

MINUTES OF AN ORDINARY MEETING OF THE GORE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 29 CIVIC AVENUE, GORE ON TUESDAY 18 FEBRUARY 2014 AT 7.40pm.

PRESENT His Worship the Mayor (Mr Tracy Hicks, JP), Crs Bolger, Beale, Byars, Davis, Dixon, D Grant, P Grant, Highsted and Page.

IN ATTENDANCE The Chief Executive (Mr Stephen Parry), Parks and Recreation Manager (Mr Ian Soper), HR/Administration Manager (Susan Jones), Chief Financial Officer (Mr Luke Blackbeard), Roading Manager (Mr Murray Hasler), Communications Coordinator (Sonia Gerken), Senior Planner (Mr Howard Alchin), Senior Regulatory Officer (Mrs Frances Shepherd) and Mr Alan Taylor, Chairman, Mataura Community Board.

APOLOGIES Crs Gover and Sharp and the General Manager District Assets apologised for absence.

His Worship called for any conflicts of interest. None were declared.

1. CONFIRMATION OF MINUTES

RESOLVED on the motion of Cr P Grant, seconded by Cr Davis, **THAT** the minutes of the ordinary meeting of the Gore District Council, held on Tuesday 10 December 2013, as presented, be confirmed and signed by the Mayor as a true and complete record.

2. SCHEDULE OF BUILDING CONSENTS

A memo had been received from the Chief Executive together with a schedule of building consents issued for December 2013.

RESOLVED on the motion of Cr Highsted, seconded by Cr Page, **THAT** the information be received.

2014/01

3. SOUTHLAND SHARED SERVICES FORUM

A copy of the minutes of the Southland Shared Services Forums held on 27 September and 16 December 2013 had been circulated for the information of the Council.

RESOLVED on the motion of Cr D Grant, seconded by Cr Highsted, **THAT** the confirmed minutes of the Southland Shared Services Forum meeting held on 27

September 2013 and the unconfirmed minutes of the meeting held on 16 December 2013, be received.

2014/02

4. RURAL HALLS AND DOMAINS GRANT ALLOCATION

A copy of the minutes of the Rural Halls and Domains Sub-Committee meeting held on 3 December had been circulated.

RESOLVED on the motion of Cr Bolger, seconded by Cr P Grant, THAT the minutes of the meeting held on 3 December be received.

2014/03

5. AUDIT SUBCOMMITTEE – NOTES OF MEETING (SCO146)

A copy of the notes of the Council's Audit Sub-Committee meeting held on 20 December had been circulated.

RESOLVED on the motion of Cr Davis, seconded by Cr Page, THAT the notes of the Audit Sub-Committee meeting held on 20 December 2013 be received and noted.

2014/04

6. DRAFT LOCAL ALCOHOL POLICY (SCO888)

A report had been received from the Chief Executive following the Council's decision to develop a combined Local Alcohol Policy (LAP) with the Invercargill City and Southland District Councils. A copy of the draft policy had been circulated with the agenda.

Key issues contained within the LAP were:

- Requiring a community impact statement for new Off Licences. The LAP viewed a proliferation of off licences to be undesirable, and an additional control has been recommended.
- A continuation of the accord hours for on licences, with a closing time of 3am. The new national default hours included provision for a 4am closing.
- Closing hours of 10pm for Off Licences. This was one hour earlier than the national default hours of 11pm. The LAP recognised the concerns raised in the pre-consultation period associated with late closing times for off licensed premises.
- The LAP introduced a trial one-way door policy for the Invercargill CBD, Gore and Te Anau. A trial was considered a good compromise, as strong views were held on either side of the debate. A trial would allow evidence of the success, or otherwise, of a one-way door policy to be gathered.

Cr D Grant asked how long a trial one-way door policy for the Invercargill CBD, Gore and Te Anau was proposed to last.

The Chief Executive was unsure.

The Senior Regulatory Officer advised the trial period was intended to last for 12 months from October 2014.

RESOLVED on the motion of Cr Bolger, seconded by Cr Davis, **THAT** the Council adopt the draft Local Alcohol Policy and any amendments that may be made by the Invercargill City or Southland District Councils with respect to matters in those districts, and the Summary of Information for the purposes of public consultation with the submission period being 22 February 2014 until 5pm on 24 March 2014,

THAT the Council join with Invercargill City and Southland District Councils to create a Combined Local Alcohol Policy Committee with a membership of 12, made up of four Councillors from each of the three Councils,

THAT the Council appoint Councillors P Grant, D Grant, Page and Byars to be on the Committee,

THAT the Council delegate its functions and powers under Part 2, Sub Part 2 of the Sale and Supply of Alcohol Act 2012 to the Combined Local Alcohol Policy Committee with the exception of the Council's discretion under Section 88,

THAT the Council delegate to the Combined Local Alcohol Policy Committee the power to set its own procedure, quorum and rules relating to the appointment of a chairperson or persons,

THAT the Council cover the costs of the Council's representatives on the Combined Local Alcohol Policy Committee, and one third of the administration or any other costs associated with meetings of the Committee,

AND THAT the Council pay one third of any legal costs of appeals that relate to premises or issues in all three boundaries of the Gore District Council, Invercargill City Council and Southland District Council and to pay all legal costs of any appeal that relates to premises or issues solely within the boundary of the Gore District Council.

2014/05

7. REPORT FROM THE PARKS AND RECREATION MANAGER

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

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

2014/06

8. REPORT FROM 3 WATERS ASSET MANAGER

The Council perused a report from the 3 Waters Asset Manager.

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

2014/07

9. REPORT FROM ROADING MANAGER – OCTOBER 2013-JANUARY 2014

The Council perused a report from the Roothing Manager.

In response to Cr Davis, the Manager said some issues that had arisen with this year's Tour of Southland would be raised with the organisers before the 2014 event.

Cr Beale asked how the hand rail came to be installed at Wallis Lane. He said there were other areas that could also benefit from a rail.

The Manager said the Council received a request signed by virtually all residents of the street and the cost was relatively low, in the order of \$2,500. He understood there were a number of elderly residents in the street who had difficulty navigating the footpath before the rail was installed.

His Worship added there was a matrix used by the Council to determine whether a handrail or other safety feature was installed.

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

2014/08

10. NATIONAL ROADING ISSUES (SCO790)

A memo had been received from the Roothing Manager advising that three significant roading issues were currently in the public domain for submission. These were:

1. The Financial Assistance Rate (FAR) review
2. The One Network Road Classification (ONRC)
3. The 2015 Government Policy Statement on Land Transport (the GPS)

Each issue, either individually or collectively was likely to have a significant effect on the Council's future roading activity.

RESOLVED on the motion of Cr Beale, seconded by Cr Davis, THAT the Council conduct a workshop on 25 February at 5pm to formulate its submissions on the Financial Assistance Rate review, the One Network Road Classification and the Government Policy Statement on Land Transport 2015,

AND THAT the submissions be ratified by the Council at its next meeting.

2014/09

11. SCHEDULE OF LANDUSE CONSENTS

A schedule of landuse consents issued as at 5 February 2014 had been circulated.

RESOLVED on the motion of Cr Highsted, seconded by Cr P Grant, THAT the information be received.

2014/10

12. UPDATE ON HEALTH AND SAFETY IN EMPLOYMENT (SCO355)

A report had been received from the Human Resources Manager providing an update on pending changes to the health and safety in employment regime in New Zealand.

Cr Davis asked if elected members were likely to be included under the “corporate” banner in the event of breaches of the Act.

The Manager advised it was still unknown. The proposed legislative changes were being based on the Australian model, but there was no exact definition of “corporate” at this stage.

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

2014/11

13. MATAURA COMMUNITY BOARD REPORT

A copy of the report of the ordinary meeting of the Matura Community Board held on 27 January 2014, had been circulated.

Cr D Grant asked if the bus shelter was being placed in the correct location and whether the bus companies had been consulted.

His Worship understood consultation with the bus companies was to have been undertaken.

The Community Board Chairman advised the bus companies had been consulted and the siting of the shelter in the report referred more to the location on the site.

RESOLVED on the motion of Cr Dixon, seconded by Cr D Grant, THAT the report of the meeting held on 27 January be received,

AND THAT the recommendations contained within the report be ratified.

2014/12

14. EMERGENCY COMMITTEE

A memo had been received from the Chief Executive advising that the Emergency Committee established by the Council at its last meeting in 2013 had not been required to deliberate on any pressing governance issue over the Christmas and New Year holiday break.

RESOLVED on the motion of Cr Bolger, seconded by Cr P Grant, THAT the Emergency Committee, created to deal with urgent governance and policy issues over the summer recess be disestablished.

2014/13

15. PSYCHOACTIVE SUBSTANCES ACT 2013 – DRAFT LOCAL APPROVED PRODUCTS POLICY (SCO955)

A memo had been received from the Chief Executive advising that the Council had resolved to support a joint Local Approved Products Policy (LAPP) with the Invercargill City and Southland District Councils. The two Councils had also resolved to support a joint policy.

A copy of the draft policy had been circulated with the agenda.

A combined LAPP had the support of regulatory agencies and had the benefits of sharing costs and efficiencies and also cross boundary consistency. LAPPs were voluntary for Councils, and were restricted in their content as follows:

- (a) the location of premises from which approved products may be sold by reference to broad areas within the district:
- (b) the location from which approved products may be sold by reference to proximity to other premises from which approved products are sold within the district:
- (c) the location of premises from which approved products may be sold by reference to proximity to premises or facilities of a particular kind or kinds within the district (for example, kindergartens, early childhood centres, schools, places of worship, or other community facilities).

Key issues in the LAPP were:

- Retail outlets of psychoactive substances would be confined to a compact area within the Gore Central Business District and prohibited in the rest of the District.
- Within the permitted area there were buffer distances between retail outlets and sensitive sites.

His Worship felt the Government had left local government to deal with these substances and he believed towns like Gore and many others throughout the country would not want them sold either. However, the law had been passed and there was a petition being circulated around the Mayors to Government asking for the substances to be banned. It would certainly reinforce that heartland New Zealand did not want the substances.

Cr Davis said many people she had spoken with were horrified that the Council was having to uphold the legislation. She asked if there had been any dialogue with the local MPs.

His Worship said on a national level there had been a lot of discussion between Local Government New Zealand and the Government. What was transpiring overseas was banning the substances was not the answer, but allowing a controlled environment seemed to work. He did not agree with that approach.

Cr Davis suggested a letter be sent to the local MPs opposing the legislation and stating that the Council was not at all in favour of it.

Cr Highsted felt the Council should exclude the side streets and the green belt and that the Main Street only be included.

The Chief Executive said the area to be included was very much whatever the Council wanted but it could not be too restrictive so as to defeat the statute.

The Council believed the area to be covered by the policy should be restricted further than that shown on the map circulated. It favoured having that area from the Police Station to Mersey Street and with those shops fronting the Main Street only being included.

Cr Beale asked if the Council had the ability to request a copy of the licence and whether a requirement could be to have a surveillance camera installed outside the premises.

The Chief Executive said licences were handled by central Government. The policy was only to determine where outlets were permitted to set up.

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

THAT the location of premises from which approved products may be sold be confined to the area from the Police Station to Mersey Street with those shops fronting the Main Street only being included,

THAT the Council adopt the draft combined Local Approved Products Policy and adopt any amendments that may be made by the Southland District Council or the Invercargill City Council with respect to matters in those districts,

THAT the summary of information contained in the statement of proposal in appendix a be approved in terms of section 89(b) of the Local Government Act 2002,

THAT the statement of proposal and the summary of information contained in the statement of proposal in appendices a and b be made available at all offices of the Council,

THAT public notice be given inviting submissions closing at 5pm on 14 April 2014,

THAT the Council join with the Southland District Council and the Invercargill City Council in creating a combined Local Approved Products Policy Committee, with a membership of six, made up of two Councillors from each of the three Councils,

THAT the Council appoint Crs Bolger and Gover to be on the combined Local Approved Products Policy Committee,

THAT the Council delegate its functions and powers under sections 66 to 69 of the psychoactive substances act 2013 (local approved products policies) to the combined local approved products policy committee,

AND THAT the Council delegate to the combined Local Approved Products Policy Committee the power to set its own procedure, quorum and rules relating to the appointment of a chairperson or persons.

2014/14

16. REPORTS FROM COUNCILLORS

Reports from Crs Gover, Highsted, Byars, Beale and P Grant had been circulated with the agenda.

The meeting concluded at 8:30pm