

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

30 JUNE 2010

MINUTES of a MEETING of the SOUTHLAND DISTRICT COUNCIL held at the Council Chambers, 15 Forth Street, Invercargill on WEDNESDAY, 30 JUNE 2010 at 1.00 PM.

PRESENT: Mayor F Cardno, (Chairperson) Crs L A Bailey, J D Copland, R A Dobson, J Douglas, B J Dillon, B W Drummond, P Duffy, B Ford, G Harpur, W Jack, G MacPherson and A D Ridley.

IN ATTENDANCE: Messrs D P Adamson, P Culling, B Halligan, C McIntosh and Mrs J O'Shannessy.

Miss A Robson, N Taylor and Mrs Y Paterson were in attendance for Items 6.1 and 6.2.

Mr M Sarfai - in attendance for Item 6.3.

Mr K McNaught - in attendance for Item 6.6.

Mr R Capil, Venture Southland - in attendance for Item 7.1.

Mr P Bell - in attendance for Item 8.1.

1.0 **APOLOGIES**

An apology was received from Cr Ford for lateness.

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

DANGEROUS DOG CLASSIFICATION
Report by Mr P Bell dated 25 June 2010.

COUNCILLOR'S UPDATE
Memorandum by Cr J Copland dated 24 June 2010.

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 items were tabled for members' information:

Life Education Trust - Annual Report and Thank You letter for Annual Donation.

Cr Copland tabled the following items:

Registration Brochure - Reform in Paradise.

Copy of presentation to the US Ambassador on 25 June 2010 by Steven Mace, Managing Director, BioFiltro Limited.

5.0 **MINUTES**

5.1.1 **SOUTHLAND DISTRICT COUNCIL MEETING MINUTES DATED 26 MAY 2010**

Minutes for Confirmation.

Moved Cr Macpherson, seconded Cr Jack

and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL MEETING DATED 26 MAY 2010 BE CONFIRMED AS A TRUE AND CORRECT RECORD.

5.1.2 **SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY MEETING MINUTES DATED 15 AND 16 JUNE 2010**

Minutes for Confirmation.

Moved Cr Ridley, seconded Cr Duffy

and RESOLVED THAT THE EXTRAORDINARY MINUTES OF THE SOUTHLAND DISTRICT COUNCIL MEETING DATED 15 AND 16 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 26 MAY 2010**

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Copland

and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 26 MAY 2010 BE ADOPTED.

5.2.2 **SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING MINUTES DATED 9 JUNE 2010**

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Copland

and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 9 JUNE 2010 BE ADOPTED.

5.2.3 SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING MINUTES DATED 28 APRIL 2010

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING DATED 28 APRIL 2010 BE ADOPTED.

5.2.4 POLICY REVIEW COMMITTEE MEETING MINUTES DATED 9 JUNE 2010

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Jack and RESOLVED THAT THE MINUTES OF THE POLICY REVIEW COMMITTEE MEETING DATED 9 JUNE 2010 BE ADOPTED.

5.2.3 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING MINUTES DATED 26 FEBRUARY 2010

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Dobson and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING DATED 26 FEBRUARY 2010 BE ADOPTED.

5.3 SUBCOMMITTEES OF COUNCIL

5.3.1 BROWNS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 1 JUNE 2010

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Douglas and RESOLVED THAT THE MINUTES OF THE BROWNS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 1 JUNE 2010 BE ADOPTED.

5.3.2 DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 27 MAY 2010

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Douglas and RESOLVED THAT THE MINUTES OF THE DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 27 MAY 2010 BE ADOPTED.

5.3.3 EASTERN BUSH AND OTAHU FLAT WATER SUPPLY SUBCOMMITTEES MEETING MINUTES DATED 11 JUNE 2010

Minutes for Adoption.

Moved Cr Harpur, seconded Cr Macpherson and RESOLVED THAT THE MINUTES OF THE EASTERN BUSH AND OTAHU FLAT WATER SUPPLY SUBCOMMITTEES MEETING DATED 11 JUNE 2010 BE ADOPTED.

5.3.4 NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 11 MAY 2010

Minutes for Adoption.

Moved Cr Drummond, seconded Cr Ridley and RESOLVED THAT THE MINUTES OF THE NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 11 MAY 2010 BE ADOPTED.

5.3.5 TOKANUI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 24 MAY 2010

Minutes for Adoption.

Moved Cr Duffy, seconded Cr Dillon and RESOLVED THAT THE MINUTES OF THE TOKANUI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 24 MAY 2010 BE ADOPTED.

5.3.6 WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 4 MAY 2010

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Jack and RESOLVED THAT THE MINUTES OF THE WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 4 MAY 2010 BE ADOPTED.

5.4 JOINT COMMITTEES OF COUNCIL

5.4.1 TE ROOPU TAIAO HUI MINUTES DATED 1 MARCH 2010

Minutes for Adoption.

Moved Cr Copland, seconded Cr Ridley and RESOLVED THAT THE MINUTES OF THE TE ROOPU TAIAO HUI DATED 1 MARCH 2010 BE ADOPTED.

5.4.2 DISCUSSION ON POINTS RAISED IN JOINT COMMITTEE MINUTES

The Chief Executive explained that this section of the meeting was to enable Councillors to discuss or clarify matter/s that had arisen in any of the Joint Committee Minutes.

5.5 ACTION SHEET

5.5.1 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

For Adoption.

Moved Cr Dillon, seconded Cr Jack and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL ACTION SHEET BE ADOPTED.

6.0 REPORTS

6.1 ADOPTION OF ANNUAL PLAN 2010/2011

140/15/2/3

r/10/6/7042 [yp]

Report by Mrs Y Paterson, Miss N Taylor and Ms A Robson dated 21 June 2010.

The Draft Annual Plan was approved at an Extraordinary meeting of Council on 8 April 2010 and released for public consultation. Eighty one submissions were received. Twenty one submitters spoke to their submissions at the hearing on 15 June 2010 and the issues raised in all of the submissions were considered at Council's meeting on 16 June 2010.

At that meeting Council indicated that some amendments should be made to the Annual Plan as a direct result of those submissions, and these were included for confirmation and adoption. A number of corrections made to the Annual Plan were also detailed.

As a result of the changes made by Council through its deliberations, the following changes had been made to rates for 2010/2011:

	Draft Annual Plan	Final Annual Plan
District Rate Increase	6.45%	6.45%

A separate report had been prepared to set the rates for 2010/2011.

Moved Cr Dobson, seconded Cr Harpur
and RESOLVED THAT COUNCIL RECEIVE THE REPORT ON THE ADOPTION OF
THE ANNUAL PLAN 2010/2011.

A copy of the amended Annual Plan had been circulated separately.

Ms Taylor referred to the rate increase which had happened through a mixture of inflation and minor cost increases but the major portion was attributed to roading cost increases.

Amendments as a result of submissions are listed below:

Kerbside Recycling

Council had received 34 submissions on the proposal to introduce a two bin kerbside system for managing waste and recycling. Of those 14 were in support, 16 against and four made other comments. Those in support mainly said it would help to protect the environment and reduce waste to landfill, cost less than the three bin system and that the third bin was not needed because they composted their own greenwaste. Some also said that if the two bin system was introduced there needed to be education around what to do with greenwaste and for it to be free to take to transfer stations. Those against the proposal suggested it would cost too much, that they did not fill their current wheelie bin so do not need another one, or that they had no room to store more bins. Some suggested that instead of introducing kerbside recycling Council could make more recycling drop-off centres available, do more education, provide recycling bins that people empty themselves, subsidise compost bins and worm farms, or make kerbside recycling optional and charge ratepayers by the weight of their wheelie bin.

The Council decided to continue with plans to introduce the two bin system and retained the level of funding as outlined in the draft Plan. Council believed that reducing the amount of waste to landfill was important and that they needed to show leadership in this area. In addition, Council commented that the cost of the two bin system would be similar to a one bin system as the bins would only be picked up fortnightly (one each week) and that if they were to stay with a one bin service the current 12 year old contract would have to be renewed as it was expiring in November and costs would still increase. Council acknowledged that education would need to be undertaken in conjunction with the introduction of kerbside recycling to ensure people knew what to put in the bins and which weeks to put them out and believed that the contract period would not restrict them to investigate newer technologies as they arose in the future. They also commented that the number of recycling depots throughout the district would remain the same to cater for those in rural areas that would not receive the wheelie bin service.

In response to a question from Cr Duffy, Mr Adamson explained that the current contract had no option for a greenwaste collection but believed it could be investigated at any time.

Water and Wastewater Funding/Contract

Council received 24 submissions on how the new water and wastewater operations and maintenance contract costs should be distributed amongst the schemes, and last year's proposal to fund all water and sewerage costs by a uniform targeted rate (water clubbing).

Of the 24 submissions, 13 favoured moving to a standard cost per unit all schemes (Option 2) for the new contract costs, six favoured an increase to existing operations and maintenance budgets for individual schemes (Option 1), one favoured Option 1 for wastewater and Option 2 for water and one submission made a general comment on the increase in contract costs. The submitters choice of option largely related to which option provided savings for their particular scheme. Three submissions related to last year's "water clubbing" proposal saying that Council should reconsider this so that rates could be more affordable for some townships in the District.

Council had shown a preference towards implementing a standard cost per unit/provision of service for all schemes (Option 2) for the operations and maintenance costs with the view that this may pave the way for water clubbing in the future. They had also indicated that they wished to discuss water funding issues including clubbing, metering and pro-rata charging based on size of block and water use at a workshop after the Council elections in 2010/2011. The direction which came out of this would be incorporated in to the Council's next Ten Year Plan 2012-2022.

A spreadsheet showing a 50/50 split as a possible transitional option was tabled for the meeting to consider. Refer Appendix C. If adopted, the 50/50 split option would be introduced with the possibility of moving fully to Option 2 in 2011/2012 which would result in spreading the financial impact over two years. That would result in everyone having a small win. It was agreed that the previously preferred per connection basis would have had an effect on Te Anau and Winton as they would both have paid considerably more.

Miss Taylor advised that when making decisions, Council must comply with sections 76-82 of the Local Government Act 2002 which stated Council could use its discretion to make judgements about how to comply with the requirements in any instance considering the significance of the matters affected by the decision. The degree of compliance was proportional to the significance of the decision.

Taking this into account, in considering the decision on the contract, she then asked if Council was comfortable with the extent to which:

1. Different options had been identified and assessed, including the costs and benefits of those options, the extent to which options achieved community outcomes in an integrated and efficient manner and the impact of the options on the capacity of Council to meet its statutory obligations.
2. Information/detail had been considered.
3. Information had been available which allowed them to consider the views and preferences of persons likely to be affected by or have an interest in the matter.
4. Any significant inconsistency between the decision and any Council plan or policy had been identified and explained.
5. Opportunities had been provided for Maori to contribute to the processes.
6. The process had promoted compliance with the principles of consultation, including giving interested persons a reasonable opportunity to present their views.

Cr Ridley said she believed it was the right decision to make and that it filled the criteria listed above.

Mr Adamson amended the motion as follows and it was read to the meeting.

- (a) That in the 2011/2012 year Council would move to allocating the costs for the water and wastewater operations and maintenance contract based on cost per unit for water and cost per provision of service for sewerage.
- (b) That a transitional option for 2010/2011 of costs being allocated on a 50/50 split on (a) above and a percentage increase per connection be approved.

Before the vote was taken, Cr Drummond said he believed it was outside the scope of the Annual Plan as the figures for a 50/50 split had never been given to the committees to consider.

The resolution was then put to the vote and passed.

Moved Cr Bailey, seconded Cr Copland
and RESOLVED:

- (a) THAT IN THE 2011/2012 YEAR COUNCIL WOULD MOVE TO ALLOCATING THE COSTS FOR THE WATER AND WASTEWATER OPERATIONS AND MAINTENANCE CONTRACT BASED ON COST PER UNIT FOR WATER AND COST PER PROVISION OF SERVICE FOR SEWERAGE.
- (b) THAT A TRANSITIONAL OPTION FOR 2010/2011 OF COSTS BEING ALLOCATED ON A 50/50 SPLIT ON (a) ABOVE AND A PERCENTAGE INCREASE PER CONNECTION BE APPROVED.

Cr Dobson warned Council that ratepayers could not sustain rate rises on the level that had been indicated and the matter would have to be addressed.

Mr Adamson advised it was intended to address that matter as part of the Strategic Retreat and also in the next LTCCP deliberations.

Rates, Affordability and GST Increase

Rates increases and affordability was commented on by thirteen submissions with nine of those believing that the rates were too high. One submitter said they were reasonable considering the need for spending on key infrastructure, one questioned the rating system, one commented on the use of loans and one wanted itemisation of rates and benchmarking of rates. A staff submission also requested that figures in the Final Plan be GST exclusive given the change of GST from 12.5% to 15% was coming in part way through the 2010/2011 year.

Council said they were always concerned about the level of rates required to run the District and try to keep them as low as possible, noting that some costs they incurred were above the level of inflation. Council asked for a clear explanation to be put in the plan about why the District rate had increased. In addition, Council agreed that figures in the plan should be stated as GST exclusive.

Water

Council had received 12 submissions on various matters relating to water including projects, conservation, monitoring charges and water quality. Three of these supported Council putting various water projects on hold and one staff submission requested various changes to costs and timing of projects which had been discussed with local committees after the release of the draft Plan. Two submitters asked when their town was getting a reticulated water supply; two believed that those that took water for private gain should pay a higher rate and that Council should develop a rainwater harvesting policy or encourage installation of rainwater tanks. Comments were also received on the quality of township water as well as Environment Southland's water monitoring charges, and the need to promote water conservation.

The Council has indicated that they wished to discuss water issues at a workshop after the Council elections in 2010/2011 with the direction that came out of this being incorporated into the Council's next Ten Year Plan 2012-2022. Council approved the deferral of projects that were unable to be completed in 2009/2010 to this year or next year and also commented that policy on rainwater tanks in townships would be looked at in the review of the District Plan which was currently been undertaken. In addition Council confirmed that Environment Southland's water monitoring charges (which the Council understood had changed slightly from earlier proposals) would not be incorporated into the Council's budget until 2011/2012.

Road Funding

Ten submissions were received on road funding with all wanting various changes to different sectors' share of costs either this year or the year after. Four submitters believed that dairy tankers were damaging the roads and therefore the dairy sector should pay more, one said that the model was fair but the period of easement for dairy should end next year, one said that the share of costs should reduce for not-for-profit sectors like lifestyle and residential not just dairy, one believed forestry was paying too much, two believed that dairying was paying too much (with one wanting the GHD model brought back in) and one said the residential sector should be paying more.

The Council decided to retain the percentage share of costs that were proposed in the Draft Annual Plan as they believe it was a fair reflection of each sectors use of, and impact on, the District's roading network.

The Council also asked for staff to have a meeting with Alliance to familiarise them with the roading rate model.

Roading and Transport

Council had received a submission requesting that Roslyn Road be sealed. The submission stated that there was ongoing development of lifestyle blocks along the road and that dust and deep potholes were a problem.

The Council asked the submitter to go back to the residents of Roslyn Road and ask if they would be willing to contribute to an upgrade of the road (such as Otto seal) and indicated that the Waihopai Ward Councillor would work with Roslyn Road residents to find a solution.

Council received a staff submission requesting that roading work unable to be completed in 2009/2010 be carried over to 2010/2011, with no impact on the roading rate as the associated funds from 2009/2010 would be transferred.

The Council agreed to add uncompleted roading work from the 2009/2010 year to the 2010/2011 roading programme.

Council received a submission from the Manapouri Community Development Area Subcommittee requesting that the total budget for the upgrade of View Street in Manapouri be increased to \$900,000 from \$500,000 following further consultation with the community about options.

The Council agreed to increase the project budget as requested with funding options to be considered further by the Manapouri CDA Subcommittee.

Resource Management

Council received a number of submissions on resource management issues largely supporting the District Plan review or offering to assist in some way. In addition, several submitters requested that Council work on a landscape study and one requested that Council review its fees so that development was not discouraged in the District.

The Council said that they were keen to work with Environment Southland on the landscape study and would assess the costs of doing this work for the 2011/2012 Annual Plan. Council had also indicated that a review of its development and financial contribution fees was part of a larger Council funding review which Council planned to discuss at a workshop after the Council elections in 2010/2011.

Uniform Targeted Rate

Seven submissions were received on the proposed level of the Uniform Targeted rate (UTR) with four supporting it remaining at the level indicated in the draft Plan and three opposing it. Those in support mainly said that if the level was raised it would impact on lower socio-economic areas while those in opposition believed it should be raised to decrease farmers and other businesses overall rates.

The Council decided not to increase the level of UTR because although the percentage was lower than previous years the dollar amount was more because the total rates collected had increased. The finalised level of UTR would now be 25.07%.

Public Conveniences

A number of submissions were received on planned upgrades/new toilets, the issue of human waste contaminating public places and dump stations.

The Council decided that a review of the location and funding of dump stations should be undertaken and as part of this the issue of human waste contaminating public places would be looked at. The Council also agreed to add a comment on preventing human waste contamination of roadsides and recreational areas in the public conveniences section of the plan.

Enviroschools Programme

Council received a request to increase the amount of money it provided for the Enviroschools programme from \$5,000 to \$10,000.

The Council agreed to this request on the condition that it was taken from existing budgets and had no impact on rates.

Community Centres

Council received a submission from the Community Trust of Southland making various comments about the funding of community centres and swimming pools in the District.

The Council decided that they would like to have a meeting with Community Trust of Southland to discuss their grants and policies and how this related to the rural areas of Southland and facilities in those areas.

Community Outcomes

Council received a submission stating that the table showing how each of Council's activities contributed to Community Outcomes was difficult to read because of the greyscale used.

The Council suggested that the Council's contribution to Community Outcomes table be printed in colour for the Final Plan to ensure readability.

Grants and Donations - Te Hikoi Museum

Council received a submission thanking them and the Riverton Community Board for their support of Te Hikoi - Southern Journey, in particular the Information Centre. The submitter commented that a large number of visitors had used the Information Centre and that they were currently working on getting more people through the Museum.

The Council offered the help of Venture Southland and Southland District Council staff to discuss different business models for increasing revenue from the Museum.

Venture Southland

Council received a submission requesting that the Annual Plan have a more transparent breakdown of the \$1.7 million Venture Southland funding.

The Council decided that a further breakdown of what activities Venture Southland funding went towards would be considered as part of the development of future Plans or clarified further in Venture Southland's own Action Plans.

Wastewater

Council had received a submission requesting assistance with a wastewater and water treatment plant at the Curio Bay Reserve.

The Council noted that the Council had already contributed \$200,000 towards improvements and resolved that staff would work with the Curio Bay Reserve Trust on Wastewater/Water options.

Moved Cr Copland, seconded Cr Bailey
and RESOLVED:

- (a) THAT COUNCIL CONFIRMS ITS DECISION TO SIGNAL THAT IT INTENDS TO PROCEED WITH A TWO BIN KERBSIDE RECYCLING SERVICE.
- (b) THAT COUNCIL CONFIRMS ITS DECISION TO INCREASE FUNDING TOWARDS THE ENVIROSCHOOLS PROGRAMME FROM \$5,000 TO \$10,000 IN 2010/2011 AND FUTURE YEARS.
- (c) THAT COUNCIL CONFIRMS ITS DECISION TO DEFER A NUMBER OF 2009/2010 WASTEWATER, WATER AND STORMWATER PROJECTS UNTIL 2010/2011 AND 2011/2012 AND INCLUDE THESE IN THE PLAN.
- (d) THAT COUNCIL CONFIRM ITS DECISION TO CARRY OVER ROADING PROGRAMME THAT WAS NOT COMPLETED IN 2009/2010 TO 2010/2011 AND INCLUDE THIS IN THE PLAN.
- (e) THAT COUNCIL ALTER THE COST OF THE MANAPOURI VIEW STREET UPGRADE FROM \$500,000 TO \$900,000 WITH ANY LOAN REPAYMENTS TO BE INCLUDED IM THE DRAFT ANNUAL PLAN 2011/2012 (SUBJECT TO FINAL DECISIONS ON PROJECT FUNDING AGREED BY THE MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE).
- (f) THAT COUNCIL RECONFIRM ITS DECISION TO ADOPT EACH SECTORS PERCENTAGE SHARE OF COSTS FOR ROADING AS DETAILED IN THE DRAFT ANNUAL PLAN AND THAT THIS BE USED AS THE BASIS FOR ESTABLISHING THE ROADING RATE FOR 2010/2011
- (g) THAT COUNCIL CONFIRMS ITS DECISION TO AMEND FIGURES IN THE PLAN SO THAT THEY ARE GST EXCLUSIVE.
- (h) THAT COUNCIL CONFIRM ITS INTENTION TO ESTABLISH AND ALTER THE FOLLOWING RATING AREAS (SHOWN IN THE FUNDING IMPACT STATEMENT):
 - WINTON POOL RATING BOUNDARY - ESTABLISHMENT OF A RATE AND RATING AREA TO ASSIST WITH THE MAINTENANCE COSTS OF THE WINTON SWIMMING POOL.
 - SANDY BROWN ROAD - UTILITY RATING BOUNDARY - ALTERATION TO THE RATING BOUNDARY TO INCLUDE FURTHER SUBDIVISIONS IN THE SANDY BROWN ROAD AREA CONNECTED OR ABLE TO BE CONNECTED TO THE WATER AND SEWERAGE NETWORK.
- (i) THAT COUNCIL CONFIRM THE CHANGES TO FEES AND CHARGES FOR 2010/2011 (AS SHOWN IN THE PLAN) TO BE EFFECTIVE FROM 1 JULY 2010.

Moved Cr Ridley, seconded Cr Dillon
and RESOLVED THAT COUNCIL ADOPT THE ANNUAL PLAN 2010/2011
INCLUSIVE OF THE CHANGES HIGHLIGHTED IN THE REPORT AND SUBJECT
TO CHANGES ARISING FROM COUNCIL'S DELIBERATIONS DURING THE
DISCUSSION ON THE REPORT.

6.2 RATES RESOLUTION - SETTING RATES FOR THE FINANCIAL YEAR
1 JULY 2010 TO 30 JUNE 2011

200/20/2/1

r/10/6/7704 [dc]

Report by Mr D Williamson dated 21 June 2010.

The report listed the various District rates and Local Area rates that had been calculated for the financial year 1 July 2010 to 30 June 2011. These rates were included in the Council's 2010-2011 Annual Plan.

Council was required to formally set the rates and any details of penalties in accordance with the Local Government (Rating) Act 2002.

Moved Cr Copland, seconded Cr Duffy
and RESOLVED:

- (a) THAT COUNCIL RECEIVE THE REPORT ON THE SETTING OF RATES FOR THE FINANCIAL YEAR 1 JULY 2010 TO 30 JUNE 2011 INCLUDING APPENDIX A AND APPENDIX B ATTACHED.
- (b)
 - (i) THAT COUNCIL SET THE RATES UNDER THE LOCAL GOVERNMENT (RATING) ACT 2002, AS DETAILED IN APPENDIX B TO THIS REPORT ON RATING UNITS IN THE DISTRICT FOR THE FINANCIAL YEAR COMMENCING ON 1 JULY 2010 AND ENDING ON 30 JUNE 2011.
 - (ii) THAT THE ATTACHED FUNDING IMPACT STATEMENT BE AMENDED AS RESOLVED IN THE ADOPTION OF THE ANNUAL PLAN 2010/2011 ITEM 6.1 - RELATING TO THE ALLOCATION OF THE WATER AND WASTEWATER OPERATIONS AND MAINTENANCE CONTRACT COSTS.
 - (iii) THAT THESE RATES ARE SET PLUS GST AT THE PREVAILING RATE.
 - (iv) THAT THE RATES BE DUE AND PAYABLE ON THE DATES INDICATED IN APPENDIX A TO THIS REPORT.
- (c) THAT COUNCIL AUTHORISE A PENALTY CHARGE OF TEN (10) PERCENT BE ADDED TO THE UNPAID BALANCE OF EACH INSTALMENT ON THE DATES DETAILED IN THE REPORT.

6.3 CONFIRMATION AND MAKING OF THE SOUTHLAND DISTRICT COUNCIL THE
KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2010

300/10/8/1

r/10/6/7021 [dc]

Report by Mrs V Dillon dated 8 June 2010.

Council was required to review the Keeping of Animals, Poultry and Bees Bylaw 2005 by 27 July 2010. The review process was initiated at the meeting of Council held 28 April 2010, with submissions on the draft 2010 Bylaw being invited and closing on 1 June 2010.

One submission was received and the submitter did not wish to be heard in support of her submission.

It was now necessary to consider the submission and formally adopt the Southland District Council Keeping of Animals, Poultry and Bees Bylaw 2010 and set the date on which the Bylaw would become operative.

Moved Cr Harpur, seconded Cr Jack
and RESOLVED THAT THE REPORT DATED 8 JUNE 2010 RELATING TO CONFIRMATION AND MAKING OF THE SOUTHLAND DISTRICT COUNCIL THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2010 BE RECEIVED.

Cr Ford entered the meeting at 2.20 pm.

Mr Sarfaiti said he believed the one submission received which had asked for roosters to be added to the list of poultry prohibited, was adequately covered in Clause 4.0 which related to Noise from Animal, Bird or Fowl.

Moved Cr Dillon, seconded Cr Macpherson
and RESOLVED:

- (a) THAT THE SUBMISSION ON THE PROPOSED SOUTHLAND DISTRICT COUNCIL THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2010 BE RECEIVED.
- (b) THAT THE COUNCIL CONFIRMS AND MAKES THE SOUTHLAND DISTRICT COUNCIL THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2010 - REFER APPENDIX D.
- (c) 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.
- (d) 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 5 JULY 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.

6.4 POLICY MANUAL FINANCIAL DELEGATION

140/20/2/1

r/10/6/7742 [msc]

Report by Mr W Heerdegen dated 22 June 2010.

The report requested that the following amendment be made to the Schedule of Financial Delegations to provide authority for the Communications Manager to purchase goods and services up to \$10,000, replacing the existing authority (of \$5000) provided to the Communications Officer. This would ensure an appropriate level of expenditure and to allow the Communications Officer to effectively action their work.

Moved Cr Copland, seconded Cr Jack
and RESOLVED THAT A CHANGE BE MADE TO THE SCHEDULE OF FINANCIAL
DELEGATIONS BY THE AMENDMENT AND ADDITION OF THE ABOVE.

6.5 VACANCY - OTAHU FLAT WATER SUPPLY SUBCOMMITTEE

240/15/5/1

r/10/6/6946

Report by Mrs S Millard dated 4 June 2010.

A vacancy had occurred on the Otahu Flat Water Supply Subcommittee due to the resignation of one of the members, namely BRUCE HORRELL who had relocated to the Luggate District.

At a recent meeting of Otahu Flat Water Supply Subcommittee, ALISTER IAN SANFORD was nominated to fill the vacancy.

Mr Sanford is a consumer on the Otahu Flat Scheme; his farm is located at 756 Clifden Blackmount Road.

Moved Cr Harpur, seconded Cr Bailey
and RESOLVED:

- (a) THAT THE REPORT ON THE FILLING OF THE VACANCY ON THE OTAHU FLAT WATER SUPPLY SUBCOMMITTEE BE RECEIVED.
- (b) THAT THE APPOINTMENT OF MR ALISTER IAN SANFORD BE CONFIRMED AS A MEMBER OF THE OTAHU FLAT WATER SUPPLY SUBCOMMITTEE; SUCH APPROVAL TO TAKE EFFECT IMMEDIATELY.

6.6 PROPOSED BUILDING EXTENSION BY REAL JOURNEYS AT PEARL HARBOUR MANAPOURI

S3431/74/0

r/10/6/6799 [dc]

Report by Mr K McNaught dated 2 June 2010.

Consideration of a proposal from Real Journeys to extend its existing building at Pearl Harbour Manapouri in line with the expansion of all its activities.

Moved Cr Dillon, seconded Cr Macpherson
and RESOLVED THAT THE REPORT ON THE PROPOSAL BY REAL JOURNEYS
TO EXTEND ITS BUILDING AT PEARL HARBOUR MANAPOURI BE RECEIVED.

Mr McNaught explained that for many years, Real Journeys had held a Licence to Occupy at Pearl Harbour (Manapouri) for its office. The licence did not allow the building to be modified or extended, other than with the approval of Council as the landowner.

With the proposal to operate a larger vessel on the lake, Real Journeys had plans underway to accommodate this including a new wharf, upgrading of its existing carpark and extension of the office.

No significant issues had been identified with the proposal as the extension was to remain within the existing roadline licence area.

The Manapouri CDA Subcommittee at its meeting on 19 May 2010 resolved to recommend to Council that approval be given for the building extension.

Moved Cr Ridley, seconded Cr Jack
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL APPROVE OF THE PROPOSAL BY REAL JOURNEYS TO EXTEND ITS EXISTING BUILDING AT PEARL HARBOUR MANAPOURI AS PER THE DETAIL PROVIDED IN ITS LETTER DATED 29 APRIL 2010.

7.0 **VENTURE SOUTHLAND**

7.1 **AROUND THE MOUNTAINS CYCLE TRAIL**

r/10/6/7613

910/150/9/1

Report by Mr R Capil dated 18 June 2010 regarding the Ministry of Tourism Funding Agreement for the Around the Mountains Cycle Trail.

Over the previous four years, various interested parties in Southland had undertaken concept development and preparatory work in considering the development of cycle trail route options in the greater Southland region. A key driver had been in considering the development of trails as visitor attractions and product developing a business product based on key market demand evaluations and assessments.

In May 2009, Venture Southland, Environment Southland, Invercargill City Council and Southland District Council representatives identified the Southland Cycle Trail as a priority for more detailed investigation. Venture Southland approved funding to commission a Route Development and Engineering Assessment Report and MWH was commissioned to undertake the work. This was completed in August 2009.

Around this time, the National cycleway concept was one of the Employment Summit "Near Term and High Priority" ideas proposed as a means to stimulate the economy while creating the best possible environment for businesses to prosper as economic conditions improved.

This trail was announced by Prime Minister John Key as one of the seven New Zealand Cycleway - Quick Start projects at the Local Government NZ Conference on 27 July 2009.

The Ministry of Tourism contracted Venture Southland to further investigate the Around the Mountains Cycle Trail project. MWH was commissioned to undertake a detailed engineering feasibility and construction cost study.

Venture Southland was also contracted by the Ministry of Tourism to undertake and manage the preparation of a Business Case Development Report for the project.

The feasibility study and business case had been completed and approved by the Ministry of Tourism Technical Assessment group and the Funding Committee. The Funding Committee's recommendation that the Southland District Council be approved to partner with funding to construct the cycleway had been accepted by the Minister of Tourism.

There was still a considerable amount of planning and preparatory work to be undertaken prior to construction - aimed to begin in late 2010.

The report recommended that Council enter into the funding agreement with the Ministry of Tourism.

Cr Douglas spoke in support of the report and said that although the process had become drawn out, the initial phase was now drawing to a close. There had been tremendous interest in it at community meetings and he believed it would provide an opportunity for Northern Southland but there would be "spin offs" for other areas.

Moved Cr Douglas, seconded Cr Bailey
and RESOLVED THAT SOUTHLAND DISTRICT COUNCIL ENTER INTO THE FUNDING AGREEMENT WITH THE MINISTRY OF TOURISM FOR THE AMOUNT OF \$4,000,000 (PLUS GST) TO UNDERTAKE AND COMPLETE THE CONSTRUCTION OF STAGE ONE OF THE AROUND THE MOUNTAINS CYCLE TRAIL - FROM WALTER PEAK TO MOSSBURN.

8.0 **LATE ITEMS**

8.1 **DANGEROUS DOG CLASSIFICATION**

300/15/5/5 300/15/5/2363

r/10/6/7962 [dc]

Report by Mr P Bell dated 25 June 2010.

Moved Cr Ford, seconded Cr Jack
and RESOLVED THAT THE REPORT RELATING TO THE AGGRESSIVE BEHAVIOUR OF THE ONE YEAR, FIVE MONTH OLD MALE GERMAN SHEPHERD OWNED BY PAMELA ANNE GAUDION BE RECEIVED.

Sworn evidence had been received regarding the aggressive behaviour of a dog belonging to Pamela Anne Gaudion, which was a one year five month old, black and tan, German Shepherd named Wolf. This information had been attached along with Council's Dog Control Officer and the Dog Ranger's file notes.

The evidence also contained a medical report and outlined the events that took place on Friday, 18 June 2010 at 14 Half Mile Road, Tuatapere.

It was recommended that the dog be classified as dangerous pursuant to the provisions of Section 31 of the Dog Control Act 1996.

Mr Bell reminded the meeting that the owners of the dog could object to the classification of the dog.

Moved Cr Jack, seconded Cr Ford
and RESOLVED THAT PURSUANT TO THE PROVISIONS OF SECTION 31 OF THE DOG CONTROL ACT 1996, THE ONE YEAR, FIVE MONTH OLD MALE GERMAN SHEPHERDS OWNED BY PAMELA ANNE GAUDION, BE CLASSIFIED AS DANGEROUS.

9.0 **MEMORANDA**

9.1 **COUNCILLOR'S UPDATE**

240/10/7/3

r/10/6/7907 [dc]

Memorandum by Cr J Copland dated 24 June 2010.

Moved Cr Harpur, seconded Cr Duffy
and RESOLVED THAT THE MEMORANDUM ON COUNCILLOR'S UPDATE BE RECEIVED AS INFORMATION.

Cr Copland referred to his recent attendance at the Environmental Defence Society second conference in Auckland entitled "Reform in Paradise". Refer to Registration Brochure circulated with the Miscellaneous Items at the start of the meeting. The Great Escape Tokanui to Owaka, Iwi Liaison and Fonterra Liaison with the Edendale Community were other items referred to in the memorandum.

9.2 MANAGEMENT REPORT

140/45/2/1

r/10/6/7669

Memorandum by Mr D Adamson dated 21 June 2010.

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

9.3 SUBMISSION TO VENTURE SOUTHLAND DRAFT ACTION PLAN 2010

140/20/4/2

R/10/6/7728 [msc]

Memorandum by Mr W Heerdegen dated 22 June 2010.

Moved Cr Harpur, seconded Cr Douglas and RESOLVED THAT THE MEMORANDUM ON THE FINAL SUBMISSION TO THE VENTURE SOUTHLAND DRAFT 2010 ACTION PLAN BE RECEIVED.

9.4 SUBMISSION ON CHANGES TO THE LOCAL GOVERNMENT ACT 2002 - THE TRANSPARENCY, ACCOUNTABILITY AND FINANCIAL MANAGEMENT (TAFM) REFORMS

140/20/3/1

r/10/6/7731 [msc]

Memorandum by Mr W Heerdegen dated 22 June 2010.

Moved Cr Macpherson, seconded Cr Dobson and RESOLVED THAT THE MEMORANDUM ON THE FINAL SUBMISSION TO THE CHANGES TO THE LOCAL GOVERNMENT ACT 2002 BE RECEIVED AS INFORMATION.

9.5 BUILDING CONSENTS AND VALUES FOR MAY 2010

300/40/1/3

r/10/6/6792 [mc]

Memorandum by Mr K O'Connor dated 2 June 2010.

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

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

9.6 RESOURCE CONSENTS AND OTHER RESOURCE MANAGEMENT ACT ITEMS - MAY 2010

Memorandum by Ms J Green dated 2 June 2010.

360/15/3/5

r/10/6/6867 [dc]

Moved Cr Harpur, seconded Cr Douglas 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 MAY 2010 BE RECEIVED AS INFORMATION.

10.0 EXCLUSION OF PUBLIC

Moved Cr Dillon, seconded Cr Ridley
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 26 MAY 2010
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 26 MAY 2010
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 9 JUNE 2010
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j).

SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING MINUTES DATED 28 APRIL 2010
SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j).

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE MEETING MINUTES DATED 26 FEBRUARY 2010
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

CHIEF EXECUTIVE OFFICER - SALARY 2010/11
SECTIONS 72(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

PROPOSED PROCESS FOR THE RECRUITMENT OF CHIEF EXECUTIVE
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.

10.1 EXCLUSION OF PUBLIC - STAFF

Moved Cr Dillon, seconded Cr Ridley
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 COMMUNITY AND ENVIRONMENT
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 3.30 PM.

C O N F I R M E D:

CHAIRPERSON:

DATE:

RETIREMENT OF STAFF MEMBER - MR I NICHOLSON

Earlier in the day, Mr Ivan Nicholson, Manager - Environmental Health, was farewelled by Council. He and his wife had been invited to join the Mayor and Councillors for lunch and presentation.

Mayor Cardno referred to his length of service - nearly 30 years - and his strong customer service focus. He had been a reliable and diligent employee and been proactive in upskilling and training to keep up with new developments in his work. He was currently President of the Institute of Environmental Health Officers.

Several of the Councillors spoke of his quiet and helpful manner when answering questions and dealing with the public.

Mayor Cardno wished him well in his retirement.