



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chamber, Level 2, 20 Don Street, Invercargill on Wednesday, 22 June 2022 at 9am. (9.01am – 10.29am, 10.46am – 12.47pm, (PE 12.24pm – 12.47pm))

PRESENT

Mayor	Mayor Gary Tong
Councillors	Don Byars (9.01am – 10.29am, 10.51am – 11.37am, 11.39am – 12.47pm)
	John Douglas
	Paul Duffy
	Bruce Ford
	George Harpur
	Julie Keast
	Karyn Owen
	Rob Scott

APOLOGIES

Councillor Frazer
Councillor Kremer
Councillor Menzies
Councillor Ruddenklau

IN ATTENDANCE

Chief executive	Cameron McIntosh
Committee advisor	Fiona Dunlop

1 Apologies

Apologies for absence were received from Councillors Frazer Kremer, Menzies and Ruddenklau.

Resolution

Moved Mayor Tong, seconded Cr Douglas and resolved:

That the Council accept the apologies.

2 Leave of absence

Councillor Kremer requested (through the Mayor) leave of absence from starting 16 June 2022 through to 17 July 2022 with the exception of Monday 11 July 2022 and Wednesday 13 July 2022.

Councillor Ruddenklau had a leave of absence approved at the Council meeting on 11 May 2022 which was originally for 19 May 2022 to 30 June 2022. She has requested that this be extended out to 25 July 2022.

Moved Mayor Tong, seconded Cr Duffy and resolved:

That Council approve the leave of absence requests as follows:

- (a) Councillor Kremer from 16 June 2022 through to 17 July 2022 with the exception of Monday 11 July 2022 and Wednesday 13 July 2022.
- (b) Councillor Ruddenklau to extend the previously approved leave of absence (Council 11 May 2022) ending on 30 June 2022 to 25 July 2022.

3 Conflict of Interest

- 1. Mayor Tong as a member of the Borland Lodge Trust declared a non-financial conflict of interest in-relation to item 7.1 - Draft TAB and Gambling Venue Policies - Submissions and Hearings.
- 2. Councillor Keast as a member of Catlins Coast Inc. declared a non-financial conflict of interest in-relation to item 7.1 - Draft TAB and Gambling Venue Policies - Submissions and Hearings.
- 3. Councillor Duffy as a member of the Seaward Downs Community Centre Trust declared a non-financial conflict of interest in-relation to item 7.1 - Draft TAB and Gambling Venue Policies - Submissions and Hearings.
- 4. Councillor Owen as an employee of Te Hikoi declared a non-financial conflict of interest in-relation to item 7.1 - Draft TAB and Gambling Venue Policies - Submissions and Hearings.

4 Public Forum

There was no public forum.

5 Extraordinary/Urgent Items

Mayor Tong advised that there was a late item for the meeting which was item 8.2 – Management report.

The item was not included with the agenda as the information required for the report was not completed at that time the agenda was circulated and the report author was away is Covid. Discussion cannot be delayed on the item as it would be out of date if presented to the next meeting of Council.

Moved Mayor Tong, seconded Councillor Keast that the late item, item 8.2 Management report be considered at this Council meeting.

The motion was declared CARRIED.

6 Confirmation of Council Minutes

Resolution

Moved Cr Ford, seconded Cr Keast and resolved:

That Council confirms the minutes of the meeting held on 11 May 2022 as a true and correct record of that meeting.

Reports - Policy and Strategy

7.1 Draft TAB and Gambling Venue Policies - Submissions and Hearings

Record No: R/22/6/29107

Corporate performance lead – Jason Domigan was in attendance for this item.

Mr Domigan advised that the purpose of the report was to provide information to councillors on the feedback that was received through submissions on the draft TAB and Gambling Venue Policies and to hear from the two oral submitters.

The following addressed the meeting:

- The Gaming Machine Association of New Zealand - Jarrod True addressed the meeting (via video call) in support of the submission
- Asian Family Services - Ivan Yeo addressed the meeting (via video call) in support of the submission.

Resolution

Moved Mayor Tong, seconded Cr Keast and resolved:

That Council:

- a) **Receives the report titled “Draft TAB and Gambling Venue Policies - Submissions and Hearings” dated 17 June 2022.**
- 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) Receives all written submissions and hears the submitters who wish to be heard on the draft TAB and Gambling Venue Policies.

7.4 Draft Stewart Island/Rakiura Visitor Levy policy and bylaw - adoption

Record No: R/22/5/19163

Strategy and policy manager – Michelle Fowler-Stevenson was in attendance for this item.

Mrs Fowler-Stevenson advised that the purpose of the report was to to present the draft Stewart Island/Rakiura visitor levy policy and bylaw for adoption.

Council noted that

- on 22 February 2022 a statement of proposal/special consultative procedure on the draft policy and bylaw was endorsed for public consultation.
- on 27 April 2022, councillors heard from submitters
- on 11 May 2022 council deliberated on how it wanted to proceed.

Resolution

Moved Cr Ford, seconded Cr Duffy recommendations a to m with a new n (as indicated with underline) and resolved:

That Council:

- a) **receives the report titled “Draft Stewart Island/Rakiura Visitor Levy policy and bylaw - adoption ” dated 17 June 2022.**
- 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 on 22 February 2022, Council determined, pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing the funding problems faced by Stewart Island/Rakiura.
- e) determines prior to making the bylaw, pursuant to section 155(2)(a) of the Local Government Act 2002 that the draft Stewart Island/Rakiura Visitor Levy Bylaw is the most appropriate form of bylaw.
- f) determines prior to making the bylaw, pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Stewart Island/Rakiura Visitor Levy Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- g) notes that on 11 May 2022 Council endorsed increasing the amount of the visitor levy to \$10 on 1 October 2023, and then increasing the amount of the levy to \$15 on 1 October 2025.
- h) adopts the amended Stewart Island/Rakiura visitor levy policy
- i) resolves that the amended Stewart Island/Rakiura visitor levy policy will come into effect and supersede the existing Stewart Island/Rakiura visitor levy policy on 22 June 2022.
- j) adopts the amended Stewart Island/Rakiura visitor levy bylaw
- k) resolves that the amended Stewart Island/Rakiura visitor levy bylaw will come into effect and supersede the existing Stewart Island/Rakiura visitor levy bylaw on 22 June 2022, noting that clause 4 of the bylaw provides for the levy quantum:
 - to increase to \$10 on 1 October 2023
 - to increase to \$15 on 1 October 2025
- l) ensures that in accordance with section 157 of the Local Government Act 2002, public notice be given of the making of the Stewart Island/Rakiura visitor levy bylaw, advising:
 - that the bylaw will come into force on 22 June 2022
 - that copies of the bylaw may be inspected, without fee, at all Council offices
 - that copies of the bylaw can be obtained upon payment of a reasonable charge
- m) notes that the Stewart Island/Rakiura visitor levy policy and bylaw will be reviewed within six years of being made.

New n) agrees to allowing multi-year funding of up to 30 years for Council and community owned infrastructure in exceptional circumstances, increased from the current 10 years.

7.2 Adoption of Council's Annual Plan 2022/2023

Record No: R/22/6/29239

Corporate performance lead – Jason Domigan and Project accountant – Emma Strong were in attendance for this item.

Mr Domigan and Mrs Strong advised that the purpose of the report was to present the final draft of the Annual Plan 2022/2023 to Council for adoption.

Resolution

Moved Cr Ford, seconded Cr Douglas and resolved:

That the Council:

- a) **Receives the report titled “Adoption of Council's Annual Plan 2022/2023” dated 16 June 2022.**
- 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 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) Confirms in accordance with Section 100 of the Local Government Act 2002 that the Annual Plan 2022/2023 has been prepared based on reasonable judgement and assumptions and that it considers the projected financial results, including the projected operating deficit for 2022/2023, to be financially prudent given its financial position.
- e) Agrees to extend the targeted rate for swimming pools by creating a targeted Northern pool rate set as a fixed amount per SUIP on the properties within the area indicated on Map 224 (Attachment B of the officers report), to collect a total rate revenue of \$17,822 (including GST) in 2022/2023.
- f) Agrees to bring forward from year four of the Long Term Plan, \$1.0 million from the strategic asset reserve to use in the 2022/2023 year.
- g) Agrees to the adoption of the significant forecasting assumptions from the Long Term Plan 2021-2031 (Attachment C of the officers report) including the proposed change below:

- i) Increase the level of uncertainty of the return on investment/reserves assumption from moderate to high.
- h) Agrees to adopt the Annual Plan 2022/2023 (Attachment A of the officers report), including the Funding Impact Statement (Rates section) for the 2022/2023 financial year and the amendments to the fees and charges.
- i) Delegates authority to the Chief Executive to approve any final edits required to the Annual Plan in order to finalise the document for distribution

7.3 Rates Resolution - Setting of Rates for the Financial Year 1 July 2022 to 30 June 2023
Record No: R/22/4/13490

Transactional project lead – Shelley Dela Llana was in attendance for this item.

Mrs Dela Llana advised that the purpose of the report was for Council to set by resolution the the rates for the 2022/2023 financial year.

Council noted that the rates can only be set once the Annual Plan has been adopted by Council.

Resolution

Moved Cr Ford, seconded Cr Keast and resolved:

That the Council:

- a) **Receives the report titled “Rates Resolution - Setting of Rates for the Financial Year 1 July 2022 to 30 June 2023” dated 21 June 2022.**
- 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 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) Sets the rates detailed below for the financial year commencing 1 July 2022 and ending on 30 June 2023. All rates and amounts are GST inclusive.

Uniform Annual General Charge

Pursuant to the Section 15(1)(a) of the Local Government (Rating) Act 2002, a uniform annual general charge of \$748.61 per rating unit on every rateable rating unit within the Southland District.

General Rate

Pursuant to Section 13(2)(a) of the Local Government (Rating) Act 2002, a general rate of \$0.00063433 in the dollar on the capital value of all rateable rating units within the Southland District.

Targeted Rates

Community Facilities Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, the following uniform targeted rates set per separately used or inhabited part of a rateable rating unit situated in the following Community Facility Areas:

Community Facility Areas	Charge	Community Facility Areas	Charge
Aparima Hall	\$44.30	Mossburn Hall	\$67.15
Athol Memorial Hall	\$102.76	Myross Bush Hall	\$27.70
Balfour Hall	\$39.32	Nightcaps Hall	\$86.00
Blackmount Hall	\$51.20	Ohai Hall	\$80.97
Browns Hall	\$42.37	Orawia Hall	\$95.44
Brydone Hall	\$68.56	Orepuki Hall	\$100.09
Clifden Hall	\$96.52	Oreti Plains Hall	\$84.12
Colac Bay Hall	\$114.87	Otahuti Hall	\$40.94
Dacre Hall	\$43.00	Otapiri-Lora Gorge Hall	\$77.09
Dipton Hall	\$106.75	Riversdale Hall	\$62.10
Eastern Bush Hall	\$78.89	Ryal Bush Hall	\$72.34
Edendale-Wyndham Hall	\$27.22	Seaward Downs Hall	\$33.76
Fiordland Community Event Centre	\$37.06	Stewart Island Hall	\$75.21
Five Rivers Hall	\$125.13	Thornbury Hall	\$108.73
Fortrose Domain	\$11.50	Tokanui-Quarry Hills Hall	\$125.23
Glenham Hall	\$33.45	Tuatapere Hall	\$50.50
Gorge Road Hall	\$49.14	Tussock Creek Hall	\$142.76
Heddon Bush Hall	\$69.00	Tuturau Hall	\$47.37
Hedgehope-Glencoe Hall	\$75.01	Waianiwa Hall	\$103.50
Limehills Hall	\$119.39	Waikaia Recreation Hall	\$55.44
Lochiel Hall	\$36.07	Waikawa Community Centre	\$69.18
Lumsden Hall	\$53.14	Waimahaka Hall	\$68.32
Mabel Bush Hall	\$48.27	Waimatuku Hall	\$38.50
Manapouri Hall	\$48.22	Wairio Community Centre	\$48.51
Mandeville Hall	\$45.00	Wallacetown Hall	\$60.00
Mimihau Hall	\$63.25	Winton Hall	\$32.43
Mokoreta-Redan Hall	\$90.23	Wrights Bush Hall	\$31.18

Roading Targeted Rates

Pursuant to Sections 16(3)(a) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$92.00 per rateable rating unit within the Southland District; and

Pursuant to Sections 16(3)(a) and 16(4)(b) of the Local Government (Rating) Act 2002, a differential rate in the dollar of capital value for all rateable rating units:

Roading Differentials	Rate in the dollar on capital value
Commercial	\$0.00127025
Dairy	\$0.00100082
Farming non-dairy	\$0.00060554
Forestry	\$0.00444968
Industrial	\$0.00120762
Lifestyle	\$0.00053603
Mining	\$0.02088575
Other	\$0.00016081
Residential	\$0.00053603

Regional Heritage Targeted Rate

Pursuant to Sections 16(3)(a) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$46.47 set per separately used or inhabited part of a rateable rating unit within the Southland District.

Community Board Targeted Rates

Pursuant to Sections 16(3)(b), and 16(4)(a) or 16(4)(b) of the Local Government (Rating) Act 2002, as relevant, the following rates per rateable rating unit within the below areas:

Community Board Targeted Rates	Differential Targeted Rate per rating unit
Ardlussa Community Board Rural Rate	\$54.43
Ardlussa Community Board Urban Rate	\$217.71
Fiordland Community Board Rural Rate	\$63.60
Fiordland Community Board Urban Rate	\$254.41
Fiordland Community Board Semi-Urban Rate	\$127.21
Northern Community Board Rural Rate	\$85.21
Northern Community Board Semi-Urban Rate	\$170.42
Northern Community Board Urban Rate	\$340.85
Oraka Community Board Rural Rate	\$55.30
Oraka Community Board Semi-Urban Rate	\$110.60
Oraka Community Board Urban Rate	\$221.19
Oreti Community Board Rural Rate	\$54.77
Oreti Community Board Semi-Urban Rate	\$109.55
Oreti Community Board Urban Rate	\$219.10
Stewart Island/Rakiura Community Board Urban Rate	\$312.27

Tuatapere Te Waewae Community Board Rural Rate	\$84.39
Tuatapere Te Waewae Community Board Semi-Urban Rate	\$168.78
Tuatapere Te Waewae Community Board Urban Rate	\$337.55
Waihopai Toetoe Community Board Rural Rate	\$52.46
Waihopai Toetoe Community Board Semi-Urban Rate	\$104.91
Waihopai Toetoe Community Board Urban Rate	\$209.82
Wallace Takitimu Community Board Rural Rate	\$77.77
Wallace Takitimu Community Board Semi-Urban Rate	\$155.55
Wallace Takitimu Community Board Urban Rate	\$311.09

Stormwater Targeted Rates

Pursuant to Sections 16(3)(a) and 16(4)(b) of the Local Government (Rating) Act 2002, the following rates:

- For all rating units within the stormwater full charge rating boundary a uniform targeted rate of \$102.23 per rateable rating unit.
- For all rating units outside the stormwater quarter charge rating boundary a uniform targeted rate of \$25.56 per rateable unit.

SIESA Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, the following rates:

- For all rating units (other than vacant) that are within the scheme boundary, a uniform targets rate of \$200 for each rating unit.
- For vacant rating units within the scheme rating boundary, a uniform targeted rate of \$100 per rating unit.

Swimming Pool Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, the following uniform targeted rates set per separately used or inhabited part of a rateable rating unit situated in the following Swimming Pool Areas:

Swimming Pool Area	Charge	Swimming Pool Area	Charge
Fiordland	\$14.91	Takitimu	\$28.93
Northern Community	\$23.85	Tuatapere Ward	\$7.51
Otautau	\$19.60	Waihopai Toetoe Ward	\$11.50
Riverton/Aparima	\$21.03	Winton	\$17.25

Te Anau Airport Manapouri Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$69.02 per rateable rating unit within the Te Anau Manapouri Airport Area.

Stewart Island Waste Management Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$308.06 per unit of service provided to rating units situated in the Stewart Island Waste Management Area.

Rubbish Bin Collection Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$184.51 per unit of service where the collection service is actually provided.

Recycling Bin Collection Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$184.51 per unit of service where the collection service is actually provided.

Te Anau Rural Water Scheme Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) and (b) of the Local Government (Rating) Act 2002, the rates as outlined below to rating units in the Te Anau rural water rating boundary:

An annual charge by way of a uniform targeted rate of \$804.84 per restricted connection.

In regards to the supply of water, the following rates or combination of below will apply to each rating unit pursuant to Section 19(2)(b) of the Local Government (Rating) Act 2002:

- A rate of \$536.56 for each unit supplied to the rating unit.
- For rating units with an allocation of multiples of 7.7 units, a rate of \$4,131.52 for every 7.7 units allocated.
- For rating units allocated half a unit above their first full unit, a rate of 50% of a unit being \$268.28.

Matuku Rural Water Scheme Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$474.32 for each unit made available to rating units in the Matuku rural water rating boundary.

Metered Property Water Supply Targeted Rate

For rating units with a meter, outside the Te Anau and Matuku rural water rating boundaries, Pursuant to Section 19 of the Local Government (Rating) Act 2002, a rate for actual water consumption of \$1.10 per cubic metre.

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a fixed charge of \$196.00 per meter.

Non-Metered Property Water Supply Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, for rating units not covered by the rural water schemes or that are not metered:

- For all rating units without meters that are connected to a water supply scheme or are within the scheme rating boundary but are not connected, a uniform targeted rate of \$650.20 for each unit of service.
- **For rating units with water troughs with direct feed from Council's water mains**, a uniform targeted rate of \$130.04 per trough.

- For vacant rating units within the scheme rating boundary, a uniform targeted rate of \$325.10 per rating unit for the provision of the service due to the ability to connect to the scheme.

District Wastewater Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, the following rates:

- For rating units within the defined wastewater scheme rating boundaries that are vacant or do not produce wastewater, a uniform targeted rate of \$290.16 per rating unit.
- For all rating units that produce wastewater and are either connected to a Council District wastewater scheme or within the defined wastewater scheme rating boundary and are primarily residential/domestic/household in nature, a uniform targeted rate of \$580.30 for each separately used or inhabited part of the rating unit.
- All other rating units that produce wastewater and are either connected to a Council District wastewater scheme or within the defined wastewater scheme rating boundary, a uniform targeted rate of \$580.30 for each pan/urinal.

Woodlands Septic Tank Cleaning Targeted Rate

Pursuant to Sections 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, a uniform targeted rate of \$122.12 in respect of each separately used or inhabited part of a rating unit within the Woodlands Septic Tank Cleaning Area.

Water Supply Loan Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(b) of the Local Government (Rating) Act 2002, a uniform targeted rate per rating unit on the option that the ratepayer has previously chosen to pay either a one-off capital contribution for a new scheme or pay it over a selected period as below (in the relevant area of service for each scheme):

Water Supply Loan Rates	Charge
Edendale Water Loan Charge - 15 years	\$219.09
Edendale Water Loan Charge - 25 years	\$134.50
Wyndham Water Loan Charge - 15 years	\$190.48
Wyndham Water Loan Charge - 25 years	\$128.30

Sewerage Supply Loan Targeted Rates

Pursuant to Sections 16(3)(b) and 16(4)(a) and (b) of the Local Government (Rating) Act 2002, a uniform targeted rate per rating unit on the option that the ratepayer has previously chosen to pay either a one-off capital contribution for a new scheme or pay it over a selected period as below (in the relevant area of service for each scheme):

Sewerage Supply Loan Rates	Charge
Edendale Sewerage Loan - 15 years (incl connection cost)	\$844.76
Edendale Sewerage Loan - 25 years (incl connection cost)	\$566.85
Edendale Sewerage Loan - 25 years (excl connection cost)	\$469.14
Tuatapere Sewerage Loan Charge - 15 years	\$390.12

Tuatapere Sewerage Loan Charge - 25 years	\$327.48
Wallacetown Sewerage Loan Charge - 25 years	\$302.59
Wyndham Sewerage Loan - 15 years (incl connection cost)	\$761.81
Wyndham Sewerage Loan - 25 years (incl connection cost)	\$513.13
Wyndham Sewerage Loan - 15 years (excl connection cost)	\$619.00
Wyndham Sewerage Loan - 25 years (excl connection cost)	\$416.94

- e) Resolves under Section 24 of the Local Government (Rating) Act 2002 that all rates (including metered water targeted rates) will be payable in four instalments with the due dates for payment being:

- Instalment One - 26 August 2022
- Instalment Two - 25 November 2022
- Instalment Three - 24 February 2023
- Instalment Four - 26 May 2023.

Rates other than metered water rates will be invoiced in equal instalments. Metered water rates will be invoiced in accordance with recorded consumption.

- f) Resolves under Sections 57 and 58 of the Local Government (Rating) Act 2002 to apply penalties to unpaid rates (including metered water targeted rates) as follows:

- A penalty of 10% will be added to the amount of any instalment of rates (including metered water targeted rates) remaining unpaid after the relevant due date in recommendation (e) above, as shown in the table below:

Instalment	Date Penalty Added
1	2 September 2022
2	2 December 2022
3	3 March 2023
4	2 June 2023

- A further penalty of 10% will be added to any amount of rates (including metered water targeted rates) that are unpaid from previous years and remains unpaid at 1 July 2022. The penalty will be added on 1 July 2022.
- g) Resolves under Section 88 of the Local Government (Rating) Act 2002 to set a postponement fee at \$200 GST inclusive for the administration costs of registering a Notice of Charge plus an annual interest charge calculate at **Council's internal borrowing interest rate of 2% as prescribed in the Annual Plan 2022-2023.**
- h) Resolves that under Section 54 of the Local Government (Rating) Act 2002, where rates charged on a rating unit are less than or equal to \$10 (GST incl), Council will not collect these as it believes it to be uneconomic.
- i) Agrees where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates

outstanding from previous rating years and then proportionately across all current year rates due.

- j) Agrees that valuation roll and rate records for the District of Southland are open for inspection by ratepayers at all District offices (as listed below), during normal office hours:

- | | |
|--|---|
| - Invercargill Office
15 Forth Street,
Invercargill 9810 | - Te Anau Office
116 Town Centre,
Te Anau 9600 |
| - Lumsden Office
18 Diana Street,
Lumsden 9730 | - Te Anau Office
24 Milford Crescent,
Te Anau 9600 |
| - Otautau Office
176 Main Street,
Otautau 9610 | - Winton Office
184 Great North Road,
Winton 9720 |
| - Riverton Office
117 Palmerston Street,
Riverton 9822 | - Wyndham Library
41 Balaclava Street,
Wyndham 9831 |
| - Oban Office
10 Ayr Street, Oban,
Stewart Island 9846 | |

- k) Agrees the following options be available for payment of rates:

- Direct Debit.
- Credit card (Visa or Mastercard).
- Internet banking.
- By cash or Eftpos.

7.5 Risk management - June 2022 quarterly update

Record No: R/22/4/14068

Strategy and policy manager – Michelle Fowler-Stevenson was in attendance for this item.

Mrs Fowler-Stevenson advised that the purpose of the report was for Council to adopt the reviewed top strategic risks with a proposed operational date of 1 July 2022 and to inform of the significant strategic and corporate risks for the June 2022 quarter.

Resolution

Moved Cr Douglas, seconded Cr Duffy and resolved:

That the Council:

- a) **receives the report titled “Risk management - June 2022 quarterly update”** dated 17 June 2022.
- 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) adopt the reviewed top strategic risk areas as follows to become effective 1 July 2022:
 - i. change and reform – the risk that Council has inadequate adaptability to respond to a continuously changing environment
 - ii. climate change – the risk that Council fails to adapt to, or mitigate the effects of, climate change impacts
 - iii. compliance and fraud – the risk that Council is unable to adapt to the impacts of fraud and increasing compliance standards on the organisation
 - iv. Covid-19 response – the risk that Council fails to adequately respond to Covid-19 impacts which affects its ability to deliver for the community
 - v. cyber security – **the risk that Council's systems are vulnerable to cyber-attack and/or error**
 - vi. data and systems – the risk of ineffective and inefficient use of **information in Council's decision-making**
 - vii. disaster event – the risk that Council is unable to respond to the consequences of a natural or human-induced event impacting the District
 - viii. health, safety and wellbeing – the risk of health, safety and wellbeing harm to staff, contractors and community
 - ix. public health – the risk that Council exposes the community to a public health emergency
 - x. relationships and reputation – the risk that Council fails to manage its local, regional and national relationships. The risk that Council suffers reputational damage because of service delivery failure
 - xi. resource and delivery – the risk of non-performance/delivery of committed outcomes and meeting expectations
 - xii. strategy and direction – the risk of poor or ineffective decision-making due to lack of strategic integration and alignment.
- e) notes those risks currently assessed as of significant issue for the June 2022 quarter.

7.7 Update to policy on remission and postponement of rates on Maori freehold land

Record No: R/22/6/28401

Finance development co-ordinator – Nicole Taylor, Transactional project lead – Shelley Dela Llana and Strategy and policy manager – Michelle Fowler-Stevenson were in attendance for this item.

Miss Taylor advised that the purpose of the report was for Council to endorse updates to the policy on Remission and Postponement of Rates on Māori Freehold Land following the enactment of the Local Government (Rating of Whenua Maori) Amendment Act 2021.

Miss Taylor also advised that in early 2021 legislation was passed amending the Local Government Act 2002 and the Local Government (Rating) Act 2002 to (among other things):

- make unused Māori freehold land and land that is subject to a Nga Whenua Rahui Kawenata (conservation covenant) non-rateable from 1 July 2021
- provide Council with the ability to write off rates arrears on unused Māori freehold land from 1 July 2021
- provide that, from 1 July 2022, the Council's policy on the remission and postponement of rates on Māori freehold land must support the principles set out in the Preamble to Te Ture Whenua Maori Act 1993
- require Council to consider applications for remission of rates on Māori freehold land under development
- enable individual homeowners of Māori land to be rated separately
- enable multiple land blocks from one parent block of Maori land to be treated as one rating unit.

Resolution

Moved Mayor Tong, seconded Cr Scott and resolved:

That the Council:

- a) **receives the report titled "Update to policy on remission and postponement of rates on Maori freehold land " dated 17 June 2022.**
- 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 adopt the amended draft Policy on Remission and Postponement of **Rates on Māori Freehold Land (attachment A of the officers report).**
- e) notes that a comprehensive review of the Policy on Remission and Postponement of **Rates on Māori Freehold Land policy will be carried** out within the next 12 months.

7.6 Joint council submission - Draft National Adaptation Plan and Managed Retreat

Record No: R/22/5/20742

Resource management planner – Margaret Ferguson was in attendance for this item.

Ms Fergusson advised that the purpose of the report was to provide an update on the joint councils' (Gore District, Invercargill City, Southland District and Environment Southland) submission to the draft National Adaptation Plan and Managed Retreat consultation.

Resolution

Moved Cr Duffy, seconded Cr Owen and resolved:

That the Council:

- a) **receives the report titled "Joint council submission - Draft National Adaptation Plan and Managed Retreat" dated 17 June 2022 and associated attachment.**

Reports - Operational Matters

8.1 Proposed road stopping Stewart Island - updated and expanded resolution

Record No: R/22/5/17514

Manager property services – Kevin McNaught was in attendance for this item.

Mr McNaught advised that the purpose of the report was to **update and expand Council's** resolution in regards to the proposed road stopping 2 Main Road, Stewart Island.

Council noted that at its meeting on 14 April 2021 that a request from the adjoining landowner to stop a portion of unformed road at 2 Main Road, Stewart Island to deal with historical building encroachments was resolved.

Mr McNaught further advised that case law that had recently come to light in regards to road stoppings which set out that Council must explicitly address (such as in its resolution) the reasons for the road stopping, particularly providing confirmation that the Council does not consider that the land is needed to be retained for road or other access purposes.

Council further noted that to ensure compliance and to also ensure the process is not in question that there be an update the Council resolution and to re-advertise the proposal including the reasons for the road stopping.

Resolution

Moved Cr Ford, seconded Cr Harpur and resolved:

That the Council:

- a) **receives the report titled "Proposed road stopping Stewart Island - updated and expanded resolution" dated 17 June 2022.**

- 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 add the following resolutions in regard to the proposed road stopping at 2 Main Road Stewart Island now defined as Section 1 SO Plan 563009 considered by Council on 14 April 2021:
 - **agrees the land defined as Section 1 SO Plan 563009 ('Road Area') is** unformed legal road not currently used for road or other public access. As an existing formed road and footpath is already situated on the balance of the road to be retained the Road Area is not required for future roading, footpath widening or other public access purposes and is thus surplus to Councils legal and physical roading requirements.
 - agrees the proposal would remedy historic building encroachments, and includes the portion of unformed legal road situated between the two building encroachments. The Road Area is intended to be transferred to the landowner of the adjoining land and would be subject to zoning and all other requirements under the district plan which apply to the adjoining land.

(THE MEETING ADJOURNED FOR MORNING TEA AT 10.29AM AND RECONVENED AT 10.46AM.)

(MAYOR TONG AND COUNCILLORS DOUGLAS, DUFFY, FORD, HARPUR, KEAST, OWEN AND SCOTT WERE PRESENT WHEN THE MEETING RECONVENED.)

9.1 SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD - UPDATE ON RECENT CHANGES AND PRESENTING DRAFT STATEMENT OF INTENT

RECORD NO: R/22/6/21786

GOVERNANCE LEGAL MANAGER – ROBYN ROUT AND SOUTHLAND MUSEUM AND ART GALLERY MANAGER OF MUSEUM AND HERITAGE SERVICES – WAYNE MARRIOTT WERE IN ATTENDANCE FOR THIS ITEM.

MRS ROUT ADVISED THAT THE PURPOSE OF THE REPORT WAS TO UPDATE COUNCIL ON RECENT CHANGES TO THE SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD AND TO PRESENT THE DRAFT STATEMENT OF INTENT TO COUNCIL FOR CONSIDERATION.

MR MARRIOTT TOOK THE MEETING THROUGH A PRESENTATION WHICH OUTLINED WHAT THE SOUTH REGIONAL HERITAGE COMMITTEE IS, THE OBJECTIVES, HOW IT IS FUNDED,

WHAT THE COLLECTION ENTAILS, AND HOW THE MUSEUM AND ART GALLERY INVESTS THE FUNDING.

(DURING DISCUSSION COUNCILLOR BYARS RETURNED TO THE MEETING AT 10.51AM.)

RESOLUTION

MOVED CR SCOTT, SECONDED CR KEAST AND RESOLVED:

THAT THE COUNCIL:

- A) RECEIVES THE REPORT **TITLED “SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD - UPDATE ON RECENT CHANGES AND PRESENTING DRAFT STATEMENT OF INTENT”** DATED 17 JUNE 2022.
- 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 UPDATES TO THE SOUTHLAND MUSEUM AND ART GALLERY TRUST **BOARD’S RULES AND CONSTITUTION**, INCLUDING:
 - ESTABLISHING A SKILLS-BASED BOARD
 - **RŪNAKA REPRESENTATION** HAVING A MORE INFLUENTIAL ROLE
 - ESTABLISHING A FORMAL ROLE FOR THE IWI LIAISON KOMITI
 - THAT THE SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD WILL NOW BE RESPONSIBLE FOR MANAGING THE MUSEUM COLLECTION (RATHER THAN BEING RESPONSIBLE FOR A WIDER RANGE OF ACTIVITIES).
- E) CONFIRMS RECEIPT OF THE SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD DRAFT STATEMENT OF INTENT FOR THE FINANCIAL YEAR ENDING 30 JUNE 2023.
- F) CONFIRMS THAT FEEDBACK TO THE SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD SHOULD BE AS FOLLOWS:
 - THAT SMAG PROVIDE CONFIRMATION THAT THE DRAFT STATEMENT OF INTENT MEETS LEGISLATIVE REQUIREMENTS IN RELATION TO NON-FINANCIAL PERFORMANCE TARGETS/MEASURES
 - THAT SMAG CONSIDER **ADDING ‘KAITIAKITANGA FOR FUTURE GENERATIONS’ AND ‘A DIVERSE ECONOMY CREATING HEALTHY AND AFFORDABLE LIFESTYLES’ TO THE COMMUNITY** OUTCOMES IN SECTION 2.4 OF THE STATEMENT OF INTENT

- THAT SMAG CONSIDER WHETHER THE TITLE OF SECTION 3 OF THE STATEMENT OF INTENT **SHOULD READ 'OUTPUTS' PLANNED FOR THE YEAR ENDED 30 JUNE 2023' (NOT 2022).**

G) NOTES THAT AS THE SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD HAS RECENTLY HAD GOVERNANCE CHANGES, STAFF DELAYED PRESENTING THE DRAFT STATEMENT OF INTENT TO COUNCIL (TO ENSURE THE DRAFT STATEMENT OF INTENT ALIGNED TO THE GOVERNANCE STRUCTURE). THIS MEANS THE SOUTHLAND MUSEUM AND ART GALLERY TRUST BOARD MAY NOT HAVE THE OPPORTUNITY TO INCORPORATE FEEDBACK PROVIDED BY COUNCIL, AS THE FINAL STATEMENT OF INTENT HAS TO BE PRODUCED BY 30 JUNE 2022.

8.2 MANAGEMENT REPORT

RECORD NO: R/22/3/12676

CHIEF EXECUTIVE – CAMERON MCINTOSH WAS IN ATTENDANCE FOR THIS ITEM.

MR MCINTOSH PARTICULARLY UPDATED COUNCIL ON THE WATER SERVICES ENTITIES BILL WHICH IS OPEN FOR SUBMISSIONS UNTIL 22 JULY 2022.

COUNCIL NOTED THAT THE BILL IS A STAND-ALONE BILL WHICH WILL ESTABLISH 4 PUBLICLY-OWNED WATER SERVICES ENTITIES TO PROVIDE SAFE, RELIABLE, AND EFFICIENT WATER SERVICES IN PLACE OF LOCAL AUTHORITIES. THE BILL CONTAINS THE OWNERSHIP, GOVERNANCE, AND ACCOUNTABILITY ARRANGEMENTS RELATING TO THOSE ENTITIES, AND PROVIDES FOR TRANSITIONAL ARRANGEMENTS DURING AN ESTABLISHMENT PERIOD. THE ENTITIES WILL COMMENCE DELIVERY OF SERVICES ON 1 JULY 2024.

(DURING DISCUSSION, COUNCILLOR BYARS LEFT THE MEETING AT 11.37AM AND RECONVENED AT 11.39AM.)

RESOLUTION

MOVED MAYOR TONG, SECONDED CR DUFFY AND RESOLVED:

THAT COUNCIL:

- A) RECEIVES THE REPORT **TITLED "MANAGEMENT REPORT" DATED 21 JUNE 2022.**

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 Fund Manager Appointment

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
Fund Manager Appointment	<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)(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.

The public were excluded at 12.24pm.

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 12.47pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE COUNCIL HELD ON WEDNESDAY
22 JUNE 2022.

DATE:

CHAIRPERSON: