

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

30 APRIL 2008

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held at the Council Chambers, 15 Forth Street, Invercargill on WEDNESDAY, 30 APRIL 2008 at 1.00 PM.

PRESENT: Mayor F Cardno, Crs L A Bailey, J D Copland, R A Dobson, J Douglas, B J Dillon, B W Drummond, B Ford, G Harpur, W Jack, G MacPherson and A D Ridley.

IN ATTENDANCE: Messrs D P Adamson, C McIntosh, L McKenzie, P Bell, R Hawkes, M Voss and Mesdames R Heerdegen, J O'Shannessy and J Thomas.

1.0 **APOLOGIES**

An apology were received from Cr P Duffy.

Moved Cr B Dillon, seconded Cr G Macpherson
and RESOLVED THAT THE APOLOGY BE ACCEPTED.

2.0 **PUBLIC FORUM**

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

2.1 **MENACING DOG CLASSIFICATION - APPEAL**

In attendance: Mr Brent Gunther, Mrs Julie Gunther, Miss Hannah Gunther, Mr Dennis O'Connor and Mr Peter Crawford.

Mr D O'Connor explained he would speak on behalf of Mr and Mrs Gunther in the appeal to rescind the Menacing Dog classification of the two black Labrador cross dogs (Sarah and Ella) owned by the Gunther family.

Mr O'Connor advised he had been an animal control officer with the Dunedin City Council for many years, and had also been a Life Member of the New Zealand Institute of Animal Control Officers Association. He was experienced in dog behaviour.

He was concerned at the following processes used in this case, he said.

- * The form had Council letterhead at the top - he suggested it should be blank paper, and the summary should include a description of what happened. There needed to be a specific incident to answer.

- * The Gunthers had not received a copy of the agenda that included all the papers.
- * Both dogs had been classified as menacing, but only one was involved. One dog did not leave the public access area.

The two girls had not been interviewed, but the parents had been. He did not consider the girls to be too young to be questioned.

He suggested the paper work should take Council through the whole procedure.

Mr P Crawford - a family friend - explained he was a regular visitor to the Gunther house and had seen the black poodle (Doobie) in the "private way" between the two houses 6 - 7 times, particularly when bitches were "in season". He believed the dog was uncontrolled and out of its own yard.

Miss H Gunther was asked to define "truth" and "lies". She was then asked to explain what had happened.

She said she and her sister had taken their two dogs (Sarah and Ella) down the lane for a run. They were biking back and were near the end of the lane when the neighbours' dog (the black poodle) barked twice. Ella ran under the fence (it chased the dog) but Hannah couldn't see what was happening. Sarah was carrying a goose wing in her mouth and although she growled, she had remained with Hannah.

Mrs Paterson (the neighbour and owner of the black poodle) yelled at Ella and she ran back to the girls.

Mrs J Gunther explained the background to the two girls being allowed to have a pet dog each. She concluded by saying that since the incident, the girls won't take the dogs down the lane now.

On the day of the incident, the two girls had arrived back at the house, both very upset, and she was unable to tell what had happened.

Mrs Paterson then drove up the drive and told Mrs Gunther that their dog had injured her dog. She threatened to ring the police and said they would get the vets bill.

It appeared the dog wasn't taken to the vet until the following day.

Mr B Gunther said he had seen the black poodle out of its yard about five times a week. He then said he was willing to pay the vets bill so long as the treatment was for injuries relating to the attack.

Mr O'Connor suggested people believed small dogs didn't cause trouble, but that was not always the case. It seemed to be the owners of small dogs that put the blame on large dogs.

The poodle appeared to have been wandering for a long time and had been heard running up and down the lane after tea at night.

Mr O'Connor concluded by suggesting both parties should share the blame and since the incident, the dog problems had gone away. He urged the Council to uphold the appeal.

Mayor Cardno advised the attendees at the Public Forum they were welcome to remain at the meeting and hear the discussion on the Menacing Dog Classification Appeal report.

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

3.0 **NOTIFICATION OF URGENT BUSINESS**

Moved Cr Drummond, seconded Cr Bailey
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:

- 2008 SISTER CITIES NEW ZEALAND CONFERENCE - Supplementary Information.
- FORMATION OF STEWART ISLAND JETTIES SUBCOMMITTEE - Report listed on Order Paper.
- LICENCE TO OCCUPY ROAD RESERVE - Supplementary Information to be considered in Public Excluded.

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 **MINUTES**

4.1 **SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY MEETING DATED 12 MARCH 2008**

Minutes for Confirmation.

Moved Cr Dillon, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY MEETING DATED 12 MARCH 2008 BE CONFIRMED AS A TRUE AND CORRECT RECORD SUBJECT TO THE FOLLOWING AMENDMENT - ITEM 2.0 - PUBLIC FORUM - RESOLUTION TO READ "MOVED CR RIDLEY, SECONDED CR FORD, AND RESOLVED THAT STANDING ORDERS BE SUSPENDED TO ALLOW MEMBERS OF THE PUBLIC TO SPEAK DURING THE PUBLIC FORUM."

4.2 **SOUTHLAND DISTRICT COUNCIL MEETING DATED 26 MARCH 2008**

Minutes for Confirmation.

Moved Cr Jack, seconded Cr Douglas
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL MEETING DATED 26 MARCH 2008.

4.3 **SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY MEETING DATED 9 APRIL 2008**

Minutes for Confirmation.

Moved Cr Dillon, seconded Cr Harpur
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY MEETING DATED 9 APRIL 2008 BE CONFIRMED AS A TRUE AND CORRECT RECORD.

4.4 SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 9 APRIL 2008

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Ford and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED 9 APRIL 2008 BE ADOPTED.

4.5 CIVIL DEFENCE EMERGENCY MANAGEMENT COMMITTEE MEETING DATED 9 APRIL 2008

Minutes for Adoption.

Moved Cr Copland, seconded Cr Ford and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL CIVIL DEFENCE EMERGENCY MANAGEMENT COMMITTEE MEETING DATED 9 APRIL 2008 BE ADOPTED.

4.6 POLICY REVIEW COMMITTEE MEETING DATED 12 MARCH 2008

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Bailey and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING DATED 12 MARCH 2008 BE ADOPTED.

4.7 POLICY REVIEW COMMITTEE MEETING DATED 9 APRIL 2008

Minutes for Adoption.

Moved Cr Macpherson, seconded Cr Bailey and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING DATED 9 APRIL 2008 BE ADOPTED.

4.8 BROWNS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 FEBRUARY 2008

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Dobson and RESOLVED THAT THE MINUTES OF THE BROWNS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 FEBRUARY 2008 BE ADOPTED.

4.9 DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 21 FEBRUARY 2008

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Dobson and RESOLVED THAT THE MINUTES OF THE DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 21 FEBRUARY 2008 BE ADOPTED.

4.10 LIMEHILLS/CENTRE BUSH COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 FEBRUARY 2008

Minutes for Adoption.

Moved Cr Bailey, seconded Cr Dobson

and RESOLVED THAT THE MINUTES OF THE DIPTON COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 FEBRUARY 2008 BE ADOPTED.

4.11 NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 12 FEBRUARY 2008

Minutes for Adoption.

Moved Cr Drummond, seconded Cr Ridley and RESOLVED THAT THE MINUTES OF THE NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 12 FEBRUARY 2008 BE ADOPTED.

4.12 OHAI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 FEBRUARY 2008

Minutes for Adoption.

Moved Cr Drummond, seconded Cr Ridley and RESOLVED THAT THE MINUTES OF THE OHAI COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE MEETING DATED 19 FEBRUARY 2008 BE ADOPTED.

4.13 SOUTHLAND DISTRICT COUNCIL ACTION SHEET

Action sheet to be received.

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

5.0 **REPORTS**

5.1 MENACING DOG CLASSIFICATION - APPEAL

300/15/5/334

MC/08/4/4474

Report by Mr P Bell dated 8 April 2008.

On 26 March 2008 the Southland District Council classified two Labrador cross dogs, called Sarah and Ella as Menacing in accordance with Section 33A of the Dog Control Act 1996.

The owner of these dogs, Andrew Brent Gunther of Ryal Bush Wallacetown Road, Wallacetown has appealed the Council's decision.

The owner of any dog that had been classified by a territorial authority as menacing, was entitled to appeal the classification under Section 33(B) of the Dog Control Act 1996, and was entitled to appear before Council and speak in support of the objection.

Moved Cr Jack, seconded Cr Macpherson and RESOLVED THAT THE REPORT RELATING TO THE APPEAL AGAINST THE CLASSIFICATION OF TWO BLACK LABRADOR CROSS DOGS OWNED BY ANDREW BRENT GUNTHER AND KNOWN AS SARAH AND ELLA, AS MENACING BE RECEIVED.

Mr McKenzie referred to the submission on the Menacing Dog Classification that had been heard during the Public Forum held earlier in the meeting. He believed the procedure followed by staff had been in accordance with Section 33A of the Dog Control Act 1996.

The Meeting then discussed the evidence heard during the Public Forum, and agreed to make separate decisions regarding the Menacing Classification of Sarah and Ella.

Referring to evidence given earlier in the meeting, the dog named Sarah had been holding a "goose wing" in her mouth and had been standing beside Miss Hannah Gunther when Ella had chased the black poodle under the fence and onto the neighbours' property. Because Sarah had not taken part in the attack, the meeting agreed to rescind the Menacing Classification on her.

Moved Cr Douglas, seconded Cr Macpherson
and RESOLVED THAT THE CLASSIFICATION AS MENACING OF THE
LABRADOR CROSS DOG KNOWN AS SARAH AND OWNED BY ANDREW
BRENT GUNTHER BE RESCINDED.

The meeting then discussed the classification of Ella.

Based on the evidence given earlier in the meeting, it was agreed the black poodle had contributed to the provocation that caused the attack.

Cr Copland said the attack had not been on a person and he believed there had been an education process for both parties since the attack. He concluded by saying he believed the appeal should be upheld.

Moved Cr Macpherson, seconded Cr Jack
and RESOLVED THAT THE CLASSIFICATION AS MENACING OF THE
LABRADOR CROSS DOG KNOWN AS ELLA AND OWNED BY ANDREW BRENT
GUNTHER BE RESCINDED.

Mr McKenzie to write to the complainant and give an explanation of the reasons for the classification being rescinded.

5.2 DOG CONTROL BYLAW 2008

300/10/5/1

kk/08/3/4019

Report by Mr D Adamson dated 31 March 2008.

At the March Council meeting, a report was put forward recommending that Council take the final step toward adopting the Southland District Council Dog Control Bylaw 2008. Cr Bruce Ford questioned the plan of Stewart Island that indicated the areas where dogs must be on a lead, may be exercised or were prohibited.

It was suggested that Council proceed with the adoption of the Bylaw, excluding that part that related to dog control on Stewart Island, and that was done.

Unfortunately, that placed Council in breach of Section 10 (6) of the Dog Control Act 1996, which requires territorial authorities to develop a dog control bylaw that gives effect to the Dog Control Policy, and so the Bylaw was now being submitted to Council for further consideration.

Moved Cr Ridley, seconded Cr Jack
and RESOLVED THAT THE REPORT RELATING TO THE RECONSIDERATION
OF THE DRAFT SOUTHLAND DISTRICT COUNCIL DOG CONTROL BYLAW
2008, BE RECEIVED.

Moved Cr Ford, seconded Cr Jack
and RESOLVED THAT THE RESOLUTION PASSED BY COUNCIL ON 26 MARCH 2008, RELATING TO THE ADOPTION OF THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL BYLAW 2008, BE REVOKED AND REPLACED WITH THE FOLLOWING MOTIONS:

- (i) THAT PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 2002, THE SOUTHLAND DISTRICT COUNCIL HEREBY ADOPTS THE DOG CONTROL BYLAW 2008 - REFER APPENDIX I.
- (ii) THAT PURSUANT TO THE PROVISIONS OF SECTION 157 OF THE LOCAL GOVERNMENT ACT 2002, PUBLIC NOTICE BE GIVEN THAT THE SOUTHLAND DISTRICT COUNCIL DOG CONTROL BYLAW 2008 COMES INTO FORCE ON 1 JUNE 2008, AND COPIES OF THE BYLAW MAY BE INSPECTED AND OBTAINED AT THE OFFICE OF THE SOUTHLAND DISTRICT COUNCIL LOCATED AT 15 FORTH STREET, INVERCARGILL.

5.3 ROADING BYLAW 2008

300/10/13/1

dl/08/4/4427

Report by Mrs V Dillon dated 4 April 2008.

The special consultative procedures in relation to the proposed Roothing Bylaw 2008 have been completed and no submissions were received. The Council is also requested to adopt the Bylaw.

Moved Cr Ridley, seconded Cr Douglas
and RESOLVED THAT THE REPORT DATED 4 APRIL 2008 REGARDING THE SOUTHLAND DISTRICT COUNCIL ROADING BYLAW 2008 BE RECEIVED.

The members discussed minor matters associated with the Roothing Bylaw 2008 and agreed to its adoption.

Moved Cr Ridley, seconded Cr Jack
and RESOLVED:

- (a) THAT THE COUNCIL CONFIRMS AND MAKES THE SOUTHLAND DISTRICT COUNCIL ROADING BYLAW 2008 - REFER APPENDIX II.
- (b) THAT AS MANY COPIES OF THE BYLAW AS SO MADE AND CONFIRMED BE EXECUTED UNDER SEAL BY THE COUNCIL AS REQUIRED FROM TIME TO TIME.
- (c) THAT IN ACCORDANCE WITH SECTION 157 OF THE LOCAL GOVERNMENT ACT 2002 PUBLIC NOTICE BE GIVEN OF THE MAKING OF THE BYLAW ADVISING:
 - (i) THAT THE BYLAW WILL COME INTO FORCE ON 5 MAY 2008.
 - (ii) THAT COPIES OF THE BYLAW MAY BE INSPECTED WITHOUT FEE AT ALL COUNCIL OFFICES.
 - (iii) THAT COPIES OF THE BYLAW CAN BE OBTAINED UPON PAYMENT OF A REASONABLE CHARGE.

5.4 REVIEW OF TRENCHING BYLAW 2002 - PROPOSAL TO CONTINUE WITH BYLAW IN EXISTING FORM - STATEMENT OF PROPOSAL

300/10/20/1

dl/08/4/4772

Report by Mrs V Dillon dated 10 April 2008.

Consideration of a proposal to continue with the Trenching Bylaw 2002 until such time as Central Government introduces legislation which incorporates a national Code for Corridor Management.

Moved Cr Dobson, seconded Cr Macpherson
and RESOLVED THAT THE REPORT DATED 10 APRIL 2008 REGARDING THE SOUTHLAND DISTRICT COUNCIL TRENCHING BYLAW 2002 BE RECEIVED.

At its meeting held 30 January 2008 the Council determined that a bylaw was the most appropriate means of addressing issues associated with managing works on the road corridor. It also resolved that the bylaw be updated and referred back to Council to consider the amendments.

In February 2008 Central Government released a document designed to become a national 'Code of best practice' for working within the road corridor. The Code is to be authorised under the Utilities Access Amendment Act (planned for 2009), and as a consequence the Trenching Bylaw will not be required.

Once the proposed Code is adopted by Council, Council will be asked to consider a recommendation that its Trenching Bylaw be revoked. The proposed Code will allow for regional factors to be incorporated that will enable any activities that are no longer covered by a bylaw to be included within the Code.

Council's solicitor, Barry Slowley, states there is nothing in the review provisions of the Local Government Act 2002 (the 'Act') that requires Councils to rewrite a bylaw on each review. Section 160 (3) of the Act makes it clear that one option Councils have is to accept that the bylaw can continue without amendment.

Moved Cr Macpherson, seconded Cr Bailey
and RESOLVED THAT THE RESOLUTION IN ITEM 6.7 OF THE MINUTES OF THE COUNCIL MEETING HELD 30 JANUARY 2008 BE DELETED AND REPLACED WITH THE FOLLOWING:

- (i) THAT PURSUANT TO SECTION 155(2)(a) OF THE LOCAL GOVERNMENT ACT 2002 COUNCIL DETERMINES THAT THE TRENCHING BYLAW 2002 IS THE MOST APPROPRIATE MEANS OF PRESCRIBING CONDITIONS AND SPECIFICATION REQUIREMENTS FOR EXCAVATION AND REINSTATEMENT WORKS UNDERTAKEN WITHIN THE ROAD CORRIDORS AND THAT THE BYLAW CONTINUE.
- (ii) THAT THE COUNCIL CONSIDERS 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.

5.5 TRIENNIAL AGREEMENT

10/4/2/7

EJA/2008/04/5128

Report by Mr D Adamson dated 19 April 2008.

Council was asked to consider the terms of the proposed Memorandum of Understanding and Triennial Agreement to be renewed effective from 1 March 2008 between the Southland District Council, Environment Southland, the Invercargill City Council and Gore District Council.

Moved Cr Douglas, seconded Cr Dobson
and RESOLVED THAT PURSUANT TO SECTIONS 15 AND 273 OF THE LOCAL GOVERNMENT ACT 2002 THAT COUNCIL RESOLVES TO ADOPT THE MEMORANDUM OF UNDERSTANDING AND TRIENNIAL AGREEMENT ATTACHED TO THE REPORT.

Moved Cr Jack, seconded Cr Harpur
and RESOLVED THAT THE MEMORANDUM OF UNDERSTANDING AND TRIENNIAL AGREEMENT BE EXECUTED BY COUNCIL UNDER SEAL.

5.6 FORMATION OF STEWART ISLAND JETTIES SUBCOMMITTEE

320/20/2/2

DC/08/4/5523

Report by Mr C Dolan dated 29 April 2008.

Council is required to formally confirm representatives to the newly established Stewart Island Jetties Subcommittee.

The meeting was advised a further report would be presented to the Policy Review Committee that listed the powers of the subcommittee.

Moved Cr Ford, seconded Cr Douglas
and RESOLVED:

- (a) THAT COUNCIL CONFIRM THE NEWLY ESTABLISHED STEWART ISLAND JETTIES SUBCOMMITTEE COMPRISING THE FOLLOWING MEMBERS:

SOUTHLAND DISTRICT COUNCIL	BRUCE JAMES FORD
STEWART ISLAND COMMUNITY BOARD	IAN JAMES MUNRO
STEWART ISLAND TOURISM INDUSTRY	MATT SELLARS
ENVIRONMENT SOUTHLAND	KEVIN JAMES O'SULLIVAN
DEPARTMENT OF CONSERVATION	DALE RICHARD CHITTENDEN
LOCAL IWI	PHILLIP JOHN SMITH
STEWART ISLAND FISHERMEN'S ASSN	COLIN HOPKINS

- (b) THAT IN THE EVENT OF ANY OF THE MEMBERS TENDERING HIS RESIGNATION FROM THE SUBCOMMITTEE THE AFFECTED ORGANISATION BE INVITED TO PUT FORWARD A NOMINATION AS A REPLACEMENT FOR THAT PERSON.

5.7 AFFORDABLE HOUSING: TERRITORIAL AUTHORITIES BILL

100/30/3/1

rh/08/4/5072

Report by Ms R Heerdegen, in consultation with Messrs B Halligan and K McNaught dated 18 April 2008.

Local Government New Zealand (LGNZ) is preparing a submission on the Affordable Housing: Territorial Authorities Bill and are seeking Council's feedback. Attached to this report are the Government Bill, LGNZ's draft submission (including an alternative Bill) and draft Southland District Council comments for LGNZ, for Council's consideration.

There were two themes to the comments:

- There is a need for a package of affordable housing initiatives that offers incentives, rather than relying on regulatory tools.
- Any regulatory response should have appropriate checks and balances, providing assurance without excessive compliance costs.

Moved Cr Harpur, seconded Cr Jack

and RESOLVED THAT THE REPORT RELATING TO THE AFFORDABLE HOUSING: TERRITORIAL AUTHORITIES BILL BE RECEIVED.

The Government Bill was very prescriptive and would be costly to implement. LGNZ had proposed a simpler Bill designed to give greater flexibility. It relies solely on existing District Plan processes, and did not have sufficient checks and balances for the use of financial contributions, or land contributions for affordable housing from developers.

Moved Cr Jack, seconded Cr Ridley

and RESOLVED THAT THE ATTACHED COMMENTS BE SENT TO LGNZ FOR INCLUSION IN ITS SUBMISSION ON THE BILL - REFER APPENDIX III.

5.8 SUBMISSION ON THE NEW ZEALAND COASTAL POLICY STATEMENT

360/15/5/1

rh/08/4/4804

Report by Ms R Heerdegen, in consultation with Messrs B Halligan and R Hawkes dated 16 April 2008.

The Department of Conservation was currently seeking submissions on the New Zealand Coastal Policy Statement (the Statement). Local Government New Zealand (LGNZ) was making a submission on the Statement, and had already sought feedback from Council. Council supports LGNZ's position.

This report recommends that Council also make a submission, focussing on four key issues for the District:

- direct costs to Council;
- impact of the bias against hard engineering solutions (financial costs and practicalities);
- affordability of water quality policies for small coastal communities; and
- removal of abandoned or redundant structures.

A copy of the Statement, LGNZ's concerns about the statement (which would form the basis of a submission) and a draft SDC submission were attached for members information.

Moved Cr Dillon, seconded Cr Macpherson
and RESOLVED THAT THE REPORT RELATING TO THE NEW ZEALAND
COASTAL POLICY STATEMENT BE RECEIVED.

Mayor Cardno suggested there could be large costs to Council in regard to roading
around some of the coastal areas.

Moved Cr Ridley, seconded Cr Copland
and RESOLVED:

- (a) THAT THE DRAFT NEW ZEALAND COASTAL POLICY STATEMENT AND
THE OUTLINE OF LOCAL GOVERNMENT NEW ZEALAND CONCERNS
REGARDING THE STATEMENT BE RECEIVED AS INFORMATION.
- (b) THAT COUNCIL APPROVE THE DRAFT SDC SUBMISSION OUTLINING
KEY CONCERNS FOR THE SOUTHLAND DISTRICT COUNCIL. - REFER
APPENDIX IV.

5.7 SOUTHLAND DISTRICT COUNCIL'S SUBMISSION TO INVERCARGILL CITY
COUNCIL'S DRAFT ANNUAL PLAN 2008/2009

100/30/2/1

NT/08/4/4915

Report by Miss N Taylor, Mrs R Heergeden and Mr J Reid dated 18 April 2008.

The Invercargill City Council had publicly notified its Draft Annual Plan 2008/2009
inviting submissions. The plan included a proposal to expand the Council's current
recycling service (using 45-litre crates) to include an organic collection as well as a
collection of a wider variety of recyclable materials. The Council was suggesting a
three-bin system using a 240 litre organic bin (picked up weekly) with a 140 litre
rubbish bin and 240 litre recycling bin put out once a fortnight. This is similar to one
of the options in the Southland District Council's own Draft Annual Plan regarding
recycling collections.

Submissions to the Invercargill City Council's Draft Annual Plan would close on
9 May 2008.

Moved Cr Jack, seconded Cr Harpur
and RESOLVED THAT THE REPORT ON SOUTHLAND DISTRICT COUNCIL'S
SUBMISSION TO INVERCARGILL CITY COUNCIL'S DRAFT ANNUAL PLAN
2008/2009 BE RECEIVED.

Council had not made a submission to any of the Invercargill City Council's Draft
Annual Plans in the past, but it was considered appropriate this time as it supported
one of the options in the Southland District Council's own Draft Annual Plan.

Moved Cr Bailey, seconded Cr Dobson
and RESOLVED:

- (a) THAT COUNCIL AGREE TO THE SUBMISSION, AND THAT IT BE
FORWARDED TO THE INVERCARGILL CITY COUNCIL BY 9 MAY 2008 -
REFER APPENDIX V.
- (b) THAT COUNCIL WISHES TO PRESENT THE SUBMISSION TO THE
INVERCARGILL CITY COUNCIL SUBMISSION HEARING SCHEDULED
FOR 21 MAY 2008.

5.10 ROAD STOPPING - TARAMEA BAY, RIVERTON

360/10/06/111

dl/08/4/5157

Report by Mr K McNaught dated 21 April 2008.

Council resolution was required to stop a portion of land at Taramea Bay, Riverton which has been through the procedures as set out in the Local Government Act 1974.

Moved Cr Dobson, seconded Cr Harpur and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL RESOLVES TO PUBLICLY NOTIFY THAT THE PORTION OF ROAD DESCRIBED AS SECTION 1 SO PLAN 395882 IS STOPPED IN ACCORDANCE WITH THE PROCEDURES AS SET OUT IN THE TENTH SCHEDULE TO THE LOCAL GOVERNMENT ACT 1974.

5.6 KIDS VOTING 2008

240/25/2/2

rh/08/4/4821

Report by Ms R Heerdegen dated 16 April 2008.

Kids Voting is a Local Government New Zealand (LGNZ) coordinated 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.

LGNZ is now seeking registrations for Kids Voting 2008 (General elections). This report recommends that Council support Kids Voting 2008, and seeks an indication of the level of involvement Council wishes to have:

1. Staff liaison with schools.
2. Councillor visits to schools in support of Kids Voting.
3. Facilitation of candidate visits.
4. Potential Youth Council involvement (to be discussed with Youth Council).

Moved Cr Ford, seconded Cr Jack and RESOLVED THAT THE REPORT RELATING TO KIDS VOTING 2008 BE RECEIVED.

Moved Cr Jack, seconded Cr Ridley and RESOLVED:

- (a) THAT SOUTHLAND DISTRICT COUNCIL SUPPORT KIDS VOTING 2008.
- (b) THAT COUNCIL'S LEVEL OF INVOLVEMENT INCLUDE, FOLLOWING CONSULTATION WITH DISTRICT HIGH SCHOOLS:
 1. STAFF LIAISON WITH SCHOOLS.
 2. POTENTIAL YOUTH COUNCIL INVOLVEMENT.

6.0 **MEMORANDA**

6.1 **MAYOR'S MONTHLY UPDATE**

240/10/7/2

eja/2008/02/1928

Memorandum by Mayor Cardno dated 22 April 2008.

Mayor Cardno spoke to her report that listed activities she had been involved in during the past month.

2008 SISTER CITIES NEW ZEALAND CONFERENCE

240/10/5/11

pd/08/4/5445

Memorandum by Cr P Duffy dated 28 April 2008.

Mayor Cardno had referred to the Sister City Conference in her Monthly Update.

Moved Cr Drummond, seconded Cr Ridley
and RESOLVED THAT THE MEMORANDUM ON THE MAYOR'S MONTHLY
UPDATE BE RECEIVED AS INFORMATION AND THE LATE REPORT BY CR
P DUFFY ON HIS ATTENDANCE AT THE 2008 SISTER CITIES NEW ZEALAND
CONFERENCE.

6.2 **MANAGEMENT REPORT**

Memorandum by Mr D Adamson dated 19 April 2008.

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

6.3 **BUILDING CONSENTS AND VALUES FOR MARCH 2008**

300/40/1/3

Memorandum by Mr K O'Connor dated 3 April 2008.

Moved Cr Dobson, seconded Cr Macpherson
and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND
VALUES FOR MARCH 2008 BE RECEIVED AS INFORMATION.

6.4 **NON-NOTIFIED RESOURCE CONSENTS - MARCH 2008**

360/15/3/5

Memorandum by J Green dated 22 April 2008.

Moved Cr Macpherson, 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
MARCH 2008 BE RECEIVED AS INFORMATION.

6.5 WATER AND WASTE SERVICES PROJECT PRIORITIES - THREE MONTH UPDATE

400//5/1/4

Report by Mr C McIntosh dated 22 April 2008.

Following Council's resolution in December 2007 to allow a temporary deferment of projects while staffing shortages were resolved an undertaking was given to report back to Council every three months with an update. At this stage several changes have occurred with regard to staff shortages, however there has not been any change in the priority list.

Moved Cr Ridley, seconded Cr Ford

and RESOLVED THAT COUNCIL RECEIVES THE MEMORANDUM ON THE WATER AND WASTE SERVICES PROJECT PRIORITIES FOR INFORMATION.

6.6 PRESENTATION OF GRAVEL EXTRACTIONS AND ASSOCIATED ISSUES

360/15/1/13

dc/08/3/3992

Memorandum by Mr B Halligan dated 1 April 2008.

Moved Cr Dobson, seconded Cr Dillon

and RESOLVED THAT THE MEMORANDUM ON THE PRESENTATION ON GRAVEL EXTRACTION ACTIVITIES AND ASSOCIATED ISSUES BE RECEIVED AS INFORMATION BY THE COUNCIL.

Mr Halligan advised he had recently given a presentation to the New Zealand Contractors Federation, Southland Branch, on resource consent requirements for gravel and rock extraction. The Resource Management Committee requested he make the presentation to Council for Councillors' information.

There were also some additional slides prepared by Mr Michael Voss of the Councils Roding Department. The additional slides highlighted some key issues which Council was facing with effective management of the roading network in relation to quarrying, with those primarily being driven by dairy conversion activities.

Refer Appendix VI.

The meeting adjourned for afternoon tea at 3.12 pm and reconvened at 3.16 pm.

Cr Ridley left the meeting at 3.28 pm.

A suggestion was made that interest groups should be invited to view the presentation e.g. Federated Farmers, Banks, Real Estate Agents and the Legal Profession.

Mayor Cardno thanked Messrs Halligan and Voss for their presentation and said it had been of value to the Councillors.

7.0 VENTURE SOUTHLAND

No reports were received from Venture Southland.

8.0 LATE REPORTS

Refer to Items 5.6 and 6.1

9.0 **EXCLUSION OF PUBLIC**

Moved Cr Ford, seconded Cr Harpur
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 CONFIDENTIAL MINUTES DATED 26 MARCH
2008

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

NIGHTCAPS COMMUNITY DEVELOPMENT AREA SUBCOMMITTEE
CONFIDENTIAL MINUTES DATED 12 FEBRUARY 2008

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

LICENCE TO OCCUPY ROAD RESERVE
SECTION 6(a)

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

- 6(a) PREJUDICE THE MAINTENANCE OF THE LAW, INCLUDING THE
PREVENTION OF, INVESTIGATION OF, AND DETECTION OF
OFFENCES OR PREJUDICE THE RIGHT TO A FAIR TRIAL:
- 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.

8.1 **EXCLUSION OF PUBLIC - STAFF**

Moved Cr Ford, seconded Cr Harpur
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 REGULATORY SERVICES
COMMUNICATIONS OFFICER
SENIOR ADMINISTRATION OFFICER

The meeting closed at 4.08 pm

CONFIRMED:

MAYOR:

DATED: