

Council Minutes – 21 September 2022

Minutes of the Council meeting held on Wednesday 21 September 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 Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Toni Durham (Strategy & Policy Manager), Mel Neumann (Policy Advisor), Tania Paddock (Legal Counsel), Janice McKay (Communications Manager), Erin Register (Finance Manager), Rick Catchpole (Environmental Monitoring Manager).

Three members of public.

1 Apologies

Cr Cameron for early departure. Sustained

2 Extraordinary Business

That pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business to be taken with item 12:

- Council agenda 5 October

McKay/Lovett Carried

3 Declarations of Interest

Item 15: The Mayor and Cr Wilson both declared an interest and will withdraw from the meeting.

4 Confirmation of Minutes – 7/09/22

In response to the Mayor's request for an update on the Market Day road closure application, the Economic Development Manager reported that the applicant met Council's requirements and the letter of approval was signed today.

That the minutes of the Council meeting held on 7 September 2022, be taken as read and confirmed.

Wilson/McMillan Carried

5 Methven Community Board – 5/09/22

That Council receives the minutes of the Methven Community Board on 5 September 2022.

McMillan/Letham Carried

6 Ashton Beach Enhancement Project

Dr Mandy Tocher was welcomed to the meeting and invited to present her report.

Cr Cameron left the meeting at 1.17pm.

Dr Tocher commented that where effective predator control is done, the southern grass skink increases. In terms of Ashburton District, under the new Natural & Built Environment Act, indigenous biodiversity is going to be led more by the regions – so skink could have elevated status under the Act. But skink are scarce in this district, compared to what they used to be.

Dr Tocher was surprised that the application was declined. Council had been diligent in responding to what DOC wanted. In her view, the Council's plan was sound and of concern is the way in which DOC have run the process under the Wildlife Act.

Council's in-house Counsel advised that there is no right of appeal for Council under the Wildlife Act. Council would need to either re-lodge the application or pursue judicial review. Without a Wildlife Permit, skinks cannot be removed or relocated.

Council agreed that it would be useful to meet with iwi and other affected parties to discuss options that could lead to a revised application, such as the creation of a new skink habitat at the Harris Reserve.

- 1. That** Council is extremely concerned at the Department of Conservation's decision to decline the Wildlife Act Authority Application and expresses that view to the Minister of Conservation and opposition political party conservation spokespersons.
- 2. That** Council further engages with iwi, Department of Conservation and Environment Canterbury before considering whether to submit a revised Wildlife Act Authority application incorporating an additional range of mitigation measures.

McKay/Braam

Carried

7 Use of Footpaths for Alfresco Dining Policy Review

That Council adopts the Draft Use of Footpaths for Alfresco Dining Policy as attached in Appendix 1, for consultation from 23 September to 23 October 2022.

Rawlinson/Lovett

Carried

8 Transwaste Dividend Update

That Council receives the Transwaste dividends report.

McMillan/Letham

Carried

9 Carry-over of funding from 2021/22 to 2022/23

- 1. That** Council approves the request to carry over the unspent funds from the 2021-2022 year into the 2022-2023 year, as detailed in this report.
- 2. That** these carry-overs be funded as per their original funding.

Falloon/Braam

Carried

10 District Licensing Committee Annual Report – 1/07/21 – 30/07/22

- 1. That** the report be received.
- 2. That** the report be posted on the Ashburton District Council website.
- 3. That** the report be sent to the Secretary for the Alcohol Regulatory and Licensing Authority within one month of adoption.

Lovett/Rawlinson

Carried

11 Dog control Policy and practices report 2021/22

1. **That** the report be received.
2. **That** Council gives public notice of the Dog Control Policy & Practices Report 2021/22 and makes it publicly available.

Letham/Braam

Carried

13 Mayor's Report

The Mayor will attend the State Memorial Service for her late Majesty Queen Elizabeth II, in Wellington on Monday 26 September.

Cr Cameron returned to the meeting at 2.14pm.

The Mayor and Chief Executive met with HEB representatives this week where discussion included the insufficient funding, across New Zealand, to maintain the roading network. There has been general acknowledgement of the impact of adverse conditions, and, while acknowledging those constraints, work is also being undertaken to look at how things can be done better with the resources we have. HEB will present to Council in the near future and will update Council on whether the rejuvenated seal technique (for pothole repair) could be used in this district.

That Council receives the Mayor's report.

Rawlinson/McMillan

Carried

Extraordinary Business – Council Agenda, 5 October

That the 5 October Council agenda be emailed to Councillors as well as being put on Stellar.

McKay/Falloon

Carried

Council adjourned for afternoon tea 2.30pm until 2.55pm.

Welcome to staff –2.55pm

Sarah Mosley, Manager People & Capability introduced new staff – Hannah Herbert-Olsen (Collections & Exhibitions Assistant), Tayyaba Latif (Policy Advisor) and Sarah Davidson (Events Advisor).

Business transacted with the public excluded – 2.58pm

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:	
13	Council 7/09/22 • Library & Civic Centre PCG 16/08/22	Section 7(2)(h)	Commercial activities
14	Library & Civic Centre PCG 13/09/22	Section 7(2)(h)	Commercial activities
15	Ashburton Community Water Trust	Section 7(2)(h)	Commercial activities
16	ACL Director Appointment	Section 7(2)(a)	Protection of privacy of natural persons

Cameron/Rawlinson

Carried

Business transacted with the public excluded now in open meeting

- **Ashburton Contracting Ltd Director appointments**

That Council reappoints Andrew Barlass and Ross Pickford as Directors of Ashburton Contracting Limited for a further three year term expiring at the Ashburton Contracting Limited AGM in October 2025.

McKay/Cameron

Carried

The meeting concluded at 4.19pm.

[Confirmed by Council on 5 October 2022]

MAYOR