

MINUTES OF THE ORDINARY MEETING OF THE GORE DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, 29 CIVIC AVENUE, GORE, ON TUESDAY 13 APRIL 2010, AT 7.35 pm

PRESENT His Worship the Mayor (Mr Tracy Hicks JP), Crs Bolger, Davis, Dixey, Dixon, Harvey, Heller, Highsted, Gardyne, Grant 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), Asset Manager, Utilities (Mr Ross Haslemore), Community Development Officer (Ms Colleen Te Au), HR/Administration Manager (Susan Jones) and one member of the public in the gallery.

APOLOGY Cr McLennan apologised for absence.

1. CONFIRMATION OF MINUTES

RESOLVED on the motion of Cr Davis, seconded by Cr Dixey, THAT the Minutes of the Ordinary Monthly Meeting of the Gore District Council, held on Tuesday 2 March 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 Heller, THAT the Minutes of the Extraordinary meeting of the Gore District Council, held on Monday 15 March 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 Heller, THAT the Minutes of the Extraordinary meeting of the Gore District Council, held on Tuesday 23 March 2010, as presented, be confirmed and signed by the Mayor as a true and complete record.

Cr Harvey asked whether the information sought from Paddy's Bins had been received.

His Worship confirmed it had been.

RESOLVED on the motion of Cr Harvey, seconded by Cr Dixey, **THAT** the Report of the Meeting of the Community Services Committee, held on Tuesday 23 March 2010, as presented, be accepted as an accurate and complete record.

RESOLVED on the motion of Cr Highsted, seconded by Cr Heller, **THAT** the recommendations contained within the report of the Community Services Committee meeting held on Tuesday 23 March 2010, as presented, be ratified.

RESOLVED on the motion of Cr Sharp, seconded by Cr Dixey, **THAT** the Report of the Meeting of the Operations Committee, held on Tuesday 23 March 2010, as presented, be accepted as an accurate and complete record.

RESOLVED on the motion of Cr Davis, seconded by Cr Gardyne, **THAT** the recommendations contained within the report of the Operations Committee meeting held on Tuesday 23 March 2010, as presented, be ratified.

RESOLVED on the motion of Cr Bolger, seconded by Cr Highsted, **THAT** the Report of the Meeting of the Regulatory and Planning Committee, held on Tuesday 23 March 2010, as presented, be accepted as an accurate and complete record.

RESOLVED on the motion of Cr Bolger, seconded by Cr Heller, **THAT** the recommendations contained within the report of the Regulatory and Planning Committee meeting held on Tuesday 23 March 2010, as presented, be ratified.

RESOLVED on the motion of Cr Bolger, seconded by Cr Heller, **THAT** the Report of the Meeting of the Finance and Policy Committee, held on Tuesday 23 March 2010, as presented, be accepted as an accurate and complete record.

RESOLVED on the motion of Cr Highsted, seconded by Cr Dixey, **THAT** the recommendations contained within the report of the Finance and Policy Committee meeting held on Tuesday 23 March 2010, as presented, be ratified.

2. GRANT DISTRIBUTION – CREATIVE COMMUNITIES (18.45.2)

A copy of the minutes of the meeting of the Council's Creative Communities Assessment Committee held on 16 March had been circulated. The minutes included the funding allocated for 2010.

RESOLVED on the motion of Cr Dixey, seconded by Cr Sharp, THAT the information be received.

2010/16

3. SPARC RURAL TRAVEL FUND (18.81)

A copy of the minutes of the SPARC rural travel fund meeting held on 22 March had been circulated.

RESOLVED on the motion of Cr Gardyne, seconded by Cr Sharp, THAT the information be received.

2010/17

4. LOCAL GOVERNMENT NEW ZEALAND CONFERENCE (51.3)

A memo had been received from the Chief Executive advising that the 2010 Local Government New Zealand conference would be held in Auckland from 25-28 July. The theme was "Building Prosperous Places" and a copy of the programme had been circulated.

RESOLVED on the motion of Cr Dixey, seconded by Cr Harvey, THAT the Council's representation at the 2010 Local Government New Zealand Conference comprise His Worship the Mayor, the Chief Executive and Cr Bolger,

THAT His Worship the Mayor be nominated as the Council's presiding delegate,

AND THAT Cr Bolger be nominated as the alternate delegate.

2010/18

5. MATAURA COMMUNITY BOARD REPORT (46.34.2)

A copy of the report of the ordinary meeting of the Maitauro Community Board held on 15 March 2010 had been circulated.

RESOLVED on the motion of Cr Highsted, seconded by Cr Sharp, THAT the report of the meeting held on 15 March be received,

AND THAT the recommendations contained within the report be ratified.

2010/19

6. GORE PAKEKE LIONS CLUB RECYCLING (10.15)

A report from the General Manager, District Assets had been circulated, following a meeting with Gore Pakeke Lions Club representatives on 17 March at which the returns from selling recyclable cardboard and paper had been discussed. In 2009, the Council increased the capped sum payable to the Pakeke Lions Club to \$25,300 plus GST for one year. The sum was calculated on the basis of 725 tonnes @ \$35 per tonne. The price had remained at \$35 per tonne for the past five years.

A letter from the Club had also been circulated advising that it had purchased a 1995 flat deck truck and requested assistance from the Council to cover registration costs, warrant of fitness and road user charges for the vehicle.

The General Manager advised that had the 725 tonnes recycled by the Club been disposed of by consumers, the cost would have been \$94,250. The Club was a non-profit organisation and contributed monetary donations to various community causes and supplied a free collection service to schools in the District. The recycling operation also provided an excellent environment for 38 senior citizens who manned the centre.

Cr Highsted asked what it cost the Council to dump 725 tonnes at the landfill.

The General Manager advised it was \$63 per tonne just to get it through the gate but he could not recall the other costs.

In response to Cr Dixon, the General Manager said the cardboard that was collected by the Club was not cardboard that the Council received any income from. The costs that a ratepayer or business would incur would be the gate fee at the transfer station if there was no alternative.

Cr Sharp did not agree with Council funding the vehicle costs incurred by the Club, but he did support what the Club was doing for the community.

Cr Gardyne suggested the Club be asked for a budget. Too often the Club came to the Council asking for financial assistance yet there was never any supporting budgets provided.

Cr Gardyne moved THAT a decision be deferred until receipt of a budget and the 2009 financial accounts.

The motion was seconded by Cr Heller.

Cr Heller recalled the Council had increased its grant based on the Club's returns from cardboard having dropped by 91%. However, the Club's income levels trailed the 2009 figures by 27%.

The General Manager pointed out that the Club's effort had increased and the volume had been increased but not the price. The Club was providing a service by removing cardboard from the transfer station which would otherwise incur additional costs to the Council by having to dispose of it by

In response to Cr Grant, the General Manager said if people were using the transfer station there was a choice to dispose of the cardboard at the station in which case some people had paid.

He asked if those businesses that had cardboard collected by the Club made any financial contribution.

His Worship advised they did.

Cr Dixey had declared an interest in the matter and took no part in the discussion.

The motion was put and it was carried.

2010/20

7. MATAURA POOL BOILER UPDATE (24.2.3)

A report had been circulated from the General Manager, District Assets about the failure of the boiler at the Matura pool, the options available and action taken. The new coal fired boiler had cost \$91,377.95, which included additional work required to get it operational. Solar heating and heat pumps also had been considered.

Cr Gardyne thought the report would be complete if the information under coal fired boiler had included details of the price to operate, boiler operator contract cost, estimated volume, price of coal and boiler inspections. It was summarised as one sum. He asked for individual prices outlining where the respective costs that amounted to 4.2 cents for the boiler and 7.5 cents for a heat pump option had come from.

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

AND THAT further information detailing individual costs for the coal fired boiler and the heat pump option be provided.

2010/21

8. PROPOSED WATER CHARGE FOR MONITORING OF CONSENTED WATER TAKES (8.6.3/46.24.4)

A memo had been received from the General Manager, Corporate Services together with a letter from Environment Southland confirming its intent to charge for the monitoring of consented water takes. The proposed charges were as follows:

Consent	\$
Mataura – Pleura Dam	1,875
Mataura – Waikana Dam	750
Mataura – Emergency	2,500
Otama	3,250
Gore – Emergency	1,125
Jacobstown	1,500
Coopers Well	2,500
Oldham Street	4,000

The charges had been included in the draft estimates with the presumption that they be recovered by additional user charges. A copy of the 2009 objection to Environment Southland had also been circulated.

Cr Heller questioned how a charge of \$4,000 could be levied on the Oldham Street wells - which he understood were backup wells - yet only \$1,500 was being charged for Jacobstown which was the main well. He asked where the breakdown had come from.

The General Manager advised the figures had been supplied by Environment Southland.

The General Manager, District Assets agreed \$4,000 for an emergency take which had not been used to date this year, did seem excessive.

Cr Gardyne understood the charges would be related to the amount of water supplied under consents. He had some sympathy with Environment Southland as it had endeavoured to identify the users of water in the province. The charges were for monitoring and research of water which was a finite source. One could argue that because it was a user charge that it was

appropriate. He thought that Council had addressed the issues that had been raised last year. He did not agree with the recommendation. The rate would land somewhere and if it did not land on users, then who should pay it. He said there had been a 50% discount built into the charges for municipal water takes.

His Worship said there was a community benefit in everyone understanding what the resource was and the value of it but he did not see that in the plan being proposed.

Cr Gardyne said the charges would only recover a percentage of the \$3 million spent by Environment Southland on monitoring water.

In response to Cr Sharp, the Asset Manager, Utilities confirmed that the Council did monitor its own wells and an annual report had to be submitted. The monitoring from the river was for discharge from the oxidation ponds. The monitoring on the wells was done for public health risk and had to be undertaken every nine days.

Cr Sharp did not agree with the Chief Executive of Environment Southland telling the Council how to recover the charges and it should be told no.

In response to Cr Davis who asked what any objection may include, the General Manager, District Assets said the sum being charged for Oldham Street seemed excessive, and he found it difficult to accept charges for emergency takes. He believed it was an error for Oldham Street. If the water resource was being correctly managed, emergency takes would not be necessary.

The Chief Executive suggested community water supplies be removed from the proposed charges. There was a huge distortion between water takes for irrigation purposes.

Cr Sharp moved THAT the report and attached letter from Environment Southland be received,

THAT the Council reaffirm its previous decision to formally object to the monitoring charges by Environment Southland,

AND THAT the charges not be paid as the Council undertook its own monitoring.

The motion was seconded by Cr Dixon.

Cr Gardyne said if community water supplies were to be removed then rural community schemes also needed to be factored in. The Council could not deny there was a user pays objective in trying to gather the bulk of the charges levied.

The motion was put and it was lost.

RESOLVED on the motion of Cr Bolger, seconded by Cr Grant, THAT the report and attached letter from Environment Southland be received,

AND THAT the Council reaffirm its previous decision to formally object to the monitoring charges by Environment Southland.

2010/22

9. NEW ZEALAND MUTUAL LIABILITY RISKPOOL (52.10.2)

The General Manager, Corporate Services advised that a report on the rules relating to ongoing membership of the Mutual Liability Fund would be provided to the next meeting of the Finance and Policy Committee. A copy of a recent letter from the Scheme Manager had been circulated advising that there did not appear to be any further adverse financial effects on the fund beyond those previously already provided for.

RESOLVED on the motion of Cr Highsted, seconded by Cr Heller, THAT the report be letter from New Zealand Mutual Liability RiskPool be received.

2010/23

10. ADOPTION OF DRAFT ANNUAL PLAN 2010/11 (46.23.19)

A memo from the General Manager, Corporate Services, had been circulated, together with a copy of the 2010-11 draft annual plan. Following the extraordinary meeting on 23 March, the following adjustments had been made to the budgets presented:

Section	Charges	
Councillors	Inclusion of travel reimbursement from the Community Trust of Southland	\$7,000
Grants	Review of grants not eligible for inflationary adjustment	\$4,116
MLT Events Centre	Removal of depreciation	*\$30,000
Total reductions in 2010/11 estimates		\$41,116

- Council share of \$60,000 total estimated charge

With the inclusion of the above changes, the total rate requirement was \$11,000,079, an increase of 5.01% over 2009-10. The projection in the LTCCP had been 4.19%.

Details on other options for replacement of the multi-bay parking meters in the Main Street had also been provided.

Cr Bolger moved THAT the 2010/11 draft Annual Plan be publicly notified pursuant to Section 95(2) of the Local Government Act 2002.

The motion was seconded by Cr Davis.

Cr Dixon opposed a 7.4% urban increase. He questioned the difference between the rates income and the proposed expenditure.

The General Manager referred the Council to page 58 of the draft plan which outlined the proposed revenue and expenditure. The budget was effectively balanced.

Cr Dixon suggested staff go back and review the budgets so that there was a lower rate increase.

His Worship said the Council's responsibility was to set the budget, but the staff. He believed the Council had a balanced budget that would cover all the eventualities likely over the next financial year. He did not like paying increased rates, but there had been examples of the Council in the past refusing to have rates increases especially in an election year that had resulted in loss of service delivery and subsequent cost increases that had ultimately cost the District a lot of money.

Cr Bolger suggested leaving the budget as it was and allowing it to go through the submission process. The Council had to ensure it did not go through its budget in a slash and burn fashion. The costs had to be met. The draft was worthy of consideration and he looked forward to feedback from the community.

His Worship thought the Council had to be mindful as it looked towards the next LTCCP about the funding policies. The UAGC this year was \$565 which worried him when he looked at the battlers in the community who struggled to pay rates and did not qualify for any subsidy at all. He was concerned at the fairness and equity of it and he thought it appropriate to review them for the future.

The motion was put and it was carried.

2010/24

11. DELIVERIES USING MOTORCYCLES ON FOOTPATHS
(3.24.21/3.24.22)

A memo had been received from the Roading Manager seeking Council authority to allow mail and newspaper deliveries to letter boxes using mopeds or motorcycles on footpaths within the Gore District.

In response to Cr Davis, the Manager was unsure whether there was a cc rating limit imposed in the legislation but would check.

Cr Heller was unaware of any mail deliveries done by mopeds or motorcycles and questioned whether bicycles should be included as well.

The Manager was unsure if bicycles were mentioned in the legislation and he would check. The size of motorcycles used was specific and he expected it would be difficult to use large motorcycles to do deliveries.

Cr Harvey had doubts about the proposal and thought it unfair for those people who had a lawn frontage that was destroyed by cyclists ripping them up from time to time.

The Manager said a set of guidelines could be issued to the regular deliverers requesting them to avoid lawn frontages.

His Worship suggested the matter be deferred in the meantime and circulate a copy of the legislation so that Councillors were aware of what was being proposed.

RESOLVED on the motion of Cr Davis, seconded by Cr Heller, THAT the matter be deferred pending a copy of the legislation being circulated to Councillors.

2010/25

12. STADIUM ACCESS – SOUTHLAND KINDERGARTEN
ASSOCIATION (37.22.2)

A report had been received from the Chief Executive seeking guidance from the Council on whether it wished to accept kindergartens on the same terms as provided for in the Ministry of Education's fee entry for primary and secondary school children into the Gore Multi-Sport Complex MLT Event Centre. A copy of the letter from the Southland Kindergarten Association had been circulated, together with a copy of the Ministry's agreement with the Multi-Sport Centre Charitable

Trust. The agreement was very prescriptive in how free entry for students was applied.

The request from the Association related to its three early childhood centres, but there were potentially three other centres currently operating in Gore. The scope of the Ministry's agreement also extended beyond the Council's boundary, which suggested that the Council may face a raft of other requests from similar organisations in the future.

Cr Dixey was opposed to the recommendation. The agreement with the Ministry enabled schools being granted free access. He said a further agreement with the Ministry would result in a loss of income and he did not support kindergartens having free use of the centre for fairs, concerts and other fundraising events. He was also concerned that St Peter's and St Mary's had been granted the same rights as other schools yet there had been no money forthcoming on their behalf from the Ministry of Education. He would prefer to say no to the Kindergarten Association.

Cr Davis moved THAT the Council refer the Southland Kindergarten Association's request for free usage of the MLT Event Centre to the Ministry of Education, with the invitation for the Ministry to enter into negotiations for the payment of a capital sum commensurate with the benefit being sought by the Association.

The motion was seconded by Cr Highsted.

Cr Gardyne said the Association needed to be informed how tight the agreement was with the schools. It was for specific purposes.

The motion was put and it was carried.

2010/26

13. GORE DANCESPORT SUPPORTERS GROUP – REQUEST FOR FUNDING (1.62)

A request for funding from the Gore Dancesport Supporters Group in the sum of \$3,000 had been received. A copy of the request which preferred an annual grant to assist with the running of the annual Southland Festival of Dance, had been circulated.

In a memo accompanying the request, the Chief Executive found it difficult to provide a positive commentary on why the Council should support the request, particularly when the

applicant could not be distinguished from any other local cultural or sporting organisation that incurred costs in holding an annual event.

RESOLVED on the motion of Cr Harvey, seconded by Cr Sharp, THAT the request for an annual grant from the Gore Dancesport Supporters Group be declined.

2010/27

14. APPOINTMENT OF HEARING PANEL FOR WATER BYLAW (22.21)

Public notice of the Council's statement of proposal to introduce a water bylaw had been given, with submissions closing on Wednesday 14 April.

A hearings panel to hear submissions was required. A hearing date had been set for Tuesday 4 May, at 3 pm.

RESOLVED on the motion of Cr Dixey, seconded by Cr Sharp, THAT Crs Davis, Grant and Bolger be appointed to hear submissions to the proposed Water Bylaw 2010.

2010/28

15. APPOINTMENT OF HEARING PANEL FOR SUBDIVISION AND LAND DEVELOPMENT BYLAW (22.19)

Public notice of the Council's statement of proposal to introduce a subdivision and land development bylaw had been given, with submissions closing on Wednesday 14 April.

A hearings panel to hear submissions was required. A hearing date had been set for Wednesday 28 April, at 4 pm.

RESOLVED on the motion of Cr Davis, seconded by Cr Bolger, THAT Crs Harvey, Highsted, Dixey and Sharp be appointed to hear submissions to the proposed Subdivision and Land Development Bylaw 2010.

2010/29

16. SOUTHLAND WARM HOMES TRUST – ANNUAL REPORT (50.40.3)

A memo had been received from the Chief Executive advising that, following a query raised at the Finance and Policy Committee meeting, a total of 57 homes in the Gore District (out of a total of 667 houses in the Southland region) had been insulated under the Southland Warm Homes Trust scheme for the year ended 30 June 2009.

RESOLVED on the motion of Cr Grant, seconded by Cr Sharp, THAT the report be received.

2010/30

17. REPORTS FROM COUNCILLORS (46.12.9)

Cr Harvey reported on his attendance at the Southland Regional Heritage Trust.

The meeting concluded at 8:39 pm