
Minutes of the Ordinary Meeting of the Waimate District Council held in the Local Government Centre, Queen Street, Waimate on Tuesday 20th November 2007 at 1.00 pm



Present

His Worship the Mayor, Mr J.G. Coles (Chair)
Councillors B.J. Abraham, J.D. Anderson,
M.L. Andrew, M.J. Balchin, P.J. Foley,
M. Henderson, P.F. McIlraith, J.O. Rayner.

In Attendance

Chief Executive Officer, A J. Alden
Administration Officer, J Larcombe
Corporate Services Secretary, M. Mather
1 Member of the Media, Waimate Advertiser

Opening Prayer

His Worship the Mayor read the opening prayer.

Public Forum

Waimate Youth Council

It was advised to Council that a survey had been undertaken over 305 students which strongly supported progression of the proposed multi purpose sporting facility.

Iwi Representation

Mr Mahi Te Maiharoa and Wendy Heath were in attendance and advised the following:

- Believe Iwi representation and liaison with Council to be extremely important.
- Waihao and Waitahi have signed an agreement to work together.
- Council could consider attending Iwi meetings.
- Both Waihao and Waitaha believe stronger representation with Council is important and should be progressed.

Mr Jim Campbell (Dawson's Building)

Mr Campbell advised down-pipe issue at the Dawson's building had not yet been resolved.

Councils Building Control Officer to address this issue with Mr Campbell.

Colleen Francis (Roads)

Concern expressed at the state of Shearman Street from the Museum to Knox Church – road uneven and rough.

Mill road and Herbert Street – uneven in places with extremely steep gradient at side of road (shoulder).

Daniel McRae (Motorcycle Club)

- Proposing a motorcycle track in the forestry area beside the treatment ponds.
- Will need to be progressed with Ecan.
- Council supportive of the proposal.
- Councils Environmental Health Officer to work in with the Club over the proposal.

Minutes

RESOLVED, THAT THE MINUTES OF THE:

- ORDINARY MEETING OF COUNCIL HELD ON:
(i) Tuesday 23 October 2007
- EXTRAORDINARY MEETING OF COUNCIL HELD ON
(i) Tuesday 30 October 2007

BE RECEIVED.

Mov Cr Rayner / Sec His Worship the Mayor

Carried

Matters Arising

Council minutes of 23/10/07 – Alpine Energy – Noted Councillor Balchin also appointed as Councils representative (p9).

Council minutes of 23/10/07 – Consents Hearings / Commissioner – Noted that Councils Planning & Regulatory Manager will recommend to Council as regards either the appointment of a Consents Hearings panel or an independent Commissioner.(p9).

Council minutes of 23/10/07 – Planning & Regulatory – Noted that Community Support to also be shown under Planning & Regulatory (p14).

Chief Executive Officer's Report – Zone 5 Meeting (p21) – Cr Abraham to replace "Andrew".

Annual Report Summary

The 2006 / 2007 Annual Report summary was duly considered by Council.

The report outlined the following;

- Mayors report.
- Chief Executive Officers report.
- Non Financial performance measures.
- Waimate Medical Centre.

- Accounting policies.
- Miscellaneous other.
- Summary Financial report.

RESOLVED THAT 2006 / 07 ANNUAL REPORT SUMMARY BE APPROVED AND ADOPTED.

Mov Cr McIlraith / Sec Cr Abraham

Carried

Reports

His Worship the Mayor

His Worship the Mayor reported on the following:

- Queen Street Public Toilets
- Civil Defence – Rural Relief
- Environment Canterbury
- Meridian Consent Application
- Zone 5 Meeting.
- Meetings and Functions Attended

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

Mov His Worship the Mayor / Sec Cr Rayner

Carried

Matters Arising

Public Toilets

Moved THAT PLANS AND COSTS BE PREPARED FOR PUBLIC TOILETS.

Mov Cr Foley / Sec Cr Rayner

As an amendment

Moved THAT PLANS AND COSTS BE PREPARED FOR PUBLIC TOILETS WHICH WILL BE INTEGRATED WITH COUNCILS PLAN OF DISTRICT TOILETS.

Mov Cr McIlraith / Sec Cr Anderson

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

Chief Executive Officer

The Chief Executive Officer reported on the following:

- Inducements
- Department of Internal Affairs Assistance
- Public Forum
- Zone 5 Meeting
- Council Strategic Planning Day

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

Mov Cr Andrew / Sec Cr Henderson

Carried

Matters Arising

Assistance – Department of Internal Affairs

Council had been in discussion with the Department of Internal Affairs whereby it will utilise consultants to produce a report on efficiency and effectiveness for Waimate District Council.

MOVED THAT A SURVEY OF PEOPLE IN THE WAIMATE DISTRICT BE UNDERTAKEN AS TO THE EFFICIENCIES OF THE LTCCP INCORPORATING A COST ANALYSIS AND EFFECTIVENESS OF COUNCILS OVERALL OPERATIONS.

Mov Cr McIlraith / Sec Cr Abraham

As an Amendment

MOVED THAT THE REQUEST TO THE DEPARTMENT OF INTERNAL AFFAIRS BE BASED ON THE PROPOSAL TO OBTAIN DEFINITE INFORMATION ON THE EFFICIENCY AND EFFECTIVENESS OF COUNCILS OPERATIONS INCLUDING ROADING AND STAFF COSTS AND COMPARISON OF COSTS WITH OTHER LIKE LOCAL AUTHORITIES.

Mov Cr Foley / Sec Cr Rayner

The Amendment became the substantive motion which was put and **Carried**.

Corporate Services Manager

The Corporate Services Manager reported on the following:

- Financial Report (Revenue & Expenditure)
- Capital Expenditure Report
- Cash Flow Report

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

Mov Cr Henderson / Sec Cr McIlraith

Carried

TRANSIT NZ

Mr Colin Knaggs, Mr Colin Hey and Mr Chris Collins were in attendance to address Council.

- St Andrews passing lanes – project not yet approved.
- 38 submissions received
- Only option to create a north bound passing lane only.
- Would create another north bound passing lane at Pareora.
- Project came from part of an overall strategy for Canterbury.

- Has high benefit cost ratio.
- On site meeting to be arranged.
- Waitaki bridge structural report analysis undertaken.
- Elephant Hill bridge still structurally sound.
- Rest area's problem is freedom camping.
- Would like to change Pareora rest area. – Motor Caravan Association will take over.

Note: The meeting adjourned at 3 20 p.m.

Note: The meeting reconvened at 3-40 p.m.

General Business

Environment Canterbury - Stock Truck Effluent Sites

Environment Canterbury are requesting Council to contribute to the highway stock truck effluent sites

Environment Canterbury had previously requested Council to contribute to the stock truck effluent sites maintained on the State Highways.

Council in 2001 and 2004 had decided that it should not contribute.

With the advent of the new Council, Environment Canterbury requested that this issue be now revisited.

The costs advised to Council were \$1,500 - \$2,000 per annum.

RESOLVED THAT COUNCIL DECLINE TO CONTRIBUTE TO STATE HIGHWAY STOCK TRUCK EFFLUENT SITES.

Mov Cr McIlraith / Sec Cr Foley

Carried

Notified Resource Consent Application – W M & S A White

Council were requested to either hear this application as a hearings panel (or appoint a commissioner) and to determine the date of the hearing.

The applicant proposes to seek resource consent to subdivide the existing 8.08090ha rural site into five allotments ranging in size from 1.09ha to 1.90ha.

The application has been publicly notified and has attracted one submission from the Canterbury Regional Council.

A decision on the application is now due.

Council needs to appoint particular Councillors to hear this application as the Hearings Committee. In the past, the practice has been for Council to appoint particular members from the trained group of councillors to hear a particular application. With the new Council, Councillors McIlraith, Rayner, and the His Worship the Mayor have received training to conduct hearings. The Hearings Committee should consist of a minimum of three members and also decide on a Chairman.

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.

RESOLVED THAT COUNCIL APPOINT COUNCILLORS HENDERSON, HIS WORSHIP THE MAYOR, WITH CR MCILRAITH AS THE CHAIRPERSON, AS THE HEARINGS COMMITTEE TO CONSIDER AND FINALLY DETERMINE THE APPLICATION FOR RESOURCE CONSENT (RM070036) TO SUBDIVIDE INTO FIVE RURAL LOTS IN RESPECT OF THE PROPERTY AT BAKERS/COURTS/FITZMAURICE ROADS AND THAT A DATE FOR THE HEARING OF THIS APPLICATION SHALL BE DETERMINED.

Mov Cr Foley / Sec Cr Abraham

Carried

Sub-division Consent RM070038 – B D & S A Caird

Council are required to review and determine an objection, pursuant to Section 357 of the Resource Management Act 1991, to condition (v) imposed on Subdivision Consent RM070038 as granted by the Manager – Planning and Regulatory in respect of above site. The applicants are B.D. & S.A. Caird.

In August 2007, the Manager – Planning and Regulatory, acting under delegated authority, granted resource consent to allow for the creation of two residential allotments subject to certain conditions. A copy of the subdivision plan is attached to this report.

In September 2007, the applicants have exercised their right of objection (or review) as provided under Section 357 of the Resource Management Act 1991, in respect of condition (v). The applicants have accepted the other parts of the decision

Condition (v) states:

That in accordance with Councils policy relating to subdivisions in the Residential zone where there is no footpath, the applicant shall pay to Council the full cost in providing a 1.5m wide asphaltic concrete footpath along the Allan Street frontage of the subject site. [Based on the present day construction costs of \$50/m², the full cost would be \$5700.00 (1.5m x 76.0m = 114m²). The cost shall be adjusted annually to match actual construction cost applicable at the time of the Section 224 (c) certification of the survey plan.]

The applicants consider the footpath contribution should not be required for just one extra section but rather for multiple lots in a subdivision. The applicants doubt whether a footpath will be formed in Allan Street in the foreseeable future but are happy to contribute if and when a footpath is actually laid in the street.

In March 2007, Council adopted the following policy: "That with subdivisions proposals (involving additional lots) in the Residential zone where there is no existing footpath, the sub-divider shall pay a contribution to the Council equivalent to 100% of the cost of providing a footpath along the length of the frontage of the site being subdivided."

The Waimate District Plan provides provision to assess whether a financial contribution is to be imposed on a proposed subdivision. The above new footpath policy is read in conjunction with the District Plan provisions.

The new footpath policy specifically applies to those properties being subdivided which utilise the existing road frontage but on their own do not justify an actual footpath being

laid at this time. Often these subdivided sites are fragmented and do not connect to existing footpaths. The footpath contribution paid goes into a pool and the intention is that the pool can be used once the demand for a footpath is justified in the vicinity.

The footpath policy does not distinguish between the intensity of development or the number of lots being created. The contribution imposed under the footpath policy is the same for one extra lot (as per this proposal) as it is with multiple lots. In the applicants subdivision proposal, the land area of the proposed lots (Lots 1 and 2) are approximately 4086m² each which are large residential sites mainly because the lots rely on on-site sewage disposal. Once a public sewage system is available in the vicinity, the lots could easily be further subdivided into smaller more urban sized lots.

If the footpath contribution is paid now, then there is no further footpath contribution payable for any further subdivision of the lots.

Council could defer the payment of the contribution at this time by imposing a consent notice on the new certificates of titles as part of the proposed subdivision. The consent notice would highlight the need for the owner to make the contribution sometime in the future when a footpath is laid in the street. However, there would be little compulsion for the owner to actually pay up at the time when requested. Eventually, the contribution would be paid especially when at the time of a change of ownership. A new prospective owner is unlikely to want to inherit a debt and would likely force payment before purchase. Along the way, the amount of the contribution would be adjusted annually to match actual construction cost at the time, so the contribution should keep up with inflation.

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

CONDITION (V):

“THAT IN ACCORDANCE WITH COUNCILS POLICY RELATING TO SUBDIVISIONS IN THE RESIDENTIAL ZONE WHERE THERE IS NO FOOTPATH, THE APPLICANT SHALL PAY TO COUNCIL THE FULL COST IN PROVIDING A 1.5M WIDE ASPHALTIC CONCRETE FOOTPATH ALONG THE ALLAN STREET FRONTAGE OF THE SUBJECT SITE. [BASED ON THE PRESENT DAY CONSTRUCTION COSTS OF \$50/M², THE FULL COST WOULD BE \$5700.00 (1.5M X 76.0M = 114M²). THE COST SHALL BE ADJUSTED ANNUALLY TO MATCH ACTUAL CONSTRUCTION COST APPLICABLE AT THE TIME OF THE SECTION 224 (C) CERTIFICATION OF THE SURVEY PLAN.]

AS AN ALTERNATIVE TO THE ABOVE, A CONSENT NOTICE SHALL BE PREPARED TO BE REGISTERED ON THE CERTIFICATE OF TITLES FOR LOTS 1 AND 2 (AS APPLICABLE) FOR THE ON GOING CONDITION:

THAT AT THE COMPLETION OF A FOOTPATH BEING INSTALLED IN ALLAN STREET IN THE VICINITY OF THE SUBJECT SITE, THE OWNER SHALL PAY TO COUNCIL THE FULL COST IN PROVIDING A 1.5M WIDE ASPHALTIC CONCRETE FOOTPATH ALONG THE ALLAN STREET FRONTAGE OF LOTS 1 AND 2 (AS APPLICABLE). THE COST SHALL BE ADJUSTED ANNUALLY TO MATCH ACTUAL CONSTRUCTION COST APPLICABLE AT THE TIME OF THE SECTION 224 (C) CERTIFICATION OF THE SURVEY PLAN.”

Noted that this item lie on the table and that Councillors familiarise themselves with all aspects of the objection. The objection to be considered at the forthcoming meeting of Council.

Citizenship Ceremony

His Worship the Mayor welcomed and introduced Mr Ashish Shah, Mrs Henna Shah and Ms Shailaja Shah who were in attendance to undertake the New Zealand Citizenship ceremony.

His Worship the Mayor invited the applicants to undertake the Affirmation of Allegiance.

His Worship the Mayor and Council congratulated the applicants on attaining New Zealand citizenship and accordingly presented the appropriate Citizenship Certificates and a gift to mark the occasion.

Information Reports

The information reports for October - November 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
- Parks Superintendent's Report
- ECan Regional Fast Facts
- Environment Canterbury
- Dept. of Building and Housing
- 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 23 OCTOBER 2007
2. **ALPINE ENERGY REPORTS**
3. **WAIMATE AIRPORT**

Mov Cr Balchin / Sec Cr Abraham

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
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| 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. Waimate Airport | Enable any local authority holding the information to carry out, 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:

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|--------------------------|---|---------|
| 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. Waimate Airport | Enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations | 7(2)(c) |

On Resuming

The meeting concluded at 5.25 P.M.

Confirmed at a meeting of Council held
this 18th day of December 2007

Mayor