



Minutes of the Annual General Meeting

Christchurch Convention Centre, Christchurch
Wednesday 29 July 2009
10:00am to 12:00pm

1. WELCOME

The President, Lawrence Yule, extended a warm welcome to members for the 2009 *Local Government New Zealand* Annual General Meeting and also welcomed Hon John Carter Associate Minister of Local Government. The President acknowledged apologies received and in particular those of Life Members Geoff Geering, Stuart Mackaskill, Sir Ross Jansen, Sir Gordon Mason and Don Reisterer.

2. APOLOGIES

Apologies were received from:

Buller District	
Kaipara District	
Kawerau District	
Napier City	
Rodney District	
Ruapehu District	
Stratford District	
Alan Dick	Hawkes Bay Regional
Blair King	Tararua District
Bon Harvey	Waitakere City
Bob Parker	Christchurch City
Bob Simcock	Hamilton City
Carole Evans	Environment Canterbury
Chris Ryan	Waitomo District
Calum Penrose	Papakura District
Dale Williams	Otorohanga District
Dirk Sieling	Thames-Coromandel District
Don Riesterer	Life Member
Gary Poole	Wellington City
Garry Jackson	Hurunui District
Geoff Geering	Life Member
Ian McKinnon	Wellington City
Jackie Kruger	Invercargill City
Jim Palmer	Waimakariri District
Jo Coughlan	Wellington City
John Banks	Auckland City
John Brockies	North Shore City
John Tregida	Hauraki District

Keith Marshall	Nelson City
Kerry Marshall	Nelson City
Mike Wall	Christchurch City
Ngaire Button	Christchurch City
Penny Webster	Rodney District
Peter Buckley	Environment Waikato
Peter Winder	Auckland Regional
Philippa Barriball	Thames-Coromandel District
Ray Ahiprne-Mercer	Wellington City
Rick Cooper	Taupo District
Ruth Carter	Carterton District
Simon Friar	Environment Waikato
Stuart Mackaskill	Life Member
Sir Ross Jansen	Life Member
Sir Gordon Mason	Life Member
Tim Shadbolt	Invercargill City
Toni Gregory-Hunt	Chatham Islands
Vijaya Vaidyanath	Waitakere City

Moved by President Lawrence Yule and seconded by Brent Catchpole (*Papakura District*).

Carried

3. DEBATING AND VOTING PROCEDURES

The Chief Executive, Eugene Bowen explained the debating and voting procedures.

Following the Chief Executive's explanation and to make sure everyone understood the electronic voting system and that it was working correctly, a test vote was undertaken.

Seventy two councils exercised their voting rights including proxy votes from Stratford District and Environment Waikato.

4. PROCEEDINGS

(1) 2008 Annual General Meeting

Moved by Mayor Kerry Prendergast (*Wellington City*) seconded by Chair Fran Wilde (*Greater Wellington Regional*):

That the 2008 Annual General Meeting proceedings be received.

Carried

5. ANNUAL REPORT

Moved by Chair David McLeod (*Taranaki Regional*) and seconded by Deputy Mayor Gary Troup (*Manukau City*):

That the report, as presented by the President be received.

Carried

6. FINANCIAL STATEMENTS 2008 / 2009

Moved by the Mayor John Forbes (*Opotiki District*) and seconded by Mayor Peter Tennent (*New Plymouth City*):

That the Financial Statements for the year ended 31 March 2008 be received and adopted.

Carried

7. REMITS

(i) 2008 Remits: Report on Outcomes

The Chief Executive advised that the most progress had been made on issues under the direct control of *Local Government New Zealand*. He confirmed that a Maori issues reference committee had been formed for the National Council and that Mayor John Forbes (Opotiki District) had reported on it at the last National Council meeting, on 25 July. He also advised that our request for changes to the Official Information Act had been delayed by the workload created of the Department of Internal Affairs, in particular the review of the Local Government Act (2002). He noted that the other two remits had made good progress.

Moved by President Lawrence Yule seconded by Mayor Len Brown (*Manukau City*):

That the report be received.

Carried

(ii) 2009 Remits for Consideration

Remit 1 NPS on siting of wind farms - Palmerston North City

Moved by Mayor Jono Naylor (*Palmerston North City*) seconded by Mayor Chalky Leary (*Rangitikei District*):

Carried

That *Local Government New Zealand* requests Central Government to develop a National Environmental Standard with regard to the siting of wind farms and more specifically on:

- The minimum distance turbines can be placed from private residences
- Appropriate assessment of noise and vibration from wind turbines, and maximum noise and vibration levels affecting dwellings

That *Local Government New Zealand* request Central Government to develop a National policy Statement on:

- Criteria to identify outstanding landscapes and how the preservation value of these should be balanced against development pressure on them.

Mayor Jono Naylor presented the remit: *He emphasised that Palmerston North City was not against turbines and power companies and he acknowledged the*

considerable economic benefit that had occurred as a result of the number of wind farms in their area. He explained that the Remit was more awareness-raising for other local authorities on the minimum distances turbines can be placed from private residences and the appropriate assessment of noise and vibration levels affecting dwellings. If local authorities were not aware of these facts, the costs in terms of time and energy preparing the necessary evidence to go before boards of inquiries would be substantial. He also added that when the information is put to boards of inquiries most of the arguments are about the methodology used to determine the evidence rather than the evidence itself.

The purpose of the remit was to require clear signals from the Government that they will work with the industry. He assured the meeting that supporting the remit would save them a lot of unnecessary political pressure.

Mayor Chalky Leary, Rangitikei District supported the remit: Noting that Rangitikei District was looking more particularly at the second part of the remit regarding protecting the environment. He explained that Rangitikei had had its first wind farm application and because no provisions had been made in the District Plan there were no guidelines for objections and consequential costs.

Mayor Jenny Rowan, Kapiti Coast District supported the remit: Wishing to add an amendment but not through this meeting. She felt that central government should show leadership in the matter, by having discussions amongst its own agencies relating to designating areas in the country for these projects to be located, which remove huge costs and stress from our local communities.

She quoted Makara and she understood that the local community had had to spend tens of thousands of dollars to take itself to court with results that were highly compromised. She envisaged that the EPAs will not give relief to this process, and would not remove the impact on local authorities or communities or even the energy companies.

Mayor Rowan supported this remit as a heads up to local authorities on what would be required.

Mayor Mark Ammon, Waitomo District spoke against the remit: Requesting that, if the proposer had the right of reply, could he advise that once an NPS was set in place, could the minimum and maximum distances for a turbine from a residence be changed?

Mayor Kerry Prendergast, Wellington City spoke against the remit: Advising that Wellington City could not support the remit as it was currently written. Wellington City agreed in principle that there was merit in establishing an NPS to ensure consistent decision-making across the country. However any such standard would need to take into consideration the considerable differences in geographical context even within the Manawatu, which would necessitate potentially very complex standards. In addition, New Zealand contains a wide range of weather conditions, receiving environments, topography as well as a range of different communities who view wind turbines in very different ways. So the development of an NPS or NES needed to be able to take into account these differences. In respect to landscapes, Wellington City would strongly support the development of an NPS that outlined criteria for identifying "nationally outstanding" landscapes, rather than "iconic" landscapes and how this status should be balanced against all development pressures, not just consideration of wind farms.

Mayor Maureen Reynolds, Tararua District spoke against the remit: *Noting that it was the view of the Tararua District that each application should be considered on its particular merits given that all sites are different.*

Mayor Jono Naylor spoke to the right of reply: *He explained that with regard to the optimal distance they were seeking to have a formula to assess the required distance incorporated into the NES. With regard to each application being assessed on its merits, he suggested that this would involve each council in a lot of inconvenience and cost.*

Remit 2 Infringement fees for illegal deposit of waste - Westland District

Moved by Mayor Maureen Pugh (*Westland District*) seconded by Mayor Frana Cardno (*Southland District*):

That Zones 5 and 6 support the litter infringement fine increasing up to a maximum of \$1,000 and that the proposal be presented as a remit to the Annual General Meeting of *Local Government New Zealand*.

Carried

Mayor Maureen Pugh, Westland District presented the remit: *Advising the meeting that it had been supported by Zone 5 in the past and was also supported at a combined Zone 5 and 6 meeting earlier this year. She outlined the history of littering and confirmed that fines for littering go back to the 17th Century.*

She noted that it was unfair for local authorities to be left with the entire responsibility for cleaning up waste especially in districts who have huge logistical and economic challenges. She was of the view that the penalties should reflect the severity of the offence and act as major deterrent. The costs created by illegal dumping include administration, investigation (which is often in remote locations), special protective clothing, decontamination, transport costs, staff wages surveillance and site clean-up and collection agency fees if fines are not paid (20 percent of the total) fine. Westland District surveyed local councils in the South Island to determine how much they had been spending on cleaning up illegal waste and Christchurch City was spending \$800,000 per year.

For many years councils have been working hard educating local communities on the need to dispose of waste. This included initiatives such as Love New Zealand bins, curb-side collections for waste, curb-side recycling of paper, metal, plastics and glass and the promotion of composting and education programmes such as Enviroschools.

Mayor Frana Cardno, Southland District supported the remit: *Emphasising to the meeting that it was important for New Zealanders to live up to the clean, green image that had been presented to the world and it was important that people who litter our communities realise that the authorities are taking littering seriously.*

Remit 3 Dog attacks - Invercargill City

Moved by Deputy Mayor Neil Boniface (*Invercargill City*) seconded by Mayor Tracy Hicks (*Gore District*):

That *Local Government New Zealand* petition Central Government for a change to the Dog Control Act to enable a warranted animal control officer or a sworn policeman, with respect to any dog that is known to have committed an attack in a public place and which is believed to be an ongoing danger to the public or stock, to seize that dog and subsequently cause to be euthanized humanely and the proposal be presented as a remit to the Annual General Meeting of *Local Government New Zealand*.

Deputy Mayor Neil Boniface presented the remit:

Mayor Tracy Hicks (Gore District) supported the remit: *Saying that safety in communities was a serious issue.*

Toni Millar (Auckland City) spoke against the remit: *Saying that currently there are sufficient powers in relation to dogs, including the power to impound and then set in place the court process and if necessary prosecute the owner.*

Mayor Frana Cardno (*Southland District*) moved and Chair Stuart Collie (*Environment Southland*) seconded the amendment to the motion as follows:

That *Local Government New Zealand* petition Central Government for a change to the Dog Control Act to enable a warranted animal control officer or a sworn policeman, with respect to any dog that is known to have committed an attack and which is believed to be an ongoing danger to the public or stock, to seize that dog and subsequently cause to be euthanized humanely and the proposal be presented as a remit to the Annual General Meeting of *Local Government New Zealand*.

Carried

Chair Stuart Collie (*Environment Southland*) spoke to the amended motion: *Clarifying that the vast majority of dog attacks are on private property and invariably stock is also on private property.*

Mayor Kelvin Coe (*Selwyn District*) spoke to the amended motion: *Commented on the words "known to" and requested that the movers of the motion illustrate the level of proof required in case of mistaken identity.*

Brent Catchpole (*Papakura District*) spoke to the amended motion: *Expressing his concern with the strength of the wording "believed". All dogs are believed to continue attacking once they have attacked, but this is not necessarily the case with dogs that had received additional training. A belief that a dog was going to be an ongoing attacker meant any dog can be put down at any time. More clarification was needed on the judgement that the dog was going to be an ongoing danger.*

Mayor Chalky Leary (*Rangitikei District*) spoke to the amended motion: *Expressing his concern with the words "to enable" and seeking clarification that if there was any doubt that no action should be taken.*

Deputy Mayor Neil Boniface (*Invercargill City*) noted the concerns and advised that under sections 58, 59 and 60 of the legislation wildlife or stock on private land can automatically be shot.

Concerning discussion of the use of the words "known to" Deputy Mayor Boniface advised that the remit referred to dogs that were apprehended during or immediately

after an attack where it was too dangerous to shoot the animal at the time of the attack. He advised that as soon as the dog is apprehended it currently cannot be destroyed. It must be impounded and could be held for six months during which time it could break out. He clarified that the officer or the sworn policeman would have had to see and identify the dog involved.

8 REPORTS FROM ZONES AND SECTORS

Moved by Mayor Maureen Pugh (*Westland District*) and seconded by Mayor Jono Naylor (*Palmerston North City*):

That the Reports from Zones and Sector Groups be received.

Carried

9 LIFE MEMBERSHIP - Basil Morrison

The President Lawrence Yule commented that life membership of *Local Government New Zealand* was a significant achievement and he wanted to pay tribute to the work that Basil had undertaken during his time as President. In particular he acknowledged the contribution Basil had made during the last Labour Government which resulted in the formation of the Central Local Government Forum which had enabled engagement at the highest level.

Moved by President Lawrence Yule and seconded by Mayor Kerry Prendergast (*Wellington City*):

Carried

10. OBITUARIES

The following obituaries were received during the year or were recorded by members during the AGM:

Bruce Scott	Mackenzie District
Paul Stewart	Selwyn District
Graeme Weld	<i>Local Government New Zealand</i> National Council and Western Bay of Plenty
David Harrington	Invercargill City
Max Short QSM	Pukekohe Borough
Janice Skurr	Waimakariri District
Gwen Nash	Waitakere City
Noel Byford	Taihape Borough
John Petersen	Wairoa District
Joyce Dunmore	Palmerston North City
Marilyn Brown	Palmerston North City
Rodney Grater	Waitaki District
Selwyn Letham	Ashburton County
Irene McGregor	Gore Borough
John Keaney QSO	Rotorua District

The President paid tribute to Graeme Weld former Mayor of Western Bay of Plenty and *Local Government New Zealand* National Councillor. He acknowledged the enormous contribution to local government and society, in many cases over a long period of time, that each of the above had made and offered condolences to families and Councils.

11. OTHER BUSINESS

The President delivered his closing address and advised that the next Annual General Meeting would be held in Auckland on Wednesday 28 July, 2010.

The President declared the meeting closed at 11.45am.

Signed: _____

President, Lawrence Yule

Dated: _____

DRAFT