



District Council

**MINUTES OF AN ORDINARY MEETING OF THE GORE DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE ON  
TUESDAY 21 FEBRUARY 2012, AT 7.30 pm.**

**PRESENT** His Worship the Mayor (Mr Tracy Hicks, JP), Crs Beale, Davis, Dixon, Gover, Grant, Heller, Highsted, Redhead and Watt.

**IN ATTENDANCE** The Chief Executive (Mr Stephen Parry), the 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), Planning Consultant (Mr Keith Hovell), Communications Co-Ordinator (Mrs Sonia Gerken), HR/Administration Manager (Susan Jones) and 20 members of the public in the gallery.

**APOLOGIES** Crs Bolger and Sharp apologised for absence.

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**1. NEW ZEALAND CITIZENSHIP CEREMONY (47.2)**

His Worship conferred New Zealand citizenship on Jane Paterson, a Canadian citizen and Bal, Bimala and Borish Goley, Nepalese citizens.

They all read the relevant declaration and were presented with a New Zealand kowhai tree.

His Worship extended best wishes on behalf of the Council to the new citizens.

*The meeting adjourned at 7.42 pm and resumed at 8.01 pm with seven members of the public in the gallery.*

**2. CONFIRMATION OF MINUTES**

**RESOLVED on the motion of Cr Davis, seconded by Cr Gover, THAT the minutes of the ordinary meeting of the Gore District Council,**

**held on Tuesday 13 December 2011, as presented, be confirmed and signed by the Mayor as a true and complete record.**

**RESOLVED on the motion of Cr Grant, seconded by Cr Highsted, THAT the minutes of the extraordinary meeting of the Gore District Council, held on Wednesday 25 January 2012, as presented, be confirmed and signed by the Mayor as a true and complete record.**

3. GORE A&P JOINT MANAGEMENT COMMITTEE ANNUAL ACCOUNTS  
(50.12.2)

A memo had been received from the Parks and Recreation Manager together with a copy of the audited financial accounts for the Gore A&P Joint Management Committee. The Council's representatives on the Committee were Crs Beale, Highsted and Watt together with the Parks and Recreation Manager.

**RESOLVED on the motion of Cr Watt, seconded by Cr Beale, THAT the information be received.**

**2012/03**

4. EMERGENCY COMMITTEE MEETING (46.12.9)

A memo had been received from the Chief Executive advising that the Emergency Committee comprising His Worship the Mayor, Cr Bolger and Cr Beale had met on one occasion during the summer break, on Monday 19 December. Two matters had been considered. One was a request for the Council to financially assist with the purchase of promotional material from Bremford Studios, with a contribution of \$5,000 being approved. The other was the order of candidates for the impending Gore Ward by-election.

A copy of the minutes of the meeting had been circulated.

**RESOLVED on the motion of Cr Gover, seconded by Cr Davis, THAT the minutes of the Emergency Committee meeting held on 19 December 2011, be adopted.**

**2012/04**

5. REGULATORY BULLETIN (2.14.3/11.5.2)

A schedule of building consents issued for December 2011 and January 2012 had been circulated, together with a comparison of the previous two years.

A schedule of land use consents issued as at 9 February had also been circulated.

**RESOLVED on the motion of Cr Watt, seconded by Cr Beale, THAT the information be received.**

**2012/05**

**6. MATAURA OXIDATION PLANT DISCHARGE (9.19.1)**

A joint memo received from the General Manager, District Assets and Asset Manager, Utilities advised that investigations had concluded at the Mataura oxidation pond to identify any sources where the increased levels of DRP could be coming from. MWH had been contracted to assist and suggest possible solutions. The advice from MWH was to apply to Environment Southland for a change in consent conditions.

A draft consent application had been prepared and a meeting involving key stakeholders had been held on 30 January.

Further reports would be provided as the application progressed through the consenting process.

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

**2012/06**

**7. MATAURA COMMUNITY BOARD REPORT (46.36.2)**

A copy of the report of the ordinary meeting of the Mataura Community Board held on 30 January, had been circulated.

The Chief Executive referred to the second recommendation contained in Clause 3 of the report (public conveniences) and suggested the Council defer ratifying that recommendation until it had reviewed its LTP and the possible impact of the recommendation on debt levels.

Cr Davis asked if any thought had been given as to whether the exeloes near the trout reserve should be retained now that a large number of new toilets had been constructed on the Main Street which was not far from the triangle reserve.

The Parks and Recreation Manager said the exeloes had a high usage and he would be reluctant to see them moved at this stage.

His Worship agreed it was worth noting.

**RESOLVED on the motion of Cr Highsted, seconded by Cr Gover, THAT the report of the meeting held on 30 January be received,**

**AND THAT with the exception of the second recommendation in item 3 of the report, relating to public conveniences in Matura, the recommendations contained within the report be ratified.**

**2012/07**

8. GORE DISTRICT COUNCIL ROADING BYLAW 2011 (22.10.1)

A memo had been received from the Roading Manager advising that the Roading Bylaw had been notified on 3 October 2011 and at the end of the submission process on 4 November, four written submissions had been received from:

- W A Smith
- GA & JE Humphries
- Federated Farmers of New Zealand
- A Tripp

A hearing of submitters had been held on 8 December, with the deliberative meeting being held on 19 December. Reports from both meetings had been circulated.

**RESOLVED on the motion of Cr Grant, seconded by Cr Watt, THAT the notes from the meetings held to consider submissions to the Roading Bylaw 2011, be received and the recommendations contained therein, be endorsed,**

**AND THAT the Council adopt the Roading Bylaw 2011, with effect from 1 March 2012.**

**2012/08**

9. APPOINTMENT OF COMMUNITY SERVICES COMMITTEE CHAIRPERSON (46.6.3)

His Worship said with the departure prior to Christmas of Cr Heller, a new Chairperson for the Community Services Committee was required. He nominated Cr Grant to the position.

**RESOLVED on the motion of His Worship the Mayor, seconded by Cr Davis, THAT Cr Grant be appointed Chairperson of the Community Services Committee.**

**2012/09**

10. NATIONAL ENVIRONMENT STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH  
(11.23)

A lengthy report had been received from the Planning Consultant advising that the National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) had come into force on 1 January 2012. Details on its implementation and provisions including the removal of underground fuel storage systems and associated soil, soil sampling and disturbance, subdivision of land and change in land use had also been provided. The proposed required action had been detailed for the Council's information.

**RESOLVED on the motion of Cr Watt, seconded by Cr Beale, THAT the Council note the action being taken in response to the NES for Assessing and Managing Contaminants in Soil to Protect Human Health coming into force.**

**2012/10**

11. DISTRICT PLAN CHANGES  
(11.15.44/11.15.45/11.15.46/11.15.47/11.15.48/11.15.49/11.15.50/11.15.51)

A memo had been received from the Planning Consultant advising that various changes were in the process of being prepared to the District Plan. The changes involved the following topics:

- Changes consequential to the Subdivision and Land Development Bylaw;
- Changes consequential to the Streetscape Strategy;
- Heritage buildings;
- Mixed use zone;
- Earthworks;
- Yard setbacks;
- Areas susceptible to inundation;
- Subdivision; and
- Miscellaneous matters.

Copies of maps provided by Environment Southland that refined the areas of actual or potential inundation within the District had been circulated, together with an excerpt showing the Gore townscape precinct from the Streetscape Strategy.

The Consultant said he had received feedback from a number of consultants since the report had been written, and the intent for

subdivisions in the Gore urban area was to allow sections to be divided in two however, there were a number of sites in Gore that were about 800-840m<sup>2</sup> and an average of 400m<sup>2</sup> would be an appropriate way to go, rather than the proposed 500m<sup>2</sup>. There was additional feedback still to be received.

The main intent of the plan changes was to make amendments to those areas that were not working as well as they should.

In response to His Worship, the Consultant explained the process that would be followed from this meeting to enable the proposed changes to the Plan to progress. He expected it would take about 4½ months.

Cr Beale expressed concern at the current height controls and as they related to a building constructed at 52 Hamilton Street. He was disappointed that no alarm bells had rung, but accepted that it had obviously ticked “all the boxes” to get building consent.

**RESOLVED on the motion of Cr Beale, seconded by Cr Davis, THAT the Council note the various changes being prepared to the District Plan,**

**AND THAT following consultation required by the Resource Management Act 1991, a full report including the proposed provisions will be presented to the Council for adoption.**

**2012/11**

12. BRIQUETTE PLANT – PROCESSING OF VARIATION TO CONSENT (RCFile)

A memo had been received from the Planning Consultant advising that David Pullar and David Whitney, Commissioners appointed to consider the land use resource consent application by Solid Energy Ltd to construct and operate a briquette plant on Craig Road, near Matura, had issued their decision to provide for the processing of the application on a non-notified basis, and a further decision approving the application subject to a number of conditions. Solid Energy had sought a variation to the consent to alter the height of the bunds with wind cloth attached to a wire mesh fence and amend the location of the vehicle egress from the site.

The Consultant said whilst he and the Chief Executive had a delegation to consider variations under the Resource Management Act 1991, given the nature of the proposal and its high public profile, it was considered appropriate that the variation should be considered by the two Commissioners who determined the original application.

**RESOLVED on the motion of Cr Gover, seconded by Cr Watt, THAT the Council delegate David Pullar and David Whitney to consider and determine any variation that Solid Energy may seek under section 127 of the Resource Management Act 1991 in relation to the approved briquette plant in Craig Road, Mataura.**

**2012/12**

**13. ROAD STOPPING REQUEST – KAIWERA DOWNS WIND FARM (11.14.3)**

The Planning Consultant advised that a request had been received from TrustPower Ltd to stop the unformed legal roads within the area that had been approved for construction of the Kaiwera Downs wind farm. TrustPower had determined that a number of wind turbines and access roads would be constructed within the legal road corridors and rather than divert the legal roads around the turbine platforms, it wished to stop the affected roads and transfer ownership of them to the adjoining landowner. A plan showing the location of the roads subject to the application had been tabled at the meeting.

Details of the process to be considered had been provided. The Consultant said the Council was only approving the process at this stage, rather than the application.

In response to Cr Highsted, the Consultant said some roads extended into other properties but there was only one road considered likely for future traffic and that was being retained.

There were a number of tracks that went over or near the paper roads that were used as farm tracks. He had commented that there were potentially some groups who would travel over them and the public process would enable any issues with them to be considered. He said the total amount of land involved with the paper roads was approximately 20 hectares.

**RESOLVED on the motion of Cr Highsted, seconded by Cr Davis, THAT the Council, for the purpose of processing, accept the request of TrustPower Limited to stop various roads within the envelope of the approved Kaiwera Downs wind farm,**

**THAT Council staff process the request from TrustPower in a manner consistent with the Gore District Council Road Stopping Policy,**

**AND THAT in event that any objections are lodged to the stopping of any of the roads within the area approved for the Kaiwera Downs wind farm, David Whitney be appointed to consider those objections and recommend to the Council the action it should take.**

**2012/13**

14. ROAD STOPPING REQUEST – BAYNES, OTAMITA (3.24.6.19)

A memo had been received from the Planning Consultant advising that the Council had, in June 2011, accepted a request from Bret Baynes to stop various roads that passed through his property at Otamita. Documentation had now been submitted to the Council to enable the process to be undertaken. The process described for the Kaiwera Downs wind farm would also apply in this case, with approval being sought from the Ministry of Lands followed by public notification, an opportunity to lodge objections and the holding of a hearing, if required, to consider the issues raised and provide an opportunity for resolution. Due to the Council being the owner of the land in question, it would be inappropriate for any Councillors to participate in the hearing process.

**RESOLVED on the motion of Cr Watt, seconded by Cr Gover, THAT in the event that any objections are lodged to the stopping of any of the roads adjoining the property of Bret Baynes, David Pullar be appointed to consider those objections and recommend to the Council the action it should take.**

**2012/14**

15. FIRE FIGHTING REQUIREMENTS (22.1.9)

A memo had been received from the Graduate Planner advising that the Council's Subdivision and Development Bylaw had come into force on 1 January 2012. One effect of the Bylaw was that the previously discretionary requirements of the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 were now mandatory.

**RESOLVED on the motion of Cr Beale, seconded by Cr Gover, THAT the Council note the action being taken to ensure adequate water supply was available for fire fighting purposes on properties where high pressure water reticulation was not available.**

**2012/15**



16. EMERGENCY MANAGEMENT SOUTHLAND BIENNIAL REPORT (45.9)

A copy of the biannual report of Emergency Management Southland had been circulated for the Council's information.

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

**2012/16**

17. REPORT FROM AQUATIC SERVICES MANAGER (24.11.1)

The Council perused a report from the Aquatic Services Manager.

**RESOLVED on the motion of Cr Gover, seconded by Cr Beale, THAT the report be received.**

**2012/17**

18. REPORT FROM PARKS AND RECREATION MANAGER (18.1.3)

The Council perused a report from the Parks and Recreation Manager.

**RESOLVED on the motion of Cr Watt, seconded by Cr Highsted, THAT the report be received.**

**2012/18**

19. REPORT FROM THE ROADING MANAGER – DECEMBER 2011-  
JANUARY 2012 (3.34)

The Council perused a report from the Roading Manager.

In response to Cr Davis, the Manager said he shared her concern about the damage to bridges in the District. Often the damage left a bridge in a compromised situation and it could be several days before any damage was reported depending on the volume of traffic. The Council relied on reports from the public to notify it of any damage.

Cr Beale did not think farm machinery would get any smaller and the bridges would continue to suffer.

The Manager said the damage was endangering the future of the bridges. On a low volume road, continued damage was risking the future of the bridge as the expenditure required to widen them was simply not sustainable. The agricultural contractors needed to think about the location of their clients when purchasing equipment to ensure they could get there on the roads and bridges.

Cr Watt said no more ratepayer funding should be used for repairing bridges because the owners of the too wide machinery should know they clearly cannot cross a bridge. There needed to be more communication and education as well. Some people needed driving lessons. The Council should get firm with the culprits.

In response to Cr Davis, the Manager said the cost of bridge repairs was being met by rural ratepayers. An NZTA subsidy was also available which resulted in about half being met by the Council. Over the past 12 months there had been around \$50,000 worth of damage. Despite a newspaper article profiling the issue, there was further recent damage caused to the Pyramid Bridge which was disappointing.

Cr Davis asked if bridge damage was listed as a cost in the Long Term Plan so that people were aware.

His Worship thought people needed to be aware of the problem and the Long Term Plan was an obvious place to highlight it.

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

**2012/19**

20. REPORT FROM ASSET MANAGER, UTILITIES (8.56)

The Council perused a report from the Asset Manager, Utilities.

In response to His Worship, the General Manager, District Assets advised the cleaning of the Pleura dam had been concluded and it was now supplying water to the town. Completely unrelated, was a low chlorine count in a part of the town that was in breach of the national drinking water standards. The following week, a part of the network would be replaced that would hopefully alleviate the problem. Residents of the area affected had received “boil water” notices by way of a letter box drop on a weekly basis.

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

**2012/20**

21. COSTER FUND – APPROVED GRANTS (1.61)

A memo had been received from the Chief Executive advising that the Distribution Sub-Committee established to administer and authorise the distribution of funds in accordance with the bequest of the late Claude

Coster had met on 25 January to consider the 11 applications received for funding. A copy of the notes from the Distribution Sub-Committee had been circulated.

**RESOLVED on the motion of Cr Redhead, seconded by Cr Watt, THAT the report and the notes of the Coster Fund Distribution Sub-Committee meeting held on 25 January 2012, be received.**

**2012/21**

The meeting concluded at 9:01 pm