

Council Minutes – 5 October 2022

Minutes of the Council meeting held on Wednesday 5 October 2022, commencing at 1.00pm in the Council Chamber, 137 Havelock Street, Ashburton.

Present

His Worship the Mayor, Neil Brown (Chair), Deputy Mayor Liz McMillan, Councillors Leen Braam, Carolyn Cameron, John Falloon, Rodger Letham, Lynette Lovett, Angus McKay, Diane Rawlinson and Stuart Wilson.

In attendance

Hamish Riach (Chief Executive), Jane Donaldson (GM Strategy & Compliance), Leanne Macdonald (GM Business Support), Steve Fabish (GM Community Services), Neil McCann (GM Infrastructure Services), Sarah Mosley (Manager People & Capability) and Carol McAtamney (Governance Support).

Staff present for the duration of their reports: Tania Paddock (Legal Counsel), Toni Durham (Strategy & Policy Manager), Richard Mabon (Senior Policy Advisor), Mel Neumann (Policy Advisor), Janice McKay (Communications Manager), Erin Register (Finance Manager), Crissie Drummond (Infrastructure Support Lead) and Clare Harden (Community Services Officer).

1 member of the public.

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Item 7 (Acton Farmers Irrigation Co): The Mayor will withdraw from debate and decision.

Item 13 (Community Grants & Funding): Cr McMillan will withdraw from debate and decision

Item 14 (Creative Communities): Cr Rawlinson will withdraw from debate and decision.

Business transacted with the public excluded – 10.33am

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:	
17	Council 21/09/22 <ul style="list-style-type: none"> • Library & Civic Centre PCG 16/08/22 • Ashburton Community Water Trust 	Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities
18	Audit & Risk Committee 28/09/22	Section 7(2)(h) Section 7(2)(a)	Commercial activities Protection of privacy of natural persons
19	Draft Annual Report 2021/22	Section 7(2)(h)	Commercial activities
20	Elderly Persons Housing	Section 7(2)(h)	Commercial activities
21	Methven & Mt Somers Water Project	Section 7(2)(h)	Commercial activities
22	Land Sale	Section 7(2)(h)	Commercial activities
23	People & Capability 2021/22 Report	Section 7(2)(a)	Protection of privacy of natural persons

Wilson/Rawlinson

Carried

Council adjourned for lunch from 12.20pm to 1.00pm.

4 Confirmation of Minutes – 21/09/22

That the minutes of the Council meeting held on 21 September 2022, be taken as read and confirmed.

McMillan/Rawlinson Carried

5 Audit & Risk Committee – 28/09/22

That the minutes of the Audit & Risk Committee meeting held on 28 September 2022, be taken as read and confirmed.

Falloon/Wilson Carried

6 Adoption of Ashburton Airport Development Plan

That Council adopts the Ashburton Airport Development Plan.

Letham/Braam Carried

7 Transfer of water races to Acton Farmers Irrigation Co-operative

The Mayor withdrew from debate and decision and the Deputy Mayor took the Chair

That Council declines to exercise its right of objection to the transfer of water races to Acton Farmers Irrigation Co-operative.

Falloon/Cameron Carried

That the Council places on record its support for the transfer proposal.

McKay/Wilson Carried

The Mayor resumed the Chair.

8 Adoption of Stormwater Bylaw 2022

It was noted that the Council's deliberations were held on 29 September, not 29 October as stated in the report.

1. That Council, having followed the process for the making of a Bylaw set out in sections 86, 155 and 156 of the Local Government Act 1974, makes the Bylaw attached as Appendix One and titled the Ashburton District Council Stormwater Bylaw 2022.

2. That Council give public notice of the making of the Ashburton District Council Stormwater Bylaw 2022 under section 157 of the Local Government Act, noting that the Bylaw will come into operation on 9 October 2022.

Cameron/Braam Carried

That Council progresses a mechanism to assist voluntary utilisation of a rainwater harvesting system in the Ashburton District.

Mayor/McMillan Carried

9 Support for AEC funding application

That Council supports Aoraki Environmental Consultancy Limited's funding application to the Ministry for the Environment for the Ōtūwharekai Mātauranga Māori Cultural Monitoring Programme.

McMillan/Cameron Carried

10 Community Honours Awards Policy

Council supported the following changes being made to the policy, but agreed that the final decision should be made in the next term.

- Point 2.1 - reinstate the words 'highest civic honour bestowed by the Council, Mayor's Awards are rare awards'
- Point 2.2 – reword to 'all honours are bestowed upon the recipient for their lifetime'
- Remove limit of amounts of awards that maybe allocated in each category.

That the item of business being discussed be referred to the next term of Council.

Lovett/Falloon Carried

11 Stockwater Race Closure – SKW/002/22 – Methven Highway

1. **That** Council approves the closure of the stockwater race starting on PN: 18872, Main Street, Methven at a junction on the Mt Harding Creek Main (Dolma Gate) including 1,583m of the Methven Lauriston main and 5,156m of two local races ending on PN: 460, 2866 Methven Highway and PN: 23471, 350 Line Road, being a total of 6,734m.

2. **That** the closure be effective from 14 October 2022.

McKay/Lovett Carried

12 Stockwater Race Closure – SKW/008/22 – Anama

That Council declines the application to close the stockwater race starting on PN: 21870, 3133 Arundel Rakaia Gorge Road, and finishing on PN: 24028, 323 Anama Settlement Road.

Letham/Braam Lost

A show of hands gave 5 for and 5 against and the motion was lost on the Mayor's casting vote.

That the application to close the stockwater race starting on PN: 21870, 3133 Arundel Rakaia Gorge Road, and finishing on PN: 24028, 323 Anama Settlement Road be referred to a Council hearing.

Wilson/McKay Carried

A show of hands gave 5 for and 5 against and the motion passed on the Mayor's casting vote.

13 Community Grants & Funding – Round 2, 2022/23

The Deputy Mayor withdrew from debate and decision.

That Council allocates \$22,800 in community grants and funding for 2022/23 as per the following categories:

- 1.4 Economic Development – Community Events Grant - \$14,000
- 1.5 Sports and Recreation – School Holiday Programme - \$3,800
- 1.6 Discretionary Grant – Biodiversity - \$5,000

Falloon/Cameron Carried

14 Creative Communities Grants Assessment – Round 1, 2022/23

Cr Rawlinson withdrew from debate and decision

That Council receives the minutes of the Creative Community Fund Assessment Committee meeting held on 15 September 2023.

Falloon/Braam Carried

15 Delegation to Chief Executive during the interim election period

1. **That** Council delegates all of its responsibilities, duties, and powers to the Chief Executive, subject to the limitations set out in clause 32(1) of the Seventh Schedule of the Local Government Act 2002, for the period from the day after the declaration of the election results until the swearing in of the new Council, subject to a requirement that the Chief Executive may only exercise this delegation after the following:

- (i) consultation with the person elected to the position of Mayor,
- (ii) may only attend to those matters that cannot reasonably await the first meeting of the new Council; and
- (iii) shall be reported to the first meeting of the new Council.

2. **That** Council does not discharge the Library and Civic Centre Project Control Group which is scheduled to meet on 13 October 2022.

McMillan/Braam

Carried

16 Mayor's Report

- **RDR**

That Council appoints the Deputy Mayor as proxy to vote on Council's behalf at the RDR Management Limited AGM on 8 November 2022, with the Chief Executive as the alternative representative

Falloon/Cameron

Carried

That Council receives the Mayor's report.

Mayor/Cameron

Carried

Certificates of Service and Valedictory Speeches

Certificates of Service were presented to retiring Councillors John Falloon, Angus McKay, Diane Rawlinson and Stuart Wilson.

- Cr Cameron paid tribute to Cr Falloon who served as a member of the Council from 12 October 2019 to 8 October 2022.
- Cr McMillan paid tribute to Cr McKay who served as Mayor from 9 October 2010 to 8 October 2016 and as a member of the Council from 12 October 2019 to 8 October 2022.
- Cr Letham paid tribute to Cr Rawlinson who served as a member of the Council from 8 October 2016 to 8 October 2022.
- The Mayor paid tribute to Cr Wilson who served as a member of the Council from 9 October 2010 to 5 October 2019.

The retiring Councillors responded accordingly.

Business transacted with the public excluded now in open meeting

- **Health & Safety Management Plans**

That the Audit and Risk Committee recommends to Council, that Safety Management plans for community events that require input/approval from a number of activities across Council, need to be submitted at least one month prior to the event, and ideally officers and the event organiser(s) meet 3 months prior to provide appropriate advice.

Falloon/McMillan

Carried

- **Methven & Mt Somers membrane water treatment plan**

That Council:

1. Approves the Project Manager negotiating a contract (or contracts) directly with selected contractors for the project physical works; and
2. Delegates to the Chief Executive the power to approve all contracts required for the project – subject to remaining within the overall approved project budgets.

McMillan/Braam

Carried

- **Sale of land at Lake Hood**

That Council approves the sale of 10.736 hectares (subject to survey) as contained within Record of Title 965543 (Lot 102 Deposited Plan 554914) to the Lake Extension Trust Limited for the purchase price of \$2,960,000 plus GST (if any).

Lovett/Cameron

Carried

The meeting concluded at 3.10 pm.

Confirmed 6 October 2022

[by Mayor & Chief Executive]