

COUNCIL MEETING – 1/03/07

MINUTES of a Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 1 March 2007, commencing at 1.30 pm.

PRESENT: His Worship the Mayor, Mr M B O'Malley; Councillors R C Beavan, N A Brown, I J Burgess, D Glass, K L Holmes, R J Kilworth, L J Leadley, K W P Lowe, D N Nelson, B A Tasker, P W Reveley and M J Urquhart.

Also in attendance Chief Executive, Corporate Services Manager, Operations Manager, Community Consultation Manager, Property Manager and Committee Secretary.

Four members of the public attended. Cr A McKay (2 pm).

The opening prayer was offered by Rev Peter Taylor.

Public Forum

- **New Year's Eve Street Party**

Mr Simon Blissett attended the meeting with a petition seeking Council's consideration of reinstating funding in the 2007/08 year to allow the street party to be held this year. He congratulated Council on running a succession of successful street parties that have been enjoyed by all age groups since the first party was staged as a Millenium event. Mr Blissett said that the street party has economic benefit to the district as it attracts a large number of local and out of town people.

The Mayor confirmed that the matter will be further considered during Council's Annual Plan process and members of the public will be able to make submissions.

The presentation concluded at 1.40 pm.

Extraordinary Business

"That pursuant to Section 46A (7)(a) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and considered with the public excluded as item 5.2:

- **Economic Development Matter** Sections 7(2)(i) Conduct of negotiations

Reason Section 7(2)(h) Commercial activities

Tasker/Holmes

Carried

Confirmation of Minutes

Council Meeting 14/12/06

"That the minutes of the Meeting of Ashburton District Council held on 14 December, 2006, be taken as read and confirmed."

Leadley/Kilworth

Carried

Matters Arising

Ashburton District Physical Activity Strategy

The Chief Executive reported that the Strategy will be progressed by Council's Community Consultation Manager. Council will consider the objectives in its decision-making, policy development, and planning processes and the Strategy will now be incorporated into Council's reporting process.

Fluoridation of Ashburton Water Supply

The Mayor reported that the Minister of Health has confirmed that central government funding for fluoridation will be made available to Council.

Mayor's Report

“That the report be received.”

Leadley/Kilworth

Carried

Young Farmers

In addition to other meetings held, the Mayor reported that he met yesterday with representatives of the local Young Farmers organisation. Ashburton has the opportunity to stage the Young Farmer of the Year competition in 2008, and the local organisers have advised they are now confident they have found a suitable venue.

Regional Affairs Committee

The Mayor reported that the Committee has set up a waste management subcommittee and at the recent Mayoral Forum sought the appointment of a local government representative. The nomination of Council's Chief Executive was lost in favour of the Mayor of Hastings, Lawrence Yule. Mr Yule has been made aware of the South Island Mayors' concerns at the makeup of the Regional Affairs Committee which has eight regional council representatives

Chief Executive's Report

“That the report be received.”

Urquhart/Glass

Carried

Canterbury Regional Landfill Committee

The Chief Executive attended the 31 January meeting of the Committee where discussion took place on shareholding issues. Mr Lester reported that this Council's submission on the proposed takeover was forwarded to the Commerce Commission today.

ECan Representation

The Mayor and Chief Executive presented a submission on behalf of the joint appeal by the Canterbury territorial authorities at the hearing of the Regional Council's Representation Review on 16 February 2007. Mr Lester reported that the Commission's decision is to be made known by 11 April 2007.

Cr A McKay (ECan) attended meeting at 1.59 pm.

New Zealand Navy Ship HMNZS Canterbury L-421

- “1. That the Ashburton District enters into a Charter with the HMNZS Canterbury L-421 with the territorial authorities from Kaikoura to Ashburton (inclusive).
2. That the Mayor be authorised to sign such an agreement.”

Holmes/Lowe

Carried

Q E II National Trust

“That the Mayor/CEO be authorised to exercise the Council's right to vote for representatives on the QEII National Trust.”

Tasker/Burgess

Carried

Services and Operations Committee – 1 February 2007

It was noted that the additional information provided on the Mt Somers water supply also made reference to the Mayfield supply where progress has been delayed pending investigation into the likelihood of finding suitable deep groundwater sources.

The Operations Manager confirmed that both Mayfield and Mt Somers communities will be included in ongoing consultation.

“That the report and minutes of the Services and Operations Committee meeting held on 1 February 2007, be received.”

Tasker/Nelson

Carried

Smoking in Council Parks - Friedlander Park

Cr Beavan referred to the Committee’s decision to declare the playground at Friedlander Park smoke-free. He recalled that the request at the time had been to impose the smoking ban on the whole of the park. The matter will be further considered by the Committee on 15 March.

State Highway One

The Operations Manager reported that Transit’s state highway programme for 2007/08 will be released for consultation in the next few days. Council could pursue the bringing forward the Agnes Street traffic lights through this process.

Environmental Services Committee – 8 February 2007

“That the report and minutes of the Environmental Services Committee meeting held on 8 February, 2007, be received.”

Kilworth/Beavan

Carried

Finance & Corporate Services Committee – 15 February 2007

“That the report and minutes of the Finance and Corporate Services Committee meeting held on 15 February 2007, be received.”

Holmes/Brown

Carried

Capital Works Loan

1. That the Finance Manager be authorised to borrow up to \$34,013,488 for the purpose of funding the capital works identified in the 2006 / 07 LTCCP; the loans will be for a term not exceeding twenty five years on such terms and conditions consistent with Council’s Liability Management Policy, as may be negotiated by Finance Manager.
2. That Council has considered the risks and benefits to the local authority of the loan or incidental arrangement and the giving of security to be given in relation to the loan or incidental arrangement and Council believes the benefits of raising the loans outweigh the risks associated with the raising of the loan and the giving of security.
3. That the Finance Manager be delegated authority to negotiate and determine the amount, number and type of loan or facility, and the terms and conditions of the loan or loans, facility or facilities (and security), and to negotiate, agree enter into and execute any documentation which may be required, (including security documentation), and if required, to issue such debenture stock/bonds with a face value sufficient to yield up to the sum of \$34,013,488 and execute such; all arrangements entered into under this authority must be consistent with the Council's Liability Management Policy.

Cont’d

4. That the loans may be external or internal loans depending on the interest market at the time of raising the loan. Should external debt be raised, this external debt will be by way of a fixed rate bond issue.”

Holmes/Glass

Carried

Ashburton Trading Society Share Purchase

“That Council becomes a member of the Ashburton Trading Society and agrees to purchase 500 shares; and that any two of the Mayor, Chief Executive, or Finance Manager be the nominated shareholders.”

Nelson/Holmes

Carried

***Ashburton District Plan Proposed Plan Change No 2
North East Ashburton Business Park***

A supplementary report and recommendation was tabled. The Chief Executive reported that an opinion was sought from Boffa Miskell who advised they are in agreement with the submission made by Council’s Property Manager. Accordingly, the recommendation to Council was amended to change the zone standard to recognise the difference for Offences Processes.

“That Council amends its submission lodged on 16 February 2007, with respect to Business Zone 9 to read:

- Amend Zone Standard 7.7.5.2.5 Offensive Processes to read:
‘No activity involving the following processes shall be undertaken within a Business 1, 2, 3, 4, 8 or **Business 9 Zone Area 1.**’ (retained as non complying status as in the plan change document)
- Amend Site Standard 7.7.5.1.14 Offensive Processes to read:
‘No activity involving the following processes shall be undertaken within a Business 5 Zone or **Business 9 zone Area 2.**’ (changed from non complying to discretionary status)

Kilworth/Beavan

Carried

New Kerb and Channel in Rakaia – Rescheduling Priority Work

Cr Brown declared an interest and refrained from discussion and decision.

- “1. That the new kerb and channel work to be carried out in Rakaia for 2006/2007 be changed to the following schedule
- Michael Street, south-west side, Bridge St to Railway Tce East
 - Railway Terrace East, south-east side, Rolleston St to Michael St
 - Rolleston Street, north-east side, Bridge St to Railway Tce East.
2. That the new kerb and channel and footpath proposed to be constructed in 2006/2007 in Rolleston Street (Bridge St to Railway Tce East) and Railway Terrace East (Rolleston St to Elizabeth Ave) be constructed in to 2007/2008.”

Leadley/Nelson

Carried

Ashburton Water Supply – Gravity Trunk Main Decommissioning

The Operations Manager reported that the decommissioning of the gravity trunk main has not been specifically budgeted for and it is intended to await favourable variances in the cyclic renewal programme. As those funds become available, decommissioning work will be undertaken.

- “1. That all removable equipment and fittings with a residual value be recovered from gravity main buildings and structures for resale or reuse;
2. That all surface structures at the **Ollivers Road intake gallery** area be demolished and the site rendered safe to enable possible conversion of the land to forestry purposes or resale;
3. That all surface structures at the **aerator site** be demolished and the site rendered safe to enable surrender of easement;
4. That all surface structures at the **Hills Road treatment plant** be rendered safe to enable negotiated transfer of land and building to neighbouring adjacent landowner;
5. That all surface structures on the **Gravity trunk main** from Ollivers Road to Farm Road be demolished; water stops shall be constructed along its length to prevent water transfer; the main be abandoned; and easements surrendered;
6. That the concrete lined steel pipe forming the **pipe bridge** be recovered for reuse or resale; surface structures demolished and removed and site rendered safe; and
7. That approval of programming, budgeting using favourable variances from the cyclic renewal programme, and negotiation with relevant parties be delegated to the Operations Manager.”

Tasker/Lowe

Carried

Rakaia Water Supply Upgrade

The Rakaia water supply upgrade consultation document was tabled as additional information.

The Operations Manager reported that advice received yesterday from the Ministry of Health indicates that the scheme may be eligible for a subsidy and if this is confirmed, the works programme may be deferred. The consultation document would be altered to reflect any subsidy component and changes to the submission closing date. Mr Rouse said that the recommendation before Council is not affected by the subsidy and should be progressed. Subsequent details relating to the subsidy, funding and tank design will be addressed by the Services and Operations Committee at a later date.

- “1. That Council approves the construction of two steel tanks for the purposes of a ground-based storage reservoir for the Rakaia water supply and this option form the basis of public consultation; and
2. That community consultation be limited to postal submission process, subject to detailed information being provided to the Rakaia Community Association as the project progresses.”

Nelson/Brown

Carried

“That Council approves that an application for a subsidy be made to the Ministry of Health for the Rakaia water supply upgrade.”

Tasker/Nelson

Carried

Closure of Stockwater Race – Acton Sub-Main

"That Council approves closure of the stockwater race running from a junction situated on RS 38899 at Acton Road to a junction situated on PT RS 15562 below Awaroa School Road and to the end of the race on RS 26545 and Lot 1 DP 989 above McCrorys Road, to be effective 31 May 2007."

Leadley/Tasker

Carried

Closure of Stockwater Race – Frasers Road / Winslow Westerfield Road

"That Council approves closure of the section of race running from a junction situated on Lot 8 DP 3795 at Frasers Road to a junction situated on Lot 2 DP 2957 below Lowerys Road, to be effective 31 March, 2007."

Brown/Lowe

Carried

Elected Members' Remuneration

1. That the recommended remuneration for Councillors for the 2007 / 2008 year to 17 October 2007, 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 – \$67,920.
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 2006 / 2007 year to 30 June 2007, previously approved by the Remuneration Authority, be re-confirmed, namely:

(a) Private Vehicle Use

Where an elected member and community board member is required to use their own vehicle for Council and/or community board business, they will be reimbursed at rates set by the Remuneration Authority.

(b) Expenses

All authorised out-of-pocket expenses incurred by an elected member and/or community board member in the execution of their duties shall be reimbursed by the Council.

If an elected member and/or community board member is required to be absent from their home overnight in the execution of their duties, the Council shall make payment of actual authorised charges incurred for accommodation and meals.”

Holmes/Burgess

Carried

Triennial Elections 2007

Early Processing of Votes

“That the returned voting documents for the 2007 Ashburton District Council elections be processed during the voting period, such early processing to be undertaken in accordance with Section 79 of the Local Electoral Act 2001 and the Local Electoral Regulations 2001.”

Kilworth/Nelson

Carried

Order of Candidates' Names

“That the names of the candidates in the 2007 Ashburton District Council elections be arranged on the ballot paper in random order.”

Holmes/Glass

Carried

Scales Road Farmland

“That subject to the Ashburton Branch of Forest and Bird establishing a Trust to administer and manage to an agreed standard any nature park reserve, Council approves the subdivision of approximately 10.5ha out of its landholding at Scales Road as a reserve to vest under the Reserves Act for the purpose of developing a park for the preservation and propagation of species indigenous to the Canterbury Plains.”

Lowe/Holmes

Carried

Gambling Venue Policy Review

Cr Beavan declared an interest and withdrew from discussion and decision.

“That Council adopts the reviewed Gambling Venue Policy as contained in this report.”

Kilworth/Glass

Carried

Racecourse Road Structure Plan

The Mayor declared interest and left the meeting at 2.47 pm.

The Deputy Mayor took the Chair.

- “1. That Council receives the report; and
2. That Council resolves to progress consultation with landowners further, so that costs and funding mechanisms can be accurately identified to allow consideration of the further project stages set out in this report.”

Kilworth/Tasker

Carried

Council adjourned for afternoon tea at 2.50 pm and resumed at 3.08 pm.

Items taken with the public excluded (3.08 pm)

“That the public be excluded from the following parts of the proceedings of this meeting:

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item no	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:
5.1.1	Council 14/12/06 <ul style="list-style-type: none">• Property Matters [now in open meeting] <ul style="list-style-type: none">• Contracts 502 & 503	Section 7(2)(h) Commercial activities
5.1.2	Services & Operations 1/02/06 <ul style="list-style-type: none">• Extraordinary Business – Transwaste Canterbury	Section 7(2)(h) Commercial activities
5.1.3	Environmental Services 8/02/06 <ul style="list-style-type: none">• Resource consent matters	Section 7(2)(h) Commercial activities
5.1.4	Finance & Corporate Services 15/02/06 <ul style="list-style-type: none">• Property matters	Section 7(2)(h) Commercial activities
5.2	Staff Matter	Section 7(2)(a) Protection of privacy of natural persons
5.3	Extraordinary Business – Economic Development	Section 7(2)(i) Conduct of negotiations

Tasker/Urquhart

Carried

Business transacted with the public now in open meeting

Canterbury Waste Services Committee

“That delegated authority be given to the Chief Executive to make a submission to the Commerce Commission.”

Mayor/Leadley

Carried

Occupancy of Worked Out Gravel Pits

“That approval be given for the issue of a Licence to Occupy to Greg Donaldson Contracting Ltd, subject to the company obtaining necessary resource consents, for two gravel reserves being Reserve 1401 (corner Methven Highway and Winchmore-Dromore Road) and Reserve 1982 (corner Winslow and Lovetts Roads).”

Nelson/Reveley

A show of hands gave 6 for, 2 against and one abstention.

Carried

The meeting concluded at 5.28 pm.

Confirmed this 12th day of April 2007 by

MAYOR