
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 8 June 2016 at 9am.

PRESENT

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

IN ATTENDANCE

Chief Executive Officer – Steve Ruru, Group Manager, Community and Futures – Rex Capil, Group Manager, Environmental Services – Bruce Halligan, Group Manager, Services and Assets – Ian Marshall, Chief Financial Officer – Anne Robson, Communications Manager – Louise Pagan and Committee Advisor – Fiona Dunlop.

Adjournment of meeting

Moved Mayor Tong, seconded Cr Dillon and **resolved that the meeting adjourns until the conclusion of the Activities Performance Audit Committee.**

The meeting adjourned at 9.01am.

The meeting reconvened at 10.35am.

(Mayor Tong, Councillors Baird, Bailey, Dillon, Douglas, Duffy, Ford, Harpur, Keast, Kremer, Macpherson and Paterson were present when the meeting reconvened.)

1 Apologies

An apology for absence was received from Councillor Dobson.

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

That Council accept the apology.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There was no public forum.

5 Extraordinary/Urgent Items

Resolution

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

That the Council

- a) **Consider the item “Temporary Road Closure – Old Snow Pole Track” as a matter of urgent business in order that a decision can be made before the next ordinary meeting, subject to Section 46A of the Local Government Official Information and Meetings Act 1987.**
- b) **Note that the item was not included in the agenda as it was not apparent at the time the agenda was prepared and circulated that the matter needed to be considered by the Council and cannot be delayed until a subsequent meeting as public safety is of importance to ensure that vehicles are kept out of the area in winter during the period of time specified in the report.**

6 Confirmation of Council Minutes

Resolution

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

That Council confirms the minutes of Council, held on 27 April 2016 and 18 May 2016 as a true and correct record of those meetings.

Reports - Policy and Strategy

7.1 Elected Members' Expense Reimbursements and Allowances

Record No: R/16/5/6262

Anne Robson – Chief Financial Officer and Sheree Marrah – Finance Manager were in attendance for this item.

They advised that the purpose of this report was to establish the levels of elected members' expenses and allowances from 1 July 2016 in accordance with the requirements of the Remuneration Authority and to approve the associated policy.

Council noted that the Remuneration Authority is currently seeking a copy of Council's policy on how Council will apply changes to expense reimbursements and allowance levels for its elected members from 1 July 2016.

The Remuneration Authority determines the maximum level of expense reimbursements and allowances for elected members.

The allowances payable in accordance with the Remuneration Authority are:

- Mileage allowance.
- Travel time allowance.
- Communication allowance.

Officers advised that the Remuneration Authority has made some minor changes to mileage and travel time allowances and has asked that the Council ensure that the policy clearly identifies the payment authorisation process. The payment authorisation process needs to be in line with the Office of the Auditor General's approach to sensitive expenditure in the public sector.

The meeting further noted that Officers had suggested a number of additional amendments to the policy after reviewing it and also noted that the policy adopted in 2013 did not allow for any reimbursement of expenses and the payment of allowances to Community Board members. Also noted was that Council has no formal policy around expense reimbursements and allowances for Council's Subcommittee members. The revised policy includes the provision of mileage and travel time for Community Board and Subcommittee members in line with Councillors.

Officers further advised that Council needs to review its Elected Members' Remuneration and Reimbursements Policy to ensure that it complies within the envelope set by the Remuneration Authority. Once approved, it is a requirement that an updated policy be provided to the Authority by 10 June 2016. The Remuneration Authority will then review the policy, referring it back to Council as appropriate. Once approved the Remuneration Authority will issue a formal determination. Both the determination and Council's policy are then required to be available for perusal by the

public.

Resolution

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

That the Council:

- a) **Receives the report titled “Elected Members’ Expense Reimbursements and Allowances” dated 1 June 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) **Notes the changes to elected members’ expense reimbursements and allowances by the Remuneration Authority from 1 July 2016.**
- e) **Adopts the proposed Elected Members’ Remuneration and Reimbursements Policy, effective from 1 July 2016, including provision for mileage and travel time allowances to be paid to Community Board member and members of Council subcommittees, subject to any changes discussed and agreed at the meeting.**
- f) **Requests that staff provide the necessary information to the Remuneration Authority by 10 June 2016.**
- g) **Requests that staff notify all Community Boards, Community Development Area subcommittees and other Council subcommittees of the updated policy and the impact of the amendments.**

Reports - Operational Matters

8.1 Building Consents and Values for March 2016

Record No: R/16/4/4707

Bruce Halligan – Group Manager Environmental Services was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Building Consents and Values for March 2016” dated 08 June 2016.**

8.2 Management Report

Record No: R/16/5/7956

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

Resolution

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

That the Council:

- a) **Receives the report titled “Management Report” dated 31 May 2016.**

8.3 Colac Foreshore Road - Resolution under Local Government Act relating to temporary prohibition of traffic on road

Record No: R/16/5/7976

Bruce Halligan – Group Manager Environmental Services was in attendance for this item.

Mr Halligan advised that the purpose of the report was to seek a formal Council resolution in relation to the temporary prohibition of vehicular traffic on a portion of Colac Foreshore Road, under the Local Government Act 1974.

Councillors noted that since December 2015, a section of the eastern part of Colac Foreshore Road had been temporarily closed to vehicular traffic for safety reasons, due to extensive erosion damage to that section.

Mr Halligan advised further that it is appropriate for the Council to formally resolve in terms of Schedule 10, Clauses 13-15 of the Local Government Act 1974 relating to this temporary prohibition, and to provide the required statutory public notice and notice to the Minister of Transport.

Resolution

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

That the Council:

- a) **Receives the report titled “Colac Foreshore Road - Resolution under Local Government Act relating to temporary prohibition of traffic on road dated 31 May 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) **Resolves that the current temporary prohibition of vehicular traffic on the erosion-affected eastern portion of the Colac Foreshore Road shall**

continue under Schedule 10, Clause 13 of the Local Government Act 1974, for safety reasons, for a period of two years from the date of this resolution; or until such earlier time as the Council considers it is suitably safe to allow vehicular traffic to utilise this section of Colac Foreshore Road.

- e) Resolves that the required public notice shall be given to the public and the Minister of Transport in relation to the temporary prohibition of vehicular traffic in terms of Clauses 14 and 15 of Schedule 10 of the Local Government Act 1974.

8.4 Temporary Road Closure - Old Snow Pole Track

Record No: R/16/6/8418

Hartley Hare - Roading Asset Management Engineer and Bruce Miller – Community Engineer were in attendance for this item.

Mr Hare advised that the purpose of the report was to seek Council approval to temporarily prohibit vehicles along a defined section of the Old Snow Pole Track to prevent damage to the road.

Councillors noted that Officers are concerned about allowing access to the area during winter months. Not only is there a safety issue in traversing an isolated area subject to sudden climatic changes, but there is an environmental issue where vehicles cause damage to a fragile area.

Resolution

Moved Cr Dillon, seconded Cr Kremer and resolved:

That the Council:

- a) **Receives the report titled “Temporary Road Closure - Old Snow Pole Track” dated 7 June 2016.**
- b) **Determines that this matter or decision be recognised 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) **Resolves pursuant to Section 342(1)(b) of the Local Government Act 1974 and Clause 13 of the Tenth Schedule to temporarily close and prohibit traffic using that section of road commencing at the point where Old Snow Pole Track joins Canton Road and continuing along that section of Old Snow Pole Track to the Boundary of the Southland District Council with the Central Otago District Council for the period 4 June 2016 to 20 October 2016 owing to climatic conditions because the use of that section of road may cause the road.**

- e) Resolves that prohibition under clause (d) above shall apply to all motor vehicular traffic such that it will be an offence for any unauthorised vehicle to use the above described section of road during the period of prohibition and that authorised vehicles shall be those belonging to adjacent run holders and those to whom written authorisation has been given after special application to the Council.
- f) Erects an appropriate notice as required by clause 14 of the Tenth Schedule at every entry to the road affected and publishes an appropriate public notice in the relevant newspapers.
- g) Sends a copy of its resolution under clause 13 of the Tenth Schedule to the Minister of Transport for information as required by clause 15 of the Tenth Schedule.
- h) Grants permission for Snowcat and Scenic Tours, access to the Waikaia Bush Road north of the locked gate control at Christies Hut during the period of the winter road closure using snowcat type vehicles with rubber belted tracks and should excessive damage to the road occur, as determined by the Group Manager Services and Assets, then the permission be withdrawn immediately.
- i) Resolves, pursuant to Section 342(1)(b) of the Local Government Act 1974 and Clause 13 of the Tenth Schedule, to close the Old Snow Pole Track Road from the first Tuesday in May to midnight on the Thursday prior to a Labour Weekend in subsequent years.
- j) Notes that Council at its meeting on 16 May 2012 granted delegated authority to the Strategic Transport Manager by way of section 12 of the Tenth Schedule of the Local Government Act 1974 for the temporary closure of roads.

Reports - Governance

9.1 Minutes of the Council Meeting dated 27 April 2016

Record No: R/16/6/8218

These minutes were approved earlier in the meeting.

9.2 Minutes of the Activities Performance Audit Committee Meeting dated 9 December 2015

Record No: R/16/1/1375

Resolution

Moved Cr Paterson, seconded Cr Macpherson and resolved:

That Council receives the minutes of the Activities Performance Audit Committee meeting held 9 December 2015 as information.

- 9.3 Minutes of the Activities Performance Audit Committee Meeting dated 27 April 2016**
Record No: R/16/5/7712
Resolution
Moved Cr Paterson, seconded Cr Macpherson **and resolved:**
That Council receives the minutes of the Activities Performance Audit Committee meeting held 27 April 2016 as information.
- 9.4 Minutes of the Athol Community Development Area Subcommittee Meeting dated 23 November 2015**
Record No: R/16/5/7719
Resolution
Moved Cr Paterson, seconded Cr Macpherson **and resolved:**
That Council receives the minutes of the Athol Community Development Area Subcommittee meeting held 23 November 2015 as information.
- 9.5 Minutes of the Balfour Community Development Area Subcommittee Meeting dated 24 November 2015**
Record No: R/16/3/3951
Resolution
Moved Cr Paterson, seconded Cr Macpherson **and resolved:**
That Council receives the minutes of the Balfour Community Development Area Subcommittee meeting held 24 November 2015 as information.
- 9.6 Minutes of the Balfour Community Development Area Subcommittee Meeting dated 24 February 2016**
Record No: R/16/5/8048
Resolution
Moved Cr Paterson, seconded Cr Macpherson **and resolved:**
That Council receives the minutes of the Balfour Community Development Area Subcommittee meeting held 24 February 2016 as information.
- 9.7 Minutes of the Colac Bay Community Development Area Subcommittee Meeting dated 26 November 2015**
Record No: R/16/4/5697
Resolution
Moved Cr Paterson, seconded Cr Macpherson **and resolved:**
That Council receives the minutes of the Colac Bay Community Development Area Subcommittee meeting held 26 November 2015 as information.

9.8 Minutes of the Eastern Bush/Otahu Flat Water Supply Subcommittee Meeting dated 21 August 2015

Record No: R/16/3/3685

Resolution

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

That Council receives the minutes of the Eastern Bush/Otahu Flat Water Supply Subcommittee meeting held 21 August 2015 as information.

9.9 Minutes of the Garston Community Development Area Subcommittee Meeting dated 23 November 2015

Record No: R/16/5/7720

Resolution

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

That Council receives the minutes of the Garston Community Development Area Subcommittee meeting held 23 November 2015 as information.

9.10 Minutes of the Lumsden Community Development Area Subcommittee Meeting dated 15 February 2016

Record No: R/16/4/5676

Resolution

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

That Council receives the minutes of the Lumsden Community Development Area Subcommittee meeting held 15 February 2016 as information.

9.11 Minutes of the Mossburn Community Development Area Subcommittee Meeting dated 16 November 2015

Record No: R/16/3/4633

Resolution

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

That Council receives the minutes of the Mossburn Community Development Area Subcommittee meeting held 16 November 2015 as information.

9.12 Minutes of the Ohai-Nightcaps-Wairio Water Supply Subcommittee Meeting dated 16 February 2016

Record No: R/16/5/7716

Resolution

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

That Council receives the minutes of the Ohai-Nightcaps-Wairio Water Supply Subcommittee meeting held 16 February 2016 as information.

9.13 Minutes of the Orepuki Community Development Area Subcommittee Meeting dated 10 November 2015

Record No: R/16/3/4334

Resolution

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

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

9.14 Minutes of the Otautau Community Board Meeting dated 1 October 2015

Record No: R/16/3/3688

Resolution

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

That Council receives the minutes of the Otautau Community Board meeting held 1 October 2015 as information.

9.15 Minutes of the Otautau Community Board Meeting dated 10 March 2016

Record No: R/16/5/7713

Resolution

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

That Council receives the minutes of the Otautau Community Board meeting held 10 March 2016 as information.

9.16 Minutes of the Tuatapere Community Board Meeting dated 12 April 2016

Record No: R/16/5/7898

Resolution

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

That Council receives the minutes of the Tuatapere Community Board meeting held 12 April 2016 as information.

9.17 Minutes of the Riverton/Aparima Community Board Meeting dated 9 February 2016

Record No: R/16/3/4437

Resolution

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

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 9 February 2016 as information.

9.18 Minutes of the Riverton/Aparima Community Board Meeting dated 21 March 2016

Record No: R/16/5/7554

Resolution

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

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 21 March 2016 as information.

9.19 Minutes of the Riverton Harbour Subcommittee Meeting dated 9 November 2015

Record No: R/16/3/4333

Resolution

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

That Council receives the minutes of the Riverton Harbour Subcommittee meeting held 9 November 2015 as information.

9.20 Minutes of the Riversdale Community Development Area Subcommittee Meeting dated 24 November 2015

Record No: R/16/3/3952

Resolution

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

That Council receives the minutes of the Riversdale Community Development Area Subcommittee meeting held 24 November 2015 as information.

9.21 Minutes of the Riversdale Community Development Area Subcommittee Meeting dated 24 February 2016

Record No: R/16/5/8047

Resolution

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

That Council receives the minutes of the Riversdale Community Development Area Subcommittee meeting held 24 February 2016 as information.

9.22 Minutes of the Riverton Harbour Subcommittee Meeting dated 1 March 2016

Record No: R/16/5/7744

Resolution

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

That Council receives the minutes of the Riverton Harbour Subcommittee meeting held 1 March 2016 as information.

9.23 Minutes of the Thornbury Community Development Area Subcommittee Meeting dated 24 November 2015

Record No: R/16/4/5235

Resolution

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

That Council receives the minutes of the Thornbury Community Development Area Subcommittee meeting held 24 November 2015 as information.

9.24 Minutes of the Tuatapere Community Board Meeting dated 22 September 2015

Record No: R/16/3/3686

Resolution

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

That Council receives the minutes of the Tuatapere Community Board meeting held 22 September 2015 as information.

9.25 Minutes of the Tuatapere Community Board Meeting dated 27 October 2015

Record No: R/16/3/3690

Resolution

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

That Council receives the minutes of the Tuatapere Community Board meeting held 27 October 2015 as information.

9.26 Minutes of the Tuatapere Community Board Meeting dated 1 March 2016

Record No: R/16/4/5695

Resolution

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

That Council receives the minutes of the Tuatapere Community Board meeting held 1 March 2016 as information.

9.27 Minutes of the Waikaia Community Development Area Subcommittee Meeting dated 18 November 2015

Record No: R/16/5/7101

Resolution

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

That Council receives the minutes of the Waikaia Community Development Area Subcommittee meeting held 18 November 2015 as information.

9.28 Minutes of the Woodlands Community Development Area Subcommittee Meeting dated 23 November 2015

Record No: R/16/4/5696

Resolution

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

That Council receives the minutes of the Woodlands Community Development Area Subcommittee meeting held 23 November 2015 as information.

Public Excluded

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

Resolution

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

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

C10.1 Public Excluded Minutes of the Activities Performance Audit Committee Meeting dated 9 December 2015

C10.2 Public Excluded Minutes of the Riverton/Aparima Community Board Meeting dated 21 March 2016

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
Public Excluded Minutes of the Activities Performance Audit Committee Meeting dated 9 December 2015	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. 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.
Public Excluded Minutes of the Riverton/Aparima Community Board Meeting dated 21 March 2016	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely	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

	unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	reason for withholding exists.
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That the Chief Executive Officer, Group Manager, Community and Futures, Group Manager, Environmental Services, Group Manager, Services and Assets, Chief Financial Officer, Communications Manager and Committee Advisor be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Public Excluded Minutes of the Activities Performance Audit Committee Meeting dated 9 December 2015 and C10.2 Public Excluded Minutes of the Riverton/Aparima Community Board Meeting dated 21 March 2016. 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 at 11.14am.

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 11.16am.

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE COUNCIL
HELD ON WEDNESDAY 8 JUNE 2016.

DATE:.....

CHAIRPERSON:.....