

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

30 JANUARY 2008

MINUTES of a MEETING of the SOUTHLAND DISTRICT COUNCIL held in the Council Chambers, SOUTHLAND DISTRICT COUNCIL OFFICE, 15 Forth Street, Invercargill on WEDNESDAY, 30 JANUARY 2008 at 1.00 PM.

PRESENT: Mayor F Cardno, 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 P Culling (Acting Chief Executive), R Hawkes, L McKenzie, J Reid, M Voss, Ms R Leach and Mrs J O'Shannessy.

1.0 **APOLOGIES**

No apologies were recorded.

2.0 **MISCELLANEOUS ITEMS**

Resignation - Mr T Woodhill, Chairman, Riverton Heritage and Tourist Centre Trust.

3.0 **PUBLIC FORUM**

240/10/8/5

Moved Cr Dillon, seconded Cr Jack

and RESOLVED THAT STANDING ORDERS BE SUSPENDED TO ALLOW A PUBLIC FORUM TO BE HELD.

2.1 **FEDERATED FARMERS**

Messrs David Rose (President - Southland Branch Federated Farmers) and Doug Fraser (Federated Farmers Local Government Spokesperson) were in attendance to speak to the meeting.

Mr Rose advised Federated Farmers still had concerns about the following issues:

- * Venture Southland Contract for Service, and
- * Roading costs - differential rating formula.

Reference was made to a Federated Farmers survey in which Council had rated 39th out of 64. The below average ranking related mostly to dissatisfaction with road rates, he suggested.

Mr Fraser said he particularly wished to address the following two matters:

- * The Special Consultative Process through the Annual Plan was confusing and although Federated Farmers had fully engaged with Council throughout, it appeared the Annual Plan couldn't be changed on the day it was adopted.
- * Funding of operations - particularly road funding. Farmers paid the largest part of the costs as they were rated on 90% of the land value of the province with commercial and industrial only paying .3% and .8% respectively of the land value.

Cr Dobson asked how many farmers had responded to the Federated Farmers survey. Mr Fraser replied that he didn't think it was a large number, but when talking to farmers, roading was a huge issue.

Cr Jack asked what the Federated Farmers solution was to solving the roading problems. It was suggested Council and Federated Farmers should work together to lever funding from the Government, Council should take note of the previous consultants reports that focussed on differentials relating to the amount of use, and that there was a cross subsidy from farmers to lifestyle and forestry owners.

Council had recently been speaking to a Consultant with the object of developing a fairer model. A "tonnage" model had been suggested as well as a "sector" approach. The network was being looked at as a whole. Senior staff had been working on getting the information together and a Council workshop would be held on 12 February.

Messrs Rose and Fraser left the meeting at 1.30 pm.

Moved Drummond, seconded Cr Dobson
and RESOLVED THAT STANDING ORDERS BE REINSTATED.

4.0 **NOTIFICATION OF URGENT BUSINESS**

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

MILFORD COMMUNITY TRUST - DRAFT STATEMENT OF INTENT
Report by Mr Mark Bailey dated 29 January 2008.

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

5.0 MINUTES**5.1 SOUTHLAND DISTRICT COUNCIL MEETING DATED 12 DECEMBER 2007**
Minutes for Confirmation.

Moved Cr Ridley, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL MEETING DATED 12 DECEMBER 2007 BE CONFIRMED AS A TRUE AND CORRECT RECORD SUBJECT TO THE FOLLOWING AMENDMENTS -

ITEM 5.1 - RESOLUTION (a) TO NOW READ -
THAT THE COUNCIL POLICY BEING PREPARED FOR WATER SCHEME PROJECTS ELIGIBLE FOR GOVERNMENT FUNDING INCORPORATE COUNCIL'S CONTRIBUTION OF THE TOTAL PROJECT COSTS *EXCLUDING THE RURAL STOCK AND IRRIGATION WATER SUPPLY COSTS*.

ITEM 5.1 - RESOLUTION (b) TO NOW READ -
THAT COUNCIL'S CONTRIBUTION TOWARDS WATER SCHEME PROJECTS ELIGIBLE FOR GOVERNMENT FUNDING BE CONFIRMED AT 16.67% OF TOTAL PROJECT COSTS *EXCLUDING THE RURAL STOCK AND IRRIGATION WATER SUPPLY COSTS*.

5.2 SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 12 DECEMBER 2007
Minutes for Adoption.

Moved Cr Bailey, seconded Cr Macpherson
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 12 DECEMBER 2007 BE ADOPTED.

5.3 CIVIL DEFENCE EMERGENCY MANAGEMENT COMMITTEE MEETING DATED 12 DECEMBER 2007
Minutes for Adoption.

Moved Cr Copland, seconded Cr Drummond
and RESOLVED THAT THE CIVIL DEFENCE EMERGENCY MANAGEMENT COMMITTEE MEETING DATED 12 DECEMBER 2007 BE ADOPTED.

5.4 RIVERTON HARBOUR COMMITTEE MEETING DATED 4 DECEMBER 2007
Minutes for Adoption.

Moved Cr Dobson, seconded Cr Duffy
and RESOLVED THAT THE RIVERTON HARBOUR COMMITTEE MEETING DATED 4 DECEMBER 2007 BE ADOPTED.

5.5 EASTERN BUSH AND OTAHU FLAT WATER SUPPLY SUBCOMMITTEE MEETING DATED 7 DECEMBER 2007
Minutes for Adoption.

Moved Cr Harpur, seconded Cr Ridley
and RESOLVED THAT THE EASTERN BUSH AND OTAHU FLAT WATER SUPPLY SUBCOMMITTEE MEETING DATED 7 DECEMBER 2007 BE ADOPTED.

5.6 MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 21 NOVEMBER 2007

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Macpherson and RESOLVED THAT THE MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 21 NOVEMBER 2007 BE ADOPTED.

5.7 WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 13 NOVEMBER 2007

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Ridley and RESOLVED THAT THE WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 13 NOVEMBER 2007 BE ADOPTED.

5.8 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

Action sheet to be received.

Moved Cr Dobson, seconded Cr Macpherson and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL ACTION SHEET BE RECEIVED.

6.0 **REPORTS**

6.1 FENCING OF SWIMMING POOLS

300/40/1/0

dc/07/12/17157

Report by Mr L McKenzie dated 19 December 2007.

The Fencing of Swimming Pools Act 1987 (the Act) requires landowners to erect fences around swimming pools. The Act does provide territorial authorities with power to grant an exemption from some or all of the requirements of this Act in the case of any particular pool, where it is satisfied that such an exemption would not significantly increase danger to young children.

The owner of a spa pool that has a lockable lid had raised the question that this property should be exempt from the requirement to fence the pool.

This issue had recently been addressed in a determination of the Building Industry Authority, and that determination was attached to the report for the information of Council.

Moved Cr Harpur, seconded Cr Copland and RESOLVED THAT THE REPORT RELATING TO THE REQUIREMENT OF THE FENCING OF SWIMMING POOLS ACT 1987, THAT LANDOWNERS ERECT FENCES AROUND SWIMMING POOLS, BE RECEIVED.

Mr McKenzie referred to Section 6 of the Fencing of Swimming Pools Act 1987 which provided:-

“Special exemptions—

- (1) *A territorial authority may, by resolution, grant an exemption from some or all of the requirements of this Act in the case of any particular pool where the territorial authority is satisfied, having regard to the particular characteristics of the property and the pool, any other relevant circumstances, and any conditions it imposes under subsection (2) of this section, that such an exemption would not significantly increase danger to young children.*
- (2) *In granting an exemption under subsection (1) of this section, the territorial authority may impose such other conditions relating to the property or the pool as are reasonable in the circumstances.*
- (3) *Any exemption granted or condition imposed under this section may be amended or revoked by a territorial authority, by resolution.”*

The Building Industry Authority determination concluded that the use of the proprietary lockable cover to a spa pool did not comply with the provisions of the Building Code.

The meeting debated the issue of “lockable” covers and responsibility to keep them locked when not in use.

Cr Ridley asked whether the spa pool would have to be fenced if the request was declined, the answer was “Yes”, Mr McKenzie said.

Mr McKenzie reminded the meeting that it was the responsibility of the property owner to advise Council they had installed a swimming pool or spa pool. Failure to notify was an offence.

A direction from Council would give the Building Control staff a clear indication relating to spa pools with lockable covers. A “lockable pool” was not defined in the Act so was not recognised as a possible exemption. The only option Council had was to require the fencing of the spa pool or to grant an exemption.

Moved Cr Bailey, seconded Cr Harpur
and RESOLVED THAT THE PROPOSITION THAT SPA POOLS WITH LOCKABLE COVERS BE EXEMPT FROM THE REQUIREMENT TO ERECT FENCING IN ACCORDANCE WITH THE PROVISIONS OF THE SCHEDULE TO THE ACT, BE DECLINED.

6.2 STATEMENT OF PROPOSAL - CONTROL OF ADVERTISING SIGNS BYLAW

300/10/1/1

dc/08/1/541

Report by Mr L McKenzie dated 16 January 2008.

The Local Government Act 2002 requires territorial authorities to undertake a review of all bylaws, and this must be completed by 30 June 2008. This report proposes the adoption of Southland District Council Control of Advertising Signs Bylaw 2008.

Moved Cr Macpherson, seconded Cr Dobson
and RESOLVED THAT THE REPORT RELATING TO THE REQUIREMENT TO UNDERTAKE A REVIEW OF ALL BYLAWS BEFORE 30 JUNE 2008 BE RECEIVED.

Mr McKenzie explained the purpose of the bylaw was to invite submissions on the bylaw.

Moved Cr Ridley, seconded Cr Jack
and RESOLVED:

- (a) THAT COUNCIL DETERMINE, PURSUANT TO THE PROVISIONS OF SECTION 155 (1) OF THE LOCAL GOVERNMENT ACT 2002, THAT A BYLAW IS THE MOST APPROPRIATE WAY OF ADDRESSING THE PERCEIVED PROBLEM IN THE CONTROL OF ADVERTISING SIGNS.
- (b) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 (2) (a) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINE THAT THE PROPOSED CONTROL OF ADVERTISING SIGNS BYLAW IS THE MOST APPROPRIATE FORM OF BYLAW.
- (c) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 (2) (b) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINE THAT THE PROPOSED CONTROL OF ADVERTISING SIGNS BYLAW DOES NOT GIVE RISE TO ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990.
- (d) THAT FOR THE PURPOSES OF SECTION 83 OF THE LOCAL GOVERNMENT ACT 2002, THE DRAFT SOUTHLAND DISTRICT COUNCIL CONTROL OF ADVERTISING SIGNS BYLAW BE THE STATEMENT OF PROPOSAL AND THE SUMMARY OF INFORMATION CONTAINED IN THE STATEMENT OF PROPOSAL.
- (e) THAT PUBLIC NOTICE BE GIVEN THAT THE DRAFT BYLAW IS AVAILABLE FOR INSPECTION AT ALL OFFICES OF COUNCIL AND ANY PERSON MAY MAKE SUBMISSIONS IN RESPECT TO THIS DRAFT WITH SUBMISSIONS CLOSING 7 MARCH 2008.
- (f) THAT SUBMITTERS MAY APPEAR BEFORE COUNCIL AND SPEAK IN SUPPORT OF THEIR SUBMISSIONS AT THE MEETING OF COUNCIL ON 26 MARCH 2008 AT 1.00 PM.
- (g) THAT COUNCIL DETERMINE THAT THE SOUTHLAND DISTRICT COUNCIL CONTROL OF ADVERTISING SIGNS BYLAW 1993 BE REPEALED EFFECTIVE FROM 26 MARCH 2008.

6.3 STATEMENT OF PROPOSAL - DOG CONTROL BYLAW

300/10/1/1

dc/08/1/636

Report by Mr L McKenzie dated 17 January 2008.

The Local Government Act 2002 requires territorial authorities to undertake a review of all Bylaws, and this must be completed by 30 June 2008. This report proposes the adoption of Southland District Council Dog Control Bylaw 2008.

The changes to the provisions of the previous Bylaw were:

- (a) To prohibit dogs from the Curio Bay Reserve.
- (b) To require dogs to be on a lead on Howells Point Recreation Reserve.
- (c) To require dogs to be on a lead on the Horseshoe Point-Braggs Bay Walking Track.

Maps for each of the changes listed above were tabled for members information - Refer Appendix I.

Cr Duffy suggested the Curio Bay area may need to be enlarged to be in line with a submission received by Council at their meeting of 26 September 2007 when a representative of the South Catlins Development and Environmental Trust asked for complete dog control in the Porpoise Bay-Catlins area.

Moved Cr Dobson, seconded Cr Duffy
and RESOLVED:

- (a) THAT THE REPORT RELATING TO THE REQUIREMENT TO UNDERTAKE A REVIEW OF ALL BYLAWS BEFORE 30 JUNE 2008, BE RECEIVED.
- (b) THAT COUNCIL DETERMINE, PURSUANT TO THE PROVISIONS OF SECTION 155 (1) OF THE LOCAL GOVERNMENT ACT 2002, THAT A BYLAW IS THE MOST APPROPRIATE WAS OF ADDRESSING THE PERCEIVED PROBLEM IN THE CONTROL OF DOGS.
- (c) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 (2) (a) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINE THAT THE PROPOSED DOG CONTROL BYLAW IS THE MOST APPROPRIATE FORM OF BYLAW.
- (d) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 (2) (b) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINE THAT THE PROPOSED DOG CONTROL BYLAW DOES NOT GIVE RISE TO ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990.
- (e) THAT FOR THE PURPOSES OF SECTION 83 OF THE LOCAL GOVERNMENT ACT 2002, THE DRAFT SOUTHLAND DISTRICT COUNCIL DOG CONTROL BYLAW 2008, BE THE STATEMENT OF PROPOSAL AND THE SUMMARY OF INFORMATION CONTAINED IN THE STATEMENT OF PROPOSAL.
- (f) THAT PUBLIC NOTICE BE GIVEN THAT THE DRAFT BYLAW IS AVAILABLE FOR INSPECTION AT ALL OFFICES OF COUNCIL AND ANY PERSON MAY MAKE SUBMISSIONS IN RESPECT TO THIS DRAFT WITH SUBMISSIONS CLOSING 7 MARCH 2008.
- (g) THAT SUBMITTERS MAY APPEAR BEFORE COUNCIL AND SPEAK IN SUPPORT OF THEIR SUBMISSIONS AT THE MEETING OF COUNCIL ON 26 MARCH 2008, AT 1.00 PM.
- (h) THAT COUNCIL DETERMINE THAT THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL BYLAW 2004 BE REPEALED EFFECTIVE FROM 1 MAY 2008.

6.4 LIQUOR LICENSING BY TERRITORIAL AUTHORITIES

300/35/1/1

dc/07/12/16934

Report by Mr L McKenzie dated 13 December 2007 advising the Controller and Auditor-General had undertaken a performance audit of selected territorial authorities to examine how powers conferred on them by the Sale of Liquor Act 1989, were being used.

Southland District Council was one of the 12 selected Councils that were subject to this audit process.

Moved Cr Macpherson, seconded Cr Jack

and RESOLVED THAT THE REPORT RELATING TO THE PERFORMANCE AUDIT OF SELECTED TERRITORIAL AUTHORITIES UNDERTAKEN TO EXAMINE HOW POWERS CONFERRED ON THEM BY THE SALE OF LIQUOR ACT 1989, WERE BEING USED, BE RECEIVED.

6.5 SPEED LIMIT BYLAW AMENDMENT NO. 2, 2007

300/10/16/1

rl/08/01/417

Report by Mrs R Leach and Mr R Hawkes dated 14 January 2008.

The Speed Limits Bylaw Amendment No. 2, 2007 has been presented and submitted for consultation to address anomalies and changes in level of use in speed restricted zones throughout the District. Procedures as prescribed in Section 83 of the Local Government Act 2002 had been followed and submissions from the consultative procedure had been addressed.

One submission was received relating to the 30 km/hr speed limit proposed for the Te Anau Central Business District. A letter in response to the points raised in the submission had been sent. No other submissions were received.

For speed limits of less than 50 km/hr, such as that in Te Anau, approval must be sought from the Director of Land Transport New Zealand. All documents were received by Land Transport New Zealand and approval was granted 10 October 2007.

The recommendations in the report were submitted for consideration and adoption by resolution.

Moved Cr Copland, seconded Cr Douglas

and RESOLVED THAT THE REPORT BE RECEIVED.

Moved Cr Ridley, seconded Cr Dillon

and RESOLVED:

- (a) THAT THE COUNCIL CONFIRMS AND MAKES THE SOUTHLAND DISTRICT COUNCIL SPEED LIMITS BYLAW AMENDMENT NO. 2, 2007.
- (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 - REFER APPENDIX II.

- (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 OPERATION ON **1 MARCH 2008**.
 - (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.

6.6 PROPOSED MOBILE OR TRAVELLING SHOPS, HAWKERS AND STANDS OR STALLS BYLAW 2008

300/10/7/1

dc/08/1/612

Report by Mrs V Dillon and Mr I Nicholson dated 17 January 2008.

Consideration of proposal to revoke the current Mobile or Travelling Shops, Hawkers and Stalls Bylaw 1996 and replace it with a new updated Bylaw.

Moved Cr Jack, seconded Cr Bailey
and RESOLVED:

- (a) THAT PURSUANT TO SECTION 155(1) OF THE LOCAL GOVERNMENT ACT 2002 THE COUNCIL RESOLVES THAT A MOBILE OR TRAVELLING SHOPS, HAWKERS AND STANDS OR STALLS BYLAW IS THE MOST APPROPRIATE WAY OF ADDRESSING THE ISSUE OF:
- (i) REGULATING THE CONDUCT OF PERSONS SELLING GOODS ON STREETS, ROADS, FOOTPATHS AND OTHER PUBLIC PLACES AND PERSONS USING VEHICLES TO SELL GOODS AND SERVICES TO THE GENERAL PUBLIC WITHIN THE SOUTHLAND DISTRICT AND
 - (ii) REGULATION OF THE SUITABILITY OF MOBILE SHOPS, STANDS AND STALLS FROM WHICH FOOD IS SOLD.
- (b) THAT A FURTHER REPORT BE SUBMITTED TO COUNCIL OUTLINING FINAL DETAILS OF THE BYLAW AND THE PROCESS FOR IMPLEMENTATION.

6.7 REVIEW OF TRENCHING BYLAW 2002

300/10/20/1

dl/08/1/523

Report by Mrs V Dillon and Mr M Voss dated 15 January 2008.

Consideration of a proposal to amend the Trenching Bylaw 2002 by updating it in line with best practice.

Moved Cr Copland, seconded Cr Ford
and RESOLVED:

- (a) THAT PURSUANT TO SECTION 155(1) OF THE LOCAL GOVERNMENT ACT 2002 THE COUNCIL RESOLVES THAT A TRENCHING BYLAW IS

THE MOST APPROPRIATE WAY OF PRESCRIBING THE CONDITIONS AND SPECIFICATIONS REQUIREMENTS FOR EXCAVATION AND REINSTATEMENT WORKS UNDERTAKEN WITHIN THE ROAD CORRIDORS CONTROLLED AND MANAGED BY THE SOUTHLAND DISTRICT COUNCIL.

- (b) THAT A FURTHER REPORT BE SUBMITTED TO COUNCIL OUTLINING THE SUGGESTED AMENDMENTS TO THE TRENCHING BYLAW 2002 AND THE PROCESS FOR ITS IMPLEMENTATION.

6.8 REINSTATEMENT OF POWERS DELEGATED TO EDENDALE COMMUNITY BOARD

240/20/8/1

dc/08/1/803

Report by Mrs V Dillon dated 22 January 2008 recommending that the powers delegated to Community Boards be reinstated to the Edendale Community Board from 12 February 2008.

Moved Cr Copland, seconded Cr Harpur

and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL REINSTATE DELEGATIONS TO THE EDENDALE COMMUNITY BOARD IN TERMS OF DELEGATIONS TO COMMUNITY BOARDS CONTAINED IN COUNCIL'S DELEGATIONS REGISTER, SUCH REINSTATEMENT TO TAKE EFFECT FROM 12 FEBRUARY 2008.

7.0 MEMORANDA

7.1 MANAGEMENT REPORT

140/45/2/1

eja/08/01/713

Memorandum by Mr D Adamson dated 22 January 2008 hi-lighting activities he had been involved with since the last meeting.

Moved Cr Drummond, seconded Cr Bailey

and RESOLVED THAT THE MEMORANDUM ON THE CHIEF EXECUTIVE'S MANAGEMENT UPDATE BE RECEIVED FOR INFORMATION PURPOSES.

7.2 JUSTICE AND ELECTORAL COMMITTEE INQUIRY INTO THE 2007 LOCAL AUTHORITY ELECTIONS

240/10/4/4

dl/08/1/804

Memorandum by Mr P Culling dated 22 January 2008.

The meeting suggested the following additional comments be added to the draft LGNZ submission.

STV versus FPP forms of voting and the confusion it caused.

Time of year the elections were held.

Computer voting.

The option of "compulsory voting" was not favoured by the meeting.

Moved Cr Drummond, seconded Cr Dobson

and RESOLVED THAT COUNCIL SUPPORT THE DRAFT LGNZ RECOMMENDATIONS AND ANY ADDITIONAL COMMENTS THAT COUNCIL MAY HAVE.

7.3 2008/2009 REMUNERATION POOL LEVEL FOR ELECTED MEMBERS

240/10/7/8

dl/08/1/806

Report by Mr P Culling dated 22 January 2008.

Moved Cr Ford, seconded Cr Douglas

and RESOLVED THAT THE MEMORANDUM ON THE 2008/2009 REMUNERATION POOL LEVEL FOR ELECTED MEMBERS BE RECEIVED.

7.4 BUILDING CONSENTS AND VALUES FOR NOVEMBER 2007

300/40/1/3

dc/07/12/17142

Memorandum by Mr K O'Connor dated 19 December 2007.

Moved Cr Ridley, seconded Cr Macpherson

and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND VALUES FOR NOVEMBER 2007 BE RECEIVED AS INFORMATION.

7.5 BUILDING CONSENTS AND VALUES FOR DECEMBER 2007

300/40/1/3

dl/08/1/398

Memorandum by Mr K O'Connor dated 14 January 2008.

Moved Cr Dobson, seconded Cr Harpur

and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND VALUES FOR DECEMBER 2007 BE RECEIVED AS INFORMATION.

8.0 VENTURE SOUTHLAND

No reports were received from Venture Southland.

9.0 LATE REPORT

9.1 MILFORD COMMUNITY TRUST - DRAFT STATEMENT OF INTENT

240/20/15/2, 240/20/15/3

dc/08/1/1058

Report by Mr M Bailey dated 29 January 2008.

The Milford Community Trust was established in May 2007 by Southland District Council and the Department of Conservation with the assistance of Environment Southland for the purposes of providing leadership in Milford Sound.

Moved Cr Jack, seconded Cr Bailey

and RESOLVED THAT THE REPORT ON THE MILFORD COMMUNITY TRUST - DRAFT STATEMENT OF INTENT BE RECEIVED.

The purpose of the Statement of Intent was to:

- * Set out the proposed activities of the MCT.
- * Provide an opportunity for stakeholders to influence the direction of the MCT.
- * Provide a basis for accountability for the Trustees to their stakeholders for the performance of the MCT.

The Statement of Intent was a transitional document covering the year 1 July 2008 to 30 June 2009 based on outcomes of a strategic workshop undertaken in November

2007. The MCT would work towards a full Statement in 2009/10 and would update the statement annually.

Moved Cr Ridley, seconded Cr Harpur
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL WRITE TO THE MILFORD COMMUNITY TRUST IN SUPPORT OF THE DRAFT STATEMENT OF INTENT.

10.0 **EXCLUSION OF PUBLIC**

Moved Cr Dillon, seconded Cr Douglas
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 CONFIDENTIAL MINUTES DATED
12 DECEMBER 2007
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL CONFIDENTIAL ACTIVITIES PERFORMANCE
AUDIT COMMITTEE MINUTES DATED 12 DECEMBER 2007
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

LAND AT 25 OSBOURNE TERRACE, NIGHTCAPS
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

AND THAT THE REASON FOR THE PASSING THE RESOLUTION IS THAT IT
WOULD BE LIKELY TO RESULT IN DISCLOSURE OF INFORMATION WHICH
WOULD:

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 Douglas
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.

ACTING CHIEF EXECUTIVE
GROUP MANAGER SERVICES AND ASSETS
GROUP MANAGER REGULATORY SERVICES
SENIOR ADMINISTRATION OFFICER

11.0 **LEAVE OF ABSENCE**

240/10/8/3

Cr Duffy asked Council for Leave of Absence for the period 20 February to 24 March 2008.

Moved Cr Copland, seconded Cr Douglas
and RESOLVED THAT LEAVE OF ABSENCE BE GRANTED TO CR P DUFFY FOR
THE PERIOD 20 FEBRUARY TO 24 MARCH 2008.

The meeting closed at 2.40 pm.

C O N F I R M E D:

C H A I R P E R S O N:

D A T E D:

NOTE:

At the conclusion of the meeting a power point presentation was given by Mr A Grigg, Civil Defence Emergency Management Training Officer, outlining the purpose of the New Zealand Civil Defence Emergency Management Act 2002, the national strategy, the role of the Ministry and the Southland Regional and District structures.