

MINUTES OF THE ORDINARY MEETING OF THE GORE DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE, ON TUESDAY 25 MAY 2010, AT 7:30 PM.

PRESENT His Worship the Mayor (Mr Tracy Hicks JP), Crs Bolger, Davis, Dixey, Dixon, Gardyne, Grant, Harvey, Highsted, 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), Asset Manager, Utilities (Mr Ross Haslemore), Planning Consultant (Mr Keith Hovell), Corporate Support Officer (Mrs Tracey Millan) and five members of the public in the gallery.

APOLOGIES Cr Heller apologised for absence.

1. CONFIRMATION OF MINUTES

RESOLVED on the motion of Cr Sharp, seconded by Cr Davis, THAT the Minutes of the Ordinary Monthly Meeting of the Gore District Council, held on Tuesday 13 April 2010, as presented, be confirmed and signed by the Mayor as a true and complete record.

Clause 6 – Adoption of Draft Annual plan 2010/11 (46.23.19)

Page 9, paragraph 8, line 2, - The Council *noted* the deletion of the words “but the staff”.

RESOLVED on the motion of Cr Dixey, seconded by Cr Bolger THAT the Minutes of the Extraordinary meeting of the Gore District Council, held on Tuesday 20 April 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 4 May

2010, as presented, be accepted as an accurate and complete record.

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

RESOLVED on the motion of Cr Davis, seconded by Cr Dixon, THAT the Report of the Meeting of the Operations Committee, held on Tuesday 4 May 2010, as presented, be accepted as an accurate and complete record.

RESOLVED on the motion of Cr Grant, seconded by Cr Davis, THAT the recommendations contained within the report of the Operations Committee meeting held on Tuesday 4 May 2010, as presented, be ratified.

RESOLVED on the motion of Cr McLennan, seconded by Cr Sharp, THAT the Report of the Meeting of the Regulatory and Planning Committee, held on Tuesday 4 May 2010, as presented, be accepted as an accurate and complete record.

RESOLVED on the motion of Cr Highsted, seconded by Cr McLennan, THAT the recommendations contained within the report of the Regulatory and Planning Committee meeting held on Tuesday 4 May 2010, as presented, be ratified.

The Planning Consultant had recently attended a meeting with TrustPower and stakeholders and provided an update.

The increased demand on electricity which had been generated primarily through dairying over the past three to four years was expected to increase over the next five years, and was placing considerable strain on the power supply in Southland.

Transpower had looked at several options to secure extra supply to the region. All options would require an upgrade of the supply that ran through the Gore substation. The preferred option was to build a further large 220kb line that ran from Roxburgh through to Gore. It would require an expansion of approximately six fold in the size of the existing Gore substation. The other option was to build a new substation. TrustPower were applying to the Electricity Commission for approval and expected approval in November. A public consultation programme would then be conducted to ascertain what route was appropriate. TransPower had written to all affected landowners including the Council to update them on the situation.

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 4 May 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 4 May, as presented, be ratified.

In response to Cr Harvey, the General Manager, Corporate Services advised the Council insurance portfolio would be included on the next Finance and Policy Committee Agenda.

2. URGENT LATE BUSINESS

His Worship referred to a tabled item of urgent late business regarding advice received from Environment Southland advising the Council that it had received a resource consent application for a water permit from the Aylesbury Trust.

The General Manager, District Assets said the Council had received a letter from Environment Southland on 21 May advising it had received a resource consent application for a water permit from the Aylesbury Trust. He had felt it prudent to have the item tabled in order to get some direction on how the Council would like to proceed with the application.

Cr Davis moved THAT the memo received from the General Manager, District Assets regarding a water consent be considered as an item of urgent late business.

The motion was seconded by Cr Gardyne.

The motion was put and it was carried.

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3. STADIUM ACCESS – SOUTHLAND KINDERGARTEN ASSOCIATION (37.22.2)

A memo had been received from the Chief Executive, together with a letter from the Ministry of Education acknowledging that although it funded and regulated early childhood education services, it did not believe it had the authority or responsibility to enter into negotiations with the Council on behalf of the Southland Kindergarten Association.

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

AND THAT the Council notify the Southland Kindergarten Association of the Ministry of Education's preference to not

be involved in any negotiations regarding free access to the MLT Event Centre by local kindergartens.

2010/35

4. 2009-2019 LONG TERM COUNCIL COMMUNITY PLANS –
EXAMPLES OF GOOD PRACTICE (46.35.4)

A memo had been received from the Chief Executive, together with a letter from Ann Webster, Assistant Auditor-General, Research and Development advising that the performance measures contained within the Gore District Council's LTCCP had been selected as being appropriate for inclusion in a proposed report to showcase better practice performance measures from selected LTCCPs.

His Worship said the notification reflected very well on the team that had put the LTCCP together.

The Chief Executive said it was gratifying to receive the advice and that the hard work the staff of the Council had put in to meet expectations about having more creditable and stretching performance measures had been well received.

RESOLVED on the motion of Cr McLennan, seconded by Cr Dixey, THAT the letter be received and noted.

2010/36

Cr Bolger thought it was very good that best practices had come out of a small authority with limited resources. It reinforced again that the Council punched well above its weight.

5. SOUTHERN FIELD DAYS: APPLICATION FOR FEE WAIVER
(2.14.3)

A memo had been received from the Chief Executive, together with a letter from the secretary of the Southern Field Days seeking the Council's favourable consideration for a waiver of the fee of \$2,500 incurred for building control inspection services during the 2010 Southern Field Days.

His Worship recalled the Council had had discussion with the Southern Field Days Committee over recent months regarding building control inspection services fees and quite a sizeable discount fee was applied. Southern Field Days had now asked for the fee to be waived altogether.

Cr Harvey thought Southern Field Days should present its balance sheet in order that the Council could see how much it could afford. He wondered what went on at other Field Days.

Cr Gardyne thought there was something wrong with the procedure when an applicant applied for a grant from the Council. He wondered if applicants should be requested to

include a set of accounts when submitting a grant application. At that point the applicant's integrity would be established if they were prepared to front up with that information.

He thought the Southern Field Days ticked all the boxes when it came to eligibility for a grant. They had worked voluntarily and tirelessly for the benefit of their organisation to build something up from nothing. He had heard suggestions that the Field Days could well contribute \$1,000,000 toward the economy of the District. He thought the Council should not quibble over \$2,500 and thought it should give Southern Field Days encouragement instead of furnishing them with an account.

Cr Gardyne moved THAT the Council request Southern Field Days to furnish the latest set of accounts to the Council,

AND THAT the Council then consider a grant application for the waiver of all building control fees associated with its 2010 event.

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The motion was seconded by Cr Davis.

The motion was put and it was carried.

His Worship said the standard procedure at present did not include the requirement for grant applicants to supply a set of accounts. If Councillors wished to implement that, a recommendation would have to be put to the Council to consider.

Cr Gardyne replied he understood it was a policy.

The Chief Executive said there was a policy for applicants that received a grant to provide a set of accounts. It was best practice to supply a set of accounts; however there would always be a one-off request for a modest amount where the policy could prove to be awkward.

His Worship said the current process had worked okay to date.

Cr Davis commended the Southern Field Days. She wished to echo Cr Gardyne's words regarding the great job it did for the farming community and District as a whole. She wanted the Council to encourage them to apply for a grant in future. Other groups in Gore that promoted the community in large projects were often supported by the Council grant and she felt the Southern Field Days fitted into that category.

Cr Grant said the Southern Field Days had claimed to have had 10,000 people through the gates at \$10 per person. After allowing for people who had free entry it still left them with \$80-

90,000 in gate takings. He said the Council required proper financial information. He wondered why they could not afford \$2,500 after having already received a major discount.

Cr Bolger said the consideration of a grant was different than a waiver of fees. He agreed with Crs Gardyne and Davis in commending the Southern Field Days. The fees had however already been discounted generously from \$6,500 to \$2,500. The \$2,500 was to cover staff inspection time and resources that had to be accounted for and recovered from the general rates.

Cr Gardyne drew Cr Bolger's attention to the letter received from the Southern Field Days. The letter had requested for either a grant application or fee waiver to be considered. The request for either-or had been misrepresented in the memo received.

6. COMPLAINTS LODGED AGAINST THE GORE DISTRICT COUNCIL BY DOUGLAS WALKER: UPDATE (46.15.2)

A memo had been received from the Chief Executive to provide the Council with an update on the numerous complaints lodged against the Gore District Council by former Chief Financial Officer, Mr Douglas Walker.

His Worship said it was pleasing to come to the end of the long process and it was pleasing to have the Council vindicated.

RESOLVED on the motion of Cr Bolger, seconded by Cr Dixey, THAT the report be received.

2010/38

Cr Gardyne said a resolution passed three years ago by the Council had put the issues with Mr Walker to rest and he was surprised it had come up again for public debate.

He referred the meeting to item 6 in the memo received from the Chief Executive. If he was a member of the New Zealand Institute of Chartered Accountants, as a member he would have received the results, complaints and resolutions. He had a friend who was a member and he had not heard anything. Now that the issue was in the public domain he was interested to know what the resolution passed by the Institute of Chartered Accountants was. He did not accept that the complaint had been dealt with in a satisfactory manner, as stated in the Chief Executive's memo, when the Council was not privy to what the resolution was.

Cr Gardyne referred to item 4 of the memo that advised complaints had been dismissed by the Auditor-General in 2007. At that time he was involved with Federated Farmers.

His Worship asked Cr Gardyne if he was President of Federated Farmers at that time.

Cr Gardyne confirmed he was. He had a letter from the Auditor-General that was consistent with advice sent to the Council advising that the Auditor-General did not intend to take a comprehensive review of the issues that were raised by Federated Farmers, but he had sought information from the Council. At that point he did not wish to proceed with the complaint so the statement made in item 4, that the complaints were dismissed, was not totally true.

He said the fact that Federated Farmers had conveyed that they were not happy was not the issue. The issue was that they had asked to source documents that the Council had been asked to source. A further letter from the Auditor-General dated in October 2007 stated that he was still looking for the information in order that he could complete his report.

Cr Gardyne now read an excerpt from a letter from the Auditor-General dated 19 September 2007.

Cr Gardyne said on the strength of that information from the Auditor-General, to his knowledge the file was still open.

His Worship said there had been a resolution passed by the Council three years ago to put the issue to rest and he wished that had been the end of it. However, it had continued to be actioned by Mr Walker and others via complaints to the Ombudsmen and Privacy Commissioner. Those complaints had just finished, hence the report had been included on the Council Agenda.

He said with regard to the comments relating to the letter from the Auditor-General that associated Cr Gardyne as the President of Federated Farmers at the time, it was his understanding from the Auditor, that the issue had been put to bed.

The Chief Executive confirmed he had been advised by the Assistant Auditor-General once his inquiry had been completed, to release the information sought by the complainants, including Mrs McIntyre, so he had done so.

As his report mentioned, subsequent to the September 2007 letter that Cr Gardyne referred to, there was a further visit from Deloitte, at the Auditor-General's instruction, to work through the workings of Council staff to verify that what was supplied was accurate. He stood by that.

The Chief Executive said in terms of the privacy issue with the Institute of Chartered Accountants, it is a private matter. In his view the complaint had caused considerable public discussion.

Some of the complaints, such as the privacy commission complaint, directly related to information used in the complaint to the Institute of Chartered Accountants. They were inextricably linked and it would be very awkward to try and put a credible report on all the issues without disclosing privacy issues.

His Worship was pleased the Council had got to the end of the saga, even though Cr Gardyne thought otherwise. He said Cr Gardyne needed to think seriously about raising the issue of a complaint raised by the Auditor-General regarding a Federated Farmers complaint. The Mayor was concerned about Cr Gardyne's conflict or perceived conflict as President of Federated Farmers at the time and signatory to the complaint. It had not been a pleasant time for the Council and the issue reflected no credit on the community at all.

7. RESOURCE MANAGEMENT DISCOUNT POLICY (11.1.4)

A memo had been received from the Planning Consultant, together with a copy of the paper from the Minister to Cabinet, regarding the finalised details of the Resource Management Discount Policy.

His Worship said the Council had submitted vigorously against the recommendation that was going to be implemented by the government. It appeared it had implemented a form of a discount for the time it took to approve a consent.

The Planning Consultant said as a consequence of the information now required on resource consents, it would add one and a half to two hours more time to the administration staff processing consents.

RESOLVED on the motion of Cr Dixey, seconded by Cr Dixon, THAT the report be received.

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8. REPORTS FROM COUNCILLORS (46.12.9)

Cr Harvey reported on his attendance at the recent Citizens Advice Bureau meeting and Heritage Committee meeting.

9. APPROVED URGENT LATE BUSINESS

A memo had been received from the General Manager, District Assets advising that Environment Southland had informed the Council that it had received a resource consent application for a water permit. The consent applicant was CE and HR Webber on behalf of the Aylesbury Trust.

Environment Southland had given the Council the opportunity to support, oppose or comment on the submission.

The meeting now perused the memo.

The General Manager, District Assets said the applicant was seeking to take 3478 cubic metres of water per day for irrigation.

In response to Cr Grant, the General Manager said from looking at the map attached to the application, it appeared the applicant wanted to irrigate land on both sides of Monaghan's Road.

Cr McLennan said there was already a policy for such applications and he proposed the word "vigorously" be included in the recommendation.

Resolved on the motion of Cr McLennan, seconded by Cr Grant, THAT the report be received.

AND THAT the Council oppose vigorously the CE and HR Webber ground water take resource consent application.

2010/40

Cr Harvey wondered if there would be a shortage of water in Gore with all the applications being submitted, including the Steegh's application.

The General Manager said applicants went through a rigorous process to ascertain whether water was available. It was up to hydrologists to complete the necessary studies to determine that there would be no negative effects from the process.

In response to His Worship, the General Manager said two applications had been opposed in the past. Another application had recently been withdrawn.

Cr Bolger said there was insufficient understanding of the water resource to give the Council certainty that irrigation takes would not impact on the water take. It was being responsible opposing the application until Environment Southland could give the Council some assurance.

Cr Gardyne said he had asked when the Steegh's application was being considered that a moratorium on applications be imposed until Environment Southland had completed research, monitoring and investigation into the water supply. He had been told it was not appropriate. He thought it was still relevant as Environment Southland did not appear to yet have a clue as to how much water was available. He thought the idea of a moratorium on the applications should be included in the reply to Environment Southland.

Cr Bolger said moves were afoot to ensure the municipal supply would take priority. It was being weaved into the Regional Water Plan presently. It would guarantee the security of supply.

Cr Gardyne said restrictions had come into force in Gore prior to the applicants having to turn of their water.

The General Manager said as different applications were received, a step process was applied. The current application's proposed cut off was 19 cubic metres. As part of the consent for Gore's water take, it stated that it should conserve water when the level reached 17 cubic metres. It was not a restriction as such, but a notice to conserve water within the community.

Cr Davis said it was fitting to oppose the application in light of the debate in the public arena regarding applications, and in light of presentations from Environment Southland which had alerted the fact that if they kept allocating water, there would be no water left in the future.

His Worship said the application highlighted the importance of water to all urban communities, and rural communities who were using more and more water to develop their properties. It was fitting to oppose the application.

The meeting concluded at 8.10 pm.