

COUNCIL MEETING MINUTES

MINUTES of a Meeting of the **ASHBURTON DISTRICT COUNCIL** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 9 April 2009, commencing at 1.30 pm.

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

Also in attendance Chief Executive, Finance Manager, Community Planning Manager, Roading & Street Services Manager and Committee Secretary.

Two members of the public attended.

APOLOGY: Cr J Sparks **Sustained**

Council observed a moment's silence in memory of the late Barry Keen, a Volunteer Firefighter with the Willowby Unit. Mr Keen was a foundation member of the Willowby VRRF and served 35 years.

The opening prayer was offered by Pastor Rob Davison.

Extraordinary Business

"That pursuant to Section 7(2)(A) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and considered as item 4.8:

- Draft Assessment of Water and Sanitary Services
To adopt for public notification and consultation.

Tasker/Holmes **Carried**

Confirmation of Minutes

"That the minutes of the meeting of Ashburton District Council held on 26 February 2009, be taken as read and confirmed."

Leadley/Kilworth **Carried**

"That the minutes of the extraordinary meeting of Ashburton District Council held on 19 March 2009, be taken as read and confirmed."

Leadley/Kingsbury **Carried**

Mayor's Report

"That the report be received."

Kilworth/Holmes **Carried**

LGNZ Conference and Annual General Meeting

Cr Kilworth suggested that because this year's Conference will be held in Christchurch, Council could depart from its policy and take the opportunity to allow as many Councillors to attend as possible.

- "1. That the Mayor, Chief Executive and Councillors Tasker, Beavan and Burgess represent the Ashburton District Council at the Local Government New Zealand Conference in 2008.
2. That the Mayor be the Presiding Delegate to vote on behalf of the Ashburton District Council at the Annual General Meeting.
3. That the Chief Executive be the Alternate Delegate to vote at the Annual General Meeting in the absence of the Presiding Delegate."

Leadley/Lowe **Carried**

“That because of the proximity of the annual conference to Ashburton and the opportunity to register for a half fee, two further Councillors be appointed to attend the conference.”

Leadley/Holmes

Carried

It was agreed that the additional attendees will be determined at a later date, noting that Crs Sparks and Kilworth have indicated their interest.

Job Summit

Council noted that the summit addressed the conflicting directions of central government in asking local government to restrain rates while also expecting a stimulated economy. The Mayor reported that he has raised this issue through the Regional Transport Committee.

Canterbury Water Management Strategy

The Mayor reported that there has been good attendance at the Strategy meetings throughout the region, particularly in Ashburton, and there has been good progress made with all sectors of the debate working in a collaborative way.

Public hearings and consideration of submissions will be held in early June. The next Ashburton meeting will be held on 18 May at the Hotel Ashburton.

Mayor’s Diary

The Mayor acknowledged the events attended by the Deputy Mayor and other Councillors on his behalf and agreed that these will be included in future reports. It was noted that the Mayor will be represented by Cr Leadley at the Mayfield Anzac Day commemoration and Cr Beavan at the Ashburton commemoration this month.

Chief Executive’s Report

“That the report be received.”

Holmes/Lowe

Carried

Puyang

The Chief Executive reported that Council has been advised that Puyang City has its first lady Mayor and a letter of congratulations will be sent. Puyang City has also advised that they would like to donate a piece of art / memorial to the Ashburton district to commemorate the relationship and the Free Trade agreement between China and New Zealand.

The Operations Manager attended the meeting at 1.55 pm.

Operations Committee – 12 March 2009

“That the report and minutes of the Operations Committee meeting held on 12 March 2009, as amended, be received.”

Tasker/Leadley

Carried

Trade Waste Bylaw

The Operations Manager referred to the reference to a Trade Waste Advisory Group and clarified that it had been a community advisory group which was set up in 1998 to look at options for the Ashburton wastewater upgrade. The Subcommittee was recessed in 2004. Mr Rouse explained that the development of the bylaw was to be carried out in parallel with the Ashburton wastewater project, however a number of factors prevented this. He confirmed that letters would be sent to the working party members to advise them of the outcome of the trade waste consultation.

Ocean Farm Open Day

The Operations Manager reported that a successful public open day was held on 4 April with approximately 70 people taking the opportunity to participate.

Environmental Services Committee – 19 March 2009

“That the report and minutes of the Environmental Services Committee meeting held on 19 March 2009, be received.”

Kilworth/Beavan

Carried

Lochhead Charitable Trust

Cr Beavan reported that hearing panel anticipates that a draft decision will be released on 14 April.

Finance & Corporate Services Committee – 26 March 2009

“That the report and minutes of the Finance and Corporate Services Committee meeting held on 26 March 2009, be received.”

Holmes/Brown

Carried

Ashburton Contracting Limited – Draft Statement of Intent from 1 July 2009

“That Council receives the 2009 / 10 draft Statement of Intent for Ashburton Contracting Limited.”

Holmes/Leadley

Carried

Scales Road Farmland Subdivision

“That in exercise of the powers conferred on it by Section 14 of the Reserves Acts 1977, the Ashburton District Council resolves that the piece of land held by the district in fee simple and described in the Schedule (copy attached), be declared to be a scientific reserve.”

Holmes/Lowe

Carried

Draft Ashburton District Community Plan 2009-2019

The Chief Executive reported that Audit has issued an unqualified report on the draft Community Plan.

On behalf of Council the Mayor expressed appreciation of the work undertaken by the Community Planning Manager and Finance Manager.

- “1. That the Ashburton District Council draft Community Plan 2009–2019, the policies contained in the Plan and the Summary Community Plan be adopted by the Council, for the purpose of community consultation.
2. That in adopting this draft Community Plan 2009-2019, Council resolves that it is financially prudent that year 6 (2014/15) shows a proposed operating deficit of \$4.468 million after tax.”

Holmes/Brown

Carried

SPARC Rural Travel Fund Assessment Committee

“That the report of the SPARC Rural Travel Fund Assessment Committee of 19 March 2009, be received.”

Lowe/Everest

Carried

**Extraordinary Business –
Draft Assessment of Water & Sanitary Services**

“That the Ashburton District Council draft Assessment of Water and Sanitary Services be adopted for the purpose of community consultation.”

Tasker/Holmes

Carried

Business taken with the public excluded (2.17 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 – 26/02/09 <ul style="list-style-type: none"> • Ashburton Business Estate • Stadium Complex Trust 	Section 7(2)(h) Commercial activities Section 7(2)(i) Conduct of negotiations
5.1.2	Finance & Community Services Committee – 26/03/09 <ul style="list-style-type: none"> • Property Matters • Audit & Budget Subcommittee • Aquatic Park Trust 	Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities
5.2	Ashburton Aquatic Park Trust	Section 7(2)(h) Commercial activities
5.3	Property Matter	Section 7(2)(h) Commercial activities
5.4	Property Matter	Section 7(2)(h) Commercial activities
5.5	Awarding of Contract DW-AC11 Rakaia water supply upgrade	Section 7(2)(h) Commercial activities
5.6	Extension of Contract Durations – C486, C487, C490	Section 7(2)(h) Commercial activities
5.7	Contract C557 – new facilities and refurbishment of public toilets	Section 7(2)(h) Commercial activities
5.8	Ashburton Railway Station	Section 7(2)(h) Commercial activities
5.9	Barrhill Chertsey Irrigation Ltd	Section 7(2)(h) Commercial activities
5.10	Property Matter	Section 7(2)(h) Commercial activities
5.11	Ashburton Stadium Complex Trust	Section 7(2)(i) Conduct of negotiations

Tasker/Burgess

Carried

Business transacted with the public excluded now in open meeting

Ashburton Stadium and Aquatic Centre

“That the reports relating to the Aquatic Centre and Indoor Stadium listed below be taken out of committee (excluding any references to site options), for the purpose of community consultation”

1. Preliminary Report to Council, TLG & GPF - 2002
2. Stage 2 Report to Council, TLG & GPF –2003
3. Economic Impact Report, Butcher Partners Ltd. – 2008
4. Social Impact Study, Tourism & Leisure Group Ltd. 2004
5. Financial Feasibility Study, Deloitte - March 2008
6. Financial Feasibility Study Options, Deloitte – 2008.”

Holmes/Beavan

Carried

Sale of Disused Land – Chertsey Kyle Road

“That Council approves the sale of the land contained in certificates of title CB43/171 and CB623/58, containing 1.0117ha and 0.6095ha respectively, being described as Pt RS 25283 and Lot 1 DP 17275, to the adjoining land owner at a price of \$15,300 plus GST, conditional upon the titles being extinguished and the land being amalgamated into the adjoining title with all legal and survey costs being borne by the purchasers.”

Holmes/Tasker

Carried

Sale of Council Land – Agnes Street

- “1. That Council approves the sale of the land contained in Certificate of Title CB3D/792 containing 99 m2 described as Lot 2 DP23176, to the adjoining landowner at a price of \$8,368 plus GST, conditional upon the existing title of the land being relinquished and the land amalgamated into the adjoining freehold title; and
2. That all survey and legal costs be borne by the purchaser.”

Holmes/Leadley

Carried

Contract DW-AC11 Rakaia Water Supply Upgrade – Tender Award

“That Council accepts the tender for DW-AC11– Rakaia water supply upgrade from Ashburton Contracting Limited in the amount of \$872,699.20, excluding GST.”

Leadley/Brown

Carried

Extension of Contract Durations – C486, C487, C489

- “1. That Contract C486: Provision of waste minimisation services 1 July 2005 – 30 June 2008 be extended for a further 12 months to 30 June 2010 at a cost of \$287,262 excluding GST for the 2009/10 financial year.
2. That Contract C487: Supply of operations and maintenance services for the Ashburton resource recovery park, composting and construction and demolition waste activities, 1 July 2005 – 30 June 2008, be extended for a further 12 months to 30 June 2010 at a cost of \$209,874 excluding GST for the 2009/10 financial year.
3. That Contract C489, Hook truck hire Ashburton resource recovery park, 1 July 2005 – 30 June 2008, extension of contract duration be extended for a further 12 months to 30 June 2010 at a cost of \$36,391 excluding GST for the 2009/10 financial year.”

Kilworth/Tasker

Carried

Contract C557 –

New facilities & refurbishment of public toilets, Ashburton District 2008/ 09

- “1. That Council accepts the tender from Summerfield Builders Ltd for the sum of Three hundred and sixty two thousand and sixty six dollars, for Contract C557 - new facilities and refurbishment of public toilets, Ashburton District 2008/09.
2. That the unfavourable variance be approved and the funding to cover this be considered through the 2009/10 annual plan in the public conveniences account.”

Tasker/Holmes

Carried

Ashburton Railway Station

“That Council declines the Redson proposal as outlined in the attached.”

Leadley/Burgess

Carried

Barrhill Chertsey Irrigation Limited

“That the background report be received and be made available to the community as part of the consultation on the 2009-2019 draft Community Plan.”

Holmes/Leadley

Carried

The meeting concluded at 4.55 pm.

Confirmed this 21st day of May 2009 by

MAYOR