

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

**Date:** Monday, 13 June 2016  
**Time:** 6pm  
**Meeting Room:** SDC Office, Lumsden  
**Venue:**

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## **Lumsden Community Development Area Subcommittee Agenda**

### **OPEN**

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#### **MEMBERSHIP**

**Chairperson** Robin Scott  
**Deputy Chairperson** Karen Blakemore  
Evan Hankey  
Gary Maclean  
Chris Palmer  
Colin Walker

**Councillor** John Douglas

#### **IN ATTENDANCE**

**Committee Advisor** Rose Knowles  
**Community** Bruce Miller  
**Engineer**

Contact Telephone: 0800 732 732  
Postal Address: PO Box 903, Invercargill 9840  
Email: [emailsdc@southlanddc.govt.nz](mailto:emailsdc@southlanddc.govt.nz)  
Website: [www.southlanddc.govt.nz](http://www.southlanddc.govt.nz)

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

## **Terms of Reference for CDAs**

This CDA is a subcommittee of Southland District Council and has delegated responsibility.

The CDA members are elected to represent and advocate for their community.

It can make decisions on:

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

It can make recommendations to Council on:

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

**8.1 Chairperson's Report**

The Chairperson, Member Scott, to report on matters with which he has been involved since the subcommittee's last meeting.

**8.2 Committee Reports**

**Works & Cemetery – K Blakemore, R Scott**  
**Hall – C Walker, E Hankey**  
**Community Housing – C Palmer, C Walker**  
**Water Supply – K Blakemore, E Hankey**  
**Information Centre – C Palmer**

**8.3 Councillor's Report**

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



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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**

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

**4 Public Forum**

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on [www.southlanddc.govt.nz](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 committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

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

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

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

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

(a) that item may be discussed at that meeting if-

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

**6 Confirmation of Minutes**

6.1 Meeting minutes of Lumsden Community Development Area Subcommittee,  
11 April 2016

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# **Lumsden Community Development Area Subcommittee OPEN MINUTES**

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Minutes of a meeting of Lumsden Community Development Area Subcommittee held in the SDC Office, Lumsden on Monday, 11 April 2016 at 6pm.

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## **PRESENT**

<b>Chairperson</b>	Robin Scott
<b>Deputy Chairperson</b>	Karen Blakemore
	Evan Hankey
	Gary Maclean
	Chris Palmer
	Colin Walker
<b>Councillor</b>	John Douglas

## **IN ATTENDANCE**

<b>Committee Advisor</b>	Rose Knowles
<b>Community Engineer</b>	Bruce Miller
<b>Group Manager, Community &amp; Futures</b>	Rex Capil
<b>Community Partnership Leader</b>	Kelly Tagg
<b>Community Development Team Leader</b>	Bobbi Brown
<b>Community Development Planner, Venture Southland</b>	Steven Watson

<b>PUBLIC GALLERY</b>	Dave Allnutt
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**1 Apologies**

There were no apologies received.

**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**

Moved Member Blakemore , seconded Member Walker  
**and resolved that the subcommittee go into Public Forum to allow members of the public to speak.**

Mr D Allnutt addressed the meeting on an update of the Lumsden Community Pool issues which included the following;

- Appointment of a Manager
- Power and Diesel costs
- Operational and maintenance funding
- Promotion of the Pool
- Proposal to incorporate a Gym and Squash court within the building
- Breakdown of costs to cover the proposals for the upgrade
- Seismic Analysis
- Solar Panel Installation investigation
- Public Meeting to be held in the near future

The Chairman expressed appreciation to Mr Allnutt for his attendance at the meeting and presentation to the Subcommittee.

Moved Member Blakemore, seconded Member Maclean  
**and resolved that the Public Forum be closed and the subcommittee return to the formal meeting.**

**5 Extraordinary/Urgent Items**

There were no Extraordinary/Urgent items.

**6 Confirmation of Minutes**

**Resolution**

Moved Member Blakemore, seconded Member Walker

**That the minutes of Lumsden Community Development Area Subcommittee, meeting held on 15 February 2016, be confirmed.**

## **Reports**

### **7.1 Lumsden Community Development Area Subcommittee - Action Sheet**

**Record No: R/16/4/4798**

The Action Sheet was circulated for Members information.

Issues arising included the following;

- The subcommittee to decide on the new under five play equipment from the catalogues provided.
- Meadow Street, Lumsden drainage project to commence in May.
- Quotes are being sourced for the resealing at the end of the former railway station to be included in the next budget.
- Alternative flag designs are being investigated by the Area Engineer and Venture Southland.

#### **Resolution**

Moved Member Scott, seconded Councillor Douglas

**That the Lumsden Community Development Area Subcommittee:**

- a) Receives the report titled “Lumsden Community Development Area Subcommittee - Action Sheet” dated 4 April 2016.**
- b) Notes the responses from staff on the action sheet.**

### **7.2 Works and Finance Report to Lumsden Community Development Area Subcommittee for the period ended 29 February 2016**

**Record No: R/16/3/3676**

The Works and Finance Report prepared by the Community Engineer, Mr Bruce Miller for the period ending 29 February 2016, was tabled

#### **Resolution**

Moved Member Hankey, seconded Member Maclean

**That the Lumsden Community Development Area Subcommittee:**

- a) Receives the report titled “Works and Finance Report to Lumsden Community Development Area Subcommittee for the period ended 29 February 2016” dated 24 March 2016.**

### **7.3 Community Partnership Leader - Overview of role**

**Record No: R/16/3/4442**

The Community Partnership Leader – Overview of role report prepared by the Community Partnership Leader Mrs Kelly Tagg, was tabled.

Mrs Kelly Tagg (Community Partnership Leader, Northern and Western Southland) provided an update to the CDA on the newly established Community Partnership Leader positions and the role they will have in the community going forward.



## **Resolution**

Moved Member Maclean, seconded Member Palmer

**That the Lumsden Community Development Area Subcommittee:**

- a) **Receives the report titled “Community Partnership Leader - Overview of role” dated 4 April 2016.**

## **8.0 Updates**

### **8.1 Chairperson’s Report**

The Chairman, Rob Scott, reported on matters with which he has been involved since the subcommittee’s last meeting.

- Freedom Camping update
- Lumsden Facebook page
- Horse Trekking business at Recreation Grounds
- Health & Safety Laws
- Attendance at Pool meetings

### **8.3 Venture Southland Report**

Mr Steve Watson, (Community Development Planner, Venture Southland), gave an update to the subcommittee. These included;

- Funding application for the Lumsden Hall upgrade
- Cycle trail maps
- Northern Southland Heritage Brochures
- Plunket Rooms, Balfour

### **8.4 Councillor’s Report**

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

- Cycle trail update
- Te Anau Wastewater project meeting
- Sealing Catlins Road
- Zone Meeting at Chatham Island
- Haast Hollyford Road
- Annual Plan Submissions

The meeting concluded at 8pm.

CONFIRMED AS A TRUE AND CORRECT  
RECORD AT A MEETING OF THE LUMSDEN  
COMMUNITY DEVELOPMENT AREA  
SUBCOMMITTEE HELD ON 11 APRIL 2016

**DATE:**.....

**CHAIRPERSON:**.....



## Lumsden Community Development Area Subcommittee - Action Sheet 13 June 2016

**Record No:** R/16/6/8644  
**Author:** Rose Knowles, Committee Advisor  
**Approved by:** Rose Knowles, Committee Advisor

☐ Decision ☐ Recommendation ☒ Information

The Action Sheet from the Subcommittee's previous meetings is circulated for Members' information.

### Recommendation

That the Lumsden Community Development Area Subcommittee:

- a) Receives the report titled "Lumsden Community Development Area Subcommittee - Action Sheet 13 June 2016" dated 8 June 2016.
- b)
- c) Notes the responses from staff on the action sheet.

### Attachments

- A Lumsden Community Development Area Subcommittee - Action Sheet 13 June 2016  
[View](#)

# Lumsden Community Development Area Subcommittee Action Sheet - Excluding Public Excluded

## Open Action Items

Author	Due Date	Subject	Notes
Bruce Miller	13/06/2016	Under Five Play Equipment	The subcommittee to decide on the new equipment for the playground. 8 June 2016 Equipment has been ordered.
Bruce Miller	29/08/2016	Alternative flag designs for the main street.	The community Engineer to investigate alternative flag designs for the main Street. 8 June 2016 Investigations continuing.
Bruce Miller	29/08/2016	Meadow Street, Lumsden drainage problems.	After consultation with MWH the project will commence under our maintenance contract with Southroads. 8 June 2016 Southroads commence work early June.
Bruce Miller	29/08/2016	Sealing of the former Railway Station dump station area.	Quotes are being sourced for this project for the next budget 2016/2017. 8 June 2016 Quotes will be available at the meeting.

## Works and Finance Report to Lumsden Community Development Area Subcommittee for the period ended 30 April 2016

Record No: R/16/5/7740  
Author: Bruce Miller, Community Engineer  
Approved by: Ian Marshall, Group Manager Services and Assets

☐ Decision ☐ Recommendation ☒ Information

### Community Engineer's Report

1. The playground equipment has been ordered after the change was notified to CDA members, this will take four to six weeks to deliver.
2. The quote from Fulton Hogan to seal the entrance to the station from the road to the platform with establishment is \$16,893.07. It is a further \$6,000.00 to complete it to the rear of the platform.
3. Other project updates, Meadow Street: Drainage with four sumps and piping job starting June and completed before 30 June. Flags further designs being sort.

### Water and Waste Engineer's Report

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

### Financial Considerations

#### Community Engineer Comments

6. Will report at the meeting with a more up to date report and will discuss under and overs.

#### Development and Financial Contributions

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

Sewerage	\$29,989
Water	\$5,489

Reserves

8. Please find the Reserves Report attached.

**Recommendation**

**That the Lumsden Community Development Area Subcommittee:**

- a) **Receives the report titled “Works and Finance Report to Lumsden Community Development Area Subcommittee for the period ended 30 April 2016” dated 7 June 2016.**

**Attachments**

- A Lumsden Project List and Financial Reports, 30 April 2016 [View](#)

**Project List**

The table below shows all of the projects that are currently planned for Lumsden in 2015/2016. Items in ***Bold and Italics*** are carried over from previous financial years.

Activity	Project	Type	Year	Budget	Status	Officer's Comments
Community Centres	Exterior repaint	MAINT PLAN	1516	\$19,000.00	Design	In progress - weather dependent.
Roading and Transport	Footpath replacement	LOS	1516	\$68,000.00	Design	This job will begin at the end of March.
Sewerage	Install guide rails to pump station	LOS	1516	\$40,000.00	Completed	Completed.
Sewerage	New manhole at pump station	LOS	1516	\$24,000.00	Deleted	Not required - Alternative methodologies adopted to repair wet well.
Sewerage	Pumps	REN	1516	\$8,763.00	Completed	Completed.
Stormwater	Investigation studies in relation to reticulation renewal	LOS	1516	\$20,000.00	Investigation	Bonish engaged for survey and options - expected expenditure \$9,000.

## Lumsden Community Financial Report

83.33% Of Year

For the Period Ended April 2016

Income	Annual Budget	Actual Income to Date	Income to Date %	Full Year Projection
24300 Administration - Lumsden	5,557	1	0%	5,557
24301 Library - Lumsden	23,497	19,518	83%	23,434
24302 Operating Costs - Lumsden	(2,228)	(1,514)	68%	(1,885)
24307 Street Works - Lumsden	13,260	9,936	75%	13,196
24310 Refuse Collection - Lumsden	14,000	11,592	83%	13,925
24325 Cemetery - Lumsden	10,272	7,803	76%	9,515
24328 Beautification - Lumsden	39,936	33,719	84%	40,375
24332 Recreation Reserve - Lumsden	1,466	1,705	116%	1,949
24346 Playground - Lumsden	2,100	1,744	83%	2,094
24349 Camping Ground - Lumsden	1,200	900	75%	1,100
24350 Hall - Lumsden	14,709	14,650	100%	17,454
24389 Information - Centre	2,282	1,898	83%	2,278
<b>Subtotal Local Business Units</b>	<b>126,051</b>	<b>101,951</b>	<b>81%</b>	<b>128,993</b>
24313 Stormwater Drainage - Lumsden	16,403	11,189	68%	16,331
24370 Sewerage Scheme Lumsden	72,763	0	0%	12,127
24372 SS - WW2203 Wetwell upgrade	0	17,007	0%	17,007
<b>Subtotal Water &amp; Waste Business Units</b>	<b>89,166</b>	<b>28,196</b>	<b>32%</b>	<b>45,464</b>
<b>Total</b>	<b>215,217</b>	<b>130,147</b>	<b>60%</b>	<b>174,457</b>



## Lumsden Community Financial Report

83.33% Of Year

For the Period Ended April 2016

Expenditure	Annual Budget	Actual Spent to Date	Spent to Date %	Full Year Projection
24301 Library - Lumsden	19,265	15,348	80%	18,711
24302 Operating Costs - Lumsden	5,642	3,610	64%	4,310
24307 Street Works - Lumsden	4,000	0	0%	667
24310 Refuse Collection - Lumsden	14,000	16,918	121%	19,252
24325 Cemetery - Lumsden	10,272	15,063	147%	16,775
24328 Beautification - Lumsden	39,936	28,362	71%	35,018
24332 Recreation Reserve - Lumsden	1,466	1,885	129%	2,018
24346 Playground - Lumsden	2,100	(28)	(1%)	322
24350 Hall - Lumsden	33,285	22,954	69%	27,534
24389 Information - Centre	2,282	2,544	111%	2,744
<b>Subtotal Local Business Units</b>	<b>132,248</b>	<b>106,656</b>	<b>81%</b>	<b>127,351</b>
24313 Stormwater Drainage - Lumsden	13,514	5,072	38%	7,306
<b>Subtotal Water &amp; Waste Business Units</b>	<b>13,514</b>	<b>5,072</b>	<b>38%</b>	<b>7,306</b>
<b>Total</b>	<b>145,762</b>	<b>111,729</b>	<b>77%</b>	<b>134,656</b>

## Lumsden Community Financial Report

83.33% Of Year

For the Period Ended April 2016

Capital Expenditure	<u>Annual Budget</u>	<u>Actual Spent to Date</u>	<u>Spent to Date %</u>	<u>Full Year Projection</u>
24301 Library - Lumsden	4,232	2,891	68%	3,596
24307 Street Works - Lumsden	68,000	0	0%	11,333
24350 Hall - Lumsden	0	4,476	0%	4,476
<b>Subtotal Local Business Units</b>	<b>72,232</b>	<b>7,367</b>	<b>10%</b>	<b>19,406</b>
24313 Stormwater Drainage - Lumsden	20,000	3,313	17%	6,646
24370 Sewerage Scheme Lumsden	72,763	0	0%	12,127
24372 SS - WW2203 Wetwell upgrade	0	17,007	0%	17,007
<b>Subtotal Water &amp; Waste Business Units</b>	<b>92,763</b>	<b>20,319</b>	<b>22%</b>	<b>35,780</b>
<b>Total</b>	<b>164,995</b>	<b>27,686</b>	<b>17%</b>	<b>55,185</b>
<b>Funding Adjustments</b> (Contributions, Loans, Provisions, Reserves, Forestry Dividend)	<u>Annual Budget</u>	<u>Actual Adjustments to Date</u>	<u>Adjustments to Date %</u>	<u>Full Year Projection</u>
24300 Administration - Lumsden	(5,557)	0	0%	(926)
24301 Library - Lumsden	0	89	0%	89
24302 Operating Costs - Lumsden	7,870	0	0%	1,312
24307 Street Works - Lumsden	58,740	0	0%	9,790
24349 Camping Ground - Lumsden	(1,200)	0	0%	(200)
24350 Hall - Lumsden	18,576	0	0%	3,096
<b>Subtotal Local Business Units</b>	<b>78,429</b>	<b>89</b>	<b>0%</b>	<b>13,160</b>
24313 Stormwater Drainage - Lumsden	17,111	0	0%	2,852
<b>Subtotal Water &amp; Waste Business Units</b>	<b>17,111</b>	<b>0</b>	<b>0%</b>	<b>2,852</b>
<b>Total</b>	<b>95,540</b>	<b>89</b>	<b>0%</b>	<b>16,012</b>

## Reserve Balances - Annual Plan

Lumsden	Opening Balance	Current Budget	Forecast Budget	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
<b>Community Centre</b>													
<i>Operating</i>													
Comm Centres Lumsden - OPR	22,212	3,636	3,636	3,680	3,726	3,773	3,822	3,874	3,928	3,984	4,042	4,103	4,103
<b>Total Community Centre Operating</b>	<u>22,212</u>	<u>3,636</u>	<u>3,636</u>	<u>3,680</u>	<u>3,726</u>	<u>3,773</u>	<u>3,822</u>	<u>3,874</u>	<u>3,928</u>	<u>3,984</u>	<u>4,042</u>	<u>4,103</u>	<u>4,103</u>
<b>Total Community Centre Balance</b>	<u>22,212</u>	<u>3,636</u>	<u>3,636</u>	<u>3,680</u>	<u>3,726</u>	<u>3,773</u>	<u>3,822</u>	<u>3,874</u>	<u>3,928</u>	<u>3,984</u>	<u>4,042</u>	<u>4,103</u>	<u>4,103</u>
<b>Local</b>													
<i>Reserve</i>													
Lumsden Footpaths - OPR	27,299	(31,441)	2,559	10,782	19,350	28,277	37,578	47,268	57,364	67,884	78,844	90,264	90,264
Lumsden General - RES	128,989	127,663	127,663	99,349	96,813	102,206	98,747	104,221	109,924	115,866	122,057	128,507	129,707
Lumsden Property Sales - RES	5,168	5,381	5,381	5,603	5,834	6,075	6,326	6,587	6,859	7,143	7,438	7,746	7,746
<b>Total Local Reserve</b>	<u>161,456</u>	<u>101,603</u>	<u>135,603</u>	<u>115,734</u>	<u>121,997</u>	<u>136,558</u>	<u>142,651</u>	<u>158,076</u>	<u>174,147</u>	<u>190,893</u>	<u>208,339</u>	<u>226,517</u>	<u>227,717</u>
<b>Total Local Balance</b>	<u>161,456</u>	<u>101,603</u>	<u>135,603</u>	<u>115,734</u>	<u>121,997</u>	<u>136,558</u>	<u>142,651</u>	<u>158,076</u>	<u>174,147</u>	<u>190,893</u>	<u>208,339</u>	<u>226,517</u>	<u>227,717</u>
<b>Stormwater</b>													
<i>Reserve</i>													
Lumsden Stormwater (K&C) - RES	90,267	73,156	33,156	(10,253)	(7,553)	(4,740)	(61,997)	(61,465)	(60,911)	(60,334)	(59,733)	(59,107)	(59,107)
<b>Total Stormwater Reserve</b>	<u>90,267</u>	<u>73,156</u>	<u>33,156</u>	<u>(10,253)</u>	<u>(7,553)</u>	<u>(4,740)</u>	<u>(61,997)</u>	<u>(61,465)</u>	<u>(60,911)</u>	<u>(60,334)</u>	<u>(59,733)</u>	<u>(59,107)</u>	<u>(59,107)</u>
<b>Total Stormwater Balance</b>	<u>90,267</u>	<u>73,156</u>	<u>33,156</u>	<u>(10,253)</u>	<u>(7,553)</u>	<u>(4,740)</u>	<u>(61,997)</u>	<u>(61,465)</u>	<u>(60,911)</u>	<u>(60,334)</u>	<u>(59,733)</u>	<u>(59,107)</u>	<u>(59,107)</u>
<b>Total Lumsden Reserve Balance</b>	<u>273,936</u>	<u>178,395</u>	<u>172,395</u>	<u>109,161</u>	<u>118,170</u>	<u>135,591</u>	<u>84,476</u>	<u>100,485</u>	<u>117,164</u>	<u>134,543</u>	<u>152,648</u>	<u>171,513</u>	<u>172,713</u>



## Bylaw Review Process

**Record No:** R/16/4/5197  
**Author:** Tamara Dytor, Policy Analyst  
**Approved by:** Rex Capil, Group Manager Community and Futures

☐ Decision ☐ Recommendation ☒ Information

### Executive Summary

- 1 In 2016, the Cemetery Bylaw 2006, the Keeping of Animals, Poultry and Bees Bylaw 2010 and the Control of Advertising Signs Bylaw 2008 will be reviewed. This report outlines the approach that will be taken to consultation and review.

### Background

- 2 Council will be reviewing three bylaws in 2016. The drivers for each review are outlined below:
  - The Cemetery Bylaw 2006 requires review in 2016 to remain current.
  - A review of the Keeping of Animals, Poultry and Bees Bylaw 2010 is recommended to address local issues. This bylaw was reviewed in 2010 however, since this time additional issues have arisen. The keeping of animals in urban areas has become an area of contention in some communities.
  - A review of the Control of Advertising Signs Bylaw 2008 is recommended to align with the District Plan. This will provide clarity for the public and address issues across the District relating to signage. The proposed bylaw review would address the placement of signs in the road reserve, for example sandwich boards on footpaths. Changes to the bylaw are intended to increase the ease of doing business with Council and provide clarity and consistency.

### Timeline

- 3 The timeline below outlines key milestones in the process of review and details the approach to public engagement.

Date	Task
Mid-May 2016	Pre-consultation engagement sessions. Sessions are also for other Long Term Plan issues.
8 June 2016	Council meeting (Endorse draft bylaws for public consultation)
8 June 2016	Notification given to Area Offices, and customer services. Committee Advisors to liaise with CB and CDA chairs to remind them of the submission period.
9 June 2016	Draft bylaws advertised.
9 Jun – 30 Jun 2016	Submission period.
20 July 2016	Council meeting (Submission Hearings)

<b>2 Aug 2016</b>	Amendments made to draft bylaws.
<b>17 Aug 2016</b>	Council meeting (Deliberations)
<b>7 Sep 2016</b>	Council meeting (Adoption of bylaws)
<b>8 Sep 2016</b>	Advertising of adopted bylaws.
<b>Sep – Oct 2016</b>	Present report to CDAs on new bylaws.
<b>Nov – Dec 2016</b>	Present report to CBs on new bylaws.

### **Consultation and engagement**

- 4 Community views will be considered during formal consultation and during pre-consultation engagement. The timeline above details when this will occur.
- 5 Community Boards and Community Development Area Subcommittees are asked to make submissions during the consultation period and individual members can engage during pre-consultation sessions in May.

### **Recommendation**

**That the Lumsden Community Development Area Subcommittee:**

- a) **Receives the report titled “Bylaw Review Process” dated 8 June 2016.**

### **Attachments**

There are no attachments for this report.

## Draft Unmanned Aerial Vehicles Policy

**Record No:** R/16/4/5650  
**Author:** Tamara Dytor, Policy Analyst  
**Approved by:** Rex Capil, Group Manager Community and Futures

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 This report presents the draft Use of Unmanned Aerial Vehicles Policy. A recommendation is sought from Community Boards and Community Development Area Subcommittees regarding local areas that should be considered for restriction or prohibition of unmanned aerial vehicle use.

### Executive Summary

- 2 Under new rules introduced by the Civil Aviation Authority (CAA), Council can grant or decline consent for the use of Unmanned Aerial Vehicles (UAVs) on property that it owns or controls. The draft Unmanned Aerial Vehicle Policy sets a framework to allow Council to do this.
- 3 The draft Use of Unmanned Aerial Vehicle Policy contains broad conditions which would apply throughout the District. Feedback is requested from Community Boards and Community Development Area Subcommittees to determine whether Council should consider prohibition or restriction in specific local areas.

### Recommendation

**That the Lumsden Community Development Area Subcommittee:**

- a) **Receives the report titled “Draft Unmanned Aerial Vehicles Policy” dated 19 April 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) **Recommend any local areas that should be considered as restricted or prohibited areas for the use of unmanned aerial vehicles.**

## Content

### Background

- 4 Rules introduced by the Civil Aviation Authority (CAA) came into effect on 1 August 2015. The rules require people to obtain Council approval to operate UAVs on public land.
- 5 The draft Use of Unmanned Aerial Vehicles Policy broadly allows for the use of unmanned aerial vehicles in the District, provided that users comply with conditions within the policy. These conditions exist in addition to those already imposed across New Zealand by the CAA.
- 6 The majority of UAV use is likely to occur in Council's parks, reserves and open spaces.

### What is an UAV?

The term UAV covers all electric powered remote controlled model aircraft of the type commonly referred to as "drones" that are capable of vertical take-off and landing and small hand-launched gliders less than a 1.5 metre wing span. It does not cover the following:

- Fixed wing electric-powered model aircraft greater than 1 metre wing span.
- All fixed - winged model aircraft that are internal combustion engine (petrol) powered.
- Gliders greater than a 1.5 metre wing span and bungee-launched gliders.
- Single rotor helicopters that are electric powered or internal combustion engine (petrol) powered.
- Jet powered models.

### CAA Regulations

CAA rules apply to all UAV operators throughout New Zealand. CAA rules Part 101 require 12 key things from UAV operators. Operators must:

1. Not operate an UAV 25 kg or larger and always ensure that the UAV is safe to operate;
2. Take all practicable steps to minimise hazards to persons, property and other aircraft;
3. Fly only in daylight;
4. Give way to all crewed aircraft;
5. Be able to see the UAV with their own eyes;
6. Not fly higher than 120 metres (400 feet) (unless certain conditions are met);
7. Have knowledge of airspace restrictions;
8. Not fly closer than four kilometres from any aerodrome (unless certain conditions are met);
9. Obtain an air traffic control clearance issued by Airways (when flying in controlled airspace);
10. Not fly in special use airspace without the permission of the controlling authority of the area (eg, military operating areas, low flying zones, danger areas or restricted areas);
11. Have consent from anyone you want to fly above;
12. Have the consent of the property owner or person in charge of the area you want to fly above.



- 7 Rules are enforceable by the CAA and a breach could result in a fine, a written warning, or prosecution.

### **Issues**

#### **Approach taken in the draft Use of Unmanned Aerial Vehicles Policy**

- 8 The draft policy nominates some circumstances in which UAV use is not permitted without specific approval from Council. These restrictions apply:
- Over a sports field if in use by others, or within 50 metres of any organised activity taking place in a reserve or Council controlled open space;
  - Over or above Council owned or controlled cemeteries or formed roads;
  - Over or within 50 metres of other users of open spaces;
  - Over or within 50 metres of any building on Council land or any playground equipment, furniture, swimming pool, or track on a reserve;
  - Within 50 metres of livestock, wildlife or sensitive wildlife habitats; and
  - Within 50 metres of a reserve boundary where residential housing or stock farming adjoins.
- 9 In addition to these conditions, Community Boards and Community Area Subcommittees are being asked whether there are any local areas that should be considered for restriction or prohibition.
- 10 Council is keen to ensure that UAV use is appropriate to community needs. There is no benefit in allowing use where it is inappropriate or unsafe. Conversely, there is also no benefit in being unnecessarily restrictive in regards to this recreational activity.
- 11 Since the definition of an UAV includes model airplanes, it is important to consider the impact of this policy on existing clubs and associations.

#### **Current use and incidents**

- 12 The extent of UAV use in the Southland District is currently unknown. No complaints to Council regarding the use of UAVs were identified during the development of this report. However, across New Zealand the number of incidents reported to the CAA has grown significantly in recent years. The tables below detail the number of incidents across New Zealand by year and by incident type.

**Total incidents annually**

Year	Total incidents
2008	1
2009	0
2010	1
2011	4
2012	11
2013	10
2014	33
2015	120
Total	184

**Number of incidents by incident type**

Incident type*	Total incidents
Aviation-related concern	116
Airspace incident	61
Incident	5
Accident	2
Grand Total	184

**\*Incident definitions**

Aviation-related concern: these are 'concerns' relating to aviation safety or securing, and include complaints and allegations about suspected rule breaches, etc.

Airspace incident: incidents that involve deviations from airspace rules and procedures (minimum distances for aircraft separation, for example).

Incident: a general incident category that covers situations where there is a risk of harm occurring but this does not eventuate.

- 13 There have been four incidents involving UAVs in the Southland region, one of which was in the Southland District. Three of these were aviation-related concerns, one was an airspace incident. The details of each are in the table below:

Date	Description	Location
30-Oct-13	Concern UAV flying on farms and potentially causing a hazard to other aircraft in the area.	Otama Hill Road, Gore
13-Jun-14	Concern about UAV flying near an airliner and a low flying area. Referred to the Regulatory Investigations Unit.	Invercargill
14-Apr-15	Concern that a UAV was flown in close proximity to the airport.	Invercargill
11-Nov-15	Unauthorised UAV operations 100 metres from the airport. The operators were two foreign nationals.	Milford Sound

- 14 To date, 10 enforcement actions have been undertaken by the CAA's Regulatory Investigations Unit in relation to UAV operations. Five of these have been written warnings, and five have been infringement notices with fines ranging from \$500 to \$3,500.
- 15 At this stage staff have not identified any complaints to Council regarding the use of UAVs in the Southland District. To balance the fact that there is not a current significant issue with UAVs and the likelihood of risks in the future, a moderate and proportionate response to manage this issue would be appropriate. Council also needs to be mindful of existing UAV users such as the Fiordland Cloudbusters Model Aircraft Club, who have operated UAVs to date without any issues.

**Enforcement**

- 16 The CAA has the power to regulate UAV use through mechanisms ranging from warnings to prosecution, depending on the nature of incidents.
- 17 CAA officers have indicated that if reported issues are of a serious nature involving the endangerment of people or property or reckless use of UAVs, an investigation with a view towards prosecution would be likely to occur. For less serious breaches, warnings or infringements are more likely to be considered.
- 18 In the event of a breach of the policy, Council staff would report any incident to the CAA. The incident would be recorded so that the CAA can gather a realistic picture of issues relating to drones and of any operators who breach the rules on multiple occasions. In the opinion of staff in the CAA investigations team, a Council bylaw would be an unnecessary duplication of existing powers under the CAA Regulatory Enforcement Policy.

## Factors to Consider

### Legal and Statutory Requirements

- 19 Council is empowered to adopt a position by CAA rules. The CAA has power to enforce its rules (including permission and conditions of land owners) using mechanisms ranging from warnings and infringements to prosecutions.
- 20 Since there is currently insufficient evidence of a serious issue relating to UAV use in the Southland District a bylaw is not a proportionate response. Also, enforcement powers of a bylaw largely duplicate enforcement that could be undertaken through CAA legislation. While Council could state its position through guidelines, staff recommend a policy approach to ensure clarity.

### Community Views

- 21 This report is part of the process of gathering community views and forming a policy that meets local needs.

### Costs and Funding

- 22 There are no costs associated with implementing an Use of Unmanned Aerial Vehicles Policy, other than those associated with advertising and consultation. This is because any enforcement action would be referred to the CAA.

### Policy Implications

- 23 If an Use of Unmanned Aerial Vehicles Policy is adopted, it will be referred to in Council's Reserves Management Policy.

## Analysis

### Options Considered

- 24 Community Boards and Community Development Area Subcommittees could:
- Option 1: Nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas; or
  - Option 2: Not nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas.

### Analysis of Options

#### Option 1 – Nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Responds to any circumstances or requirements specific to local communities.</li></ul>	<ul style="list-style-type: none"><li>• It is important for recommendations not to be unnecessarily restrictive because Council's general proposed approach is broadly permissive.</li></ul>

#### Option 2 – Not nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas.

<i>Advantages</i>	<i>Disadvantages</i>
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<ul style="list-style-type: none"><li>• Provides a clear, fair and consistent approach across the District.</li></ul>	<ul style="list-style-type: none"><li>• The broad approach may or may not meet local needs and match local circumstances.</li></ul>
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### Assessment of Significance

- 25 This issue has not been assessed as significant because at this stage it is not affecting a large number of people or stakeholders or a specific community. Council's ability to make decisions in relation to UAV use are established by CAA rules and the proposed approach is generally permissive.

### Recommended Option

- 26 It is recommended that Community Boards and Community Development Area Subcommittees only propose restricted or prohibited areas for inclusion in the policy if this reflects community needs and local circumstances and if these areas are not already adequately managed through the existing broad conditions within the draft policy.

### Next Steps

- 27 Following input from Community Boards and Community Development Area Subcommittees, this policy will be subject to public consultation.

### Attachments

- A Draft Use of Unmanned Aerial Vehicles Policy [View](#)

## SOUTHLAND DISTRICT COUNCIL

### USE OF UNMANNED AERIAL VEHICLES POLICY

This policy applies to:

#### DOCUMENT CONTROL

Administered by: Strategic Manager (Property)	TRIM reference number: r/15/12/22465	Effective date: «type date»
Approved by: Council	Date approved: «type date»	Next review date: «type date»

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**USE OF UNMANNED AERIAL VEHICLES POLICY****1. PURPOSE**

This policy sets out the conditions for use of Unmanned Aerial Vehicles (UAVs) on Council owned or controlled land.

**2. DEFINITIONS AND ABBREVIATIONS**

Term	Meaning
Unmanned Aerial Vehicle (UAV)	<p>The term UAV covers all electric powered remote controlled model aircraft, including the type commonly referred to as “drones” that are capable of vertical take-off and landing and small hand-launched gliders less than 1.5 metre wing span.</p> <p>UAVs are also known as drones, Remotely Piloted Aircraft Systems and Unmanned Aerial Systems.</p> <p>The term UAV does not include the following:</p> <ul style="list-style-type: none"><li>• Fixed wing electric-powered model aircraft greater than 1 metre wing span.</li><li>• All fixed - winged model aircraft that are internal combustion engine (petrol) powered.</li><li>• Gliders greater than 1.5 metre wing span and bungee-launched gliders.</li><li>• Single rotor helicopters that are electric powered or internal combustion engine (petrol) powered.</li><li>• Jet powered models.</li></ul>
Civil Aviation Authority Rules / CAA rules	<p>Civil Aviation Rules are set by the Minister of Transport. The rules are divided into parts. The two parts relevant to UAVs are:</p> <ul style="list-style-type: none"><li>• Part 101: <i>Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets - Operating Rules</i>, and</li><li>• Part 102: <i>Unmanned Aircraft Operator Certification</i>.</li></ul>

### 3 BACKGROUND

Under rules introduced by the Civil Aviation Authority (CAA) on 1 August 2015, Council can grant or decline consent for the use of UAVs on property that it owns or controls. This policy establishes criteria for UAV use over Council owned and controlled land in the Southland District.

### 4. POLICY DETAILS

#### 4.1 General Criteria

In addition to CAA rules, the following criteria apply to the use of UAVs over land or property owned or controlled by Southland District Council. They do not apply to the use of UAVs by Southland District Council.

Operators of UAVs must:

- Comply with the Office of the Privacy Commissioner guidance on preserving peoples' personal privacy by not flying over other people or adjoining private property without their consent.
- Be courteous of other park users, who often are there for the quiet enjoyment of Council's parks, reserves and open spaces.

#### 4.2 Restrictions

Operators must not use UAVs under the following conditions unless specific written approval has been granted by Council:

- If requested to cease by Council officers. Users must land their UAV immediately if requested by Council officers.
- Over a sports field if in use by others, or within 50 metres of any organised activity taking place in a reserve or Council controlled open space.
- Over or above Council owned or controlled cemeteries or formed roads.
- Over or within 50 metres of other users of open spaces. If another open space user moves within this range, the UAV user must immediately land their UAV.
- Over or within 50 metres of any building on Council land or any playground equipment, furniture, swimming pool, or track on a reserve.
- Within 50 metres of livestock, wildlife or sensitive wildlife habitats. If livestock or wildlife move within this range, the UAV user must immediately land their UAV.
- Within 50 metres of a reserve boundary where residential housing or stock farming adjoins.

Written Council approval must also be obtained for any organised event involving the use of UAVs.

Operators of UAVs must comply with any additional conditions of lease holders.

#### 4.3 Prohibited Areas

There are some areas where the use of UAVs is prohibited unless written approval has been granted by Council. These areas are:

- Local areas will be determined by Council following feedback from Community Boards and Community Development Area Subcommittees.

#### 4.4 Reporting incidents and near misses

UAV users must report all incidents and near misses to Southland District Council. This obligation also extends to other reserve users involved in any incident or near miss relating to UAV use.

#### 4.5 Enforcement

Any breach of the above conditions could result in termination of your permission to fly unmanned aircraft over Council land.

Council will report breaches to the Civil Aviation Authority, which may result in infringements or prosecution.

### 5. ASSOCIATED DOCUMENTS

- Civil Aviation Authority Rules and Guidelines: <http://www.caa.govt.nz/rpas/>
- Southland District Council District Reserves Management Policy

### 6. REVISION RECORD

Date	Version	Revision Description
«Type Date»	«Version»	«Revision»
«Type Date»	«Version»	«Revision»
«Type Date»	«Version»	«Revision»



## Endowment Land Occupation, Lumsden

Record No: R/16/5/6978

Author: Virginia Dillon, Property Officer

Approved by: Ian Marshall, Group Manager Services and Assets

☒ Decision

☐ Recommendation

☐ Information

### Purpose

- 1 The purpose of the report is to consider a recommendation that grazing of stock on the municipal endowment land located at 8 Vaga Street, 4 Juno Street and 21 Athol Five Rivers Road be approved to the adjoining landowners.

### Executive Summary

- 2 The lands at 8 Vaga Street, 4 Juno Street and 21 Lumsden Five Rivers Road are municipal endowment land.
- 3 The lands currently have stock grazed on them by Willy Menlove (8 Vaga Street) and Andrew and Tracy Sinclair (balance lands).
- 4 The current rental payable is \$100.00 plus GST per annum per parcel.
- 5 Both parties have indicated that they wish to continue grazing stock on the land.

### Recommendation

**That the Lumsden Community Development Area Subcommittee:**

- a) **Receives the report titled “Endowment Land Occupation, Lumsden” dated 8 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) **Resolves that the occupancy for grazing of Section 1, Block XXVII, Town of Lumsden located at 8 Vaga Street, Lumsden be offered to William Edward Menlove for a term of two years from 1 August 2016 at an annual rental of \$100.00 plus GST.**
- e) **Resolves that the occupancy for grazing of Section 1, Block XXVI, Town of Lumsden located at 4 Juno Street, Lumsden and Section 1, Block XXVIII, Town of Lumsden located at 21 Lumsden Fiver Rivers Road, Lumsden be offered to Andrew and Trudy Sinclair for a term of two years from 1 August 2016 at an annual rental of \$100.00 plus GST per parcel.**

## Background

- 6 Council owns municipal endowment land at 8 Vaga Street, 4 Juno Street and 21 Five Rivers Lumsden Highway. The parcels were vested in the former Lumsden Town Board for use as municipal endowment or for the use of the Lumsden Town Board by virtue of New Zealand Gazette 1919, page 2998.
- 7 The lands contain 3,895 m<sup>2</sup>, 4,047 m<sup>2</sup> and 4,047 m<sup>2</sup> respectively.
- 8 The parcels concerned are shown bordered red on the plan attached.
- 9 In 2010, Council's Resource Management staff indicated no residences will be allowed to be built on the lands - based on advice received from Environment Southland that they are located in a flood prone area.
- 10 Gavin Gilder of Environment Southland has confirmed the advice given and states further:  
*"The existing stop banks are only designed to protect against 15 to 20 year return period floods. The residual flood risk is even greater when one takes into account climate change and the associated predicted increases in rainfall. The Ministry for the Environment's climate change predictions for Southland include an increased frequency of heavy rainfall events and an increased likelihood of extreme precipitation (rainfall). It also predicts up to a halving of flood return periods by 2040 and up to a fourfold reduction by 2090.*  
*If the sections are to be disposed of, it is Environment Southland's preference that an appropriate mechanism is used to prohibit the erection of dwellings on those sections.*  
*Environment Southland notes that the location on State Highway 6 may be attractive to potential purchasers for commercial activity. Without prejudging if commercial activities are appropriate on either of the sections with respect to the rural zoning under the Proposed Southland District Plan or NZTA's management of its State Highway network, Environment Southland suggests that there are lower risk sites that would be more appropriate for commercial activity.*  
*While amalgamation with adjoining land would be the best outcome from Environment Southlands' point of view, it is appreciated there is no certainty that is achievable."*
- 11 In the past the sections have been offered for sale to the adjoining owners who have declined to purchase the parcels.
- 12 In 2014, the occupation of the sections for stock grazing was offered to the adjoining owners at \$100.00 plus GST per annum per parcel.
- 13 The occupation of these lands expires on 31 July this year.
- 14 Both Mr Menlove and Mr and Mrs Sinclair have indicated that they wished to continue grazing stock on the lands.

## Issues

- 15 No issues identified with occupation of the lands for grazing.

## Factors to Consider

### Legal and Statutory Requirements

- 16 There are no formal licence documents for the grazing.

### Community Views

- 17 The views of the CDA Subcommittee are deemed to represent those of the community.

### Costs and Funding

- 18 Costs of dealing with the matter are met by current budgets.
- 19 There are no annual Southland District Council rates levied on the properties and for Environment Southland, the rates levied for 2016/17 is \$22.06 for the three parcels.

### Policy Implications

- 20 No implications identified.

### Analysis

#### Options Considered

- 21 There are two options available to the Subcommittee.

#### Analysis of Options

##### Option 1 - Issue occupancy rights

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• There are no costs to the CDA in having the lands grazed.</li><li>• Income generated offsets the costs of the rates levied by Environment Southland.</li><li>• Both adjoining owners have indicated that they do not want to purchase the lands, therefore grazing is the best option at this time.</li></ul>	<ul style="list-style-type: none"><li>• None identified.</li></ul>

##### Option 2 - Decline occupancy rights

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• No advantages identified.</li></ul>	<ul style="list-style-type: none"><li>• The Subcommittee will have to fund maintenance of the lands.</li></ul>

### Assessment of Significance

- 22 Not a significant activity.

### Recommended Option

- 23 The officer recommends option 1.

### Next Steps

- 24 The occupiers will be advised of the decision.

### Attachments

- A Plan - Endowment Land Lumsden [View](#)

SDC Intranet Site

Page 1 of 1



<http://webmap.sdc.inet/framesetup.asp>

9/06/2014

## Item 7.5 Attachment A