



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 18 April 2018 at 9am and reconvened on Thursday, 19 April 2018.

PRESENT

	Wednesday 18 April 2018	Thursday 19 April 2018
Mayor	Mayor Gary Tong	
Deputy Mayor	Paul Duffy	Apology
Councillors	Stuart Baird	
	Brian Dillon	
	John Douglas	
	Bruce Ford	
	Darren Frazer	
	George Harpur	
	Julie Keast	
	Ebel Kremer	
	Gavin Macpherson	
	Dean Whaanga – Te Ao Marama	Apology

IN ATTENDANCE

Chief Executive Officer	Steve Ruru
Group Manager, Environmental Services	Bruce Halligan
Group Manager, Services and Assets	Matt Russell
Group Manager, Community and Futures	Rex Capil
Chief Financial Officer	Anne Robson
Group Manager, Customer Support	Trudie Hurst
Senior Projects Manager	Ian Marshall
Publications Specialist	Chris Chilton
Committee Advisor	Fiona Dunlop

1 Apologies

There were apologies from Councillors Duffy (late arrival and early departure), Paterson and Perham.

Resolution

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

That Council accept the apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

See item 8.4 Venture Southland 2018-2019 Work Programme - 1 July 2018 - 31 January 2019 for a declaration from Councillor Macpherson.

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 Macpherson, seconded Cr Keast **and resolved:**

That Council confirms the minutes of the meetings, held on Thursday 22 February 2018 and Tuesday 27 March 2018 as a true and correct record of those meetings.

Reports - Policy and Strategy

7.1 Feedback received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and Development and Financial Contributions Policy

Record No: R/18/3/5176

- 1 Mary Napper (submitter 51) addressed the meeting in support of her submission.
- 2 Mervyn Cave (submitter 111) addressed the meeting in support of their submission via video conference from Te Anau.
- 3 Janice Templeton (submitter 124) did not appear before the meeting.
- 4 Caroline Loo representing the Loss and Grief Centre (submitter 3) addressed the meeting in support of the organisations submission.

(During the submission from Mrs Loo, Councillor Duffy joined the meeting at 9.19am.)

Item 8.3 – Risk Management Framework Project Development was taken next to be followed by item 8.4 – Venture Southland 2018-2019 Work Programme 1 July 2018 to 31 January 2019 and then item 8.2 – Financial Report for the month ended 28 February 2018.

8.3 Risk Management Framework Project Development

Record No: R/18/4/7445

Group Manager, Community and Futures – Rex Capil was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Risk Management Framework Project Development” dated 6 April 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) **Endorse the approach to engage Structured Conversations Ltd on a preferred supplier basis to undertake the Risk Management Framework project.**

- e) Approves unbudgeted expenditure of up to \$60,000 exclusive of GST to be split evenly over the two financial years of 2017-2018 and 2018-2019 and to be sourced from the Council District Operations Reserve to undertake the Southland District Council Risk Management Framework project.

8.4 Venture Southland 2018-2019 Work Programme - 1 July 2018 - 31 January 2019

Record No: R/18/4/7498

Group Manager, Community and Futures – Rex Capil was in attendance for this item.

Councillor Macpherson declared a conflict of interest in relation to this item and withdrew from the table.

Resolution

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

That the Council:

- a) Receives the report titled “Venture Southland 2018-2019 Work Programme - 1 July 2018 - 31 January 2019” dated 6 April 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) Receive the Venture Southland 2018-2019 Work Programme for the period 1 July 2018 - 31 January 2019.

Councillor Macpherson returned to the table following his conflict of interest.

8.2 Financial Report for the month ended 28 February 2018

Record No: R/18/3/6728

Project Accountant, Dipal Patel was in attendance for this item.

Resolution

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

That the Council:

- a) Receives the report titled “Financial Report for the month ended 28 February 2018” dated 12 April 2018.

7.1 Feedback received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and Development and Financial Contributions Policy - continued

Record No: R/18/3/5176

- 1 Nathan Burdon and Brendon McDermott representing Sport Southland (submitter 135) addressed the meeting in support of the organisations submission.

8.6 Harvesting Trees at the Mossburn Cemetery.

Record No: R/18/4/8215

Strategic Projects Manager – Ian Marshall was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Harvesting Trees at the Mossburn Cemetery.” dated 12 April 2018.**
- b) **Determines that this matter or decision be recognised not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Approves the proposal to harvest the trees on the property at 20 Cemetery Road being - Mossburn Cemetery.**
- e) **Notes that the estimated net return from the harvesting operation is \$70,995 and that the revenue from the harvesting and replanting process will be added to the Mossburn Community Development Area financial reserves.**
- f) **Approves the Mossburn Community Development Area Subcommittee recommendation that the net revenue from this harvest and all subsequent harvests be used for the benefit of the Mossburn Community Centre.**
- g) **Approves the unbudgeted expenditure of \$7,650 to replant the harvested area and that this be funded from the harvesting operation funds.**

7.1 Feedback received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and Development and Financial Contributions Policy - continued

Record No: R/18/3/5176

- 1 Marilyn Hunter representing The Friends of the Library (Te Anau) (submitter 63) addressed the meeting in support of the organisations submission via video conference from Te Anau.

The meeting adjourned for morning tea 10.12am and reconvened at 10.32am.

Mayor Tong and Councillors Baird, Dillon, Douglas, Duffy, Ford, Frazer, Harpur, Keast, Kremer, Macpherson and Dean Whaanga were present when the meeting reconvened.

- 2 Ray Willett (submission 126) addressed the meeting in support of his submission.
- 3 Blair Hamilton (submission 140) addressed the meeting in support of his submission.
- 4 Chris Henderson (submission 119) addressed the meeting in support of her submission.
- 5 Gary Carruthers (submission 136) addressed the meeting in support of his submission.
- 6 Alistair Wilson and Gary Morgan representing New Zealand Farm Forestry Association – Southland Branch (submission 120) addressed the meeting in support of the organisations submission.
- 7 Allan Youldon (submission 132) addressed the meeting in support of his submission via video conference from Te Anau.

Councillor Duffy left the meeting at 11.21am.

Dean Whaanga left the meeting at 11.21am and returned at 11.23am.

- 8 Neil Waldman (submission 130) addressed the meeting in support of his submission.
- 9 John Whitehead (submission 10) did not address the meeting in support of his submission.
- 10 Stevie-Rae Blair representing Te Ao Marama (submission 153) addressed the meeting in support of the organisations submission.

- 11 Mr John Turner (submission 50) addressed the meeting in support of his submission.

Items 9.1 to 9.9 were taken next.

9.1 Minutes of the Otautau Community Board Meeting dated 9 February 2018

Record No: R/18/4/7530

Resolution

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

That Council receives the minutes of the Otautau Community Board meeting held 9 February 2018 as information.

9.2 Minutes of the Riverton/Aparima Community Board Meeting dated 12 February 2018

Record No: R/18/4/7916

Resolution

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

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 12 February 2018 as information.

9.3 Minutes of the Tuatapere Community Board Meeting dated 13 February 2018

Record No: R/18/4/8090

Resolution

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

That Council receives the minutes of the Tuatapere Community Board meeting held 13 February 2018 as information.

9.4 Minutes of the Riverton Harbour Subcommittee Meeting dated 16 October 2017

Record No: R/18/3/5487

Resolution

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

That Council receives the minutes of the Riverton Harbour Subcommittee meeting held 16 October 2017 as information.

9.5 Minutes of the Balfour Community Development Area Subcommittee Meeting dated 25 October 2017

Record No: R/18/4/7256

Resolution

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

That Council receives the minutes of the Balfour Community Development Area Subcommittee meeting held 25 October 2017 as information.

9.6 Minutes of the Mossburn Community Development Area Subcommittee Meeting dated 30 October 2017

Record No: R/18/3/6729

Resolution

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

That Council receives the minutes of the Mossburn Community Development Area Subcommittee meeting held 30 October 2017 as information.

9.7 Minutes of the Nightcaps Community Development Area Subcommittee Meeting dated 10 October 2017

Record No: R/18/3/6251

Resolution

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

That Council receives the minutes of the Nightcaps Community Development Area Subcommittee meeting held 10 October 2017 as information.

9.8 Minutes of the Ohai Community Development Area Subcommittee Meeting dated 10 October 2017

Record No: R/18/3/6265

Resolution

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

That Council receives the minutes of the Ohai Community Development Area Subcommittee meeting held 10 October 2017 as information.

9.9 Minutes of the Riversdale Community Development Area Subcommittee Meeting dated 25 October 2017

Record No: R/18/4/7259

Resolution

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

That Council receives the minutes of the Riversdale Community Development Area Subcommittee meeting held 25 October 2017 as information.

The meeting adjourned for lunch at 12.01pm and reconvened at 12.06pm.

Mayor Tong and Councillors Baird, Dillon, Douglas, Ford, Frazer, Harpur, Keast, Kremer, Macpherson and Dean Whaanga were present when the meeting reconvened.

7.1 Feedback received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and Development and Financial Contributions Policy - continued

Record No: R/18/3/5176

- 1 Alan Baird and Doug Fraser representing Federated Farmers of New Zealand) (submission 145) addressed the meeting in support of the organisations submission.

The meeting adjourned for lunch at 12.23pm and reconvened at 1.30pm.

Mayor Tong and Councillors Baird, Dillon, Douglas, Ford, Frazer, Harpur, Keast, Kremer, Macpherson and Dean Whaanga were present when the meeting reconvened.

- 2 Ali Meade and Fiona Young representing Environment Southland (submission 92) addressed the meeting in support of the organisations submission.
- 3 Nathan Surendran (submission 155) addressed the meeting in support of his submission.
- 4 Mary O'Brien representing CCS Disability Action (submission 149) addressed the meeting in support of the organisations submission.
- 5 Sir Alan Mark (submission 8) addressed the meeting in support of his submission via teleconference.
- 6 Andrew Feierabend – Statutory and Compliance Manager) representing Meridian Energy Limited (submission 146) addressed the meeting in support of the organisations submission via teleconference.

- 7 Andrew Feierabend representing Te Waiau Mahika Kai Trust (submission 147) addressed the meeting in support of the organisations submission via teleconference.

- 8 Roger Hodgkinson (submission 158) addressed the meeting in support of his submission.

Dean Whaanga left the meeting at 2.59pm.

The meeting adjourned for afternoon tea 3.01pm and reconvened at 3.18pm.

Mayor Tong and Councillors Baird, Dillon, Douglas, Ford, Frazer, Keast, Kremer and Macpherson and Dean Whaanga were present when the meeting reconvened.

- 9 Leanne Liggett and Janice Burton representing Southern District Health Board (submission 143) addressed the meeting in support of the organisations submission.
- 10 Sue Maturin representing Royal Forest and Bird Protection Society of New Zealand Inc (submission 47) addressed the meeting in support of the organisations submission.
- 11 Jean Anderson representing Physicians and Scientists for Global Responsibility New Zealand Charitable Trust (submission 1) did not address the meeting in support of the organisations submission.

8.5 Balfour Area Guardrail Project Update

Record No: R/18/4/8092

Strategic Manager Roading – Hartley Hare was in attendance for this item.

During discussion on the items, the Councillors advised that they were not happy with the proposal for the guardrails.

Officers advised that this bridge was not the only bridge in the district that would be affected by the decision to modify the guard rails.

Resolution

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

That the Council lies the item on the table.

Please note that as a result of the item being laid on the table, the recommendations in the officers report were not approved at this meeting.

That the Council:

- a) Receives the report titled "Balfour Area Guardrail Project Update" dated 12 April 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) Allows for the installation of guardrail at Keowns Bridge with a modified offset as much as practicably safe on the bridge to mitigate against accidental vehicle strike.
- e) Allows for the installation of handrail system to assist with stock movement but at the expense of the interested party or parties and provided it does not compromise road user safety.

The meeting adjourned at 4.29pm to reconvene at 9am on Thursday 19 April 2018.

Thursday 19 April 2018

The meeting reconvened at 9am.

Present:

Mayor Tong, Councillors Baird, Dillon, Douglas, Ford, Frazer, Keast, Kremer and Macpherson were present when the meeting reconvened.

In Attendance

Chief Executive Officer
Group Manager, Services and Assets
Group Manager, Community and Futures
Chief Financial Officer
People and Capability Manager
Group Manager, Customer Support
Senior Projects Manager
Publications Specialist
Committee Advisor

Steve Ruru
Matt Russell
Rex Capil
Anne Robson
Janet Ellis
Trudie Hurst
Ian Marshall
Chris Chilton
Fiona Dunlop

7.1 Feedback received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and Development and Financial Contributions Policy - continued

Record No: R/18/3/5176

1. David McFarlane representing the Yellow Eyed Penguin Trust (submission 160) addressed the meeting in support of the organisations submission.

Resolution

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

That the Council:

- a) **Receives the report titled “Feedback received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and Development and Financial Contributions Policy” dated 12 April 2018.**
- b) **Determines that this matter or decision be recognised not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Receives the public submissions received on the 2018-2028 Long Term Plan, Revenue and Financing Policy and the Development and Financial Contributions Policy as detailed in Attachment A of the officer’s report.**
- e) **Receives the informal feedback from Council’s Facebook page as detailed in Attachment B of the officer’s report.**
- f) **Receives the oral submitters as is outlined in the timetable in Attachment C of the officer’s report.**
- g) **Thanks the submitters for their attendance.**

Reports - Operational Matters

8.1 Te Anau Wastewater - Decision-making Process

Record No: R/18/3/4716

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

Resolution

Moved Cr Kremer, seconded Cr Douglas **recommendations a to l, j with changes (as indicated with ~~strikethrough~~ and underline), k and l (as indicated with ~~strikethrough~~ and underline) and m and resolved:**

That the Council:

- a) **Receives the report titled “Te Anau Wastewater - Decision-making Process” dated 5 April 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) **Notes the decision that it made at its 13 December meeting, subject to a future decision as to the final discharge method to be used, to approve the business case for development of a new wastewater discharge system at the Kepler block based on the consented Option 1 and in so doing set an approved budget of \$14.5 million for the project.**
- e) **Confirms that as a result of making this decision the Chief Executive is authorised to proceed with implementation of the business case, including employing the staff, consultants and other contractors that he considers are needed to progress the project, in accordance with the approved budget subject to a future decision on the final method of disposal.**
- f) **Notes that in approving the business case it also requested further advice on Option 3 as a possible discharge method and that the costs of developing this advice were not included within the scope of the \$14.5 million budget for Option 1.**
- g) **Notes that it will not be able to capitalise the costs associated with evaluating and undertaking initial design work for two disposal methods.**
- h) **Agrees that the cost associated with developing the advice requested on Option 3 should be funded from the district wastewater activity as unbudgeted expenditure until a decision is made as to the final discharge method at which time it will make a decision about the expensing of the investigation and design costs associated with the disposal option not selected as the final discharge method.**
- i) **Approves as unbudgeted expenditure, to initially be funded from the district wastewater activity, the costs associated with evaluating Option 3 as per the Council resolution of 13 December 2017.**

- j) **Determines that Provides direction as to whether the advice requested on Option 3 at its 13 December 2017 meeting is to be reported to the Finance and Audit Committee, Services and Assets Committee and Te Anau Wastewater Discharge Project Committee in the first instance or directly to Council itself.**
- k) **Notes that it has the ability to seek further advice from Council committees and/or the Te Anau Community Board and Manapouri CDA should it consider it appropriate to do so at a later date irrespective of the option chosen.**
- l) ~~**Determines that the role and terms of reference for the Services and Assets Committee, Finance and Audit Committee and Te Anau Wastewater Discharge Project Committee should remain unchanged at this point in time but that it will reconsider the role of these Committees once it has made a decision as to the final discharge method to be used.**~~
- l) **Request that the Chief Executive review the terms of reference for the Te Anau Wastewater Discharge Project Committee and report back to Council as soon as practicable with revised set of terms of reference for Council consideration.**
- m) **Notes that staff will report back to Council outlining a suggested procurement methodology once they are ready to proceed to tender for the construction aspects of the Te Anau wastewater discharge project.**

The meeting adjourned at 10.06am for morning tea.

Mayor Tong and Councillors Baird, Dillon, Douglas, Ford, Frazer, Harpur, Keast, Kremer and Macpherson were present when the meeting reconvened.

Public Excluded

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

Resolution

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

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

C10.1 Chaslands Highway Slip Repair Procurement Outcome

C10.2 Public Excluded Minutes of the Riverton Harbour Subcommittee Meeting dated 16 October 2017

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
Chaslands Highway Slip Repair Procurement Outcome	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p>	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 Riverton Harbour Subcommittee Meeting dated 16 October 2017	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 Chief Executive Officer, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer, People and Capability Manager, Group Manager, Customer Support, Senior Projects Manager, Publications Specialist, Committee Advisor and Strategic Manager Transport be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Chaslands Highway Slip Repair Procurement Outcome and C10.2 Public Excluded Minutes of the Riverton Harbour Subcommittee Meeting dated 16 October 2017. 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 10.32am on Thursday 19 April 2018.

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 10.42am on Thursday 19 April 2018.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE COUNCIL HELD ON WEDNESDAY 18 APRIL 2018 (RECONVENED THURSDAY 19 APRIL 2018).

DATE:.....

CHAIRPERSON:.....