

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held at Southland District Council, 15 Forth Street, Invercargill on WEDNESDAY, 13 DECEMBER 2006 at 1 PM.

PRESENT: Mayor F Cardno, Crs S M Anderson, L A Bailey, J D Copland, R A Dobson, B J Dillon, B W Drummond, P Duffy, JTC Frew, P G Goomes, GEJ Harpur, D M McCallum and A D Ridley.

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

Messrs J Reid and P Kloosterman were in attendance for the Public Forum.

APOLOGIES: No apologies were recorded.

1.0 **URGENT BUSINESS**

Moved Cr Copland, seconded Cr Goomes 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 BUSINESS

- Milford Community Trust Establishment
- Council Controlled Organisation - Milford Community Trust

The Council agreed that the items should be considered as supplementary to items on the agenda in order that any action required could be effected prior to the next meeting.

2.0 **PUBLIC FORUM**

Moved Cr Dillon, seconded Cr Ridley and RESOLVED THAT STANDING ORDERS BE SUSPENDED FOR COUNCIL TO CONDUCT A PUBLIC FORUM

2.1 **IPENZ – Ms Gretchen Kivell and Ms Bernadette Hannigan** 260/40/2/1

Mr Justin Reid introduced Ms Gretchen Kivell, former President of the Institute of Professional Engineers of New Zealand. She was also the first woman president of the organisation and a Distinguished Fellow of the organisation.

Ms Bernadette Hannagan was also in attendance. She was the Facilitator of the Future Intech Project, run by IPENZ, which was put in place to raise awareness of careers in Science, Technology and Engineering.

Council had been an enthusiastic supporter of the Future Intech initiative for some time now and had sponsored an annual bus trip for secondary school pupils that were interested in engineering as a career. The students visited a number of engineering based activities and had the opportunity to learn “first hand” about the profession.

Ms Kivell then presented Council with a partnership certificate recognising the major contribution made in the promotion of careers in technology, engineering and science.

Mayor Cardno said the Southland District Council was delighted to receive the award and it was fortunate Council had staff that were passionate about the programme. She thanked Ms Kivell and accepted the award with pride, she concluded.

2.2 Stewart Island/Rakiura Conservation Management Strategy Review and Rakiura National Park Management Plan Preparation

320/30/4/1

Ms A de Jong, Messrs A Roberts and K O’Conner from the Department of Conservation were in attendance during this section of the meeting.

Ms de Jong gave a power point presentation that summarised the background to the Stewart Island/Rakiura Conservation Management Review and the Rakiura National Park Management Plan preparation. It also showed the remainder of the steps to be taken to complete the consultation process.

Public Feedback was invited on the document prior to the development of a draft plan and public notification. Councillors were invited to ask questions about the documents.

Members sought clarification on the following matters -

- * White tail deer.
- * Possum and rat control.
- * Hunters huts.
- * Control of wild cats.
- * Cross boundary issues with regard to weed control.
- * Buffer zones.

Mayor Cardno thanked the Department of Conservation representatives for their attendance at the meeting and advised the matter would be discussed in greater depth during the meeting.

2.3 Milford Community Charitable Trust
240/20/15/6

Mr Kevin O'Connor and Ms Barbara Lomax were present for this section of the meeting. Mr O'Connor advised they were present to clarify points or answer questions when the matter was discussed during the meeting.

Moved Cr Dillon, seconded Cr McCallum
and RESOLVED THAT STANDING ORDERS BE REINSTATED.

3.0 **LATE REPORTS**

3.1 MILFORD COMMUNITY CHARITABLE TRUST ESTABLISHMENT
240/20/15/6

Report by Mr Kerry Dohig dated 8 December 2006, considering the submissions received and the proposed responses on the Council proposal to establish the Milford Community Trust

Mr Kevin O'Connor and Ms Barbara Lomax were in attendance while this report was discussed.

Moved Cr Copland, seconded Cr McCallum
and RESOLVED THAT COUNCIL CONSIDER THE PROPOSED RESPONSES TO THE SUBMISSIONS AND ISSUES RAISED BY SUBMITTERS AS OUTLINED IN THE REPORT AND, IF REQUIRED, MAKE ANY AMENDMENTS TO THE PROPOSAL TO ESTABLISH THE TRUST.

The key submission issues fell into the following categories -

- * Trust structure.
- * Contract with the Department of Conservation.
- * Membership of the Trust.
- * Name of the Trust.
- * Cost of deferred maintenance.
- * Department of Conservation Involvement.
- * Costs.

Mr Dohig had prepared responses and sought Council approval to reply to the submitters.

Moved Cr Ridley, seconded Cr Duffy
and RESOLVED THAT COUNCIL REPLY TO THE SUBMITTERS WITH AN OUTLINE OF COUNCIL'S DECISION ON THEIR SUBMISSION AND THE REASONS FOR THOSE SUBMISSIONS AS OUTLINED IN THE REPORT INCLUDING ANY AMENDMENTS MADE AT THE MEETING.

3.2 COUNCIL CONTROLLED ORGANISATION – MILFORD COMMUNITY TRUST
240/20/15/6

Report by Messrs P Culling and L Forbes dated 8 December 2006 advising Council staff had been working closely with Department of Conservation staff in preparing the necessary documents that set out the terms and conditions of the relationship between the proposed Milford Community Trust and the Director General of Conservation.

The report recommended that Council approve in principle the draft Independent Contract Agreement and the Memorandum of understanding between the proposed Milford Community Trust and the Director General of Conservation.

A meeting of interested parties affected by the agreement was proposed for early 2007 to confirm their support for the Milford Community Trust and its operation.

Cr Frew advised he was concerned the Trust administration costs of \$150,000 would be funded by a district rate that was to be incorporated into the Southland District Council Draft Annual Plan 2007/2008. The administrative costs should not be subsidised by all the ratepayers of the district, he suggested.

Mr Adamson reminded the meeting they had already approved a document that had been released for consultation in July 2006, where the administration costs were to be met by Council just as Community Boards and CDA committees were at present.

Cr Anderson said that when Council had looked at the report in July, she believed Councillors had thought they were approving a document that would be going out for consultation.

The Morrison Low report had estimated the set up costs to be \$150,000 if all the services had to be “bought”. A number of those services were available “in house” and would not need to be bought in, Mr Adamson suggested.

Mayor Cardno said Council had been looking for a solution to the Milford situation and it was now time to make progress. Milford was a world icon destination and Council needed to show leadership. It was acknowledged it was a community that was different to others, but it was still a community, she said. It had been consulted on in the LTCCP, so Council must progress with management planning, she concluded.

Cr Frew reiterated he was not in favour of the administration costs being covered by the District, but endorsed the concept of governance for Milford.

Moved Cr Anderson, seconded Cr Copland
and RESOLVED

- (a) THAT COUNCIL RECEIVE THE DRAFT MEMORANDUM OF UNDERSTANDING, DRAFT INDEPENDENT CONTRACT AGREEMENT AND DRAFT MILFORD COMMUNITY TRUST DOCUMENT.

- (b) THAT COUNCIL APPROVE IN PRINCIPLE THE PRESENT FORM AND CONTENT OF THE DRAFT MEMORANDUM OF UNDERSTANDING, DRAFT INDEPENDENT CONTRACT AGREEMENT AND DRAFT MILFORD COMMUNITY TRUST DOCUMENT IN RECOMMENDATION (a) SUBJECT TO ANY FURTHER DISCUSSION WITH THE DEPARTMENT OF CONSERVATION AND INTERESTED PARTIES.
- (c) THAT COUNCIL, SUBJECT TO THE SUCCESSFUL OUTCOME OF (b) ABOVE AND TAKING INTO ACCOUNT THE RESULT OF THE HEARING OF SUBMISSIONS ON THE STATEMENT OF PROPOSAL APPROVE THE ESTABLISHMENT OF A COUNCIL CONTROLLED ORGANISATION (BEING THE MILFORD COMMUNITY TRUST) INCORPORATING ANY AMENDMENTS MADE AT THE MEETING
- (d) THAT COUNCIL MAKES THE NECESSARY ARRANGEMENTS TO ENSURE THE ELECTION OF TRUSTEES TO THE MILFORD COMMUNITY TRUST.
- (e) THAT COUNCIL AGREES TO SUPPORT THE TRUST FROM THE DISTRICT RATE FOR DISTRICT SUPPORT SERVICES ONLY AS PER COMMUNITY BOARD AND COMMUNITY DEVELOPMENT AREA SUB COMMITTEES.

Crs Frew, Drummond and Harpur asked that their votes be recorded against the motion.

4.0 MINUTES

4.1 SOUTHLAND DISTRICT COUNCIL MEETING DATED 29 NOVEMBER 2006 Minutes for Confirmation.

Moved Cr Dillon, seconded Cr Goomes
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL MEETING DATED 29 NOVEMBER 2006 BE CONFIRMED AS A TRUE AND CORRECT RECORD.

4.2 SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 29 NOVEMBER 2006 Minutes for Adoption.

Moved Cr McCallum, seconded Cr Anderson
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 29 NOVEMBER 2006 BE ADOPTED.

4.3 SOUTHLAND DISTRICT COUNCIL ALLOCATIONS COMMITTEE MEETING DATED 14 NOVEMBER 2006

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Goomes
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL ALLOCATIONS COMMITTEE MEETING DATED 14 NOVEMBER 2006 BE ADOPTED.

4.4 GORGE ROAD AND DISTRICTS COMMUNITY DEVELOPMENT AREA SUB-COMMITTEE MEETING DATED 13 NOVEMBER 2006

Minutes to be Received

Moved Cr McCallum, seconded Cr Drummond
and RESOLVED THAT THE MINUTES OF THE GORGE ROAD AND DISTRICTS COMMUNITY DEVELOPMENT AREA SUB-COMMITTEE MEETING DATED 13 NOVEMBER 2006 BE RECEIVED

4.5 MOSSBURN COMMUNITY DEVELOPMENT AREA SUB-COMMITTEE MEETING DATED 23 NOVEMBER 2006

Minutes to be Received

Moved Cr Anderson, seconded Cr Ridley
and RESOLVED THAT THE MINUTES OF THE MOSSBURN COMMUNITY DEVELOPMENT AREA SUB-COMMITTEE MEETING DATED 23 NOVEMBER 2006 BE RECEIVED

5.0 **REPORTS**

5.1 APPOINTMENT OF ACTING CHIEF EXECUTIVE
10038/5

Report by Mr D Adamson dated 28 November 2006, requesting Council to appoint an Acting Chief Executive to cover the period from 22 December 2006 to 14 January 2007 inclusive when the Chief Executive was absent from the office on annual leave. It was recommended that the Acting Chief Executive be Mr Phil Culling, Group Manager Customer and Financial Services.

Moved Cr Frew, seconded Cr Dobson
and RESOLVED:

- (a) THAT COUNCIL RECEIVE THE REPORT ON THE APPOINTMENT OF AN ACTING CHIEF EXECUTIVE.
- (b) THAT COUNCIL APPROVES THE APPOINTMENT OF PHIL CULLING IN THE ROLE OF ACTING CHIEF EXECUTIVE FOR THE PERIOD OF 22 DECEMBER 2006 TO 14 JANUARY 2007 IN ACCORDANCE WITH THIS REPORT APPROVED 13 DECEMBER 2006.

5.2 COMMENTS TO THE STEWART ISLAND/ RAKIURA CONSERVATION MANAGEMENT STRATEGY REVIEW AND RAKIURA NATIONAL PARK MANAGEMENT PLAN PREPARATION

320/30/4/1

Report by Mr P Kloosterman dated 30 November 2006, advising the Southland Conservancy of the Department of Conservation had written a Discussion Document in preparation for the Stewart Island/Rakiura Conservation Management Strategy review and development of the Rakiura National Park Management Plan.

Comments to the Discussion Document had been prepared by Staff.

Moved Cr Ridley, seconded Cr Goomes

and RESOLVED THAT THE REPORT *COMMENTS TO THE STEWART ISLAND/RAKIURA CONSERVATION MANAGEMENT STRATEGY REVIEW AND RAKIURA NATIONAL PARK MANAGEMENT PLAN PREPARATION* BE RECEIVED.

Members suggested the following topics that should be included in the strategy document. These included -

- * Pest management and the vision of a predator free area.
- * Overcrowding on the island. Numbers may need to be “managed” to lessen the effect on the ecology.
- * Cross boundary issues.
- * Issues for Oban - ability to source aggregate, provision of water, disposal of sewerage water, energy sources.
- * Retention of Levels of Service.

Moved Cr Bailey, seconded Cr Goomes

and RESOLVED THAT THE COMMENTS LISTED IN THE REPORT AND THE AMENDMENTS SUGGESTED AT THE MEETING BE ENDORSED FOR SUBMISSION TO THE DEPARTMENT OF CONSERVATION.

5.3 QEII NATIONAL TRUST

2006/11/9345

Report by Mr D Adamson dated 29 November 2006, advising the Council had received correspondence from the Trust calling for nominations for Directors.

Moved Cr Anderson, seconded Cr Frew
and RESOLVED:

- (a) THAT COUNCIL RECEIVES THE REPORT ON THE CALL FOR NOMINATIONS FOR DIRECTORS FOR THE QEII TRUST.
- (b) AT COUNCIL NOMINATES CR P GOOMES AS DIRECTOR CONTESTANT FOR THE QEII TRUST.

5.4 FORMER TUATAPERE BRANCH RAILWAY LINE LAND

340/20/3/1

Report by Mr K McNaught dated 1 December, 2006, advising Council had been offered three portions of land that are part of the former Tuatapere Branch Railway.

Moved Cr Dobson, seconded Cr Harpur

and THAT THE SOUTHLAND DISTRICT COUNCIL RESOLVES TO ACCEPT THE OFFERS FROM NGAI TAHU PROPERTY LIMITED FOR THE FOLLOWING:

- (a) TO HAVE TRANSFERRED TO COUNCIL FOR NIL CONSIDERATION THAT PORTION OF LAND FORMING PART OF THE FORMER TUATAPERE BRANCH RAILWAY FROM SOLENT STREET TO CASTLE STREET AS A LOCAL PURPOSE RESERVE (UTILITY)
- (b) TO CREATE RIGHTS OF WAY AND THE EASEMENTS TO CONVEY SEWERAGE IN FAVOUR OF COUNCIL OVER PARTS OF THE FORMER TUATAPERE BRANCH RAILWAY WITH THE COSTS OF \$150 PLUS GST PER EASEMENT TO BE FUNDED FROM THE SEWERAGE ACCOUNTS OF THE RIVERTON/APARIMA COMMUNITY BOARD.
- (c) TO HAVE VESTED IN COUNCIL AS ROAD FOR NIL CONSIDERATION A PORTION OF THE FORMER TUATAPERE BRANCH RAILWAY BETWEEN LONGWOOD STREET AND THE OREPUKI RIVERTON HIGHWAY WEST OF APARIMA STREET ON THE CONDITION THAT THE LOCATION OF THE LAND IS SUITABLE TO THE ROAD CONTROLLING AUTHORITIES FOR THE CONSTRUCTION OF A ROAD.
- (d) TO ACQUIRE THAT PORTION OF THE FORMER TUATAPERE BRANCH RAILWAY ADJACENT TO LONGWOOD ROAD AND PART LOT 1 DP 677 FOR \$2510 PLUS GST TO BE FUNDED FROM COUNCIL GRAVEL RESERVE ACCOUNT.

5.5 RENEWAL OF LEASE OF OFFICE SPACE, OTAUTAU OFFICE - NEW ZEALAND POST

2264/0174

Report by Mrs V Dillon dated 1 December 2006, requesting Council to consider a request by New Zealand Post for a right of renewal of its lease of Council office space at Otautau.

Moved Cr Drummond, seconded Cr Dobson

and THAT COUNCIL APPROVE THE RENEWAL OF THE LEASE BETWEEN COUNCIL AND NEW ZEALAND POST LIMITED OVER OFFICE SPACE AT 174 MAIN STREET, OTAUTAU, FOR A TERM OF TWO YEARS FROM 28 JUNE 2007 SUBJECT TO A REVIEW OF RENTAL PAYABLE UNDER THE LEASE.

5.6 SOUTHLAND DISTRICT COUNCIL - SERVICE LEVEL AGREEMENT WITH VENTURE SOUTHLAND 2006-2012

240/10/6/4 930/15/1/1 930/10/1/4

Report by Mr M Bailey dated 5 December 2006, with the proposed Southland District Council Service Level Agreement with Venture Southland 2006-2012.

Moved Cr Goomes, seconded Cr Ridley
and RESOLVED THAT THE REPORT ON THE SOUTHLAND DISTRICT COUNCIL - SERVICE LEVEL AGREEMENT WITH VENTURE SOUTHLAND 2006-2012 BE RECEIVED.

Cr Ridley said she had attended the last meeting of Venture Southland and had been impressed with some of the projects currently being investigated.

Cr Frew warned the funding levels of the three Councils would need to be looked at during the 2007 year.

Moved Cr Anderson, seconded Cr Copland
and RESOLVED THAT SOUTHLAND DISTRICT COUNCIL APPROVES THE SERVICE LEVEL AGREEMENT WITH VENTURE SOUTHLAND FOR THE PERIOD 2006-2012.

6.0 MEMORANDA

6.1 MAYOR'S MONTHLY UPDATE

240/10/7/2

Memorandum by Mayor Cardno dated 5 December 2006.

Mayor Cardno gave a verbal update on the following matters:

Mayors Taskforce for Jobs
Office of the Auditor General Advisory Committee meeting
Meeting with Roger Ellis of Vodafone
Central/Local Government Forum
National Council meeting.

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

6.2 MANAGEMENT REPORT

Memorandum by Mr D Adamson dated 1 December 2006.

Moved Cr Harpur, seconded Cr Duffy
and RESOLVED THAT THE MEMORANDUM ON THE CHIEF EXECUTIVE'S MANAGEMENT UPDATE BE RECEIVED FOR INFORMATION PURPOSES

6.3 COMMUNITY CENTRE RATES

200/20/2/3

Memorandum by Mr K McNaught dated 4 December 2006.

Mr McNaught had prepared the memorandum in response to inquiries regarding the continuation of Community Centre rates when the local hall was closed.

It was suggested a policy be prepared to cover the issues raised.

Moved Cr Dobson, seconded Cr Frew

and RESOLVED THAT THE MEMORANDUM ON COMMUNITY CENTRE RATES BE RECEIVED AS INFORMATION.

6.4 BUILDING CONSENTS AND VALUES FOR NOVEMBER 2006

300/40/1/3

Memorandum by Mr K O'Connor dated 5 December 2006.

Moved Cr Dobson, seconded Cr Ridley

and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND VALUES FOR NOVEMBER 2006 BE RECEIVED AS INFORMATION.

6.5 TRANSIT NEW ZEALAND 10 YEAR STATE HIGHWAY FORECAST 2006-2016

230/10/3/3

Memorandum by Mr Russell Hawkes.

Moved Cr Harpur, seconded Cr Drummond

and RESOLVED THAT THE MEMORANDUM ON TRANSIT NEW ZEALAND 10 YEAR STATE HIGHWAY PLAN AND FORECAST BE RECEIVED AS INFORMATION.

6.6 FIVE YEAR REVIEW OF THE NZ BIODIVERSITY STRATEGY

100/30/1/9

Memorandum by Mr M Bailey dated 6 December 2006.

Moved Cr Dobson, seconded Cr Frew

and RESOLVED THAT THE MEMORANDUM ON THE FIVE YEAR REVIEW OF THE NZ BIODIVERSITY STRATEGY BE RECEIVED.

7.0 EXCLUSION OF PUBLIC

Moved Cr Frew, seconded Cr Anderson

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:

CONFIDENTIAL SOUTHLAND DISTRICT COUNCIL MEETING DATED
29 NOVEMBER 2006
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

ACTIVITIES PERFORMANCE AUDIT COMMITTEE MINUTES DATED 29
NOVEMBER 2006
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

PROPERTY 54 HORSESHOE BAY ROAD - STEWART ISLAND
SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

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

- 7(2)(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;

8.0 **EXCLUSION OF PUBLIC - STAFF**

Moved Cr Frew, seconded Cr Anderson
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 SERVICES AND ASSETS
GROUP MANAGER CUSTOMER AND FINANCIAL SERVICES
GROUP MANAGER REGULATORY SERVICES
COMMUNICATIONS OFFICER
ADMINISTRATION OFFICER

The meeting closed at 3.57 pm.

CONFIRMED

MAYOR

DATE