
Minutes of the Ordinary Meeting of the Waimate District Council held in the Local Government Centre, Queen Street, Waimate on Tuesday 20th September 2005 at 8.30am



Present

His Worship the Mayor, Mr J.G. Coles (Chair)
Councillors M.L. Andrew, M.J. Balchin, J.S. Gibson, P.F. McIlraith, J.O. Rayner,
A.M. Townend.

In Attendance

Chief Executive Officer (J.E. Maxwell)
Mayor's Personal Assistant (A. Patterson)

Apologies

RESOLVED, THAT AN APOLOGY BE RECEIVED ON BEHALF OF COUNCILLOR P. FOLEY.

Mov Cr McIlraith/ Sec Cr Rayner

Carried

Opening Prayer

His Worship the Mayor read the opening Prayer.

Minutes

RESOLVED, THAT THE MINUTES OF THE:

- ORDINARY MEETING OF COUNCIL HELD ON:
(I) TUESDAY 19TH JULY 2005
- DISTRICT PLAN CHANGE HEARING PANEL MEETING HELD ON:
(I) TUESDAY 19TH JULY 2005
- SPECIAL MEETING OF COUNCIL HELD ON:
(I) FRIDAY 19TH AUGUST 2005
- ENVIRONMENTAL MANAGEMENT COMMITTEE MEETING HELD ON:
(I) TUESDAY 9TH AUGUST 2005

- FINANCE & COMMUNITY SUPPORT COMMITTEE MEETING HELD ON:
(I) TUESDAY 9TH AUGUST 2005
- INFRASTRUCTURE & ASSETS COMMITTEE MEETING HELD ON:
(I) TUESDAY 9TH AUGUST 2005

BE RECEIVED.

Mov Cr Rayner / Sec Cr Gibson

Carried

Matters Arising

Ordinary Meeting of Council – 19th July 2005

A10

St Patrick's Church Restoration Trust

Following Council's resolution that it would support the Trust in other ways than direct financial contributions, the Trust had forwarded Council an invoice for costs associated with a building consent to a value of \$947.00.

RESOLVED THAT ST PATRICK'S CHURCH BE REQUESTED TO APPLY TO THE HERITAGE FUND FOR FUNDING.

Mov Cr Rayner / Sec His Worship the Mayor

Carried.

Reports

His Worship the Mayor

His Worship the Mayor reported on the following:

- Waimate Knitwear Signage
- Factory Closures
- Development Contributions Workshop
- Civil Defence Meetings
- Meetings Attended
- Public Functions
- Local Government NZ Conference – July 2005

RESOLVED THAT THE REPORT OF HIS WORSHIP THE MAYOR BE RECEIVED.

Mov His Worship the Mayor / Sec Cr Rayner

Carried

Chief Executive Officer

The Chief Executive Officer reported on the following:

- Wilful Damage

- Waimate Total Mobility
- ECan Energy Seminar
- Budget and LTCCP/Annual Plan Timetable

RESOLVED, THAT THE REPORT OF THE CHIEF EXECUTIVE OFFICER BE RECEIVED.

Mov Cr Rayner / Sec Cr Gibson

Carried

Cr Anne Townend

Motion to Amend Agenda Order

RESOLVED THAT PUBLIC EXCLUDED ITEM NUMBER 7 (AUDITORS COMMENTS ON ANNUAL REPORT) BE REVIEWED BEFORE CONTINUING ON WITH GENERAL BUSINESS.

Mov Cr Townend / Sec Cr Balchin

Carried.

General Business

CO 1

Building Leased to Abrahams Furniture

The Chief Executive Officer reported to Council on the current situation regarding the building leased to Abrahams Furniture.

RESOLVED, THAT MR ABRAHAM BE REQUESTED TO PAY THE RENT AS PER THE LEASE UNTIL ITS NEXT EXPIRY DATE UNLESS A SUITABLE LEASEE OR SALE IS ARRANGED.

Mov Townend / Sec Cr McIlraith

The motion was not put

It was suggested in discussion that the building be commercially re-valued. This valuation should be brought back to council at its next meeting.

Noted that this matter be investigated with Council's legal advisors and reported back to Council.

CO1

Gorge Road Land

Council received a letter from Mr Gary Morgan requesting that a small portion of council owned land on Gorge Road be purchased by the adjoining land owner.

RESOLVED, THAT THE CHIEF EXECUTIVE OFFICER BE EMPOWERED TO SELL THE PIECE OF LAND, VALUATION NUMBER 2523027605 FOR A FAIR MARKET PRICE SUBJECT TO A TITLE SEARCH WITH RESPECT TO ANY WATER CONSENT.

Mov Cr Gibson / Sec Cr Rayner

Carried

CO 1

Waimate Regent Theatre Trust

The Regent Theatre Trust wrote to Council requesting a replacement Council representative to replace Len Shaw following his resignation from the Council.

RESOLVED, THAT CR ANNE TOWNEND BE APPOINTED COUNCIL'S REPRESENTATIVE ON THE WAIMATE REGENT THEATRE TRUST.

Mov Cr Andrew / Sec Cr Rayner

Carried

W 4

Downlands Water Scheme

Council were advised of a legal opinion from Timaru District Council in relation to a suggested new constituting agreement for the Downlands Water Scheme.

The Agreement was prepared in response to recent events which have highlighted the need for the basic agreement to be reviewed.

RESOLVED, THAT FURTHER INVESTIGATIONS BY STAFF BE MADE AND REPORTED BACK TO COUNCIL ON HOW BEST TO MANAGE DOWNLANDS IN THE FUTURE.

Mov His Worship the Mayor / Sec Cr Balchin

Carried

R 9

Navigation By-Laws

Councillors were informed of ECan's proposed amendments to its existing Inland Waters Navigation Safety Bylaws and its existing Harbours Bylaws.

The Council has interest in these bylaws through their relevance to the Waitaki Lakes.

Any comments regarding a submission to be forwarded to the Mayor or Chief Executive.

RESOLVED, THAT THE REPORT BE RECEIVED.

Mov Cr Rayner / Sec Cr Townend

Carried

R 7

Subdivision RM051179 & Land Use RM0581180

Boundary Adjustment of Rural Allotments and Erect Dwellings on the Resulting Allotments within 500m of a Pig Farm – Bulwer Terrace, St Andrews

Council's approval was sought for the proposed subdivision and associated land use consent which relates to land owned by St Andrews Estate Limited, next to the St Andrews Township.

In a report to Council, concern was expressed at the potential erosion of the building sites and liability for Council.

RESOLVED, THAT COUNCIL OBTAIN A LEGAL OPINION ON THE PROPOSED SUBDIVISION AND THAT THE CONSENT BE HEARD AT THE NEXT MEETING OF COUNCIL.

Mov Balchin / Sec Cr Townend

Carried

R 7

Objection to Conditions Imposed on Subdivision Consent RM041146
Queen Street, Waimate

Mr Buckingham was in attendance to provide an overview to Council and answer any questions.

Council was asked to review and determine and objection made by Mr L T Buckingham, pursuant to Section 357 of the Resource Management Act 1991, to conditions 9(f)(iv), 9(h)(iv) & 9(h)(v) imposed on Subdivision Consent RM041146 as granted by the Manager-Planning & Regulatory in respect of the ex hospital site in Queen Street, Waimate.

Note: Mr Buckingham left the meeting

Councillors discussed the reserves contributions and the possibility of the morgue offsetting the value of the assessed contribution.

Note: The above decision was only made in respect of the reserves contribution. The application on roading contributions will be considered at the next meeting of Council.

RESOLVED THAT PURSUANT TO SECTION 357 OF THE RESOURCE MANAGEMENT ACT 1991, COUNCIL ALLOW THE OBJECTION IN PART TO THE EXTENT PROVIDED IN THE FOLLOWING AMENDED CONDITION:

CONDITION 9(H)(IV)

THAT PROVIDED A CONSERVATION COVENANT IS REGISTERED IN RESPECT OF THE MORGUE BUILDING, THE REDUCED PAYMENT TO THE COUNCIL OF A CONTRIBUTION FOR OPEN SPACE AND RECREATION OF \$6,050 PURSUANT TO SUBDIVISION RULE 7(F) OF THE WAIMATE DISTRICT PLAN".

Mov Cr McIlraith / Sec Cr Townend

Carried

The meeting adjourned at 3.35pm

The meeting reconvened at 3.50pm

W 1

Drinking Water Standards for New Zealand 2005 (DWSNZ)

The Ministry of Health (MOH) has for some time pursued the direction that the availability of safe drinking-water for all New Zealanders is a fundamental requirement

of public health, irrespective of where they live. The revised standards, which were released on 25th August 2005, will come into effect on 31st December 2005. The complete standards have been issued on the MOH website and a bound copy (171pp) has been distributed separately to councillors for their information. The standards also cover tankered water suppliers.

The proposal is that the quality of drinking-water will be steadily upgraded over time, under the forthcoming legislation, and the government have introduced financial assistance schemes to encourage and support compliance

RESOLVED, THAT THE REPORT BE RECEIVED, AND THAT THE FOLLOWING ACTIONS BE PURSUED BY STAFF:-

1. THE COMMUNICATION OF THESE STANDARDS TO THE COMMUNITY, AND PARTICULARLY TO THE COMMITTEES OF THE RURAL WATER SCHEMES.
2. THE DEVELOPMENT OF PUBLIC RISK HEALTH MANAGEMENT PLANS FOR EACH SUPPLY.
3. THE REPORTING ON THE PRESENCE OF HEAVY METALS, TWICE YEARLY, FOR SUPPLIES OVER 500 PERSONS.
4. THE PURSUIT OF SUPPORT FUNDING FOR THESE PROGRAMMES FROM CENTRAL GOVERNMENT.
5. THE DEVELOPMENT OF IMPROVED TESTING AND STAGED CAPITAL AND TREATMENT UPGRADES IN CONFORMITY WITH THE IMPROVED WATER QUALITY (SOURCE) TREATMENT REQUIREMENTS.
6. THE REGULAR REPORTING TO COUNCIL OF PROGRESS OF THIS SIGNIFICANT HEALTH INITIATIVE TO THE DISTRICT'S WATER SUPPLIES, TOGETHER WITH THE FINANCIAL IMPLICATIONS AS A PART OF THE ASSET MANAGEMENT PROGRAMME FOR POTABLE WATER SUPPLIES

Mov McIlraith / Sec Cr Balchin

Carried

RO 6

Street Closure Request – Waimate 50 Motorsport Event

Waimate 50 Motorsport (inc), have requested streets to be closed on Saturday and Sunday 3rd and 4th December 2005 for a street race. This has been advertised for public comment closing 7 September 2005.

One objection has been received from Waimate New World.

A letter has been received from Transit NZ requesting temporary State Highway delegation to the Waimate District Council.

Other operational issues of concern to Council have yet to be formally addressed by Waimate 50

RESOLVED, THAT

- A) THAT THE WAIMATE DISTRICT COUNCIL AGREE TO TRANSIT NZ DELEGATION OF THE CONTROL OVER THE SECTION OF STATE

HIGHWAY 82 HIGH ST TO TENNANT ST TO THE WAIMATE DISTRICT COUNCIL FOR THE PERIOD OF THE EVENT, SUBJECT TO RECEIPT OF SATISFACTORY LEGAL ADVICE.

B) THAT THE STREET CLOSURE REQUEST FOR WAIMATE 50 MOTOR SPORT EVENT ON SATURDAY AND SUNDAY 3RD AND 4TH DECEMBER 2005 BE APPROVED IN ACCORDANCE WITH 10TH SCHEDULE OF THE LOCAL GOVERNMENT ACT 1974. SUBJECT TO SATISFACTORY RESOLUTION OF THE FOLLOWING:-

1. TEMPORARY TRAFFIC MANAGEMENT PLAN, INCLUDING PARKING.
2. COUNCIL RISK, LIABILITY
3. STREET REINSTATEMENT BOND, AGREEMENT.
4. APPROVED STREET WORK DETAILS
5. RESIDENT ACCESS ISSUES.
6. WAIMATE NEW WORLD OBJECTION.
7. MOTOR SPORT NEW ZEALAND SAFETY APPROVAL.
8. COUNCIL COST RECOVERY.

AND THAT THE FOLLOWING CONDITIONS OF DETAIL BE SATISFIED/ADDRESSED:

- THE EVENT ORGANISERS AND COMPETITORS SHALL COMPLY WITH, ALL RELEVANT LAWS AND REGULATIONS NOT WAIVED BY TEMPORARY ROAD CLOSURE UNDER SECTION 342 AND THE TENTH SCHEDULE OF THE LOCAL GOVERNMENT ACT 1974.
- THE ORGANISERS SHALL OBTAIN FULL APPROVAL OF MOTOR SPORT NEW ZEALAND FOR THE EVENT.
- THE ORGANISERS SHALL MAKE PERSONAL CONTACT WITH ALL RESIDENTS AND BUSINESSES AFFECTED BY THE CLOSURE TO INFORM THEM OF THE EVENT AND ARRANGEMENTS MADE FOR EMERGENCY AND OTHER ACCESS TO AND FROM THEIR PROPERTIES DURING THE CLOSURE.
- FORMAL NOTICE SHALL BE GIVEN OF THE HOLDING OF THE EVENT TO THE POLICE, FIRE AND AMBULANCE SERVICES.
- THE ORGANISERS SHALL PAY ALL COSTS OF PUBLIC NOTICES IN RESPECT OF THE ROAD CLOSURES
- THE ORGANISERS SHALL PLACE PUBLIC LIABILITY INSURANCE TO INDEMNIFY THE CLUB AND THE COUNCIL AGAINST ANY CLAIMS OR ACTIONS THAT MAY ARISE FROM THE STAGING OF THE EVENT TO A MINIMUM OF \$1,000,000 IN RESPECT OF ANY ONE CLAIM OR ACCIDENT. A COPY OF THE POLICY OR COVER NOTE MUST BE PROVIDED TO THE COUNCIL NO LESS THAN 28 DAYS PRIOR TO THE STREET CLOSURE.

- THE ORGANISERS SHALL INDEMNIFY THE COUNCIL FROM ALL OR ANY CLAIMS ARISING FROM THE ROAD CLOSURE.
- AN APPROVED TEMPORARY TRAFFIC MANAGEMENT PLAN WILL BE REQUIRED FOR THE STATE HIGHWAY DETOUR AND COUNCIL STREET CLOSURE AND FOR ANY ACTIVITIES ON THE STREET BEFORE THE CLOSURE TAKES PLACE. THIS PLAN IS TO INCLUDE PARKING ARRANGEMENTS. A COPY OF THE PLAN MUST BE PROVIDED TO COUNCIL NO LESS THAN 28 DAYS PRIOR TO THE STREET CLOSURE.
- WITHIN 24 HOURS OF THE COMPLETION OF THE EVENT THE ORGANISERS SHALL CLEAR ALL LITTER AND DEBRIS FROM THE ROAD TO THE SATISFACTION OF THE ASSET MANAGER.
- THE ORGANISERS SHALL ADVISE THE COUNCIL OF ANY DAMAGE TO THE ROAD SURFACE, KERB CHANNELS, VERGES, SIGNS, STREET LIGHTS OR OTHER ROAD FURNITURE DAMAGE RESULTING FROM THE EVENT AND PAY ALL COSTS INCURRED BY THE COUNCIL IN MAKING GOOD ANY SUCH DAMAGE.

Mov Cr Rayner / Sec Cr Gibson

Carried

Meeting adjourned at 12.30pm

Meeting reconvened at 1.27pm

Office of the Auditor-General & Audit New Zealand
Presentation on Long Term Council Community Planning

Mr Bruce Robertson from the Office of the Auditor-General and Mr Tony Uttley from Audit New Zealand were in attendance and addressed Council regarding Long Term Council Community Planning.

BC 1

Exemption Under Fencing of Swimming Pool Act 1987 for Spa Pool

Request received by Mr & Mrs JF & CA Fox of 526 Hannaton Road, RD 10, Waimate to exempt their spa pool from the Fencing of Swimming Pool Act 1987.

RESOLVED, THAT COUNCIL APPROVE THE EXEMPTION SUBJECT TO THE POOL HAVING A LOCKABLE LID.

Mov Cr Gibson / Sec Cr Rayner

Carried

BC 1

Exemption Under Fencing of Swimming Pool Act 1987 for Spa Pool

Request received by Mr & Mrs JA & DK Teixeira of Springbank Road, Otaio, RD1, Timaru to exempt their spa pool from the Fencing of Swimming Pool Act 1987.

RESOLVED, THAT COUNCIL APPROVE THE EXEMPTION SUBJECT TO THE POOL HAVING A LOCKABLE LID.

Mov Cr Rayner / Sec Cr Andrew**Carried**

CO1

Information Reports

The information reports for September 2005 had been circulated to all Councillors.

Public Excluded

RESOLVED, THAT THE PUBLIC BE EXCLUDED FROM THE FOLLOWING PARTS OF THIS MEETING, NAMELY:

- 1. CONFIRMATION OF PUBLIC EXCLUDED MINUTES OF:**
 - a) ORDINARY MEETING OF COUNCIL HELD ON:
(I) TUESDAY 19TH JULY 2005
 - b) SPECIAL MEETING OF COUNCIL HELD ON:
(I) FRIDAY 19TH AUGUST 2005
 - c) FINANCE & COMMUNITY SUPPORT COMMITTEE MEETING HELD ON:
(I) TUESDAY 9TH AUGUST 2005
 - d) INFRASTRUCTURE & ASSETS COMMITTEE MEETING HELD ON:
(I) TUESDAY 9TH AUGUST 2005
- 2. LETTER FROM MURRAY BRUCE**
- 3. WAIHAO FORKS LAND**
- 4. SOUTH CANTERBURY IRRIGATION TRUST**
- 5. COUNCIL RENTALS**
- 6. OPERATIONS REPORT FROM FOREST MANAGER**
- 7. ANNUAL REPORT – 2005 – AUDITOR’S COMMENTS**
- 8. CHIEF EXECUTIVE OFFICER – REMUNERATION REVIEW**

Mov Cr Rayner / Sec Cr Gibson**Carried**

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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1(a) Council and Committee Minutes	To protect information which is subject to an obligation of confidence	48(1)(a)(i)
2 Letter from Murray Bruce	To protect information which is subject to an obligation of confidence.	48(1)(a)(i)

3 Waihao Forks Land	Enable any Local Authority holding the information to carry on without prejudice or disadvantage negotiations.	48(1)(a)(i)
4 South Canterbury Irrigation Trust	Enable any Local Authority holding the information to carry on without prejudice or disadvantage negotiations.	48(1)(a)(i)
5 Council Rentals	Enable any Local Authority holding the information to carry on without prejudice or disadvantage negotiations.	48(1)(a)(i)
6 Operations Report from Forest Manager	Enable any Local Authority holding the information to carry on without prejudice or disadvantage negotiations.	48(1)(a)(i)
7 Annual Report 2005 – Auditor’s Comments	Enable any Local Authority holding the information to carry on without prejudice or disadvantage negotiations.	48(1)(a)(i)
8 Chief Executive Officer – Remuneration Review	Enable any Local Authority holding the information to carry on without prejudice or disadvantage negotiations.	48(1)(a)(i)

This resolution is made in reliance of Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public, are as follows:

Items 1 & 2	To protect information which is subject to an obligation of confidence.	7(2)(c)
Items 3-8	To enable the Local Authority to carry on negotiations	7(2)(g)

On Resuming

The meeting concluded at 4.52 p.m.

Confirmed at a meeting of Council held
This 18th day of October 2005

Mayor