

## **SOUTHLAND DISTRICT COUNCIL**

### **COUNCIL MEETING**

**26 MAY 2010**

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held at the Council Chambers, 15 Forth Street, Invercargill on WEDNESDAY, 26 MAY 2010 at 1.00 PM.

**PRESENT:** Cr J Copland, (Chairperson) Crs J Douglas, B Dillon, B Drummond, B Ford, G Harpur and G MacPherson.

**IN ATTENDANCE:** Messrs D P Adamson, J Bourque, P Culling, B Halligan, C McIntosh, K McNaught, W Heerdegen, and Mrs J O'Shannessy.

Mr J Troon - Venture Southland.

#### 1.0 **APOLOGIES**

Apologies were received from Mayor Cardno, Crs Bailey, Dobson, Duffy, Jack and Ridley.

Moved Cr Douglas, seconded Cr Harpur  
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 Ford, seconded Cr Dillon  
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:

COUNCIL RESPONSE TO GOVERNMENT LEAKY HOMES PROPOSAL  
Report by Mr W Heerdegen dated 24 May 2010.

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**

No items of Miscellaneous Business were recorded in this section of the meeting.

**5.0 MINUTES****5.1 COUNCIL****5.1.1 SOUTHLAND DISTRICT COUNCIL MEETING DATED 28 APRIL 2010**

Minutes for Confirmation.

Moved Cr Drummond, seconded Cr Ford  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
MEETING DATED 28 APRIL 2010 BE CONFIRMED AS A TRUE AND CORRECT  
RECORD.

**5.2 COMMITTEES OF COUNCIL****5.2.1 SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT  
COMMITTEE MEETING MINUTES DATED 28 APRIL 2010**

Minutes for Adoption.

Moved Cr Harpur, seconded Cr Dillon  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING MINUTES DATED  
28 APRIL 2010 BE ADOPTED.

**5.2.2 SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT  
COMMITTEE MEETING MINUTES DATED 12 MAY 2010**

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Macpherson  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING MINUTES DATED  
12 MAY 2010 BE ADOPTED.

**5.2.3 SOUTHLAND DISTRICT COUNCIL CIVIL DEFENCE EMERGENCY  
MANAGEMENT COMMITTEE MEETING MINUTES DATED 12 MAY 2010**

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Harpur  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
CIVIL DEFENCE EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES  
DATED 12 MAY 2010 BE ADOPTED.

**5.2.4 SOUTHLAND DISTRICT COUNCIL FORESTRY OPERATIONS COMMITTEE  
MEETING MINUTES DATED 9 FEBRUARY 2010**

Minutes for Adoption.

Moved Cr Dillon, seconded Cr Macpherson  
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL  
FORESTRY OPERATIONS COMMITTEE MEETING MINUTES DATED  
9 FEBRUARY 2010 BE ADOPTED.

5.2.5 SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING MINUTES DATED 14 APRIL 2010

Minutes for Adoption.

Moved Cr Douglas, seconded Cr Ford and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING MINUTES DATED 14 APRIL 2010 BE ADOPTED.

5.2.6 SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING MINUTES DATED 12 MAY 2010

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Harpur and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING MINUTES DATED 12 MAY 2010 BE ADOPTED.

5.2.7 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT MEETING MINUTES DATED 12 MARCH 2010 - CROWE FAMILY TRUST

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Copland and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT MEETING MINUTES DATED 12 MARCH 2010 - CROWE FAMILY TRUST BE ADOPTED.

5.2.8 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT MEETING MINUTES DATED 28 APRIL 2010

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Douglas and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT MEETING MINUTES DATED 28 APRIL 2010 BE ADOPTED.

5.3 SUBCOMMITTEES OF COUNCIL

5.3.1 MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE PUBLIC MEETING HELD 15 MAY 2010

Minutes for Adoption.

Moved Cr Harpur, seconded Cr Dillon and RESOLVED THAT THE MINUTES OF THE MANAPOURI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE PUBLIC MEETING HELD 15 MAY 2010 BE ADOPTED.

5.4 JOINT COMMITTEES OF COUNCIL

No Joint Committee Minutes were received in the time since the last Council Meeting.

## 5.5 ACTION SHEET

### 5.5.1 SOUTHLAND DISTRICT COUNCIL ACTION SHEET For Adoption.

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

## 6.0 REPORTS

### 6.1 DRAFT SOUTHLAND FLOOD CONTROL MANAGEMENT BYLAW 2010 - ENVIRONMENT SOUTHLAND

r/10/5/5730 [dc]

360/15/4/1

Report by Mr B G Halligan dated 17 May 2010.

Environment Southland had prepared the Draft Southland Flood Control Management Bylaw, which was available for public inspection and submissions until Tuesday, 1 June 2010.

A draft submission had been prepared for the Council's consideration.

Moved Cr Douglas, seconded Cr Ford  
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL RECEIVES THE  
REPORT ON THE DRAFT SOUTHLAND FLOOD CONTROL MANAGEMENT  
BYLAW.

Mr Halligan referred to the following three sections of the Bylaw and the specific comments:

Section 5.1(b) which stated "*no persons shall, without the prior authority of the Council granted in accordance with this Bylaw ... construct anything in, on, over or through or under the bed or floodway of any body of water or any flood control work*"

It was noted that the Southland District Council had a number of water supply headworks which were within the bed or floodway of bodies of water, such as the Riverton water supply intake which was from a well adjacent to the Aparima River approximately 6 kilometres upstream from the treatment plant.

Council would request that Section 5 of the Bylaw includes a provision to recognise such instances and make it clear that they did not constitute a breach of the Bylaw.

Section 5.1(f) - which stated that "*no person shall, without the prior authority of the Council granted in accordance with this Bylaw ... dump or deposit anything on or in the bed or floodway of any body of water or in any flood control work*".

The Southland District Council fully supported the intent of this clause, and noted that in recent flood events a large amount of silage and baleage had been deposited within the floodways of major watercourses, resulting in this silage and baleage being carried away with potential for damage to Council infrastructure such as downstream bridges.

The Southland District Council requested that Environment Southland makes specific reference to the issue in the Bylaw by stating specifically that it included the depositing of silage and baleage within the floodway, so as to make it very clear that such activity is unacceptable.

After discussion it was suggested that for clarity, wording along the lines of "no silage or baleage shall be stored on the river/waterway side of a flood control work" or similar be added.

This could be added to clarify and cover such situations.

Section 7.1 - This clause required that "every owner on whose land there is, or through which there flows a body of water, shall keep the body of water in the adjoining land for a distance of 20 metres from the body of water free of all vegetation likely to obstruct the free flow of water in the body of water or to impede access for machinery to the water body to construct or maintain flood control works."

Council supported the intent of this section, which was to ensure that unimpeded flow of water and unimpeded access for flood protection works maintenance was maintained, the Southland District Council administers very large areas of land adjoining waterbodies, being mostly unformed legal road which adjoins thousands of kilometres of waterbodies within the Southland District.

Council could not categorically guarantee that at all times there was no vegetation on those areas of land which would not impede the flow of water or impede machinery access, so the Council would hope that Environment Southland would take a consultative approach to any such future situations should any issues arise, rather than enforcement approach provided for under Section 8 in the first instance.

Moved Cr Macpherson, seconded Cr Dillon  
and RESOLVED THAT COUNCIL ENDORSE THE DRAFT SUBMISSION TO THE DRAFT SOUTHLAND FLOOD CONTROL MANAGEMENT BYLAW AS AMENDED AT THE MEETING AND FORWARDED TO ENVIRONMENT SOUTHLAND.

## 6.2 REVIEW OF FIRE PREVENTION (VEGETATION) BYLAW 2005/PROPOSED FIRE PREVENTION (VEGETATION) BYLAW 2010

160/15/7/2, 300/10/6/1

Report by Mrs V Dillon dated 12 May 2010.

The 2005 Fire Prevention (Vegetation) Bylaw was required to be reviewed in terms of Section 158 of the Local Government Act 2002.

The proposed 2010 Bylaw was submitted for Council's consideration.

it was explained to the meeting that when a Fire Ban was put in place by the Southern Rural Fire Authority, the same rules applied across the urban sector as well. The Bylaw had the full support of the New Zealand Fire Service.

Moved Cr Dillon, seconded Cr Douglas  
and RESOLVED:

- (a) THAT THE REPORT DATED 12 MAY 2010 RELATING TO A REVIEW OF THE SOUTHLAND DISTRICT COUNCIL FIRE PREVENTION (VEGETATION) BYLAW 2005 AND THE PROPOSED SOUTHLAND DISTRICT COUNCIL FIRE PREVENTION (VEGETATION) BYLAW 2010 BE RECEIVED.
- (b) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 OF THE LOCAL GOVERNMENT ACT 2002 IT BE AGREED THAT A BYLAW IS THE MOST APPROPRIATE WAY OF ADDRESSING MANAGEMENT OF VEGETATION FIRE ACTIVITIES WITHIN THE URBAN AREAS OF THE SOUTHLAND DISTRICT COUNCIL.

- (c) THAT PURSUANT TO THE PROVISIONS OF SECTION 155 (2) (a) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINES THAT THE DRAFT PROPOSED SOUTHLAND DISTRICT COUNCIL FIRE PREVENTION (VEGETATION) BYLAW 2010 IS THE MOST APPROPRIATE FORM OF BYLAW.
- (d) THAT PURSUANT TO SECTION 155 (2) (b) OF THE LOCAL GOVERNMENT ACT 2002, COUNCIL DETERMINES THAT THE PROPOSED FIRE PREVENTION (VEGETATION) BYLAW 2010 DOES NOT GIVE RISE TO ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990.
- (e) 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 BRIDGE WEIGHT RESTRICTION POSTINGS

50/0/9/3

Report by Mr J Laskewitz of MWH New Zealand dated 14 May 2010.

The attached report from MWH New Zealand Ltd updated the list of posted bridges within the Southland District. The posting weight limits were based on inspections carried out as a part of the six yearly major structural review of the bridge network. The attached schedule contains changes to bridge postings due to general deterioration in condition as well as a temporary reduction due to recent flood damage. One posting was revoked due to replacement of the structure.

Mr McIntosh advised that in the recent flooding, it was discovered Council Officers (on behalf of the Road Controlling Authority) did not have the appropriate delegation to authorise the re-posting of a bridge that had been damaged by the flooding. Currently, all changes had to be made by resolution of Council.

He asked that authority be delegated to staff to make decisions regarding bridge postings in the event of an emergency situation. If an emergency decision had to be made, notification of actions taken would be presented at the next meeting of Council.

Moved Cr Douglas, seconded Cr Dillon  
and RESOLVED:

- (a) THAT THE SOUTHLAND DISTRICT COUNCIL CONFIRMS THE MAXIMUM WEIGHT AND SPEED LIMITS FOR HEAVY MOTOR VEHICLES ON BRIDGES AS LISTED. REFER APPENDIX I.
- (b) THAT THE WEIGHT LIMITS BE NOTIFIED TO THE NEW ZEALAND POLICE, NEW ZEALAND TRANSPORT AGENCY AND BY PUBLIC NOTICE IN DAILY NEWSPAPERS.
- (c) THAT IN THE CASE OF AN EMERGENCY, AUTHORITY BE DELEGATED TO THE CHIEF EXECUTIVE OFFICER AND THE GROUP MANAGER SERVICES AND ASSETS OR STRATEGIC MANAGER TRANSPORT, TO POST A WEIGHT RESTRICTION ON A BRIDGE.

- (d) THAT IF THE AUTHORITY REFERRED TO IN (c) ABOVE, IS EXERCISED, COUNCIL BE ADVISED OF ACTIONS TAKEN WITH REGARD TO CHANGES IN BRIDGE POSTINGS.

#### 6.4 LAND EXCHANGE FOR EDENDALE COMMUNITY CENTRE SITE

S1476/22/0

r/10/5/5204 [dc]

Report by Mr K McNaught dated 4 May 2010.

The Edendale Community Board had resolved to proceed with various funding applications to construct a new Community Centre in the township to replace the existing hall that has outlived its usefulness and was deemed to be an earthquake risk.

As part of the funding activities, three options for the location of the complex were investigated. These were at the existing site, at the Recreation Reserve and at the Edendale School. A poll was taken with the ratepayers who contribute to the hall levy and the result was in favour of using a site at the school.

The School Board was intending to build a new amenity room/classroom and the preferred site for this was on the unformed paper road that bisects the school property. Council policy did not allow for the construction of buildings over a road and this meant that the building had to be resited at a location that may have created logistical problems for the school operations.

Discussions have been held with the Edendale School Board of Trustees and the Community Board, with input from both Council and Ministry of Education staff. Agreement was reached for a land exchange that would involve Council closing the paper road, thus allowing the School Board to build on its preferred site and for Council to have a similar area of land within the school boundary declared as Council land. It was agreed that the Community Board would be responsible for the costs involved in the land exchange. The cost for this would be included in the budget for the new complex.

Building a community facility on community land (owned by Council) was the most appropriate, and as such a land exchange would be a win-win for both Council and the Ministry. The proposed location was also desirable as it would allow the school and Fonterra to use the facility.

Mr Halligan advised he had received two phone calls from people that were not in favour of the proposed site.

Moved Cr Dillon, seconded Cr Harpur  
and RESOLVED:

- (a) THAT THE REPORT ON THE PROPOSED LAND EXCHANGE FOR A SITE TO BE USED AS THE EDENDALE COMMUNITY CENTRE BE RECEIVED.
- (b) THAT THE SOUTHLAND DISTRICT COUNCIL RESOLVE THAT SUBJECT TO AGREEMENT BEING REACHED WITH THE MINISTRY OF EDUCATION:
- (i) THAT THE PORTION OF BATH STREET EDENDALE SHOWN AS AREA 1 ON THE ATTACHED PLAN BE STOPPED PURSUANT TO THE PUBLIC WORKS ACT 1981.

- (ii) THAT PURSUANT TO THE PUBLIC WORKS ACT 1981 THE STOPPED ROAD BE EXCHANGED WITH THE MINISTRY OF EDUCATION FOR AREA 2 ON THE ATTACHED PLAN WITH AREA 2 TO BE USED FOR THE NEW EDENDALE COMMUNITY CENTRE SITE.
  - (iii) THAT AN EASEMENT BE ENTERED INTO WITH THE MINISTRY OF EDUCATION OVER AREA 3 ON THE ATTACHED PLAN TO ALLOW EGRESS FROM THE PROPOSED COMMUNITY CENTRE SITE ON TO SALFORD STREET.
- (c) THAT COUNCIL ACKNOWLEDGE THAT RESOURCE AND BUILDING CONSENTS WILL BE REQUIRED PRIOR TO THE CONSTRUCTION OF THE COMMUNITY CENTRE BUILDING.

Further community input into the proposal will be addressed as part of any Resource Consent or Designation sought by Council to allow the construction of the Community Centre building.

#### 6.5 VACANCY - WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE

240/20/28/2

r/10/5/5254 [jo]

Report by Mrs J O'Shannessy dated 5 May 2010.

A vacancy had occurred on the Waikaia Community Development Area Subcommittee due to two resignations.

The Waikaia CDA subcommittee appointed Mrs Shirley Walker and Mr Barry Lawrence at its meeting held 5 May 2010 and now sought Council's approval.

Moved Cr Dillon, seconded Cr Douglas  
and RESOLVED:

- (a) THAT THE REPORT ON THE FILLING OF VACANCIES ON THE WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE BE RECEIVED.
- (b) THAT THE APPOINTMENT OF MRS SHIRLEY WALKER AND MR BARRY LAWRENCE BE CONFIRMED AS MEMBERS OF THE WAIKAIA COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE.

#### 6.6 KIDS VOTING 2010

240/25/2/2

r/10/4/4832

Report by Mrs R Heerdegen dated 17 May 2010.

Kids Voting is a Local Government New Zealand (LGNZ) co-ordinated project, designed to improve young peoples' understanding of, and participation in, electoral and democratic process.

In 2007, Council provided a liaison role for Kids Voting 2007 (Local Government elections) for two of the District's high schools. Evaluations show that, at a national level, awareness and understanding of voting improved as a result of the programme. Council also registered for Kids Voting 2008 (General elections), though Council did not have an active role with the schools.

LGNZ is now seeking registrations for Kids Voting 2010. The report recommended that Council support Kids Voting 2010, and sought an indication of the level of involvement Council wished to have.

Options available included:

- (a) Staff liaison with schools.
- (b) Councillor and candidate visits to schools in support of Kids Voting.
- (c) Potential Youth Council involvement (to be discussed with Youth Council).

Moved Cr Ford, seconded Cr Macpherson  
and RESOLVED:

- (a) THAT THE REPORT RELATING TO KIDS VOTING 2010 BE RECEIVED.
- (b) THAT COUNCIL SUPPORT KIDS VOTING 2010.

Mr J Troon entered the meeting at 1.52 pm.

Mr Culling explained that when the process had been used three years ago the focus had been on providing an opportunity for young people to become aware of the electoral process rather than encouraging them to vote when they were old enough.

Mr Heerdegen advised he would be in contact with the High Schools in the District regarding their level of involvement in the project.

If there was sufficient interest from the schools, Councillors from the schools' own area would be invited to come and speak to pupils.

Moved Cr Macpherson, seconded Cr Douglas  
and RESOLVED THAT COUNCIL SUPPORT THE FOLLOWING ACTIONS  
RELATING TO KIDS VOTING 2010:

- (i) STAFF LIAISON WITH DISTRICT HIGH SCHOOLS.
- (ii) COUNCILLOR AND CANDIDATE VISITS TO SCHOOLS.
- (i) POTENTIAL YOUTH COUNCIL INVOLVEMENT.

## 6.7 POLICY MANUAL FINANCIAL DELEGATION

140/20/2/1

r/10/5/5995

Report by Mr W Heerdegen dated 19 May 2010.

This report requests that the following amendment be made to the Schedule of Financial Delegations to provide authority for the signing of roading contracts by the Strategic Manager Transport to replace the existing authority provided to the Asset Manager Roding. This will ensure an appropriate level of expenditure and to allow officers to effectively action their work.

- (a) Replace the authority for signing of roading contracts by Asset Manager Roding to an authority to sign roading contracts by the Strategic Manager Transport with 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.

Moved Cr Drummond, seconded Cr Ford  
and RESOLVED THAT A CHANGE BE MADE TO THE SCHEDULE OF FINANCIAL  
DELEGATIONS BY THE DELETION OF THE REFERENCE TO THE ASSET  
MANAGER RADING AND BEING REPLACED BY THE STRATEGTIC MANAGER  
TRANSPORT.

## 6.8 ELECTED MEMBERS REMUNERATION AND REIMBURSEMENTS

240/10/1/6

r/10/5/6008

Report by Mr W Heerdegen dated 19 May 2010.

This report requests that an amendment be made to the Elected Members Remuneration and Reimbursements Policy to include the Administration Officer as a person who can approve Councillors mileage claims.

At present any variation must be with the approval of the Mayor or Chief Executive. It would be more administratively efficient to include the Administration Officer as a person who can approve a mileage claim with the Mayor or Chief Executive to approve any variations to the policy.

The new wording (*italicised*) for the policy would read as follows:

*Elected Members may make mileage claims for all meetings they are required or invited by Council. All claims are based on travel from the Elected Members normal residence to the meeting place. All claims in accordance with this policy can be approved by the appropriate Administration Officer. Any variation to this must be with the approval of the Mayor or Chief Executive.*

Moved Cr Harpur, seconded Cr Douglas  
and RESOLVED:

- (a) THAT THE REPORT ON THE ELECTED MEMBERS REMUNERATION AND REIMBURSEMENTS BE RECEIVED.
- (b) THAT THE CHANGE IN DELEGATION TO ALLOW THE APPROPRIATE ADMINISTRATION OFFICER TO APPROVE TRAVEL BY ELECTED MEMBERS FROM THEIR NORMAL RESIDENCE TO ATTEND A MEETING REQUIRED OR INVITED BY COUNCIL BE APPROVED.

## 7.0 LATE REPORT

### 7.1 COUNCIL RESPONSE TO GOVERNMENT LEAKY HOMES PROPOSAL

140/20/2/2

r/10/5/6237

Report by Mr W Heerdegen dated 24 May 2010.

The Government had outlined a proposal for a new leaky home scheme and was seeking feedback from local authorities on the proposal by 31 May 2010.

Not all details of how the scheme would work had been announced. It was therefore suggested that any support for the proposal should only be in principle subject to further information.

The Government's proposal provided a positive way forward for leaky homeowners.

Whilst there was only one active leaky home claim in the Southland District (being 0.06% of all current leaky home claims), involvement in the scheme would provide ratepayers an additional option other than litigation should they ever need the scheme's services.

The key elements of the scheme were as listed below:

- The proposal is for owners of homes less than 10 years old that meet the Weathertight Homes Resolution Service Act (WHRS) criteria for a leaky home.
- Government contributes 25% to the agreed repair costs.
- Territorial authorities contribute 25% to agreed repair costs.
- Homeowners choose to opt-in to the scheme and agree to not pursue legal action against the Crown and Councils.
- Eligible owners who opt-in will have access to a loan guarantee to support borrowing from participating banks for remaining repairs.
- Owners are still able to pursue legal action against other parties.

#### Advantages of the proposal

- Some localisation of leaky home costs (Auckland's problems are Auckland Councils problems) rather than potential national funding for localised problems.
- An additional option is available to ratepayers to resolve leaky home problems. The right to pursue a claim against a developer/builder still remains.
- Homeowners who decide not to access the proposal can still pursue a dispute against a Council or the Government through the Weathertight Homes Tribunal or court processes.

#### Disadvantages

- All New Zealanders will be paying for 25% of leaky home repairs via the Government funding. However this is already happening with Crown agencies potentially liable in leaky homes cases.

Up until now, Council had been exposed to the wider issue of leaky homes through Riskpool, but under the Government Proposal, Council would only be responsible for the one house in Southland.

Mr Halligan suggested Southland didn't have as many leaky homes as other areas for a variety of reasons - these included:

- \* good local builders.
- \* low level of building activity.
- \* good local building inspectors.

Mr Heerdegen asked Council to support in principle the Government's leaky home repair proposal on the understanding he would present further details as they became available.

Moved Cr Ford, seconded Cr Douglas  
and RESOLVED THAT COUNCIL SUPPORTS THE GOVERNMENT'S LEAKY HOME REPAIR PROPOSAL IN PRINCIPLE, SUBJECT TO FURTHER DETAILS BEING RECEIVED.

**8.0 MEMORANDA****8.1 MANAGEMENT REPORT**

140/45/2/1

r/10/5/5508

Memorandum by Mr D Adamson dated 18 May 2010.

Moved Cr Harpur, seconded Cr Dillon  
and RESOLVED THAT THE MEMORANDUM BEING THE MAY 2010  
MANAGEMENT REPORT BE RECEIVED.

**8.2 BUILDING CONSENTS AND VALUES FOR APRIL 2010**

300/40/1/3

r/10/5/5360 [dc]

Memorandum by Mr K O'Connor dated 6 May 2010.

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

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

**8.3 RESOURCE CONSENTS AND OTHER RESOURCE MANAGEMENT ACT ITEMS -  
APRIL 2010**

Memorandum by Ms J Green dated 6 May 2010.

360/15/3/5

r/10/5/5494 [dc]

Moved Cr Harpur, seconded Cr Drummond  
and RESOLVED THAT THE MEMORANDUM ON THE RESOURCE CONSENTS  
AND OTHER RESOURCE MANAGEMENT ACT ITEMS PROCESSED BY THE  
RESOURCE MANAGEMENT DEPARTMENT STAFF UNDER DELEGATION FROM  
THE COUNCIL DURING APRIL 2010 BE RECEIVED AS INFORMATION.

**8.4 SUBMISSION TO ENVIRONMENT SOUTHLAND DRAFT 2010 ANNUAL PLAN**

140/20/3/1

r/10/5/5997

Memorandum by Mr W Heerdegen dated 19 May 2010.

Moved Cr Douglas, seconded Cr Ford  
and RESOLVED THAT THE MEMORANDUM ON THE FINAL SUBMISSION TO  
THE ENVIRONMENT SOUTHLAND DRAFT 2010 ANNUAL PLAN BE RECEIVED.

**8.5 SUBMISSION TO INVERCARGILL CITY COUNCIL DRAFT 2010 ANNUAL PLAN**

140/20/3/1

r/10/5/5999

Memorandum by Mr W Heerdegen dated 19 May 2010.

Moved Cr Macpherson, seconded Cr Dillon  
and RESOLVED THAT THE MEMORANDUM ON THE FINAL SUBMISSION TO  
THE INVERCARGILL CITY COUNCIL DRAFT 2010 ANNUAL PLAN BE RECEIVED.

**9.0 VENTURE SOUTHLAND****9.1 VENTURE SOUTHLAND ACTIVITY UPDATE**

930/15/2/3

r/10/5/5934

Memorandum by Mr J Troon dated 18 May 2010.

Mr Troon was in attendance for this item and referred to the following matters:

- \* Southland Cycle Trail and Round the Mountain Cycle Trail.
- \* Broadband Developments.
- \* Food Network South.
- \* Square Kilometer Array.
- \* Kiwi Advanced Research and Education Network.
- \* GeoEye.
- \* Oil, Gas and Minerals.
- \* Living Cell Technologies.
- \* Education Southland.
- \* Community Facilities Web Project.
- \* Sustainable Business Project.
- \* Enterprise Development.
- \* Conference and Events Assistance.
- \* Hosting Professional Conference Organisers.
- \* Uni Games
- \* Rugby World Cup 2011.
- \* Southland Festival of the Arts.

He also gave further updates of the Brand Programme, Tourism and Community Initiatives.

Moved Cr Dillon, seconded Cr Douglas

and RESOLVED THAT THE VENTURE SOUTHLAND MEMORANDUM BE RECEIVED FOR INFORMATION PURPOSES.

**10.0 EXCLUSION OF PUBLIC**

Moved Cr Macpherson, seconded Cr Ford

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 APRIL 2010

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

SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 28 APRIL 2010

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

SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING CONFIDENTIAL MINUTES DATED 12 MAY 2010

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

SOUTHLAND DISTRICT COUNCIL FORESTRY OPERATIONS COMMITTEE  
CONFIDENTIAL MINUTES DATED 9 FEBRUARY 2010  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT HEARING  
CONFIDENTIAL MINUTES DATED 12 MARCH 2010  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT HEARING  
CONFIDENTIAL MINUTES DATED 28 APRIL 2010  
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

MILFORD COMMUNITY TRUST INDEPENDENT CHAIRPERSON APPOINTMENT  
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 Macpherson, seconded Cr Ford  
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 ENVIRONMENT AND COMMUNITY  
GROUP MANAGER SERVICES AND ASSETS  
SENIOR ADMINISTRATION OFFICER

#### 11.0 **CONFIDENTIAL DECISION RECORDED IN OPEN MEETING**

- 11.1 MILFORD COMMUNITY TRUST INDEPENDENT CHAIRPERSON APPOINTMENT THAT COUNCIL APPOINTS MICHAEL WILLIAM SCHUCK TO THE ROLE OF INDEPENDENT CHAIRPERSON FOR THE MILFORD COMMUNITY TRUST FOR A PERIOD OF FOUR YEARS.

There being no further business, the meeting was declared closed at 3.00 pm.

CONFIRMED:

CHAIRPERSON:

DATE: