
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 27 January 2016 at 1.04pm.

PRESENT

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

IN ATTENDANCE

Chief Executive Officer Steve Ruru, Group Manager Services and Assets Ian Marshall, Group Manager Environment and Community Bruce Halligan, Group Manager Policy and Community Rex Capil, Chief Information Officer Damon Campbell, Chief Financial Officer Anne Robson, Communications and Governance Manager Louise Pagan and Committee Advisor Fiona Dunlop.

1 Apologies

There were no apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

Chloe Gorton and Jacob Brown of Riverton were presented with the 2015 Community Spirit Award.

Mayor Tong shared the following with the meeting:

“This is the first time in the Community Spirit Award’s history that two young people have been named joint winners, and I can confidently say that the recipients for 2015 – Chloe Gorton and Jacob Brown, both from Aparima College out in Riverton, are more than deserving.

The Community Spirit Award was set up to recognise and celebrate young people who have made a positive contribution to their communities. This is the first time the winner – in this case winners – have come from Aparima. Chloe will be a Year 13 student there this year, while Jacob heads up the road to go to uni in Christchurch.

At the end of last year I was asked to choose a winner from the nominations we received; in the end the efforts Jacob and Chloe have each made to help the people of the Riverton community meant there was nothing in it between them.

Jacob was nominated by two of last year’s youth councillors, Kataraina Harris and Robbie Grove. They pointed to Jacob’s work coaching rugby, representing his school on the SADD national executive, taking part in Council’s own LeadLab Southland project, and his involvement at his school including serving as deputy head boy and then head boy, the Young Enterprise Scheme and the school production. It was very clear from their nominations that Jacob is somebody who has really made a meaningful contribution to Riverton and its people.

Chloe was nominated by another of last year’s youth councillors, Jess Black. Jess said Chloe was a really valued member of the community. Chloe gives younger pupils guitar lessons, performs herself voluntarily at the local rest homes, takes part in the Riverton rowing club, plays and umpires netball, is involved in the Young Enterprise Scheme and school production as well, and was an integral figure in the ongoing development of a shelter at the Riverton skate park, which was also part of our LeadLab programme.

Jacob and Chloe, the two of you are very deserving of the Community Spirit Award. It is my privilege to recognise your efforts on behalf of the people of Southland. Congratulations, and thank you.”

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Council Minutes

Resolution

Moved Cr Paterson, seconded Deputy Mayor Duffy **and resolved:**

That Council confirms the minutes of Council, held on 9 December 2015 as a true and correct record of that meeting.

Reports - Policy and Strategy

7.1 Annual Plan 2016/2017 - Adoption of Supporting Information and Consultation Document

Record No: R/15/12/22490

Strategy and Policy Manager Susan Cuthbert, Sheree Marrah Financial Accountant and Communications and Governance Manager Louise Pagan were in attendance for this item.

Miss Cuthbert advised that the report recommended that Council adopt the Consultation Document and associated Supporting Information for the 2016/2017 Annual Plan for public consultation.

Council noted that all councils are required by legislation to prepare and adopt an Annual Plan for each financial year and Year Two of the Council's Long Term Plan 2015-2025 (LTP or 10 Year Plan) serves as the base for the Annual Plan 2016/2017. Activity managers have proposed changes that are considered necessary.

While in developing the 2016/2017 Annual Plan it had become apparent that it is broadly consistent with the LTP. There are no significant changes to the levels of service proposed to be provided by Council and the overall budgeted expenditure is projected to be slightly more than proposed in the LTP. There have been changes to the timing of some scheduled capital works projects, particularly water and sewerage projects. The major change is the proposal to spend more on the Catlins road sealing project.

Also noted was the proposed increase to rates overall by 3.33%, compared to 3.18% proposed in the LTP. 25.62% of rates are proposed to be collected from uniform annual charges and targeted rates set on a uniform basis.

Council also noted that the Local Government Act 2002 Amendment Act 2014 set out new requirements for consultation. Instead of a draft Annual Plan, local authorities are required to develop a consultation document for the purpose of consulting with the community as well as making publicly available the information that provides the basis for the preparation of the consultation document (the Supporting Information). There is no longer a requirement to use the special consultation procedure to consult with the public.

The consultation document primarily sets out any significant or material differences to Year Two of the LTP.

The meeting reviewed the consultation document and supporting information and gave its feedback to officers.

It was also noted that the consultation document will be released to the public for comment on 29 January 2016 and that submissions will close at 5.00 pm, Monday, 29 February 2016.

Resolution

Moved Cr Dillon, seconded Cr Douglas **and resolved:**

That the Council:

- a) **Receives the report titled “Annual Plan 2016/2017 - Adoption of Supporting Information and Consultation Document ” dated 20 January 2016.**
- b) **Determines that this matter or decision be recognised as 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 Draft Prospective Financial Statements as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**
- e) **Adopts the Draft Rating Funding Impact Statement as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**
- f) **Adopts the Key Assumption Changes as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**
- g) **Adopts the Draft Rooding Rate Model as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**
- h) **Adopts the Draft Schedule of Financial Reserves as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**
- i) **Adopts the Draft Schedule of Projects as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**
- j) **Adopts the Draft Schedule of Fees and Charges as information that is relied on by the content of the consultation document in accordance with Section 95A(4) of the Local Government Act 2002.**

- k) **Adopts the consultation document for the Annual Plan 2016-2017 to support the consultation process giving due consideration to Council's balanced budget requirements of the Local Government Act 2002.**
- l) **Delegates authority to the Chief Executive to approve any final edits required to the consultation document in order to finalise the document for printing and distribution.**

Reports - Operational Matters

8.1 Management Report

Record No: R/15/12/22624

Chief Executive Steve Ruru was in attendance for this item.

Resolution

Moved Cr Dobson, seconded Cr Macpherson **and resolved:**

That the Council:

- a) **Receives the report titled "Management Report" dated 18 January 2016.**

8.2 Freedom Camping Patrols, Waikawa

Record No: R/16/1/4

Group Manager Environment and Community Bruce Halligan and Environmental Health Manager Michael Sarfai were in attendance for this item.

Mr Halligan advised that the report was seeking approval to authorise a new freedom camping patrol service in Waikawa.

Council noted that concerns continued to be raised about the illegal freedom camping occurring at the Waikawa Domain and it is proposed that the patrols will operate the same way as in Te Anau with an educational, tourist friendly approach.

Resolution

Moved Cr Keast, seconded Deputy Mayor Duffy **and resolved:**

That the Council:

- a) **Receives the report titled "Freedom Camping Patrols, Waikawa" dated 11 January 2016.**
- 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) **Authorises staff to establish a seasonal freedom camping patrol service in Waikawa.**

8.3 Alcohol Fee-Setting Bylaw 2015: Proposed Discount Criteria

Record No: R/15/11/20321

Group Manager Environment and Community Bruce Halligan and Environmental Health Manager Michael Sarfaiti were in attendance for this item.

Mr Halligan advised that Council adopted the Alcohol Fee-Setting Bylaw 2015 in its meeting on 28 October 2015. At that meeting Council resolved to request staff to investigate potential criteria for reduction in risk rating.

Mr Sarfaiti advised that officers presented the project to the Health Promotion Agency (HPA) to request funding. HPA representatives discussed the project with LGNZ, Ministry of Justice, and Wellington City Council who were also considering a fee setting bylaw. It was the first time that the HPA had been asked about fee setting bylaws. The consensus was that developing discount criteria would be very difficult.

Council noted that the Wellington City Council had advised about the risk management framework it tried to develop as part of its draft Local Alcohol Policy and all the issues it had with that (attachment A of the officers report). Wellington City had said it was not only hard to develop the criteria but thought it was going to be very difficult to measure with a lot of disagreements. At a hearing of the Alcohol Regulatory and Licensing Authority on the Local Alcohol Plan the framework was thrown out.

Also noted was the recommendation to discontinue the discount criteria project, given the signals received that the project would be very difficult.

Resolution

Moved Cr Dobson, seconded Cr Macpherson **and resolved:**

That the Council:

- a) **Receives the report titled “Alcohol Fee-Setting Bylaw 2015: Proposed Discount Criteria” dated 20 January 2016.**
- b) **Discontinues the discount criteria project.**

8.4 Approval of Unbudgeted Expenditure for the demolition of the Taramea Bay Soundshell and the beautification of the site

Record No: R/15/12/22491

Group Manager Services and Assets Ian Marshall was attendance for this item.

Mr Marshall advised that the report was to seek approval from Council of a request from the Riverton/Aparima Community Board for unbudgeted expenditure to demolish the Taramea Bay Soundshell and the complete beautification of the site.

Council noted that the Riverton/Aparima Community Board through Venture Southland undertook public consultation in regards to the potential upgrading of the

Taramea Bay Soundshell. The Community Board agreed to demolish the building and to beautify the site however Council's approval for the unbudgeted expenditure is required.

Resolution

Moved Cr Dobson, seconded Cr Harpur **and resolved:**

That the Council:

- a) **Receives the report titled "Approval of Unbudgeted Expenditure for the demolition of the Taramea Bay Soundshell and the beautification of the site " dated 16 December 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 Riverton/Aparima Community Board's request for the unbudgeted expenditure of \$47,500 plus GST from the Taramea Bay Rocks Reserve for the demolition of the Taramea Bay Soundshell and the subsequent beautification of the site.**

8.5 Approval of Unbudgeted Expenditure by the Winton Community Board for the project upgrade for the Winton Memorial Hall

Record No: R/15/12/22841

Group Manager Services and Assets Ian Marshall was attendance for this item.

Mr Marshall advised that the report was to seek Council's approval to spend \$385,000 (plus GST) of unbudgeted expenditure to fund the upgrade of the Winton Memorial Hall.

Council noted that the Winton Community Board had budgeted to spend \$450,000 (plus GST) on the upgrade of the Winton Memorial Hall. To achieve the Board, users and community's desires, plus also doing a seismic upgrade has meant that the project is now estimated to cost \$835,000 plus GST including a contingency amount of \$74,745.80. The Board has requested approval to spend the additional \$385,000 plus GST to be funded from the Board's property sales reserve.

Resolution

Moved Cr Bailey, seconded Cr Douglas **and resolved:**

That the Council:

- a) **Receives the report titled "Approval of Unbudgeted Expenditure by the Winton Community Board for the project upgrade for the Winton Memorial Hall" dated 20 January 2016.**

- 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 request of the Winton Community Board to spend an unbudgeted amount of \$385,000 on the upgrade of the Winton Memorial Hall to be funded from the Board's property sales reserve.**

8.6 Approval of Unbudgeted Expenditure by the Lumsden Community Development Area Subcommittee

Record No: R/15/12/22603

Group Manager Services and Assets Ian Marshall was attendance for this item.

Mr Marshall advised that the report was seek Council's approval for the unbudgeted expenditure to install a coil and sump at the Lumsden Cemetery.

Council noted that the Lumsden Community Development Area Subcommittee has requested through the Area Engineer to do immediate work to install coil and sump at the Lumsden Cemetery to relieve drainage issues before winter. A quote from Southroads has been obtained for \$5,960 (plus GST) to carry out the work.

Resolution

Moved Cr Douglas, seconded Cr Dillon **and resolved:**

That the Council:

- a) **Receives the report titled "Approval of Unbudgeted Expenditure by the Lumsden Community Development Area Subcommittee" dated 20 January 2016.**
- 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 Lumsden Community Development Area Subcommittee's request for the unbudgeted expenditure of \$5,960 plus GST from the Stormwater Reserve for the installation of coil and sump at the Lumsden Cemetery.**

Reports - Governance

9.1 Council endorsement of updated Charter of Understanding / He Huarahi mō Ngā Uri Whakatupu

Record No: R/15/12/22399

Group Manager Environment and Community Bruce Halligan was in attendance for this item.

Mr Halligan advised that the Charter of Understanding/He Huarahi mō Ngā Uri Whakatupu is the foundation document which establishes the relationship of mutual benefit between the local authorities within the Murihiku rohe, the mana whenua of Murihiku, and Te Rūnanga o Ngāi Tahu.

Council noted that the document also makes provision for Te Ao Mārama to assist the signatory councils in their relationship with matawaka living in te takiwa (territory) o Murihiku (i.e. Māori who are not part of Ngāi Tahu whanui as defined in the Te Rūnanga o Ngāi Tahu Act 1996).

Also noted was that the Charter is the basis for the ongoing relationship between the signatory councils and the tangata whenua, in the context of both the Resource Management Act 1991 and the Local Government Act 2002.

Mr Halligan advised that the original Charter was established in 1996 and has been through a number of iterations since then, but had not been subject to a thorough review since 2009. The document has been updated to reflect that Queenstown Lakes District Council, Clutha District Council and Otago Regional Council have joined the relationship, as they each administer parts of the Murihiku rohe.

Resolution

Moved Deputy Mayor Duffy, seconded Cr Kremer **and resolved:**

That the Council:

- a) **Receives the report titled “Council endorsement of updated Charter of Understanding / He Huarahi mō Ngā Uri Whakatupu ” dated 20 January 2016.**
- b) **Endorses the updated Charter of Understanding / He Huarahi mō Ngā Uri Whakatupu and delegates authority to the Mayor and Chief Executive to sign this document on behalf of the Council at the formal signing ceremony to be held in March 2016.**

9.2 Local Election 2016 - Timetable, Order of Candidate Names and other matters

Record No: R/16/1/754

Chief Executive Officer Steve Ruru was in attendance for this item.

He advised that the purpose of this report is to highlight matters of significance in relation to the 2016 triennial elections which includes the elections timetable and the order of candidate names.

Council noted that the 2016 triennial Council elections will occur on Saturday 8 October 2016. An update on preliminary matters relating to the election is provided to

Council, including consideration of the order of candidate names to appear on the voting documents.

Following discussion, Council were comfortable with moving that the names on voting papers be alphabetical order of the candidate names.

Resolution

Moved Cr Bailey, seconded Cr Douglas **recommendations a to c, d(i) and e and resolved:**

That the Council:

- a) **Receives the report titled “Local Election 2016 - Timetable, Order of Candidate Names and other matters” dated 20 January 2016.**
- 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) **Determines for the 2016 triennial elections, to adopt either:**
 - (i) **the alphabetical order of candidate names; ~~or~~**
 - ~~(ii) the pseudo-random order of candidate names; or~~
 - ~~(iii) the random order of candidate names~~**as permitted under Regulation 31 of the Local Electoral Regulations 2001.**
- e) **Receives the 2016 local election timetable.**

9.3 Minutes of the Five Rivers Water Supply Subcommittee Meeting dated 3 December 2014

Record No: R/15/12/22374

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Five Rivers Water Supply Subcommittee meeting held 3 December 2014 as information.

9.4 Minutes of the Matuku Water Supply Subcommittee Meeting dated 3 December 2014

Record No: R/15/12/22384

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Matuku Water Supply Subcommittee meeting held 3 December 2014 as information.

9.5 Minutes of the Athol Community Development Area Subcommittee Meeting dated 8 June 2015

Record No: R/15/12/22385

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Athol Community Development Area Subcommittee meeting held 8 June 2015 as information.

9.6 Minutes of the Garston Community Development Area Subcommittee Meeting dated 8 June 2015

Record No: R/15/12/22386

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Garston Community Development Area Subcommittee meeting held 8 June 2015 as information.

9.7 Minutes of the Waikaia Community Development Area Subcommittee Meeting dated 10 June 2015

Record No: R/16/1/373

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Waikaia Community Development Area Subcommittee meeting held 10 June 2015 as information.

9.8 Minutes of the Balfour Community Development Area Subcommittee Meeting dated 19 August 2015

Record No: R/15/12/22388

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Balfour Community Development Area Subcommittee meeting held 19 August 2015 as information.

9.9 Minutes of the Riversdale Community Development Area Subcommittee Meeting dated 19 August 2015

Record No: R/15/12/22390

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Riversdale Community Development Area Subcommittee meeting held 19 August 2015 as information.

9.10 Minutes of the Lumsden/Balfour Water Supply Subcommittee Meeting dated 24 August 2015

Record No: R/15/12/22392

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Lumsden/Balfour Water Supply Subcommittee meeting held 24 August 2015 as information.

9.11 Minutes of the Colac Bay Community Development Area Subcommittee Meeting dated 27 August 2015

Record No: R/15/12/21876

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Colac Bay Community Development Area Subcommittee meeting held 27 August 2015 as information.

9.12 Minutes of the Lumsden Community Development Area Subcommittee Meeting dated 19 October 2015

Record No: R/16/1/372

Resolution

Moved Cr Douglas, seconded Cr Paterson **and resolved:**

That Council receives the minutes of the Lumsden Community Development Area Subcommittee meeting held 19 October 2015 as information.

Public Excluded

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

Resolution

Moved Cr Keast, seconded Cr Baird **and resolved:**

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

C10.1 Variation to the Proposed District Plan 2012 - Rural Settlement Areas

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
Variation to the Proposed District Plan 2012 - Rural Settlement Areas	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.	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.

That the Chief Executive Officer, Group Manager Services and Assets, Group Manager Environment and Community, Group Manager Policy and Community, Chief Information Officer, Chief Financial Officer, Communications and Governance Manager, Committee Advisor, Resource Consents Manager and Senior Resource Management Planners – Policy be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Variation to the Proposed District Plan 2012 - Rural Settlement Areas. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public were excluded 2.21pm.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available unless released here.

The meeting concluded at 2.40pm

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE COUNCIL
HELD ON WEDNESDAY 27 JANUARY 2016.

DATE:.....

CHAIRPERSON:.....