
Minutes of the Ordinary Meeting of the Waimate District Council held in the Local Government Centre, Queen Street, Waimate on Tuesday 19th December 2006 at 8.30 am



Present

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

In Attendance

Chief Executive Officer (J.E. Maxwell)
Mayor's PA (A Patterson)
1 Member of the Media (Christchurch Press)
1 Member of the Media (Timaru Herald)

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 21st November 2006
- SPORTS FUND COMMITTEE MEETING HELD ON:
(i) Friday 24th November 2006
- LOCAL AUTHORITY ARTS SCHEME ASSESSMENT COMMITTEE
MEETING HELD ON:
(i) Friday 8th December 2006

BE RECEIVED.

Mov Cr Rayner / Sec Cr Townend

Carried

Matters Arising

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Noted that the status quo exists.

Sports Fund Minutes

Noted that a letter from the Sports Fund Committee will go to rural sporting clubs informing them about the SPARC Rural fund availability.

Reports

His Worship the Mayor

His Worship the Mayor reported on the following:

- Cannington School Refurbishment
- Hazardous Waste
- Clean Air over Waimate
- Multi-Purpose Facility for Waimate
- Seasons Greetings
- Meetings and Functions Attended

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

Mov His Worship the Mayor / Sec Cr Gibson

Carried

Matters Arising

Noted that the combined multi-purpose facility and aquatic groups formally inform the Stadium Committee about progress to date and approach businesses for input.

General Business

Heritage Fund Application

Council sets aside \$5,000 each year for its Heritage Fund and accordingly invites application from same. The Fund balance currently available is \$3,360.

Pro-Ject Waimate has submitted an application to the Heritage Fund for assistance with costs associated with an information board for their Bushman Sculpture project.

Pro-Ject Waimate have sited the Bushman Sculpture at the sunken garden area adjacent to the car park at the rear of the Local Government Centre.

The area was planted and sealed with the sculpture installed on Friday 24th November.

Pro-Ject Waimate intends to install an information board as part of the project, with the total cost being \$2,078.

RESOLVED THAT THE PRO-JECT WAIMATE HERITAGE FUND APPLICATION IN THE SUM OF \$2,078 FOR THE PUBLIC INFORMATION BOARD AT THE NEW SUNKEN GARDEN SITE BE APPROVED.

Mov Cr Henderson / Sec Cr McIlraith

Carried

Road Stopping Proposal

St Andrews Golf Club

The St Andrews Golf Club wrote requesting consent to stop the portion of legal road (unused road reserve) contained adjacent to their golf course at St Andrews.

The subject land has an area of 0.6208ha and a value of \$7,396.

The process for stopping of roads is set down in the tenth schedule to the Local Government Act 1974, as advised herewith:

- Obtain approval in principle from Council.
- Preparation by a Registered Surveyor of a survey office plan to define the area of road to be stopped.
- Public notification of the proposal is then required, referring to the approved survey office plan. This includes two newspaper advertisements and signs being placed at each end of the subject land for a period of 40 days.
- Provided there are no public objections to the proposal, Council can declare the road to be stopped.
- If however, there are objections from the public, the matter must be referred to the Environment Court for a decision.
- If there are no objections, or if the Court approves of the road stopping, then Council is free to sell the land to the owner of the affected property.

The cost of the road stopping procedures, legal surveying costs, etc will be met by the applicant.

RESOLVED THAT COUNCIL APPROVES IN PRINCIPLE, THE STOPPING OF THE LEGAL ROAD (ROAD RESERVE) AS CONTAINED ADJACENT TO THE PROPERTY OF THE ST ANDREWS GOLF CLUB.

SUCH COUNCIL APPROVAL IS SUBJECT TO ANY FURTHER NEGOTIATIONS WHICH MAY BE REQUIRED BETWEEN TRANSIT NZ, ST ANDREWS GOLF CLUB AND ONTRACK.

Mov Cr Rayner / Sec Cr Balchin

Carried

Noted that staff review the policy and report back to Council with recommended changes at the next meeting in February.

Road Stopping Proposal

Mr D Penno

Mr Penno wrote to Council requesting consent to stop a legal road contained on his property at Studholme, R.D. 10, Waimate.

Mr & Mrs Penno own the land on either side of the paper road which is unformed and does not appear to serve any useful purpose.

The proposal had been referred to Council's Engineering department, who advised that the road was not required for roading or other purposes.

The subject land contains an area of 1.212ha and has a value of \$9,373.

The cost of the road stopping procedures, legal, surveying costs, etc, will be met by the applicant.

RESOLVED THAT COUNCIL APPROVES IN PRINCIPLE, THE STOPPING OF THE LEGAL ROAD AS CONTAINED ON THE PROPERTY OF DAVID JAMES AND SHARON JEAN PENNO.

Mov Cr Foley / Sec Cr Rayner

Carried

Hearings Panel

It is proposed to seek resource consent to subdivide the ex. Southburn School site into four allotments ranging in size from 2,670m² to 6,565m² and consent to reduce the usual 20m building setback for residential buildings from the internal boundaries.

The application has been notified on a limited basis and has attracted one submission from Fernwood Dairies Limited.

A decision on the application is now due.

Council needs to appoint particular councillors to hear this application as the Hearings Committee. In October 2005, Council did nominate Councillors Gibson, McIlraith, Rayner, Townend and the Mayor as likely members. Since then the practice has been for Council to appoint particular members from the above councillors to hear a particular application. The Hearings Committee should consist of a minimum of three members and decide on a Chairman. Councillor Henderson has since also completed the required training.

Alternatively, Council may wish to appoint a commissioner to hear the application instead of the Hearings Committee.

A day to hear the application should also be set now so that the required notice of the hearing can be given to the parties involved. To meet the time limits, a day should be set before 7 February 2007.

RESOLVED COUNCIL APPOINT COUNCILLORS MCILRAITH, HENDERSON AND RAYNER WITH COUNCILLOR RAYNER AS THE CHAIRPERSON, AS THE HEARINGS COMMITTEE TO CONSIDER AND FINALLY DETERMINE THE APPLICATION FOR RESOURCE CONSENT (RM061266) TO SUBDIVIDE INTO FOUR LOTS AND TO REDUCE THE 20M BUILDING SETBACK FOR RESIDENTIAL BUILDINGS FROM THE INTERNAL BOUNDARIES IN RESPECT OF 4 & 18 JEFCOATES ROAD, SOUTHBURN.

Mov Cr Gibson / Sec Cr Foley

Carried

Noted that 31st January 2007 was set as a tentative date.

Waimate 50 Motorsport

Waimate 50 Motorsport wrote to Council advising of their wish to hold an event called a "Bent Sprint Race" in the area around William Street, Studholme Street and the Waimate High School. They are seeking the widening of the road to provide a wider turning circle outside the high school playing field. A formal application for consent is due to follow in January 2007. So this request relates solely to the road works.

It is proposed that 30 metres of William Street be widened by the width of a parking bay including alterations to curb and channel and footpath.

RESOLVED THAT RESPONSIBILITY BE PASSED TO MAYOR & DEPUTY MAYOR TO ASSESS PLAN AND SAFETY ASPECTS. IF ASSESSED TO BE OK, AUTHORITY TO SPEND \$7,000 BE APPROVED.

Mov Cr McIlraith / Sec Cr Foley

Carried

Noted: Councillor Townsend voted against the motion.

Property Development

A letter was received from Southern Wide Real Estate and contains suggestions on areas suitable for residential development.

It offers assistance with planning for the future.

RESOLVED THAT THE LETTER BE RECEIVED.

Mov Cr Rayner / Sec Cr Henderson

Carried

Conduct Review Committee

The Council's Code of Conduct, document 202 anticipates in section 7.1 that the Council will institute a Conduct Review Committee to which breaches of the code will be reported.

This committee needs to be formed in order to receive a complaint.

The Code of Conduct envisaged that the review committee would be constituted at the first meeting after Triennial Elections. It states that the Mayor will be an ex-officio member.

It was agreed to not create a committee at that time as its composition might be dependent on the nature of a complaint and the subject of that complaint. The process requires that all alleged breaches of the code will be reported to the above committee which will investigate the alleged breach and prepare a report for Council.

Some Councils have review committees that are composed entirely of Elected Members while others such as Gore District Council have utilised independent members of the public to avoid the inevitable problems of bias.

Procedural Motion

Cr Foley moved a motion to move to next item of business

Mov Cr Foley / Sec Cr Balchin

Carried.

Information Reports

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

The following was reported:

- Asset Manager's report
- Planning & Regulatory Manager's report
- Community Services Manager's report
- Property Report
- Lower Waitaki River Management Society Inc.
 - o Minutes of AGM – 13th November 2006
 - o Chairman's Report

The reports were duly received and noted.

The meeting adjourned at 10.11am
The meeting reconvened at 10.33am

Matters Arising

Gorge Road Water Bore

The question was raised over whether Council was able to rescind the resolution made regarding the sale to Mr Gary Morgan to enable the land in question to be put up for tender.

At its September 2005 meeting, Council had resolved that the land could be sold at a fair market price, and did not specify any particular purchaser.

In this regard, any proposed sale would be subject to public tender.

Council's Property Report of December 2006, specifies that the water potential of the bore on this site would be investigated and reported back to Council prior to any disposal of the site being considered.

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 21ST NOVEMBER 2006

2. ALPINE ENERGY REPORTS

3. WAIMATE TIMBER PROCESSING

Mov Cr Gibson / Sec Cr Foley

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. Alpine Energy Reports 3. Waimate Timber Processing	To protect information which is subject to an obligation of confidence	48(1)(a)(i)
Items 1 - 3	To protect information which is subject to an obligation of confidence.	7(2)(c)

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:

On Resuming

Mr S Kontze

Consent Costs for Installing Solar Panels

Mr Kontze was in attendance and addressed Council regarding the proposed high cost of consent to install a solar panel.

Mr Kontze advised he had undertaken some research into consent costs imposed at Timaru DC & Waitaki DC and found had Waimate to be the most expensive.

He requested that Council consider reviewing the consent process which could bring down these costs. In turn this would encourage others to use solar panels which would help to address the serious issue of energy supply in the national interest.

Noted that staff will review the consent process and report back to Council at the February meeting.

The meeting concluded at 12.01pm

Confirmed at a meeting of Council held
This 20th day of February 2007

Mayor