



**MINUTES OF THE ORDINARY MONTHLY MEETING OF THE GORE DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE, ON TUESDAY 24 JUNE 2008, AT 7:37 pm**

**PRESENT** His Worship the Mayor (Mr Tracy Hicks JP), Crs Bolger, Davis, Dixey, Dixon, Gardyne, Harvey, Highsted, McLennan and Sharp.

**IN ATTENDANCE** The Chief Executive (Mr Steve Parry), General Manager, District Assets (Mr Paul Withers), Roading Manager (Mr Murray Hasler), Parks and Recreation Manager (Mr Ian Soper), Asset Manager, Utilities (Mr Ross Haslemore), Building Control Manager (Mr Russell Paterson), Building Inspector (Mr Colin Gray), Library Manager (Mrs Jane Robinson), Management Accountant (Mr Luke Blackbeard), Corporate Support Officer (Mrs Jo Waddell) and three members of the public in the Gallery.

**APOLOGIES** Crs Grant and Heller and the General Manager, Corporate Services (Mr Russell Duthie) apologised for absence.

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**1. CONFIRMATION OF MINUTES**

**RESOLVED** on the motion of Cr McLennan, seconded by Cr Dixey, **THAT** the Minutes of the Ordinary Monthly Meeting of the Gore District Council, held on Tuesday 27 May 2008, as presented, be confirmed and signed by the Mayor as a true and correct record.

**RESOLVED** on the motion of Cr Davis, seconded by Cr Highsted, **THAT** the Minutes of the Extraordinary Meeting of the Gore District Council, held on Tuesday 10 June 2008, as presented, be confirmed and signed by the Mayor as a true and correct record.

**RESOLVED** on the motion of Cr Gardyne, seconded by Cr Sharp, **THAT** the report of the Operations Committee meeting held on Tuesday 10 June 2008, be accepted as an accurate and complete record.

**RESOLVED** on the motion of Cr Davis, seconded by Cr Dixey, **THAT** the recommendations contained within the report of the Operations Committee meeting held on Tuesday 10 June 2008, as presented, be ratified.

**RESOLVED** on the motion of Cr Bolger, seconded by Cr Sharp, **THAT** the report of the Finance and Policy Committee meeting held on Tuesday 10 June 2008, be accepted as an accurate and complete record.

Clause 3 – Presentation from Gore Multi-sports Complex Charitable Trust (37.24)

Cr Dixey referred to page 4, paragraph 9 and asked for the wording to read “*Outstanding issues such as smoke detection and a fire hydrant to be located outside the building had yet to be dealt with*”.

**RESOLVED** on the motion of Cr Bolger, seconded by Cr Davis, **THAT** the recommendations contained within the report of the Finance and Policy Committee meeting held on Tuesday 10 June 2008, as presented, be ratified.

## 2. COMMUNITY SERVICES BULLETIN

The Committee perused the Community Services Bulletin containing reports from the Gore Visitor Centre, District Arts and Heritage Curator, Library Manager, Parks and Recreation Manager and Aquatic Services Manager.

Report of the District Promotion and i-SITE Visitor Information Centre (18.18)

Cr Harvey thanked the Senior Consultant on behalf of the Council for the wonderful job she had done and noted it would be sad to lose her services.

His Worship agreed Rose had contributed a lot to the Visitor Centre and would be sadly missed. She had done a very good job putting together the itineraries for the Tamworth dignitaries who had been very complimentary of both her ability and the Gore District.

Report of the Library Manager (25.1)

In response to Cr Harvey, the Library Manager explained the Aotearoa Peoples Network was funded by the government and provided free internet access through libraries. The Southland District Council had been one of the latest to become part of the

network. If the Gore Library was successful with its submission, it would receive computers as part of the deal.

**RESOLVED on the motion of Cr Harvey, seconded by Cr Dixon, THAT the Community Services Bulletin be received.**  
**2008/73**

3. REGULATORY BULLETIN (11.5.1/2.14.2)

The Committee perused a summary of building consents issued for May 2008 together with comparisons for the previous two years. A schedule of resource consents issued to 6 June 2008 had also been circulated.

**RESOLVED on the motion of Cr McLennan, seconded by Cr Gardyne, THAT the information be received.**  
**2008/74**

4. FINANCIAL REPORT FOR APRIL 2008 (1.1.4)

A financial report for the nine months ended 30 April 2008 had been circulated from the Management Accountant.

**RESOLVED on the motion of Cr Bolger, seconded by Cr Sharp, THAT the financial report for the ten months ended 30 April 2008 be received.**  
**2008/75**

5. RATES RESOLUTION (44.7.1)

Following the Council's adoption of its Annual Plan commencing in the 2008/09 year, it was recommended that the Council set the following rates under the Local Government (Rating) Act 2002 on rating units in the District for the financial year commencing 1 July 2008.

**1. Uniform Annual Charge**

A uniform annual charge of \$532.34 (GST inclusive) on each separately used or inhabited part of a rating unit, set under Section 15 of the Local Government (Rating) Act 2002.

**2. General Rates**

A general rate, set under Section 13 of the Local Government (Rating) Act 2002, of 0.000160 cents (GST inclusive) for each dollar of capital value on all rating units in the District.

### 3. Targeted Rates

A targeted rate, set under Section 16 of the Local Government (Rating) Act 2002.

#### **Valuation based Targeted Rates**

The rate in cents (GST inclusive) for each dollar of capital value in each of the rating areas as follows:

##### **Gore**

	<b>Per \$ Capital Value</b>
Residential	0.001545
Commercial	0.004332

##### **Mataura**

	<b>Per \$ Capital Value</b>
Residential	0.001208
Commercial	0.008582

##### **Rural**

	<b>Per \$ Capital Value</b>
All properties	0.001205

##### **Heavy Industrial**

<b>All Properties</b>	<b>Per \$ Capital Value</b>
Capital Value under \$550,000	0.027985
Capital Value between \$550,001 and \$1,000,000	0.009201
Capital Value over \$1,000,000	0.004452

#### **Fixed Targeted Rate – Parks and Reserves**

A fixed rate (GST inclusive) on each separately used or inhabited part of a rating unit in each of the rating areas as follows:

##### **Gore**

	<b>Fixed Charge</b>
<b>Residential</b>	\$202.95
<b>Commercial</b>	
Capital Value under \$75,000	\$337.37
Capital Value between \$75,001 and \$147,000	\$606.78
Capital Value between \$147,001 and \$356,000	\$1044.87
Capital Value between \$356,001 and \$685,000	\$1,877.36

Capital Value between \$685,001 and \$1,575,000	\$2,389.48
Capital Value \$1,575,000 and above	\$2,867.62

### **Mataura**

<b>Fixed Charge</b>	
<b>Residential</b>	\$190.99
<b>Commercial</b>	
Capital Value below \$62,000	\$656.56
Capital Value between \$62,001 and \$125,000	\$907.45
Capital Value between \$125,001 and \$145,000	\$1,846.92
Capital Value between \$145,001 and \$340,000	\$2,522.17
Capital Value \$340,001 and above	\$2,867.62

### **Rural**

<b>Fixed Charge</b>	
Capital Value under \$100,000	\$162.34
Capital Value \$100,000 and above	\$250.11

## **4. Water, Stormwater, Drainage and Solid Waste**

A targeted rate, set under Section 16 of the Local Government (Rating) Act 2002, for water, stormwater, and drainage as follows:

\$202.20 (GST inclusive) on each separately used or inhabited part of a rating unit that is connected to either the Gore or Mataura water schemes.

\$101.10 (GST inclusive) on each separately used or inhabited part of a rating unit that is not connected, but has the ability to be serviced by the Gore or Mataura water schemes.

\$212.39 (GST inclusive) on each separately used or inhabited part of a rating unit that is connected to either the Gore or Mataura drainage schemes.

\$106.19 (GST inclusive) on each separately used or inhabited part of a rating unit that is not connected, but has the ability to be serviced by the Gore or Mataura drainage schemes.

\$67.21 (GST inclusive) on each rating unit serviced by the Pukerau drainage scheme.

\$89.61 (GST inclusive) on each rating unit serviced by the Waikaka drainage scheme.

\$44.80 (GST inclusive) on each rating unit not connected but has the ability to be serviced by the Waikaka drainage scheme.

\$212.39 (GST inclusive) for the second and every additional water closet and urinal on all non-residential rating units (with the exception of educational institutions) in Gore and Mataura.

A per pan fee of \$212.39 (GST inclusive) for education institutions (as defined in clause 6 of Part 1 of Schedule 1 of the Local Government (Rating) Act 2002). The number of pans will be assessed on the basis of 6.25% of the total number of staff and pupils at each establishment.

\$106.19 (GST inclusive) for the second and every additional water closet and urinal on all non-residential rating units in Waikaka.

To fund the Solid Waste activity:

\$41.33 (GST inclusive) on each separately used or inhabited part of a rating unit in Gore and Mataura.

## **5. Rural Water Schemes**

A targeted rate, set under Section 16 of the Local Government (Rating) Act 2002. Each rating unit serviced by the Otama scheme will be charged a fixed charge (GST inclusive) as follows:

\$200.00 per water unit

\$215.00 per water connection

## **6. Water Supply charges**

All commercial premises in Mataura and Gore, as well as all users of the Otama Water scheme will be invoiced separately for actual water usage.

## **7. Community Halls**

A targeted rate, set under Section 16 of the Local Government (Rating) Act 2002. Each rating unit in the following communities will be charged a fixed charge (GST inclusive) as follows:

<b>Brydone</b>	\$22.50
<b>Mandeville</b>	\$22.50
<b>Otama</b>	\$56.25
<b>Pukerau</b>	\$27.00
<b>Tuturau</b>	\$22.50

<b>Waikaka</b>	\$35.00
<b>Knapdale</b>	\$56.25

## 8. Due Dates

The current year's rates will be collected in four instalments. The due dates for each rates instalment are:

<b>Instalment No</b>	<b>Period Covered</b>	<b>Final Date for Payment</b>
1	1 July to 30 September	29 August 2008
2	1 October to 31 December	28 November 2008
3	1 January to 31 March	27 February 2009
4	1 April to 30 June	29 May 2009

## 9. Method of Payment

Rates can be paid at the main Council office in Civic Avenue, Gore or at the Mataura Service Centre in Bridge Street, Mataura. Both these offices are open between 8.30 am and 5 pm, Monday to Friday.

Payments may be made in cash or by cheque or EFTPOS. Credit card payments cannot be accepted.

Electronic payments by direct debit or telephone banking can be arranged by contacting a customer services representative in either Gore (209-0330) or Mataura (203-8115).

## 10. Penalties

Only payments actually received at the Council offices named in (9) above will be accepted as paid on that date.

A 10% penalty will be added to each instalment, or any portion of the instalment, not received by the Gore District Council by 5 pm on or before the due date for payment of that instalment.

An additional 10% penalty will be added to any rates that remain unpaid on the 1<sup>st</sup> of July following the due date.

Additional 10% penalties will be added at six monthly intervals thereafter on any rates that remain unpaid.

**Cr Bolger moved THAT pursuant to the Local Government (Rating) Act 2002, the Council set the above rates for the financial year commencing 1 July 2008.**

**The motion was seconded by Cr Highsted.**

Cr Gardyne advised he had not received a copy of the resolution.

The Chief Executive advised it was similar to the previous year as it followed the same funding policies and incorporated the changes made at the Council's deliberative meeting.

*The meeting adjourned briefly to enable a copy of the resolution to be provided to Cr Gardyne.*

**The motion was put and it was carried.**

**2008/76**

**7. UPGRADE OF GORE LIBRARY HEATING SYSTEM (37.27)**

A memo had been received from the Library Manager about the proposed upgrade of the heating system in the Gore Library. A quote had been received from Connell Wagner Ltd for its replacement, estimated to cost \$65,000. An amount of \$55,584 had already been set aside specifically for the project and it was proposed the balance would be diverted from the existing lighting replacement budget of \$15,000 as the heating was considered more urgent.

Cr Gardyne asked if the system had the capacity to heat the Art Gallery and Museum as well.

The Parks and Recreation Manager replied it was only for the Library.

In response to Cr Harvey, the Library Manager advised it was a heating and air conditioning system.

The Parks and Recreation Manager said the current heating system had been installed in the 1970's and had never performed as it should have. Connell Wagner Ltd had performed an overview of the building and the proposed heating system had been based on its recommendation.

Cr Davis asked if the power for the system would be covered under the Council's penny per unit agreement.

The Manager replied it would be.

**RECOMMENDED on the motion of Cr Harvey, seconded by Cr Davis, THAT the report be received.**

**2008/77**

**7. LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT COMPLAINT – F S MCINTYRE (46.15)**

A memo had been received from the Chief Executive following statements made by Cr Gardyne at the May Council meeting. As the complaint had now been brought into the open part of the Council meeting, he suggested the Acting Chief Ombudsman's provisional opinion considered In-Committee on 22 April be disclosed to the public to provide background into the complaint and bring some balance to the question of whether an apology needed to be given to Mrs McIntyre.

His Worship said both he and the Chief Executive had taken offence at the comments made by Cr Gardyne.

**RECOMMENDED on the motion of Cr Dixey, seconded by Cr McLennan, THAT the report and the attached excerpts from previous Council meetings be received,**

**AND THAT the Council make public the Acting Chief Ombudman's provisional opinion, dated 3 April 2008.**

**2008/78**

**8. GORE MULTI-SPORTS COMPLEX – STAGE 3: AN ALTERNATIVE VIEW ON THE ROLE OF THE GORE DISTRICT COUNCIL (37.24)**

A memo had been received from the Chief Executive following a presentation made by representatives of the Gore Multi-Sports Complex Charitable Trust at the June Finance and Policy Committee meeting. The Council sought a report on the role of the Building Control Department in respect of building consent issues associated with the proposed indoor events centre together with a commentary on the Council's role with this longstanding project.

His Worship felt it was self explanatory and outlined the history of Stage 3.

The Chief Executive thought it was important to note that the Council was not just a building consent authority in this instance, but a landlord and adjoining owner operator. The concerns raised were related more to potential landlord and operator issues rather than consents based.

His Worship said the Council needed to decide whether it wanted to receive the report and address the question about the Trust's request for partial or full waiver of consent fees. A memo had been tabled with the updated fees charged and payments made to date.

**RESOLVED on the motion of Cr Davis, seconded by Cr Harvey, THAT the report be received.**

**2008/79**

**Cr Gardyne moved THAT a Sub-Sommittee be formed to consider the issue of building consent fees for the Gore Multi-Sports Complex Charitable Trust.**

His Worship asked what issues the Sub-Committee would address.

Cr Gardyne said he would like more detailed information concerning the second and third peer reviews and elaboration on the comments made by B Dore about the engineer from MWH stating it had addressed communications to the Council only.

His Worship felt all the information had already been provided.

**The motion lapsed for want of a seconder.**

Cr Harvey thought the issue had the potential to be very embarrassing for all involved. Discussions should have been held with the Trust some time ago.

Cr Dixey suggested the Council make its intentions known on the issue of waiving the building consent fees and asked whether it should be left until the end of the project?

His Worship said there had been an offer made earlier that he would be willing to accept an approach from the Trust, once the project had been completed. The Council could then consider the merits of waiving any fees.

Cr Bolger said he had a certain amount of sympathy for Cr Gardyne's point of view. He thought the fees should be deferred until completion of the project and discussed with the Trust at that point.

Cr Sharp asked if the Council would own the building once it had been completed.

The Chief Executive advised the Council owned the land on which the indoor centre was being built and charged a 25 year ground lease at \$1 per year to provide a secure tenure. The

asset under construction was owned by the Gore Multi-Sports Complex Charitable Trust. Both the Trust and Council would need to make a conscious decision to sell or purchase the building.

Cr Davis asked if the Council did decide to purchase the building, would it require to be flagged in the Annual Plan.

The Chief Executive agreed it would need to be, unless the Trust sold the building for a nominal value and the operational costs would not burden ratepayers. Anything more than that would trigger consultation and require an amendment to the LTCCP.

His Worship asked the Building Control Manager and the Consultant Building Inspector for comments.

Cr Harvey called a point of order. The Council was discussing the report and the matter of fees.

The Building Control Manager said there was an anomaly on the tabled list of fees. The third figure should read “\$4,475” instead of “\$4,175”.

His Worship acknowledged Cr Harvey’s point and agreed the Council was only discussing the possibility of a fee waiver.

Cr McLennan asked for clarification on how the Council would rescind previous resolutions in regard to financial contributions from the ratepayers. There had been a lot of emphasis that the centre would be self-funded and to his knowledge that had not changed. The Council had weakened and offered \$50,000 in light of the fact there was already enough sponsorship to fund the project.

His Worship agreed the Council had not wanted to make any financial contribution to Stage 3, however, it was considering disputed fees and the Council could choose to waive any fees charged.

Cr Davis asked if an independent review could be carried out to consider the disputed fees, however she did not think all the fees needed to be waived.

The Chief Executive personally felt that the Council could approach the Department of Building and Housing for a determination. The Council was getting nowhere and there were still a number of issues unresolved. It could be an expedient means to get the matter resolved.

His Worship agreed it was a good idea.

Cr Harvey asked how long it would take for a determination.

The Building Control Manager thought it would take about eight weeks.

Cr Highsted asked if the determination was costly.

The Manager did not think it would be too costly.

**Cr Davis moved THAT the Council request an independent determination on the fees charged for Stage 3 of the Multi-Sports Complex from the Department of Building and Housing.**

**The motion was seconded by Cr Bolger.**

His Worship agreed it was a way forward.

Cr McLennan noted the fees of \$26,000 were already included in the 2009 budget and if they were not received, how would it affect the following year's budget.

The Chief Executive said this particular activity was subject to a lot of vagaries and unknowns courtesy of the building accreditation process and the level of building activity in the District. It was still a cost so if there was no funding stream to match it, it would make itself felt.

Cr McLennan said it would add up to one quarter of a percent of rates.

Cr Dixon asked what would happen with the next lot of fees. Would they also be deferred?

His Worship said any waiver was only for the disputed portion of the fees. It was a one off situation where outside consultation had been required. The other fees had been paid without dispute.

The Chief Executive said approaching the Department of Building and Housing had been suggested to break the gridlock about the fire design service costs.

Cr Sharp asked if the building could be completed without outside consultation.

The Building Control Manager replied it could not, as he currently had information from the fire consultant that needed to be reviewed by MWH.

Cr Sharp asked what the information was that he was referring to.

The Manager said there had been several issues, which the fire consultant had only been advised in the past two weeks. The comments needed to be referred to MWH for clarification. If the Council chose to use another service, it would need to start the whole process again.

Cr Gardyne was against the motion because of the cost involved. He suggested the Council write to the Trust and recommend a compromised account.

The Chief Executive said it was a political decision to waive any fees, not to determine what was needed to be done to meet the Building Code which was an operational matter. He thought a determination would bring some finality to the issue.

His Worship added the Council's consultants were requesting conditions to be met, but the Trust's consultants disagreed and that was where the dispute had arisen.

Cr Davis said the Council needed to remember the building was going to be attached to its own facility and it was imperative the building was safe for public use and that it met fire requirements. An independent review was needed to move forward.

Cr Gardyne thought the Council needed to know what the cost of the Housing Department's determination would be before it proceeded.

**Cr Gardyne moved as an amendment THAT the Council obtain an independent determination on the fees charged for Stage 3 of the Multi-Sports Complex from the Department of Building and Housing, subject to a price being sought for the determination.**

**The amendment was seconded by Cr Dixon.**

Cr Bolger said with respect to both Cr Gardyne and Dixon, the Council was at an impasse and he could not see any alternative to the determination. He did not support the amendment.

Cr Highsted suggested a cap on what the Council would be prepared to pay for the determination.

His Worship said the Council had no knowledge of what it could be estimated to cost.

**The amendment was put and it was lost.**

**The motion was put and it was carried.**

**2008/80**

Cr Bolger thought it was appropriate whatever the outcome of the determination, the fees should be left in advance until the completion of the project.

**Cr Bolger THAT the fees for Stage 3 of the Multi-sports Complex be left in abeyance until a determination was sought and the project was completed.**

**The motion was seconded by Cr Harvey.**

Cr Gardyne said it was premature for the fees to be reviewed when there could still be further fees to be charged.

Cr Davis said she could not support the second part of the motion until the determination had been received.

**The motion was put and it was carried.**

**2008/80a**

His Worship said it was important for the Council to get the issue sorted as soon as possible. It would be a worthwhile facility once it was completed and progress needed to be made quickly.

#### 10 . REPORTS FROM COUNCILLORS (46.12.9)

Cr Harvey attended a Stage 3 Operational Committee meeting at which two sub-committees were formed - one for financial aspects and the other for operational issues such as bookings. He had also attended a Hokonui Horizons meeting and its healthy homes project was nearing completion.

Cr Dixey had attended a Youth Council meeting and reported it was ticking along nicely.

Cr Dixon had attended a Historical Trust Society meeting and there had been concerns raised about the building where the new Mataura Licensing Trust restaurant was to be located.

His Worship urged all Councillors to attend the Youth Council meeting which would be included on the monthly Council calendar. Together with Cr Harvey, he had attended the Shared Services Forum in Invercargill which was gaining momentum. He reiterated the Gold Guitar events had been incredibly well organised and he had received many favourable comments from visitors to the District. He had also been to the Rural Sector meeting and had an agenda for anyone interested

in looking at what was discussed. Shane Jones, the Minister of Building, had spoken bluntly about building accreditation and the Building Act and he wished all politicians could be as frank and honest on how that process had gone. Damian O'Connor, the Minister of Rural Affairs had spoken about the concerns that central government policies put onto rural communities. A rural policy had subsequently been drawn up to ensure any government policy that impacted rural communities had to be passed by it. He had received a visit from total span about 150 free school bus shelters throughout the country. Five third year medical students had spent a week in the community to look at how health services were being delivered. At the presentation, the students were very impressed with Gore's health services, with the exception of childcare. He had also attended an informative LTCCP seminar, together with Crs Heller and Davis, held at the Clutha District Council.

Cr Davis added the presenter was an economist and he had been very entertaining with some very good practical approaches and it had been worthwhile.

His Worship said the audit office was taking a keen interest in how Council's were progressing with the LTCCP. It had been clearly signalled there would not be room for inefficiencies.

The meeting concluded at 8:35 pm