

COUNCIL MEETING

MINUTES of a Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 22 November 2007, commencing at 1.35 pm.

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

Also in attendance Chief Executive, Manager Democracy & Community Services, Community Consultation Manager and Committee Secretary.

The opening prayer was offered by Monsignor James Harrington.

Local Services Mapping Presentation

The Local Services Mapping Report was presented to Council by Denise Kidd (Regional Manager, Family & Community Services), John Allen (Regional Commissioner, Ministry of Social Development) and Mary Richardson. Tony Milne, Canterbury Regional Co-ordinator of Labour MPs attended on behalf of Hon Tim Barnett.

The research carried out by Family & Community Services has identified social services needs and priorities in this district, highlighting health as the major issue. The presenters acknowledged the involvement of the Council and Safer Community Council staff as well as other community agencies that have been part of the process.

The Mayor thanked the representatives for bringing the report to Council and gave an undertaking that Council would continue to work towards the development of a co-ordinated approach to address Ashburton district's social issues.

The presentation concluded at 1.56 pm.

Order of Business

The Mayor sought Council's agreement to take the Plan Change decision prior to the Chief Executive's report. It was noted that the Plan Change would need to be confirmed before consideration of the NE Business Park Project Team proposal as contained in the Chief Executive's report.

"That item 4.7, being the Plan Change report, be considered prior to the Chief Executive's report."

Kilworth/Beavan

Carried

Confirmation of Minutes

"That the minutes of the meeting of Ashburton District Council held on 27 September, 2007, be taken as read and confirmed."

Leadley/Kilworth

Carried

"That the minutes of the Inaugural meeting of Ashburton District Council held on 27 September, 2007, be taken as read and confirmed."

Tasker/Burgess

Carried

Matters Arising

CDHB Election

The Mayor took the opportunity to acknowledge Dr Chris Ryan's election to the Canterbury District Health Board. Dr Ryan has subsequently resigned from the Ashburton District Health Committee and has been replaced as Chairman of that Committee by the Mayor.

"That Council write to Dr Ryan congratulating him on his successful election and thanking him for the work he has undertaken on behalf of the Ashburton District Health Committee."

Tasker/Burgess

Carried

Mayor's Report

"That the report be received."

Leadley/Holmes

Carried

ECan Boundaries

The Mayor reported that he and the Chief Executive attended a meeting of southern Canterbury councils yesterday which was held at Timaru District Council. The purpose of the meeting was to discuss the possibility of changing the ECan boundaries.

The Chief Executive explained that the initial focus would be to gauge community support. Communities of interest and area boundaries would need to be identified and any proposal developed would then require public consultation.

The Environmental Services Manager attended the meeting.

Proposed North East Ashburton Business Area

A supplementary recommendation received from the Commissioner was tabled. In his report, the Commissioner noted that the wording of recommendation 47 in Annexure A appeared ambiguous and that clause was amended to read –

"47 Add a new Zone Standard 7.7.5.2.9 Outline Development Plan and Limitations on Business 9 Zone Activities:-

"No business activity shall take place in the Business 9 Zone until such time as the landscape plans for the 75m buffer and the central open space, as defined on 7.7.12 (the Outline Development for the Business 9 Zone), have been implemented. This shall include the construction of mounding."

The Environmental Services Manager also tabled a new outline development plan which detailed a change to the entry into Works Road.

1. That the report be received.
2. That the Council adopts the recommendation from the Independent Hearing Commissioner in relation to proposed Plan Change N^o 2 to its Operative District Plan and pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, the Ashburton District Council gives its decisions on, and its reasons for accepting or rejecting, all submissions received on Proposed Plan Change 2 to the Ashburton District Plan.
3. That the Council confirms that pursuant to Section 32 of the Resource Management Act 1991, the Ashburton District Council:
 - i has carried out an evaluation examining the matters specified in subsections 3 (a) and (b); and

- ii is satisfied that the rules and other methods contained in Proposed Plan Change 2, as amended by its decisions on the submissions received, are the most appropriate way for achieving the objectives of the District Plan, taking into account benefits and costs and the risk of not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.
4. That pursuant to section 9 of the First Schedule and section 171(2) of the Resource Management Act 1991, that the Council recommends that its requirement for roading purposes be confirmed subject to conditions as set out in the decision of the Independent Hearing Commissioner.”

Kilworth/Beavan

Carried

The Environmental Services Manager left the meeting at 2.23 pm.

Chief Executive's Report

“That the report be received.”

Tasker/Burgess

Carried

Gambling Act Review

It was reported that Council’s submission was presented to the Select Committee via tele-conference yesterday.

Economic Development Fund

It was noted that representation for the Ashburton / Selwyn area will be discussed at the Mayoral Forum next week.

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

- (i) The Canterbury Regional Governance Group be established as a company wholly owned in equal share by the territorial authorities of Canterbury and Environment Canterbury (100 shares, 10 shares each).
- (ii) The membership of the Governance Group be established as follows to meet the requirement of NZTE/MED for regional cross representation.

Local Government Representatives

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

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

Regional Governance Group

10 representatives

- (iii) Local Government appointees be limited to Elected Members/Council staff members, or independent persons, (ie. not members of any EDA).

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

Tasker/Holmes

Carried

Waste Management Bill

The Chief Executive reported that Council’s submission has been lodged on the Bill and a request has been made to present the submission in person. In response to a suggestion that refundable deposits for products such as bottles be included, Mr Lester agreed that it would be appropriate to address this as part of the submission process; the concept is also being lobbied by LGNZ through the Provincial Sector.

Zone 5

Councillors congratulated the Mayor on his appointment as the Zone 5 representative to National Council.

Citizenship Ceremony

Council adjourned for the Citizenship Ceremony at 2.33 pm.

Recipients of New Zealand citizenship were Mr Stephen Lewis, Mrs Evelyn Lewis, Frank and Stephen Lewis, Mr Jonathan Preston, Mrs Annette Slemint, Mrs Sonja Louw, Mr Johan Louw and Ruan Louw, and Mr Peter Salvesen.

At the conclusion of the ceremony the new New Zealand citizens and their guests were invited to join with the Mayor and councillors for afternoon tea.

Council resumed at 3.20 pm.

North East Business Park

Council agreed that the recommendation to set up a Project Team requires further discussion, in particular on the proposed delegations and the need for development of policy guidelines.

The Chief Executive explained that the purpose of the Project Team is to implement the project that Council has adopted and because of its significance, specific delegations have been identified.

Mr Lester said that minutes of the Project Team meetings will form a regular report to Council. Other resources, such as Opus Consultants, would continue to be used with the Project Team responsible for oversight and sign-off.

Councillors were invited to put their concerns and suggestions for a policy development process in writing and submit them to the Chief Executive. These comments will be treated with confidence.

“That the matter lie on the table meanwhile, pending a Council workshop.”

Holmes/Burgess

Carried

Services and Operations Committee – 1 November 2007

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

Tasker/Leadley

Carried

Road Closure – Ashburton Car Club

It was reported that the Ashburton Car Club’s application for a road closure to allow the Standing and Flying Quarter Mile Street meeting was re-advertised on 7 November 2007, to correctly show that Chertsey Road would be closed from Wards Road to Taverners Road. No objections were received.

- “1. That the Committee’s decision of 1 November 2007 be revoked; and
2. That Chertsey Road, from Wards Road to Taverners Road, be closed to ordinary vehicular traffic from 9.00 am to 6.00 pm on Saturday 8 December 2007, for the purpose of allowing the Ashburton Car Club to hold a Standing and Flying Quarter Mile Street meeting.”

Tasker/Leadley

Carried

Environmental Services Committee – 8 November 2007

Central Parking Working Group

It was noted that reference had been made to the need to reduce traffic and parking requirements in the urban area. Clarification was sought on whether the Working Group had considered alternative measures that could be promoted, such as cycling and walking. It was confirmed that these options are being considered in the overall investigation of CBD parking and will be further addressed through the Town Centre Subcommittee.

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

Kilworth/Beavan

Carried

Finance & Corporate Services Committee – 15 November 2007

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

Holmes/ Brown

Carried

Smoke Free Playgrounds

“That Council adopts the “Smoke Free Playgrounds Policy” as contained in this report.”

Holmes/ Brown

Carried

Meeting Schedule 2008

The meeting schedule was updated with dates for the annual plan and budget workshops and the Audit & Budget Subcommittee meetings during the period March to June 2008.

"That Council adopts the 2008 Meeting Schedule for Standing Committee, Council and Methven Community Board meetings.”

Holmes/Brown

Carried

Capital Works Loan 2007/ 2008

- “1. That the Finance Manager be authorised to borrow up to \$28,194,206 for the purpose of funding the capital works identified in the 2007/ 08 Annual Plan; 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 \$28,194,206 and execute such; all arrangements entered into under this authority must be consistent with the Council's Liability Management Policy.
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/Brown

Carried

Triennial Election 2007

Council received the Electoral Officer’s report following the triennial election on 13 October 2007. It was noted that the percentage of votes returned was less than in previous years but in keeping with the national downward trend of voter interest. Councillors expressed their concern that the STV voting system, required for the District Health Board election, caused voter confusion. It was agreed that LGNZ should continue to be lobbied for changes to the Local Electoral Act. Mr Rollinson advised that he will also raise the issue at the Electoral Officer debrief meeting.

On behalf of Council the Mayor acknowledged the way the process was managed by the Electoral Officer and also asked that Council’s thanks be conveyed to NZ Post for their assistance to meet the mail clearance deadlines.

“That the report be received.”

Holmes/Burgess

Carried

Elected Members Remuneration

The Chief Executive reported that discussions on the need for more equitable distribution of remuneration will continue to be progressed through LGNZ. Mr Lester said that the current formula is weighted in favour of larger populations and doesn't take into account that smaller authorities have the same statutory responsibilities as larger authorities.

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

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

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

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

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

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

Holmes/Kilworth

Carried

Road Closure – Tinwald Cycling

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

- EAST STREET, from Havelock Street to Wills Street
- HAVELOCK STREET, from East Street to Cass Street
- CAMERON STREET, from East Street to William Street
- VICTORIA STREET, from Cameron Street to Wills Street
- CASS STREET, from Havelock Street to Wills Street
- BARING SQUARE EAST, from Havelock Street to Cameron Street, Ashburton.”

Holmes/Brown

Carried

Items taken with the public excluded (4.05 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 27/09/07 [now in open meeting] <ul style="list-style-type: none">• Forestry matter• Budget matter• Staff matter	
5.1.3	Finance & Community Services 15/09/07 <ul style="list-style-type: none">• Property Matters [now in open meeting] <ul style="list-style-type: none">• Sale of Council land• Plunket rent review• Rural fire units	Section 7(2)(h) Commercial activities
5.2	Staff Matter	Section 7(2)(a) Protection of privacy of natural persons

Kilworth/Tasker

Carried

Business transacted with the public excluded now in open meeting

Budget Matter (Council 27/09/07)

- “1. That Council approves the use of favourable variances in the 2006/07 Ashburton and Methven cyclic renewal budgets to offset the operational over expenditures on the Ashburton and Methven water supplies;
 2. That Council approves the use of any favourable variances in the 2007/08 Ashburton cyclic renewal budget to offset the operational over expenditure on the Ashburton water supply, subject to no impact on work scope;
 3. That Council approves the use of Fairton water supply reserve to offset the operational over expenditure on the Fairton water supply;
- That Council approves the progressive recovery of the deficit balances on all applicable water supplies through future targeted rating adjustments.”

Tasker/Nelson

Carried

Potential Driving Range (Council 27/09/07)

Following an approach from the Ashburton Golf Club, the Chief Executive sought Council’s view on a request that the Council allow a practice driving range for public use on the Council owned land between Golf Links Road and SH1.

The proposal was not fully supported and it was agreed to decline the request at this time.

Chief Executive (Council 27/09/07)

“That the Chief Executive’s remuneration package becomes effective from 1 September 2007”

Leadley/Kilworth

Carried

Sale of Council Land (F&C 15/11/07)

- “1. That approval be given to call tenders for the sale of the Council land at the corner of Arundel-Rakaia Gorge and McFarlanes Roads containing a total of 17.0094ha described as Rural Sections 32797 and 34064 held in two titles, viz CB93/152 containing 7.2843ha and CB10K/214 containing 9.7251 ha; and
2. That tenders received be referred, along with a market valuation to Council for acceptance.”

Kingsbury/Lowe

Carried

Ashburton Plunket Rooms – Rent Review

“That the rental for the Plunket Society’s Glasgow lease be offered at 50% of the established rental, being \$2,025.00 plus GST per annum for the period 6/09/07 to 13/01/10.”

Brown/Kingsbury

Carried

Rural Fire Units

Following a meeting of the Rural Fire Units on 14 November, issues relating to the Hinds, Pendarves and Mayfield fire units were reported to the Committee.

- Hinds – completion of the toilet block is required
- Pendarves – extension to house new tanker has been requested
- Mayfield – 4 bay shed with water and toilet facilities has been requested

The Property Manager reported that work will progress immediately at Hinds and it has been established that a holding tank can be put on site. Upgrading the water supply to the Mayfield facility will also be investigated. Mayfield and Hinds work programmes are budgeted carry-overs.

Approval for work on the Pendarves reserve will be sought from DOC once the Fire Unit’s needs for tanker storage and a toilet block are confirmed.

Mr Rooney spoke about the need to ensure that any upgrade undertaken would need to be fully investigated so that all immediate and future requirements for the use of the fire unit facilities are addressed. A timeframe and work programme will be prepared and reported back to the Committee.

The meeting concluded at 5.25 pm.

Confirmed this 18th day of December 2007 by _____

MAYOR