



# Ashburton District Council

## AGENDA

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

**Date:** Thursday 12 April 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

5 April 2007

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# AGENDA

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• Staff Matters	Section 7(2)(a) Protection of privacy of natural persons
• Economic Development	Section 7(2)(h) Commercial activities
• Property Matter	Section 7(2)(h) Commercial activities

[Now in open Meeting]

- Canterbury Waste Services Submission to Commerce Commission
- Occupancy of Worked Out Gravel Pits

**5.1.2 Services and Operations Committee – 15/03/07**

**35**

- Utility Operation & Maintenance Contract Section 7(2)(h) Commercial activities
- Contract 403 – Ashburton RRP Section 7(2)(h) Commercial activities

**5.1.3 Finance & Corporate Services Committee – 29/03/07**

**36**

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

**Timetable**

**1.30 pm Ordinary Meeting Commences**  
**OPENING PRAYER**

**2.45 pm Afternoon Tea**

5 April 2007

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1  
DATE: 12 April 2007  
REPORT TO: Council  
FROM: Mayor

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### **4.1. MAYOR'S REPORT**

#### **4.1.1 *Ashburton Performing Arts Theatre***

After years of planning and fundraising, construction has now commenced on this long awaited facility. While there is still more fundraising to take place, and hopefully Central Government has a role to play here, the significance of the Trust's achievement is already evident with the announcement of the Theatre hosting the premier of the Charles Upham movie and National Young Farmer of the Year competition.

#### **4.1.2 *Charles Upham – "Mark of the Lion"***

The Chief Executive and I have been in negotiations with executives of Fat & Thin Productions for some six months, following an introduction by our MP, Brian Connell. The making of this movie will present many fantastic opportunities to not only showcase our district, but to also further boost our economy in a number of ways. Securing Ashburton as a South Island base for this movie also means we will participate in the Company's next movie which has a budget five times that of "Mark of the Lion".

#### **4.1.3 *Volunteers***

The past month has seen Mid Canterbury sport honour volunteers from the many sports associations and the attending by the Minerals to Arts Festival representatives at the national finals of the Trustpower Community Awards in Taupo. A shadow was cast over this latter event as Jo Acland, co-founder of the Festival wasn't able to join Daphne Syme and Jan Crozier because of deteriorating health. Jo has since passed away and after listening to the tributes to Jo at her funeral, you are left in no doubt that here was a very special person who had an enormous respect within her community. Her loss will also be deeply felt far beyond her beloved Mt Somers.

#### **4.1.4 *Office of the Auditor General***

I have been invited to replace Mayor Frana Cardno on an advisory committee that reports directly to the Auditor General on appropriate local government matters. The Committee is made up of three Mayors and three CEOs from throughout New Zealand and the vacancy is a result of Mayor Cardno retiring.

#### **4.1.5 *A&P Shows***

The Mayfield and Methven shows enjoyed magnificent weather, but the late harvest had an obvious impact on the availability of some. While each show runs to a different model, both are characterised by fantastic hospitality, dedicated teamwork and a magnificent environment. I believe each President and his Committee are to be congratulated for their outstanding shows, which are an integral part of our district's calendar. This year the Minister of Agriculture, Hon Jim Anderton, was a special guest at both shows and he quite correctly acknowledged the contribution of rural New Zealand to the national economy.

#### **4.1.6 Calendar**

Some of the meetings and functions I have attended since reporting to the last Council meeting on 1 March are as follows:

- 5 March “Turned the first sod” at the new Theatre site
- 6 March Attended Trust Mid South Canterbury function at Timaru  
Met with Chairman and CEO Ashburton Trust  
Attended Charitable Trust meeting
- 7 March Met with the Minister of Health and others at CDHB
- 8 March Attended Zone 5 meeting at Hanmer Springs
- 9 March Attended Mid Canterbury Sports Volunteers’ Breakfast  
Attended Zonta Youth Art Awards
  
- 10 March Attended Mayfield A & P Show
- 11 March Attended Save the Children fundraising event
- 12 March Met with Minerals to Arts representatives re Trustpower Awards
- 13 March Met with Rowan Swain
- 14 March Met with Bevan Grice re Seafield Hall
- 17 March Attended Methven Show
- 19 March Guest Speaker at Cardiac Companions Group meeting  
Met with Minerals to Arts representatives re Trustpower Awards  
Met with Enterprise Ashburton Board representatives
  
- 22 March Had photograph taken with Borough School children
- 23/25 March Attended Trustpower Awards in Taupo
- 26 March Interview with Fat & Thin Film Productions  
Hosted group of students from St Joseph’s School at ADC  
Met with Chairman and Manager of Electricity Ashburton  
Attended Ashburton Community Water Trust Meeting  
Attended Advance Ashburton Meeting
  
- 27 March Met with representatives from Trustpower at ADC  
Attended Resource Centre Trust Meeting
  
- 28 March Attended RDR Directors’ Meeting  
Attended Ladies Probus Club’s 20 year celebration lunch  
Attended Ashburton District Health Committee Meeting
  
- 29 March Hosted Fat & Thin Film Production’s function held at ADC
- 30 March Attended Fat & Thin Film Production’s Media Release held at ADC  
Hosted group of German students visiting Ashburton College  
Met with professional fundraisers re Stadium
  
- 2 April Met with a resident re an immigration query
- 3 April Visited Tinwald School to read to students as part of Book Week  
Met with Board Chairman of Fat & Thin Productions  
Met with CCS children
  
- 5 April Met with Commander Gaskin, N Z Police

**B O’MALLEY**  
**Mayor**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/3  
DATE: 12 April 2007  
REPORT TO: Council  
FROM: Chief Executive

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### 4.2 CHIEF EXECUTIVE'S REPORT

#### 4.2.1 *Health (Drinking Water) Amendment Bill*

The reporting back to the Health Select Committee on the Drinking Water Bill has been extended. As previously reported, it has been accepted that the cost / benefit analysis undertaken by the Ministry of Health was inaccurate.

The Ministry is taking this opportunity to undertake four workshops to explain their position on the proposed legislation and to gain a fuller appreciation of the concerns of local government.

We will attend the workshop on 16 April, in Christchurch.

#### 4.2.2 *Regional Policy Statement Review and Regional Bio-diversity Strategy*

The Canterbury Regional Council is currently undertaking a review of these documents. We are looking to arrange a workshop with ECan and Councillors / staff to go through consultation documents. These will be separately circulated.

#### 4.2.3 *North East Industrial Proposed Plan Change*

A pre-hearing meeting has been set down for 23 April, to consider transport issues. This meeting will be facilitated by an independent person. The purpose is to assist in a clearer understanding of issues and concerns.

#### 4.2.4 *Albert Street Development*

The Minister of Housing and Building, Clayton Cosgrove, will be in Ashburton on 3 May, to open the show home at 8.30 am. All Councillors are invited to attend.

#### 4.2.5 *Inquiry into Local Government Funding*

Cr Holmes and I attended the forum on 22 March. Full submissions are required by the end of April. LGNZ is working on costs of changing legislation.

#### 4.2.6 *Zone 5 Meeting – Hanmer, 8 March*

This was attended by the Mayor, Deputy Mayor and myself.

The LGNZ report has been circulated. Our report to seek a change to the Gambling Act 2003 was supported. LGNZ also had some concerns and will build these into our submission and work towards obtaining the amendments.

The Ministry of Social Development presented on the Supergold Card.

#### **4.2.7 Local Government Commission**

Determinations have been coming through regarding various councils' basis for elections. This has included a number of regional councils. It is noted that the final determinations have included some with variations to the  $\pm 10\%$ .

We should receive the Canterbury Regional Council determination in the next few days.

**B LESTER**  
**Chief Executive**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/8/1  
DATE: 12 April 2007  
REPORT TO: Council  
FROM: Community Consultation Manager  
SUBJECT: Statement of Proposals for Draft Annual Plan and Fees & Charges for 2007 / 2008 and Amendment to the LTCCP 2006-2016

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### **4.6 STATEMENT OF PROPOSALS FOR DRAFT ANNUAL PLAN AND FEES AND CHARGES FOR 2007 / 2008 AND AMENDMENT TO THE ASHBURTON DISTRICT COMMUNITY PLAN 2006-2016**

#### **4.6.1 SUMMARY**

The purpose of this report is to recommend the adoption of the draft Annual Plan 2007/2008 for public consultation. The Statement of Proposal for amendment to the Ashburton District Community Plan 2006-2016, to provide support for the Methven District Heritage Association project to develop a New Zealand Grain & Snow Centre in Methven by contributing grant funding of \$750,000, must also be adopted by Council for the purposes of community consultation.

#### **4.6.2 RECOMMENDATION**

- “1. That the draft Annual Plan 2007/2008 be adopted for public consultation from 16 April - 18 May 2007.
2. That the statement of proposal to amend the Ashburton District Community Plan 2006-2016 be adopted for public consultation from 16 April - 18 May 2007.”

#### **4.6.3 BACKGROUND**

The content of the draft Annual Plan has been discussed through a series of budget and Annual Plan workshops over the past weeks.

A copy of the draft Annual Plan 2007/ 08 (Statement of Proposal) is attached with changes discussed at the last workshop. Fees and charges have been reviewed and are included in the draft Annual Plan for public consultation as a statement of proposal, as required under the Local Government Act.

#### **4.6.4 CONSULTATION**

Consultation will be undertaken from 16 April to 18 May 2007 on both the draft Annual Plan 2007/ 08 and the Statement of Proposal to amend the Ashburton District Community Plan 2006-2016 with submissions being heard on 22 and 23 May, and on 24 May if required.

G THOMAS  
**Community Consultation Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:**

**DATE:** 12 April 2007

**REPORT TO:** Council

**FROM:** Corporate Services Manager

**SUBJECT:** Fluoridation Referendum 2007

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### 4.7 FLUORIDATION REFERENDUM 2007

#### 4.7.1 SUMMARY

The purpose of this report is to inform Council of the outcome of the Referendum to determine whether or not to add fluoride to the Ashburton water supply.

#### 4.7.2 RECOMMENDATION

“That the report be received.”

#### 4.7.3 BACKGROUND

Following submissions to the 2006 Community Plan, Council undertook a survey of residents to measure support for a proposal to add fluoridation to the water supply. The NRB survey returned 56% support for fluoridation to the water supply and 31% against. On 14 December 2006, Council voted in favour of holding a binding referendum to enable users of the Ashburton water scheme to decide whether or not to reintroduce fluoridation to the supply. The referendum resulted in a majority rejecting the proposal.

#### 4.7.4 REFERENDUM PROCESS

##### Referendum Result

Votes received for the proposal	3363	(45.10%)
Votes received against the proposal	4087	(54.80%)
Informal votes received	2	
Blank votes received	6	
Total votes received	7458	
Percentage of electors voting	63.7%	

The percentage voting compares with the 2004 triennial elections at 59.5% and the 2004 ALT Competition Poll which attracted 77.4%.

##### Electoral Roll

The roll for the referendum consisted of four parts.

1. Every residential elector in the Ashburton ward as it was for the 2004 triennial elections.  
This roll consisted of 11260 names and was provided by the Electoral Enrolment Centre.
  2. The resident owners or occupiers of every property outside of the Ashburton ward boundary which has an extraordinary water connection.
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A list of extraordinary connection addresses was provided by Operations. However, it became evident that not all such properties were captured in the database and enrolment forms were dropped for some distance along roads where there were known extraordinary connections. This roll consisted of 109 names at 67 addresses.

3. The resident owners or occupiers of properties in the Coniston Water, Westpark and Parkdale subdivisions.

The owners of these properties were drawn from Council's ratepayer database. Those properties which included trustee company ownership (19 names) were originally omitted from the original roll for this sector, however voting papers were provided to those addresses in the third week of voting. This roll consisted of 231 names.

4. Any person or corporate entity which owned a property in any of the above locations but whose place of residence (in the case of a corporate entity, the address of a nominee) was outside the reticulated area.

This roll was compiled by identifying all properties from the ratepayer database which had owners who reside elsewhere and sending them enrolment forms, 650 forms were sent (387 within the district, 263 outside the district) and a surprisingly high number (79) took the opportunity to enroll. This compares favourably with the 2004 triennial election, in which there were just six absentee ratepayers enrolled.

### **Publicity**

Public notices were made on the following occasions:

20 December 2006 – Notice of Referendum

24 January 2007 – Public Notice of Day of Poll

14 March 2007 – Declaration of Result of Poll

There was extensive radio advertising asking residents to check the electoral roll up until 18 January. For the three weeks of voting residents were each day reminded by radio advertisement to take the opportunity to vote – as a special voter if necessary. There were several newspaper articles reminding people to enrol and regular updates of voting progress.

Fluoride information was delivered through the District Diary. To preserve Council's independent stance, content in equal measure was requested from the parties for and against the proposal. The Canterbury District Health Board declined to contribute a full page article, providing a 125 word statement of its position. This was complemented by information taken from the Ministry of Health's web site.

### **Scrutiny**

The scrutiny of the roll was conducted intermittently between 19 February and 10 March by one casual employee and Justice of the Peace, John Harper.

### **Polling Day**

The Council office was open until 12 noon to receive ordinary and special votes. No scrutineers were appointed.

The poll was conducted using progressive processing. Votes were opened as they were received and batched in groups of 50 without being counted.

On polling day a team of 8 staff separated the votes into 'For' and 'Against' with all votes being completed and tallied at 12.10 pm.

The media was emailed at about 12.45 pm and Council's website was updated shortly after. Interviews were given to TV3 and Radio New Zealand and two staff phoned interested parties.

**Cost**

The cost of the Referendum exercise was \$19,055.

**4.7.5 SUMMARY**

Although the compilation of the roll was more difficult than first thought, the poll ran without any difficulties and results were available promptly. The margin of the result is conclusive for Council purposes and because of the binding nature of its resolution, no further decisions are required or can be made in this term.

J G ROLLINSON  
**Electoral Officer**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 1/1/5  
**DATE:** 12 April 2007  
**REPORT TO:** Council  
**FROM:** Corporate Services Manager  
**SUBJECT:** Schedule of Elected Member Expenses and Reimbursements

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### 4.8 SCHEDULE OF ELECTED MEMBER EXPENSES AND REIMBURSEMENTS

#### 4.8.1 PURPOSE

To provide clear rules for the payment of expense reimbursements and allowances.

#### 4.8.2 RECOMMENDATION

“That the schedule of elected member expenses and reimbursements, in relation to the period 1 July 2007 to 30 June 2008, be adopted.”

#### 4.8.3 BACKGROUND

Section 6 of the Local Government Act 2002 requires the Remuneration Authority to determine the “remuneration, allowances and expenses” payable to elected members of local authorities (including members of Community Boards). Remuneration, allowances and expense reimbursements not determined by the Remuneration Authority cannot be paid. In relation to expense reimbursements, section 6 provides that the Remuneration Authority may approve the rules under which expenses are reimbursed to elected members.

In practice this Council has submitted its expense rules (the present actual and reasonable expenses policy) each year to the Remuneration Authority. The Authority has advised that more detailed information is required and it is timely to develop an appropriate schedule of expenses. Once approved, the document and any attachments will be available for public inspection in accordance with the Remuneration Authority’s determination.

The following is suggested:

##### SECTION 1 – MILEAGE ALLOWANCES

Elected members are reimbursed at the rate per kilometre approved by the Remuneration Authority for Council related car running associated with attendance at the following meetings or events:

- Council meetings
- Standing Committee meetings
- Subcommittee meetings
- Working Group meetings
- Community Board meetings
- Community Association and Ratepayer Group meetings
- Hearings
- Meetings of outside bodies, where the member is attending as a formally appointed Council representative
- Council tours and site inspections
- Meetings with Mayor, Chief Executive, and Senior Managers
- Briefings

There are no restrictions on mileage claims.

## **SECTION 2 – TRAVEL AND ACCOMMODATION**

### **2.1 Taxis and other transport**

- Where it is impracticable for members to use a Council vehicle, the use of taxis or other transport is permitted.
- The following members are entitled to the reimbursement of Council or Community Board related taxi and bus fares and parking charges:
  - Mayor
  - Deputy Mayor
  - Councillors
  - Community Board Chairman
  - Community Board members

### **2.2 Car parks**

Car parks are provided for elected members.

### **2.3 Rental cars**

Where it is impracticable for members to use a Council vehicle, the Mayor, Deputy Mayor and Councillors may be provided with rental cars when attending conferences in other centres.

### **2.4 Air Travel - domestic**

- All elected members are entitled to utilise domestic air travel for Council related travel, where travel by air is the most cost effective travel option.
- All such travel arrangements are made by the Chief Executive's Secretary with Council's preferred travel agents at the most economic cost available at the time of booking, unless travel costs are being met by an outside party.

### **2.5 Air Travel - international**

- Overseas travel is permitted where there is clear benefit to the Council.
- As a general policy for all elected members and staff (where the costs of the fares are met by the Council) international air travel is by way of economy class.
- All such travel arrangements are made by the Chief Executive's Secretary with Council's preferred travel agents at the most economic cost available at the time of booking unless travel costs are being met by an outside party.

### **2.6 Airline Clubs / Airpoints / Airdollars**

Subscriptions to airline clubs (such as the Koru Club) are not paid or reimbursed, however airpoints or airdollars earned on travel, accommodation etc, paid for by Council, are available for the private use of elected members.

### **2.7 Attendance at conferences, courses, seminars and training programmes etc**

Attendance at conferences, training courses and seminars is per the following guidelines:

1. Local Government New Zealand Conference/Annual General Meeting
  - 1.1 That the Mayor, Chief Executive and up to two Councillors attend North Island conferences, and the Mayor, Chief Executive and up to three Councillors attend South Island conferences, and that reasonable costs for the official representatives be reimbursed including partner's registration (if applicable) but excluding partner's travel expenditure and any separate partner programmes.

- 1.2 In selecting the Councillor(s) to attend, the following priorities will be given:
  - 1.2.1 The Deputy Mayor should attend at least one conference in each term of Council.
  - 1.2.2 The longest serving Councillor(s) who have not attended the conference will be given priority. If all Councillors have attended, the one(s) who have not attended for the longest period will be given priority.
  - 1.2.3 From time to time Councillors may attend other conferences/seminars (such as Planning, Recreation, Waste Management). Previous attendance at such conferences will be taken into consideration.
2. Attendance at conferences other than Local Government New Zealand conferences/courses/seminars requires specific approval by the Mayor or relevant Committee, who will consult with the Chief Executive on budgetary matters, and include details of approvals in the Mayor's report to Council.

In giving approval, consideration shall be given to:

  - knowledge to be acquired
  - new developments relevant to Council activities
  - personal development relevant to the responsibilities of Council
  - cost and value to the organisation
3. Councillors, after attendance at an approved course/seminar/conference, should submit a report to the next appropriate workshop or meeting on relevant matters including course content, matters of interest to other members and staff, and an assessment of the value of the course.
4. On approval, staff will make the arrangements for registration, travel and accommodation.

## **2.8 Accommodation costs whilst away at conferences, seminars etc**

- Actual and reasonable costs reimbursed.
- On approval, accommodation will be arranged through the Chief Executive's Secretary.

## **2.9 Meals and sustenance, incidental expenses**

- Actual and reasonable meal costs are paid for by the Council.

## **2.10 Private accommodation paid for**

- Private accommodation (eg an apartment) is not provided to any member of Council.

## **2.11 Private accommodation provided by friends / relatives**

- Allowances are not payable in respect of accommodation provided by friends / relatives when travelling on local authority business.

## **SECTION 3 – ENTERTAINMENT AND HOSPITALITY**

Council will not make payable or reimburse any hospitality or entertainment expenses.

## **SECTION 4 – COMMUNICATIONS AND TECHNOLOGY**

### **4.1 Equipment and technology provided to elected members**

Council makes available the following equipment and technology to elected members for use at home on Council business:

- Fax
- Stationery and consumables

### **4.2 Home telephone rental costs and telephone calls (including mobiles)**

- In the case of the Mayor, the Council supplies his cell phone and reimburses all Council related call charges.

### **4.3 Allowances paid in relation to communication and/or technology provided by elected member**

- No allowances are paid in relation to communications and/or technology provided by the member relating to Council business.

## **SECTION 9 – PROFESSIONAL DEVELOPMENT, CLUBS AND ASSOCIATIONS**

- Where previously approved by the Mayor, Council funds elected members' attendance at professional development courses, conferences and seminars.

(See section 2 for full details)

- No expenses are reimbursed nor allowances paid in respect of elected members' subscriptions to clubs or associations.

## **SECTION 10 – OTHER EXPENSE REIMBURSEMENTS AND ALLOWANCES**

- No other expense reimbursements are made nor allowances paid.

## **SECTION 11 – TAXATION OF ALLOWANCES**

- No allowances (as distinct from reimbursements of actual business expenses) are paid without deduction of withholding tax.

J G ROLLINSON  
Corporate Services Manager