



Notice is hereby given that an extraordinary Meeting of the Fiordland Community Board will be held on:

Date: Wednesday, 27 July 2022
Time: 5pm
Venue: Zoom (digital technology)

Extraordinary Fiordland Community Board Agenda OPEN

MEMBERSHIP

Chairperson	Sarah Greaney
Deputy Chairperson	Diane Holmes
Members	Mary Chartres
	Benjamin Killeen
	Ryan Murray
	Max Slee
	Councillor Ebel Kremer

IN ATTENDANCE

Committee advisor/customer support partner	Lagi Kuresa
Community partnership leader	Simon Moran

Contact telephone: 0800 732 732
Postal address: PO Box 903, Invercargill 9840
Email: emailsdc@southlanddc.govt.nz
Website: www.southlanddc.govt.nz

Full agendas **are available on Council's website**
www.southlanddc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

Terms of Reference – Community Boards

TYPE OF COMMITTEE	Community board
RESPONSIBLE TO	<p>Council</p> <p>Each community board will have a relationship with the committees in section 8.4.2 to 8.4.5 of the delegations manual based on the scope of the activities/functions delegated to each committee.</p>
SUBCOMMITTEES	As noted in section 8.5 of the delegations manual various subcommittees will report to specific community boards.
LEGISLATIVE BASIS	<p>Resolution made by Council through the representation arrangements as per the Local Electoral Act 2001.</p> <p>Role, status and membership as per subpart 2 of Part 4 of the Local Government Act 2002 (LGA).</p> <p>Treaty of Waitangi as per section 4, Part 1 of the LGA.</p> <p>Opportunities for Maori to contribute to decision-making processes as per section 14 of Part 2 of the LGA. Community boards delegated powers by Council as per schedule 7, clause 32, LGA.</p> <p>Appointment of councillors to community boards as per section 50, LGA.</p>
MEMBERSHIP	<p>Oreti and Waihopai Toetoe Community Boards have seven members elected by the local authority triennial elections plus a member appointed by Council. All other community boards have six members plus a member appointed by Council.</p> <p>The chairperson is elected by the community board. Councillors who are not appointed to community boards can only remain for the public section of the community board meeting. They cannot stay for the public excluded section unless the community board agrees.</p>
FREQUENCY OF MEETINGS	Every second month but up to ten ordinary meetings a year
QUORUM	Not less than four members
KEY FUNCTIONS	<ul style="list-style-type: none"> • to promote the social, economic, environmental and cultural well-being of local communities and in so-doing contribute to the realisation of Council's vision of one District offering endless opportunities • to provide leadership to local communities on the strategic issues and opportunities that they face • to be advocates and representatives for their local community and in so doing ensure that Council and other agencies have a clear understanding of local needs and aspirations • to be decision-makers on issues that are delegated to the board by Southland District Council

	<ul style="list-style-type: none"> • to develop relationships and communicate with key community organisations, special interest groups, residents and businesses within the community • to maintain an overview of the services Council delivers to its communities and assess the extent to which these services meet community needs • to recommend the setting of levels of service and budgets for local activities.
DELEGATIONS	<p>The community board shall have the following delegated powers and be accountable to Council for the exercising of these powers.¹</p> <p>In exercising the delegated powers, the community board will operate within:</p> <ol style="list-style-type: none"> 1) policies, plans, standards or guidelines that have been established and approved by Council 2) the needs of the local communities; and 3) the approved budgets for the activity. <p>Power to Act</p> <p>The community board will prepare and implement programmes of work, which will be reflected in its community board plan, which are relevant to the purposes of the community board that are consistent with the long term plan and annual plan processes of Council. Such programmes are to include budgetary provision for all costs associated with the work.</p> <p>Community Well-Being</p> <ol style="list-style-type: none"> 4) to develop local community outcomes that reflect the desired goals for their community/place 5) to monitor the overall well-being of local communities and use the information gathered to inform development of local strategies to address areas of need 6) work with Council and the community to develop a community board plan for the community of interest area – working in with any community plans that may exist. <p>Community Leadership</p> <ol style="list-style-type: none"> 7) communicate and develop a relationship with community organisations, local groups, and special interest groups within the local community of interest 8) identify key issues that will affect their community of interest's future and work with Council staff and other local representatives to facilitate multi-agency collaborative opportunities 9) promote a shared vision for the community of interest area and develop and promote ways to work with others to achieve positive outcomes 10) provide a local community perspective on Council's long term plan key performance indicators and levels of service

¹ Local Government Act 2002, s.53

as detailed in the long term plan, and on local expenditure, rating impacts and priorities.

Advocacy

11) submissions

- a) authority to make recommendations to Council on matters to be considered in submissions Council may make to external organisations' regional or national policy documents, select committees
- b) authority to make submissions to Council or other agency on issues within its community of interest area
- c) authority to make submissions to Council on bylaws and recommend to Council the level of bylaw service and enforcement to be provided, having regard to the need to maintain consistency across the District for all Council bylaws.

12) authority to prepare a submission to Council on the proposed levels of service, income and expenditure within the community of interest area, for consideration as part of the long term plan/annual plan process

13) provide comment by way of the formal Annual Plan/Long Term Plan process on relative priorities for the delivery of District services and levels of service within the community board area.

District activities include:

- a) wastewater
- b) solid waste
- c) water supply
- d) parks and reserves
- e) roading
- f) libraries
- g) cemeteries
- h) emergency management
- i) stormwater
- j) public toilets
- k) community housing

14) Council will set the levels of service for District activities – if a community board seek a higher level of service they will need to recommend that to Council and it will need to be funded in an appropriate way (locally).

Community Assistance

15) authority to establish prioritisation for allocation based on an overarching set of criteria from council to guide the scope of the activity

- 16) authority to grant the allocated funds from the Community Partnership Fund
- 17) authority to allocate bequests or grants generated locally consistent with the terms of the bequest or grant fund

Northern Community Board

- 18) make decisions regarding funding applications to the Northern Southland Development Fund. The Northern Community Board may invite a representative of the community of Dipton to take part in the decisions on applications to the Northern Southland Development Fund.

Unbudgeted Expenditure

Approve unbudgeted operating expenditure for local activities of up to \$20,000.

Approve up to a \$20,000 increase in the projected cost of a budgeted capital works project/item that is included in the annual plan/LTP.

Authority to delegate to the chief executive, when approving a project definition/business case, over-expenditure of up to \$10,000 for capital expenditure against the budget detailed in the Annual Plan/LTP.

Service Delivery

Local Activities

For activities within the local activities category, the community board shall have authority to:

- a) recommend to Council levels of service for local activities having regard to Council budgets within the Long Term Plan and Annual Plan process
- b) recommend to Council the rates and/or user charges and fees to fund the local activities
- c) accept donations of a local asset eg a gas barbeque, park bench, etc with a value of less than \$20,000.
- d) approve project definitions/business cases for approved budgeted capital expenditure up to \$300,000
- e) recommend to the Services and Assets Committee the approval of project definitions/business case and procurement plan for capital expenditure over \$300,000 and/or any unbudgeted capital expenditure
- f) monitor the performance and delivery of the service in meeting the expected levels of service
- g) facilitate the development of local management plans (for subsequent recommendation to Council), where required by statute or in support of District or other plans for reserves, harbours, and other community facilities, except where powers:
 - have been delegated to Council officers; or
 - would have significance beyond the community board's area or otherwise involves a matter of

	<p>national importance (Section 6 Resource Management Act 1991); or</p> <ul style="list-style-type: none"> involve the alienation of any part of a proposed or existing esplanade reserve by way of width reduction, easement, lease or otherwise. <p>Local activities include:</p> <ol style="list-style-type: none"> community leadership local halls and community centres (within Council's overarching policy for community facilities) wharves and harbour facilities local parks and reserves parking limits and footpaths Te Anau/Manapouri Airport (Fiordland Community Board) Stewart Island Electricity Supply Authority (SIESA) (Stewart Island/Rakiura Community Board) <ol style="list-style-type: none"> for the above two local activities only recommend levels of service and annual budget to the Services and Assets Committee monitor the performance and delivery of the service <p>19) naming reserves, structures and commemorative places</p> <ol style="list-style-type: none"> authority to decide upon requests from the community, regarding names of reserves, the placement of structures and commemorative places. <p>20) naming roads</p> <ol style="list-style-type: none"> authority to decide on the naming for public roads, private roads and rights of way <p>21) assist the chief executive by providing comment (through the board chairperson) to consider and determine temporary road closures applications where there are objections to the proposed road closure.</p> <p>Rentals and Leases</p> <p>In relation to all leases and licences of land and buildings for local activities within their own area, on behalf of Council;</p> <ol style="list-style-type: none"> accept the highest tenders for rentals more than \$10,000 approve the preferential allocation of leases and licenses where the rental is \$10,000 or more per annum. <p>Environmental management and spatial planning</p> <ol style="list-style-type: none"> provide comment on behalf of the relevant community/communities on resource consent applications referred to the community board for comment. recommend to Council the level of bylaw service and enforcement to be provided within the community, having regard to the need to maintain consistency across the District.
--	--

	<p>24) provide advice to Council and its committees on any matter of interest or concern to the community board in relation to the sale of alcohol where statutory ability exists to seek such feedback.</p> <p>25) provide input into regulatory activities not otherwise specified above where the process allows.</p> <p>26) recommend to Council the initiating of an appeal or reference to the environment court on decisions in respect to resource consent applications on which the board has made submissions; ability to provide input to support the development of community planning for a civil defence emergency; and after an emergency event, to provide input and information to support community response efforts.</p>
LIMITS TO DELEGATIONS	<p>No financial or decision making delegations other than those specifically delegated by Council.</p> <p>The community board shall only expend funding on purposes for which that funding was originally raised and in accordance with the budgets approved by Council through its Long Term Plan/Annual Plan. In accordance with the provisions of section 39(2) of Schedule 7 the board may not incur expenditure in excess of the approved budget.</p> <p>Matters which are not Delegated</p> <p>Southland District Council has not delegated to community boards the power to:</p> <ul style="list-style-type: none"> • make a rate or bylaw • acquire, hold or dispose of property • direct, appoint, suspend or remove staff • engage or enter into contracts and agreements and financial commitments • institute an action for recovery of any amount • issue and police building consents, notices, authorisations and requirements under acts, statutes, regulations, bylaws and the like; • institute legal proceedings other than the delegation to recommend to Council the initiating of an appeal or reference to the environment court on decisions in respect to resource consent applications on which the community board has made submissions.
CONTACT WITH MEDIA	<p>The community board chairperson is the authorised spokesperson for the board in all matters where the board has authority or a particular interest.</p> <p>Board members, including the chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the board's delegations.</p> <p>The assigned Executive Leadership Team member will manage the formal communications between the board and its</p>

	<p>constituents and for the board in the exercise of its business. Correspondence with central government, other local government agencies or official agencies will only take place through Council staff and will be undertaken under the name of Southland District Council.</p>
REPORTING	<p>Community boards are unincorporated statutory bodies which are elected to represent the communities they serve.</p> <p>The boards maintain bound minute books of their own meetings.</p>

TABLE OF CONTENTS

ITEM	PAGE
PROCEDURAL	
1 Apologies	11
2 Leave of absence	11
3 Conflict of interest	11
4 Public forum	11
5 Extraordinary/urgent items	11
PUBLIC EXCLUDED	
Procedural motion to exclude the public	17
C6.1 Luxmore development property disposal	17

1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of interest

Community board members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Public forum

Notification to speak is required by 12noon at least one clear day before the meeting. Further information is available at www.southlanddc.govt.nz or by phoning 0800 732 732.

5 Extraordinary/urgent items

To consider, and if thought fit, to pass a resolution to permit the Community Board to consider any further items which do not appear on the agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the chairperson must advise:

- (i) the reason why the item was not on the agenda, and
- (ii) the reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further **discussion.”**

6 Confirmation of minutes

- 5.1 Meeting minutes of Fiordland Community Board, 21 June 2022



Fiordland Community Board

OPEN MINUTES

Unconfirmed

Minutes of a meeting of Fiordland Community Board held in the Te Anau Club, Cnr Pop Andrew Drive and Jackson Street, Te Anau on Tuesday, 21 June 2022 at 6pm. (6pm to 6.48pm, 6.56 to 7.56pm.)

PRESENT

Chairperson	Sarah Greaney (via Zoom)
Deputy Chairperson	Diane Holmes
Members	Mary Chartres
	Benjamin Killeen
	Ryan Murray
	Max Slee

APOLOGIES

Councillor Ebel Kremer

IN ATTENDANCE

Committee advisor/customer support partner	Lagi Kuresa
Strategic project lead	Simon Moran
Community partnership leader	Jared Gravatt

1 Apologies

Moved Ryan Murray, seconded Benjamin Killeen and resolved:

That apology from Councillor Kremer be accepted.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of interest

There were no conflicts of interest declared.

4 Public forum

Kelly Wairau presented to the Board on behalf of the Te Anau ratepayers with regard to the Three Waters proposal.

Cameron Davis and Shevaun Taberner from Te Anau Events presented to the Board with regard to events happening in and around Te Anau.

5 Extraordinary/urgent items

There were no extraordinary/urgent items.

6 Confirmation of minutes

Resolution

Moved Max Slee, seconded Chairperson Greaney and resolved:

That the Fiordland Community Board confirms the minutes of the meeting held on 13 April 2022 as a true and correct record of that meeting.

Reports

7.1 Community Partnership Fund applications - May 2022 round

Record No: R/22/6/21380

Strategic project leader – Simon Moran was in attendance for this item.

Mr Moran advised that the purpose of the report was for the Fiordland Community Board to allocate funding for the May 2022 round of the Fiordland Community Partnership Fund.

The Board noted that there were two applications received for the May 2022 funding round for The Fiordland Community Partnership Fund.

Moved Chairperson Greaney, seconded Benjamin Killeen the motion recommendations a to d of the officers report.

- a) **receives the report titled “Community Partnership Fund applications - May 2022 round” dated 8 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 applications from the following:
 - 1. Muster Te Anau
 - 2. Te Anau Waitangi Charitable Trust

I declare the motion CARRIED.

- e) Moved Benjamin Killeen, seconded Max Slee the motion recommendation e.

That the Fiordland Community Board:

approves/~~declines~~ a grant of ~~\$4,042~~ \$5,000 to Muster Te Anau for costs associated with the 2022 Mens Muster event.

I declare the motion CARRIED.

- f) Moved Sarah Greaney, seconded Mary Chartres the motion recommendation f.

That the Fiordland Community Board:

approves/~~declines~~ a grant of \$5,000 to the Te Anau Waitangi Charitable Trust for costs associated with Waitangi Day events in 2023.

I declare the motion CARRIED.

Final resolution

That the Fiordland Community Board:

- a) **receives the report titled “Community Partnership Fund applications - May 2022 round” dated 8 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 applications from the following:
 - 1. Muster Te Anau
 - 2. Te Anau Waitangi Charitable Trust
- e) approves a grant of \$4,042 to Muster Te Anau for costs associated with the 2022 Mens Muster event.
- f) approves a grant of \$5,000 to the Te Anau Waitangi Charitable Trust for costs associated with Waitangi Day events in 2023.

(The meeting adjourned for a break at 6.48pm and resumed at 6.56pm.)

7.2 Community leadership report

Record No: R/22/5/20712

Strategic project lead – Simon Moran was in attendance for this item.

Mr Moran advised that the purpose of the report was to inform the board of the community leadership activities in the area.

Resolution

Moved Ryan Murray, seconded Benjamin Killeen and resolved:

That the Fiordland Community Board:

- a) **receives the report titled “Community leadership report” dated 9 June 2022.**

7.3 Operational Report for Fiordland Community Board

Record No: R/22/4/15042

Strategic project lead – Simon Moran was in attendance for this item.

Resolution

Moved Max Slee, seconded Chairperson Greaney and resolved:

That the Fiordland Community Board:

- a) **receives the report titled “Operational Report for Fiordland Community Board” dated 2 June 2022.**
-

7.4 Chairperson's report

Record No: R/22/5/20698

Chairperson Sarah Greaney took the meeting through her report.

Resolution

Moved Chairperson Greaney, seconded Benjamin Killeen and resolved:

That the Fiordland Community Board:

- a) **receives the report titled “Chairperson's report” dated 13 June 2022.**

The meeting concluded at 7.56pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE FIORDLAND COMMUNITY BOARD
HELD ON TUESDAY 21 JUNE 2022.

DATE:.....

CHAIRPERSON:.....

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

Recommendation

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

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:

C6.1 Luxmore development property disposal

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
Luxmore development property disposal	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(h) - the withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.