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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Wednesday, 7 October 2015 at 1pm.

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### PRESENT

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

### IN ATTENDANCE

Chief Executive Steve Ruru, Group Manager Services and Assets Ian Marshall, Group Manager Environment and Community Bruce Halligan, Chief Financial Officer Anne Robson, Chief Information Officer Damon Campbell, Committee Advisor Fiona Dunlop, Area Officer Alyson Hamilton and Communications Officer Alana Dixon.

**1 Apologies**

There were no apologies.

**2 Leave of absence**

There were no requests for leave of absence.

**3 Conflict of Interest**

There were no conflicts of interest declared.

**4 Public Forum**

There was no public forum.

**5 Extraordinary/Urgent Items**

There were no Extraordinary/Urgent items.

**6 Confirmation of Council Minutes**

**Resolution**

Moved Cr Douglas, seconded Cr Baird **and resolved:**

**That the Council confirms the minutes of the meeting held on 16 September 2015 as a true and correct record of that meeting.**

**Reports - Policy and Strategy**

**7.1 Adoption of the Annual Report 2014/2015**

**Record No: R/15/9/16940**

Planning and Reporting Analyst Shannon Oliver and Finance Manager Sheree Marrah were in attendance for this item.

Miss Oliver advised that the purpose of the report is to acquire Council's adoption of the Annual Report as required under the Local Government Act 2002.

Council noted that the Annual Report is a means for Council to account and report to the community on its performance of the preceding financial year. The report is on outcomes, performance measures, both financial and non-financial and also provides the actual results against budgeted results. This Annual Report reports against the Annual Plan 2014/2015 (which is based on the third year of the Council's Long Term Plan 2012-2022).

Council also noted that staff have compiled the Annual Report for the financial year ended 30 June 2015 and it has been reviewed by members of the Executive Leadership Team.

Officers advised that Audit New Zealand staff were onsite at Council from 7 - 18 September 2015 and had completed the majority of their review of the Annual Report and the summary document during that time.

Council noted that in previous years, both an Annual Report and an Annual Report summary document have been produced. The Annual Report and the Annual Report summary document will be available at Council offices. Both the summary document and full Annual Report would also be available on the Council website.

Ian Lothian Audit New Zealand Audit Director addressed the meeting and advised that he was issuing an “unmodified” audit opinion. Mr Lothian thanked the Chief Executive and officers for their assistance during the audit visits.

Mayor Tong thanked Mr Lothian for the audit opinion and acknowledged the hard work of Southland District Council staff to achieve the “unmodified” audit opinion.

### **Resolution**

Moved Deputy Mayor Duffy, seconded Cr Bailey **and resolved:**

**That the Council:**

- a) **Receives the report titled “Adoption of the Annual Report 2014/2015” dated 29 September 2015.**
- b) **Determines that this matter or decision be recognised as significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Adopts the Annual Report 2014/2015 and Annual Report Summary Document 2014/2015.**
- e) **Delegates authority to the Chief Executive to approve minor amendments to the Annual Report 2014/2015 and Annual Report Summary Document 2014/2015 documents subsequent to this meeting.**

## **7.2 Engagement Letter - Audit of Debenture Trust Deed**

**Record No: R/15/9/17031**

Finance Manager Sheree Marrah was in attendance for this item.

Mrs Marrah advised that the purpose of the report was to provide an overview and seek approval for the Audit New Zealand engagement letter for the audit of Council’s debenture trust deed.

Audit New Zealand requires Council to confirm the terms of its engagement for the audit of the Debenture Trust Deed. As part of this confirmation, Audit New Zealand has provided Council with an audit engagement letter.

This letter is required to be signed by the Mayor and returned to Audit New Zealand to confirm Council’s acceptance of the audit engagement.

### Resolution

Moved Cr Dobson, seconded Cr Baird **and resolved:**

**That the Council:**

- a) **Receives the report titled “Engagement Letter - Audit of Debenture Trust Deed” dated 29 September 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) **Authorises the Mayor to sign the audit engagement letter for the debenture trust deed on Council’s behalf.**

### 7.3 Stewart Island/Rakiura Visitor Levy

**Record No: R/15/9/16581**

Policy Analyst Tamara Dytor was in attendance for this item.

Miss Dytor advised that the report provided an update on the Stewart Island/Rakiura Visitor Levy. The report also recommended an amendment to the Stewart Island/Rakiura Visitor Levy Policy to allow for representation of all approved operators on the Stewart Island/Rakiura Visitor Levy Committee.

Council noted that the report discussed requests from the Stewart Island/Rakiura Visitor Levy Committee for all approved operators to be represented on the Committee and for operational costs to be funded from an alternative source.

### Resolution

Moved Cr Paterson, seconded Cr Dillon **and resolved:**

**That the Council:**

- a) **Receives the report titled “Stewart Island/Rakiura Visitor Levy” dated 24 September 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) **Amends the Stewart Island/Rakiura Visitor Levy Policy to represent all approved operators on the Stewart Island/Rakiura Visitor Levy Committee.**
- e) **Continues to fund operational costs for the Stewart Island/Rakiura Visitor Levy from levy revenue.**

## Reports - Operational Matters

### 8.1 Request from the Crown to resume unformed legal roads intersecting the Edendale School property

**Record No: R/15/9/17009**

Strategic Property Manager Kevin McNaught was in attendance for this item.

Mr McNaught advised that the purpose of the report was to consider a request from registered valuer Darroch Limited on behalf of the Crown to resume the unformed roads intersecting the Edendale Primary School.

Council noted that the Crown has the right to resume certain unformed legal roads in the district upon notification to Southland District Council. A request had been received, officers are seeking Council approval for the request to be resolved.

#### Resolution

Moved Deputy Mayor Duffy, seconded Cr Keast **and resolved:**

**That the Council:**

- a) **Receives the report titled “Request from the Crown to resume unformed legal roads intersecting the Edendale School property” dated 29 September 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) **Resolve to consent to the Crown resuming those unformed roads intersecting the Edendale Primary School defined as Sections 1 and 2, SO 483322.**

**Public Excluded**

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

**Resolution**

Moved Cr Dillon, seconded Cr Keast **and resolved:**

**That Council exclude the public from the following part(s) of the proceedings of this meeting.**

**C10.1 Milford Sound Development Authority Debt and Dividend Policy**

**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
Milford Sound Development Authority Debt and Dividend Policy	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.  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 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.

That the Chief Executive, Group Manager Services and Assets, Group Manager Environment and Community, Chief Financial Officer, Chief Information Officer, Committee Advisor, Area Officer and Communications Officer be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Milford Sound Development Authority Debt and Dividend Policy. 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 were excluded at 1.30pm.

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

The meeting returned to open session at 1.33pm.

The meeting concluded at 1.33pm.

CONFIRMED AS A TRUE AND CORRECT  
RECORD AT A MEETING OF THE COUNCIL  
HELD ON WEDNESDAY 7 OCTOBER 2015.

**DATE:**.....

**CHAIRPERSON:**.....