

Notice is hereby given that a Meeting of the Riversdale Community Development Area Subcommittee will be held on:

Date: Tuesday, 24 November 2015
Time: 6pm
Meeting Room: Riversdale Community Centre
Venue:

Riversdale Community Development Area Subcommittee Agenda

OPEN

MEMBERSHIP

Chairperson Paul Langford
Deputy Chairperson Colin Elder
Members Richard Clarkson
Rohan Horrell
Barry O'Connor
Daryl Will

Councillor Brian Dillon

IN ATTENDANCE

Area Officer Rose Knowles
Area Engineer Bruce Miller

Contact Telephone: 0800 732 732
Postal Address: PO Box 903, Invercargill 9840
Email: emailsdc@southlanddc.govt.nz
Website: www.southlanddc.govt.nz

Full agendas are available on Council's Website
www.southlanddc.govt.nz

Terms of Reference for CDAs

This CDA is a subcommittee of Southland District Council and has delegated responsibility. The CDA members are elected to represent and advocate for their community.

It can make decisions on:

- Managing local halls and cemeteries
- Managing reserves, plantings, drainage, footpaths, street lighting, camping grounds, wharves, jetties, lakeshores and slipways, litter control

It can make recommendations to Council on:

- Priorities for services and development within the community
 - Local rates
 - Spending outside the approved annual budget
-

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UPDATES

8.1 Chairman's Report

The Chairman, Member Langford, to report on matters with which he has been involved since the Subcommittee's last meeting.

8.2 Councillor's Report

Councillor Dillon to report on activities from the District Council table.

1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of Interest

Committee Members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Public Forum

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on www.southlanddc.govt.nz or phoning 0800 732 732.

5 Extraordinary/Urgent Items

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

6 Confirmation of Minutes

- 6.1 Meeting minutes of Riversdale Community Development Area Subcommittee, 19 August 2015

Riversdale Community Development Area Subcommittee OPEN MINUTES

Minutes of a meeting of Riversdale Community Development Area Subcommittee held in the Riversdale Community Centre on Wednesday, 19 August 2015 at 6pm.

PRESENT

Chairperson Paul Langford
Members Richard Clarkson
Rohan Horrell
Barry O'Connor

Councillor Dillon Brian Dillon

IN ATTENDANCE

Area Officer Rose Knowles
Area Engineer Bruce Miller
**Group Manager,
Policy and
Community** Rex Capil

1 Apologies

Apologies for non-attendance were received from Members Elder and Will.

Moved Chairman Langford, seconded Member O'Connor
and resolved that the Riversdale Community Development Area Subcommittee accept the apologies of Member Elder and Will.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There were no persons seeking speaking rights in Public Forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Minutes

Resolution

Moved Chairman Langford, seconded Member Horrell

That the minutes of Riversdale Community Development Area Subcommittee, Ordinary meeting held on 27 May 2015 be confirmed.

Reports

7.1 Action Sheet

Record No: R/15/8/14543

The Action Sheet was circulated for Members information.

Issues arising included the following;

- The inorganic collection will be held after Labour weekend
- Member Will to contact the Area Engineer re the bore on Berwick Street

Resolution

That the Riversdale Community Development Area Subcommittee:

- a) Receives the report titled "Action Sheet" dated 12 August 2015.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**

- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**

7.2 Works and Finance Report to Riversdale Community Development Area Subcommittee for the period ended 30 June 2015

Record No: R/15/7/13193

The Works and Finance Report prepared by the Area Engineer, Mr Bruce Miller, for the period ending 30 June 2015, was tabled.

Issues reported to the subcommittee included;

- Southroads to tidy up lawns and backfill the footpaths once the weather permits.
- A quote to seal car park at Hall from Southroads has been requested.
- A quote to paint and investigate the lighting at the public toilets to be obtained and then a copy be sent to the Progress League to consider sharing the costs.

Resolution

Moved Member Horrell, seconded Chairman Langford

That the Riversdale Community Development Area Subcommittee:

- a) **Receives the report titled “Works and Finance Report to Riversdale Community Development Area Subcommittee for the period ended 30 June 2015” dated 19 August 2015.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**

7.3 Unaudited Annual Accounts Report to Riversdale Community Development Area Subcommittee for the year ended 30 June 2015

Record No: R/15/8/13401

Unaudited Annual Accounts Report to Riversdale CDA for the year ended 30 June 2015 prepared by B Miller (Area Engineer), was tabled.

The Area Engineer reported that the total funds held in reserves is \$87,984.

The significant budget variances discussed were;

- Footpath work around Riversdale Township came to \$123,052 and was funded half from the ward and half from the township reserves.
- No costs for monitoring this year from Environment Southland.
- The beautification budget code relates to the construction of the walking track.

Resolution

Moved Member O'Connor, seconded Member Clarkson

That the Riversdale Community Development Area Subcommittee:

- a) Receives the report titled "Unaudited Annual Accounts Report to Riversdale Community Development Area Subcommittee for the year ended 30 June 2015" dated 11 August 2015.**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**

7.4 Community Governance Project

Record No: R/15/8/13834

Report by Mr R Capil, (Group Manager), advising Council has committed to undertake a Community Governance Review Project to assist in preparation for the Representation Review scheduled for 2017, was tabled.

Mr Capil outlined the steps in the process completed to date and advised the next stage of the project is to develop the concept design further, prepare a consultation document and deliver on an agreed implementation and engagement approach.

Mr Capil commented that an important process in developing this project is to ensure that there is significant engagement during the project design and development stages which will involve ensuring there is the opportunity for public participation throughout the project development.

The subcommittee was advised a Staff Project Working Group and an Elected Representative Working Group - including Councillors, Community Board and CDA representatives are to be established and will operate for the duration of this project. Furthermore stakeholder engagement is to be undertaken with individual Community Board and CDA subcommittees and various other regional and national agencies with the intent that this engagement be completed by July 2016. It was noted Community engagement is to be undertaken with local community organisations and residents by way of public forums with the intent that this engagement be completed by July 2016.

Mr Capil advised a Community Governance Proposal - Final Draft is to be prepared for approval for consideration as part of informing the Representation Review process by February 2017 and it is intended a Representation Review is to be undertaken and completed by June 2017.

In his report Mr Capil included a Paper entitled “Community Governance and Planning”, which covered the following;

- Context
- Community Governance
- Civic Leadership
- Alignment to Community Planning
- Our Partners-Linking communities with partnering agencies
- Community Planning
- Framework – A wider perspective
- Purpose and Goal
- Next steps for consideration
- Process to Success – A path to the future

In summarising Mr Capil informed that the objective is to outline the engagement process to develop the best approach going forward in relation to future representation in particular the lead up to the 2017 Representation Review so as to ensure Council understands the needs of the community.

Resolution

Moved Chairperson Langford, seconded Member Horrell

That the Riversdale Community Development Area Subcommittee:

- a) **Receives the report titled “Community Governance Project” dated 12 August 2015.**

8.0 Updates

8.1 Chairperson’s Report

The Chairman, Paul Langford, reported on matters with which he has been involved since the subcommittee’s last meeting which included;

- Community Boards/CDA Chairs meeting in Invercargill
- Northland Southland Chairs meeting next week in Lumsden
- Hall parking Issues

- New footpath and carpark at school
- Freedom camping
- Council flat upgrade
- Riversdale St Johns investigating options for a new building

8.2 Councillor's Report

Councillor Dillon reported on matters from the District Council table. These included;

- Camping Bylaw
- Dog Control Bylaw
- Long Term Plan
- Roading issues

Meeting concluded at
7.40pm

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE
RIVERSDALE COMMUNITY DEVELOPMENT
AREA SUBCOMMITTEE HELD ON 19 AUGUST
2015.

DATE:.....

CHAIRPERSON:.....

Works and Finance Report to Riversdale Community Development Area Subcommittee for the period ended 30 September 2015

Record No: R/15/11/20125
Author: Bruce Miller, Area Engineer
Approved by: Ian Marshall, GM - Services and Assets

Decision Recommendation Information

Area Engineer's Report

Public Toilets

- 1 Quote received from Gil Kay to remove interior fittings, supply and fit Seratone to walls and ceilings in the cubicles, over line existing, paint trims, material and labour \$6,606.18. Area Engineer will have a quote for the floor and electrical work at the meeting.

Inorganic Collection

- 2 A review of collection for timing and frequency to be discussed.

Footpath

- 3 A final tidy up of the verges to be completed after the inspection with the contractor.

Hall Car park

- 4 SouthRoads to quote for the sealing of the car park. This will be used as a benchmark for further investigation.

Water and Waste Engineer's Report

- 5 The monthly operations reports from Downer are provided to the Subcommittee Secretary as they are published. They include data on Downer's district-wide operations activities which is presented on a town by town basis.
- 6 For the year to date there has been no unplanned expenditure exceeding the \$5,000 threshold.

Financial Contributions

- 7 The table below outlines the balances of Development and Financial Contributions for your community to date. Spending of these funds is considered by Council staff when projects are in the planning stage. Once identified as a potential funding source for a project, confirmation from the Group Manager Services and Assets is sought before undertaking the project to ensure that the relevant policy and legislative requirements are met.

Reserves Contributions	\$9,844
Sewerage Contributions	\$63,152

Reserves

- 8 Please refer to the reserve report attached.

9

Financial Contributions

The table below shows all of the projects that are currently planned for Riversdale in 2015/2016. Carry forwards are identified in the following table as ***bold and italic***:

Activity	Project	Type	Year	Budget	Status	Officer's Comments
Roading and Transport	New street lighting	LOS	1516	\$12,000	Not started	
Sewerage	Treatment Upgrade	LOS	1516	\$300,000		Refer WW502
Sewerage	Treatment Upgrade Stage 1	LOS	1516	\$400,000		WW502 and WW509 are combined relating to land purchase, Design and construction of improvements to comply with Environment Southland requirements.
<i>Sewerage</i>	<i>Sludge removal</i>	<i>LOS</i>	<i>1314</i>	<i>\$116,986</i>	<i>Started-Design phase</i>	<i>Continuation of Work in Progress; Part of District-wide desludge project.</i>

Recommendation

That the Riversdale Community Development Area Subcommittee:

- a) **Receives the report titled “Works and Finance Report to Riversdale Community Development Area Subcommittee for the period ended 30 September 2015” dated 9 November 2015.**

Attachments

- A Riversdale Financial Reports, 30 September 2015 [View](#)

Riversdale Community Financial Report

25.00% Of Year

For the Period Ended September 2015

Income	<u>Annual Budget</u>	<u>Actual Income to Date</u>	<u>Income to Date %</u>	<u>Full Year Projection</u>
26102 Operating Costs - Riversdale	2,000	492	25%	1,992
26107 Street Works - Riversdale	7,000	1,723	25%	6,973
26128 Beautification - Riversdale	19,410	4,786	25%	19,343
26146 Playground - Riversdale	1,200	298	25%	1,198
Subtotal Local Business Units	29,610	7,299	25%	29,506
26113 Stormwater Drainage Riversdale	4,967	1,223	25%	4,948
26170 Sewerage Scheme - Riversdale	816,986	480	0%	613,219
Subtotal Water & Waste Business Units	821,953	1,703	0%	618,167
Total	851,563	9,002	1%	647,674
Expenditure	<u>Annual Budget</u>	<u>Actual Spent to Date</u>	<u>Spent to Date %</u>	<u>Full Year Projection</u>
26102 Operating Costs - Riversdale	2,000	0	0%	1,500
26107 Street Works - Riversdale	7,000	1,361	19%	6,611
26128 Beautification - Riversdale	19,410	1,442	7%	16,000
26146 Playground - Riversdale	1,200	137	11%	1,037
Subtotal Local Business Units	29,610	2,941	10%	25,148
26113 Stormwater Drainage Riversdale	4,967	410	8%	4,093
Subtotal Water & Waste Business Units	4,967	410	8%	4,093
Total	34,577	3,350	10%	29,242

Riversdale Community Financial Report

25.00% Of Year

For the Period Ended September 2015

Capital Expenditure	<u>Annual Budget</u>	<u>Actual Spent to Date</u>	<u>Spent to Date %</u>	<u>Full Year Projection</u>
26107 Street Works - Riversdale	12,000	0	0%	9,000
Subtotal Local Business Units	12,000	0	0%	9,000
26170 Sewerage Scheme - Riversdale	816,986	480	0%	613,219
Subtotal Water & Waste Business Units	816,986	480	0%	613,219
Total	828,986	480	0%	622,219
Funding Adjustments (Contributions, Loans, Provisions, Reserves, Forestry Dividend)	<u>Annual Budget</u>	<u>Actual Adjustments to Date</u>	<u>Adjustments to Date %</u>	<u>Full Year Projection</u>
26107 Street Works - Riversdale	12,000	0	0%	9,000
Subtotal Local Business Units	12,000	0	0%	9,000
Subtotal Water & Waste Business Units	0	0	0%	0
Total	12,000	0	0%	9,000

Reserve Balances - Annual Plan

Riversdale	Opening Balance	Current Budget	Forecast Budget	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
Local													
<i>Reserve</i>													
Riversdale Fire Bore - RES	5,293	5,545	5,545	5,807	6,080	6,365	6,662	6,971	7,293	7,629	7,979	8,343	8,343
Riversdale General - RES	87,378	80,901	80,901	83,065	86,168	89,401	92,769	96,278	99,934	103,743	107,712	111,847	111,847
Total Local Reserve	<u>92,671</u>	<u>86,446</u>	<u>86,446</u>	<u>88,872</u>	<u>92,248</u>	<u>95,766</u>	<u>99,431</u>	<u>103,249</u>	<u>107,227</u>	<u>111,372</u>	<u>115,691</u>	<u>120,190</u>	<u>120,190</u>
Total Local Balance	<u>92,671</u>	<u>86,446</u>	<u>86,446</u>	<u>88,872</u>	<u>92,248</u>	<u>95,766</u>	<u>99,431</u>	<u>103,249</u>	<u>107,227</u>	<u>111,372</u>	<u>115,691</u>	<u>120,190</u>	<u>120,190</u>
Total Riversdale Reserve Balance	92,671	86,446	86,446	88,872	92,248	95,766	99,431	103,249	107,227	111,372	115,691	120,190	120,190

Item 7.1 Attachment A

Keeping of Animals

Record No: R/15/11/19640
Author: Michael Sarfaiti, Environmental Health Manager
Approved by: Bruce Halligan, GM - Environment and Community

Decision Recommendation Information

Purpose

- 1 To decide on a recommendation to Council concerning the keeping of animals in Riversdale.

Executive Summary

- 2 The Subcommittee has informally advised of its desire to amend the Keeping of Animals, Poultry and Bees Bylaw 2010. The bylaw is prescriptive and does cater for the differing expectations among our communities. A solution is to redraft the bylaw to allow for local decision-making in keeping of animals rules.

Recommendation

That the Riversdale Community Development Area Subcommittee:

- a) **Receives the report titled “Keeping of Animals” dated 4 November 2015.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Requests Council to review the Keeping of Animals, Poultry and Bees Bylaw 2010, for the purpose of recognising differing local community expectations.**

Content

Background

- 3 The Riversdale CDA has informally advised staff that the rules in the Keeping of Animals, Poultry and Bees Bylaw 2010 (the Bylaw) should be revised for Riversdale because the rules may be too prohibitive.

Ohai amendment

- 4 Similar concerns were raised by the Ohai CDA. Following a recommendation from the Ohai CDA, Council amended the bylaw as follows on 27 June 2012:

“Clause 2.1 of the Keeping of Animals, Poultry and Bees Bylaw 2010 within the Ohai Urban Zone does not apply, in any case where the keeping of the animal or animals meets all of the following conditions:

- (i) The animals are confined to the property; and*
- (ii) The owner or occupier of the property upon which the animals are being kept has given approval; and*
- (iii) The animals do not cause any damage to a neighbouring fence or property; and*
- (iv) The animals do not create a nuisance, as defined in the Health Act 1956.”*

Nightcaps request for amendment

- 5 Earlier this year the Nightcaps CDA also requested an amendment to the bylaw. The CDA agrees that the current bylaw does not satisfy the requirements of the Nightcaps community.

- 6 Their resolution was as follows:

“Recommends to Council that The Keeping of Animals, Poultry and Bees Bylaw 2010 be amended for the Nightcaps Township as follows:

- The definition of animal to be expanded to include any animal except cats, dogs and domestic pets.*
- Lambs and sheep to be permitted on sections located within the Nightcaps Urban Resource area provided adequate fencing to contain the animals is available*
- A maximum of two pet lambs/sheep per residential section and four on a vacant section shall be permitted.”*

- 7 Staff will progress this amendment. The work has been deferred until the New Year due to a number of other bylaws that had to be reviewed this year.

Issues

Local communities have differing expectations

- 8 The wishes of the Nightcaps, Ohai, and Riversdale communities show that an inflexible one-size-fits-all set of rules may no longer be appropriate for the District.

- 9 There are several ways to resolve this:
- (a) Amend rules on a case-by-case basis.
 - (b) Have a performance based bylaw, eg animals can be kept as long as certain criteria are met, in particular the prevention of nuisance, noise nuisance, and disease transmission. Perhaps also compliance with the relevant code of welfare.
 - (c) Have a bylaw with a permitted baseline, eg you can keep a number of sheep and poultry, and must be kept in a nuisance-free manner. A permit would be needed to have different kinds of animals, or a larger number of sheep and poultry.
- 10 The approach in (c) above may be the best fit for the District. With such a bylaw, the Riversdale CDA would be consulted on every application for a permit applied for in the town and give a recommendation whether or not it should be granted, and what conditions should apply.

Differing expectations from Council to Council

- 11 Council's bylaw is based on the still current 1999 standard bylaw, that is good practice but not necessarily best practice. Looking across New Zealand, there are varying rules, for example:
- You can keep 10 hens in Balclutha and 12 in Gore.
 - You cannot keep a pig anywhere in Timaru District without resource consent or in North Shore City without a different kind of consent, but you can keep a pig in the urban area of Balclutha.
 - Gore has rules about the keeping of rodents as pets.
 - A horse requires twice as much land in Timaru (2,023 m²) as in Gore (1,012 m²).

Rural nature of the District

- 12 The District is rural in nature and has a rural economy. Some people will want to keep a variety of animals as pets in urban or 'lifestyle' localities. Most animal related problems in the District occur in urban areas.
- 13 I understand that these views may be shared by the CDA.
- 14 The bylaw does need to start from the foundation that recognises this rural nature, while at the same time protecting residents from nuisances from the keeping of animals.

Benefits vs adverse effects from the keeping of animals

- 15 The keeping of animals has both benefits and adverse effects. The keeping of animals in urban areas can have benefits such as mitigating fire risk and improved amenity due to the control of rank grass, enjoyment by locals, and providing food. Adverse effects include odour from faeces, noisy animals, damage to neighbouring property, and attracting vermin.
- 16 A community will likely have extremes in views about the keeping of animals ranging from prohibition to freedom. There is a need to protect the public from the irresponsible or inconsiderate keeping of animals. A balance is required by providing rules that enable the

keeping of animals in a way that is acceptable to the community, and restrict or prohibit the keeping of animals that may create problems.

Factors to Consider

Legal and Statutory Requirements

- 17 There are no legal implications for the CDA.
- 18 The Local Government Act 2002 empowers Council to make bylaws for the purpose of regulating the keeping of animals, poultry, and bees (Section 146).
- 19 The current bylaw is not required to be reviewed until 30 June 2020. Council may review a bylaw at any time.

Community Views

- 20 The Nightcaps, Ohai, and Riversdale communities have all advised that they feel that the bylaw should recognise local views.
- 21 The views of the Riversdale CDA will be regarded by Council as representing the views of the Riversdale community.
- 22 Any amendment or review of the bylaw will be open to the public for submissions.

Costs and Funding

- 23 There are no financial implications for the CDA.

Policy Implications

- 24 There are no policy implications.

Analysis

Options Considered

- 25 The options are whether the CDA should request an amendment or a review of the bylaw.

Analysis of Options

Option 1 - Do nothing.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Some members of the community will support the current rules. 	<ul style="list-style-type: none"> • Does not address the concerns of the CDA.

Option 2 - Request Council to make a local amendment to the bylaw.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • May address the concerns of the CDA. 	<ul style="list-style-type: none"> • An amendment cannot introduce a fundamentally new way of regulating animals, such as a permit system. • May be replacing an inflexible rule with another one.

Option 3 - Request Council to review the bylaw, for the purpose of recognising differing local community expectations.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Will address the concerns of the CDA. • Would enable the CDA to make recommendations about any new proposal to keep certain animals in the town. 	<ul style="list-style-type: none"> • None identified.

Assessment of Significance

26 This issue is not significant in accordance with Council’s Significance and Engagement Policy.

Recommended Option

27 Option 3 is recommended. This will not only resolve the CDAs concerns, but also will benefit the District with a bylaw that enables local community input into decisions about the keeping of animals.

Next Steps

28 If the CDA chooses either Option 2 or 3, I will present a report to Council. Council may then authorise either an amendment or a review of the bylaw.

Attachments

A The Keeping of Animals, Poultry and Bees Bylaw 2010 [View](#)

300/10/8/1.

SOUTHLAND DISTRICT COUNCIL**THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2005**

Pursuant to the provisions of the Local Government Act 2002 and the Bylaws Act 1910, the Southland District Council resolves to make the following Bylaw:

SHORT TITLE AND COMMENCEMENT

This Bylaw shall be known as the 'Southland District Council Keeping of Animals, Poultry and Bees Bylaw 2005' and shall come into force on 1 August 2005.

REPEALS

The Southland District Council Keeping of Animals, Poultry and Bees Bylaw 1996 is hereby repealed.

DEFINITION

In this Part of this bylaw unless inconsistent with the context.

NUISANCE shall have the meaning assigned to it by the Health Act 1956.

1.0 PIG KEEPING

- 1.1 No person shall keep or allow to be kept any pigs in a Southland District urban resource area or industrial resource area.
- 1.2 No person shall keep any pigs so as to be or be likely to become or create a nuisance or any conditions injurious to health, or offensive or in such a manner as to pollute or be likely to pollute any fresh or coastal water as defined in the Resource Management Act 1991.
- 1.3 No person shall construct or allow any pigsty to remain, or any pigs to be at large or to range, at a less distance than 50 m from any dwelling, dairy, or any wholly or partly occupied building, or any street or public place or any place used for the preparation, storage, or sale of food for human consumption, or from any boundary of any adjoining property.

2.0 ANIMAL KEEPING

- 2.1 No horse or other beast of burden, cattle, goats, deer or ostriches shall be kept or permitted to remain in a Southland District urban resource area unless the owner has first sought and obtained the resource consent of Council.
- 2.2 Where any such horse or other beast of burden, cattle, goats, deer or ostriches are kept in a building, the building shall be properly constructed in accordance with the New Zealand Building Code, and appropriate consent be obtained in terms of the Building Act 1991 for the building.

3.0 POULTRY KEEPING

- 3.1 A maximum of 10 domestic fowls may be kept on any individual property in the Southland District urban resource area or industrial resource area, unless the owner has first sought and obtained the resource consent of Council. No other poultry, caged or otherwise, (which shall include geese, ducks, pigeons, turkeys and domestic fowls of all descriptions) shall be kept or permitted to remain in a Southland District urban resource area, unless resource consent has first been sought and obtained.
- 3.2 Every poultry house shall be constructed in the manner required by the provisions of the New Zealand Building Code and shall be properly constructed and covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nibwall, to which may be attached a poultry run.
- 3.3 No poultry house or poultry run shall be erected or maintained any part of which is within 10 m from any dwelling, factory, or any other building, whether wholly or partially occupied, or within its own height of the boundary of adjoining premises.
- 3.4 Every poultry house shall be thoroughly and effectively treated with insecticide at least once in every six months, and every outside poultry run shall be adequately graded and drained and be cleaned out weekly, and every poultry house shall be kept at all times clean and dry and in good repair by the owner of the poultry.
- 3.5 Nothing in this clause contained shall prevent any person keeping poultry in an auction room or in any premises used for the killing and dressing of poultry for sale for not more than 48 hours for the purpose of sale, or keeping poultry on his premises in an approved type of coop for the purpose of immediate consumption, or from keeping poultry in a bird fancier's shop for the purpose of sale.

4.0 NOISE FROM ANIMAL, BIRD OR FOWL

4.1 No person shall keep within any premises any noisy animal, bird, or poultry which shall be, or cause, a nuisance to residents in the neighbourhood.

5.0 BEE KEEPING

5.1 No person shall keep bees in a manner that:
(a) is, or is likely to become, a nuisance, or
(b) is, or is likely to become, offensive, injurious to health, or dangerous.

5.2 The local authority may prescribe conditions limiting the number of hives kept and the fixing of the location of such hives on the premises or place.

5.3 Where complaints are received in respect of the location of hives in any part of Southland District and the Chief Executive of the Southland District Council is satisfied, following consultation with the complainant(s) and owners of the hives, and with any other experts in the keeping of bees, that the location of the hives has resulted in bees causing a nuisance on any property located in the vicinity of the hives, then the owner of the hives may be directed to relocate or remove the hives completely.

6.0 DISPENSING POWER

6.1 It shall be lawful for the local authority in any particular case or cases, by resolution, to dispense with any of the foregoing requirements of this Part of this bylaw.

7.0 PENALTIES

Every person who commits a breach of this Bylaw is liable to a fine not exceeding \$20,000 in any case.

This Bylaw has been made and confirmed by resolution passed at a meeting of the Southland District Council held 27 July 2005.

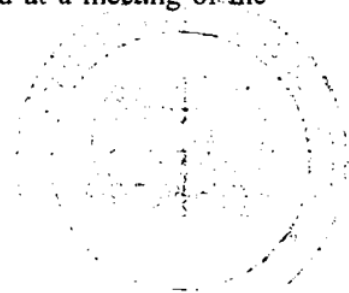
THE COMMON SEAL of the }
SOUTHLAND DISTRICT COUNCIL }
was hereunto affixed in the presence of: }

John Lee

COUNCILLOR

Bob Cook

CHIEF EXECUTIVE



Annual Plan 2016/2017 - Draft Estimates Report

Record No: R/15/10/19238
Author: Bruce Miller, Area Engineer
Approved by: Ian Marshall, GM - Services and Assets

Decision Recommendation Information

Purpose

- 1 This report provides an overview of the forecasted services for the Riversdale Community Development Area Subcommittee in 2016/2017. It includes any variations from what was forecasted in year two of the Long Term Plan (LTP) 2015-2025.
- 2 Council has streamlined its 2016/2017 Annual Plan process and as a result the Subcommittee is only required to review your estimates for significant changes. In addition, consideration should be given to funding any significant changes from reserves where appropriate.

Executive Summary

- 3 The draft estimates will be incorporated into the Council's Draft Annual Plan which will be released for consultation in February 2016. Once the plan is finalised (and subject to any changes resulting from submissions), the estimates shown for 2016/2017 will be used to set rates for the year beginning 1 July 2016.

Recommendation

That the Riversdale Community Development Area Subcommittee:

- a) Receives the report titled “Annual Plan 2016/2017 - Draft Estimates Report” dated 12 November 2015.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Approves variations in the Riversdale Community Development Area Subcommittee estimates from year two of the Long Term Plan.
- e) Estimates for the year commencing 1 July 2016 be adopted for inclusion in the Council’s Draft Annual Plan (subject to any amendments made at the meeting).
- f) Requests the levy of the following rates and charges (including GST) for the year commencing 1 July 2016 based on the approved estimates in (e) above.

Rate Description

Rate (GST Incl)

Riversdale CDA Rate

\$38,218

- g) Identifies the key highlights for the local area (to be agreed at the meeting).

Content

Background

- 4 The draft estimates for the Riversdale Community Development Area Subcommittee for 2016/2017 have been based on forecasted information from year two of the LTP 2015-2025.
- 5 The objective of these estimates is to highlight variations from year two of the LTP and set rates for 2016/2017.
- 6 This report has the following appendices:
 Appendix 1: This section is broken into rate types and includes a list of business units that make up the rate type and financial summary statement which shows the expenditure and income and rates calculation.
 Appendix 2: A list of reserves with the opening balance and projected closing balance.

Issues

- 7 The following table details the key variances from what was originally included in year two of the LTP and what is planned now:

Business Unit	Account	Annual Plan 2016/2017	LTP 2016/2017	Variance	Comments
Streetworks	Maint General	\$3,000	\$2,563	\$437	Increase based on actual.
Streetworks	Refuse	\$5,300	\$4,613	\$687	Increase in contract price.
Streetworks	Footpaths	-	\$61,500	(\$61,500)	Project brought forward to 2015/2016.
Playground	Maint General	\$1,800	\$1,230	\$570	Increase in contract price.

Revaluations

- 8 Section 9(1) of the Rating Valuations Act 1998 requires Council to revise its District Valuation Roll at least every three years. Quotable Value Limited, Council’s valuer, are currently re-valuing all rateable properties in Southland. Ratepayers will be notified in December of their proposed valuation and have until late January 2016 to lodge an objection. The final valuations will be provided to Council in February/March 2016, and these values will be the basis for the 2016/2017 rates strike.
- 9 Please note, any ‘rate in the dollar’ calculations included in this report are based on the current District Valuation Roll (ie September 2012 valuations) and will be subject to change as a result of the 2015 valuation. We anticipate that the draft 2016/2017 Annual Plan will also be prepared based on the September 2012 valuations.

Stormwater Consenting Update

- 10 The Subcommittee will be aware from previous meetings that Council has discharge applications lodged with Environment Southland for a number of townships across the District. It is a requirement from Environment Southland that such discharges are consented in line with other authorities within the region.

- 11 Council staff have been in discussions with Environment Southland staff for some time to ensure that any conditions included within the consent are appropriate given the relatively small scale nature of the discharges and the impact these will therefore have on overall water quality.
- 12 Council staff have now received and are reviewing draft sets of conditions to understand the impact on individual townships. Initial impressions of the conditions are that they are largely favourable and reflect the discussions held around the nature and scale of the discharges. Some monitoring will be required but it is unlikely to be as onerous as previously indicated.
- 13 Once conditions have finally been agreed it will then be necessary to meet with submitters to determine if the conditions address their concerns. If all submitters are happy that their concerns are being addressed and agree to withdraw their submissions it is hoped that the consents can be issued without the need to go through a formal hearing process.

Factors to Consider

Legal and Statutory Requirements

- 14 The Annual Plan 2016/2017 is a requirement of the Local Government Act 2002 and is also closely aligned with the Local Government (2002) Rating Act.

Community Views

- 15 Significant or materially different variances from the LTP will be included in a consultation document and released for consultation from 30 January 2016 to 29 February 2016. As a result of the submission process, amendments may be made prior to Council formally adopting the Annual Plan in June 2016.

Costs and Funding

- 16 All assumptions that were made when preparing the LTP have been applied in these estimates except the interest rate on borrowings. The interest rate on borrowings has been reduced from 6.25% per annum as per the 2015-2025 LTP, to 5.72% per annum to reflect the decline in market rates over the past year. This interest rate is based on the average BNZ three year fixed interest rate at the time of setting the LTP assumptions (August 2014) and now (October 2015). Please note, this interest rate is subject to confirmation by Council in December 2015, so could be subject to change. Interest on reserves has been calculated at 4.19% on the average of these balances at year end and is consistent with the 2015-2025 LTP. Inflation rates have also been kept consistent with BERL rates adopted in the 2015-2025 LTP.

Policy Implications

- 17 The LTP sets out the directions or outcomes the community desires and the activities of Council that will contribute to achieving these outcomes over 10 years. These estimates have been prepared using year two forecasted data in the LTP. Any differences between the LTP and Annual Plan budget have been identified and explained in the Issues Section of this report.

Analysis

Options Considered

- 18 The Engineer has reviewed the original LTP numbers and revised as necessary, the options are to accept the report or amend it.

Analysis of Options

Option 1 - Accept the estimates as proposed in this report

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Enables an Annual Plan to be compiled in advance within the set time frame. 	<ul style="list-style-type: none"> None.

Option 2 - Amend the estimates proposed in this report

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Further changes can be made to the LTP budgets. 	<ul style="list-style-type: none"> Rates requirement may need to be recalculated. May impact the delivery of the Annual Plan within the set timeframe.

Assessment of Significance

- 19 The contents of this report is not deemed significant under the Significance and Engagement Policy.

Recommended Option

- 20 Option one to accept the estimates as proposed in this report is recommended.

Next Steps

- 21 The estimates will be summarised in Council's Draft Annual Plan. Significant or materially different variances from the LTP will be included in a consultation document and released for consultation in February 2016. The final Annual Plan including changes made as a result of consultation will be adopted by Council in June 2016.

Appendix 1

CDA Financial Summary			
	Actuals	Budget	Forecast
	2014/2015	2015/2016	2016/2017
Operating Expenditure	(161,388)	(36,285)	(39,996)
Capital Expenditure	(8,670)	(12,000)	0
Non Cash Expenditure	1,997	1,708	1,708
Total Expenditure	(168,061)	(46,577)	(38,288)
<i>Less Funding</i>			
Net Reserve Movements	110,065	6,225	(2,426)
Other Income	24,027	8,316	7,481
Total Funding	134,092	14,541	5,055
Total Rates Required	33,969	32,036	33,233
GST	5,095	4,805	4,985
Rate (including GST)	39,064	36,841	38,218
\$ Increase/(Decrease)		(2,223)	1,377
% Increase/(Decrease)		-5.69%	3.74%

CDA Rates Calculation				
Rate Type	Basis of Rate	Actual	Actual	Proposed
		2014/2015	2015/2016	2016/2017
Riversdale CDA Rate	Fixed Charge	178.05	166.52	173.52

The Riversdale CDA Rate is comprised of the following business units:

26102 Operating Costs	26128 Beautification
26107 Streetworks	26146 Playground
26113 Stormwater	

Appendix 2

Riversdale Reserve Report			
	Opening Balance 1/07/2015	Forecast Budget 30/06/2016	Closing Balance 30/06/2017
Local Reserve			
Riversdale Fire Bore - RES	5,293	5,545	5,807
Riversdale General - RES	87,378	80,901	83,065
Total Local Reserve	92,671	86,446	88,872
Total Local Balance	92,671	86,446	88,872
Overall Reserve Balance	92,671	86,446	88,872

Attachments

There are no attachments for this report.