



Notice is hereby given that a Meeting of the Riverton Harbour Subcommittee will be held on:

**Date:** Monday, 12 March 2018  
**Time:** 4.30pm  
**Meeting Room:** Southland District Council Office  
**Venue:** 117 Palmerston Street, Riverton

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## **Riverton Harbour Subcommittee Agenda OPEN**

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### **MEMBERSHIP**

<b>Chairperson</b>	Nick White	<b>Riverton Harbour Berth Owner</b>
<b>Members</b>	Hayley Nelson	<b>Riverton Harbour Berth Owner</b>
	Blair Stewart	<b>Riverton/Aparima Community Board</b>
	Graeme Stuart	<b>Riverton/Aparima Community Board</b>
	Muriel Johnstone	<b>Oraka Aparima Runaka</b>
<b>Councillor</b>	Nick Perham	

### **IN ATTENDANCE**

<b>Committee Advisor</b>	Alyson Hamilton
<b>Community Engineer</b>	Greg Erskine

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

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## Terms of Reference for Riverton Harbour Committee

This committee is a subcommittee of Southland District Council and is responsible for:

- The management and control of all Riverton harbour assets
  - The control and management of all Riverton harbour endowment lands
  - Parking and traffic management on harbour endowment land
  - Control of the berthing of vessels
  - Management of activities in the harbour, including health and safety
  - Preparing an annual budget, including ensuring any income from assets and activities are spent on the harbour and endowment lands, and on purposes that benefit the Riverton community
  - Appointing a harbourmaster
  - Recommending legal action in cases of breaches of the bylaw
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**UPDATES**

**8.1 Chairperson's Report**

Chairperson, Member White, to report on activities with which he has been involved since the Subcommittee's last meeting.

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**1 Apologies**

At the close of the agenda no apologies had been received.

**2 Leave of absence**

At the close of the agenda no requests for leave of absence had been received.

**3 Conflict of Interest**

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

**4 Public Forum**

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on [www.southlanddc.govt.nz](http://www.southlanddc.govt.nz) or phoning 0800 732 732.

**5 Extraordinary/Urgent Items**

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

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

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

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

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

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

**6 Confirmation of Minutes**

6.1 Meeting minutes of Riverton Harbour Subcommittee, 16 October 2017



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## Riverton Harbour Subcommittee

### OPEN MINUTES

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Minutes of a meeting of Riverton Harbour Subcommittee held in the SDC Office, 117 Palmerston Street Riverton on Monday, 16 October 2017 at 4.30pm.

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#### PRESENT

**Chairperson**

Nick White

Riverton Harbour Berth Owner

**Members**

Hayley Nelson

Riverton Harbour Berth Owner

Blair Stewart

Riverton/Aparima Community Board

Muriel Johnstone

Oraka Aparima Runaka

#### IN ATTENDANCE

**Committee Advisor**

Alyson Hamilton

**Community Engineer**

Greg Erskine

**Environment Southland**

Lyndon Cleaver

**Environment Southland**

Ian Coard

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**1 Apologies**

Moved Member White, seconded Member Stewart and **resolved:**

**That the Riverton Harbour Subcommittee accept the apologies for non-attendance from Member Stuart and Councillor Perham.**

**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 Minutes**

**Resolution**

Moved Member Stewart, seconded Member White **and resolved:**

**That the minutes of Riverton Harbour Subcommittee meeting held on 24 July 2017 as a true and correct record.**

**Reports**

**7.1 Financial Report to Riverton Harbour Subcommittee for the year ended 30 June 2017**

**Record No: R/17/9/21018**

Greg Erskine, Community Engineer presented the report.

Mr Erskine advised the purpose of the report is to update the Subcommittee on the financial results for the year ended 30 June 2017.

**Resolution**

Moved Member Stewart, seconded Member White **and resolved:**

**That the Riverton Harbour Subcommittee:**

- a) **Receives the report titled "Financial Report to Riverton Harbour Subcommittee for the year ended 30 June 2017" dated 9 October 2017.**

## **7.2 Strategic Framework 2018 - 2028 Long Term Plan**

**Record No: R/17/9/23118**

Greg Erskine, Community Engineer presented the report.

Mr Erskine advised the purpose of this report is to update Community Boards, Community Development Area Subcommittees and other local Council committees on the revised Strategic Framework that has been developed by Council for the Long Term Plan 2018-2028.

Mr Erskine explained the report presents the framework for information and highlights the key changes to the Council's intended areas of focus in response to the key strategic challenges facing Southland District over the next twenty years.

### **Resolution**

Moved Member Stewart, seconded Member Nelson **and resolved:**

**That the Riverton Harbour Subcommittee:**

- a) Receives the report titled "Strategic Framework 2018 - 2028 Long Term Plan" dated 9 October 2017.**

## **7.3 Local Budgets for the Long Term Plan 2018-28**

**Record No: R/17/10/23576**

Greg Erskine, Community Engineer presented the report.

Mr Erskine advised that the purpose of the report was to recommend to Council the local budgets for the 2018-2028 Long Term Plan and provides an overview of the local activities and services for Riverton for 2018-2028 which are provided under the governance of the Riverton Harbour Subcommittee.

The Meeting noted that the report also details the estimated costs of these activities over the 10 years as well as the draft rates.

Mr Erskine informed the draft budgets will be incorporated into the Council's draft Long Term Plan (LTP) 2018-2028 which will be released for consultation in March 2018. Once the Plan is finalised (and subject to any changes resulting from submissions), the budgets shown for 2018/2019 will be used to set rates for the year beginning 1 July 2018 (referred to as LTP year 1).

Following discussion on the overview of the rates the Subcommittee agreed that the wharf licence fee be adjusted by inflation and that this be reviewed annually.

Mr Erskine raised the issue of the beacon light situated at Taramea (Howells Point) advising renewal is required and this work will need to be included in the Long Term Plan.

Following discussion Members agreed that the interim repair work that has been scheduled to the beacon needs to be undertaken immediately - the Chair to liaise with subcommittee members to progress this work.

Following further discussion it was agreed to an addition of a beacon light renewal budget of \$15,000 to be funded from reserves and scheduled in the 2018/2019 financial year.

### Resolution

Moved Member White, seconded Member Johnstone **and resolved:**

**That the Riverton Harbour Subcommittee:**

- a) **Receives the report titled "Local Budgets for the Long Term Plan 2018-28" dated 9 October 2017.**
  - b) **Determines that this matter 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) **Requests Council sets the fees and charges (including GST) for the year commencing 1 July 2018, subject to the following amendments:**
    - **Wharf licence fee be adjusted by inflation and that this be reviewed annually**
    - **Taramea (Howells Point) light renewal - \$15,000 to be funded by reserves**
- | <u>Fee Description</u>        | <u>Fee Amount (GST Incl)</u> |
|-------------------------------|------------------------------|
| Wharf Licence Fee (per metre) | \$14.96                      |
| Transfer Fee                  | \$154.34                     |
- e) **Identifies the following issues for the Riverton Harbour area that need to be included in the 2018-2028 Long Term Plan consultation process to encourage feedback from the local community;**
    - **Taramea (Howells Point) beacon light renewal**

### 9.1 Chairperson's Report

The Chair, Member White reported on activities with which he has been involved since the Subcommittee's last meeting. This included the following:

- Request for staff to arrange an Informal meeting to further discuss the subcommittee decision of Living on Boats in Riverton Harbour. Property staff to be in attendance.
- Advice of berth owners undertaking repair work to the wharves as per the Emtech report. The Chair advised the wharves are looking good.
- Advice that "T-wharf" requires new plank work. Staff to arrange for work to be actioned.
- Advice that loose planks at pleasure boat ramp have been repaired.
- Advice that minor repair work is required to the Lead Lights. Staff to arrange for work to be actioned.
- Advice that the beacon light situated at Taramea (Howells Point) requires urgent repair work. Staff to arrange for work to be actioned.



- Advice that Berth L35 which belongs to the Harbour subcommittee is no longer in use - the Leasee has vacated the site. The Chair to liaise with property staff to progress the tender of the berth L35.

The issue of the electricity was raised and it was agreed that this matter be discussed at a workshop to include the Chair, Kevin McNaught, Greg Erskine Colin Pemberton, Nick White and Hayley Nelson.

## Public Excluded

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

#### Resolution

Moved Member Stewart, seconded Member White **and resolved:**

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

#### C8.1 Riverton Harbour Update

**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
Riverton Harbour Update	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.

That the Committee Advisor, Community Engineer and Environment Southland Staff be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items **C8.1 Riverton Harbour Update**. 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 5.25pm.

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 5.33pm

CONFIRMED AS A TRUE AND CORRECT RECORD AT A  
MEETING OF THE RIVERTON HARBOUR  
SUBCOMMITTEE HELD ON MONDAY, 16 OCTOBER  
2017.

**DATE:**.....

**CHAIRPERSON:**.....

## Riverton Wharves Update

**Record No:** R/18/2/4304  
**Author:** Colin Pemberton, Property Asset Management Officer  
**Approved by:** Matthew Russell, Group Manager Services and Assets

☐ Decision ☐ Recommendation ☒ Information

### Background

- 1 Following support from the Riverton Harbour Subcommittee, Council staff have undertaken a process to issue new licences for all the wharf structures (including the two Riverton Slipways Ltd slipways) in Riverton Harbour, downstream of the SH99 Bridge over the Aparima River.
- 2 Inspections were undertaken prior to the licence offers being made, with a condition of the licences being that the recommended repairs were to be completed by the structures' owners.

### Current Situation

- 3 Of the 39 licences offered, 29 have been signed and returned to Council.
- 4 At the date of writing the report, Council had been advised by 13 wharf owners, that they had completed the required work. 6 others have advised that they are in the process of undertaking the work, but for one reason or another, have experienced delays in completing the work. Council is accepting of these reasons and will continue to liaise with the owners to ensure the works are completed as soon as possible.
- 5 Where wharf owners have not returned signed licences, or have failed to undertake the work to satisfaction of Council, they are deemed to be in breach of the conditions of their licence and ultimately the Environment Southland issued Resource Consent held by Council. As this is unacceptable, Council will take action to ensure, it is not exposed to action by Environment Southland for being in breach of that consent.
- 6 Such action will be in line with legal advice received by Council;
  - while the licensee may own the structure, the continued presence of the structure in the Harbour depends on the occupation licence and the coastal permit. There is no right apart from that given by those two documents that allows continued use of the wharves in the Harbour.
  - any occupier who fails to carry out the required wharf repairs within the stipulated time frame is in breach of the licence agreement (clause 5). The consequences of that breach are:
    - The Council may terminate the licence 40 days after written notice of the breach, or immediately if the want of repair causes a danger to any person or damage to property.
    - Subject to arbitration, if the licence is terminated, the licensee has 2 possible choices if the licensee does not wish to completely remove the wharf at his costs. The licensee can:
      - ❖ Repair the wharf.

❖ Transfer to an approved third party.

- If the licensee does not take any steps at all, the Council would have civil remedies to enforce compliance or obtain damages.
- The licensee is responsible for the proper use of the wharf. If there is a third party living on a yacht, it is the licensee's responsibility to stop the occupation. Failure to do so would have the consequences discussed above.

7 It is proposed to have Emtech Engineering Limited reinspect all the structures within the next few months, at which time the need to take action as mentioned above will be determined.

## **Recommendation**

**That the Riverton Harbour Subcommittee:**

- a) Receives the report titled "Riverton Wharves Update" dated 1 March 2018.**

## **Attachments**

There are no attachments for this report.

## Schedule of Meetings for 2018

**Record No:** R/18/1/1705  
**Author:** Alyson Hamilton, Committee Advisor  
**Approved by:** Rex Capil, Group Manager Community and Futures

☒ Decision ☐ Recommendation ☐ Information

### Purpose

- 1 The purpose of the report is to approve a schedule of meeting dates for 2018 so that meetings can be publicly notified in accordance with the requirements set by the Local Government Official Information and Meetings Act 1987 following the Council adopting a meeting schedule for 2018.

### Executive Summary

- 2 The adoption of a meeting schedule allows for reasonable public notice preparation and planning for meeting agendas. The Local Government Official Information and Meetings Act 1987 which has requirements for Local Authorities to follow for public notification of meetings.
- 3 The meeting schedule for the Riverton Harbour Subcommittee is required to be set for 2018.

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### Recommendation

**That the Riverton Harbour Subcommittee:**

- a) **Receives the report titled "Schedule of Meetings for 2018" dated 5 March 2018.**
- 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 meet at 4.30pm at the Southland District Council Riverton office on the following dates in 2018:**
  - **Monday 12 March 2018**
  - **Wednesday, 6 June 2018**
  - **Monday 3 September 2018**
  - **Monday 3 December 2018**

## **Background**

- 5 An approved schedule of meetings dates is required so that meetings can be publicly notified in accordance with the Local Government Official Information and Meetings Act 1987.

## **Factors to Consider**

### **Legal and Statutory Requirements**

- 6 The legal and statutory requirements for meetings of Council, Committees, Subcommittees and Community Boards are spelt out in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.

### **Community Views**

- 7 There are no community views.

### **Costs and Funding**

- 8 The only costs for the implementation of a meeting schedule are the public notification via the newspaper once a month in accordance with the Local Government Official Information and Meetings Act 1987.

### **Policy Implications**

- 9 There are no policy implications.

## **Analysis**

### **Options Considered**

- 10 Options considered are that if no meeting schedule be agreed, then no meetings of the Riverton Harbour Subcommittee could be held. The other option is to adopt a meeting schedule as proposed in the recommendations which enables dialogue between the Community Board/Community Development Area Subcommittee and District Council Staff on a regular basis.

## **Analysis of Options**

### **Option 1 – No meeting schedule**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>There are no advantages</li></ul>	<ul style="list-style-type: none"><li>Council officers and Subcommittees unable to achieve work in the Subcommittees area as no meetings are being held.</li></ul>

### **Option 2 – Adoption of a schedule of meetings**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>Council officers and Subcommittees are able to achieve work in the Subcommittees area as meetings are being held on a regular basis</li></ul>	<ul style="list-style-type: none"><li>There are no disadvantages</li></ul>

**Assessment of Significance**

- 11 The assessment of significance is that this is not significance as defined in the Local Government Act 2002.

**Recommended Option**

- 12 The recommended option is option 2 – Adoption of a schedule of meetings.

**Next Steps**

- 13 The next steps once the schedule is adopted it to ensure that each month the meetings are publicly notified to enable the Subcommittee to meet.

**Attachments**

There are no attachments for this report.