrutiny of the roll was conducted between 27 September and 13 October (inclusive).

Polling Day

The Council office was open until 12 noon to receive ordinary and special votes.

No scrutineers were appointed.

This election was the third conducted under the Local Electoral Act 2001 and the fourth using progressive processing.

In accord with the intention of the new legislation, Council had approved that votes could be processed during the three week period leading up to polling day.

In practice, the state of the poll - a tally of votes processed, cannot be established before 12 noon on polling day. This is managed by the election computer programme and the fact that it is in place must be certified (and was) by Council's computer support company, Independent Election Services Limited. (This service could not be provided to the required standard by our former supplier).

The count ran smoothly and all votes (except 1 special) had been counted by 12.10 pm on polling day.

The FPP vote tallying process was triggered by two passwords, one being that of supervising Justice of the Peace, Trevor Lambie, being entered into the computer. Results were instantly available and three staff proceeded to notify all candidates for contested vacancies from about 12.30 pm. The media was emailed at about 1.00 pm and Council's web site had results by 1.20 pm. The computer file containing our count of the CDHB votes was forwarded to Electionz.com at 12.45 pm.

The official count was completed on Monday 15 October and the result declared on 17 October.

General

Extended voting period

This is the third time there has been a three week voting period. There have been calls to shorten the voting period to allow more time for voting document preparation and signoff and in light of the lowering turnout figures) to encourage voters to focus over a shorter period. As with 2001 & 2004 the extra week was of no particular concern to me as Electoral Officer and actually allows more time to get delivery issues sorted and puts less pressure on the counting process. It also allows extra time for overseas votes to return.

Health

This was the third occasion in recent years that the health issue has been determined in conjunction with local body issues. The Canterbury District Health Board's Electoral Officer was Max Robertson who is also Electoral Officer for Christchurch City. I am a Deputy Electoral Officer for this election. All votes apart from those in the Ashburton District are counted by Electionz.com.

Councillors are mostly aware of my views on the CDHB election process. I have submitted extensively on this issue to the Select Committee enquiring into the 2004 elections, to the Local Government Commission, and to the Local Government NZ review of the Local Government Act and Local Electoral Act. Briefly, my concerns are

- 1) DHB voting involves STV voting and different constituencies to TA's, confuses the voters and should be run as a separate process.
- 2) The CDHB should be broken down into several constituencies. The CDHB single constituency is huge, running from Rangitata to Kaikoura. In 2004 there were 29 nominations, in 2007 there were 34. It is simply beyond belief that Ashburton voters could be expected to be informed on the merits of each of the 34 candidates who may have been from Kaikoura, Culverden or Christchurch City.

From my observations there was an increased incidence of comment from commentators and electoral officers offering much the same opinion. I have no doubt that the large constituency and the wide selection of mostly unknown candidates deterred people from voting.

STV

As mentioned above STV is quite different to FPP and it seems no matter how clear the instructions may be, a significant percentage will get the process wrong.

- 1) 1062 or 10.8% of voters who responded to other issues chose not to return their STV vote, or leave it blank.
- 2) 588 or 6.75% of voters who returned their vote simply got it wrong and their vote was wasted. This compares with the 18036 FPP papers of which just 130 were informal. (124 of those were Licensing Trust voters most of whom voted for 7 instead of 6 candidates.)

Those that voted selected an average of 5.78 candidates. Unfortunately STV is compulsory under Schedule 2 (9A) of the New Zealand Public Health and Disability Act 2000 and likely to be with us for some time to come. This disenfranchisement of at least 16% of interested voters is not conducive to democracy.

In-House processing

Ashburton was the only authority in Canterbury, Marlborough, Westland and possibly further which did not contract out the counting process.

I continue to believe it is in the best interests of the Council and community that we manage counting, tallying and information release in-house. The process takes little time out of my day, costs less and allows the Council to retain sovereignty in all aspects.

Conclusion

The Local Electoral Act worked very well, the FPP process went smoothly, the STV exercise continues to be frustrating and like the rest of New Zealand there was a significant downturn in interest in the elections. Promotion of candidacy was carried out for the first time and was moderately successful, presentations attracting 10 people to two venues.

Results were issued promptly and there were no glitches in the process.

Staff used were invaluable once again. Special thanks to Gordon Tupper who was not only fresh to his job at the Council, but also to elections and election software. He mastered a sharp learning curve with ease and assisted me greatly.

J G ROLLINSON
Electoral Officer

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: Project File
DATE: 22 November 2007
REPORT TO: Council Meeting
FROM: Environmental Services Manager
SUBJECT: Proposed Plan Change and Notice of Requirement - North East Ashburton Business Area

4.7 PROPOSED NORTH EAST ASHBURTON BUSINESS AREA

4.7.1 SUMMARY

This report refers to the decision of the Independent Hearing Commissioner, Mr Bob Batty, in regard to the North East Ashburton Business Park, for both the Business Park Plan Change and the Northpark Road / State Highway One Intersection Notice of Requirement (Designation). The full report from the Commissioner is included with the agenda, however the Outline Development Plan is not available at this time due to alterations to represent the Commissioner's recommendation. The Outline Development Plan will be circulated at a later time and before the Council meeting.

4.7.2 RECOMMENDATION

- “1. That the report be received.
2. That the Council adopts the recommendation from the Independent Hearing Commissioner in relation to proposed Plan Change N° 2 to its Operative District Plan and pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, the Ashburton District Council gives its decisions on, and its reasons for accepting or rejecting, all submissions received on Proposed Plan Change 2 to the Ashburton District Plan.
3. That the Council confirms that pursuant to Section 32 of the Resource Management Act 1991, the Ashburton District Council:
 - i has carried out an evaluation examining the matters specified in subsections 3 (a) and (b); and
 - ii is satisfied that the rules and other methods contained in Proposed Plan Change 2, as amended by its decisions on the submissions received, are the most appropriate way for achieving the objectives of the District Plan, taking into account benefits and costs and the risk of not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.
4. That pursuant to section 9 of the First Schedule and section 171(2) of the Resource Management Act 1991, that the Council recommends that its requirement for roading purposes be confirmed subject to conditions as set out in the decision of the Independent Hearing Commissioner.”

4.7.3 BACKGROUND

The Council has been investigating and assessing the development of a Business Park in the vicinity of Northpark Road, Works Road and Company Road on the North East side of the Ashburton community. The area of land involved is approximately 126 hectares and the land is entirely owned by the Council. There are complex issues relating to the possible development of this area that relate to the need to change the District Plan, provide significant infrastructure to support the proposed business activity and to fund the development to a stage where the land can be subdivided and sold for the intended use. The Council has carefully conducted a process of evaluation and consultation on issues related to the development of a Business Park in this location, including extensive consultation with stakeholders, neighbours and the wider community. Both the Plan Change and Notice of Requirement were publicly notified and submissions were received, with a hearing being conducted over 10–12 September 2007.

The recommendation now being made by the Independent Hearing Commissioner largely reflects the Council's policy position, with the following exceptions:

- The buffer area width is recommended to be increased to a minimum of 75 metres.
- The status of activities that do not comply with the Outline Development Plan, (and therefore would require resource consent), is recommended to have a 'Non Complying' status. This means that the decision maker can take into account the wider effects of a proposal subject to a Resource Consent Application, rather than be restricted to simply the matter/s of non compliance.
- The measurement of construction noise within the area subject to the roading designation has been defined differently to that proposed by the Council at the hearing, being the location of where the measurement is to be taken has been defined.

If the Council accepts the recommendations contained in this report, the following matters will become relevant:

Appeal Periods

Plan Change; 30 working days from the date of receipt of the Council decision, (clause 10A of the First Schedule of the Resource Management Act 1991). For a decision received on 30 November 2007, the appeal period will expire on 4 February 2008.

Designation; 15 working days from the date of receipt of the Council decision, (section 174 of the Resource Management Act 1991). For a decision received on 30 November 2007, the appeal period will expire on 14 January 2008.

4.7.4 OPTIONS

- a. Decide to not adopt the Notice of Requirement and / or Plan Change and re-hear these matters with the opportunity to present further evidence with the intention of amending the decision.
- b. Resolve to adopt the Plan Change and confirm the Notice of Requirement to give effect to both.

4.7.5 STATUTORY IMPLICATIONS

There are distinct statutory issues that the Council should be aware of in making a decision on this matter:

a. Local Government Act 2002

That Part 6 of the Act places considerable obligations on a Council when making decisions and prescribes the process that decisions must be made in sections 76 to 81.

b. Resource Management Act 1991

Sections 32& 73

and the First Schedule

Preparation and change of a District Plan.

Section 171

Confirmation of a Notice of Requirement to designate

4.7.6 CONSULTATION

The Development Plan that was adopted by the Council on 30 June 2005, included a Business Zone in this location; considerable publicity and some consultation commenced at this time with the immediately affected community.

Further consultation has been carried out with the immediate community, this has involved personal visits to neighbouring properties, written material and also 'Open Days' held in April / March 2005 as this project developed. A North East residents' meeting took place on 13 November 2006, where this proposal was presented. Both the Plan Change and Notice of Requirement were publicly notified and submissions were received, with a hearing being conducted over 10– 12 September 2007.

All Submitters and Statutory Parties will be formally notified of any decision made by the Council in this matter within seven calendar days of that decision.

4.7.7 STRATEGIC LINKS

The recommendations are consistent with the adopted Development Plan and the Long Term Council Community Plan.

4.7.8 FINANCIAL

Adoption of the recommendations will enable development to proceed in accordance with adopted budgets. The cost of conducting the Plan Change and Notice of Requirement process will be recovered from the applicant.

JOHN MCKENZIE

Environmental Services Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/1/5
DATE: 22 November 2007
REPORT TO: Council
FROM: Manager Democracy & Community Services
SUBJECT: Elected Members Remuneration

4.8 ELECTED MEMBERS REMUNERATION

4.8.1 BACKGROUND

Remuneration, allowances, and expenses of members of the Ashburton District Council and Methven Community Board have been set out in Schedule 2 of the Local Government Elected Members (Interim) Determination 2007.

Now that Council has confirmed its committee structure for the new triennium the Authority must be advised so that it can issue its determination for the remainder of the 2007-08 year.

The Remuneration Authority has advised that the indicative remuneration pool and Mayor's salary to apply in Ashburton District following the local body elections does not change and amounts to:

Total Remuneration Pool	293,253
Mayor's Salary	67,920

Although the Mayor's salary is set by the Authority, it is to be included within the indicative pool. Therefore, the net annual amount available for Councillors and Community Board members is \$225,333.

4.8.2 RECOMMENDATION

1. That the recommended remuneration for Councillors for the 2007 / 2008 year to 30 June 2008 for consideration by the Remuneration Authority be on a salary only basis as outlined in Model 1 and listed below:

Position	Annual Salary	No.	Total Annual Salaries
Deputy Mayor	\$23,600.45	1	\$ 23,600.45
Committee Chair	\$23,600.45	3	\$ 70,801.35
Councillor	\$15,596.82	8	\$124,774.56
Total Salaries			\$219,176.36

2. That Council adopts the remuneration basis determined by the Remuneration Authority, for the Mayor, for the 2007/2008 year to 30 June 2008.
3. That the recommended salaries for the Chair and members of the Methven Community Board for the 2007 / 2008 year to 30 June 2008, for consideration by the Remuneration Authority be as outlined in Model 1 and listed below:

Position	Annual Salary	No.	Total Annual Salaries
Community Board Chair	\$2,873.10	1	\$2,873.10
Community Board Member	\$820,89	4	\$3,283.56
Total Salaries			*\$6,156.66

*NB The total salaries figure is half of the remuneration of community board members. The other half is excluded from the indicative pool.

4. That the applicable rules for the recovery of expenses by elected members and community board members, for the 2007/2008 year to 30 June 2008, previously approved by the Remuneration Authority, be re-confirmed.”

J G ROLLINSON
Manager
Democracy & Community Services

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 5/1/8/2
DATE: 22 November 2007
REPORT TO: Council
FROM: Community Services Officer
SUBJECT: Road Closure – Tinwald Cycling

4.9. ROAD CLOSURE – TINWALD CYCLING

4.9.1 SUMMARY

To recommend the temporary closure of roads in Ashburton, for the purpose of allowing Tinwald Cycling to hold their Annual Christmas Criterium.

4.9.2 RECOMMENDATION

“That the following roads be closed to ordinary vehicular traffic from 11.30 am to 7.00 pm on Monday 31 December 2007, for the purpose of allowing Tinwald Cycling to hold a Christmas Criterium.

- EAST STREET, from Havelock Street to Wills Street
- HAVELOCK STREET, from East Street to Cass Street
- 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.”

4.9.3 BACKGROUND

Tinwald Cycling has applied for a temporary road closure, for the purpose of holding a Christmas Criterium, using the roads named above named roads.

Tinwald Cycling has been advised of the conditions of closure as follows:

1. Approval by this Committee.
 2. No objections being upheld against the closure in response to the statutory advertisement.
 3. 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.
 4. The road must be reinstated to the condition 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.
 5. 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.
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6. 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.
7. Provision of a Traffic Management Plan, conforming with the requirements of the Transit NZ Code of Practice for Temporary Traffic Management.
8. 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.
9. Tinwald Cycling is required to provide adequate safety marshals in distinctive clothing for the event.
10. 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.

4.9.4 OPTIONS

Not applicable.

4.9.5 STATUTORY IMPLICATIONS

Clause 11 of the Tenth Schedule of the Local Government Act 1974 provides –

“That Council may, subject to such conditions as it thinks fit... close any road or part of a road to all traffic (e)... for any exhibition, fair, market, concert, film making, race or other sporting event or public function.”

4.9.6 CONSULTATION

The proposed road closure has been publicly notified in the Ashburton Guardian on Wednesday, 7 November 2007 and objections called for by 4.00 pm Wednesday 21 November 2007.

4.9.7 STRATEGIC LINKS

Not applicable.

4.9.8 FINANCIAL

Not applicable.

VIKKI PRENDERGAST
Community Services Officer