



Council

OPEN MINUTES

Minutes of a meeting of Council held as a Virtual meeting via Zoom on Tuesday, 22 February 2022 at 9am. (9am - 10.34am, 10.50am – 12.30pm (PE 11.45am – 12.30pm))

PRESENT

Mayor	Mayor Gary Tong
Deputy Mayor	Ebel Kremer
Councillors	Don Byars
	John Douglas
	Paul Duffy
	Bruce Ford
	Darren Frazer (9am – 12.15pm)
	George Harpur
	Julie Keast
	Christine Menzies
	Karyn Owen
	Margie Ruddenklau
	Rob Scott

APOLOGIES

Cr Frazer (early departure)

IN ATTENDANCE

Chief executive - Cameron McIntosh
Committee advisor/Customer support partner - Lagi Kuresa

1 Apologies

There was an apology for an early departure from Cr Frazer.

Moved Cr Owen, seconded Cr Keast and resolved:

That Council accept the apology.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There was no public forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Council Minutes

The minutes of the meeting of 25 January 2022 were not confirmed at the meeting.

Reports - Policy and Strategy

7.1 Draft Stewart Island/Rakiura visitor levy bylaw and policy - consultation

Record No: R/22/2/2958

Senior policy analyst – Carrie Williams was in attendance for this item.

Ms Williams advised that the purpose of the report was to present the draft Stewart Island/Rakiura visitor levy policy, the draft Stewart Island/Rakiura visitor levy bylaw and an associated Statement of Proposal, for Council to endorse for consultation.

Resolution

Moved Cr Duffy, seconded Cr Owen and resolved:

That the Council:

- a) **receives the report titled “Draft Stewart Island/Rakiura visitor levy bylaw and policy - consultation” dated 14 February 2022.**
- 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) determines pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing the funding problems faced by Stewart Island/Rakiura.
- e) determines pursuant to section 155(2)(a) of the Local Government Act 2002 that the draft Stewart Island/Rakiura Visitor Levy Bylaw is the most appropriate form of bylaw.
- f) determines pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Stewart Island/Rakiura Visitor Levy Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- g) endorses the recommendation from the Community and Strategy Committee that the amount of levy and revenue collected should be \$15.00 (including GST).
- h) endorses and releases the Statement of Proposal outlined in attachment A (that includes the draft Stewart Island/Rakiura Visitor Levy Bylaw and draft Stewart Island/Rakiura Visitor Levy Policy) for consultation in accordance with the Special Consultative Procedure outlined in sections 83, 86 and 87 of the Local Government Act 2002, from 8am 1 March to 5pm 1 April 2022.
- i) determines that it has followed the requirements of section 80 of the Local Government Act 2002 (which must be followed when making decisions inconsistent with policy), regarding the proposal to consult on an increase to the visitor levy quantum in accordance with the Special Consultative Procedure, but not via the Annual Plan process.
- j) endorses Council working with approved operators and levy funding recipients on an ongoing basis, to increase community and visitor understanding of the Stewart Island/Rakiura visitor levy.

7.2 Community Board requests for review of two Council bylaws outside scheduled review cycle

Record No: R/22/2/3439

Strategy and policy manager – Michelle Fowler-Stevenson was in attendance for this item.

Mrs Fowler-Stevenson advised that the purpose of the report was to request that Council consider resolutions from the Stewart Island/Rakiura Community Board and the Fiordland Community Board that request that Council bring forward its review of the Roding bylaw and the Dog Control bylaw respectively.

Resolution

Moved Cr Frazer, seconded Cr Douglas and resolved:

That the Council:

- a) **receives the report titled “Community Board requests for review of two Council bylaws outside scheduled review cycle” dated 17 February 2022.**
- 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) agree that the Roding bylaw review be brought forward to the end of 2022, with the intention of adoption of a revised bylaw by the end of 2023.
- e) agree to maintain the Dog Control bylaw schedule, so that formal review of this bylaw is in 2025, and to not undertake an amendment or review in 2022.

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

Record No: R/22/2/4105

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

Ms Fergusson advised that the purpose of the report was for Council to approve the Southland District Council submission to the Resource Management Act Reform.

Resolution

Moved Cr Scott, seconded Cr Menzies and resolved:

That the Council:

- a) **receives the report titled “Southland District Council Submission – Exposure Draft Natural and Built Environments Bill.**

- 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 give delegated authority to the General Manager of Infrastructure and Environmental Services to incorporate comments and feedback from Te Ao Marama into the attached submission.
- e) agrees to approve the submission on the exposure draft Natural and Built Environments Bill (attached as attachment A to the officers report).

7.4 Draft significant forecasting assumptions for the 2022/2023 Annual Plan

Record No: R/22/2/4337

Corporate performance lead – Jason Domigan and Project Accountant – Emma Strong were in attendance for this item.

Mr Domigan advised that the purpose of the report was for the review and adoption the draft significant forecasting assumptions to be used to support the 2022/2023 Annual Plan, which will be adopted in June 2022.

Resolution

Moved Cr Douglas, seconded Cr Kremer and resolved:

That the Council:

- a) **Receives the report titled “Draft significant forecasting assumptions for the 2022/2023 Annual Plan” dated 17 February 2022.**
- 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) Adopt the significant forecasting assumptions from the Long Term Plan 2021-2031 (attachment A **of the officer’s report**) including the proposed change below:

- i) Increase the interest rates on borrowing from 2% to 3%.

7.5 Three-yearly District revaluation

Record No: R/22/2/4465

Finance development coordinator – Nicole Taylor was in attendance for this item.

Miss Taylor advised that the purpose of the report was to advise Council of the latest District valuation undertaken by Quotable Value Limited.

Resolution

Moved Mayor Tong, seconded Cr Ruddenklau and resolved:

That the Council:

- a) **receives the report titled “Three-yearly District revaluation” dated 15 February 2022.**

Reports - Operational Matters

8.1 Mokoreta Redan Centennial Memorial Hall - transfer of ownership

Record No: R/21/12/67027

Property advisor – Theresa Cavanagh was in attendance for this item.

Ms Cavanagh advised that the purpose of the report was for Council approval to transfer ownership of the Mokoreta Redan Hall property from Council to the Mokoreta Redan Centennial Hall Society Incorporated.

Council noted that the Waihopai Toetoe Community Board at their meeting on 14 December 2021 recommended to Council that the ownership of the land and building associated with the Mokoreta Redan Hall (Lot 1 DP 5491 held in SL211/41) be transferred to the Mokoreta Redan Centennial Hall Society Incorporated for \$1.

Resolution

Moved Cr Menzies, seconded Cr Harpur and resolved:

That the Council:

- a) **receives the report titled “Mokoreta Redan Centennial Memorial Hall - transfer of ownership” dated 3 February 2022.**
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision;

and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.

- d) Resolves to transfer the Mokoreta Hall property, being Lot 1 DP 5491 held in SL211/41, to the Mokoreta Redan Centennial Hall Society Incorporated for \$1.
- e) Agrees that the chief executive be given delegated authority to enter into an Agreement for Sale and Purchase with Mokoreta Redan Centennial Hall Society Incorporated.

8.2 Management report

Record No: R/22/1/119

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

Resolution

Moved Mayor Tong, seconded Cr Menzies and resolved:

That Council:

- a) **Receives the report titled “Management report” dated** 17 February 2022.

(The meeting adjourned for morning tea at 10.34am and resumed at 10.50am.)

8.3 Closure of Fortrose hall and declaring the building to be surplus to requirements and to be disposed of by way of removal or demolition

Record No: R/22/1/2503

Property services manager – Kevin McNaught was in attendance for this item.

Mr McNaught advised that the purpose of the report was for the meeting to consider the community request to close the Fortrose hall and for the building to be disposed of by either removal or demolition.

Resolution

Moved Cr Duffy, seconded Cr Kremer and resolved:

That the Council:

- a) **receives the report titled “Closure of Fortrose hall and declaring the building to be surplus to requirements and to be disposed of by way of removal or demolition” dated** 4 February 2022.
- 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 that the Fortrose Hall be closed for public use at a date decided by the Group Manager programme delivery
- e) determines that the Fortrose hall building is surplus to requirements and is to be disposed of by way of removal or demolition and that the Chief Executive be delegated authority to determine the method and price as well as enter into the relevant agreements or contracts.
- f) determines that any future development plans for the site by Council only be finalised after consulting with the Fortrose community.

8.4 Financial Report for the period to 31 December 2021

Record No: R/22/2/3317

Financial Accountant – Sheree Marrah was in attendance for this item.

Miss Lepper advised that the purpose of the report was to provide Council with an overview of the financial results for the six months to 31 December 2021 by the seven activity groups of Council, as well as the financial position, and the statement of cash flows as at 31 December 2021.

Council noted that a key point in the report was that at 31 December 2021, Council was in breach of its Investment and Liability Management Policy. This policy requires that Council can invest no more than \$10 million with one bank. At 31 December 2021 Council had \$12.5 million invested/on call with BNZ.

As a result of the policy requirements, officers had brought the breach to the attention of Council.

Resolution

Moved Mayor Tong, seconded Cr Frazer and resolved:

That the Council:

- a) **Receives the report titled “Financial Report for the period to 31 December 2021” dated 16 February 2022.**
- b) Notes and accepts the risks associated with the breach of the investment and liability management policy.

8.5 Building solutions team - unbudgeted expenditure request

Record No: R/22/2/4788

Manager building solutions – Julie Conradi was in attendance for this item.

Mrs Conradi advised that the purpose of the report was to ensure that sufficient capacity is available in the building solutions team to continue delivering a legislative compliant level of service into the future and respond to increasing consenting volumes and the intention to continue as planned with an incremental fee increase of 5% for the financial year 2022/2023 period to further align fees with the cost of doing business and reduce reliance on Council to subsidise these costs.

Council noted that staff are asking for unbudgeted expenditure rather than seeking approval through the 2022/2023 Annual Plan so that recruitment processes can commence sooner rather than having to wait for the Annual Plan approval in June 2022. If recruitment is successful, any additional salary costs up until 30 June 2022 can be met from existing budget underspends as a result of vacancies and recruitment timing.

Resolution

Moved Cr Duffy, seconded Cr Kremer recommendations a to f and a new g (as indicated) and resolved:

That the Council:

- a) **receives the report titled “Building solutions team - unbudgeted expenditure request” dated 17 February 2022.**
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Notes the intent to increase fees by 5% through the 2022/2023 Annual Plan process to better align fees with the cost of doing business.
- e) Approves unbudgeted expenditure of \$375,000 for the 2022/2023 financial year to be funded by increased fee revenue \$181,162, increase in rates funding \$75,000 and an increase in use of the district ops reserve \$118,838.
- f) Requests staff incorporate the approved unbudgeted expenditure in resolution (e) into the 2022/2023 Annual Plan.

new(g) requests that management provide detailed quarterly financial information on unbudgeted expenses for future rates.

Public Excluded

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

Resolution

Moved Mayor Tong, seconded Cr Scott and resolved:

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

C10.1 Great South - Statement of Intent 2022/2023

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
Great South - Statement of Intent 2022/2023	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.

The public were excluded at 11.45am.

(Cr Frazer left the meeting at 12.15pm.)

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 12.30pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE COUNCIL HELD ON TUESDAY 22 FEBRUARY 2022.

DATE:

CHAIRPERSON: