



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 11 July 2018 at 9am. (9am – 10.27am, 10.47am – 12.27pm)

PRESENT

Mayor	Mayor Gary Tong	
Deputy Mayor	Paul Duffy	(9am – 10.27am, 10.51am – 12.27pm)
Councillors	Stuart Baird	
	John Douglas	
	Bruce Ford	
	Darren Frazer	
	George Harpur	
	Julie Keast	(9am – 10.27am, 10.48am – 12.27pm)
	Ebel Kremer	
	Gavin Macpherson	
	Nick Perham	

IN ATTENDANCE

Chief Executive	Steve Ruru
Group Manager – Community and Futures	Rex Capil
Group Manager – Services and Assets	Matt Russell
People and Capability Manager	Janet Ellis
Group Manager – Environmental Services	Bruce Halligan
Group Manager – Customer Support	Trudie Hurst
Chief Financial Officer	Anne Robson
Communications Manager	Louise Pagan
Committee Advisor	Fiona Dunlop

1 Apologies

Apologies were received from Councillors Dillon and Paterson.

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

That Council accept the apologies.

2 Leave of absence

Leaves of absence were requested from Councillors Duffy, Frazer and Harpur for the dates indicated below:

Councillor Duffy – 28 July 2018 to 4 August 2018

Councillor Frazer – 13 July 2018 to 23 July 2013

Councillor Harpur – 20 August 2018 to 16 September 2018.

Moved Mayor Tong, seconded Cr Macpherson **and resolved that the requests for leave of absence be approved.**

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

There were no minutes to confirm.

Reports - Operational Matters

**8.1 Lease of Otautau Office Space, Otautau and District Community Charitable Trust
Record No: R/18/6/13634**

Strategic Property Manager – Kevin McNaught was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled "Lease of Otautau Office Space, Otautau and District Community Charitable Trust" dated 2 July 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) **Approves the issue of a lease to Otautau and District Community Charitable Trust over part of the Council Otautau office for a term of two years from 1 May 2018 at an annual rental of \$1,250.00 plus GST.**

8.2 The Southland Economic Project – Draft Urban and Industry Report

Record No: R/18/6/13880

Strategic Manager Water and Waste – Ian Evans, Environment Southland Planning and Policy Manager – Lucy Hicks and Environment Southland Senior Policy Analyst/Economist – Emma Moran were in attendance for this item.

Mrs Moran spoke to the report and explained that the report was for Council to note the draft Urban and Industry Report. This is a joint council report and one of the Southland Economic Project's key outputs. The report is to be used as a resource during limit-setting for water quality in Southland, under the National Policy Statement for Freshwater Management 2017.

The Meeting noted that the draft Urban and Industry Report will be presented to all four councils in Southland between July and August 2018 and then finalised for public release.

Resolution

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

That the Council:

- a) **Receives the report titled "The Southland Economic Project – Draft Urban and Industry Report" dated 2 July 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) **Resolves to note the draft Urban and Industry Report as a joint council report and a key output from The Southland Economic Project that will be used during community processes for the setting of limits for water in the region.**
- e) **Considers any comments that they wish to include in the finalised report.**

8.3 Financial Report for the month ended 31 May 2018

Record No: R/18/6/15428

Project Accountant – Dipal Patel and Commercial Lead Roading – Dylan Rabbidge were in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Financial Report for the month ended 31 May 2018” dated 3 July 2018.**

The meeting adjourned for morning tea at 10.27am and reconvened at 10.47am.

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

Reports - Governance

9.1 Appointment of Trustee - Southland Indoor Leisure Centre Charitable Trust

Record No: R/18/6/13110

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

Mr Ruru advised that the report requests Council to endorse the appointment of Councillor Darren Frazer as Council’s representative on the Southland Indoor Leisure Centre Charitable Trust.

The meeting noted that Under Clause 5.2.9 of the Deed, every three years Council is asked to appoint or reconfirm its Trustee on the Southland Indoor Leisure Centre Charitable Trust.

(Councillor Keast returned to the meeting at 10.48am.)

Resolution

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

That the Council:

- a) **Receives the report titled "Appointment of Trustee - Southland Indoor Leisure Centre Charitable Trust" dated 2 July 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) **Endorses the appointment of Councillor Darren Frazer as Council's representative on the Southland Indoor Leisure Centre Charitable Trust.**

(Councillor Duffy returned to the meeting at 10.51am.)

9.2 Adoption of Final Proposal for the Representation Review

Record No: R/18/6/13064

Governance and Democracy Manager – Clare Sullivan was in attendance for this item.

The meeting noted that the purpose of the report was to present for adoption a Final Proposal for the representation arrangements for the 2019 local authority elections, following the consideration by a Hearings Panel, of the submissions received.

Resolution

Moved Mayor Tong, seconded Cr Keast **recommendations a to c, d to f (with changes as indicated with ~~strikethrough~~ and underlining) and g to q and resolved:**

That the Council:

- a) **Receives the report titled "Adoption of Final Proposal for the Representation Review" dated 3 July 2018.**
- 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 Electoral Act 2001 and the Local Government Act 2002 to the extent necessary in relation to this decision and 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 that the following is a summary of the amendments proposed to the Initial Proposal as a result of the submission process. The full Final Proposal is detailed in recommendation fe below:
- Nine community boards rather than eight with associated boundary and name changes
 - Increase the number of elected members on the Stewart Island Rakiura Community Board
 - Change the name of the Takitimu Community Board
 - Alter the boundaries of the Waihopai Toetoe and Oreti Community Boards.
- e) Resolves in accordance with the provisions of the Local Electoral Act 2001 and following its considerations of the submissions received to its 2018 review of representation arrangements, to amend its Initial Proposal to the following Final Proposal on Southland District Council's Representation arrangements for the elections to be held in 2019 and elections thereafter until altered by a subsequent decision:

Council representation:

- i) That the Southland District Council will comprise 12 elected under the ward system plus the Mayor elected at large
- ii) That the district be divided into five wards with three wards each electing three councillors, one ward electing two councillors and one ward electing one councillor
- iii) That the ward names remain as follows:
 - Mararoa Waimea – three councillors
 - Winton Wallacetown – three councillors
 - Waiau Aparima – three councillors
 - Waihopai Toetoe – two councillors
 - Stewart Island Rakiura – one councillor
- iv) That the five wards reflect the following identified communities of interest:

Proposed Ward	Localities
Mararoa Waimea	Ardlussa, Athol, Balfour, Benmore, Caroline, Cascade Creek, Castlerock, Cattle Flat, Dipton, Dipton West, Five Rivers, Freshford, Garston, Glenaray, Glenure, Hollyford, Jamestown, Josephville, Kingston Crossing, Lintley, Longridge, Longridge North, Lowther, Lumsden, Manapouri, Mandeville, Milford Sound, Mossburn, Nokomai, Otapiri, Otapiri Gorge, Parawa, Potters, Riversdale, Saint Patricks, Sandstone, Te Anau, The Dale, The

	Key, Waikaia, Waimea, Waiparu, Waipounamu, Wendon, Wendonside
Stewart Island Rakiura	All of Stewart Island Rakiura, the surrounding Islands and Ruapuke Island
Waiau/Aparima	Aparima, Avondale, Bayswater, Birchwood, Blackmount, Clifden, Colac Bay/Oraka, Crawfords, Cromarty, Drummond, Dunearn, Eastern Bush, Ermedale, Fairfax, Feldwick, Five Roads, Gladfield, Gropers Bush, Gummies Bush, Happy Valley, Hazletts, Heddon Bush, Isla Bank, Longwood, Merrivale, Monowai, Nightcaps, Ohai, Opio, Orawia, Orepuki, Otahu Flat, Otahuti, Otaitai Bush, Otautau, Pahia, Papatotara, Piko Piko, Port Craig, Pourakino Valley, Pukemaori, Raymonds Gap, Ringway, Riverton/Aparima, Round Hill, Ruahine, Scotts Gap, Spar Bush, Taramoa, Te Oneroa, Te Tua, Te Waewae, Thornbury, Tihaka, Tinkertown, Tuatapere, Waianiwa, Waihoaka, Waikouro, Waimatuku, Waipango, Wairio, Wakapatu, Woodlaw, Wreys Bush, Wrights Bush
Waihopai Toetoe	Ashers, Brydone, Bush Siding, Chaslands, Curio Bay, Dacre, Edendale, Fortification, Fortrose, Glenham, Gorge Road, Haldane, Kamahi, Kapuka, Kapuka South, Kennington, Longbush, Mataura Island, Menzies Ferry, Mimihau, Mokoreta, Mokotua, Morton Mains, Niagara, Ota Creek, Otara, Oteramika, Oware, Pine Bush, Progress Valley, Pukewao, Quarry Hills, Redan, Rimu, Seaward Downs, Slope Point, Te Peka, Timpanys, Titiroa, Tokanui, Tukurau, Waiarikiki, Waikawa, Waikawa Valley, Waimahaka, Waimatua, Waituna, Woodlands, Wyndham
Winton Wallacetown	Branxholme, Browns, Centre Bush, Gap Road, Glencoe, Grove Bush, Hedgehope, Heenans Corner, Hokonui, Kauana, Lady Barkly, Limehills, Lochiel, Lorneville, Mabel Bush, Makarewa, Makarewa Junction, Northope, Oporo, Oreti Plains, Pukemutu, Rakahouka, Roslyn Bush, Ryal Bush, South Hillend, Springhills, Te Tipua, Thomsons Crossing, Tussock Creek, Waitane, Wallacetown, West Plains, Wilsons Crossing, Winton

- v) That the population each member will represent is as follows:

Ward	2013 Census Statistics	Elected Members	Population per Councillor
Mararoa Waimea	7803	3	2601
Winton Wallacetown	7890	3	2630
Waiau Aparima	8139	3	2711 2713
Waihopai Toetoe	5421	2	2711 2711
Stewart Island Rakiura	384	1	384

- vi) That the population that each member represents is within the range of 2,469 +/- 10% (2,223 – 2715) in accordance with section 19(V)2 of the Local Electoral Act 2001 except for the Stewart Island Rakiura ward.
- vii) That the Stewart Island Rakiura ward warrants a member under section 19V(3)(a) of the Local Electoral Act 2001 as it is an island community of interest.
- viii) That as the proposal for the Stewart Island Rakiura ward is non-compliant with the fair representation requirements (+/- 10% rule), if adopted, the proposal must be treated as an appeal under section 19V(5) of the Local Electoral Act 2001 and referred to the Local Government Commission following the appeal/objection period.
- ix) That the proposed boundaries for each ward be as shown on the attached maps (attachments a and b of the report) deposited with the Local Government Commission.

Community board representation

- x) That in accordance with section 19J(2)(a) nine communities represented by nine community boards be constituted as follows:

Proposed Community Board	Localities
Ardlussa	Ardlussa, Balfour, Cattle Flat, Freshford, Glenaray, Glenure, Kingston Crossing, Longridge, Longridge North, Mandeville, Potters, Riversdale, Saint Patricks, Sandstone, Waikaia, Waimea, Waiparu, Waipounamu, Wendon, Wendonside
Fiordland	Cascade Creek, Hollyford, Jamestown, Manapouri, Milford Sound, Te Anau, The Dale, The Key
Northern	Athol, Castlerock, Five Rivers, Garston, Josephville, Lintley, Lowther, Lumsden, Mossburn, Nokomai, Parawa
Oreti	Benmore, Branxholme, Browns, Caroline, Centre Bush, Dipton, Dipton West, Gap

	Road, Glencoe, Hedgehope, Heenans Corner, Hokonui, Josephville, Kauana, Lady Barkly, Limehills, Lochiel, Lorneville, Makarewa, Makarewa Junction, Northope, Oporo, Oreti Plains, Otapiri, Otapiri Gorge, Pukemutu, Ryal Bush, South Hillend, Springhills, , Thomsons Crossing, Tussock Creek, Waitane, Wallacetown, West Plains, Wilsons Crossing, Winton
Stewart Island Rakiura	All of Stewart Island Rakiura, the surrounding islands and Ruapuke Island
Wallace Takitimu	Aparima, Avondale, Bayswater, Crawfords, Drummond, Dunearn, Five Roads, Gladfield, Heddon Bush, Isla Bank, Nightcaps, Ohai, Opio, Otahuti, Otautau, Ringway, Scotts Gap, Spar Bush, Tinkertown, Waikouro, Wairio, Woodlaw, Wreys Bush
Tuatapere Te Waewae	Birchwood, Blackmount, Clifden, Cromarty, Eastern Bush, Feldwick, Happy Valley, Merrivale, Monkey Island, Monowai, Orawia, Orepuki, Otahu Flat, Pahia, Papatotara, Piko Piko, Port Craig, Pukemaori, Raymonds Gap, Round Hill, Te Oneroa, Te Tua, Te Waewae, Tuatapere, Waihoaka.
Riverton Oraka <u>Oraka Aparima</u>	Colac Bay/Oraka, Ermedale, Fairfax, Gropers Bush, Gummies Bush, Hazletts, Longwood, Otaitai Bush, Pourakino Valley, Riverton/Aparima, Round Hill, Ruahine, Taramoa, Thornbury, Tihaka, Waianiwa, Waihoaka, <u>Waimatuku</u> , Waipango, Wakapatu, Wrights Bush
Waihopai Toetoe	Ashers, Brydone, Bush Siding, Chaslands, Curio Bay, Dacre, Edendale, Fortification, Fortrose, Glenham, Gorge Road, Grove Bush, Haldane, Kamahi, Kapuka, Kapuka South, Kennington, Longbush, Mabel Bush, Mataura Island, Menzies Ferry, Mimihau, Mokoreta, Mokotua, Morton Mains, Niagara, Ota Creek, Otara, Oteramika, Oware, Pine Bush, Progress Valley, Pukewao, Quarry Hills, Redan, Rimu, Rakahouka, Roslyn Bush, Seaward Downs, Slope Point, Te Peka, Te Tipua, Timpanys, Titiroa, Tokanui, Tutarau, Waiarikiki, Waikawa, Waikawa Valley, Waimahaka, Waimatua, Waituna, Woodlands, Wyndham

- xi) **Note some localities may be identified in two community board areas as they cross two meshblocks.**

- xii) That the boundaries for each community board be as per the attached maps (attachments c and d of the report) deposited with the Local Government Commission.

Note that this decision requires the current Edendale Wyndham, Otautau, Riverton Aparima, Wallacetown and Winton community boards to be abolished under section 19J(2)(b) of the Local Electoral Act 2001 and the current boundaries of the Te Anau and Tuatapere community boards to be altered and their names changed under section 19J(2)(c) of the Local Electoral Act 2001

- xiii) That the proposed Fiordland, Northern, Ardlussa, ~~Riverton Oraka~~, Oraka Aparima, Stewart Island Rakiura, Wallace Takitimu, and Tuatapere Te Waewae community boards each elect six members. They will each have one appointed member being a councillor from the ward in which the board is situated.
 - xiv) That the names of the ~~Riverton Oraka~~, Oraka Aparima, Wallace Takitimu and Tuatapere Te Waewae community boards be confirmed ~~subject to~~ following consultation with Ngai Tahu.
 - xv) That the Oreti community board elects eight members. One member will be appointed from a ward in which the board is situated.
 - xvi) That the Waihopai Toetoe community board elects seven members. One member will be appointed from a ward in which the board is situated.
 - xvii) No community board will be subdivided for electoral purposes.
- f) In accordance with section 19K of the Local Electoral Act 2001, the Council determines that the reasons for the proposed changes are that:
- i) It wishes to see equity of representation across Southland district by having district-wide coverage of community boards, enabling local decision-making across the district
 - ii) The reason the total number of councillors is proposed to remain at 12 (plus the Mayor) is to provide effective representation to Southland residents and ratepayers
 - iii) The reason for the ward boundary adjustments in the Initial Proposal and confirmed in the Final Proposal is to achieve compliance with the fair representation requirements
 - iv) The Council accepts the arguments from more than 30 submitters that the number of community boards be increased to nine by separating the proposed Taramea Te Waewae community boards into the proposed Tuatapere Te Waewae and ~~Riverton Oraka~~ Oraka Aparima community boards due to their defined communities of interest. Council noted that

this also was in line with the intention of boards not just being based around a township but incorporating a wider rural area as well.

- v) The Council accepts the arguments in support of increasing the number of elected members on the Stewart Island Rakiura community board from four to six to provide effective representation to the community on Stewart Island Rakiura
- vi) The Council accepts the argument in support of changing the name of the Takitimu community board to the Wallace Takitimu community board to reflect the history of the community
- vii) The reason for the community board boundary adjustments to the Waihopai Toetoe and Oreti community boards is based on arguments received from submitters about their community of interest
- viii) The Council believes that this model better reflects the community feedback on communities of interest and effective representation.
- g) Endorses the attached summary of submissions and comments (attachment e), that accept, reject or note the submissions and the associated comments/reasons and that the submitters be responded to accordingly.
- h) Agrees that public notice be given on Wednesday 18 July 2018 under section 19N of the Local Electoral Act 2001, of the Council's Final Proposal contained in this resolution for Southland District Council's Representation arrangements providing the opportunity for appeals and objections to be lodged no later than 5.00pm on Wednesday 22 August 2018.
- i) Notes that there were a number of submissions calling for the retention of the current Community Board and Community Development Area subcommittee representation structure as a model for providing local representation and as a model for community governance for the 2019 – 2022 triennium.
- j) Notes that as part of its Initial Proposal Council had indicated a desire to have Community Boards providing district wide coverage, which if Community Development Area subcommittees were retained with their current delegations, would have led to a duplication of responsibilities between Community Boards and Community Development Area subcommittees.
- k) Notes that as a result it had suggested in the Community Governance Reference Document that there would not be a need to re-establish Community Development Area subcommittees as part of the Council committee structure for the 2019 – 2022 triennium.
- l) Notes that the decision on the Council committee structure to be established for the 2019 – 2022 triennium is a decision for the Councillors elected to office in that triennium to decide based upon the recommendation put forward by the Mayor (refer section 41A Local Government Act 2002).

- m) Notes that it has also suggested as part of the Community Governance Reference Document that there could be merit in having the Community Development Area subcommittees continue to operate in the 2019 – 2022 triennium as a local community group, supported by a community development advisor staff member.
- n) Recommend to the Council elected to office for the 2019 – 2022 triennium that it support the development of Community Development Area Groups and/or other community group structures as a means for Community Boards and Council to obtain local community input to issues of concern to local communities and/or support for local projects/initiatives.
- o) Rejects the submissions calling for the retention of the current Community Board and Community Development Area subcommittee representation structure as a model for local representation for the 2019 – 2022 triennium.
- p) Recommends to the incoming 2019-2022 Council that Community Board and Community Development Area Subcommittee existing “reserves” be ring-fenced for a period of up to 3 years when the Revenue and Financing Policy is reviewed.
- q) Notes the other issues raised by submitters about how the proposed governance structure will work and accepts the willingness to work together with Council to achieve it.

Councillors Baird and Douglas requested that their dissenting votes be recorded.

Councillor Perham abstained from voting.

Public Excluded

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

Resolution

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

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

C10.1 WasteNet Contract 650 - Recyclables Acceptance - Urgent Variation

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
WasteNet Contract 650 - Recyclables Acceptance - Urgent Variation	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be

	prejudice or disadvantage, commercial activities.	likely to result in the disclosure of information for which good reason for withholding exists.
--	--	---

That the Chief Executive, Group Manager, Environmental Services, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer, People and Capability Manager, Group Manager, Customer Support, Communications Manager, Governance and Democracy Manager, Committee Advisor and Strategic Manager Water and Waste be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 WasteNet Contract 650 - Recyclables Acceptance - Urgent Variation. 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 11.31am.

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 12.27pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE COUNCIL HELD ON WEDNESDAY
11 JULY 2018

DATE:.....

CHAIRPERSON:.....