MEETING OF THE

CLUTHA DISTRICT COUNCIL

Thursday, 6 October 2016

commencing at 1.30 pm

at the Council Chambers

1 Rosebank Terrace

BALCLUTHA
Notice is hereby given that a Meeting of the Council will be held at the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday 6 October 2016, commencing at 1.30 pm.

Steven Hill
CHIEF EXECUTIVE

Mayor: Bryan Cadogan

Councillor Hamish Anderson Councillor Michelle Kennedy
Councillor Geoff Blackmore Councillor Jeff McKenzie
Councillor John Cochrane Councillor Hilary McNab
Councillor Stewart Cowie Councillor Ken Payne
Councillor Ron Davis Councillor Jo-anne Thomson
Councillor Gaynor Finch Councillor Bruce Vollweiler
Councillor Bruce Graham Councillor Selwyn Wilkinson
Clutha District Council

ITEM FOR CONFIRMATION

Report: Confirmation of Council Minutes
Meeting Date: 6 October 2016
Item Number: 01
Prepared By: Valerie Bell – P/A to Chief Executive
File Reference: A137562

REPORT SUMMARY

Attached for confirmation are the minutes of the meeting of the Clutha District Council held on 22 September 2016.

RECOMMENDATION

1. That the minutes of the meeting of the Clutha District Council held on 22 September 2016 be approved as a true and correct record.
Clutha District Council

Minutes of the Meeting of the Clutha District Council held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday 22 September 2016, commencing at 1.34 pm.


IN ATTENDANCE: S Hill (Chief Executive), J Witt (Manager Service Delivery), D Campbell (Planning and Regulatory Manager), A Dickson (Manager Corporate Services) and V Bell (P/A to Chief Executive).

S Jenkinson (Finance Manager), L Brown (Senior Policy Analyst), S Wilkins (Planning and Policy Analyst) from 2 pm to 2.47 pm. H Whale (HR Assistant) from 2.45 pm to 3.30 pm.


Councillor Cochrane for lateness (1.42 pm) and Councillor Finch for lateness (2.04 pm).

Moved Councillors Graham/Payne and Resolved:

“That the apologies be sustained.”

IN MEMORIAM

A moment’s silence was held in memory of Margaret Collins who passed away on 21 September 2016. Mrs Collins was a member of the Clutha District Council from 1989 to 2007 and Deputy Mayor from 1998 to 2007. Prior to 1989, she was a member and Deputy Mayor of the Balclutha Borough Council. Her service to local government totalled 33 years.

PUBLIC FORUM

No members of the public presented at public forum.

1. CONFIRMATION OF COUNCIL MINUTES

The minutes of the meetings of the Clutha District Council held on 18 August 2016 were submitted for confirmation.
Moved Councillors Payne/Davis and Resolved:

“That the minutes of the meeting of the Clutha District Council held on 18 August 2016 be approved as a true and correct record.”

2. SERVICE DELIVERY COMMITTEE MINUTES

The minutes of the meeting of the Service Delivery Committee held on 8 September 2016 were submitted for confirmation.

Moved Councillors Anderson/McKenzie and Resolved:

“That the minutes of the meeting of the Service Delivery Committee held on 8 September 2016, be approved as a true and correct record.”

3. REGULATORY SERVICES COMMITTEE MINUTES

The minutes of the meeting of the Regulatory Services Committee held on 8 September 2016 were submitted for confirmation.

Moved Councillors Vollweiler/McNab and Resolved:

“That the minutes of the meeting of the Regulatory Services Committee held on 8 September 2016, be approved as a true and correct record.”

4. REGULATORY SERVICES RECOMMENDATION

The Regulatory Services Administrator submitted a report containing recommendations from the Regulatory Services Committee meeting held on 8 September 2016.

4.1. Dog Control Policy and Practices 2015/16

Moved Councillors Graham/Blackmore and Resolved:


4.2. Biodiversity Funding Application

Moved Councillors Graham/Blackmore and Resolved:

“That Council grants $3,353.40 (including GST) from the 2016/17 biodiversity funding to the Coutts Gully Wetland Group for predator control at Coutts Gully subject to production of an invoice.”
5. CORPORATE SERVICES COMMITTEE MINUTES

The minutes of the meeting of the Corporate Services Committee held on 8 September 2016 were submitted for confirmation.

Moved Councillors McNab/Payne and Resolved:

“That the minutes of the meeting of the Corporate Services Committee held on 8 September 2016, be approved as a true and correct record.”

6. CORPORATE SERVICES RECOMMENDATION: NATURAL HAZARD LOSS MODELLING FOR INFRASTRUCTURAL ASSETS

The Group Manager Corporate Services submitted a report containing a recommendation from the Corporate Services Committee meeting held on 8 September 2016.

Moved Councillors Vollweiler/Blackmore and Resolved:

“That Council undertakes natural loss modelling for underground infrastructural assets and that this be funded from Council’s self-insurance special fund up to $60,000 less any contribution received from Treasury.”

7. WEST OTAGO COMMUNITY BOARD MINUTES

The unconfirmed minutes of the meeting of the West Otago Community Board held on 24 August 2016 were submitted.

Moved Councillors Councillor McKenzie/McNab and Resolved:

“That the unconfirmed minutes of the meeting of the West Otago Community Board held on 24 August 2016 be noted.”

Councillor Cochrane entered the meeting at 1.42 pm.

8. LAWRENCE/TUAPEKA COMMUNITY BOARD MINUTES

The unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 24 August 2016 were submitted.

Moved Councillors Blackmore/Payne and Resolved:

“That the unconfirmed minutes of the meeting of the Lawrence/Tuapeka Community Board held on 24 August 2016 be noted.”
9. PROPERTY AND FORESTRY COMMITTEE MINUTES

The unconfirmed minutes of the meeting of the Property and Forestry Committee held on 8 September 2016 were submitted.

Moved Councillors Blackmore/McKenzie and Resolved:

“That the unconfirmed minutes of the meeting of Property and Forestry Committee held on 8 September 2016 be noted.”

10. MAYORAL REPORT

The Mayor submitted a written report on meetings and functions he had attended since the previous meeting at Council.

Moved Councillors Thomson/Davis and Resolved:

“That the Mayoral report and Councillors attendances be received.”

11. CHIEF EXECUTIVE’S REPORT

The Chief Executive submitted a report to Council on events attended, and other matters in hand at present since the previous Council meeting.

Councillor Finch entered the meeting at 2.04 pm.

Moved Councillors Cochrane/Graham and Resolved:

“That the Chief Executive’s report be received.”

12. GENERAL SURPLUS AND CARRY FORWARDS

The Finance Manager submitted a report identifying amounts rated for activities funded through the Uniform Annual General Charge.

Moved Councillors Blackmore/Davis and Resolved:

(i) “That Council receives the General Surplus and Carry Forwards Report and attachment.”

(ii) “That the Council approves the surplus of $113,333.”

(iii) “That Council confirms the carry forward of projects from 2015/16 to 2016/17.”
13. CORPORATE PLAN 2016/17

The Chief Executive submitted a report requesting Council approval of the proposed Corporate Plan 2016/17, including identification of significant projects that will require regular and frequent reporting to Council.

The Senior Policy Analyst tabled additional information to the report.

Moved Councillors Vollweiler/Payne and Resolved:

(i) “That Council receives the ‘Corporate Plan 2016/17’ report.”

(ii) “That Council approves the Corporate Plan 2016/17.”

(iii) “That Council confirms the following projects as significant projects in 2016/17:

a. Rosebank Industrial Site Development
b. North Balclutha Subdivision
c. Rural Drinking Water Treatment Upgrades
d. Sewerage Treatment Improvement & Upgrade Programme
e. Balclutha Streetscape
f. Nuggets Road Sealing
g. Community Planning Balclutha, Milton & Waihola
h. Enterprise Reporting System Implementation
i. Bridge Renewals (Hina Hina, McLennan, Tahakopa Valley)
j. International Accreditation NZ (IANZ) Building Review
k. Development of the Long Term Plan 2018/28.”
l. Section 17A Reviews
m. Roading Professional Services Contract Review
n. Roading Maintenance Contract Review
o. Water Services Contract Review.
p. Sale of Forestry Process.”

(iv) “That Council approves budget changes as included in table: Proposed Budget Update for 2016/17.”

(v) “That Council approves funding as follows from the 2015/16 general surplus:

a. Milton and Waihola community planning-related costs ($30,000)
b. Implementation of the health and safety programme ($20,000)
c. External consultancy for activity management plan updates ($30,000)
d. Section 17A service delivery reviews ($20,000)
e. Easter Sunday Shop Trading Policy ($5,000).”

(vi) “That Council approves the transfer of the balance of the general surplus of $8,333 to the general reserve.”
14. DEVELOPMENT OF THE LONG TERM PLAN 2018-28


Moved Councillors Finch/McKenzie and Resolved:


(ii) “That Council notes the key outputs and milestones for the Long Term Plan 2018/28.”

Items taken out of the agenda running order:

15. ITEM 16: PART ROAD STOPPING – POOLE STREET, KAITANGATA

The Senior Infrastructure Engineer submitted a report regarding a request to stop part of the unformed section of Poole Street, Kaitangata.

Moved Councillors Graham/Finch and Resolved:

(i) “That Council receives the “Part Road Stopping – Poole Street, Kaitangata” report; and

(ii) That Council approves the part road stopping of Poole Street (179m2); and

(iii) That the applicant obtains a legal survey plan to be used in advertising the proposed part road stopping; and

(iv) Due to the small section of legal road reserve involved and the associated low value thereof, based on the adjacent land value, the requirement for an independent valuation be waived and that the purchase price be confirmed as $1000 (excl. GST); and

(v) That on receipt of the legal survey plan and on agreement of the purchase price in 2.2, the Local Government Act Schedule 10 procedures for the proposed road stopping to be initiated.”

16. ITEM 17: KAKA POINT SEWER EXTENSION

The Senior Projects Engineer submitted a report regarding the further extension of the Kaka Point Sewer.
Moved Councillors Payne/Cowie and Resolved:


(ii) That Council approves an increase in the budget for the extension previously approved in February 2016 to $38,000 for 2016-17 to be funded from sewerage reserves.

(iii) That Council approves a budget of $10,000 for that further extension for 2016-17, to be funded from sewerage reserves.”

17. ITEM 18: SUBDIVISION NAMING COMPETITION

A report was submitted regarding allocation of names to the new residential subdivision currently known as the “North Balclutha Subdivision”. Through a public competition, residents of the Clutha District were invited to submit suggestions for the subdivision and its streets and reserves.

The meeting discussed various suggestions for the subdivision name and supported suggestions that its forestry history be recognised.

Moved Councillors Davis/Vollweiler and Resolved:

“That Council receives the ‘North Balclutha Subdivision Naming Report’.”

Moved Councillors Finch/McNab and Resolved:

“That the North Balclutha subdivision shall be named ‘Plantation Heights’.”

For 9.
Against 4. Councillor Cowie requested his vote against to be recorded.

The meeting discussed names for the subdivision streets and reserves including keeping to the forestry theme by using either exotic or native timber names. Another suggestion was to name them after people who have historically contributed to the community in a significant way.

The need to avoid duplication with street names already in the district was noted.

The meeting adjourned at 2.47 pm.
18. ITEM 15: CITIZENSHIP CEREMONY

The following candidates were in attendance to participate in a New Zealand Citizenship Ceremony.

<table>
<thead>
<tr>
<th>Name</th>
<th>Nationality</th>
<th>Oath or Affirmation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Syed Farhan ALI</td>
<td>Pakistani</td>
<td>Oath</td>
</tr>
<tr>
<td>Mrs Qurat-Ul-Ain Munir AHMED</td>
<td>Pakistani</td>
<td>Oath</td>
</tr>
<tr>
<td>Miss Zehra Ali SYEDA</td>
<td>Pakistani</td>
<td>No Oath (Minor)</td>
</tr>
<tr>
<td>Ms Angela Ruth FAIRLEY</td>
<td>British</td>
<td>Oath</td>
</tr>
<tr>
<td>Sofai LOKENI</td>
<td>Samoan</td>
<td>Oath</td>
</tr>
<tr>
<td>Mrs Shelley POVEY</td>
<td>South African</td>
<td>Oath</td>
</tr>
<tr>
<td>Ms Sarah Elizabeth HALSE</td>
<td>South African</td>
<td>Affirmation</td>
</tr>
<tr>
<td>Mr Thomas Halse DUBERLY</td>
<td>South African</td>
<td>Affirmation</td>
</tr>
<tr>
<td>Mrs Rachel Marie HILTON</td>
<td>British</td>
<td>Oath</td>
</tr>
</tbody>
</table>

During the Citizenship Ceremony the candidates made their declaration and were presented with their citizenship certificates and a kowhai tree by Mayor Cadogan. They were presented with the book ‘Choice Whiriwhiria The New Zealand Citizenship Story’ published by the Department of Internal Affairs, the DVD of the same title was played and the national anthem was sung.

The Citizenship Ceremony was followed by an afternoon tea with the citizenship candidates and council members.

The meeting reconvened at 3.46 pm.

SUBDIVISION NAMING COMPETITION CONTINUED

The meeting continued the discussion for street names for the North Balclutha subdivision. Among the suggestions for native trees were Kowhai, Miro, Totara, Matai, Kawaka and others. Suggestions for exotic timbers included Monterey, Oregon, Sequoia, Cyprus and others. Loggers Lane was a further suggestion.

The Chief Executive suggested that to enable more consideration of the street and reserve names, the matter be left on the table until the next Council meeting on 6 October 2016.
It was agreed that the matter to name Streets 1, 2 and 3 and Reserve Lands 1 and 2 lie on the table until the council meeting of 6 October 2016.

19. **DOCUMENTS FOR CONSENT AND SEAL**

A report was submitted advising use of the Clutha District Council Common Seal since the previous Council meeting.

Moved Councillors Finch/Blackmore and Resolved:

“That Council approves the fixing of its seal, under the hands of the Chief Executive, to the documents as listed:

19.1. **Lease Agreements**

- Part Section 5 Block Ill Town of Lawrence between The Mayor, Councillors and Citizens of the Clutha District and L M May.
- Part Section 5 Block XLVI Town of Kaitangata between Clutha District Council and DE & TL Dick & Abacus St 05 Limited.
- Section 34 Beach Resort Toko Mouth between P M McLeod and R N & G M Boyer and Clutha District Council.

19.2. **Warrant of Appointment**


19.3. **Contract Agreement**

Contract 738 HVAC Modifications and Additions between Clutha District Council and G W Davies Heating Engineers Ltd.
20. REASONS TO MOVE TO PUBLIC EXCLUDED SESSION

Moved Councillors Cowie/Thomson and Resolved:

“That Council resolves to exclude the public on the grounds contained in Appendix A of the Clutha District Council’s Standing Orders under Sections A2 (a), A2 (b) (ii), A2 (d) (i), A2 (h) and A2 (j).”

The meeting moved into public excluded session at 3.57 pm.

The meeting moved out of public excluded session and closed at 4.47 pm.

Read and Confirmed

__________________________
B A Cadogan
MAYOR
Clutha District Council

ITEM FOR INFORMATION

Report Youth Council Minutes
Meeting Date 6 October 2016
Item Number 02
Prepared By Karen Piercy – Corporate Services Administrator
File Reference A137811

REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Youth Council held on 14 September 2016.

RECOMMENDATION

1. That the unconfirmed minutes of the meeting of the Youth Council held on 14 September 2016 be noted.
Youth Council

Minutes of a meeting of the Youth Council of the Clutha District Council held at the Council Chambers, 1 Rosebank Terrace, Balclutha on Wednesday 14 September 2016 commencing at 6.20 pm.

PRESENT: Youth Councillors A Morrison (Chairperson), H Dewe, C Diamond, E McLaughlin, I Pringle, A Pullar, E Wilson, N Young and Councillors R Davis.

IN ATTENDANCE: His Worship the Mayor B A Cadogan, J Proctor, (Community Support and Development Advisor), R Ratcliffe (Youth Worker), K Piercy (Corporate Services Administrator).


Moved Youth Councillors Wilson / Dewe and Resolved:

“That the apologies be received.”

PUBLIC FORUM

There was no public forum.

1. MAYORAL ADDRESS

Mayor Cadogan welcomed Youth Councillors to the meeting. He acknowledged this meeting was Councillor Davis’s last and thanked Councillor Davis for his contribution to Youth Council. The Mayor spoke about the closure of the ANZ bank in Milton, upcoming elections, Trustpower awards and gave an update on the residential and commercial subdivisions in Balclutha. He encouraged youth councillors to put forward ideas on improving the district through the Community Planning process.

2. CONFIRMATION OF MINUTES

The minutes of a meeting of the Youth Council held on 22 June 2016 were presented for confirmation.

Moved Youth Councillors McLaughlin / Diamond and Resolved:

“That the Youth Council confirms as a true and correct record, the minutes of the meeting held on 22 June 2016.”
3. YOUTH COUNCIL DEVELOPMENT FUND RECIPIENTS

Carmen Jillett from the Balclutha Scout Group Jamboree Fundraising Committee attended the meeting with two of the scouts attending the upcoming scout jamboree. Mayor Cadogan presented a certificate on behalf of Youth Council. They thanked the Youth Council for the donation and answered questions. Michaela Groenewegen from Balclutha Scout Group was presented with a certificate and thanked the Youth Council for the fund.

Olivia Butler was unable to attend due to other commitments and asked that her apology be noted.

Moved Youth Councillors Pullar / Diamond and Resolved:

“That the Youth Council receives the Youth Council Development Fund Recipients Report.”

4. YOUTH COUNCIL MEMBER UPDATE

The Corporate Services Administrator submitted a report that asked all Youth Councillors to give a brief verbal report to the meeting.

Youth Councillors McLaughlin & Wilson, Lawrence Area School
- The Ministry of Education spoke at school about remodeling and asked for opinions of students.
- Daffodil Day appeal held at the school.
- Eden is in the finals for the Trustpower Youth Spirit Awards. The winner will be announced at the awards on the Monday 19 September.

Youth Councillor Young, Workplace Representative
- Assisted with the recent Mudtrudge fundraiser.

Councillor Davis
- Enjoyed the Friday Night Fives.
- Sport Otago held the Junior Golf Tournament.

Councillor Davis spoke about his learnings whilst being involved in Council. He advised that Council take the views of the Youth Council very seriously. He wished youth councillors all the best for exams and for the future and thanked staff for their support.

Youth Councillor Pringle, South Otago High School
- South Island sports week has been held.
- A new head student selection process has been introduced.
- Practice exams are underway.
Youth Councillors Dewe & Pullar, Catlins Area School
- Owaka has new toilets which incorporate tiles made by the school students.
- Practice exams are starting.
- The Get Go Challenge was held in Dunedin
- The school participated in Daffodil Day.

Youth Councillor Diamond, Blue Mountain College
- Petes Dragon premiere was held in Tapanui.
- Daffodil Day was supported by the school.
- Practice exams starting.
- Friday Night Fives – everyone loved it.
- The school canteen may have to close.

5. CLUTHA DISTRICT COUNCIL YOUTH DEVELOPMENT PROGRAMME

The Clutha District Youth Worker submitted an update of work being carried out.

Feedback to the Youth Panel on ideas is required in order for the Youth Panel to move forward. The Youth Worker will facilitate small focus groups within the district’s secondary schools, but she cannot cover the whole district. She asked for support from Youth Councillors within the schools she cannot cover to seek feedback from years 8 and upwards.

Moved Youth Councillors Pringle / Dewe and Resolved:

“That the Youth Council receives the Clutha District Youth Development Programme Report.”

6. QUIZ NIGHT PLANNING

The Community Support and Development Advisor submitted a report on the quiz night planning.

From discussion it was agreed that the quiz date be set for the start of 2017.

Moved Youth Councillors McLaughlin / Pringle and Resolved:

“That the Youth Council receives the Quiz Night Planning Report.”

7. TRUSTPOWER CLUTHA DISTRICT COMMUNITY SERVICE AWARDS 2016

The Corporate Services Administrator submitted a report on the Trustpower Clutha District Community Service Awards 2016 to be held on Monday 19 September 2016. All youth councillors are invited to the evening.
Moved Youth Councillors McLaughlin / Wilson and Resolved:

“That the Youth Council receives the Clutha District Community Service Awards 2016 Report.”

8. 2016 YOUTH WEEK EVENT – THEMED DISCO

The Community Support and Development Advisor submitted an update on the planning progress for the 2016 youth event themed disco which was postponed from Friday 8 July 2016 to Friday 23 September 2016. The event will start at 6.00pm.

Moved Youth Councillors Diamond / Young and Resolved:

“That the Youth Council receives the 2016 Youth Event – Themed Disco Report.”

9. ASPIRING LEADERS FORUM 2016 REPORT

The Community Support & Development Advisor submitted a report from the two Clutha District delegates to the Aspiring Leaders Forum 2016, Brea Sim and Stephanie-Anne Ross.

Moved Youth Councillors Wilson / Dewe and Resolved:

“That the Youth Council receives the Aspiring Leaders Delegates 2016 report.”

10. YOUTH COUNCIL MEETING DATES 2016

The Community Support and Development Advisor submitted a report advising of the final meeting date, time and location for 2016.

Moved Youth Councillors Wilson / Pullar and Resolved:

“That the Youth Council receives the Youth Council Meeting Dates 2016 report.”

The meeting closed 7.11 pm.

Confirmed

Amy Morrison
CHAIRPERSON
REPORT SUMMARY

Attached are the unconfirmed minutes of the meeting of the Audit & Risk Committee held on 22 September 2016.

RECOMMENDATION

1. That the unconfirmed minutes of the meeting of the Audit & Risk Committee held on 22 September 2016 be noted.
Audit & Risk Committee

Minutes of a Meeting of the Audit & Risk Committee of the Clutha District Council held in the Council Chambers, 1 Rosebank Terrace, Balclutha on Thursday 22 September 2016 commencing at 10.36 am.

PRESENT: S Halliwell (Chairperson), His Worship the Mayor B Cadogan, Councillors, J Cochrane, S Cowie, H McNab and B Vollweiler.

IN ATTENDANCE: S Hill (Chief Executive), A Dickson (Group Manager Corporate Services), K Piercy (Corporate Services Administrator), S Jenkinson (Finance Manager), L Brown, (Senior Policy Analyst), R Bond (Infrastructure Strategy Manager), B Tomkin & Matthew Hladun (Deloittes)

APOLOGIES:

There were no apologies.

NOTIFICATION OF URGENT BUSINESS:

There was no urgent business.

PUBLIC FORUM:

There was no Public Forum.

1. CONFIRMATION OF MINUTES

The minutes of a meeting of the Audit & Risk Committee held on 28 July 2016 were presented for the Committee’s confirmation.

Moved Mayor Cadogan / Councillor Vollweiler and Resolved:

“That the Audit & Risk Committee confirms as a true and correct record, the minutes of the Audit & Risk Committee meeting held on 28 July 2016.”

2. MAJOR PROJECTS UPDATE REPORT

The Group Manager Corporate Services presented an update for the Committee’s information on projects identified for risk reporting.
Moved Mayor Cadogan / Councillor McNab and Resolved:

“That the Audit & Risk Committee receives the Projects Risk Report.”

3. BCA ACCREDITATION UPDATE

The Group Manager Planning and Regulatory submitted the BCA Accreditation Update report.

Moved Councillors Cochrane / Vollweiler and Resolved:

“That the Audit & Risk Committee receives the BCA Accreditation Update Report.”

4. DRAFT ANNUAL REPORT & SUMMARY 2015/16

Item 4 was moved to Public Excluded and became Public Excluded Item 2.

5. HEALTH & SAFETY UPDATE REPORT

The Risk Management Support Officer submitted a summary of the activities in health and safety to meet the requirements of the Health and Safety at Work Act, 2015.

Moved Councillors McNab / Cochrane and Resolved:

“That the Audit & Risk Committee receives the Health and Safety Update Report dated 22 September 2016.”

6. STATUTORY REPORTING

The Infrastructure Strategy Manager submitted an update to the Statutory Reporting requirement of Council.

Moved Councillors Cowie / Vollweiler and Resolved:

“That the Audit & Risk Committee receives the Statutory Reporting Risk Report.”
7. REASONS TO MOVE TO PUBLIC EXCLUDED SESSION

The Group Manager Corporate Services presented a resolution to move to Public Excluded session under the Local Government Official Information and Meetings Act 1987.

Moved Mayor Cadogan / Councillor Vollweiler and Resolved:

“That Council resolves to exclude the public on the grounds contained in Section A2 b. (ii) of Appendix A of the Clutha District Council’s Standing Orders.”

The meeting moved into Public Excluded at 11.23 am.

The meeting moved out of Public Excluded and closed at 12.57 pm.

Read and Confirmed

S Halliwell
CHAIRPERSON
Report  
Mayoral Report  
Meeting Date  
6 October 2016  
Item Number  
04  
Prepared By  
Bryan Cadogan - Mayor  
File Reference  
A137721

REPORT SUMMARY

This report details mayoral matters and the meetings and functions I have attended since the last meeting. Councillors will report verbally on their attendances.

RECOMMENDATION

1. That the Mayoral Report and Councilors attendances be received.

REPORT

1. MAYORAL ATTENDANCES

Since the last meeting of Council, events I have attended and represented Council include:

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 September 2016</td>
<td>Attended the Youth Council disco.</td>
</tr>
<tr>
<td>26 September 2016</td>
<td>Attended Margaret Collin’s funeral.</td>
</tr>
<tr>
<td>27 September 2016</td>
<td>Regular meeting with Steve Hill.</td>
</tr>
<tr>
<td>28 September 2016</td>
<td>Community Board meetings in Tapanui and Lawrence.</td>
</tr>
<tr>
<td>4 October 2016</td>
<td>Regular meeting with Steve Hill.</td>
</tr>
<tr>
<td></td>
<td>Met with local MP Todd Barclay.</td>
</tr>
<tr>
<td></td>
<td>Civil Defence Emergency Management teleconference with other Otago Councils.</td>
</tr>
<tr>
<td>5 October 2016</td>
<td>Weekly Big River Radio interview</td>
</tr>
<tr>
<td>Date</td>
<td>Activity</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>6 October 2016</td>
<td>District Plan workshop with Councillors.</td>
</tr>
<tr>
<td></td>
<td>Council meeting.</td>
</tr>
</tbody>
</table>
Clutha District Council

ITEM FOR INFORMATION

Report: Chief Executive’s Report
Meeting Date: 6 October 2016
Item Number: 05
Prepared By: Steve Hill – Chief Executive
File Reference: A 136398

REPORT SUMMARY

Report on events attended, the award of tenders and other matters in hand at present. This report also seeks Council sign off of transitional delegation arrangements.

RECOMMENDATION

1. That the Chief Executive’s report be received.
REPORT

1. ACTIVITIES I HAVE ATTENDED SINCE THE PREVIOUS COUNCIL MEETING

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 September 2016</td>
<td>Attended Service Delivery Department briefing</td>
</tr>
<tr>
<td></td>
<td>New ERP Steering Group meeting</td>
</tr>
<tr>
<td></td>
<td>Otago Community Trust CEO catch-up</td>
</tr>
<tr>
<td>26 September 2016</td>
<td>Met with Clutha Development CEO and Chairman</td>
</tr>
<tr>
<td></td>
<td>Attended the late Margaret Collins Funeral at the Town and Country Club</td>
</tr>
<tr>
<td>4 October 2016</td>
<td>Met with NZ Transport Agency</td>
</tr>
<tr>
<td></td>
<td>Civil Defence Emergency Management Teleconference with Otago Council Mayors</td>
</tr>
<tr>
<td></td>
<td>Attended Owaka Going Forward AGM in Owaka</td>
</tr>
</tbody>
</table>

2. STAFFING

2.1. Staff Appointments/Vacancies

2.1.1. Capital Delivery Manager

Michael Duff is Council’s new Capital Delivery Manager. Michael joins Council in early November from Newcastle City Council in NSW, where he has managed a diverse portfolio of capital works and asset renewal programs. Michael has qualifications and experience across a broad range of infrastructure and engineering disciplines.

2.1.2. Operations Manager

Paul Jamison is Council’s new Operations Manager, filling the vacancy created by Murray Hyndman’s retirement. Paul has tertiary qualifications in engineering and management and extensive experience in the contracting industry, particularly with a focus on roading. He will start at Council around the end of October/early November.

2.1.3. Senior Projects Engineer (Fixed Term)

We have engaged Ben Gold to act as Senior Projects Engineer for a six month period from 26 September. This is to provide extra cover until Michael Duff comes on board and to progress a number of projects. Ben’s previous work history with the Clutha District Council will enable him to step seamlessly into this role. He is currently based overseas and was returning to New Zealand for a short period, and it was fortunate that we were able to engage him for this time.

3. REQUESTS RECEIVED UNDER THE OFFICIAL INFORMATION ACT

Fairfax Media requested the total cost of Council’s advertising for the last financial year.
Clutha District Council

ITEM FOR DECISION

<table>
<thead>
<tr>
<th>Report</th>
<th>Procurement Policy - ‘Buy Local’ Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Date</td>
<td>6 October 2016</td>
</tr>
<tr>
<td>Item Number</td>
<td>06</td>
</tr>
<tr>
<td>Prepared By</td>
<td>Jules Witt – Group Manager Service Delivery</td>
</tr>
<tr>
<td>File Reference</td>
<td>A137931</td>
</tr>
<tr>
<td>Policy Reference</td>
<td>01-01-024</td>
</tr>
</tbody>
</table>

PURPOSE

This report discusses options for quantifying the existing ‘purchase from local suppliers’ clause in the Procurement Policy.

RECOMMENDATIONS


2. That Council encourages the purchase of good and services from providers within the Clutha District except where “value for money” is better achieved by providers from outside the region and considers either:

   a. That Council does not specify a ‘Buy Local’ percentage or dollar value premium in the Clutha District Council Procurement Policy.

   or

   b. That Council includes a 5% (or insert other %) or up to $5,000 (or insert other amount) ‘Buy Local’ premium per contract as part of the Clutha District Council Procurement Policy, and that ‘Local’ shall be defined as a resident or ratepayer in the Clutha District or an organisation that employs Clutha District residents.
LOCAL GOVERNMENT ACT COMPLIANCE STATEMENTS

**STRATEGIC FIT**
An economic environment that encourages growth in a way that sustainably supports the community

**SIGNIFICANCE**
The matter or decision in this report has been assessed as not significant in terms of Council’s Significance Policy.

**CONSULTATION**
No specific consultation is required regarding this decision.

**PURPOSE OF LOCAL GOVERNMENT**
This decision is part of the administrative function of Council and clearly meets the purpose of the Local Government.

**ASSESSMENT OF OPTIONS**
Where applicable, this report has taken into account and presented all reasonably practicable options.

**POLICY CONSIDERATIONS**
Policy 01-01-024 - Procurement

**AUTHORITY**
This is a decision for the full Council.

**REPORT**

1.0 BACKGROUND

Council adopted the current Procurement Policy in December 2009. This policy is overdue for review and this work is programmed to be completed by June 2017. An initial stage of this work is for Council to consider quantifying a ‘Buy Local’ premium which would provide a defined premium for Council staff when considering procurement decisions.

The current policy includes a preference for local suppliers as outlined below:

**3.2. Purchase from local suppliers**
Council encourages the purchase of goods, services, plant, capital items or other assets to be obtained from providers within the Clutha District or Otago area when possible, except for when “value for money” is better achieved from providers outside of the District and region. This will encourage the development of local suppliers and providers which will contribute to the economic growth of the local economy.

At the time this policy was adopted by Council this clause was debated. The discussion was around whether there should be a quantified premium for local supply such as a percentage or dollar amount. It was decided at this stage that quantifying this as a percentage or dollar amount may be too restrictive and “value for money” would be the key consideration when making procurement decisions and this includes paying a premium for local supply.
2.0 HOW HAS OUR CURRENT POLICY BEEN WORKING

The current policy wording has enabled staff to evaluate ‘value for money’ considerations when procuring goods and services. This has included paying a premium when this has provided better ‘value for money’ for local supply on work such as painting and carpet laying. For lower value work (less than $20,000) a percentage premium would have worked against local suppliers when the convenience and relatively low additional cost means that we normally use a local supplier. For larger value works the potential savings mean that Council have a responsibility to all ratepayers to ensure we are achieving value for money, especially where the quantum of money involved can be large.

A recent Registration of Interest of tradespeople and companies wanting to be considered for small to medium scale Council jobs work has been generally well supported. This ensures that we have contacts for this type of work and that Health and Safety systems are in place before we engage companies or tradespeople. This streamlines procurement for work and enables locals and other suppliers to be contacted easily when Council work is being procured.

3.0 REVIEW OF POLICIES

A brief review was undertaken of a number of other council procurement policies. Whanganui District Council undertook a comprehensive review of this issue across many Councils and a summary of their information from 2014 is attached for your information.

In addition to this we have researched Buller, Whanganui, Timaru City, Christchurch City and Auckland Councils current policies regarding this issue. In all cases there is recognition and preference for local suppliers. Timaru and Whanganui have a quantified premium for local supply. The premium in the case of Timaru is 5% with a maximum of $2,000 for any one tender and for Whanganui this is 5% with a maximum of $5,000. Whanganui also includes a definition and hierarchy of what is local and a copy of the relevant section from their policy is included for your information.

4.0 DISCUSSION

Council already includes provision for staff to make a judgement call on using local suppliers and in many cases this has worked well. Council has the option of quantifying this with a percentage and/or a maximum dollar “Buy Local” in addition to the current preference for local suppliers where better ‘value for money’ can be achieved.

There are risks with specifying a “Buy Local” premium. This may lead to local suppliers increasing their pricing as they know they have a competitive advantage. It may also lead to local suppliers missing out on smaller jobs where the percentage may be higher than the quantified limit even though the total dollar value premium may be acceptable on lower value work. Any “Buy Local” premium also needs to include a definition of what local means and it would be impractical for this to include knowledge of ownership models etc. As such a practical
definition such as that used by Timaru District Council is recommended for this purpose:

‘Local’ shall be defined as a resident or ratepayer in the Clutha District or an organisation that employs Clutha District residents.
<table>
<thead>
<tr>
<th>Council Name</th>
<th>Policy Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rotorua District Council</td>
<td>No premium. But they do apply a &quot;Local Economic Impact&quot; attribute and where suppliers are evaluated as being equal in all aspects, then the Rotorua District based vendor will become the preferred supplier.</td>
</tr>
<tr>
<td>Whakatane District Council</td>
<td>No premium. But they do apply a &quot;Local Economic Impact&quot; attribute and where suppliers are evaluated as being equal in all aspects, then the Whakatane District based vendor will become the preferred supplier.</td>
</tr>
<tr>
<td>Taupo District Council</td>
<td>No premium. No specific policy and do not apply any weighting in a tender situation to &quot;local&quot; suppliers.</td>
</tr>
<tr>
<td>Tararua District Council</td>
<td>No premium, no special conditions, they endeavour to ensure that local suppliers are given the invitation/opportunity to tender or quote but even evaluation done e.g. best value for money wins.</td>
</tr>
<tr>
<td>New Plymouth District Council</td>
<td>No premium. &quot;Policy Statement 5: There shall be no specific preference given to local suppliers and manufacturers, however procurement packages will provide full and fair opportunity for local suppliers/manufacturers to compete provided they have sufficient capacity and capability to do so.&quot;</td>
</tr>
<tr>
<td>Marlborough District Council</td>
<td>No premium. They do not favour local suppliers to the point of being quite anti a &quot;Buy Local&quot; policy/position/preference due to believing it hinders getting full open market interest and in turn the best value for money.</td>
</tr>
<tr>
<td>Far North District Council</td>
<td>No premium, no special conditions, they endeavour to ensure that local suppliers are given the invitation/opportunity to tender or quote, but even evaluation done e.g. best value for money wins.</td>
</tr>
<tr>
<td>Gisborne District Council</td>
<td>1% premium. &quot;Where attributes and prices are similar between business/suppliers, Council will give preference to local businesses/suppliers within a margin of 1% of the best price offered or where (in regards to choosing a local supplier) there is a significant contribution to the local economy - the latter being a value based judgement rather than quantitative assessment.&quot;</td>
</tr>
<tr>
<td>Hastings District Council</td>
<td>No premium. No special weighting. Equal and open opportunity to all suppliers in the market.</td>
</tr>
<tr>
<td>Ruapehu District Council</td>
<td>No premium. &quot;Staff will be required to address local supply in their procurement plans in the context of the policy for local and small suppliers. See also 4.6.3(b)(i) &quot;Local and Small Supplier Policy at Work&quot;.</td>
</tr>
<tr>
<td>Northland Regional Council</td>
<td>No premium. Whether a weighting is given or not to local suppliers in a procurement, is done on a case by case basis and only where practical e.g using a local alarm company, to ensure that the ultimate goal of best value for money is always the first priority and achieved.</td>
</tr>
<tr>
<td>Tauranga City Council</td>
<td>No premium. No specific policy. Under &quot;Procurement Options&quot; in policy - &quot;Encourage the use of local suppliers and local labour. Where applicable, Council will seek statements from potential contractors explaining how they intend to use local suppliers and labour.&quot;</td>
</tr>
<tr>
<td>Palmerston North City Council</td>
<td>No premium. &quot;Buy Local: This is in recognition that buying locally provided goods and services is of substantial benefit to the local community. Purchases should be made locally so long as they cost no more than alternative goods and services, the quality is equal to alternatives and the guarantee and service is equal to alternatives. This does not usually apply to contracts that must be put out to tender or contracts that are required to follow a competitive pricing procedure.&quot;</td>
</tr>
<tr>
<td>Nelson City Council</td>
<td>No premium. No Economic Impact Policy. &quot;No, we do not have a Buy Local or Local Economic Impact Policy specifically. We tend to treat each tender on a case by case basis – by doing a reality check at the beginning to see how much more we would be prepared to pay for a local provider. There is no fixed weighting.&quot;</td>
</tr>
<tr>
<td>Napier City Council</td>
<td>No premium. No provision or advantage for local suppliers. Open tender always. Best price/best value for money for ratepayers is their highest priority.</td>
</tr>
</tbody>
</table>
11 Supporting the Local Economy

11.1 ‘Buy Local Premium’

A “local company” or “local supplier” shall be defined as a locally owned or operated and/or based company providing the majority of its goods and/or services from locally procured or manufactured resources.

WDC recognises that there is a benefit to the community from purchasing locally and has adopted the following guidelines as part of the Procurement Policy:

- That local suppliers are given every opportunity to provide quotes or tenders to WDC.

- When suppliers are equal on price and quality attributes, preference will be given to the supplier highest on the local hierarchy list (refer pg. 26).

- When suppliers are equal on quality attributes the Buy Local Premium will be applied as follows:

  1) For procurements of up to $100,000 in value, the tendered or quoted price from a supplier deemed "local" by the WDC, will be allowed to be a maximum variation of 5% (in addition) of all other tenders or quotes.
2) For procurements of over $100,000 in value, the tendered or quoted price from a supplier deemed "local" by the WDC, will be allowed to be a maximum variation of $5,000 (in addition) of all other tenders or quotes.

- That for non-roading related work (or roading work that is not NZTA subsidised) and where tender evaluation is by the Lowest Conforming Price method, a Buy Local Premium may be provided for in the tender evaluation specifications.

- The Tenders Board are empowered to make a Recommendation to the Chief Executive to apply our Buy Local Premium to a particular procurement where they think it could be appropriate, but the final discretion for exercising the Buy Local Premium is with the Chief Executive.

The desired procurement hierarchy list for buying “locally” is as follows:

1) Wanganui District manufactured and supplied goods and/or services.

2) Wanganui District supplied but manufactured elsewhere in the Manawatu-Wanganui region.

3) Manawatu-Wanganui region manufactured and supplied.

4) Manawatu-Wanganui region supplied but manufactured elsewhere in New Zealand.

5) New Zealand manufactured and supplied.

6) New Zealand supplied and manufactured overseas.

Note:
The Manawatu-Wanganui region includes the Rangitikei District, Ruapehu District, Manawatu District, Palmerston North City, Horowhenua District and Tararua District.

11.2 NZTA Subsidy

Where NZTA funding is involved in roading related work, the 'Buy Local' Premium does not apply.
Clutha District Council

ITEM FOR DECISION

Report Adoption of 2015/16 Annual Report and Summary
Meeting Date 6 October 2016
Item Number 07
Prepared By Sharon Jenkinson – Finance Manager
File Reference A137816

REPORT SUMMARY

This report discusses the recommendations of the Audit & Risk Committee at the meeting held 22 September 2016, and any significant amendments made from the draft Annual Report.

RECOMMENDATIONS

1. That Council receives the report on the Adoption of the 2015/16 Annual Report and Summary.


LOCAL GOVERNMENT ACT COMPLIANCE STATEMENTS

<table>
<thead>
<tr>
<th>STRATEGIC FIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>The annual report provides accountability of Council’s actions and financial outcomes for the 2015/16 year.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNIFICANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>The matter or decision in this report has been assessed as not significant in terms of Council’s Significance and Engagement Policy.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CONSULTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>PURPOSE OF LOCAL GOVERNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ASSESSMENT OF OPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>POLICY CONSIDERATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The annual report contains within it the Statement of Accounting Policies that Council is asked to adopt as part of adopting the Annual Report.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AUTHORITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Only Council has the authority to adopt an annual report as per Clause 32(1) of Schedule 7 of the Local Government Act 2002.</td>
</tr>
</tbody>
</table>

REPORT

BACKGROUND

The Annual Report and Summary for the 2015/16 financial year have been completed and are attached.

The auditors have now completed the audit of the 2015/16 annual report and summary and have confirmed they have given clearance and will issue an unmodified audit opinion after council has adopted the annual report and summary.

At the audit & risk committee meeting on the 22 September 2016 the following recommendations were made:

RECOMMENDATION(S)

That Council adopts the following recommendations made by the Audit & Risk Committee at its meeting on 22 September 2016:

1. Draft Annual Report & Summary 2015/16

   “That the Audit & Risk Committee recommends to Council the amended accounting policies
And

*That the Audit & Risk Committee acknowledges the draft annual report is substantively complete and the Audit & Risk Committee supports the recommendation of the report subject to an unmodified audit opinion and confirmation from the Audit & Risk Chairman that the amendments are appropriate."

Changes to Accounting Policies

Subsequent to Council adopting the Audit & Risk Committee recommendation to adopt the Accounting Policies for inclusion in the Annual Report on the 18th August 2016, Audit has requested the following wording change as a result of guidance provided by the OAG.

The words “There is no equivalent to PBE IPSAS 23 under NZ IFRS.” have been removed from the end of the first paragraph of Revenue from Exchange and non-exchange transactions under the Other Revenue heading on the second page of the accounting policies.

And the requested change from:

Adoption of new and revised Standards and Interpretations

Standards issued and not yet effective and not early adopted
There are no standards issued and not yet effective.

At the end of the first page of the accounting policies to:

Adoption of new and revised Standards and Interpretations

Standards issued and not yet effective and not early adopted
Council has not yet assessed the impact of the following new standards and interpretations on issue which have yet to be adopted:
• 2015 omnibus amendments to PBE standards
• Amendments to PBE standards and authoritative notice as a consequence of XRB1 and other amendments
• Donated Goods (amendments to PBE IPSAS 23)
Council expects to adopt the above standards in the period in which they become mandatory. Council anticipates that the above Standards are not expected to have a material impact on the financial statements in the period of initial application, however a detailed assessment of the impact has yet to be performed.
**Amendments to the Annual Report subsequent to the Audit & Risk Committee on 22 September 2016**

There have been formatting and consistency changes throughout the document, and in some cases corrections to reflect recalculations and updates to the Statements of Service Performance to reflect adjustments made in the financials following the completion of the audit. It should be noted that at the time the Annual Report was presented to Audit & Risk the audit of the financial section of the document had been substantially completed, but not the statements of service performance.

A list of adjustments made to the Annual Report has been circulated to the Audit & Risk Committee for their information.

The chairman of the Audit & Risk Committee’s response that amendments since 22 September are appropriate will be tabled.
At its meeting of 22 September 2016, the Clutha District Council resolved that the new residential subdivision at North Balclutha be named “Plantation Heights”.

At that meeting, Council also discussed names for the subdivision streets and reserves and whether to retain the forestry theme or employ a different theme such as naming them after people who have historically contributed to the community in a significant way. The need to avoid duplication with street names already in the district was noted.

It was agreed that to enable more consideration of the street and reserve names, the matter be left on the table until the next Council meeting on 6 October 2016.

Attached to this report is a copy of the report to Council on 22 September.

Council is asked to decide on the names for the following areas:

- Three street names (that are located within the area)
- Two separate reserve land areas

**RECOMMENDATIONS**

1. That Council receives the “North Balclutha Subdivision Street Naming Report”.
2. That Street 1 shall be named ………………………
3. That Street 2 shall be named …………………….
4. That Street 3 shall be named ……………………
5. That Reserve Land 1 shall be named …………………
6. That Reserve Land 2 shall be named …………………
# Clutha District Council

**ITEM FOR DECISION**

<table>
<thead>
<tr>
<th>Report</th>
<th>North Balclutha Subdivision Naming</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Date</td>
<td>22 September 2016</td>
</tr>
<tr>
<td>Item Number</td>
<td>18</td>
</tr>
<tr>
<td>Prepared By</td>
<td>Sarah Van Asperen</td>
</tr>
<tr>
<td>File Reference</td>
<td>A 136359</td>
</tr>
</tbody>
</table>

## PURPOSE / REPORT SUMMARY

The purpose of this report is to allocate names to the new residential subdivision currently known as the “North Balclutha Subdivision”. This 27 hectare property is bordered by Johnston Road and McNeil Street.

The names for the following areas are required:
- An overall subdivision name
- Three street names (that are located within the area)
- And two separate reserve land areas

## RECOMMENDATIONS

1. That Council receives the "North Balclutha Subdivision Naming Report".
2. That the subdivision shall be named …………………
3. That Street 1 shall be named ……………………..
4. That Street 2 shall be named ……………………..
5. That Street 3 shall be named ……………………..
6. That Reserve Land 1 shall be named …………………
7. That Reserve Land 2 shall be named …………………
REPORT

Through a public competition, residents of the Clutha District were invited to submit their suggestions for the naming of the new residential development in Balclutha.

Twenty two (22) submissions were received, consisting of 34 overall subdivision names, 57 street names and 32 reserve land names.

A number of clear themes were identified within the suggestions received. It is recommended that all names chosen are consistent with the theme chosen, and therefore form part of the story of the area.

The themes are grouped as below;

- FORESTY
- MAORI NAMES
- PLACE NAMES / VIEWS
- SCOTTISH HERITAGE
- LOCAL HISTORY
- And MISCELLANEOUS

Under these groups the suggestions have been collated, along with the explanations when appropriate.
Research into the area, as to what is already in use OR similar subdivision names have also been conducted – in an attempt to avoid double up of names. These have been crossed out in the list supplied.

A map of the surrounding area is also attached (Attachment 1) as a number of suggestions refer to the neighbouring street names or landmarks.

Attached (Attachment 2) shows a map of the proposed subdivision layout, showing the locations of the Reserve and Streets. These are where the new names will be applied.

The names chosen should be consistent with the overall theme for the area. The suggestions received from the public are of high calibre and it would be ideal to be able to choose from the suggestions presented. In addition Terramark have graciously donated prize money which can be distributed once successful submissions are identified.

**FORESTRY THEME**

As this area was previously used as a plantation, a number of the suggestions reflect this. Below are some comments from the entries received:

“As it has been a plantation for a great number of years, and a large number of ratepayers have watched it grow to maturity, therefore it was a landmark for several generations. I believe it would be appropriate to have the new subdivision named after it”

“I live where the old plantation was”

“Forestry has a strong presence in South Otago, this land having produced 2 crops of timber, and I feel some permanent recognition by using the timber species names for the streets,

“The Reserve names are chosen to reflect the past and the future. Pine Point means : covered in pine trees and Tiritiri means "looking to the wind"

“My suggestions also ties in to the names already in the area ie Totara Ave, Rata Land and Matai Place”

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>Street Names</th>
<th>Reserve Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Plantation</td>
<td>Pine Place</td>
<td>Pinetree Reserve</td>
</tr>
<tr>
<td>Plantation Park</td>
<td>Radiata Drive</td>
<td>Oak Reserve</td>
</tr>
<tr>
<td>Plantation Heights</td>
<td>Loggers Lane</td>
<td>Fuschia Park</td>
</tr>
<tr>
<td>Forester Heights</td>
<td>Matau Place</td>
<td>Lancewood Drive</td>
</tr>
<tr>
<td>Lancewood</td>
<td>Manuka Ave</td>
<td>Manuka Park</td>
</tr>
<tr>
<td></td>
<td>Forest Way</td>
<td>Pine Point Reserve</td>
</tr>
<tr>
<td></td>
<td>Redwood</td>
<td>Tiritiri Reserve</td>
</tr>
<tr>
<td></td>
<td>Monterey</td>
<td>Plantation Park</td>
</tr>
<tr>
<td></td>
<td>Sequoia Avenue</td>
<td>Conifer Reserve</td>
</tr>
<tr>
<td></td>
<td>Oregon Place</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cypress Drive</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rimu Drive</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kahikatea Lane</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nikau Crescent</td>
<td></td>
</tr>
</tbody>
</table>
TANGATA WHENUA THEME

A suggestion was to include and promote Maori Culture in the area.

"I think it is important to promote the Maori Culture more…and is not seen enough in our area"

Nui Awa means big or large River, while Iwikatea is the Maori name for the Clutha Region.

The meaning of Tangariro is “south wind” and “carried away”

The suggested street names are Bird names, but in Maori. (Bell Bird, wood pigeon and Kea)

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>Street Names</th>
<th>Reserve Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iwikatea Heights</td>
<td>Nui Awa Road / Street</td>
<td>Iwikatea Reserve</td>
</tr>
<tr>
<td>Aroha Ridge</td>
<td>Tangariro Street</td>
<td></td>
</tr>
<tr>
<td>Aroha Hill</td>
<td>Aroha Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Komako Street / Crescent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kereru Street / Crescent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kea Street / Crescent</td>
<td></td>
</tr>
</tbody>
</table>

Note: that should this theme be selected then an additional reserve name could be sought.

PLACE NAMES AND VIEWS THEME

Playing on some of the local history as well as tapping into the vision of the project, and nearby neighbouring landmarks, a number of suggestions received reflected this.

“Balmoral has a nice ring to it, and based on the Balmoral Church and a farm in Inch Clutha”

"These words represent the Balclutha area, and are short so people will remember them"

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>Street Names</th>
<th>Reserve Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balmoral Heights</td>
<td>Nugget View</td>
<td>North Hill Reserve</td>
</tr>
<tr>
<td>Nugget Views</td>
<td>Clutha Bridge Road</td>
<td>Future View Reserve</td>
</tr>
<tr>
<td>Clutha Heights</td>
<td>Scenic Bridge Street</td>
<td>Clutha View Park</td>
</tr>
<tr>
<td>Molyneaux Heights</td>
<td>Big River Lane</td>
<td>Big River Park</td>
</tr>
<tr>
<td>South Views</td>
<td>Nugget Vista Avenue</td>
<td>North Balclutha Reserve</td>
</tr>
<tr>
<td>Litchfield</td>
<td>Panorama Street</td>
<td>Seascape Division</td>
</tr>
<tr>
<td>Grand View Clutha</td>
<td></td>
<td>Coastview Division</td>
</tr>
<tr>
<td>The Pastures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>River View</td>
<td>(already a Riverview road and lane)</td>
<td></td>
</tr>
</tbody>
</table>
SCOTTISH HERITAGE THEME

Reflecting the Scottish descendants, the following suggestions were received. Some explanations were rather detailed and can be expanded upon.

“Bonny Marama is a combination of Scottish & Maori words meaning "beautiful world"

“Barra is the island in the Outer Hebrides of Scotland where McNeils and the founding family of Balclutha came from”

“Alexander - was the elder family member of the McNeil family, and Kisimul - after the castle where the seat of Clan McNeil is and can be found in Castlebay Barra. CastleBay - this is where Kisimul Castle is located and is the main town of Barra (where the McNeils came from). Vatersay - the largest island of Barra, it has significant importance to Mcneils as many lived there.”

“The Laird - Scottish equivalent of Lord and sounds very stately as a street name”.

“I believe this is a unique opportunity to recognise the founding family of Balclutha. Its location to the final resting place of the founding family members”

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>Street Names</th>
<th>Reserve Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barra Heights</td>
<td>Alexander Street</td>
<td>Castlebay Reserve</td>
</tr>
<tr>
<td>Bonny Marama</td>
<td>Kisimul Street</td>
<td>Vatersay Reserve</td>
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<td>Laird Street</td>
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LOCAL HISTORY THEME

A number of suggestions felt it was important to recognise the people who have contributed towards the area (in the past and the present), including families of neighbour farms (past and present). Some explanations were rather detailed and have been included as an attachment.

“McNeil was one of the First settlers, while Dunne was the first Mayor and Tsukigawa – the river boat captain”

Some prominent families in the area : Guest, Anderson, Leonard,

“Maurice Ryan - Former Mayor”

“Ramsays' on the neighbouring property (McNeil Street) who have lived there for many years. Lorraine passed away in 2015 and Graham has downsided due to health.”

“Named after my grandad Kieth Fyall (the last mayor of Balclutha Borough Council & first mayor of CDC) “

“Glenthorn - Based on the history of the nearby farm on Johnstone Road. Hazeldell - Another nearby history farm which was named after all the Hazel nut trees onsite. Boomrig - based on the history of a nearby farm, also named after a place in Scotland. Kincardine - part of the 'Hazeldell' farm near Benhar”

“Upston Reserve; In memory of a council worker who died of natural causes in the ‘90s whilst helping dampen the plantation following a fire”
**Street Names** | **Reserve Names**
--- | ---
Cross Street |  
Cadogan Place |  
McLellan Drive |  
John Barr Drive | McNeil Reserve (there is a McNeil Street & Road)
Willocks Street | John Dunne Park
McElrea Drive | Tsukigawa Park
  *There is a Tsukigawa Tce which is in Rosebank, so far away from this development*
Guest Drive |  
Anderson Street |  
Ryan Drive | *(is already a Ryan Road)*
Ramsay Street |  
Fyall Drive |  
Leonard Drive |  
Glenthorn Avenue | Kincardine Reserve
Hazeldell Drive | Broomrig Reserve
Lorraine Way |  

**MISCELLANEOUS THEME**

These are all the remaining suggestions which could not easily form part of the above themes.

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>Street Names</th>
<th>Reserve Names</th>
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<tbody>
<tr>
<td>Sleepy Ridge</td>
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<td>Grace Park</td>
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<td>Sunshine Hill</td>
<td>Penguin Street</td>
<td>Huddy Peak</td>
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<td>Kotua Park</td>
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<tr>
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<td>Surveyor’s Lane</td>
<td>Balca Park</td>
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<td>Anton Ridge</td>
<td>Maplefield Street</td>
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<tr>
<td>Maria Hill</td>
<td>Belleway Court</td>
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<td>Happy Hill</td>
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<td>Belamere</td>
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**Conclusion**

It is suggested that Council first consider the overall theme and then consider individual names.
MAP OF SURROUNDING AREA

ATTACHMENT 1

SUBDIVISION AREA
LEGEND
Street 3
Street 1
Street 2
Reserve Land 1
Reserve Land 2

Streets (3) to be named
Reserve Land (2) to be named
Overall Subdivision name
Clutha District Council

ITEM FOR DECISION

Report Delegations to the Chief Executive
Meeting Date 6 October 2016
Item Number 09
Prepared By Larissa Brown – Senior Policy Analyst
File Reference A 137937

REPORT SUMMARY

The purpose of this report is to request that Council delegate to the Chief Executive all of its responsibilities, duties and powers under all legislation without limitation, except for those set down in legislation that cannot be delegated, from election day until the inauguration of the new Council, in order for the normal business of the Council to be carried out without interruption. It also provides for the non-dissolution of the District Licensing Committee and the Regulatory Hearings Committee until 3 November 2016.

RECOMMENDATIONS

1. That Council receives the "Delegations to the Chief Executive" report.

2. That subject to the limitations set out in clause 32(1) of the Seventh Schedule of the Local Government Act 2002, the Council delegates to the Chief Executive all of the functions, duties and powers of the Council, from the period of 8 October 2016 to 3 November 2016, subject to a requirement that the Chief Executive may only exercise this delegation after the following:
   a. consultation with the person elected to the position of the Mayor,
   b. may only attend to those matters that cannot reasonably await the first meeting of the new Council, and
   c. shall be reported to the first meeting of the new Council.

3. That the District Licensing Committee and the Regulatory Hearings Committee are not discharged until 3 November 2016 in accordance with Clause 30(7) of Schedule 7 to the Local Government Act 2002.
LOCAL GOVERNMENT ACT COMPLIANCE STATEMENTS

STRATEGIC FIT
The matters in this item are to ensure normal business of Council can continue without potential disruption.

SIGNIFICANCE
The matter or decision in this report has been assessed as not significant in relation to Council’s Significance and Engagement Policy.

CONSULTATION
Not applicable.

PURPOSE OF LOCAL GOVERNMENT
Not applicable.

ASSESSMENT OF OPTIONS
Where applicable, this report has taken into account and presented all reasonably practicable options.

POLICY CONSIDERATIONS

AUTHORITY
The decision to delegate is a decision of Council.

REPORT

1. BACKGROUND

The local body elections will be held on Saturday 8 October 2016, and although the new Council will come into office on the day after the day on which the successful candidates are declared to be elected (Section 115 of the Local Electoral Act 2001) they cannot act until they have taken the oath of office at the inaugural meeting (Clause 14 of Schedule 6-Declaration by Member). This date will be Friday 4 November 2016, following the inaugural Council meeting on Thursday 3 November 2016. The relevant legislation is at Attachment A.

To ensure there is continuity of service for certain functions and there may be other matters, as yet unforeseen, Council needs to grant delegations to accommodate this situation.

For that reason, it is recommended that this Council delegate to the Chief Executive all of its responsibilities, duties and powers without restriction for the period from the day of the election (8 October 2016) until the inauguration of the new Council, leaving only the limitations and exclusions set out in legislation, but with caveats suggested below.

It is suggested that the Chief Executive may only exercise this delegation after the following:
a. consultation with the person elected to the position of the Mayor,
   b. may only attend to those matters that cannot reasonably await the first
      meeting of the new Council, and
   c. shall be reported to the first meeting of the new Council.

In addition the following legislative limitations still apply:

31 Clause 32(1) of Schedule 7 of the Local Government Act 2002 sets out
several powers of a local authority which cannot be delegated:
(a) the power to make a rate; or
(b) the power to make a bylaw; or
(c) the power to borrow money, or purchase or dispose of assets, other than in
   accordance with the long-term plan; or
(d) the power to adopt a long-term plan, annual plan, or annual report; or
(e) the power to appoint a chief executive; or
(f) the power to adopt policies required to be adopted and consulted on under this
   Act in association with the long-term plan or developed for the purpose of the
   local governance statement.
(g) Repealed
(h) the power to adopt a remuneration and employment policy

In addition both the Resource Management Act 1991 and Sale and Supply of
Alcohol Act 2012 impose time limits on Council to provide decisions on
applications for resource consents and liquor licenses. To this end it is proposed
in accordance with Clause 30 (7) of Schedule 7 that both the District Licensing
Committee and Hearings Panel (if both are required) remain in place until Council
confirms the committee structure, delegations and appointments for the 2016-
2019 triennium at the inaugural meeting on 3 November 2016. This will require a
resolution.
LOCAL GOVERNMENT ACT 2002

Clause 14 of Schedule 7 - Declaration by member

A A person may not act as a member of a local authority until—

(i) that person has, at a meeting of the local authority following the election of that
person, made an oral declaration in the form set out in subclause (3); and

(j) a written version of the declaration has been attested as provided under
subclause (2).

B The written declaration must be signed by the member and witnessed by—

(k) the chairperson; or

(l) the mayor; or

(m) a member of the local authority; or

(n) the chief executive of the local authority; or

(o) in the absence of the chief executive, some other officer appointed by the chief
executive.

C The form of the declaration must consist of the following elements:

"Declaration by mayor or chairperson or member

"I, AB, declare that I will faithfully and impartially, and according to the best of my skill and
judgment, execute and perform, in the best interests of [region or district], the powers,
authorities, and duties vested in, or imposed upon, me as [mayor or chairperson or member] of
the [local authority] by virtue of the Local Government Act 2002, the Local Government Official
Information and Meetings Act 1987, or any other Act

"Dated at [place, date]

"Signature:

"Signed in the presence of:

"CD, [mayor or chairperson or member or chief executive of local authority]”.

Clause 30 (7) of Schedule 7

A committee, subcommittee, or other subordinate decision-making body is, unless
the local authority resolves otherwise, deemed to be discharged on the coming into
office of the members of the local authority elected or appointed at, or following, the
triennial general election of members next after the appointment of the committee,
subcommittee, or other subordinate decision-making body.

Clauses 31 of Schedule 7

Clause 31 (4)

(4) Despite subclause (3),—
(p) at least 1 member of a committee must be an elected member of the local authority; and

(q) an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.

Clause 31 (5)

If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30 (7), the local authority may replace the members of that committee, subcommittee, or other subordinate decision-making body after the next triennial general election of members.

Clause 32(1) of Schedule 7

Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—

(r) the power to make a rate; or

(s) the power to make a bylaw; or

(t) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or

(u) the power to adopt a long-term plan, annual plan, or annual report; or

(v) the power to adopt a long-term plan, annual plan, or annual report; or

(w) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or

(x) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.

(x) Repealed

(y) the power to adopt a remuneration and employment policy.

LOCAL ELECTORAL ACT 2001

Section 86 – Declaration of Result

The electoral officer conducting an election or poll must give public notice declaring the official result of the election or poll in the prescribed manner as soon as practicable after—

(z) Repealed.

(aa) the validity of all special votes has been determined; and

(bb) all valid votes have been counted.

Section 115 - When members come into office

Candidates at a triennial general election who are declared to be elected come into office on the day after the day on which the official result of the election is declared by public notice under section 86.
Section 116 - When members leave office

D Every member of a local authority or community board, unless vacating office sooner, vacates office,— (cc) in a case where the member's office is the subject of an election, when the members elected at the next election come into office:

(dd) in a case where provision is made by any enactment to fill a vacancy by appointment, when the member's successor comes into office.

E Despite subsection (1) (a), if a member's office is the subject of an election, and neither the member nor any other person is elected at the election to that office, the member vacates office at the same time as any other member of the local authority who is not re-elected at the election
REPORT SUMMARY

This report provides information for the Council on the Proposed National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health—Consultation Document and a suggested submission from Council on this.

RECOMMENDATIONS

1. That Council receives the Proposed NES for Assessing and Managing Contaminants in Soil to Protect Human Health report.

2. That Council approves the attached submission, subject to any changes made at the meeting, and that the submission be made to the Ministry for the Environment.
LOCAL GOVERNMENT ACT COMPLIANCE STATEMENTS

STRATEGIC FIT
The submission aims to contribute to the Community Outcomes of “A sustainable environment that promotes a clean, green image” and “An economic environment that encourages growth in a way that sustainably supports the community”.

SIGNIFICANCE
The matter or decisions in this report are not considered significant in accordance with Council’s Policy on Significance 01-01-001.

CONSULTATION
This matter has a low level of significance as it only relates to the Council’s analysis of the consultation document and submission points on it.

PURPOSE OF LOCAL GOVERNMENT
The consultation document falls into the regulatory function of Council (RMA administration), so clearly meets the purpose of local government.

ASSESSMENT OF OPTIONS
Where applicable, this report has taken into account and presented all reasonably practicable options.

POLICY CONSIDERATIONS
Council’s District Plan will be impacted by the proposal if enacted, as well as potentially other policies for infrastructure projects.

AUTHORITY
This is an item for a decision, as allowed for by the Delegations Manual 2013-16.

REPORT

1.0 BACKGROUND

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The NESCS applies to assessing and managing the actual or potential adverse effects of contaminants in soil on human health from five activities: subdivision, land-use change, soil disturbance, soil sampling, and removing fuel storage systems.

The Ministry for the Environment conducted an interim review of the NESCS over 2014/15. The interim review determined that the NESCS has decreased the likelihood that sites will be developed, and then later found to pose an unacceptable risk to human health. Concern that sites were being missed was a major driver for developing the NESCS, and as such the NESCS is largely achieving its original objectives. The review identified, however, several areas where implementation of the NESCS framework is creating inefficiencies, resulting in low-risk sites and activities being required to comply with the NESCS.
Landowners are being caused unnecessary costs and delays through:
- Resource consents being required even where there is a low risk to human health
- Uncertainty in the consenting process
- Controls not being appropriately targeted to the effects of an activity.

To address these issues, the Ministry is proposing to amend the NESCS framework. The proposed amendments aim to deliver more effectively on the original policy intent of the NESCS, to ensure that land affected by contaminants in soil is appropriately identified and assessed at the time of being developed and, if necessary, the land is remediated or exposure to contaminants is managed to make the land safe for human use.

To enable this, the amendments seek to achieve four outcomes:
- Require a risk-based assessment when deciding whether the NESCS applies to a site
- Remove resource consent requirements for low risk activities
- Increase certainty of the consenting process and target controls more closely to effects
- Provide options for site-specific management that are appropriate for the risk.

The proposed amendments also include guidance to support landowners, councils and practitioners in implementing the NESCS framework. The proposed amendments will also introduce two mechanisms designed to minimise management costs for landowners when a site is contaminated:
- A template ongoing site management plan for residential properties
- Bioavailability testing.

The template ongoing site management plan will be an option for some residential landowners where a detailed site investigation (DSI) has found that contamination on a site exceeds the soil contaminant standard for residential or rural-residential land use. Bioavailability testing will be recognised to calculate site-specific soil guideline values for arsenic and lead concentrations in soil. The introduction of a bioavailability methodology into the NESCS framework will be the first time this method of testing has been recognised in New Zealand legislation.

The proposed amendments intend to improve how the NESCS is working in practice, and work towards the identification and management of risks from contaminated land in New Zealand.

A full review of the NESCS, including a full evaluation of the effects of the NESCS, will be undertaken after the final amendments are implemented.

2.0 DISCUSSION

The interim review found that:
- There is considerable variation in how the HAIL is being applied by councils across the country, resulting in different sites in each region being identified as needing to be listed on the HAIL. This creates costs and delays for landowners during development, and is expected to be magnified as more
regional councils identify HAIL sites in their region and the number of these sites increases.

- A substantial proportion of sites identified as HAIL sites are found to be below the soil contaminant standards after testing. This finding means that a considerable percentage of land captured by the NESCS is later found not to pose a risk to human health.

- The NESCS is requiring landowners to obtain resource consent in circumstances where the risk to human health could be managed in other ways. For example, landowners may be required to remediate their property in circumstances where other management options are appropriate – some of which may be more cost effective for the landowner.

- There is variation in how the NESCS planning controls are being applied by councils and practitioners across the country. This is creating differences between districts in terms of what activities require NESCS resource consent. In particular, determining whether an activity is permitted can be a cumbersome process for some landowners. This delays projects, increases costs and inefficiencies for landowners, and sometimes results in consents being obtained when not required by the NESCS. For example, the Council does not require a preliminary site investigation (PSI) for every subdivision consent, whereas some councils do require one.

The key matters proposed in the consultation document are summarised below:

**Hazardous Activities and Industries List (HAIL)**
- Clarify the HAIL categories to increase consistency
- Remove express reference to ‘sports turfs’ in category A.10
- Remove express reference to ‘environmental discharges’ in category A.14 and ‘risk’ in categories H and I
- Provide guidance on the HAIL, including the characteristics of activities and industries that have potential to contaminate soil

**Does the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) apply to my land?**
- Require a risk-based assessment when deciding whether the NESCS applies to a site

**NESCS activities and planning controls**
- **Remove consent requirements for low-risk activities**
  No resource consent required for activities on sites found to be have contamination below soil contaminant standards or Tier 1 soil acceptance criteria (except for soil disposal or where a site-specific soil guideline value has been used)
- No resource consent required for soil disturbance by a network utility operator
- No resource consent required for subdivisions that are purely ‘paper-based’ or do not facilitate a current or future change in use
- **Increase certainty of consenting process and target controls more closely to effects**
  Class soil disposal as a stand-alone NESCS-controlled activity

**Amendments to the consent status and planning controls for the NESCS-controlled activities**

**Clarification of key terms**

**Contaminated Land Management Guidelines updated**

**Require suitably qualified and experienced practitioners to use a standardised certifying statement in their reports to provide clarity to report readers**

**Management of contaminated land**
From the analysis of these changes, generally most are positive and will improve the implementation of the NES. In particular, removing sports turfs will reduce potential cost for Council and other sports turf operators, such as golf and bowling clubs. Likewise, not triggering the NES for ‘paper-based’ subdivisions reflects our current practice.

3.0 OPTIONS

- Option 1 – Do not approve the submission
- Option 2 – Approve the submission to be lodged.

Option 2 is preferred as submitting will help inform central government of the issues around this topic from a low growth district perspective. It will also help influence the formulation of the NPS if it is progressed further.

A copy of the consultation document can be found at:

Attached to this report: Draft Submission
Proposed amendments to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

SUBMISSION FORM

The Government is seeking feedback on proposed amendments to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

For more information about the proposed amendments read our Proposed amendments to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health consultation document.

Submissions close at 5.00pm on Friday 14 October 2016.

Making a submission

You can provide feedback in three ways:

1. Use the online submission form available [here](http://www.mfe.govt.nz).
   This is our preferred way to receive submissions.

2. Complete this submission form and send to us by email or post.

3. Write your own submission and send to us by email or post.

Publishing and releasing submissions

All or part of any written submission (including names of submitters) may be published on the Ministry for the Environment’s website [www.mfe.govt.nz](http://www.mfe.govt.nz). Unless you clearly specify otherwise in your submission, we will consider that you have consented to website posting of both your submission and your name.

Contents of submissions may be released to the public under the Official Information Act 1982 following requests to the Ministry for the Environment (including via email). Please advise if you have any objection to the release of any information contained in a submission and, in particular, which part(s) you consider should be withheld, together with the reason(s) for withholding the information. We will take into account all such objections when responding to requests for copies of, and information on, submissions to this consultation under the Official Information Act.

The Privacy Act 1993 applies certain principles about the collection, use and disclosure of information about individuals by various agencies, including the Ministry for the Environment. It governs access by individuals to information about themselves held by agencies. Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this consultation. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that the Ministry may publish.
Submission form

The questions below are a guide only and all comments are welcome. You do not have to answer all the questions. To ensure your point of view is clearly understood, please explain your rationale and provide supporting evidence where appropriate.

Contact information

<table>
<thead>
<tr>
<th>Name*</th>
<th>David Campbell</th>
</tr>
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<tbody>
<tr>
<td>Organisation (if applicable)</td>
<td>Clutha District Council</td>
</tr>
<tr>
<td>Address</td>
<td>PO Box 25, Balclutha 9240</td>
</tr>
<tr>
<td>Telephone</td>
<td>03 419 0200</td>
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<tr>
<td>Email*</td>
<td><a href="mailto:David.campbell@cluthadc.govt.nz">David.campbell@cluthadc.govt.nz</a></td>
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* Questions marked with an asterisk are required.

Hazardous Activities and Industries List (HAIL)

1. Do you agree with the overall approach to amending the HAIL outlined in the consultation document? Why or why not?

☒ Yes
☐ No

2. Do you agree with any of the amendments to the HAIL provided in Appendix 3 of the consultation document? Why, or why not? Where possible, please provide quantitative evidence for or against any of the proposed changes (eg, soil testing of playing fields).

☒ Yes
☐ No

*Any re-turfing of sports fields has not yielded any contamination issues in the past.*
3. Are there any further amendment(s) to the HAIL that should be made? If so, what and why? Where possible, please provide quantitative evidence.

☐ Yes
☒ No

4. What kind of information would you like to see included in guidance on the HAIL? Where possible, please provide information that would support the development of the guidance.

5. What do you expect to be the impacts of the proposed amendment(s) (to landowners, territorial authorities, practitioners, the general public)? Where possible, please provide quantitative evidence.

We also seek specific feedback, particularly from territorial authorities and practitioners, on:

6. Could there be unintended outcomes from the proposed amendment(s)? If so, what are they and how could they be avoided? Where possible, please provide quantitative evidence.

☐ Yes
☐ No

7. What implementation support, if any, would be required to ensure effective implementation of the HAIL?

----

**Does the NESCS apply to my land?**

8. Do you agree with the proposal to introduce a risk-based assessment into the NESCS framework? Why, or why not?

☐ Yes
☒ No

9. What terminology should be used in the risk-based assessment (ie, ‘reasonably likely’, ‘more likely than not’)?

*The terminology needs to be carefully worded so as to avoid confusion and to allow for consistent application of what these terms mean.*
10. What are the expected impacts of this proposal? Where possible, please provide quantitative evidence.

We also seek specific feedback, particularly from territorial authorities and practitioners, on:

11. Could there be unintended outcomes from this proposal? If so, what are they and how could they be avoided?

☐ Yes
☐ No

**NECS activities and planning controls**

12. Do you agree with the proposals? Why, or why not?

☐ Yes
☐ No

13. In terms of proposal 5.2 (soil disturbance by network utility operators), should other groups (i.e., requiring authorities) be included? Why or why not? Where possible, please provide quantitative evidence.

☐ Yes
☐ No

*The nature of the work is likely to be the same or similar.*

14. In terms of proposal 5.3 (subdivisions and change of use), do you agree with either Option 1 or Option 2 outlined in the consultation document? Why, or why not? Where possible, please provide quantitative evidence.

☐ Yes
☐ No

*The council doesn’t require a PSI for these type of subdivisions now, which reflects a common sense and risk-based approach where no change of land use is involved, therefore the risk level isn’t elevated.*

15. What are the expected impacts of the proposals? Where possible, please provide quantitative evidence. For example:

- Do you think that the suitably qualified and experienced practitioner certification statement will reduce costs and/or delays in the consenting process?

- What will be the impact of adopting the definition of ‘network utility operator’ in section 166 of the RMA?
We also seek specific feedback, particularly from territorial authorities and practitioners, on:

16. Do you agree with the proposed consent requirements for the activity(s)? If not, what changes would you recommend?
   - Yes
   - No

17. Could there be unintended outcomes from the proposals? If so, what are they and how could they be avoided?
   - Yes
   - No

18. What (if any) implementation support would be required to ensure effective implementation of the proposals?

**Management of contaminated land**

**Template ongoing site management plan (TOSMP)**

19. Do you agree with the overall proposal to introduce an option for a TOSMP that applies to residential and rural-residential land uses? Why, or why not?
   - Yes
   - No

*Provides some level of consistency and can be used to give advice on what will be required for relevant land uses on such sites.*

20. Are you aware of any international examples provided in the consultation document of TOSMPs for residential land uses? If so, please provide information on these.

   - Yes
   - No

21. What information would you like to see included in the guidance on options for remediating or managing contamination on residential properties?

*Any stand-down periods, no go activities and planting that will reduce exposure.*

22. What are the expected impacts of the proposal (i.e., on landowners, territorial authorities, practitioners, and the general public)? Where possible, please provide quantitative evidence.
We also seek specific feedback, particularly from territorial authorities and practitioners, on:

23. Do you agree with the new soil guideline value proposed to apply to sites that have a TOSMP? Why, or why not?
   - [ ] Yes
   - [ ] No

24. How should a TOSMP’s implementation (both short term and long term) be monitored? For example, what matters of control should be reserved for council?
   
   *The approval of the TOSMP and the ability to review things should environmental conditions change.*
   
   25. Do you agree with the proposed mandatory management practices and advice notes of the TOSMP? Why or why not?
   - [ ] Yes
   - [ ] No

26. Could there be unintended outcomes from the proposal? If so, what are they and how could they be avoided?
   - [ ] Yes
   - [ ] No

**Bioavailability**

27. Do you agree with the proposal to introduce bioavailability testing? Why, or why not?
   - [ ] Yes
   - [ ] No

28. What are the expected impacts of the proposal? Can you provide evidence to support your assessment?

We also seek specific feedback, particularly from territorial authorities and practitioners, on:

29. Could there be unintended outcomes from the proposal? If so, what are they and how could they be avoided?
30. What, if any, implementation support would be required to ensure effective implementation of
the proposal?

Other comments
31. Do you have any further comments you wish to make about the proposed amendments?
No

Releasing submissions
Your submission may be released under the Official Information Act 1982 and may be published on
the Ministry’s website. Unless you clearly specify otherwise in your submission, we will consider that
you have consented to website posting of both your submission and your name.

Please check this box if you would like your name, address, and any personal details withheld.

Note that the name, email, and submitter type fields are mandatory for you to make your
submission.

When your submission is complete
If you are emailing your submission, send it to nescs.submissions@mfe.govt.nz as a:

- PDF
- Microsoft Word document (2003 or later version).

If you are posting your submission, send it to NESCS Consultation 2016, Ministry for the Environment,
PO Box 10362, Wellington 6143.

Submissions close at 5.00pm on Friday 14 October 2016.
1.0 REPORT

Council has been approached by a large industrial customer in the Milburn area north of Milton regarding the possibility of connecting to the Milton urban water supply. Initial design work and cost estimates have been prepared and it is feasible to supply process water to this area without impacting other customers. The key design issue is to provide fire fighting flows to this area.

Council staff have also looked at the cost of providing additional capacity to service customers in the area on the northern side of State Highway 1, between Milton and Milburn. The arrangements that have been discussed would require the new customer to pay for the cost of the system for their needs and Council would pay for any additional capacity – e.g. increasing the pipe by a pipe size. This investment by Council will be recovered from future connections through financial or development contributions.

The timeframe for this supply is relatively short (February 2017) and as such an invited tender process is recommended. A signed supply and cost agreement that is acceptable to the customer and Council will be finalised once the tender prices are known to minimise the risk to Council from this project.

RECOMMENDATIONS


2. That Council approves a budget of $750,000+GST for the Milton Water Supply Extension Project to be funded with up to $100,000 funded from Urban Water Reserves for additional pipeline capacity and the balance to be funded by the customer supplied by the pipeline.

3. That Council exempt the Milton Water Supply Extension project from open tender and it be procured by invited tender to meet the supply agreement deadline.

4. That Council confirm that a pipeline construction tender shall not be awarded until a water supply and funding agreement is signed in accordance with Council budget approvals for the Milton Water Supply Extension project.
LOCAL GOVERNMENT ACT COMPLIANCE STATEMENTS

<table>
<thead>
<tr>
<th>STRATEGIC FIT</th>
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<tr>
<td>Water services that sustainably supports the community and economy</td>
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<tr>
<th>SIGNIFICANCE</th>
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<tbody>
<tr>
<td>The matter or decision in this report has been assessed as not significant in terms of Council’s Significance Policy.</td>
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<thead>
<tr>
<th>CONSULTATION</th>
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<tr>
<td>No specific consultation is required regarding this decision other than with affected landowners.</td>
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<tr>
<th>PURPOSE OF LOCAL GOVERNMENT</th>
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<tr>
<td>This decision is part of the administrative function of Council and clearly meets the purpose of the Local Government.</td>
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<tr>
<th>ASSESSMENT OF OPTIONS</th>
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<tr>
<td>Where applicable, this report has taken into account and presented all reasonably practicable options.</td>
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<tr>
<th>POLICY CONSIDERATIONS</th>
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<tbody>
<tr>
<td>There are no policy considerations at this time.</td>
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<tr>
<th>AUTHORITY</th>
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<tr>
<td>This is a decision for the full Council.</td>
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</table>
REPORT SUMMARY

Documents for consent and seal are scheduled hereunder.

RECOMMENDATION

1. That Council approves the fixing of its seal, under the hands of the Chief Executive, to the documents as listed.

1. LICENSE AGREEMENTS

1.1 Between Clutha District Council and M B Smaill and C M Harrison at Hut Site 3 Sections 10/11 Blk I Waipori SD.
**Report**  | Reasons to Move to Public Excluded Session  
---|---  
**Meeting Date**  | 6 October 2016  
**Item Number**  | 13  
**Prepared By**  | Valerie Bell – P/A to Chief Executive  
**File Reference**  | A 136602  

**REPORT SUMMARY**

The Council may by resolution or upon motion being made, exclude the public from the whole or any part of the proceedings of any meeting.

**RECOMMENDATION**

That Council resolves to exclude the public on the grounds contained in Appendix A of the Clutha District Council's Standing Orders under Sections A2 (a), A2 (b) (ii), A2 (d) (i), A2 (h) and A2 (i) (j).
REPORT

Grounds to exclude the public under the Local Government Official Information and Meetings Act 1987 are contained in Appendix A, Section A2 of the Clutha District Council’s Standing Orders as attached.

Items included in the public excluded section of this agenda and the reasons to consider them in public excluded session are:

1. **Confirmation of Minutes of the Public Excluded Meeting of Council held 22 September 2016:**
   - Under Sections A2 (a), A2 (b) (ii), A2 (d) (i), A2 (h) and A2 (j).

2. **Confirmation of Minutes of the Public Excluded meeting of Audit & Risk held 22 September 2016**
   - Under Section A2 b. (ii) of Appendix A of the Clutha District Council’s Standing Orders.

3. **Approving tenders for Plantation Heights**
   - Under Section A2 (i), A2 (j) of Appendix A of the Clutha District Council’s Standing Orders.

4. **Approving restrictive covenants for Plantation Heights**
   - Under Section A2 (i), A2 (j) of Appendix A of the Clutha District Council’s Standing Orders.

5. **Approving Market Prices for Plantation Heights**
   - Under Section A2 (i), (j) of Appendix A of the Clutha District Council’s Standing Orders.
APPENDIX A - CLUTHA DISTRICT COUNCIL STANDING ORDERS

GROUNDS TO EXCLUDE THE PUBLIC FROM MEETINGS IN TERMS OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

A local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

A1
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 where such disclosure would be likely:

a. To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or

b. To endanger the safety of any person.

A2
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 where the withholding of the information is necessary to:

a. Protect the privacy of natural persons, including that of deceased natural persons; or

b. Protect information where the making available of the information:

   (i) Would disclose a trade secret or

   (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or

c. In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of wahi tapu; or

d. 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:

   (i) 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 or

   (ii) Would be likely otherwise to damage the public interest; or

e. Avoid prejudice to measures protecting the health or safety of members of the public; or

f. Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or

g. Maintain the effective conduct of public affairs through the protection of members, officers, employees, and persons from improper pressure or harassment; or

h. Maintain legal professional privilege; or
i. Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or

j. Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or

k. Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded, unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

A3
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, the public disclosure of which would:

a. Be contrary to the provisions of a specified enactment; or

b. Constitute contempt of Court or of the House of Representatives.

A4
That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a local authority named or specified in the First Schedule to this Act).

A5
That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:

a. Any proceedings before a local authority where:

   (i) A right of appeal lies to any court or Tribunal against the final decision of the local authority in those proceedings or

   (ii) The local authority is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and

b. Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.
**CLUTHA DISTRICT COUNCIL**  
6 October 2016

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**APOLOGIES**
Cr Hilary McNab

**PUBLIC FORUM**

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<thead>
<tr>
<th>Item</th>
<th>Page #</th>
<th>Title</th>
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| 1.   | 1      | Confirmation of Council Minutes *(For Council’s Confirmation)*  
Minutes of Council meeting held 22 September 2016. | 
| 2.   | 12     | Youth Council Committee Minutes *(For Council’s Confirmation)*  
Minutes of the Youth Council meeting held 14 September 2016. | 
| 3.   | 17     | Audit & Risk Committee Minutes *(For Council’s Confirmation)*  
Minutes of the Audit & Risk meeting held 22 September 2016. | 
| 4.   | 21     | Mayoral Report *(For Council’s Information)* | 
| 5.   | 23     | Chief Executive’s Report *(For Council’s Information)* | 
| 6.   | 25     | Procurement Policy “Buy Local” Review *(For Council’s Decision)*  
Report discussing options for quantifying the existing ‘purchase from local suppliers’ clause in the procurement policy. | 
| 7.   | 32     | Adoption of Annual Report 2015-16 *(For Council’s Decision)*  
Report and summary for the 2015-16 financial years. | 
| 8.   | 36     | North Balclutha Subdivision Naming *(For Council’s Decision)*  
Report regarding names for three streets and two reserve land areas at the Plantation Heights Subdivision. | 
| 9.   | 45     | Delegations to the Chief Executive *(For Council’s Decision)*  
Report regarding delegation to the Chief Executive until the inauguration of the new Council. | 
| 10.  | 51     | Proposed Amendments to the National Environmental Standard for assessing and managing Contaminants in soil to protect human health. *(For Council’s Decision)*  
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| 11. | 63 | **Milton Water Supply Extension (For Council’s Decision)**  
Report advising Council of a request from an Industrial customer to connect to the Milton urban water supply. |
| 12. | 65 | **Documents for Consent and Seal (For Council’s Confirmation)** |
| 13. | 66 | **Reasons to Move to Public Excluded Section (For Council’s Decision)** |