

Notice is hereby given that an ordinary meeting of the Gore District Council will be held via Zoom on Tuesday 12 October 2021, at 4.00pm



**Stephen Parry
Chief Executive**

7 October 2021

Agenda

1. Apologies
2. Declaration of Councillor conflict of interests
3. Confirmation of minutes and reports

Confirmation of the minutes of the ordinary meeting of the Gore District Council, held on Tuesday 14 September 2021.

Pages 1-10

Confirmation of the minutes of the extraordinary meeting of the Gore District Council, held on Wednesday 22 September 2021.

Pages 11-19

Confirmation of the minutes of the meeting of the Community Strategy Committee, held on Wednesday 22 September 2021.

Pages 20-24
4. Urgent late business – as tabled at the meeting, pursuant to section 46 (a)(7) of the Official Information and Meetings Act 1987.
5. Rural Halls and Domains Sub-Committee

Pages 25-26

6. Cemetery Policy – request for additional pre-purchase at Pukerau Cemetery
Pages 27-30
7. Sport NZ Rural Travel Fund
Pages 31-33
8. Report on Abatement Notice received for stormwater discharge to Falconer Creek and draft Stormwater Bylaw
Pages 34-67
9. Three Waters reform - update
Pages 68-72
10. Health and safety report
Pages 73-74
11. Issuing of staff warrant and authorisation
Page 75
12. Business to be considered pursuant to the Local Government Official Information and Meetings Act 1987:
 - Confirmation of minutes
 - Confirmation of the minutes of the ordinary meeting of the Gore District Council, held in committee, on Tuesday 14 September 2021.
 - Other business
 - Community Networking Trust - proposed site of new premises
 - Land purchased for Gore water treatment upgrade - nomenclature
 - Minutes of Audit and Risk Committee meeting
 - Follow-up on Deloitte audit report findings for the year ended 30 June 2020
 - Matai Ridge development - update

RURAL CITY LIVING



Minutes of an ordinary meeting of the Gore District Council, held via Zoom, on Tuesday 14 September 2021, at 4.00pm.

Present	His Worship the Mayor, Mr Tracy Hicks JP, Crs Bolger, Davis, Dickson, Gardyne, D Grant JP, N Grant, Highsted, MacDonell, McPhail, Phillips and Reid.
In attendance	The Chief Executive (Mr Stephen Parry), Chief Financial Officer (Ms Lornae Straith), HR/Administration Manager (Susan Jones), Communications-Marketing Manager (Sonia Gerken) and Roading Asset Manager (Mr Peter Standring).

1. CONFIRMATION OF MINUTES

RESOLVED on the motion of Cr N Grant, seconded by Cr Reid, THAT the minutes of the ordinary meeting of the Gore District Council, held on Tuesday 10 August 2021, as presented, be confirmed and signed by the Mayor as a true and complete record.

2. CORRECTION OF RECORD (SC2933)

A memo had been received from His Worship advising that at the June Council meeting, an item of urgent late business concerning Streets Alive had been considered. A number of steps had been put forward that would form the proposed withdrawal programme for the Streets Alive initiative. One of the steps, number 6, related to key intersection changes, as follows:

Key intersection changes that were made during the trial such as Eccles Street/Birch Lane and Crewe Street/Ardwick Street, are proposed to be retained given that drivers have become somewhat used to this alternative arrangement.

A suggestion was made at the July Council meeting, that Crewe Street/Ardwick Street should have read Bury/Wigan Street, with the Council agreeing to the change. His Worship noted that on reflection, the change made at the July meeting was incorrect. The Council did approve retaining the intersection change at Crewe and Ardwick Streets and the correct process would have been to add the Bury/Wigan Street intersection.

Councillors were urged to raise any uncertainty with minutes with staff so that an investigation into the accuracy of what had been recorded could be undertaken and clarified prior to a meeting.

RESOLVED on the motion of Cr D Grant, seconded by Cr Phillips, **THAT** the Council note an amendment being made to point six of resolution 2021/60 passed at the 8 June 2021 Council meeting, as follows:

Key intersection changes that were made during the trial such as Eccles Street/Birch Lane ~~and~~ Crewe Street/Ardwick Street ~~and~~ Bury Street/Wigan Street, are proposed to be retained given that drivers have become somewhat used to this alternative arrangement.

2021/104

3. CREATIVE COMMUNITIES SCHEME

A copy of the report from the Creative Communities Sub-Committee meeting held on Monday 30 August 2021 had been circulated with the agenda, for the Council's information.

RESOLVED on the motion of Cr Davis, seconded by Cr Reid, **THAT** the information be received.

2021/105

4. STREETS ALIVE WRAP-UP (SC2933)

A comprehensive report had been received from the Roding Asset Manager informing the Council on the conclusion of the Streets Alive trials, the withdrawal process, the surveys, the remaining items and the where to from here. The trials had been built on the strategic work already initiated by the Council including a Streetscape Strategy (2011) and the Longford Shared Path (2018). Streets Alive aimed to test activations that would rebalance the town's network to increase safety, transport options and liveability. The trial had been an ambitious project against a backdrop of COVID-19 disruption with a short implementation timeframe, limited resources, low trust between the community and the Council and a poor public perception of Innovative Streets projects on the back of rollouts around New Zealand, specifically in Dunedin.

The project sought to fulfil the intent of Council strategies. It also addressed the concerns Waka Kotahi (New Zealand Transport Agency) had around the disconnect between the population in East Gore and schools in West Gore. If the new pedestrian bridge across the Mataura River eventuated, there would be the need to put in place walking and pedestrian facilities to accommodate the movement of school children through the streets.

The report also covered the project team, community discussions, trials, implementation, project timeline, communications and community engagement

along with a reduced rollout, public pressure, the end of the trials project outcomes, budget and next steps. Details of project feedback from surveys, interviews, traffic counts and public accounts had also been circulated.

The Facilities Administration Officer attended the meeting from 4.05pm

The Chief Executive said it was unfortunate that NZTA now had funding challenges which were likely to impact on some of the preferred options arising from the project.

His Worship said as a Council, it was perhaps a little over-ambitious with the scale and timing of the project, however there were a lot of learnings taken from it. There were some negatives, but also a number of positives.

Cr Reid felt some of the road markings had made a real difference for safety. The courtesy crossings had been controversial but were still being used. The slowing down of traffic especially around schools had been noticeable and appreciated.

The Library Manager attended the meeting from 4.09pm

Cr D Grant said the roundabouts had made a huge difference to traffic flow. The project had been controversial but things had settled down. In response to Cr D Grant, the Manager said there was an intention to create walking trails and play and bike trails that were being worked through with the Southern DHB and Active Southland. Cr D Grant asked what was intended with Irk Street. The Manager advised the understanding was that Irk Street would be left to go through a "season" and then have a conversation about co-design. Some installations would be removed.

Cr McPhail said there had been a lot of work done with the co-working group. He supported Cr Reid's comments and there had been a focus on positive comments received. There had been a rigorous platform that had been used for communicating the project and he felt there had been benefits with that. He noted in Appendix A that there was still consultation to be undertaken with some street closures. He thought there was a huge amount of work to be done with traffic exiting East Gore in particular. The Manager confirmed there had been an increase and a suggestion that Streets Alive had created a lot more traffic movement. There were reasons to advise NZTA of the increased traffic flow especially at the Charlton Road-Bury Street intersection. Cr McPhail felt the consultation needed to continue with the group already established.

His Worship acknowledged the work undertaken by Councillors on the working group. He agreed that consultation had not concluded and it was important to continue with it.

In response to Cr Gardyne, the Manager said there were a number of installations that were quite permanent until a design was finalised and funding to confirm them. Some roundabouts needed to be better formed along with installing kerbing. A programme of work needed to be finalised for submission to NZTA. His Worship asked if the

programme of work had been clearly laid out. He asked about timing. The Manager said the programme would come back to the Council.

Cr Dickson was pleased that the Council would consult the community about changes to the Eccles-Main Street intersection and the southern end of Broughton Street. She asked if the poles that had been installed on the road would be removed. His Worship understood the poles were temporary and anything permanent would look quite different. The Manager concurred and he expected pedestrian crossings would be installed. Cr Dickson thought zebra crossings would be much better than courtesy crossings.

Cr Phillips asked if the Council was unsuccessful with getting NZTA funding, was there anything in the Council's budget for any work. The Manager advised NZTA was struggling for funding. He confirmed there was some funding for pedestrian facilities around town. He was looking for specific funding for Streets Alive from NZTA. Cr Phillips asked if there would be a budget submitted to NZTA and would the Council see it. The Manager confirmed he would provide that to the Council.

Cr Highsted asked what the connection between the Working Group and the Council was. Would the Working Group report to the Council about what was delivered? One of the lessons to be learned was the Council and the Working Group needed to be on the same page. Did the Working Group have power to act? His Worship thought one of the learnings to be taken from the trial was to be as connected with the Council and community as possible. He envisaged it would come back to the Council. The Manager concurred. He would be working through the issues and proposals and getting them firmed up before presenting them back to the Council, together with costs.

RESOLVED on the motion of Cr Reid, seconded by Cr Phillips, THAT the report be received,

AND THAT the staff develop a proposed programme of work for Council approval.

2021/106

5. RESCUE HELICOPTER TRUST – FUNDING (SC3190)

A memo had been received from the Chief Executive following a presentation at a meeting of the Southland Mayoral Forum on 9 July from Mr Jules Tapper, Chairman of the Lakes Districts Air Rescue Trust. Mr Tapper had made a request that the Forum consider making an annual contribution of \$100,000. Whilst the Government funded air rescue services, it did not cover all essential operational costs. The unfunded portion primarily related to the training of specialist paramedics, search and rescue specialists and the purchase of onboard medical equipment such as an automated CPR machine, ventilator and vital signs monitoring equipment.

In regard to an apportionment of the suggested \$100,000 annual grant, the following had been mooted at the Mayoral Forum:

- Invercargill City Council \$50,000
- Southland District Council \$35,000
- Gore District Council \$15,000

His Worship felt there was real value in the Council being involved with the Trust. The helicopter was being used more and more frequently in the Southland area. The Chief Executive said the 100k equated more or less to \$1 per head of population. As far as he knew, neither Invercargill City nor Southland District had yet considered whether it would make contributions.

Cr Reid said the Lakes District Trust needed to raise 600k a year to maintain the service outside of existing funding. Equipment was continually having to be upgraded. She was in favour of the request. His Worship clarified that the Lakes Trust was the fundraising vehicle for the helicopters that flew on medical missions.

Cr Phillips said the Lakes Trust did not fly as many flights into the region as the Otago Rescue Trust did. He questioned why there had not been a submission made to the Council's Long Term Plan process. He would have been more supportive if it had. His Worship said there had been an approach made to the Mayoral Forum as a regional body, but it had been outside the Long Term Plan process. He believed the service was important. Cr Phillips said the Lakes Trust did not have the contract to fly into Southland region to collect patients. He would rather support the Otago Trust which did. His Worship said his understanding was that the Lakes District Rescue Trust was the fundraising vehicle for the Otago operation so there was a very strong connection between the two entities. They were not competing entities.

Cr Dickson said her understanding was the largest percentage of the region that was serviced by the Lakes Trust included the Lakes District, the Great Walks, the southern ocean and the skifields. She was aware the Otago Trust was funded by the Ministry of Health and partially funded by St John. She thought the Lakes Trust was a little outside of the Southland region. His Worship said there seemed to be some confusion about who delivered what. He suggested inviting Jules Tapper to speak to the Council so that a clearer understanding of the structure was known. The entities that delivered health services by helicopter were all working together and were not fully funded. The Government and St John did contribute financially, but there was a gap that needed to be met by the community.

Cr D Grant said it was confusing and thought Otago Trust had the contract and sub-contracted it to Lakes District to fundraise. He understood Southern Helicopters undertook some of the flights. He agreed with having Mr Tapper speak to the Council.

RESOLVED on the motion of Cr Dickson, seconded by Cr MacDonell, THAT a representative from Lakes Districts Air Rescue Trust be invited to speak at a future Council meeting.

2021/107

6. CHIPPING OF TREES AT THE GORE AND MATAURA LANDFILL SITES (SC0691/SC3271)

A report had been received from the Facilities Administration Officer updating the Council on work carried out by a local contractor to fell and chip gum trees at both the Gore and Mataura closed land fill sites. Mature gum trees which had become unstable covered approximately 4 hectares at Gore and 1.25 hectares at Mataura. Discussions between former Parks and Recreation Manager, Ian Soper and Stephen Fisken, of Fisken Contracting Limited, had taken place in 2017 regarding the felling and chipping of all gum trees so they could be used for ground cover.

The felling of the gum trees at Gore commenced in June 2020. Due to other work involving the digger and river protection work for Environment Southland, the gum trees were being dealt with mainly during wet periods which slowed progress and put greater stress on the machinery. It resulted in many weeks of down-time due to the chipper being bogged and mechanical problems. In addition to the gum trees, it was decided to fell an extra hectare of pine trees, situated south of the area already being felled. Parks staff also decided to fell additional trees, including poplars along the boundary of the landfill site and Hamilton Park. These would be the last to be chipped and would be charged separately.

Fisken Contracting had felled most of the gum trees at Mataura in December 2020. It had been done while a digger with a felling head had been available and the logs were left to dry, to make them easier to chip at a later date.

Details of responsibilities, considerations and solutions were also noted in the report.

Cr Highsted said it struck him when viewing the site, that there appeared to be a lack of an amenity planting buffer with the trees that had been removed and chipped. This was stage 1 of several years of chipping. He asked if there was a plan to have amenity planting to ensure the chipping area was screened. The Officer advised he had spoken with the Parks and Recreation Manager about replanting the area and he thought it could be brought forward. There were some areas in the summer that could be replanted. Cr Highsted clarified whether it would be all gum trees that would be clear felled and chipped in the future or replanted with something else that would shield the area. The Officer said it was intended to plant both sides of the walking track in natives. Cr Highsted understood gum trees and chipping would occur for another couple of growing seasons to assist with capping the landfill, especially at Hamilton Park. There had been a high level of amenity and now there was a clear felled area. The Chief Executive understood once the blue gums had been cleaned up, it would be full speed ahead to plant natives and retire the area as an amenity area and not a logging site.

Cr Dickson asked if there had been any thought given to selling the trees for firewood. She understood there were a lot of people looking for firewood. She also understood Caldwell's did chipping for free and took the chips due to there being a good market with dairy farmers. The Officer said the whole reason for felling the trees was due to their instability and to provide cover for the old landfill. The same would occur at

Mataura. As far as logging went, there were people who asked and there had been people in Mataura cutting up some of the trees for firewood which became a health and safety issue.

Cr Phillips looked forward to having the Mataura site cleaned up. He was concerned about residents going into the site and cutting firewood. The Officer said tape had been erected earlier in the day but there had been no individuals identified. The contractor still expected to be at the Mataura site by the end of September. Cr Phillips asked if the chipper did not arrive by the expected date, was it possible to fell the trees. The Officer said the contractor was confident that the chipper would arrive prior to the end of the month.

RESOLVED on the motion of Cr Phillips, seconded by Cr MacDonell, THAT the report be received.

2021/108

7. ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES (SC3250)

A memo had been received from the Chief Executive, together with the annual report on the Council's dog control policy and practices for the year ending 30 June 2021. The report was an annual obligation contained in the Dog Control Act 1996.

RESOLVED on the motion of Cr Highsted, seconded by Cr D Grant, THAT pursuant to Section 10A of the Dog Control Act 12996, the Gore District Council report on the Dog Control Policy and Practices for 2020/2021 be adopted.

2021/109

8. THREE WATERS REFORM (SC3225)

A memo from the Chief Executive had been received together with a letter from Mr Hugh Gardyne concerning the Government's reform of the Three Waters sector. Mr Gardyne's letter was cautionary in nature, citing the far-reaching impact of the reforms and the need for ratepayers to be able to participate in a referendum prior to any decision being made about whether the Council should agree to further participate in the Government's reform process. His Worship said the issue was occupying a huge amount of time for Councils all over the country.

Cr D Grant shared some of the sentiments of Mr Gardyne, and asked how his letter got onto the agenda. He thought it would have been a submission. The Council had not discussed the matter in any depth as yet. His Worship said any member of the community could ask the Mayor and Councillors to consider letters about any topic at any time. Mr Gardyne had asked for his letter to be included on the agenda. The Council still had a lot of work to do to develop its response. The Chief Executive concurred that any member of the public could ask for something to be included on an agenda, however, many could be dealt with operationally. He added that the Council had been invited to provide an indicative view to the Government by the end of September. There would be some consultation but all of the information needed

had not yet been laid on the table. Cr Bolger said the Council was not in a position to hold a local referendum on the matter and the Government appeared to be in a state of flux about the issue. He agreed with Mr Gardyne's sentiment about the degree of disquiet surrounding the issue.

RESOLVED on the motion of Cr Bolger, seconded by Cr Dickson, THAT the letter from Mr Hugh Gardyne be received with thanks.

2021/110

9. GORE MAIN STREET (SH1) – TREE ISSUES (SC3270)

A report had been received from the Parks and Recreation Manager advising that in 1998, Opus (now WSP) had developed landscape plans for the Main Street of Gore. The plans included the provision of street trees and central reservation plantings. Trees were selected and planted and in the 20 years or so since planting, had provided important amenity for the town centre. In total, 26 trees had been planted and had established along both the East (river side) and West sides of the street from the roundabout at the intersection of Medway and Fairfield Streets. Four trees were recommended for removal.

The District Tree Policy 2005 outlined the rationale to be applied when considering tree removal on Council owned land. The relevant excerpts from the policy had been included for the Council's information.

The proposed course of action was as follows:

1. In keeping with Tree Policy number 4.4.1.2(a) consult with the community and retailers on the replacement and renewal of the identified trees
2. Undertake a gradual/phased removal and renewal of the Dawn Redwoods where they cause damage to infrastructure or interfere with overhead services
3. In 2021 remove four trees as follows:
 - Outside property 72
 - Outside Interior Warehouse/H & J Smiths
 - Outside Oui Oui/Selectrix
 - Corner of Irk Street
4. In 2022 plant new trees to replace those removed where possible in similar location but closer to the carriageway. The tree located on the corner of Irk Street is not to be replaced.
5. In future years monitor the infrastructure damage being caused by the Dawn Redwood trees and where necessary remove and replace with suitable new tree.

Cr D Grant said the trees in the Main Street had been a discussion point over the years with some retailers being very vocal. He asked if the proposed Pillar Crabapple trees were deciduous. The Manager confirmed they were but they had nice autumn colour and flowered in the spring. Cr D Grant thought the leaves from those trees would be easier to manage than the existing trees. He thought some retailers in particular would be very happy.

Cr Dickson asked if consideration had been given to planting native trees, such as Kowhai. The Manager advised he had not, but agreed Kowhai was a good street tree.

His Worship said in terms of consultation and the retailers on the east side of Main Street there needed to be some work. While there were no power lines, there had been issues raised over the years about crowding shop frontages. The Manager advised he had instructed staff to lift some trees so that there was more light let into the shops.

Cr Phillips asked if consideration had been given to checking the infrastructure services and whether there was a programme of replacement planned. The Manager said underground services had not been investigated, and he expected there would be some work. He said strata cells had been used in Queenstown streetscapes which allow tree roots to be developed better and negated the street heaving. The Chief Executive said it was a question better posed to the 3 Waters Asset Manager to liaise with the Parks Manager to identify any works required before any new trees were planted.

Cr Highsted was on a panel three years ago with Crs Bolger and Davis about trees and found themselves very constrained with what could be done. This approach was quite different. The Chief Executive said the Tree Policy provided for tree removal if there was damage to the infrastructure which was the case now. It was not just an issue of having a difficult tree. Where there was damage to infrastructure, the policy allowed for its removal.

RESOLVED on the motion of Cr MacDonell, seconded by Cr D Grant, THAT the report be received,

AND THAT the proposed course of action involving community consultation and a gradual phased removal of trees in the Gore CBD that have become too large for their immediate environment, be endorsed.

2021/111

10. URGENT LATE BUSINESS

His Worship advised there was an item of urgent late business to be considered in committee, relating to the appointment of a deputy Electoral Officer.

RESOLVED on the motion of Cr Bolger, seconded by Cr Gardyne, THAT pursuant to Section 46 (a)(7) of the Local Government Official Information and Meetings Act

1987, the Gore District Council address the following which requires urgent attention.

Subject

Appointment of deputy Electoral Officer

Reason for not being on agenda

Information was unavailable at the time of agenda being finalised.

Reason for urgency

To ensure a deputy Electoral Officer is appointed for the Otama rural water scheme referendum.

2021/112

The meeting concluded at 5.15pm

RURAL CITY LIVING



Minutes of an extraordinary meeting of the Gore District Council, held in the Council Chambers, 29 Bowler Avenue, Gore, on Wednesday 22 September 2021, at 5.00pm.

Present	His Worship the Mayor, Mr Tracy Hicks JP, Crs Bolger, Davis, Dickson (from 5.05pm), Gardyne, N Grant, Highsted, MacDonell (from 5.05pm), McPhail, Phillips and Reid.
In attendance	The Chief Executive (Mr Stephen Parry), 3 Waters Asset Manager (Mr Matt Bayliss), HR/Administration Manager (Susan Jones) and Communications-Marketing Manager (Sonia Gerken).
Apology	Cr D Grant apologised for absence.

1. THREE WATERS REFORM – ANALYSIS OF OPTIONS (SC3225)

A comprehensive report from the Chief Executive had been circulated updating the Council on the Government's 30 June and 15 July 2021 Three Waters reform announcements, which changed the reform process previously outlined in 2020. It also included the specific data and modelling the Council had received to date and the implications of the revised Three Waters reform proposal for the Council together with alternative service delivery options.

Following the serious campylobacter outbreak in 2016 and the Government's Inquiry into Havelock North Drinking Water, central and local government had been considering the issues and opportunities facing the system for regulating and managing three waters (drinking water, wastewater.. and stormwater).

The focus had been on how to ensure safe drinking water, improvement of environmental performance and transparency of wastewater and stormwater network. In addition, dealing with funding and affordability challenges, particularly for communities with small rating bases or high-growth areas that had reached their prudential borrowing limits, had introduced further complexity.

The Government's stated direction of travel had been for publicly-owned multi-regional models (with a preference for local authority ownership). The Department of Internal Affairs (DIA), in partnership with the Three Waters Steering Committee (membership of which included elected members and staff from local government),

commissioned specialist economic, financial, regulatory and technical expertise to support the Three Waters reform programme and inform policy advice to ministers.

The initial stage (Tranche 1 – MOU, Funding Agreement, Delivery Plan and RFI process) was an opt in, non-binding approach. It did not require Councils to commit to future phases of the reform programme, to transfer their assets and/or liabilities, or establish new water entities. A copy of the 2020 indicative reform programme and anticipated next steps had been circulated with the agenda. The Council had completed the RFI process over Christmas and New Year 2020-2021. The Government had used that information, evidence and modelling to make preliminary decisions on the next stages of reform and concluded that the case for change had been made. Details about that had been circulated with the agenda.

In June 2021 a suite of information was released by the Government that covered estimated potential investment requirements for New Zealand, scope for efficiency gains from transformation of the three waters service and the potential economic (efficiency) impacts of various aggregation scenarios.

In summary, the modelling indicated a likely range for future investment requirements at a national level in the order of \$120 billion to \$185 billion, with an average household cost for most Councils on a standalone basis to be between \$1,910 and \$8,690 by 2051. It also estimated these average household costs could be reduced to between \$800 and \$1640 per household and efficiencies in the range of 45% over 15-30 years if the reform process went ahead. An additional 5,800 to 9,300 jobs and an increase in GDP of between \$14 billion to \$23 billion in Nett Present Value (NVP) terms over 30 years was also forecast.

As a result of this modelling, the Government had decided to:

- Establish four statutory, publicly-owned water services entities that would own and operate three waters infrastructure on behalf of local authorities,
- Establish independent, competency-based boards to govern,
- Set a clear national policy direction for the three waters sector, including integration with any new spatial/resource management planning processes,
- Establish an economic regulation regime, and
- Develop an industry transformation strategy.

The proposed safeguards against privatisation had been detailed in the DIA's summary of the case for change.

Both DIA and Local Government New Zealand (LGNZ) had produced two-page national overviews. Details on the national context and the overviews from DIA/LGNZ had been included with the report.

The Gore District had been placed in the Water Services Entity D, which included the majority of the South Island.

On 15 July, in partnership with LGNZ under a Heads of Agreement, the Government announced a package of \$2.5 billion to support Councils to transition to the new water entities and to invest in community wellbeing. The funding was made up of a 'better off' element (\$500 million would be available from 1 July 2022 with the investment funded \$1 billion from the Crown and \$1 billion from the new Water Services Entities) and 'no Council worse off' element (available from July 2024 and funded by the Water Services Entities). The 'better off' funding could be used to support the delivery of local wellbeing outcomes associated with climate change and resilience, housing and local placemaking. There was an expectation that Councils would engage with Iwi/Māori in determining how to use their funding allocation.

The Council's funding allocation was \$9,153,141. The detail of the funding (including expectations around the use of reserves) and the full list of allocations had also been circulated. Conditions associated with the package of funding had yet to be worked through.

In addition to the funding announcements, the Government committed to further discussions with local government and Iwi/Māori over the period up to the end of September on:

- The boundaries of the Water Service Entities,
- How local authorities could continue to have an influence on service outcomes and other issues of importance to their communities (eg chlorine-free water),
- Ensuring there was appropriate integration between the needs, planning and priorities of local authorities and those of the Water Service Entities, and
- How to strengthen the accountability of the Water Service Entities to the communities that they serve, for example through a Water Ombudsman.

As a result, the original timetable for implementing the reform and for Councils to consult on a decision to opt-in (or not), no longer applied. Next steps were expected to be announced after 30 September 2021, which would include the timeframes and responsibilities for any community or public consultation.

It was important to note that the Government had not ruled out legislating for an 'all-in' approach to reform to realise the national interest benefits of the reform. In the interim, the DIA continued to engage with Council staff on transitional matters should the reform proceed. Those discussions did not pre-empt any decisions about whether to progress the reforms or whether any individual Council would transition.

To provide an alternative view, the Councils in Otago and Southland commissioned Morrison Low to provide an analysis of the data used, assumptions made and evaluations undertaken by WICS in compiling each Council's dashboard. A copy of the report had been circulated. The key findings were that when the underlying assumptions regarding the percentage of revenue from households and number of connected properties were corrected, the forecast changes for the Gore District were likely to be approximately 59% lower than the WICS figures.

The debt of the Council also needed to be specifically emphasised. A graph based on the headroom available against the debt ceiling imposed by the Local Government Funding Agency had been included in the report.

Details of options available to the Council for three waters service delivery had been included along with analysis of each option, including advantages and disadvantages. A concept that had been floated by a number of Councils, including the Gore District, during workshops held throughout the country earlier in the year, was whether a funding model similar to the approach taken by Waka Kotahi (New Zealand Transport Agency) with roading. It was suggested that if local government had a subsidy arrangement for three waters akin to what happened with roading most, if not all of the current funding challenges before Councils would most likely dissipate to a significant degree.

The Chief Executive said it was difficult to give concise views with an incomplete picture and a deluge of information that had descended on the sector over the past nine months. The report had not been easy to write and do justice to what was a very complex issue with a lot of aspects that were ill-defined at this point in time. He had looked at the reform process as best he could through the lens of the Gore District Council and its community.

As best as he could discern, there were really only two options on the table from the Government. One was to forge an independent path and eschew the opportunity to be part of the reform process. The other was to embrace the reform process albeit with a lot more detail still to be received. He was not recommending that the Council progress on a defined course of action. It was unable to do that due to the lack of information available. He had floated a third option that was gaining some popularity that the Government become a funding partner in a similar way that the New Zealand Transport Agency provided funding for roading work. He felt it unfair that the Gore community may receive half of what a similar sized community in the North Island may receive due to deprivation factors that had been allocated by the Government. He suggested the Council convey its concern to the Government in a constructive but cautious manner and to say that it would like to continue with discussions about the reform process. It could suggest the funding partnership option be given serious consideration and costed against what would no doubt be a massive upheaval to 3 Waters and local government if the proposals were implemented.

His Worship said there had been a lot of talk about opting in or opting out of the reforms. That was not for debate at this meeting and he thought it would confuse the process and the community if there was discussion about it. The Government had asked the Council for its thoughts about the reform process.

Cr Bolger said providing feedback to the Government did not commit the Council to a certain course of action. The reality was the Council and ratepayers could not afford to fund the improved water and wastewater standards being required by the Government. It needed and deserved Government support and if that was the basis of the Council's feedback then that was where it should land. He believed the Council

could do the work but external funding or assistance from the Government would get things up and running more efficiently and could even be quicker than having a whole new entity created. The Council needed outside funding support and he supported the third option suggested. His Worship recalled comments made by the former General Manager Infrastructure about the challenges in the 3 Waters space and the Council would need to be spending around \$300 million over the next 25-30 years. He did not believe a community the size of Gore could take that on.

Cr McPhail had attended several workshops around the province about the challenge of the water infrastructure assets. It was going to cost serious money to rectify. That was fact. The Government had always said Councils would get a genuine choice and there would be community involvement. At the moment, the Council was holding its cards. He did not think central Government expedience should outweigh the community's ability to own a process. It was being pushed along quickly to make a decision. One could not do a jigsaw without all the pieces. The Council needed to have all the information before it. He thought the Council was being appropriate with seeking more information about the third option. The decision was too big to make on the information the Council currently had.

His Worship clarified 30 September was the deadline for feedback to be submitted to the Government and a decision about opting in or out was likely to be required by the end of the year. The Chief Executive concurred and said he understood the Government would give an indication of its timetable sometime in October following receipt of this feedback.

Cr Highsted said financially the Council needed assistance. There was not a wide range of options. What didn't change was who paid and it was going to be the ratepayer. Whether that was through debt or aggregation, the Council's ability to raise debt was very limited. In relation to governance, there would be 21 Councils in entity D, of which four were cities, leaving 17 other Councils looking for seats. There were only six seats on the Board. That limited the connection to the community, the Council and governance. He questioned who would get the call when there was a problem with the water and who would be held accountable. How connected was the Council to be able to effect change for the community? He agreed with the report and the options put forward.

His Worship said the last thing he wanted to see happen was having a new entity and a call centre being established somewhere in the North Island or off-shore. Local servicing was also important and making sure there was capacity in this community to do what the current staff did and to the same standard.

Cr Dickson concurred with previous comments and referred to the inequality between entities A and D. In 2051, it was reported to supposedly cost the Gore District Council \$1640 per household yet Auckland would be \$800. The Watercare group in Auckland had a \$1.3 billion hole and Kapiti, which was included in entity A, had a \$90 million ratepayer debt. She recognised there were economies of scale but Auckland had far more debt and there seemed to be inequalities that needed to be addressed.

Population based funding had never benefitted Southland. She understood Local Government Funding Agency rules prevented lending to anyone other than Councils which meant that water debt could not be transferred to the water entity. His Worship expected there would be a methodology for transferring the debt. He did not believe it would be a show stopper. In terms of the differences between the four entities and costs now and in the future, he thought it did come down to sheer scale. The Chief Executive agreed and said one of the options that had never been canvassed, if there was reform why not have just one entity for the whole country to get real economies of scale. A downside of four entities was a duplication of specialist engineers, IT systems, HR systems, finance systems etc. There was not enough capacity in the country now to fill those roles.

Cr Gardyne agreed having one entity for the whole country. He said the proposed governance structure needed to be simplified. It meant consumers could not get to the directors. If the Council had a 1:1 subsidy for water infrastructure, it could deal with its problems. Having a central Government system for technical advice and standing planning for water projects would be handy. If the Government pushed ahead and wanted every Council in, he would prefer that there be just one entity rather than four. It would be a fairer system. His Worship said the comments emphasised the proposed NZTA type model that provided a shared buy-in from the Government and local authorities and also enabled a community voice.

Cr Davis agreed that the Council needed to be looking at a third option. What concerned her by going to four entities would they all be singing off the same hymn sheet or would there be different standards between each. She supported one entity and an option of a funding partnership. His Worship said in terms of the standards, the water regulator would enforce the regulations. There may be some variations between entities, but the water delivered at the end to the consumer and taken away would have to be at a particular standard and if that was not reached, there would be a big cost.

Cr Highsted clarified whether feedback to the Government was about one entity or an alternative model. He referred to the comments in the report about staff. The character and structure of a small Council like Gore and many others, were reliant on the engineers and the senior Managers to run the organisation. While there was an acknowledgement of overheads, that was an ongoing unwind of the organisation and its ability to deliver in an efficient manner which he did not think would be recovered on the four entity model. His Worship said in terms of the ability of the organisation to perform if a fair chunk of capacity was taken out of it, was a concern. When considering the reforms, along with the resource management reforms, a lot of the engineering specialist services may be taken away from Councils. He acknowledged there had been a forum established to look at the future of local government and there were opportunities the Council could look at and connect more strongly with local communities. However, that reform running after the other two reforms, he did not believe was the right order and it was problematic. It did smack of getting things out of sync.

Cr Phillips had always been cautious about the reforms. He thought the ratepayer would end up paying a lot more than they thought. He thanked the Chief Executive for his report. The Council needed to be tough with the Government because it was being forced upon Councils and there were no clear answers. It had to take a wait and see approach and achieve the best outcome for the ratepayers. He could not see how debt reduction could be done with the money that would be received from the Government. His Worship said the Council was not being asked for a decision. He understood any debt that related to 3 Waters assets would be transferred over to the new entity.

Cr Gardyne said the Council debt was based on 1.75 of its gross income. 3 Waters was quite a chunk of the Council's income. He asked how it married up with the other debt. There needed to be more debt reduction than just 3 Waters. The Chief Executive said there would need to be an analysis done but Cr Gardyne raised a good point. The revenue would fall and therefore the percentage that could be raised against that revenue fell with it. If the debt transferred, then a lot of exposure to risk would be gone as well.

Cr Bolger reiterated that giving feedback did not commit the Council to anything. The third option of a model similar to NZTA funding should be factored into the resolution for consideration by the Government.

Cr Bolger moved THAT this report and the attached analysis from Morrison Low be received and noted,

THAT the Council note that it cannot make a formal decision to adopt an alternative model for three waters service delivery without first amending the Long Term Plan and undertaking commensurate community consultation,

THAT the Council note that a decision to provide feedback to the Minister of Local Government by 1 October 2021 does not commit the Council to a particular position on a future model for three waters service delivery or to continue participation in the Government's reform programme,

AND THAT the Council provide feedback to the Minister of Local Government based on the conclusions reached in section 11 of the report, with priority afforded to the promotion of a funding partnership along the lines of roading and Waka Kotahi.

The motion was seconded by Cr Davis.

His Worship advised he had comments provided by Cr D Grant and he read these out. Cr D Grant believed the Government was trying to force the water reforms. He understood the standards needed to change. The Gore District Council had tried to keep up with the standards required and it had an acceptable Long Term Plan in place that did not break the self-imposed 5% rating cap. The reform process was lacking in detail. If Councils did not join the scheme, he believed it would be forced and made mandatory by the Government. He believed that could constitute bullying. He

supported the recommendations proposed by the Chief Executive and a third option for a funding model similar to NZTA.

Cr Highsted felt the recommendation was confusing. Was the Council saying it wanted the NZTA model as an appropriate pathway? He was supportive of the NZTA option.

The Chief Executive said the intent was the Government had said here is what it was thinking and it wanted feedback. He had distilled it to two options, neither of which had universal attraction because of the uncertainties associated with them. The notion was to give the Government some feedback and also ask that it give serious consideration to a third option.

His Worship said there would be a letter to the Government outlining everything the Council believed should happen. Cr Bolger said the Council was not saying no to the Government, it was saying it was not satisfied with the proposal put forward. He said the Council could do the work, it just needed the money.

Cr Gardyne said the funding from NZTA came from petrol tax and road user charges. Where would the funding come from for 3 Waters? It would have to come from taxpayers or the users. His Worship said one way or the other there would need to be a partnership between communities and the entities.

His Worship said in the next day or two a letter would be sent to the Minister of Local Government that would encompass everything that was in the report along with points that had been raised at the meeting. The Chief Executive concurred and said the letter was due by 1 October.

The motion was put and it was carried.

2021/118

2. GENERAL INSURANCE UPDATE (SC3294)

A memo had been received from the Chief Financial Officer updating the Council on the status of its general insurance programme. The Council's general insurance broker was Willis Towers Watson. There were no significant changes to the proposed insurance cover. The current policies would expire on 30 September.

The Council held cover for the following:

- Material damage and business interruption;
- Art collection – material damage and business interruption for the Eastern Southland Art Gallery collection;
- Motor vehicles;
- Personal accident;
- Crime;
- Employers liability;
- Statutory liability; and

- Airport owners and operators liability

A copy of the renewal report from Willis had been circulated with the agenda.

Overall the insurance premiums had increased by 4.83%. This was a good result for the Council considering the increase in buildings insured, and also where the current insurance market was at.

Cr Highsted thought it would be helpful for the independent member of the Audit and Risk Committee, Mr Michael Chamberlain, to review the report.

RESOLVED on the motion of Cr Highsted, seconded by Cr Gardyne, THAT the report be received,

THAT the Council invite the independent member of the Audit and Risk Committee, Mr Michael Chamberlain, to review the renewal report,

AND THAT the Council renew the policies as recommended by its insurance broker, Willis Towers Watson, for the period 30 September 2021 to 30 September 2022.

2021/119

The meeting concluded at 5.49pm

RURAL CITY LIVING



Report of a meeting of the Community Strategy Committee, held via Zoom, on Wednesday 22 September 2021 at 3.36pm.

Present His Worship the Mayor (Mr Tracy Hicks, JP), Cr McPhail (Chairman), Crs Bolger, Davis, Dickson, Phillips and Reid.

In attendance The Chief Executive (Mr Stephen Parry), Community Strategy Manager (Ms Anne Pullar), Human Resources and Administration Manager (Susan Jones), Communications/Marketing Manager (Sonia Gerken) and Community Empowerment Coordinator (Mr Mark McCann).

1. REPORT ON TUSSOCK COUNTRY MUSIC FESTIVAL (SC2443)

A memo had been received from the Community Strategy Manager advising that the Tussock Country Music Festival had been held from 29 May to 6 June 2021. It was the inaugural festival that included 31 events over nine days. An event report from the 2021 Festival Trust had been circulated with the agenda.

Mr Jeff Rea, Chairman of the Festival Board was in attendance via Zoom at the meeting and presented a short video. He said the Board was very happy with the festival, given it was the first attempt. The Board was very grateful to the sponsors who supported the festival. He noted the Council had been the backbone of making the festival happen. He acknowledged the effort and input of Anne Pullar and Annabel Roy who was the Festival Marketing Coordinator. The Board felt it had the right person for the role which was funded by the Council. Two events, being Top Paddock and the Ute Muster, had been well received. Top Paddock had a significant following and had drawn a lot of people to Gore. It had been sold out with 850 patrons. The AGM had been scheduled for 23 September but due to Covid Alert Level 2 had been postponed. The financials would be presented at the AGM and would be shared with the Council thereafter. Overall, he felt the 2021 festival had gone very well.

The Manager said there had been a significant increase in economic return to the community and that would only increase in the future. The foundation was set for the Trust to continue.

His Worship endorsed the comments of Mr Rea. He said there had been a huge number of volunteers involved with the festival and if it had not been for them, it would not have taken place. From his perspective, he thought the festival was a very

good fit for both the community and the Council and would only get stronger as time went on.

The Chairman acknowledged Mr Rea's involvement with the festival.

RECOMMENDED on the motion of Cr Dickson, seconded by Cr Reid, THAT the report be received.

Cr Reid endorsed the comments made and also acknowledged Karla Brotherston who took notes at Trust meetings and had attended some of the events.

Mr Rea departed the meeting at 3.54pm

2. ACTIVE SOUTHLAND – ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2021 (SC3170)

A copy of the annual report from Active Southland for the year ending 30 June 2021 had been circulated with the agenda.

Gemma O'Neill and Jess Domigan from Active Southland were in attendance via Zoom.

Jess Domigan spoke to the report and referred to the name change from Sport Southland to Active Southland. The change better reflected the type of work that the organisation was now undertaking which still involved sport but extended to wellbeing initiatives. There was a Healthy Active learning team that was involved with schools in Eastern Southland and strengthened the health and physical education curriculum. Green Prescription was being strengthened with local medical professionals in the community. There was plenty more that could be done.

The Community Strategy Manager said it was intended to run a workshop early in the New Year about the type of wellbeing work being undertaken in the District.

His Worship thanked Active Southland for its report and said the Council had a long connection with Sport Southland. The shared office space at the Multisports Complex was integral as well as the involvement with the Moonshine Trail that attracted a number of people from outside of the District.

RECOMMENDED on the motion of Cr Bolger, seconded by Cr Phillips, THAT the report be received.

Active Southland representatives departed the meeting at 4.03pm

3. OVER 80 YEARS PARKING PERMIT (SC3340)

A memo had been received from the Ready for Living Coordinator and senior Regulatory Officer about a proposal to allow drivers 80 years or older that resided in the Gore District to park free in a metered parking space for a maximum time of two hours.

Older people were more likely to have mobility issues and trouble walking long distances. Providing free parking at metered spaces was aimed at enabling older members of the community to come into town to utilise and enjoy the facilities available in the CBD and encourage more social interaction.

The 80's plus parking permit would allow parking in metered parks for free for a maximum of two hours and would be provided at no cost. Current NZTA data showed there were 481 over 80 year olds who held a car driver licence. An 80+ parking sticker would be issued to eligible applicants which could be attached to the front window of their vehicle. Details of the proposed permit and the application form had been circulated with the agenda.

Kylie Aitken, Ready for Living Coordinator and Frances Shepherd, senior Regulatory Officer were in attendance at the meeting, via Zoom.

Cr Reid thought it was a wonderful initiative for the elderly members of the community. His Worship concurred and said it made sense particularly with the demographics of the District. Offering an incentive to people to visit the CBD was a good idea. Having age friendly accreditation from the World Health Organisation meant the initiative went hand in hand with that.

Cr Dickson supported the recommendation and often heard elderly people they had to rush back to their parking meter. In response to Cr Phillips, the senior Regulatory Officer said the intention was to have a small sticker attached to a windscreen of the eligible vehicle and would be issued to a person rather than a vehicle. Cr Phillips asked if there would be a barcode that could be traced. The officer said there would be a database held of residents and their vehicles.

His Worship expected there would be other initiatives raised and one that had been mentioned to him was access to the aquatic centre for older people.

RECOMMENDED on the motion of Cr Reid, seconded by Cr Phillips, THAT the Council support the proposal of free parking in a metered space to those residents in the Gore District who are aged 80 years or older.

The RFL Coordinator and senior Regulatory Officer departed the meeting at 4.12pm

4. MAYORAL TASKFORCE FOR JOBS – CLOSING THE GAPS REPORT (SC3231)

A report from the Community Empowerment Coordinator had been circulated with the agenda. He advised of the 55 people who had been supported into employment with 39 local businesses, five had relocated into Gore. Since the end of June, a further eight placements had been made which were as a result of local advertising, word of mouth and the scoping exercises undertaken.

In response to Cr Reid asking if the ability to get young people through driver licensing could be accelerated, the Coordinator was liaising with people to endeavour to get it sped up. His Worship understood there were two aspects to the driver's licensing issue and one was getting young people to the skill level needed and the other was the testing availability. Cr Dickson believed there were about 120 people waiting for driver's licensing and part of the problem appeared to be no testing zones and there were young people from Dunedin being tested in Gore. It was unfortunate that Dunedin people were travelling to Gore and it was a problem.

Cr McPhail said there was a good profile being generated by the Closing the Gaps initiative. It was working well. The driver's licensing issue had been an ongoing one for several years.

RECOMMENDED on the motion of Cr Davis, seconded by Cr N Grant, THAT the report be received.

The Coordinator said much of the work would not happen without the input and support from the Community Strategy Manager.

5. EVENT STRATEGY (SC1993)

A joint report from the Community Strategy and Communications Managers had been circulated with the agenda. The strategy had been developed with the assistance of McElrea Consulting and set out the role and commitment of the Council within the events space and the associated resource required to deliver the events. The strategy covered the period of 2021-2024 in line with the Council's current Long Term Plan and provided a framework for how the Council could best enable high-quality delivery of events within the District.

The Gore District had gained a reputation for the arts and events. Over the past 18 months the Council had consolidated its approach and delivered high quality events to the community. Over the last five years, the Council had provided resources to deliver 'On the Fly' Mataura River Festival, 'Freeze Ya Bits Off' Busking, Gore District Community Awards, Hokonui Culture Feast, Gore Youth Awards, Santa Parade, Christmas in the Park and Parks Week. In addition, the Council liaised with Tussock Country, Southern Field Days, Hokonui Moonshiners' Festival and the Hokonui Fashion Design Awards.

The strategy was aligned to the Southland Events Strategy. There were three defining types of events. These included premiere events, events owned and run by the Gore District Council, and special interest and regional events. The strategy profiled the individual events within these three categories.

The Council had various roles within the events space, including as funder, event organiser, communicator and promoter, host and provider, regulatory and providing advice.

The Community Strategy Manager provided a powerpoint presentation that highlighted key aspects of the strategy.

Cr Reid referred to food and catering issues and asked if there was an idea of any way forward so that cafes and restaurants would remain open for longer during events, particularly for Tussock Country. Was it a matter of those businesses seeing the benefits that events bring to town or bringing in outside providers? The Manager said businesses would not open if it was not financially viable for them. It was also about choice and there was a lot of choice in the District. There were different ethnicities who travelled. It was proposed to partner with Great South and ascertain what was happening in other areas and then have conversations with the local providers. It would differ from event to event and would not be an easy fix. Cr Reid appreciated that and said it was one of the negative aspects of Tussock Country.

Cr Dickson said there were a lot of very good points raised. She would like to see funding for the support person and the policies to be reviewed to be endorsed by full Council. Cr McPhail confirmed that the Committee would recommend that to occur. It was unable to make a decision on those issues.

His Worship said adding the funding for the support person into the 2022-2023 Annual Plan would enable the community to have input as well.

Cr McPhail noted comments about options for food trade at different times during events and there could be an opportunity for an entrepreneur to step in if the local businesses were not wanting to be open.

RECOMMENDED on the motion of Cr Reid, seconded by His Worship the Mayor, THAT the report be received,

THAT the Event Strategy be approved and implemented,

THAT funding to the value of \$27,440 be included in the 2022-2023 Annual Plan for part-time event support,

THAT the Community Grants Policy be reviewed,

AND THAT the Procurement Policy is reviewed to provide greater clarity and ease of purchase of services associated to events.

The meeting concluded at 4.42pm

COUNCIL MEETING AGENDA

TUESDAY 12 OCTOBER 2021

5. RURAL HALLS AND DOMAINS SUB-COMMITTEE

(Memo from Chief Executive – 22.09.21)

- ✦ A copy of the minutes of the Rural Halls and Domains Sub-Committee meeting held on Monday 20 September is attached.

RECOMMENDATION

THAT the minutes of the meeting be received,

AND THAT the recommendations contained in the minutes be ratified.

RURAL CITY LIVING

Report of a meeting of the Rural Halls and Domains Subcommittee, held in the Council Chambers, 29 Bowler Avenue on Monday 20 September 2021, at 1.05pm.

Present His Worship the Mayor Mr Tracy Hicks JP, Cr John Gardyne (Chair) and Cr Richard McPhail

In attendance The Chief Executive (Mr Stephen Parry) and Corporate Support Officer (Gillian Small)

Apologies: Crs Cliff Bolger and Stewart MacDonell apologised for absence.

1. CONSIDERATION OF APPLICATIONS AND DISTRIBUTION OF FUNDS

There was a total of \$18,419 available in the fund.

Three applications for funding had been received as follows:

- Waikaka Combined Sports Association applied for \$30,525.20 to renovate the male toilet and bathroom area.
- Kaiwera Recreation Reserve and Hall Society applied for \$2,700 towards supply and installation of an instant hot water system
- Waikaka Public Hall Society applied for \$3,800 for a replacement dish steriliser and installation.

The Committee agreed that Kaiwera Recreation Reserve and Hall Society, and Waikaka Public Hall Society should receive the full amounts requested, with the remainder of funds being allocated to the Waikaka Combined Sports Association's project.

RECOMMENDED on the motion of Cr McPhail, seconded by His Worship **THAT** a grant of **\$2,700.00** be made to the Kaiwera Recreation Reserve and Hall Society towards supply and installation of an instant hot water system.

RECOMMENDED on the motion of Cr McPhail, seconded by His Worship **THAT** a grant of **\$3,800.00** be made to the Waikaka Public Hfor purchase and installation of a replacement dish steriliser.

RECOMMENDED on the motion of Cr McPhail, seconded by His Worship **THAT** a grant of **\$11,919** be made to the Waikaka Combined Sports Association to renovate the male toilet and bathroom area.

The meeting concluded at 1.10pm.

6. CEMETERY POLICY – REQUEST FOR ADDITIONAL PRE-PURCHASE AT PUKERAU CEMETERY (*Keith McRobie*)

(Report from Parks and Recreation Manager – 28.09.21)

- ✦ An approach has been made to the Mayor and myself from the Pukerau Cemetery Support Trust seeking approval for additional burial plot pre-purchase outside the parameters of the current Council Policy (see attached letter). I make the following comments from an operational perspective after reviewing the Gore District Council Cemetery Bylaw 2008 and 2015 amendment and supporting Gore District Council Cemeteries Policy 2011 document.

Rationale

In recent times the pre-selling of burial plots has been discouraged by Councils around the country because of problems keeping track of all the pre-purchased plots and the fact that plots are sold at today's value and may not be used for another 50-60 years. In the worst case scenario a cemetery could be ready to close to new burials, but it could only be half utilised in terms of occupied plots.

The three main cemeteries – Gore, Charlton Park and Mataura – currently have approximately 490 pre-sold plots which in the main have been purchased when the family of a buried person buys the adjoining plot. Some families purchase a double depth plot thus avoiding this issue. The wholesale pre-selling of cemetery plots in these cemeteries would cause issues both logistically and with the day to day management.

In contrast, Pukerau Cemetery is a small community-based cemetery with strong links to the area's history and families. Many of the current families have links back four to five generations, with the Pullar and Trapski families being quite prominent. In terms of site utilisation the main cemetery and smaller Catholic section occupy approximately 20% of the total site, with the balance grazed by a local farmer. Burial activity is very low with only a single burial occurring in a normal year.

Options

In terms of available options, Council officers have canvassed other cemetery providers to seek information on policies for the pre-purchase of plots. Pre-purchasing is becoming increasingly uncommon for main cemeteries other than the purchase of an adjoining plot at the time of burial. Pre-purchasing is much more common in smaller Trust type cemeteries such as Waikaka.

Upon reviewing the above information, it is clear that there are only two options available to the Council. These are:

Option one

The Council could decide to continue with its current policy of only allowing the pre-purchase of an adjoining plot at the time of the original burial at all cemeteries.

Option two

The Council could decide to allow the controlled pre-purchase of burial plots at the Pukerau Cemetery. In terms of option two it is germane to ascertain the risk imposed by a change in policy. Based on historic information and requests over the last three years, the Council could expect to have 3-4 pre-purchased plots over and above those currently held. This is not considered to be a huge risk.

Summary

Council officers believe there may be justifiable rationale on the grounds of the historical and tight family nature of the Pukerau Cemetery.

Council officers are happy to implement whichever scenario the Council chooses but want to ensure the Council is fully informed as to the implications of changing current policy.

It is noted that both the Gore District Council Cemetery Bylaw and Cemeteries Policy are in need of review to better reflect changes in society, particularly around cultural practices and family group makeup. This will be actioned and brought back to the Council before the end of the year.

RECOMMENDATION

THAT the Council allow option two, being the controlled pre-purchase of burial plots at Pukerau Cemetery. This change will require an amendment to the Cemeteries Policy with a review being required anyway to bring the policy up to date.

7 Aotea Cres. Gore 9710

3rd September 2021.

Keith McRobie. Parks and Recreation Manager GDC

Copies to Mayor Tracy Hicks, S Parry, Scott McIvor, and Gore District Councillors

Dear Keith

In June 2018 The Pukerau Cemetery Support Group, (now a Trust) presented a submission to Gore District Council with Point C of that submission requesting that the opportunity be reinstated for descendants to pre purchase grave plots. This made headlines in the Ensign 6.6.2018.

On 13th June the Support Group received a letter from Ian Soper stating that **“the Council had requested staff to undertake a district wide review re pre- purchasing of cemetery plots. Any change in current stance will require amendment to the current Cemeteries Operational policies and procedures. This review shall take place in the coming months.”**

Over the last twelve months the Cemetery Trust has received a significant increase in requests to pre purchase plots. Pre purchasing had always been available until 2000, when the Council took over responsibility of the cemetery.

As we mentioned to you when we had the pleasure of meeting you on site recently, the present block of graves in a relatively small area within the available eight acres, is virtually a “family” cemetery going back four generations for several of the pioneering families buried there.

The Trust considers this significant increase in demand for pre paid plots is due to three important factors.

1. The third generation of descendants of Pukerau and Kaiwera’s Pioneers now well into their 80’s and 90’s, have recently died, or are close to death. Not only do they want to secure their own grave plots, but their children wish to be buried in plots beside them or close by.
For example Fred Trapski from Auckland who late last year brought his wife’s ashes, at her wish, to be buried in a new grave close to his ancestors.
Another example is the Alan Copland Family whose parents were recently buried at Pukerau. This family have many pioneer ancestors buried at Pukerau going back four generations.
A third example, Russell Styles whose parents were the first grave diggers, coffin makers and undertakers at Pukerau.
2. There has been significantly increased interest in using the Pukerau cemetery now that it is so much more attractive, cleaner, tidier and cared for, than it has been.
3. Past and present Pukerau residents have generously contributed financially and with practical work to the developments the Trust and the Council have and are

undertaking at the Cemetery. As a consequence of this, they are also much more interested in being buried with their loved ones already there.

4. The Trust would be every grateful if the Gore District Council would agree to change the policies they had in 2018 and thus facilitate the reinstatement of prepaid plots at Pukerau as was the norm there until 2000.

We respectfully look forward to the Council's response.

Margaret Pullar Hon Secretary Pukerau Cemetery Support Group Trust

7 Aotea Crescent, Gore 9710

Phone 03 208 4955 or Mobile 027 480 4012

mgpullar@xtra.co.nz

7. SPORT NZ RURAL TRAVEL FUND

- ↳ Attached for the Council's information is a report from the Sport NZ Rural Travel Fund Sub-Committee meeting held on Monday, 4 October 2021.

RECOMMENDATION

THAT the report be received.

Minutes of a Sport New Zealand Rural Travel Fund Committee meeting, held in meeting room three, Gore District Council, 29 Bowler Avenue, Gore on Monday, 4 October 2021, at 10.00am.

Present **The Parks and Recreation Manager (Mr Keith McRobie, Chairman), Cr MacDonell and Mrs Gemma O’Neill (Active Southland).**

In attendance **Corporate Support Officer (Karla Brotherston).**

1. WELCOME

The Parks and Recreation Manager welcomed everyone to the meeting and thanked them for their flexibility with scheduling the meeting.

2. DECLARATIONS OF INTEREST

No conflicts of interest were received.

3. FUNDING ALLOCATIONS AND APPLICATIONS

The rural travel fund allocation for the 2021/22 summer round was \$3,818.66 (less advertising) with funding applications received totalling \$3,250.

The Parks and Recreation Manager sought and received confirmation from the Committee that five applications had been received and all met the criteria.

Discussion on the received applications ensued and clarification was received on accountability forms returned from applicants of previous funding rounds.

An enquiry was raised regarding the amount requested by the U12 Marching teams being higher with fewer participants when compared to the other applications. Clarification was given around how the figures equated. Within its application form, the Marching team factored into account the number of competitions it travelled to, as well as distance travelled which made up the cost in attending the competitions. It was noted the Marching team hired a van to enable the team to travel together rather than individually. The Committee agreed that the application received from the U12 Marching team aligned with previous funding requests and that the applications received from St Peter’s College and Gore High School were reasonable and well justified.

The sub-committee agreed that grants for the summer round of Sport New Zealand Rural Travel Fund 2021/22 would be allocated as follows:

Organisation	Request	Recommendation
St Peters College – Cricket	\$840.00	\$840.00
St Peters College – Equestrian	\$500.00	\$500.00
Gore High-School - Cricket	\$650.00	\$650.00
Hokonui U12 Girls Marching Team	\$720.00	\$720.00
Hokonui U16 Girls Marching Team	\$540.00	\$540.00
	\$3,250.00	<u>3,250.00</u>

RESOLVED on the motion of Cr Stewart MacDonell, seconded by Gemma O’Neill, THAT grant monies totalling \$3,250.00 be allocated as per the above schedule, for the 2021/22 Sport New Zealand Rural Travel Fund summer funding round;

AND THAT \$568.66 be carried over to the Sport New Zealand Rural Travel Fund winter round.

5. NEW CLUB INVOLVEMENT

G O’Neill provided a recap of the survey/review carried out by Sport NZ in late 2020. The survey highlighted a lack of funding awareness as well as raising questions regarding the funding guidelines/criteria and if they were fit for purpose.

She advised of all the channels (social media, print media and email) currently used by Active Southland and the Gore District Council to advertise the Rural Travel Fund. It was noted that despite efforts, there was a lack of new applicants applying.

Discussion ensued with some of the key topics considered including; application process, parental awareness, club versus individual applications, committee workloads, awareness within club committees and building the profile of the Rural Travel Fund. It was agreed that holding an information session in the Council Chambers and inviting school sports coordinators (primary, intermediate and secondary) as well as individual club representatives (eg tennis, squash, football) would be advantageous in breaking down misconceptions and could aid future applications. It was suggested and agreed that running a ‘Rural Travel Fund story’ in the Ensign would be beneficial in building fund awareness.

New action – see below

The meeting concluded at 10.13am.

New actions

1. K Brotherston to book Council Chamber for an information session in Term one of 2022 school year (second week).
2. G O’Neill to speak with Ensign about running a Rural Travel Fund story in early 2022

8. REPORT ON ABATEMENT NOTICE RECEIVED FOR STORMWATER DISCHARGE TO FALCONER CREEK AND DRAFT STORMWATER BYLAW (Matt Bayliss)

(Report from 3 Waters Asset Manager – 29.09.21)

Introduction

The Council holds four resource consents associated with the discharge from its stormwater networks in Gore, Mataura, Waikaka, Pukerau and Mandeville. On 29 June 2020, 6 July 2020 and 13 August 2020, Environment Southland received complaints from the public about discharges to Cronin’s Creek (more commonly known as Falconer Creek), which created conspicuous changes to the colour of water in the creek.

Following an investigation into these incidents, Environment Southland issued the Council with both a formal warning and an abatement notice. While the abatement notice was originally issued to the Council on 15 October 2020, a revised abatement notice was issued on 26 January 2021 following an appeal.

This revised abatement notice required the Council to:

- a) *Implement a sampling programme within the Falconer Road catchment over a six month period from the date of the notice*
- b) *Where the sampling programme confirms sources of sediment contamination from within private properties connected to the Council’s stormwater network, prepare an appropriate policy framework ready for consultation, such as a stormwater bylaw, that can provide Gore District Council with the necessary tools to manage Stormwater discharges from private properties within the Falconer Road Industrial Zone (and may include a requirement for improvements to be completed by those landowners such as sealing driveways and yards). The appropriate policy framework must be ready for consultation within 12 months from the date of the notice.*
- c) *Undertake a trial installation of ‘drain guards’ in roadside sumps as a temporary measure to reduce the risk of further sediment runoff for a period of six months from the date of the notice.*

- ⚡ If the Council does not comply with the abatement notice it may be prosecuted under section 338 of the Resource Management Act 1991. Refer to the abatement notice attached for further details.

Actions taken to meet the requirements of the abatement notice

To ensure a requirements of the abatement notice were met, the Council implemented a sampling programme and trial installation of ‘drain guards.’

Sampling programme

- ⚡ Four targeted sampling rounds were completed in the Falconer Road catchment following significant rain on 16 and 30 November 2020 and 11 and 21 May 2021.

A summary of the findings from the sampling programme is provided below, refer also to Map 1 attached for further details:

- Following rain events there is a notable increase in Total Suspended Solids (TSS) in Falconer Creek downstream of the Council's stormwater discharge points, refer to photos 1 and 2 below.
- The TSS in the stormwater runoff from the industrial areas in the Council's stormwater network is notably higher than stormwater run-off coming from residential areas in the catchment.
- The stormwater runoff from some industrial properties appears to significantly increase the TSS loading in the discharge from the Council's network (ie there are some properties worse than others). However, to completely resolve the discoloration issue in Falconer Creek, it is expected some form of stormwater treatment will need to be implemented for the majority of industrial properties in the catchment.
- A build-up of dust and/or debris, which is also likely to contribute to the issue, has been observed on some of the Council's roads in the catchment. It is believed this is due to the industrial nature of the area and the resulting large number of heavy vehicle traffic movements. Refer to photos 3 and 4 below for further examples of this issue. This indicates sealing gravel hardstands in the catchment is unlikely to completely resolve the issue and some form of treatment system for run-off from the road reserve will also be required.



Photo 1 – Falconer Creek upstream of the Council's stormwater discharge points following a rain event



Photo 2 – Falconer Creek downstream of the Council’s stormwater discharge points following a rain event



Photo 3 – Sediment build up along Aparima Street



Photo 4 – Sediment build up along Falconer Road

Drain guards

Drain guards are a specially designed fabric “sock” that can be installed in stormwater sumps as a temporary solution to capture sediment and other contaminants in stormwater, refer to photo 5 below for further details.

Drain guards were installed in five sumps along Waiau Street in November 2020 and removed in mid-May 2021. Unfortunately, it is not practicable to sample the water quality upstream and downstream of these sump guards and therefore it is difficult to gauge their effectiveness. However, at the end of the trial, there was a notable build-up of debris and sediment in the base of drain guards indicating they had been effective to some degree.

A further trial of drain guards along Waiau Street, Aparima Street and Oreti Street is currently being implemented. It is worth noting, while these trials will provide useful information, due to their limited life span, high ongoing costs, and limited treatment capacity the use of drain guards is not expected to be a cost-effective solution in the long-term.



Photo 5 – Temporary drain guards that can be installed in stormwater sumps

Draft Stormwater Bylaw

The stormwater sampling programme that has been completed has confirmed at least some of the sediment contamination is coming from within private properties connected to the Council's stormwater network. Due to this, in accordance with the requirements of the abatement notice the Council is required to "*prepare an appropriate policy framework ready for consultation, such as a stormwater bylaw, that can provide the Council with the necessary tools to manage Stormwater discharges from private properties.*" The abatement notice requires this policy framework to be ready for consultation by 26 January 2022.

↳ After reviewing a number of other Councils' stormwater bylaws the attached draft Stormwater Bylaw has been prepared for the Council's consideration. Also attached, is a Statement of Proposal required under the Local Government Act. In particular, I would draw the Council's attention to the following clauses of the bylaw:

- Clause 5.1 which outlines the prohibited activities under the bylaw such as the discharge or storage of hazardous substances, chemical, wastewater, tradewaste or other substance that causes or is likely to cause nuisance or contravene the Council's resource consent conditions, or the requirements of the Resource Management Act and associated Policy Statements and Plans.
- Clause 10 which outlines the actions and penalties that can be enforced under the bylaw including non-compliant notification, the Council recovering costs for remedial works, prosecution or the issuing of an infringement notice.

The enforcement actions and penalties outlined in this bylaw may appear heavy handed. However, it must be appreciated to resolve the stormwater quality issues that resulted in Environment Southland issuing the Council with an abatement notice, it is likely some property owners will be required to invest significant sums of money.

I would also draw the Council's attention to clause 3.5 which outlines the requirements where private property stormwater and wastewater separation is required to be achieved. In recent history, all new houses being constructed have been required to achieve full separation. Additionally, in some situations, where significant extension and new ancillary buildings have been constructed, full or partial separation has also been required. However, currently there is no clear guidance as to when the requirement to achieve separation is triggered. This therefore requires a judgment call to be made by Council officers at the time and can lead to inconsistency and uncertainty for the property owner. It is expected that the inclusion of clause 3.5 will resolve this issue.

Discussion

Through the development of a stormwater bylaw, the Council will meet the requirements of the abatement notice. However, to meet the requirements of the Council's stormwater discharge consents, it must ensure "*there is no conspicuous change in colour in the Maitai River or Falconer Creek beyond the zone of reasonable mixing.*" To meet this requirement will require significant improvements in the quality of stormwater currently being discharged from the Council's network.

↳ Improvements to stormwater quality can be achieved through a variety of mechanisms such as:

- Ensuring good source-controls are in place such as sealing hardstand area's, diverting and attenuating stormwater flows, bunding and or covering critical area's such as wash-down pads etc.
- The installation of propriety treatment devices manufactured by specialist companies. Some product information regarding the Stormwater 360 *STORMFILTER* and *CASCADE SEPARATOR* devices is attached to this report for further information regarding examples of these propriety devices.
- The installation of 'green' infrastructure such as rain gardens, wetlands, infiltration basins and permeable paving to use natural processes such as vegetation and soil media to provide stormwater management. These solutions are generally also recognised as an opportunity to add value to the urban environment at the same time as providing stormwater treatment.

As a starting point, Council staff have had some preliminary discussions with Stormwater 360 (a specialist company who specialise in stormwater treatment) regarding the use of priority treatment devices both on a property by property scale and at a catchment wide scale. In short, it is likely that two stages of treatment will be required as follows:

- A pre-treatment device which removes coarser sediment, trash, debris, oil and grease – it is likely that it will be most cost effective to install these on a property by property basis.
- A secondary filtration device which removes finer particles dissolved metals, and/or nutrients – it is possible that it will be most cost effective to provide this treatment on a catchment wide basis.

In terms of implementation it is expected that, to prevent the secondary filtration system from being overwhelmed, property specific pre-treatment systems would need to be installed for the majority of the catchment prior to a filtration system being installed.

With regard to pre-treatment devices, likely to be required in private property treatment, the capacity and therefore cost of the device required largely depends on the size and type of the catchment. For a small to medium sized industrial property, ie up to 4000 m² with an average amount of sediment in their runoff, the appropriate device would cost approximately \$12,000. Note, this cost excludes installation costs which will vary significantly from property to property depending on the existing drainage. The required device(s) for larger properties and properties with high sediment loadings would be significantly more than this. In addition to the installation of these devices good source-controls such as sealing hardstand areas, diverting and attenuating stormwater flows, bunding and or covering critical areas such as wash-down pads etc is also likely to be required.

Until more design work is completed it is very difficult to determine the cost of the filtration devices that would likely to be installed on a catchment-wide basis. However initial investigations have suggested these costs would run into the millions of dollars. Given the Council's current challenges and financial limitations with addressing stormwater separation and improved wastewater treatment, this does raise the question as to where stormwater treatment should sit on the Council's list of priorities.

While the devices provided by Stormwater 360 are likely to be effective at improving stormwater quality, it should also be noted that Stormwater 360 have stated that it is quite possible that this type of "mechanical filtration" will not completely resolve the discoloration issue that we are currently seeing in Falconer Creek and therefore the Council may still not meet the current conditions of its resource consent. While there are options to provide a higher level of treatment (ie chemical dosing and coagulation and flocculation) due to the cost associated with this level of treatment, it is not believed this would be viable.

Due to this it is believed that a variation to the Council's existing resource consent may be worth exploring further. However in saying this, improvement to the current stormwater quality would be expected to be required as part of any revised consent conditions.

Three Waters reform

As the Council is aware, the Government's proposed reform to the delivery of three waters services is progressing at pace. The Government's current preferred approach is for the delivery of three waters services for the entire country to be transferred into four new entities. While there was initially some uncertainty regarding whether the delivery of stormwater services would be part of the proposed new entities' responsibilities, it is now understood that the preferred approach is to include stormwater. Due to this, the Council may be tempted to hold off on the development of a Stormwater Management Bylaw, leaving this to the proposed new independent entities.

However, while change to the three waters service delivery is anticipated, there is currently a lot of uncertainty around what form this will take. It is also important to note that if the proposed new three waters service delivery entities do progress, these are not expected to be established until mid-2024. Until then, the Council is required to meet its obligations under any resource consents that it holds. Due to this and to ensure the requirements of the Abatement Notice are met, it is recommended that the Council proceeds with addressing this issue now.

Is a bylaw required?

Under section 155 of the Local Government Act 2022, before commencing the process of making a bylaw, the Council must determine that a bylaw is the most appropriate way of addressing the perceived problem. The Abatement Notice issued by Environment Southland states that an appropriate policy framework must be ready for consultation within 12 months. In reality however, a standalone policy without

regulatory teeth in the form of enforcement and, if necessary prosecution, is unlikely to produce the changes expected and improvement in discharges to Falconer Creek.

It is therefore contended that a bylaw is the most appropriate means by which to address the problem contained in the Abatement Notice.

Does the proposed bylaw affect the New Zealand Bill of Rights Act 1990?

Section 155(2)(b) of the Local Government Act 2002 (LGA) requires the Council to determine whether the proposed bylaw is inconsistent with the New Zealand Bill of Rights Act 1990. Section 147(3)(a) of the LGA also requires the Council to be satisfied that the bylaw is a reasonable limitation on people's rights and freedoms.

The Bill of Rights Act, inter alia affirms democratic and civil rights in the areas of freedom of peaceful assembly, association and movement, which can potentially be impacted on by a bylaw. It is considered that there are no obvious infringements or implications with the New Zealand Bill of Rights Act 1990 in regard to the proposed bylaw. No impacts on freedom of assembly, association and movement are foreseen.

Consultation process

The proposed bylaw will be applicable to any property discharging into any of the Council's stormwater networks. However, the focus of attention will initially be on the industrial properties in the Falconer Road catchment. Due to this a letter explaining the situation and the Council's plan to develop a stormwater bylaw has been delivered to all industrial properties in the Falconer Road catchment.

Once the Council has agreed to the draft bylaw, a public consultation period will be initiated. This will involve connecting with residents directly affected, as well as the wider community, through the Council's communications platforms – digital, mainstream media and public information sessions.

In accordance with the Council's Significance and Engagement Policy, submissions on the draft bylaw will be conducted under the Special Consultative Procedure (SCP), which is a formal process. The Council is required to give the community at least one month to make formal submissions on a proposal and to make these submissions publicly available.

Submitters will need to be given an opportunity to speak to their submissions at a hearing. After consideration of submissions, the bylaw may be amended before going to the Council for adoption.

Conclusion

In January 2021, following ongoing complaints regarding the impact the Council's stormwater was having on the water quality of Falconer Creek, Environment Southland issued the Council with an abatement notice. This abatement notice required the Council to implement a sampling programme, develop a stormwater bylaw ready for consultation and undertake a trial installation of "drain guards." If the

Council does not comply with the abatement notice it may be prosecuted under section 338 of the Resource Management Act 1991.

A sampling programme and investigations into this ongoing issue have been completed. This has shown that there are a number of industrial properties that are contributing to this issue. It has also been noted the buildup of dust and/or debris in the road reserve is also likely to contribute to the issue.

There are devices available designed to improve the quality of stormwater. It is expected the solution may consist of a property specific pre-treatment system followed by a catchment-wide secondary filtration system. However, it is important to note this level of stormwater treatment will require significant investment from individual property owners and the Council, and it is still not expected to completely resolve the discoloration issues we are currently seeing in Falconer Creek. Consequently, the Council would still not be meeting the current conditions of its resource consent. Due to this, it is recommended the Council explores the potential to apply for a variation to its existing resource consent.

Even if the Council is successful in obtaining a variation to its existing resource consent, substantial improvement to the quality of its stormwater discharge will be required. It is expected the quickest gains can be made by requiring the worst offending property owners to install pre-treatment devices and/or other source control measures within their properties. To enable this, and to meet the requirements of the abatement notice the Council has been issued, a draft stormwater bylaw has been prepared for consultation.

RECOMMENDATION

THAT the report be received,

THAT the Council resolve pursuant to Section 146 of the Local Government Act 2002, that the adoption of a bylaw is the most appropriate way of managing stormwater within the Gore District,

THAT the Council approve the draft Stormwater Management Bylaw and accompanying Statement of Proposal for public consultation, pursuant to Sections 155 and 156 of the Local Government Act 2002,

AND THAT the Council investigate the potential to obtain a variation to its existing stormwater discharge consent to ensure it can realistically meet its compliance obligations.

Our reference: EAC-20201347
 Enquiries to: Dewald Villoen
 Email: dewald.villoen@es.govt.nz



26 January 2021

Gore District Council
 PO Box 8
 Gore 9740

Attention: Matt Bayliss and Aaron Green

To whom it may concern,

ABATEMENT NOTICE

1. Please find enclosed an amended abatement notice issued under section 322 of the Resource Management Act 1991 (the Act).
2. The original abatement notice dated 08 October 2020 had been issued to you because we have reasonable grounds to believe that you have discharged contaminants to land in circumstances where those contaminants may enter water, in breach of a regional rule and your resource consent AUTH-206303.
3. On 18 December 2020 Environment Southland received your application to vary the original abatement notice dated 8 October 2020.
4. Having regard to the purpose for which the original abatement notice was issued, and any effects of the proposed changes on that purpose, Environment Southland has agreed to vary the abatement notice in accordance with the proposed amendments.
5. Pursuant to section 325A(6) of 'the Act' please find enclosed the amended abatement notice issued to the Gore District Council.
6. The abatement notice requires you to take action to cease any unauthorized sediment discharges which may be occurring, other than in accordance with a regional rule or your discharge consent AUTH-206303 within 12 months of the date of this notice.

Please do not hesitate to contact the writer should you have any questions.

Yours sincerely,

Dewald Villoen
 Senior Investigator

For **now**
 & **our future**



**ABATEMENT NOTICE UNDER SECTION 322
OF THE RESOURCE MANAGEMENT ACT 1991**

EAC-20201347

To: Gore District Council

PO Box 8
Gore 9740

1 Action Required:

The Southland Regional Council gives notice that you must take action to cease any unauthorised sediment discharges which may be occurring other than in accordance with a regional rule or your consent AUTH-206303 within 12 months of the date of this Notice.

2 Location to Which the Abatement Notice Applies:

Site locality Cronins Creek,
Map reference F45:950-466

Receiving environment Cronins Creek
Catchment Mataura River

3 This notice imposes the following further conditions:

You must comply with the following conditions within the timeframes outlined below:

- (a) Implement a sampling programme within the Falconer Road catchment over a six month period commencing from the date of this Notice.
- (b) Where the sampling programme confirms sources of sediment contamination from within private properties connected to the Council's stormwater network, prepare an appropriate policy framework ready for consultation, such as a stormwater bylaw, that can provide Gore District Council with the necessary tools to manage stormwater discharges from private properties within the Falconer Road Industrial Zone (and may include a requirement for improvements to be completed by those landowners such as sealing driveways and yards). The appropriate policy framework must be ready for consultation within 12 months from the date of this Notice.
- (c) Undertake a trial installation of 'drain guards' in road side sumps as a temporary measure to reduce the risk of further sediment runoff for a period of six months from the date of this Notice.

4 Statutory basis

This notice is issued under section 322(1)(b)(i) of the Resource Management Act 1991, which states:

An abatement notice may be served on any person by an enforcement officer —

- (b) Requiring that person to do something that, in the opinion of the enforcement officer, is necessary to ensure compliance by or on behalf of that person with this Act, any regulations, a rule in a plan or a proposed plan, or a resource consent, and also necessary to avoid, remedy, or mitigate any actual or likely adverse effect on the environment (i) caused by or on behalf of the person; or

5 Reason for the Abatement Notice:

- (a) On 29 June 2020, 6 July 2020 & 13 August 2020, Environment Southland compliance officers received complaints of discharges to Cronins Creek which created conspicuous changes in the colour of Cronins Creek, Gore.
- (b) Attending compliance officers viewed Cronins Creek and saw a discoloration beyond the zone of reasonable mixing on two separate occasions.
- (c) Further information supplied from the Gore District Council showed that sediment is or could be entering the storm water network from business premises around the industrial area near Falconer Street.
- (d) Gore District Council holds a resource consent to discharge storm water into Cronins Creek. Condition 4(a) of that consent states that:
 - 4(a) Beyond a zone of reasonable mixing extending 100 metres downstream from any outfall to the Mataura River, or a zone of reasonable mixing extending 20 metres downstream from any outfall to Cronins Creek:
 - (i) The standards for Mataura 3 and Lowland Soft Bed waterbodies, as shown in Appendices 1 and 2, shall apply and be maintained in the Mataura River and/or Cronins Creek in respect of any discharge made pursuant to this consent.
 - (ii) There shall be no production of any conspicuous oil or grease films, scums, foams, or floatable or suspended materials in the Mataura River and/or Cronins Creek, nor shall there be any emission of objectionable odour from the Mataura River and/or Cronins Creek, as a result of any discharge made pursuant to this consent.
 - (iii) Other than as a result of a dye test in accordance with this resource consent, there shall be no conspicuous change in colour in the Mataura River or Cronins Creek as a result of any discharge made pursuant to this consent.
- (e) The change in colour stated in the consent relates to an area beyond a zone of reasonable mixing extending 100 metres downstream from any outfall to the Mataura River, or a zone of reasonable mixing extending 20 metres downstream from any outfall to Cronins Creek.
- (f) Following the Southland Regional Council's inspection, there was evidence that a discharge of contaminant other than in accordance with a rule in the Proposed Southland Water and Land Plan, or the Discharge Permit, was occurring at one point along Cronins Creek, Gore.
- (g) Any discharge of contaminants onto or into land constitutes a breach of sections 15 and/or 17 of the Resource Management Act 1991, unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan and/or a rule in a proposed regional plan, or a resource consent.
- (h) Sections 15 and 17 of the Resource Management Act 1991 relevantly provide:

Section 15- Discharge of contaminants into environment

 - (1) No person may discharge any —
 - (a) contaminant or water into water; or
 - (b) contaminant onto or into land in circumstance which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
 - (c) contaminant from any industrial or trade premises into air; or

- (d) contaminant from any industrial or trade premise onto or into land —

unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

- (2) No person may discharge may discharge a contaminant into the air, or into or onto land, from a place or any other source, whether moveable or not, in a manner that contravenes a national environmental standard unless the discharge —

- (a) is expressly allowed by other regulations; or
 (b) is expressly allowed by a resource consent; or
 (c) is an activity allowed by section 20A.

Section 17— Duty to avoid, remedy, or mitigate adverse effects

- (1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with —

- (a) any of sections 10, IOA 10B, and 20A; or
 (b) a national environmental standard, a rule, a resource consent, or a designation.

6 Consequence of Non-Compliance:

If you do not comply with this Abatement Notice within the timeframe outlined in section 3 of this Notice you may be prosecuted under section 338 of the Resource Management Act 1991 both for any discharge and for breaching this Abatement Notice. These consequences apply unless you appeal this Abatement Notice and the Abatement Notice is stayed (as explained below).

Right of Appeal:

You have the right to appeal to the Environment Court against the whole or any part of this Abatement Notice. If you wish to appeal, you must lodge a notice of appeal in form 49 with the Environment Court within 15 working days of being served with this Abatement Notice.

Stay of the Abatement Notice:

An appeal does not automatically stay the Abatement Notice so you must continue to comply with it unless you also apply for a stay of the Abatement Notice from an Environment Judge under section 325(3A) of the Resource Management Act 1991 (see form 50). To obtain a stay, you must lodge both an appeal and an application for a stay with the Environment Court.

7 Application to Cancel:

You also have the right to apply in writing to the Southland Regional Council to change or cancel this notice in accordance with section 325A of the Resource Management Act 1991.

8 Local Body Authorising the Enforcement Officer:

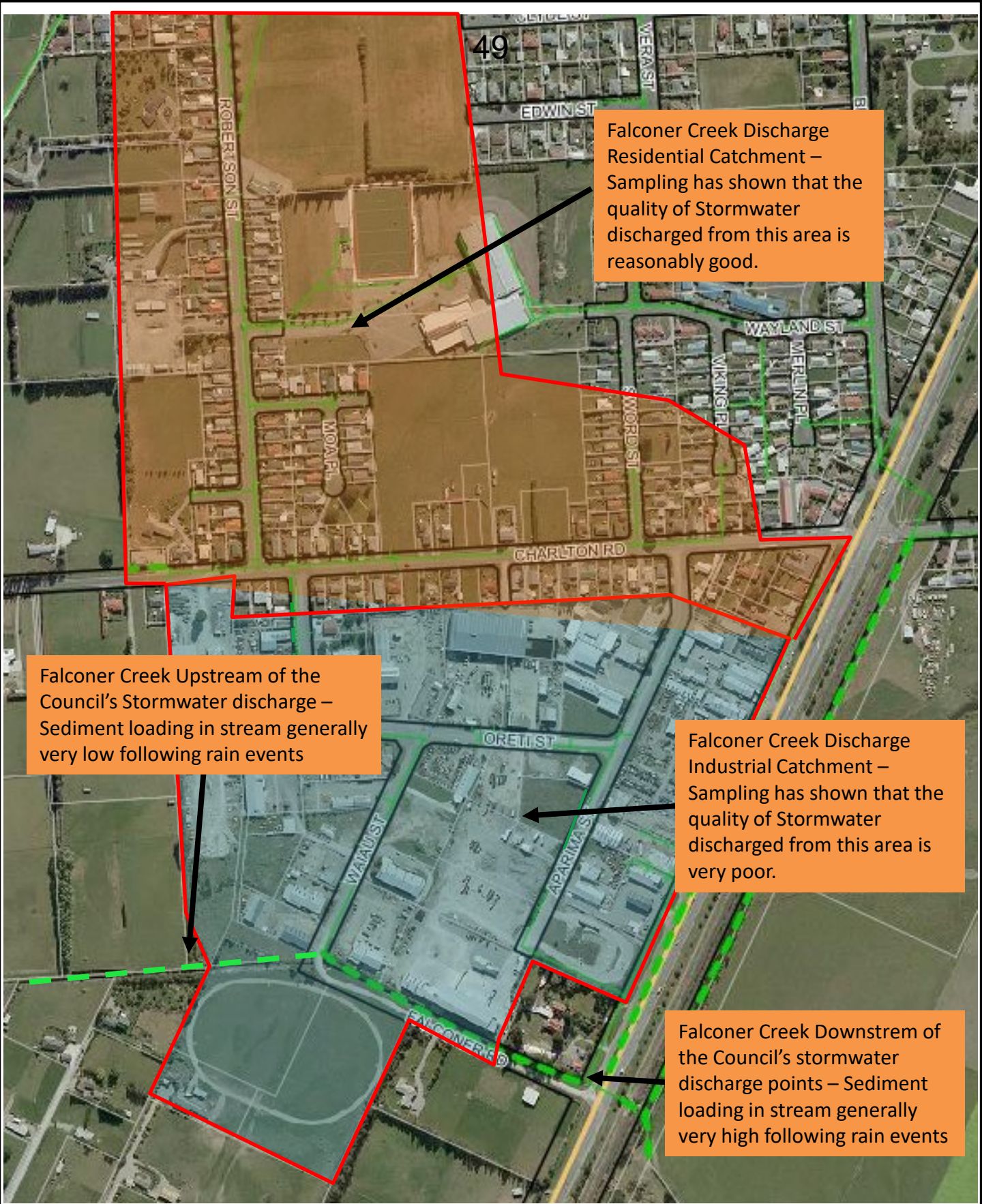
The Southland Regional Council authorised the enforcement officer who issued this Abatement Notice. The address for the Southland Regional Council is 5 Price Street, Invercargill 9840.

9 Authorisation Under Which the Enforcement Officer is Acting:

The enforcement officer is acting under the following authorisation:
A warrant appointing **Dewald Villoen** as an enforcement officer of the Southland

Signed: 

Dated: 26 January 2021





49

Falconer Creek Discharge Residential Catchment – Sampling has shown that the quality of Stormwater discharged from this area is reasonably good.

Falconer Creek Upstream of the Council’s Stormwater discharge – Sediment loading in stream generally very low following rain events

Falconer Creek Discharge Industrial Catchment – Sampling has shown that the quality of Stormwater discharged from this area is very poor.

Falconer Creek Downstream of the Council’s stormwater discharge points – Sediment loading in stream generally very high following rain events

Plan Number: FB003	Plan Title: Map 1 - Falconer Road Stormwater Catchment	Drawn By: MPB
	Project: Abatement Notice EAC 20201347 (Falconer Creek) Response	Date: 27/05/2021
		



Stormwater Management Bylaw

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1. Introduction

The intention of this Bylaw is to manage stormwater within the Gore District so as to protect people, property and the environment by minimising the impact of flooding, erosion and environmental pollution.

Nothing in this bylaw shall derogate from any controls on stormwater imposed by Environment Southland and the Gore District Council (the Council) under the Resource Management Act 1991, the Building Act 2004, or any other Act, Regulation or Bylaw. This Bylaw is made by the Gore District Council pursuant to the powers contained in sections 145 and 146 of the Local Government Act 2002.

This Bylaw applies over the Gore District and shall come into force on XXXXXXXX.

2. Interpretation

Unless inconsistent with the text, any term that is not defined in this section takes its common meaning from the Concise Oxford English Dictionary (*eleventh edition*).

For the purpose of this Bylaw, unless inconsistent with the context, the following definitions shall apply:

The Act	means the Local Government Act 2002.
Approval or approved	means approval or approved in writing by the Gore District Council either by resolution of the Council or by a Council officer.
Catchment	means the area of land within which rainfall flows to a water body.
Chemical	is a substance that is produced by or used in a chemical process.
Consent	means written acceptance or approval by an authoritative body such as the Council of what is planned or done.
Contaminant	includes any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat: <ul style="list-style-type: none"> i) When discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or ii) When discharged on to or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air on to or into which it is discharged; iii) or as described or contained in the Resource Management Act 1991

Council and the Council	means the Gore District Council.
Council officer	any officer for the time being appointed by the Council to carry out or exercise the duties, offices, or powers of a Council officer referred to in or granted by this Bylaw, his deputy or assistant and in acting as provided by this Bylaw shall act as agent for Council; and Any officer appointed by Council as an enforcement officer under section 177 or section 179 of the Act as an enforcement officer with powers of entry as prescribed by sections 171 – 174 of the Act.
Detention device	means a structure that captures some inflow for subsequent release at a slower rate, eg a stormwater detention pond.
Development	means any subdivision, building work or other construction works, which alters the stormwater runoff characteristics of land.
Disconnect/disconnection	means to sever or terminate a pipe.
District	means the district administered by the Council.
Easement	is a right held by one property owner to make use of the land of another for a limited purpose, such as a right to discharge water.
Flood plain	means low lying areas which are predicted to flood in a storm exceeding the design capacity of the primary system.
Hazardous substance	has the same meaning as in the Hazardous Substances and New Organisms Act 1996. A surface that reduces the natural ability for fluid to soak into the ground such as asphalt, concrete, gravel, compacted soil or building roof tops.
Impermeable surface	
Licensed drainlayer	means a drainlayer who is registered under the Plumbers and Drainlayers Act 2006, in either the Licensed Drainlayer or Certifying Drainlayer class, and who has a current practicing licence
Nuisance	has the same meaning as Section 29 of the Health Act 1956, and includes a person, thing, or circumstance causing distress or annoyance or unreasonable interference. In the context of this Bylaw the term nuisance includes but is not limited to: i) Danger to life;

- ii) Danger to public health;
- iii) Flooding of any building floor or sub-floor, or public roadway;
- iv) Damage to property;
- v) An effect on the efficient operation of a stormwater system;
- vi) Damage to any facet of a stormwater system;
- vii) Erosion or subsidence of land;
- viii) Long or short term adverse effects on the environment;
- ix) Adverse loss of riparian vegetation;
- x) Wastewater overflow to land or water; or
- xi) Anything that causes a breach of any stormwater discharge consent condition binding the Council.

Occupier

the inhabitant of any property and, in any case where any building, house, tenement or premises is or are unoccupied includes the owner.

Offence

includes any act or omission in relation to this Bylaw or any part thereof for which any person can be prosecuted.

Overland flow path

means any secondary flow path or the overland route taken by any concentration of, or significant sheet flow of, stormwater on its way to a flood plain.

Owner

as applied to any land, building, or premises, means any person for the time being entitled to receive the rent for such property, or who would be so entitled if it were let to a tenant at a rack rate, and where any such person is absent from New Zealand, includes the attorney or agent.

Person

A natural person and also includes a corporation sole or a body of persons, whether corporate or otherwise.

Premises

means:

- i) a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued
- ii) A building that has been identified as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available;
- iii) Land held in public ownership (eg reserve) for a particular purpose; or
- iv) Individual units in buildings, which are separately

leased or separately occupied.

Private stormwater system	means any stormwater system that serves one or more lots where the lots are in common ownership or used for a common activity where such systems are constructed by or vested in private ownership and not managed or maintained by the Council.
Public stormwater system	includes any stormwater system that serves more than one lot and is not part of a private stormwater system.
Service area	means an area defined by the Council that is designated for and/or contains Council infrastructure services.
Service opening	means a manhole or similar means for gaining access for inspection, cleaning or maintenance of a public stormwater system.
Shall	means must, is, or are obligated to.
Stormwater	means surface water run-off resulting from precipitation.
Stormwater pipe	means any pipe intended for carrying stormwater.
Stormwater system	means a set of facilities and devices, either natural or man-made, which are used to convey run-off, reduce the risk of flooding and/or to improve water quality and includes any stormwater drain as defined in the Plumbers, Gasfitters and Drainlayers Act 2006.
Trade wastes and trade waste	means any liquid with or without matter in suspension or solution therein, which is or may be discharged from trade premises to Council's wastewater system in the course of any trade or industrial process or operation in the course of any activity or operation of a like nature; and may include condensing or cooling waters or domestic wastewater.
Wastewater	is the discharge from any sanitary fixtures or sanitary appliance.
Watercourse	means every open river, stream, creek, culvert and channel through which stormwater commonly flows, whether continuously or not.
Working day	Means any day of the week other than <ol style="list-style-type: none"> i) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day, Matariki Day; and ii) a day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

3. Construction or alteration of stormwater systems

3.1 Acceptance of stormwater

Every premises shall be entitled to have its stormwater accepted by the Council subject to:

- a. The premises lying within a service area which is serviced by a public stormwater system;
- b. There being sufficient capacity within the public stormwater system, provided that if the capacity is not sufficient then the public stormwater system must be upgraded at the cost of the applicant or an alternative solution sought;
- c. Payment of the appropriate rates and charges in respect of those premises;
- d. Gaining prior written approval of the Council in accordance with clause 3.2 of this Bylaw; and
- e. Fulfilment of the requirements of this Bylaw, any relevant consent, the Resource Management Act 1991, Building Act 2004 and any other Acts, Regulations or Bylaws.

3.2 Use of a stormwater system

No person other than a Council officer may discharge, make a new connection to, alter, or otherwise interfere with any facet of any public stormwater system or overland flow path without the prior written approval of the Council. Every application for such approval shall be made in writing on the prescribed form together with payment of the prescribed charges and include all the details required by the Council. An application shall be made whether or not a public stormwater pipe has already been laid up to the point of discharge as is defined in Clause 9 of this Bylaw.

If written approval is given, this will be subject to any terms and conditions set by the Council.

Refer to the Council's Connection to Reticulated Wastewater and Stormwater Services Policy for further details regarding applying for a new connection.

3.3 Disconnection from a public stormwater system

A land owner shall give a minimum of seven working day's notice in writing of his or her intention to disconnect from a public stormwater system. Such a disconnection would include re-laying of any private stormwater reticulation or the demolition or removal of a building connected to a public stormwater system. The demolition or removal of any building(s) shall not commence until the Council has inspected the stormwater disconnection, and/or the Council has given written permission for such works to proceed.

3.4 Design constraints

All proposed stormwater systems and any proposed alterations to any existing stormwater systems (including changes to site coverage which will result in an increase in stormwater flows from a property) must be designed, constructed and operated in accordance with:

- a. This Bylaw;
- b. The current Gore District Council Subdivision and Development Bylaw;
- c. Environment Southland's Water and Land Plan;
- d. The Gore District Plan;
- e. The Building Act 2004 and the New Zealand Building Code;
- f. Any discharge consents, building consents or other consents relevant to the works; and
- g. Any resource consents held by the Gore District Council
- h. Any written conditions imposed by Council when approving the works.

3.5 Separation of internal drainage

Fully separation of the internal stormwater and wastewater drains for an entire premises must be achieved under the following situations:

1. A new building with a roof area of 30 m² or more is being constructed,
2. An existing building is being altered that will result in the building foot print being increased by 20 m² or more,
3. The impervious surface discharging to the internal drainage network is being increased by more than 50 m²

3.6 Maintenance of a private stormwater system

All private stormwater systems are to be managed and maintained as per their intended design or the manufacturer's instructions.

3.7 Works on stormwater systems

No person other than a Council Officer or a 3 Water's Council approved contractor may carry out work on the public stormwater system. Refer to the Council's 3 Waters Approved contractor policy for further details.

Work on private stormwater systems shall be undertaken by a Licensed Drainlayer.

3.8 As-built plans

As-built plans showing details of all new connections or alterations shall be provided to the Council within the time frame specified in the Council's written approval for the use of the stormwater system.

4. Site development and management

The Council may require the installation and maintenance of private stormwater detention and/or treatment devices during the development of a property to retard and/or treat the flow of stormwater.

Refer to the latest version of the Council's Subdivision and Development Bylaw for further details and requirements.

5. Protection of public stormwater systems

5.1 Prohibited activities

No person shall:

- a. Allow any material, hazardous substance, chemical, wastewater, trade waste or other substance to enter, either directly or indirectly (eg via a private stormwater system) a public stormwater system that causes or is likely to cause nuisance or contravene the Councils resource consent conditions, or the requirements of the Resource Management Act and associated Policy Statements and Plans;
- b. Allow any material, chemical, hazardous substance or other substance likely to cause nuisance or contravene the Councils resource consent conditions, or the requirements of the Resource Management Act and associated Policy Statements and Plans on entering a public stormwater system to be located so that it is likely to enter a public stormwater system (either directly or indirectly) in any storm event;
- c. Do anything or allow any stock to do anything that damages or is likely to cause damage to any facet of any public stormwater system.

5.2 Restricted activities

Without the prior written approval of the Council, no person shall:

- a. Cause the crushing load imposed on any facet of a public stormwater system to exceed that which it is designed for;
- b. Erect any new vehicle or stock crossing over a watercourse, cross or pass over any watercourse within a public stormwater system without prior permission of Council;
- c. Abstract any water from or allow their stock access to any facet of any public stormwater system;
- d. Remove any existing covering material or place any additional material over or near any facet of a public stormwater system;
- e. Cover any service opening such as manholes, catchpits or any other surface infrastructure; or
- f. Modify the bank structure of an open watercourse within a public stormwater system or strip stabilising vegetation from the banks in such a way as to render them subsequently unstable.
- g. Make changes to a properties internal stormwater system including increasing impermeable surfaces of a property which will result in increase in Stormwater run-off

5.3 Building over public stormwater systems

No person shall erect any building or carry out any work in such a location and at such levels that the diversion, alteration, protection, or replacement of any facet of any public stormwater system is required, without the prior written approval of the Council.

5.4 Other restrictions

Following receipt of an application for works to be undertaken on a stormwater system, and after consideration of the proposed work methods, depth of excavations, soil properties and other site specific information, the Council may apply other restrictions for the protection of a public stormwater system.

5.5 Buried services

Any person proposing to carry out excavation work shall view the Council's publicly available online mapping system as a guide to establishing whether or not Council services are located in the vicinity. Locating the actual position and depth of existing buried services is the responsibility of the person undertaking the work or their representative.

When excavating and working around buried services, due care shall be taken to ensure the services are not damaged, and that bedding and backfill is reinstated in accordance with the appropriate Council specification.

6. Obstructions to stormwater systems

6.1 Prohibited activities

No person shall:

- a. Obstruct any facet of any public or private stormwater system in a manner that is likely to cause nuisance;
- b. Erect any structure or stopbank, grow any vegetation, deposit any rubbish or other debris, or carry out any activity in a place or manner that is likely to cause nuisance to a public stormwater system during a storm event or without the prior permission of the Council; or
- c. Obstruct any overland flow paths or flood plains with any material or structures such as buildings, fences, retaining walls and rock gardens without the prior permission of the Council.

6.2 Blockages

A land owner/occupier who suspects a blockage of a public stormwater system shall contact the Council immediately. The Council will arrange to have the stormwater system inspected and cleared of all blockages, provided that the blockage has not been forced downstream into a public stormwater system in an act of clearing it from the private system, and that the land owner/occupier has not breached any clauses of this Bylaw.

6.3 Tree roots

In the event of the roots of any tree on any private property causing or being likely to cause damage, interference to the flow, or blockage to any facet of a public stormwater system, the Council shall follow the procedure set out in section 468 of the Local Government Act 1974.

7. Responsibility

7.1 Maintenance

All privately owned stormwater systems shall be designed, constructed, managed and maintained by the owner or at the owner's expense and in accordance with their design or the manufacturer's instructions.

7.2 Open watercourses

All privately owned open watercourses, stopbanks and other defences to water are to be maintained by, at the expense of the owner, to ensure free flow of water. Rubbish or debris shall not be left on a property in a manner that is likely to cause a nuisance during a storm.

7.3 Discharging into neighbouring properties

No person shall allow their stormwater to discharge on to a neighbouring property via surface flow, other than what would naturally occur from pervious areas and from designated overland flow paths.

7.4 Reporting to the Council

The following shall be reported to the Council immediately following their occurrence:

- a. Any substance entering a public or private stormwater system causing or likely to cause nuisance;
- b. Any damage or blockage to any facet of a private stormwater system causing or likely to cause nuisance; or
- c. Any damage or blockage to any facet of a public stormwater system causing or likely to cause nuisance.

7.5 Loss, damage or inconvenience

Council shall endeavour to meet the level of service requirements of clause 3.1, but shall not be liable for any loss, damage or inconvenience which any person may sustain as a result of deficiencies in a public stormwater system.

7.6 Natural hazard emergencies

Natural hazards (such as floods or earthquakes) or accidents beyond the control of Council, which result in large scale disruptions to the ability of public stormwater systems to receive stormwater, will be deemed an emergency.

8. Council monitoring

8.1 Access to stormwater systems

A land owner/occupier shall allow the Council access to and about all facets of all public and private stormwater systems for the purposes of monitoring, testing and maintenance work between 7:30am and 6.00pm on any day.

8.2 Access during emergencies and misuse

In emergency conditions, or for the purpose of ascertaining whether a stormwater system is being misused, a land owner/occupier shall allow the Council free access to and about all facets of all public and private stormwater systems at any hour.

8.3 Non-compliance enforcement

Scheduled monitoring of private stormwater systems shall not incur any costs to the land owner/occupier, provided no issues are discovered. If during the monitoring or at any other time a land owners private stormwater system is found to be non-compliant, the land owner may be subject to enforcement action by the Council in accordance with clause 10.0 of this Bylaw.

9. Point of discharge

9.1 Boundary of responsibility

The point of discharge from a premises shall be the point on the public stormwater system, which marks the boundary of responsibility between the land owner and Council. This may differ from the property boundary.

Dual connections to the Council's infrastructure are prohibited. Unless dispensation is granted there shall be one point of connection only for each premises, and any private stormwater system shall not extend by pipe or any other means to serve another premises.

Refer to the Council's Connection to Reticulated Wastewater and Stormwater Services Policy for further details.

10. Enforcement actions and penalties

Every person who fails to comply with the requirements of this Bylaw commits an offence under section 239 of the Act, and is liable to enforcement action by the Council. The type of enforcement action carried out by the Council will depend on the severity of the situation and may include:

- a. Non-compliant notification to the land owner including a time period to rectify the issue. If compliance is not reached within the specified time period of the notification, then the Council will rectify or organise for the issue to be rectified, and recover all costs from the land owner;
- b. The Council rectifying or organising the rectification of the issue if the situation is creating nuisance or if that is the preference of the land owner, with all costs recovered from the land owner;
- c. Prosecution; or
- d. An infringement notice as specified in section 245 of the Act being issued.

11. Other requirements

The provisions of this Bylaw do not remove the need for any resource consent or other consent or approval required (ie a Regional Council discharge permit) and do not replace the

obligations or requirements set out under the Resource Management Act 1991, Building Act 2004, and Local Government Act 2002 or any other Acts, Regulations or Bylaws.

12. Powers of entry

All Council officers, or other persons authorised under section 174 or section 177 or clause 32 of Schedule 7 of the Act shall possess and produce on request warrants of authority and evidence of identity. Any Council officer may at any reasonable time enter any premises to determine compliance with this Bylaw. The extent and level of delegation to Council officers shall be in accordance with the Council's Register of Statutory Delegations and Warrants. Authorisation for entry to premises is given under the Act and entry shall be in compliance with the health and safety policies of that particular site.

13. Dispensation

Dispensation from any of the conditions specified in this policy will be at the discretion of the Council.

If a property owner wishes to apply for dispensation, the property owner shall submit a request in writing to the 3 Waters Asset Manager, setting out the matters of non-compliance, the reasons why the required standard cannot be complied with, and why an exemption should be granted. Following receipt of a dispensation request, the 3 Waters Asset Manager will respond in writing within 20 working days, either approving or declining the request and outlining justification for the decision.

Should the property owner disagree with the 3 Waters Asset Manager's decision, the property owner may request that the relevant information be submitted to either the Council's Community Strategy Committee, or the full Council, for further consideration and determination.

The determination of the Council shall be final.

STATEMENT OF PROPOSAL STORMWATER MANAGEMENT BYLAW

Introduction

The Local Government Act 2002 (LGA) enables a bylaw to be made and introduced by the Gore District Council.

The intention of the Stormwater Management Bylaw is to manage stormwater within the Gore District so as to protect people, property and the environment by minimising the impact of flooding, erosion and environmental pollution.

Background

The stormwater sampling programme that has been completed by the Council has confirmed at least some of the sediment contamination into Falconer Creek has come from within private properties connected to the Council's stormwater network. The Council was issued with an Abatement Notice by Environment Southland on 26 January 2021. The requirements of the Abatement Notice necessitate the Council to *"prepare an appropriate policy framework ready for consultation, such as a stormwater bylaw, that can provide the Council with the necessary tools to manage stormwater discharges from private properties."* The Abatement Notice requires the policy framework to be available for consultation by 26 January 2022.

Process as outlined in the Local Government Act 2002

Section 155 of the LGA sets out the procedure for the making of a bylaw which includes making determinations under that section. Sections 83 and 156 outlines the special consultative procedure to be followed.

Key points included in the bylaw

- Clause 3.5 outlines the requirements where private property stormwater and wastewater separation is required to be achieved. In recent history, all new houses being constructed have been required to achieve full separation. Additionally, in some situations, where significant extension and new ancillary buildings have been constructed, full or partial separation has also been required. Currently there is no clear guidance as to when the requirement to achieve separation is triggered.
- Clause 5.1 outlines the prohibited activities under the bylaw such as the discharge or storage of hazardous substances, chemical, wastewater, tradewaste or other substance that causes or is likely to cause nuisance or contravene the Council's resource consent conditions, or the requirements of the Resource Management Act and associated Policy Statements and Plans.
- Clause 10 outlines the actions and penalties that can be enforced under the bylaw including non-compliant notification, the Council recovering costs for remedial works, prosecution or the issuing of an infringement notice.

The Council considers through the development of a Stormwater Bylaw, that it will meet the requirements of the Abatement Notice and improve the management of stormwater in the Gore District.

Is a bylaw the most appropriate way of managing the problem?

Under section 155 of the Local Government Act 2022, before commencing the process of making a bylaw, the Council must determine that a bylaw is the most appropriate way of addressing the perceived problem. The Abatement Notice issued by Environment Southland states that an appropriate policy framework must be ready for consultation within 12 months of the Notice being issued. In reality however, a standalone policy without regulatory teeth in the form of enforcement and, if necessary prosecution, is unlikely to produce the changes expected and improvement in discharges to waterways.

It is therefore contended that a bylaw is the most appropriate means by which to address the problem contained in the Abatement Notice.

Does the proposed bylaw affect the New Zealand Bill of Rights Act 1990?

Section 155(2)(b) of the Local Government Act 2002 (LGA) requires the Council to determine whether the proposed bylaw is inconsistent with the New Zealand Bill of Rights Act 1990. Section 147(3)(a) of the LGA also requires the Council to be satisfied that the bylaw is a reasonable limitation on people's rights and freedoms.

The Bill of Rights Act, inter alia affirms democratic and civil rights in the areas of freedom of peaceful assembly, association and movement, which can potentially be impacted on by a bylaw. It is considered that there are no obvious infringements or implications with the New Zealand Bill of Rights Act 1990 in regard to the proposed bylaw. No impacts on freedom of assembly, association and movement are foreseen.

Does the Council need to consult on the proposed bylaw?

The special consultative procedure contained within section Sections 83 and 156 of the LGA outlines the procedure to be followed for making a new bylaw.

Public notification and submissions

The Council is seeking submissions on the making of the Gore District Council Stormwater Management Bylaw 2021 commencing from Friday 15 October 2021. The consultation period will run for no less than 30 days and will close at 5.00 pm on Friday 19 November 2021. Submissions may be delivered to the Council's office at 29 Bowler Avenue, Gore, mailed to PO Box 8, Gore 9740 or emailed to info@goredc.govt.nz.

The Council will acknowledge in writing each submission received. Submitters who wish to speak regarding their submission will be contacted by the Council with the date and time of the hearing.

A copy of the statement of proposal, along with the proposed bylaw is available at the Gore and Matura offices of the Gore District Council, the Gore Library and from the website www.goredc.govt.nz

Stephen Parry
Chief Executive

CASCADE SEPARATOR™

Innovative and efficient hydrodynamic separator

ADVANCED SEDIMENT CAPTURE TECHNOLOGY

The Cascade Separator is the newest innovation in stormwater treatment. This innovative hydrodynamic separator excels at sediment capture and retention while also removing hydrocarbons, litter, and debris from stormwater runoff. What makes the Cascade Separator unique is the use of opposing vortices that enhance particle settling and a unique skirt design that allows for sediment transport into the sump while reducing turbulence and resuspension of previously captured material. These two factors allow the Cascade Separator to treat high flow rates in a small footprint, resulting in an efficient and economical solution for any site.

HOW DOES IT WORK?

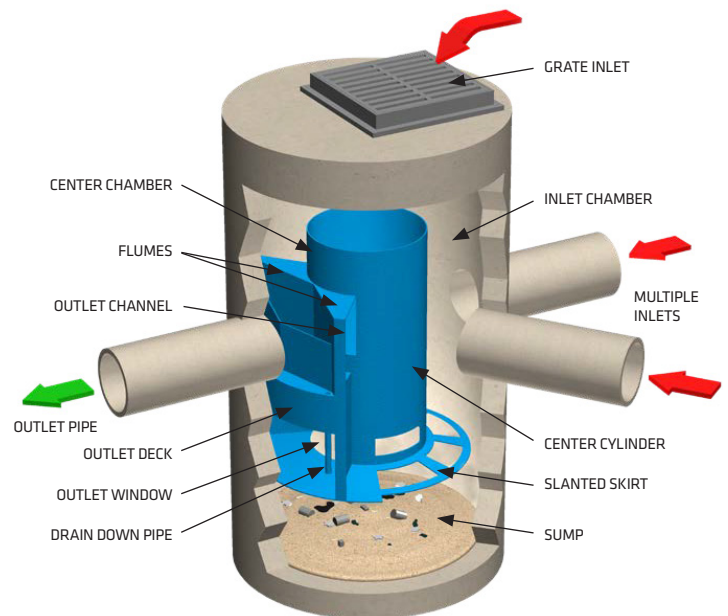
As stormwater enters the Cascade Separator through one or multiple inlets and/or a grate inlet, it impacts the centre cylinder and is directed toward separate flumes. It then travels through the opposing flumes enters the centre chamber where vortices rotate in opposite directions and facilitate enhanced particle settling. As water swirls downward sediment settles into the sump and treated water exits through the outlet window and exits the system.

When flows exceed the capacity of the flumes, the excess water flows over the flumes and exits the system without re-suspending or washing out previously captured pollutants.

PROVEN PERFORMANCE

The Cascade Separator has received the New Jersey Department of Environmental Protection (NJDEP) Certification*

*NJDEP testing based on Cascade Separator with one inlet pipe and no grate



CASCADE FEATURES AND BENEFITS

- **Unique Skirt Design with Opposing Vortices** resulting in superior TSS removal & therefore smaller footprint and excavation size for a given treatment flowrate (compared to other alternatives)
- **Accepts a Wide Range of Inlet Pipe Angles** allowing for design and installation flexibility
- **Accepts Multiple Inlet Pipes** eliminating the requirement and cost for upstream receiving manholes
- **Grate Inlet Option** eliminating the need for a separate grate inlet structure
- **Internal Bypass** saving the requirement and cost of upstream bypass structures
- **Clear Access to Storage Sump** providing fast and easy maintenance
- **Range of Sizes Available** to enable the most economical solution for your project

CONTACT DETAILS

Stormwater360

FREEPHONE:
0800 STORMWATER
(0800 786769)

www.stormwater360.co.nz

Stormwater360®
BETWEEN SKY AND SEA

STORMFILTER™

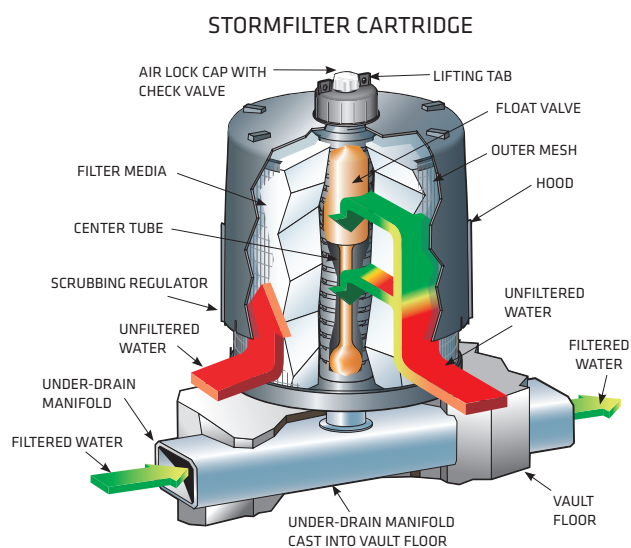
High efficiency /
low maintenance
stormwater filter.

SIPHON-ACTUATED FILTRATION The Stormwater Management StormFilter® cleans stormwater through a patented passive filtration system, effectively removing pollutants to meet the most stringent regulatory requirements. Highly reliable, easy to install and maintain, and proven performance over time, StormFilter products are recognised as a versatile BMP for removing a variety of pollutants, such as sediments, oil and grease, metals, organics, and nutrients. These systems come in variable configurations to match local conditions and come with prolonged maintenance periods to ensure long-term performance and reduce operating costs.

HOW DOES IT WORK?

During a storm, runoff passes through the filtration media and starts filling the cartridge center tube. Air below the hood is purged through a one-way check valve as the water rises. When water reaches the top of the float, buoyant forces pull the float free and allow filtered water to drain.

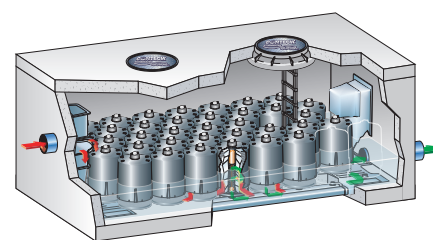
After the storm, the water level in the structure starts falling. A hanging water column remains under the cartridge hood until the water level reaches the scrubbing regulators. Air then rushes through the regulators releasing water and creating air bubbles that agitate the surface of the filter media, causing accumulated sediment to drop to the vault floor. This patented surface-cleaning mechanism helps restore the filter's permeability between storm events.



PROVEN PERFORMANCE

- **New Zealand's only independently verified filter** by Washington Department of Ecology, New Jersey Department of Environmental Protection and USEPA's Environmental Technology Verification program).
- **Approved Auckland Council** >75% TSS removal and approved on high trafficked roads (>20,000 V.P.D)
- **Over 550 x StormFilter's installed** throughout New Zealand-treating over 3.7 million m² of catchment area
- **8th generation of the product.** Design refined and perfected over two decades of research and experience

STORMFILTER VAULT



STORMFILTER BENEFITS

UNDERGROUND SYSTEMS MAXIMISE PROFITABILITY

- Save land space allowing denser developments reducing sprawl
- Add parking spaces and increase building size, increasing profitability
- Compact design reduces construction and installation costs by limiting excavation

RELIABLE LONGEVITY & LOWER MAINTENANCE COSTS

- Self cleaning hood prevents surface blinding, ensures use of all media and prolongs cartridge life
- 1-3 year maintenance cycles
- 8 years maintenance experience – 1-5 year contracts with cost guarantees
- Minimal or no standing water. Lower disposal costs

CONTACT DETAILS

Stormwater360

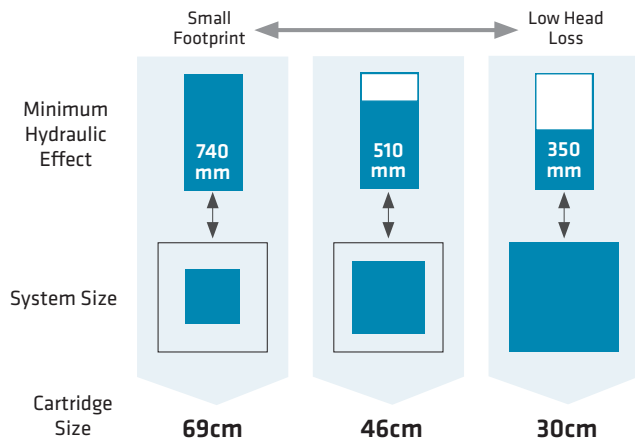
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Stormwater360
BETWEEN SKY AND SEA

SUPERIOR HYDRAULICS

Multiple cartridge heights gives design solutions for site restraints.



Other hydraulic benefits

- Low hydraulic effect as low as 350 mm head loss
- Zero surcharge of inlet pipe unlike upward flowing filters
- Can be operated with tail water e.g tidal conditions
- Online and offline configurations can limit hydraulic effects

MEDIA CHOICES

Our filtration products can be customised using different filter media to target site-specific pollutants. A combination of media is often recommended to maximise pollutant removal effectiveness.



Perlite is naturally occurring puffed volcanic ash. Effective for removing TSS, oil and grease.



ZPG™ is a multi-purpose media option approved for highly trafficked sites or sites with high metal loadings. ZPG is a mixture of Zeolite, Perlite and GAC (granular activated carbon). ZPG is ideal for removing soluble metals, TSS, oils and grease, organics and ammonium.



Zeolite is a naturally occurring mineral used to remove soluble metals, ammonium and some organics.



GAC (Granular Activated Carbon) has a micro-porous structure with an extensive surface area to provide high levels of adsorption. It is primarily used to remove oil and grease and organics such as PAHs and phthalates.

CONFIGURATION

Stormfilter's can be configured in any drainage structure. Please contact SW360 for a customised design.



PRECAST VAULT

- Treats medium sized sites
- Simple installation – arrives on-site fully assembled

DRYWELL/SOAKAGE

- Provides treatment and infiltration in one structure
- Available for new construction and retrofit applications
- Easy installation
- Shallow and Rock soakage models available



HIGH FLOW

- Treats flows from large sites
- Consists of large, precast components designed for easy assembly on-site
- Several configurations available, including: Panel Vault, Box Culvert, or Cast-In-Place

DETENTION

- Meets volume-based stormwater treatment regulations
- Captures and treats site specific Water Quality and Quantity Volume
- StormFilter cartridges provide treatment and control the discharge rate
- Can be designed to capture all, or a portion, of the WQV
- Detention vault configured to provide pre-treatment



CATCHPIT/ CURB-INLET

- Provides a low cost, low drop, point-of-entry configuration
- Treats sheet flow from small sites
- Accommodates curb inlet openings from 1 to 3 metres long

PRECAST MANHOLE

- Provides a low drop, point-of-entry configuration
- Uses drop from the curb inlet to the conveyance pipe to drive the passive filtration cartridges
- No crane required (Hi-AB lifting for most sizes)
- 1050-2400mm diameter sizes available



9. THREE WATERS REFORM - UPDATE

(Memo from Chief Executive 01.10.21)

I refer to an extraordinary meeting of the Council held on 22 September, in which the Council's reaction to the Government's proposals for major reform of the Three Waters sector, was discussed. Minutes of this discussion appear elsewhere in the Council agenda.

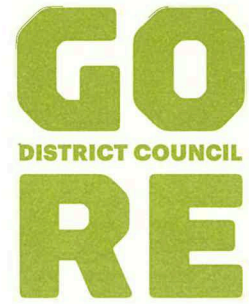
The points raised in the staff report and the discussion held at the extraordinary meeting were subsequently collated into a letter that was forwarded to the Minister of Local Government before the deadline for feedback of 1 October.

- ✦ A copy of the letter signed by His Worship the Mayor which hopefully suitably prioritises and amplifies the host of concerns that the Council had about the Three Water Reforms.

It is fair to say that the reform proposals of the Government have been strongly opposed by the majority of councils within New Zealand. A response by the Government to what can only be described as, a cacophony of militant dissent within the local government sector, is awaited by the end of October.

RECOMMENDATION

THAT the letter to the Minister of Local Government be noted and endorsed.



28 September 2021

Hon Nanaia Mahuta
Minister for Local Government
Private Bag 18-888
Parliament Buildings
Wellington 6160

29 Bowler Avenue, Gore 9710
PO Box 8, Gore 9740
Phone 03 209 0330
Email info@goredc.govt.nz
www.goredc.govt.nz

Dear Minister

Central Government Three Waters Reform Proposal: Gore District Council feedback

The Gore District Council has utilised the eight-week window offered by the Government to provide indicative feedback on its Three Waters Reform Proposal, to intensely analyse and vigorously debate the merits of what is “on the table”. The Council has refrained from wading into any national debate or hitching its colours to a popular bandwagon. On the contrary, the Council has viewed the proposals through the lens of what meets the needs and concerns of communities within the Gore district.

The Council recently met formally in a public setting to consider its position on the proposed reforms. This meeting was aided by a comprehensive staff report and extensive discussion by elected members at an earlier workshop. I now set out below the feedback of the Gore District Council.

Accuracy of financial data

The Council believes that central government’s reform proposal has been unnecessarily blighted by financial information provided which is difficult to reconcile with what we understand to be current costs. In this regard, the reliance placed on a Scottish institution to do the Government’s bidding in regard to analysis of current costs within New Zealand, appears to be an unwise move. Put simply, it is very unhelpful when financial data provided on (for example), the current level of three waters expenditure, expressed in terms of a three waters rate, does not accord with staff or elected members’ knowledge of what exists within its current organisation. These frustrations have also been cited by the Council’s own three waters consultants, Morrison Low, in a comprehensive report on the accuracy of the analysis provided by the Water Industry Commission for Scotland (WICS). Like many other councils, the Gore District Council holds the view that the assumptions made and source material utilised by WICS in producing its forecasts has undermined the integrity of the entire reform process.

The Council does however acknowledge that costs will inevitably rise and whilst the information and assumptions used by WICS may be questionable, the trajectory of travel in regard to financial implication cannot be doubted.

The “Hobson’s choice” in regard to options

A principal concern of the Council is the limited number of options put forward by the Government for local government feedback. In essence, the Government has blandly put it as either opt in or opt out. There appears to be a marked reticence to entertain anything else.

Gore District Council is deeply disappointed that the Government has quickly dismissed the option of having a shared funding model akin to what currently takes place in roading with Waka Kotahi. This option does not appear to have been the subject of any meaningful evaluation that has been disclosed to the local government sector.

More particularly, analysing this option placed against the costs involved in setting up new water entities does not appear to have been undertaken. This analysis would also need to factor in the wholesale disruption and consequential loss of momentum that any large-scale reform imports.

The Council, wholeheartedly agrees that the cost of dealing with the perfect storm of aged infrastructure and rising environmental standards, will inevitably cause a steep and imposing fiscal challenge for communities in regard to three waters. However these challenges would be far less imposing if the Government recognised the importance of three waters infrastructure to the well-being of New Zealanders in social, economic, environmental and cultural dimensions and partnered genuinely with local government.

These comments are offered on the basis that historically, major improvements in infrastructure in New Zealand communities have tended to occur with the assistance of central government. This routine funding partnership between central and local government for three waters projects appeared to fade and diminish in the 1980s. Since that time, only boutique-type projects for smaller deprived communities or natural hazards in the form of the Canterbury earthquakes, appear to have forced the Government’s hand to make a meaningful contribution.

The Gore District Council fervently believes that serious consideration needs to be given to introducing a genuine funding partnership for three waters before embarking on a highly disruptive and divisive reform process.

The status quo

In developing a view on the proposed reforms, the Council has been cognisant of the changing regulatory and financial landscape in regard to three waters. The Council agrees with central government that any analysis of viable options, cannot credibly include the status quo.

Therefore, the Council has evaluated the merits of what is being proposed against the Council standing outside the reform process and forging its own path without any financial assistance.

Given the Council’s current debt levels and forecast expenditure for wastewater treatment upgrades in particular, it has concluded that it is not in a position to meet future environmental standards without some form of external financial assistance.

On this basis, the Council is keen to explore another model for the delivery of three waters which can produce the level of financial assistance sought. This is why the Council is keen on a funding partnership model with central government for both operational and capital expenditure as outlined above.

However in the spirit of providing feedback on what the Government has disclosed to date in regard to its proposed reforms, further comments on specific elements of these reforms are now provided.

Local voice and input

Mechanisms need to be put in place to ensure that a local voice on three waters issues is retained in order that there is an opportunity to have some influence on decisions made by the new three waters entity. The details disclosed to date about the new three waters entities, do not provide adequate information on how each council will interface with the new entity and have some meaningful influence on investment priorities and service standards that will apply in our district.

Future capital investment

There is a real fear within the Council that once the reforms are implemented, “all bets are off” in regard to levels of capital investment that will be made in our communities. Dealing with a Christchurch-based bureaucracy in fighting for financial resources amongst a sea of other competing interests does not fill my council with confidence. Therefore, the Council requires a minimum guarantee on future capital investment in the Gore district, before it could lend its support to the reform package. Provincial and rural New Zealand has been scarred by previous experiences of the aggregation of power and marginalisation of local influence. Unless explicit undertakings are provided, a lack of faith that reform will benefit a local community, will inevitably take root.

The risk of privatisation

Like many, if not all, councils, Gore District is very concerned at the prospect of three waters being privatised at some point in the future. Soothing reassurances in this regard were provided by the Prime Minister at the Local Government New Zealand conference in July this year. The Prime Minister in her speech to the conference stated that the Government would put in place an entrenchment in the legislation to prevent a future Parliament from privatising water assets. At the time, this reassurance was well-received given that it is a very rare step for a Government to entrench legislation.

However, more latterly the reform proposals appear to be now geared towards designing mechanisms within each entity’s governance structure to restrict the opportunity for future privatisation, as distinct from the Government legislating to prevent this occurrence.

Given the critical nature of water and the reliance on it for the preservation and enhancement of human life, the Gore District Council believes that retrenched legislation preventing future privatisation of three waters assets should be enacted by the Government.

Inequity of incentive funding

The Council views with dismay the continuation of the Government's inequitable approach to the distribution of incentive funding within this reform package. The use of both deprivation and area along with population provides very unfair outcomes for some councils. By way of illustration the Wairoa District, with a population less than that of the Gore District, will receive over twice the level of funding than that which is allocated to my council. This is patently unfair and acts as a disincentive to sign up to the reform process.

It is suggested that a population-based formula would be a better approach with a small allowance for deprivation. Importing land area into the equation is in our view, specious. Three waters networks serve compact, predominantly urban populations. It is difficult to comprehend why land area has any relationship to three waters concentration. The formula used by the Government in its reform proposal, merely rewards those districts that have large land areas, which invariably are sparsely populated and have less reliance on three waters networks. More thought needs to be applied to this area.

The need for four entities

A final point that the Council wishes to make is whether the Government is wedded to the concept of four water entities. The need for four entities in our view needs further evaluation. It is significant that the Government seems to have a strong predilection towards the experience and thinking of what has occurred in Scotland, yet has shied away from the concept of having a singular entity to govern and manage three water networks, which has been the approach of that country.

Whilst this observation should in no way be construed as tacit support for three waters reform, if the Government is minded towards radical reform, then in the Gore District Council's view, a singular entity to service the entire country needs to be given serious consideration. Such an approach would obviate the need for the creation of multiple large bureaucracies and pool very finite specialist resources into one catchment. A singular entity would avoid the need for the creation of four separate IT systems, four HR departments, four finance and treasury departments and the establishment and appointment of multiple specialist engineering positions in each of the four entities.

The scarcity of specialist engineering staff in particular would appear to militate against creating four new entities. Establishing four entities to compete with each other for limited resources would detract from the overarching objective of improving the standard of three waters infrastructure within New Zealand.

The foregoing views are submitted on behalf of the Gore District Council and commended to you for earnest consideration.

Yours sincerely



Tracy Hicks JP
Mayor

10. HEALTH AND SAFETY REPORT

(Report from Human Resources Manager – 01.10.21)

Gore District Council staff training

- First aid training – one office staff member completed a full course and two others completed refresher courses in July.
- Seven Parks staff completed chainsaw training on 26 May.
- Two 3 Waters staff completed confined space and gas detection training on 26 May.

Incident schedule

A total of 25 incidents were reported for the period 17 May to 16 August 2021.

A summary of incidents for this period appears below:

Department	Staff	Public	Vehicle	Near miss/fatality
Aquatic Centre Dry rescue	0	8	0	0
Event Centre/ISS	0	7	0	0
3 Waters	0	0	0	0
Parks	2	0	7	0
Administration (incl property)	0	0	0	0
Library/Precinct	1	0	0	0
Animal Control	0	0	0	0
Roading	0	0	0	0
Visitor Centre	0	0	0	0
Contractors	0	0	0	0

Abusive customers

- Streets Alive continued to attract derogatory comments in May and June, requiring moderation. Unfortunately, the Council opened itself up to criticism when incorrect data was provided for publication. Since Streets Alive finished, there haven't been any issues of abuse.
- There have been a couple of incidents where posts have attracted bad language. However, the profanity filter prevents these being published, and they are later deleted. One was concerning the vandalism at the Mataura pump track. While the sentiment was good, the language was not acceptable.
- In early August, there was a verbally abusive customer incident at the Gore Aquatic Centre. The offender was a regular customer who objected to the under-8 rule that required children under the age of 8 to be actively supervised. This was not the first time the customer had been reminded about the rule, nor was it the first time staff had had to remove the child from the water. Following a verbal altercation and increasingly aggressive behaviour, the Police were called and the offender issued with a two year ban from the

facility. The Police were very obliging and are going to organise a training session to assist staff.

RECOMMENDATION

THAT the report be received.

11. ISSUING OF STAFF WARRANT AND AUTHORISATION

(Memo from Human Resources Manager - 04.10.21)

Issue

For the Council to appoint and authorise the warranting of staff for regulatory and enforcement functions under the Local Government Act 2002 and other relevant Acts.

Background

Council staff are occasionally required to undertake certain enforcement activities as part of Bylaws and other regulatory functions that the Council administers.

To enable staff to carry out these activities and functions including but not limited to various enforcement powers, they are required to be appointed and authorised by the local authority, and to carry warrant cards. Appointing and authorising enforcement officers is undertaken under Section 174 and 177 of the Local Government Act 2002.

Mr Carlito Vargas recently joined the Council as its Building Control Compliance Officer and needs to be appointed and warranted by the Council as follows:

1. Enforcement Officer under Section 177 of the Local Government Act 2002

To carry out any and all of the functions and powers of an Enforcement Officer under the Local Government Act 2002 in the territorial area of the Gore District in relation to offences under the Act including without limitation:

1. Offences against bylaws made under the Act;
2. Infringement offences provided for by regulations made under Section 259 of the Act;
3. Part 8 of the Act (regulatory, enforcement and coercive powers of local authority); and
4. Part 9 of the Act (offences, penalties, infringement offences and legal proceedings)

2. Authorised Officer of the Building Act 2004

To carry out any and all of the functions required to administer the Building Act 2004 and associated Regulations and Codes.

RECOMMENDATION

THAT the Council appoint and authorise Carlito Vargas to undertake various enforcement related duties in accordance with the Local Government Act 2002 and the Building Act 2004.

EXCLUSION OF THE PUBLIC

His Worship to move that the public be excluded from the following parts of the proceedings of this meeting, namely the items as listed below.

The general subject of each matter to be considered while the public is excluded, the reason for passing the resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987, for the passing of this resolution are as follows:

<u>General subject matter</u>	<u>Reason for passing this resolution in relation to each matter</u>	<u>Grounds under Section 48(1) for the passing of this resolution</u>
<u>Confirmation of Minutes</u>		
Confirmation of the minutes of the ordinary meeting of the Gore District Council, held in committee, on Tuesday 14 September 2021.		
<u>Other business</u>		
Community Networking Trust - proposed site of new premises	Protect the privacy of natural persons, including that of deceased natural persons;	7 (2)(a), (i) and (g)
Land purchased for Gore water treatment upgrade - nomenclature	enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations; and	
Minutes of Audit and Risk Committee meeting	maintain legal professional privilege	
Follow-up on Deloitte audit report findings for the year ended 30 June 2020		
Matai Ridge development - update		