

MINUTES OF A MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA AT 2.30PM ON TUESDAY 6 OCTOBER 2009

PRESENT

Mayor R D Keating, Deputy Mayor E H B Cole, Councillors N T Atkinson, D L Ayers, R R Blair, R J Brine, N D Cruickshank, P G Farrant (from 2.32 pm to 5.00pm, from 5.30pm), 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 – G Cleary (Manager Utilities and Roading), S Markham (Manager Policy and Customer Service), J Millward (Manager Finance and Business Support), C Sargison (Manager Community and Recreation), R Milne (Finance Manager), K Stevenson (Roading Manager), N Harrison (Environmental Services Manager), S James (Community Team Leader), M Sparrow (Senior Policy Analyst), R Christie (Communications Advisor) and L Beckingsale (Technical Assistant).

1. APOLOGIES

An apology was received and sustained from Cr R Brine and from Cr Farrant (for lateness).

2. CONFLICTS OF INTEREST

The following conflicts were declared:
Item 9.6 – Cr Cruickshank Change in Prime constitution.

3. IN REMEMBRANCE

Joyce McIver – Waimakariri District Councillor 1992 – 2001. Members stood as a mark of respect to the late Joyce McIver. Cr Ayers gave a tribute to the late Mrs McIver. Cr Cruickshank noted that Mrs McIver was an avid supporter of the Friends of the Rangiora Hospital.

AWARD

Mayor Keating noted with pleasure that Kaiapoi was the recent winner of the large towns' category in the Four Square Best Towns and Cities Awards, in association with Keep New Zealand Beautiful. Rangiora had also been one of the finalists in the awards. Mayor Keating congratulated the Keep NZ Beautiful Groups in Kaiapoi and Rangiora.

4. CONFIRMATION OF MINUTES

4.1 Minutes of a meeting of the Waimakariri District Council held on Tuesday 1 September 2009

Moved Mayor Keating seconded Councillor Atkinson

THAT the Council:

- (a) **Confirms** as a true and correct record the minutes of a meeting of the Waimakariri District Council held on Tuesday 1 September 2009.

CARRIED

4.2 Minutes of the In Committee portion of a meeting of the Waimakariri District Council held on Tuesday 1 September 2009

(see in committee minutes)

5. MATTERS ARISING FROM THE MINUTES

Nil.

6. PRESENTATION

6.1 Mr Piet Vink, Ministry of Social Development

Mr Vink gave a presentation on Community Max and Job Opportunities – the Government's new subsidised work scheme. The Youth Opportunities Package is a time-limited package of initiatives to help young people during the recession for 16-24 year olds. The Community Max is for the same group of young people while contributing to the community on a subsidised wage scheme. Work is also being looked at on the cycleways throughout New Zealand over the next 13 months. Two new limited service volunteer schemes are being started up in the near future. Industry partnerships are being assisted with start up staff and arranging the necessary training.

In reply to a question from Cr Cruickshank, Mr Vink advised there are no specific schemes for unemployed people over 25 years of age, but the Community Task Force scheme is available, together with a job subsidy scheme.

Items 9.1 and 9.2 were taken at this time, but are left in the order of the agenda.

7. ADJOURNED BUSINESS

7.1 Ken Stevenson (Roading Manager) : Greater Christchurch Travel Demand Management Strategy and Action Plan – Council Adoption (GOV-01-11, POL-08-22)

Mr Stevenson noted that most of the other councils have already signed off the strategy and action plan. There will be difficulty in meeting the strategy relating to the cycling strategy, due to recent changes in funding.

Moved Councillor seconded Councillor

THAT the Council

- (a) **Receives** report N^o 090818024759.
- (b) **Adopts** the Greater Christchurch Travel Demand Management Strategy and Action Plan.
- (c) **Notes** that the future Roading Activity Management Plan and LTCCP will take into account the Greater Christchurch Travel Demand Management Strategy and Action Plan.

CARRIED

Cr Ayers noted this is a strategy designed to get cars off the road particularly at busy times. It is an important reminder to the district to plan a travel demand strategy with new development.

8. NOTICE OF MOTION

8.1 Alfred Street

In reply to a question from Cr Gordon, Mr Palmer advised that a legal opinion sought from Simpson Grierson confirms the advice of Buddle Findlay of the obligation of the Council to follow the process to go through the special consultative procedure should the Council wish to reopen Alfred Street.

In reply to a question from Cr Atkinson, Mr Palmer advised there is nothing to stop an individual to apply for a licence to occupy the pedestrian mall space. Mr Cleary advised the pedestrian mall is road reserve and there would not be any ability to apply under the Resource Management Act, but an application to the Council for approval, as the owner of the road.

The matter was voted in parts.

Moved Councillor Cruickshank seconded Councillor Cole

THAT the Council

- (a) **Recognises** the petition presented in July 2009 as a democratic declaration of the will of the Petitioners to reopen Alfred Street

CARRIED

- (b) **Resolves** that the reopening of Alfred Street be the subject of a special consultative procedure pursuant to Section 336 Local Government Act 1974 in recognition of the will of the Petitioners.

CARRIED

A division was called and resulted:
For Mayor Keating, Councillors Cole, Atkinson, Ayers, Cruickshank
Against Councillors, Blair, Felstead, Gordon and Stewart
For 5 Against 4
Cr Farrant abstained from voting.

Cr Cruickshank noted the petition and its intent and the Council have not formally recognised it. The second part of the motion provides the legal process. The Council needs to listen to the people and act in a democratic way. There is no compelling reason to keep the road closed.

Cr Gordon supported voting for part (a), but opposed part (b). The Council agreed on a process at the last meeting and there is a public meeting coming up. There is a degree of unanimity around members to bring together the various plans.

In reply to a question from Cr Atkinson, Mr Palmer advised that from when the proposal is advertised, typically the process would take two months. The process would then be advertised to reopen the road.

Cr Blair noted that although 4,000 people signed the petition, there are a lot more people who did not sign the petition. The process to take the matter back to the Rangiora people at a public meeting is the correct way to resolve the matter.

Cr Ayers noted that as a resident in the close proximity this matter is important. Cr Ayers outlined the access around the town and the business area. The review of the central business district is very important. There are 7-8 new commercial buildings in the area in the last twelve months. The bollards are likely to be a digression to the future of the central

business area. Traffic issues are dominating the discussion and there are equal matters to consider.

Cr Felstead noted there is no new information from when the matter was debated last time.

Mayor Keating in supporting the statement noted this is a digression on the real issues and is pushing traffic into inconvenient areas. There is growing excitement among the business community and individuals which is gaining support for the Council to develop a plan for the future.

Cr Farrant noted that if the bollards are removed then this may come back again at a later time. Whilst there has been no new information, Cr Farrant advised he would abstain from voting.

Cr Stewart noted there was a first principles look at the roading around the business area in Rangiora. It may make sense in the overall plan to have the closed Alfred Street retained. The matter should be left for six months.

Cr Atkinson noted the Council is in the middle of a process. Traffic flows will come out of the strategy.

Cr Cole noted opposition with both legal opinions and the Council could take the bollards out now. The strategy will take two years and the poles will be down the street during this time. The current closure benefits nobody and prevents any holistic solution. The public has given the Council its opinion and the bollards should be removed as soon as possible.

9. REPORTS

9.1 Jeff Millward (Manager Finance and Business Support) : Adoption of the Annual Report for the year ended 30 June 2009 (FIN-12-02)

Mr Millward advised that staff from the Audit Office would be at the next Audit Committee meeting.

Mr Millward advised an unqualified report was received for the annual report. There is an operating surplus of \$25.2 million which is made up of a number of items in the operating statement for accounting purposes. The main item is income received for capital items. The loan debt was kept at \$17.5 million.

In reply to a question from Cr Atkinson, Mr Millward advised that the major non-significant activity was interest rate hedging. The Council is still relatively well placed in terms of interest rates.

The carryover figure for capital works was \$11 million, which included multi-year projects.

Moved Councillor Stewart seconded Councillor Blair

THAT the Council

- (a) **Receives** report N^o 090928029511.
- (b) **Adopts** the Annual Report for the year ended 30 June 2009.
- (c) **Adopts** the draft Annual Report Summary for the year ended 30 June 2009.
- (d) **Notes** the Net Surplus after Vested Assets and Taxation for the Council parent of \$25.3m includes:
 - Vested assets received from developers of \$20.9m;

- Recognition of development and other contributions totalling \$2.5m;
- Community Trust subsidy towards the cost of capital works relating to the Community Housing totalling \$1.5m;

(e) **Authorises** the Manager Finance and Business Support to make necessary minor edits and corrections to the Annual Report prior to printing.

CARRIED

Councillor Stewart noted this is a good result for the Council. It is difficult for persons in the street to understand the surplus and carryovers. It is suggested there be a consistency in presentation. The Council should be congratulated on the result.

Cr Blair congratulated staff on the work in preparing the report.

Mayor Keating congratulated the Council on the unqualified report from Audit New Zealand

9.2 The Water Issues Working Party : Draft Canterbury Water Management Strategy (GOV-01-11 EXT-01-35)

Mr Murray Rodgers (member of the Canterbury Water Strategy Management Steering Group) was in attendance to answer questions.

Mr Palmer outlined the background to the strategy which had come out of the Canterbury Mayoral Forum in 2002. One of the key issues is about the need for new water. Generally there is sufficient water in Canterbury but not in the right places at the right time. There is a strong desire and recognition that all views are taken account of and the solution takes these into account. There are 8-10 zone committees to create the zonal implementation programme, together with 10-20 participants in a regional committee to create the regional implementation plan. There are potentially seven infrastructural sites, one of which is in the district, in Lees Valley. The strategy identifies work to be done with central government to develop the strategy.

Mr Rodgers noted this has been a very long and gratifying process and there is still a long way to go. By continually seeking to improve the region's productive base and riches there is great risk at becoming impoverished in other ways. There will be significant ways of managing water resource behaviour and hence there is a zonal committee structure. There are processes in place to assist communities with development.

In reply to a question from Cr Cruickshank, Mr Rodgers advised the matter of funding is still one of the unanswered questions. It is likely to be a joint venture of private and public funding.

Moved Mayor Keating seconded Councillor Felstead

THAT the Council

- (a) **Receives** report N^o 090924029121.
- (b) **Endorses** the proposed Canterbury Water Management Strategy as set out in the draft document released on 3 September 2009.
- (c) **Notes** the emphasis on addressing environmental degradation from the outset and the intention to improve the efficiency of water use, as well as undertaking further investigations with respect to the options for large scale water storage identified in the draft Strategy.

- (d) **Notes** the introduction of a governance structure that will ensure community participation in decision-making with respect to water management across Canterbury.

CARRIED

Mayor Keating noted this has huge potential for this district based on factual information. There is still a huge amount of work which will not only be of benefit to this district but also to Canterbury.

9.3 Nick Harrison (Environmental Services Manager) : Dog Policy and Bylaw Review – Recommendations of the Hearing Panel (BYL-05 ANC-01)

Mr Harrison noted the review started in April. A large number of submitters requested dog parks in Rangiora and Kaiapoi. Submissions were made to the fees structure and matters relating to personal concerns. If the recommendations are adopted the bylaw will come into place in November.

Moved Councillor Cole seconded Councillor Atkinson

THAT the Council

- (a) **Receives** report N^o 090924029133.
- (b) **Adopts** the recommendations of the Hearing Committee as listed in attachment 1 (090806023340) and,
- (c) **Notes** that the establishment of a dog park in Kaiapoi and Rangiora is supported and that this matter will be reported to the Community Plans Committee.
- (d) **Adopts** the Dog Control Policy (090925029186).
- (e) **Adopts** the Dog Control Bylaw 2009 (090925029215).
- (f) **Notes** that staff will advise all submitters of the decisions on submissions.

CARRIED

9.4 Lynley Beckingsale (Technical Assistant) and Nick Harrison (Environmental Services Manager) : Submission to New Zealand Law Commission – Alcohol in our Lives (GOV-01-11 EXT-30)

Ms Beckingsale noted it is not a requirement to submit on the bill.

Moved Councillor Ayers seconded Mayor Keating

THAT the Council

- (a) **Receives** report N^o: 090915027904
- (b) **Approves** the submission (N^o: 090915027906) on the issues paper on the reform of New Zealand's liquor laws – Alcohol in Our Lives.

CARRIED

Cr Gordon voted against the motion.

Cr Gordon noted support for most of the submission, except for the drinking age. New Zealand is one of the worst countries in the world for alcohol abuse. Raising the age limit to 20 is not supported.

Cr Cruickshank endorsed the age of minors going to 20 years. It has been a disaster for our young people. The number of premises and the hours of availability of alcohol should be reduced as soon as possible.

Cr Atkinson supported the age limit of 20 years. Every weekend in every town in this country there are many arrests of younger people.

Cr Blair noted there is a situation in Kaiapoi where there is another liquor store being opened close to an already long established outlet.

Cr Ayers noted that where there are problems it is mainly a small number of people. However the results of alcohol are a problem within the community.

9.5 Lynley Beckingsale (Technical Assistant) and Chris Neason (Road Safety Coordinator): Submission to Ministry of Transport “Safer Journeys” Strategy (GOV-01-11, EXT-30)

Ms Beckingsale presented the report.

In reply to a question from Cr Cole, the matter of cellphones was not included as it was known that legislation is being introduced.

Cr Farrant left the meeting during consideration of this matter.

Moved Councillor Gordon seconded Councillor Ayers

THAT the Council

- (a) **Receives** report N^o: 090908027120
- (b) **Approves** the submission (N^o: 090908027128) on the Road Safety Strategy – Safer Journeys.

CARRIED

9.6 Jeff Millward (Manager Finance and Business Support) : Change in Prime Constitution – Clause 11.4 Local Authority Directors (PRI-02, FIN-01)

Cr Cruickshank left the meeting during consideration of this item.

Mr Palmer suggested further wording to clause (b) “upon the resignation signalled by the independent directors”. The wind up matters could be at reasonably short notice. It is likely the newly appointed directors would not be remunerated. This matter will be revisited at a later date. Most of the business of the company would be done in the next 6-12 months.

Moved Councillor Atkinson seconded Councillor Stewart

THAT the Council

- (a) **Receives** report N^o 090917028422.
- (b) **Amends** the constitution removing the requirement that at least two of the Directors shall not be members or employees of the Local Authority.
- (c) **Appoints** Mayor Keating and the Deputy Mayor to be Directors of Prime Building Compliance Limited upon a resignation signalled by the independent directors.

- (d) **Advises** Prime Building Compliance Limited of the decision to alter the Constitution and appoint the Directors.

CARRIED

Cr Gordon noted that the remuneration should not be continued during the winding down phase.

9.7 Kevin Lamb (Administration Manager) : Meeting Schedule 2010 (GOV-01-11)

Moved Councillor Gordon seconded Councillor Felstead

THAT the Council

- (a) **Receives** report no 090908027115
- (b) **Approves** the schedule of meetings for 2010 (document 090904026795), subject to confirmation by the Ward Advisory Boards.

CARRIED

9.8 Jim Palmer (Chief Executive Officer) : Register of Interests of Elected Members (GOV-13 GOV-01-11)

Moved Mayor Keating seconded Councillor Cruickshank

THAT the Council

- (a) **Receives** report No. 0901226001937
- (b) **Adopts** a Register of Members' Interests QS-S060-AG for the 2007-2010 term.

LOST

A division was called and resulted:
For Councillors Ayers, Gordon and Stewart
Against Mayor Keating, Councillors Atkinson, Blair, Cruickshank, Cole and Felstead.
For 3 Against 6

Cr Cole in opposing the motion noted that it is not compulsory and the return is not sworn. The remuneration received by members is not in the same ballpark as central government members. The conflict of interest legislation can cover matters of concern.

9.9 Jim Palmer (Chief Executive Officer) : Hearings Committee (Gov-20-01)

Moved Councillor Cruickshank seconded Councillor Atkinson

THAT the Council

- (a) **Receives** report N^o 090914027730.
- (b) **Appoints** all Councillors to the Hearings Committee
- (c) **Notes** that Mayor Keating is appointed ex-officio to all committees.
- (d) **Notes** that for resource consent and district plan submission hearings a majority of members must be accredited by the Ministry for the Environment "Making Good Decisions".

CARRIED

Cr Ayers noted concern that if members had not been through the accreditation process, they would only be used in the event of the unavailability of any other trained member.

10. **COMMITTEE/COMMUNITY/WARD ADVISORY BOARD/WORKING PARTY MINUTES**

10.1 **Minutes of a meeting of the Audit Committee held on Tuesday 25 August 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.2 **Minutes of a meeting of the Resource Management and Regulation Committee held on Tuesday 26 August 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.3 **Minutes of a meeting of the Resource Management and Regulation Committee held on Tuesday 15 September 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.4 **Minutes of a meeting of the Woodend Ashley Ward Advisory Board held on Monday 7 September 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.5 **Minutes of a meeting of the Rangiora Ward Advisory Board held on Wednesday 9 September 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.6 **Minutes of a meeting of the Oxford Eyre Ward Advisory Board held on Wednesday 19 August 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.7 **Minutes of a meeting of the Oxford Eyre Ward Advisory Board held on Wednesday 16 September 2009**

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.8 Minutes of a meeting of the Kaiapoi Community Board held on Monday 21 September 2009

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

10.9 Minutes of a meeting of the Greater Christchurch Urban Development Strategy Implementation Committee held on Monday 17 August 2009

Moved Councillor Cole seconded Councillor Ayers

THAT the information be received.

CARRIED

11. MATTERS REFERRED FROM COMMITTEES/ADVISORY BOARDS

11.1 Karen Lindsay-Lees, (Safer Community Council Coordinator) : Community Action Plan on Alcohol (CMS-05-10)

Ms Lindsay-Lees advised the plan has been developed over the last two years. Support has been gained from the Kaiapoi Community Board, ward advisory boards and the Management Team. The plan provides an opportunity for safe and responsible use of alcohol in the district. There have been a number of key stakeholders who have contributed to the plan.

Moved Councillor Atkinson seconded Councillor Ayers

THAT the Council

(a) **Adopts** the Community Action Plan on Alcohol.

CARRIED

Cr Atkinson noted some concerns with the intent of some small steps being made in this area and provided examples associated with the liquor ban law and ALAC referral to events in respect to security. The reality is somewhat different down the track.

12. SEALED AND SIGNED DOCUMENTS

s.223 RMA Certificate – Survey Plans	
RC045436	R C Smith, 555 Downs Road, West Eyreton
RC085512	Tpano Develpments Ltd, 31 Kiwi Ave, Waikuku
RC055569	H & C Jolliffe (Jansen & Lukassen), 17 Oxford Road, Rangiora
RC095019	Gibson Construction Ltd, 153 Raven Quay, Kaiapoi
RC085429	Nexus Kaikanui Ltd/CCF Holdings, 7 Kaikanui Street, Kaiapoi
RC095230	Ashfield Nurseries Ltd, 150 Flaxton Road, Rangiora
RC045361	Flaxton Green Family Trust, 280 Johns Road, Rangiora
RC095123	Waimakariri District Council, 33 Dunns Avenue, Pines Beach
RC095198	M A Leslie and L B Walls, 502 and 504 Mill Road, Ohoka
RC095071	Sustainable Property Investments, 152 Williams Street, Kaiapoi
RC095252	D Waller and Independent Trustees Ltd, 14 Cumberland Pl, Kaiapoi
RC095106	P & K Mably, 31 Fuller Street, Kaiapoi
RC095191	M Welham, 180 Isaac Road, Eyreton
RC095273	J Blackadder, 346 Gressons Road, Woodend
RC095214	D Chambers, 187 West Belt, Rangiora
RC095138	F I & L M Moody, 47 Barkers Road, Kaiapoi

RC095012	N & D Fraser, 20 Percival Street, Rangiora
RC045543	G G & J D McDonnell, 81 Neeves Road, Kaiapoi
RC095055	D and J Lundy, 183 Browns Road, Okuku
RC045400	S Harris, 208 Boundary Road, Ashley
RC075489	J R & N J Panfilow, 30 Fuller Street, Kaiapoi
RC095222	I S & M H Kohler, 1086 Downs Road, West Eyreton
RC085407	J Haigh, 143 Ashley Gorge Road, Oxford
RC095200	Bert Wierkx, 49 Queens Avenue, Waikuku Beach
RC075427/ RC075428	I W & L M Bisman, 532 Mill Road, Ohoka
Contracts	
CON200922	Contract 09/22 East Rangiora Stormwater System – MWH Limited
CON200926	Contract 09/26 West Belt Stormwater Upgrade – Blakely Construction Ltd
CON200929	Contract 09/29 Rata St Kerb & Channel Renewal – Taggart Earthmoving Ltd
CON200931	Contract 09/31 Oxford Main Street Upgrade Stage 2 – Calcon Ltd
CON200934	Contract 09/34 Kaiapoi Walkway Lighting – JBFX Ltd
CON200935	Contract 09/35 Kaiapoi Walkway Theming – JBFX Ltd
Easements	
2176107601	CCF Holdings Ltd, Kaikanui Street, Kaiapoi
CON200820-02	Kaipoi High School, drainage easement
Form of Agreement	
CB37A/350	Encumbrance - Garry River Farm Limited

Moved Councillor Gordon seconded Councillor Atkinson

THAT the Council:

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

CARRIED

13. MAYORS DIARY FOR SEPTEMBER 2009

Moved Councillor Cruickshank seconded Councillor Stewart

THAT the Council:

- (a) **Receives** report no. 090929029570

CARRIED

Mayor Keating noted a report would be on the next agenda outlining the grants from the Mayoral Relief Fund.

In reply to a question from Cr Felstead, Mr Palmer advised the monthly meeting with the Runanga Liaison Committee involves discussion between two or three members of the Runanga with a number of staff groups and members of the Council attend from time to time.

14. QUESTIONS

Nil

15. URGENT GENERAL BUSINESS

Nil

16. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

Section 48, Local Government Official Information and Meetings Act 1987

Moved Mayor Keating seconded Councillor Ayers

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
16.1	Minutes of the In Committee portion of a Council meeting of 1 September 2009	Confirmation of Minutes	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
16.1	Protection of privacy of natural persons To carry out commercial activities without prejudice	A2(a) A2(b)ii

CLOSED MEETING

OPEN MEETING

Moved Mayor Keating seconded Councillor Ayers

THAT open meeting resumes and the business discussed with the public excluded remains public excluded.

CARRIED

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.37 pm

Confirmed

Chairman

3 November 2009