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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 19<sup>th</sup> September 2006 at 9.00 am

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Present

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

Apologies

**RESOLVED**, THAT AN APOLOGY BE RECEIVED ON BEHALF OF CR. M. BALCHIN.

**Mov Cr Rayner / Sec Cr Townend**

**Carried.**

In Attendance

Chief Executive Officer (J.E. Maxwell)  
Administration Officer (J Larcombe)  
1 Member of the Media (Oamaru Mail)  
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 15<sup>th</sup> August 2006
- HEARINGS COMMITTEE MEETING HELD ON:  
(i) Wednesday 19<sup>th</sup> July 2006

BE RECEIVED.

**Mov Cr Rayner / Sec Cr Townend**

**Carried.**

## Matters Arising

### Alterations – Previous Minutes

- Ecan Representative Review (page 3) – Noted that Resolution wording show that Council support the proposal put forward by Environment Canterbury.
- Council Audit Committee – (page 8) – Delete the word “Committee”.
- Resolution – substantive Motion (page 7) – Noted that the first amendment be changed so as not to be the substantive motion.

## Reports

### His Worship the Mayor

His Worship the Mayor reported on the following:

- Taskforce Workers
- Food Processors (2006) Ltd
- Representation Review
- Functions and Meetings Attended

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

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

**Carried.**

### Chief Executive Officer

The Acting Chief Executive Officer reported on the following:

- Acting CEO
- Council Property
- Council Workshop
- Events of the CEO Calendar
- CEO Review Committee
- In Committee Agenda Items

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

**Mov Cr Henderson / Sec Rayner**

**Carried.**

## Matters Arising

**RESOLVED**, THAT COUNCILLOR J. GIBSON TO LIASE AND WORK IN WITH STAFF ON COUNCIL'S PROPERTY PORTFOLIO.

**Mov Cr Foley / Sec Cr Townend****Carried.**

Review Committee

**RESOLVED**, THAT THE ADVISED RESIGNATION OF COUNCILLOR MCILRAITH FROM COUNCIL'S CEO REVIEW COMMITTEE BE CONSIDERED "IN COMMITTEE".

**Mov Cr Foley / Sec Cr Gibson****Carried.**

Corporate Services Manager

The Corporate Services Manager reported on the Council 2006 financials:

- Statement of Financial Performance.
- Forestry.
- Community Representation and CEO'S Department.
- Camping.
- Civil Defence.
- Community Support.
- Asset Management.
- Sewerage.
- Water.
- Waste Management.
- Capital Expenditure.
- Cash Flow Summary.
- Statement of Financial Position.
- Property.
- General.

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

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

Citizenship Ceremony

Mr John Prescott

Mrs Amanda Prescott

His Worship the Mayor welcomed and introduced Mr John Prescott and Mrs Amanda Prescott who were in attendance to undertake the New Zealand Citizenship ceremony.

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

His Worship the Mayor on behalf of Council congratulated Mr and Mrs Prescott on attaining New Zealand citizenship and accordingly presented the appropriate Citizenship Certificates.

Mr and Mrs Prescott and their guests were then invited to attend morning tea with His Worship the Mayor and Councillors.

## Property Report

It was reported that the NZ Army were seeking permission to utilise the Waimate Airport land for an Army exercise over the period 27<sup>th</sup> to 30<sup>th</sup> October 2006.

The Army had inspected the area and advised it would not require to use the Runway area.

The Army had been advised that the permission of the current lessee's, being the Aero Club and the Gun Club, would also be required.

**RESOLVED**, THAT SUBJECT TO THE LESSEE'S CONSENT, PERMISSION BE GRANTED FOR THE ARMY TO UTILISE THE REQUESTED AREA.

**Mov Cr Foley / Sec Cr Gibson**

**Carried.**

Note: The meeting adjourned at 10.20 a.m  
Note: The meeting re-convened at 10.45 a.m

## General Business

### Management – Waitaki Lakes

For some time now, Waitaki District Council had been promoting the concept of forming a Trust, whereby Waitaki, Waimate and McKenzie District Councils, along with DOC, Ecan, Linz and Meridian Energy Ltd, would undertake a combined management of the Waitaki Lakes camping area's.

Key elements of the proposal would include the employment of Wardens, location of an office, and the vesting of the assets of the three Council's in the Trust.

An assessment of the affects for Waimate would include the following:

- Increased camping charges.
- New charges for boaties.
- No rates reduction offset.
- Efficiency questions over contractors .
- Likely limited voting powers.
- Operational decision problems.
- Legality of contracting Council statutory services.
- Council lose of ability on decision making.

- Unknown impact of a Trust scenario.
- Possible legal problems.
- Legal requirements for consultation.

**RESOLVED**, THAT THE REPORT BE RECEIVED.

**Mov Cr Andrew / Sec Cr Foley**

**Carried.**

Note: The meeting adjourned at 12.37 a.m for the purpose of a press conference  
Note: The meeting re-convened at 1.07 p.m

CO1

Waimate 50 Revised Funding Request

Council had previously agreed to underwrite the Waimate 50 to an amount of \$40,000, subject to committed sponsorship from sources other than Council, to the value of \$100,000 being advised by the 1<sup>st</sup> September 2006.

Waimate 50 had now advised that Council provide a grant in the sum of \$20,000 plus an underwriting of \$20,000, rather than a straight underwriting amount of \$40,000 in total.

**RESOLVED**, THAT THE STAU QUO RELATING TO COUNCIL'S PREVIOUS CONDITIONS REMAIN AS A REQUIREMENT TO BE ADVISED TO COUNCIL. A NEW RACE DATE FROM WAIMATE 50 TO BE ADVISED.

**Mov Cr Townend / Sec Cr Gibson**

**Carried.**

CO1

Waimate 50 Delayed Event

Waimate 50 Motorsport wrote advising Council that it had decided to delay its event until next race season, at which time another event date could be applied for.

**RESOLVED**, COUNCIL OFFERS THAT A JOINT COMMITTEE OF THREE COUNCILLORS PLUS THE ASSET MANAGER AND COUNCILS COMMUNITY SERVICES MANAGER TO ASSIST WITH WAIMATE 50 IN ACHIEVEMENT OF THE EVENT IN 2007.

**Mov Cr Foley / Sec Cr Andrew**

**Carried.**

Noted: Crs Rayner, Townend and Foley be on the above Joint Committee.

Food Processors (2006) Ltd

Clean Air Proposal

Through consultation with Food Processors and Environment Canterbury, it had been proposed that Food Processors may assist the Waimate Community in the lowering of the clean air standards.

The standards allow one breach per year and come into effect from September 2005.

Representatives from Food Processors were in attendance to address Council.

Food Processors Ltd propose to provide the following;

- A house to be utilised as a base for the Waimate Clean Air project.
- A joint research project to initially identify those households with wood burners in excess of 10 years old, and those households with young children and the elderly.
- To provide funding to initiate this project by the purchase of 36 pellet fires to be installed in homes identified by the research programme.
- Legal assistance in setting up an Incorporated Society for the Waimate Clean Air project.
- Liason with the Energy Efficiency Conservation Authorities and others as identified by the Waimate District Council.

**RESOLVED**, THAT COUNCIL ADDRESS THIS ISSUE AT ITS FORTHCOMING WORKSHOP.

**Mov Cr Gibson / Sec Cr Rayner**

**Carried.**

#### Public Submission to proposed Dangerous, Insanitary and Earthquake-prone Building Policy

Council at its meeting held on the 20<sup>th</sup> June 2006, had proposed the Dangerous Insanitary and Earthquake Building Policies for public submission.

Council had received one submission from Mr Russell Wallace advising that he considered the proposed policy as an attack on the freedom of rights of property owning New Zealanders.

Council's legal advice was that all new consents already have to comply with stringent earthquake building code requirements.

**RESOLVED**, THAT THE POLICY AS PROPOSED BE CONFIRMED.

**Mov Cr McIlraith/ Sec Cr Gibson**

**Carried.**

#### Canterbury Waste Joint Standing Committee

In 2005, Council's that were members of the Canterbury Joint Standing Committee and the Canterbury Waste Subcommittee resolved to replace them with a Canterbury Waste Joint Committee that included Canterbury Regional Council.

A Constituting Agreement for the new committee was prepared and endorsed by all participating council's.

The Committee came into effect on the 1<sup>st</sup> July 2006.

Christchurch City Council have advised that there are a number of issues that have arisen with regard to the establishment of the Committee, and it is proposed that the member Council's confirm its delegations and appointments to the reconstituted Canterbury Joint Standing Committee.

**RESOLVED**, THAT THE FOLLOWING DELEGATIONS BE MADE TO THE CANTERBURY WASTE JOINT COMMITTEE:

- ALL MATTERS RELATING TO THE REDUCTION OF THE VOLUMES OF SOLID WASTE SENT FOR DISPOSAL THROUGH REGIONAL WASTE MINIMISATION INITIATIVES IDENTIFIED BY THE CANTERBURY WASTE JOINT COMMITTEE. THIS INCLUDES BUT IS NOT LIMITED TO THE ALLOCATION OF THE ANNUAL FUNDING OF THE JOINT COMMITTEE AS SET OUT IN THE CONSTITUTING AGREEMENT.
- THE DELEGATIONS MADE TO THE PREVIOUS CANTERBURY JOINT STANDING COMMITTEE AND THE CANTERBURY WASTE SUBCOMMITTEE BE REVOKED WITH EFFECT FROM 1<sup>ST</sup> JULY 2006.
- COUNCILLOR J. GIBSON BE COUNCIL'S REPRESENTATIVE ON THE CANTERBURY WASTE JOINT STANDING COMMITTEE.
- THE CANTERBURY WASTE JOINT COMMITTEE IS NOT DISCHARGED, NOR ARE ITS DELEGATIONS REVOKED FOLLOWING EACH TRIENNIAL LOCAL ELECTION.

**Mov Cr McIlraith / Sec Cr Henderson**

**Carried.**

#### Community Focussed Land Transport Activities Funding Changes

Land Transport New Zealand has circulated a consultation document proposing to incorporate the existing Community Road Safety Activities into the National Land Transport Programme from July 2007. This means that Local and Regional Councils will be funded directly for Road Safety Co-ordination Activities by Land Transport NZ and direct funding to the South Canterbury Road Safety Trust will cease.

This change in the funding of community focused activities by Land Transport NZ requires a review of how Community Road Safety Projects (CRSP) in South Canterbury are delivered.

The Government Road Safety 2010 strategy aims to significantly reduce the road toll. The implementation of this strategy is the responsibility of Land Transport NZ. The success of meeting the strategy goals involves both formal and informal activities that improve safety on roads over the areas of engineering, education and enforcement.

**RESOLVED**, THAT:

- THE WAIMATE DISTRICT COUNCIL SUPPORT A SOUTH CANTERBURY CO-ORDINATED ROAD SAFETY APPROACH
- THAT WAIMATE DISTRICT COUNCIL FORMALLY DISCUSS FUTURE ROAD SAFETY CO-ORDINATION WITH TIMARU DISTRICT COUNCIL, MacKENZIE DISTRICT COUNCIL AND THE SOUTH CANTERBURY ROAD SAFETY TRUST.
- THAT COUNCILLOR M.BALCHIN AND COUNCILS ASSET MANAGER BE DELEGATED AUTHORITY TO DETERMINE FUTURE ARRANGEMENTS FOR THE DELIVERY OF ROAD SAFETY IN WAIMATE DISTRICT.

**Mov Cr Gibson / Sec Cr Henderson**

**Carried.**

## Waimate Medical Centre Limited

The Medical Centre's 2006 and 2007 Statements of Intent were presented to Council in accordance with Schedule 8 of the Local Government Act 2002.

The 2006 Statement of Intent had been presented to Council on the 18<sup>th</sup> October 2005, but was not noted to be formally adopted.

**RESOLVED**, THAT COUNCIL ADOPTS THE WAIMATE MEDICAL CENTRE LIMITED 2006 STATEMENT OF INTENT.

**FURTHER**, THAT COUNCIL ADOPTS THE WAIMATE MEDICAL CENTRE LIMITEDS 2007 STATEMENT OF INTENT FOR THE FOLLOWING THREE YEARS SUBJECT TO YEARLY REVIEW.

**Mov Cr Mcllraith / Sec Cr Foley**

**Carried.**

## Waimate Medical Centre Ltd – Letter of Comfort

It was advised that when a business incurs a series of trading losses or a large one off loss, Auditors are required to express a view as to whether that business can continue to trade in the forthcoming twelve months.

It is proposed to provide confirmation to the Auditors that the past and present trading losses of Waimate Medical Centre Limited have not placed the business in such a position that would require it to cease trading.

**RESOLVED**, THAT COUNCIL APPROVE A SUITABLY WORDED LETTER OF COMFORT TO THE AUDITORS AND BOARD OF DIRECTORS OF WAIMATE MEDICAL CENTRE LTD.

**Mov Cr Foley / Sec Cr Andrew**

**Carried.**

## Declaration of Interest

Councillor Peter Mcllraith advised that Meridian Energy had made formal approaches to investigate the concept of a hydro tunnel on the north bank of the Waitaki river which would run from the Waitaki Dam to the Stone Wall.

Councillor Mcllraith advised that he was a Trustee of a Trust which owns property along the proposed route and accordingly he should take no part in decisions made by Council with respect to the proposed project.

**RESOLVED**, THAT THE DECLARATION OF INTEREST ADVISED BY COUNCILLOR MCILRAITH BE DULY NOTED.

**Mov Cr Mcllraith / Sec Cr Rayner**

**Carried.**

Note: Council confirm resolution taken In Committee re resignation of Cr Mcllraith not to be accepted and confirmed in open meeting.

## CO1

### Information Reports

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

The following was reported:

- Asset Managers report.
- Community Service Managers report.
- Planning and Regulatory Managers report.
- Mayors correspondence.
- Waimate Social Services Committee.

**RESOLVED**, THAT THE INFORMATION REPORTS BE RECEIVED.

**Mov Cr Henderson / Sec Cr Andrew**

**Carried.**

## Matters Arising

Noted that an appropriate letter of reply be forwarded to Pro-Ject Waimate.

### Chief Executive Officers Review Committee Resignation – Councillor P.F. McIlraith

Councillor McIlraith had tendered his resignation from Council's CEO Review Committee due to a disparity between himself and Council's CEO in the understanding of the role of the CEO.

**RESOLVED**, THAT THE RESIGNATION OF COUNCILLOR P.McILRAITH BE NOT ACCEPTED, AND FURTHER, THAT COUNCIL'S DECISION IN THIS REGARD BE CONFIRMED IN "OPEN MEETING"

**Mov Cr Foley / Sec Cr Townend**

**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 18<sup>th</sup> AUGUST 2006
- b) HEARINGS COMMITTEE MEETING HELD ON
  - (i) WEDNESDAY 19<sup>TH</sup> JULY 2006.

### 2. Alpine Energy Shareholders Report

### 3. Pro Ject Waimate

### 4. Waimate Timber Processing Ltd

**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 2 Alpine Energy 3 Pro Ject Waimate 4 Waimate Timber Processing	To protect information which is subject to an obligation of confidence	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:

Items 1, 2, 3, & 4	To protect information which is subject to an obligation of confidence.	7(2)(c)
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## On Resuming

The meeting concluded at 4.35 pm

Confirmed at a meeting of Council held  
This 17<sup>th</sup> day of October 2006

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Mayor