



**REPORT OF THE ORDINARY MONTHLY MEETING OF THE REGULATORY AND PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE ON TUESDAY 10 FEBRUARY 2009, AT 5.42 pm.**

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

**IN ATTENDANCE** The Chief Executive (Mr Steve Parry), General Manager, District Assets (Mr Paul Withers), General Manager, Corporate Services (Mr Russell Duthie), Parks and Recreation Manager (Mr Ian Soper), Roading Manager (Mr Murray Hasler), Keith Asset Manager, Utilities (Mr Ross Haslemore), Building Control Manager, (Mr Russell Paterson) and Corporate Support Officer (Mrs Tracey Millan) and three members of the public in the gallery.

---

1. APPLICATION FOR DECLARATORY JUDGEMENT – CANTERBURY REGIONAL COUNCIL (11.1.4)

A memo had been received from the Chief Executive along with a letter and associated application from the Canterbury Regional Council for a declaratory judgement. The letter sought support for the Council's application which centred on the premise that a ruling that would prevent Councillors from adjudicating on planning documents while sitting on a hearing panel was an unreasonable intrusion and impediment to democratic decision making.

The Chief Executive thought that if the Council was in favour of the proposition put forward by Environment Canterbury, then a motion of support accompanied by a formal letter of support would suffice in that instance.

**RECOMMENDED on the motion of Cr Bolger, seconded by Cr Sharp, THAT the Council express its support for the application for a declaratory judgement sought by the Canterbury Regional Council in specific regard to whether it is lawful for local authorities to appoint elected members to hearing panels convened under the Resource Management Act,**

**AND THAT a formal letter of support conveying the Council's resolution on this issue be forwarded to Environment Canterbury.**

**2. SUBMISSION TO PROPOSED NATIONAL POLICY STATEMENT FOR WATER MANAGEMENT (11.1.4)**

A memo had been received from the Planning Consultant, together with a copy of the proposed National Policy Statement for Water Management.

Cr McLennan said the community was very reliant on the Mataura River and needed to protect it.

**RECOMMENDED on the motion of His Worship, seconded by Cr Davis, THAT the information be received.**

**3. BUILDING CONSENT AUTHORITY ACCREDITATION (2.34)**

A memo had been received from the Chief Executive regarding the Council's recent accreditation as a Building Consent Authority under the Building Act 2004. Accreditation had been awarded to the Council by International Accreditation New Zealand (IANZ) on 12 January 2009.

IANZ would next visit in June 2010, to check whether building control practice at the Council was being carried out in accordance with the approved policies and processes.

Cr McLennan congratulated the staff involved for their perseverance and persistence throughout the process.

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

**4. CROYDON GROUND WATER TAKE RESOURCE CONSENT APPLICATION (8.46)**

A memo had been received from the General Manager, District Assets advising that Environment Southland had received a resource consent application from Steeghs Partnership Limited, Croydon located at 768 Waimea Highway for a water permit to take an additional 3,600 cubic metres of water per day.

Cr Harvey had received a number of calls from people ringing expressing concern over the Gore water supply should the application be successful.

Cr Dixey wanted more information about improving the quality of water.

Cr Sharp opposed the application. He thought Gore needed to protect its town and water supply.

Cr Heller had also had fielded a number of phone calls from concerned residents. He thought the volume in the consent application was far too high.

Cr Gardyne thought people went into a farming enterprise with their eyes wide open. He said the amount of water that was being applied for was way out of proportion and thought it would be helpful for Councillors to be supplied with a map of the area relating to the application.

Cr Davis wondered if the Council would be represented at the Environment Southland hearing.

The Chief Executive thought that the Council should be represented at both an operational and political level.

Cr Grant thought that the need for water restrictions needed to be more widely published as to why the district was practising water restrictions. People needed to understand why water restrictions were necessary. More advertising in the paper and on radio could help.

Cr McLennan thought the press present could assist with spreading the need for water restrictions in the local papers.

The General Manager, District Assets read a clause from the resource consent.

*“When flow of the Mataura River, as determined at the Regional Council’s Gore monitoring site falls to, and remains at or below 17 cubic metres per second, the consent holder shall institute water conservation measures including but not limited to the issue of a public notice requesting water conservation by consumers”.*

The General Manager said the river level reported at the weekend had been 13 cubic metres, which was 4 cubic metres below the point where the Council was required to advertise and ask for conservation of water.

His Worship endorsed comments made from other Councillors and suggested that the whole community make its voice known to Environment Southland. He would be available to attend the hearing and suggested Councillors en masse attend as well, to make a statement.

In response to Cr Heller, the Chief Executive thought that a delegation on both political and operational levels should attend the submission hearing to put points of view forward.

**RECOMMENDED on the motion of Cr Davis, seconded by His worship, THAT the report be received,**

**THAT the Council oppose the Croydon ground water take resource consent application,**

**AND THAT the Council have mass representation at the Environment Southland hearing.**

5. REGULATORY BULLETIN (11.5.2/2.14.3)

A memo had been received from the Chief Executive along with a schedule of building consents issued for December 2008 and January 2009, together with comparisons with the previous two years.

A schedule of resource consents issued to 11 January and 1 February had also been received.

Cr McLennan thought the value of consents had dropped compared to last year.

The Chief Executive said that large projects such as stage 3 of the multi sports complex and the St James fly tower had an impact on the consent dollar value, but there had probably only been a 5% reduction in consent applications compared to last year.

The Building Control Manager said small consents were now exempt, but the number of consents issued was still quite static. The department had become more vigilant with the value of consents than in the past. Last year's figures had spiked slightly because of big projects completed.

In response to Cr Harvey, the Manager said that there had not been any particular change in the number of dairy conversion consents as the majority were lodge with the Southland District Council.

**RECOMMENDED on the motion of Cr Gardyne, seconded by Cr Dixey, THAT the information be received.**

The meeting concluded at 5.58pm.

