

SOUTHLAND DISTRICT COUNCIL

COUNCIL MEETING

27 MAY 2009

MINUTES of a COUNCIL MEETING of the SOUTHLAND DISTRICT COUNCIL held at the Council Chambers, 15 Forth Street, Invercargill on WEDNESDAY, 27 MAY 2009 at 1.00 PM.

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

IN ATTENDANCE: Messrs D P Adamson, P Culling, R Hawkes, C McIntosh, L McKenzie, K McNaught, J Troon (entered the meeting at 1.30 pm) R Washbourn and Mrs J O'Shannessy.

1.0 **APOLOGIES**

No apologies were received.

2.0 **PUBLIC FORUM**

There were no requests to speak at the Public Forum.

3.0 **NOTIFICATION OF URGENT BUSINESS**

No items of Urgent Business were recorded.

4.0 **MISCELLANEOUS ITEMS**

The following miscellaneous items were tabled for members' information:

- * Citizens Advice Bureau - Minutes of Management Meeting 22 April 2009.
- * Royal Humane Society of NZ - Letter of thanks for Donation.
- * Newsletter - Habitat for Humanity (Invercargill) Ltd.

5.0 **MINUTES**

5.1 **SOUTHLAND DISTRICT COUNCIL EXTRAORDINARY COUNCIL MEETING DATED 16 APRIL 2009**

Minutes for Confirmation.

Moved Cr Jack, seconded Cr Dillon
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING DATED 16 APRIL 2009 BE CONFIRMED
AS A TRUE AND CORRECT RECORD.

5.2 SOUTHLAND DISTRICT COUNCIL MEETING DATED 29 APRIL 2009
Minutes for Confirmation.

Moved Cr Jack, seconded Cr Dillon
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
MEETING DATED 29 APRIL 2009 BE CONFIRMED AS A TRUE AND CORRECT
RECORD.

5.3 ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED
29 APRIL 2009
Minutes for Adoption.

Moved Cr Bailey, seconded Cr Douglas
and RESOLVED THAT THE MINUTES OF THE ACTIVITIES PERFORMANCE
AUDIT COMMITTEE MEETING DATED 29 APRIL 2009 BE ADOPTED.

5.4 ACTIVITIES PERFORMANCE AUDIT COMMITTEE MEETING DATED
13 MAY 2009
Minutes for Adoption.

Moved Cr Bailey, seconded Cr Douglas
and RESOLVED THAT THE MINUTES OF THE ACTIVITIES PERFORMANCE
AUDIT COMMITTEE MEETING DATED 13 MAY 2009 BE ADOPTED.

5.5 SOUTHLAND DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING DATED
29 APRIL 2009
Minutes for Adoption.

Moved Cr Duffy, seconded Cr Copland
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
EXECUTIVE COMMITTEE MEETING DATED 29 APRIL 2009 BE ADOPTED.

5.6 SOUTHLAND DISTRICT COUNCIL POLICY REVIEW COMMITTEE MEETING
DATED 16 APRIL 2009
Minutes for Adoption.

Moved Cr Duffy, seconded Cr Jack
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
POLICY REVIEW COMMITTEE MEETING DATED 16 APRIL 2009 BE ADOPTED.

5.7 SOUTHLAND DISTRICT COUNCIL RESOURCE MANAGEMENT HEARING
MINUTES DATED 24 MARCH 2009
Minutes for Adoption.

Moved Cr Copland, seconded Cr Macpherson
and RESOLVED THAT THE MINUTES OF THE SOUTHLAND DISTRICT COUNCIL
RESOURCE MANAGEMENT HEARING DATED 16 APRIL 2009 BE ADOPTED.

5.8 SOUTHLAND DISTRICT COUNCIL ACTION SHEET
For Adoption.

Moved Cr Dillon, seconded Cr Dobson

and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL ACTION SHEET BE ADOPTED.

6.0 **REPORTS**

6.1 **DOG REGISTRATION FEES FOR 2009/2010**

300/15/1/6

r/09/5/6104 [dc]

Report by Mr L McKenzie dated 6 May 2009.

Section 37 of the Dog Control Act 1996, provides that territorial authorities may set the fees for registration of dogs by resolution. The same section empowers territorial authorities to set the penalty for late registration of dogs. The penalty for late registration cannot exceed 50% of the registration fee, and the penalty cannot be imposed until the 1st day of the second month of the registration year.

It is recommended that the registration fee for the 2009/2010 registration year be set at \$16.80 and the penalty for late payment be \$8.40 (both inclusive of GST), with the penalty for late payment of the registration fee be imposed effective from 1 August 2009.

Moved Cr Dobson, seconded Cr Dillon

and RESOLVED THAT THE REPORT RELATING TO THE DOG REGISTRATION FEE FOR THE 2009/2010 DOG REGISTRATION YEAR AND THE IMPOSITION OF A PENALTY FOR LATE PAYMENT OF THE REGISTRATION FEE BE RECEIVED.

Mr McKenzie said he believed the Dog Registration Fee was the lowest being charged in New Zealand.

He then updated the meeting on the success of the recent initiative to microchip dogs. Owners had seen the value of microchipping animals that did not have to be chipped at this time as some were valuable sheep dogs, hunting dogs etc. The cost of the exercise was covered by the surplus in the Dog Registration fees account.

Moved Cr Drummond, seconded Cr Ford
and RESOLVED:

- (a) THAT PURSUANT TO SECTION 37 OF THE DOG CONTROL ACT 1996, THE REGISTRATION FEE TO REGISTER DOGS FOR THE 2009/2010 REGISTRATION YEAR BE SET AT \$16.80, AND THE PENALTY FOR LATE PAYMENT OF THE REGISTRATION FEE BE SET AT \$8.40 (BOTH FEES INCLUSIVE OF GST) WITH THE PENALTY FOR LATE PAYMENT OF THE REGISTRATION FEE BE IMPOSED EFFECTIVE FROM 1 AUGUST 2009.
- (b) THAT PUBLIC NOTICE BE GIVEN OF THE SETTING OF THESE FEES.

6.2 **DELEGATIONS – EXECUTION OF LINZ AUTHORITY AND INSTRUCTION FORMS**

240/10/1/4

r/09/4/5491 [msc]

Report by Mr K McNaught dated 23 April 2009.

The issuing of a delegation to execute LINZ Authority and Instruction forms to give effect to any authorised transaction and to complete any letter of authorisation enabling the registration of any easements or encumbrances required pursuant to any decision of Council regarding any resource or subdivision consent.

Moved Cr Duffy, seconded Cr Bailey
and RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL DELEGATES TO THE CHIEF EXECUTIVE, GROUP MANAGER - SERVICES AND ASSETS, PROPERTY MANAGER, GROUP MANAGER - REGULATORY SERVICES AND MANAGER OF RESOURCE MANAGEMENT THE AUTHORITY TO EXECUTE:

- (a) ANY LAND INFORMATION NEW ZEALAND AUTHORITY AND INSTRUCTION FORMS FOR ANY AUTHORISED TRANSACTIONS AND
- (b) LETTERS OF AUTHORISATION ENABLING THE REGISTRATION OF ANY EASEMENTS OR ENCUMBRANCES REQUIRED PURSUANT TO ANY DECISION OF COUNCIL REGARDING ANY RESOURCE OR SUBDIVISION CONSENT.

6.3 FORESTRY and the EMISSIONS TRADING SCHEME

220/10/3/1

r/09/5/6752 [dc]

Report by Mr R Washbourn dated 19 May 2009.

Council is required to register as a user under the Emissions Trading Scheme if it is to benefit from its forestry holdings. The process was outlined in the report.

Moved Cr Dillon, seconded Cr Macpherson
and RESOLVED THAT THE FOREST MANAGER'S REPORT ON FORESTRY AND THE EMISSIONS TRADING SCHEME DATED 19 MAY 2009 BE RECEIVED.

Mr Washbourn was in attendance to speak to his report.

The Climate Change Response (Emissions Trading) Amendment Act 2008 received the Royal Assent on 25 September 2008. This meant that the New Zealand Emissions Trading Scheme (ETS) was now live. The new legislation amended the Climate Change Response Act 2002 (which is the principal piece of legislation).

Forestry was the first sector to enter the scheme (effective 1 January 2008) because it played a core role in managing New Zealand's carbon footprint.

Despite the current governmental review of the ETS, and some statements made by the Prime Minister about aligning the New Zealand ETS with the Australian scheme, the above legislation was in place and imposed some deadlines on forest owners which still had to be observed. The Ministry of Agriculture and Forestry was charged with administering the scheme.

The Kyoto Protocol created a distinction between forests established before and after 1 January 1990 with different rules for pre-1990 and post-1990 forest land. A brief summary of the two types of forestry follows:

- Pre-1990 Forest Land: Pre-1990 forest land is an area of forest land covered by predominantly exotic forest species that was established on or before 31 December 1989 and that remained forest land on 31 December 2007.
- Post-1990 Forest Land: Post-1990 forest land is exotic or indigenous forest that was established after 31 December 1989 on land *that was not forest land on 31 December 1989* (that is, it was non-forest land on 31 December 1989).

A 'New Zealand Unit' (NZU) was defined as a greenhouse gas emissions unit specific to the New Zealand Emissions Trading Scheme. The Government would allocate NZUs to owners of lands covered by pre-1990 forests under a Forestry Allocation Plan. Those forest landowners would be free to hold or to sell the units.

The Act specifies that a total of 55 million NZUs will be available to be allocated to pre-1990 forest landowners. The 55 million units will be divided into two parts:

- 21 million units allocated to owners of lands covered by pre-1990 forests during the first commitment period (2008 to 2012), and are able to be used immediately by any Participant in the ETS;
- 34 million units allocated at the same time but post-dated so that they cannot be used to meet national emission obligations until a specified date after 2013.

In order to qualify for NZU's, owners of pre-1990 forest land must apply for an allocation of units, but must first open a holding account with the New Zealand Emission Unit Register, administered by the Ministry of Economic Development (MED). All those persons/organisations who wish to take part in the forestry sector of the ETS will need to open a holding account. The attached two pp. extract from the MED explains this process; panels 2~5 were particularly relevant. There were two stages to this process ~:

- (1) Register as a user with the NZ Emission Unit Register.
- (2) Open a holding account, with three authorised representatives as operators on behalf of the account holder.

Registering as a user was akin to opening and operating a new bank account, thus Council needed to be aware of, and approve of this process.

It is suggested that the three representatives who will have authority to operate the holding account on behalf of the Council be -

Financial Controller (Anne Robson)
Group Manager Services and Assets (Cameron McIntosh)
Forest Manager (Roger Washbourn)

The published timelines from the Ministry of Agriculture and Forestry indicated that applications for allocation of units to pre-1990 forest landowners would close on 31 July 2009.

Moved Cr Dillon, seconded Cr Harpur
and RESOLVED:

- (a) THAT COUNCIL RESOLVES TO REGISTER AS A USER UNDER THE EMISSIONS TRADING SCHEME AND OPENS A HOLDING ACCOUNT WITH THE NEW ZEALAND EMISSION UNIT REGISTER.
- (b) THAT THE THREE REPRESENTATIVES WITH AUTHORITY TO OPERATE THE HOLDING ACCOUNT ON BEHALF OF COUNCIL BE THE FINANCIAL CONTROLLER, THE GROUP MANAGER SERVICES AND ASSETS, AND THE FOREST MANAGER.

6.4 BRIDGE WEIGHT RESTRICTION POSTINGS

50/0/9/3

Report by Mr J Laskewitz of MWH New Zealand Ltd dated 19 May 2009.

Moved Cr Douglas, seconded Cr Copland and RESOLVED THAT THE REPORT ON THE BRIDGE WEIGHT RESTRICTION POSTINGS BE RECEIVED.

The 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 part of the six yearly major structural review of the bridge network.

The posted bridges were also subject to more frequent inspection to monitor their condition.

The appended list contained some bridges where contracts for their upgrade or replacement had been let and construction was to be complete prior to the end of June 2009.

Moved Cr Macpherson, seconded Cr Jack and RESOLVED:

- (a) THAT THE SOUTHLAND DISTRICT COUNCIL CONFIRMS THE MAXIMUM WEIGHT AND SPEED LIMITS FOR HEAVY MOTOR VEHICLES ON BRIDGES AS LISTED ON 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.

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

240/10/7/2

r/09/5/6641

Memorandum by Mayor F Cardno dated 17 May 2009.

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

Mayor Cardno spoke to her Memorandum and also commented on the following matters:

- * Recent visit to Stewart Island.
 - * Attendance at the Oyster Festival.
 - * Great Escape Bike Race at Waikaka.
 - * Sports Awards at Stadium Southland.
- Mayor Cardno said she was pleased to see that one of the District residents
- Colin Waghorn - won the Southland Sportsman of the year Award for his achievement in winning the 8th DTL World Championship in August 2008.
 - * Attendance at the Venture Southland organised Southland Economic Forum.

7.2 2009 SISTER CITIES NEW ZEALAND CONFERENCE

Memorandum by Cr P Duffy dated 13 May 2009.

100/45/3/1

r/09/5/6390

Cr Duffy referred to the recent Annual Conference of Sister Cities New Zealand. He and Bill Moss of Riverton had represented Council at the gathering. It had been held at the Hamilton Airport Hotel and was hosted by Waipa District Council.

Council had been declared runner up in the Air New Zealand Awards for signing the latest sister city agreement with Cinque Terre by Skype.

Cr Duffy drew attention to the 13th China International Fair for Investment & Trade to be held in Xiamen, Fujian Province, China on 8 - 11 September 2009. The purpose of the Fair was to explore trade and investment opportunities between Taiwan and the Chinese mainland.

Moved Cr Duffy, seconded Cr Jack

and RESOLVED THAT THE MEMORANDUM ON THE 2009 SISTER CITIES NEW ZEALAND CONFERENCE BE RECEIVED AS INFORMATION.

7.3 MANAGEMENT REPORT

140/45/2/1

r/09/5/6640

Memorandum by Mr D Adamson dated 17 May 2009.

Moved Cr Dillon, seconded Cr Ridley

and RESOLVED THAT THE MEMORANDUM BEING THE APRIL 2009 MANAGEMENT REPORT BE RECEIVED.

Mr Adamson referred to the summary of activities listed in his memorandum and clarified some of the issues.

Now the microchipping of dogs project had been completed, Councillors were advised to contact Paul Bell if there were any late applications.

Mr Adamson then spoke about the forthcoming meetings in the district regarding the Southland Regional Policy Statement and District Plan Reviews. Cr Ridley advised the Resource Management Committee wanted to encourage Councillors to attend the meetings planned for the next two months.

The Zone 6 meeting had recently been held and Mr Adamson summarised the speakers and the topics they covered.

7.4 BUILDING CONSENTS AND VALUES FOR APRIL 2009

300/40/1/3

r/09/5/6015 [kk]

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

Moved Cr Macpherson, seconded Cr Jack

and RESOLVED THAT THE MEMORANDUM ON BUILDING CONSENTS AND VALUES FOR APRIL 2009 BE RECEIVED AS INFORMATION.

7.5 NON-NOTIFIED RESOURCE CONSENTS - APRIL 2009

360/15/3/5

r/09/5/5958 [kk]

Memorandum by Miss J Green dated 4 May 2009.

Moved Cr Dobson, seconded Cr Ridley

and RESOLVED THAT THE MEMORANDUM ON THE NON-NOTIFIED RESOURCE CONSENTS PROCESSED BY THE RESOURCE MANAGEMENT DEPARTMENT STAFF UNDER DELEGATION FROM THE COUNCIL DURING APRIL 2009 BE RECEIVED AS INFORMATION.

8.0 VENTURE SOUTHLAND

8.1 ACTIVITY UPDATE

930/15/2/3

r/09/5/6419

Memorandum by Mr Jeff Troon dated 18 May 2009.

Mr Troon was in attendance for this item.

Moved Cr Ridley, seconded Cr Ford

and RESOLVED THAT THE MEMORANDUM BE RECEIVED FOR INFORMATION PURPOSES.

Mr Troon referred to the recent Southland Economic Forum held in Invercargill. He spoke about the following matters that had been addressed at the Forum - Refer Appendix II.

Mr Troon then replied to questions put from the meeting including discussion on food production in the south and the future of the Auckland Island Pigs and cell technology.

Reference was made to the success of the recent May Arts Festival.

Cr Drummond left the meeting at 2.08 pm.

9.0 EXCLUSION OF PUBLIC

Moved Cr Ford, seconded Cr Douglas

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 29 APRIL 2009

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

ACTIVITIES PERFORMANCE AUDIT COMMITTEE CONFIDENTIAL MINUTES DATED 29 APRIL 2009

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

ACTIVITIES PERFORMANCE AUDIT COMMITTEE CONFIDENTIAL MINUTES
DATED 13 MAY 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

POLICY REVIEW COMMITTEE CONFIDENTIAL MINUTES DATED 16 APRIL 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

RESOURCE MANAGEMENT COMMITTEE CONFIDENTIAL MINUTES DATED 24
MARCH 2009
SECTIONS 7(2)(f), 7(2)(i), AND 7(2)(j)

EXECUTIVE COMMITTEE CONFIDENTIAL MINUTES DATED 29 APRIL 2009
SECTIONS 7(2)(a), 7(2)(f), 7(2)(i), AND 7(2)(j)

LUMSDEN BALFOUR WATER SUPPLY UPGRADE - PURCHASE OF LAND
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 Ford, seconded Cr Douglas
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
ASSET MANAGER - ROADING
SENIOR ADMINISTRATION OFFICER

10.0 **CONFIDENTIAL DECISION RECORDED IN OPEN MEETING**

- 10.1 **LUMSDEN BALFOUR WATER SUPPLY UPGRADE - PURCHASE OF LAND**
RESOLVED THAT THE SOUTHLAND DISTRICT COUNCIL APPROVE THE
PURCHASE OF THE LAND FROM AGNES JOAN ROBB FOR THE
CONSTRUCTION OF A WATER TREATMENT PLANT ON LINTLEY ROAD FOR A
COST OF \$8,888.89 (EXCLUDING GST).

There being no further business, the meeting was declared closed at 2.20 pm.

CONFIRMED:

CHAIRPERSON:

DATE: