

Notice is hereby given that an Ordinary Meeting of Southland District Council will be held on:

**Date:** Wednesday, 28 October 2015  
**Time:** 1pm  
**Meeting Room:** Council Chambers  
**Venue:** 15 Forth Street  
Invercargill

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## **Council Agenda**

### **OPEN**

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#### **MEMBERSHIP**

<b>Mayor</b>	Mayor Gary Tong
<b>Deputy Mayor</b>	Paul Duffy
<b>Councillors</b>	Lyall Bailey
	Stuart Baird
	Brian Dillon
	Rodney Dobson
	John Douglas
	Bruce Ford
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson

#### **IN ATTENDANCE**

<b>Chief Executive</b>	Steve Ruru
<b>Committee Advisor</b>	Fiona Dunlop

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**Full agendas are available on Council's Website**  
**[www.southlanddc.govt.nz](http://www.southlanddc.govt.nz)**



## TABLE OF CONTENTS

ITEM	PAGE
<b>PROCEDURAL</b>	
1 Apologies	7
2 Leave of absence	7
3 Conflict of Interest	7
4 Public Forum	7
5 Extraordinary/Urgent Items	7
6 Confirmation of Council Minutes	7
<b>REPORTS - POLICY AND STRATEGY</b>	
7.1 Community Planning Approach	9
7.2 Venture Southland Letter of Expectation 2016-2017	23
7.3 Alcohol Fee-Setting Bylaw 2015	33
7.4 Mediation of Appeals on the Proposed Southland Regional Policy Statement - Delegated Authority	45
7.5 Feedback on Environment Southland's Draft Water and Land Plan	49
<b>REPORTS - OPERATIONAL MATTERS</b>	
8.1 Management Report	69
8.2 Building Consents and Values for August 2015	83
8.3 Building Consents and Values for September 2015	91
8.4 Resource Consents and Other Resource Management Act Items - August 2015	99
8.5 Land on the corner of Queen and Kruger Streets, Balfour	103
8.6 Request from adjoining owner to rectify long standing occupation of Council property at 46 Bungalow Hill Road Colac Bay	109
8.7 Grazing Wreys Bush Cemetery	119
<b>REPORTS - GOVERNANCE</b>	
9.1 Minutes of the Policy Review Committee Meeting dated 15 July 2015	127
9.2 Minutes of the Activities Performance Audit Committee Meeting dated 15 July 2015	129

9.3	Minutes of the Forestry Operations Committee Meeting dated 3 June 2015	131
9.4	Minutes of the Wallacetown Community Board Meeting dated 22 January 2015	133
9.5	Minutes of the Wallacetown Community Board Meeting dated 26 March 2015	135
9.6	Minutes of the Riverton/Aparima Community Board Meeting dated 8 June 2015	137
9.7	Minutes of the Riverton/Aparima Community Board Meeting dated 27 July 2015	139
9.8	Minutes of the Eastern Bush/Otahu Flat Water Supply Subcommittee Meeting dated 27 March 2015	141
9.9	Minutes of the Tuatapere Community Board Meeting dated 14 April 2015	143
9.10	Minutes of the Ohai-Nightcaps-Wairio Water Supply Subcommittee Meeting dated 12 May 2015	145
9.11	Minutes of the Ohai Community Development Area Subcommittee Meeting dated 12 May 2015	147
9.12	Minutes of the Tuatapere Community Board Meeting dated 26 May 2015	149
9.13	Minutes of the Otautau Community Board Meeting dated 16 April 2015	151
9.14	Minutes of the Otautau Community Board Meeting dated 28 May 2015	153
9.15	Minutes of the Tuatapere Community Board Meeting dated 23 June 2015	155
9.16	Minutes of the Otautau Community Board Meeting dated 9 July 2015	157
9.17	Minutes of the Tuatapere Community Board Meeting dated 18 August 2015	159
9.18	Minutes of the Otautau Community Board Meeting dated 20 August 2015	161
9.19	Minutes of the Nightcaps Community Development Area Subcommittee Meeting dated 12 May 2015	163

## PUBLIC EXCLUDED

Procedural motion to exclude the public	164
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C10.1 2015 Southland Digital Strategy Error! Bookmark not defined.

C10.2 Proposed Road Stopping - Part Short Street, Yellow Bluffs, Otautau Error! Bookmark not defined.

C10.3 Public Excluded Minutes of the Council Meeting dated 7 October 2015 Error! Bookmark not defined.

C10.4 Public Excluded Minutes of the Wallacetown Community Board Meeting dated 22 January 2015 Error! Bookmark not defined.

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- C10.5 Public Excluded Minutes of the Wallacetown Community Board**  
**Meeting dated 26 March 2015** Error! Bookmark not defined.
- C10.6 Public Excluded Minutes of the Nightcaps Community Development**  
**Area Subcommittee Meeting dated 12 May 2015** Error! Bookmark not defined.
- C10.7 Public Excluded Minutes of the Riverton/Aparima Community Board**  
**Meeting dated 27 July 2015** Error! Bookmark not defined.



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**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**

Councillors are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a councillor 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](http://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 Council 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 Council Minutes**

6.1 Meeting minutes of Council, 7 October 2015





## Community Planning Approach

**Record No:** R/15/8/15756  
**Author:** Rex Capil, Group Manager, Policy and Community  
**Approved by:** Steve Ruru, Chief Executive

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 To update Council on the community planning review process undertaken and adoption of the proposed community planning approach going forward.

### Executive Summary

- 2 The report considers the work undertaken to review the current approach to community planning in the past and considers the approach going forward.
- 3 The suggested community planning approach aligns with the approach to community leadership and engagement that the Council wishes to advance in the future.
- 4 The approach is based on the following work undertaken:
  - Evaluation of the existing community planning approach.
  - Development of a proposed community planning approach.
  - Preparation of an Analysis and Assessment Paper.

## **Recommendation**

That the Council:

- a) **Receives the report titled “Community Planning Approach” dated 1 September 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) **Adopts the proposed Community Planning Approach incorporating:**
  - **Future Approach Principles**
  - **Revised Approach and Framework**
  - **Methodology**
  - **Community of Interest**
  - **Process Timeframe**
  - **Proposed Schedule**

## **Content**

### **Background**

- 5 Work has been undertaken to review the current approach to community planning and to consider the approach going forward to ensure it aligns with the approach to community leadership and engagement that Council wishes to advance in the future.
- 6 To this end the following work has been undertaken to date:
  - Evaluation of the existing community planning approach.
  - Development of a proposed community planning approach.
  - Preparation of an Analysis and Assessment Paper.
- 7 Venture Southland staff have been involved in discussions and the preparation of the Analysis and Assessment Paper.

### **Issues**

- 8 There are no significant issues identified in analysing and assessing the future community planning approach.
- 9 The approach assists in supporting Council’s priority of connecting with its communities.

- 10 It will assist Council in engaging with its communities and promoting engagement in the public participation process.
- 11 This includes participating at various levels along the community engagement spectrum including:
- (a) Inform - provide the public with balanced and objective information to assist in understanding the process and project.
  - (b) Consult - obtain public feedback on the process and project.
  - (c) Involve - work directly with the public throughout the process and project.
  - (d) Collaborate - partner with the public throughout the process and project.
  - (e) Empower - place the decisionmaking in the hands of the public.

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 12 There are no specific legal or statutory requirements Council is obligated to fulfil as part of this suggested community planning approach.
- 13 The use of community planning is, however, a way of ensuring that Council has a clear understanding of community aspirations for its different communities. This links in with the principles relating to local authorities provided for in section 14 of the Local Government Act 2002.

#### **Community Views**

- 14 Community views are considered when undertaking the community planning process and assist in forming the community plans and associated projects as a result of the process.

#### **Costs and Funding**

- 15 There are no additional costs or funding required outside of existing operational budgets to complete this project.

#### **Policy Implications**

- 16 There are no policy implications in adopting this community planning approach.

### **Analysis**

#### **Options Considered**

- 17 Option 1 - Approve the proposed Community Planning Approach.
- 18 Option 2 - Status Quo for the current Community Planning Approach.

## Analysis of Options

### Option 1 - Proposed Community Planning Approach

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li>• Supports the concept of being an umbrella process linking community information and various service providers and agencies together to promote collaboration and enhance alignment</li> <li>• Clearly articulates a shared multi-agency community vision</li> <li>• Council is identified as a community leader</li> <li>• Is demand focused and not supply driven</li> <li>• Links local to district to regional outcomes</li> <li>• Considers the concept of communities of interest from a wider perspective than just a narrow geographic location</li> <li>• Recognises the changing face of SDC communities and associated issues and opportunities</li> <li>• Links to the Community Governance Review currently underway in preparation for the Representation Review</li> <li>• Requires strong multi-agency networks and relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-agency objectives cannot be aligned</li> <li>• Potential to lose the local involvement if multi-agency driven</li> <li>• Seen to be too complex for a local community</li> </ul>

### Option 2 - Status Quo for the current Community Planning Approach

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li>• A process that has worked well for a number of years</li> <li>• Ensures local communities have a voice and input into local solutions for local issues and opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• Is narrow in focus</li> <li>• Does not foster and promote multi-agency collaboration</li> <li>• Difficult to generate alignment and common outcomes for all involved in a community</li> <li>• Does not necessarily link to other planning mechanisms and processes of Council and other agencies</li> </ul>

## Assessment of Significance

- 19 The proposed community planning approach is considered not to be significant in accordance with Council's Significance and Engagement Policy. It simply outlines the approach that Council proposes taking to the development of community plans in the future.

## Recommended Option

- 20 The recommended option is Option 1 - to adopt the proposed Community Planning Approach incorporating:

- Future Approach Principles
- Revised Approach and Framework
- Methodology
- Community of Interest
- Process Timeframe
- Proposed Schedule

## Next Steps

- 21 To progress the implementation of the new approach to community planning for the Southland District Council including facilitating a key stakeholder workshop to inform and involve multi-agency partners in further developing this project.

## Attachments

- A Southland District Council Community Planning Approach - An Analysis and Assessment - June 2015

# COMMUNITY PLANNING APPROACH - AN ANALYSIS AND ASSESSMENT

August 2015

## CONTENTS

1.	PURPOSE.....	1
2.	DEFINITIONS AND ABBREVIATIONS.....	1
A.	EVALUATION OF CURRENT COMMUNITY PLANNING APPROACH.....	1
A1.	Background .....	1
A2.	Current Approach.....	2
A3.	Issues and Opportunities.....	3
B.	PROPOSED COMMUNITY PLANNING APPROACH.....	4
B1.	Future Approach Principles.....	4
B2.	Revised Approach and Framework.....	4
B3.	Methodology .....	5
B4.	Community of Interest .....	5
B5.	Process Timeframe .....	6
B6.	Proposed Schedule.....	6
B7.	Conclusion.....	6
B8.	Appendix.....	7

## COMMUNITY PLANNING APPROACH - AN ANALYSIS AND ASSESSMENT

### 1. PURPOSE

To review the current approach to community planning and ensure that it aligns with the approach to community development that SDC wishes to adopt in the future.

- A. Evaluation of current community planning approach.
- B. Proposed community planning strategy and approach.

### 2. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
SDC	Southland District Council
VS	Venture Southland
CDPs	Concept Development Plans

#### A. EVALUATION OF CURRENT COMMUNITY PLANNING APPROACH

##### A1. Background

Historically SDC CDPs evolved as a means to achieve a proactive approach to determine community priorities and make effective use of resources and opportunities that are available.

The SDC concept development planning process was developed to involve all sectors of communities in identifying ideas and priorities for the future development of their area.

This approach was first undertaken in the early 1990s and has been successfully implemented in a number of areas over this period of time (refer Appendix 1 for a list of SDC CDPs produced).

The planning process has stood the test of time generally successfully.

The implementation of projects and suggestions identified in the planning process is generally dependent on local effort and resources and external funding sources.

Several significant community and economic development projects have been identified and completed as a consequence of this community planning process.

The CDPs tended to have a broad scope covering all aspects of the local community - including services, amenities, recreation attractions, events and enterprise development opportunities.

The planning process was very much based on the philosophy of community-led development and the 'bottom up' approach.

The establishment of VS saw the community planning function being undertaken by the Community Development team at VS.

The concept plan process mirrored the core function areas of VS - being community, tourism and enterprise development. To this end VS continues to lead the SDC community planning function.

## A2. Current Approach

The original intent of the SDC CDP approach remains. This reflects a community-led approach identifying priorities and projects that reflect the needs and demands of the community.

Recent community planning processes have seen VS act as a facilitator to support local communities plan - based on having an overarching view of trends and issues and alignment and relationships with community and voluntary organisations, iwi, local government and central government agencies.

VS is in a position to support communities to benefit from collaboration and working in partnership to plan and respond to priority issues and to plan and support a proactive approach to community development.

There has been a greater emphasis on promoting a research based approach to planning. This assists in creating a better shared understanding of community issues and linking and aligning various other planning documents and processes that local communities are involved with.

The most recent community plan for Southern Southland is the first to involve this broader approach. It has involved the following three staged process and methodology:

### (a) Situation Analysis and Assessment

Desktop research covering specific relevant information from (but indicative only):

- Council 10 Year Plan
- Asset Management Plan
- District Plan
- Local Estimates Reports
- Infrastructure, utilities and amenity information
- Population and demographics
- Community organisation data
- Business/industry data
- Land use patterns
- Mega trends - transport/fuel, communications (transport), energy
- Macro trends - regional
- Micro trends - District and local.



(b) Future Opportunities/Community Consultation

Consultation by way of workshops and suggestion box submissions to:

- Provide an overview of stage one findings
- Determine community vision
- Identify goals and aspirations
- Consider sustainability and opportunities
- Detail priority areas of focus/projects for future development.

(c) Community Development Plan

- Prepare and present the plan and provide the linkage and detail to align with existing Council plans.

**A3. Issues and Opportunities**

While the SDC CDP process has stood the test of time and has been modified accordingly there are various issues and opportunities identified requiring further consideration.

- There is still limited alignment of the community plan focus and a reference and linkage back to Council's statutory requirement plans - 10 Year Plan, Asset Management Plans, District Plan and Community Board estimates reports.
- There is no real linkage to an SDC recognised position on various matters relating to communities, eg amenity priorities, levels of service etc. This can create a vacuum or disconnect between community and Council priorities and projects.
- There is limited alignment to regional - District - local issues and priorities identified.
- There is a need to consider the role Community Boards (CBs) and Community Development Area (CDA) Subcommittees can play in delivery and leading this process and subsequent projects identified through the process. This is to be balanced by community led approach versus CBs and CDA led approach.
- There is no real acknowledgement and understanding of local versus district provision of service relationships.
- While the changing face of SDC communities is acknowledged the approach to planning and subsequent projects does not necessarily reflect this. These include:
  - An ageing population
  - Increased cultural and ethnic diversity
  - Social deprivation issues
  - Impact of isolation and rural travel
  - Loss of service provision in rural communities
  - Decreasing population and impact on infrastructure requirements and community service provision requirements
  - Capability and capacity issues relating to volunteers and community groups
  - Mega trends and macro changes that impact at a local level - be they international or national areas of change and impact.

- Consideration to be given to community governance approach and review and how this may support the planning approach
- Consideration to how Council develops its resource prioritisation decisions with community planning
- Focus of the planning process to link the long term vision to inform the work programme for the community
- Consideration of the process for incorporating agency outcomes with the community and providing a plan detailing how that will be achieved
- How do we encourage innovation and the introduction of new ideas to the process
- Linkage to Community Trust of Southland and other funders needs to ensure we get a collaborative approach
- Role of Environment Southland in types of projects and planning process.

## **B. PROPOSED COMMUNITY PLANNING APPROACH**

### **B1. Future Approach Principles**

The SDC community planning approach in the future should focus on the following principles:

- Be the umbrella process linking all the community information and linking the various service providers and agencies together to promote collaboration and enhance alignment. A key consideration is how wide to go with respect to service providers and agencies
- Clearly articulate a shared community vision, goals and opportunities
- Reflect and represent linkage between Council's position, interagency collaboration and community aspirations
- Council, CBs and CDAs and others from across the organisation lead the community engagement process via VS community development function
- Council assumes the role of broker in linking communities with partnering agencies
- Ensure the community plan outcomes are linked to key actions and measures and clearly defined roles and responsibilities to deliver such
- Community based plans and outcomes need to link and align with the district-wide position
- Driver to keep it simple and relevant while also addressing the complex issues affecting a number of our communities.

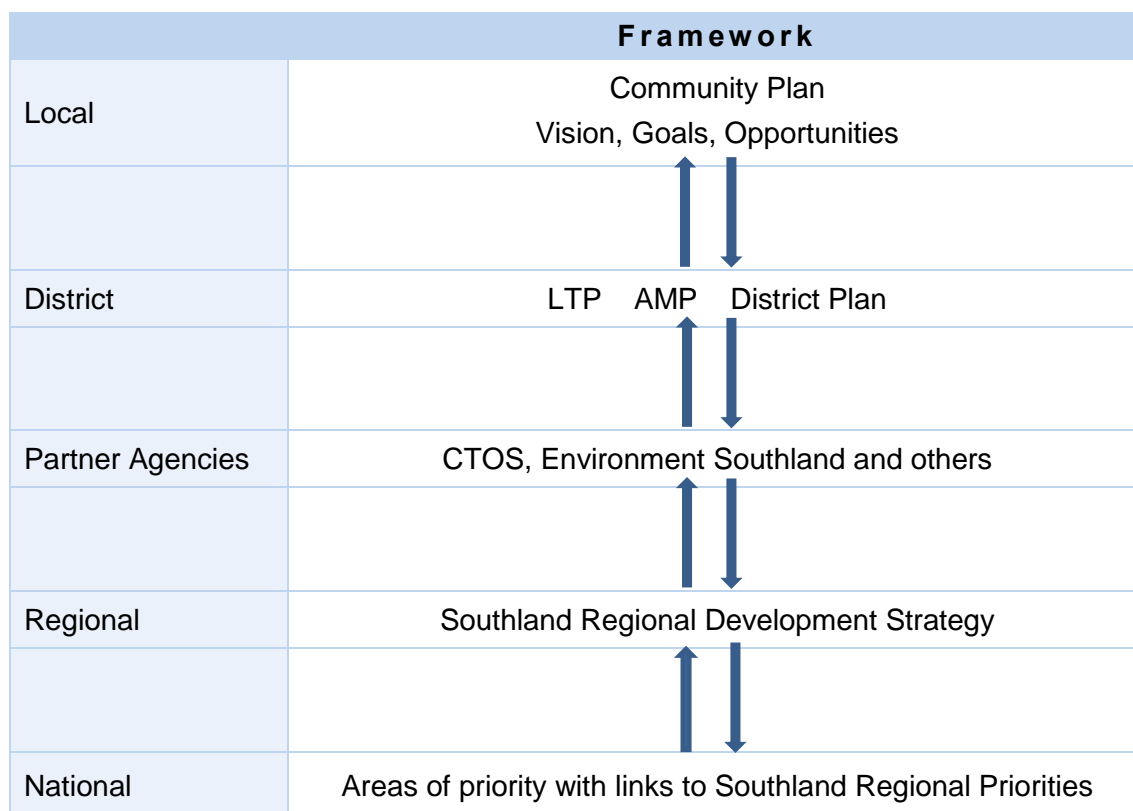
## B2. Revised Approach and Framework

The SDC community plan approach is to reflect and represent:

- A long term vision
- An action plan
- A commitment to development
- An agreed approach for monitoring and implementation.

The SDC community plan approach is to:

- Enable communities to articulate their aspirations, needs and priorities
- Co-ordinate the actions of the SDC with those of the public, private, voluntary and community organisations operating locally
- Influence and support the activities of those organisations so they effectively meet community needs and aspirations
- Contribute to the achievement of regional development with local goals and priorities that relate and link to district, regional and national objectives and priorities.



## B3. Methodology

It is intended that the methodology will change little from the current practice - with greater emphasis on SDC and other agency engagement and partnering in the process and preparation of the plan.

**B4. Community of Interest**

Future plans need to be developed within a clearly defined geographic community of interest area and not necessarily determined by geographic political boundaries.

Also planning processes should reflect and be determined by particular or certain issues and/or themes and not necessarily be a community wide or whole of community approach.

Pressures and issues that could be identified as key drivers and influences of community planning processes can include:

- Declining communities and future infrastructure provision
- Economic development and how do we achieve a wider more diversified economic base
- Facility provision and appropriate development requirements
- Historical tensions requiring the need to pull divided communities together and rebuild fractured Council-community relationships
- Council district-wide priorities and provision in relation to localised issues and priorities.

**B5. Process Timeframe**

Future plans should be produced within a six month timeframe - from when the process is initiated to the plan being completed.

**B6. Proposed Schedule**

The new approach does not necessarily require a predetermined schedule or roll out for each community. The schedule of planning requirements will be more focused on need and demand relating to specific wide issues that then require a community planning process to be delivered.

As a priority for 2015/2016 and 2016/2017 consideration should be given to (in no particular order)

- (i) Wyndham - Council Service and Public Facility Provision
- (ii) Stewart Island - Council Service and Public Facility Provision
- (iii) Milford Opportunities - Implications for Te Anau and the wider district regarding infrastructure and product development
- (iv) Ohai Nightcaps - Infrastructure and community service requirements based on socio demographic case study work to be commissioned.

**B7. Conclusion**

Good community planning should enable residents, local organisations, councils and central government agencies to agree to high level objectives for public investment to facilitate the achievement of local outcomes.

There must be alignment and linkage to the greater good.

It must improve integration and balance national and regional strategies and local issues.

The respective parties - be they national, regional or local - must align and leverage support for the improvement and development of all - all layers or sections of society link and align to create the end result:

Local + local + local = regional = Southland Inc.  
Regional + regional + regional = national

So each feed the other for the better end result - Southland Inc will support New Zealand Inc.

## B8. Appendix

Appendix A - Concept Plans

**APPENDIX A****Item 7.1 Attachment A**

<b>Concept Plans</b>	<b>Year completed</b>
Riverton Area Concept Development Plan	1993
Winton Area Concept Development Plan	1994
Tuatapere Area Concept Development Plan	1995
Stewart Island Concept Plan	1995
Takitimu Area Concept Development Plan	1996
Edendale Concept Plan	1997
South Catlins Concept Plan	1998
Northern Southland Concept Plan	1999
Milford Sound Concept Plan	1999
Te Anau Fiordland Concept Plan	2000
Riverton Aparima Community Concept Development Plan (REVIEW)	2002
Otautau Concept Plan	2002
Lumsden 'Towards 2015' Concept Plan	2003
Winton Concept Plan (REVIEW)	2003
Stewart Island/Rakiura Guidelines for Development (REVIEW)	2003
Wyndham Concept Plan	2003
Tuatapere Concept Plan (REVIEW)	2004
Takitimu Concept Plan (REVIEW)	2004
Edendale (REVIEW)	2005
Woodlands Concept Plan	2005
Garston	2006
South Catlins (REVIEW)	2006
Riverton Area Community Concept Plan (REVIEW)	2009
Waikaia	2010
Te Anau/Manapouri (REVIEW)	2011
Gorge Road and Districts	2012
Southern Southland Plan (underway)	2015

There are also three sub-regional tourism related strategies which represent a close alignment with tourism and community:

- Catlins Tourism Strategy - 2004
- Stewart Island Visitor Strategy - 2010
- Catlins Tourism Strategy (REVIEW) - 2015

## Venture Southland Letter of Expectation 2016-2017

**Record No:** R/15/10/17689  
**Author:** Rex Capil, Group Manager, Policy and Community  
**Approved by:** Steve Ruru, Chief Executive

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 To review the draft Venture Southland Letter of Expectation from Southland District Council for 2016-2017 as per the requirements as detailed in the Heads of Agreement.

### Executive Summary

- 2 The following is a summary to inform the process and to fulfil the planning provisions as detailed in the Venture Southland Heads of Agreement.
- 3 As part of this planning process the individual councils are to provide a Letter of Expectation to Venture Southland by late October to detail and inform the council's expectations for the upcoming financial year.
- 4 Southland District Council has two distinct roles with Venture Southland - as an owner and as a purchaser of services. It is important these two roles are acknowledged and understood.

### Recommendation

**That the Council:**

- a) **Receives the report titled "Venture Southland Letter of Expectation 2016-2017" dated 5 October 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 the Venture Southland Letter of Expectation 2016-2017 with any agreed amendments.**

## Content

### Background

- 5 Venture Southland delivers economic development services to the Southland region on behalf of Invercargill City, Gore District and Southland District Councils.
- 6 While Venture Southland has its own governance board (the Joint Committee) it forms part of each of the councils as a joint committee of the councils.
- 7 The Venture Southland Agreement is signed by Invercargill City, Gore District and Southland District Councils and is the administering document for Venture Southland as a joint committee of the councils.
- 8 For clarification the following table sets out the purpose for each of the documents related to the operation of Venture Southland as per the Agreement

Document	Parties	Purpose	When signed
VS Agreement	SDC, ICC, GDC	Sets out the governance structure, purpose of VS and key administrative provisions.	By 1 July 2014
Letter of Expectation	Letter from each individual Council to VS	Sets out high level expectations as part of the governance role.	End of October each year.
Purchase of Services Agreement	SDC, ICC, GDC and VS	Sets out what services will be received in return for joint Council funding.	June each year.
Individual Funding for Services Agreements	Individual Council and VS	Sets out specifically funded projects required by the individual Council, not covered by the joint funding arrangement under the Purchase of Services Agreement.	June each year

As part of the planning process Council is required to provide a letter of expectation to Venture Southland by the end of October.

This sets out council's expectations as an owner of Venture Southland as well a purchaser of services.

- 9 A draft letter is attached for Council's approval.
- 10 This draft letter of expectation has been prepared following workshops with Council and with the Executive Leadership team. Council representatives also attended a combined Council workshop hosted by Venture Southland.



- 11 The following table is a summary of the engagement process to be undertaken in developing the Council owner and purchaser expectations for 2016 – 2017.

Action	Organisation Responsible	Completion Date
<i>Workshop with Council to develop and determine draft purchaser expectations for 2016-17</i>	SDC	21 September 2015 COMPLETED
<i>Workshop with ELT to develop and determine draft purchaser expectations for 2016-17</i>	SDC	30 September 2015 COMPLETED
Workshop with combined Council staff and industry representatives	VS	2 October 2015 COMPLETED
<i>Council consider SDC purchaser expectations</i>	SDC	28 October 2015
Letter of expectation sent to VS	Individual Councils	End of October
Pre consultation with Council staff on key deliverables	VS	October through to end of November
Strategic issues identified and a draft ABP sent to Councils for feedback	VS	15 December 2015
Council provide comment on draft ABP	Individual Councils	Early February
Finalisation of the ABP and commitment of each of the Parties	VS	May
Joint Purchase of Services Agreement completed between each Council and VS in terms of the ABP	Individual Councils	June

- 12 The next step in the process is to work alongside other Council staff and Venture Southland staff to advance to the next stage so Venture Southland can produce a draft Business Plan by 15 December 2015.

### **Issues**

- 13 There are no further issues to consider in approving the draft Venture Southland Letter of Expectation 2016-2017 from Southland District Council.

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 14 Venture Southland is a joint committee of councils and therefore is not a separate legal entity. It exists as part of each Council and staff are employed by either Invercargill City Council or Southland District Council. The councils have set out how Venture Southland will operate via the Venture Southland Agreement 2014-2017. This Agreement sets out the provisions around planning and reporting. The Letter of Expectation is part of that process.

#### **Community Views**

- 15 The priority projects identified in the draft Letter of Expectation have been developed from discussions at Council and Executive Leadership Team Workshops. The public will have an opportunity to comment on Venture Southland's draft Business Plan in early 2016 via the Venture Southland public consultation process.

### Costs and Funding

- 16 There is no impact on the existing budget allocation for Venture Southland from Southland District Council.

### Policy Implications

- 17 Venture Southland operates as Council's economic development agency and the services delivered contribute to the Southland District Council's Community Development activity – as detailed in the Community Development Activity Profile produced as part of the Council's Long Term Plan 2015-2025 process.

## Analysis

### Options Considered

- 18 There are two options to consider:
1. Approve the Venture Southland Letter of Expectation – with any agreed amendments.
  2. Not approve the Venture Southland Letter of Expectation.

### Analysis of Options

**Option 1** Approve the Venture Southland Letter of Expectation 2016-2017– with any agreed amendments

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li>The letter provides Venture Southland with clear expectations around Council as an owner and purchaser of services expectations</li> <li>This supports greater accountability and assists Venture Southland to prioritise its work programme to Council expectations</li> <li>It promotes clarity of purpose and a partnership approach between Councils and with Venture Southland</li> </ul>	<ul style="list-style-type: none"> <li>Specifying specific priorities could be seen as limiting Venture Southland's ability to respond to industry or community demands</li> <li>May increase pressure on existing resource allocation for VS.</li> <li>May create tension between SDC and VS as to what priority projects are required.</li> </ul>

**Option 2** Not approve the Venture Southland Letter of Expectation

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> <li>No advantages.</li> </ul>	<ul style="list-style-type: none"> <li>Denies Council the opportunity to contribute to the engagement process as established by the Agreement.</li> </ul>

### Assessment of Significance

- 19 In accordance with Council's Significance and Engagement Policy the decision is not considered significant.

### Recommended Option

- 20 Council supports Option 1 to approve the Venture Southland Letter of Expectation 2016-2017 – with any agreed amendments.

## Next Steps

- 21 Provide the Letter of Expectation 2016-2017 to Venture Southland so pre consultation discussions can be had between Council staff and Venture Southland. Then the next steps in the process can be undertaken as per the timeframe agreed.

## Attachments

- A Venture Southland Letter of Expectation 2016 2017 DRAFT [View](#)

When replying please quote: 140/20/4/3

29 October 2015

Paul Casson  
CEO  
Venture Southland  
PO Box 1306  
INVERCARGILL

Dear Paul

### **Letter of Expectation 2016 - 2017**

Southland District Council has undertaken workshops with Council and its Executive Leadership team to assist in informing the planning process as detailed in the Venture Southland Agreement.

As you are aware Council is required to provide a letter of expectation to Venture Southland by the end of October each year.

This letter details the Southland District Council's expectations of Venture Southland in 2016-2017 and is intended to assist Venture Southland in the development of its Business Plan for 2016-2017.

This letter is set out in two parts to reflect the expectations that the Council has as:

1. an owner of Venture Southland; and
2. a purchaser of services.

### **Owner Expectations**

1. The Venture Southland Agreement 2014 - 2017 (the Agreement) sets out the arrangements between the Councils as owners of Venture Southland. It is expected that Venture Southland will operate in accordance with this Agreement unless otherwise agreed by the Councils.

It is important to note the provisions set out in Clause 8 for planning and accounting for work at a project level. The Council acknowledges that Venture Southland has been through a process of improving its financial management processes over the last 18 months which allows for greater transparency around the costs and benefits of the projects it undertakes.

### ***Council requests Venture Southland report on progress made for planning and accounting for work at a project level by 30 November 2015.***

2. The Agreement (in Clause 8.1) provides that all cash reserves (including surpluses and trading profits) are to be returned to the Councils on a pro rata basis at the end of the financial year unless approved by the Councils. In 2014 the Councils approved the establishment of reserves up to \$500,000 for the purpose of delivering

Venture Southland's day-to-day business operations and supporting funding investment decisions where new priorities may be identified.

***Council requests Venture Southland's feedback and a detailed breakdown on how it will reduce the current level of reserves to the agreed level of \$500,000. Primarily Council is interested in an itemised breakdown of the projects Venture Southland has approved investment in which will utilise the reserves funding and the associated benefits of such. It is requested this breakdown be provided by 30 November 2015.***

3. Currently the requirement under the Agreement is that Venture Southland will produce a Business Plan on an annual basis. It is expected that in future years Venture Southland will move to a longer term planning approach which should be in place for Council's next Long Term Plan adoption in 2018.

***Council requests Venture Southland facilitate a workshop for owner Council representatives to determine and agree on this longer term planning approach so it aligns with the Council Long Term Plan approach. It is requested this workshop be held by 31 March 2016.***

4. Venture Southland is expected to deliver outputs which contribute to improving outcomes which are valuable to the Southland region and enhance the prosperity and quality of life of its communities. To demonstrate that contribution, Venture Southland is expected to monitor and set targets for the advancement of the following high level outcome measures detailed below and agreed to in 2014.

Venture Southland should report on these outcome measures in its business plan:

- A net increase in the number of new businesses (new business minus businesses closed);
- Increase in regional Gross Domestic Product;
- Increase in population;
- Job opportunities for all reflected in unemployment below x%;
- Increase in household income;
- An increase in the number of visitor nights;
- An increase in the tourist accommodation occupancy rate; and
- An increase in the contribution to Southland's economy from international students.

In addition to these outcome focused measures, Venture Southland is expected to develop performance indicators that measure the achievement of its work programme.

It is acknowledged that there have been many and varied discussions around the format and frequency of Venture Southland reporting to its owner Councils. It is expected that Venture Southland reports to owner Councils should be quarterly and should be standardised to report against the Business Plan Performance Measures.

***Council requests Venture Southland facilitate a workshop for owner Council representatives to define, develop and design a report template to be used by Venture Southland to report on a quarterly basis to its owner Councils. It is requested this workshop be held by 31 March 2016 so to have the new reporting mechanism implemented by 1 July 2016.***

5. As a joint committee of councils it is important Venture Southland operates in accordance with and meets all health and safety legislative requirements.

***Council requests Venture Southland provides a detailed Health and Safety Analysis and Assessment Report outlining its actions to fulfil these health and safety obligations by 31 March 2016.***

6. It is acknowledged that as a joint committee of councils Venture Southland operates actively in the local government sector and environment. To this end it is important the Venture Southland Joint Committee members are kept abreast of legislative requirements and other national and regional trends in the local government sector.

***Council requests Venture Southland host six monthly forums with the Joint Committee where Council CEOs provide updates on the current local government environment and national, regional and local issues. It is requested these be initiated for the inaugural forum to be hosted in February 2016 and then at six monthly intervals.***

### **Purchaser Expectations**

While the activities that Venture Southland will provide on behalf of the Councils are defined in the Venture Southland Agreement 2014 - 2017, this letter of expectation provides an outline of the Southland District Council priorities and specific projects for the 2016-2017 financial year.

Venture Southland is requested to incorporate these projects into its annual work programme and to set realistic timeframes for achieving these outputs.

### ***Priority projects***

#### **Regional joint projects:**

- Supporting the implementation of the Regional Development Strategy as lead by the Mayoral Forum.
- Production of economic data at a regional and territorial local authority level in time for the Councils' planning processes.
- Development of a platform for reviewing and planning coordination of events across the region (if not completed in the 2015-2016 financial year).
- Visitor experience product and packaging development opportunities progressed with up to four new initiatives advanced to support 'trade ready commissionable' product across the region.
- Establishment and/or further development of two events in the Southland region.
- Development of the Aeromagnetic Geological Survey project data for councils, industry and community to access and utilise.

- Support the Southland Regional Heritage Committee to lead the Southland Museum Network Concept Design and Development Project as initiated by the Southland Mayoral Forum.
- Development of the Invercargill / Site review findings for the consideration of the associated visitor information network requirements across the region.
- Investigate the strategic and operational issues and opportunities for the region associated with combining the Destination Fiordland and Venture Southland Regional Tourism Organisation functions.
- Maintain an advocacy role to support the resource allocation of the Southland Digital Strategy and associated implementation requirements.
- Participate in the Milford Opportunities project (subject to the project receiving suitable external resource allocation and the possibility of VS reallocating internal resource).
- Participate in the Service Delivery Review process for Tourism and Economic Development for all Councils as per section 17A of the Local Government Act 2002.

**Southland District Council community development specific projects:**

- Implementation of the Around the Mountains Cycle Trail business strategy and associated operational structure review requirements.
- Facilitate community planning opportunities as a result of the follow up to the Community Futures project research (specifically Ohai, Nightcaps initially).
- Report on the Community Organisation Needs Assessment Review findings, produce a community Human Asset Mapping inventory and develop a community organisation resource bank (SDC to develop the project brief).
- Participate in a review of the level of support that is provided to community groups following completion of the Community Organisation Needs Assessment Review (SDC to develop the project brief).
- Support the delivery and implementation of the findings from the Southland District Council Service and Public Facility Provision in Wyndham project.
- Lead the project design, development and delivery for an assessment of the future provision requirements for public community facilities for Stewart Island Rakiura (SDC to develop the project brief).
- Initiate a District wide Community Facility Stocktake and develop Future Facility Planning Protocols and Guidelines (SDC to develop the project brief).
- Further development of the Community Planning approach to link in with the development of the Regional Development Strategy and the Southland District Council Policy Development work associated with the Community Futures project. (SDC to develop the project brief).
- Develop, design and deliver a Southland District Council Community Leadership Programme to support community volunteer development and community organisation capability and capacity building. (SDC to develop the project brief).

Council has approved these Owner and Purchaser expectations at its meeting on 28 October 2015. It is now intended these projects be incorporated into the draft Venture Southland Business Plan 2016-2017. Based on feedback received during the consultation process it is expected the projects set out above will be included into the Joint Purchase Service Agreement to be completed by the Councils and Venture Southland by the end of June 2016.

Yours sincerely

Steve Ruru  
**CEO**  
**Southland District Council**



## Alcohol Fee-Setting Bylaw 2015

Record No: R/15/9/17027  
Author: Michael Sarfaiti, Environmental Health Manager  
Approved by: Bruce Halligan, GM - Environment and Community

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 To adopt the Alcohol Fee-Setting Bylaw 2015.

### Executive Summary

- 2 Council has heard and deliberated on the submissions to the draft bylaw. Council recognised that the costs of alcohol licensing have increased a lot. Submitters were concerned about the impact of the new fees on their businesses, and they requested a greater reduction in fees. Council agreed by increasing the discount to 30%. Council also requested staff to develop discount criteria for possible insertion into the bylaw at a later stage.

## Recommendation

That the Council:

- a) Receives the report titled “Alcohol Fee-Setting Bylaw 2015 ” dated 19 October 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) Confirms the content of Attachment A “Alcohol Licensing Fee-Setting Bylaw Hearings” that summarises the outcome of deliberations following the hearing of the submissions on the proposed Alcohol Fee-Setting Bylaw 2015.
- e) Confirms and makes the Alcohol Fee-Setting Bylaw 2015 with any amendments as it sees fit - Attachment B.
- f) Resolves in accordance with Section 157 of the Local Government Act 2002 that public notice be given of the making of the bylaw advising:
  - (i) That the bylaw will come into force on 31 October 2015.
  - (ii) That copies of the bylaw may be inspected without fee at all Council offices.
  - (iii) That copies of the bylaw may be obtained upon payment of a reasonable charge.
- g) Request staff to investigate potential criteria for discount or reduction in risk rating.

## Content

### Background

- 3 Three submitters raised concerns about alcohol licensing fees during the draft Long Term Plan process. The submitters talked about the large increases in alcohol licensing fees, that were prescribed in new legislation.
- 4 The submitters told Council that the Gore and Central Otago District councils had dropped fees by one risk rating level, and wished for Council to do the same.
- 5 Councillors held a workshop on these fees, and requested staff to develop a draft bylaw to enable a 10% discount in annual fees.
- 6 Council adopted the draft Alcohol Licensing Fee-Setting Bylaw 2015 (June 2015) and invited submissions, closing on Monday, 27 July 2015. Nine submissions were received and four submitters asked to be heard.

- 7 The draft Alcohol Fee-Setting Bylaw 2015 is in **Attachment B**.

### **Issues**

- 8 The Deliberations Booklet in **Attachment A** expands on the issues. The key issues are:

#### **Issue 1 - Discount on annual fees**

- 9 Some submitters did not support the proposed 10% discount. Council agreed to a balanced solution by offering a 30% discount. This discount may be subject to criteria in future.

#### **Issue 2 - Alignment with Central Otago and Gore District Councils**

- 10 Some members of the hospitality industry continue to have a preference for a reduction in risk rating.

#### **Issue 3 - Development of criteria**

- 11 There is no evidence that any Council has developed criteria for fee reduction. The Ministry of Justice has envisaged that licensees could have their fees reduced for exemplary conduct, for example.
- 12 Most alcohol harm is not on licensed premises, eg:
- Youth drinking, binge drinking, pre-loading.
  - Parents supplying alcohol to minors.
  - Multi-generational alcohol problems.
  - Children as victims - neglect, abuse.
  - Foetal alcohol syndrome, teen pregnancy.
- 13 Criteria should be developed to minimise alcohol harm on licensed premises, and also aim to make a small difference off-site.
- 14 Some examples are:
- Education and health promotion at off-license premises, such as “party safe” guides or information about the new parental consent laws.
  - Intoxication prevention, and age-of-purchase resources, prominently displayed for staff.
  - Manager training and education.
  - Courtesy vehicles.
  - Alcohol management plans, that include good host responsibility practices.
  - Self-monitoring.

#### **Issue 4 - Risk ratings**

- 15 Some submitters believe that the risk ratings should take into account volumes sold. Council cannot legally have fees that vary depending on volumes sold.

### Legal and Statutory Requirements

- 16 Council can stop the bylaw making process at any time. Fee-setting bylaws are not mandatory. They are enabled under the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013.

### Community Views

- 17 All licensees in the District received a copy of the Statement of Proposal. Council accepted the staff recommendation to consult using the special consultative procedure.

Council did not have to adopt the special consultative procedure:

- The Local Government Act 2002 (LGA) bylaw provisions do not refer to SSLA bylaws, and that Act does not refer to LGA procedure.
- Council observed Section 405(4) of the Sale and Supply of Alcohol Act 2012 *“to the extent that is reasonably practical having regard to the circumstances of the particular case, consult the persons the authority has reason to believe are representative of interest likely to be substantially affected by the bylaw.”* Licence holders are the only people substantially affected by this bylaw.

### Costs and Funding

- 18 A financial summary of the options is in **Attachment C**.
- 19 A 30% discount is affordable (though not sustainable) for a three year term, based on our latest estimates. The discount can be funded from the current rates contribution of 10%, and the reserve. Also, the Annual Plan process has identified some savings.

### Policy Implications

- 20 There are no policy implications.

## Analysis

### Options Considered

- 21 The options are whether or not to adoption draft Alcohol Fee-Setting Bylaw 2015.

### Analysis of Options

- 22 **Option 1 - To adopt the draft Alcohol Fee-Setting Bylaw 2015**

<b>Advantages</b>	<b>Disadvantages</b>
<ul style="list-style-type: none"><li>• Council would be effectively responding to concerns raised from the industry.</li></ul>	<ul style="list-style-type: none"><li>• Industry representatives may not support a bylaw that offers a 30% discount on annual fees. They may prefer a reduction in risk rating.</li></ul>

23 **Option 2 - To request staff to develop discount criteria**

<b>Advantages</b>	<b>Disadvantages</b>
<ul style="list-style-type: none"><li>• May reduce alcohol harm in the community.</li><li>• Has support from some licensees.</li></ul>	<ul style="list-style-type: none"><li>• “Bleeding edge” risks such as lack of consensus, lack of testing, industry resistance</li></ul>

24 **Option 3 - To stop the process**

<b>Advantages</b>	<b>Disadvantages</b>
<ul style="list-style-type: none"><li>• The bylaw does not need to be adopted, it is discretionary.</li><li>• Will enable fees to remain at the same level for a longer period.</li></ul>	<ul style="list-style-type: none"><li>• Does not meet the expectations of industry.</li><li>• A high reserve in the next two years may be unacceptable to the industry.</li></ul>

**Assessment of Significance**

- 25 This bylaw is considered to be not significant in accordance with Council’s Significance and Engagement Policy.

**Recommended Option**

- 26 To adopt the draft Alcohol Fee-Setting Bylaw 2015 (Option 1), and to request staff to investigate discount criteria (Option 2).

**Next Steps**

- 27 The Alcohol Fee-Setting Bylaw 2015 will come into force on 31 October 2015, and public notice will be given of the making of the bylaw. All submitters will be written to advising of the outcome.
- 28 The next steps for the development of discount criteria are summarised in **Attachment D**. Staff will report to Council once the project is completed.

**Attachments**

- A Outcomes from the Alcohol Licensing Fee-Setting Hearings - held 16 September 2015 [View](#)
- B DRAFT Alcohol Licensing Fee-Setting Bylaw 2015 [View](#)
- C Financial breakdown [View](#)
- D Project Summary - Alcohol Licensing Fee Setting Bylaw (21 September 2015) [View](#)

## Item 7.3 Attachment A

## Outcomes from the Alcohol Licensing Fee-Setting Hearings - held 16 September 2015

Issue	Proposal in draft bylaw	Outcome of deliberations	Reasons
1. <b>Proposed 10% discount on annual fees</b>	To reduce annual fees for on, off, and club licences by 10%	<p>1. Should annual fees be reduced by 10%?</p> <p><b>No, Council will reduce the annual fees by 30%.</b></p> <p>2. If Council wants to have discounts for exemplary licensees, should the bylaw be adopted for a limited period of one year?</p> <p><b>No, the bylaw will be adopted and remain in effect until next reviewed.</b></p>	<p>The submitters advised Council that a 10% discount was not a satisfactory response to their concerns. Council also is concerned about the affordability of fees and the impact on rural businesses, after hearing submissions.</p> <p>Council does not support a blanket drop in risk rating, due to cost. Council agreed to a balanced solution by offering a 30% discount. Council agreed to develop criteria for possible later use, and requested staff to report back once completed.</p>
2. <b>Alignment with the Central Otago and Gore District Councils</b>	There was no alignment proposed. These two councils have dropped fees by one risk rating level.	<p>3. Does Council believe that fees should be aligned with these councils?</p> <p><b>No.</b></p>	<p>Every other council in New Zealand has not dropped fees. Councils are able to fund alcohol licensing with these new fees, without a rates contribution.</p> <p>Council believes that the costs for a blanket drop in fees is not acceptable.</p>

Issue	Proposal in draft bylaw	Outcome of deliberations	Reasons
<b>3. Recognition of exemplary behaviour and systems</b>	This was discussed in the statement of proposal. The bylaw did not contain any criteria.	<p>4. Does Council support creating criteria for exemplary behaviour and systems, to qualify for fee reduction?</p> <p><b>Yes</b></p> <p>5. If yes, should this criteria be apply to on-licenses only, or also to clubs, off-licenses and special licences?</p> <p><b>To on, off, and club licences.</b></p>	<p>The Medical Officer of Health and the Police believe that alcohol harm in the District is as significant as anywhere else in New Zealand.</p> <p>The public will benefit from exemplary behaviour and systems, if this results in reducing alcohol related harm. SDC would be the first Council to develop criteria to recognise exemplary licensees.</p> <p>Discounts for off-licenses would have to apply to all types of off-licence (grocery stores and supermarkets). Clubs also can cause alcohol harm.</p> <p>The criteria developed could also apply to special licenses. Council can consider whether to have criteria for special licenses once the work has been completed.</p> <p>Council recognises the benefits of licensed premises in our communities, such as:</p> <ul style="list-style-type: none"> <li>• They provide controlled drinking places, and this can reduce alcohol harm for various reasons</li> <li>• Community development/economic reasons</li> <li>• Vibrancy</li> <li>• They are places for community meetings.</li> </ul>
<b>4. Risk ratings</b>	Submitters raised this as an issue, during the consultation process.	<p>6. Does Council believe that the risk ratings are inappropriate for some premises in the District?</p> <p><b>No.</b></p>	<p>The Government did a lot of research into risk factors for alcohol licensing. It concluded for example that supermarkets and bottle-stores had the same risk.</p> <p>Council does not have any information to suggest that this research is incorrect.</p>

## Item 7.3 Attachment A

OTHER MATTERS		
Issue	Request	Comments
<b>Financial breakdown</b>	A submitter requested a breakdown of the costs of licensing services received.	<p>The income from licensing fees meets the costs of the alcohol licensing business unit. The prescribed fees take into account the risk of the type of licence, and the fees increase with risk.</p> <p>Council could send an approximate breakdown of costs when issuing a licence, but would be the only Council to do so.</p> <p>Councils cannot alter the way fees are collected. The fee regime is prescribed in the <i>Sale and Supply of Alcohol (Fees) Regulations 2013</i>.</p> <p>Council's website has an annual financial report of the business unit, found under the "Alcohol Licensing" tab. Council has to do this due to Reg 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013.</p>
<b>Recognising volumes of alcohol sold</b>	Some submitters believe that volumes of alcohol sold should be a factor in setting fees.	Council legally cannot create new fee categories that take into account volumes sold. Fees are prescribed in the <i>Sale and Supply of Alcohol (Fees) Regulations 2013</i> .
<b>Funding of alcohol licensing through taxes</b>	A submitter believes that alcohol licensing should be funded by excise tax.	Council does not agree. Alcohol licensing fees mean that licensing costs can be recovered from those who profit from the sale of alcohol. Councils can reduce these fees if they wish.
<b>Explanation of risk ratings</b>	A submitter was concerned that risk ratings had not been explained to him	Council sends alcohol licensing newsletters to all licensees from time to time. These have had articles on the new fees. Industry organisations such as HANZ also send information.
<b>Increase in application fees for manager's certificates</b>	A submitter was concerned about the increase in manager's certificate fees.	Council legally cannot lower fees for manager's applications. Every other council in New Zealand would have to lower fees at the same time. This is a requirement in the <i>Sale and Supply of Alcohol (Fees) Regulations 2013</i> .



SOUTHLAND DISTRICT COUNCIL

# *Alcohol Licensing* Fee-Setting Bylaw 2015



October 2015

**SOUTHLAND DISTRICT COUNCIL****ALCOHOL LICENSING FEE-SETTING BYLAW 2015**

Pursuant to Section 405 of the Act and the Sale and Supply of Alcohol (Fee Setting Bylaws) Order 2013 the Southland District Council makes the following bylaw.

**1 TITLE AND COMMENCEMENT**

- (a) This bylaw is the Alcohol Licensing Fee-Setting Bylaw 2015.
- (b) This bylaw comes into force on 31 October 2015 and applies to licences with an anniversary date from 1 December 2015.

**2. INTERPRETATION**

- (a) “**Act**” means the Sale and Supply of Alcohol Act 2012.  
  
“**Regulations**” mean the Sale and Supply of Alcohol (Fees) Regulations 2013.
- (b) Unless the context otherwise requires words and phrases used in the Act and Regulations shall have the same meaning in this bylaw.

**3. ANNUAL FEE REDUCTION**

The annual fee payable by a licensee of premises for which an on licence, off licence or club licence is held shall be the annual fee specified in the regulations less 30%.

### **Attachment C** **Financial Breakdown**

#### 1. Estimates to 30 June 2018 - 10% discount on Annual Fee Only:

	14/15	15/16	16/17	17/18	Total
Rates	\$20,869	\$22,284	\$20,791	\$21,312	\$85,256
Other Income*	\$120,911	\$106,062	\$113,337	\$113,337	\$453,647
Annual Fees	\$91,396	\$64,649	\$83,120	\$83,120	\$239,248
Total Income	\$233,176	\$192,994	\$217,247	\$217,768	\$861,185
Expenses	\$188,146	\$212,847	\$207,918	\$213,116	\$822,027
To / (From) Reserve	\$45,030	(\$19,853)	\$9,329	\$4,652	\$39,158

\* Other income includes Application Fee, Managers' Certificates, Temporary Authorities and Special Licences.

Reducing only the Annual Fee would allow this activity to make significant surpluses.

#### 2. Estimates to 30 June 2018 - 30% discount on Annual Fee Only:

	14/15	15/16	16/17	17/18	Total
Rates	\$20,869	\$22,284	\$20,791	\$21,312	\$85,256
Other Income*	\$120,911	\$106,062	\$113,337	\$113,337	\$53,647
Annual Fees	\$91,396	\$64,649	\$64,649	\$64,649	\$285,343
Total Income	\$233,176	\$192,994	\$208,099	\$208,733	\$843,002
Expenses	\$188,146	\$212,847	\$207,918	\$213,116	\$822,027
To / (From) Reserve	\$45,030	(\$19,853)	(\$9,142)	(\$13,819)	\$2,216

Based on the above budgets a 30% increase would be required in 2018/2019 to come to a break even point

#### 3. Estimates to 30 June 2018 - Blanket drop of risk rating for Annual and Application Fees

	14/15	15/16	16/17	17/18	Total
Rates	\$20,869	\$22,284	\$20,791	\$21,312	\$85,256
Other Income*	\$120,911	\$106,062	\$102,708	\$102,708	\$432,389
Annual Fees	\$91,396	\$64,649	\$54,480	\$54,480	\$265,005
Total Income	\$233,176	\$192,994	\$208,099	\$208,733	\$843,002
Expenses	\$188,146	\$212,847	\$207,918	\$213,116	\$822,027
To / (From) Reserve	\$45,030	(\$19,853)	(\$29,939)	(\$34,616)	(\$39,378)

Running a blanket drop in risk types would see this activity going into overspend by the end of 2016/2017.

#### 4. Conclusion:

A 30% discount is affordable (though not sustainable) for a three year term, based on our latest estimates. A consequence of introducing a discount now is that fees may have to rise to a greater extent in Years 4 and onwards. A far clearer picture can be supplied once a couple of years of actual income and expenses have occurred and budgets can be revised.

<b>PROJECT TITLE</b> <b>Discount Criteria</b>	
<b>PURPOSE</b> To develop discount criteria for use with the proposed Alcohol Licensing Fee Setting Bylaw; or criteria to achieve a reduction in fee category. The criteria will aim to reduce alcohol harm.	
<b>SCHEDULE OF WORK</b> <ul style="list-style-type: none"> <li>• Staff will develop concept criteria after completing literature search</li> <li>• Request project funding from the Health Promotion Agency</li> <li>• Engage key stakeholders</li> <li>• Complete a public survey, to seek feedback on draft criteria</li> <li>• Council endorsement of criteria</li> <li>• Criteria recognised in the Alcohol Licensing Fee-Setting Bylaw</li> </ul>	
<b>DELIVERABLES</b> <b>Quality:</b> On and off-site alcohol harm is reduced. <b>Cost:</b> Licensees that meet criteria must be able to do so at low cost. Staff time will be funded from existing Council budgets, and also about \$5,000 may be available for a consultant. The Health Promotion Agency will be asked for funding. <b>Time:</b> There are no legal timeframes. Our customers have an expectation of responsiveness. Staff aim to complete the project by the end of April 2016.	
<b>STAKEHOLDERS</b> <b>Agencies</b> Licensing Inspectors, Medical Officer of Health, Police <b>Government</b> ACC Invercargill, Family and Community Services Southern Region, MP, Public Health South <b>Industry</b> Clubs NZ, Hospitality Association of NZ, Licensees, NZ Retailers Association	<b>Multi-cultural</b> Nga Kete Matauranga Pounamu Charitable Trust, Pacific Island and Multi-cultural Representatives, Rūnanga, Te Ao Mārama <b>Social</b> Barnardos, Community Workers, Family and Community Services, Family Works, Parent to Parent, Rape and Abuse Support Centre, Southern Drug and Alcohol Specialist Services, Southern REAP, Youth Council, Youth-line Southland
<b>ASSUMPTIONS</b> The industry will support the development of the criteria.	
<b>RISKS</b> <ul style="list-style-type: none"> <li>• Low engagement by some key stakeholders</li> <li>• “Bleeding edge” risks such as lack of consensus, lack of testing, industry resistance</li> </ul> <b>Risk management</b> Staff will bring any serious obstacles to Council's attention should they arise. Council can stop the proposed development of criteria at any time. Council will consider all feedback at a meeting next year, once all the consultation has been completed and compiled. Council may discontinue the process if not satisfied that the project will be successful.	
<b>RESOURCES</b> <ul style="list-style-type: none"> <li>• Environmental Health staff</li> <li>• Consultant to assist with consultation</li> <li>• Health Promotion Agency resources and possible funding</li> </ul>	

## Mediation of Appeals on the Proposed Southland Regional Policy Statement - Delegated Authority

Record No: R/15/9/17080

Author: Courtney Ellison, Senior Resource Management Planner - Policy

Approved by: Bruce Halligan, GM - Environment and Community

☒ Decision

☐ Recommendation

☐ Information

### Purpose

- 1 To grant delegated authority to the Group Manager - Environment and Community, Manager - Resource Management, and Senior Resource Management Planners - Policy to make decisions on settling appeals to the Environment Court on the Proposed Southland Regional Policy Statement.

### Executive Summary

- 2 Environment Southland released decisions on the Proposed Southland Regional Policy Statement, in June 2016 and nine appeals were made against the decisions. Council did not appeal the decisions but has joined as a party to the proceedings on four of the appeals.
- 3 Mediation on these appeals is expected to be held over the next three months. Delegated authority is needed because the Environment Court expects that those parties representing their organisations at mediation have the authority to enter into binding agreements. It is therefore recommended that the Group Manager - Environment and Community, Manager - Resource Management, and Senior Resource Management Planners - Policy are granted delegated authority to make any decision on behalf of Council.

### Recommendation

That the Council:

- a) Receives the report titled “Mediation of Appeals on the Proposed Southland Regional Policy Statement - Delegated Authority” dated 20 October 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) Grants delegated authority to the Group Manager - Environment and Community, Manager - Resource Management, and Senior Resource Management Planners - Policy to make decisions on behalf of Council in mediation on the Proposed Southland Regional Policy Statement.

## Content

### Background

- 4 Council has joined as a party to the proceedings (sometimes referred to as a Section 274 party) to the following appeals on the Proposed Southland Regional Policy Statement:
- Meridian Energy Limited
  - Environmental Defence Society Incorporated
  - Royal Forest & Bird Protection Society of New Zealand Incorporated
  - BP Oil New Zealand Ltd, Mobil Oil New Zealand Limited and Z Energy Ltd (The Oil Companies).
- 5 Council has joined as a party to the appeals because of the potential implications for the Proposed Southland District Plan, Council's functions in respect of water and wastewater, and hazardous substances, and the relationship between the Manapouri Te Anau Development Act and the Resource Management Act. Staff reviewed the decisions on the Proposed Southland Regional Policy Statement but did not consider it necessary to appeal the decisions themselves.
- 6 As a party to the proceedings, we can participate in the mediation and court proceedings, provided we remain within the scope of the appeal we have joined (either in support or opposition).

### Issues

- 7 The appeals that Council has joined relate to the following provisions of the Proposed Southland Regional Policy Statement:
- Water Quality and Quantity
  - Energy
  - Coast
  - Natural Features and Landscapes
  - Hazardous Substances.
- 8 Through the mediation, parties may come to an agreement around how the concerns can be resolved, and all parties need to be represented at the Environment Court mediation by people who have the authority to settle appeals.
- 9 Some of these appeals will have only limited impact on Council's activities and therefore it may be appropriate to only have the Senior Resource Management Planners attending the hearing and making decisions on Council's behalf.
- 10 For the appeal points that are more complex or controversial, it is envisaged the Manager - Resource Management will be present to sign off on any agreed outcomes. In his absence, the Group Manager - Environment and Community would attend.

## Factors to Consider

### Legal and Statutory Requirements

- 11 In order for Council to be appropriately represented at mediation in accordance with the 2014 practice note issued by the Environment Court, it needs to delegate to a person or persons the authority to act on its behalf. As Council is only a party to the proceedings and has not appealed the decisions itself, it is not considered necessary to have legal representation at the mediation. If mediation fails and the matters are set down for an Environment Court hearing then Council would need to reconsider whether legal representation is required.

### Community Views

- 12 Environment Southland sought the views of the community through the submission process on the Proposed Southland Regional Policy Statement and it is a small number of those people/organisations that have appealed the decisions made to the Environment Court.

### Costs and Funding

- 13 At this time it is not anticipated that there will be any costs associated with the mediation, other than staff time.

### Policy Implications

- 14 The Proposed District Plan is required to give effect to the Regional Policy Statement. Therefore any settlement may affect the policy framework of the Proposed District Plan, and this is one of the primary reasons for joining the appeals. Being a party to the appeals gives Council the opportunity to contribute to the discussions where a mediated decision may be reached.

## Analysis

### Options Considered

- 15 Council must be represented in mediation proceedings and any subsequent Environment Court hearing (if necessary). Therefore the only option to consider is who the delegation is made to. In this instance it is considered that the delegation should be made to the Group Manager - Environment and Community, Manager - Resource Management, and Senior Resource Management Planners - Policy.

### Analysis of Options

#### Option 1 - Delegation is made to the Group Manager - Environment and Community, Manager - Resource Management, and Senior Resource Management Planners - Policy

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>Having more than person with the delegated authority ensures that someone is able to represent Council fully in mediation if there are unforeseen circumstances and also provides some flexibility in who can attend the hearings depending on the scope of the matters being discussed.</li></ul>	<ul style="list-style-type: none"><li>None</li></ul>

**Option 2 - Do nothing**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Staff can use the time that would be spend in mediation to work on other projects</li></ul>	<ul style="list-style-type: none"><li>• Council will not be able to participate fully in mediation.</li><li>• Council may have to give effect to RPS provisions that it disagrees with.</li></ul>

**Assessment of Significance**

- 16 The delegation of authority to settle appeals on the Proposed Southland Regional Policy Statement is not a decision that will have a major or long term effect on an individual town or the district, cultural impact or level of service. Nor will it have a financial impact that will exceed the threshold of 10% of total revenue.

**Recommended Option**

- 17 Option 1 is recommended, to grant delegation to the Group Manager – Environment and Community, Manager - Resource Management, and Senior Resource Management Planners - Policy to make decisions on behalf of Council at mediation of the appeals on the Proposed Southland Regional Policy Statement.

**Next Steps**

- 18 The Court has advised that mediation can be expected to be held over the next three months. Staff will report back on the outcomes of the mediation.

**Attachments**

There are no attachments for this report.



## Feedback on Environment Southland's Draft Water and Land Plan

**Record No:** R/15/10/17829  
**Author:** Courtney Ellison, Senior Resource Management Planner - Policy  
**Approved by:** Bruce Halligan, GM - Environment and Community

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 To seek Council's endorsement of the Feedback on Environment Southland's draft Water and Land Plan.

### Executive Summary

- 2 Environment Southland has put out for consultation a draft Water and Land Plan which would replace its current Regional Water Plan and Regional Effluent Land Application Plans as well as addressing some new matters. The proposed policies and rules would have implications for several of Council's functions, and in particular, Council's Water and Wastewater services. Feedback on the draft Plan has been prepared and attached to this report for Council's endorsement.

### Recommendation

That the Council:

- a) **Receives the report titled "Feedback on Environment Southland's Draft Water and Land Plan" dated 8 October 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) **Endorses the Feedback on Environment Southland's Draft Water and Land Plan as outlined in Attachment A of this report and requests that this feedback be provided to Environment Southland by the Resource Management Section, subject to any changes that the Council may direct.**

## **Content**

### **Background**

- 3 Environment Southland is required to give effect to the National Policy Statement for Freshwater Management. This will require it to work with the community to set limits on various attributes of water quality across the region. However in the interim, Environment Southland have produced this draft Water and Land Plan which is intended to 'hold the line' on existing water quality.
- 4 The existing Regional Water Plan and Regional Effluent Land Application Plan have been reviewed to form the basis of the draft Water and Land Plan. Staff have prepared feedback on the draft Plan (Attachment A). Generally the feedback acknowledges that Environment Southland is in a challenging position of having to maintain or improve overall water quality as required by the National Policy Statement for Freshwater Management. However the feedback also highlights some key concerns on behalf of Council in terms of the practical implications of the proposed policies and rules.

### **Issues**

- 5 The draft Water and Land Plan provides objectives, policies and rules relating to a wide range of issues including water quality and quantity, effluent, land use (such as farming, wintering and cultivation), land contamination, activities in river and lake beds, and biodiversity.
- 6 In summary the particular concerns raised in Council's feedback are:
- The strong policy directives to decline applications for any discharge that results in a reduction in water quality.
  - The uncertainty around the potential farming rules and the resulting socio economic impacts.
  - The lack of priority given to community water supplies.
  - The consistency of the effluent rules with the New Zealand Standard (NZS 1547:2012 On-site Domestic Wastewater Management).

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 7 Environment Southland is currently only seeking feedback on the draft Water and Land Plan. Following this there will be the formal consultation process under the Resource Management Act where Council will have the opportunity to make a formal submission.

#### **Community Views**

- 8 The draft Plan is available for the public to comment on, therefore Council's feedback has focused on the potential effects on Council and the community in a broader sense, rather than addressing the potential effects on individual industries and/ or other individual stakeholders as these parties have the same opportunity to lodge their own submissions.

#### **Costs and Funding**

- 9 There is no cost for Council in preparing the feedback on the draft Water and Land Plan, other than staff time.

### Policy Implications

- 10 Council's feedback has considered the potential implications of the draft Water and Land Plan on the Proposed District Plan to ensure there is no duplication or inconsistencies.

### Analysis

#### Options Considered

- 11 Council has the option to either provide feedback on the draft Water and Land Plan, or not.

#### Analysis of Options

##### Option 1 - Submit feedback on the draft Water and Land Plan

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Environment Southland will be made aware of the practical implications of the proposed policies and rules, with the potential for improvements to be made.</li><li>• Providing feedback at this stage provides an opportunity to contribute towards the development of the plan prior to the formal Resource Management Act process.</li></ul>	<ul style="list-style-type: none"><li>• None.</li></ul>

##### Option 2 - Do not submit feedback on the draft Water and Land Plan

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• None.</li></ul>	<ul style="list-style-type: none"><li>• The potential impacts on Council services may not be fully understood or considered by Environment Southland.</li><li>• If no amendments are made to the Water and Land Plan before it is notified, there will be significant implications on Council's ability to dispose of wastewater and stormwater.</li></ul>

#### Assessment of Significance

- 12 While the implications of the Water and Land Plan could be considerable, preparing and submitting feedback on the draft Water and Land Plan is not considered significant itself as it is not a decision that will have a major or long term effect on an individual town or the district, cultural impact or level of service. Nor will it have a financial impact that will exceed the threshold for financial impact.

#### Recommended Option

- 13 Option One, to submit feedback on the draft Water and Land Plan is recommended as it will ensure Council's concerns with the implications of the document on essential Council services are able to be considered by Environment Southland as they prepare the proposed Water and Land Plan for formal notification.

### Next Steps

- 14 Staff will submit the feedback to Environment Southland prior to the 30 October deadline.
- 15 Environment Southland will be reviewing all of the feedback and have indicated a Proposed Water and Land Plan is likely to be notified early 2016. Council will then have the opportunity to review the plan and decide whether to lodge a formal submission.

### Attachments

- A Feedback on Water and Land Plan October 2015 [View](#)

## FEEDBACK ON ENVIRONMENT SOUTHLAND'S DRAFT WATER AND LAND PLAN

Policies	
Provision	Comments
Freshwater Management (FMU)	<p><i>"Policy 1 - Priority of FMU policies and rules</i>  <i>Any policy on the same subject matter in the relevant FMU Section of this Plan prevails over the relevant policy within this Regional Policies Section, unless it is explicitly stated to the contrary.</i></p> <p><i>Freshwater Management Unit Process Policies</i></p> <p><i>Policy 2 - Identified FMUs</i>  <i>The FMU Sections of this Plan are based on the following identified Freshwater Management Units for Southland, as shown on the planning maps:</i></p> <ul style="list-style-type: none"> <li><i>• Fiordland and the Islands;</i></li> <li><i>• Aparima;</i></li> <li><i>• Mataura;</i></li> <li><i>• Oreti; and</i></li> <li><i>• Waiau.</i></li> </ul> <p><i>Policy 3 - FMU processes</i>  <i>The FMU Sections will:</i></p> <ul style="list-style-type: none"> <li><i>(a) establish fresh water objectives for each catchment, having particular regard to the national significance of Te Mana o te Wai, and any other values developed in accordance with Policies CA1-CA4 and Policy D1 of the National Policy Statement for Freshwater Management 2014;</i></li> <li><i>(b) set water quality and water quantity limits and targets to achieve the fresh water objectives;</i></li> <li><i>(c) set methods to phase out any over-allocation, within a specified timeframe; and</i></li> <li><i>(d) assess water quality and quantity based on Ngāi Tahu indicators of health.</i></li> </ul> <p><i>Policy 4 - FMU Sections to follow processes set out</i>  <i>FMU sections will not make any changes to the region-wide objectives or policies and will not deviate from the structure and methodology outlined in these process policies. FMU sections may develop catchment-specific objectives and policies, and will develop methods, rules and limits to implement the objectives and policies of this Plan.</i></p> <p><i>Policy 5 - Implementing Te Mana o te Wai</i>  <i>Te Mana o te Wai is recognised at a regional level by tangata whenua and the local community identifying values held for, and associations with, a particular water body and Freshwater Management Unit."</i></p> <p>Comments</p> <p>Council understands the intent of these policies to highlight the Freshwater Management Unit (FMU) process that is to be undertaken however it is considered the policy framework is confusing.</p> <p>How can any objectives or policies relating to the FMUs prevail over the region wide policies, as suggested by Policy 1, when Policy 4 states there won't be any changes to the region wide objectives or policies? Any plan must be consistent and the FMU objective and policies would have to give effect to the regional objectives and policies so it is not clear how Policy 1 and Policy 4 are intended to work.</p>

Policies	
Provision	Comments
	<p>For example, the Proposed Regional Policy Statement refers to ‘maintain and improve’ in relation to water quality, and Policy 12 requires applications to be declined where there is a reduction in water quality. How can you then have a FMU policy that specifically allows the possibility of consents being granted for contaminant discharges that reduce water quality and this situation being allowed for by Policy 1?</p> <p>There is also no similar comment or reference for objectives to match Policy 1, yet the FMU process may set specific catchment objectives.</p>
Policy 12	<p><i>“Policy 12 - No reduction in water quality Despite any other policy or objective in this Plan, decline applications for discharges to surface water bodies that will result in a reduction of water quality beyond the zone of reasonable mixing.”</i></p> <p>Comments</p> <p>Council supports the intent of the plan to ensure good levels of water quality and quantity but is concerned that there still needs to be a balance between that and economic activity. We understand that the objectives and policies are framed to be consistent with the Regional Policy Statement, however, the implications of a ‘hold the line’ approach versus a ‘maintain and improve <u>overall</u> water quality’ approach are now clearer given the way policies 12, 14, and 15 in particular are written. Council considers that this approach should be reconsidered.</p> <p>This policy is very rigid and in effect could be unworkable for Council’s wastewater discharges as well as many other discharges. The key areas of concern are:</p> <ul style="list-style-type: none"> <li>• The use of the term “decline applications” focuses the policy around the process rather than the outcomes sought and pre-empts the decision making process. It also provides no ability to consider applications on their merits.</li> <li>• There is a disconnect between the policy and the activity status’ in the rules. There are permitted activities for discharges which allow some decline in water quality. There are also rules providing for discharges as discretionary activities, which indicates an application can be made and consent may or may not be granted, however the policy suggests the application would have to be declined. In effect the permitted activities allow contaminants to be discharged at a level where a consent would have to be declined.</li> <li>• The policy refers to “a reduction in water quality” with no indication of whether a minor change in water quality would be considered a reduction. Strict interpretation of the policy suggests that if you are showing a reduction in water quality beyond the mixing zone (no matter how small a reduction or if you still meet the relevant water quality standards for that water body) then the application would be declined. We could point to a number of examples where the discharge from our activity can be a significant contributor to flow in the receiving water and as such it would take significant unwarranted expenditure to try to meet this objective. Similarly there are a number of examples where upstream quality does not meet the required standard so no matter what level of improvement was introduced to the discharge it would not achieve the desired outcome in terms of improving overall water quality.</li> <li>• It is also not clear how this fits in with the ‘band’ approach in the NPS-FM. The National Policy Statement creates a band/range for each numeric attribute state which could allow for some reduction in the water quality provided it stays within the median range for that attribute state. For example, a river that has an attribute state of B for Nitrate (toxicity) can have an annual median of between 1 and 2.4 milligrams nitrate-nitrogen per litre. Hypothetically, if you had a water body with 1.5 milligrams per litre, and as a result of a discharge it increased to 1.7 milligrams per litre, it would still</li> </ul>

Policies	
Provision	Comments
	<p>meet the requirements of that attribute state, but the policy indicates the application would have to be declined.</p> <ul style="list-style-type: none"> <li>It is not clear whether the policy relates to only point source discharges or both point source and non-point source discharges.</li> </ul>
	<ul style="list-style-type: none"> <li>The policy could cause perverse unintended outcomes. For example, a new wastewater scheme may be established in an area where there are currently numerous failing septic tanks. The new wastewater scheme will create a new discharge with a measureable effect so would have to be declined under this policy, but it is likely to have a much smaller impact on the environment than retaining the status quo with several discharges of potentially untreated or poorly treated wastewater. A recent example of this is at Curio Bay where a new wastewater scheme has been consented, which will create a discharge to water. However the overall outcome is an improvement from the current situation with the on-site wastewater system at the campground which cannot meet the demands from visitors, and several ageing individual systems attached to dwellings which could eventually connect to the wastewater scheme.</li> </ul> <p>Overall the policy as currently worded is unworkable and would result in the need for significant expenditure when renewing consents, that may still not achieve the desired outcome.</p> <p>Suggested wording:</p> <p>Delete Policy 12 and replace with the following:</p> <p>Policy 12 - Discharge to water causing significant reduction in water quality</p> <p>Avoid point source discharges to surface water bodies that will cause a significant reduction in water quality beyond the zone of reasonable mixing.</p> <p>Policy 12A - Discharge to water causing reduction in water quality</p> <p>Avoid, remedy or mitigate point source discharges to surface water bodies that will cause a reduction in water quality beyond the zone of reasonable mixing.</p> <ul style="list-style-type: none"> <li>Consider avoiding effects where the water body is or will be in the bottom quartile of the range for the relevant attribute state as a result of the discharge.</li> </ul> <p>New definition for significant reduction as follows:</p> <p>"Significant reduction means a discharge that will result in a detrimental change between ranges/bands of any attribute state identified in National Policy Statement for Freshwater."</p>
Policy 14	<p><i>"Policy 14 - Surface water quality</i></p> <p><i>In order to avoid levels of contaminants in water and sediments that could harm the health of humans, including through contact recreation, domestic animals including stock or aquatic life, manage land use activities and both point source and non-point source discharges to:</i></p> <p><i>a) maintain water quality where it currently is better than the water quality standards referred to in Rule 1 and specified in Appendix G "Water Quality Standards";</i></p> <p><i>b) improve water quality where it currently does not meet the water quality standards referred to in Rule 1 and specified in Appendix G "Water Quality Standards"; and</i></p> <p><i>c) ensure discharges of storm water also meet the ANZECC sediment guidelines (as shown in Appendix E of this Plan), in addition to (a) and (b)."</i></p> <p>Comments</p> <p>The concerns raised in relation to Policy 12 above, are also relevant to Policy 14, which requires the <u>maintenance</u> of water quality where it exceeds the water quality</p>

Policies	
Provision	Comments
	standards referred to in Rule 1. Does this mean that again no reduction in water quality would be allowed even if it was within the appropriate standards?
Policy 15	<p><i>"Policy 15 - Adverse effects arising from point source and non-point source discharges</i></p> <p><i>To avoid, remedy or mitigate the adverse effects arising from land use activities and point source and non-point source discharges so that there is no deterioration in groundwater quality."</i></p> <p>Comments</p> <p>The comments made in relation to Policy 12 above, are also relevant to Policy 15 which refers to 'no deterioration in groundwater quality'. This creates additional concern as Policy 12 suggests virtually no discharge to water is possible, and then this policy suggests no discharge to land is possible. This leaves very little scope for territorial authorities to manage municipal waste.</p> <p>What is the expectation if you cannot discharge to water or discharge to land?</p>
Policy 16	<p><i>"Policy 16 - Discharges to water in artificial watercourses</i></p> <p><i>Manage discharges to water in artificial watercourses so that the water quality of the surface water body into which the artificial watercourse flows is not reduced, beyond the zone of reasonable mixing."</i></p> <p>Comments</p> <p>Council suggests this policy could be deleted as it is unclear what it achieves that the discharge to surface water policies don't already. Ultimately the policies are focused on the effects on the surface water body, and therefore the need to manage discharges from activities. It therefore appears that the policies duplicate each other.</p> <p>Regardless of whether the policy is retained or not, it is considered the policy framework would benefit from some clarity around at what point the point source discharge occurs in relation to artificial watercourses and receiving waters/surface water bodies ie, is the discharge from an activity at the point it reaches the artificial watercourse, or at the point it subsequently flows into a surface water body.</p>
Policy 17	<p><i>"Policy 17 - Prefer discharges to land</i></p> <p>(a) <i>Prefer discharges to land, rather than direct discharges to water.</i></p> <p>(b) <i>Avoid the discharge of raw sewage and untreated agricultural effluent to water."</i></p> <p>Comments</p> <p>It is not clear how this policy is to be applied given the issues that have been raised with Policy 12 and 15, where it appears essentially no discharge consent could be granted whether to water or land.</p>
Policy 19 and 20	<p><i>"Policy 19 - High intensity farming</i></p> <p>(a) <i>Minimise the risks to water quality (including the quality of water in rivers, coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands, and ground water) through diffuse run-off and leaching of nutrients, microbial contaminants and sediment from high intensity farming activities.</i></p> <p>(b) <i>Require all high intensity farming activities, including existing activities, to meet minimum farm environment practices as set out in Appendix U.</i></p> <p>(c) <i>Discourage the establishment of new high intensity farming in Physiographic Zones of the region, as identified in Appendix W, that are more sensitive to nutrient enrichment, microbial contamination and sedimentation through their connection to sensitive water bodies or underlying geological conditions.</i></p> <p>(d) <i>Decline applications to establish new, or further intensify existing and other high intensity farming activities, where the effects on the quality of water,</i></p>



Policies	
Provision	Comments
	<p><i>including cumulatively, of groundwater, water bodies, coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands cannot be avoided or fully mitigated.</i></p> <p>(e) <i>Require the active management of sediment run-off risk from high intensity farming and hill country development by requiring setbacks from water bodies, riparian planting, limits on areas or duration of exposed soils and the prevention of stock entering surface waterbodies.</i></p> <p>(f) <i>Require management of collected and diffuse run-off and leaching of nutrients, microbial contaminants and sediment through the identification and management of higher risk areas on a regional scale, and critical source areas within individual properties.</i></p> <p><b>Policy 20 - Wintering</b></p> <p>(a) <i>Minimise the risks to water quality (including the quality of water in rivers, coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands, and ground water) through diffuse run-off and leaching of nutrients, microbial contaminants and sediment from wintering.</i></p> <p>(b) <i>Require all wintering activities, including existing activities, to meet the minimum farm environment practices in Appendix U.</i></p> <p>(c) <i>Discourage the establishment of new wintering in Physiographic Zones, as identified in Appendix W, that are more sensitive to nutrient enrichment, microbial contamination and sedimentation through their connection to sensitive water bodies or underlying geological conditions.</i></p> <p>(d) <i>Decline applications to establish new, or further intensify existing wintering activities, where the effects on the quality of water, including cumulatively, of groundwater, water bodies, coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands cannot be avoided or fully mitigated.</i></p> <p>(e) <i>Require the active management of sediment run-off risk from wintering and hill country development by requiring setbacks from water bodies, riparian planting, limits on areas or duration of exposed soils and the prevention of stock entering surface waterbodies.</i></p> <p>(f) <i>Require management of collected and diffuse run-off and leaching of nutrients, microbial contaminants and sediment through the identification and management of higher risk areas on a regional scale, and critical source areas within individual properties."</i></p> <p><b>Comments</b></p> <p>SDC notes that these policies support the introduction of Land Use Rules 20-23, however they are located within the water quality policy section of the draft plan. Further comments are made below on this matter regarding the Land and Soil Policies of the draft plan.</p> <p>These policies provide direction on the establishment and expansion of high intensity farming and wintering activities where they require consent. The policies refer to areas that are "more sensitive" (clause c) and to "high risk areas at a regional scale" (clause f). The rule framework to implement Policy 19 has also not been provided. It is understood that this information does exist, however has not been provided to the public. Given this it is difficult for a resource user to determine the potential effects of this policy and associated rules on their activity. The lack of information to assist significant investment decisions has the potential to stifle development through uncertainty or encourage development where this may be inappropriate. In the absence of clear direction, the economic impact of policies and rules may be greater than necessary.</p> <p>SDC considers it very important that the Regional Council to provide the relevant information as soon as practicable to enable significant investment decisions to be made with all the relevant information to hand.</p>

Policies	
Provision	Comments
	<p>SDC notes that as with Policy 12 in clause (d) strong direction is given that applications will be 'declined'. It is suggested that this be amended to be an avoid type policy. Again it is difficult to understand the implications of this policy without the associated rules framework.</p> <p>With regard to the reference to critical source areas in clause (f) SDC seeks clarification as to whether this is to be incorporated as performance criteria in permitted activities or matters to be considered in consent applications? It is assumed this is incorporated into the Farming Rule 20.</p>
Policy 22	<p><i>"Policy 22 - Determining the term of resource consents</i>  <i>When determining the term of a resource consent consideration will be given, but not limited, to:</i></p> <ul style="list-style-type: none"> <li><i>(a) granting a shorter duration when there is uncertainty regarding the nature, scale, duration and frequency of adverse effects from the activity or the capacity of the resource ;</i></li> <li><i>(b) relevant tangata whenua values;</i></li> <li><i>(c) the duration sought by the applicant, plus material to support the duration sought;</i></li> <li><i>(d) the permanence and economic life of any capital investment;</i></li> <li><i>(e) the desirability of applying a common expiry date for water permits that allocate water from the same resource or land use and discharges that may affect the quality of the same resource;</i></li> <li><i>(f) the applicant's compliance with the conditions of any previous resource consent; and</i></li> <li><i>(g) the timing of development of FMU sections of this Plan, and whether granting a shorter or longer duration will better enable implementation of the any revised frameworks established in those sections."</i></li> </ul> <p>Comments</p> <p>This policy should also recognise and make it easier to apply for and have granted consents for the maximum term as allowed under the RMA. Council has recently applied for a number of consent renewals where it has been suggested it is inappropriate to grant a discharge consent for a point source to water for the maximum term.</p> <p>There is often significant capital investments made on upgrades required by the consent. These investments are designed and expected to last a generation, so one generation is not paying the significant costs associated with multiple upgrades to the infrastructure. The duration granted should therefore reflect the expected life of the infrastructure that has been upgraded.</p> <p>It is acknowledged that subclause (d) already refers to the permanence and economic life of any capital investment; however Council wishes to reiterate that consideration should be given to this in the implementation of the plan. Recent consent applications made by Council have not had the full 35 year term granted with often little justification or reasoning why.</p>
Policy 25	<p><i>"Policy 25 - Water abstraction for community water supply</i>  <i>Subject to Policy 26, recognise the need for, and assign priority to, the provision of water for community water supply when allocating water, provided that significant adverse effects on the following are avoided as a first preference, and if unable to be avoided, are mitigated:</i></p> <ul style="list-style-type: none"> <li><i>(a) the quality and quantity of aquatic habitats;</i></li> <li><i>(b) natural character, natural features, and amenity, aesthetic and landscape values;</i></li> </ul>

Policies	
Provision	Comments
	<p>(c) <i>areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i></p> <p>(d) <i>recreational values;</i></p> <p>(e) <i>the spiritual and cultural values and beliefs of the tangata whenua;</i></p> <p>(f) <i>water quantity and quality;</i></p> <p>(g) <i>long-term aquifer storage volumes; and</i></p> <p>(h) <i>historic heritage values.”</i></p> <p>Comments</p> <p>The recognition of water abstraction for community water supplies is supported. Council queries how this would be applied in practice for example with new community water supplies in catchments where the water has been over allocated. These concerns are addressed further in the comments on Policy 29.</p>
Policy 26	<p><i>“Policy 26 - Water demand management strategy</i></p> <p><i>Require a water demand management strategy commensurate to both the scale of the activity and its potential effects as part of any application for:</i></p> <p>(a) <i>a new or replacement water permit for a community water supply; or</i></p> <p>(b) <i>an amendment to an existing water permit for a community water supply.”</i></p> <p>Comments</p> <p>Council supports the concept but considers some guidance around defining the ‘scale of the activity’ and therefore the scale of the strategy document would be beneficial. It is noted that there is currently some guidance within both Appendix V, and the definition of a Water Demand Management Strategy, but these suggest very different levels of detail are required.</p>
Policy 28	<p><i>“Policy 28 - Instigate water conservation procedures</i></p> <p><i>Instigate water conservation procedures at times of low flow, including:</i></p> <p>(a) <i>requiring abstractors to conserve water and limit non-essential use of water as far as practicable;</i></p> <p>(b) <i>other than for the Waiau River at the Manapouri Lake Control Structure, implement a one to-one flow sharing regime when flows reach the sum of the minimum flow or level and the total volume of water allocated through current resource consents for the relevant surface water body. Methods to achieve this include, but are not limited to:</i></p> <p>(i) <i>rationing;</i></p> <p>(ii) <i>rostering; and</i></p> <p>(iii) <i>the use of water user groups;</i></p> <p>(c) <i>require consent holders to cease abstraction in accordance with the minimum flows/levels specified as conditions of their resource consents; and</i></p> <p>(d) <i>in extreme situations, consider the need to issue a water shortage direction.”</i></p> <p>Comments</p> <p>Council requests that community water supplies be exempt from the water conservation procedures in clause (c) which require consent holders to cease abstraction. Given the health implications of ceasing abstraction for community water supplies Council would suggest this requirement is inappropriate, specifically as restrictions on usage would already be in place.</p> <p>Suggested amendment:</p> <p><i>“Instigate water conservation procedures at times of low flow, including:</i></p> <p>(a) <i>Requiring abstractors to conserve water and limit non-essential use of water as far as practicable;</i></p> <p>(b) <i>Other than for the Waiau River at the Manapouri Lake Control Structure, implement a one to one flow sharing regime when flows reach the sum of the minimum flow or level and the total volume of water allocated through current</i></p>

Policies	
Provision	Comments
	<p>resource consents for the relevant surface water body. Methods to achieve this include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(i) Rationing;</li> <li>(ii) Rostering; and</li> <li>(iii) The use of water user groups</li> </ul> <p>(c) <u>Except for water permits for community water supplies, require consent holders to cease abstraction in accordance with the minimum flows/levels specified as conditions of their consents; and</u></p> <p>(d) In extreme situations, consider the need to issue a water shortage direction"</p>
Policy 29	<p><i>"Policy 29 - Fully allocated water bodies</i></p> <p>(a) <i>A water body will be deemed to be fully allocated when the total volume of water allocated through current resource consents and permitted activities is equal to the maximum amount that may be allocated under the policies and rules of this Plan or the provisions of any Water Conservation Order.</i></p> <p>(b) <i>Resource consents will not be granted if to do so would result in a waterbody becoming over allocated or over allocation being increased."</i></p> <p>Comments</p> <p>With the policy as currently drafted it may be difficult to establish new community supplies in currently unreticulated towns in some areas, without potential significant additional expenditure required to find water from a more remote source. This has already happened in one instance when Council was required to source a new supply of water from an alternative aquifer.</p>
Policy 38 and 40	<p><i>"Policy 38 - To manage groundwater abstraction</i></p> <p><i>Manage groundwater abstraction to avoid significant adverse effects on:</i></p> <ul style="list-style-type: none"> <li>(a) <i>Long-term aquifer storage volumes;</i></li> <li>(b) <i>The reliability of supply for existing groundwater users;</i></li> <li>(c) <i>Surface water flows and levels, particularly in spring-fed streams, and aquatic ecosystems and habitats; and</i></li> <li>(d) <i>Water quality.</i></li> </ul> <p><i>Policy 40 - Groundwater abstraction</i></p> <p>(a) <i>Provide for:</i></p> <ul style="list-style-type: none"> <li>(i) <i>a level of permitted groundwater abstraction where there is a minimal risk of adverse effects;</i></li> <li>(ii) <i>a primary allocation for consented groundwater abstraction and use; and</i></li> <li>(iii) <i>a secondary allocation for consented groundwater abstraction and use.</i></li> </ul> <p>(b) <i>Where appropriate, impose minimum level and/or flow cut-offs and seasonal recovery triggers on resource consents for groundwater abstraction;</i></p> <p>(c) <i>Determine the primary allocation for confined aquifers not identified in Appendix S.5, following the methodology established in Appendix S.6</i></p> <p>(d) <i>Enable secondary allocation of groundwater subject to appropriate minimum groundwater level cut-offs and/or seasonal recovery triggers to ensure long-term aquifer storage volumes are maintained and the reliability of supply for existing groundwater users is not adversely affected."</i></p> <p>Comments</p> <p>Clauses (b) and (d) of Policy 40 refer to appropriate cut off limits. This raises the same issues as policy 28 in terms of community water supplies. Council requests this is reworded to make it clearer that this does not apply in relation to community water supplies.</p> <p>Council also queries whether both Policy 38 and 40 are required, as they both deal with groundwater abstraction. Sub clauses (a) and (b) of Policy 38 refer to storage</p>

Policies	
Provision	Comments
	<p>volumes and reliability of supply which are covered in sub clause (d) of Policy 40. Sub clauses (c) and (d) refer to water flows, levels and water quality which could be considered under Sub clause (a)(i) of Policy 40. A small amendment could be made to clarify that those matters should be considered under that policy as suggested below:</p>
	<p>Suggested amendments: Delete Policy 38 Amend Policy 40 as follows: “a) Provide for: (i) a level of permitted groundwater abstraction where there is a minimal risk of adverse effects <u>(including effects on water flows, levels and quality)</u>; ...”</p>
Land and Soil Policies	<p><i>“Policy 42 - Physiographic zones To manage land use activities and discharges to land based on the underlying soil and geological conditions, as depicted by the nine physiographic zones, in Appendix W, identified for Southland.”</i></p>
	<p>Comments</p> <p>The draft Land and Water Regional Plan includes one new land use policy which incorporates the physiographic mapping approach. It is assumed that this provides the basis for establishing rules for different zones.</p> <p>Given the new land use rules to be incorporated into the draft plan it may be useful to include specific land use policies that align with the purpose of the rules. Little direction is given regarding how different zones are to be managed to achieve the objectives for the region with regard to land use.</p>
Policy 43	<p><i>“Policy 43 - Matching discharges onto or into land to risk To consider the following matters when assessing applications for discharges of contaminants onto or into land:</i></p> <ul style="list-style-type: none"> <li><i>(a) the nature and quantity of contaminants in the discharge;</i></li> <li><i>(b) whether the slope of the land will enhance run-off or erosion;</i></li> <li><i>(c) the drainage characteristics of soils;</i></li> <li><i>(d) climate and natural hazards, such as flooding;</i></li> <li><i>(e) the proximity to ground and surface water;</i></li> <li><i>(f) the soil and underlying substrate’s current physical, chemical and biological characteristics and its potential to leach retain or assimilate contaminants;</i></li> <li><i>(g) any habitats, ecosystems and indigenous biological diversity that may be affected;</i></li> <li><i>(h) any potential effects on historic heritage, cultural and traditional values; (i) the presence of vegetative cover in order to reduce overland flow and absorb nutrients;</i></li> <li><i>(j) whether human and animal health is adequately protected; and</i></li> <li><i>(k) the need to adopt a precautionary approach in absence of information.”</i> <p>Comments</p> <p>It is not clear what the relevance of this policy will be given the approach in Policy 15. If there can be no adverse effect on ground water then this policy becomes irrelevant.</p> <p>If Policy 15 was amended in line with Council’s suggestions, then this policy may become relevant. In that case it is noted that the policy alludes to the scale of the activity being taken into consideration when assessing applications however it is considered this could be made clearer.</p> </li></ul>



Policies	
Provision	Comments
	<p>Suggested amendment:</p> <p>"To consider the following matters when assessing applications for discharges of contaminants onto or into land:</p> <p>(a) The <u>scale of the activity including the</u> nature and quantity of contaminants in the discharge</p> <p>(b) ..."</p>
Policies 49-51 Indigenous Biodiversity	<p><i>"Policy 49 - Protect significant indigenous vegetation and habitat</i>  <i>Protect significant indigenous vegetation and significant habitats of indigenous fauna to improve water quality, water quantity and ecosystem health.</i></p> <p><i>Policy 50 - Adverse effects of activities</i>  <i>Prevent the reduction in area, function and quality of wetlands, including through drainage and vegetation removal.</i></p> <p><i>Policy 51 - Restoration of existing wetlands and the creation of wetlands</i> Recognise the importance of wetlands and indigenous biodiversity, particularly the potential to improve water quality, through encouraging:</p> <p>(a) the maintenance and restoration of existing wetlands and the creation of new wetlands; and</p> <p>(b) the establishment of wetland areas, including on-farm, in subdivisions, on industrial sites and for community sewage schemes."</p> <p>Comments</p> <p>If Environment Southland is to take over responsibility for all indigenous biodiversity rules, it is considered a broader policy framework is required. The three policies currently in the Water and Land Plan are generally supported, but it is noted that these are restricted to wetlands and vegetation that is significant. Therefore there is no policy guidance or direction on the remainder of the biodiversity that is not significant.</p>

Rules - Discharge	
Provision	Comments
Rule 5	Rule 5 provides for some discharges of contaminants as a discretionary activity. This appears inconsistent with Policy 12 which states that applications will be declined if they result in a reduction of water quality. The concerns around Policy 12, and its relationship with the rule framework are discussed further in Council's comments on Policy 12.
Rule 6	This rule as written would potentially make a number of Council's discharges a non-complying activity as they are discharging to water bodies where the upstream water quality already exceed the relevant water quality standard. Clarification is required around how activities are to be treated where the water quality upstream of the discharge already breaches water quality standards.
Rule 8	<p>Council has a number of examples where there are open drains/modified water courses running through urban areas that originate well outside the urban boundary and as such reasonable levels of contaminants have the potential to have built up before they reach the urban boundary. There is therefore the potential for water quality standards to have been compromised prior to any inputs from the urban stormwater system.</p> <p>Council is seeking clarification over how this will be addressed and where the responsibility will lie for those contaminants entering the reticulated system. Practically, monitoring upstream and downstream is the only way to determine</p>

Rules - Discharge	
Provision	Comments
	whether the effects of stormwater connections are being mitigated.
Rule 13	Council queries how Rule 13 will work if it provides for certain discharges as a permitted activity but the effects beyond the zone of reasonable mixing could be measureable. This again relates to Policy 12 which, as currently worded, suggests a consent could not be granted for an activity that reduces water quality, but this permitted activity could allow for some measurable effect.
Rules - Land Use	
Provision	Comments
Rule 20	It is requested that the Regional Council provide the draft land use rules for farming and the associated information relating to physiographic zone sensitivity. Without this information plan users are unable to assess the potential implications for their activities. Farming activities involve significant investment and long term decision making processes. Timely release of information can assist in ensuring appropriate outcomes for those investment decisions.
Rule 22	Council has a question around the extent of this rule given it refers to Rule 20 for which the wording is not provided within the draft document. We also wish to clarify if the intention of this rule is for no limits to be placed on the discharge of nitrogen, phosphorus, sediment or microbial contaminants associated with high intensity farming or wintering, as Rule 21 does not appear to have any limits itself.
Rule 23 (a)(i)	<p>A minor amendment to the wording is required to clarify what the setback is for slopes between 15 and 16°.</p> <p>It is considered that this rule does not provide sufficient protection for areas of wetland. The rule provides for permitted cultivation as long as it is not within the bed of specified water bodies, however not all wetlands are part of a lake or river and therefore are considered to be "land". If the plan reader is not aware of the limitations imposed through Rule 70 - Wetlands then it could be assumed that cultivation is permitted within areas of wetland.</p> <p>Council requests that this matter is clarified. For example: Are wetlands considered to fall completely under Section 13 of RMA and therefore be part of the bed of a river or lake?</p> <p>A suggested amendment to the rule to provide for clarification is outlined below.</p> <p>Suggested Amendment:</p> <p>23(a) The use of land for cultivation is a permitted activity provided the following conditions are met:</p> <p>(i) Cultivation does not take place within the bed of a lake, river, modified watercourse, artificial watercourse <u>or wetland</u>, and a distance of ...</p> <p>The definition of cultivation within the LWRP is very broad and includes such activities as clearance of vegetation. This reads more like a vegetation clearance definition than soil cultivation. There is the potential with such a broad definition that other activities to be controlled by the plan would fit within a permitted activity. Further the definition refers to any activity causing disturbance to the soil which could capture general earthworks for a range of activities. These are generally controlled by the Proposed Southland District Plan and would create confusion between the two rule frameworks.</p> <p>It is requested that the definition is amended to closer accord to the activity of cultivation.</p>

Rules - Discharge	
Provision	Comments
	<p>Suggested Amendment:</p> <p>[Soil] Cultivation: means the agricultural preparation of the soil by mechanical agitation of various types such as digging, stirring and overturning but does not include earthworks.</p> <p>Suggested Amendment:</p> <p>If it is determined that the proposed LWRP will contain rules relating to clearance of indigenous vegetation then terms within those rules will need to be supported by definitions. These definitions are currently contained in the PDP.</p>

Rules - Effluent and Sludge	
Provision	Comments
General	<p>SDC supports the overall direction of the effluent rules but there are some provisions which require further clarification and amendment as outlined below.</p> <p>SDC also wishes to ensure there is consistency between NZS1547:2012 'On-site Domestic Wastewater Management' ('the Standard') and the rules proposed in the Draft Water and Land Plan. Examples of some of the potential inconsistencies are provided below.</p> <p>Council also has a general question about how compliance would be monitored with some of the quantities outlined in the rules. In reality it would be based on averages per person/per day but for transparency a comment could be included that compliance will be based on the methodology from the NZS to determine the average volumes.</p> <p>This is also an area that could benefit from some communications and education once any rules come into force.</p>
Rule 24(a)(iii) Rule 24(b)(ii)	<p>The rule and associated definition for 'domestic wastewater' do not provide for cafes or restaurants, as the definition specifically excludes commercial kitchen wastes. Given the context of development in Southland, there are several commercial kitchens that would be located in areas where a reticulated wastewater system is not available and waste has to be disposed of on-site. On-site wastewater disposal from commercial kitchens is provided for in the Standard and therefore it is considered appropriate for it to be provided for as a permitted activity within the Water and Land Plan, provided relevant conditions are complied with.</p> <p>Suggested amendments:</p> <p>Amend the definition for domestic wastewater as follows:</p> <p>"For the purposes of this rule, domestic wastewater is limited to effluent derived from dwellings, business buildings, institutes and the like, and consisting of toilet wastes and wash waters from kitchens bathrooms and laundries, but excluding commercial laundry and commercial kitchen wastes."</p>
Rule 24(a)(v) Rule 24(b)(iv)	<p>This clause does not provide for any takes of water other than for human consumption. This is inconsistent with the Standard which also refers to water takes for stock/animal consumption (refer to page 188, note 5 of the Standard, which defines includes both humans and animals in the use of the term 'potable').</p> <p>This clause also does not take a whole of aquifer approach, as it only considers the point where the water is taken from. This is considered inconsistent with Objective 8 which refers to the quality of water in <u>aquifers</u>.</p>



Rules - Effluent and Sludge	
Provision	Comments
	<p>Suggested amendments:</p> <p>“there is no faecal contamination of any take of water for human consumption as a result of the discharge”.</p>
Rule 24(a)(viii) Rule 24(b)(v)(4)	<p>Both the rule and Appendix O refer to a buffer area of 250 m which appears to be an unnecessary duplication.</p> <p>If Appendix O is amended to refer to a different buffer area for the various abstraction points identified, it is not clear what the implications of this will be until those buffer areas are known.</p> <p>If Appendix O is not amended, then the reference to the appendix in the rules is unnecessary and should be removed.</p>
Rule 24(a)(ix)	<p>Council understands there are concerns around older on-site wastewater systems which are failing or likely to fail shortly. Therefore the concept of having these systems checked and upgraded where required is supported however Council does have some concerns:</p> <ul style="list-style-type: none"> <li>How will this be implemented? There is no trigger for people to contact Council if they are going to sell their property so this could be difficult to monitor and enforce. While Council may become aware of changes in ownership through the rates process, it is difficult to enforce this rule retrospectively as the new owner becomes responsible rather than putting the onus on the person selling the property which is the intent of the rule.</li> <li>What will the cost of such an assessment be and what will it involve ie, will the entire disposal field need to be dug up? Are the matters outlined in (ii) to (vii) covering the key concerns? Those matters may be appropriate as conditions of the permitted activity rule but may not be for this check process.</li> <li>What will the impacts on the community be of such a rule? For example, if systems are failing and need to be upgraded, it is understood the costs could be as much as \$20,000. In some communities this is likely to be a significant proportion of the total value of the house, and therefore is likely to be a deterrent in selling the house.</li> <li>Is the sale of the house the appropriate trigger for such an assessment to be undertaken? If there was a generic timeframe, the assessments for an area could all be done around a similar time and may trigger an investigation into the costs and benefits of each individual system being upgraded versus a community scheme being installed, if there was a significant issue within a township.</li> <li>Council also has a question around the date referred to as we understand the new Standard took effect from August 2015, and therefore systems may have been designed in accordance with those standards but breach this rule because it relates to systems installed and operational prior to 1 January 2016.</li> </ul>
Rule 24(b)(vi)	<p>It is not clear what is meant by the phrase “above soil surface”. If it is about spray irrigation it is suggested the wording be amended to clarify this.</p> <p>Council’s concern is that it could be interpreted to include surface irrigation systems, which are the preferred method for disposal on some soil types, so it would be appropriate to provide for those systems as permitted (refer to Appendix M of the Standard which refers to the different irrigation systems). It is not clear why a drip line would require discretionary consent when it is allowed for by NZS 1547:2012.</p>
Rule 24(b)(ix) (1)	<p>It is considered that the wording of this clause may not reflect what Environment Southland has intended. The use of the term ‘free draining’ may create some confusion as it is defined in the NZ Standard as Category 1 soils (gravel or coarse sand). It is considered that Environment Southland may have intended this clause to apply to permeable or freely draining soil.</p>

Rules - Effluent and Sludge	
Provision	Comments
	<p>If the current wording was retained a system going into any other soil type would not be able to comply with these requirements.</p> <p>Suggested amendments:            "... (1) the soil beneath the soil infiltration surface is maintained as <u>permeable/freely</u> draining to a depth of at least 600 millimetres..."</p>
Rule 24(b)(ix) (2)	<p>There may be some situations where water is not found upon digging a test pit, but that does not preclude there ever being perched water. It is therefore suggested an amendment is made to refer to any evidence of perched water.</p> <p>Suggested amendments:            "... (2) the bottom of the soil infiltration surface is no less than 900 millimetres above <u>soil characteristics associated with</u> the mean seasonal high groundwater table and any perched water."</p>
Rule 25	<p>Council supports having a separate rule for pit toilets, as there is not currently a lot of guidance on this type of effluent disposal.</p> <p>However Council does have some concerns around the cross- referencing of rules where this rule provides for a discharge as a permitted activity notwithstanding a rule for a related discharge is a prohibited activity. There is the potential for ambiguity between these rules, and given it is the difference between an activity being permitted, or prohibited, it is essential that the activity status is clear.</p> <p>Suggested amendment:            Rule 17:  <u>"Except as provided for by Rule 25, the discharge of raw sewage..."</u></p> <p>Rule 25:  <u>"Notwithstanding Rule 17..."</u></p>
Rule 32	<p>Council supports the inclusion of all types of storage of agricultural effluent in this rule, rather than just ponds.</p>

Rules - Land Contamination	
Provision	Comments
Rule 45	<p>Council does not oppose the new rule in relation to Cemeteries, however seeks some clarification or guidance on where the 3 m clearance from groundwater requirement came from. Typically the depth of graves can range from 1.4 to 2.4 metres in depth depending on whether they are single or double depth graves. Council seeks clarification around what the measurable effect is that Environment Southland is trying to manage?</p> <p>A map of the ground water levels across the region was provided by Environment Southland to Council to assess the implications of this rule. The map indicates in most townships the depth to water is less than three metres. This means the extension of any of the existing cemeteries is likely to require resource consent or be developed in remote locations away from townships.</p>

## Rules - Bed disturbance activities in river and lake beds

Provision	Comments
Rule 66	Clarification is required in the rule regarding what setback is required for the fencing, and whether this is to tie in with the setbacks required for winter grazing of 5 m or 20 m depending on the physiographic zone it is in. As there is currently no draft wording available for the farming rules (Rule 20) no comment can be made on the integration between these rules, other than to state that these rules will need to be consistent with each other.
	With regard to the stock exclusion requirements for sheep, (vi) and (vi)(A) do not work together. Subclause (vi) suggests that the exclusion should be permanent and (A) suggests the exclusion is only for a certain period. Some amendment is therefore required to clarify the intention of the rule.

## Definitions

Provision	Comments
Community sewerage scheme	Clarification is required that this does not differentiate between public and private sewerage schemes ie, those owned by councils as opposed to those under the control of a body corporate.
Potable water	The NZS 1547:2012 refers to “potable (human or animal) water supplies”. The current definition for potable water in the Water and Land Plan appears to be focused on human drinking water. This has implications for the interpretation of provisions such as Rule 24(b)(v)(3) which refers to potable water supply. Therefore it is suggested that the definition be amended so that it relates to both human and animal drinking water supplies.
Reasonable mixing zone	<p>It is understood Environment Southland was trying to provide more certainty around the term ‘reasonable mixing zone’ because of its use within the rule framework and the desire to have more certainty around the activity status that will apply.</p> <p>However such a prescriptive definition will provide problems at a number of our sites where the discharge is to a narrow channel of watercourse. As such the potential mixing zone could be substantially reduced requiring the need for some form of intervention which may not necessarily be justified especially in areas where the upstream limits are already being exceeded.</p> <p>The term ‘reasonable mixing zone’ is used in Rule 5 (discretionary activity) and Rule 8 (controlled activity), but is not used in relation to any permitted activities. Therefore it is considered that some discretion or flexibility within the definition may be appropriate. Reviewing the approach taken elsewhere in the country it appears a case by case approach to determining the reasonable mixing zone through the consent process may be appropriate in some circumstances.</p> <p>Suggested amendment:</p> <p>“When determining the size of the zone of reasonable mixing, minimise the size of the area where the relevant water quality standards are breached. The zone shall not be larger than:</p> <p>(a) for river and artificial watercourse locations with flowing water present at all times;</p> <p>(i) no longer than 10 times the width of the wetted channel or 200 metres along the longest axis of the zone (whichever is the lesser), and</p> <p>(ii) occupies no greater than two-thirds of the wetted channel width at the estimated 7 DMALF for that location; <u>or</u></p>

Definitions	
Provision	Comments
	<p>(b) For river and artificial watercourse locations, with intermittent flows, no longer than 20 metres at times of flow and 0 metres at no flow; <u>or</u></p> <p>(c) When within a drinking water supply site identified in Appendix O, 0 metres; <u>or</u></p> <p>(d) <u>A distance determined as appropriate through a consent application."</u></p>

From the discussion document	
Provision	Comments
Critical Source Areas	It is not clear whether this is to be a new rule in itself or a performance condition/assessment criteria within the new Rule 20. The implementation of this rule would need to be considered carefully.

## Management Report

Record No: R/15/10/18223  
Author: Steve Ruru, Chief Executive  
Approved by: Steve Ruru, Chief Executive

☐ Decision ☐ Recommendation ☒ Information

### Chief Executive

#### Regional Development Strategy

- 1 The final draft of the Regional Development Strategy was approved by the Mayoral Forum at its meeting on 9 September 2015. Following this approval the final Strategy document has been produced and was formally launched publically on 16 October 2015.
- 2 At the 16 September 2015 meeting the Mayoral Forum also appointed an Establishment Group who are charged with managing the release of the final Strategy, including its presentation to central government, and establishing a governance group and six action teams to drive the next phase of implementation work. The Establishment Group is aiming to have its work completed and handed over to the new Governance Group by mid-December.

#### Rules Reduction Taskforce

- 3 The Rules Reduction Taskforce released its final report in late September. The Taskforce held meetings throughout New Zealand and gained further feedback from an interactive website and interviews with a wide range of relevant agencies.
- 4 In its final report the Taskforce noted that many concerns raised by submitters involved a misunderstanding of particular rules or questions around the interpretation of rules rather than the rules themselves. The report also emphasises the importance of developing an organisational culture which puts the customer first.
- 5 The report's top 10 recommendations are:
  - Make it easier to get building consents
  - Get serious about lifting the skills of the building sector
  - Make it easier to get resource consents
  - Reduce the cost of consenting fees
  - Sort out what "work safety" means and how to do it
  - Make it clear what the rules are
  - Establish a new customer focus for the public sector
  - Departments should introduce a stakeholder engagement approach to developing local government policies and regulations
  - Reform the Local Government Act 1974 and the Reserves Act 1977
  - Stop making loopy rules
  - The findings will now be referred to the various departments, ministries and local authorities responsible for the regulations for their attention.

Three Waters Position Paper

- 6 LGNZ released a Three Waters Position paper in early October. The paper represents the next stage in the Three Waters project to better understand the state of three waters infrastructure, the challenges that lie ahead and options for delivering a best practice water infrastructure system.
- 7 The paper is the culmination of previous work under the Three Waters project and outlines what a world class water infrastructure network could look like. It also describes how a 'strong, sector-led approach' is needed to put an improved regulatory framework in place to assist the potable and wastewater service providers in addressing key issues over time. In this regard the paper advocates for the implementation of a co-regulatory model that would be controlled by the sector.
- 8 The paper also draws attention to the unique challenges facing the stormwater activity, when considering possible pathways to improve sector performance.

National Benchmarking Project

- 9 SOLGM has introduced a new national benchmarking initiative for New Zealand local authorities using a model that has been developed in New South Wales. The initiative is used by approximately 80 councils in NSW and has been running for three years.
- 10 Officers compiled and submitted data on this Council's performance against the range of benchmarks used in the survey. The results from the first round of benchmarking are expected to be released later this calendar year.

**Environment and Community Group**

- 11 A positive meeting was recently held with the Colac Foreshore Protection Group and Oraka Aparima Runaka regarding the ongoing erosion issue along Colac Foreshore Road; attended by the Group Manager Environment and Community and the Group Manager Services and Assets. Agreement was reached that the Council will seek a resource consent from Environment Southland (ES) for a regime which will seek to maintain a single lane gravel formation access standard in the future.
- 12 Council's Animal Control team are in the process of following up on unregistered dogs. Some slight amendments to the normal processes have been made to seek to encourage compliance rather than seeking to infringe dog owners. Animal Control staff are also seeking to work through and implement the new provisions of the Dog Control Policy and Bylaw as recently approved by the Council. This includes the new fees regime and multiple dog licensing regime which have a staged implementation timeframe.
- 13 Libraries staff have a busy upcoming programme of activities between now and Xmas, including some interesting author visits and other events.
- 14 Rosena Keen has been Acting Customer Services Manager and doing a very good job while Janet Thomas, Customer Services Manager, is on extended leave overseas.
- 15 Council's Environmental Health team have been focused on progression of the Freedom Camping Bylaw 2015. Over 80 submissions were received and are due to be considered by the Council on 28 October.

- 16 Aidan Baron has joined the Building Control team from the private sector, operating in the Central Southland area. He replaces Lyndon Paul who left some months ago to start a business. Aidan comes to the team from his own building business.

### **Environmental Health**

#### Animal Control

- 17 Officers are prepared for multiple dog licensing, that is now in force. The website has been updated, processes have been created and Council will write to all dog owners that need a licence in the near future.

#### Alcohol Licensing

- 18 The new Southland Area Commander, Inspector Joel Lamb, has joined the Southland Alcohol agencies combined group. He has a strong background in alcohol management, and brings a new approach to alcohol licensing.
- 19 Officers have suggested that a review of how the combined agency group is working, the strategies that are being used and how improvements might be made. This suggestion has received a favourable response to date.

#### Environmental Health

- 20 The transition period for the Food Act 2014 starts in March 2016. Regulations are expected to be announced in the near future to outline how the transition process will be managed over the three year period from 2016 - 2019.
- 21 It is known that on-licensed premises will be the first type of food business that have to transition to the new legislation. They will need to apply for a food control plan by 1 April 2017. Officers have been preparing for the new system for several years now, and have participated in the voluntary food control plan programme, with a number of Southland businesses signing up. Over the coming months Council will be communicating these changes with food businesses. The Ministry for Primary Industries (MPI) has developed a new online "[Where Do I Fit?](#)" tool to help food businesses determine which regulations will apply to them.

### **Resource Management**

- 22 An application by Evans Freight Ltd Te Anau (Tony O'Loughlin) to put a residential dwelling in the Industrial Area was declined under delegated authority. It was a non-complying activity which means the test is high for a consent to be granted.
- 23 The Resource Management Committee will be hearing an application in early November for a large Serpentine quarry off Hillas Road (off the Mossburn Five Rivers State Highway). The main issues are related to amenity - particularly visibility, rehabilitation, and transport related effects.

- 24 Environment Southland (ES) is keen to have a Councillor level discussion about the potential for the Regional Water and Land Plan to contain biodiversity rules. That is likely to result in a duplication of rules between the regional plan and the district plan and this Council would need to consider whether to oppose the proposal or choose to remove the rules that are currently in its District Plan so that people do not need to get consent for the same activity from two different local authorities.
- 25 Officers have been reviewing ES's draft Water and Land Plan. A draft submission has been developed, which will be discussed with Council prior to it being finalised.
- 26 Council has registered as a party to a number of appeals (Meridian, Environmental Defence Society, Forest & Bird, and the Oil Companies) on the Proposed Regional Policy Statement. Mediation is expected to take place over the next three months.

#### **Area Offices**

- 27 Officers were involved with staff development during this past period which included three of the team attending a Workshop on "Taking Notes and Creating Minutes". All area officers attended InfoCouncil training relevant to Reports, and Report Writing Training. All proved most worthwhile.
- 28 Performance plan/goals discussions have been carried held with each area officer to ensure the staff are aware of what their expectations are.
- 29 Area Office staff were involved in the Taramea (Howells Point) Management Committee meeting which was held at the Takutai - o -Te Titi Marae at Colac Bay.
- 30 Officers took part in a "Stewart Island Concept Ideas for the Future" where residents shared ideas on many issues including the future of aquaculture, tourism, community needs, power supply, role of the Department of Conservation (DOC).
- 31 An inaugural Northern Southland CB/CDAs Chairs' workshop was held recently. The workshop was used as an opportunity to define and determine topics of interest and points for consideration on a broader scale than solely township focused.
- 32 Alyson Hamilton (Area Officer, Riverton) has been seconded to the Invercargill office to support the Governance team for three days per week for a period of three months. Debbie Williams (Area Officer, Winton) is also giving support to the Governance team by taking over the governance responsibilities involved with Southern Rural Fire Authority and the International Relations Committee.

#### **Libraries**

- 33 School Holiday programmes are underway at all libraries and have board game themes. There was the opportunity to play well-known established games or to be creative and make up something new. Generally large groups of students attended and participated well together.
- 34 Visiting Author - during November Robin Robilliard - A Hard Country - will be visiting Stewart Island, Wyndham, Riverton, Te Anau and Winton to talk about her book and her life turning a back blocks area into a profitable farm.



- 35 Winton Library is host to a keen group of people wanting to “Gingerbread Winton”. This involves replicating the main street businesses in Gingerbread and setting them up for display on Winton Open Day, Sunday 15 November 15 and the week beyond. Come and have a look. You may be astonished with the creativity of some people.

## **Information Management Group**

### Digitisation Project

- 36 Council, at its August meeting, approved the digitisation project plan. This project is one that will be completed over the next two years and will have a significant flow-on effect on how a number of teams operate and also how the public will access this information.
- 37 A major part of the digitisation project is a review and (if required) an upgrade of TRIM. The purpose of reviewing TRIM (and HP Records Manager, the latest version of TRIM) is twofold. Firstly, to determine if it will meet Council’s requirements, as part of the core systems review, and secondly to ensure that HP Records Manager meets the requirements of the mandatory records management standard for all public offices. Included in the review will be a set of requirements specific to Council.
- 38 To understand our EDRMS requirements now and for the future a staff survey process is underway. The purpose of the survey is to develop an understanding of how staff currently use TRIM and what they like/don’t like about it. A number of workshops will also be held to confirm Council’s user requirements.

### GIS Smart Client

- 39 The GIS team have been working steadily over the past few months towards retiring WebMap with the new GeoMedia Smart Client. This is a significantly enhanced product that is designed to give users greater control and functionality when accessing the various spatial data sources Council maintains.

### Hansen IPS Upgrade

- 40 The Information Management Group and Water Services team are working on completing an upgrade to Council’s Hansen software. The upgrade will provide a higher level of functionality to Council staff and Contractors (Downers). The upgrade has completed its first major milestone of migration number one (from Hansen7 to IPS8) and administration training is being completed in October. The new tool is web based and will be able to be accessed remotely by staff and contractors.

### ProMapp

- 41 In late August ProMapp completed the initial training for process owners and process champions. These will be followed up with more sessions in late October when ProMapp will be coming back for a second trip. Already we have had 24 staff login and start either creating or viewing the processes so far.

Reporting Review

- 42 Data governance has been identified as a key focus area within the Information Management Strategic Plan. Through the work in this area officers will look at how Council manages corporate data sets and the way in which staff interact with the data in terms of the business processes that they undertake. Leading into this review the Information Management Group is currently reviewing all of the existing reports that have been created by the various reporting tools Council currently uses. This will allow us to get a better understanding of what is being used, what needs to be used, remove duplication and identify the best way to deliver or disseminate the data to the users.

**Policy and Community**

Community Governance Project

- 43 Work continues in the development of this project. Presentations continue with Community Boards (CBs) and Community Development Area (CDA) Subcommittees - and in general the discussion is positive and constructive.
- 44 There is a general understanding of the rationale for the project and the issues and opportunities available in the future. The process is clear and associated timelines provide appropriate and relevant community engagement for the life of the project. To this end the Staff Working Group has met and provided feedback to the project.
- 45 The Elected Representative Working Group has been established and will meet for its inaugural meeting in late November. It is anticipated that the majority of other CBs and CDA Subcommittees will be addressed by the end of 2015. The concept development phase is ongoing with the intent to have a Draft Issues and Options, Analysis and Assessment Concept Paper to Council early in 2016.

Northern Southland Community Leadership Cluster

- 46 The Mararoa Waimea Ward is represented by nine townships - each with a CB or CDA Subcommittee.
- 47 The Northern Southland wider communities of interest area (excluding Te Anau and Manapouri) includes the townships of Mossburn, Lumsden, Athol, Garston, Balfour, Riversdale and Waikaia. Each of these townships is represented by their own CDA Subcommittee.
- 48 These CDA Subcommittee representatives, the Area Engineer and Community Development Planner responsible for each of the CDA Subcommittees have identified an opportunity to establish the Northern Southland Community Leadership Cluster. This is an informal group to meet with the purpose of identifying topics of common interest which are worthy of consideration on a broader scale than solely township focussed. The group first met in August and is scheduled to meet again in late October. It is expected the group will meet four times per year.

Venture Southland Letter of Expectation

- 49 The Venture Southland Heads of Agreement 2014-2017 clearly establishes the planning provisions for Councils and Venture Southland to work towards. As part of the planning process Council is to provide a letter of expectation to Venture Southland early in the process to set out its expectations as an owner as well as a purchaser of economic development services.

- 50 There have been workshops with Council and with the Executive Leadership Team to develop the draft Southland District Council purchaser expectations for 2016/2017. This information informed a Venture Southland hosted workshop in early October. Council will determine its purchaser expectations based on the information developed throughout this process at its meeting on 28 October 2015 and subsequently provide its letter of expectation to Venture Southland.

#### Milford Opportunities Project

- 51 The concept development and project definition work continues to evolve for this project.
- 52 The Draft Work Stream Project Plans include Visitor Information Data and Statistics, Te Anau Product Development, Accommodation Requirements Assessment, Milford Corridor Product Development Assessment, Current Milford Transport and Travel Options, Future Milford Transport and Travel Options, Queenstown Visitor Market Influencers, Milford Sound Product Development, Milford Sound Built Infrastructure and Community Development Assessment.
- 53 The Preliminary Draft Work Stream Project Plans have been prepared for review by the Department of Conservation and will also involve other partner agencies for discussion and finalisation to allow the project planning to proceed to the next stage.

### **Financial Services**

#### Rural Farm Amalgamations

- 54 Further to the report to APAC in April 2015 on the requirement to create one rating unit of multiple properties that are contiguous, owned by the same persons and used as one farming unit, Quotable Value (QV) has advised that it has completed these now, with Council having received approximately 2,500 notices to update its records. Officers estimate that it will take approximately 300 additional hours to input, all going well. There is a need to have these completed in a timely manner to enable the revaluation data to be uploaded to Council.

#### Revaluation of the District's Properties

- 55 Council's valuer Quotable Values (QV) is in the process of completing the valuation of the District's properties. Key dates for the process are:
- Valuation date 1 September 2015
  - Valuation file sent to the Office of the Valuer-General 6 November 2015
  - Audit date by Office of the Valuer General 16 November 2015
  - Date of Public Notice 2 December 2015
  - Owners' notices posted approximately 9 December 2015
  - Late date for objections 21 January 2016.
- 56 QV advise that it is well through the process. Although QV has not quantified the changes it does indicate that given the diversity of Southland, changes as a result of the revaluation will differ across the District depending on the type of property and its location. QV will be more specific about this when it undertakes a briefing to Council in mid-November or early December.

Annual Plan

- 57 The preparation of the 2016/2017 Annual Plan is underway
- 58 Preliminary discussions with CBs and CDAs has been undertaken in regards to updating their planned estimates and projects as indicated in the 2015-2025 Long Term Plan. The information received back from these discussions are currently being collated with the first local meeting being held on 3 November 2015.
- 59 District managers are currently reviewing and revising estimates for the Annual Plan with the close off date being this Friday for any changes. The Executive Leadership Team will review the scope of these changes on 14 October.
- 60 On 8 December a workshop is planned with Council to work through the first draft of the 2016/2017 district financials.

**Services and Assets Group**

General

- 61 The improvements in weather in recent weeks has allowed contractors to focus on broader maintenance issues other than just drainage and other issues caused by high rainfall. The unsealed roads have experienced a number of issues this winter because of high rainfall and freeze thaw issues.

Around the Mountains Cycle Trail

- 62 Good progress has been made recently with the construction of stages 6 and 7 of the Cycle Trail. Section 6 is finished and Section 7 will be finished by the end of October.
- 63 A date is still to be set by the Environment Court to hear the appeal by Fish and Game against the resource consent for the next stage.

Colac Bay

- 64 The section of Colac Bay Foreshore Road that has been affected by sea erosion has been reinstated as a single lane road. High tides and strong onshore winds will cause ongoing problems. For most events, maintenance such as sweeping will be adequate to clear the road.

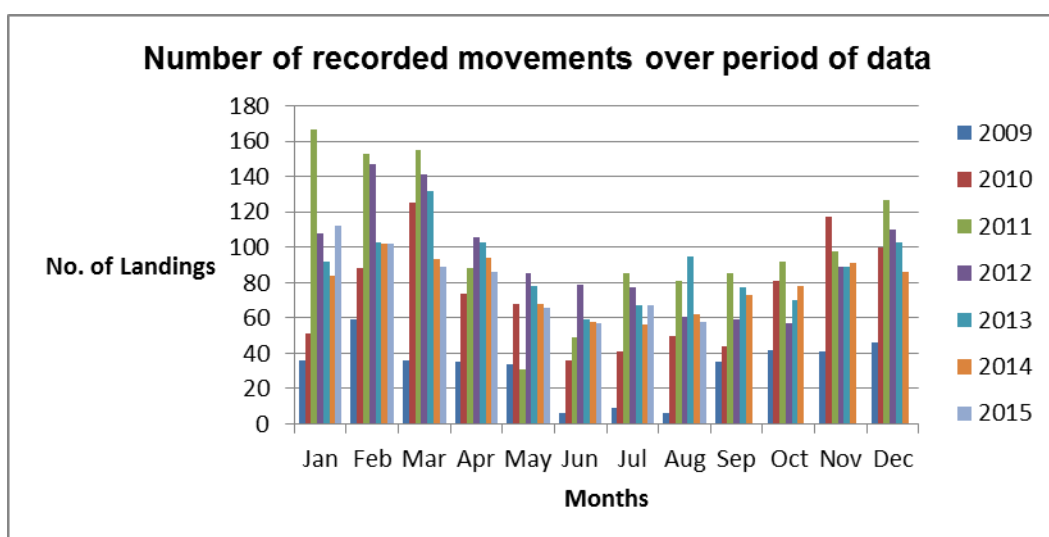
Asset Management Plan Project

- 65 The most significant asset management development activity happening at the moment is in the Three Waters area. The assets management system for the three waters, Hansen, is being upgraded to the latest version. The latest version will bring new functionality and make updating assets data easier and quicker and also allow revaluations to be carried out within the system.

Te Anau Airport - Manapouri

- 66 The season has begun with excellent weather providing uninterrupted arrivals and tour activity for the latest Tauck Tour Groups. There is the expectation of a slight increase in tour group traffic through the terminal building this year with indications that we may benefit from short timeframe Asian tour groups entering directly from China into Auckland and Christchurch International Airports.

- 67 Charter Airlines operators have mentioned that they have had some positive enquiries for the season. All staff are now fully trained on the apron and have had at least one aircraft turn around each to experience what it is like to work around larger aircraft.
- 68 General aviation (small aircraft) activity is again anticipated to be slow this year with less discretionary income available to fly privately and some major costs associated with the Cessna aircraft types requiring extensive rebuild and aging aircraft requirements over the last couple of years. Cessna aircraft cater for over half of our small aircraft movements. There have been a number of small recreational airports being affected by this issue along with less discretionary income issues.
- 69 There has been little progress with GroupEAD Limited regarding the maintenance of our GPS approach but we expect to hear from this company prior to Christmas with a plan going forward. The approach is still compliant and operational and benefiting all that use it.
- 70 Kiwi Regional Airline has been keeping the Airport Management staff up to date with their roll out of services to the domestic market and has recently made positive comment that Te Anau Airport Manapouri is still within its sights to operate a limited service to the region. We hope to be included in their second phase of growth in the next 12 months or so.



### Safety and Security

- 71 All staff have been completely trained both by the Airport staff on apron management and aircraft loading by Alliance staff.
- 72 The Airport has just completed a joint exercise with the emergency services for a simulated aircraft crash on the airfield and a brief report will be furnished in the next month.

### **SIESA (PowerNet)**

#### Safety

- 73 The PowerNet staff located at the Powerhouse have not had any incidents in the July - August period.

**Item 8.1**

- 74 New procedures for working on Live Low Voltage equipment have been prepared and issued in August/September. Upgrade of Live Low Voltage tooling is in progress. Refresher safety training is scheduled for October and will address compliance requirements with CPR refreshers, Basic Life Support, Emergency Rescue and Electrical Safe Work Practices.

People

- 75 There are two PowerNet staff working at the Powerhouse. In recent times, additional coverage has been provided by personnel from Invercargill to free a person to attend training and also to ensure back-up is available for any emergency situation.

Assets

- 76 The connection of the new Scania generator set (No. 5) in the new shed, on-site at the power station is still ongoing. The full integration of this generator set into the grid is technically quite a challenging exercise and requires additional expert engineering support from outside of PowerNet.

Asset Management Improvement Plan Update

- 77 Council (SIESA) and PowerNet held a workshop with the Stewart Island CB to discuss the "High Risk Points" in the current electricity distribution network on Stewart Island and discussed options for improvements to the 11,000 V High Voltage (HV) and the Low Voltage (LV) networks.
- 78 Council and PowerNet presented four potential options for a "ring feed" of the High Voltage network to mitigate the potential risks of a total loss of power in the Oban township and to improve the reliability of the power supply to the users.
- 79 PowerNet has been tasked to provide a comprehensive cost evaluation for variations of the two most likely options.
- 80 The line survey work (to assess the condition of the overhead lines, insulation and poles) was completed in 2014 with provision of an assessment of the asset conditions. All the assets have been given global positioning system (GPS) locations and also photographs of the assets are ready to load into the GIS system.

Projects

- 81 Several projects are in preparation for FY 2015/2016:
- Connection of generator set No. 5
  - Electrical installation in new generator shed
  - Replacement of the old 2 x 16,000L single skinned diesel storage tanks (non-compliant) with 2 x 20,000L double skinned tanks
  - Replacement of two fuel pumps
  - Installation of new plumbing for all new fuel tanks and pumps.

**Forestry (IFS)**

Safety

- 82 There were not any health and safety incidents reported by any staff or contractors for this period.

- 83 Operators within the estate have included two planting crews, a maintenance contractor, and a pest monitoring and control contractor. All of these contractors have been inducted to the specific health and safety requirements for each site. In particular, all registered forest hazards and their controls have been communicated, emergency response locations and general safety considerations discussed.
- 84 Hazard management is ongoing until elimination of the hazard is achieved. A new hazard "Bluffs/Waterfall/Dropoff" has been added to the register for Dipton during this period.



#### Assets

- 85 The Forestry Estate starts the 2015/2016 year at a timber value of \$11.33M and \$2.5M at current value for the land. The 2015/2016 harvesting programme of approximately 40,000 tonnes is still to be approved.

#### Asset Management Improvement Plan Update

- 86 The Forestry Committee is currently working through clarifying the strategic purpose of the Forestry Business Unit. An outcome of this work will be to align this strategy to new asset improvement goals. Areas of improvement may include: recreational use, asset sale and acquisition, local support, research support, and urban forest management.

#### **Property**

##### Assets

##### *Public Conveniences*

- 87 Work is underway by the relevant Area Engineers for the construction of the two new public toilets at Dipton and Ivy Russell Reserve at Winton. The latter will service the popular Winton walking track which runs through this reserve.

##### *Community Centres*

- 88 Plans have been finalised and pricing is being sought to undertake an upgrade of the Winton Memorial Hall. The work also includes increasing the seismic capacity of the building.
- 89 Draft documents have also been received for the disposal of the closed Otatau Town Hall.

##### *Council Offices and Other Buildings*

- 90 The project to paint the interior and recarpet the Otautau Library is underway, and all the estimates have been received for the Te Anau Library upgrade. These are currently being assessed against the project funding.

**Water and Waste**

Te Anau Wastewater Update

- 91 Council's application for resource consent to irrigate treated wastewater to land north of the airport at Kepler has been granted approval. Three appeals have been lodged with the Environment Court with all stating a willingness to enter mediation talks. Court appointed mediation is on hold until 8 December.
- 92 Pattle Delamore Partnership (PDP) from Auckland has been appointed to undertake a peer review of the current consented option as compared with the other reasonably practicable options. PDP has an extensive water and wastewater engineering background and experience in undertaking peer reviews similar to that required at Te Anau.
- 93 PDP has recently spent four days in Te Anau and Invercargill talking to members of the public and various stakeholders and is currently developing a first draft of the review document. It is anticipated that this will be made available to the Committee in the near future. PDP has also produced two progress reports which have been forwarded to the Te Anau Wastewater Discharge Project Committee.
- 94 As an aside to this ongoing review, ES has delayed flood defence work on the Upukerora River downstream of the state highway bridge until the outcome of the review is known.
- 95 A short term consent for continued discharge to the Upukerora and a discharge to air for the oxidation pond site has been granted by ES.

Curio Bay

- 96 Council is currently working with DOC and the South Catlins Development and Environmental Charitable Trust to implement a sustainable long term wastewater treatment solution for the Curio Bay reserve. This work is part of a wider project to help improve the overall visitor experience at the reserve.
- 97 Resource consent has been granted for an upgrade of the wastewater treatment facilities for the reserve with the long term goal of also connecting the wider community. The treatment solution based on membrane technology would treat the effluent to a high standard which is in keeping with the unique status of the area.
- 98 Opus International Consultants has been engaged as Project Manager for the upgrade work. To date initial survey work has been undertaken and Opus is developing and finalising information on pipeline routes etc. Discussions were also held with potential suppliers and will lead into the development of an overall business case outlining a proposed procurement plan.

Riverton Water Supply

- 99 Work has now been completed on the installation of a new borehole for the Riverton water supply. Following this a contract has been awarded to upgrade the treatment plant so as to meet new Drinking-water Standards.



- 100 Stage one of chlorine dosing and aeration to correct pH and remove iron has now been completed. Further testing is being undertaken to enable finalisation of detailed design for stage two.
- 101 Stage two scope has been agreed and detailed design of the membrane filtration plant has started with work expected to be completed this financial year.

#### Stormwater Consenting

- 102 ES is currently processing consent applications for 17 of Council's stormwater schemes. Site visits for all schemes have been undertaken and at a follow-up meeting officers tabled what is believed to be an appropriate monitoring regime and consent conditions consistent with the scale of the activities and the potential financial implications for a small ratepayer base.

#### Wastewater Resource Consent Renewals

- 103 Applications have been lodged at ES for the following wastewater resource consents:
- Ohai - currently seeking affected party written approval
  - Riversdale - pre-hearing meeting held February 2015, suggested draft conditions submitted to ES. While the current application is being progressed an alternative proposal is also being developed to help ensure that value for money can be demonstrated
  - Nightcaps - pre-hearing meeting held 28 April, draft conditions currently being drafted. Feedback from draft conditions has been provided to ES. Once conditions are accepted by both parties the final affected party sign-off will be sought
  - Riverton Rocks - written approvals have been received from all affected parties and Council is currently awaiting feedback from ES on Council's comments on the proposed draft consent conditions.

#### Wastewater Projects

- 104 Two significant wastewater treatment projects are currently underway.
- 105 Te Anau and Winton inlet screens - all earthworks complete and screens installed with some outstanding electrical work at both sites and remaining pipework at Te Anau.
- 106 Regional desludging - preliminary work to construct watertight, lined earth bunds at Winton and Te Anau largely complete with actual desludging, having started at Winton in August.

#### ES - Water and Land 2020 and Beyond

- 107 ES has recently released its draft consultation document Water and Land 2020 and Beyond. The aim is to respond to water quality and quantity issues facing the region and will form the initial basis for further work around a catchment limit setting process across the region.
- 108 The draft plan sets out proposed policies and rules for extraction, discharge to water and land, and defines what activities are likely to be permitted, require a consent or are prohibited. A number of rules are likely to directly impact on a range of Council activities so it is important for Council to have active participation in the consultation process. The closing date for comment to ES is 30 October 2015. A Council submission is the subject of a separate agenda item.

#### Health and Safety

- 109 Nothing new to report.

Staff Matters

- 110 Staff from the Water and Waste Department attended the Annual Water New Zealand Conference in Hamilton. One of the key themes flowing through the conference was the need for reform within the sector and what that may look like for Councils across the country. A number of speakers drew heavily from the experiences of other areas both nationally and internationally where such reforms have been introduced previously. As well as considering a number of different operating models a number of speakers also focussed on how the regulatory environment may look with specific references to the United Kingdom (and Australia to a lesser extent) where an economic regulator has been set up to protect consumer interests.
- 111 A key highlight of the Conference was the award of Trainee of the Year to Downer operator Aaron Green. Aaron is the water treatment operator responsible for the operation and maintenance activities in and around the Te Anau Basin. This is the sixth time that Downer has been nominated or received such awards and reflects highly on the level of skill, experience and commitment that they bring to Council activities.



**Operations and Community Services**

Staff Matters

Area Engineer Josh Webb has tendered his resignation and will leave Council on 16 October 2015. Josh has accepted a position at New Zealand Transport Agency as Contract Manager for the Southland State Highway Network.

**Recommendation**

**That the Council:**

- a) **Receives the report titled “Management Report” dated 15 October 2015.**

**Attachments**

There are no attachments for this report.

## Building Consents and Values for August 2015

**Record No:** R/15/9/16040  
**Author:** Kevin O'Connor, Manager - Building Control  
**Approved by:** Bruce Halligan, GM - Environment and Community

☐ Decision ☐ Recommendation ☒ Information

### Summary/Comments:

Building consent numbers and project values for August 2015 have dropped by 9% and 33% respectively from those of August 2014. Two months into the new financial year, consent numbers are back by 15% and project values by 23% overall. Dwelling alterations, heating unit and farm building consent numbers are consistent with August 2014, with new dwellings, commercial and houses for removal dropping back slightly.

	<u>No.</u>	<u>2015</u> <u>\$</u>	<u>No.</u>	<u>2014</u> <u>\$</u>
1. Dwellings	9	2,985,000	13	3,763,000
2. Additions to Dwellings	12	354,000	12	444,200
3. Commercial/Industrial Buildings	15	1,411,000	18	3,161,700
4. Swimming/Spa Pools	0	0	0	0
5. Heating Units	22	94,560	24	91,400
6. Garages	5	108,685	8	206,836
7. Farm Buildings	24	841,875	18	825,795
8. Houses for Removal	3	44,000	6	214,500
9. Cowsheds	0		0	0
10. Miscellaneous	2	16,500	1	12,000
11. Certificates of Acceptance	0		1	19,000
<b>TOTAL</b>	<b><u>92</u></b>	<b><u>16,500</u></b>	<b><u>101</u></b>	<b><u>8,738,431</u></b>

	<u>2015</u>	<u>2014</u>	<u>Variation %</u>
Total consents for month	92	101	8.91-
Total consents for year	186	218	14.68-
Total project values for month	5,855,620	8,738,431	32.99-
Total project values for year	13,931,875	18,207,952	23.48-
Average Residential Cost	331,666	289,461	
Average House Area (m <sup>2</sup> )	305.6	228.2	
Number of Inspections Carried Out	431	486	

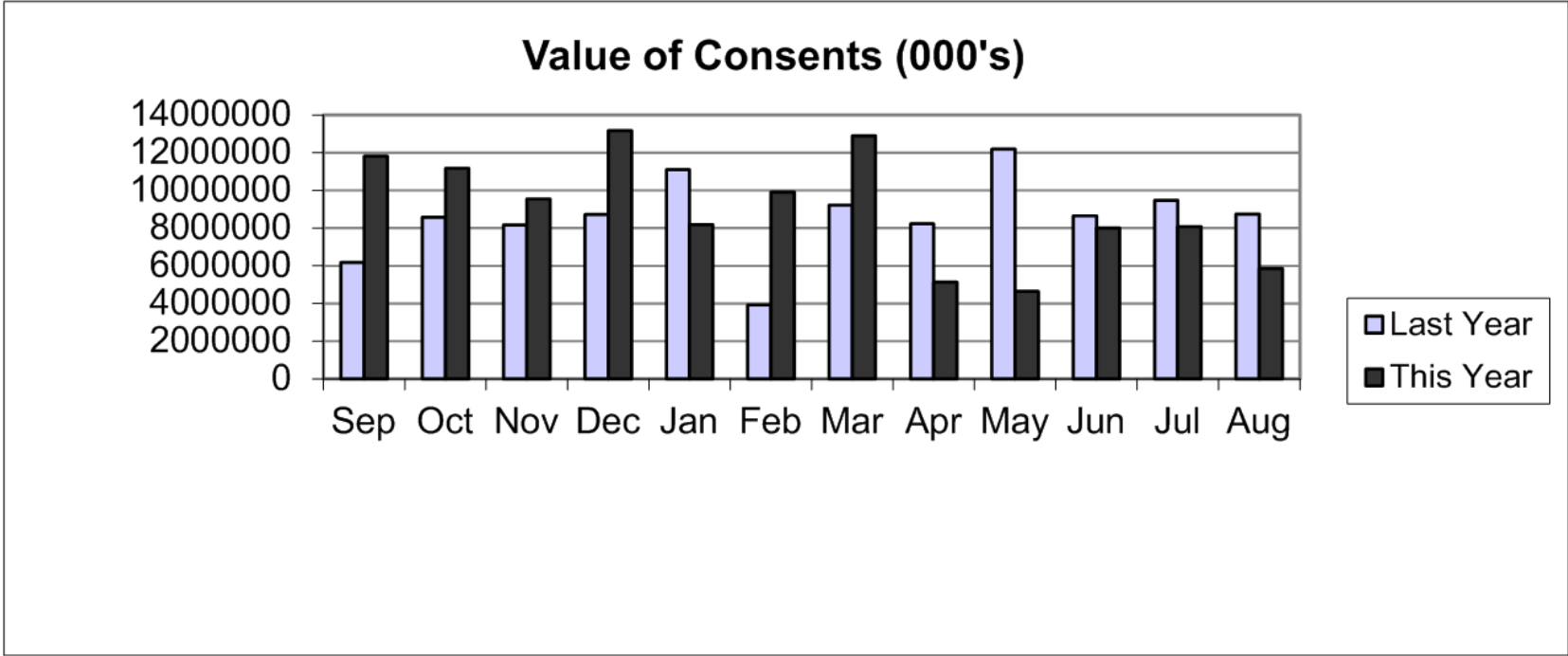
## Recommendation

That the Council:

- a) Receives the report titled “Building Consents and Values for August 2015” dated 28 October 2015.

## Attachments

- A Appendix A - Consents Database Graph August 2015 [View](#)
- B Appendix B - Building Consents Issued Numbers August 2015 [View](#)
- C Appendix C - Building Consents Issued Values August 2015 [View](#)

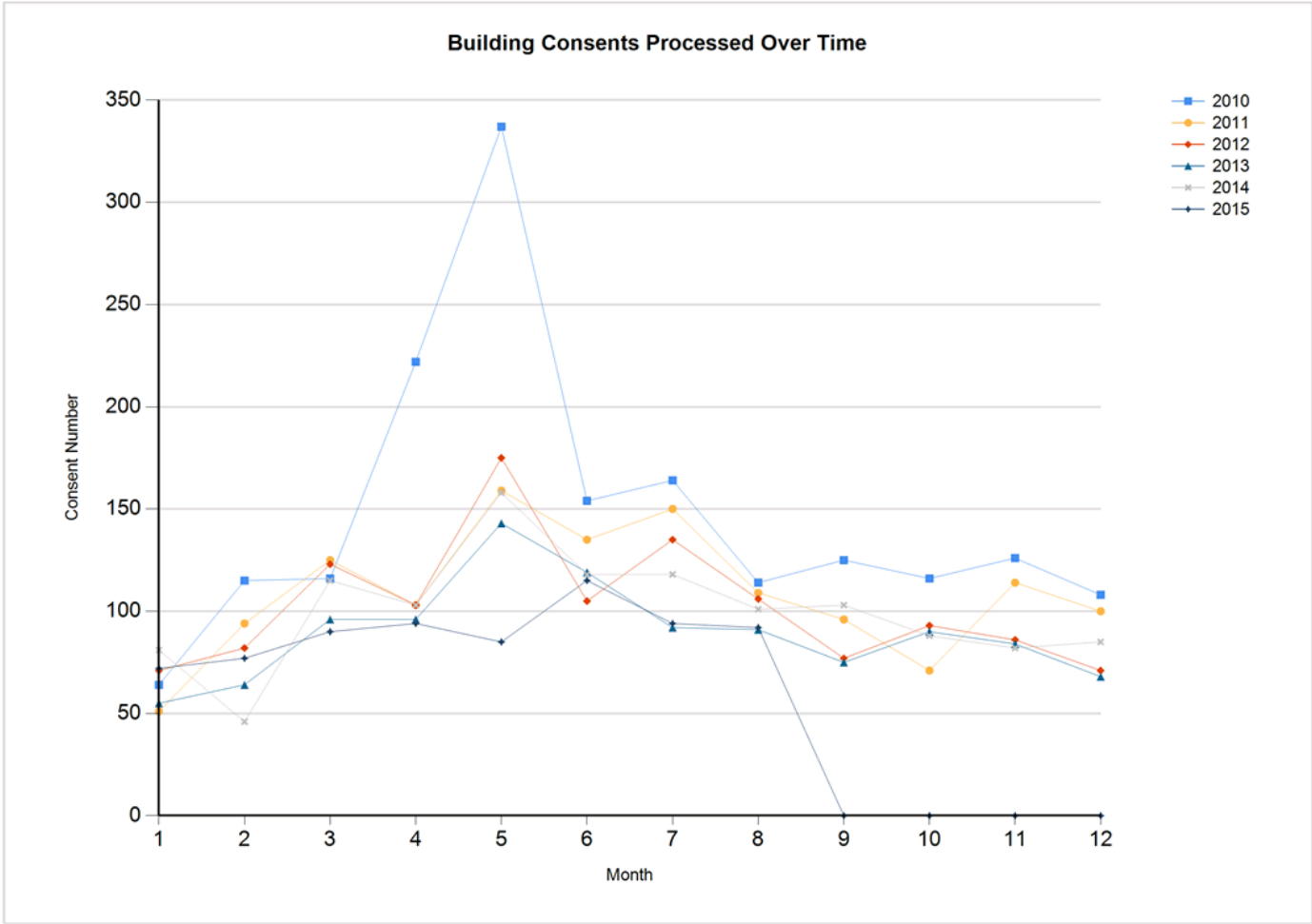


Item 8.2 Attachment B

Building Consent Issued Numbers

Decision Month	2010	2011	2012	2013	2014	2015	Total
January	64	51	71	55	81	72	394
February	115	94	82	64	46	77	478
March	116	125	123	96	115	90	665
April	222	103	103	96	103	94	721
May	337	159	175	143	158	85	1057
June	154	135	105	119	118	115	746
July	164	150	135	92	118	94	753
August	114	109	106	91	101	92	613
September	125	96	77	75	103	0	476
October	116	71	93	90	88	0	458
November	126	114	86	84	82	0	492
December	108	100	71	68	85	0	432
Total	1761	1307	1227	1073	1198	719	7285

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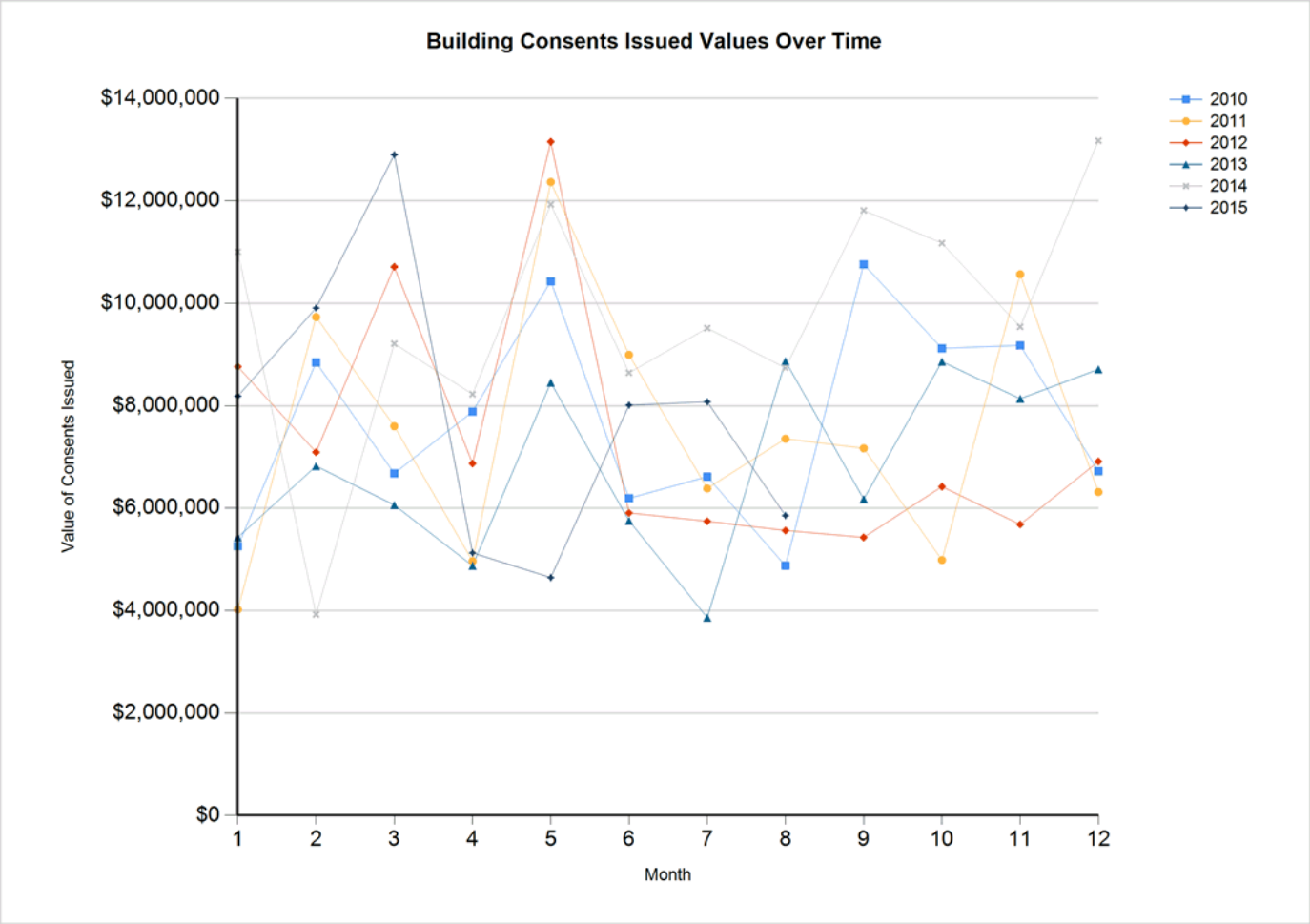
## Item 8.2 Attachment C

**Building Consent Issued Values**

Decision Month	2010	2011	2012	2013	2014	2015	Total
January	\$5,256,784	\$4,021,572	\$8,761,841	\$5,430,178	\$11,004,801	\$8,187,785	\$42,662,961
February	\$8,845,263	\$9,732,414	\$7,094,309	\$6,822,148	\$3,923,722	\$9,907,900	\$46,325,756
March	\$6,679,276	\$7,600,703	\$10,712,479	\$6,061,045	\$9,212,772	\$12,900,191	\$53,166,466
April	\$7,884,145	\$4,964,437	\$6,871,776	\$4,875,339	\$8,223,725	\$5,127,436	\$37,946,858
May	\$10,430,856	\$12,367,256	\$13,153,910	\$8,452,973	\$11,929,819	\$4,644,349	\$60,979,163
June	\$6,193,053	\$8,993,150	\$5,907,098	\$5,755,189	\$8,642,715	\$8,010,777	\$43,501,982
July	\$6,615,111	\$6,385,423	\$5,745,579	\$3,863,110	\$9,514,841	\$8,076,255	\$40,200,318
August	\$4,876,893	\$7,355,012	\$5,564,201	\$8,869,939	\$8,738,431	\$5,855,620	\$41,260,095
September	\$10,760,111	\$7,169,800	\$5,429,701	\$6,177,080	\$11,813,442		\$41,350,134
October	\$9,120,420	\$4,986,424	\$6,420,178	\$8,861,336	\$11,173,980		\$40,562,337
November	\$9,178,018	\$10,567,085	\$5,682,807	\$8,136,544	\$9,540,239		\$43,104,693
December	\$6,720,887	\$6,314,712	\$6,911,079	\$8,710,688	\$13,174,785		\$41,832,151
<b>Total</b>	<b>\$92,560,817</b>	<b>\$90,457,987</b>	<b>\$88,254,958</b>	<b>\$82,015,569</b>	<b>\$116,893,272</b>	<b>\$62,710,313</b>	<b>\$532,892,915</b>

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## Building Consents and Values for September 2015

Record No: R/15/10/17779  
Author: Kevin O'Connor, Manager - Building Control  
Approved by: Bruce Halligan, GM - Environment and Community

☐ Decision ☐ Recommendation ☒ Information

### Summary/Comments:

Building consent numbers for September 2015 are back by 23% and project values by 37% from those of September 2014. Three months into the new financial year, total consent numbers are back by 17% and project values by 29%. Dwelling alterations and farm building consents numbers are up slightly from September 2014, but new dwellings, commercial buildings, heating units, garages and houses for removal have dropped back in numbers with no dairy shed consents having been issued.

	<u>No.</u>	<u>2015</u> <u>\$</u>	<u>No.</u>	<u>2014</u> <u>\$</u>
1. Dwellings	12	3,980,340	16	4,905,376
2. Additions to Dwellings	22	727,365	20	1,085,000
3. Commercial/Industrial Buildings	9	449,900	14	3,417,700
4. Swimming/Spa Pools	0	0	0	0
5. Heating Units	14	55,300	23	81,200
6. Garages	3	105,894	5	141,117
7. Farm Buildings	18	1,994,274	13	1,396,799
8. Houses for Removal	1	80,000	4	70,000
9. Cowsheds	0	0	2	680,000
10. Miscellaneous	0	0	4	18,250
11. Certificates of Acceptance	0	0	2	18,000
<b>TOTAL</b>	<b><u>79</u></b>	<b><u>7,393,073</u></b>	<b><u>103</u></b>	<b><u>11,813,442</u></b>

	<u>2015</u>	<u>2014</u>	<u>Variation %</u>
Total consents for month	79	103	23.30-
Total consents for year	265	321	17.44-
Total project values for month	7,393,073	11,813,442	37.42-
Total project values for year	21,324,948	30,021,394	28.97-
Average Residential Cost	331,695	306,586	
Average House Area (m <sup>2</sup> )	223.44	211.93	
Number of Inspections Carried Out	393	559	

## Recommendation

That the Council:

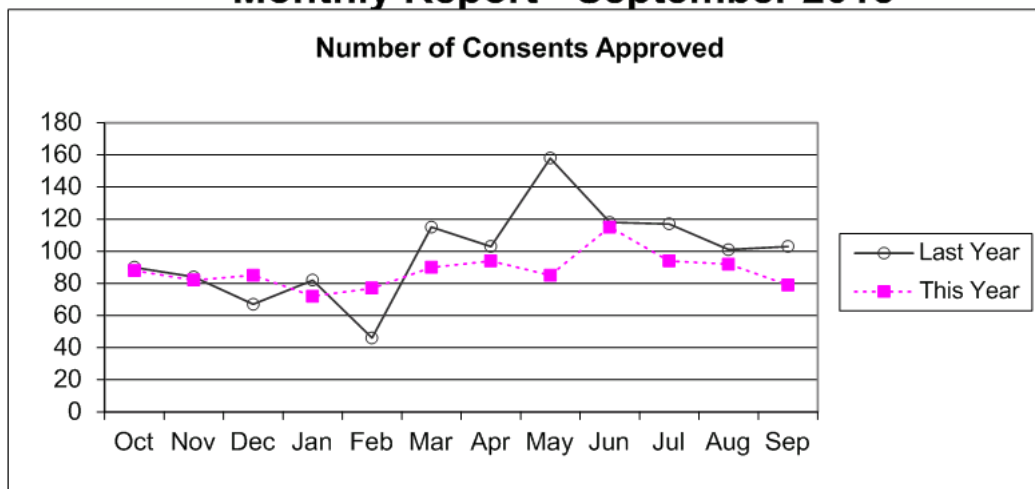
- a) Receives the report titled “Building Consents and Values for September 2015” dated 28 October 2015.

## Attachments

- A Appendix A - Consents Database Graph September 2015 [View](#)
- B Appendix B - Building Consents Issued Numbers September 2015 [View](#)
- C Appendix C - Building Consents Issued Values September 2015 [View](#)

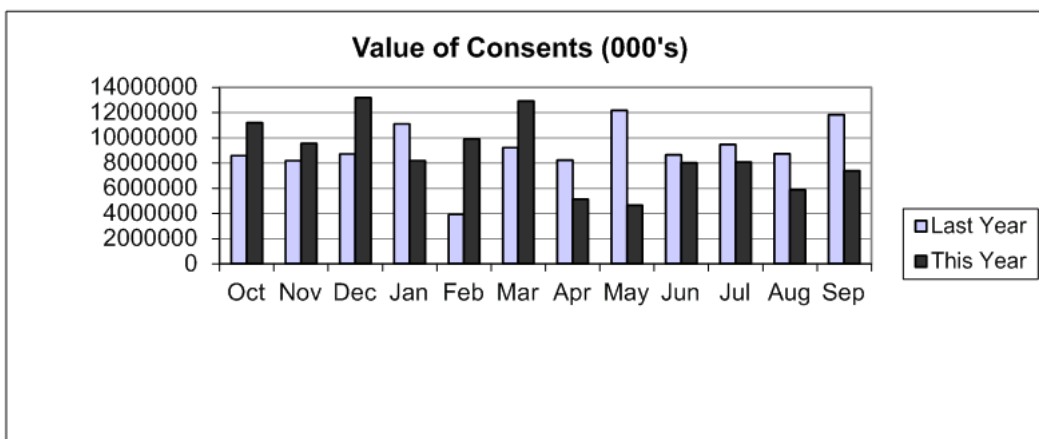
## Southland District Council Building Consents

### Monthly Report - September 2015



#### Percentage Changes - Total Consents

From:	Last month	-14.13%
	This month last year	-23.30%
	Cumulative year this month last year	-11.06%



#### Percentage Changes - Total Dollars

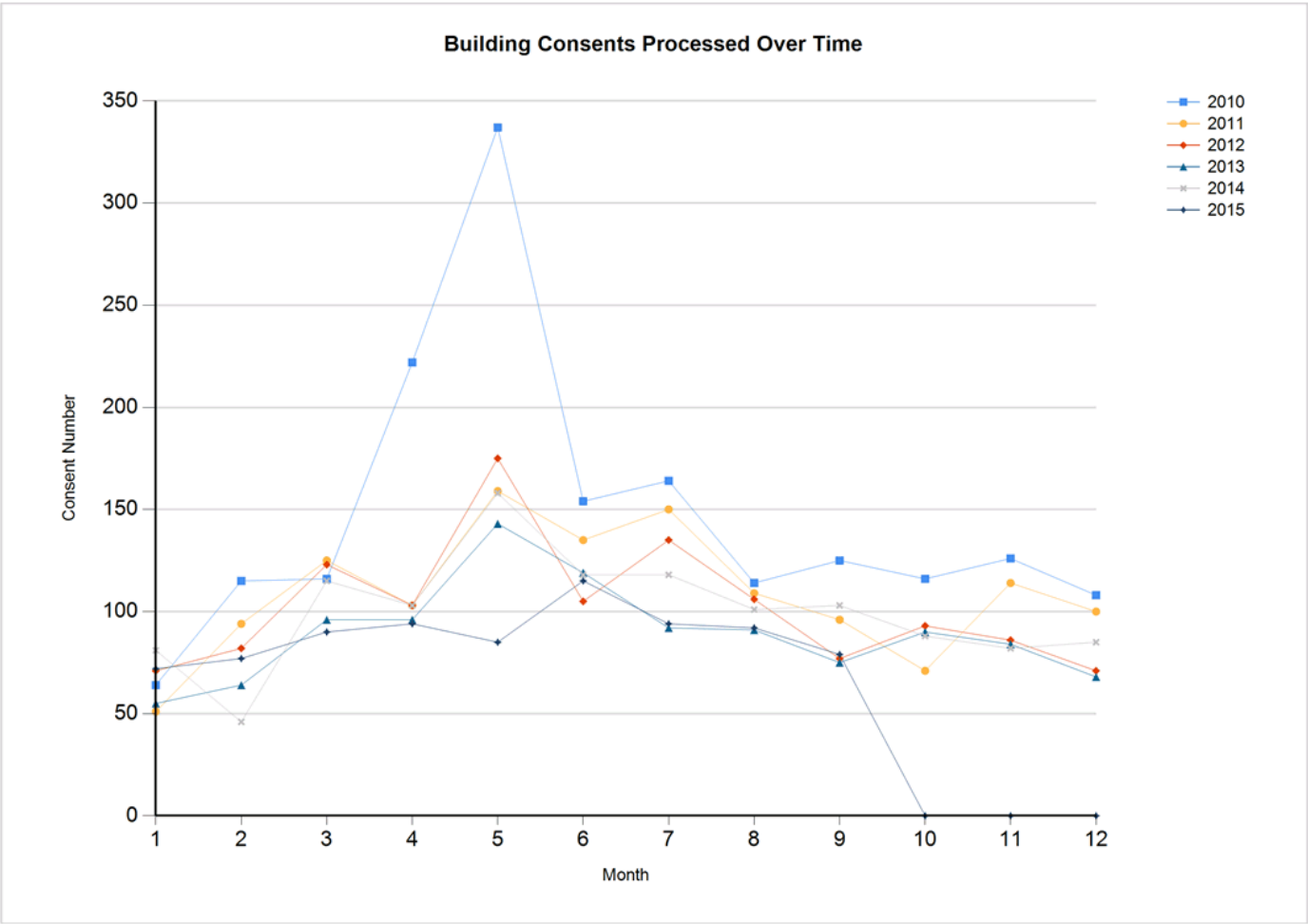
From:	Last month	26.26%
	This month last year	-37.42%
	Cumulative year this month last year	-4.40%

## Item 8.3 Attachment B

**Building Consent Issued Numbers**

Decision Month	2010	2011	2012	2013	2014	2015	Total
January	64	51	71	55	81	72	394
February	115	94	82	64	46	77	478
March	116	125	123	96	115	90	665
April	222	103	103	96	103	94	721
May	337	159	175	143	158	85	1057
June	154	135	105	119	118	115	746
July	164	150	135	92	118	94	753
August	114	109	106	91	101	92	613
September	125	96	77	75	103	79	555
October	116	71	93	90	88	0	458
November	126	114	86	84	82	0	492
December	108	100	71	68	85	0	432
<b>Total</b>	<b>1761</b>	<b>1307</b>	<b>1227</b>	<b>1073</b>	<b>1198</b>	<b>798</b>	<b>7364</b>

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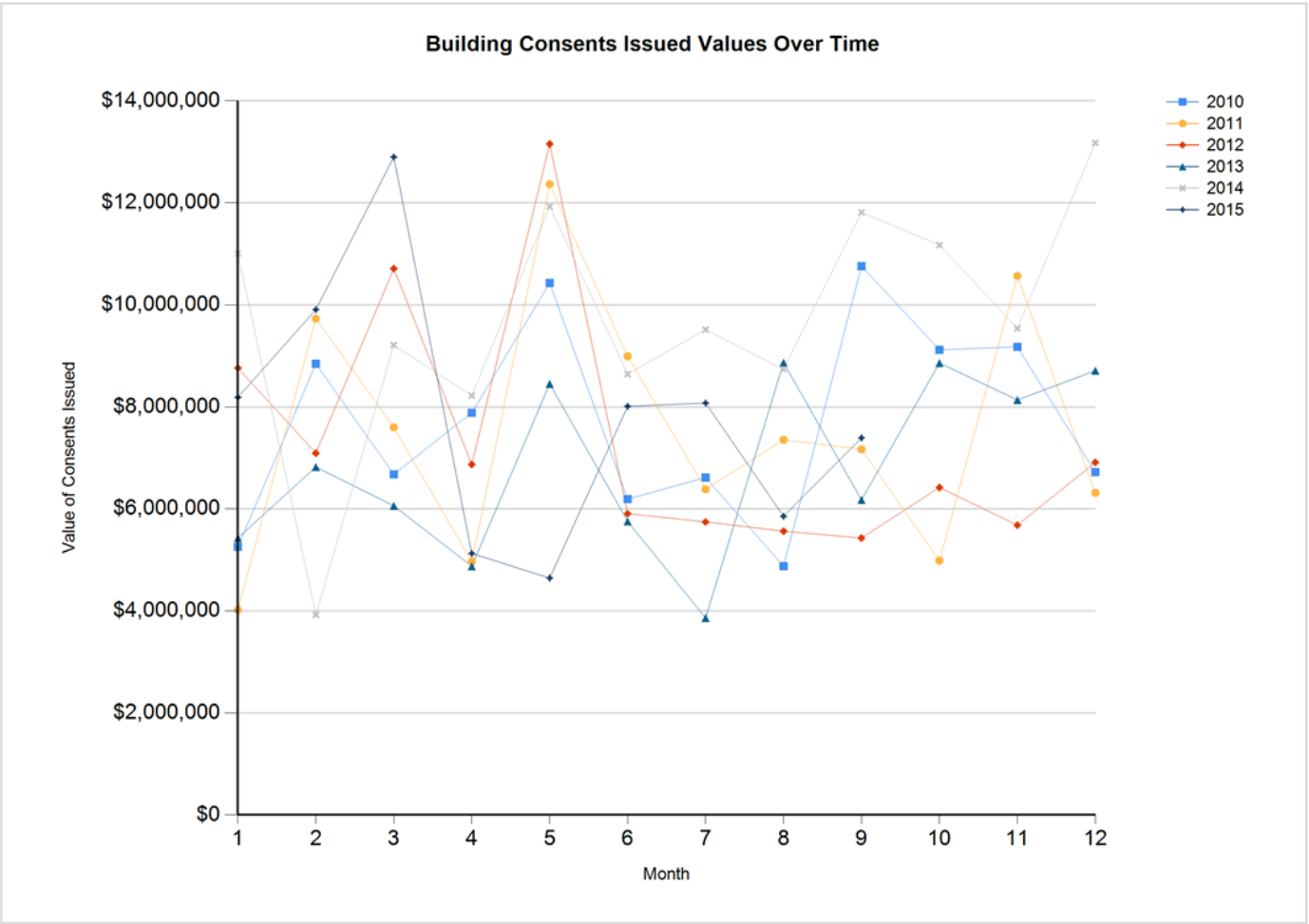
## Item 8.3 Attachment C

**Building Consent Issued Values**

Decision Month	2010	2011	2012	2013	2014	2015	Total
January	\$5,256,784	\$4,021,572	\$8,761,841	\$5,430,178	\$11,004,801	\$8,187,785	\$42,662,961
February	\$8,845,263	\$9,732,414	\$7,094,309	\$6,822,148	\$3,923,722	\$9,907,900	\$46,325,756
March	\$6,679,276	\$7,600,703	\$10,712,479	\$6,061,045	\$9,212,772	\$12,900,191	\$53,166,466
April	\$7,884,145	\$4,964,437	\$6,871,776	\$4,875,339	\$8,223,725	\$5,127,436	\$37,946,858
May	\$10,430,856	\$12,367,256	\$13,153,910	\$8,452,973	\$11,929,819	\$4,644,349	\$60,979,163
June	\$6,193,053	\$8,993,150	\$5,907,098	\$5,755,189	\$8,642,715	\$8,010,777	\$43,501,982
July	\$6,615,111	\$6,385,423	\$5,745,579	\$3,863,110	\$9,514,841	\$8,076,255	\$40,200,318
August	\$4,876,893	\$7,355,012	\$5,564,201	\$8,869,939	\$8,738,431	\$5,855,620	\$41,260,095
September	\$10,760,111	\$7,169,800	\$5,429,701	\$6,177,080	\$11,813,442	\$7,393,073	\$48,743,207
October	\$9,120,420	\$4,986,424	\$6,420,178	\$8,861,336	\$11,173,980		\$40,562,337
November	\$9,178,018	\$10,567,085	\$5,682,807	\$8,136,544	\$9,540,239		\$43,104,693
December	\$6,720,887	\$6,314,712	\$6,911,079	\$8,710,688	\$13,174,785		\$41,832,151
<b>Total</b>	<b>\$92,560,817</b>	<b>\$90,457,987</b>	<b>\$88,254,958</b>	<b>\$82,015,569</b>	<b>\$116,893,272</b>	<b>\$70,103,386</b>	<b>\$540,285,988</b>

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## Resource Consents and Other Resource Management Act Items - August 2015

Record No: R/15/9/16550  
Author: Jenny Green, Senior Resource Management Planner - Consents  
Approved by: Bruce Halligan, GM - Environment and Community

☐ Decision ☐ Recommendation ☒ Information

### Resource Consents and Other Resource Management Act Items - August 2015

- 1 Attached for the Councillors' information is a schedule of the non-notified resource consents and other Resource Management Act items processed by the Resource Management Department staff, under delegation from the Council, during August 2015.
- 2 An average processing time of 17.82 working days from receipt of all required information was achieved for the 17 non-notified consents processed. Two consents were processed outside of the 20 working day statutory timeframe - one application was placed on-hold at the request of the applicant and for one application a miscalculation of processing days due to an inputting error.
- 3 Also processed during this timeframe were (1) Section 127 Change of Condition application; (1) Limited Notified application; (1) Certificate of Compliance application; (1) Outline Plan application; (1) Section 125 Extension of Timeframe application; (16) Section 348 Right of Way applications; (2) withdrawn applications and (1) Section 88 application.
- 4 Please note the number of applications processed was steady this month with 17 non-notified consents being processed.
- 5 If any Councillor has any specific query regarding an individual application, they should contact the relevant staff member who processed the application, as identified on the schedule.

### Recommendation

That the Council:

- a) **Receives the report titled "Resource Consents and Other Resource Management Act Items - August 2015" dated 14 September 2015.**

### Attachments

- A Council - 7 October 2015 - Resource Consents and Other Resource Management Act Items - August 2015 [View](#)

Application Number	Applicant	Address	Ward	Description of Application	Working Days (from receipt of all information)	Total Costs Incurred	Processing Officer	Decision Date
2014/53062	Freedom Acres Limited	402 Glenlapa Road Wendonside	Mararoa Waimea	New dwelling - workers cottage	5	675.00	Kelwyn Osborn	20/08/2015 withdrawn
2014/53124	Sixth Sense Sensations Limited	73 Kaipo Drive Te Anau	Mararoa Waimea	Section 348 - Right of Way	9	510.00	Marcus Roy	3/08/2015
2014/53141	C C Tauri and J M Tauri	30 Patience Bay Drive Te Anau	Mararoa Waimea	Boundary Adjustment Subdivision - split consent see 14/142 and 15/115	18	337.50	Theresa Cameron	28/08/2015
2014/53142	C C Tauri and J M Tauri	30 Patience Bay Drive Te Anau	Mararoa Waimea	Relocate an existing building platform within 150 m of existing dwellings - split consent please see 14/141 and 15/115	18	337.50	Theresa Cameron	28/08/2015
2015/53063	Te Wae Wae Dairies Limited	1234 Tuatapere Orepuki Highway Te Tua - Te Waewae	Waiau Aparima	Earthworks - Gravel extraction - 60,000 m <sup>3</sup>	5	180.00	Kelwyn Osborn	19/08/2015 withdrawn
2015/53069	Crawford Enterprises Limited	51 Coal Pit Road Edendale	Waihopa Toetoes	Section 348 - Right of way	18	360.00	Kelwyn Osborn	5/08/2015
2015/53071	M I Reid	34 Tither Road Riversdale	Mararoa Waimea	Boundary adjustment	12	870.00	Theresa Cameron	20/08/2015
2015/53099	M R Smith and W A Smith	10 Margery Street Riverton Rocks	Waiau Aparima	Urban and rural subdivision - Boundary adjustment	44	881.60	Theresa Cameron	17/08/2015
2015/53107	SouthRoads Limited	21 O'Connor Road Longridge	Mararoa Waimea	Earthworks - Gravel extraction 100 000 m <sup>3</sup> gravel, 15 000 m <sup>3</sup> per annum	4	883.00	Theresa Cameron	4/08/2015
2015/53111	Te Anau Top Ten Holiday Park Limited	39 Mokonui Street Te Anau	Mararoa Waimea	To relocate 8 campervan parks and additional accommodation building block (two units).	20	675.00	Olivia Krielen	31/08/2015
2015/53115	C C Tauri and J M Tauri	30 Patience Bay Drive Te Anau	Mararoa Waimea	Indigenous vegetation clearance-related to Resource Consent 360/10/14/151 and 360/10/14/142	45	1044.00	Theresa Cameron	28/08/2015 (Limited Notified)
2015/53117	Keith Boyd Trust	140 Mewton Road Hamilton Burn - Mossburn	Mararoa Waimea	Earthworks - Gravel extraction - 15,000 m <sup>3</sup>	19	675.00	Marcus Roy	13/08/2015
2015/53119	Milford Sound Lodge Limited	196 Milford Sound Highway Milford Sound	Mararoa Waimea	Section 127 - Land Use Consent-Condition 1 - of Resource Consent 360/10/13/200 - replace eight consented campervan sites with six en-suited chalets (some with disabled access)	9	810.00	Marcus Roy	5/08/2015
2015/53120	M D Jordan and N C Jordan	21 Argyle Otahuti Road Waianiwa	Winton Wallacetown	To construct a workers cottage on site 10.1083 Ha property	17	675.00	Olivia Krielen	18/08/2015
2015/53123	Woodlands Rugby Football Club Incorporated	17 Wyeth Road Woodlands	Waihopa Toetoes	Upgrade lighting	21	689.53	Olivia Krielen	3/08/2015
2015/53125	M T Doyle and J R Franklin	7 Walker Street Riverton Rocks	Waiau Aparima	Urban Subdivision - two new allotments	20	656.53	Olivia Krielen	4/08/2015
2015/53131	RD Petroleum Limited	32 Devon Street Mossburn	Mararoa Waimea	Install a 10 000 litre diesel storage tank	17	500.00	Jennifer Green	20/08/2015
2015/53134	Public Trust	34 Kamahi Road Stewart Island	Stewart Island Rakiura	Section 348 - Right of way easement.	20	360.00	Marcus Roy	13/08/2015

Application Number	Applicant	Address	Ward	Description of Application	Working Days (from receipt of all information)	Total Costs Incurred	Processing Officer	Decision Date
2015/53135	L T Horne	16A Sutherland Street Te Anau	Mararoa Waimea	Urban subdivision - Two allotments.	18	500.00	Olivia Krielen	11/08/2015
2015/53139	R W Gentle	17 Home Street Manapouri	Mararoa Waimea	Urban Subdivision - boundary adjustment - split consent see 360/10/15/148 - Land Use Consent - to breach the minimum 1.5 m side yard set back	11	740.00	Olivia Krielen	5/08/2015
2015/53140	Two Degrees Mobile Limited	12 Lex Street Riverton Rocks	Waiau Aparima	Certificate of Compliance to Upgrade an existing Vodafone Telecommunications Facility	19	360.00	Jennifer Green	18/08/2015
2015/53141	Kina Craig Farm Trust	70 Young Road Branxholme	Winton Wallacetown	Rural Subdivision - Two new allotments	17	500.00	Olivia Krielen	14/08/2015
2015/53144	Porpoise Bay Limited	531 Waikawa Curio Bay Road Slope Point - Curio Bay	Waihopai Toetoes	Section 127 Application - change of conditions on RC 60/3/04/164 , 360/10/08/170 and 360/10/10/13. Conditions 2.3, 2.6, 9, 10, 26. Split consent please see 360/10/15/174.	21	285.00	Marcus Roy	31/08/2015
2015/53145	Invercargill City Council	92 Turkey Bush Road Branxholme	Winton Wallacetown	Outline Plan - Upgrade of Water Treatment Plant	19	360.00	Theresa Cameron	24/08/2015
2015/53146	L M Gideon	6 Carrol Street Riverton North	Waiau Aparima	Extend on existing cottage	15	500.00	Olivia Krielen	19/08/2015
2015/53148	R W Gentle	17 Home Street Manapouri	Mararoa Waimea	To breach the minimum 1.5 m side yard set back - split consent see 360/10/15/139 (boundary adjustment)	11	370.00	Olivia Krielen	5/08/2015
2015/53149	Rotary Club of Winton Incorporated	160 Welsh Road East Winton	Winton Wallacetown	Right of way easement	15	600.00 (one fee for all applications)	Marcus Roy	24/08/2015
2015/53150	Rotary Club of Winton Incorporated	150 Welsh Road East Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53151	Rotary Club of Winton Incorporated	63 Winton Hedgehope Highway Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53152	Rotary Club of Winton Incorporated	55 Winton Hedgehope Highway Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53153	Rotary Club of Winton Incorporated	54 Moore Road Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53154	Rotary Club of Winton Incorporated	62 Moore Road Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53155	Rotary Club of Winton Incorporated	91 Great North Road Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53156	Rotary Club of Winton Incorporated	55 Church Street Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53157	Rotary Club of Winton Incorporated	44 Union Street Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53158	Rotary Club of Winton Incorporated	7 Longwood Drive Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53159	Rotary Club of Winton	19 Longwood Drive	Winton	Right of way easement	15		Marcus Roy	24/08/2015

Application Number	Applicant	Address	Ward	Description of Application	Working Days (from receipt of all information)	Total Costs Incurred	Processing Officer	Decision Date
	Incorporated	Winton	Wallacetown					
2015/53160	Rotary Club of Winton Incorporated	9 Gerrard Road Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015
2015/53161	Rotary Club of Winton Incorporated	142 Eglinton Street Winton	Winton Wallacetown	Right of way easement	15		Marcus Roy	24/08/2015 Sec 88
2015/53168	Real Journeys Limited	24 Milford Sound Highway Milford Sound	Mararoa Waimea	To install a satellite dish in Milford Sound	1	N/A	Nicola Petrie	20/08/2015
2015/53174	Porpoise Bay Limited	531 Waikawa Curio Bay Road Slope Point - Curio Bay	Waihopai Toetoes	Section 125 - to extend the lapsing timeframe of the Café/Restaurant on Lot 12. Split consent please see 360/10/15/144.	21	285.00	Marcus Roy	31/08/2015

## Land on the corner of Queen and Kruger Streets, Balfour

**Record No:** R/15/9/16192  
**Author:** Kevin McNaught, Strategic Manager Property  
**Approved by:** Ian Marshall, GM - Services and Assets

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 This report is to present a recommendation from the Balfour Community Development Area Subcommittee that the offer of a gift of the land, on the corner of Queen and Kruger Streets where the Balfour War Memorial is situated, be accepted and that the land be set apart as a Local Purpose Reserve.

### Executive Summary

- 2 The land on which the Balfour War Memorial monument is situated has been gifted to the Balfour RSA by the present owner. In turn the Balfour RSA would like to gift the land to the Balfour Community. The Balfour Community Development Area subcommittee has considered this offer to gift and have resolved to recommend to Council to accept the offer.

### Recommendation

That the Council:

- a) **Receives the report titled “Land on the corner of Queen and Kruger Streets, Balfour” dated 15 October 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) **Accepts the offer of the gift of the land being (War memorial) on the corner of Queen and Kruger Streets, Balfour containing 60m2 being part of Section 1389 Hokonui SD and the land be set apart as a Local Purpose Reserve**

## **Content**

### **Background**

- 3 A War Memorial monument has been erected on the private land situated on the corner of Queen and Kruger streets, Balfour.
- 4 The attached correspondence from the Balfour RSA advises that the land owner has gifted the land to the RSA and they are now offering the land to council on behalf of the Balfour Community. The situation of the Council owning the land upon which the community war memorial is constructed is not unusual, and in many places around the district this exact situation exists.
- 5 What this report is covering is the ownership of the land and not the ongoing maintenance responsibilities of the memorial. That particular issue is for the community and the relevant groups within the community to deal with themselves.
- 6 The decision therefore is whether Council is agreeable to accept ownership of the land as offered by the Balfour RSA and recommended to be accepted by the Balfour Community Development Area subcommittee.

### **Issues**

- 7 Ownership of the land doesn't create any issues as maintenance of the memorial will be a wider community issue to be dealt with on a case by case basis.

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 8 None identified at this stage. This is just a standard situation of someone wanting to gift land to Council for a particular community purpose.

#### **Community Views**

- 9 The Balfour Community Development Area subcommittee at its meeting on 19 August 2015 resolved to recommend to Council that the offer of gift of the land be accepted and the land be set apart as a local purpose reserve (War memorial).

#### **Costs and Funding**

- 10 It is anticipated that there may be a minimal cost to get the ownership transfer of the land to Council. Any ongoing maintenance of the memorial will need to be considered by the subcommittee and the relevant community organisations on a case by case basis at the particular time.

#### **Policy Implications**

- 11 None identified.

## **Analysis**

### **Options Considered**

- 12 To accept the gifted land or decline the offer.



## Analysis of Options

### Option 1 – Accept the offer to gift the land

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• The monument will be situated on Community owned land</li><li>• The memorial will not be situated on private land for which its future may be in doubt due to the position of any particular owner</li></ul>	<ul style="list-style-type: none"><li>• There may be a cost to get the ownership of the land transferred</li></ul>

### Option 2 – Decline the offer to gift the land

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Responsibility for the land will remain with the Balfour RSA</li></ul>	<ul style="list-style-type: none"><li>• If the Balfour RSA is wound up in the future then the ownership of the land is put in question</li></ul>

## Assessment of Significance

- 13 Not considered in either case

## Recommended Option

- 14 Option 1 – accept the offer to gift the land

## Next Steps

- 15 Transfer land ownership to Council

## Attachments

- A Balfour RSA would like to gift monument land to the town of Balfour - Cnr Queen and Kruger Streets, Balfour [View](#)
- B Plan of Queen and Kruger Streets Balfour, War Memorial site [View](#)



## Balfour Returned Services Association

Sub Branch of Gore District Memorial R S A Inc.

J R Turner, President

Ardlussa Park

No 6 RD

Gore

Phone 03 2016084, 0274509271 Email [ardlussa@ewoosh.co.nz](mailto:ardlussa@ewoosh.co.nz)

Secretary S E Roy

Nine Mile

No 6 RD

Gore

Phone 03 2016457

Monday, 25 May 2015

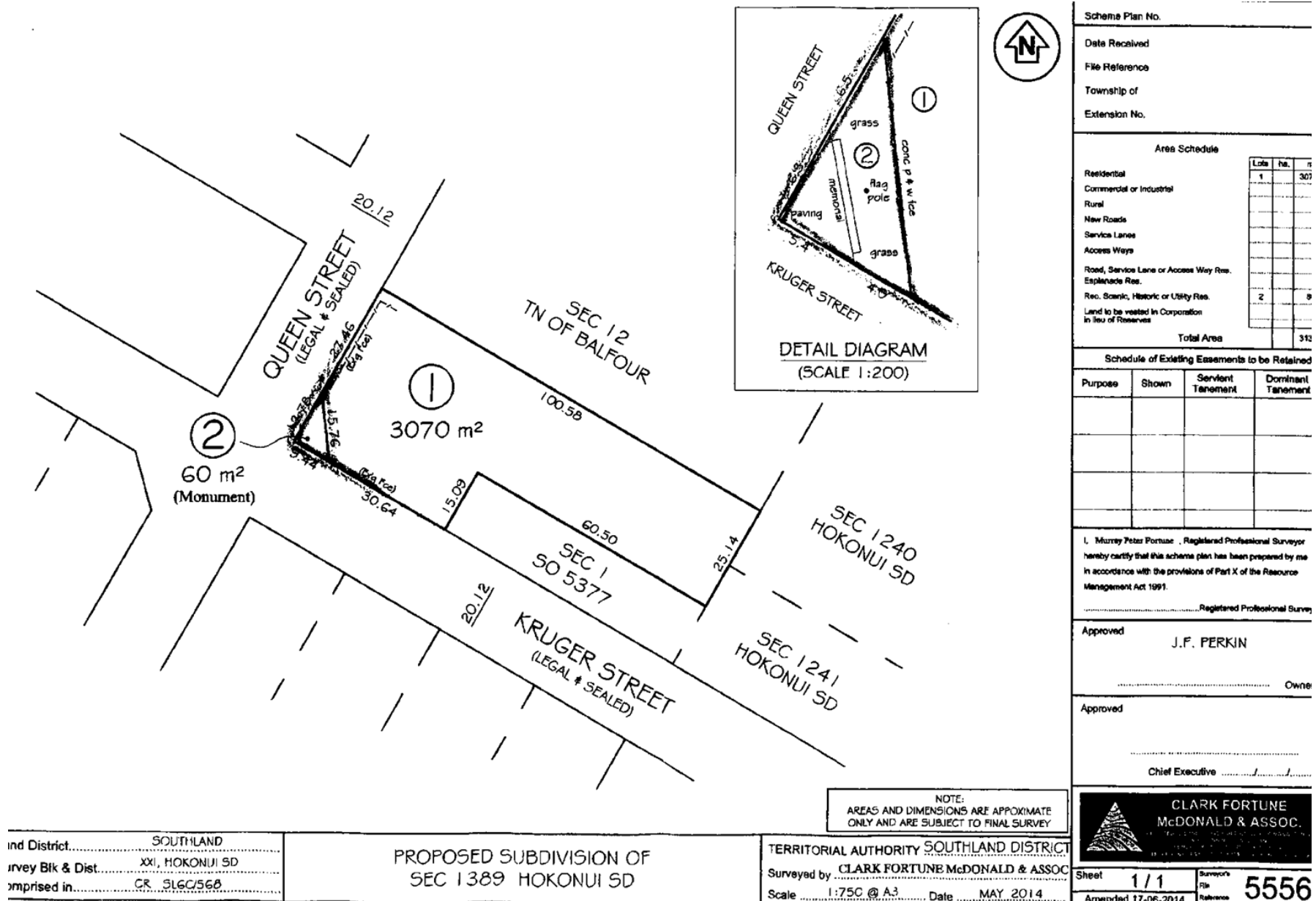
Balfour Community Development Area Subcommittee  
Balfour

### Re section on corner of Queen and Kruger Streets

The Balfour R S A has had the land which the monument was built on donated to the RSA by the present owner.

The Balfour RSA would now like to gift it to the town of Balfour.

John Turner *President*



Item 8.5 Attachment B

**DETAIL DIAGRAM**  
(SCALE 1:200)

Scheme Plan No.	
Date Received	
File Reference	
Township of	
Extension No.	

Area Schedule	
Residential	3070
Commercial or Industrial	
Rural	
New Roads	
Service Lanes	
Access Ways	
Road, Service Lane or Access Way Res.	
Esplanade Res.	
Rec. Space, Historic or Utility Res.	60
Land to be vested in Corporation in lieu of Reserves	
<b>Total Area</b>	<b>3130</b>

Schedule of Existing Easements to be Retained		
Purpose	Shown	Servient Tenement

I, Murray Peter Fortuna, Registered Professional Surveyor hereby certify that this scheme plan has been prepared by me in accordance with the provisions of Part X of the Resource Management Act 1991.

Approved: **J.F. PERKIN**  
Registered Professional Surveyor

Approved: \_\_\_\_\_ Owner

Chief Executive: \_\_\_\_\_

**NOTE:**  
AREAS AND DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY

TERRITORIAL AUTHORITY SOUTHLAND DISTRICT  
Surveyed by **CLARK FORTUNE McDONALD & ASSOC.**  
Scale 1:750 @ A3 Date MAY 2014

**PROPOSED SUBDIVISION OF**  
**SEC 1389 HOKONUI SD**

1st District: SOUTHLAND  
Survey Blk & Dist: XI, HOKONUI SD  
Comprised in: CR 5160568

Sheet **1/1**

Surveyor's File **5556**

Amended 17.05.2014

**CLARK FORTUNE McDONALD & ASSOC.**  
REGISTERED LAND SUBDIVISIONS, MANAGEMENT AND PLANNING CONSULTANTS  
11 WILSON STREET, BOX 307, COLEBURN  
TELEPHONE: 03 535 6666 FAX: 03 535 6667

## Request from adjoining owner to rectify long standing occupation of Council property at 46 Bungalow Hill Road Colac Bay

Record No: R/15/9/17086  
Author: Kevin McNaught, Strategic Manager Property  
Approved by: Ian Marshall, GM - Services and Assets

☐ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 To consider a request by an adjoining landowner (the owner) to rectify a long standing occupation issue of Council property at 46 Bungalow Hill Road Colac Bay.

### Executive Summary

- 2 Since 1960 the septic tank for the house at 44 Bungalow Hill Road Colac Bay has apparently been located on the adjoining Council property.
- 3 The owner who has lived on the property for many years has requested that this issue be rectified by obtaining ownership of part of Council's property. He has requested that if he pays all survey and title costs, that Council transfer the land at nil consideration.

### Recommendation

That the Council:

- a) Receives the report titled "Request from adjoining owner to rectify long standing occupation of Council property at 46 Bungalow Hill Road Colac Bay" dated 24 September 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) Agrees to the transfer of Part Lot 7 DP 2393 being a strip of approximately 6 metres wide to the owner of Lot 8 DP 2393 for \$1.00 on the basis that the owner of Lot 8 DP 2393 pays all survey and title costs to achieve the transfer.
- e) Requests staff to take all the necessary actions to achieve (d) above and delegates to the Chief Executive any subsequent decisions or notifications that may be required as part of this process.

## **Content**

### **Background**

- 4 Lot 7 DP 2393 is situated at 46 Bungalow Hill Road Colac Bay. This particular property was set apart as a road reserve in 1924 and was subsequently vested in Council. The land is held as a Local Purpose Reserve (Road) under the Reserves Act 1977.
- 5 The owner has occupied this land for many years. Rightly or wrongly, the septic tank has been constructed over the boundary on Council land. The discharge field according to the owner comes out from the tank and back onto his property on the angle.
- 6 The owner has now requested that this be rectified as otherwise it will have implications for his property if he chooses to sell. He proposes to pay all the survey and title costs in exchange for Council not requiring any compensation for the land.
- 7 The strip of land required is approximately 6 metres wide. Council's Area Engineer has advised that the 14 metres left would be suitable for a road if the land was ever required for this purpose in the future.
- 8 This issue was not picked up in 1986 when work was undertaken, nor in 1996 when inspections were made as it was not obvious on the ground. The issue came to light when the owner's boundary was defined.

### **Issues**

- 9 The owner of 44 Bungalow Hill Road may have considerable issues in selling given that the septic tank is located on the adjoining Council land.

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 10 If the recommendations are endorsed, all survey and title work will be required to follow relevant statutory requirements. The same will apply to removing the Reserves Act land status.

#### **Community Views**

- 11 None sought as this is not considered to have any wider implications other than for the two landowners. In Council's case the land left is considered appropriate by the Area Engineer for its intended use.

#### **Costs and Funding**

- 12 As above the owner has offered to pay the survey and title costs in exchange for no land value.

#### **Policy Implications**

- 13 None identified.

### **Analysis**

#### **Options Considered**

- 14 These are considered to be the status quo or agree with the request.

## Analysis of Options

### Option 1 - Status quo

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>Land left at full width, but is unlikely to be used for that purpose.</li></ul>	<ul style="list-style-type: none"><li>The owner is likely to have difficulty selling his property, or at a discounted price, given the septic tank is not on the property.</li><li>The owner may have to spend a considerable amount of money rectifying the situation on his own property</li></ul>

### Option 2 - Agree with request

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>The owner solves his issues without the need to install a new septic tank.</li></ul>	<ul style="list-style-type: none"><li>None identified given Area Engineer considers balance left will be suitable for intended use of an access road.</li></ul>

## Assessment of Significance

- 15 Not considered significant.

## Recommended Option

- 16 Option 2 - agree with request.

## Next Steps

- 17 Proceed with survey and disposal.

## Attachments

- A Street and Aerial View of 46 Bungalow Hill Road - Colac Bay [View](#)  
B Previous records re septic tank at 44 Bungalow Hill Road [View](#)  
C Request from Stewart Dawson to rectify boundary issues at 46 Bungalow Hill Road Colac Bay [View](#)



Item 8.6 Attachment A

Street view of 46 Bungalow Hill Road - Colac Bay





Aerial view of 46 Bungalow Hill Road - Colac Bay





## Southland District Council

P.O. Box 903 • 15 Forth Street • Invercargill • New Zealand • Telephone 03-218 7259 • Facsimile 03-218 9460 • DX YA90513 Invercargill

If calling please ask for: **Mr L McKenzie**

File Reference:

30/3/8/1

11 June 1996

«Name»

COPY TO: Cr D Frew  
J Hollingworth  
**G Armstrong**  
R Drake  
M Sarfaiti

Dear «Name1»

### Property Inspection

You may, or may not, be aware of the complaints made that allege that work has been undertaken on some properties in Bungalow Hill Road, Colac Bay, without first obtaining the required building consent, and that inadequate drainage is the cause of nuisance in others.

These complaints have led to claims and counterclaims being made by some residents of this area, and as a result Her Worship the Mayor, Mrs Frana Cardno, informed residents that attended a recent meeting, that all properties in Bungalow Hill Road, Colac Bay, would be subject to an inspection by Council staff, to ensure compliance of all properties with the requirements relating to plumbing, drainage and building.

This letter is to inform you that it is intended that the inspections will commence in the afternoon of Monday, 17 June 1996 and subject to suitable weather, will continue until all buildings on this road are inspected.

If you have any queries in respect to this matter, please contact the undersigned.

Yours faithfully

Lindsay McKenzie  
DIRECTOR OF REGULATORY SERVICES

dc:5a111i

# WALLACE COUNTY COUNCIL

## APPLICATION FOR A PERMIT TO CARRY OUT DRAINAGE AND PLUMBING WORK

The County Clerk,  
Wallace County Council,  
Private Bag,  
OTAUTAU.

(Please Print Firmly)

APPLICANT'S NAME AND ADDRESS

*S N HEATH*  
*3 Herbert st*  
*Riverton.*

I hereby make application to the Wallace County Council for a permit to carry out Drainage and Plumbing Work and/or installation of Septic Tank in accordance with the plans submitted in Duplicate.

Name of Property Owner: Mr S Dawson

Address of Property: Bungalow Hill Rd. Colac Bay.

VALUE OF PROPOSED WORK:	Labour	Materials
Plumbing:	\$ 800.00	\$ 3.000
Drainage:	\$ 100.00	\$ 600
Total:	\$ 900.00.	

### Fees as per Sepearate Schedule

Plumbing and Drainage Fee	\$	
Water Connection Fee (Size mm)	\$	
Stormwater Connection Fee	\$	
Sewer Connection Fee	\$	
Total Fees Due		\$900.00

THIS IS NOT A RECEIPT

CRAFTSMAN PLUMBER: *S N Heath* Reg. No. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REGISTERED DRAINLAYER: *S N Heath* Reg. No. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DESCRIPTION OF PROPOSED WORK: Complete new Plumbing on additions to House - Drainage New 100mm PVC drain connect to existing septic tank (Plans supplied on inspection)

METHOD OF DISPOSAL OF EFFLUENT FROM SEPTIC TANK: Existing

METHOD OF DISPOSAL OF HOUSEHOLD DRAINAGE: \_\_\_\_\_

NOTE: A MINIMUM OF 9,000 LITRES RAINWATER STORAGE FOR SEPTIC TANK SANITATION.

SIGNATURE: *S N Heath*

Craftsman Plumber/Reg. Drainlayer

Date: 30/4/85.

### FOR OFFICE USE

Rate Roll No.

Application No. 10 83 2

Date Received: 12.2.86

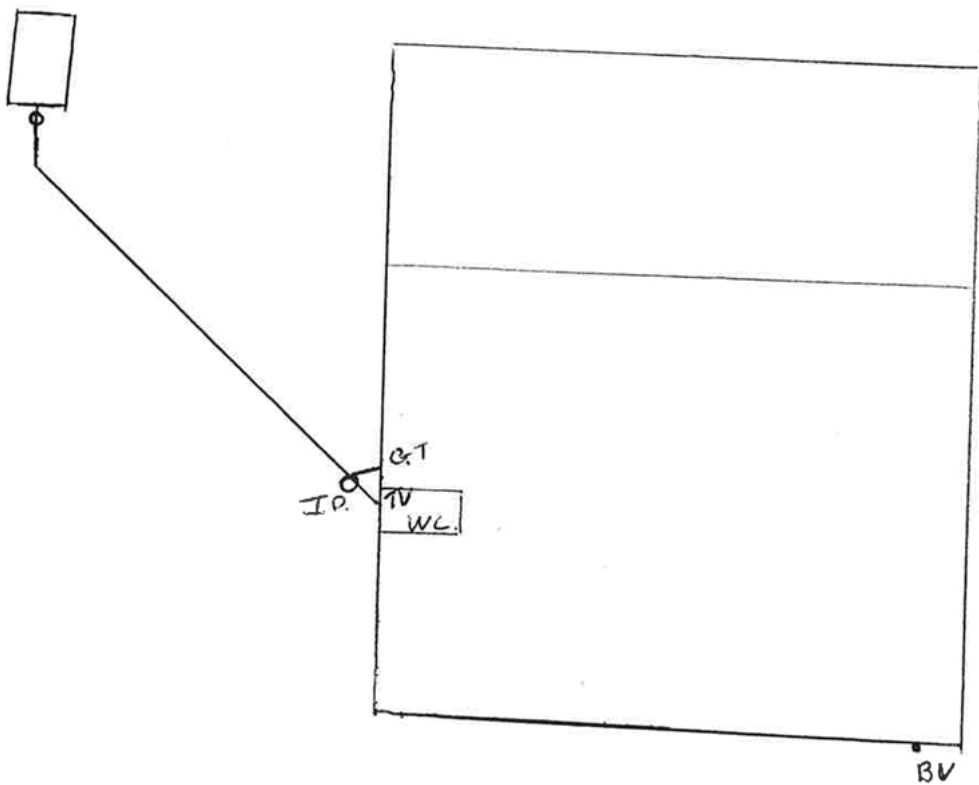
Permit No. 2505

Date Issued: 19.2.86

Wallace County Council  
Drainage Plan.

86.13

Item 8.6 Attachment B



Mr S Dawson

Colac Bay  
25-6-86

I, Mr Stewart Dawson of 42 Bungalow Hill Road Colac Bay, request a boundary adjustment between section 42 and 44, Bungalow Hill Road, as discussed at a recent site inspection between myself, Greg Erskine and Mr Kevin McNaught, acting for and on behalf of the Southland District Council. This adjustment is necessary to secure continued use of essential infrastructure (mainly a septic tank) inadvertently laid across the existing boundary during a water and sewerage upgrade for my property in the early parts of 1960.

I also agree to pay all surveyor and title costs to adjust the title boundaries, on the basis that council will not be seeking any compensation for the land transferred from section 44 Bungalow Hill Road and added to my title.





## Grazing Wreys Bush Cemetery

**Record No:** R/15/9/17504  
**Author:** Virginia Dillon, Property Officer / Statutory Officer / Electoral Officer  
**Approved by:** Ian Marshall, GM - Services and Assets

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 The Council's decision is required on the issue of a licence to graze part of the Wreys Bush cemetery by an adjoining owner, Mr Frank Kidd.

### Executive Summary

- 2 Mr Frank Kidd has held a licence to graze part of the Wreys Bush cemetery since 1 August 2010.
- 3 The licence has recently expired and Mr Kidd has indicated that he would like to enter into a licence for a further term.

### Recommendation

That the Council:

- a) **Receives the report titled "Grazing Wreys Bush Cemetery" dated 15 October 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) **Agrees that Mr Charles Edward Francis Kidd be issued a licence to graze part of the Wreys Bush cemetery described as part of Section 175, Wairio Survey District for a term of five years from 1 August 2015 at an annual rental of \$250 plus GST.**

## **Content**

### **Background**

- 4 Mr Frank Kidd has held a licence to graze part of the Wreys Bush cemetery since 1 August 2010. Mr Kidd is the owner of the adjoining land.
- 5 The land is described as part of Section 175, Wairio Survey District, and contains 1.1 hectares more or less.
- 6 The land is classified as a cemetery reserve by virtue of New Zealand Gazette 1881, page 673.
- 7 The land is used for the grazing (signed licence does not specify for grazing of what).
- 8 The area is not separately fenced off and is incorporated into Mr Kidd's adjoining property.
- 9 Mr Kidd has advised verbally that he wishes to enter into a licence for a further term.

### **Issues**

- 10 No issues identified.
- 11 Council's Area Engineers, Messrs Greg Erskine and Leighton Hare have agreed with the officer's suggestion that Mr Kidd be offered a further licence to graze.

### **Factors to Consider**

#### **Legal and Statutory Requirements**

- 12 A draft licence is attached to the report.
- 13 Clauses to note are:
- Term: Five years from 1 August 2015.
- Rent: \$250 plus GST per annum.
- Clause 3: Licensee to control noxious weeds.
- Clause 7: Licensee to ensure fences, gates, enclosures now or erected at a later date kept in good repair.
- Clause 16: The Lessor retains the absolute right to extend the area of the cemetery (subject to the provisions of clauses 17-19 regarding notice of extension of cemetery area).

#### **Community Views**

- 14 The views of the Council are considered to represent those of the community.

#### **Costs and Funding**

- 15 There are minimal costs involved in entering into a licence.
- 16 There will be no costs to the Waiau Aparima Ward for maintenance of the 'extra' cemetery land if it continues to be grazed.



## Policy Implications

- 17 There are no policy implications identified.

## Analysis

### Options Considered

- 18 The options to be considered are:
- Offer a grazing licence to the adjoining owner;
  - Tender grazing.

### Analysis of Options

- 19 **Option 1 - offer a licence to the adjoining owner**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Rental income being received.</li><li>• No costs to Council in maintenance of land.</li><li>• No fencing required to separate the area.</li></ul>	<ul style="list-style-type: none"><li>• None identified.</li></ul>

- 20 **Option 2 - tender grazing**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Potential for more rental income.</li></ul>	<ul style="list-style-type: none"><li>• Costs to undertake tender.</li><li>• Potential for tender price to be less than rental being paid.</li><li>• Potential for no tenders being received.</li><li>• Costs to Council of having to erect boundary fencing if successful tenderer not an adjoin owner.</li></ul>

### Assessment of Significance

- 21 The matter is not considered significant.

### Recommended Option

- 22 The Officer recommends the adoption of Option 1.

### Next Steps

- 23 The next step is to arrange for licence documentation to be sent out.

### Attachments

- A Licence Wreys Bush [View](#)

**SOUTHLAND DISTRICT COUNCIL****LICENCE TO GRAZE****PART WREYS BUSH CEMETERY**

AN AGREEMENT made this                      day of                      2015.

WHEREAS the Southland District Council, a body corporate under the Local Government Act 2002 (hereinafter called “the Licensor”) is authorised pursuant to Section 74(2) of the Reserves Act 1977 to grant a Licence to CHARLES EDWARD FRANCIS KIDD of WINTON (hereinafter referred to as the “Licensee”) over all that area containing 1.1 hectares more or less situated in the Land District of Southland and being part of Section 175, Wairio Survey District, as the same is more particularly delineated on the plans attached hereto and thereon outlined in bold black lines.

NOW THEREFORE the Licensor doth hereby licence and authorise the Licensee to occupy the land described herein for a term of five years commencing on the 1st day of August 2015 at an annual rental of \$250.00 plus GST.

AND SUBJECT ALSO to the following conditions, viz:

1. The Licensee shall use the land solely for grazing.
2. The Licensee will use and manage the said land in accordance with recognised sound farm management practice.
3. The Licensee will to the satisfaction of the Licensor control the said land from gorse, broom, and all noxious plants, and keep clear rabbits and other vermin.
4. The Licensee shall not at any time during the said time assign, sublet, mortgage or otherwise dispose of his interest or any part thereof in the lease without the consent of the Licensor.
5. The Licensee will not break up or crop any part of the said land, nor cut down any trees or brush, without the prior consent of the Licensor.
6. The Licensee will not erect any buildings, structures or subdivisional fencing on the said land without the prior consent of the Licensor.
7. The Licensee will at all times during the term keep all fences, gates, enclosures now erected or made or which may hereinafter be erected or made on the land or on the boundaries thereof in good repair order and condition and yield up the same at the expiration or sooner determination of the said term and shall assume all the obligations that may be imposed on the Licensor by operation of law in regard on the land or along the boundaries.
8. That in the event of the Licensee wishing to surrender this Licence during the currency of the term such surrender may be accepted by the Licensor on such condition as the Licensor may deem appropriate.
9. The Licensee shall permit any person or persons appointed by the Licensor to inspect the land and all buildings, erections and installations and the Licensee will immediately comply with all directions from the Licensor in regard to any matter whatsoever.

10. The Licensee shall not damage or destroy any natural scenic historic cultural archaeological biological geological or other scientific feature or indigenous flora and fauna on the said land.
11. Nothing contained or implied in this Licence shall be deemed to confer on the Licensee the right to acquire the fee simple of the said land.
12. All or any of the powers and functions exercisable by the Licensor under these presents may from time to time be exercised by the Chief Executive of the Licensor or by any person authorised in that behalf by the Chief Executive.
13. In the event of a breach of any of the conditions of this licence, this licence may be determined at any time by the Licensor in respect of the whole or any portion of the land upon the Licensor giving to the Licensee one calendar month's notice in writing of his intention so to determine this lease.
14. Upon the expiration or sooner determination of this Lease either as to the whole or any part of the said land the Licensee shall not be entitled to compensation for any improvements effected by him but he may within such time as the Licensor shall determine remove all buildings, enclosures, fencing, or other improvements effected or purchased by him and should this lease be determined as to part of the said land then the Licensor shall make such adjustment to the rent payable as he shall in his discretion deem fit and proper.
15. The Licensee will not do or permit or suffer anything to be done in or upon the land and any buildings thereon or any part or parts thereof which may be or become a nuisance or annoyance or cause damage or inconvenience to the Licensor or to the owners or occupiers of any neighbouring land or premises.
16. The Licensor shall retain the absolute right at any time or times during the term of this licence to extend the cemetery area on to part of the land.
17. The Licensor on giving thirty days written notice to the Licensee of its intention to extend the cemetery on to part of the land shall on the date thirty days after the posting of that notice to the Licensee be entitled to retake that part or parts of the designated land and the rental shall be adjusted accordingly.
18. On or before the date thirty days after the notice mentioned in Clause 17 hereof was posted by Licensor to the Licensee, the Licensee shall remove his stock from the designated part of the land.
19. The notice referred to in Clause 17 hereof shall be deemed to have been given to the Licensee from the date the same was posted to the Licensee's last known place of residence.

IN WITNESS WHEREOF THESE PRESENTS HAVE BEEN EXECUTED BY THE PARTIES  
HERETO THE DAY AND YEAR FIRST ABOVE WRITTEN.

THE COMMON SEAL OF THE       }  
SOUTHLAND DISTRICT COUNCIL       }  
as Licensor was hereunto       }  
affixed in the presence of       }

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CHIEF EXECUTIVE

SIGNED by the abovenamed       }  
CHARLES EDWARD       }  
FRANCIS KIDD       }  
as Licensee in the       }       Licensee  
presence of:       }

\_\_\_\_\_ WITNESS NAME

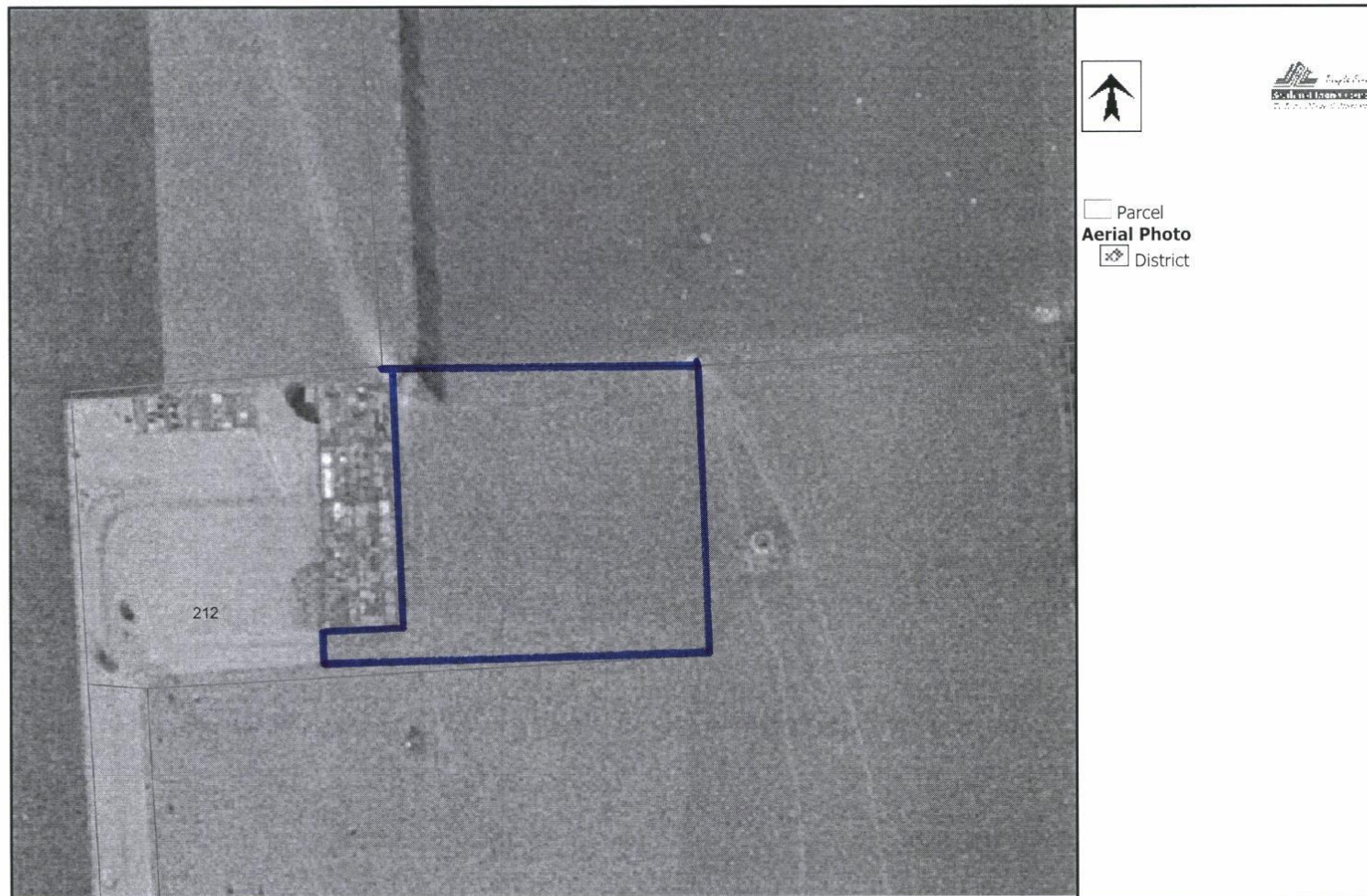
\_\_\_\_\_ WITNESS SIGNATURE

\_\_\_\_\_ OCCUPATION

\_\_\_\_\_ ADDRESS

Print Preview

Page 1 of 1



This plan is suitable for information only and is NOT TO SCALE.  
Southland District Council accepts no liability for any error whatsoever.

Produced by Unknown 15:37 7/30/2010

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## Minutes of the Policy Review Committee Meeting dated 15 July 2015

Record No: R/15/9/16037  
Author: Debbie Webster, Committee Advisor  
Approved by: Debbie Webster, Committee Advisor

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Policy Review Committee meeting held 15 July 2015 as information.

### Attachments

- A Minutes of Policy Review Committee Meeting dated 15 July 2015 (separately enclosed)





## Minutes of the Activities Performance Audit Committee Meeting dated 15 July 2015

Record No: R/15/8/14381  
Author: Debbie Webster, Committee Advisor  
Approved by: Fiona Dunlop, Committee Advisor

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Activities Performance Audit Committee meeting held 15 July 2015 as information.

### Attachments

- A Minutes of Activities Performance Audit Committee Meeting dated 15 July 2015 (separately enclosed)



## Minutes of the Forestry Operations Committee Meeting dated 3 June 2015

Record No: R/15/9/16038  
Author: Debbie Webster, Committee Advisor  
Approved by: Debbie Webster, Committee Advisor

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Forestry Operations Committee meeting held 3 June 2015 as information.

### Attachments

- A Minutes of Forestry Operations Committee Meeting dated 3 June 2015 (separately enclosed)



## Minutes of the Wallacetown Community Board Meeting dated 22 January 2015

Record No: R/15/8/14617  
Author: Fiona Dunlop, Committee Advisor  
Approved by: Fiona Dunlop, Committee Advisor

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Wallacetown Community Board meeting held 22 January 2015 as information.

### Attachments

- A Minutes of Wallacetown Community Board Meeting dated 22 January 2015 (separately enclosed)



## Minutes of the Wallacetown Community Board Meeting dated 26 March 2015

Record No: R/15/8/14619  
Author: Fiona Dunlop, Committee Advisor  
Approved by: Fiona Dunlop, Committee Advisor

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Wallacetown Community Board meeting held 26 March 2015 as information.

### Attachments

- A Minutes of Wallacetown Community Board Meeting dated 26 March 2015 (separately enclosed)





## Minutes of the Riverton/Aparima Community Board Meeting dated 8 June 2015

Record No: R/15/9/16320  
Author: Alyson Hamilton, Riverton Area Officer  
Approved by: Alyson Hamilton, Riverton Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 8 June 2015 as information.

### Attachments

- A Minutes of Riverton/Aparima Community Board Meeting dated 8 June 2015 (separately enclosed)



## Minutes of the Riverton/Aparima Community Board Meeting dated 27 July 2015

Record No: R/15/9/16319  
Author: Alyson Hamilton, Riverton Area Officer  
Approved by: Alyson Hamilton, Riverton Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 27 July 2015 as information.

### Attachments

- A Minutes of Riverton/Aparima Community Board Meeting dated 27 July 2015 (separately enclosed)



## Minutes of the Eastern Bush/Otahu Flat Water Supply Subcommittee Meeting dated 27 March 2015

Record No: R/15/10/18420  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Eastern Bush/Otahu Flat Water Supply Subcommittee meeting held 27 March 2015 as information.

### Attachments

- A Minutes of Eastern Bush/Otahu Flat Water Supply Subcommittee Meeting dated 27 March 2015 (separately enclosed)



## Minutes of the Tuatapere Community Board Meeting dated 14 April 2015

Record No: R/15/10/18421  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Tuatapere Community Board meeting held 14 April 2015 as information.

### Attachments

- A Minutes of Tuatapere Community Board Meeting dated 14 April 2015 (separately enclosed)





## Minutes of the Ohai-Nightcaps-Wairio Water Supply Subcommittee Meeting dated 12 May 2015

Record No: R/15/10/18422  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Ohai-Nightcaps-Wairio Water Supply Subcommittee meeting held 12 May 2015 as information.

### Attachments

- A Minutes of Ohai-Nightcaps-Wairio Water Supply Subcommittee Meeting dated 12 May 2015 (separately enclosed)



## Minutes of the Ohai Community Development Area Subcommittee Meeting dated 12 May 2015

Record No: R/15/10/18423  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Ohai Community Development Area Subcommittee meeting held 12 May 2015 as information.

### Attachments

- A Minutes of Ohai Community Development Area Subcommittee Meeting dated 12 May 2015 (separately enclosed)



## Minutes of the Tuatapere Community Board Meeting dated 26 May 2015

Record No: R/15/10/18424  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Tuatapere Community Board meeting held 26 May 2015 as information.

### Attachments

- A Minutes of Tuatapere Community Board Meeting dated 26 May 2015 (separately enclosed)



## Minutes of the Otautau Community Board Meeting dated 16 April 2015

Record No: R/15/10/18427  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Otautau Community Board meeting held 16 April 2015 as information.

### Attachments

- A Minutes of Otautau Community Board Meeting dated 16 April 2015 (separately enclosed)





## Minutes of the Otautau Community Board Meeting dated 28 May 2015

Record No: R/15/10/18428  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Otautau Community Board meeting held 28 May 2015 as information.

### Attachments

- A Minutes of Otautau Community Board Meeting dated 28 May 2015 (separately enclosed)



## Minutes of the Tuatapere Community Board Meeting dated 23 June 2015

Record No: R/15/10/18429  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision

☐ Recommendation

☒ Information

### Recommendation

That Council receives the minutes of the Tuatapere Community Board meeting held 23 June 2015 as information.

### Attachments

- A Minutes of Tuatapere Community Board Meeting dated 23 June 2015 (separately enclosed)



## Minutes of the Otautau Community Board Meeting dated 9 July 2015

Record No: R/15/10/18430  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Otautau Community Board meeting held 9 July 2015 as information.

### Attachments

- A Minutes of Otautau Community Board Meeting dated 9 July 2015 (separately enclosed)



## Minutes of the Tuatapere Community Board Meeting dated 18 August 2015

Record No: R/15/10/18431  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Tuatapere Community Board meeting held 18 August 2015 as information.

### Attachments

- A Minutes of Tuatapere Community Board Meeting dated 18 August 2015 (separately enclosed)





## Minutes of the Otautau Community Board Meeting dated 20 August 2015

Record No: R/15/10/18432  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Otautau Community Board meeting held 20 August 2015 as information.

### Attachments

- A Minutes of Otautau Community Board Meeting dated 20 August 2015 (separately enclosed)



## Minutes of the Nightcaps Community Development Area Subcommittee Meeting dated 12 May 2015

Record No: R/15/10/18468  
Author: Kelly Tagg, Otautau Area Officer  
Approved by: Kelly Tagg, Otautau Area Officer

☐ Decision ☐ Recommendation ☒ Information

### Recommendation

That Council receives the minutes of the Nightcaps Community Development Area Subcommittee meeting held 12 May 2015 as information.

### Attachments

- A Minutes of Nightcaps Community Development Area Subcommittee Meeting dated 12 May 2015 (separately enclosed)

## Exclusion of the Public: Local Government Official Information and Meetings Act 1987

### Recommendation

That the public be excluded from the following part(s) of the proceedings of this meeting.

**C10.1 2015 Southland Digital Strategy**

**C10.2 Proposed Road Stopping - Part Short Street, Yellow Bluffs, Otautau**

**C10.3 Public Excluded Minutes of the Council Meeting dated 7 October 2015**

**C10.4 Public Excluded Minutes of the Wallacetown Community Board Meeting dated 22 January 2015**

**C10.5 Public Excluded Minutes of the Wallacetown Community Board Meeting dated 26 March 2015**

**C10.6 Public Excluded Minutes of the Nightcaps Community Development Area Subcommittee Meeting dated 12 May 2015**

**C10.7 Public Excluded Minutes of the Riverton/Aparima Community Board Meeting dated 27 July 2015**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
2015 Southland Digital Strategy	s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest.  s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Proposed Road Stopping - Part Short Street, Yellow Bluffs, Otautau	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Public Excluded Minutes of the Council Meeting dated 7 October 2015	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good

	<p>the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p>	reason for withholding exists.
Public Excluded Minutes of the Wallacetown Community Board Meeting dated 22 January 2015	<p>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Public Excluded Minutes of the Wallacetown Community Board Meeting dated 26 March 2015	<p>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Public Excluded Minutes of the Nightcaps Community Development Area Subcommittee Meeting dated 12 May 2015	s48(1)(d) - Check to make report confidential.	That the exclusion of the public from the part of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation.
Public Excluded Minutes of the Riverton/Aparima Community Board Meeting dated 27 July 2015	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret.</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	
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