
Minutes of the Ordinary Meeting of the Waimate District Council held in the Local Government Centre, Queen Street, Waimate on Tuesday 16th May 2006 at 8.30a.m



Present

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

In Attendance

Chief Executive Officer (J.E. Maxwell)
Corporate Services Manager (L. Rawstorn)
Administration Officer (J Larcombe)
1 member of the media (Timaru Herald)
1 Member of the Media (Waimate Advertiser)

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 18th April 2006

BE RECEIVED.

Mov Cr Rayner/ Sec Cr Gibson

Carried.

Reports

His Worship the Mayor

His Worship the Mayor reported on the following:

- L.G.N.Z. Conference
- Making Decisions – R.M.A
- Zone 5 & 6 meeting

- Meetings & Functions attended

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

Mov His Worship the Mayor / Sec Gibson

Carried.

Matters Arising

Local Government New Zealand Conference

RESOLVED, THAT COUNCILLORS P.MCILRAITH AND J.GIBSON ATTEND THIS YEARS NEW ZEALAND LOCAL GOVERNMENT CONFERENCE ON BEHALF OF COUNCIL.

Mov Cr Townend / Sec Cr Balchin

Carried.

RESOLVED, THAT HIS WORSHIP THE MAYOR ATTEND AT THIS YEARS LOCAL GOVERNMENT NEW ZEALAND CONFERENCE.

Mov Cr Gibson / Sec Cr Rayner

Carried.

Noted that Council's Chief Executive Officer would also attend at this years Local Government conference.

Chief Executive Officer

The Chief Executive Officer reported on the following:

- Safer Communities
- Board Appointment to LGITO
- New Cement Plant
- Ombudsmen
- Walking Access

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

Mov His Worship the Mayor / Sec Cr Gibson

Carried.

Matters Arising

Safer Communities

RESOLVED, THAT COUNCILLOR M. HENDERSON ATTEND THE SAFER COMMUNITIES MEETING TO BE HELD IN TIMARU ON TUESDAY 13TH JUNE.

Mov Cr Andrew / Sec Cr Townend

Carried.

Walking Access

Councillor Gibson will monitor this and can also liase with Federated Farmers.

Corporate Services Manager

The Corporate Services Manager reported on the following:

- Roading
- Capex
- Cashflow
- Statement of Financial Performance

RESOLVED, THAT THE REPORT OF THE CORPORATE SERVICES MANAGER BE RECEIVED.

Mov Cr Henderson / Sec Cr Gibson

Carried.

General Business

Civic Honours Award

Council had previously agreed to investigate the setting up of a Civic Honours Award.

A proposed criteria and guidelines had been obtained and Service clubs within Waimate had nominated representatives to serve on an appropriate committee.

It was now proposed that Council set up a Committee in order to assess and finalise the proposed criteria and guidelines for the Awards.

RESOLVED, THAT COUNCIL APPROVE THE SETTING UP OF THE CIVIC HONOURS AWARD COMMITTEE AND CONFIRM RAEWYN FRANCIS FROM ROTARY AND THE PRESIDENT OF THE WAIMATE WHITEHORSE LIONS CLUB AS MEMBERS OF THE COMMITTEE, PLUS ONE REPRESENTATIVE FROM WAIMATE LIONS.

Council note that the proposed criteria and guidelines for the Awards will be reported back to Council.

Mov Cr Foley / Sec Cr Andrew

Carried.

Council Representation

RESOLVED, THAT COUNCILLORS P.FOLEY, M.ANDREW AND M. HENDERSON BE COUNCIL'S REPRESENTATIVES ON THE COMMITTEE.

Mov Cr Gibson / Sec Cr Townend

Carried.

Deployment of Broadband in New Zealand

A late submission to Council's LTCCP from the Ministry of Economic Development was noted for the due consideration of Council.

RESOLVED, THAT ACCEPTANCE OF THE LATE SUBMISSION BE DECLINED.

Mov Cr Gibson / Sec Cr Balchin

Carried.

Naming of Road - St Andrews

The subdivision RM051179 of the narrow strip of land at St Andrews was approved by Council in October 2005.

The proposal was to subdivide the existing seven certificates of title into seven rural allotments and a site for the heritage grain store and a new road.

The new road has recently been constructed as required by a condition of the consent.

It is normal practice that the survey plan shows the name of the new road to be vested.

The subdivider has submitted the following possible road names:

- Seaview Terrace
- Grain Shed Lane
- Pacific View

Others considered appropriate are:

- Grain Store Lane
- Granery Lane

RESOLVED, THAT THE NEW ROAD EXTENDING NORTH FROM BULWER TERRACE AT ST ANDREWS BE NAMED BAXTER AVENUE.

Mov Cr Balchin / Sec Cr Townend

Carried.

Citizenship Ceremony

Mr Peter Cook

Mrs Rosalie Cook

His Worship the Mayor welcomed and introduced Mr Peter Cook and Mrs Rosalie J Cook who were in attendance to undertake the New Zealand Citizenship ceremony.

His Worship the Mayor invited the applicants to take the Oath of Allegiance and advised the applicants of an appropriate Letter of Congratulations as forwarded by the Minister of Internal Affairs.

His Worship the Mayor on behalf of Council congratulated Mr and Mrs Cook on attaining New Zealand citizenship and accordingly presented the appropriate Citizenship Certificates.

Mr and Mrs Cook and their guests were then invited to attend morning tea with His Worship the Mayor and Councillors.

Note: The meeting adjourned at 10.15 a.m.

Note: The meeting re-convened at 10.35 a.m.

Legal Opinion C.E.O. Duties

A legal opinion had been presented to Council at its last meeting regarding the situation where a Council's CEO is requested to take an action which does not comply with duly mandated law.

The situation had arisen where Council was contemplating what action it may take to express its disagreement with the microchipping requirements of the amendments to the Dog Control Act 1996.

The legal opinion concludes that while the CEO has a duty to implement the decisions of Council, he also has a duty to ensure that the Council complies with the Law.

It was advised that the CEO should prefer the latter duty in the event of a conflict between the two duties.

At its previous meeting, Council had resolved that the item lie on the table and be placed on the current agenda of Council.

MOVED, that Council notes the content of the opinion and seeks other methods than an instruction to the CEO to pursue its lobbying against the microchipping requirements of the Dog Control Act.

Mov Cr Gibson

Note: The motion lapsed for want of a Seconder.

RESOLVED, THAT COUNCIL NOTE THE OPINION AS ADVISED.

Mov Cr Balchin / Sec Cr Foley

Carried.

RESOLVED, THAT CR TOWNEND & BALCHIN ATTEND MEETING.

Mov Cr McIlraith / Sec Cr Balchin

Carried.

CO1

Information Reports

The information reports for May 2006 had been circulated to all Councillors.

The following was reported:

- Asset Management
- Planning & Regulatory
- Community Services
- Meetings Attended

The information reports were duly received and noted.

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 18th APRIL 2006.

2. Council Land – Gretna Green

3. Waimate Clock Tower – Radio Aerial

4. Waimate Medical Centre

Mov Cr Rayner / Sec Cr Balchin

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 Council Minutes 2 Presentation – Alpine Energy 3 March Hare Rally 4 Waimate Medical Centre	To protect information which is subject to an obligation of confidence	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, 3, 4	To protect information which is subject to an obligation of confidence.	7(2)(c)
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On Resuming

The meeting concluded at 12.02 p.m.

Confirmed at a meeting of Council held
This 20th day of June 2006

Mayor