
Council

OPEN MINUTES

UNCONFIRMED

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 15 July 2015 at 1.05pm.

PRESENT

Mayor	Mayor Gary Tong
Deputy Mayor	Paul Duffy
Councillors	Lyall Bailey
	Stuart Baird
	Rodney Dobson
	John Douglas
	Bruce Ford
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson

IN ATTENDANCE

Chief Executive Steve Ruru, Group Manager Environment and Community Bruce Halligan, Chief Information Officer Damon Campbell, Group Manager Policy and Community Rex Capil, Group Manager Services and Assets, Ian Marshall, Chief Financial Officer Anne Robson, Communications and Governance Manager Louise Pagan, Human Resources Manager Janet Ellis and Committee Advisor Maree Fyffe.

1 Apologies

- 1.1 An apology was received from Cr Dillon.

Resolution

Moved Cr Harpur, seconded Cr Keast **and resolved that Council accept the apology.**

2 Leave of absence

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

3 Conflict of Interest

There were no conflicts of interested noted and declared.

4 Public Forum

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on www.southlanddc.govt.nz or phoning 0800 732 732.

5 Extraordinary/Urgent Items

5.1 Resolution

Moved Cr Ford, seconded Cr Douglas

and resolved that subject to 46A of the Local Government Official Information and Meetings Act 1987, Council considers as a matter of urgent business:

- **Report on Rehabilitation Indemnity Agreement**

It was noted that this report was late because the Council did not receive notification of the issue until after the agenda for this meeting had closed.

It was agreed that this item should be considered as a decision needed to be made prior to 24 July 2015 and hence the item cannot be deferred to a subsequent meeting.

6 Confirmation of Council Minutes

Resolution

Moved Cr Macpherson, seconded Deputy Mayor Duffy

Confirms the minutes of Council, held on 24 June 2015 as a true and correct record.

Reports - Operational Matters

8.1 Mackenzie Street Stormwater Repairs

Record No: R/15/7/11742

The purpose of this report was to recommend the urgent commencement of an unplanned pipeline renewal project incorporating 100 lineal metres renewing the existing 150 mm concrete stormwater main between Prince Street and Queen Street situated within the berm on Mackenzie Street, Winton.

The report outlined the existing poor condition of an existing stormwater main on Mackenzie Street including the proposal to complete an unplanned stormwater pipeline renewal project within this area.

Mr Marshall spoke to the report advising this project had not been allowed for in the current budgets. Mr Marshall advised Council needed to approve the budget for this project.

Resolution

Moved Cr Bailey, seconded Cr Baird

and resolved that the Council:

- a) **Receives the report titled “Mackenzie Street Stormwater Repairs” dated 7 July 2015.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Approves the Mackenzie Street stormwater repairs project to be carried out as an unplanned project and approves the unplanned total project funding amount from the Winton stormwater reserves account of \$35,894.67 (inclusive of GST).**

8.2 Council Action Sheet

Record No: R/15/7/11630

Council requested the following items be finalised and removed from the Action Sheet by the relevant staff:

- * Rates Resolution (Shelley Dela Llana)
- * Manapouri CDA Request Financial Support (Chris Dolan)
- * Bridge Weight Restriction Postings (Joe Bourque)
- * Revenue and Financing Policy (Sheree Marrah)
- * Schedule of Fees and Charges (Sheree Marrah)

In response to Cr Duffys question regarding the Dog Control - Extension of Consultation Period. Mr Halligan advised there had been high interest with more than 200 submissions received.

Resolution

Moved Cr Keast, seconded Cr Douglas

That the Council:

- a) **Receives the report titled “Council Action Sheet” dated 15 July 2015.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**

Public Excluded

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

Resolution

Moved Cr Kremer, seconded Cr Keast

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

C10.1 Public Excluded Minutes Council dated 24 June 2015

C10.2 Investigation into Lumsden Community Development Area Subcommittee Issues

C10.3 Rehabilitation Indemnity Agreement

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Public Excluded Minutes of the Council Meeting dated 24 June 2015	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
	<p>subject of the information.</p> <p>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</p> <p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.</p>	
Investigation into Lumsden Community Development Area Subcommittee Issues	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Rehabilitation Indemnity Agreement	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>s7(2)(c)(ii) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest.</p>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	

That the Chief Executive, Group Manager Services and Assets, Group Manager Policy and Community, Chief Information Officer, Chief Financial Officer, Communications and Governance Manager and Committee Advisor be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items: *C10.1 Public Excluded Minutes Council dated 24 June 2015 and C10.2 Investigation into Lumsden Community Development Area Subcommittee Issues*. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

That the Chief Executive, Group Manager Environment and Community and the Communications and Governance Manager be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the item: *C10.3 Rehabilitation Indemnity Agreement*. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public went into public excluded at 1.07pm and returned to open session at 2.25pm.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available unless released here.

9.3 Confidential decisions recorded in open meeting

Investigation into Lumsden Community Development Area Subcommittee Issues

- d) **Supports the panel to arrange a feedback session to discuss its findings and agree on a way forward with the Lumsden CDA Subcommittee.**
- e) **Develops and implements a training workshop with the Lumsden CDA Subcommittee, focusing on Council and CDA protocols and procedures.**
- f) **Develops and implements a mentoring and support programme for the Lumsden CDA and its members.**
- g) **Implements the establishment of a networking and information sharing group for the Mararoa-Waimea Ward Chairs and one member of each.**
- h) **Requests the Chief Executive to develop a governance training and mentoring programme for inclusion in the induction programme for elected members following the 2016 elections.**

The meeting closed at 2.26pm.

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE COUNCIL
HELD ON 15 JULY 2015.

DATE:.....

CHAIRPERSON:.....