



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 8 August 2018 at 9am.

PRESENT

Mayor	Mayor Gary Tong
Deputy Mayor	Paul Duffy
Councillors	Stuart Baird
	John Douglas
	Darren Frazer
	George Harpur
	Julie Keast
	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
Group Manager – Environmental Services	Bruce Halligan
Group Manager – Customer Support	Trudie Hurst
People and Capability Manager	Janet Ellis
Chief Financial Officer	Anne Robson
Communications Manager	Louise Pagan
Committee Advisor	Alyson Hamilton

1 Apologies

Apologies were received from Councillors Ford, Paterson and Dillon.

Resolution

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

That Council accept the apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

Councillor Macpherson declared a conflict of interest relating to Public Excluded item 10.2 - Venture Southland Joint Committee.

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 Douglas, seconded Deputy Mayor Duffy **and resolved:**

That Council confirms the minutes of the meetings held on 18 June 2018, 20 June 2018 and 11 July 2018 as a true and correct record of those meetings.

Reports - Policy and Strategy

7.1 Draft Roading Bylaw 2008 (Revision 2, 2018) - Feedback and Deliberations

Record No: R/18/6/14024

Policy Analyst – Robyn Rout and was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Draft Roding Bylaw 2008 (Revision 2, 2018) - Feedback and Deliberations” dated 31 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) **Considers the submissions received on the draft Roding Bylaw 2008 (Revision 2, 2018).**
- e) **Endorses the following amendments to draft Roding Bylaw 2008 (Revision 2, 2018):**
 - i) **Adding the word ‘area’ to the first sentence in section 10.3 of Appendix 4 so it will read “A permit for all droves over 10 kilometres or through urban area, is required”.**
 - ii) **Adding to section 10.3 of Appendix 4, the following legislative references –**
 - **the Land Transport Act 1998,**
 - **the Land Transport Rule: (Road User) Rule 2004,**
 - **the Land Transport Rule: Traffic Control Devices 2004.**
 - iii) **Updating the definition of ‘parking enforcement officer’ to align with the current legislation, so the role will be defined as -**

“Parking Enforcement Officer means any person who has been appointed as an enforcement officer by the Southland District Council Under the Local Government Act 2002; or any person who is an enforcement officer under the Land Transport Act 1998 for the enforcement and control of traffic and parking.”

7.2 Southland Cycling Strategy

Record No: R/18/7/18004

Group Manager Services and Assets, Matt Russell and Commercial Lead Roding – Dylan Rabbidge was in attendance for this item.

Mr Rabbidge advised the purpose of the report is to present the finalised Southland Cycling Strategy for adoption.

The Meeting noted the strategy was previously presented to Council at the 16th May 2018 meeting where a number of clarifications were sought and amendments requested. Subsequently the strategy was left on the table. The requested amendments have subsequently been updated and a workshop was held on 26 July 2018 to confirm the updates and cover the implications and options for implementation and activation of the strategy.

Resolution

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

That the Council:

- a) **Receives the report titled “Southland Cycling Strategy” dated 31 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) **Adopts the Southland Cycling Strategy.**

Reports - Operational Matters

8.1 Sale and Supply of Alcohol Act 2012 - Delegation

Record No: R/18/7/16496

Group Manger, Environmental Health, Bruce Halligan was in attendance for this item.

Resolution

Moved Cr Macpherson, seconded Deputy Mayor Duffy **and resolved:**

That Council:

- a) **Receives the report titled “Sale and Supply of Alcohol Act 2012 - Delegation” dated 31 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) Amends the delegation made by Council resolution on 18 June 2018 in the report "Sale and Supply of Alcohol Act 2012 – Delegation", by adding the following delegation:

Key

CEO	Chief Executive Officer
GMES	GM – Environmental Services
LI	Licensing Inspector
CLI	Chief Licensing Inspector
CSOR	Customer Services Officer - Regulatory

LEGISLATION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
Sale and Supply of Alcohol Act 2012		
Section 187(a)	To consider and determine applications for special licenses	CEO, GMES, CLI, LI, CSOR

8.2 Unbudgeted Expenditure for Otautau Community Pool - Upgrade Project

Record No: R/18/7/17399

Community Engineer – Greg Erskine was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled "Unbudgeted Expenditure for Otautau Community Pool - Upgrade Project" dated 31 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) Notes that the Otautau Community Board approved the recommendation to make a grant to the Otautau Community Pool Inc of \$61,547 (excl GST, if any) for the upgrade of the heating system, painting and the replacement of the facility roof, subject to relevant consenting being obtained, Council approval and Council receiving copies of related supporting invoices to this value.
- e) Approve the unbudgeted expenditure of \$61,547 (excl GST, if any) to enable a grant to be made to the Otautau Community Pool Inc for the heating of the pool, painting and replacement of the facility roof to be funded from the Otautau Baths reserve.

8.3 Financial Report for the month ended 30 June 2018

Record No: R/18/7/17705

Chief Financial Officer, Anne Robson and Project Accountant, Dipal Patel 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 30 June 2018” dated 1 August 2018.**

8.4 Management Report

Record No: R/18/7/17870

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

Resolution

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

That the Council:

- a) **Receives the report titled “Management Report” dated 29 July 2018.**

Reports - Governance

9.1 Draft Health and Safety Plan for 2018/2019

Record No: R/18/7/17292

People and Capability Manager – Janet Ellis was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Draft Health and Safety Plan for 2018/2019” dated 31 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) **Approves the Health and Safety Plan for 2018/2019.**

Councillor Perham abstained from voting.

9.2 Milford Opportunities Project

Record No: R/18/8/18375

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

The Meeting noted approval for unbudgeted expenditure of \$40,000 is sought from Council to enable the development of communications and engagement tools, including website and videography, and begin the public awareness campaign for the Milford Opportunities Project.

Resolution

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

That the Council:

- a) **Receives the report titled “Milford Opportunities Project” dated 2 August 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 \$40,000 of unbudgeted expenditure to enable the communications and engagement work on the Milford Opportunities Project to begin. The funding is to come from Council's district operating reserve.**

9.3 Minutes of the Council Meeting dated 18 June 2018

Record No: R/18/8/18357

Note that these minutes were confirmed at the beginning of the meeting during the confirmation of the minutes.

9.4 Minutes of the Council Meeting dated 20 June 2018

Record No: R/18/8/18360

Note that these minutes were confirmed at the beginning of the meeting during the confirmation of the minutes.

9.5 Minutes of the Community and Policy Committee Meeting dated 9 May 2018

Record No: R/18/7/17996

Resolution

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

That Council receives the minutes of the Community and Policy Committee meeting held 9 May 2018 as information.

9.6 Minutes of the Regulatory and Consents Committee Meeting dated 10 May 2018

Record No: R/18/7/17894

Resolution

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

That Council receives the minutes of the Regulatory and Consents Committee meeting held 10 May 2018 as information.

9.7 Minutes of the Services and Assets Committee Meeting dated 9 May 2018

Record No: R/18/7/17984

Resolution

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

That Council receives the minutes of the Services and Assets Committee meeting held 9 May 2018 as information.

9.8 Minutes of the Stewart Island/Rakiura Visitor Levy Subcommittee Meeting dated 1 June 2018

Record No: R/18/7/18052

Resolution

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

That Council receives the minutes of the Stewart Island/Rakiura Visitor Levy Subcommittee meeting held 1 June 2018 as information.

9.9 Minutes of the Stewart Island/Rakiura Community Board Meeting dated 9 April 2018

Record No: R/18/7/17367

Resolution

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

That Council receives the minutes of the Stewart Island/Rakiura Community Board meeting held 9 April 2018 as information.

9.10 Minutes of the Stewart Island/Rakiura Community Board Meeting dated 31 May 2018

Record No: R/18/7/17369

Resolution

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

That Council receives the minutes of the Stewart Island/Rakiura Community Board meeting held 31 May 2018 as information.

9.11 Minutes of the Gorge Road and Districts Community Development Area Subcommittee Meeting dated 9 April 2018

Record No: R/18/6/15020

Resolution

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

That Council receives the minutes of the Gorge Road and Districts Community Development Area Subcommittee meeting held 9 April 2018 as information.

9.12 Minutes of the Manapouri Community Development Area Subcommittee Meeting dated 13 February 2018

Record No: R/18/6/13662

Resolution

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

That Council receives the minutes of the Manapouri Community Development Area Subcommittee meeting held 13 February 2018 as information.

9.13 Minutes of the Mossburn Community Development Area Subcommittee Meeting dated 19 March 2018

Record No: R/18/7/17584

Resolution

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

That Council receives the minutes of the Mossburn Community Development Area Subcommittee meeting held 19 March 2018 as information.

9.14 Minutes of the Mossburn Community Development Area Subcommittee Meeting dated 10 April 2018

Record No: R/18/7/17587

Resolution

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

That Council receives the minutes of the Extraordinary meeting Mossburn Community Development Area Subcommittee held 10 April 2018 as information.

Public Excluded

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

Resolution

Moved Cr Macpherson, seconded Cr Frazer **and resolved:**

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

C10.1 Proposed Southland Water and Land Plan

C10.2 Venture Southland Joint Committee

C10.3 Milford Sound Tourism 2018 Annual Report

C10.4 Public Excluded Minutes of the Council Meeting dated 20 June 2018

C10.5 Public Excluded Minutes of the Mossburn Community Development Area Subcommittee Meeting dated 10 April 2018

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
Proposed Southland Water and Land Plan	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.	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.
Venture Southland Joint Committee	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.
Milford Sound Tourism 2018 Annual Report	s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.	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.

	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	
Public Excluded Minutes of the Council Meeting dated 20 June 2018	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</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> <p>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).</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 Mossburn Community Development Area Subcommittee Meeting dated 10 April 2018	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	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, Group Manager, Environmental Services, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer, Chief Information Officer, People and Capability Manager, Group Manager, Customer Support, Communications Manager, Governance and Democracy Manager and Committee Advisor be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Proposed Southland Water and Land Plan, C10.2 Venture Southland Joint Committee, C10.3 Milford Sound Tourism 2018 Annual Report, C10.4 Public Excluded Minutes of the Council Meeting

dated 20 June 2018 and C10.5 Public Excluded Minutes of the Mossburn Community Development Area Subcommittee Meeting dated 10 April 2018. 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 9.35am.

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 10.10am

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE Council HELD ON WEDNESDAY 8
AUGUST 2018.

DATE:.....

CHAIRPERSON:.....