

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

21 JULY 2010

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held in the Council Chambers, 15 Forth Street, Invercargill on WEDNESDAY, 21 JULY 2010 at 1.00 PM.

PRESENT: Cr J Copland (Acting Chairperson until the Mayor assumed the Chair at 2.00 pm), Mayor F Cardno, Crs J Douglas, B J Dillon, B W Drummond, P Duffy, G Harpur, W Jack, G Macpherson and A D Ridley.

IN ATTENDANCE: Messrs D P Adamson (entered the meeting at 1.28), P Culling, B Halligan, W Heerdegen, C McIntosh, K McNaught, P Thompson and Mesdames V Dillon and J O'Shannessy.

Mr J Troon - Venture Southland.

1.0 **APOLOGIES**

Apologies were received from Crs Bailey, Dobson and Ford.

Mayor Cardno entered the meeting at 1.28 pm and tendered her apology for lateness.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED THAT THE APOLOGIES BE ACCEPTED.

2.0 **PUBLIC FORUM**

There were no requests to speak at the Public Forum.

3.0 **NOTIFICATION OF URGENT BUSINESS**

Moved Cr Dillon, seconded Cr Jack
and RESOLVED THAT SUBJECT TO 46A OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 THE FOLLOWING ITEMS BE CONSIDERED AS A MATTER OF URGENT BUSINESS:

REPLACEMENT GLOBAL ACTION SHEET
REPLACEMENT FIRE PREVENTION (VEGETATION) BYLAW 2010
ATTENDANCE AT PRESENTATION BY HMNZS OTAGO TO SOUTHLAND COUNCILS

It was agreed that the items should be considered in order that any action required could be effected prior to the next meeting.

4.0 **MISCELLANEOUS ITEMS**

The following miscellaneous item was tabled for members' information:

Funding assistance request for Royal NZ Foundation of the Blind Puppy Sponsorship.

5.0 **MINUTES**

5.1.1 **SOUTHLAND DISTRICT COUNCIL MEETING MINUTES DATED 30 JUNE 2010**

Minutes for Confirmation.

Moved Cr Drummond, seconded Cr Ridley
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL MEETING DATED 30 JUNE 2010 BE CONFIRMED AS A TRUE AND CORRECT RECORD.

5.2 **COMMITTEES OF COUNCIL**

5.2.1 **SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING MINUTES DATED 30 JUNE 2010**

Minutes for Adoption.

Moved Cr Harpur, seconded Cr Duffy
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 30 JUNE 2010 BE ADOPTED.

5.2.2 **SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING MINUTES DATED 7 JULY 2010**

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Dillon
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 7 JULY 2010 BE ADOPTED.

5.2.3 **SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT HEARING MINUTES DATED 7 AND 8 APRIL 2010 - MANAPOURI FORESHORE MANAGEMENT PLAN**

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Douglas
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT HEARING DATED 7 AND 8 APRIL 2010 - MANAPOURI FORESHORE MANAGEMENT PLAN BE ADOPTED.

5.3 SUBCOMMITTEES OF COUNCIL

5.3.1 MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 19 MAY 2010.

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Jack

and RESOLVED THAT THE MINUTES OF THE MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 MAY 2010 BE ADOPTED.

5.3.2 RIVERTON HARBOUR SUBCOMMITTEE MEETING MINUTES DATED 18 FEBRUARY 2010

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Dillon

and RESOLVED THAT THE MINUTES OF THE RIVERTON HARBOUR SUBCOMMITTEE MEETING DATED 18 FEBRUARY 2010 BE ADOPTED.

5.3.3 STEWART ISLAND JETTIES MEETING MINUTES DATED 22 FEBRUARY 2010

Minutes for Adoption.

Moved Cr Jack, seconded Cr Harpur

and RESOLVED THAT THE MINUTES OF THE STEWART ISLAND JETTIES MEETING DATED 22 FEBRUARY 2010 BE ADOPTED.

5.3.4 TE ANAU BASIN WATER SUPPLIES SUBCOMMITTEE MEETING MINUTES DATED 18 MAY 2010

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Duffy

and RESOLVED THAT THE MINUTES OF THE TE ANAU BASIN WATER SUPPLY SUBCOMMITTEE MEETING DATED 18 MAY 2010 BE ADOPTED.

5.3.5 WOODLANDS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 5 JULY 2010

Minutes for Adoption.

Moved Cr Jack, seconded Cr Douglas

and RESOLVED THAT THE MINUTES OF THE WOODLANDS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 5 JULY 2010 BE ADOPTED.

5.4 JOINT COMMITTEES OF COUNCIL

5.4.1 No Joint Committee Meeting minutes had been received in the previous month.

5.5 ACTION SHEET

5.5.1 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

For Adoption.

Moved Cr Harpur, seconded Cr Ridley

and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL GLOBAL ACTION SHEET BE ADOPTED.

The following actions were recorded:

Rating Discussion with Alliance Group Ltd

Staff had met with the Alliance Group legal advisor and one of the Policy advisors.

Community Centre Levies

The assessment of halls had been completed and information would be sent to each hall committee. Maintenance needs would be assessed for the next 20 years and funding options would be looked at.

Increase in contribution to Enviroschools

Cr Douglas had visited Mararoa School - one of the schools in the Enviroschool programme - where he was asked to pass on to Council, the thanks of the school for the continuation of funding for the programme.

Lintley Road

The state of the road had been raised with both the Contractor and the Area Engineer. No issues had been identified.

Wastewater and Water options - Curio Bay

A plan had been drawn up and as estimate of costs given. The Charitable Trust was looking at funding options.

Waipapa Lighthouse Road

Would be taken up with the NZTA.

6.0 **REPORTS**

6.1 **SUBMISSION TO LOCAL GOVERNMENT AND ENVIRONMENT COMMITTEE ON SOUTHLAND DISTRICT COUNCIL (STEWART ISLAND/RAKIURA VISITOR LEVY) EMPOWERING BILL**

240/20/23/4

r/10/7/9084 [mc]

Report by Mr Wayne Heerdegen dated 14 July 2010.

The report provided a Draft Submission on the Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Bill 2010 for the Council's discussion and finalisation.

Mayor Cardno and Mr D Adamson entered the meeting at 1.28 pm.

Mr Heerdegen referred to the following key points listed in the submission:

1. Stewart Island/Oban was a small community and vulnerable to the impact of visitors.
2. It was the doorway into the National Park for 99% of visitors who would stay in the National Park for the majority of their visit.
3. Visitor numbers had increased since the creation of Rakiura National Park and the recent arrival of cruise ships visiting the Island. Further visitor growth was expected over the near future.

4. Stewart Island/Rakiura was heavily dependent on support services that were located off the Island. This meant that the number employed because of the Island's tourism industry was not proportionately reflected in economic gains for the Island itself. It should be noted that whilst Stewart Island was part of the Southland District, Invercargill was not part of the Southland District.
5. The community did not have the capacity to cope with large capital development. It was inequitable to expect this.
6. Research on tourism demand indicated that a small visitor levy would have a near zero impact on demand, with the international economic environment being the main driver for demand.
7. Visitor levies were common throughout the world and were in place in Australia, Europe, Asia and the America's (inclusive of United States, Canada, Mexico, Carribean Islands and South America), these levies were imposed at National, State and Local Government levels.

The meeting asked if there was a schedule of projects the levy would be spent on. Mr Heerdegen replied that it would be provided as background information.

Rakiura was a National Park, but that had not been mentioned in the submission. It was common in other countries to pay to go into a national park, Cr Ridley advised. Reference to be included in the submission.

Mr Troon entered the meeting at 1.48 pm.

The meeting asked Mr Heerdegen to clarify that Invercargill and Bluff were not part of the Southland District Council.

Cr Jack sought assurance that the amount of the levy had not yet been set. The levy would be set by resolution of Council. Mr Adamson reminded the meeting that if there was to be a change in the amount of the levy, that would have to be subject to consultation and be specific to visitor services and infrastructure on the Island.

The meeting then discussed the proposal to send four people to Wellington to speak in support of the submission. Mr Heerdegen advised that Cr Ford would be attending because he was the Ward Councillor for the Island and as the Stewart Island Community Board were lodging their own submission, he would be speaking on their behalf. He believed Council needed a strong representation in Wellington and the team that was travelling would act as advisors as well as submitters.

Moved Cr Douglas, seconded Cr Dillon
and RESOLVED THAT COUNCIL APPROVES THE MAKING OF A SUBMISSION TO THE LOCAL GOVERNMENT AND ENVIRONMENT SELECT COMMITTEE ON THE SOUTHLAND DISTRICT COUNCIL (STEWART ISLAND/RAKIURA VISITOR LEVY) EMPOWERING BILL.

Refer Appendix I for copy of amended submission.

At this point in the meeting, Cr Copland and Mr Halligan returned to their usual seats and Mayor Cardno and Mr Adamson took their place at the top table.

6.2 CONFIRMATION AND MAKING OF THE SOUTHLAND DISTRICT COUNCIL FIRE PREVENTION (VEGETATION) BYLAW 2010

160/15/7/2, 300/10/6/1

r/10/7/8760 [kk]

Report by Mrs V Dillon dated 8 July 2010.

Council was required to review the Fire Prevention (Vegetation) Bylaw 2005 by 31 August 2010. The review process was initiated at the meeting of Council held 26 May 2010, with submissions on the draft 2010 Bylaw being invited and closing on 29 June 2010.

No submissions had been received.

It was now necessary to formally adopt the Southland District Council Fire Prevention (Vegetation) Bylaw 2010 and set the date on which the Bylaw became operative.

Moved Cr Harpur, seconded Cr Jack

and RESOLVED THAT THE REPORT DATED 8 JULY 2010 RELATING TO CONFIRMATION AND MAKING OF THE SOUTHLAND DISTRICT COUNCIL FIRE PREVENTION (VEGETATION) BYLAW 2010 BE RECEIVED.

The Bylaw appended to the report was replaced because of a minor change of date but the content had remained unaltered.

Moved Cr Drummond, seconded Cr Dillon

and RESOLVED:

- (a) THAT THE COUNCIL CONFIRMS AND MAKES THE SOUTHLAND DISTRICT COUNCIL FIRE PREVENTION (VEGETATION) BYLAW 2010 - REFER APPENDIX II.
- (b) THAT AS MANY COPIES OF THE BYLAW AS SO MADE AND CONFIRMED BE EXECUTED UNDER SEAL BY THE COUNCIL AS REQUIRED FROM TIME TO TIME.
- (c) THAT IN ACCORDANCE WITH SECTION 157 OF THE LOCAL GOVERNMENT ACT 2002 PUBLIC NOTICE BE GIVEN OF THE MAKING OF THE BYLAW ADVISING:
 - (i) THAT THE BYLAW WILL COME INTO FORCE ON 2 AUGUST 2010.
 - (ii) THAT COPIES OF THE BYLAW MAY BE INSPECTED WITHOUT FEE AT ALL COUNCIL OFFICES.
 - (iii) THAT COPIES OF THE BYLAW CAN BE OBTAINED UPON PAYMENT OF A REASONABLE CHARGE.

6.3 DELEGATION OF APPROVAL FOR CONSENT TO GRANTING AND REGISTRATION OF VARIATION OF MORTGAGE AGAINST LAND SUBJECT TO A COUNCIL ENCUMBRANCE

CONSENT TO REGISTRATION OF MORTGAGE VARIATION FOR LAND SUBJECT TO COUNCIL ENCUMBRANCE - K J AND S K MILNE

340/20/3/1, 2218/0189

r/10/7/8778 [dc]

Report by Mrs V Dillon dated 12 July 2010.

It was proposed that Council delegate powers to the Chief Executive to consent to the granting and registration of mortgage variations on land which was subject to a Council encumbrance.

Council was also asked to retrospectively approve the consent to the registration of a mortgage variation on land which was owned by K J and S K Milne that was subject to a Council encumbrance.

Moved Cr Ridley, seconded Cr Macpherson
and RESOLVED THAT THE REPORT DATED 11 JULY 2010 CONCERNING THE DELEGATION OF POWER TO CONSENT TO THE GRANTING AND REGISTRATION OF MORTGAGE VARIATIONS ON LAND SUBJECT TO A COUNCIL ENCUMBRANCE AND ASSOCIATED MATTERS BE RECEIVED.

Mrs Dillon suggested resolution (a) should should have a a minor addition - refer to section in italics.

Moved Cr Macpherson, seconded Cr Jack
and RESOLVED:

- (a) THAT PURSUANT TO CLAUSE 32 OF SCHEDULE 7 TO THE LOCAL GOVERNMENT ACT 2002 THAT COUNCIL DELEGATE TO THE CHIEF EXECUTIVE, AUTHORITY TO CONSENT TO THE GRANTING AND REGISTRATION OF VARIATIONS TO MORTGAGES OVER LAND THAT IS SUBJECT TO A COUNCIL ENCUMBRANCE *IN CASES WHERE REGISTRATION OF SUCH AN INSTRUMENT DOES NOT IMPACT ON COUNCIL'S ABILITY TO ENFORCE THE ENCUMBRANCE.*
- (b) THAT COUNCIL GIVE RETROSPECTIVE APPROVAL TO THE CONSENT TO THE GRANTING AND REGISTRATION OF A MORTGAGE VARIATION OVER LAND CONTAINED IN CERTIFICATE OF TITLE SL5C/1469 WHICH IS SUBJECT TO A COUNCIL ENCUMBRANCE REGISTERED NUMBER 035288.1.

6.4 RIVERTON SWIMMING POOL

S1828/0018/0

r/10/6/8108 [kk]

Report by Mr K McNaught dated 25 June 2010.

Approval was sought to transfer ownership of the Riverton Swimming Pool back to the Riverton and District Baths Society.

Mr McNaught explained that in the 1970's, the Riverton Swimming Pool was constructed and the lands and buildings were owned by the Riverton and District Baths Society Inc.

The pool had financial difficulties in the 1990's and a refinancing package was put in place whereby a loan to the baths from the Southland Building Society was repaid,

and a loan was taken out from Council through the Riverton Community Board. At the same time, the local rate was set up to fund the loan and the property title was transferred to Council, on the condition that the Baths Society remained responsible for the management and operations of the pool.

The loan to Council was repaid in the 2004/05 financial year.

Now that the loan had been repaid, retention of the property title by Council was not appropriate.

Moved Cr Harpur, seconded Cr Jack
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL RESOLVES TO TRANSFER THE TITLE OF THE RIVERTON SWIMMING POOL BEING LOT 1, DP 6907 TO THE RIVERTON AND DISTRICT BATHS SOCIETY (INCORPORATED).

7.0 MEMORANDA

7.1 MAYORS MONTHLY UPDATE

240/10/7/2

r/10/7/8877

Memorandum by Mayor Cardno dated 12 July 2010.

Moved Cr Douglas, seconded Cr Dillon
and RESOLVED THAT THE MEMORANDUM ON THE MAYORS MONTHLY UPDATE BE RECEIVED AS INFORMATION.

7.2 MANAGEMENT REPORT

140/45/2/1

r/10/7/8860

Memorandum by Mr D Adamson dated 12 July 2010.

Moved Cr Drummond, seconded Cr Jack
and RESOLVED THAT THE MEMORANDUM BEING THE JUNE 2010 MANAGEMENT REPORT BE RECEIVED.

Mr Adamson advised he had attended the first Southland District Council and Environment Southland Combined Councillor Workshop on Policy Drafting Topics and the Second Generation Southland District Plan and Regional Policy Statement for Southland Collaborative Project. The next workshop was to be held on 30 July and he encouraged Councillors to attend.

7.3 BUILDING CONSENTS AND VALUES FOR JUNE 2010

300/40/1/3

r/10/7/8481 [kk]

Memorandum by Mr K O'Connor dated 5 July 2010.

Building consents and values issued by Council for the month of June 2010.

Moved Cr Dillon, seconded Cr Macpherson
and RESOLVED THAT THE MEMORANDUM RELATING TO BUILDING CONSENTS AND VALUES ISSUED BY COUNCIL FOR THE MONTH OF JUNE 2010 BE RECEIVED.

7.4 RESOURCE CONSENTS AND OTHER RESOURCE MANAGEMENT ACT ITEMS - JUNE 2010

Memorandum by Ms J Green dated 2 July 2010.

360/15/3/5

r/10/7/8488 [kk]

Moved Cr Ridley, seconded Cr Jack

and RESOLVED THAT THE MEMORANDUM ON THE RESOURCE CONSENTS AND OTHER RESOURCE MANAGEMENT ACT ITEMS PROCESSED BY THE RESOURCE MANAGEMENT DEPARTMENT STAFF UNDER DELEGATION FROM THE COUNCIL DURING JUNE 2010 BE RECEIVED AS INFORMATION.

8.0 VENTURE SOUTHLAND

8.1 ACTIVITY UPDATE

Memorandum by Mr Jeff Troon dated 14 July 2010.

Mr Troon was in attendance for this item and referred to the following projects and activities:

- * Around the Mountains Cycle Trail.
- * Broadband - V/S was facilitating the trialling and evaluation of high capacity wireless and telemetry for rural broadband deployment in Southland.
- * Food Network South.
- * Kiwi Advanced Learning and Education Network (KAREN).
- * Sustainable Business Project - working with local businesses on the project.
- * Square Kilometre Array Project.
- * European Space Agency.
- * Oil and Gas Exploration.
- * Living Cell Technologies.
- * Education Southland.
- * Energy Assessment and Strategy Review.
- * Enterprise Training Programme.
- * Conference and Events Assistance.
- * Rugby World Cup 2011.
- * Southland Festival of the Arts.
- * ILT Kidzone Festival.
- * Matariki Festival.

The Brand Programme, Tourism and Community were also referred to.

Moved Cr Copland, seconded Cr Douglas

and RESOLVED THAT THE VENTURE SOUTHLAND MEMORANDUM BE RECEIVED FOR INFORMATION PURPOSES.

9.0 **EXCLUSION OF PUBLIC**

Moved Cr Ridley, seconded Cr Jack
and RESOLVED THAT PURSUANT TO SECTION 48(1) OF THE LOCAL
GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 THAT THE
PUBLIC BE EXCLUDED FROM THE MEETING WHILE THE FOLLOWING
BUSINESS IS TRANSACTED:

SOUTHLAND DISTRICT COUNCIL MEETING CONFIDENTIAL MINUTES DATED
30 JUNE 2010

SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL ACTIVITY PERFORMANCE AUDIT
COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 30 JUNE 2010

SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL ACTIVITY PERFORMANCE AUDIT
COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 7 JULY 2010

SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING
CONFIDENTIAL MINUTES DATED 19 MAY 2010

SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

TE ANAU BASIN WATER SUPPLY SUBCOMMITTEE MEETING CONFIDENTIAL
MINUTES DATED 18 MAY 2010

SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

7(2)(a) PROTECT THE PRIVACY OF INDIVIDUALS, INCLUDING THAT OF
ANY DECEASED PERSON.

7(2)(f) MAINTAIN THE EFFECTIVE CONDUCT OF PUBLIC AFFAIRS
ARISING DIRECTLY FROM THE NEED TO PROTECT MEMBERS
AND STAFF FROM IMPROPER PRESSURE OR HARASSMENT.

7(2)(i) ENABLE THE COUNCIL TO CARRY OUT NEGOTIATIONS
WITHOUT PREJUDICE OR DISADVANTAGE (INCLUDING
COMMERCIAL AND INDUSTRIAL NEGOTIATIONS);

7(2)(j) PREVENT THE DISCLOSURE OR USE OF OFFICIAL
INFORMATION FOR IMPROPER GAIN OR ADVANTAGE.

9.1 **EXCLUSION OF PUBLIC - STAFF**

Moved Cr Ridley, seconded Cr Jack
and RESOLVED THAT THE COUNCIL OFFICERS AND PUBLIC LISTED BELOW
BE PERMITTED TO REMAIN AT THE MEETING AFTER THE PUBLIC HAVE BEEN
EXCLUDED BECAUSE OF THEIR KNOWLEDGE OF:

- (a) MEETING PROCEDURE AND/OR
 - (b) THE SUBJECT MATTER UNDER CONSIDERATION.
- CHIEF EXECUTIVE
GROUP MANAGER CUSTOMER AND FINANCIAL SERVICES
GROUP MANAGER ENVIRONMENT AND COMMUNITY
GROUP MANAGER SERVICES AND ASSETS
SENIOR ADMINISTRATION OFFICER

10.0 **CONFIDENTIAL DECISION RECORDED IN OPEN MEETING**

10.1 No confidential decisions were recorded in open meeting.

There being no further business, the meeting was declared closed at 2.40

C O N F I R M E D:

CHAIRPERSON:

DATE: