

**MINUTES OF THE ORDINARY MEETING OF THE GORE DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, 29 CIVIC AVENUE, GORE, ON TUESDAY 2 MARCH 2010, AT 7.30 pm**

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

**IN ATTENDANCE** The Chief Executive (Mr Stephen Parry), General Manager, Corporate Services (Mr Russell Duthie), General Manager, District Assets (Mr Paul Withers), Roading Manager (Mr Murray Hasler), Parks and Recreation Manager (Mr Ian Soper), Planning Consultant (Mr Keith Hovell), HR/Administration Manager (Susan Jones), Community Development Officer (Colleen Te Au) and 6 members of the public in the gallery.

**APOLOGY** Cr Heller apologised for absence.

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**1. CONFIRMATION OF MINUTES**

**RESOLVED on the motion of Cr McLennan, seconded by Cr Harvey, THAT the Minutes of the Ordinary Monthly Meeting of the Gore District Council, held on Tuesday 15 December 2009, as presented, be confirmed and signed by the Mayor as a true and complete record.**

**RESOLVED on the motion of Cr Dixey, seconded by Cr Grant, THAT the Minutes of the Extraordinary Meeting of the Gore District Council, held on Tuesday 9 February 2010, as presented, be confirmed and signed by the Mayor as a true and complete record.**

**RESOLVED on the motion of Cr Harvey, seconded by Cr Highsted, THAT the Report of the Meeting of the Community Services Committee, held on Tuesday 9 February 2010, as presented, be accepted as an accurate and complete record.**

**RESOLVED on the motion of Cr Harvey, seconded by Cr Davis, THAT the recommendations contained within the report of the Community Services Committee meeting held on Tuesday 9 February 2010, as presented, be ratified.**

**RESOLVED on the motion of Cr Davis, seconded by Cr Highsted, THAT the Report of the Meeting of the Operations Committee, held on Tuesday 9 February 2010, as presented, be accepted as an accurate and complete record.**

Page 2 – Report from Asset Manager, Utilities (2.1.7)

Cr Sharp advised he had asked the Asset Manager if there were any water quality or quantity issues around Coopers Well and he had confirmed there was not. He asked for that to be noted.

**RESOLVED on the motion of Cr Davis, seconded by Cr Sharp, THAT the recommendations contained within the report of the Operations Committee meeting held on Tuesday 9 February 2010, as presented, be ratified.**

**RESOLVED on the motion of Cr Bolger, seconded by Cr Sharp, THAT the Report of the Meeting of the Finance and Policy Committee, held on Tuesday 9 February 2010, as presented, be accepted as an accurate and complete record.**

**RESOLVED on the motion of Cr Bolger, seconded by Cr Dixon, THAT the recommendations contained within the report of the Finance and Policy Committee meeting held on Tuesday 9 February 2010, as presented, be ratified.**

**RESOLVED on the motion of Cr McLennan, seconded by Cr Grant, THAT the Report of the Meeting of the Regulatory and Planning Committee, held on Tuesday 9 February 2010, as presented, be accepted as an accurate and complete record.**

**RESOLVED on the motion of Cr Dixey, seconded by Cr Sharp, THAT the recommendations contained within the report of the Regulatory and Planning Committee meeting held on Tuesday 9 February 2010, as presented, be ratified.**

2. COMMUNITY GRANT – TELECOM (1.21.6)

A memo had been received from the Community Development Officer advising that as a result of the outage of the Telecom XT mobile network in January, Telecom announced it would make a goodwill payment of \$5 million to the lower South Island.

Confirmation had been received that approximately \$5,000 would be allocated to the Gore District.

Cr Davis noted that since advice of the amount, Telecom had had another outage and advised a further \$10 million would be available to community groups.

**RESOLVED on the motion of Cr Dixey, seconded by Cr Davis, THAT the Council appoint a panel comprising His Worship, Chair of the Community Services Committee and the Community Development Officer,**

**AND THAT the panel decide on a project that will deliver benefits to the wider Gore District to the best extent possible.**

**2010/03**

3. REPORT OF MATAURA COMMUNITY BOARD MEETING (46.36.2)

A copy of the report of the ordinary meeting of the Mataura Community Board held on 25 January 2010 had been circulated.

**Cr McLennan moved THAT the report of the meeting held on 25 January be received,**

**AND THAT the recommendations contained in within the report be ratified.**

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

Clause 6 - In response to Cr Dixon, the General Manager, District Assets advised the three Civil Defence advisors were for the new regional civil defence organisation.

Cr Dixon was concerned that people from outside the province may be appointed and they would not be familiar with Southland civil defence incidents.

The Chief Executive said the process would result in the best persons for the positions being appointed. He understood there had been a good number of internal and external candidates.

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

**2010/04**

4. HELICOPTER LANDING PAD – GORE HOSPITAL (26.4.3)

A memo had been received from the Planning Consultant following an application for resource consent being lodged by the Southern Region Lions Air Ambulance Trust to locate and operate a helicopter landing pad at the Gore hospital site in Birch Lane.

The Trust had requested that the Council waive the costs associated with the processing of the application, however, the Consultant had determined that the application would be notified. The costs were expected to be within the range of \$1,500-\$3,000 depending on whether any submissions in opposition were lodged.

**Cr Sharp moved THAT the Council waive the fees for processing the resource consent application by the Southern Region Lions Air Ambulance Trust for resource consent to locate and operate a helicopter landing pad at the Gore hospital site in Birch Lane.**

**Cr Highsted suggested a cap be placed on the consent fees so the Council's liability did not exceed \$3,000.**

**Cr Sharp was agreeable to including that in the motion.**

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

Cr Gardyne asked why not wait for the application to be processed and then determine whether the fees should be waived. It seemed illogical to put a cap on the fee.

The Planning Consultant was unable to put an exact amount of time that may be involved with the application. Some residents had been spoken to but not others and as Councillors would be aware it only took one person to object and draw the process out.

**Cr Gardyne moved as an amendment, THAT the Council defer a decision on whether the fees will be waived until the application has been processed.**

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

His Worship thought it important for the Council to signify it was sympathetic to the cause.

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

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

**2010/05**

5. SUBDIVISION AND LAND DEVELOPMENT BYLAW (22.19)

A memo had been received from the Planning Consultant proposing that a Subdivision and Land Development Bylaw be adopted. A draft bylaw had been circulated with the agenda which drew on New Zealand Standard NZS4404 and similar bylaws adopted by other Councils, having particular regard to the design standards considered most appropriate for the Gore District.

Adoption of the bylaw would also enable some roading and access design standards currently in the district plan to be deleted which would facilitate smoother processing of subdivision consents.

The Consultant added that the document would be available for public comment and then be considered by the Council. He suggested the Regulatory and Planning Committee hear any submissions and then report back to the Council.

**Cr McLennan moved THAT the Council approve the draft Subdivision and Land Development Bylaw for notification under the special consultative procedures of the Local Government Act 2002.**

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

In response to Cr Highsted, the Consultant said there needed to be a backstop for illegal works and the Council needed to have a procedure available to it to remedy that, hence a \$20,000 penalty.

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

**2010/06**

6. 2010 GORE DISTRICT COUNCIL ELECTIONS – ORDER OF CANDIDATES' NAMES ON VOTING DOCUMENTS (33.27)

A memo had been received from the Electoral Officer advising that Clause 31 (1) of the Local Electoral Regulations 2001 provided for the names under which each candidate was seeking election to be arranged on the voting document in alphabetical order or surname, pseudo-random or random order. The alphabetical option had been used in the 2007 elections for all issues.

**RESOLVED on the motion of Cr McLennan, seconded by Cr Sharp, THAT the names of the candidates at the 2010 Gore District Council elections be arranged in alphabetical order.**

**2010/07**

7. 2010 GORE DISTRICT COUNCIL ELECTIONS – EARLY PROCESSING OF VOTING DOCUMENTS (33.27)

A memo had been received from the Electoral Officer seeking approval for the early processing of returned voting documents at the next Gore District triennial elections, to be held on Saturday 9 October. Section 79 of the Local Electoral Act permitted a local authority to process returned voting documents during the three week voting period.

**RESOLVED on the motion of Cr Harvey, seconded by Cr Davis, THAT pursuant to Section 79 of the Local Electoral Act 2001 and the Local Electoral Regulations 2001, the returned voting documents for the 2010 Gore District Council elections be processed during the voting period.**

**2010/08**

8. MATAURA COMMUNITY GARDEN – REQUEST FOR RATING RELIEF (50.55)

A memo had been received from the Chief Executive following a request from the Mataura community garden for a waiver of rates that were levied on the garden land. The total amount of rates levied in 2009/10 was \$1,029.30. The garden was an initiative generated by the Mataura Taskforce and was proving very successful.

**RESOLVED on the motion of Cr Grant, seconded by Cr Dixon, THAT the Council approve a grant of \$1,000 in favour of the Mataura Community Garden Committee,**

**AND THAT the desirability of making a further grant be reviewed in 12 months time.**

**2010/09**

9. GORE DISTRICT COUNCIL EMERGENCY COMMITTEE (46.12.9)

A memo had been received from the Chief Executive advising that one meeting of the Emergency Committee had been held on 2 February to set a building consent package for the Southern Field Days.

A copy of the minutes of the meeting and accompanying staff memorandum had been circulated.

**RESOLVED on the motion of Cr Bolger, seconded by Cr Dixon, THAT the minutes be received,**

**AND THAT the Emergency Committee be disbanded.**

**2010/10**

Cr Gardyne asked how much time had been involved by the Building Department in inspecting the marquees at the field days.

The Chief Executive replied there had been a lot of work done with one officer involved full-time for several days. He would request the Building Control Manager to provide a report on the consenting process for the next Regulatory and Planning Committee.

**10. EASTERN SOUTHLAND HOCKEY ASSOCIATION – REQUEST FOR ASSISTANCE (18.3.1)**

A comprehensive report had been received from the Chief Executive, following a request from the Eastern Southland Hockey Association for the Council's assistance in ensuring that the new water-based turf at Wayland Park would operationally and financially be a success.

Cr Bolger asked if the draft budgets prepared for running the indoor event centre included the hockey turf.

The Chief Executive advised they did not.

Cr Bolger was unable to support the first part of the recommendation as the Council wanted as many patrons as possible to use the indoor event centre.

Cr Gardyne did not think it was hockey's job to suggest or question what the charges should be. The charitable trust had been established to raise funds for the aquatic centre and the indoor event centre and it also chose to raise the money before construction in order that the indoor centre was opened virtually debt free. Hockey had chosen to commence construction before it had all the money and as a result its charges needed to be such as to cover its debt. The Council's objective was to get people into the event centre and have it used. He asked if there had been any contact with Stadium Southland particularly in terms of advertising possibilities. Raising charges seemed to be a bureaucrats answer. He questioned why discontinue financial services to the Maitua Hockey Charitable Trust when the letter and request came from the Eastern Southland Hockey.

The Chief Executive understood the Hockey Charitable Trust was in the process of winding itself up and would merge into the Eastern Southland Hockey Association which would like the Council to continue providing financial services.

Mr Aynsley confirmed the Eastern Southland Hockey Association would own and manage the turf.

Cr Gardyne said it was one thing to take bookings and entry fees, but another to provide an accounting service.

His Worship advised it was exactly what the Council was currently providing now.

**Cr McLennan moved THAT the Council amend its resolution of October 2009 by allowing the discontinuation of financial services to the Matura Hockey Turf Charitable Trust to take effect from 2015,**

**THAT the Council affirm its October 2009 resolution that should a booking service be required by the Eastern Southland Hockey Association, this will be provided for a fee to be negotiated between the Council and the Association,**

**AND THAT the Council endorse the new Indoor Event Centre Supervisor being made available to assist the Association in operating its new turf.**

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

Cr Sharp suggested the word “reasonable” be included on the third recommendation after “... this will be provided for a ...”

In response to Cr Dixon, the Parks and Recreation Manager said to the best of his knowledge all courts had been marked out correctly in accordance with the current standard.

Cr Gardyne said for the Council to continue an invoicing and payment service for a sports code would lead to requests from other clubs. He thought the whole group of recommendations needed to be rewritten.

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

**2010/11**

## 11. ELECTED MEMBERS REGISTER OF INTERESTS (46.6.3)

A comprehensive report had been provided by the Chief Executive following a decision in 2009 to compile a register of elected member's interests to assist the Council in identifying any potential conflicts of interest.

The Council had not previously had a register of elected member's interests but there appeared to be a groundswell of support for greater transparency being shown by Councils in disclosing interests and removing any doubt between the discharge of a public obligation as a Councillor and the potential clash with personal interests that may not be in harmony with the public interest.

A news article summing up concerns identified by the Auditor-General about conduct of four elected members at Environment Canterbury had been circulated. A copy of an official information request from Penny Bright had also been circulated, together with a copy of the template that had been developed and completed by all Councillors.

The Chief Executive advised there had been some miscommunication between himself and Cr Gardyne in that he had not received previous emails sent to him about the matter. He had, however, received them earlier in the day.

His Worship agreed it was not a legal requirement but thought in the future it would be.

**Cr McLennan moved THAT the Council seek guidance from the Office of the Auditor-General, Office of the Ombudsmen and the Privacy Commission in relation to the need to disclose property and shareholding interests of an elected member in the Gore District as part of the compilation of a register of elected member interests.**

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

Cr Sharp opposed the recommendation and thought the Council had done more than enough running to Wellington over the past five years. He thought it should be dropped.

Cr Bolger asked Cr Gardyne to reconsider his response which would negate the recommendation.

In response to His Worship, Cr Gardyne did not wish to make any comment.

Cr Harvey suggested if people were not willing to disclose what was asked of them, then perhaps they should not stand for Council. The register protected the Council and the community.

Cr Dixon thought people should be good enough to own up when there was something they were involved in and it was discussed at the Council.

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

**2010/12**

12. AMENDMENT TO DRAFT WATER SUPPLY BYLAW 2010 (22.21)

The General Manager, District Assets had suggested that in order to encourage efficient use of water and alleviate any confusion around the use of sprinklers, that a rule be included in the draft Water Supply Bylaw 2010 which banned the use of sprinklers for irrigation between 9 am and 6.30 pm, all year round.

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

**AND THAT a sprinkler ban between the hours of 9 am until 6.30 pm be included in the draft Water Supply Bylaw 2010.**

**2010/13**

13. REPORTS FROM COUNCILLORS (46.12.9)

Cr Gardyne advised clover weevil had been found at the Gore Showgrounds.

Cr Dixey advised the Counselling Centre had difficulty with its male violence programmes and had had to suspend them in the meantime until a male had been appointed to run the programme.

The meeting concluded at 8.24 pm