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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chamber, 15 Forth Street, Invercargill on Wednesday, 6 March 2019 at 9am. (9am – 10.12am, 11.04am – 11.33am)

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### **PRESENT**

<b>Mayor</b>	Mayor Gary Tong
<b>Deputy Mayor</b>	Paul Duffy
<b>Councillors</b>	Stuart Baird
	Brian Dillon
	John Douglas
	Bruce Ford
	Darren Frazer
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson
	Nick Perham (9am – 10.12am)

### **APOLOGIES**

Councillor Perham (early departure)

### **IN ATTENDANCE**

Chief Executive	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 Delivery	Trudie Hurst
Communications Manager	Louise Pagan
Governance and Democracy Manager	Clare Sullivan
Committee Advisor	Fiona Dunlop

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**1 Apologies**

Cr Perham advised that he would be leaving the meeting around 11am.

**2 Leave of absence**

Councillor Kremer requested a leave of absence for 13 to 27 April 2019 and 21 June to 21 July 2019.

Moved Mayor Tong, seconded Cr Dillon **and resolved that Council approve the request for leave of absence from Councillor Kremer for 13 to 27 April 2019 and 21 June to 21 July 2019.**

**3 Conflict of Interest**

There were no conflicts of interest declared.

**4 Public Forum**

1. Jim Hargest Chair of Southland Warm Homes Trust and Allan Beck – Powernet Financial Controller presented the Trust's Annual report for the year ended 30 June 2018.
2. Manfred Herzhoff representing Ulrike Herzhoff (Rakiura Adventures LTD and NZ Fish) addressed the meeting regarding issues he has with Southland District Council.

**5 Extraordinary/Urgent Items**

There were no Extraordinary/Urgent items.

**6 Confirmation of Council Minutes**

**Resolution**

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

**That Council confirms the minutes of the meetings held on 29 November 2018 and 7 February 2019 as a true and correct record of those meetings.**

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**Reports - Policy and Strategy**

**8.1 Southland Warm Homes Trust Annual Report Year Ending 30 June 2018**

**Record No: R/19/2/3501**

**Resolution**

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

**That the Council:**

- a) **Receives the report titled "Southland Warm Homes Trust Annual Report Year Ending 30 June 2018" dated 25 February 2019.**

**8.2 Mararoa Road Bridge Replacement**

**Record No: R/19/2/2426**

Roading Asset Engineer – Roy Clearwater and Commercial Infrastructure Manager – Dylan Rabbidge were in attendance for this item.

Mr Clearwater advised that the purpose of the report was to obtain approval to let a contract for the replacement of the Mararoa Road Bridge along with confirmation that the bridge will be divested to adjacent landowner's as previously resolved at the Council meeting at 7 February 2019.

**Resolution**

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

**That the Council:**

- a) **Receives the report titled "Mararoa Road Bridge Replacement" dated 27 February 2019.**
- 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) **Resolve to accept and award Contract 18/35 to SouthRoads Ltd for the tender price of \$673,923.53 plus GST.**

### 8.3 New Street Names - Kepler Heights Subdivision

**Record No: R/19/2/3636**

Roading Asset Engineer – Roy Clearwater and Commercial Infrastructure Manager – Dylan Rabbidge were in attendance for this item.

Mr Clearwater advised that the purpose of the report was to give approval to the naming of two cul-de-sacs in Te Anau which form part of the Kepler Heights subdivision, stage four development. The names to be approved are Morrison Place and Millar Place.

#### **Resolution**

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

**That the Council:**

- a) **Receives the report titled “New Street Names - Kepler Heights Subdivision” dated 27 February 2019.**
- 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 naming of the two new cul-de-sacs in the Kepler Heights subdivision stage 4 in Te Anau as follows:**
  - **Morrison Place**
  - **Millar Place**

### 7.1 Work to investigate a user pays charging regime for non-recreational jetty usage on Stewart Island/Rakiura

**Record No: R/19/2/2696**

Policy Analyst – Robyn Rout and Strategy and Policy Manager – Michelle Stevenson will be in attendance for this item.

Mrs Rout advised that the purpose of the report was to seek Council endorsement to work with the Stewart Island Jetties Subcommittee, to investigate, identify and implement a practical and fair user-pays charging regime for non-recreational jetty usage on Stewart Island/Rakiura.

### **Resolution**

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

#### **That Council:**

- a) **Receives the report titled “Work to investigate a user pays charging regime for non-recreational jetty usage on Stewart Island/Rakiura” dated 26 February 2019.**
- 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) **Endorses work being undertaken to investigate, identify and implement a practical and fair user-pays charging regime for non-commercial jetty usage on Stewart Island/Rakiura.**
- e) **Approves \$20,000 of unbudgeted expenditure for the investigation, identification and implementation of a practical and fair user-pays charging regime for non-commercial jetty usage on Stewart Island/Rakiura, to be funded from the Stewart Island Jetties Subcommittee General Reserve.**
- f) **Notes that work quantifying the funding needs for jetties and determining how the jetties activity will be funded will be part of the review of service delivery on Stewart Island/Rakiura, and would be used to help inform this work on a user-pays charging regime.**

## **8.4 Renewal of Freight Agreement - Rakiura Shipping Limited**

**Record No: R/19/2/2623**

Strategic Manager Water and Waste – Ian Evans was in attendance for this item.

Mr Evans advised that the purpose of the report was to consider the renewal of the freight agreement between Southland District Council and Rakiura Shipping Limited for the sea freight of waste and recyclables from Oban to Bluff and transport of recyclables to Invercargill.

**Resolution**

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

**That the Council:**

- a) **Receives the report titled "Renewal of Freight Agreement - Rakiura Shipping Limited" dated 19 February 2019.**
- 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 renewal of the freight agreement with Rakiura Shipping Limited for transport of waste and recyclables from Oban to Bluff for a period of five years with two right of renewal periods each five years.**

**8.5 Management Report**

**Record No: R/19/2/3248**

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

**Resolution**

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

**That the Council:**

- a) **Receives the report titled "Management Report" dated 27 February 2019.**

**Reports - Governance**

**9.1 Minutes of the Services and Assets Committee Meeting dated 28 November 2018**

**Record No: R/19/2/3206**

**Resolution**

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

**That Council receives the minutes of the Services and Assets Committee meeting held 28 November 2018 as information.**

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**9.2 Minutes of the Community and Policy Committee Meeting dated 29 November 2018**  
**Record No: R/19/2/2991**

**Resolution**

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

**That Council receives the minutes of the Community and Policy Committee meeting held 29 November 2018 as information.**

**9.3 Minutes of the Edendale-Wyndham Community Board Meeting dated 4 December 2018**  
**Record No: R/19/2/3876**

**Resolution**

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

**That Council receives the minutes of the Edendale-Wyndham Community Board meeting held 4 December 2018 as information.**

**9.4 Minutes of the Otautau Community Board Meeting dated 13 December 2018**  
**Record No: R/19/2/3338**

**Resolution**

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

**That Council receives the minutes of the Otautau Community Board meeting held 13 December 2018 as information.**

**9.5 Minutes of the Riverton/Aparima Community Board Meeting dated 3 December 2018**  
**Record No: R/19/2/2507**

**Resolution**

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

**That Council receives the minutes of the Riverton/Aparima Community Board meeting held 3 December 2018 as information.**

**9.6 Minutes of the Tuatapere Community Board Meeting dated 4 December 2018**

**Record No: R/19/2/2506**

**Resolution**

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

**That Council receives the minutes of the Tuatapere Community Board meeting held 4 December 2018 as information.**

**9.7 Minutes of the Wallacetown Community Board Meeting dated 13 December 2018**

**Record No: R/19/2/3613**

**Resolution**

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

**That Council receives the minutes of the Wallacetown Community Board meeting held 13 December 2018 as information.**

**9.8 Minutes of the Winton Community Board Meeting dated 10 December 2018**

**Record No: R/19/2/2748**

**Resolution**

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

**That Council receives the minutes of the Winton Community Board meeting held 10 December 2018 as information.**

**9.9 Minutes of the Lumsden Community Development Area Subcommittee Meeting dated 3 December 2018**

**Record No: R/19/2/3251**

**Resolution**

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

**That Council receives the minutes of the Lumsden Community Development Area Subcommittee meeting held 3 December 2018 as information.**



**9.10 Minutes of the Manapouri Community Development Area Subcommittee Meeting dated 13 November 2018**

**Record No: R/19/2/2950**

**Resolution**

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

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

**9.11 Minutes of the Stewart Island/Rakiura Community Board Meeting dated 1 November 2018**

**Record No: R/19/2/3788**

**Resolution**

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

**That Council receives the minutes of the Stewart Island/Rakiura Community Board meeting held 1 November 2018 as information.**

**9.12 Minutes of the Stewart Island/Rakiura Community Board Meeting dated 10 December 2018**

**Record No: R/19/2/3791**

**Resolution**

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

**That Council receives the minutes of the Stewart Island/Rakiura Community Board meeting held 10 December 2018 as information.**

The meeting adjourned for morning tea at 10.12am.

Councillor Perham left the meeting at 10.12am.

The meeting reconvened at 11.04am.

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

**Public Excluded**

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

## **Resolution**

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

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

### **C10.1 Formation of Southland Regional Development Agency Board**

### **C10.2 Public Excluded Minutes of the Services and Assets Committee Meeting dated 28 November 2018**

### **C10.3 Public Excluded Minutes of the Community and Policy Committee Meeting dated 29 November 2018**

### **C10.4 Stewart Island/ Rakiura Future Opportunities Project**

**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
Formation of Southland Regional Development Agency Board	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.
Public Excluded Minutes of the Services and Assets Committee Meeting dated 28 November 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.
Public Excluded Minutes of the Community and Policy Committee Meeting dated 29 November 2018	s7(2)(c)(ii) - 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 damage the public interest.  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.

Stewart Island/ Rakiura Future Opportunities Project	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.
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That the Chief Executive, Group Manager, Environmental Services, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer, Group Manager, Customer Delivery, 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 Formation of Southland Regional Development Agency Board, C10.2 Public Excluded Minutes of the Services and Assets Committee Meeting dated 28 November 2018, C10.3 Public Excluded Minutes of the Community and Policy Committee Meeting dated 29 November 2018 and C10.4 Stewart Island/ Rakiura Future Opportunities Project. 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.

That Community Partnership Leader – Karen Purdue be permitted to remain at this meeting, after the public has been excluded, because of her knowledge of the item C10.4 Stewart Island/ Rakiura Future Opportunities Project. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of her knowledge on the issues.

The public were excluded at 11.05am.

(Councillor Douglas returned to the meeting at 11.06am.)

(Councillor Baird returned to the meeting at 11.06am.)

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 11.33am.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A  
MEETING OF THE COUNCIL HELD ON WEDNESDAY 6  
MARCH 2019.

**DATE:**.....

**CHAIRPERSON:**.....