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COUNCIL MEETING

Commencing at 9am

on

Tuesday 22 September 2009

**Council Chamber
District Council Building
King George Place
Timaru**

TIMARU DISTRICT COUNCIL

Notice is hereby given that an Ordinary meeting of the Timaru District Council will be held in the Council Chamber, District Council Building, King George Place, Timaru on Tuesday 22 September 2009, at 9am.

Please note change of time.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Councillors are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Warwick Isaacs
CHIEF EXECUTIVE

TIMARU DISTRICT COUNCIL

22 SEPTEMBER 2009

AGENDA

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1		Opening Prayer – Mary Jane Konings, St Stephen’s Presbyterian Church
2		Apologies
3		Public Forum – Roger Payne, Muff Road
4		Identification of Urgent Business - Beswick St Closure (including public forum item(s))
5		Identification of Matters of a Minor Nature (including public forum item(s))
6	1	Confirmation of Minutes – Council Meeting - 11 August 2009
7	8	Confirmation of Minutes – Council Meeting – 4 September 2009
8	11	Confirmation of Minutes – Hearings Committee – 17 June 2009
9	17	Confirmation of Minutes – Hearings Committee – 17 July 2009
10	22	Schedule of Functions Attended by the Mayor and Deputy Mayor and Councillors
11	25	Schedule of Functions Attended by the Chief Executive
12	27	Affixing of the Common Seal
13	28	Timaru District Holdings Ltd Annual Report for the Year Ended 30 June 2009
14	29	Canterbury Water Management Strategy
15	30	Receipt of Community Board and Council Committee Minutes
16		Consideration of Urgent Business Items (including public forum item(s))
17		Consideration of Minor Nature Matters (including public forum item(s))
18	31	Exclusion of the Public

1	33	Confirmation of Minutes – Ordinary Council Meeting 11 August 2009
2	36	Confirmation of Minutes – Council Meeting 4 September 2009
3	38	Confirmation of Minutes – Hearings Committee 17 June 2009
4	42	Confirmation of Minutes – Hearings Committee 17 July 2009
5	46	Receipt of Committee Minutes
6	47	Readmittance of the Public

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 6

Prepared by **Warwick Isaacs**
 Chief Executive

Confirmation of Minutes – Ordinary Council Meeting 11 August 2009

Minutes of the August 2009 Council meeting.

Recommendation

That the minutes of the Council meeting held on 11 August 2009, with the exclusion of the public excluded items, be confirmed as a true and correct record.

TIMARU DISTRICT COUNCIL

**MINUTES OF AN ORDINARY MEETING OF THE TIMARU DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, KING
GEORGE PLACE, TIMARU ON TUESDAY 11 AUGUST 2009 AT 2PM**

PRESENT Mayor Janie Annear (Chairman), Clrs Barker, Bennett, Bradley, Coughlan, Jack, Kennedy, Lyon, Mulvey and Oliver

APOLOGIES Clr Bowan

IN ATTENDANCE Chief Executive (WA Isaacs), Assistant Chief Executive (PH Nixon), District Services Manager (AA Harper), Regulatory Services Manager (P Thompson), Secretary (JM Brownie)

Les Double – Temuka Community Board (until 5.20pm)
Steve Bramley – SGL (Simply Great Leisure) (for aquatic centre items) (until 5.20pm)

OPENING PRAYER Andrew Starky, of the Temuka Anglican Church, offered a prayer for the work of the Council

1 PUBLIC FORUM

Aquatic Leisure Centre

Ron Bishop addressed the Council on his thoughts regarding the recession, how it is affecting our community and his concerns relating to the proposed Aquatic Leisure Centre.

2 IDENTIFICATION OF MATTERS OF A MINOR NATURE

Proposed Clr Kennedy
Seconded Clr Coughlan

“That the following issues be discussed as minor nature items at this meeting:

itinerant traders
LGNZ conference.”

MOTION CARRIED

3 CONFIRMATION OF MINUTES – COUNCIL MEETING 30 JUNE 2009

Proposed Clr Bennett
Seconded Clr Barker

“That the minutes of the Council meeting held on 30 June 2009, with the exclusion of the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

4 SCHEDULE OF FUNCTIONS ATTENDED BY THE MAYOR, DEPUTY MAYOR AND COUNCILLORS

Proposed Cllr Kennedy
Seconded Cllr Coughlan

“That the schedule of functions attended by the Mayor, Deputy Mayor and Councillors be received and noted.”

MOTION CARRIED

5 SCHEDULE OF FUNCTIONS ATTENDED BY THE CHIEF EXECUTIVE

Proposed Cllr Kennedy
Seconded Cllr Oliver

“That the schedule of functions attended by the Chief Executive be received and noted.”

MOTION CARRIED

6 AFFIXING OF THE COMMON SEAL

Proposed Cllr Bennett
Seconded Cllr Jack

“That the affixing of the common seal to the following documents be noted:

24 June 2009	Contact 1886, Public Halls/Theatre Cleaning 2009 - 2012
24 June 2009	Contact 1888, Public Parks and Toilet Cleaning 2009 - 2012
13 July 2009	Warrant of Appointment – Kerry Cooper Reticulation Labourer
5 August 2009	Contract 1838 – Footpath Maintenance and Resurfacing, Fulton Hogan Ltd.”

MOTION CARRIED

7 CONTRACT LET BY THE CHIEF EXECUTIVE UNDER DELEGATED AUTHORITY

Proposed Cllr Kennedy
Seconded Cllr Bradley

“That the following information be received on a contract let by the Chief Executive under delegated authority:

Contract Number / Description	Number of Tenders	Price Range \$	Successful Tender and Price
Rating Valuation Roll Maintenance		Negotiated	\$191,500 per annum for rating valuation services \$14,500 per annum for database management services.”

MOTION CARRIED

8 COUNCIL INVESTMENTS AND BORROWING AS AT 30 JUNE 2009
(File F1/10)

The Council considered a report by the Chief Financial Officer on Council Investments and Borrowing as at 30 June 2009.

Proposed Clr Barker
Seconded Clr Bradley

“That the report be received and noted.”

MOTION CARRIED

9 POSSIBLE REPLACEMENT OF SUNSHINE COACH (File C3/18)

The Council considered a report, by the Regulatory Services Manager together with copies of previous reports, on the replacement of the Sunshine Coach. Considerable debate ensued on whether it is Council's role to provide a community vehicle, particularly when it is used mostly by school groups.

Proposed Clr Jack
Seconded Clr Bennett

“That the Council apply for \$35,000 external funding to replace the van and, if successful, the Council continue to operate the service.”

A division was called for and the voting was as follows:

For – Clrs Barker, Bennett, Bradley, Coughlan, Jack, Oliver and the Mayor
Against – Clrs Kennedy, Lyon and Mulvey

MOTION CARRIED 7/3

10 CONSIDERATION OF MINOR NATURE ITEMS
10.1 Itinerant Traders

Clr Kennedy expressed concern at the effect itinerant traders have on retailers and requested further information on the current regulations relating to itinerant traders in the District. The Regulatory Services Manager explained the difficulties in regulating this activity as this type of trading is a permitted activity in commercial areas and could also be permitted in another zone under the District Plan if it is a one-off activity. The Regulatory Services Manager advised that the

Council makes every endeavour to enforce the rules relating to this activity. The issue is to be referred to the Regulatory Services Committee.

10.2 Local Government NZ Conference

Clr Coughlan, Clr Barker and Clr Jack reported on the recent Local Government NZ conference which was held in Christchurch in July, attended also by the Mayor and the Chief Executive.

11 CITIZENSHIP CEREMONY

The meeting adjourned for a ceremony to bestow New Zealand citizenship on the following:

Thomas Adams, Edna Adams, Heather Livesey, Sagafili Lomano, Stephen Thomas, Josiane Chevallier, Janet Harris, Mariette Heath, Sameer Singh, Anupama Singh, Nicholas Warner, Wilben Wilson, Beverley Wilson, Gareth Wilson, Nathaniel Wilson and Jarvis Wilson.

12 AQUATIC LEISURE CENTRE PROGRESS REPORT (File S5/10)

The Council considered a report by the District Services Manager on progress with the new Aquatic Leisure Centre project. The District Services Manager explained the role of the Project Management Services. A lengthy discussion took place on the progress to date and the way forward.

It was agreed to let the matter lie on the table to allow debate on the Aquatic Leisure Centre funding report.

13 AQUATIC LEISURE CENTRE FUNDING REPORT (File S5/10)

The Council considered a report by the District Services Manager on funding for the proposed Aquatic Leisure Centre. The Mayor and Chief Executive further explained the process and options in regard to securing funding for the project, in particular, the establishment of the Aoraki Foundation.

It was emphasised that it is not possible to have all the money in the bank before the project can proceed and Council cannot wait until the completion of the funding process before planning for the centre commences. The Council needs to progress to a stage where it has a project to go out to tender.

Congratulations were extended to SGL for their achievements to date.

Proposed Clr Jack
Seconded Clr Barker

- 1 "That this report be received and that the proposed external funding package as identified in the SGL report be noted and supported.
- 2 That it be noted that Timaru District Holdings Limited may need to adjust its dividend to Council in order to fund the finance costs of the short term debt by the Council, associated with variations in the external funding cash flow.
- 3 That the Aquatic Leisure Centre now proceed."

MOTION CARRIED

Clr Coughlan requested her dissenting vote be recorded.

14 AQUATIC LEISURE CENTRE PROGRESS REPORT

Councillors then continued the debate on the Aquatic Leisure Centre progress report. Comment was made that the NZ Transport Agency needs to be made aware that the Council is proceeding with the ALC and will require traffic control from early in the construction phase.

Proposed Clr Kennedy
Seconded Clr Jack

- 1 "That the report be received and noted.
- 2 That the Council be involved in the interview and selection process of the Design Services consultancy team for the Aquatic Leisure Centre.
- 3 That the Council enters into early discussion with the NZ Transport Agency requesting that the Te Weka Street traffic lights be given the highest priority within NZTA's programme."

MOTION CARRIED

15 RECEIPT OF COMMUNITY BOARD AND COUNCIL COMMITTEE MINUTES

Proposed Clr Oliver
Seconded Clr Bradley

"That the minutes of the following meetings with the exclusion of the public excluded items, be received:

Temuka Community Board	13 July 2009
Geraldine Community Board	15 July 2009
Community Development Committee	21 July 2009
Resource Planning and Regulation Committee	21 July 2009
Policy and Development Committee	21 July 2009."

MOTION CARRIED

16 EXCLUSION OF THE PUBLIC

Proposed Clr Bennett
Seconded Clr Barker

"That the Council resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Confirmation of Minutes
Council & Property Matter
Section 7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Directorships
Section 7(2)(a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

Tenders Subcommittee
Section 7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.”

MOTION CARRIED

Messrs Bramley and Double left the meeting.

17 READMITTANCE OF THE PUBLIC

Proposed Clr Bennett
Seconded Clr Coughlan

“That the public be readmitted to the meeting.”

MOTION CARRIED

The meeting concluded at 5.35pm.

Chairman

**TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2009**

Report for Agenda Item No 7

**Prepared by Warwick Isaacs
Chief Executive**

Confirmation of Minutes –Council Meeting 4 September 2009

Minutes of the September 2009 Council meeting.

Recommendation

That the minutes of the Council meeting held on 4 September 2009, with the exclusion of the public excluded items, be confirmed as a true and correct record.

TIMARU DISTRICT COUNCIL

**MINUTES OF AN ORDINARY MEETING OF THE TIMARU DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, KING
GEORGE PLACE, TIMARU ON FRIDAY 4 SEPTEMBER 2009 AT 10AM**

PRESENT Mayor Janie Annear (Chairman), Clrs Barker, Bennett,
Bradley, Coughlan, Kennedy, and Lyon

APOLOGIES Clrs Bowan, Jack, Mulvey and Oliver

IN ATTENDANCE Chief Executive (WA Isaacs), Chief Financial Officer
(T Rogers), Secretary (JM Brownie)

1 EXCLUSION OF THE PUBLIC

Proposed Clr Bradley
Seconded Clr Bennett

"That the Board resolves to exclude the public on the grounds contained in
Section 48(1) of the Local Government Official Information and Meetings Act:

Potential TDHL Investment
Section 7(2)(h)

The withholding of the information
is necessary to enable the
Council to carry out, without
prejudice or disadvantage,
commercial activities."

MOTION CARRIED

2 READMITTANCE OF THE PUBLIC

Proposed Clr Bennett
Seconded Clr Bradley

"That the public be readmitted to the meeting."

MOTION CARRIED

**3 TIMARU DISTRICT HOLDINGS LTD INVESTMENT IN MAORI ROCK ART
CENTRE (File F1/26/1)**

Proposed Clr Bennett
Seconded Clr Coughlan

THAT the following decision made with the public excluded, now be made public:

"That Council approves TDHL to purchase shares in Te Ana Whakairo Limited,
operator of the proposed Timaru Maori Rock Art Centre, for \$280,000, subject to
legal advice confirming the process and structure is in order, and that the
necessary funding for the Centre is obtained."

MOTION CARRIED

The meeting concluded at 10.40am.

Chairman

**TIMARU DISTRICT COUNCIL
FOR THE MEETING 22 SEPTEMBER 2009**

Report for Agenda Item No 8

**Prepared by Warwick Isaacs
Chief Executive**

Confirmation of Hearings Committee Minutes – 17 June 2009

Minutes of Hearings Committee meeting

Recommendation

That the minutes of meetings of the Hearings Committee held on 17 June 2009, excluding the public excluded items, be confirmed as a true and correct record.

Note: Cirs Oliver, Bennett and Bowan only, may vote.

UNCONFIRMED

TIMARU DISTRICT COUNCIL

MINUTES OF A MEETING OF THE HEARINGS COMMITTEE HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, 2 KING GEORGE PLACE, TIMARU ON WEDNESDAY 17 JUNE 2009 AT 10.15AM

PRESENT Ctrs Oliver (Chairman), Bennett and Bowan

IN ATTENDANCE **Applicants:**
Mary Clay - Senior Planner (Davis Ogilvie)
Jane West - Senior Planner (Davis Ogilvie)
Tim Scott - Anderson & Rooney Engineering Co Ltd
Rob Kircher - Anderson & Rooney Engineering Co Ltd

Submitters:
No attendees

Council Officers:
P Kloosterman - District Planner
M Senior - Reporting Officer
A Dixon - Land Transport Manager
L Anderson - Committee Secretary

**1 APPLICATION FOR LAND USE CONSENT NO. 6831
118-120 TEMUKA-ORARI HIGHWAY AND 4 BROWNING STREET,
WINCHESTER
ANDERSON & ROONEY ENGINEERING COMPANY LTD**

The Committee considered a report by the Planning Officer on the application from Anderson & Rooney Engineering Company Ltd to extend the existing engineering business at 118-120 Temuka-Orari Highway and 4 Browning Street, Winchester - Pt RS 4930.

Complete information on the application including copies of submissions received in opposition were incorporated in the Planner's report that had been distributed to all parties. The report was taken as read.

The Committee considered the fact that the submitters did not appear at the hearing and it was confirmed to the Committee that the submitters had been informed of the hearing.

Applicant

Ms Mary Clay, Senior Planner at Davis Ogilvie & Partners Ltd, representing the applicant, spoke and tabled evidence on the site and the proposal.

Mr Tony Scott, applicant, described the proposal as not trying to expand the business but rather to spread out across a larger site.

Mr Scott tabled a traffic count sheet showing movements of vehicles on and off the site. He said the extension of the site had not caused any increased traffic and considered there was no need for extra kerb and channelling for their type of business nor was it necessary for a pedestrian crossing across State Highway 1.

Mr Scott said they had a staff number of 35 but that only 25 would be operating on site.

Mr Scott explained the type of goods stored on site and how the loading zone operated. He said all manufacturing on site was now all undertaken under the canopy and that no manufacturing was intended outside of the building. He referred to a site layout traffic plan of the site which was tabled at the meeting.

Mr Scott considered a rural type crossing was sufficient in Browning Street and that a residential type was not necessary. A strong rural type crossing was in keeping for the surrounding area.

Mr Scott explained that sealing on the site would be extended out to the edge of the existing seal in Browning Street. A strong culvert similar to all other crossings was proposed compacted with hard fill. Generally the storage area will be of hard fill. When questioned on a time frame to finish the site to plan, Mr Scott was hopeful it would be inside 12 months. He said the site was semi prepared and awaiting consent.

At present there was about 10 cars parked on site.

Regarding dust from the site, Mr Scott said there had been no reports of dust issues in the past. In the future there would be sealing on the site. Also the erection of an iron fence around the property would help to reduce any dust spreading onto neighbouring properties. Any traffic movement on the site will be low and on sealed areas. If dust was a problem at any time, water on site would be used to spray the area if necessary.

In relation to the grass verge in Browning Street, Mr Scott said it was not their intention to drive over it.

Timaru District Council

Mr Michael Senior - Planning Officer took the report as read and concurred with the applicants comments.

Mr Andrew Dixon - Land Transport Manager

Mr Dixon described Winchester as an urban township and that the applicants site was industrial. He said the reason for seeking an upgrade of Browning Street was because of damage caused by trucks turning. The installation of kerb and channelling will improve the area and keep the traffic on the road. Mr Dixon pointed out that kerb and channelling in industrial areas is Council's responsibility.

Adjournment

The meeting adjourned at 11.35am and resumed at 11.45am.

Right of Reply

Ms Clay reiterated that the consent is granted for up to 35 people on site and that the business was spreading out across a larger site and not trying to expand the business.

Ms Clay considered a pedestrian crossing on State Highway 1 was not necessary and that a rural crossing was adequate for the area.

Ms Clay explained that the ground on site was all compacted but not completed.

There would not be any increase in traffic movements entering and exiting the site and no increased traffic into Browning Street.

Adjournment and Site Visit

The Chairman thanked the applicants and then adjourned the hearing at 11.55am for the purpose of a site visit and to deliberate. A site visit was undertaken later on the day of the hearing.

The applicants, Planning Officer and Land Transport Manager retired from the meeting.

The hearing reconvened at 2.45pm, following the site inspection.

2 EXCLUSION OF THE PUBLIC

Proposed Clr Bennett
Seconded Clr Oliver

“THAT the public be excluded on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Application for Land Use Consent
No. 6831
118-120 Temuka-Orari Highway
and 4 Browning Street, Winchester
Anderson and Rooney Engineering
Company Ltd
Section 7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.”

MOTION CARRIED

3 RE-ADMITTANCE OF THE PUBLIC

Proposed Clr Bennett
Seconded Clr Bowan

“THAT the public be re-admitted to the meeting.”

MOTION CARRIED

4 APPLICATION FOR LAND USE CONSENT NO. 6831 118-120 TEMUKA-ORARI HIGHWAY AND 4 BROWNING STREET, WINCHESTER ANDERSON & ROONEY ENGINEERING COMPANY LTD

“THAT the following decision made with the public excluded be confirmed in open meeting:

‘THAT under authority delegated from Council and pursuant to sections 104, 104B, 104D and Part 2 of the Resource Management Act 1991, the committee grants its consent to the land use application made by Anderson & Rooney Engineering Company Limited, as a non-complying activity, subject to the following conditions:

- 1 That the proposal proceeds in accordance with the plans and information submitted with the Resource Consent application, numbered 6831 on Council records.
- 2 That no work associated with manufacture or assembly shall occur outside of the enclosed canopy.
- 3 That the site (4 Browning Street Winchester, Pt RS 4930) shall only be used for storage, vehicle parking and loading and unloading movements.

Traffic and Access

- 4 That conditions 2, 3 and 4 of approved Land Use Consent No. 6622 be superseded by the following conditions:
 - a That a total of ten carparking spaces shall be provided on the subject site.
 - b That any damage caused to the roadway immediately adjacent to the property site associated with construction activities within the property be repaired to Council specifications.
 - c That the existing vehicle access on Temuka-Orari Highway shall be formed to a heavy duty industrial standard in accordance with Council specifications.
 - d That the vehicle accesses on Browning Street shall be formed to a heavy duty industrial standard in accordance with Council specifications.

Note: Approval for the installation of all the new vehicle accesses will be issued in conjunction with the approval of the engineering plans and specifications. No physical works are to be carried out until engineering approval is received.

Note: Individual service applications to install vehicle accesses shall only be required to be submitted if the final position of any vehicle access differs from the approved engineering plans.

- e That the abandoned crossing in Browning Street is removed and the swale reinstated.
- f That all parking and loading space or spaces, access drives, manoeuvring areas and aisles shall, before the commencement of the activity to which those parking and loading spaces relate, and thereafter for as long as that activity is continued, be formed, provided with a sealed surface, drained, marked out or delineated and maintained.
- g That signs shall be erected at the Browning Street access stating "Exit Only" and at the Temuka-Orari Highway entrance stating "Entry Only".

- h That conditions 4 b, c, d, e, f and g shall be completed within twelve months of the issue of this consent.
- i That parking areas must be kept clear and available at all times, free of impediment, for vehicles used in conjunction with the particular activity to which the parking spaces relate on the site, and must not be used for the deposit or storage of any goods or materials or for any other purpose.
- j There shall be no loading or unloading activities conducted within the road reserve following completion of construction work.

Noise

- 5 That all activities be conducted so as to ensure that noise arising from such activities does not exceed the following noise limits within the Residential 3 zone:

<i>7.00am to 10.00pm</i>	<i>50dBA L10</i>
<i>At all other times</i>	<i>40dBA L10</i>
<i>At any time between 10.00pm and 7.00am</i>	<i>70dBA Lmax</i>

Hours of Operation

- 6 That the factory hours of operation are only between 7.00am and 6.00pm Monday to Friday, and 7.00am and 12.00pm on Saturdays.
- 7 That the factory is not in operation on Sundays and public holidays.

Regional Council Consents

- 8 That the applicant shall forward copies to Timaru District Council of any/all relevant Canterbury Regional Council consents in relation to roadworks or fill associated with the project.

Site Management

- 9 That any storage of materials on the subject site shall not encroach into the Recession Planes specified in the Timaru District Plan for the adjoining Residential 3 Zone."

MOTION CARRIED

The hearing concluded at 3.40pm on 9 July 2009

Chairman

**TIMARU DISTRICT COUNCIL
FOR THE MEETING 22 SEPTEMBER 2009**

Report for Agenda Item No 9

**Prepared by Warwick Isaacs
Chief Executive**

Confirmation of Hearings Committee Minutes – 17 July 2009

Minutes of Hearings Committee meeting

Recommendation

That the minutes of meetings of the Hearings Committee held on 17 July 2009, excluding the public excluded items, be confirmed as a true and correct record.

Note: Cllrs Bennett, Mulvey and Coughlan only, may vote.

UNCONFIRMED

TIMARU DISTRICT COUNCIL

MINUTES OF A MEETING OF THE HEARINGS COMMITTEE HELD IN THE MEETING ROOM, TEMUKA LIBRARY/SERVICE CENTRE, KING STREET, TEMUKA ON FRIDAY 17 JULY 2009 AT 9.30AM

PRESENT Clrs Bennett (Chairman), Mulvey and Coughlan

IN ATTENDANCE

Applicants:

Mr J Wallace, Solicitor - representing the applicant
Mr G & Mrs L Leonard

Submitters:

Mr B Rapsey in support of the applicant

Council Officers:

P Kloosterman - District Planner
N Dally - Planning Officer
M Senior - Planning Officer
L Anderson - Committee Secretary

Five members of the public were in attendance

**1 APPLICATION FOR SUBDIVISION CONSENT NO. 7013
222 WAITOHI TEMUKA ROAD, TEMUKA
LEONARD DAIRY LIMITED**

The Committee considered a report by the Planning Officer on the application from Leonard Dairy Limited for a subdivision consent to rearrange the boundaries of two existing Certificates of Title at 222 Waitohi-Temuka Road, Temuka, Pt RS 5581.

Complete information on the application including copies of submissions received in opposition was incorporated into the Planner's report that had been distributed to all parties. The report was taken as read.

Applicant

Mr Leonard briefly described the boundary adjustment proposal and said the runoff block (the subject property) is run in conjunction with another dairy operation elsewhere. It was not intended to use the house on the property. The block of land is in pasture but is not economic for a dairy operation on its own. He said he had done a similar boundary adjustment on another farm twelve months ago in which a house was subdivided off. Mr Leonard said he had no knowledge of any sewage problems. He may sell off the land and spend the money elsewhere on the farm eg irrigation etc.

Mr Wallace, representing the applicant, read and tabled evidence on the site and the proposal.

Submitter

Mr Rapsey spoke in support of the proposal. He considered there would be no loss of rural character as a result of the proposal and that the beneficial effects created would add to the prosperity of the Timaru District.

Adjournment and Resumption of Meeting

The Chairman announced that the committee would now make a site inspection.

Proposed Clr Bennett
Seconded Clr Coughlan

“THAT the meeting re-open to allow the Planning Officer to comment and the applicant to reply.”

MOTION CARRIED

Council Planning Officer

Ms Dally said that each application was considered on its merits. Proposed Lot 1 will have an area of 7800 square metres (m²) which is quite a bit less than the 10,000 square metres allowable in the District Plan.

Ms Dally tabled a site plan of properties around the application site which showed the proposed lot as being incongruous with those in the vicinity.

Applicants Right of Reply

Mr Wallace questioned as to why the lot should be larger. It would in effect force good land to be converted to a rural lifestyle block rather than retaining the land as a farm operation. Mr Wallace advocated that it would be better to just have a house site itself to promote sustainable management. The area is small but suitable for what is intended.

Adjournment and Site Visit

The Chairman thanked the applicants and then adjourned the hearing at 10.30am for the purpose of a site visit and to deliberate. A site visit was undertaken later on the day of the hearing. The applicants and Planning Officers retired from the meeting.

The hearing reconvened at 11.25am, following the site inspection.

2 EXCLUSION OF THE PUBLIC

Proposed Clr Bennett
Seconded Clr Coughlan

“THAT the public be excluded on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Application for Subdivision
Consent No. 7013 - 222 Waitohi
Temuka Road, Temuka
Leonard Dairy Limited
Section 7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of

the information.”

MOTION CARRIED

3 RE-ADMITTANCE OF THE PUBLIC

Proposed Clr Mulvey
Seconded Clr Coughlan

“THAT the public be re-admitted to the meeting.”

MOTION CARRIED

**4 APPLICATION FOR SUBDIVISION CONSENT NO. 7013
222 WAITOHI TEMUKA ROAD, TEMUKA
LEONARD DAIRY LIMITED**

Proposed Clr Mulvey
Seconded Clr Coughlan

“THAT the following decision made with the public excluded, be confirmed:

“THAT under authority delegated from Council and pursuant to sections 104, 104B, 108 and Part 2 of the Resource Management Act 1991, the committee grants its consent to the subdivision application by Leonard Dairy Limited, as a discretionary activity, subject to the following conditions:

General

- 1 That the development proceeds in accordance with the plans and information submitted with the Subdivision Consent application, numbered 7013 on Council records.

Effluent Disposal

- 2 That a consent notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the Certificate of Title to be issued for Lot 1 hereon. The notices shall be registered at the subdividers expense and shall read as follows:

That a new sewerage system be installed in the event of failure of the existing system.

Downlands Water Supply

- 3 That the Downlands Water Supply allocation to:
 - Lot 1 remain at 1.0 unit.
 - Lot 2 and the balance of the property remains at 5.0 units.
- 4 That any existing private piped water services crossing boundaries of Lots 1 and 2 be disconnected, any boundary troughs be relocated, and certification provided to Council from a suitably qualified person stating this has been completed.

Roading and Access

- 5 That Lot 3 be vested as road in the Timaru District Council.
- 6 That the western and southern boundary fences on Lot 3 be removed and that the new legal boundary be fenced.
- 7 That Lot 3 be cleared of all plants and the area is reinstated to grass.
- 8 That the existing unsealed vehicle access to Lot 1 be formed, sealed and drained in accordance with Council specifications.

Note: An application to upgrade the vehicle access is required to be submitted and approved prior to commencement of physical work.

Flood Potential

- 9 That a consent notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificates of title to be issued for Lots 1 and 2 hereon. The notice shall be registered at the subdividers expense and shall read as follows:

That the floor height of any new or replacement dwelling or an extension to a habitable building is to be such that the risk of flood waters reaching that height shall not exceed 0.5% in any one year. This height is to be determined by the Canterbury Regional Council.

Amalgamation

- 10 That the applicant shall enter into a covenant pursuant to Section 220 and 240 of the Resource Management Act 1991 whereby the owners of Lot 2 hereon and Pt RS 5581 (CT CB 368/19) shall not, without the consent of the Council, transfer or lease any of those parcels or any part thereof except in conjunction with the other or others.

The covenant is to be prepared and registered by the District Council Solicitor at the applicant's expense and certify that the owner(s) has/have entered into Covenants pursuant to Section 220 of the above Act (See CSN Request 842793).

Reverse Sensitivity

- 11 That a consent notice pursuant to Section 221 of the Resource Management Act 1991 be issued by Council and registered against the certificate of title to be issued for Lot 2 hereon. The notice shall be registered at the subdividers expense and shall read as follows:

"That no farming operations likely to give rise to offensive smells, noise or other nuisance shall occur within 100 metres of the boundary of Lot 1."

MOTION CARRIED

The meeting concluded at 1.40pm on 11 August 2009.

Chairman

TIMARU DISTRICT COUNCIL

FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 10

Prepared by **Warwick Isaacs**
Chief Executive

Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors

Functions Attended by the Mayor

- 10 August* Met with Bob Willis to discuss local government and the environment
Met with Clr Mark Oldfield, Environment Canterbury
- 11 August* Met with Safer Communities for general discussion
Met with Clr Mulvey to discuss 'No Petrol, No Diesel!' gala movie screening event
Attended Council meeting
- 12 August* Read to children at Bluestone School as part of National Book Week
Met with Mr Campbell, Pleasant Point regarding cabbage trees as iconic tree for SC district
Met with Aoraki Polytechnic journalism student
Met with Wendy Smith, Chief Executive Aoraki Development Trust
- 13 August* Met with media regarding 'No Petrol No Diesel!' gala screening
Met with Richie Waa regarding Alternative Education
Met with Steve Earnshaw, Transition Timaru
- 14 August* Attended Youth Initiatives Subcommittee meeting
Met with Chairman and Chief Executive of Alpine Energy Ltd
Met with Chairman of Weihai Julong Real Estate
- 17 August* Met with MP Jo Goodhew
Attended TrustPower Community Awards
- 18 August* Visited Opihi Services Academy
Attended Russell Paul's funeral
- 19 August* Met with Chairman and Chief Executive Aoraki Development Trust
TDHL teleconference meeting
Attended Safer Communities Committee meeting

Attended Business After 5 function

20 August Met with Flo Carter regarding the Rose Festival
Met with Aoraki Polytechnic hospitality students attending competition in Auckland

22 August Presented awards at the Inaugural Go Geraldine Community Awards

24 August Met with Chairman Geraldine Community Board and Clr Oliver
Attended Caroline Bay Image and Operational Enhancement Working Party meeting
Attended Timaru District Council Community Awards

26 August Met with Maori Rock Art Trust representatives
Met with ECan councillors
Met with Damon Odey

27 August Visited Temuka, Pleasant Point and Geraldine

31 August Met with Chairman and Chief Executive PrimePort Timaru Ltd

1 September Met with Women's Community Centre Trust
Met with Joe Butterfield

3 September Attended launch of Canterbury Water Management Strategy

4 September Attended Council meeting Maori Rock Art
Opened relocated aviary on Caroline Bay

8 September Presented liquor licensing certificate to staff member Ron Dunne
Met with Paul Roskell regarding China Sister Cities
Met with Henri Stein regarding Sculpture competition

10 September Opened South Island Deputy and Assistant Principals Conference
Attended Standing Committee meetings

11 September Attended opening of new Aoraki/Mt Cook Department of Conservation Visitor Centre

Functions attended by Deputy Mayor

11 August Attended Council meeting

13 August Attended Resource Consent hearing

17 August Attended Regional Transport Committee meeting at ECan, Christchurch
Attended TrustPower Community Awards

19 August Attended Resource Consent Hearing
TDHL teleconference meeting

20 August Attended Aoraki Development Trust strategic planning session
Attended Art From the Heart exhibition

22 August Attended Go Geraldine Community Awards

24 August Attended Downlands Water Supply Committee
Attended Caroline Bay Image and Operational Enhancement
Working Party meeting
Attended Timaru District Council Community Awards

7 September Attended Resource Consent Hearing

9 September Attended Resource Consent Hearing

10 September Attended Standing Committee meetings

Functions Attended by Councillors

27 August Councillor Bennett - SC branch of the NZ Historic Places Trust
Annual General Meeting

5 September Councillor Coughlan – Temuka and Districts Netball closing day
ceremony

Recommendation

That the information be received.

TIMARU DISTRICT COUNCIL

FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 11

Prepared by **Warwick Isaacs**
Chief Executive

Schedule of Functions Attended by the Chief Executive

<i>11 August</i>	Met with Clr Mulvey to discuss 'No Petrol, No Diesel!' gala movie screening event Attended Council Meeting
<i>12 August</i>	Attended morning tea at Temuka Library/Service Centre
<i>14 August</i>	Met with Chief Executive and Chairman of Alpine Energy Ltd
<i>19 August</i>	Met with Chairman and Chief Executive Aoraki Development Trust TDHL teleconference meeting Attended Business After 5 function
<i>20 August</i>	Attended morning tea with Chief Executive's unit Attended opening of Opus offices
<i>24 August</i>	Attended morning tea with Environmental Health Officers Met with Chairman of Geraldine Community Board and Clr Oliver Attended Timaru District Council Community Awards
<i>25 August</i>	Chaired Canterbury Economic Development Company meeting in Christchurch
<i>26 August</i>	Met with Maori Rock Art Trust representatives Met with ECan councillors Met with Damon Odey
<i>31 August</i>	Met with Chairman and Chief Executive PrimePort Timaru Ltd
<i>1 September</i>	Met with Women's Community Centre Trust
<i>3 September</i>	Attended launch of Canterbury Water Management Strategy
<i>4 September</i>	Attended Council meeting Maori Rock Art

- 8 September* Attended lunch with Chief Executives of PrimePort Timaru Ltd, SC District Health Board, Aoraki Polytechnic, and Alpine Energy Ltd
- 10 September* Attended Standing Committee meetings
- 11 September* Attended opening of new Aoraki/Mt Cook Department of Conservation Visitor Centre

Recommendation

That the information be received.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 12

Prepared by **Warwick Isaacs**
 Chief Executive

Affixing of Common Seal

5 August 2009	Timaru District Council Vehicle Servicing Contract 2009 – 2011
11 August 2009	Warrant of Appointment – Jonathan Mark Cowie Environmental Health Officer & Liquor Licensing Inspector
31 August 2009	Contract 1808 Gardens Gully Sewer Renewal
31 August 2009	Contract 1866 Sealy Street Stormwater Diversion

Recommendation

To be received and noted.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 13

Prepared by **Warwick Isaacs**
 Chief Executive

Timaru District Holdings Ltd Annual Report for the Year Ended 30 June 2009

Purpose of Report

To present the TDHL Annual Report for the year ended 30 June 2009 (separately enclosed) and to appoint a proxy to attend the TDHL Annual General Meeting.

Background

The Timaru District Holdings Ltd Annual General Meeting will be held on Thursday, 1 October 2009.

The Council is required to appoint a proxy to attend and vote at the meeting.

Identification of Relevant Legislation, Council Policy and Plans

Timaru District Holdings Ltd Constitution

Assessment of Significance

This matter is not deemed significant under the Council's Significance Policy.

Other Considerations

There are no other considerations relevant to this matter.

Recommendation

- a** **That the TDHL Annual Report for the year ended 30 June 2009 be received and noted, and**
- b** **That a proxy be appointed to represent the Council at TDHL's Annual General Meeting on 1 October 2009.**

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 14

Prepared by **Warwick Isaacs**
 Chief Executive

Canterbury Water Management Strategy

Documents in regard to the Canterbury Water Management Strategy have been circulated. A member of the Steering Group will attend the Council meeting at **11am** to give a short briefing and answer any questions councillors may have.

Recommendation

For information.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2008

Report for Agenda Item No 15

Prepared by Warwick Isaacs
Chief Executive

Receipt of Community Board and Council Committee Minutes

Minutes of Meetings

Recommendation

That the minutes of the following meetings with the exclusion of the public excluded items, be received:

Temuka Community Board	24 August 2009
Pleasant Point Community Board	25 August 2009
Geraldine Community Board	26 August 2009
Community Development Committee	10 September 2009
Resource Planning and Regulation Committee	10 September 2009
District Services Committee	10 September 2009
Policy and Development Committee	10 September 2009

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 22 SEPTEMBER 2009

Report for Agenda Item No 18

Prepared by Warwick Isaacs
Chief Executive

Exclusion of the Public

Recommendation

That the Council resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Confirmation of Minutes

Property Matter

Resource Consent

Section 7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Directorships

Section 7(2)(a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

Potential Investment

Section 7(2)(h)

The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, commercial activities.

**TIMARU DISTRICT COUNCIL
FOR THE MEETING 22 SEPTEMBER 2009**

Report for Agenda Item No 1

**Prepared by Warwick Isaacs
 Chief Executive**

Confirmation of Minutes – Council Meeting

Public excluded items of Council minutes

Recommendation

That the public excluded items of the minutes of the ordinary Council meeting held on 11 August 2009 be confirmed as a true and correct record.

**ITEMS CONSIDERED WITH THE PUBLIC EXCLUDED COUNCIL MEETING
11 AUGUST 2009**

1 CONFIRMATION OF MINUTES COUNCIL MEETING

Proposed Clr Bennett
Seconded Clr Oliver

“That the public excluded items of the minutes of the ordinary Council meeting held on 30 June 2009 be confirmed as a true and correct record.”

MOTION CARRIED

2 CONFIRMATION OF MINUTES – TENDERS SUBCOMMITTEE MEETING

Proposed the Mayor
Seconded Clr Oliver

“That the public excluded minutes of the Tenders Subcommittee meeting held on 30 July 2009 be confirmed as a true and correct record.”

MOTION CARRIED

3 RECEIPT OF COUNCIL COMMITTEE MINUTES

Proposed Clr Bradley
Seconded Clr Bennett

“That the public excluded items of the minutes of the Temuka Community Board of 13 July, and the Policy and Development Committee of 21 July 2009 be received.”

MOTION CARRIED

**4 TIMARU DISTRICT HOLDINGS LTD BOARD OF DIRECTORS –
APPOINTMENT (File F1/26/1)**

The Mayor and Clrs Lyon and Oliver declared an interest in this matter and retired from the meeting. Clr Bennett took the chair.

The Council considered a report by the Assistant Chief Executive on the appointment of two directors to the Board of Timaru District Holdings Ltd. Councillors were of the view that both directors had undertaken their roles very satisfactorily and their reappointment was supported.

Proposed Clr Jack
Seconded Clr Barker

“That Janie Annear and Michael Oliver be reappointed to the Board of Timaru District Holdings Ltd for a further term, as at the Annual General Meeting.”

MOTION CARRIED

The Mayor, Clrs Oliver and Lyon returned to the meeting
The Mayor resumed the chair.

5 MAORI ROCK ART TRUST

The Chief Executive took the opportunity to provide a brief, general update on the Maori Rock Art Centre project. Runangas from Moeraki and Waihao, and Ngai Tahu have indicated their support for the project.

Currently, the Council has offered a \$100,000 loan. The Trust is now seeking an investment of \$280,000 (not a grant), the \$100,000 loan no longer being a preferred option. The possibility of TDHL providing this seeding capital was suggested. TDHL would need to review the financial planning and forecasts for the project before making any recommendation.

**TIMARU DISTRICT COUNCIL
FOR THE MEETING 22 SEPTEMBER 2009**

Report for Agenda Item No 2

**Prepared by Warwick Isaacs
 Chief Executive**

Confirmation of Minutes – Council Meeting

Public excluded items of Council minutes

Recommendation

That the public excluded items of the minutes of the Council meeting held on 4 September 2009 be confirmed as a true and correct record.

TIMARU DISTRICT COUNCIL

FOR THE MEETING OF 22 SEPTEMBER 2009

Added to agenda later

Report for Agenda Item No 4

Prepared by - Mark Crowe
Roading Engineer

Temporary Closure of Beswick Street, Timaru (File T1/13)

Background

A request has been received from the South Canterbury Car Club Inc to temporarily close Beswick Street on Saturday, 17 October 2009. The Club wishes to use this street to hold the official start of the Rally of South Canterbury. The time required for the temporary closure is from 6.30am until 9.00am.

Temporary closures of roads are usually authorised by Council officers under delegated authority pursuant to the Transport (Vehicular Traffic Road Closure) Regulations.

As this event will have vehicles participating that are not registered for the road, and/or drivers under special race licence, the Transport (Vehicular Traffic Road Closure) Regulations cannot be used.

Options

Not Applicable

Identification of Relevant Legislation, Council Policy and Plans

The provisions of Sections 319 and 342 of the Local Government Act 1974, which require Council approval must be used to close the road.

Assessment of Significance

This matter is not deemed significant under the Council's significance Policy.

Consultation

The South Canterbury Car Club Inc contacts affected Residents and Businesses prior to the event.

The Timaru Police have given their approval for this event to take place, details of which were publicly advertised on Saturday, 11 July 2009.

Other Considerations

Not Applicable.

Funding Implications

Not Applicable.

Conclusion

The Temporary Road Closure as requested be approved.

Recommendation

That pursuant to Sections 319 and 342 of the Local Government Act 1974 and the 10th Schedule thereto, and for the purpose of permitting the South Canterbury Car Club Inc to conduct the official start of the Rally of South Canterbury, the District Services Committee hereby resolves to temporarily close Beswick Street to ordinary vehicular traffic between 0630 and 0900 hours on Saturday, 17 October 2009.