

MINUTES OF A MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA AT 2.30PM ON TUESDAY 5 MAY 2009

PRESENT

Mayor R D Keating, Deputy Mayor E H B Cole, Councillors D L Ayers, R R Blair, R J Brine, N D Cruickshank, P G Farrant, K Felstead, D B Gordon and S L Stewart.

IN ATTENDANCE

Messrs J Palmer (Chief Executive Officer) and K A Lamb (Administration Manager).

For part of meeting – C Sargison (Manager Community and Recreation), J Millward (Manager Finance and Business Support), S Markham (Manager Policy and Customer Service), G Cleary (Manager Utilities and Rooding), B Thompson (Manager Planning and Regulation), M Sparrow (Senior Policy Analyst), J Ralph (Policy Analyst) and K Waghorn (Solid Waste Asset Manager).

1. APOLOGIES

It was agreed that the apologies from Cr Atkinson and Cr Brine (for early departure) be received and sustained.

URGENT BUSINESS

Mr Palmer advised of a late report recommending the Council prepare a submission on the Canterbury Water Management Strategy by 25 May 2009.

Moved Councillor Brine Seconded Councillor Felstead

THAT the Council:

- (a) **Considers** report 090505012410 Canterbury Water Management Strategy Consultation.

CARRIED

PERSONAL STATEMENT

Cr Gordon made a personal statement concerning the court case on "a charge laid" by Cr Cruickshank, and his future as a District Councillor. "The last 16 months have been a most difficult and stressful period for me, my family, friends and supporters."

(Cr Cruickshank noted that he did not lay a charge but a complaint with the Police.)

"I have been hurt and dismayed that senior members of this Council believed after I became Deputy Mayor that I should put my integrity aside and support their views on important issues facing this District. I have never and will never make any decision that I believe is not in the best interests of the District.

"When I became aware that my election returns may not have fully met the requirements of the Act I made it clear publicly that I may have made a mistake and corrected it immediately, as any responsible person would do.

"It has been unbelievable to me that a majority of Councillors notwithstanding my correction determined a course of action that could ultimately lead to my removal from Council.

"I have had to face personal attacks on my integrity such as a suggestion from the Mayor on the basis he considered I was guilty, and that should I resign from Council my legal problems would go away. I also received an e-mail from Cr Cruickshank suggesting the same thing.

"In addition to this the majority of my fellow Councillors convicted me in the Court of public opinion and demanded my resignation as Deputy Mayor and Chair of the Community and Recreation committee – this came on top of Cr Cruickshank already having laid a complaint with the Police.

"In my view this case should never have happened. It is a unique situation that a Councillor takes a case against another Councillor which if found guilty and convicted would see that Councillor removed from office and prevented from ever holding Council office again.

"On Friday I appeared before Judge Macaskill to face the charges. The Court heard and considered the evidence and determined I would be discharged without conviction.

"As a result of this I have carefully considered my position.

"In light of the decision of the Court my conscience is clear and in spite of vitriol towards me around this table I make it clear today that I am determined to continue to serve the electors of my Ward and the Waimakariri District to the best of my ability.

"I will make decisions that I consider to be in the best interests of the whole District."

The Mayor commented that statements in respect of him were not correct.

2. CONFLICTS OF INTEREST

Cr Cruickshank declared an interest in item 12.3 – Property Purchase.

3. CONFIRMATION OF MINUTES

3.1 Minutes of a meeting of the Waimakariri District Council held on Tuesday 7 April 2009

Moved Councillor Gordon Seconded Councillor Brine

THAT the Council:

- (a) Confirms** as a true and correct record the minutes of a meeting of the Waimakariri District Council held on Tuesday 7 April 2009, subject to the addition of Cr Atkinson voting against item 6.6 – Extension of loan guarantee for Waimakariri Irrigation Ltd.

CARRIED

4. MATTERS ARISING FROM THE MINUTES

Mr Palmer advised the letter to the Ministry of Education had been sent, but no reply had been received to date.

5. REPORTS

5.1 Mary Sparrow (Senior Policy Analyst) : Submissions to Environment Canterbury's Long Term Council Community Plan, and the Regional Land Transport Programme (GOV-01-11, EXT-01-13, EXT-01-08)

Mrs Sparrow noted the draft has been sent to Environment Canterbury and any changes from the meeting will be advised.

Cr Felstead noted that item 6 could be extended to submit that the rates be collected by way of uniform charge.

Cr Ayers asked that in future staff could consider if it would be appropriate to bring in Councillors who are appointed by the Council to Environment Canterbury committees to discuss the submission, where it affects that portfolio.

Moved Councillor Cruickshank Seconded Councillor Felstead

THAT the Council

- (a) **Receives** report N^o 090420010689.
- (b) **Approves** the Council Submission to the Environment Canterbury Long Term Council Community Plan (No. 090416010381).
- (c) **Approves** the Council Submission on the Regional Land Transport Programme (No. 090417010539).

CARRIED

Cr Ayers noted that the Regional Transport Land Transport Committee has not considered prioritising projects. There are two projects which are not in the district, which are critical to the district – the Northern Motorway and the Johns Road projects.

5.2 Janet Fraser (Policy Analyst) : Draft Submission to the Ministry for the Environment on the Discussion Paper “Waste Minimisation in New Zealand” (SHW-05 EXT-30)

Moved Councillor Brine Seconded Councillor Gordon

THAT the Council

- (a) **Receives** report no. 090416010365.
- (b) **Approves** the draft submission to the Ministry for the Environment on the discussion paper “Waste Minimisation in New Zealand” (090424011279).

CARRIED

Cr Brine thanked staff for putting the submission together in a reasonably tight timeframe.

6. COMMITTEE/COMMUNITY/WARD ADVISORY BOARD/WORKING PARTY MINUTES

6.1 Minutes of a meeting of the Canterbury Regional Landfill Joint Committee held on the 11 August 2008

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

6.2 Minutes of a meeting of the Canterbury Waste Joint Committee held on 10 November 2008

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

6.3 Minutes of a meeting of the Woodend Ashley Ward Advisory Board held on Monday 6 April 2009

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

6.4 Minutes of a meeting of the Rangiora Ward Advisory Board held on Wednesday 8 April 2009

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

6.5 Minutes of a meeting of the Oxford Eyre Ward Advisory Board held on Wednesday 15 April 2009

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

6.6 Minutes of a meeting of the Kaiapoi Community Board held on Monday 20 April 2009

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

6.7 Minutes of a meeting of the Utilities and Roading Committee held on Wednesday 22 April 2009

Moved Councillor Gordon Seconded Councillor Farrant

THAT the information be received.

CARRIED

7. MATTERS REFERRED FROM COMMITTEES/ADVISORY BOARDS

7.1 Jim Palmer (Chief Executive Officer) : Appointment to Rangiora Ward Advisory Board (WAB-02-07)

Cr Gordon suggested that a curriculum vitae be provided in future for these appointments.

Moved Councillor Ayers Seconded Councillor Gordon

THAT the Council

(a) **Receives** report no. 090402009230

(b) **Appoints** Alf Caldwell to the Rangiora Ward Advisory Board.

CARRIED

7.2 Russel Wedge (Parks and Recreation Manager) : Letter of Intent for the Kaiapoi Park Trust (CPR-04-07-211 GOV-01-04)

Mr Sargison noted the Kaiapoi Park Trustees are looking to guarantee the Kaiapoi Rugby Club a loan for its building extension.

Moved Councillor Blair Seconded Councillor Stewart

THAT the Council

- (a) **Provides** a Letter of Intent to the Kaiapoi Park Trustees continuing the annual grant for the sports ground maintenance for the next ten years based on the 2008/09 grant \$35,502 CPI adjusted.

CARRIED

Cr Blair noted this is a positive step for the rugby club to enable completion of the building extension.

8. SEALED AND SIGNED DOCUMENTS

s.223 RMA Certificate – Survey Plans	
RC085436	Pegasus Town Ltd, Stage 6
RC075633	Pegasus Town Ltd, 1278 Main North Road, Woodend (Mapleham M6)
RC095052	M J and L A Pugh, 499 Downs Road, West Eyreton
RC085324	Pegasus Town Ltd, 60 Mapleham Drive
RC085454	Karikaas Cheese Factory, V & F Paul, 156 Loburn Whiterock Road
RC085055	D & M Dunn, 40 Hewitts Road, Rangiora
RC045211	Waikuku Beach Farm Ltd, 24B Waikuku Beach Road – Covenant
RC045299	Inglewood Holdings, 70 Threlkelds Road
RC045498	K D & D H Vallance, 71 Lilly Road
Contracts	
CON200909	Contract 09/09 Eyre River Siphon Replacement, Wolffs Rd – Brough Earthmoving Ltd
CON200905	Contract 09/05 Oxford Main Street Upgrade – Concut Ltd
CPR-08-021	Contract Group B Buildings Maintenance, Programmed Maintenance Services Ltd
Easements	
CON200820	Crotty – stormwater easement, adjacent to Kaiapoi North School

Moved Councillor Cole Seconded Councillor Cruickshank

THAT the Council:

- a) **Receives** the schedule of signed and sealed documents.

CARRIED

9. MAYORS DIARY FOR APRIL 2009

Moved Mayor Keating Seconded Councillor Felstead

THAT the Council:

- (a) **Receives** report no. 090428011686

CARRIED

Cr Gordon congratulated the Mayor, Councillors and staff involved with the recent delegation from Zonnebeke noting it was a very proud moment for the Council.

Mayor Keating advised he was thrilled to be involved as Mayor with the twinning relationship. The dedication and commitment by the delegation in terms of looking after the cemeteries and memorials in their district, in remembrance of the fallen soldiers from New Zealand and other countries is outstanding. The delegation indicated they wish to receive further visits from this district and from their district to here. Mayor Keating and the Mayoress will be visiting Zonnebeke next ANZAC Day at their own cost. Mayor Keating noted it is important to acknowledge the assistance by Jo Kane with arrangements for the delegation, together with the opening of the exhibition at Our City o-Tautahi, which was very successful. The delegation made a number of visits throughout the Canterbury area together with three ANZAC services and the concert in the Christchurch Town Hall, where the world premiere of a musical score by Wayne Bloomfield conductor of the NZ Army Band was played. Thanks were also extended to the families who hosted the delegation – Crs Cole, Ayers, Felstead and Mayor Keating; the Personal Assistant and Administration Manager.

10. QUESTIONS

10.1 Cr Brine

Cr Brine asked “the Mayor has advised that a Councillor was rude to a submitter by leaving during a submission last week. This comment was made in front of staff members and the media. Would you please advise if the Councillor has been approached about this as it reflects on all of us? “

Cr Gordon advised he had been approached and gave reasons for leaving for ill health during the presentation by Mr Penney.

11. URGENT GENERAL BUSINESS

11.1 Mary Sparrow – Canterbury Water Management Strategy Consultation

Mrs Sparrow noted that a report will be made to the Council in June recommending a Water Issues Working Party to enable members to be aware of issues coming up.

Moved Councillor Cole Seconded Councillor Blair

THAT the Council:

- (a) **Receives** report N^o 0905050124410.
- (b) **Notes** the presentation to Council from representatives of the Canterbury Water Management Strategy Steering Group on 27 April 2009.
- (c) **Agrees** to the preparation of a Council submission on the Canterbury Water Management Strategy public consultation document.
- (d) **Appoints** the Mayor, the Chairs of the Resource Management and Regulation Committee (RMR) and the Utilities and Rooding Committee (U&R) to approve the Council’s submission on the Canterbury Water Management Strategy public consultation document, to be confirmed at the Council’s June meeting.
- (e) **Notes** that Council will be invited to establish a Water Issues Working Party at its June meeting.

CARRIED

12. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

Section 48, Local Government Official Information and Meetings Act 1987

Moved Mayor Keating Seconded Councillor Cole

THAT the public be excluded from the following parts of the proceedings of this meeting.

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:

Item N°	Minutes/Report of:	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
12.1	Minutes of the In Committee portion of a Council meeting of 7 April 2009	Confirmation of Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)
12.2	Minutes of the In Committee portion of the Utilities and Roading Committee meeting of 22 April 2009	Receipt of Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)
12.3	Jeff Millward, Manager Finance and Business Support	Property Purchase	Good reason to withhold exists under Section 7	Section 48(1)(a)

This resolution is made in reliance on 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 which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item N°	Reason for protection of interests	Ref NZS 9202:2003 Appendix A
12.1, 12.2 and 12.3	Protection of privacy of natural persons To carry out commercial activities without prejudice	A2(a) A2(b)ii

CARRIED

CLOSED MEETING

(Minutes 090511013272)

OPEN MEETING

Moved Mayor Keating Seconded Councillor Cole

THAT open meeting resumes and the business discussed in items 12.1 and 12.2 with the public excluded remains public excluded and the resolution in item 12.3 (Property purchase) made with the public excluded, be made public when settlement has been reached.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3.44 pm

Confirmed

Chairman
2 June 2009