

# **SOUTHLAND DISTRICT COUNCIL**

## **COUNCIL MEETING**

**24 JUNE 2009**

MINUTES of a MEETING of the SOUTHLAND DISTRICT COUNCIL held at the Council Chambers, 15 Forth Street, Invercargill on WEDNESDAY, 24 JUNE 2009 at 1.05 PM.

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

**IN ATTENDANCE:** Messrs D P Adamson, C McIntosh, L McKenzie, M Voss, Ms A Robson and Mesdames J O'Shannessy and Y Paterson.

### **1.0 APOLOGIES**

Crs R Dobson and D Ridley  
W Jack for lateness.

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

- AMENDMENT TO DOG CONTROL POLICY  
Report by Mr Lindsay McKenzie dated 18 June 2009.

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

### **4.0 MISCELLANEOUS ITEMS**

The following miscellaneous items were tabled for members' information:

- \* Southland Community House Newsletter
- \* Citizens Advice Bureau Meeting Minutes dated 27 May 2009

**5.0 MINUTES****5.1 SOUTHLAND DISTRICT COUNCIL MEETING DATED 27 MAY 2009**

Minutes for Confirmation.

Moved Cr Copland, seconded Cr Dillon  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
MEETING DATED 27 MAY 2009 BE CONFIRMED AS A TRUE AND CORRECT  
RECORD.

**5.2 ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED  
27 MAY 2009**

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Douglas  
and RESOLVED THAT THE MINUTES OF THE ACTIVITIES PERFORMANCE  
AUDIT COMMITTEE MEETING DATED 27 MAY 2009 BE ADOPTED.

**5.3 SOUTHLAND DISTRICT COUNCIL CIVIL DEFENCE EMERGENCY MANAGEMENT  
COMMITTEE MEETING DATED 27 MAY 2009**

Minutes for Adoption.

Moved Cr Copland, seconded Cr Dillon  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
CIVIL DEFENCE EMERGENCY MANAGEMENT COMMITTEE MEETING DATED  
27 MAY 2009 BE ADOPTED.

**5.4 SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING DATED  
9 JUNE 2009**

Minutes for Adoption.

Moved Cr Duffy, seconded Cr Copland  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
EXECUTIVE COMMITTEE MEETING DATED 9 JUNE 2009 BE ADOPTED.

**5.5 SOUTHLAND DISTRICT COUNCIL FORESTRY OPERATIONS COMMITTEE  
MEETING DATED 11 FEBRUARY 2009**

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Harpur  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
FORESTRY OPERATIONS COMMITTEE MEETING DATED 11 FEBRUARY 2009  
BE ADOPTED.

**5.6 SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING  
DATED 13 MAY 2009**

Minutes for Adoption.

Moved Cr Duffy, seconded Cr Douglas  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
POLICY REVIEW COMMITTEE MEETING DATED 13 MAY 2009 BE ADOPTED.

5.7 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE MEETING DATED 17 APRIL 2009

Minutes for Adoption.

Moved Cr Douglas, seconded Cr Duffy and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE MEETING DATED 17 APRIL 2009 BE ADOPTED.

5.8 SOUTHLAND DISTRICT COUNCIL EASTERN BUSH AND OTAHU FLAT WATER SUPPLY SUBCOMMITTEES MEETING DATED 12 JUNE 2009

Minutes to be received.

Moved Cr Harpur, seconded Cr Duffy and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL EASTERN BUSH AND OTAHU FLAT WATER SUPPLY SUBCOMMITTEES MEETING DATED 12 JUNE 2009 BE RECEIVED.

5.9 SOUTHLAND DISTRICT COUNCIL OHAI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 MAY 2009

Minutes to be received.

Moved Cr Drummond, seconded Cr Macpherson and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL OHAI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 MAY 2009 BE RECEIVED.

5.10 SOUTHLAND DISTRICT COUNCIL OHAI NIGHTCAPS WAIRIO WATER SUPPLY SUBCOMMITTEE MEETING DATED 12 MAY 2009

Minutes to be received.

Moved Cr Drummond, seconded Cr Macpherson and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL OHAI NIGHTCAPS WAIRIO WATER SUPPLY SUBCOMMITTEE MEETING DATED 12 MAY 2009 BE RECEIVED.

5.11 SOUTHLAND DISTRICT COUNCIL WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING HELD 5 MAY 2009

Minutes to be received.

Moved Cr Dillon, seconded Cr Harpur and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING HELD 5 MAY 2009 BE RECEIVED.

5.12 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

For Adoption.

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

**6.0 REPORTS****6.1 COMMUNITIES FOR CLIMATE PROTECTION PROGRAMME - MILESTONE 3 (CORPORATE)**

360/15/2/4

r/09/6/8215 [dc]

Report by Mrs Y Paterson dated 4 June 2009

To complete Milestone 3 (Corporate) of the Communities for Climate Protection Programme, Council must adopt a Plan which sets out how Council is going to reduce greenhouse gas emissions from its activities. An action plan had been developed and was attached to the report for Council's approval.

Moved Cr Douglas, seconded Cr Duffy and RESOLVED THAT THE REPORT ON THE COMMUNITIES FOR CLIMATE PROTECTION PROGRAMME - MILESTONE 3 (CORPORATE) BE RECEIVED.

Cr Copland commented that incremental changes had to be made to achieve the required outcomes, and Cr Bailey concluded that "doing nothing was not an option".

Moved Cr Copland, seconded Cr Duffy and RESOLVED THAT COUNCIL ADOPTS THE SOUTHLAND DISTRICT COUNCIL CORPORATE CLIMATE CHANGE ACTION PLAN AND NOTES THAT THIS MEETS PART OF THE REQUIREMENTS OF MILESTONE 3 OF THE COMMUNITIES FOR CLIMATE PROTECTION - NEW ZEALAND PROGRAMME.

**6.2 DISCUSSION DOCUMENT ON THE SUBMISSION TO THE REMUNERATION AUTHORITY ON THE MOTOR VEHICLE MILEAGE ALLOWANCE FOR ELECTED MEMBERS**

240/10/7/8

r/09/6/

Report by Miss Anne Robson dated 17 June 2009.

The Remuneration Authority has issued a discussion document on proposed changes to the reimbursement of motor vehicle mileage to elected members.

Currently under Clause 14 of the Local Government Elected Members (2008/2009) determination, Council had the ability to allow elected members to be reimbursed for their mileage and the amount to which they would be reimbursed subject to the rules set in the determination. The discussion document proposed that this clause be abolished and be replaced in limited circumstances with reimbursement of travelling time and actual travel costs.

The discussion paper asked Council to comment on four issues:

- (a) Should a mileage allowance be paid to all elected representatives?
- (b) If a mileage allowance was paid, should it be paid for journeys from home to the Council?
- (c) Fairness.
- (d) Sustainability.

It was proposed that any changes apply from the 2011 Local Body elections but Councils were asked to consider this document and any possible changes they made to their expenses rules.

Ms Robson asked for comment from the meeting on the issues listed in the discussion paper. She also encouraged members to claim their vehicle expenses through their personal tax.

Cr Jack entered the meeting at 1.24 pm.

It was agreed the current system discouraged "car pooling" with the driver receiving payment for travel but any passengers receiving no payment of any kind. The meeting discussed splitting payments into travel time and mileage costs.

A possible option discussed by the Remuneration Authority was that no payment would be received for either the first 30 kms of travelling or 30 minutes of travelling time. This was seen as unfair to the Councillors that lived within a 30 km radius of their destination.

The point was made that reimbursement of travel should be from the Councillors home (their office) to their destination. The Remuneration Authority had indicated in its discussion document that it needed to be acknowledged that elected members that lived some distance away from their destination, as well as those that travelled to and from meetings at night, should have some of their expenses met.

A further concern regarding a mileage allowance was that because of the distances to be travelled by elected members and the lack of public transport, walking and cycling were not options.

The meeting agreed that a submission incorporating the following points be prepared and sent to the Remuneration Authority by 1 July 2009:

- a. Support for a change to mileage allowances to reflect:
  - \* A travel allowance based on kms, and
  - \* A mileage allowance based on kms and paid at the IRD rates.
- b. Both rates to apply from home to the Council business destination.

Moved Cr Duffy, seconded Cr Jack  
and RESOLVED:

- (a) THAT THE REPORT - DISCUSSION DOCUMENT ON THE SUBMISSION TO THE REMUNERATION AUTHORITY ON THE MOTOR VEHICLE MILEAGE ALLOWANCE FOR ELECTED MEMBERS BE RECEIVED.
- (b) THAT A SUBMISSION BE PREPARED AND SENT TO THE REMUNERATION AUTHORITY BY 1 JULY 2009 OUTLINING THE COMMENTARY IN THIS REPORT AND THE DISCUSSION HELD BY COUNCIL AT THIS MEETING.

## 7.0 **MEMORANDA**

### 7.1 **MAYOR'S MONTHLY UPDATE**

240/10/7/2

r/09/6/8108

Memorandum by Mayor F Cardno dated 14 June 2009.

Moved Cr Jack, seconded Cr Douglas  
and RESOLVED THAT THE MEMORANDUM ON THE MAYOR'S MONTHLY UPDATE BE RECEIVED AS INFORMATION.

Mayor Cardno spoke to her Memorandum and commented on the following points:

- \* Visits to Stewart Island with Marcus Akuhata-Brown and Council Librarian Willie Solomon.
- \* Puppet Show presentations (with Willie Solomon) at the Tuatapere and Nightcaps Play Centres.
- \* Visits to the Quilters group in Nightcaps and Waikawa Museum.
- \* Attendance at the Southland Economic Forum, opening of the new Kepler Track entrance, Bluff Oyster Festival, the opening of the New Life Church in Te Anau and the Waimatuku Pipe Band's 75th anniversary.
- \* Attended a meeting of the National Council in Wellington where matters discussed included Review of Fire Legislation, Emissions Trading Scheme, and the Financial Assistance Rate Review.

## 7.2 MANAGEMENT REPORT

140/45/2/1

r/09/6/8107

Memorandum by Mr D Adamson dated 14 June 2009.

Moved Cr Bailey, seconded Cr Dillon  
and RESOLVED THAT THAT THE MEMORANDUM BEING THE JUNE 2009  
MANAGEMENT REPORT BE RECEIVED.

Mr Adamson spoke to the summary of activities listed in his memorandum and clarified some of the issues.

Representatives of the Department of Internal Affairs met with the Southern Rural Fire Authority and PRFO in May to discuss the business model and why it worked. The Minister was encouraging other RFA's to merge into similar operations and the visit was for DIA staff who were working with the NRFA to document how SRFA operated.

The Southland Flood Roadshow was currently touring the District and would be publicised when they it was in the various areas.

The meeting then discussed the Issues and Options Papers associated with the review of the District Plan. Mr Adamson said it was one of the most important activities Council would be involved with as the review would make a big difference to the District. He was concerned the public underestimated the importance of the documents.

Mr Adamson referred to a letter received from Environment Southland regarding the appointment of Alternate Members to the Regional Transport Committee. The letter referred to the Local Government Know-How Guide "Guide on Transport Planning and Funding in New Zealand" in which it stated "A Regional Council cannot appoint additional or alternate members". Mr Adamson said he intended to speak to other CEO's to gauge their feelings on the matter.

**7.3 BUILDING CONSENTS AND VALUES FOR MAY 2009**

300/40/1/3

r/09/6/7694 [mc]

Memorandum by Mr K O'Connor dated 4 June 2009.

Moved Cr Harpur, seconded Cr Jack

and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND VALUES FOR MAY 2009 BE RECEIVED AS INFORMATION.

**7.4 NON-NOTIFIED RESOURCE CONSENTS - MAY 2009**

360/15/3/5

r/09/6/7695 [mc]

Memorandum by Miss J Green dated 4 June 2009.

Moved Cr Dillon, seconded Cr Macpherson

and RESOLVED THAT THE MEMORANDUM ON THE NON-NOTIFIED RESOURCE CONSENTS PROCESSED BY THE RESOURCE MANAGEMENT DEPARTMENT STAFF UNDER DELEGATION FROM THE COUNCIL DURING MAY 2009 BE RECEIVED AS INFORMATION.

**8.0 VENTURE SOUTHLAND**

There were no reports from Venture Southland.

**9.0 LATE ITEM****9.1 AMENDMENT TO DOG CONTROL POLICY**

300/15/4/1

r/09/6/8481 [dc]

Report by Mr Lindsay McKenzie dated 18 June 2009.

It was intended to place coloured maps in the Southland District Council Dog Control Bylaw so as to make it easier to identify the areas where dogs may be exercised, were prohibited and where they must be on a lead.

The first step in this process was to amend the Southland District Council Dog Control Policy, so that the Policy contained the new maps.

Details of the intended amendment must be publicly notified, and notice served on the owner of any dog registered with the Southland District Council.

Submissions must be invited and would close on 7 August 2009.

Moved Cr Macpherson, seconded Cr Harpur

and RESOLVED THAT THE REPORT ADVISING OF THE NECESSITY OF AMENDING THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL POLICY BE RECEIVED.

Moved Cr Drummond, seconded Cr Ford

and RESOLVED:

- (a) THAT THE DOG CONTROL POLICY BE AMENDED SO THAT IT INCLUDES THE COLOURED MAPS THAT MAKE IT EASIER TO IDENTIFY THE AREAS WHERE DOGS MAY BE EXERCISED, ARE PROHIBITED AND MUST BE ON A LEAD AND THIS BE PUBLICLY NOTIFIED AND FORWARDED TO THE OWNERS OF ALL DOGS.

- (b) THAT SUBMISSIONS ON THIS AMENDMENT BE INVITED, AND CLOSE ON 7 AUGUST 2009.

10.0 **EXCLUSION OF PUBLIC**

- 10.1 Moved Cr Bailey, 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 MEETING CONFIDENTIAL MINUTES DATED 27 MAY 2009  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 10 JUNE 2009  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL FORESTRY COMMITTEE MEETING MINUTES DATED 11 FEBRUARY 2009  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE CONFIDENTIAL MEETING MINUTES DATED 13 MAY 2009  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE MEETING MINUTES DATED 17 APRIL 2009  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

LEGALISATION OF OUNETOTA ROAD  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

CHIEF EXECUTIVE OFFICER - SALARY 2009/10  
SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

CHIEF EXECUTIVE PERFORMANCE REVIEW PLAN - KEY PERFORMANCE OBJECTIVES 2009/10  
SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL EXECUTIVE CONFIDENTIAL MEETING MINUTES DATED 9 JUNE 2009  
SECTIONS 7(2)(a), 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.

10.2 **EXCLUSION OF PUBLIC - STAFF**

Moved Cr Bailey, 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.

CHIEF EXECUTIVE  
GROUP MANAGER CUSTOMER AND FINANCIAL SERVICES  
GROUP MANAGER REGULATORY SERVICES  
GROUP MANAGER SERVICES AND ASSETS

THE STAFF MEMBERS LISTED ABOVE WERE NOT PRESENT WHEN ITEMS C.3.0 AND C.4.0 WERE CONSIDERED.

SENIOR ADMINISTRATION OFFICER WAS PRESENT FOR THE FULL CONFIDENTIAL DELIBERATIONS.

There being no further business, the meeting was declared closed at 2.30 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: