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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 18 December 2007 at 8.30am

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### 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 ( The Press)  
1 Member of the Media (Oamaru Mail)

### Opening Prayer

His Worship the Mayor read the opening prayer.

### Apologies

RESOLVED THAT AN APOLOGY BE RECEIVED ON BEHALF OF COUNCILLOR J.D. ANDERSON.

**Mov Cr Abraham / Sec Cr Henderson**

**Carried**

### Minutes

**RESOLVED**, THAT THE MINUTES OF THE:

- ORDINARY MEETING OF COUNCIL HELD ON:  
(i) Tuesday 20 November 2007
- NZ LOCAL AUTHORITY ARTS SCHEME ASSESSMENT COMMITTEE MEETING HELD ON  
(i) Friday 23 November 2007

BE RECEIVED.

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

**Carried**

Matters Arising

Noted that reference Page 6, Consent Application (White) that hearings training undertaken by Councillors McIlraith, Rayner, Henderson and His Worship the Mayor

## Reports

### His Worship the Mayor

His Worship the Mayor reported on the following:

Aoraki Development Trust  
 Line Trust South Canterbury  
 Hunter Downs Irrigation  
 Environment Canterbury Meeting  
 Waimate Strawberry Fare  
 Meetings and Functions Attended

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

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

**Carried**

### Chief Executive Officer

The Chief Executive Officer reported on the following:

Inducements  
 Regional Council Options  
 Eric Batchelor Place Sub-division  
 Timaru Road Sewer  
 Spray Exemption  
 Queen Street Building  
 Motorcycle Club  
 Footpath Levy

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

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

**Carried**

Matters Arising

### Eric Batchelor Place Subdivision

**RESOLVED**, THAT COUNCIL'S CHIEF EXECUTIVE OFFICER OR ITS CORPORATE SERVICES MANAGER PROVIDE FINAL AUTHORISATION AND SIGN OFF FOR ONGOING CONTRACTOR AND OTHER REQUIRED PAYMENTS FOR THE ERIC BATCHELOR PLACE SUBDIVISION.

**Mov Cr Henderson / Sec Cr Rayner**

**Carried**

### Footpath Levy – B.D. & S.A Caird

At its meeting held on Tuesday 20th November 2007, Council had decided to defer a decision on this objection to condition (v) of Subdivision Consent RM 070038.

A site inspection had been carried out and the matter further investigated. It is considered that the assessed footpath levy should be paid by the Sub – divider at this time but refunded if no footpath is constructed in the vicinity of the subject site within the next five years.

**MOVED**, THAT IN ACCORDANCE WITH COUNCIL'S 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 ALLEN STREET FRONTAGE OF THE SUBJECT SITE. (BASED ON THE PRESENT DAY CONSTRUCTION COSTS OF \$50/M2, THE FULL COST WOULD BE \$5,700 (1.5M – 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 FULL COST OF THE FOOTPATH CONTRIBUTION SHALL BE RETURNED TO THE APPLICANT IF NO FOOTPATH IS CONSTRUCTED WITHIN 20M OF THE SUBJECT SITE WITHIN THE FOLLOWING FIVE YEARS AFTER THE SURVEY PLAN FOR THE SUBDIVISION IS CERTIFIED BY COUNCIL.

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

**Lost**

**Queen Street Building**

Noted that the new owner of Council's ex Dawson's Building has advised that he is prepared to carry out the required works being the leak over the veranda – costs yet to be discussed and any costs to Council to be ascertained.

## Canterbury Local Authorities

The Local Government Act 2002 requires that all local authorities must enter into a Triennial Agreement.

Pursuant to section 15 of the Local Government Act 2002, all Local Authorities are required to enter into an agreement after each triennial General Election and no later than 1st March.

The Triennial Agreement contains protocols for communication and co-ordination among the Regional Councils during the period until the next triennial General Election.

The agreement remains in force until replaced by another agreement.

**RESOLVED** THAT COUNCIL DELAY SIGNING THE AGREEMENT UNTIL SUCH TIME AS ADDITIONAL WORDING REGARDING FORMATION OF REGIONAL COUNCIL REFORM CAN BE INCORPORATED.

**Mov Cr McIlraith / Sec Cr Rayner**

**Carried**

## Application for Exemption to Swimming Pool Fence

A request to exempt the requirement for swimming pool / spa pool fence at 26 High Street, Waimate has been received under the Swimming Pool Act 1987 and the property was inspected on the 14<sup>th</sup> November 2007.

The garden has a 1.7m fence surrounding the front and left hand side of the property. The gateway has a high-level latch (photograph 1) However, there is a 1m gap between the gateway and the left hand neighbours fence which has a piece of chicken wire only 700mm high. Proceeding down the pathway there is a second fence 1.2m high with a self locking, self latching gate. This does form a barrier but not a secure one. There are a number of flags stacked up against the fence which could be scaled.

Through this gateway the spa is built into a deck (yet to be completed) the deck is 750mm high. This deck is to have a trellis fence around it in keeping with the existing decking trellis (this is climbable).

Mrs Gillan has been advised that this fencing should not include the washing line/vegetable patch, etc and that doors into this area must open away from the pool. It is the Gillan's intention to open up the existing deck with gates through to the spa pool area.

To the right of the dwelling the fences are not as secure. Fences have parted company with their fixings and the neighbour has constructed a compost heap which could be utilised to scale the broken fence.

At the time of inspection the pool was locked and Mrs Gillan reports only she and her husband have keys. The Council's warning sign was clearly visible within the pool area. Mrs Gillan was advised that the pool should not be filled more than 400mm until the Council decision has been made, or a swimming pool fence constructed.

**RESOLVED.** THAT THE REQUESTED APPLICATION FOR EXEMPTION FOR A SWIMMING POOL FENCE UNDER THE SWIMMING POOL FENCE ACT 1987 BE APPROVED. THE APPLICANT TO ACCEPT ALL DUE RESONSIBILITY.

THE APPROVAL NOTES THE REQUIREMENT FOR A LOCKABLE SPA POOL LID.

**Mov Cr Foley / Sec Cr Balchin**

**Carried**

## Iwi Representation

Council need to consider ways in which it can provide opportunities for Maori to contribute to its decision making processes

At the Public Forum of the Council meeting held on Tuesday 20th November 2007, Iwi representatives advised Council that both local Iwi (Te Runanga o Waihao and Waitaha) had formulated an agreement to work closer together and considered that they should have closer liaison and stronger representation with Council.

Part 6 (para 81) of the Local Government Act 2002 specifies as follows:

"A local authority must –

- Establish and maintain processes to provide opportunities for Maori to contribute to the decision making processes of the local authority: and
- Consider ways in which it may foster the development of Maori capacity to contribute to the decision making processes of the local authority: and
- Provide relevant information to Maori for the purposes of paragraphs (a) and (b)."

There may be various ways in which Council can involve Maori in its decision making processes, including:

- Iwi representation at Council meetings with speaking rights.
- Maori representatives attend at portfolio meetings to discuss items or issues
- A formal Memorandum of Understanding with Iwi.
- Council representatives meeting with Iwi to discuss and advise forthcoming items and issues.
- Senior staff members and Council representatives meeting with Maori representatives.
- Iwi representative to attend with speaking rights at all Council workshops.
- The District Council holding one or more Council meetings at the Waihao Marae with Maori representation and speaking rights.

Currently Council have Iwi representation on its Creative N.Z. Committee and its Sports Fund / SPARC Committee's.

In these instances, the Iwi representative is a fully functional sub-committee member with full speaking and voting rights.

**RESOLVED** THAT COUNCILLOR FOLEY BE COUNCIL'S IWI / MAORI REPRESENTATIVE AND ACCORDINGLY LIAISE WITH LOCAL MAORI ON BEHALF OF COUNCIL.

**Mov Cr Balchin Sec Cr Andrew**

**Carried**

## Portfolio Reports

### **Councillors Andrew / Rayner**

### **Parks & Reserves**

Summer plantings and mowing completed.  
Camping ground full over weekend for Strawberry Fare.  
Fees and charges to be reviewed.  
Power disconnected from Studholme Reserve.

### **Councillors Foley/Henderson**

### **Community Services**

Assisted with judging of Christmas Lights competition.

### **Councillors McIlraith / Abraham –**

### **Finance**

Price Waterhouse prepared to address Council with regard to Local Authority efficiencies and effectiveness.

## Road Stopping Cardiff Street

Mr & Mrs K.M. Tait wrote requesting that Council approve "In Principle" to the stopping of part of the unstopped road at the end of Cardiff Street.

The subject land is utilised by the Tait's as part of their existing property and contains an area of 1,000 m<sup>2</sup> with a Q.V value of \$1,600.

Mr & Mrs Tait had been advised of the steps required to stop the road and also the requirement for them to pay all associated costs plus the eventually cost to purchase the land.

**RESOLVED**, THAT COUNCIL CONSENT TO APPROVE "IN PRINCIPLE" THE STOPPING OF 1,000M<sup>2</sup> OF CARDIFF STREET CURRENTLY UTILISED BY K.M. & S.E TAIT.

**Mov Cr Foley /Sec Cr Andrew**

**Carried**

## Proposed South Island Regional council

The Chief Executive Officer of the Mackenzie District Council wrote requesting that our District Council discuss and pursue the investigation of the formation of a Central South Island Regional Council as a matter of urgency.

The report outlined the following:

- Report Reasons
- Recommendations
- Background
- Decision Significance
- Issues and Options
- Legal Considerations
- Financial Considerations
- Compatibility – Existing Policies & Plans
- Community Views & Consultation
- Assessment of Options
- Summary & Conclusions

**RESOLVED** THAT THE REPORT BE RECEIVED.

THAT COUNCIL SUPPORTS THE INVESTIGATION WITH OTHER SOUTH CANTERBURY COUNCILS OF THE FORMATION OF A CENTRAL SOUTH ISLAND REGIONAL COUNCIL AMONG OTHER OPTIONS AND THAT A DETAILED BRIEF, PROGRAMME OF WORK AND COST -SHARING ARRANGEMENTS BE DEVELOPED FOR LATER APPROVAL.

THAT THE ATTITUDES OF THE WAITAKI AND ASHBURTON DISTRICT COUNCILS TO THE CONCEPT OF ALL OR PART OF THEIR AREAS BEING PART OF A NEW REGION BE CANVASSED.

THAT THE CANTERBURY REGIONAL COUNCIL BE FORMALLY ADVISED OF THIS INITIATIVE IN COMPLIANCE WITH THE TERMS OF THE TRIENNIAL AGREEMENT AMONG THE AUTHORITIES OF THE CANTERBURY REGION.

THAT A JOINT WORKING PARTY BE ESTABLISHED TO OVERSEE THE PROGRESS OF THE PROJECT.

**Mov Cr McIlraith / Sec Cr Foley**

**Carried**

**RESOLVED** THAT COUNCILLORS FOLEY, MCILRAITH, RAYNER ABRAHAM AND HIS WORSHIP THE MAYOR TO REPRESENT COUNCIL AS ITS REPRESENTATIVE COMMITTEE ON THE PROPOSAL.

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

**Carried**

Noted that His Worship the Mayor to progress meeting dates with the other authorities.

## Information Reports

The Information Reports for December 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
- ECan Regional Fast Facts

**Mov His Worship the Mayor / Sec Cr Henderson****Carried**Matters Arising

It was advised that the Resource Recovery Park need not be opened on Public Holidays and there should be no increase in charges.

Note: The meeting adjourned at 10-30 a.m.

Note: The meeting re-convened at 10-53 a.m.

**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 18 December 2007

**2. ROAD MAINTENANCE CONTRACT****3. TIMARU ROAD SEWERAGE****Mov Cr Henderson / Sec Cr Rayner****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. Road Maintenance contract	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	48(1)(a)(i)
3. Timaru Road Sewerage	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:

1. Council Minutes	To protect information which is subject to an obligation of confidence	7(2)(c)
2. Road Maintenance Contract	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	7(2)(c)
3. Timaru Road Sewerage	Enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations	7(2)(c)

## On Resuming

## Public forum

Mrs Heather Cairns, Centrepoint Fabrics, addressed Council over the extended parking of vehicles in the Queen Street business area.

Queen Street parking being used by local business people for extended times.  
Users are sometimes parking all day.  
Saturday mornings very busy parking difficult.  
Problem is getting worse.

Noted that the Waimate Ward Councillors will liaise with businesses and those that park in the main street in order to rectify and address the situation.

The meeting concluded at 1-15 p.m.

Confirmed at a meeting of Council held  
this 19<sup>th</sup> day of February 2008

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Mayor