

MINUTES OF AN EXTRAORDINARY MEETING OF THE GORE DISTRICT COUNCIL, HELD IN THE COUNCIL CHAMBERS, CIVIC ADMINISTRATION BUILDING, 29 CIVIC AVENUE, GORE, ON TUESDAY 22 JUNE 2010, AT 4:03 pm

PRESENT His Worship the Mayor (Mr Tracy Hicks JP), Crs Bolger, Davis, Dixey, Dixon, Harvey, Gardyne, Grant, 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), Parks and Recreation Manager (Mr Ian Soper), Roading Manager (Mr Murray Hasler), HR/Administration Manager (Susan Jones) and two members of the public in the gallery).

APOLOGIES Cr Heller apologised for absence.

1. CONFIRMATION OF MINUTES

Cr Highsted moved THAT the minutes of the extraordinary meeting of the Gore District Council, held on 21 May 2010, as presented, be confirmed and signed by the Mayor as a true and complete record.

The motion was seconded by Cr Davis.

Page 2 – paragraph 3 – Cr Gardyne asked that the third line be amended to read “... the project because of the costs that ...”

Page 3, paragraph 3, line 1 Cr Gardyne asked that “the” after “answered” be replaced with “a”.

The Council agreed to the changes, the motion was put and was carried.

2. CONSIDERATION OF SUBMISSIONS RECEIVED TO THE DRAFT
2010/11 ANNUAL PLAN (46.23.19)

A copy of the Chief Executive's operational comments on each submission received had been circulated with the agenda.

His Worship outlined the process for the meeting. The Chief Executive added that it was intended to hold an extraordinary meeting at the conclusion of the Committee meetings on 27 July to consider and adopt the rating resolution.

In response to Cr Highsted, His Worship advised those Councillors who were not present for the verbal submissions, the law was that the Councillor could not take part.

The Chief Executive advised there had been a recent High Court ruling that declared it was unreasonable for every Councillor to attend every meeting of a lengthy consultation process and provided there was a satisfactory record taken of the hearing and the Councillor had read each submission received, the ruling was that the Councillor could take part in a deliberative meeting. However, the High Court ruling was subject to an application to the Court of Appeal. The rule of thumb had been "if in doubt, stay out."

His Worship said he supported if in doubt, stay out, however, he was comfortable there was a good record of the hearing and the submissions were not extensive. He believed it was up to Cr Grant to decide if he wished to take part in the meeting.

Cr Grant advised he was happy to not take part.

Cr Bolger thought Cr Dixon would also be in that position as he had not attended the hearing on 21 May either.

Submission No 1 – Matura Community Garden Committee

Cr McLennan moved THAT an additional grant of \$1,000 be made available.

The motion was seconded by Cr Dixey.

Cr Gardyne thought there should be a timeline placed on the grant made and suggested every two years. It was not a request for money but a suggestion from the Committee.

The motion was put and it was carried.

2010/43

The Chief Executive said the money was granted on the basis that the community garden continued to be an active entity.

Submission No 2 – Enviroschools Foundation – noted.

Cr Gardyne would like to see an increase in the number of schools taking part in the scheme to justify the \$5,000 grant made by the Council.

Submission No 3 – ACC – noted.

Submission No 4 – East Gore School

Cr Harvey noted that the school had recently closed its own pool.

His Worship felt it was worth reconsidering the Council's involvement with swimming education and anything it could do to encourage more involvement. He would like to have discussions with the Mataura Licensing Trust and the school Principals to discuss what could be done.

In response to Cr Dixey, the Parks and Recreation Manager advised that there were three community school pools remaining that received a small grant from the Council.

Cr Sharp saw the issue as a parenting one rather than having to be funded by ratepayers.

His Worship did not think it needed to be a large burden on the Council but it was in a unique position to bring the parties together to talk about collaboration. He did not think the annual plan needed an amendment but the door should remain open to allow those parties involved with children's education to discuss it with the Council.

Cr Gardyne thought it appropriate when responding to the submitter to advise the amount of subsidy that the Council already made to school children using the aquatic centre.

Submission No 5 – Gore and District Victim Support Group

RESOLVED on the motion of Cr Gardyne, seconded by Cr Davis, THAT a one-off grant of \$360 be approved to allow a volunteer to attend a suicide prevention course.

2010/44

Submission No 6 – Mataura Taskforce – submission withdrawn.

Submission No 7 – New Zealand Historic Places Trust – noted.

Submission No 8 – Environment Southland – noted.

Submission No 9 – Maitāura Taskforce

Cr Gardyne said there was no indication other funders had been approached.

Cr McLennan recalled the Council made a grant for the Waikaka Cavalcade subject to certain conditions.

Cr Highsted thought there should be opportunity for the Taskforce to provide a budget. It was an event in the community.

In response to Cr Davis, His Worship said if it was not included in the annual plan then it would not be budgeted for.

Cr Highsted moved THAT subject to the receipt of a suitable budget the sum of \$3,000 be allowed for in the annual plan, with the event budget including details of income received from other funders.

The motion was seconded by Cr McLennan.

Cr Gardyne added there was no financial assistance given to the Waikaka Cavalcade and the event had run very successfully. He thought the application needed to be improved and the Council needed to be consistent across the District.

Cr Davis was not convinced about the amount suggested by Cr Highsted. It was difficult to put a value on it without a budget.

Cr Bolger moved as amendment THAT the amount be up to the sum of \$3,000.

The amendment was seconded by Cr Dixey.

The Chief Executive said in terms of the concerns about consistency it appeared that through past actions the Council had a limit of about \$1,000 for a grant where it believed it was a good cause and other funders will have been approached. The Tour of Southland was one that sprung to mind. He wondered if, given the difference of opinion and the urgency of the request with the event being held within the next 3-4 weeks, that a grant of \$1,000 be made with a report to be furnished after the

event about whether additional support could be provided for the next year.

The amendment was put and it was carried.

The amendment then became the motion, was put and it was carried.

2010/45

Submission No 10 – Gore District Council

In response to Cr Highsted, the General Manager, District Assets advised the reason for the budget being increased by \$20,000.

RESOLVED on the motion of Cr Highsted, seconded by Cr McLennan, THAT the submission be accepted and the budget increased by \$20,000.

2010/46

Submission No 11 – Federated Farmers of New Zealand

Cr Gardyne referred comments made by the Roothing Manager and the customer satisfaction survey and the percentage of people who participated in it and the resulting number of dissatisfied people about roading maintenance.

His Worship said it was speculation.

Cr Gardyne said it was speculation, but the topic continually came up. He had wanted the annual plan to go out to the rural areas. The decision to not hold public meetings in the rural area was the Mayor's. There had been a festering sore about roading for ages and he challenged the Roothing Manager about what sort of consultation he had of a public nature to get better feedback as a result of the customer survey.

His Worship denied ever saying he would not have consultation. It was absolute rubbish. What had been done over the past couple of years had been a big improvement on what had been done. He thought in the future a road show type event could be held in rural areas, particularly in Waikaka and Matura.

He assumed from Cr Gardyne's suggestion about consultation he was referring to rural hall meetings. He suggested there was much better value achieved from the consultation process undertaken in the past couple of years. There may not have been any entertainment value, but in terms of understanding

how the Council worked and the issues people had, there had been a lot more satisfaction achieved in his opinion.

Cr Davis reminded the Council that it had had undertaken much greater consultation specifically in the rural area with grader demonstrations and they had been as a result of the perceived level of service some rural roads should achieve. A Council would never have 100% perfect gravel roads anywhere at any given time. It was not possible. There was always going to be a certain segment of the community dissatisfied about rural roads at some time.

Cr Sharp thought the employment of Ivan Spackman as a Roothing Officer had helped the rural community and said his telephone had gone relatively quiet about potholes and roading issues.

His Worship concurred with comments from Cr Harvey about consulting with the rural community and thought improved consultation was always something that should not be ignored.

Cr Gardyne said there did not appear to be anything that the Council was doing in taking anything off the wish list, for example the new library management system and civic building upgrade. He acknowledged it was difficult to balance budgets but there was an opportunity to show leadership and defer some bigger ticket items.

Cr Gardyne moved THAT the library management system be deferred.

The motion was seconded by Cr Sharp.

The Chief Executive said the comments from the Library Manager were from her professional perspective and it was now up to the political arm to decide whether it should be accepted.

In response to Cr Davis, the General Manager, Corporate Services advised the current system was relatively antiquated and would require some maintenance if it was not replaced in the immediate future. The Council was in a position of being involved with a southern initiative to upskill all management systems in the lower South Island and the cost was favourable as a result. He would be surprised if a quote as favourable as the current one was able to be sourced if it was deferred.

Cr Harvey said he was a regular user of the library. It was a social aspect of life where the library was a place where everyone had the opportunity to use it.

The General Manager clarified the Council was involved with a consortium approach of rolling out a system at a favourable cost. In 12 months time the current economies of scale would not be available.

The motion was put and it was lost.

2010/47

Cr Highsted said the Federated Farmers representative acknowledged at the hearing that on a nationwide basis, the Gore District ratepayer got a very fair deal.

His Worship added that he also said he had not been able to find another local authority that treated its rural ratepayers any better than those in the Gore District.

Cr Bolger asked for clarification about the civic building upgrade and whether there was still an opportunity for it to be addressed next year.

The Chief Executive explained as the design and costs were developed over the course of the next few months, it would come back to the Council for a decision on whether to proceed.

Submission No 12 – Gore Rural Ratepayers Group

In response to Cr Gardyne, the Chief Executive clarified the funding policy for parks and reserves.

Cr Sharp queried the balance of the rural special fund.

The Chief Executive briefly explained the history of it and confirmed that the current balance was \$298,633.

Cr Gardyne asked for a list of reserve funds to be provided to Councillors.

Submission No 13 – Community Trust of Southland – noted

Submission No 14 – Mataura Community Board – submission withdrawn.

Submission No 15 – Public Health South – noted.

Submission No 16 – Sally McIntyre – noted.

Submission No 17 – New Zealand Landcare Trust

Cr Highsted asked if it was not more appropriate for Environment Southland to provide the grant.

The submission was noted.

Submission No 18 – Department of Conservation

In response to Cr Gardyne about the Willowbank railway windmill project, His Worship advised the Council was involved with it through its District Arts and Heritage Curator and suggested he speak directly to him about it.

Submission No 19 – Leanne Grant – submission noted.

Submission No 20 – Federated Farmers New Zealand (Eastern Southland Branch).

His Worship understood Crs Gardyne and Sharp were financial members of the organisation and asked if they wished to declare an interest. From his perspective he did not have an issue with either Councillor making a comment on the submissions, but he believed they should acknowledge they had an interest.

Cr Gardyne had no further comment to make. The Council was aware that he paid a subscription to the organisation as an industry good contribution at a national level. He was becoming tired of the persistent niggling by His Worship and Cr Harvey about his membership. There was no fiduciary or pecuniary interest. The Mayor had been a Councillor on Environment Southland and was a current member of the Community Trust.

His Worship said he had no connection with Environment Southland now apart from being a ratepayer as everyone else was. He declared an interest when anything related to the Community Trust was raised. It was important for Cr Gardyne that members of a farmers interest group should declare their interest when matters from that organisation were considered. It was an organisation that had nothing more in purpose than encouraging the agricultural industry in New Zealand. Cr Gardyne may see it as nit picking, but he certainly did not. All Councillors needed to be careful of the interests they had when sitting at the Council table. With the exception of Cr Gardyne, every other Councillor had declared their interests. He believed he had an immature view of that matter.

Cr Gardyne brought the Mayor's attention to a discussion about the destruction of the former Southland Farmers building and

the unavailability of records to ascertain the date of its construction. That matter highlighted the stupidity of the declaration of interests which related to the Gore District. He recalled after the decision to not oppose the demolition of the building, that Cr Harvey had said why he would vote for it when he was a McDonald's shareholder. He said more consistency would be appropriate from Cr Harvey and the Mayor.

His Worship asked if he acted outside the rule he set. He asked for an example.

Cr Gardyne made reference to the improper use of the word immaturity.

Cr Bolger said the funding policy of the Council as far as rural ratepayers and rural issues were concerned was extremely favourable. It really concerned him that the matter was continuously being raised by the local branch.

Cr Gardyne argued that the commercial and industrial areas of Gore were for the benefit of the whole district and that part of the funding policy should be reviewed for roading and parks and reserves. The objective was to get roading from rates. Roading should be removed from rates and covered by road user charges at a national level. He agreed that the approach taken by the Southland District Council for roading was a complete mess.

Cr Bolger believed the roading formula the Council currently had was the best one that the rural ratepayers could ever end up with. He would not like to see any change at all.

Cr Highsted repeated that the national Policy Advisor from Federated Farmers had said rural ratepayers in the Gore District received a very fair deal.

The submission was noted.

Submission No 21 – Alan and Robina-Lee Johnston – noted.

Cr Davis suggested that the Council's response to the submitter emphasise that it was going to ensure that the best outcome for the community as a result of the proposed Solid Energy developments in the District.

Submission No 22 – Richard Gwyn Jones – noted.

RESOLVED on the motion of Cr Davis, seconded by Cr McLennan, THAT the changes to the draft annual plan as detailed at the meeting be accepted.

2010/48

Indoor Event Centre

Cr Gardyne was personally disappointed that the Chief Executive of the Community Trust of Southland had not fronted at the hearing given its involvement with the project. He would like a discussion about the ongoing funding of the centre. He thought just receiving the letter from the Trust could be seen as acceptance.

His Worship declared an interest and withdrew. The meeting was then chaired by Cr Bolger.

The Chief Executive agreed. He did not think the battle was over yet and thought that once there were some “runs on the board” in terms of the operation and financial results that the whole matter could be revisited with the Community Trust along with the Maitaia Licensing Trust. The Community Trust was an earlier funder for the development and it was convenient to exit after three years and leave the Council to carry on. It was important to develop a relationship to prove there were no hidden financial surprises for any party.

Cr Gardyne said the Council had not yet seen the figures to be included in the annual plan for the event centre.

The Chief Executive said letters had recently been sent to both Trusts about what was owed after the first three months, however, the electricity situation was not yet resolved. Both Trusts were happy with what they had been charged to date. It was intended that the event centre would be listed as a separate line item so that people could see the expected revenue and the costs.

His Worship now resumed the Chair.

His Worship said he needed to be careful about what he said but it did revolve around relationships. There was a very good relationship at staff level between the Community Trust and the Council.

Cr Sharp struggled with the employment of a graduate planner and the proposed building expansion. He thought the Planning Consultant should be employing a person rather than the

Council. The District had a declining population and to spend over \$800,000 on those two items was a concern.

Cr Bolger said a graduate planner was an essential in his mind particularly with the future Solid Energy developments. Mr Hovell would not be around for ever and it was to the Council's advantage to have its own employee. It would also allow Mr Hovell to free up his time to concentrate on the bigger issues.

The Chief Executive said it also offered an enhanced level of service in that Gore District residents could engage with a planning person five days a week. It was also being done with an eye to the future.

Cr Bolger asked if the Council could partially fund the Emissions Trading Scheme (ETS).

The Chief Executive said the Council had a partial allowance in the draft plan. It had taken advice from SOLGM and BERL about the implications of the scheme after 1 July. It was unknown and his preliminary thoughts were that the Council could lower its contribution to make a provision for the ETS but it would have to be on the basis that it could end up slightly underdone and it would be going against the advice provided.

The General Manager, Corporate Services concurred and said there would be an impact but how it translated from an originating supplier to the end user was a myriad of unknowns. BERL had provided advice to the local government sector on a best estimate basis.

Cr Highsted asked if the ETS would affect the penny per unit agreement.

The Chief Executive said the Council could make a conscious decision to relax the ETS allowance as a result of that agreement, given it applied to a large number of municipal assets.

RESOLVED on the motion of Cr Bolger, seconded by Cr Highsted, THAT subject to the inclusion of the changes made at the meeting, the draft 2010/11 annual plan be adopted.

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The meeting concluded at 6:00 pm