

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

25 NOVEMBER 2009

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held in the Council Chambers, Southland District Council Office, 15 Forth Street, Invercargill on WEDNESDAY, 25 NOVEMBER 2009 at 1.00 PM.

PRESENT: Mayor F Cardno, (Chairperson) Crs L A Bailey, Cr J Copland, R A Dobson, 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, L McKenzie and Mrs J O'Shannessy.

W Heerdegen, B Halligan, K McNaught, A Robson, N Taylor, M Voss, R Capil and F Price.

1.0 **APOLOGIES**

An apology was received from Cr Douglas.

Moved Cr Ridley, seconded Cr Drummond 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 Bailey, seconded Cr Dillon 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:

- * POLICY MANUAL FINANCIAL DELEGATION
Report by Mr W Heerdegen dated 20 November 2009.
- * COMPLAINT - MANAPOURI CDA MEMBERS
Report by Mr D Adamson dated 16 November 2009.

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**

No miscellaneous items were listed in this section of the meeting.

5.0 **MINUTES**

5.1 **COUNCIL**

5.1.1 **SOUTHLAND DISTRICT COUNCIL MEETING DATED 28 OCTOBER 2009**
Minutes for Confirmation.

Moved Cr Dillon, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
MEETING DATED 28 OCTOBER 2009 BE CONFIRMED AS A TRUE AND
CORRECT RECORD.

5.1.2 **SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY MEETING DATED
30 OCTOBER 2009**
Minutes for Confirmation.

Moved Cr Dillon, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
EXTRAORDINARY MEETING DATED 30 OCTOBER 2009 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 28 OCTOBER 2009**
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
28 OCTOBER 2009 BE ADOPTED.

5.2.2 **SOUTHLAND DISTRICT COUNCIL CIVIL DEFENCE EMERGENCY MANAGEMENT
COMMITTEE MEETING MINUTES DATED 11 NOVEMBER 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
11 NOVEMBER 2009 BE ADOPTED.

5.2.3 **SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING MINUTES
DATED 28 OCTOBER 2009**
Minutes for Adoption.

Moved Cr Duffy, seconded Cr Ridley
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
EXECUTIVE COMMITTEE MEETING DATED 28 OCTOBER 2009 BE ADOPTED.

5.2.4 SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING MINUTES DATED 14 OCTOBER 2009

Minutes for Adoption.

Moved Cr Duffy, seconded Cr Jack and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING DATED 14 OCTOBER 2009 BE ADOPTED.

5.2.5 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - OSBORNE CONTRACTORS LTD - MINUTES DATED 10 JULY 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - OSBORNE CONTRACTORS LTD DATED 10 JULY 2009 BE ADOPTED.

5.2.6 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - A R AND L M ROE - MINUTES DATED 10 JULY 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - A R AND L M ROE - DATED 10 JULY 2009 BE ADOPTED.

5.2.7 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - D E HUGHES - MINUTES DATED 10 JULY 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - D E HUGHES - DATED 10 JULY 2009 BE ADOPTED.

5.2.8 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE - PROPOSED TE ANAU PLAN CHANGES - MINUTES DATED 10 JULY 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE - PROPOSED TE ANAU PLAN CHANGES DATED 10 JULY 2009 BE ADOPTED.

5.2.9 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - N PRESACCO - MINUTES DATED 10 JULY 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - N PRESACCO DATED 10 JULY 2009 BE ADOPTED.

- 5.2.10 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - SECOND GENERATION DISTRICT PLAN PROGRESS UPDATE - MINUTES DATED 14 AUGUST 2009
Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - SECOND GENERATION DISTRICT PLAN PROGRESS UPDATE - DATED 14 AUGUST 2009 BE ADOPTED.

- 5.2.11 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - IDESIA INVESTMENTS LTD - MINUTES DATED 11 SEPTEMBER 2009
Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE HEARING - IDESIA INVESTMENTS LTD - DATED 11 SEPTEMBER 2009 BE ADOPTED.

5.3 SUBCOMMITTEES OF COUNCIL

- 5.3.1 BROWNS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 13 OCTOBER 2009
Minutes to be received.

Moved Cr Bailey, seconded Cr Dobson
and RESOLVED THAT THE MINUTES OF THE BROWNS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 13 OCTOBER 2009 BE RECEIVED.

- 5.3.2 COLAC BAY COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 1 OCTOBER 2009
Minutes to be received.

Moved Cr Dobson, seconded Cr Harpur
and RESOLVED THAT THE MINUTES OF THE COLAC BAY COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 1 OCTOBER 2009 BE RECEIVED.

- 5.3.3 DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 15 OCTOBER 2009
Minutes to be received.

Moved Cr Bailey, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 15 OCTOBER 2009 BE RECEIVED.

- 5.3.4 LIMEHILLS/CENTRE BUSH COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 13 OCTOBER 2009
Minutes to be received.

Moved Cr Bailey, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE LIMEHILLS/CENTRE BUSH COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 13 OCTOBER 2009 BE RECEIVED.

5.3.5 OHAI RAILWAY FUND SUBCOMMITTEE MEETING MINUTES DATED 5 NOVEMBER 2009

Minutes to be received.

Moved Cr Drummond, seconded Cr Harpur and RESOLVED THAT THE MINUTES OF THE OHAI RAILWAY FUND SUBCOMMITTEE MEETING DATED 5 NOVEMBER 2009 BE RECEIVED.

5.3.6 OREPUKI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 1 OCTOBER 2009

Minutes to be received.

Moved Cr Dobson, Cr Harpur and RESOLVED THAT THE MINUTES OF THE OREPUKI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 1 OCTOBER 2009 BE RECEIVED.

5.3.7 THORNBURY COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 1 OCTOBER 2009

Minutes to be received.

Moved Cr Dobson, seconded Cr Harpur and RESOLVED THAT THE MINUTES OF THE THORNBURY COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 1 OCTOBER 2009 BE RECEIVED.

5.3.8 WOODLANDS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 2 OCTOBER 2009

Minutes to be received.

Moved Cr Jack, seconded Cr Duffy and RESOLVED THAT THE MINUTES OF THE WOODLANDS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 2 OCTOBER 2009 BE RECEIVED.

5.4 JOINT COMMITTEES OF COUNCIL

VENTURE SOUTHLAND JOINT COMMITTEE MEETING MINUTES DATED 13 OCTOBER 2009

Minutes to be received.

Moved Cr Duffy, seconded Cr Jack and RESOLVED THAT THE MINUTES OF THE VENTURE SOUTHLAND JOINT COMMITTEE MEETING DATED 13 OCTOBER 2009 BE RECEIVED.

5.5 ACTION SHEET

5.5.1 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

For Adoption.

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

6.0 **REPORTS**

6.1 **AMENDMENTS TO RESOURCE MANAGEMENT DELEGATIONS RESULTING FROM THE RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING AMENDMENT ACT) 2009**

360/15/1/5

r/09/10/17143 [dc]

Report by Mr B G Halligan dated 19 October 2009.

The Resource Management (Simplifying and Streamlining) Amendment Act had recently been enacted into law, and came into effect on 1 October 2009.

The Act had necessitated numerous amendments to the Council's existing delegations under the Resource Management Act to staff to perform various functions. Therefore, an amendment Instrument of Delegation had been prepared for the Council's consideration and authorisation.

Moved Cr Dobson, seconded Cr Macpherson and RESOLVED THAT THE COUNCIL RECEIVE THE REPORT ON THE SUGGESTED AMENDED INSTRUMENT OF DELEGATION UNDER THE RESOURCE MANAGEMENT ACT 1991 FOR CONSIDERATION.

Mr Halligan spoke to his report and pointed out that when reviewing the document, Councillors may notice that in some areas, delegation down to Resource Management Planner level had been removed. The reason for this was that due to the significant liabilities which could attach to documents, it was desirable for a senior level review of all documents to take place.

He also believed it was imperative that Council operated under a current Instrument of Delegation which appropriately reflected the amended legislation.

The limited notification process was also explained and the possible cost reduction for applicants brought about by the streamlining of the process.

Moved Cr Ridley, seconded Cr Dobson and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL RESOLVES TO APPROVE THE INSTRUMENT OF DELEGATION (ATTACHED AS APPENDIX I) UNDER THE RESOURCE MANAGEMENT ACT 1991 WITH APPROPRIATE MODIFICATIONS TO REFLECT THE RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING) AMENDMENT ACT 2009.

6.2 **ROAD STOPPING - FERNHILL**

50/0/13/9

r/09/10/17627 [msc]

Report by Mr Kevin McNaught dated 30 October 2009.

In September 2008, Council resolved to start the process to stop an unformed portion of Bedford Street at Fernhill, at the request of Fernhill Limeworks Limited who was one of the adjoining landowners. Since then the process had worked through the statutory processes. That had included obtaining the consent of the Minister of Land Information and receiving no objections to the public notification from the other adjoining landowners or anyone else.

As all the approvals had been obtained, and no objections were received to the proposed stopping, Council was required to publicly notify that the road was now stopped.

Moved Cr Bailey, seconded Cr Jack
and RESOLVED:

- (a) THAT COUNCIL PUBLICLY NOTIFY THAT THE PORTION OF BEDFORD STREET AT FERNHILL DEFINED AS SECTION 1 SO PLAN 415206 BE STOPPED.
- (b) THAT THE ROAD WHEN STOPPED BE SOLD TO FERNHILL LIMEWORKS LIMITED WHO IS ONE OF THE ADJOINING LAND OWNERS AND THAT SECTION 1 BE AMALGAMATED WITH COMPUTER FREEHOLD REGISTER SL8C/662.

6.3 FORMER OHAI RAILWAY BOARD ROLLING STOCK

2021/0042/0 and 240/20/18/1

r/09/11/18390 [kk]

Report by Mr K McNaught dated 12 November 2009.

Recommendation of Council appointed Subcommittee in respect to some of the former Ohai Railway Board rolling stock currently stored at Wairio.

Moved Cr Harpur, seconded Cr Bailey
and RESOLVED THAT THE REPORT ON THE FORMER OHAI RAILWAY BOARD ROLLING STOCK BE RECEIVED.

At the Council meeting held 25 March 2009, a request from Mr Colin Brown of Fairfax to lease and possibly own the Tuatapere Railway Station and railway goods shed was considered. This matter was resolved. However, Mr Brown also wanted to obtain the use of some of the former Ohai Railway Board rolling stock at Wairio. A subcommittee comprising Crs Harpur, Drummond and Bailey was established and with the assistance of staff and a visit to Mr Brown and also the Wairio site, it was agreed to recommend to Council that three items of rolling stock be loaned to Mr Brown. This would be subject to a suitable loan document being prepared and signed. Mr McNaught explained that the rolling stock was on loan as long as Mr Brown still operated the building. The agreement was being prepared by Council's legal advisor and would be subject to the approval of the Chief Executive.

It was agreed the Garston request for rolling stock could be considered when this was resolved.

Moved Cr Drummond, seconded Cr Harpur
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL AGREE TO LOAN TO COLIN BROWN OF FAIRFAX SOME OF THE FORMER OHAI RAILWAY BOARD ROLLING STOCK AT WAIRIO BEING ONE La WAGON AND TWO Yb BALLAST WAGONS ON THE CONDITION THAT A LOAN AGREEMENT DOCUMENT BE ENTERED INTO ON CONDITIONS ACCEPTABLE TO COUNCIL'S CHIEF EXECUTIVE OFFICER.

6.4 FERNLEA SUBDIVISION: TALBOYS DRIVE

360/10/08/392

r/09/11/18540 [dc]

Report by Mr M W Voss dated 16 November 2009.

The Winton Community Board had approved Talboys Drive as the name for the Fernlea Subdivision access road.

Moved Cr Bailey, seconded Cr Macpherson
THAT COUNCIL ENDORSES THE NAME OF TALBOYS DRIVE AS THE NAME FOR THE FERNLEA SUBDIVISION ACCESS ROAD AS APPROVED BY THE WINTON COMMUNITY BOARD.

6.5 SOUTHLAND - OTAGO DISTRICT HEALTH BOARDS GOVERNANCE AND REPRESENTATION MERGER

140/20/3/1

r/09/11/18659 [dc]

Report by Mr W Heerdegen dated 17 November 2009.

The Southland and Otago District Health Boards (DHBs) had released a discussion document seeking public feedback on the amalgamation of both DHBs governance and representation functions.

Moved Cr Dobson, seconded Cr Jack
and RESOLVED THAT THE REPORT ON SOUTHLAND - OTAGO DISTRICT HEALTH BOARDS GOVERNANCE AND REPRESENTATION MERGER BE RECEIVED.

The report recommended a submission on the document proposing an alternative governance and representation model using wards to elect members of the Board, rather than the "at large" model used currently to elect members. It was thought the use of wards may provide a better mechanism to ensure the fair and effective representation of communities on the Board.

A possible ward based model would likely see five wards (Dunedin, Invercargill, Queenstown, Otago, Southland/Gore) electing seven members, with three members from the Dunedin ward and one member from each of the other wards.

Submissions on the discussion document would close on Friday, 11 December 2009.

The report referred to the possibility of higher savings being achieved with the merger. Members agreed this should be possible.

Another point the meeting made was that there needed to be an assurance the funding for 'satellite' health centres would continue.

Moved Cr Ridley, seconded Cr Bailey
and RESOLVED THAT THE COUNCIL APPROVES THE MAKING OF A SUBMISSION ON THE ONE DISTRICT HEALTH BOARD DISCUSSION DOCUMENT RELEASED BY THE SOUTHLAND AND OTAGO DISTRICT HEALTH BOARD THAT FOCUSES ON THE USE OF WARDS TO PROVIDE THE GOVERNANCE AND REPRESENTATION STRUCTURE FOR THE PROPOSED AMALGAMATION OF SOUTHLAND AND OTAGO DISTRICT HEALTH. REFER APPENDIX II.

6.6 AMENDMENT TO DELEGATION - COUNCIL EXECUTIVE COMMITTEE

240/10/5/4

r/09/11/18763 [dc]

Report by Mr W Heerdegen dated 18 November 2009.

A review of the Council Executive Committee delegation had revealed that there was a misalignment between the delegation and the Southland District Council Code of Conduct. The report recommended an amendment to the delegation to ensure consistency and alignment with the Southland District Council Code of Conduct.

Moved Cr Ridley, seconded Cr Macpherson
and RESOLVED THAT THE REPORT ON THE AMENDMENT TO DELEGATION - COUNCIL EXECUTIVE COMMITTEE BE RECEIVED.

Mr Heerdegen explained that at present the delegation was limited only to review Councillors. That did not align with the Code of Conduct which covered all elected and appointed members of Council.

Moved Cr Ford, seconded Cr Bailey

and RESOLVED THAT THE REPORT RELATING TO AMENDING THE SOUTHLAND DISTRICT COUNCIL "COUNCIL EXECUTIVE" COMMITTEE DELEGATION BE AMENDED TO ENSURE ALIGNMENT WITH THE SOUTHLAND DISTRICT COUNCIL CODE OF CONDUCT.

6.7 SISTER CITY RELATIONSHIP

100/45/3/2

r/09/11/18818 [dc]

Report by Mr W Heerdegen dated 18 November 2009.

The report provided options for travel by a delegation from Southland District Council to Cinque Terre.

Moved Cr Macpherson, seconded Cr Duffy

and RESOLVED THAT COUNCIL RECEIVE THE REPORT ON OPTIONS FOR TRAVEL TO CINQUE TERRE AND WERE ASKED TO DETERMINE WHICH TRAVEL OPTION IT SUPPORTED.

It was proposed to send a Council delegation to Cinque Terre in May 2009 to support and develop the Sister City Relationship. The group would spend approximately six days in the area touring, holding a discussion session (economic, social and technical opportunities) and presentations and technical tour.

Mr Adamson said there was approx \$27,000 in the Friendship Committee Reserve (accumulated over the past 3 years). There had been very little contact with Council's sister city in Wyong Shire in recent times. It was his intention to contact Wyong Council to see if the relationship could be rekindled.

To support the delegation and provide technical and liaison assistance, it was proposed that a member of staff accompany the delegation. Full funding of travel expenses to and from Cinque Terre inclusive of accommodation and meals would be covered from the staff budget, Mr Adamson said.

The travel options were then considered with the preference being for Option 2.a. Support for the total travel expenses to and from Cinque Terre inclusive of accommodation and meals whilst in Cinque Terre for the Mayor and Chair of the Friendship Committee.

Mr Adamson clarified that any additional/private travel would be a personal cost.

The visit would not be exclusive to Council representatives as some members of the wider community had indicated their interest in joining the group (at their own expense).

Moved Cr Dobson, seconded Cr Jack
and RESOLVED:

- (a) THAT THE COUNCIL SUPPORT TRAVEL OPTION 2.a. - SUPPORT FOR THE TOTAL TRAVEL EXPENSES TO AND FROM CINQUE TERRE INCLUSIVE OF ACCOMMODATION AND MEALS WHILE IN CINQUE TERRE FOR THE MAYOR AND CHAIR OF THE FRIENDSHIP COMMITTEE.
- (b) THAT AUTHORITY BE DELEGATED TO THE FRIENDSHIP COMMITTEE TO DECIDE ON THE LEVEL OF FINANCIAL SUPPORT THAT WILL BE GIVEN TO FRIENDSHIP COMMITTEE MEMBERS AND OTHERS PLANNING TO ACCOMPANY THE OFFICIAL PARTY.

7.0 MEMORANDA**7.1 MAYOR'S MONTHLY UPDATE**

240/10/7/2

r/09/11/18689

Memorandum by Mayor F Cardno dated 16 November 2009 listing activities she had been involved in over the past month.

Moved Cr Dobson, seconded Cr Copland and RESOLVED THAT THE MAYOR'S MONTHLY UPDATE FOR OCTOBER 2009 BE RECEIVED.

7.2 MANAGEMENT MEMORANDUM

140/45/2/1

r/09/11/18447

Memorandum by Mr D Adamson dated 16 November 2009.

Moved Cr Macpherson, seconded Cr Harpur and RESOLVED THAT THE MANAGEMENT MEMORANDUM FOR OCTOBER BE RECEIVED.

Mr Adamson spoke to his report and referred to updates on the following matters:

- * Southern Rural Fire Authority.
- * Resource Management.
- * Environmental Health.
- * Building Control
- * Dog and Animal Control
- * Information Management.
- * Audit New Zealand.
- * Corporate Rowing Challenge.
- * Cleddau River Flood Protection.
- * Staff Forum.
- * Meeting with Hon Bill English - Roothing.
- * Around the Mountain Cycle Trail.
- * EMCD Co-ordinating Executive Group Meeting.
- * Southland Civil Defence Emergency Management Group.
- * Air New Zealand Chief Executives Meeting.
- * Southland Indoor Leisure Centre Charitable Trust.
- * LGNZ Zone 6 Meeting.
- * Papatotara Coast Road Opening.
- * Property Department
- * Roothing.

7.3 BUILDING CONSENTS AND VALUES FOR OCTOBER 2009

300/40/1/3

r/09/11/17801 [kk]

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

Moved Cr Jack, seconded Cr Drummond and RESOLVED THAT THE BUILDING CONSENTS AND VALUES FOR OCTOBER 2009 BE RECEIVED.

7.4 NON-NOTIFIED RESOURCE CONSENTS - OCTOBER 2009

360/15/3/5

r/09/11/17820 [dc]

Memorandum by Miss J Green dated 3 November 2009.

Moved Cr Harpur, seconded Cr Ridley
and RESOLVED THAT THE NON-NOTIFIED RESOURCE CONSENTS FOR
OCTOBER 2009 BE RECEIVED.

8.0 VENTURE SOUTHLAND**8.1 ACTIVITY UPDATE**

930/15/2/3

r/09/11/18277

Memorandum by Mr J Troon dated 25 November 2009.

Moved Cr Dillon, seconded Cr Jack
and RESOLVED THAT THE VENTURE SOUTHLAND MEMORANDUM BE
RECEIVED FOR INFORMATION PURPOSES.

Messrs Price and Capil referred to the following items:

- * Southland Cycle Trail and Round the Mountain Cycle Trail - There had been lots of communication, but not much "rubber hitting the road", Mr Capil said. The Business Case Report had to be completed and the route definition finalised.
The national cycle trail project manager - John Dunne - had asked Venture Southland to look at co-funding and sponsorship for the trail because of concerns about the estimated \$11 million price tag. The trail needed to be feasible for it to continue. Cycle trails seemed to act as a catalyst for other initiatives in the smaller areas.
The issues were the same as in other areas for trails on non DoC areas, but he was confident they would 'get there', Mr Capil concluded.
- * Silica Project - the project had been a long time coming but should have some information in the next few weeks.
- * Digital Projects-Fibre Optic Network (Invernet), Wireless Technology and Food Network South-Organic Production were other strategic projects the memorandum referred to.
- * SKA - Square Kilometre Array, KAREN - Kiwi Advanced Research and Education Network, Geo Eye, Infrastructure Submissions, Oil Gas and Minerals, Coal Seam Gas, Living Cell Technologies, Air Services, Aircraft Servicing, New Products Pharmaceutical Products Opportunity, Education Southland, Rugby World Cup 2011 and Southland Regional Heritage Committee were all addressed in the report.
- * Enterprise Development, Conference and Events, Brand Programme, Tourism and Community were also updated for members information.

Messrs Price and Capil left the meeting at 2.20 pm.

9.0 URGENT ITEMS**9.1 POLICY MANUAL FINANCIAL DELEGATION**

10/4/4/3

r/09/11/19074

Report by Mr Wayne Heerdegen dated 20 November 2009.

The report requested that the following amendment and addition be made to the Schedule of Financial Delegations to provide interim authority for the signing of roading contracts until an appointment was made to the position of Asset Manager Roding.

Moved Cr Dobson, seconded Cr Macpherson
and RESOLVED THAT THE REPORT ON THE POLICY MANUAL FINANCIAL DELEGATION DATED 20 NOVEMBER 2009 BE RECEIVED.

The purpose of the report was to ensure an appropriate level of expenditure and allow officers to effectively action their work.

Amend Roding Manager to increase the authority to purchase plant, capital items, goods and services within estimates to \$100,000 and provide no limit on the authority to make payments for awarded contracts until an appointment is made to the position of Asset Manager Roding.

Moved Cr Drummond, seconded Cr Dillon
and RESOLVED THAT CHANGES BE MADE TO THE SCHEDULE OF FINANCIAL DELEGATIONS BY THE AMENDMENT AND ADDITION OF THE FOLLOWING:

AMEND THE ROADING MANAGER TO INCREASE THE AUTHORITY TO PURCHASE PLANT, CAPITAL ITEMS, GOODS AND SERVICES WITHIN ESTIMATES TO \$100,000 AND PROVIDE NO LIMIT ON THE AUTHORITY TO MAKE PAYMENTS FOR AWARDED CONTRACTS UNTIL AN APPOINTMENT IS MADE TO THE POSITION OF ASSET MANAGER ROADING.

9.2 COMPLAINT - MANAPOURI CDA MEMBERS

240/20/13/2

r/09/11/18513

Report by Mr David Adamson, dated 16 November 2009 was tabled for members information. The report had been considered at the Council Executive Committee Meeting held that morning and recommendations made to Council. Because of the nature of the business the Council Executive Committee requested Council deal with this matter with urgency. At the start of the Council meeting it was resolved to consider the report as an Urgent Item.

A formal letter of complaint had been received by Council regarding the behaviour of two members of the Manapouri CDA at an informal roadside gathering to discuss the removal of plants from a reserve in Manapouri township.

The Executive Committee had viewed the complaint and the evidence of people that had been present and the following actions had been agreed to:

- a. Letters be written to Mrs Mouat and Mr Bull advising the complaint against them had been considered by the Southland District Council Executive Committee. Both letters would remind them of Section 3.3 of the Code of Conduct - Relationships with the Community.

- b. Letter to be written to the Manapouri CDA.
 - i. Requesting they inform the complainants about the CDA's plans for the area of concern.
 - ii. Informing them of the actions taken by Council.
 - iii. Forward copies of letters being sent to complainant/s and CDA members.
- c. Letter to be written to complainants advising of actions taken.

The meeting discussed the issue and agreed with the actions recommended by the Southland District Council Executive Committee.

Moved Cr Jack, seconded Cr Harpur

and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL SUPPORT THE RECOMMENDATIONS OF THE EXECUTIVE COMMITTEE REGARDING THE COMPLAINT ABOUT THE MANAPOURI CDA MEMBERS AS LISTED BELOW:

- a. THAT LETTERS BE WRITTEN TO MRS MOUAT AND MR BULL ADVISING THE COMPLAINT AGAINST THEM HAD BEEN CONSIDERED BY THE SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE. BOTH LETTERS WOULD REMIND THEM OF SECTION 3.3 OF THE CODE OF CONDUCT - RELATIONSHIPS WITH THE COMMUNITY.
- b. LETTER TO BE WRITTEN TO THE MANAPOURI CDA
 - I. REQUESTING THEY INFORM THE COMPLAINANTS ABOUT THE COMMUNITY DEVELOPMENT AREA COMMITTEES PLANS FOR THE AREA OF CONCERN.
 - II. INFORMING THEM OF THE ACTIONS TAKEN BY COUNCIL.
 - III. FORWARD COPIES OF LETTERS BEING SENT TO COMPLAINANTS AND CDA MEMBERS.
- c. LETTER TO BE WRITTEN TO COMPLAINANTS ADVISING OF ACTIONS TAKEN.

10.0 **EXCLUSION OF PUBLIC**

Moved Cr Dobson, seconded Cr Drummond

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 28 OCTOBER 2009

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

SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 28 OCTOBER 2009

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

SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 28 OCTOBER 2009

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

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT CONFIDENTIAL MINUTES - OSBORNE CONTRACTORS LTD - DATED 10 JULY 2009

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

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT CONFIDENTIAL
MINUTES - A R AND L M ROE - DATED 10 JULY 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT CONFIDENTIAL
MINUTES - D E HUGHES - DATED 10 JULY 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT CONFIDENTIAL
MINUTES - N PRESACCO - DATED 10 JULY 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT CONFIDENTIAL
MINUTES - IDESIA INVESTMENTS LTD - DATED 11 SEPTEMBER 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

EDENDALE WYNDHAM WATER SUPPLY - PURCHASE OF LAND FOR WATER
BORE SITE
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

TE ANAU LIBRARY BUILDING
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

MANAGEMENT REPORT FOR ANNUAL AUDIT
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.

10.1 **EXCLUSION OF PUBLIC - STAFF**

Moved Cr Dobson, seconded Cr Drummond
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
PROJECT MANAGER - WATER AND WASTE SERVICES
PROPERTY MANAGER
CORPORATE PLANNER

FINANCIAL CONTROLLER
SENIOR ADMINISTRATION OFFICER

There being no further business, the meeting was declared closed at 3.10 pm.

CONFIRMED:

CHAIRPERSON:

DATE: