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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 19 July 2017 at 10am.

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### PRESENT

<b>Mayor</b>	Mayor Gary Tong
<b>Deputy Mayor</b>	Paul Duffy
<b>Councillors</b>	Brian Dillon
	John Douglas
	Darren Frazer
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson
	Nick Perham

### IN ATTENDANCE

Chief Executive Officer – Steve Ruru  
Group Manager, Environmental Services – Bruce Halligan  
Group Manager, Services and Assets – Ian Marshall  
Group Manager, Community and Futures – Rex Capil  
Chief Financial Officer – Anne Robson  
People and Capability Manager – Janet Ellis  
Communications Manager – Louise Pagan  
Publications Specialist – Chris Chilton  
Governance and Democracy Manager – Clare Sullivan  
Committee Advisor - Fiona Dunlop

## 1 Apologies

There were apologies from Councillors Baird and Ford.

Moved Mayor Tong, seconded Cr Keast **and resolved:**

**That Council accept the apologies.**

## 2 Leave of absence

Requests for leave of absence were as follows:

Councillor	Dates Indicated for Leave of Absence
Councillor Harpur	10 August to 26 September 2017
Councillor Macpherson	28 July to 25 August 2017
Councillor Paterson	14 August to 30 August 2017

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

**That Council agree to requests for leave of absence as follows:**

<b>Councillor Harpur</b>	<b>10 August to 26 September 2017</b>
<b>Councillor Macpherson</b>	<b>28 July to 25 August 2017</b>
<b>Councillor Paterson</b>	<b>14 August to 30 August 2017</b>

## 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 Frazer, seconded Cr Harpur **and resolved:**

**That Council confirms the minutes of the Council meeting, held on 21 June 2017 as a true and correct record of that meeting.**

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## Reports - Policy and Strategy

### 7.1 Use of Unmanned Aerial Vehicle Policy

**Record No: R/17/5/11414**

Policy Analyst – Robyn Rout and Strategic Property Manager – Kevin McNaught were in attendance for this item.

Mrs Rout advised that the purpose of the report was to present the draft Use of Unmanned Aerial Vehicle Policy to Council for approval.

#### **Resolution**

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

**That the Council:**

- a) **Receives the report titled “Use of Unmanned Aerial Vehicle Policy” dated 4 July 2017.**
- b) **Adopts the Use of Unmanned Aerial Vehicle Policy (attached to the minutes as appendix 1).**

## Reports - Operational Matters

### 8.1 Draft Health and Safety Plan for 2017/2018

**Record No: R/17/6/12903**

People and Capability Manager – Janet Ellis was in attendance for this item.

Mrs Ellis advised that the purpose of the report was to seek approval from Council for the draft Health and Safety Governance Framework and draft Health and Safety Plan for 2017/2018.

#### **Resolution**

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

**That the Council:**

- a) **Receives the report titled “Draft Health and Safety Plan for 2017/2018” dated 20 June 2017.**
- 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 draft Health and Safety Plan for 2017/18 and notes that there will be ongoing financial implications for implementing the plan.
- e) Approves the Health and Safety Management System Governance Framework.

## 8.2 Approval of an Unbudgeted Grant to the Waiau Star Rugby Club

Record No: R/17/6/13752

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

Miss Robson advised that the purpose of the report was to seek Council approval of a grant of \$10,000 for the purchase of a ride on lawnmower and associated accessories by the Waiau Star Rugby Club for the mowing of the Tuatapere Domain areas.

### Resolution

Moved Mayor Tong, seconded Cr Harpur **and resolved:**

**That the Council:**

- a) Receives the report titled “Approval of an Unbudgeted Grant to the Waiau Star Rugby Club” dated 10 July 2017.
- 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 a grant of \$10,000 (gst excl) to the Waiau Star Rugby Club for the purchase of a ride on lawnmower subject to the following conditions
  - A Health and Safety Plan must be submitted to and approved by Council prior to the release of the grant.
  - If the club disbands or is unable to undertake the mowing of the domain area within 5 years of purchase, then the Waiau Rugby Club agree to gift the ride on lawnmower to the Tuatapere Axemans Athletics Society.
- e) Approves the funding of the grant from the Waiau-Aparima General reserve.

### 8.3 Contract 17/22 - Southland Sealed Road Drainage 2017

**Record No: R/17/7/15068**

Roading Asset Management Engineer – Hartley Hare and Group Manager, Services and Assets – Ian Marshall were in attendance for this item.

Mr Hare advised that the purpose of the report was to outline the tenders received for the Southland Sealed Drainage project and seeks Council's approval to award Contract 17/22 to the recommended tenderer.

#### **Resolution**

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

#### **That the Council:**

- a) **Receives the report titled "Contract 17/22 - Southland Sealed Road Drainage 2017" dated 11 July 2017.**
- 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 of advantages and disadvantages prior to making a decision on this matter.**
- d) **Approves the acceptance of Wilson & Keen Contracting tender price of \$374,678.04 plus GST for Contract 17/22 - Southland Sealed Road Drainage 2017.**

### 8.5 Management Report

**Record No: R/17/7/15393**

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

#### **Resolution**

Moved Mayor Tong, seconded Cr Perham **and resolved:**

#### **That the Council:**

- a) **Receives the report titled "Management Report" dated 12 July 2017.**

## **Reports - Governance**

### 9.1 Financial Report for the month ended 31 May 2017

**Record No: R/17/6/13742**

Management Accountant – Robert Tweedie and Chief Finance Officer – Anne Robson were in attendance for this item.

Mr Tweedie advised that the report outlined the financial results for the eight months to 31 May 2017 or 91.67% of the financial year.

**Resolution**

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

**That the Council:**

- a) **Receives the report titled “Financial Report for the month ended 31 May 2017” dated 10 July 2017.**

**9.2 Southland Regional Development Agency - Consultation Document**

**Record No: R/17/7/15585**

Please note that this item had a public excluded component to it and was discussed in the confidential section of the meeting.

Please see item C10.4 Southland Regional Development Agency – Consultation Document.

**9.3 Vacancy - Athol Community Development Area Subcommittee**

**Record No: R/17/6/13830**

The Meeting noted that the purpose of the report was to seek Council approval to grant a dispensation to the Athol Community Development Area Subcommittee to operate with a member from outside the boundary and to approve the recommendation that Arthur Innes be a member of the Subcommittee.

**Resolution**

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

**That the Council:**

- a) **Receives the report titled “Vacancy - Athol Community Development Area Subcommittee” dated 26 June 2017.**
- b) **Grants a dispensation to the Athol Community Development Area Subcommittee to operate with a member from outside their boundary as identified at their meetings.**
- c) **Confirms the Athol Community Development Area Subcommittee recommendation that Mr Arthur Innes be appointed to fill the vacancy on the Subcommittee.**

**9.4 Gorge Road and Districts Community Development Area Subcommittee - New Members**

**Record No: R/17/6/14300**

The Meeting noted that the purpose of the report was to approve the recommendation that Helen O'Connor and Rex Botting be members of the Gorge Road and Districts Community Development Area Subcommittee.

**Resolution**

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

**That the Council:**

- a) **Receives the report titled “Gorge Road and Districts Community Development Area Subcommittee - New Members” dated 9 July 2017.**
- b) **Confirms that Helen O’Connor and Rex Botting be members of the Gorge Road and Districts Community Development Area Subcommittee.**

**9.5 Minutes of the Community and Policy Committee Meeting dated 17 May 2017**

**Record No: R/17/6/14634**

**Resolution**

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

**That Council receives the minutes of the Community and Policy Committee meeting held 17 May 2017 as information.**

**9.6 Minutes of the Regulatory and Consents Committee Meeting dated 17 May 2017**

**Record No: R/17/6/14824**

**Resolution**

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

**That Council receives the minutes of the Regulatory and Consents Committee meeting held 17 May 2017 as information.**

**9.7 Minutes of the Thornbury Community Development Area Subcommittee Meeting dated 9 March 2017**

**Record No: R/17/6/14633**

**Resolution**

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

**That Council receives the minutes of the Thornbury Community Development Area Subcommittee meeting held 9 March 2017 as information.**

**Public Excluded**

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

**Resolution**

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

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

**C10.1 Finance and Audit Committee - External Representative**

**C10.2 Southland Regional Development Strategy Implementation**

**C10.3 Public Excluded Minutes of the Community and Policy Committee Meeting dated 17 May 2017**

**C10.4 Southland Regional Development Agency – Consultation Document**

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
Finance and Audit Committee - External Representative	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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.
Southland Regional Development Strategy Implementation	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Public Excluded Minutes of the Community and Policy Committee Meeting dated 17 May 2017	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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.
Southland Regional Development Agency - Consultation Document	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

That the Chief Executive Officer, Group Manager, Environmental Services, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer,



People and Capability Manager, Communications Manager, Publications Specialist, Governance and Democracy 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 Finance and Audit Committee - External Representative, C10.2 Southland Regional Development Strategy Implementation, C10.3 Public Excluded Minutes of the Community and Policy Committee Meeting dated 17 May 2017 and C10.4 Southland Regional Development Agency – Consultation Document. 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 10.54am.

The meeting returned to open session at 12.37pm.

#### 8.4 Pyramid Bridge Replacement Options

**Record No: R/17/7/15616**

Roading Asset Management Engineer – Hartley Hare and Group Manager, Services and Assets – Ian Marshall were in attendance for this item.

Mr Hare advised that the purpose of the report was to obtain support from the Council to proceed with the design and tender of two replacement options for the Pyramid Bridge. Option one consists of a single lane bridge at a width of 4.5 metres and option two consists of a two lane option, 8 metres in width.

##### **Resolution**

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

**That the Council:**

- a) **Receives the report titled “Pyramid Bridge Replacement Options” dated 12 July 2017.**
- 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) **Supports the option for two designs (Single and Two Lane Options) to be completed and tendered.**
- e) **Resolves that the outcome of the tender result be reported back to Council.**

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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 12.39pm.

CONFIRMED AS A TRUE AND CORRECT  
RECORD AT A MEETING OF THE COUNCIL  
HELD ON WEDNESDAY 19 JULY 2017.

**DATE:**.....

**CHAIRPERSON:**.....

**APPENDIX 1**



**USE OF UNMANNED AERIAL VEHICLES POLICY**

**This policy applies to: Members of the public using UAVs over Council land**  
(excluding UAVs being used by the Southland District Council)

**DOCUMENT CONTROL**

Administered by: Strategic Manager (Property)	TRIM reference number: r/15/12/22465	Effective date: 19 July 2017
Approved by: Council	Date approved: 19 July 2017	Next review date: 2023

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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 the 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.
- Wear a high visibility vest.

#### 4.2 Restrictions

Operators do not need approval to use UAVs over land or property owned or controlled by the Southland District Council except in the following situations:

- 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, commercial forestry 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 or swimming pool.
- 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.
- Within 100 metres of another UAV user.

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

If requested to cease operations by Council officers operators must land their UAV immediately.

If the Council owned land or property is held under a lease or licence from Council, or there is an organised event taking place, the applicant must obtain written approval



from the lessee, licensee or the event organiser, prior to seeking approval from Council. Operators of UAVs must comply with any additional conditions imposed by the lessee, licensee or event organiser.

Council's approval can be sought by making a written request to Council's property department. Council will notify the applicant about whether or not approval has been granted. If a request to fly a UAV in a restricted situation is declined, Council will outline the reasons why.

#### 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:

- There are no prohibited areas.

#### 4.4 Reporting incidents and near misses

UAV users must report all incidents and near misses of a significant nature (such as those involving people and property (including animals, buildings and power lines)) 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
19 July 2017	1	Policy first adopted
«Type Date»	«Version»	«Revision»
«Type Date»	«Version»	«Revision»