

Date: Wednesday 20 July 2016
Time: 1pm
Meeting Room: Council Chambers
Venue: 15 Forth Street
Invercargill

Council

OPEN MINUTES FOR CONFIRMATION

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Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 29 June 2016 at 1.01pm.

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 – Steve Ruru, Group Manager Services and Assets – Ian Marshall, Group Manager Environmental Services – Bruce Halligan, Group Manager Community and Futures – Rex Capil, Chief Financial Officer Anne Robson, Manager People and Capability – Janet Ellis, Communications 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

There was no public forum

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Council Minutes

Resolution

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

That Council confirms the minutes of Council, held on 27 October 2015 and 8 June 2016 as a true and correct record of those meetings.

Reports - Policy and Strategy

7.1 Adoption of the Annual Plan 2016/2017

Record No: R/16/5/7916

Katherine McDonald – Corporate Planning and Performance Advisor and Sheree Marrah – Finance Manager were in attendance for this item.

Ms McDonald advised that the purpose of the report was to recommend that Council adopt the Annual Plan 2016/2017.

The meeting noted that the Annual Plan is a legislatively required document under the Local Government Act 2002 (LGA). Year Two of the Council's 10 Year Plan 2015-2025 (LTP) serves as the base for the Annual Plan 2016/2017. Some changes are required to the LTP budgets and work plan to reflect revised economic and business conditions and to schedule projects to better meet the needs of the District.

Miss McDonald also advised that the Annual Plan has been developed over a ten month period and the views of the communities in the Southland District have been taken into account.

Resolution

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

That the Council:

- a) **Receives the report titled “Adoption of the Annual Plan 2016/2017”**
- 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) **Confirms in accordance with Section 100 of the Local Government Act 2002 that the Annual Plan 2016/2017 has been prepared based on reasonable judgement and assumptions and that it considers the projected financial results, including the projected operating deficit for 2016/2017, to be financially prudent given its financial position.**
- e) **Adopts the Annual Plan including the Funding Impact Statement for the 2016/2017 financial year as attached to the Officers report.**
- f) **Delegates authority to the Chief Executive to approve any final edits required to the Annual Plan in order to finalise the document for distribution.**

7.2 Rates Resolution - Setting Rates for the Financial Year 1 July 2016 to 30 June 2017

Record No: R/16/1/589

Anne Robson – Chief Financial Officer was in attendance for this item.

Miss Robson advised that Council is required to formally set its rates, due dates for the payment of rates, and any details of penalties the Council wishes to add in accordance with the Local Government (Rating) Act 2002.

The meeting noted that the report lists the various rates that have been calculated for the financial year 1 July 2016 to 30 June 2017. These rates are included in the Council’s 2016/2017 Annual Plan.

Miss Robson also advised the meeting that recommendation k was a double up of recommendation i and could be deleted and as a result recommendation l would become k.

Resolution

Moved Deputy Mayor Duffy, seconded Cr Dillon **recommendations a – j, k(l) and a new l (as indicated) and resolved:**

That the Council:

- a) **Receives the report titled “Rates Resolution - Setting Rates for the Financial Year 1 July 2016 to 30 June 2017” dated 21 June 2016.**
- b) **Determines that this matter or decision be recognised as significant in terms of its significance and engagement policy.**

- 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) Sets the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2016 and ending on 30 June 2017.

Uniform Annual General Charge

Pursuant to Section 15(1)(a) of the Local Government (Rating) Act 2002, a uniform annual general charge of \$379.44 per rating unit on every rateable rating unit within the Southland District.

General Rate

Pursuant to Section 13(2)(a) of the Local Government (Rating) Act 2002, a general rate of \$0.00040203 in the dollar on the capital value of all rating units within the Southland District.

Targeted Rates

Community Facilities Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, the following uniform targeted rates in respect of each separately used or inhabited part of a rateable rating unit situated in the following Community Facility Areas:

Community Areas	Facility	Charge	Community Facility Areas	Charge
Aparima Hall		\$40.10	Mossburn Hall	\$60.00
Athol Memorial Hall		\$79.41	Myross Bush Hall	\$26.09
Balfour Hall		\$34.78	Nightcaps Hall	\$67.00
Blackmount Hall		\$50.00	Ohai Hall	\$50.07
Browns Hall		\$26.37	Orawia Hall	\$51.10
Brydone Hall		\$43.48	Orepuki Hall	\$58.11
Clifden Hall		\$43.66	Oreti Plains Hall	\$62.61
Colac Bay Hall		\$47.78	Otahuti Hall	\$26.09
Dacre Hall		\$37.39	Otapiri-Lora Gorge Hall	\$130.00
Dipton Hall		\$43.10	Otautau Hall	\$24.39
Dunearn-Avondale Hall		\$8.70	Riversdale Hall	\$42.02
Eastern Bush Hall		\$65.22	Ryal Bush Hall	\$36.73
Edendale Hall		\$10.49	Seaward Downs Hall	\$36.10
Fiordland Community Event Centre		\$34.78	Stewart Island Hall	\$62.38
Five Rivers Hall		\$43.48	Thornbury Hall	\$68.18
Fortrose Domain		\$25.00	Tokanui-Quarry Hills Hall	\$61.48
Glenham Hall		\$40.00	Tuatapere Hall	\$35.70
Gorge Road Hall		\$42.23	Tussock Creek Hall	\$26.09
Heddon Bush Hall		\$60.00	Tuturau Hall	\$37.14
Hedgehope-Glencoe Hall		\$60.00	Waianiwa Hall	\$60.00
Hokonui Hall		\$57.88	Waikaia Recreation Hall	\$47.15
Limehills Hall		\$53.38	Waikawa Community Centre	\$25.83
Lochiel Hall		\$30.43	Waimahaka Hall	\$50.00
Lumsden Hall		\$30.72	Waimatuku Hall	\$31.59
Mabel Bush Hall		\$33.60	Wairio Community Centre	\$32.00

Manapouri Hall	\$31.56	Wallacetown Hall	\$42.00
Mandeville Hall	\$40.00	Winton Hall	\$19.64
Mataura Island Hall	\$23.70	Wreys Bush Hall	\$81.22
Menzies Ferry Hall	\$35.00	Wrights Bush Hall	\$27.15
Mimihau Hall	\$50.00	Wyndham Hall	\$36.85
Mokoreta-Redan Hall	\$78.26		

Roading Targeted Rate

Pursuant to Sections 16(3)(a) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$58.92 per rateable rating unit within the Southland District; and

Pursuant to Sections 16(3)(a) and 16(4)(b) of the Local Government (Rating) Act 2002, a differential rate in the dollar of capital value for all rateable rating units:

Commercial	\$0.00130241
Dairy	\$0.00082363
Farming non-dairy	\$0.00048350
Forestry	\$0.00606691
Industrial	\$0.00120263
Lifestyle	\$0.00042720
Mining	\$0.01630021
Other	\$0.00012816
Residential	\$0.00042720

Regional Heritage Targeted Rate

Pursuant to Sections 16(3)(a) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$34.02 in respect of each separately used or inhabited part of a rateable rating unit situated in the Southland District.

Waste Management Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$75.56 per rating unit on every rating unit within the Southland District excluding Stewart Island; and

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a rate of \$0.00003122 in the dollar of capital value across all rating units within the Southland District excluding Stewart Island.

Local Targeted Rates (Ward, Community Board, Community Development Area, Town)

Pursuant to Sections 16(3)(b), 16(4)(a) or 16(4)(b) of the Local Government (Rating) Act 2002, the following rates per rateable rating unit/rate in the dollar on the land value of all rateable rating unit within the below areas:

Local Targeted Rates	Targeted Rate per rating unit	Rate in the dollar on land value
Mararoa Waimea Ward		\$0.00003043
Waiau Aparima Ward		\$0.00003856
Waihopai Toetoes Ward		\$0.00002691
Winton Wallacetown Ward		\$0.00001925
Edendale-Wyndham Community Board	\$134.15	
Otautau Community Board Residential		\$0.01471391
Otautau Community Board Commercial		\$0.02942782

Otautau Community Board Rural		\$0.00001471
Riverton/Aparima Community Board (excludes Rural)		\$0.00359643
Riverton/Aparima Community Board Rural		\$0.00035964
Stewart Island/Rakiura Community Board		\$0.00129899
Te Anau Community Board Residential	\$289.68	
Te Anau Community Board Commercial	\$579.35	
Te Anau Community Board Rural	\$72.42	
Tuatapere Community Board (excludes Rural)	\$176.35	
Tuatapere Community Board Rural	\$35.27	
Wallacetown Community Board	\$134.93	
Winton Community Board	\$212.97	
Athol Community Development Area	\$60.63	
Balfour Community Development Area	\$206.77	
Browns Community Development Area	\$183.26	
Colac Bay Community Development Area	\$77.32	
Dipton Community Development Area	\$78.86	
Garston Community Development Area	\$56.16	
Gorge Road Community Development Area	\$27.52	
Limehills Community Development Area	\$70.00	
Lumsden Community Development Area	\$272.55	
Manapouri Community Development Area	\$223.32	
Mossburn Community Development Area		\$0.01103799
Nightcaps Community Development Area	\$155.95	
Ohai Community Development Area	\$188.83	
Orepuki Community Development Area	\$85.45	
Riversdale Community Development Area	\$150.89	
Thornbury Community Development Area	\$98.30	
Tokanui Community Development Area	\$170.39	
Waikaia Community Development Area		\$0.00279266
Woodlands Community Development Area	\$174.70	
Drummond Village Local	\$46.24	

Swimming Pool Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, the following uniform targeted rates in respect of each separately used or inhabited part of a rateable rating unit situated in the following Swimming Pool Areas:

Swimming Pool Area	Charge	Swimming Pool Area	Charge
Edendale	\$4.35	Takitimu	\$20.46
Fiordland	\$14.95	Tuatapere Ward	\$13.42
Otautau	\$19.43	Winton	\$10.00
Riverton	\$20.59		

Te Anau-Manapouri Airport Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$111.30 per rateable rating unit within the Te Anau Manapouri Airport Area.

Stewart Island Waste Management Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$291.37 in respect of each separately used or inhabited part of a rating unit situated in the Stewart Island Waste Management Area.

Rubbish Bin Collection Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$123.95 per bin where the collection service is actually provided.

Recycling Bin Collection Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$123.95 per bin where the collection service is actually provided.

Te Anau Rural Water Scheme Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) and (b) of the Local Government (Rating) Act 2002, the rates as outlined below:

A connection charge by way of a uniform targeted rate of \$501.30 per restricted connection.

In regards to the supply of water, the following rates or combination of below will apply to each rating unit:

- Pursuant to Section 19(2)(b), a uniform targeted rate of \$334.19 for each unit supplied to the rating unit.
- For rating units with an allocation of multiples of 7.7 units, a uniform targeted rate of \$2,573.30 for every 7.7 units allocated.
- For rating units allocated half a unit, a uniform targeted rate of 50% of a unit being \$167.10. For this to apply, the rating unit must already receive at least 1 unit.

Matuku Rural Water Scheme Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$203.22 for each unit made available to the rating unit.

Metered Property Water Supply Targeted Rate

Pursuant to Section 19 of the Local Government (Rating) Act 2002, a rate for actual water consumption of \$0.93 per cubic metre.

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a fixed charge of \$147.83 per meter.

District Water Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, the rates are assessed on a differential basis:

- For all rating units without meters that are connected to a water supply scheme or are within the scheme rating boundary but are not connected, a uniform targeted rate of \$372.66 for each SUIP of the rating unit for residential properties and for each rating unit for non-residential properties.
- For rating units with water troughs with direct feed from Council's water mains, a uniform targeted rate of \$74.53 per trough.
- For vacant non-contiguous rating units within the scheme rating boundary, a uniform targeted rate of \$186.33 being half of one unit rate for the provision of the service due to the ability to connect to the scheme.

Wastewater Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, the following rates:

- For all residential rating units either connected or are within the scheme rating boundary and able to be connected, a uniform targeted rate of \$364.97 for each SUIP of the rating unit.

- For vacant non-contiguous rating units within the scheme rating boundary, a uniform targeted rate of \$182.49 being half of one unit rate for the provision of the service due to the ability to connect to the scheme.
- All other properties either connected or able to be connected, a uniform targeted rate of \$364.97 for each pan/urinal.

Woodlands Septic Tank Cleaning Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$35.71 in respect of each separately used or inhabited part of a rating within the Woodlands Septic Tank Cleaning Area.

Water Supply Loan Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate per rating unit on the option that the ratepayer has previously chosen to pay either a one-off capital contribution for a new scheme or pay it over a selected period as below:

Water Supply Loan Rates	Charge
Edendale Water Loan Charge - 10 years	\$238.81
Edendale Water Loan Charge - 15 years	\$180.00
Edendale Water Loan Charge - 25 years	\$134.55
Wyndham Water Loan Charge - 10 years	\$237.03
Wyndham Water Loan Charge - 15 years	\$208.75
Wyndham Water Loan Charge - 25 years	\$134.93

Sewerage Supply Loan Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate per unit on the option that the ratepayer has previously chosen to pay either a one-off capital contribution for a new scheme or pay it over a selected period as below:

Sewerage Supply Loan Rates	Charge
Edendale Sewerage Loan - 10 years (incl connection cost)	\$1,039.48
Edendale Sewerage Loan - 15 years (incl connection cost)	\$783.56
Edendale Sewerage Loan - 25 years (incl connection cost)	\$590.30
Edendale Sewerage Loan - 10 years (excl connection cost)	\$861.67
Edendale Sewerage Loan - 25 years (excl connection cost)	\$488.57
Gorge Road Sewerage Loan - 15 years	\$415.11
Oban Sewerage Loan Charge Extension - 15 years	\$560.70
Tuatapere Sewerage Loan Charge - 15 years	\$568.40
Tuatapere Sewerage Loan Charge - 25 years	\$429.63
Wallacetown Sewerage Loan Charge - 15 years	\$410.83
Wallacetown Sewerage Loan Charge - 25 years	\$316.40
Wyndham Sewerage Loan - 10 years (incl connection cost)	\$948.08
Wyndham Sewerage Loan - 15 years (incl connection cost)	\$715.67
Wyndham Sewerage Loan - 25 years (incl connection cost)	\$539.57
Wyndham Sewerage Loan - 10 years (excl connection cost)	\$770.33
Wyndham Sewerage Loan - 15 years (excl connection cost)	\$581.50
Wyndham Sewerage Loan - 25 years (excl connection cost)	\$438.81

Sandy Brown Road Utility Loan Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$122.77 per rating unit.

- e) Resolves that the rates, detailed in recommendation (d) of this paper for the year commencing 1 July 2016 and concluding on 30 June 2017 are expressed exclusive of Goods and Services Tax (GST). GST will be applied when rates are assessed for 2016/2017.

f) Resolves under Section 24 of the Local Government (Rating) Act 2002 that all rates will be payable in four equal instalments with the due dates for payment being:

- Instalment One - 26 August 2016.
- Instalment Two - 25 November 2016.
- Instalment Three - 24 February 2017
- Instalment Four - 26 May 2017.

The due date for metered water targeted rates will be the 20th of the month following invoice date. The due date will be clearly noted on the water invoice.

g) Resolves under Sections 57 and 58 of the Local Government (Rating) Act 2002 to apply penalties to unpaid rates as follows:

- A penalty of 10% on the amount of any instalment remaining unpaid after the relevant due date in recommendation (f) above, to be added the next working day following the due date.
- A further penalty of 10% on any amount of rates assessed and penalties added in previous years and remaining unpaid at 6 July 2016. The penalty will be added on 7 July 2016.

h) Has delegated authority to remit penalties to the Chief Financial Officer.

i) Resolves that under Section 54 of the Local Government (Rating) Act 2002 where rates charged on a rating unit are less than or equal to ten dollars, Council will not collect these as it believes it to be uneconomic.

j) Agrees that valuation roll and rate records for the District of Southland are open for inspection by ratepayers at all District offices (as listed below), during normal office hours:

- | | |
|---|---|
| - Invercargill Office
15 Forth Street,
Invercargill 9810 | - Te Anau Office
116 Town Centre,
Te Anau 9600 |
| - Lumsden Office
18 Diana Street,
Lumsden 9730 | - Winton Office
1 Wemyss Street,
Winton 9720 |
| - Otautau Office
174 Main Street,
Otautau 9610 | - Wyndham Library
41 Balaclava Street,
Wyndham 9831 |
| - Riverton Office
117 Palmerston Street,
Riverton 9822 | - Mobile Bookbus |
| - Stewart Island Office
Ayr Street, Oban,
Stewart Island 9846 | |

~~k) Agrees to not collect rates where the rates assessment is for amounts less than \$10 GST inclusive.~~

k) Agrees the following options be available for payment of rates shall be payable:

- Direct Debit.
- Credit card (Visa or MasterCard).
- Internet banking, telephone.
- By cash, cheque or Eftpos.

l) Thanks Officers for the work in the preparation of the 2016/2017 Annual Plan.

7.3 Draft Signs and Objects on Footpaths and Roads Bylaw

Record No: R/16/6/9003

Jenny Green – Senior Resource Management Planner, Consents, Courtney Ellison - Senior Resource Management Planner - Policy, Resource Management and Tamara Dytor – Policy Analyst were in attendance for this item.

Miss Green advised that the report seeks approval from Council to engage with the public on the draft Signs and Objects on Roads and Footpaths Bylaw.

The meeting noted that the draft Signs and Objects on Roads and Footpaths Bylaw aims to regulate the placement of signs and objects on roads and footpaths. The purpose of this bylaw is to maintain public safety and protect the public from nuisance.

Miss Green also advised that the draft Signs and Objects on Roads and Footpaths Bylaw sets general criteria for the placement of signs and objects on roads and footpaths and establishes a permit system for any more than one sign or object.

Resolution

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

That the Council:

- a) **Receives the report titled “Draft Signs and Objects on Footpaths and Roads Bylaw” dated 16 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) **Determines that it is satisfied that -**
 - (i) **the draft Signs and Objects on Footpaths and Roads Bylaw is necessary for one or more of the following purposes:**
 - (1) **to protect the public from nuisance;**
 - (2) **to protect the health and safety of the public.**
 - (ii) **the bylaw is the most appropriate and proportionate way of addressing the issue; and**
 - (iii) **the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- e) **Endorses the draft Signs and Objects on Footpaths and Roads Bylaw for public consultation using the special consultative procedure from 30 June 2016 to 30 July 2016.**

7.4 Draft Cemetery Bylaw 2016 and draft Cemetery Policy

Record No: R/16/6/9010

Jenny Green – Senior Resource Management Planner, Consents, Kevin McNaught – Strategic Property Manager and Tamara Dytor – Policy Analyst were in attendance for this item.

Miss Green advised that the report is to seek approval from Council to engage with the public on the draft Cemetery Bylaw 2016 and Cemetery Policy.

The meeting noted that the Cemetery Bylaw 2006 is due for a review and that the draft Cemetery Bylaw 2016 and Cemetery Policy attached to the Officers report propose an approach for the regulation of Council controlled cemeteries.

Resolution

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

That the Council:

- a) **Receives the report titled “Draft Cemetery Bylaw 2016 and draft Cemetery Policy” dated 20 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) **Determines that it is satisfied that -**
 - (i) **the draft Cemetery Bylaw 2016 is necessary for one or more of the following purposes:**
 - (1) **to protect the public from nuisance;**
 - (2) **to protect the health and safety of the public.**
 - (ii) **the bylaw is the most appropriate and proportionate way of addressing the issue; and**
 - (iii) **the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- e) **Endorses the draft Cemetery Bylaw and draft Cemetery Policy for public consultation in accordance with the special consultative procedure from 30 June to 30 July 2016.**

7.5 Gambling Venue Policy and TAB Venue Policy

Record No: R/16/6/9012

Jenny Green – Senior Resource Management Planner, Consents and Michael Sarfatti – Environmental Health Manager were in attendance for this item.

Miss Green advised that the Gambling Act 2003 requires that every territorial authority adopt policies regarding gaming machine venues. The Racing Act 2003 requires that every territorial authority adopt policies regarding TAB venues and that both of these policies must be reviewed every three years.

The meeting noted that the report seeks Council's approval to consult with the public on continuing the Gambling Venue Policy and on an amended draft TAB Venue Policy. The policies were introduced in 2013 for the purpose of reducing gambling harm in our communities.

Miss Green also advised that the Gambling Venue Policy is based on a soft sinking lid approach to electronic gambling machines (pokies) which allows for transfer or changes of consent in some circumstances. A sinking lid policy allows venues to continue operating existing machines, but means no licences for new machines will be granted; and if a venue closes, the licence to have pokies can be transferred to another venue. The TAB Venue Policy requires only that any new stand-alone TAB venue to comply with the provisions of the Southland District Plan.

Resolution

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

That the Council:

- a) **Receives the report titled "Gambling Venue Policy and TAB Venue Policy" dated 21 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) **Endorses consultation to occur regarding the continuation of the existing Gambling Venue Policy and the draft amended TAB Venue Policy from 30 June to 30 July in accordance with the special consultative procedure.**
- e) **Resolves that the Statement of Proposal for these policies is made available on the Southland District Council website and at Southland District Council offices.**

7.6 Ashton Flats Road Bylaw

Record No: R/16/6/9020

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

Mr Marshall advised that the purpose of the report was to initiate the formation of a bylaw to control the activity on the Ashton Flats Road. This control is necessary to manage the potential conflicts and damage caused by motor vehicles accessing Department of Conservation property adjoining the land and or cyclists on the road or formed trail.

The meeting noted that the report describes the situation that exists now at Ashton Flats Road and proposed future issues be controlled by way of a Council bylaw. The bylaw is needed to manage vehicle access to a sensitive environment and to manage the potential conflict of users and damage to the future cycle trail

Mr Marshall advised that a new recommendation d would be required and that d in his report would become e.

Resolution

Moved Cr Macpherson, seconded Cr Keast **the recommendations with changes (as indicated) and resolved:**

That the Council:

- a) **Receives the report titled “Ashton Flats Road Bylaw” dated 21 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) **Determines that it is satisfied that:**
 - (i) the draft Ashton Flats Road Bylaw 2016 is necessary for one or more of the following purposes:**
 - (1) to protect the road;**
 - (2) to protect the health and safety of the public.**
 - (ii) the bylaw is the most appropriate and proportionate way of addressing the issue; and**
 - (iii) the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.**
- e) **Adopts the draft Ashton Flats Road Bylaw for consultation in accordance with Section 82 of the Local Government Act 2002 from 30 June to 30 July 2016.**

Reports - Operational Matters

8.1 Bridge Weight Restriction Postings 2016/2017

Record No: R/16/6/8977

Ian Marshall – Group Manager Services and Assets and John Laskewitz MWH Global’s Client Service Manager were attendance for this item.

Mr Marshall advised that to comply with the Transport Act 1962 and Heavy Motor Vehicle Regulations 1974, the Road Controlling Authority for any territorial area is required to confirm at least annually any weight limit postings necessary for bridges on the roading network and to revoke any restrictions which no longer apply. This report provides the information to be able to fulfil this requirement. Council last confirmed its bridge posting in late June 2015.

The meeting noted that the report updated the list of posted bridges within the Southland District. The posting weight limits are based on detailed six yearly inspections and follow up analysis carried out in 2014, as well as inspection work

carried out since. The schedule attached to the officers report contained changes to bridge postings as a result of bridge inspection, review, upgrade and replacement work carried out in the 2015/2016 financial year.

The meeting also noted that in summary:

- MWH have inspected or attempted to inspect all of Southland District Council's posted bridges, the bulk of which are timber.
- Of the total number of bridges there are approximately 20 that could not be fully accessed for inspection, but have previous as-built information available to allow a posting assessment to be carried out. Access should be provided on the next round of inspection, or in as part of a follow up inspection.
- Of the total number of bridges there are two that could not be accessed and have no previous as-built information to allow a posting assessment to be carried out. Access should be provided ASAP for inspection to be carried out. This is subject to water levels.
- Of the total number of bridges there are 71 posted at less than 100% Class I.
- Of the total number of bridges there are 31 that require a revision of the previous posted restriction.
- Of the total number of bridges there are a significant number that have indications of internal defects (ie, rot/decay) requiring further investigation by either drill coring or non-destructive methods.
- The lack of objective internal verification, as a supplement to hammer sounding, exposes Council to risk. Further verification methods are therefore recommended.
- The adoption of central loading when setting posting, without consideration of eccentric loading, departs from best practice and also exposes Council to risk. Further quantification of this risk and consideration of upgrade options and/or reposting are therefore recommended.

Mr Laskewitz advised that he there were three bridges in the schedule attached to the report which required the information updated.

Resolution

Moved Cr Dobson, seconded Cr Dillon **recommendations a to c, d with changes (as indicated), e to h and resolved:**

That the Council:

- a) **Receives the report titled "Bridge Weight Restriction Postings 2016/2017" dated 22 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) **Confirms the maximum weight and speed limits for heavy motor vehicles on bridges as listed on the schedule attached to the officers report with changes or confirmation as follows:**

Structure Number	Name Of Road	Name Of Waterway	Weight Limits Max Wt on Any Axle (kg) Position on Bridge	Gross And Axle Weight (% Class I)	Max Speed Limit (km/hr)
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2895.001	Benmore Rd	Oreti R	4,600 <u>Central on bridge</u>	50%	10
3407.004	Lake Monowai Rd	Lake Overflow		<u>80%</u>	10
9576.001	Off Webb Rd	Thornbury Stm		<u>90%</u>	10

- e) **Notifies the weight limits to the New Zealand Police, New Zealand Transport Agency and by public notice in daily newspapers.**
- f) **Confirms that any bridges that have an internal defect noted via sounding, be prioritised for further assessment to verify the presence of decayed timber within the member within the next 12 months.**
- g) **Confirms that going forward all structures should have some measure of objective internal condition assessment carried out on a periodic basis (ie, 10 years) with the first round of testing to be completed by 30 June 2018.**
- h) **Continues to impose the ‘central on bridge’ as a restriction until the risk of central vs eccentric loading are fully quantified and reported back to Council.**

8.2 Approval of Unbudgeted Expenditure for Southland Warm Homes Trust for 2016/2017

Record No: R/16/6/8406

Anne Robson – Chief Financial Officer and Susan McNamara – Management Accountant were in attendance for this item.

They advised that the purpose of the report was seek Council's approval to grant \$35,000 of unbudgeted expenditure in 2016/2017 to the Southland Warm Homes Trust.

The meeting noted that as part of the Annual Plan for 2014/15 Council approved a grant of \$35,000 per annum to Southland Warm Homes Trust until 30 June 2016. This aligned with the contract awarded to the Trust by the Energy Efficiency and Conservation Authority's Health Homes Programme.

The meeting also noted that the Southland Warm Homes Trust presented to the Activities Performance Audit Committee in public forum on 27 April 2016. During this presentation the Trust discussed the work it has been completing to date and informed the Committee that a report relating to the continued funding by Energy Efficiency and Conservation Authority after 1 July 2016 was with Cabinet.

Mr Marshall also advised that the Energy Efficiency and Conservation Authority have confirmed a new insulation programme beginning on 1 July 2016 for two years. This programme relates to low income rental properties. The new programme has been confirmed since the submission and deliberations on the draft 2016/17 Annual Plan were completed.

The meeting further noted that with confirmation of Energy Efficiency and Conservation Authority's funding now in place Southland Warm Homes Trust has requested an ongoing commitment from Council of \$35,000 for the 2016/17 financial year. This is unbudgeted expenditure, and staff are recommending that it be funded

from the District Operations Reserve.

Resolution

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

That the Council:

- a) **Receives the report titled “Approval of Unbudgeted Expenditure for Southland Warm Homes Trust for 2016/2017” dated 22 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) **Approves the request for unbudgeted expenditure in 2016/2017 of \$35,000 for a grant to Southland Warm Homes Trust funded from the District Operations Reserve.**

8.3 Unbudgeted Expenditure - Riverton Skate Park Shelter

Record No: R/16/6/9029

Louise Pagan – Communications Manager was in attendance for this item

Mrs Pagan advised that the purpose of the report was to seek approval for \$20,000 of unbudgeted expenditure to assist with funding the Southland District Youth Council’s LeadLab project to erect a shelter at the Riverton Skate Park.

The Meeting noted that the Riverton/Aparima Community Board has resolved to build a fibreglass shelter at the Riverton Skate Park in the shape of a paua shell. The project will cost \$25,235 (GST exclusive).

Mrs Pagan also advised that plans have been drawn, an engineer’s statement has been obtained and a PIM has been accepted by Council.

Resolution

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

That the Council:

- a) **Receives the report titled “Unbudgeted Expenditure - Riverton Skate Park Shelter” dated 22 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) Approves \$20,000 (GST exclusive) unbudgeted expenditure toward the Riverton Skate Park shelter as follows:
 - i) \$10,000 (GST exclusive) from the Riverton Ward reserve.
 - ii) \$10,000 (GST exclusive) from the Riverton/Aparima Community Board, to be funded from the Riverton General reserve.

8.4 Proposed Amendments to Resource Management Act Delegations

Record No: R/16/6/8234

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

Mr Halligan advised that the report which outlined changes to the approved schedule of delegations to staff was being presented to Council for approval to reflect the recent organisational review.

Resolution

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

That the Council:

- a) **Receives the report titled “Proposed Amendments to Resource Management Act Delegations” dated 15 June 2016.**
- b) **Approves the schedule of Resource Management Act 1991 delegations as appended to the minutes (appendix 1) effective from 1 July 2016.**

8.5 Building Consents and Values for April 2016

Record No: R/16/5/6317

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

Resolution

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

That the Council:

- a) **Receives the report titled “Building Consents and Values for April 2016” dated 29 June 2016.**

Reports - Governance

9.1 Haast-Hollyford Highway

Record No: R/16/6/9354

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

Mr Ruru advised that the purpose of the report was to enable the Council to consider

whether to support the proposed Haast Hollyford road being put forward for inclusion in the Regional Land Transport Plan and National Land Transport Programme.

The meeting was reminded that in April 2015 a resolution was passed which indicated its support for the concept of developing the Haast Hollyford Road.

The meeting noted that:

- the Council had received a copy of a letter from the Minister of Transport which indicates that Central Government would only support the project if it proceeds through the normal Land Transport planning processes. As part of these processes, projects which receive support are included in the appropriate Regional Land Transport Plans and then the National Land Transport Programme.
- Given the indication from the Minister of Transport as to the position of Central Government and the preliminary information that Council now has on the range of community views that exist it is considered appropriate that Council indicate its support for the project proceeding through the normal land transport planning processes. These processes are seen as reflecting good practice for the evaluation and development of a project of this nature.
- To ensure that HHHL have a clear understanding of the process that would need to be followed it is suggested that this Council would look to initiate a meeting between HHHL, the Westland District Council, NZ Transport Agency and this Council.

Resolution

Moved Cr Baird, seconded Cr Douglas **recommendations a to f, g with a change (as indicated) and h and resolved:**

That the Council:

- a) Receives the report titled “Haast-Hollyford Highway” dated 20 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 that its meeting on 22 April 2015 it passed the following resolution:**

Moved by Cr Kremer, seconded by Cr Baird

and resolved that the Council agrees that the concept of developing the Haast Hollyford Road is a project that potentially has merit and wishes to investigate the project further.
- e) Notes the content of the letter dated 9 June 2016 from the Minister of Transport and in particular the indication that “the Government has no plans to support this project unless it goes through the established planning processes”.**
- f) Agrees to support the proposed Haast Hollyford road being put forward for inclusion in the Southland Regional Land Transport Plan and National Land Transport Programme, in accordance with the normal land transport planning processes, subject to Haast Hollyford Highway**

Limited meeting the costs associated with this process.

- g) **Agrees that the Council should seek to convene a meeting with the Westland District Council, Haast Hollyford Highway Limited and NZ Transport Agency to agree on the process that would need to be followed to enable the proposed Haast Hollyford Road to be approved evaluated via the normal land transport planning process.**
- h) **Asks the Chief Executive to write to the Westland District Council, Haast Hollyford Highway Limited and NZ Transport Agency to propose a joint meeting in accordance with the above decisions.**

9.2 Minutes of the Council Meeting dated 27 October 2015

Record No: R/16/6/8333

These minutes were confirmed earlier in the meeting.

9.3 Minutes of the Council Meeting dated 7 April 2016

Record No: R/16/6/8337

These minutes were confirmed at the Council meeting on 8 June 2016.

9.4 Minutes of the Activities Performance Audit Committee Meeting dated 18 May 2016

Record No: R/16/6/9013

Resolution

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

That Council receives the minutes of the Activities Performance Audit Committee meeting held 18 May 2016 as information.

9.5 Minutes of the Policy Review Committee Meeting dated 26 August 2015

Record No: R/16/5/8181

Resolution

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

That Council receives the minutes of the Policy Review Committee meeting held 26 August 2015 as information.

9.6 Minutes of the Policy Review Committee Meeting dated 7 October 2015

Record No: R/16/5/8182

Resolution

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

That Council receives the minutes of the Policy Review Committee meeting held 7 October 2015 as information.

9.7 Minutes of the Policy Review Committee Meeting dated 18 November 2015

Record No: R/16/5/8183

Resolution

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

That Council receives the minutes of the Policy Review Committee meeting held 18 November 2015 as information.

9.8 Minutes of the Policy Review Committee Meeting dated 9 March 2016

Record No: R/16/5/8184

Resolution

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

That Council receives the minutes of the Policy Review Committee meeting held 9 March 2016 as information.

9.9 Minutes of the Edendale-Wyndham Community Board Meeting dated 28 July 2015

Record No: R/16/5/8176

Resolution

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

That Council receives the minutes of the Edendale-Wyndham Community Board meeting held 28 July 2015 as information.

9.10 Minutes of the Edendale-Wyndham Community Board Meeting dated 29 September 2015

Record No: R/16/5/8177

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Edendale-Wyndham Community Board meeting held 29 September 2015 as information.

9.11 Minutes of the Edendale-Wyndham Community Board Meeting dated 24 November 2015

Record No: R/16/5/8178

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Edendale-Wyndham Community Board meeting held 24 November 2015 as information.

9.12 Minutes of the Edendale-Wyndham Community Board Meeting dated 26 January 2016

Record No: R/16/5/8179

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Edendale-Wyndham Community Board meeting held 26 January 2016 as information.

9.13 Minutes of the Wallacetown Community Board Meeting dated 11 June 2015

Record No: R/16/5/8163

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Wallacetown Community Board meeting held 11 June 2015 as information.

9.14 Minutes of the Edendale-Wyndham Community Board Meeting dated 22 March 2016

Record No: R/16/5/8180

Resolution

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

That Council receives the minutes of the Edendale-Wyndham Community Board meeting held 22 March 2016 as information.

9.15 Minutes of the Riverton/Aparima Community Board Meeting dated 2 May 2016

Record No: R/16/6/9015

Resolution

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

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 2 May 2016 as information.

9.16 Minutes of the Wallacetown Community Board Meeting dated 16 July 2015

Record No: R/16/5/8165

Resolution

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

That Council receives the minutes of the Wallacetown Community Board meeting held 16 July 2015 as information.

9.17 Minutes of the Wallacetown Community Board Meeting dated 17 September 2015

Record No: R/16/5/8166

Resolution

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

That Council receives the minutes of the Wallacetown Community Board meeting held 17 September 2015 as information.

9.18 Minutes of the Wallacetown Community Board Meeting dated 26 November 2015
Record No: R/16/5/8167

Resolution

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

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

9.19 Minutes of the Wallacetown Community Board Meeting dated 21 January 2016
Record No: R/16/5/8168

Resolution

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

That Council receives the minutes of the Wallacetown Community Board meeting held 21 January 2016 as information.

9.20 Minutes of the Wallacetown Community Board Meeting dated 17 March 2016
Record No: R/16/5/8169

Resolution

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

That Council receives the minutes of the Wallacetown Community Board meeting held 17 March 2016 as information.

9.21 Minutes of the Gorge Road and Districts Community Development Area Subcommittee Meeting dated 10 February 2015
Record No: R/16/5/8170

Resolution

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

That Council receives the minutes of the Gorge Road and Districts Community Development Area Subcommittee meeting held 10 February 2015 as information.

9.22 Minutes of the Gorge Road and Districts Community Development Area Subcommittee Meeting dated 22 June 2015

Record No: R/16/5/8171

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Gorge Road and Districts Community Development Area Subcommittee meeting held 22 June 2015 as information.

9.23 Minutes of the Lumsden Community Development Area Subcommittee Meeting dated 11 April 2016

Record No: R/16/6/9390

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Lumsden Community Development Area Subcommittee meeting held 11 April 2016 as information.

9.24 Minutes of the Tokanui Community Development Area Subcommittee Meeting dated 16 March 2015

Record No: R/16/5/8173

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

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

9.25 Minutes of the Tokanui Community Development Area Subcommittee Meeting dated 20 July 2015

Record No: R/16/5/8175

Resolution

Moved Cr Macpherson, seconded Cr Dillon and resolved:

That Council receives the minutes of the Tokanui Community Development Area Subcommittee meeting held 20 July 2015 as information.

9.26 Minutes of the Tokanui Community Development Area Subcommittee Meeting dated 23 November 2015

Record No: R/16/5/8172

Resolution

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

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

9.27 Minutes of the Lumsden/Balfour Water Supply Subcommittee Meeting dated 13 April 2016

Record No: R/16/6/8417

Resolution

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

That Council receives the minutes of the Lumsden/Balfour Water Supply Subcommittee meeting held 13 April 2016 as information.

9.28 Minutes of the Venture Southland Joint Committee meeting dated 16 May 2016

Record No: R/16/6/9498

Resolution

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

That Council receives the minutes of the Minutes of the Venture Southland Joint Committee meeting dated 16 May 2016 as information.

9.29 Minutes of the Southland Regional Heritage Committee meeting held 6 May 2016

Record No: R/16/6/9505

Resolution

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

That Council receives minutes of the Minutes of the Southland Regional Heritage Committee meeting held 6 May 2016 as information.

Public Excluded

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

Resolution

Moved Mayor Tong, seconded Cr Dillon **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 18 May 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 18 May 2016	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.

That the Chief Executive, Group Manager Services and Assets, Group Manager Community and Futures, 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 18 May 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 2.32pm.

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 2.36pm

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE COUNCIL HELD ON WEDNESDAY 29 JUNE 2016.

DATE:.....

CHAIRPERSON:.....

APPENDIX 1

DELEGATION: **RESOURCE MANAGEMENT ACT 1991 AND
SUBSEQUENT AMENDMENTS
INSTRUMENT OF DELEGATION**

DELEGATED TO: Group Manager Environmental Services
Manager/Team Leader - Resource Management
Senior Planner
Resource Management Planners

Specific delegations to each officer as outlined below.

GROUP RESPONSIBLE: Environmental Services

DATE APPROVED: 25/1/2006 - resolution of full Council, 25/11/2009,
24/3/10, 29 June 2016

FILE NO: 10/4/4/3, 360/15/5/1, 240/10/1/4

Pursuant to Section 34A(3) of the Resource Management Act 1991, Sections 34-39 of the Building Act 2004, and related legislation, the Southland District Council hereby delegates to the officers of Council specified below those functions, powers and dates as specified below.

This instrument of delegation was formally approved by a meeting of the full Southland District Council on 29 June 2016.

This instrument of delegation hereby rescinds and replaces all and any previous instruments of delegation under the Resource Management Act 1991.

Dated this 30th day of June 2016. Signed: _____
Steve Ruru, Chief Executive

For the purposes of this instrument, the following abbreviations apply:

GMES = Group Manager Environmental Services
M/TLRM = Manager/Team Leader, Resource Management
SP = Senior Planner
RMPs = Resource Management Planners

Authority:

<u>Section of Act</u>	<u>Delegated to:</u>	<u>Details</u>
10, 10A, 10B	GMES, M/TLRM, SP	Determination of whether existing rights in terms of Section 10 of the RMA apply.
27	GMES, M/TLRM, SP	To provide information to the Minister for the Environment.
34A	GMES, M/TLRM, SP, RMPs	Power to carry out delegated functions, as specified in this instrument.

36(3)	GMES, M/TLRM, SP, RMPs	Power to require the payment of additional charges to cover processing costs in accordance with Council's approved Schedule of Fees and Charges under the Resource Management Act 1991.
36(3A)	GMES, M/TLRM, SP, RMPs	Power to provide on request an estimate of additional charges over and above processing deposits.
37, 37A	GMES, M/TLRM, SP	Power to waive and/or extend time limits for functions under Act.
38	GMES, M/TLRM	Authorisation of Enforcement Officers.
41B	GMES, M/TLRM, SP	Direction to provide evidence with time limits.
42	GMES, M/TLRM	Protection of sensitive information (eg trade secret or cultural issue).
42A	GMES, M/TLRM, SP, RMPs	Preparation of staff reports on resource consent applications and other relevant matters.
42A	CE, GMES, M/TLRM	Approval for public circulation of staff reports on relevant matters.
42A(5)	GMES, M/TLRM, SP	Waiving compliance regarding timeframes for distributing reports, where no material prejudice.
87E	GMES, M/TLRM	Decision on request for application to go directly to Environment Court.
87F	GMES, M/TLRM, SP	Preparation of report on application referred directly to Environment Court.
88(3)	GMES, M/TLRM, SP	Determining an application incomplete and returning to the applicant.
91	GMES, M/TLRM, SP	Determining not to proceed with notification or hearing of application pending lodging of further consents under the Act.
92	GMES, M/TLRM, SP, RMPs	Request further information or agreement to commissioning of a report on resource consent application.
92A(2)	GMES, M/TLRMSP, RMPs	Set timeframe for provision of further information or commissioning of a report.
95A, 95B	GMES, M/TLRM, , SP	Determination of public notification or limited notification.
95D	GMES, M/TLRM, SP	Determination of adverse effects likely to be more than minor.
95E	GMES, M/TLRM, SP, RMPs	Determination if group is affected customary rights group.
95F	GMES, M/TLRM	Determination if person is affected order holder.

99		GMES, M/TLRM, SP, RMPs	Organise and convene prehearing meetings and prepare reports on these under Section 99(5).
100		GMES, M/TLRM	Determine whether a formal hearing is necessary.
101		GMES, M/TLRM, SP	Fix time and date for hearings.
102		GMES, M/TLRM	To determine whether applications are required to be heard by Joint Hearings Committee.
103		GMES, M/TLRM	To determine whether two or more applications to different authorities are sufficiently unrelated that a joint hearing is not appropriate.
104, 104B, 104D, 108 and 113	104A, 104C,	GMES, M/TLRM, SP	Make and issue decisions and impose conditions for non-notified resource consent applications, and limited notified resource consent applications where there are no submissions received or where all submissions received are in support and no party wishes to be heard; in accordance with the provisions of the Southland District Plan and the RMA.
106		GMES, M/TLRM, SP	Ability to refuse subdivision consent in certain circumstances.
108A		GMES, M/TLRM, SP	Determination of requirement for a bond.
114		GMES, M/TLRM, SP, RMPs	Notify decisions to applicant and other appropriate authorities.
123(b)		GMES, M/TLRM, SP	Duration of consent.
125(1A)(b)		GMES, M/TLRM, SP	Fix longer period for lapsing of resource consents than is the norm under Section 125(1).
126		GMES, M/TLRM	Cancel consent if not exercised.
127		GMES, M/TLRM, SP	Determining whether application to change or cancel consent requires notification, or limited notification and changing or cancelling any condition on a resource consent.
128		GMES, M/TLRM, SP	Service of notice of intention to review conditions of a resource consent.
129, 130		GMES, M/TLRM, SP	Formulation and public notification of notice to review conditions.
133A		GMES, M/TLRM, SP	Minor corrections of resource consents.
134(4)		GMES, M/TLRM, SP	Approval of transfer of resource consents - written notice.
138		GMES, M/TLRM	Surrender of consent.

139	GMES, M/TLRM, SP	Consider request for and issue Certificates of Compliance for any activity which is a permitted activity under the District Plan.
139A	GMES, M/TLRM, SP	Consider request for and issue Existing Use Certificate.
169	GMES, M/TLRM, SP	Request further information and process notice of requirement.
170	GMES, M/TLRM	Discretion to include notice of requirement in proposed Plan.
171	GMES, M/TLRM, SP	Consider notice of requirement and submissions thereto, and make recommendation to the requiring authority.
174	GMES, M/TLRM	Lodge appeal against decision of a requiring authority.
176A(2)(c)	GMES, M/TLRM, SP	Outline plan waivers.
181(3)	GMES, M/TLRM	Alteration of designation in plan at request of requiring authority, to a minor extent.
220 and 240	GMES, M/TLRM, SP	Issue certificates relating to requirements to comply on ongoing basis with consent conditions and endorsements on titles.
221	GMES, M/TLRM, SP	Imposing and issuing Consent Notices on subdivision consents.
222	GMES, M/TLRM, SP	Dealing with Completion Certificates on subdivision consents.
223	GMES, M/TLRM, SP	Approval of Survey Plan - check compliance prior to sealing.
224	GMES, M/TLRM, SP	Issue certificates indicating all or any of conditions on subdivision consent have been complied with.
226	GMES, M/TLRM, SP	Certification of plans of subdivision that allotments on the plan meet the requirements of the District Plan.
229-237H	GMES, M/TLRM, SP	Creation of esplanade reserves and strips and associated conditions.
240 and 241	GMES, M/TLRM, SP	Imposition and cancellation of amalgamation conditions and restrictive covenants.
243 (e)	GMES, M/TLRM, SP	Revoking a condition specifying easements.
310 and 311	GMES, M/TLRM	Application to Environment Court for a declaration.
314 and 316	GMES, M/TLRM	Seek and/or respond to an Enforcement Order.
320	GMES, M/TLRM	Seek and/or respond to an interim enforcement order.
322, 324, 325A	GMES, M/TLRM, SP	Signature or cancellation of abatement notice.

Other Delegations under Related Legislation

37 Building Act 2004	GMES, M/TLRM, SP	To permit issue of building consent with certificate attached that resource consent required and no work to commence until this has been obtained.
72-74 Building Act 2004	GMES, M/TLRM, SP	To permit the issue of a building consent in circumstances where the site may be subject to natural hazards but the situation is not made worse by the construction of the building.
75 Building Act 2004	GMES, M/TLRM, SP	Building on two or more allotments - issue and authenticate certificate for entry of titles.
100(f) Sale and Supply of Alcohol Act 2012	GMES, M/TLRM, SP	Certificates that proposed use of premises meets requirements of Resource Management Act 1991 and Building Code.
348 Local Government Act 1974	GMES, M/TLRM, SP	Creation and cancellation of right of ways.
Overseas Investments Act 2005	GMES, M/TLRM, SP	Issue certificates relating to land

Authority:

'Authorised Officer' signing authority as required by:

Early Childhood Certs (Education Act)	GMES, M/TLRM, SP	
Project Information Memorandum	GMES, M/TLRM, SP, RMPs	Building Act 2004 (Planning Information)
Land Information Memorandum	GMES, M/TLRM, SP, RMPs	Local Government Official Information and Meetings Act 1987 (Planning Information)