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Minutes of the Ordinary Meeting of the Waimate District Council held in the Local Government Centre, Queen Street, Waimate on Tuesday 24<sup>th</sup> July 2007 at 8.30 am

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### Present

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

### In Attendance

Chief Executive Officer (J Maxwell)  
Administration Officer (J Larcombe)  
1 Member of the Media (Timaru Herald)

### Apologies

An apology was received and noted on behalf of Cr P McIlraith.

**Mov Cr Rayner / Sec Cr Henderson**

**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 24<sup>th</sup> JULY 2007

BE RECEIVED.

**Mov Cr Townend / Sec Cr Andrew**

**Carried**

### Reports

His Worship the Mayor

His Worship the Mayor reported on the following:

- New Zealand Army

- Friends of Knottingley Park
- HMZNS Canterbury
- Let's Grow Waimate
- Pareora Hut Owners and DoC Meeting
- 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:

- Centrewood Park
- Mr Don McCabe
- Kiwisaver
- Mrs Chapman

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

**Mov Cr Rayner / Sec Cr Gibson**

**Carried**

Matters Arising

Mr Don McCabe

Mr Murray. E. Bruce forwarded a letter to Council advising that recognition be given to Mr Don McCabe of Waimate for his immense value in recording the history of Waimate and its districts.

The history is contained in volumes and the following proposals were advised to Council:

- A once only gratuity payment.
- That Council write to the Ministry of Education requesting that a copy of all volumes be installed in all primary schools in the district and all secondary schools in Waimate, Timaru and Waitaki.
- That all volumes be forwarded to the National Archives and the Hocken Library in Dunedin.

**RESOLVED**, THAT THE APPROPRIATE LETTERS BE FORWARDED.

**Mov Cr Gibson / Cr Rayner**

**Carried**

## General Business

### Correspondence

Letter Received from Waimate Theatre Trust

A letter was received from Waimate Theatre Trust thanking Council for the decision they made regarding the Trust's submission to the Annual Plan.

**RESOLVED**, THAT THE LETTER BE DULY RECEIVED AND NOTED.

**Mov Cr Townend / Sec Cr Rayner**

**Carried**

### Lions Club of Waimate & Waimate Whitehorse Lions Club Grants

The Lions Club of Waimate and Waimate Whitehorse Lions Clubs had advised Council of their disappointment at comments advised publicly by councillors regarding their respective grants schemes and distribution.

**RESOLVED** THAT THE LETTER BE DULY RECEIVED AND NOTED.

**Mov Cr Townend/ Sec Cr Balchin**

**Carried**

### Representation – South Canterbury Historic Places Trust

Council maintains representation on the South Canterbury Historic Places Trust.

Recently, Sheryl Frew had resigned as Council's representative on the South Canterbury Historic Places Trust.

Consideration was given to whether Council should appoint another representative or leave the matter in abeyance until all Council committees are reviewed at the October local elections.

**RESOLVED**, THAT COUNCIL FILL THE VACANCY AFTER ITS OCTOBER ELECTIONS.

**Mov Cr Rayner / Sec Cr Balchin**

**Carried**

### Access to Knottingley Park

Following Council's meeting on 19<sup>th</sup> June 2007, it was requested that a report be prepared regarding the ban of motor vehicles from the inner circle of Knottingley Park except by appointment.

Councillor Henderson had undertaken an appropriate investigation on behalf of Council with a report detailing the following:

- Scope of Inquiry.
- Process Used.
- Groups / People Consulted.
- Important Facts / Understandings.

- Recommendations.
- Conclusion.

**RESOLVED** THAT

1. KNOTTINGLEY PARK BE AVAILABLE FOR ALL TO USE.
2. SPEED LIMITS AROUND THE PARK BE BETTER DISPLAYED.
  - 20KPH SIGN INSIDE THE MAIN GATE
  - 20KPH SIGN JUST PAST THE CATTLE STOP
  - 20KPH SIGN HALFWAY AROUND THE KNOTTINGLEY PARK LOOP
3. A SIGN PROHIBITING MOTORCYCLES BE DISPLAYED JUST INSIDE THE MAIN GATE.
4. A RUBBISH CONTAINER BE PLACED ON THE PARK-SIDE OF THE CATTLE STOP.
5. TRAFFIC FLOW AROUND KNOTTINGLEY PARK BE ENCOURAGED TO TRAVEL IN A CLOCKWISE DIRECTION.
6. ONE EXTRA 'SPEED HUMP' BE INSTALLED – THROUGH THE CATTLE STOP, JUST AFTER TRAFFIC COMMENCES ITS TRAVEL AROUND THE LOOP.
7. PEOPLE EXPERIENCING ANY INAPPROPRIATE BEHAVIOUR TO REPORT IT IMMEDIATELY TO THE WAIMATE POLICE. A CELL PHONE WILL BE A USEFUL DEVICE FOR REPORTING SUCH BEHAVIOUR.
8. THE FRIENDS OF KNOTTINGLEY PARK AND THE DISTRICT'S WALKING TRACK GROUP BE ENCOURAGED TO DEVELOP A WALKING TRACK AROUND THE INNER PERIMETER OF THE PARK. SUCH A WALKWAY TO BE LINKED IN WITH THE COMMUNITY'S TOTAL WALKING PLAN. THE TRACK TO BE SOLELY FOR WALKERS AND NOT BICYCLES OR ANY FORM OF MOTORISED VEHICLE.

Moved that the report be received with recommendation 2 as detailed applying.

Mov Cr Townend / Sec Cr Balchin

**As an Amendment**

**MOVED** THAT THE REPORT BE RECEIVED AND ALL RECOMMENDATIONS EXCEPT NUMBER 4 BE ADOPTED.

**Mov Cr Gibson / Sec Cr Rayner**

The amendment became the substantive motion which was put and **Carried**

Representation – Whitehorse Recycling

Council previously maintained representation on the Whitehorse Recycling Trust. Councillor Townend had been Councils representative and had submitted her resignation as the Trust was now a separate entity not now associated with Council.

**RESOLVED** THAT COUNCIL HAVE NO REPRESENTATION ON THE WHITEHORSE RECYCLING TRUST.

**Mov Cr Balchin / Sec Cr Townend**

**Carried**

#### Employment of Physical Activity Co-ordinator

The Community's Physical Activity Plan highlighted 4 areas for further development. Namely: the Multi-Purpose Facility, an Aquatic Facility, Rural Walkways and the employment of a Physical Activity Co-ordinator.

The Physical Activity Co-ordinator Implementation Committee (PACIC), like the other Committees has been meeting regularly since the end of 2005.

The PACIC from its research has come to the conclusion that making a combined application to SPARC for a Physical Activity Co-ordinator with the Timaru District Council is the best way to proceed.

Discussions to date indicate that a Physical Activity Co-ordinator would be employed in the Timaru District for four days of the week and in the Waimate District for one day a week.

The cost of employing such a person has been estimated at \$70,000 to \$80,000 a year.

The TDC have agreed to fund such a position for 3 years (\$30,000 a year).

The Waimate District Council therefore needs to contribute its share of the costs if it is to be part of the combined application to SPARC.

Such a share has been estimated at \$8,000 a year for the next 3 years.

**RESOLVED** THAT THE WAIMATE DISTRICT COUNCIL AGREE IN PRINCIPLE TO FUND THE EMPLOYMENT OF A PHYSICAL ACTIVITY CO-ORDINATOR WITH THE TIMARU DISTRICT COUNCIL FROM THE START OF THE 2008 FINANCIAL YEAR.

**Mov Cr Henderson / Sec Cr Rayner**

**Carried**

#### Memorandum of Understanding between the Waimate District Council and the Waimate District Resource Trust Inc

The Council are currently formalising arrangements with Community Organisations they contribute funding to.

The Waimate District Resource Trust Inc. (WDRT) has received an annual grant from Council since 1993. This, along with grants from other funding sources has allowed the Waimate Resource Centre to function and address the social needs of the community.

In 2002 the Resource Trust signed a Memorandum of Understanding with the Ministry of Social Development when it became a "Heartlands" Centre.

One of the reasons MSD was willing to sign a contract with the Resource Trust was that the local authority was also to be a contributing partner.

For some time there has been an informal funding agreement between the Waimate District Council and the Waimate District Resource Trust.

The Resource Trust's current contract with the MSD expires in 2010.

In an effort to match up expiry dates, the Memorandum of Understanding between the WDC and the WDRT is from 2007 until 2010.

At that time the WDRT will need to draw up new Memorandum of Understanding with both the WDC and the MSD.

**RESOLVED** THAT THE WAIMATE DISTRICT COUNCIL SIGN THE MEMORANDUM OF UNDERSTANDING WITH THE WAIMATE DISTRICT RESOURCE TRUST INC.

**Mov His Worship the Mayor / Sec Cr Andrew**

**Carried**

Note: Councillor Henderson declared an interest in the above topic and did not take part in discussion or voting

Hearing of Notified Resource Consent Application – Subdivision Consent :  
RM061241 – Consent to subdivide into three rural lots – Waimate Highway (SH 1), St Andrews – Mount Investments Limited

Council needs to appoint particular Councillors to hear this application as the Hearings Committee. The Hearings Committee should consist of a minimum of three members and decide on a Chairman.

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.

The applicant is seeking resource consent to subdivide Lot 29 DP 895 into three rural allotments with each lot comprising approximately 1.77ha. The site affected by the application fronts the western side of Waimate Highway (State Highway 1) and is located approximately 150m north of the St Andrews town-ship.

The application has been publicly notified and has attracted three submissions.

**RESOLVED** THAT COUNCIL APPOINT COUNCILLORS RAYNER, HENDERSON, AND GIBSON AS THE HEARINGS COMMITTEE TO CONSIDER AND FINALLY DETERMINE THE APPLICATION FOR RESOURCE CONSENT (RM061241) TO SUBDIVIDE LOT 29 DP 895 AT WAIMATE HIGHWAY (STATE HIGHWAY 1), ST ANDREWS INTO THREE RURAL LOTS.

THAT A DATE FOR THE HEARING OF THIS APPLICATION SHALL BE 21<sup>st</sup> AUGUST 2007 AT 2.30 pm.

**Mov His Worship the Mayor / Sec Cr Andrew**

**Carried**

Land offered as Reserve Contribution and Street Name – Stage 2, Subdivision Consent RM070030, Queen Street, Waimate. Applicant: L.T. & J.J. Buckingham

Council must determine whether land should be taken as a reserve in lieu of a cash contribution in respect of the Stage 2 development at the ex Hospital site in Queen Street, Waimate. Also, a new road is proposed as part of the Stage 2 subdivision. Consideration was given as to the name of this new road.

Stage 1 (RM041146) provided for the creation of seven residential lots and this subdivision has now been completed with two houses currently under construction on two of the allotments. The applicant now proposes to further subdivide the balance land (or Lot 6) of this earlier subdivision.

This further subdivision or Stage 2 involves subdividing Lot 6 DP 372949 into five residential allotments (Proposed Lots 1-5), ranging in size from 466m<sup>2</sup> to 548m<sup>2</sup>, with each lot having frontage to Lot 7 which is a new road to vest. Proposed Lot 6 comprises the balance area of 1.826ha and contains the former 'Waimate Hospital' buildings and the former Hospital Sexton's building.

The subject site is zoned Residential in the Waimate District Plan. In the Subdivision and Development section of the Plan, under Site Subdivision Standard 7f, in respect of additional allotments in the Residential zone, it states that a cash contribution shall be made to the Council towards the provision and maintenance of land and facilities for open space and recreation.

The contribution is 5% of the average value of the allotments in the subdivision, excluding the area of allotments for roads, reserves, access and similar purposes.

Site Subdivision Standard 7f also states that all contributions shall be to the Council in cash, unless negotiated land purchases are made in conjunction with the subdivision. This would imply that Council could, if it wished, take land as reserve in lieu of the cash contribution. In that respect, the applicant is proposing to establish a small neighbourhood reserve at a later stage when the balance land is again further subdivided. A conception plan has been included which shows a small reserve of approximately 2700m<sup>2</sup> in land area. The applicant has suggested that this reserve land be taken in lieu of the cash reserve contribution for the Stage 2 subdivision.

In this respect, Council's guidance is required as to whether the contribution should be by way of land offered as reserve or by way of a cash contribution. The following comments are considered to be relevant to any consideration given:

- The proposed reserve is essentially a small neighbourhood reserve. While it is likely the reserve will primarily serve the local residents of the new street, a pedestrian access or walkway to link to Naylor Street from the end of the new street is proposed. This will allow easy access to the reserve for the general public. The reserve could provide a rest stop or point of interest for the general public.
- The proposed residential lots in the subdivision are relatively small in size (i.e. ranging from 466m<sup>2</sup> to 548m<sup>2</sup>). It is understood that the lots are marketed more for the housing of the elderly or retired people who want little land to look after. The location of the proposed reserve makes it easily accessible for the local residents of the new street and for visitors alike.
- In terms of reserves, overall, Waimate is well served with public reserves. Victoria Park is close to the subject site.

The applicant may wish to provide further information.

In respect of the name of the new street, the applicant has suggested "Hunter Crescent". As part of the consultation carried out with the proposed Council subdivision nearby (where the name of 'Eric Batchelor Place' was adopted), at the time other suggested names were given such as Norman Kirk Place, Dr Cruickshank Place, Owen Place, and Shackleton Place.

**RESOLVED**

1. THAT IN RESPECT OF THE STAGE 2 SUBDIVISION, COUNCIL CONSIDERS THAT THE CONTRIBUTION SHALL BE BY WAY OF A CASH CONTRIBUTION.

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

2. THAT THE STREET NAME BE "HUNTER CRESCENT".

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

Note: The meeting adjourned at 10.20 am.  
 Note: The meeting re-convened at 10.35 am.

## Elections

Consideration was given to early processing of votes and candidate order of name on voting papers for the 2007 elections.

The Electoral Officer intends to process and count all Waimate District Council and Canterbury Regional Council votes in-house. The South Canterbury District Health Board elections using a STV system will be processed in Christchurch by Election.dot.com.

It was requested that Council approve the early processing of votes (not counting) as has been the case now for the last few elections, including the 2005 by-election. Apart from the cost efficiencies, the system hopefully, will allow the results to be known very early in the afternoon of Election Day.

If early processing is undertaken;

- A JP must always be present
- Staff have to do different duties, e.g. random scanning
- The computer is locked down from Christchurch until 12.00pm on election day and does not allow any counting until that time
- High security in the processing area.

Council can also decide how the candidates' names are to be shown on the voting papers, either alphabetically, random or pseudo-random. At the 2004 election, most district councils used alphabetical order. The section of the regulations which apply is as follows:

***Section 31 - Order of candidates' names on voting documents.***

*The names under which each candidate is seeking election may be arranged on the voting document in alphabetical order of surname, pseudo-random order, or random order.*

*Before the electoral officer gives further public notice under section 65(1) of the Act, a local authority may determine, by a resolution, which order, as set out in subclause (1), the candidates' names are to be arranged on the voting document.*

*If there is no applicable resolution, the candidates' names must be arranged in alphabetical order of surname.*

*If a local authority has determined that pseudo-random order is to be used, the electoral officer must state, in the notice given under section 65(1) of the Act, the date, time, and place at which the order of the candidates' names will be arranged and any person is entitled to attend.*

*In this regulation,-*

*Pseudo-random order means an arrangement where-*

*(a) the order of the names of the candidates is determined randomly and*

*(b) all voting documents use that order*

*random order means an arrangement where the order of the names of the candidates is determined randomly or nearly randomly for each voting document by, for example, the process used to print each voting document.*

**RESOLVED** THAT THE RETURNED VOTING DOCUMENTS FOR THE 2007 WAIMATE DISTRICT COUNCIL ELECTIONS BE PROCESSED DURING THE VOTING PERIOD. SUCH EARLY PROCESSING TO BE UNDERTAKEN IN ACCORDANCE WITH THE LOCAL ELECTORAL ACT 2001.

THE NAMES OF THE WAIMATE DISTRICT CANDIDATES FOR THE 2007 ELECTIONS BE ARRANGED IN ALPHABETICAL ORDER OF SURNAME

**Mov Cr Townend / Sec Cr Rayner**

**Carried**

## Information Reports

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

The following was reported:

- Asset Manager's report
- Community Services Manager's report
- Planning & Regulatory Manager's report
- Property report
- Donations – Tax Deductible
- ECan Regional Fast Facts

The reports were duly received and noted.

## Matters Arising

Council to arrange a general meeting plus on-site roading meeting with Transit New Zealand to discuss roading proposals.

Note: The meeting adjourned at 12.05 pm.  
Note: The meeting re-convened at 12.45 pm.

## Audit New Zealand

Mr Bede Kearney from Audit NZ was in attendance at Council's request to address the issue of Audit fees.

Mr Kearney advised the following:

- Acknowledged the increased costs.
- More Audit procedures now required.
- Greater expectation by the Auditor General.
- Audit fee checked to be similar with likewise sized authorities.
- Audit would prefer lesser time to be spent on the audit.
- Complete Council trails for Audit would assist.
- Actual cost if under estimated fee would be charged.
- Complete audit trails will assist.
- Dedicated Council officer to source required audit information would assist.
- Cost of travel is a factor.
- Overseas auditors are brought in.
- More formal disclosures expected.
- Audit focus is the Annual report.
- Trade off for increased general competence under the Act is greater accountability.

Mr Kearney advised that the following which generates Audit overruns:

- Presentation of information.
- Accounts not being finalised.
- Issues like Waimate Timber Processing.

His Worship the Mayor advised his thanks on behalf of Council to Mr Kearney.

## Update on Waimate Sport & Leisure Centre

Messrs Tylie Baikie and Lewis Gibson from St Patrick's School presented a 3D overview by way of projection which outlined the following:

- The future of Waimate.
- Uses for the proposed complex.
- Provisional plan.
- Pool café and office.

- General complex uses.

His Worship the Mayor advised Council's appreciation for the presentation.

Representatives from the Sport & Leisure Centre Committee were in attendance to update Council on their plans in the community

- Why a new facility.
- History.
- Today.
- Environmental.
- Cultural.
- Facilities & resources desired.
- Planning and design.
- Risks.
- Timeline.

The presentation was duly received and noted by Council.

## Local Government Conference 2007

His Worship the Mayor and Councillor Townend advised an update on the recent Local Government Conference held in Dunedin.

- David Shand's update on the Government Rates Enquiry Review.
- Address – Mr John Key.
- Governments Next Steps.
- Road funding – Annette King.

A report is accordingly available to Members.

## Council Special Purpose Sub Committees

Councillor Townend had received correspondence from Mr Ian Jeffery regarding the calling of nominations to Council Special Purpose Sub Committees, and in particular the timing of this procedure.

This item was referred to Council's Administration Officer for due action.

## Appointment of Acting CEO

The following portion of the Council resolution taken "In Committee" was confirmed to be available in public meeting:

1. THAT MR LAWRENCE RAWSTORN, COUNCIL'S CORPORATE SERVICES MANAGER, BE APPOINTED TO THE POSITION OF ACTING C.E.O. OF THE WAIMATE DISTRICT COUNCIL UNTIL SUCH TIME AS THE C.E.O. IS PERMANENTLY APPOINTED, SUBJECT TO THE FOLLOWING CONDITIONS:
  - a. THE TERM OF APPOINTMENT IS FIXED TERM UNTIL SUCH TIME AS COUNCIL MAKES A PERMANENT APPOINTMENT TO THE POSITION.
  - b. THE POWERS OF THE ACTING C.E.O. ARE THOSE AS CONTAINED PURSUANT TO SECTION 42 OF THE LOCAL GOVERNMENT ACT 2002, WITH THE EXCEPTION OF THE HIRING AND DISMISSAL OF STAFF AND THE RIGHT TO MAKE SALARY INCREASES.
  - c. THE POSITION IS TEMPORARY AND THE ACTING C.E.O WILL REVERT BACK TO HIS/HER PREVIOUS POSITION WITH COUNCIL ON THE APPOINTMENT OF A PERMANENT C.E.O.

**Mov His Worship the Mayor / Sec Cr Rayner**

**Carried**

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 19 JUNE 2007
2. **ALPINE ENERGY REPORT**
3. **APPOINTMENT OF ACTING CEO**

**Mov Cr Rayner / Sec His Worship the Mayor**

**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:

| <b>General subject of each matter to be considered</b> | <b>Reason for passing this resolution in relation to each matter</b>  | <b>Ground(s) under Section 48(1) for the passing of this resolution</b> |
|--|---|---|
| 1. Council Minutes                                     | To protect information which is subject to an obligation of confidence  | 48(1)(a)(i)   |
| 2. Alpine Energy Reports                               | Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities | 48(1)(a)(i)   |
| 3. Appointment of Acting CEO                           | Protect the privacy of natural persons  | 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:

- |                              |   |         |
|------------------------------|---|---------|
| 1. Council Minutes           | To protect information which is subject to an obligation of confidence  | 7(2)(c) |
| 2. Alpine Energy Reports     | Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities | 7(2)(c) |
| 3. Appointment of Acting CEO | Protect the privacy of natural persons  | 7(2)(a) |

## On Resuming

The meeting concluded at 2.15 pm.

Confirmed at a meeting of Council held  
This 21<sup>st</sup> day of August 2007

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Mayor