

## ***Council Minutes – 6 December 2023***

Minutes of the Council meeting held on Wednesday 6 December 2023, commencing at 1pm in the Council Chamber, 137 Havelock Street, Ashburton.

### **Present**

His Worship the Mayor, Neil Brown; Deputy Mayor Liz McMillan and Councillors Leen Braam, Carolyn Cameron, Russell Ellis, Phill Hooper, Lynette Lovett, Tony Todd and Richard Wilson.

### **In attendance**

Hamish Riach (Chief Executive), Toni Durham (GM Democracy & Engagement), Jane Donaldson (GM Strategy & Compliance), Leanne Macdonald (GM Business Support), Neil McCann (GM Infrastructure & Open Spaces), Sarah Mosley (GM People & Facilities), and Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Mark Low (Strategy & Policy Manager), Femke van der Valk (Policy Advisor), Richard Wood (Sports Facility Manager), Lauretta Smith (Accountant), Shirin Khosraviani (Art Gallery & Museum Director), Renee Julius (Property Manager) and Jacqui Watson (Property Legal Counsel).

### **1 Apologies**

Cr Rob Mackle

Sustained

### **Public Forum**

Mark Somerville asked Council to consider making the accessible change rooms at EA Networks Centre solely for disabled people and their carers. He referred to the Rolleston pool complex disabled change facilities as a good example of what can be offered.

Concern in 2016 arose from reports of children ‘playing’ with the disabled change table. Council then agreed to provide some funding and move all the disabled equipment into two rooms, poolside. Mark explained that the intention of his submission at that time was that the two changing rooms should have signage to show that they are for disabled access only, but this didn’t happen. The signs at EANC show that the change rooms are accessible, but don’t preclude other people from using them. He said privacy is important and having to ‘reserve’ a change room can place additional stress on people who are unable to access mainstream facilities, including those whose disabilities are not necessarily ‘visible’.

Mark commented that aerobic exercise in swimming pools is shown to help improve the quality of life for disabled people. He suggested that Council could possibly survey the community to see how many disabled people are using the EANC facilities, if those numbers are needed.

The Mayor thanked Mark for his explanation and bringing this to Council’s attention. Officers will be asked to report through the February Activity Briefings and a report will be brought to Council, if required.

The presentation concluded at 1.16pm.

### **2 Extraordinary Business**

The Mayor advised that the finance report (item 16) will be brought forward on the agenda and considered after item 7.

### **3 Declarations of Interest**

*Item 13* – Cr Hooper declared an interest and gave notice he will withdraw from debate and decision.

**4 Confirmation of Minutes – 15/11/23**

**That** the minutes of the Council meeting held on 15 November 2023, be taken as read and confirmed.

McMillan/Hooper

Carried

**5 Biodiversity Advisory Group – 13/11/23**

**That** Council receives the minutes of the Biodiversity Advisory Group meeting held on 13 November 2023.

Lovett/Wilson

Carried

• **Plantation Road proposal**

**That** Council investigates making the eastern end of Plantation Road an insurance site.

Lovett/Wilson

Carried

**6 Council Hearings – 15/11/23**

**That** Council receives the minutes of the Light up the Night event and Santa Parade road closures and the Lake Clearwater coach ban hearings, held on 15 November 2023.

Cameron/McMillan

Carried

**7 Tinwald Pool Petition**

Cr Hooper presented the petition on behalf of the petition organiser, Tina Cox.

- 1. That** Council receives the ‘Save the Tinwald Pool’ petition.
- 2. That** Council refers the decision on the future of the Tinwald Pool to the Long Term Plan 2024-34 process.

Cameron/Braam

Carried

**16 Financial Variance report**

The Mayor asked for the Receivables Summary to be referred to the next Audit & Risk Committee meeting so that Council’s debtors situation can be clarified.

**8 Local Alcohol Policy**

- 1. That** Council approves the proposed changes to the policy.
- 2. That** public notice of the Local Alcohol Policy 2023 will be given on 14 December 2023.
- 3. That** Council adopts the Local Alcohol Policy 2023 on 13 January 2024.
- 4. That** the Local Alcohol Policy 2023 will come into force on 14 March 2024.

Todd/Hooper

Carried

**9 Draft Policy on Rates Postponement including on Maori freehold land 2023**

**That** Council approve the draft Policy on Rates Postponement including on Māori Freehold Land for consultation alongside the Draft LTP 2024-34.

Ellis/Cameron

Carried

**10 Draft Policy on Rates Remission including on Maori freehold land 2023**

**That** Council approve the draft Policy on Rates Remission including on Māori Freehold Land for consultation alongside the Draft LTP 2024-2034.

Braam/Lovett

Carried

**11 Take 10 for our Future – LTP 2023-24 pre-engagement**

**That** Council receives the ‘Take 10 for our future – LTP 2024-34 pre-engagement feedback report’ and distributes the report to submitters and relevant agencies.

Cameron/McMillan

Carried

**12 Canterbury Recovery Plan submission**

**That** Council approves and submits the submission on the draft Canterbury Recovery Plan.

Todd/Lovett

Carried

**13 Gift to Civic Art Collection**

Cr Hooper withdrew from the meeting for this item.

- 1. That** Council accepts the sculpture titled *The Star* created by Charlie Jaine into the Civic Art Collection.
- 2. That** the Open Spaces Manager determines a suitable location within the Ashburton Domain and installation occurs prior to 1 July 2024.

McMillan/Braam

Carried

**14 Naming of Road – Strowan Fields**

**That** the roads to vest in Council as part of Subdivision SUB21/0104 within the subdivision known as Strowan Fields be named Kilphin Street (Road 3), Vercoe Street (Road 4), Timmins Street (Road 5) and Buxton Street (Road 6).

Cameron/Todd

Carried

**15 Riskpool update**

Council agreed it would be useful to discuss this in more detail and an invitation will be extended to Civic Financial Services’ Chief Executive to meet with Council in the new year.

- 1. That** Council receive the Report and authorise officers to make payment of \$54,037 plus GST to New Zealand Mutual Liability Riskpool on 20 December.
- 2. That** Council authorises the payment to be made from the Disaster Insurance Reserve.

Mayor/Todd

Carried

**17 Mayor’s Report**

• **LGNZ – Special General Meeting**

The Mayor reported that LGNZ have advised of a change to the voting process at the SGM which is which will enable councils to vote on each of the 5 parts separately. The Mayor gave notice that he will use this approach to get direction from Council –

**a. Section 1 – Build a new system of local government that’s fit for purpose**

[Majority support](#)

**b. Section 2 – Rebalance the country’s tax take between central and local government**

[Majority support](#)

**c. Section 3 – Create stronger, more authentic relationships between local government and iwi, hapū and Māori**

[Majority did not support](#)

Council will continue to work with Arowhenua and AEC to develop a good relationship but it was generally agreed that this should not be a directive

**d. Section 4 – Align central, regional and local government priorities**

[Majority support](#)

**e. Section 5 – Strengthen local democracy and leadership.**

[Majority support](#)

**That** Ashburton District Council agrees to vote in favour of the below parts (*a, b, d and c*) of **The Future by Local Government** (*Attachment A*) as LGNZ’s agreed basis for engagement and advocacy with central government on local government system reform:

- a. Section 1 – Build a new system of local government that’s fit for purpose
- b. Section 2 – Rebalance the country’s tax take between central and local government
- d. Section 4 – Align central, regional and local government priorities
- e. Section 5 – Strengthen local democracy and leadership.

Braam/Mayor Carried

• **Lake Clearwater Coach ban Working Group**

**That** the Councillors McMillan and Braam be appointed as the Council representatives on the Lake Clearwater coach ban working group.

Lovett/Cameron Carried

• **Ashburton Water Zone Committee review**

**That** Council requests the Chief Executive to undertake a review of the Ashburton Zone Committee function early in 2024.

Mayor/Ellis Carried

**That** Mayors report be received.

Mayor/McMillan Carried

## Business transacted with the public excluded – 2.42pm

**That** the public be excluded from the following parts of the proceedings of this meeting, namely – 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: |  |
|---------|--|---|--|
| 18      | Council – 15/11/23 <ul style="list-style-type: none"><li>EA Networks presentation [Now in open meeting]</li><li>Lake Hood management</li></ul> | Section 7(2)(h)   | Commercial activities                    |
| 19      | Library & Civic Centre PCG – 14/11/23  | Section 7(2)(h)   | Commercial activities                    |
| 20      | Settlement Steering Group – 7/11/23  | Section 7(2)(a)   | Protection of privacy of natural persons |
| 21      | EA Networks shareholding   | Section 7(2)(h)   | Commercial activities                    |
| 22      | Stopping & sale of unformed legal road   | Section 7(2)(h)   | Commercial activities                    |

Braam/McMillan

Carried

## Business transacted with the public excluded now in open meeting

- **Stopping and sale of unformed legal road – Valetta Westerfield Rd, Valetta**

1. **That** with respect to the unformed legal road shown as “Section 1” on Digital Title Plan SO 545925 (**Section 1**) adjoining Anama Westerfield Road, Council:

- 1.1 seek approval from the Minister for Land Information (**Minister**) to close Section 1 pursuant to Section 116 of the Public Works Act 1981 (**PWA**);
- 1.2 alternatively, if the Minister does not give approval under section 116 of the PWA, approves, in principle, the closure of Section 1 pursuant to section 342 and Schedule 10 of the Local Government Act 1974 (**LGA**);
- 1.3 enter into an Agreement for Sale and Purchase for the sale of Section 1 to Willowbrook Farm Holdings Limited (**WFHL**) for the sum of \$49,710 plus GST (if any) on terms acceptable to Council officers and including the following conditions:
  - 1.3.1 that the road stopping process is completed in accordance with either section 116 of the PWA or section 342 and Schedule 10 of the LGA following public notification (if required) and subject to any objections being resolved in accordance with recommendation 3.2 below; and
  - 1.3.2 that Section 1 be amalgamated with WFHL’s adjoining property contained in Record of Title 528158;
- 1.4 pay WFHL the sum of \$875, being Council’s contribution to the survey cost.

2. **That** with respect to the unformed legal road shown as “Section 2” on Digital Title Plan SO 545925 (**Section 2**) adjoining Anama Westerfield Road, Council:

- 2.1 seek approval from the Minister for Land Information (**Minister**) to close Section 2 pursuant to section 116 of the Public Works Act 1981(**PWA**);
- 2.2 alternatively, if the Minister does not give approval under section 116 of the PWA, approves, in principle, the closure of Section 2 pursuant to section 342 and Schedule 10 of the Local Government Act 1974 (**LGA**);

- 2.3 enter into an Agreement for Sale and Purchase for the sale of Section 1 to Valetta Holdings Limited (**VHL**) for the sum of \$20,416 plus GST (if any) on terms acceptable to Council officers, and including the following conditions:
  - 2.3.1 that the road stopping process is completed in accordance with either section 116 of the PWA or section 342 and Schedule 10 of the LGA following public notification (if required) and subject to any objections being resolved in accordance with recommendation 3.2 below; and
  - 2.3.2 that Section 2 be amalgamated with WFHL's adjoining property contained in Record of Title CB40B/660;
- 2.4 pay VHL the sum of \$875, being Council's contribution to the survey cost.

**3. That** if the LGA process is undertaken:

- 3.1 Council shall issue public notice of its intention to close Section 1 and Section 2 in accordance with Clause 2, Schedule 10 of the LGA; and
- 3.2 if any objections are received following the public notice, a subsequent report to Council shall be presented for Council to consider these objections, including whether to send the objection(s) to the Environment Court.

**4. That** Council authorises the Chief Executive to sign any documentation required to give effect to the closure of Section 1 and Section 2.

Ellis/Braam

Carried

The meeting concluded at 3.30pm.

**[Confirmed by Council 20 December 2023]**

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MAYOR