

REPORT OF THE ORDINARY MEETING OF THE REGULATORY AND PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE ON TUESDAY 20 NOVEMBER 2012, AT 6.00PM.

PRESENT His Worship the Mayor (Mr Tracy Hicks JP), Cr Highsted (Chairperson), Crs Beale, Bolger, Davis, Dixon, Gover, D Grant, P Grant, Redhead, Sharp and Watt.

IN ATTENDANCE The Chief Executive (Mr Stephen Parry), Corporate Services, (Mr Russell Duthie), Roading Manager (Mr Murray Hasler), General Manager, District Assets (Mr Paul Withers), Planning Consultant (Mr Keith Hovell), 3 Waters Asset Manager (Ms Sarah Dowling), Communications Co-ordinator (Mrs Sonia Gerken) and Corporate Support Officer (Mrs Tracey Millan).

Cr Highsted called for any conflicts of interest. None were received.

1. STOPPING OF UNNAMED ROADS AT OTAMITA (3.24.6.19.1)

A memo had been received from the Planning Consultant together with an interim recommending report from Mr Pullar setting out matters dealt with at the hearing and subsequent events. A plan showing the five areas of land subject to the requested was also received.

RECOMMENDED on the motion of Cr Dixon, seconded by Cr Watt, THAT on the basis of the interim recommending report of Mr Pullar, the Council proceed with the stopping of that portion of legal road notated as Section 1,

AND THAT the Council await the outcome of the adverse possession claim to be sought by Mr Baynes, and the receipt of a further recommending report from Mr Pullar on the road stopping request and the objections lodged.

2. MfE UPDATE TO TERRITORIAL AUTHORITIES (11.1.4)

A memo had been received from the Planning Consultant together with a newsletter from the Ministry for the Environment regarding its current work.

RECOMMENDED on the motion of Cr D Grant, seconded by Cr Dixon, THAT the newsletter from the Ministry for the Environment be received and noted.

3. REGULATORY BULLETIN (2.14.3/11.5.2)

A memo had been received from the Chief Executive along with a schedule of building consents issued for October 2012, together with comparisons of the previous two years. A schedule of landuse consents issued as at 9 November, road closures and stopping had also been received.

The Planning Consultant said the number of resource consents issued for October were back to about what they were four years ago. A trending report would be provided to the Council in the New Year.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Redhead, THAT the information be received.

4. RECENT COURT DECISIONS (11.1.4)

A memo had been received from the Planning Consultant providing an update on two recent Court decisions.

In response to Cr Sharp, the Chief Executive said the Council did have insurance protection cover for such situations, however there would still be an excess payable. It would be an enormous time hungry process for an organisation to go through. The key message was to be vigilant and steer clear of such situations.

RECOMMENDED on the motion of Cr Watt, seconded by Cr P Grant, THAT the Council note the recent relevant Court decisions.

5. REGIONAL WATER PLAN – PLAN CHANGE 13 – DAIRYING (11.19.2)

A memo had been received from the Planning Consultant regarding submissions to plan change 13 of the Regional Water Plan.

The Consultant advised submissions had been received for and against the Plan change. A prehearing would be held in February and a report would be provided to the Council in due course.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Gover, THAT the Council note the progress on Plan Change 13 to the Southland Regional Water Plan.

6. DOG CONTROL POLICY AND PRACTICES (34.4.1)

A memo had been received from the General Manager, Corporate Services, together with the annual report on the Council's dog control policy and practices for the year ending 30 June 2012.

RECOMMENDED on the motion of Cr Grant, seconded by Cr Dixon, THAT pursuant to Section 6 of the Dog Control Amendment Act 2003, the Gore District Council report on Dog Control Policy and Practices for 2011/12 be adopted.

7. REPORT FROM THE DOG CONTROL WORKING PARTY (34.4.1/22.2.2)

A memo had been received from the General Manager, Corporate Services, together with a copy of the latest update from the working party from the Finance and Policy Committee June agenda and a report from Anderson Lloyd that confirmed the Bylaw could be amended together with a proposed updated bylaw for consideration.

The General Manager said a minor amendment to the Bylaw was a good solution to the problem of wandering dogs.

Cr Davis said there had been a lot of discussion around the wording of the proposed amendment and would allow for the animal control contractor's discretion.

Cr Gover asked why the words "offending owner" had been left out of the wording. The Council would want the owner to pay for the de-sexing.

His Worship referred to the word "may" used in the amendment and asked if there were guidelines around the discretion that the contractor could use.

The General Manager said he had liaised with the Waipa Council, who utilised the bylaw already and staff had advised that it had never had to utilise the Bylaw in reality. The ability to enforce it had always been sufficient.

Cr P Grant said the panel had thought it did not want to "penalise the likes of small children whose corgi had run along the street a couple of times."

His Worship said the contractor could change from time to time, so standards could change with those individuals. Some guidelines for consistency were required.

Cr Davis said more structure around complaints received and procedures that would follow from that would be helpful too. It was important that dog owners understood the procedures.

Cr Highsted said there seemed to be an increasing appetite of dog owners to object to dog classifications imposed.

Cr Davis said terms of reference had been created at the formation of the dog control panel and focused largely on wandering dogs.

The Chief Executive suggested a report could be prepared for the Council covering the internal approaches to the classifications of dogs as menacing or dangerous and other aspects that could be brought to it. The report could also include a guide in terms of governance as to what complainants could expect to see and experience in the process.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Watt, THAT the report be received,

THAT the proposed amended bylaw, inclusive of the working party's changed wording for section 15, subject to the words "require that dog to be neutered" being deleted and replaced by "require the owner of the offending dog to have the dog neutered at the owners cost", be approved for release for public consultation,

AND THAT a further report be provided to the Council after the consultation process outlining any possible amendments as required.

RECOMMENDED on the motion of Cr Highsted, seconded by Cr D Grant, THAT Crs Davis, Sharp and P Grant be appointed as panel members to hear submissions on this issue,

AND THAT the panel take the recommendations back to the Council on the submissions received.

8. SOUTHLAND ENERGY CONFERENCE AND COUNCIL WORKSHOPS
(50.49.2)

A joint memo had been received from the General Manager, District Assets and Planning Consultant providing an overview of relevant information from the Southland Energy Conference 2012, and Council workshops held.

The General Manager said the Energy Conference had bought the realisation to Southland what could be achieved around sustainable homes. A need had been identified for a place or system where people investing in and making decisions about buying homes could get

independent advice. Maximising the use of sun and the need for a means to progress the Southland Energy Strategy were highlighted. There were grants available for funding. It was well worth exploring.

The Planning Consultant advised he had attended a recent meeting with His Worship where Environment Southland had advised it would be producing a discussion document around an air quality plan. Some issues around energy would be included in that. He would report back to the Council about the discussion document in the New Year.

Cr Davis said she had had discussions with the General Manager regarding the other three southland Councils. If they were interested in pursuing development in the future, Venture Southland could be in a good position to apply for funding to explore the issue further.

She said people did know how to get information around energy sources. A website that anyone could access might be a good idea. The Council could raise that at a future Shared Services meeting.

His Worship agreed.

The General Manager said the framework at Venture Southland was similar to that of WasteNet. A group could be formed to determine the best way forward. There was quite a large scope.

In response to Cr Beale asking if the project could potentially come under the umbrella of Our Way Southland, His Worship said potentially, it could.

Cr Davis said it could be a good regional project. Venture Southland was the body able to get funding. The Councils did not want to get lumbered with too much cost. She was keen to see a pilot study carried out through Venture Southland.

Cr Bolger agreed. Venture Southland had an engineering study on site.

In response to His Worship asking where the other territorial local authorities were at in relation to the project, the General Manager said he was not sure, however a report similar to that attached had been sent to the other Councils.

Cr Davis said advice needed to come from the experts.

RECOMMENDED on the motion of Cr Davis, seconded by Cr D Grant, THAT the report be received,

THAT potential policy framework to implement the Southland Energy Strategy be investigated jointly with other Councils,

AND THAT Venture Southland be encouraged to take a leadership role in implementing its strategy and that the Council support it in that role.

The meeting closed at 6.37pm.