

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

26 AUGUST 2009

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held at the Council Chambers, 15 Forth Street, Invercargill on THURSDAY, 26 AUGUST 2009 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, G Harpur, W Jack and A D Ridley.

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

Mrs V Dillon - in attendance for Item 6.2.
Mr P Bell - in attendance for Item 6.3.
Mr K McNaught - in attendance for Item 6.4.
Ms S Dowling - in attendance for Item C2.1.

1.0 **APOLOGIES**

Crs Ford and Macpherson

Moved Cr Dillon, seconded Cr Dobson
and RESOLVED THAT THE APOLOGIES BE ACCEPTED.

2.0 **NOTIFICATION OF URGENT BUSINESS**

Moved Cr Drummond, seconded Cr Ridley
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 CONFIDENTIAL BUSINESS:

APPOINTMENT OF ACTING CHIEF EXECUTIVE
Report by Mr D Adamson dated 20 August 2009.

ON-SITE FOUL SEWER DRAINAGE CONNECTIONS - EDENDALE AND WYNDHAM SEWERAGE SCHEME
Report by Mr T Bain dated 3 August 2009.

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

3.0 **PUBLIC FORUM**

Moved Cr Bailey, seconded Cr Douglas
and RESOLVED THAT STANDING ORDERS BE SUSPENDED TO ALLOW A
PUBLIC FORUM TO BE HELD.

Life Education Trust - Mrs Val Whyte and Ms Dianne Griffin

Mrs Whyte spoke to the meeting and outlined the history of the Life Education Trust and the background to their request for funding assistance. They had recently had to pay a deposit on a replacement towing unit to pull the mobile classroom because their previous unit had come to the end of its life with rust issues. Mrs Whyte said she believed the motor was still in good condition.

The meeting clarified several points regarding avenues of funding and the amount required.

Mayor Cardno thanked Mrs Whyte and Ms Griffin for their attendance and advised the matter would be discussed later in the meeting.

Mrs Whyte and Ms Griffin left the meeting at 1.20 pm.

Moved Cr Bailey, seconded Cr Jack
and RESOLVED THAT STANDING ORDERS BE REINSTATED.

4.0 **MISCELLANEOUS ITEMS**

The following miscellaneous items were tabled for members' information:

- * Invercargill and Districts Citizens Advice Bureau Minutes of the Management Meeting held 22 July 2009.
- * Ronald McDonald House South Island Trust - Letter of thanks for support re donation of \$1,000 from Allocations Committee to contribute to provision of an Arts Therapist to work with children and young people.

5.0 **MINUTES**

5.1 **COUNCIL**

5.1.1 **SOUTHLAND DISTRICT COUNCIL MEETING DATED 30 JULY 2009** Minutes for Confirmation.

Moved Cr Drummond, seconded Cr Harpur
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
MEETING DATED 30 JULY 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 DATED 30 JULY 2009

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED
30 JULY 2009 BE ADOPTED.

5.2.2 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT MEETING DATED 22 MAY 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
RESOURCE MANAGEMENT MEETING DATED 22 MAY 2009 BE ADOPTED.

5.2.3 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT MEETING MINUTES DATED 26 JUNE 2009

Minutes for Adoption.

Moved Cr Ridley, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
RESOURCE MANAGEMENT MEETING MINUTES DATED 26 JUNE 2009 BE
ADOPTED.

5.3 SUBCOMMITTEES OF COUNCIL

5.3.1 ATHOL COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 9 FEBRUARY 2009

Minutes to be received.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE ATHOL COMMUNITY
DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 9
FEBRUARY 2009 BE RECEIVED.

5.3.2 ATHOL COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 15 JUNE 2009

Minutes to be received.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE ATHOL COMMUNITY
DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 15 JUNE
2009 BE RECEIVED.

5.3.3 GARSTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 9 FEBRUARY 2009

Minutes to be received.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE GARSTON COMMUNITY
DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED
9 FEBRUARY 2009 BE RECEIVED.

- 5.3.4 GARSTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 15 JUNE 2009
Minutes to be received.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE GARSTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 15 JUNE 2009 BE RECEIVED.

- 5.3.5 MOSSBURN COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 28 MAY 2009
Minutes to be received.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE MOSSBURN COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 28 MAY 2009 BE RECEIVED.

- 5.3.6 OHAI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 11 AUGUST 2009
Minutes to be received.

Moved Cr Drummond, seconded Cr Bailey
and RESOLVED THAT THE MINUTES OF THE OHAI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 11 AUGUST 2009 BE RECEIVED.

- 5.3.7 OHAI/NIGHTCAPS/WAIRIO WATER SUPPLY SUBCOMMITTEE MEETING MINUTES DATED 4 AUGUST 2009
Minutes to be received.

Moved Cr Drummond, seconded Cr Ridley
and RESOLVED THAT THE MINUTES OF THE OHAI/NIGHTCAPS/WAIRIO WATER SUPPLY SUBCOMMITTEE MEETING MINUTES DATED 4 AUGUST 2009 BE RECEIVED.

- 5.3.8 NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING MINUTES DATED 4 AUGUST 2009
Minutes to be received.

Moved Cr Drummond, seconded Cr Bailey
and RESOLVED THAT THE MINUTES OF THE NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING HELD 4 AUGUST 2009 BE RECEIVED.

- 5.3.9 TE ANAU BASIN WATER SUPPLIES SUBCOMMITTEE MEETING MINUTES DATED 2 JUNE 2009
Minutes to be received.

Moved Cr Ridley, seconded Cr Harpur
and RESOLVED THAT THE MINUTES OF THE TE ANAU BASIN WATER SUPPLIES SUBCOMMITTEE MEETING MINUTES DATED 2 JUNE 2009 BE RECEIVED.

5.4 JOINT COMMITTEES OF COUNCIL

5.4.1 CO-ORDINATING EXECUTIVE GROUP FOR SOUTHLAND CIVIL DEFENCE EMERGENCY MANAGEMENT MEETING MINUTES DATED 22 APRIL 2009

Minutes to be received.

Moved Cr Copland, seconded Cr Duffy
and RESOLVED THAT THE MINUTES OF THE CO-ORDINATING EXECUTIVE GROUP FOR SOUTHLAND CIVIL DEFENCE EMERGENCY MANAGEMENT MEETING MINUTES DATED 22 APRIL 2009 BE RECEIVED.

5.4.2 SHARED SERVICES FORUM MEETING MINUTES DATED 25 JUNE 2009

Minutes to be received.

Moved Cr Copland, seconded Cr Duffy
and RESOLVED THAT THE MINUTES OF THE SHARED SERVICES FORUM MEETING MINUTES DATED 25 JUNE 2009 BE RECEIVED.

5.4.3 VENTURE SOUTHLAND JOINT COMMITTEE MEETING MINUTES DATED 7 JULY 2009

Minutes to be received.

Moved Cr Copland, seconded Cr Duffy
and RESOLVED THAT THE MINUTES OF THE VENTURE SOUTHLAND JOINT COMMITTEE MEETING MINUTES DATED 7 JULY 2009 BE RECEIVED.

5.4.4 VENTURE SOUTHLAND JOINT COMMITTEE MEETING MINUTES DATED 3 AUGUST 2009

Minutes to be received.

Moved Cr Copland, seconded Cr Duffy
and RESOLVED THAT THE MINUTES OF THE VENTURE SOUTHLAND JOINT COMMITTEE MEETING MINUTES DATED 3 AUGUST 2009 BE RECEIVED.

5.5 ACTION SHEET

5.5.1 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

For Adoption.

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

6.0 REPORTS

6.1 AMENDMENT TO DOG CONTROL POLICY

300/15/4/1

R/09/8/11900 [MC]

Report by Mr L McKenzie dated 12 August 2009.

The proposed amendment to the Southland District Council Dog Control Policy placed coloured maps in the Policy thereby making it easier to establish where the areas were that dogs may be exercised, were prohibited, or should be on a lead, had been publicly notified and notice served on all dog owners, inviting submissions by 7 August 2009.

No submissions had been received and it was therefore recommended that the Policy, including the new maps be confirmed.

Moved Cr Douglas, seconded Cr Dobson
and RESOLVED THAT THE REPORT RELATING TO AMENDING THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL POLICY, SO AS TO INCLUDE COLOURED MAPS THAT WOULD MAKE IT EASIER TO ESTABLISH WHERE THE AREAS WERE THAT DOGS MAY BE EXERCISED, ARE PROHIBITED, OR BE ON A LEAD, BE RECEIVED.

Moved Cr Copland, seconded Cr Jack
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL POLICY BE CONFIRMED INCLUDING THE COLOURED MAPS.

6.2 DOG CONTROL BYLAW 2009

300/10/5/1

r/09/8/11280 [dc]

Report by Mrs V Dillon dated 31 July 2009.

Mrs Dillon was in attendance for this item.

The Dog Control Policy had been amended to incorporate new maps so as to make it easier to establish where the areas were that dogs may be exercised, where dogs were prohibited and where dogs must be on a lead. The amended Bylaw was now submitted to Council for adoption.

Following the adoption of the amended Policy, the Dog Control Bylaw should be amended so that it reflected the Policy. Council's solicitor had reviewed the 2008 Bylaw and suggested the elimination of unnecessary text and rewording of other clauses. The easiest way to introduce the changes including the maps was to adopt a new Bylaw.

Moved Cr Ridley, seconded Cr Duffy
and RESOLVED THAT THE REPORT DATED 31 JULY RELATING TO THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL BYLAW 2209 BE RECEIVED.

It was clarified that working dogs could be on restricted areas provided they were being used to work stock.

Moved Cr Douglas, seconded Cr Jack
and RESOLVED:

- (a) THAT COUNCIL DETERMINES 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 PROBLEMS IN THE CONTROL OF DOGS.
- (b) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 (2) (a) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINES THAT THE PROPOSED DOG CONTROL BYLAW IS THE MOST APPROPRIATE FORM OF BYLAW.
- (c) THAT PURSUANT TO SECTION 155 (2) (b) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINES THAT THE PROPOSED DOG CONTROL BYLAW DOES NOT GIVE RISE TO ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990.

- (d) THAT COUNCIL APPROVES THE STATEMENT OF PROPOSAL ATTACHED TO THIS REPORT AND APPROVES PROCEEDING WITH THE SPECIAL CONSULTATIVE PROCEDURE IN TERMS OF SECTIONS 83 AND 86 OF THE LOCAL GOVERNMENT ACT 2002.

6.3 DOG CONTROL ANNUAL REPORT 2008 / 2009

300/15/3/2

r/09/8/12378 [dc]

Report by Mr P Bell dated 19 August 2009.

Mr Bell was in attendance for this item.

Section 10A of the Dog Control Act 1996 requires Territorial Authorities to report on Dog Control Policy and Practices in respect to each financial year.

This report is for Dog Control for the 2008/2009 year.

Moved Cr Jack, seconded Cr Douglas

and RESOLVED THAT THE REPORT RELATING TO DOG CONTROL POLICIES AND PRACTICES FOR THE 2008/2009 REGISTRATION YEAR BE RECEIVED.

Mr McKenzie advised that although Council had the lowest dog registration fees in New Zealand, there were still 700 owners that hadn't registered their dogs. That amounted to approx 1495 dogs still to be registered.

Mr Bell reminded the meeting that if they became aware of dog control problems in their areas, they should encourage the complainant to contact the Council 0800 number.

6.4 PUBLIC WORKS (OFFER BACK OF AND COMPENSATION FOR ACQUIRED LAND) AMENDMENT BILL

r/09/7/11208

140/10/1/11

Report by Mr K McNaught dated 30 July 2009.

Mr K McNaught was in attendance for this item.

To seek approval for the submission forwarded to Local Government New Zealand in respect to the Public Works (Offer Back of and Compensation for Acquired Land) Amendment Bill.

The Bill was a Maori Party Private Members Bill which had now passed a first reading and been referred to the Local Government and Environment Select Committee for consideration.

The purpose of the Bill was to amend the Public Works Act to provide that former owners of Māori or general land taken or acquired by the Crown for the purposes of a public work were given the first right of refusal to purchase that land where it was no longer required for the public work for which it was originally taken. The Bill also proposed to extend the provisions for solatium payments (compensation for emotional suffering) to enable payments for loss of use or loss of opportunities associated with the use of that land where taken for a public works for which it was not actually used.

The issues with this Bill initially identified by LGNZ were:

While the principles behind the Bill seem reasonable, the Bill gives rise to practical and cost issues for local authorities. We have identified the following issues of relevance to local government:

1. *The Bill refers to land taken by the "Crown" and solatium payment from the "Crown" however it appears to be the intention that it apply to any land taken under the Public Works Act, including by local authorities, Crown Agencies etc. The Bill will need to clarify who the amended provisions apply to.*
2. *The amendment to Section 40(1) requiring offer back when no longer required for original purpose, removes the ability for land taken under the Act to be used for another public work. This is relatively common.*
3. *There are no transitional provisions or timeframes around potential claims. This creates uncertainty, particularly for land that is now used for a purpose other than what it was originally taken for. For example land taken for one public works purpose may since have been fully developed at considerable capital expense for an alternative public works purpose. The status, ownership and investment in that public work may now be at risk.*
4. *Where land has not been used for the public work for which it was originally taken, the ability to apply to the Land Valuation Tribunal for a solatium payment for the loss of use and loss of opportunities creates significant new uncertainty and potential cost for local authorities. Proposed Section 42AA contains little guidance for the Tribunal in assessing the amount of a solatium payment and no maximum payment amount (as compared to current Section 42A).*

Two further issues were identified and are listed below:

- (i) The significant research required to determine application of the Bill for each property, given the wide definition of land held for a Public Work, and the potential financial implications for Councils.
- (ii) The Bill if enacted will slow down and make even more inefficient the property disposal process for land held as a public work.

The meeting discussed the submission and supported the points made.

Moved Cr Drummond, seconded Cr Bailey

and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL APPROVE THE SUBMISSION FORWARDED TO LOCAL GOVERNMENT NEW ZEALAND ON THE PUBLIC WORKS (OFFER BACK OF AND COMPENSATION FOR ACQUIRED LAND) AMENDMENT BILL.

6.4 ROAD STOPPING - SLOPE POINT ROAD

50/0/13/9 - Slope Point Road

r/09/8/12047 [dc]

Report by Ms D Broad dated 14 August 2009.

Council's approval is sought for a road stopping as a result of the realignment of Slope Point Road.

Moved Cr Duffy, seconded Cr Jack
and RESOLVED:

- (a) THAT COUNCIL REQUEST THE MINISTER OF LAND INFORMATION STOP THAT PORTION OF ROAD CONTAINING 1.2005 HECTARES MORE OR LESS BEING SECTION 1 SO 357400 PURSUANT TO THE PUBLIC WORKS ACT 1981.
- (b) THAT WHEN SECTION 1 SO 357400 IS STOPPED THAT IT BE AMALGAMATED WITH THE ADJOINING COMPUTER FREEHOLD REGISTER CT 194050.

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

240/10/7/2

r/09/8/12021

Memorandum by Mayor F Cardno dated 17 August 2009.

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

7.2 LGNZ CONFERENCE 2009

100/30/3/4

r/09/7/12159 [dc]

Memorandum by Cr J Copland dated 17 August 2009.

Moved Cr Ridley, seconded Cr Dobson
and RESOLVED THAT THE MEMORANDUM ON THE LGNZ CONFERENCE 2009
BE RECEIVED AS INFORMATION.

Cr Copland referred to a tour of four waste minimisation projects in Christchurch City he had undertaken prior to the start of the conference.

Iwi Liaison - At a Hui held on Thursday, 13 August 2009, a Charter of Understanding between Queenstown Lakes District Council and Te Ao Marama Incorporated was signed. This was a significant event in the continued partnership Southland enjoyed with the Tangata Whenua of Murihiku and Maoridom of all Iwi.

7.3 LGNZ CONFERENCE 2009

100/30/3/4

r/09/8/12176 [dc]

Memorandum by Cr P Duffy dated 17 August 2009.

Moved Cr Dillon, seconded Cr Douglas
and RESOLVED THAT THE MEMORANDUM ON THE LGNZ CONFERENCE 2009
BE RECEIVED AS INFORMATION.

Cr Duffy had also attended the Local Government Conference in Christchurch which had proved to be a very interesting experience, he concluded.

7.4 MANAGEMENT MEMORANDUM

140/45/2/1

r/09/8/12010

Memorandum by Mr D Adamson dated 14 August 2009.

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

Mr Adamson referred to the following matters in his Memorandum:

- * Biodiversity Workshop at Environment Southland on 5 August 2009.
- * Rates Modelling.
- * LGNZ Conference.
- * Visit by Minister of Local Government, Hon Rodney Hide.
- * Te Roopu Taiao meeting.
- * Opening of Salmon Farm Extension.
- * Cycle Trail Update.
- * Stewart Island Visitor Levy.
- * ICMA Conference - Montreal.

7.5 BUILDING CONSENTS AND VALUES FOR JULY 2009

300/40/1/3

r/09/8/11501 [mc]

Memorandum by Mr K O'Connor dated 5 August 2009.

Moved Cr Drummond, seconded Cr Dillon
and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND
VALUES FOR JULY 2009 BE RECEIVED AS INFORMATION.

7.6 NON-NOTIFIED RESOURCE CONSENTS - JULY 2009

360/15/3/5

r/09/8/11518 [dc]

Memorandum by Miss J Green dated 4 August 2009.

Moved Cr Ridley, seconded Cr Harpur
and RESOLVED THAT THE MEMORANDUM ON THE NON-NOTIFIED RESOURCE
CONSENTS PROCESSED BY THE RESOURCE MANAGEMENT DEPARTMENT
STAFF UNDER DELEGATION FROM THE COUNCIL DURING JULY 2009 BE
RECEIVED AS INFORMATION.

7.7 LIFE EDUCATION TRUST

100/30/5/23

r/09/8/12251 [dc]

Memorandum by Mr P Culling dated 17 August 2009.

Moved Cr Dobson, seconded Cr Jack
and RESOLVED THAT THE MEMORANDUM ON THE REQUEST FOR A
TRUCK/TRACTOR UNIT FOR TOWING THE LIFE EDUCATION TRUST MOBILE
CLASSROOM BE RECEIVED AS INFORMATION.

Mrs Val Whyte - Chairman, Life Education Trust and Ms Dianne Griffin - Treasurer,
Life Education Trust had spoken to Council during the Public Forum section of the
meeting.

Mr Culling explained the background to the loan of the towing unit to the Trust in the early 1990's and the need for a replacement unit now.

The meeting discussed the request and it was suggested the Invercargill City Council, the Mataura Licensing Trust and the Gore District Council should all be asked for assistance by the Trust as the programme covered schools in their areas as well as the SDC areas.

Another option the Trust could consider was to make an application to the SDC Allocations Committee.

Moved Cr Bailey, seconded Cr Dillon
and RESOLVED:

- (a) THAT THE SOUTHLAND DISTRICT COUNCIL COMMEND THE LIFE EDUCATION TRUST FOR THE WORK THEY DO WITH SCHOOL CHILDREN IN SOUTHLAND.
- (b) THAT THE LIFE EDUCATION TRUST BE ENCOURAGED TO APPLY TO THE OTHER SOUTHLAND LOCAL AUTHORITIES, THE MATAURA LICENSING TRUST AND THE SDC ALLOCATIONS COMMITTEE FOR FUNDING ASSISTANCE.

Cr Dillon referred to the residual value of the truck. It was obvious from the comments made by Mrs Whyte that the rust problems on the body of the truck made it unsaleable as a unit but the motor had been kept in good condition and would surely have a value.

Mr Culling to reply to the Trust and also co-ordinate the sale of the the vehicle.

8.0 **VENTURE SOUTHLAND**

8.1 There were no reports from Venture Southland.

9.0 **EXCLUSION OF PUBLIC**

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

SOUTHLAND DISTRICT COUNCIL MEETING CONFIDENTIAL MINUTES DATED
30 JULY 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE
MEETING CONFIDENTIAL MINUTES DATED 22 MAY 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT COMMITTEE
MEETING CONFIDENTIAL MINUTES DATED 26 JUNE 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SHARED SERVICES FORUM CONFIDENTIAL MINUTES DATED 25 JUNE 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

STORMWATER UPGRADE WEST WINTON CHANNEL
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

REVIEW OF COUNCIL EXPENDITURE
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

APPOINTMENT OF ACTING CHIEF EXECUTIVE
SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

ON-SITE FOUL SEWER DRAINAGE CONNECTIONS - EDENDALE AND
WYNDHAM SEWERAGE SCHEME - LATE REPORT
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

- 7(2)(a) PROTECT THE PRIVACY OF INDIVIDUALS, INCLUDING THAT OF ANY DECEASED PERSON;
- 7(2)(f) MAINTAIN THE EFFECTIVE CONDUCT OF PUBLIC AFFAIRS ARISING DIRECTLY FROM THE NEED TO PROTECT MEMBERS AND STAFF FROM IMPROPER PRESSURE OR HARASSMENT.
- 7(2)(i) ENABLE THE COUNCIL TO CARRY OUT NEGOTIATIONS WITHOUT PREJUDICE OR DISADVANTAGE (INCLUDING COMMERCIAL AND INDUSTRIAL NEGOTIATIONS);
- 7(2)(j) PREVENT THE DISCLOSURE OR USE OF OFFICIAL INFORMATION FOR IMPROPER GAIN OR ADVANTAGE.

9.1 **EXCLUSION OF PUBLIC - STAFF**

Moved Cr Ridley, seconded Cr Duffy
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
TECHNICAL OFFICER WATER AND WASTE SERVICES
SENIOR ADMINISTRATION OFFICER

10.0 CONFIDENTIAL DECISION RECORDED IN OPEN MEETING**10.1 APPOINTMENT OF ACTING CHIEF EXECUTIVE**
RESOLVED:

- (a) THAT COUNCIL RECEIVE THE REPORT ON THE APPOINTMENT OF AN ACTING CHIEF EXECUTIVE.
- (b) THAT COUNCIL APPROVES THE APPOINTMENT OF LINDSAY MCKENZIE IN THE ROLE OF ACTING CHIEF EXECUTIVE FOR THE PERIOD OF 7 SEPTEMBER 2009 TO 25 SEPTEMBER 2009.
- (c) THAT COUNCIL ENDORSE THAT THE ACTING CHIEF EXECUTIVE BE APPOINTED TO ACT IN A CARETAKER ROLE ONLY, THEY WILL HAVE NO POWERS OR DELEGATED AUTHORITY TO EMPLOY OR DISMISS STAFF OR UNDERTAKE ANY RESTRUCTURING.

10.2 ON-SITE FOUL SEWER DRAINAGE CONNECTIONS - EDENDALE AND WYNDHAM SEWERAGE SCHEME
RESOLVED:

- (a) THAT THE REPORT BE RECEIVED.
- (b) THAT COUNCIL ADOPT THE FOLLOWING RECOMMENDATIONS MADE AT THE ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING HELD ON 26 AUGUST 2009:
 - (i) THAT THE ACTIVITIES PERFORMANCE AUDIT COMMITTEE RECOMMEND TO THE SOUTHLAND DISTRICT COUNCIL THAT DELTA UTILITY SERVICES LIMITED IS AWARDED THE PHYSICAL ONSITE WORKS CONTRACT AT A TENDER PRICE OF \$2,005,971 SUBJECT TO APPROVAL OF THE WYNDHAM AND EDENDALE COMMUNITY BOARDS.
 - (ii) THAT THE ACTIVITIES PERFORMANCE AUDIT COMMITTEE RECOMMEND TO THE SOUTHLAND DISTRICT COUNCIL TO PROCEED WITH CONSTRUCTION OF THE ON-SITE SEWERAGE CONNECTION WORKS WITHIN THE EDENDALE AND WYDNHAM TOWNSHIPS AT A TOTAL PROJECT COST OF \$2,300,000 EXCLUDING GST.
 - (iii) THAT THE WORKS BE FUNDED FROM A COMBINATION OF A LOAN AND MINISTRY OF HEALTH FUNDING.

There being no further business, the meeting was declared closed at 2.38 pm.

C O N F I R M E D:

CHAIRPERSON:

DATE: