



Ashburton District Council

AGENDA

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

Date: Thursday 28 June 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 D Glass
Cr K L Holmes
Cr R J Kilworth
Cr L J Leadley
Cr K W P Lowe
Cr D N Nelson
Cr P W Reveley
Cr B A Tasker
Cr M J Urquhart

B LESTER
Chief Executive

22 June 2007

AGENDA

	Page
1 APOLOGIES	
OPENING PRAYER	
– Rev Luisa Fruean – St Paul’s Church	
2 NOTIFICATION OF EXTRAORDINARY BUSINESS	
3 CONFIRMATION OF MINUTES	
3.1 Confirmation of Minutes of the 31/05/07 Meeting of Council	1
3.2 Confirmation of Minutes of the 7/06/07 Extraordinary Meeting of Council	7
3.3 Matters Arising	
4 REPORTS	
4.1 Mayor	8
4.2 Chief Executive	10
4.3 Services and Operations Committee — 7 June 2007	19
— Recommendation <i>Receive Minutes of Meeting</i>	
4.4 Environmental Services Committee — 14 June 2007	25
— Recommendation <i>Receive Minutes of Meeting</i>	
4.5 Finance and Corporate Services Committee — 21 June 2007	29
— Recommendation <i>Receive Minutes of Meeting</i>	
4.6 2007 / 08 Annual Plan and Fees and Charges	31
4.7 Amendment to 2006-2016 Ashburton District Community Plan – Definition of separately used or inhabited parts of a rating unit	33
4.8 Amendment to 2006-2016 Ashburton District Community Plan – Grant funding to Methven District Heritage Association	35
4.9 Setting of Rates for the 2007 / 08 Financial Year	37
4.10 Extension to Contract 477 – Preferred Professional Services Provider	42
4.11 Proposed New Fire Legislation – Submission	45
4.12 Review of Speed Limits – Racecourse Road, East Street and Maronan Road area	62
	Cont’d

5 BUSINESS TRANSACTED WITH THE PUBLIC EXCLUDED

5.1 Confirmation of Minutes

5.1.1 Ordinary Meeting of Council – 31/05/07

65

- Property matter – Designline Lease
[Now in open meeting] Section 7(2)(h) Commercial activities
- Proposed new fire legislation Section 7(2)(i) Conduct of negotiations
- Contract 529 – Ashburton RRP
[Now in open meeting] Section 7(2)(h) Commercial activities
- Property matters Section 7(2)(h) Commercial activities

5.1.2 Extraordinary Meeting of Council – 7/06/07

68

- Contract 524 – Roading & Footpaths
[Now in open meeting] Section 7(2)(h) Commercial activities

5.1.3 Finance & Corporate Services Committee – 21/06/07

69

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

Timetable

1.30 pm	Ordinary Meeting Commences OPENING PRAYER
2.45 pm	Afternoon Tea

22 June 2007

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1
DATE: 28 June 2007
REPORT TO: Council
FROM: Mayor

4.1. MAYOR'S REPORT

4.1.1 *Smokefree Playground*

This initiative has come about as a result of co-operation by a number of groups, led by the children of Hampstead School and Crown Public Health. This symbolic action will hopefully spread throughout our district and help to promote a more healthy lifestyle

4.1.2 *Mid-Canterbury Emergency Relief Committee AGM*

Thankfully the snow continues to mostly fall where it should - in the hills, and the Rural Relief Committee has not had to spring into action. It has been previously stated that this committee is the prototype for other regions to follow and the AGM acknowledged the support and commitment of its chair Cr John Leadley, Manager Alan Baird and his wife Sue, and the many volunteers throughout our district.

4.1.3 *Police Act Review*

While Senior Sergeant Randall Tikitiki's visit was to update the CEO and I on progress with the review of policing in our district, Inspector Dave Gaskin visited Council on 7 June, also, to update us on the proposed changes to the Police Act. I have stated before that I believe our district is understaffed when compared to Oamaru for example, and that we are further disadvantaged when you take into account the internal vacancies that have occurred this year. Ashburton's review has been underway since 12 December 2006, and the procrastination over its outcome needs to end. There is no doubt that policing today is considerably different to policing in 1958 when the current Police Act was enacted. The need for fresh legislation to better position police for the future should be obvious. What I find hard to accept is how the police headquarters can continue to disadvantage us by under-staffing our district.

4.1.4 *Rural Health Symposium*

This attracted a high calibre audience across a range of fields, but failed to come up with any short term answers for rural New Zealand. The Rural / Provincial Forum discussed the issue of rural health, particularly primary care and after hours services. There does not appear to be any great political will to make meaningful changes to hasten progress. However the "one-stop-shop" concept was acknowledged as the way forward for rural New Zealand and the intervention of the Commerce Commission in Wanaka and Alexandra is indeed puzzling.

4.1.5 *Christchurch City Council — Central Plains*

I was invited by Mayor Moore to speak to his full Council following presentations made by the Malvern Hills Protection Society and the water rights spokesperson. With the assistance of our CEO, I spoke about the benefits of irrigation to our district from the economic, social and environmental point of view.

There were views in his Council that denigrated the role of agriculture in the Canterbury economy, a fact refuted by us and borne out by the fact that 70% of New Zealand export earning comes from rural New Zealand.

Mr Lester provided an update on the New Zealand energy strategy, Canterbury water strategy, and the advantage of community schemes v's private schemes. We received a very fair hearing, in a very volatile climate, and Christchurch City Council subsequently voted 8-5 to conditionally support Central Plains.

4.1.6 Calendar

Some of the meetings and functions I have attended since reporting to the last Council meeting on 31 April are as follows:

- 28 May Attended Ashburton Community Water Trust Meeting
- 29 May Attended ACL Liaison Committee Meeting
- 31 May Attended RDR Directors' Meeting
Attended Launch of Smokefree Park at Friedlander Park
- 1 June Classic Hits Radio Talkback
Attended Emergency Relief Committee AGM
- 2 June Attended Harness Jewels Raceday at Ashburton
- 5 June Met with Senior Sergeant, Timaru Police
Met with Christchurch City Council – spoke on Central Plains
- 6 June Attended Rural Health Symposium in Christchurch
- 7 June Met with Hon Lianne Dalziel, Labour MP's and representatives from Newcomers Network
- 8 June Met with representatives from ACL, with CEO
- 10 June Attended Ashburton JP's 10th midwinter lunch
- 13 June Attended Seniors Centre Meeting
- 14/15 June Attended LGNZ Rural / Provincial Sector Meeting in Wellington, with CEO
- 18 June Met with local newsmedia
Attended Annual Art Exhibition
- 19 June Hosted a presentation to visiting students from Christchurch School of Medicine
Opened New Zealand Jersey Conference in Ashburton
- 20 June Hosted group of Thailand local government administrators at ADC
Attended Ashburton District Health Committee meeting
- 22 June Classic Hits Radio Talkback
- 23 June Attended Newcomers network mid winter function
- 25 June Met with representatives of Mid-South Canterbury Trust
Attended Ashburton Community Water Trust Meeting
Attended Advance Ashburton Trust meeting
- 26 June Attended Federated Farmers Grains Council of New Zealand function in Ashburton
- 27 June Attended the Rotary Club of Ashburton Plains tree planting project
Chaired Ashburton Civic Music Council AGM
- 28 June Met with representatives of Canterbury Water Group

B O'MALLEY
Mayor

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/3
DATE: 28 June 2007
REPORT TO: Council
FROM: Chief Executive

4.2. CHIEF EXECUTIVE'S REPORT

4.2.1 *Next Steps in the Land Transport Review (30 April 2007)*

- Led by State Services Commission. Land transport has had a number of reviews in recent years, but the review found that it is still not fully achieving.
- Multi-agency review of the land transport sector is one of the responses to the Ministerial Advisory Group on Roading Costs, 2000.
- Recommendations from the review to the Ministers of State Services, Transport and Finance.
- Recognises the complex nature of the land transport sector, and appears to be directed to more regional decision making / priority setting.
- Identifies the most urgent issues are planning and funding – no surprises here. Some recommendations include:
 - All land transport plans to be produced 3 yearly rather than annually
 - Regional councils, probably through Regional Land Transport Committee to be responsible for prioritisation of all land transport activities, including State Highways, within their RLT programmes.
 - All consultation on activities that would be funded through the National Land Transport Programme would take place at a regional level.
 - All revenue raised from Fuel Excise Duties be directed to the National Land Transport Fund (decision announced at last budget).
 - Disestablishment of LTNZ and Transit NZ, and have one new statutory Crown Entity (with LTNZ statutory roles).
 - acknowledge loss of transparency
 - perception of bias to Transit NZ
 - still retain separate Ministry of Transport
 - On Track remains separate entity
 - Suggests an 18-24 month implementation timeframe.

The current concerns regarding operation of the RLTC's is acknowledged, as well as the inadequacy of the current regional land transport strategies, particularly for prioritisation and lack of accountability.

The report also comments that:

"State Highway development being favoured by councils over other activities because State Highways are funded 100% and require no local share".

In summary, the review appears to have identified key issues, and having a greater decision making role at a regional level has merit. I have concerns about the Regional Land Transport Committee's functioning, and this Council has submitted on this previously.

The review picks up on this, however does not give details about solutions. A regional joint committee of the road controlling authorities plus the regional council, supported by an officers group may be a better option. A summary by LGNZ on transport issues in the budget is attached.

Pages 13-17

4.2.2 Rural / Provincial Forum — 14-15 July 2007 — Wellington

1. FAR Review

The current Labour Government included in their 2005 manifesto an undertaking to address the financial assistance rate issues. There was some expectation that this year's budget may include some provision for adjusting the rates. This did not eventuate. The budget allocated a further \$147 million to Transit, but no additional support for territorial authorities. There is a Central / Local Government forum this week, and this issue is on the agenda. A road forum meeting will be held in Wellington on 10 August.

2. Drinking Water Standards

The Select Committee met on 13 June. The expectation is the Bill will proceed with some amendments regarding small rural water supplies, including the recognition of domestic systems. This is despite LGNZ making it clear it considers the legislation unnecessary based on no robust cost / benefit analysis, and no causal link between Council supplied water and gastro-intestinal disease. 'All practical steps' can be met by a risk management plan.

3. Health Act 1956 Review

The review is currently being undertaken, and likely to be two years down the track. The current Act is considered to be complex, inflexible and prescriptive. The role of territorial authorities will continue, focusing on:

- roles to protect public health
- duties to abate nuisances
- duties to provide Environmental Health Officers
- discretion regarding bylaws
- sanitary works

Looking to change to 'public health risk management plans'. These could be site specific and possibly replace licensing, with 'assessors' for compliance verification.

4. Local Government Funding Review

The report back is due in August. LGNZ indicated support for the process and the panel members. As with any review, it is expected that inefficiencies in the sector will be highlighted. However, LGNZ are confident that key concerns over processes, unfunded mandates and roading costs have been recognised by the panel. It was noted that in the last 6 years:

- gross salaries are up 22.1%
- net salaries up 18.9%

Central government revenues up from this source alone has increased by 25.3%, without doing anything, and that local government increased costs have been funded from a relatively smaller disposable income.

5. MAF — On farm readiness and recovery plan for adverse climatic events and natural disasters

Following the recent flooding events in the North Island, MAF has undertaken a review of central government's role in assisting with initial response and recovery processes. A brochure has been produced for guidance. They are developing rural trust capability in each region as part of the recovery programme. The support is based on small, medium and large scale events, however it is accepted that there are grey areas between these categories, and that events can progress through these scales. This will need some flexibility, for example early aerial reconnaissance.

4.2.3 Gambling Act

Work is being undertaken with LGNZ staff to progress changes to the Gambling Act to provide more flexibility to implement Council policy with respect to transferability and an expiry or review provision to enable changes or concerns regarding operations / location to be addressed. Another consideration is to extend the review period from 3 years to up to 5 years.

4.2.4 Medical Students — University of Otago

We hosted the visit of nine medical students on 19 July. This is the annual visit to understand local government functions, and our role in public health.

4.2.5 Central / Local Government Officials Visit — Thailand

On 20 July we hosted a brief visit by 36 officials from Thailand.

4.2.6 Art Acquisition

The Council's Arts Purchase Sub-committee acquired a painting by Rosie Thomas from the Ashburton Society of Arts Annual Exhibition.

B LESTER
Chief Executive

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/8/1
DATE: 28 June 2007
REPORT TO: Council
FROM: Community Consultation Manager
SUBJECT: Adoption of 2007/ 08 Annual Plan

4.6 2007/ 08 ANNUAL PLAN

4.6.1 SUMMARY

The purpose of this report is to recommend that the Ashburton District Council Annual Plan 2007/ 08 be adopted by Council.

4.6.2 RECOMMENDATION

“1. That Council adopts the Ashburton District Council Annual Plan 2007/ 08 as attached; and
2. That Council adopts the fees and charges for the 2007/ 08 financial year as described in the Ashburton District Council Annual Plan 2007/ 08.”

4.6.3 BACKGROUND

The Ashburton District Council Annual Plan 2007/ 08 has been developed based on year two of Council’s Long Term Community Plan 2006-2016. Any significant variances from the Community Plan have been explained and the Annual Plan 2007/ 08 meets the requirements of the Local Government Act 2002.

Consultation on the Annual Plan 2007/ 08 was undertaken from 16 April – 18 May 2007 and met the requirements of the special consultative procedure required by sections 83 and 85 of the Local Government 2002. Two hundred and one submissions to the Annual Plan were received, and Council considered all submissions during May and June 2007, which resulted in several changes being made to the final Annual Plan 2007/ 08 document.

4.6.4 OPTIONS

The Council’s available options were considered as part of the consideration of submissions.

4.6.5 STATUTORY IMPLICATIONS

The Council is required to adopt an Annual Plan for the 2007/ 08 year before the beginning of the coming financial year, 1 July 2007.

4.6.6 CONSULTATION

Consultation on the Annual Plan 2007/ 08 has been undertaken which included public meetings, advertisements and submission hearings. The consultation process used has met the requirements of sections 83 and 85 of the Local Government Act 2002.

4.6.7 STRATEGIC LINKS

The Annual Plan 2007/ 08 covers year two of Council's Long Term Community Plan 2006-2016, and includes detailed and final budget information and fees and charges schedule for the 2007/ 08 financial year. The Annual Plan also gives explanations for any significant variances to the information provided in the Community Plan 2007/ 08.

4.6.8 FINANCIAL

Revised and up to date financial and rating information is included in the Annual Plan 2007/ 08.

GAVIN THOMAS
Community Consultation Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/8/1
DATE: 28 June 2007
REPORT TO: Council
FROM: Community Consultation Manager
SUBJECT: Adoption of Amendment to LTCCP – Definition of “Separately Used or Inhabited Parts of a Rating Unit”

4.7 AMENDMENT TO ASHBURTON DISTRICT COMMUNITY PLAN 2006-2016 – DEFINITION OF “SEPARATELY USED OR INHABITED PARTS OF A RATING UNIT”

4.7.1 SUMMARY

The purpose of this report is to recommend that Council adopt the amendment to the Ashburton District Community Plan 2006-2016 as detailed in this report.

4.7.2 RECOMMENDATION

“That the Council adopts the amendment to the Ashburton District Community Plan 2006-2016 as attached.”

4.7.3 BACKGROUND

An amendment to the Local Government Act 2002 has introduced a requirement for Councils’ Long Term Council Community Plans to include the definition the Council uses for “Separately used or inhabited parts of a rating unit” - Schedule 10 section 13 (c) (ii) (B).

It is the view of Audit New Zealand that the requirement to include the information required under this amendment is triggered by Council making any amendment to Council’s adopted Long Term Plan.

Consultation on the proposed amendment was undertaken from 16 April – 18 May 2007 and met the requirements of the special consultative procedure required by sections 83 and 84 of the Local Government 2002. 1 submission to the amendment was received, as part of a larger submission, which supported the proposed amendment.

Council officers reviewed the proposed amendment and have considered the wording should be changed to clearly convey that business rating units are intended to be included in the definition.

The recommended revised wording is:

“Where targeted rates and/or a uniform annual general charge is to be levied on each separately used or inhabited part of a rating unit, the following definition will apply:

Business Rating Unit - Includes a building or part of a building that is, or is intended to be, separately tenanted, leased or subleased for commercial purposes.

Residential Rating Unit – Includes a building or part of a building that is, or is intended to be, or is able to be used as, an independent residence by any person(s) other than the ratepayer or member of the ratepayers household, including apartments, flats, semi-detached or detached houses, units, town houses and baches.

This definition reflects the Council's previous practice."

4.7.4 OPTIONS

1. Adopt the amendment as originally drafted.
2. Adopt the amendment as detailed in this report.

It is recommended that Council adopt Option 2.

4.7.5 STATUTORY IMPLICATIONS

Council is required to adopt an amendment that meets the requirements of Schedule 10 section 13 (c) (ii) (B) if it makes any other amendment to the Community Plan 2006-2016.

4.7.6 CONSULTATION

Consultation on the amendment has been undertaken that meets the requirements of sections 83 and 84 of the Local Government Act 2002.

4.7.7 STRATEGIC LINKS

Not applicable.

4.7.8 FINANCIAL

Not applicable.

GAVIN THOMAS
Community Consultation Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/8/1
DATE: 28 June 2007
REPORT TO: Council
FROM: Community Consultation Manager
SUBJECT: Adoption of Amendment to LTCCP – Provide Grant Funding to Methven District Heritage Association”

4.8 AMENDMENT TO ASHBURTON DISTRICT COMMUNITY PLAN 2006-2016 – PROVIDE GRANT FUNDING TO METHVEN DISTRICT HERITAGE ASSOCIATION AND ALLOW REDEVELOPMENT OF STRATEGIC ASSET – MT HUTT MEMORIAL HALL

4.8.1 SUMMARY

The purpose of this report is to recommend that Council adopt the amendment to the Ashburton District Community Plan 2006-2016 as detailed in this report.

4.8.2 RECOMMENDATION

“That the Council adopts the amendment to the Ashburton District Community Plan 2006-2016 as attached.”

4.8.3 BACKGROUND

Council received a submission from the Methven District Heritage Association to Council’s Long Term Community Plan 2006-2016, requesting \$750,000 grant funding towards a project to establish a New Zealand Grain and Snow Centre to be located on the Mt. Hutt Memorial Hall site in Methven. Council agreed to undertake further consultation on this project as required under the Local Government Act 2002.

Any decision regarding this request for funding was required to be made through an amendment to Council’s Long Term Community Plan 2006-2016 because:

- the Mt Hutt Hall is listed as a strategic asset in council’s Policy on Significance
- the funding was not included in the draft Community Plan

A statement of proposal to amend the Ashburton District Long Term Community Plan 2006-2016 to provide the funding and to allow the site to be significantly altered was prepared and audited by Audit New Zealand as required under sections 93, 94 and 97 of the Local Government Act 2002.

The consultation process was undertaken in conjunction with consultation for Council’s Annual Plan 2007/ 08 from 16 April – 18 May 2007 and met the requirements of sections 83 and 84 of the Local Government Act 2002. Council received 35 submissions to the proposed amendment, the majority of which supported the proposal.

Council considered all submissions and available options regarding the proposal and decided to proceed with the proposal to grant the Methven District Heritage Association \$750,000 for its project and to allow the Mt. Hutt Memorial Hall to be significantly altered to create the NZ Grain and Snow Centre.

Council also decide to make a minor change to the proposed funding mechanism. The original proposal had the full \$750,000 coming from Council's Dividend Account. Council thought that as the project was creating a significantly upgraded community facility, that some funding should come from Reserve Contributions account. The funding mechanisms decided on are \$500,000 from the Dividend Account and \$250,000 from the Reserve Contributions account.

The attached amendment to the Ashburton District Long Term Community Plan 2006-2016 includes this change but is otherwise as was made available to the community through the consultation process.

4.8.4 OPTIONS

1. Adopt the amendment as originally drafted.
2. Adopt the amendment as attached with this report.
3. Not adopt the proposed amendment.

It is recommended that Council adopt option 2.

4.8.5 STATUTORY IMPLICATIONS

The proposed amendment as attached with this report meets all legislative requirements.

4.8.6 CONSULTATION

Consultation on the amendment has been undertaken that meets the requirements of sections 83 and 84 of the Local Government Act 2002.

4.8.7 STRATEGIC LINKS

As contained in report to Council 7 December 2006.

4.8.8 FINANCIAL

\$500,000 from Council's Dividend Account and \$250,000 from Council's Reserve Contributions Account in the 2008/ 09 financial year.

GAVIN THOMAS
Community Consultation Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 3/13/1
DATE: 28 June 2007
REPORT TO: Council
FROM: Community Consultation Manager
SUBJECT: Setting of Rates for the 2007 / 08 Financial Year

4.9 SETTING OF RATES FOR THE 2007/ 08 FINANCIAL YEAR

RECOMMENDATION

“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 2007 and ending on 30 June 2008.

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 \$100.70 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 0.000359 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 \$0.000577 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
Ashburton	\$289.00	\$144.50
Methven	\$282.00	\$141.00
Rakaia	\$341.00	\$170.50
Fairton	\$472.00	\$236.00
Hakatere	\$780.00	\$390.00
Hinds	\$520.00	\$260.00
Mayfield	\$683.00	\$341.50
Chertsey	\$362.00	\$181.00
Mt Somers	\$501.00	\$250.50
Dromore	\$1,564.00	\$782.00
Winchmore	\$1,394.00	\$697.00
Lake Hood	\$494.00	\$247.00

In addition to the above targeted rates, a targeted rate for water supply, set under section 19, of 55 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.

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	\$333.00	\$166.50
Methven	\$210.00	\$105.00
Rakaia Maintenance Rate	\$288.00	\$144.00
Rakaia Loan Rate	\$354.00	\$177.00

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	\$111.00
Methven	\$70.00
Rakaia Maintenance Rate	\$96.00

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	\$32.00
Ashburton Inner Central Business Area	\$64.00
Methven	\$41.00
Rakaia	\$24.00
Hinds	\$39.00
Mayfield	\$81.00
Mt Somers	\$47.00
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 \$8.00 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

0.000209 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

0.000493 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

0.000219 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

0.001949 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

Ashburton Residential Amenity Rate

0.000414 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

0.002351 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

0.000253 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

0.000820 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

0.000285 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

0.001702 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

0.000955 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

0.000055 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

0.000080 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 0.000092 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 \$12.10 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 \$433.60 per rating unit within or connected to the Montalto stockwater scheme, and \$14.40 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 \$440.00 on all rating units connected to the Methven/Springfield stockwater scheme.

A targeted rate under section 19 of \$36.90 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) \$37.80 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 24.0 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 \$47.00 for each pond service, pipe service, ram service, pump service, water wheel or windmill, and
- d) the sum of \$23.50 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 2007
- 20 October 2007
- 20 December 2007
- 20 February 2008
- 20 April 2008
- 20 June 2008

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 2007 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 2007, if unpaid as at 31st August 2007."

PAUL BRAKE
Finance Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: C477
DATE: 28 June 2007
REPORT TO: Council
FROM: Water Services Manager
SUBJECT: Water Services Department Preferred Professional Services Provider –
12 Month Extension to Contract 477

4.10 WATER SERVICES DEPARTMENT PREFERRED PROFESSIONAL SERVICES PROVIDER – 12 MONTH EXTENSION TO CONTRACT 477

4.10.1 SUMMARY

In July / August 2005 Council approved departing from the Delegations Register and entering into a preferred service provider relationship with Opus International Consultants Limited. This was to be a contract with a maximum duration of 5 years but subject to renewal on a year by year basis.

The first year of the contract expired 30 June 2006. At that time Council approved extending the contract for a further 12 month period. That extension (second year) expires 30 June 2007.

The purpose of this report is to seek Council approval to extend the contract for the 12 month period; 1 July 2007 to 30 June 2008 (ie a third year).

4.10.2 RECOMMENDATION

<p>“That Contract 477 with Opus International Consultants Limited is extended for a further 12 month period; 1 July 2007 to 30 June 2008, subject to the negotiation of a satisfactory contract price.”</p>

4.10.3 BACKGROUND

The Water Services Department within the Operations Group is responsible for the investigation, design and construction of a large number of capital, cyclic renewal, and upgrading projects. Previously these have been tendered or quoted as individual projects or “packages” of projects by a number of service providers.

We have established a good working relationship with Opus International Consultants Limited. Opus has been involved in all of our earlier water supply upgrades, the preparation of water and sanitary services assessments and cyclic renewal projects. As a consequence of this work, in July / August 2005, Council approved departing from the Delegations Register and entering into a preferred service provider relationship with Opus. This was to be a contract with a maximum duration of 5 years renewable on a 1+1+1+1 basis.

The first period of the contract commenced 12 September 2005 and expired on 30 June 2006. Approval was given in June 2006 to negotiate a further 12 months from 1 July 2006 to 30 June 2007 (Year 2). This report seeks approval to extend the contract for another 12 month period from 1 July 2007 to 30 June 2008 (Year 3).

It is considered there are a number of reasons why the preferred service relationship should be continued for a further 12 month period.

1. Opus has adopted a very **open and honest** stance in their capacity of preferred service provider. This stance has resulted in a sharing of risk between Opus and Council which in turn has resulted in competitive pricing of additional items of work throughout the year.
2. The next benefit is **responsiveness**. From time to time, there is a need to get work completed to short timeframes. The most recent example was preparing an application for funding through the Ministry of Health's capital assistance programme for the Rakaia water supply upgrade. Not only did this require preparation of the necessary application documentation but also preparation and approval of a Public Health Risk Management Plan (PHRMP).
3. Opus is a **multi-disciplinary consultancy** firm which means that Council has access to a wide range of technical expertise that may not otherwise be available from other consultancy firms. Note:- It is no surprise that the Ministry of Health have selected Opus to act as advisor to their Drinking Water Technical Assistance Programme.
4. Opus continues to **drive initiatives** which have improved the management of the works programmes, raised the level of service and yielded cost savings in the process. The main improvements have been in the area of the new and replacement pipeline works. These improvements include:
 - (a) Bringing forward the survey, site investigation and engineering design to allow tendering of physical works contracts as early as possible in the construction season.
 - (b) Undertaking all engineering survey to NZMG coordinates. This will allow final "As-builts" to be imported directly into Council's GIS streamlining the data capture process.
 - (c) The management of pipeline condition information through pipe sampling and CCTV which is proposed to be done incrementally through the year then summarised in a single comprehensive reports at the end of the year.
 - (d) Development of forward programmes in accordance with the AMPs. This will take into account information obtained through their improved knowledge of our infrastructural assets.

It is believed that the continuation of the Opus preferred service provider relationship is an essential input toward meeting the water services department's 2007/08 programme targets.

4.10.4 OPTIONS

The Council has two options:

Option One – Extend Contract to 30 June 2008

This will involve the contract being renegotiated for the period 1 July 2007 to 30 June 2008. If a satisfactory price cannot be negotiated then the services will be competitively tendered in accordance with the Delegations Register.

Option Two – Do Not Extend Contract

If this option is selected, the services will be competitively tendered on a project by project basis in accordance with the Delegations Register.

Given the scale of the 2007/08 programme, this option (if selected) may impact on the completion dates of some projects.

The recommended option is **Option One**.

4.10.5 STATUTORY IMPLICATIONS

There are no specific statutory implications arising from approving the recommendations in this report. The Council previously approved departing from the Delegations Register to enter into Contract 477.

4.10.6 CONSULTATION

There has been no specific community consultation carried out regarding the options or recommendations contained in this report.

4.10.7 STRATEGIC LINKS

Approving the recommendations is consistent with Council's Long Term Council Community Plan and the Development Strategy.

4.10.8 FINANCIAL

There are no financial implications arising from approving the recommendations. Any issues resulting in departures from approved budget provisions will be the subject of standalone reports to the Services and Operations Committee in accordance with Councils Delegations Register.

Under the preferred service provider arrangement, Council enjoys a 12.5% discount on the professional fees that would otherwise be applied to competitively tendered contracts.

A R GUTHRIE
Water Services Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 5/10/3/13
DATE: 28 June 2007
REPORT TO: Council
FROM: Operations Manager
SUBJECT: Proposed New Fire legislation

4.11. PROPOSED NEW FIRE LEGISLATION SUBMISSION

4.11.1 SUMMARY

A document entitled “New Fire Legislation – a framework for New Zealand’s Fire and Rescue Services and their funding“ has been released for comment. The stated intention of the proposed legislation is to achieve better integration and coordination of fire services both urban and rural and public and private providers.

The purpose of this report is to seek Council’s approval of the submission to the new Fire Legislation document. Submissions close on 30 June 2007.

4.7.2 RECOMMENDATION

“That Council approves the submission to the document entitled New Fire Legislation – a framework for New Zealand’s Fire and Rescue Services and their funding.”
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4.7.3 BACKGROUND

The document entitled “New Fire Legislation – a framework for New Zealand’s fire and rescue services and their funding has been released for comment.

Throughout New Zealand local communities provide voluntary brigades and voluntary fire forces for fire and rescue services. Fire and rescue resources are made up of a mixture of paid and volunteer personnel.

The draft document outlines proposed legislation to meet the above through:

- A comprehensive fire management system
- A clear mandate for rescue functions
- Legal protection for fire and rescue workers
- The establishment of minimum national standards
- More equitable funding arrangements

It is intended that any changes resulting from the new legislation will acknowledge the contribution made by volunteers.

The proposal also states the importance of the community base and will seek to strengthen it through the creation of working partnerships between communities and fire and rescue services.

Core to the proposal is a national organisation with overall responsibility for the delivery of fire services throughout New Zealand and that would provide an important first response to many rescues. It would undertake the leadership and coordination of other service providers.

The national service would build on and increasingly utilise strong links with Civil Defence and Emergency Management and would support the training and development of all volunteers as well as its paid staff.

Responsibility for the management of vegetation fires would evolve to meet the needs of local communities and the country as a whole. Fire authorities of which the Ashburton District Council is one, that want, and are able to continue with their present functions could do so. However, a fire authority would be able to pass its responsibilities to the national service. In the long term this could result in a transition to a largely or fully unified system. The document presents two key items for consideration:

- A proposal for a new framework for fire and rescue services;
- A funding system to pay for a large proportion of these services.

It is proposed that the existing legislation be repealed. The new Act would establish the new fire and rescue service. Existing Rural Fire Authorities would continue with responsibilities for vegetation fire risk management only, unless they wished to end this involvement.

A number of funding options have been considered. The option proposed in the framework document is a modified version of the existing insurance based scheme.

Council currently carries out the following fire fighting activities:

1. Vegetation fire suppression.
2. Structure fires – defensive control until the arrival of the fire services who then assume control of the incident.
3. Motor vehicle fires – as for 2 above. These fires can result in vegetation fires.
4. Motor vehicle accidents – as for 2 above.

Note: even though our volunteer units carry out all of the above Council only has legislative responsibility and protection for the suppression of vegetation fires as in 1 above.

Council's rural fire activities are currently funded 80% from the rural amenity rate and 20% from the general rate.

Total funding is a combination of rates and subsidies from the NRFA for some equipment and reimbursement of fire suppression costs for incidents where the cost of suppression is greater than \$1,000.

Council is also entitled to recover fire suppression costs from the person or persons responsible for a fire. The cost of the Principal Rural Fire Officer is funded from rates.

At the 31 May meeting of Council, Council considered a report entitled proposed New Fire Legislation – submission preparation and Council resolved the following:

- “1. Approves the preparation and lodging of a submission on the document entitled *New Fire Legislation – a framework for New Zealand's Fire and Rescue services and their funding; and*
2. *That Council supports the general direction of the proposed new legislation.*”

We have reviewed the “new legislation” document and have prepared a draft submission. A number of concerns with the proposed changes have been identified and are summarised below.

1. There is no clear analysis of current services, systems, issues with the current systems and whether these issues will be addressed by the proposed new fire and rescue services.
2. While acknowledging current legislation and funding anomalies, the current systems/services appear to be working well in Canterbury.

It is acknowledged that this may not be the case in other areas. The proposed legislation must be flexible enough to maintain and support areas that are working well.

3. There is no robust cost benefit analysis to support the proposed changes.

4. There is a risk of losing experienced fire fighters and fire managers that have given many years of service. The proposed legislation must be sensitive to this. Experience based training must be recognised and valued.
5. It is not clear that existing levels of service currently being provided will be maintained. Many local communities have established with council/fire authority support, volunteer units/subunits using their own initiative and funds. Will these be maintained and supported financially and non-financially by the new fire and rescue services (FRS)?
6. There is no timetable indicated in the proposed legislation. This must be established sooner rather than later to allow appropriate management and planning.
7. There is no indication of how assets will be transferred to the FRS. Some communities have raised funds for subunits, how will these assets be dealt with and what will happen if these subunits are not retained by the FRS.
8. How fires will be dealt with in the high country is not adequately considered. There is a concern that there may be a significant time requirement to obtain the required equipment both for high country and rural fires.
9. There needs to be consultation by the Department of Internal Affairs with the volunteer rural fire forces.
10. Fire is used as a significant land management tool. Local input into this plus how fire related administration activities will be managed is of concern.
11. The legislation should focus on “outputs” rather than “inputs” and who actually provides the service.
12. Council would like to see any new legislation have a “national” focus rather than an “urban” focus.
13. There must be provision for the full funding of approved fire authorities if they retain responsibility for vegetation fire suppression.
14. There must be a further round of consultation to include consideration of the information requested in this submission before any new legislation is drafted.
15. As soon as any new legislation is enacted, if Council retains responsibility for vegetation fires it will have no authority or protection to attend structure fires. As written, the document requires that unless the individual fire forces have a level of service agreement with the FRS they will not be able to attend to structure fires and other emergencies.

Given there may be training requirements that cannot be met by the fire force and becoming a part to any agreement, there may be a need for the FRS to have a presence in the rural area of the district. This will result in duplication of effort, considerable additional costs and response time delays.

New legislation must be flexible enough to allow high performing fire forces to continue operating with a gradual transition over an extended period of time to meet any new requirements.

It should be noted that while Council supports the general direction of the new legislation, no decision has been made regarding Councils future involvement as a fire authority.

This will be the subject of public consultation and will be influenced by the response to this submission.

Council requirements with respect to this are as follows:

The Local Government Act 2002

S77 requires:

- Identification of all reasonable/practicable options
- Identification of the benefits and costs of each option in terms of social, economic, environmental and cultural well being
- The promotion of community outcomes
- Consideration of the impacts on statutory responsibilities
- Consideration of any other relevant matters

S88 requires:

- Council to use the special consultative procedure in relation to change of mode of delivery of a significant activity.

Specific comments on clauses in the document have also been made. A copy of the full submission is attached

Pages 50-61

Submissions on the framework document close on 30 June 2007.

4.11.4 OPTIONS

Option 1: approve the draft submission. This submission has been prepared with input from our volunteer fire forces at a meeting on Wednesday 13 June and was considered by the Emergency Management Subcommittee on Thursday 21 June.

Option 2: amend the draft submission.

Option 3: do not lodge a submission.

The recommended option is Option 1: approve the draft submission.

4.11.5 STATUTORY IMPLICATIONS

There are no statutory implications arising from the lodging of the submission. If Council wishes to or is required to change the mode of delivery of a significant activity, then Section 88 of the Local Government Act applies.

Section 88 requires the following:

The Local Government Act, Section 88 – Use of special consultative procedures in relation to change of mode of delivery of significant activity states the following:

(1) A local authority must use the special consultative procedure in relation to any proposal for an alteration (of the kind described in subsection (2)) in the mode by which a significant activity is undertaken by or on behalf of the local authority.

(2) The kind of alteration to which subsection (1) refers is an alternation that involves –

(a) a change from delivery of the activity by the local authority itself to delivery of the activity by a council controlled organisation in which the local authority is a shareholder; or

(b) a change from delivery of the activity by the local authority itself to delivery of the activity by another organisation or person; or

(c) a change from delivery of the activity by a council controlled organisation in which the local authority is a shareholder to delivery of the activity by another organisation or person.

(3) This section does not apply if –

(a) the proposed decision on the proposal is explicitly provided for in the council's long term council community plan; and

statement of proposal referred to in section 83(1)(a) is –

(a) a detailed statement of the proposal; and

(b) a statement of the reasons for the proposal; and

(c) an analysis of the reasonably practicable options, including the proposal, identified under section 77(1); and

(d) any other information that the local authority identifies as relevant.

4.11.6 CONSULTATION

A draft submission was considered and discussed at a meeting with our volunteer fire forces on 13 June 2007. Feedback from the meeting was added to the draft. The revised draft along with additional information provided by our rural fire forces was then considered by the Emergency Management Subcommittee on Thursday 21 June.

The Subcommittee resolved the following:

“That Council approves the submission to the document entitled New Fire Legislation – a framework for New Zealand’s Fire and Rescue Services and their funding”

Nelson/Lowe

Carried

There has been no consultation with the wider community regarding the submission.

If there is to be any change to how Council carries out rural fire activities or levels of service, it will be necessary to consult with the wider community in accordance with the Local Government Act.

4.11.7 STRATEGIC LINKS

The recommendations in the report are focused on the future strategic direction of the fire fighting services in the Ashburton district. The content of our submission is consistent with working to achieve the community outcomes in the LTCCP.

4.11.8 FINANCIAL

There is no robust financial or business case in support of the proposed changes in the framework document. At this stage it is difficult to quantify or determine if there will be any financial implications for Council. Through the submission process, we will be seeking further information regarding the financial implications of the proposed changes on local communities, eg transfer of assets and the cost of local community involvement in vegetation fire suppression.

There are no financial implications arising from the preparation of this submission.

ROB ROUSE
Operations Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 5/1/8/12
DATE: 22/6/2007
REPORT TO: Council meeting 28 June 2007.
FROM: Roading and Street Services Manager
SUBJECT: Review of speed limits, Racecourse Rd and East St

4.12 REVIEW OF SPEED LIMITS, RACECOURSE RD AND EAST ST AND MARONAN RD AREA

4.12.1 SUMMARY

With the changes to the East Street / West Street intersection at the north east end of Ashburton, it has become necessary to review the speed limits applicable on Racecourse Road and East Street to bring the speed limits in line with new speed limits applicable on West Street (SH1 urban) and Rakaia Highway (SH1 rural). These proposed changes will require amendment of the Ashburton District Council Speed Limits Bylaw 2005. In terms of the Local Government Act 2002, Bylaw changes are required to be processed through Special Consultative Procedures.

4.12.2 RECOMMENDATION

“That the special consultative procedure be commenced to amend the Ashburton District Council Speed Limit Bylaw 2005 with the following changes to the bylaw.

1. The speed limit on Racecourse Road, from the intersection with West Street to a location 160 m north-west of the intersection of Belt Road, is changed from 70 kph to 50 kilometres per hour.
2. The speed limit on East Street, north east of the present 50/70 speed change point through to the Seafield Road intersection, is changed to 50 kilometres per hour.
3. The speed limit on Bremners Road, for the first 40 m to the north east from the Seafield Road intersection, is changed to 50 kilometres per hour.
4. The speed limit for the first 144 metres of Seafield Road, from East Street intersection, is changed to 50 kilometres per hour
5. The 70 kilometres per hour speed limit on Hendersons Road be extended south east to a point 500 m south east of the Maronan Road intersection.”

4.12.3 BACKGROUND

The upgrade of the East St / West St intersection at the north east end of Ashburton requires a review of the speed limits applicable in this area. Previously the speed limit at the former intersection was 70 kph, with the change points for the 50/70 change being south east of the intersection. Part of the change that Transit NZ has carried out on the new intersection design has been to remove the 70 kph zone and move the 50/100 speed change to the location of the new threshold opposite the information kiosk north east of Ashburton.

The speed assessments on the following roads have been carried out and the outcomes from this review are as follows:

Racecourse Rd	Change present 70 kph speed limit to 50 kph speed limit from West St (SH 1) to the seal narrowing 160 m north west of Belt Rd. Speed limit further north west of this point to remain unchanged (70 kph).
East St	Change existing 70 kph speed zone at the north east end of East St to 50 kph zone out to Seafield Rd
Bremners Rd	Change the first 40 m from Seafield Rd intersection from 70 kph to 50 kph
Bremners Rd	From new location to current 70 kph sign near Glassworks Rd to remain at 70 kph
Seafield Rd	Change the first 144 m of Seafield Rd from East St intersection to 50 kph so the intersection and approaches are all at 50 kph. Balance of Seafield Rd to beyond Bridge St to stay at 70 kph.
Maronan Rd	Currently set at 70 kph for first 900 m. No change recommended.
Henderson Rd	The first 500 m south of the Maronan Rd intersection to be changed to 70 kph from 100 kph.
Shearman St	Speed limit is 70 kph. No change recommended
Melcombe St	Speed limit from Maronan Rd to Bryant St is 70 kph. No change recommended.
Hassal St	Speed limit is 70 kph for first 500 m from SH 1. No change recommended.

The assessments carried out recognised that in a lot of the areas considered, there were development changes going on, but apart from the change outlined above, the development did not warrant further changes than those recommended above. It is proposed that these areas will all be reviewed again in 2 years time.

4.12.4 OPTIONS

The options available to Council are

- 1 To adopt the speed limit changes as recommended above in total
- 2 To adopt part of the changes
- 3 To leave speed limits unchanged

The first option is the preferred option. The change by Transit NZ Ltd on SH1 requires that speed limits on adjacent roads be compatible, and to achieve this, changes are required as recommended. The development on Hendersons Road with industrial activity both sides of the road means that 100 km/h speed limits along the first 500 m increases the risk of vehicle crashes, especially with the increased number of vehicles crossing Hendersons Road at several point along this length.

4.12.5 STATUTORY IMPLICATIONS

Section 156 of the Local Government Act 2002, states that a local authority must use the special consultative procedure, as modified by section 86, in amending a bylaw under the Act. As the recommendation in the report will result in an amendment of the Speed Limits Bylaw 2005, the special consultative procedure in the Local Government Act 2002 must be complied with.

4.12.6 CONSULTATION

Under the Local Government Act 2002, the Council must use special consultative procedure to amend a bylaw.

4.12.7 STRATEGIC LINKS

The recommendation in the report is consistent with the LTCCP.

4.12.8 FINANCIAL

The costs to carry out this bylaw amendment and road sign changes will be met from within existing road maintenance budgets. There are no financial implications arising from the recommendations in the report.

DAVID ROBERTSON
Roading and Street Services Manager