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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chamber, Level 2, 20 Don Street, Invercargill on Wednesday, 4 August 2021 at 9am. (9am – 10.34am, 10.53am – 11.56am (PE 10.53 – 11.56am.)) (Reconvened via Teams (digital technology) on Tuesday 24 August 2021 (10.44am – 10.45am, 11.03am – 11.43am).

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### PRESENT – WEDNESDAY 4 AUGUST 2021

Mayor Mayor Gary Tong  
Councillors Don Byars  
John Douglas (withdrew for the public excluded item)  
Paul Duffy (9.02am – 10.34am, 10.53am – 11.56am)  
Bruce Ford  
Darren Frazer  
George Harpur  
Julie Keast  
Christine Menzies  
Karyn Owen (9.09am – 10.34am, 10.53am – 11.56am)  
Margie Ruddenklau  
Rob Scott

### APOLOGIES

Councillor Duffy (lateness - 4 Augusts 2021)  
Councillor Owen (lateness – 4 August 2021)  
Councillor Kremer (leave of absence for 4 August 2021)

### IN ATTENDANCE

Chief executive - Cameron McIntosh  
Committee advisor - Fiona Dunlop

See over page for attendance at Tuesday 24 August 2021 reconvened meeting.

PRESENT – TUESDAY 24 AUGUST 2021

Mayor	Mayor Gary Tong (11.03am – 11.03am)
Deputy Mayor	Ebel Kremer
Councillors	Don Byars
	John Douglas (withdrew for the public excluded item)
	Paul Duffy
	Bruce Ford
	Darren Frazer
	George Harpur
	Julie Keast
	Christine Menzies
	Karyn Owen
	Margie Ruddenklau
	Rob Scott

IN ATTENDANCE

Chief executive - Cameron McIntosh  
Committee advisor - Fiona Dunlop

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1 Apologies

Apologies were received from Councillors Owen and Duffy for lateness and a leave of absence had previously been granted for Councillor Kremer.

Moved Cr Menzies, seconded Cr Douglas and resolved:

That Council accept the apologies.

2 Leave of absence

Mayor Tong requested a leave of absence from 13 to 20 September 2021.

Moved Cr Frazer, seconded Cr Harpur and resolved:

That Council grant Mayor Tong a leave of absence from 13 to 20 September 2021.

(Councillor Duffy joined the meeting at 9.02am.)

3 Conflict of Interest

Councillor Douglas advised that he had a conflict of interest relating to items 8.4 – Around the Mountains Cycle Trail – Trust and C10.1 - Around the Mountains Cycle Trail - appointment of trustees and would not take part in debate or voting on the matter.

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 Mayor Tong, seconded Cr Scott and resolved:

That Council confirms the minutes of extraordinary meeting of Council, held on 29 June 2021 as a true and correct record of that meeting.

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Reports - Policy and Strategy

7.1 Asset Management Policy

Record No: R/21/6/35060

Policy Analyst Shru Shrivastava and Group manager infrastructure and environmental services – Matt Russell was in attendance for this item.

Miss Shrivastava advised that the purpose of the report was is to inform Council that the executive leadership team adopted the asset management policy (effective 26 July 2021).

(Councillor Owen joined the meeting at 9.09am.)

Council noted that the report also summarised **Council's responsibilities in relation to asset management** and these are outlined in the policy.

Resolution

Moved Cr Douglas, seconded Cr Menzies and resolved:

That the Council:

- a) **receives the report titled "Asset Management Policy" dated 27 July 2021.**
- 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 Council's responsibilities** in relation to asset management, as outlined in the Asset Management Policy (attachment A of the officer's report).
- e) notes the asset management policy has been adopted by Executive leadership team effective from 26 July 2021.

7.2 South District Council Submission - Exposure Draft Natural and Built Environment Bill

Record No: R/21/7/44895

Resource management planner Margaret Ferguson was in attendance for this item.

Miss Ferguson advised that the purpose of the report is for Council to approve the submission to the exposure draft of the Natural and Built Environment Act.

Council noted that the exposure draft of the Natural and Built Environment is currently open for public comment, closing Wednesday 4<sup>th</sup> August 2021. The proposed Natural and Built Environment Act is to replace the existing Resource Management Act 1991.

Resolution

Moved Cr Duffy, seconded Cr Ruddenklau and resolved:

That the Council:

- a) **receives the report titled “South District Council Submission - Exposure Draft Natural and Built Environment Bill” dated 28 July 2021.**
- 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) agrees to approve the submission on the exposure draft Natural and Built Environment Act for submission to the Environment Select Committee (attached as attachment A of the officer’s report).

## Reports - Operational Matters

### 8.1 Resource Management Delegations Review

Record No: R/21/7/44911

Manager environmental management – Marcus Roy was in attendance for this item.

Mr Roy advised that the purpose of the report was to seek approval from Council to update the Resource Management Act 1991 delegations to staff due to the change in reporting lines which were effective in July 2021.

Resolution

Moved Cr Duffy, seconded Cr Menzies and resolved:

That Council:

- a) **Receives the report titled “Resource Management Delegations Review” dated 27 July 2021.**
- 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 updated delegations to the environmental planning team as contained in attachment A as follows:

Section 11.43 Resource Management Act 1991 of the delegations manual

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
SS.10, 10A, 10B	Determination of whether existing rights in terms of Section 10 of the RMA apply	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.27	To provide information to the Minister for Environment	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Team Leader Environmental Policy Senior Resource Management Planner
s.36(5)	Power to require the payment of additional charges to cover processing costs in accordance <b>with Council's approved</b> Schedule of Fees and Charges under the Resource Management Act 1991	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner Team Leader Environmental Policy

s.36(6)	Power to provide on request an estimate of additional charges over and above the processing deposits	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner
s.36AAB (1)	Power to remit the whole or any part of the charge under s36 that would otherwise be payable.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing
ss.37, 37A	Power to waive and/or extend time limits for functions under the act.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.38	Authorisation and responsibilities of Enforcement Officers	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner Graduate Resource Management Planner Team Leader Ecology Ecologist

		Monitoring and Enforcement Officer
s.41B	Direction to provide evidence with time limits	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner
s.42	Protection of sensitive information	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Team Leader Environmental Policy
s.42A	Require the preparation of a report on information provided	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Team Leader Environmental Policy
s.42A (5)	Waiving compliance regarding timeframes for distributing reports, where there is no material prejudice	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner



s.87BA	To issue a notice confirming a boundary activity is permitted	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner
s.87BB	To issue a notice confirming a marginal or temporary activity is permitted	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.87E	Decision on request for application to go directly to environment court	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing
s.87F	Preparation of report on application referred directly to environment court	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner
s.88(3)	Determining an application incomplete and returning to the applicant	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing

		Senior Resource Management Planner Resource Management Planner
s.91	Determining not to proceed with notification or hearing of application pending lodging of further consents under the act	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.92	Request further information or agreement to commissioning of a report on resource consent application	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner Graduate Resource Management Planner
s.92A (2)	Set timeframe for provision of further information or commissioning of a report	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner Graduate Resource Management Planner
ss.95A, 95B	Determination of public notification or limited notification	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning

		Team Leader Consent Processing Senior Resource Management Planner
s.95D	Determination of adverse effects likely to be more than minor	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.95E	Determination if person is affected person	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.95F	Determination if group is an affected customary rights group	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.95G	Determination if group is an affected customary marine title group	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.99	Organise and convene prehearing meetings and prepare reports on these under Section 99 (5)	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning

		Team Leader Consent Processing Senior Resource Management Planner
s.100	Determine whether a formal hearing is necessary	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.101	Fix time and date for hearings	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.102	To determine whether applications are required to be heard by Joint Hearings Committee	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.103	To determine whether two or more applications to different authorities are sufficiently unrelated that a joint hearing is not appropriate.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
ss. 104, 104A, 104B, 104C, 104D, 108, 113	Make and issue decisions and impose conditions for non-notified resource applications and limited notified resource applications where there are no submissions received or where	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning

	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.	Team Leader Consent Processing Senior Resource Management Planner
s.106	Ability to refuse subdivision consent in certain circumstances.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.108A	Determination of requirement for a bond	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.114	Notify decisions to applicant and other appropriate authorities	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner Graduate Resource Management Planner
s.123 (b)	Duration of consent	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner

s.125 (1A)(B)	Fix longer period for lapsing of resource consents than is the norm under Section 125(1)	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.126	Cancel consent if not exercised	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.127	Determining whether application to change or cancel consent requires notification, or limited notification and changing or cancelling any condition on a resource consent	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.128	Service of notice of intention to review conditions of a resource consent	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Monitoring and Enforcement Officer
ss.129, 130	Formulation and public notification of notice to review conditions	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing

		Senior Resource Management Planner Monitoring and Enforcement Officer
s.133A	Minor corrections of resource consents	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.134(4)	Approval of transfer of resource consents – written notice	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.138	Surrender of consent	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.139	Consider request for and issue Certificates of Compliance for any activity which is a permitted activity under the District Plan.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.139A	Consider request for and issue Existing Use Certificate.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning

		Team Leader Consent Processing Senior Resource Management Planner
s.169	Request further information and process notice of requirement	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.170	Discretion to include notice of requirement in proposed Plan	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing
s.171	Consider notice of requirement and make submissions thereto, and make recommendation to the requiring authority	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.174	Lodge appeal against decision of a requiring authority.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.176A(2)(C)	Outline plan waivers	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing



		Senior Resource Management Planner
s.181(3)	Alteration of designation in plan at request of requiring authority, to a minor extent	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.182	Removal of designation at request of requiring authority	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.184(2)	Waiver of lapsing designation	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.220	Issue certificates relating to requirements to comply on ongoing basis with consent conditions and endorsements on titles	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.221	Imposing and issuing Consent Notices on subdivision consents.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing

		Senior Resource Management Planner
s.222	Dealing with Completion Certificates on subdivision consents	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.223	Approval of Survey Plan – check compliance prior to sealing	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.224	Issue certificates indicating all or any of conditions on subdivision consent have been complied with	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.226	Certifications of plans of subdivision that allotments on the plan meet the requirements of the District Plan	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
ss.229 – 237H	Creation of esplanade reserves and strips and associated conditions.	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing

		Senior Resource Management Planner
ss.240,241	Imposition and cancellation of amalgamation conditions and restrictive covenants	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
s.243(E)	Revoking a condition specifying easements	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner
ss.310, 311	Application to Environment Court for a declaration	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Team Leader Environmental Policy
ss.314,316	Seek and/or respond to an Enforcement Order	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing
s.320	Seek and/or respond to an interim enforcement order	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing
s.325A	Signature or cancellation of abatement notice	Group Manager – Infrastructure and Environmental Services

		<p>Manager Environmental Planning</p> <p>Team Leader Consent Processing</p> <p>Monitoring and Enforcement Officer</p>
Schedule 1, Clause 5A	To identify all affected parties for limited notification of a plan change or variation	<p>Group Manager – Infrastructure and Environmental Services</p> <p>Manager Environmental Planning</p> <p>Team Leader Environmental Policy</p>
ss.322, 327, 3258, 343C	The taking of enforcement action in relation to the Resource Management Act, initiating the review the resource consent decisions, and conditions	<p>Group Manager – Infrastructure and Environmental Services</p> <p>Manager Environmental Planning</p> <p>Team Leader Consent Processing</p>
s.332	To carry out inspection of any premises of property (except a dwelling house) to determine whether the RMA, any regulation or rule of the District Plan or resource consent is being complied with	<p>Group Manager – Infrastructure and Environmental Services</p> <p>Manager Environmental Planning</p> <p>Team Leader Consent Processing</p> <p>Senior Resource Management Planner</p> <p>Resource Management Planner</p> <p>Graduate Resource Management Planner</p> <p>Monitoring and Enforcement Officer</p> <p>Team Leader Ecology Ecologist</p> <p>Graduate Ecologist</p> <p>Team Leader Environmental Policy</p> <p>Resource Management Planner – Policy</p>

s.333	Entry to land (except a dwelling house) for purposes connected with any preparation, change, or review of the District Plan	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Senior Resource Management Planner Resource Management Planner Graduate Resource Management Planner Monitoring and Enforcement Officer Team Leader Ecology Ecologist Graduate Ecologist
s.336	<b>Return of property seized under ss.323 and 328</b>	Group Manager – Infrastructure and Environmental Services Environmental health manager Environmental health officer
s.342	The power to collect fines for an offence under s.338	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Monitoring and Enforcement Officer Environmental health manager
s.357	The power to consider and make decisions on application for objections for an application which does not require a hearing, except where the decision would result in a net payment of reserve contributions by Council less credits for land to vest exceeding the delegation for the role. The	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Environmental health manager

	power to decide whether an objection requires a hearing	
ss.357C-D	The power to consider and decide upon objections made. To consider, dismiss or uphold (in whole or in part) any objection under sections 357, 357A or 357B of the Act PROVIDED that this delegation shall NOT be exercised in respect of objections on resource consent applications which have been the subject of a hearing under section 100 of the Act	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing
s.360F	To set overall charges payable by the applicant for a plan change or resource consent	Group Manager – Infrastructure and Environmental Services Manager Environmental Planning Team Leader Consent Processing Team Leader Environmental Policy

## 8.2 Monthly Financial Report - June 2021

Record No: R/21/7/44227

Management accountant – Lesley Smith was in attendance for this item.

Mrs Smith advised that the purpose of the report was to provide Council with an overview of the financial results for the ten months to 30 June 2021 by the nine activity groups of Council, as well as the financial position, and the statement of cash flows as at 30 June 2021.

Resolution

Moved Mayor Tong, seconded Cr Scott and resolved:

That the Council:

- a) **Receives the report titled “Monthly Financial Report - June 2021” dated 27 July 2021.**

8.3 Management report

Record No: R/21/7/39824

Chief executive – Cameron McIntosh was in attendance for this item.

Resolution

Moved Cr Menzies, seconded Cr Ruddenklau and resolved:

That Council:

- a) **Receives the report titled “Management report” dated 28 July 2021.**

(Councillor Douglas withdrew from the table due to a conflict of interest.)

8.4 Around the Mountains Cycle Trail - Trust

Record No: R/21/5/21124

Commercial infrastructure manager – Ashby Brown was in attendance for this item.

Mr Brown advised that the purpose of this report is to present information to Council to enable it to make a decision regarding the establishment of a charitable trust for the Around the Mountains Cycle Trail, for the purposes of managing the trail experience.

During discussion on the report there was concern from the Council regarding making the role of the trail manager a permanent part time position within Council. As a result a new g was agreed to of endorsing the extension of the trail manager role within Council.

Resolution

Moved Cr Owen, seconded Cr Keast recommendations a to f, new g (as indicated) and h to j and resolved:

That the Council:

- a) **Receives the report titled “Around the Mountains Cycle Trail - Trust” dated 28 July 2021.**
- 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 the establishment of a trust for the Around the Mountains Cycle Trail, for the purposes of managing the trail experience and agrees to act as settlor.
- e) Endorses the draft Around the Mountains Cycle Trail trust deed, as attached, with any minor amendments.
- f) Agrees in principle to entering a Memorandum of Understanding and an operational funding agreement, to administer the day to day running of the Around the Mountains Cycle Trail Trust, as between Council and the Around the Mountains Cycle Trail Trust.

New g) Endorses the extension of the Around the Mountains Cycle Trail manager role within Council, with the timeline and funding to be determined and formalised through the annual planning process.

- ~~g) Endorses making the Around the Mountains Cycle Trail manager role a permanent part time position within Council, to be funded from rates and any other revenue available to be finalised and formalised through the annual planning process.~~
- h) Agrees to delegate to the chief executive the authority to approve minor amendments to the draft deed, and to execute the deed.
- i) Approves a grant of \$30,000 to the Around the Mountain Cycle Trail Trust for the 2021/2022 financial year, to be funded from repurposing existing budgets of \$23,250 and \$6,750 from the Around the Mountain Cycle Trail reserve.
- j) Acknowledges that the trust grant funding will be integrated as part of the annual planning process.

## Reports - Governance

### 9.1 Destination Fiordland - transfer of residual funds to Great South

Record No: R/21/7/39014

Community partnership leader – Simon Moran was in attendance for this item.

Mr Moran advised that the purpose of the report was to approve the Fiordland Community **Board's recommendation to transfer to Great South the residual funds of Destination Fiordland.**

Council noted that the former Te Anau community board (now the Fiordland community board) was **named in Destination Fiordland's constitution as the recipient of any residual funds to hold in trust if that organisation liquidated which is now in the process of occurring.**



Resolution

Moved Cr Ford, seconded Cr Menzies and resolved:

That the Council:

- a) **receives the report titled “Destination Fiordland - transfer of residual funds to Great South” dated 28 July 2021.**
- 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) makes the transfer of the residual funds subject to an agreement with Great South to do the following –
  - ring-fence the funds to be used only for supporting tourism in Fiordland **in line with the objectives of Destination Fiordland’s constitution.**
  - provide an annual report to the Fiordland Community Board, by August each year, on how the funds have been spent and/or is intended to be spent until such time as the value of the transfer funds has been fully used.
- e) approves the transfer of all residual funds received from the liquidation of Destination Fiordland Inc. to Great South in accordance with resolution (d).
- f) approves unbudgeted expenditure equal to the amount of residual funds received from the liquidation of Destination Fiordland.

9.2 Tourism Infrastructure Fund projects - unbudgeted expenditure

Record No: R/21/7/44383

Community partnership leader – Simon Moran was in attendance for this item.

Mr Moran advised that the purpose of the report was to approve the unbudgeted expenditure of the Tourism Infrastructure Fund portion of the project funding.

Council noted that Southland District had been successful with its applications to the Tourism Infrastructure Fund and would receive \$3,739,125 of funding. The expenditure of that funding had not been budgeted as it was not guaranteed that the applications would be successful.

Resolution

Moved Cr Frazer, seconded Cr Owen and resolved:

That the Council:

- a) **receives the report titled "Tourism Infrastructure Fund projects - unbudgeted expenditure" dated 27 July 2021.**
- 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 unbudgeted expenditure of the \$3,739,125 of external funding that will be received from the Tourism Infrastructure Fund for the projects that were identified in the funding applications endorsed by Council at its 23 June 2021 meeting.

Public Excluded

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

Resolution

Moved Cr Ford, seconded Cr Owen and resolved:

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

C10.1 Around the Mountains Cycle Trail Trust - appointment of trustees

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
Around the Mountains Cycle Trail Trust - appointment of trustees	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	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.

The public were excluded at 10.34am.

The meeting reconvened at 10.53am.

Mayor Tong and Councillors Byars, Duffy, Ford, Frazer, Harpur, Keast, Menzies, Owen, Ruddenklau and Scott were present when the meeting reconvened.

Councillor Douglas withdrew from the meeting due to a conflict of interest with item C10.1 Around the Mountains Cycle Trail Trust - appointment of trustees.

The meeting adjourned at 11.56am on Wednesday 4 August 2021 to reconvene at the conclusion of the Services and Assets Committee on Tuesday 24 August 2021.

Tuesday 24 August 2021

Councillor Kremer was back early from leave of absence due to the level 4 Covid 19 lockdown.

In the absence of Mayor Tong, Deputy Mayor Kremer reconvened the meeting at 10.44am on Tuesday 24 August 2021 and adjourned at 10.45am.

When the meeting reconvened at 10.44am, Councillors Byars, Duffy, Ford, Frazer, Harpur, Keast, Kremer, Menzies, Owen, Ruddenklau and Scott were present. Councillor Douglas was excluded due to a conflict of interest.

Mayor Tong reconvened the meeting at 11.03am.

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

The meeting concluded at 11.43am  
on Tuesday 24 August 2021

CONFIRMED AS A TRUE AND CORRECT RECORD AT A  
MEETING OF THE COUNCIL HELD ON WEDNESDAY 4  
AUGUST 2021 AND RECONVENED ON TUESDAY 24  
AUGUST 2021.

DATE:.....

CHAIRPERSON:.....