
Minutes of the Ordinary Meeting of the Waimate District Council held in the Local Government Centre, Queen Street, Waimate on Tuesday 20th March 2007 at 8.30 am



Present

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

In Attendance

Acting Chief Executive Officer (G. Hamilton)
Administration Officer (J Larcombe)
1 Member of the Media (Waimate Advertiser)
1 Member of the Media (Timaru Herald)

Apologies

RESOLVED, THAT AN APOLOGY BE RECEIVED ON BEHALF OF COUNCILLOR J.S. GIBSON.

Mov Cr Rayner / Sec Cr McIlraith

Carried

RESOLVED, THAT THE LEAVE OF ABSENCE AS ADVISED BY COUNCILLOR GIBSON FOR TWO MONTHS BE DULY NOTED AND RECORDED.

Mov Cr McIlraith / Sec Cr Foley

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 20TH FEBRUARY 2007
- EXTRAORDINARY MEETING OF COUNCIL HELD ON:
(i) TUESDAY 6TH MARCH 2007
- HEARINGS COMMITTEE MEETING HELD ON:
(i) WEDNESDAY 31ST JANUARY 2007

BE RECEIVED.

Mov Cr Rayner / Sec Cr Henderson

Carried

Matters Arising

Noted that Council's proposal to consider disposing of part of its forestry is to be followed up.

Noted that clarification of motions taken "In Committee" and confirmed in open meeting be sought and advised back to Council.

Reports

His Worship the Mayor

His Worship the Mayor reported on the following:

- Christmas Decorations in Queen Street
- March Hare – Edwardian Promenade in the Park – South Island Euchre Tournament
- Life Education Van Visit
- Mayoral Forum of Canterbury Mayors
- Meetings and Functions Attended

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

Mov His Worship the Mayor / Sec Cr Townend

Carried

Chief Executive Officer

The Chief Executive Officer reported on the following:

- Annual Plan
- Letter from Mrs Don
- Changes to the Gambling Policy
- Kiwi Saver

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

Mov Cr McIlraith / Sec Cr Henderson

Carried

General Business

The St. Andrews and District Residents and Ratepayers Association are seeking to establish public toilets at the rest area by the sea or in the township of St Andrews.

The Ratepayers Association had suggested that they may be able to assist with raising part of the cost of toilets but the main responsibility would have to be the Council's and a suitable method of maintenance would also need to be put into place.

RESOLVED THAT COUNCIL CARRY OUT AN APPROPRIATE INVESTIGATION INTO LOCATIONS AND THE COSTS PRIOR TO FURTHER DISCUSSIONS WITH THE ST. ANDREWS RATEPAYERS ASSOCIATION.

Mov Cr Rayner / Sec Cr Foley

Carried.

Council Policy on Road Stopping / Sale of Paper Roads

In the past, requests for Council to sell paper roads to adjoining land owners have been infrequent. Council's existing policy provides that the purchaser should pay either the greater of Council's costs or the value of the land they are gaining. It seems likely that requests of this type may increase, and it is now timely to amend the current policy so that Council conducts this activity on a full cost recovery basis.

In order to amend the policy to reflect Council's intent, it is essentially a simple matter of replacing the wording "either/or," in relation to costs incurred by Council v. value of the land, with the word "and".

Council had also taken the opportunity to reformat this policy in its new policy style.

RESOLVED THAT THE FOLLOWING POLICY "SALE OF PAPER ROADS", BE APPROVED AND ADOPTED.

Policy

4.1. Application may be made to Council for the stopping of any road or portion of a road. The procedure to stop roads shall be the manner provided in Section 342 of the Local Government Act and the Tenth Schedule to that Act. In special cases the Public Works Act may be used at the discretion of Council.

Council shall give consideration to interest groups who may be considered affected parties.

4.2. Application

Applications may be made to Council for the stopping of any road or portion of road. The applicant shall provide the following details at the time of application:

- A statement detailing the reason the applicant requires the road to be stopped, along with maps and documents detailing the extent of the road to be stopped; further, that a surveyor's report be included with these maps and documents detailing the cost of the proposed stopping of the road.
- Written statements from all landowners adjacent to the road to be stopped, and other likely affected parties, supporting the stopping of the road;
- Indications of which parcels of land, portions of the road are to be amalgamated.
- Written confirmation that the applicant is prepared to meet the costs of the process whether it is successful or not.

Comment

Council requires detailed information to be able to give full consideration to the application.

4.3. Factor to be considered

When considering an application to stop a road Council shall consider the following factors:

- The disposal of the stopped road shall be dealt with in the manner allowed for under Section 342 of the Local Government Act 1974 including disposing of same by selling to the owner or owners of any adjoining land or by tender to the adjoining owner;
- That the application is a reasonable, bona-fide and practical case for stopping the road;
- In accordance with the procedures set out in the Tenth Schedule, any public objection to the application;
- Purchase price, (to be fixed by a competent valuer), for the parcel of land being stopped. The status, use and Council's obligation in terms of the remaining road.

Comment

In considering the above legislative requirements Council will consider:

- Current use of the road;
- Likely public objections;
- Future needs of the road users.

4.4 Cost charged to the applicant

If the application is approved in principal by Council, the cost charged to the applicant by Council will be the sum of

- All costs incurred by Council, including legal fees and land transfer charges, surveying costs, land acquisition costs etc.
- And the current valuation of the land (to be established by a competent valuer).

In the case of an unsuccessful application, the applicant shall meet all of Council's costs.

Applications require a deposit and total charges will be based on actual costs plus disbursements.

If a special Council meeting is required regarding an application additional charges will accrue.

Mov Cr Henderson / Sec Cr Rayner

Carried.

Council Community Grants

Each year Council sets aside an annual budgeted amount and calls for Community Grants from organisations within the Waimate District.

This year Council had set aside an amount of \$10,000 and called for Community Grants from organisations with applications closing 28th February 2007.

The Community Grants are aimed at organisations which do not qualify for sporting or SPARC funding.

A total of 18 applications for \$54,191 from an available fund of \$10,000 have been received.

It is necessary for Council to assess the future of the fund in that there is now a huge disparity between the amount available for distribution and the amount of funding requested.

Council had previously reduced the funding available from \$20,000 down to \$10,000.

RESOLVED THAT THE FOLLOWING GRANTS BE APPROVED.

| | |
|------------------------------------------------------|---------|
| Age Concern Waimate | \$1,000 |
| Alzheimers Society South Canterbury | \$460 |
| Camp Lindisfarne Trust | \$1,000 |
| Centrecare Counselling | \$3,000 |
| St Andrews School Board of Trustees | \$2,000 |
| Waimate A & P Association | \$400 |
| Waimate District Community – Foundation of the Blind | \$500 |
| Waimate Health Developments | \$2,000 |

Mov Cr Rayner / Sec Cr Townend

Carried.

Council Queen Street Subdivision Street Name

Council's Queen Street subdivision is currently being progressed and Council had invited suggestions from ratepayers and public for the naming of the cul-de-sac street which will be contained within the new subdivision.

Council had decided that in preference to naming the subdivision street themselves, that the ratepayers and public would be requested to submit name suggestions.

The following street names were forwarded for the consideration of Council:

Norman Kirk Place
 Norman Kirk Memorial Place
 Dr Margaret Cruickshank Place
 Dr Margaret Cruickshank Memorial Place.
 Dr Cruickshank Place.
 (submitted by Kerry Struthers)

Owen Place
(submitted by J & N Bailey)

Owen (Street, Place, etc)
(submitted by Mrs Pam Mehrtens)

Hunterville Crescent
(submitted by Mr James Dobbie)

Eric Batchelor Place
(submitted by Caroline Sleigh)

Eric Batchelor Place
(submitted by B & D. Foley)

Eric Batchelor Place
(submitted by A J Patterson)

Eric Batchelor Place
(submitted by SR & DJ Drake)

Strawberry Lane
Railway Terrace
(submitted by D McCabe)

At its February meeting, Council had proposed the following names for consideration:

- Eric Batchelor Place
- Owen Place
- Shackleton Place

MOVED THAT THE QUEEN STREET SUBDIVISION CUL-DE-SAC BE NAMED ERIC BATCHELOR PLACE.

Mov Cr Henderson / Sec Cr Balchin

As an Amendment

Moved that the street name be Eric Batchelor Drive

Mov Cr Foley / No Seconder

The original motion became substantive and was put and

Carried

Heritage Fund Application

Council invites applications from its Heritage Fund which is funded on an annual basis with appropriate criteria and guidelines.

The Studholme District Historical Committee was established with the aim of providing a permanent record of its district's history in support of the 2003 publication of the book "Studholme – The Junction and the District."

The Committee wish to erect a monument on the Hannaton Road boundary of the Nukuroa Reserve incorporating a bronze plaque indicating all roads and water courses within the Studholme District including at least 19 other points of great historical interest.

The total cost of the project is \$9,800 of which the Studholme Historical Committee will provide \$8,000 being actual cost.

The Studholme Historical Committee advised that that the project will protect the historical significance of the Nukuroa Settlement and Studholme District, for the present and future generations to enjoy and respect.

The project is eligible under Council's Heritage Fund guidelines and the current Heritage Fund available for distribution is \$7,114.

RESOLVED THAT THE APPLICATION BY THE STUDHOLME DISTRICT HISTORICAL COMMITTEE FOR FUNDING OF ITS PROPOSED HISTORICAL MONUMENT IN THE SUM OF \$1,800 BE APPROVED AND GRANTED, SUBJECT TO THE MONEY BEING GRANTED BY A G.S.T ENTITY IN ORDER THAT THE APPROPRIATE SAVINGS MAY BE RECOUPED BY COUNCIL.

Mov Cr McIlraith / Sec Cr Andrew

Carried.

Note: Cr Foley declared his interest and did not vote on the motion.

Objection to Conditions Imposed on Subdivision Consent RM061272

Council needs to review and determine an objection, pursuant to Section 357 of the Resource Management Act 1991, to conditions (vi) and (vii) imposed on Subdivision Consent RM061272 as granted by the Manager – Planning and Regulatory in respect of above site. The applicant is Camrick Investments Limited.

In January 2007, the Manager – Planning and Regulatory, acting under delegated authority, granted resource consent to allow for the creation of six residential allotments subject to certain conditions.

In February 2007, the applicant exercised his right of objection (or review) as provided pursuant to Section 357 of the Resource Management Act 1991, in respect of conditions (vi) and (vii). The applicant has accepted the other parts of the decision.

Mr Warrick Brown of Camrick Investments Limited was in attendance to answer questions from Councillors.

Each of the conditions objected to were considered separately as follows:

Condition (vi) states:

That a 1.5m asphaltic concrete footpath shall be provided along the Edinburgh Street and Princes Street frontages of the subject site (except at the access points) for a total distance of 90m.

Condition (vii) states:

That a 1.5m asphaltic concrete footpath shall be provided along the Edinburgh Street and Princes Street frontages of Lot 22 DP 277 (except at the access points) for a total distance of 91m. The Council shall pay to the applicant 50% of the cost of this work.

The applicant is concerned with the timing for the construction of the footpaths associated with the subdivision, the extent of his contribution for the work, and that there is no connection or linkage to any existing footpaths should the footpaths required by the subdivision be constructed. In that sense, the applicant considers the footpaths could be constructed later (i.e. after the subdivision) when the lots are developed or when the entranceways are established. The applicant prefers to make an agreed cash contribution towards the work with Council being responsible for carrying out the actual footpath construction later.

The applicant also considers that he should not contribute to the new footpath to the extent that has been imposed in front of his neighbour's property (i.e. half the cost).

The Waimate District Plan provides provision to assess whether a financial contribution is to be imposed on a proposed subdivision.

Assessment Matter 8d(ii) states:

'Where any subdivision in any zone has frontage to any existing road(s) that is/are not constructed to the standards set out in Rule 7 b l above and/or where road widening is required; whether the land uses that will be established on the proposed allotments will increase the use of that road(s) to the extent that forming or upgrading the existing road(s) is required and, therefore, whether there is any need for the applicant to pay to the Council a financial contribution towards the forming or upgrading of the road(s). Such financial contribution shall not exceed the extent to which the road(s) serves or is intended to serve the subdivision and, where the road(s) is/are adjacent to the subdivision, shall not exceed half the cost of the formation or upgrading works. The maximum cost of providing carriageway formation and widening, berm formation, footpaths, kerb and channel, as the case may be, shall be assessed in accordance with the following formula:

Carriageway -unformed to metalled \$10.00 per m²

-unformed to sealed \$12.00 per m²

-metalled to sealed \$10.00 per m²

Kerb and Channel -\$50.00 per lineal metre

Footpath -\$20.00 per lineal metre at 1.5m wide

Berm - \$20.00 per lineal metre at 2.7m wide

inclusive of 12.5% GST

These costs shall be adjusted annually on 30 June of each financial year, in accordance with the Construction Price Index beginning on 30 June 1995'.

The above assessment matter provides a guide to establishing the contribution but is not definitive or binding. The above assessment suggests that the applicant's contribution should be up to half of the cost of the work outside the frontage of the subject site and not the full cost as proposed in condition (vi). In this instance, the density or number of lots involved in the proposed subdivision solely creates the need for the proposed footpath. If there was no subdivision, the footpath would not be necessary, i.e. the status quo would remain. It is on that basis that the full cost of the new footpaths was imposed with condition (vi).

In respect of condition (vii), half of the cost of the new footpath outside the neighbour's property is imposed. This additional footpath is required to link the Edinburgh Street and the Princes Street frontages of the site being subdivided. It is on that basis that half of the cost of this footpath was imposed. There is no requirement to link or connect the new footpaths to the existing footpath in Edinburgh Street, some 120m south.

It is fair to compare the contributions required on this subdivision to other recent subdivisions where roading contributions were required. With the Buckingham subdivision (RM041146) in Queen Street, Waimate, Council required 50% of the cost of the new footpath outside the subject site and 25% of the cost of new footpath outside the neighbour's property to connect to the Hillary Street intersection. With the St Andrews coastal subdivision (RM051179) which involved a new road being constructed and no footpaths, Council required 80% of the cost of the work to be met by the subdivider.

With the present subdivision, the applicant is being required to make a greater percentage of contribution (i.e. 100% and 50% respectively) but is not required to connect the new footpaths to the existing footpath further south in Edinburgh Street.

RESOLVED THAT HIS WORSHIP THE MAYOR, COUNCILLORS BALCHIN AND RAYNER AND THE APPROPRIATE COUNCIL STAFF FORMULATE AN APPROPRIATE FOOTPATHS POLICY TO BE REPORTED BACK TO COUNCIL

Mov Cr McIlraith / Sec Cr Andrew

Carried.

Appointment of Medical Centre Director

Each year one Medical Centre Director offers to stand down but is still eligible for re-election.

The position must be advertised and a sub committee of Council formed to review and appoint a suitable candidate.

There is an obligation of Council per the Appointment and Remuneration of Directors for Council Controlled Organisations to review, advertise and appoint a Director to the Waimate Medical Centre.

RESOLVED THAT THE POSITION OF DIRECTOR OF THE WAIMATE MEDICAL CENTRE BE ADVERTISED

Mov Cr Foley / Sec Cr Balchin

Carried

RESOLVED THAT COUNCILLORS RAYNER, ANDREW AND FOLEY BE APPOINTED TO REVIEW AND APPOINT THE NEW MEDICAL CENTRE DIRECTOR.

Mov His Worship the Mayor / Sec Cr Balchin

Carried

Waimate Woodcraft Expo

The Waimate Woodcraft Expo advised of its Expo to be held over Queen's Birthday weekend, 2-3rd June 2007.

The project is an initiative of the Rotary Club of Waimate as a community event to promote the artistic use of wood as a creative medium and foster the awareness of Waimate's forestry.

The organising committee is seeking sponsorship for the nine competition categories at the rate of \$700 per category.

RESOLVED THAT THE SPONSORSHIP REQUEST BE DECLINED.

Mov Cr Townend / Sec His Worship the Mayor

Carried

Council notes its support of the Expo, but currently has no available funding for sponsorship.

Annual Plan – Multi Purpose Facility

It was advised that Council's Annual Plan indicated an amount set aside for a feasibility study for a multi purpose facility is noted to be \$70,000, whereas Council's understanding is that this amount was \$15,000.

Noted that His Worship the Mayor would ascertain clarification.

Civil Defence

Noted that Council are receiving various enquires relating to its Civil Defence budget and that this be addressed at its forthcoming workshop.

Note: The meeting adjourned 10.15 am.
Note: The meeting re-convened 10.38 am.

Information Reports

The information reports for March 2007 had been circulated to all Councillors.

The following was reported:

- Asset Manager's Report
- Planning & Regulatory Manager's Report
- Community Services Manager's Report
- Social Services Committee Minutes – 22 Feb 2007
- Canterbury Mayoral Forum Minutes – 19 Feb 2007
- Pop Black Memorial Scholarship Fund Minutes – 27 Nov 2006
- Sport South Canterbury News – Feb 2007
- Ecan Regional Fast Facts issues 220, 221

The 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 19th DECEMBER 2006

2. GIRL GUIDES

3. APPOINTMENT OF CONSULTANT TO RECRUIT CEO

Mov Cr Townend / 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 | To protect information which is subject to an obligation of confidence | 48(1)(a)(i) |
| 2. Girl Guides | | |
| 3. Appointment of Consultant to Recruit CEO | | |

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 - 3 | To protect information which is subject to an obligation of confidence. | 7(2)(c) |
|-------------|-------------------------------------------------------------------------|---------|

On Resuming

The meeting concluded at 12.35 pm.

Confirmed at a meeting of Council held
This 17th day of April 2007

Mayor