



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Thursday, 1 November 2018 at 10am.

PRESENT

Mayor	Mayor Gary Tong
Deputy Mayor	Paul Duffy
Councillors	Stuart Baird
	Brian Dillon
	Bruce Ford
	Darren Frazer
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson

APOLOGIES

Councillor John Douglas
Councillor Nick Perham

IN ATTENDANCE

Chief Executive	Steve Ruru
Group Manager, Services and Assets	Matt Russell
Group Manager, Community and Futures	Rex Capil
Group Manager, Environmental Services	Bruce Halligan
Chief Financial Officer	Anne Robson
Communications Manager	Louise Pagan
Governance and Democracy Manager	Clare Sullivan
Committee Advisor	Fiona Dunlop

1 Apologies

Apologies were received from Councillors Douglas and Perham.

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

That Council accept the apology.

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

Shirley Mouat addressed the meeting in relation to item 8.2 - Unbudgeted Expenditure for the Supply and Installation of Extra Bollard Street Lighting for Cathedral Drive and Waiau Street, Manapouri and item 8.4 – Removal of Trees - Pearl Harbour, Manapouri.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Council Minutes

Resolution

Moved Mayor Tong, seconded Deputy Mayor Duffy **and resolved:**

That Council confirms the minutes of the meeting held on 25 September 2018 as a true and correct record of that meeting.

Reports - Policy and Strategy

7.1 Dark Skies Sanctuary Accreditation on Stewart Island

Record No: R/18/9/21767

Resource Management Planner – Margaret Fergusson, Team Leader – Marcus Roy and Group Manager, Services and Assets – Bruce Halligan were in attendance for this item.

Miss Ferguson advised that the purpose of the report was to seek a decision from Council as to whether it wishes to endorse the recommendation from the Regulatory and Consents

Committee to proceed with a Plan Change to allow for the management of lighting on Stewart Island to meet Dark Sky Sanctuary Accreditation requirements.

Resolution

Moved Cr Ford, seconded Cr Paterson **recommendations a to c and d with changes (as indicated) and resolved:**

That the Council:

- a) **Receives the report titled “Dark Skies Sanctuary Accreditation on Stewart Island” dated 6 September 2018.**
- 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 a Plan Change to include lighting controls as they relate to all of the property on Stewart Island shall be implemented.**
- d) **~~Notes the decision of the Regulatory and Consents Committee to recommend to Council that it should~~ Endorses Option 2 – to proceed to a Plan Change to include all property (both public and private) on Stewart Island / Rakiura, with associated pre-application consultation and communications plan.**
- e) **~~Considers whether it is appropriate for the proposed Plan Change to proceed prior to the completion of the review of the strategic challenges associated with the provision and funding of Council services on Stewart Island/Rakiura being completed.~~**

The meeting did not consider recommendation e of the officer’s report.

Reports - Operational Matters

8.1 Monthly Financial Report - September 2018

Record No: R/18/9/21800

Project Accountant, Dipal Patel, Graduate Accountant – Kate Westenra and Chief Financial Officer – Anne Robson were in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled “Monthly Financial Report - September 2018” dated 25 October 2018.**

The meeting adjourned for morning tea at 10.45am and reconvened at 11am.

Mayor Tong, Councillors Baird, Dillon, Duffy, Ford, Frazer, Harpur, Keast, Kremer, Macpherson and Perham were present when the meeting reconvened.

8.2 Unbudgeted Expenditure for the Supply and Installation of Extra Bollard Street Lighting for Cathedral Drive and Waiau Street, Manapouri

Record No: R/18/9/22127

Group Manager, Services and Assets – Matt Russell was in attendance for this item.

Mr Russell advised that the purpose of the report was to consider the request from the Manapouri Community Development Area Subcommittee for approval of unbudgeted expenditure for the supply and installation of extra bollard street lighting to Cathedral Drive and Waiau Street in the Manapouri Township.

Mr Russell also advised that three competitive prices were sought in line with Council's Procurement Policy and although only one was received the Contractor is well known to Council and the rates are commensurate with equivalent works undertaken recently.

Resolution

Moved Cr Kremer, seconded Cr Harpur **recommendations a to d and a new e (as indicated) and resolved:**

That the Council:

- a) **Receives the report titled "Unbudgeted Expenditure for the Supply and Installation of Extra Bollard Street Lighting for Cathedral Drive and Waiau Street, Manapouri" dated 24 October 2018.**
- 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 unbudgeted expenditure of \$20,000.00, plus GST, for the supply and installation of new bollard street lighting along Cathedral Drive and Waiau Street, Manapouri to be funded from the Manapouri General Reserve.**

New e) Notes that three competitive prices were sought in line with Council's Procurement Policy and although only one was received the Contractor is well known to Council and the rates are commensurate with equivalent works undertaken recently.

8.4 Removal of Trees - Pearl Harbour, Manapouri

Record No: R/18/10/23794

Senior Projects Manager – Ian Marshall and Group Manager, Services and Assets – Matt Russell were in attendance for this item.

Mr Marshall advised that the purpose of the report was to seek Council approval for unbudgeted expenditure and a funding contribution for a Manapouri Community Development Area subcommittee project, which involves the removal of native trees in the Pearl Harbour area adjacent to the public toilet and that this would require the necessary resource consent

Resolution

Moved Cr Kremer, seconded Cr Keast **recommendations a to f and a new g (as indicated) and resolved:**

That the Council:

- a) **Receives the report titled “Removal of Trees - Pearl Harbour, Manapouri” dated 18 October 2018.**
- b) **Determines that this matter or decision be recognised 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) **Note that the Manapouri Community Development Area subcommittee have previously considered the cost of removing the trees in the Pearl Harbour area to be too expensive for the Manapouri area to afford.**
- e) **Approve the unbudgeted expenditure of \$64,400 for the Manapouri CDA subcommittee project to remove the trees in the area of the Pearl Harbour jetty and the public toilets and re-landscape the area on the condition that the Manapouri CDA subsequently resolve to proceed with the project including funding the physical works portion of the work estimated to cost \$43,400.**
- f) **Approve funding the resource consent application and related reports costs estimated to be \$21,000 and that this be funded from the District Operations Reserve.**

New g) Notes that the removal of the trees is subject to the necessary resource consent being first obtained.

8.3 Unbudgeted Expenditure Request, Invercargill Office Utilisation and Business Case Reporting

Record No: R/18/10/24727

Group Manager, Services and Assets – Matt Russell was in attendance for this item.

Mr Russell advised that the purpose of this report was to seek approval for \$250,000 of unbudgeted expenditure to enable a Business Case and Utilisation Assessment to progress which will inform the decision-making process in regards to options for the Invercargill Office.

Resolution

Moved Cr Harpur, seconded Cr Kremer **and resolved:**

That the Council:

- a) **Receives the report titled “Unbudgeted Expenditure Request, Invercargill Office Utilisation and Business Case Reporting” dated 24 October 2018.**
- 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 unbudgeted expenditure of up to \$250,000 for the purposes of completing a Business Case and Utilisation Assessment associated with the Invercargill Office Development identified in years 2022-2024 of the 2018-2028 Long Term Plan to be funded from the District Property Development Reserve.**
- e) **Delegate authority to the Group Manager – Services and Assets to expend up to \$250,000 on the Business Case and Utilisation Assessment works for the Invercargill Office Development and be funded from the District Property Development Reserve.**

8.5 Management Report

Record No: R/18/10/23900

Chief Executive – Steve Ruru was in attendance for this item.

Resolution

Moved Mayor Tong, seconded Cr Kremer **and resolved:**

That the Council:

- a) **Receives the report titled "Management Report" dated 25 October 2018.**

Reports - Governance

9.1 Southland Museum and Art Gallery 2018 Annual Report

Record No: R/18/9/22649

Group Manager, Environmental Services – Bruce Halligan was in attendance for this item.

Resolution

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

That the Council:

- a) **Receives the report titled "Southland Museum and Art Gallery 2018 Annual Report" dated 25 October 2018.**

9.2 Minutes of the Lumsden Community Development Area Subcommittee Meeting dated 13 August 2018

Record No: R/18/10/24278

Resolution

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

That Council receives the minutes of the Lumsden Community Development Area Subcommittee meeting held 13 August 2018 as information.

9.3 Minutes of the Manapouri Community Development Area Subcommittee Meeting dated 9 August 2018

Record No: R/18/9/22321

Resolution

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

That Council receives the minutes of the Manapouri Community Development Area Subcommittee meeting held 9 August 2018 as information.

9.4 Minutes of the Stewart Island Jetties Subcommittee Meeting dated 30 October 2017

Record No: R/18/9/22242

Resolution

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

That Council receives the minutes of the Stewart Island Jetties Subcommittee meeting held 30 October 2017 as information.

9.5 Minutes of the Stewart Island Jetties Subcommittee Meeting dated 13 September 2018

Record No: R/18/10/24698

Resolution

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

That Council receives the minutes of the Stewart Island Jetties Subcommittee meeting held 13 September 2018 as information.

9.6 Minutes of the Otautau Community Board Meeting dated 2 August 2018

Record No: R/18/10/23310

Resolution

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

That Council receives the minutes of the Otautau Community Board meeting held 2 August 2018 as information.

9.7 Minutes of the Stewart Island/Rakiura Community Board Meeting dated 13 August 2018

Record No: R/18/9/22261

Resolution

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

That Council receives the minutes of the Stewart Island/Rakiura Community Board meeting held 13 August 2018 as information.

9.8 Minutes of the Stewart Island/Rakiura Community Board Meeting dated 13 September 2018

Record No: R/18/10/24693

Resolution

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

That Council receives the minutes of the Stewart Island/Rakiura Community Board meeting held 13 September 2018 as information.

9.9 Minutes of the Riverton/Aparima Community Board Meeting dated 23 July 2018

Record No: R/18/10/23590

Resolution

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

That Council receives the minutes of the Riverton/Aparima Community Board meeting held 23 July 2018 as information.

9.10 Minutes of the Tuatapere Community Board Meeting dated 14 August 2018

Record No: R/18/10/23685

Resolution

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

That Council receives the minutes of the Tuatapere Community Board meeting held 14 August 2018 as information.

9.11 Minutes of the Winton Community Board Meeting dated 6 August 2018

Record No: R/18/10/23078

Resolution

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

That Council receives the minutes of the Winton Community Board meeting held 6 August 2018 as information.

Public Excluded

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

Recommendation

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

C10.1 Unbudgeted Expenditure - Contract 18/09: Te Anau Watermain Renewals

C10.2 2018 Bridge Disposal Landowner Agreements

C10.3 Pyramid Bridge Replacement Update

C10.4 Core Systems Review - Phase One - Systems Integration

C10.5 Unbudgeted Expenditure - Telephone System

C10.6 Southland Regional Development Agency - Formation Agreements

C10.7 Chief Executive's Performance Review 2017/2018

C10.8 Employment of Chief Executive

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
Unbudgeted Expenditure - Contract 18/09: Te Anau Watermain Renewals	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.
2018 Bridge Disposal Landowner Agreements	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.
Pyramid Bridge Replacement Update	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.
Core Systems Review - Phase One - Systems Integration	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage,	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.

	negotiations (including commercial and industrial negotiations).	
Unbudgeted Expenditure - Telephone System	<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)(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>	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.
Southland Regional Development Agency - Formation Agreements	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).	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.
Chief Executive's Performance Review 2017/2018	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>s7(2)(c)(i) - 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 prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</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>	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.
Employment of Chief Executive	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>s7(2)(c)(i) - 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</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.

	<p>the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.</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>	
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That the Chief Executive, Group Manager, Environmental Services, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer, People and Capability Manager, Group Manager, Customer Delivery, Communications Manager, Governance and Democracy 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 Unbudgeted Expenditure - Contract 18/09: Te Anau Watermain Renewals, C10.2 2018 Bridge Disposal Landowner Agreements, C10.3 Pyramid Bridge Replacement Update, C10.4 Core Systems Review - Phase One - Systems Integration, C10.5 Unbudgeted Expenditure - Telephone System, C10.6 Southland Regional Development Agency - Formation Agreements. 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 Contracts Administrator – Joe Findley be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the item C10.1 Unbudgeted Expenditure - Contract 18/09: Te Anau Watermain Renewals. 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.

That the Strategic Manager Transport be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.2 2018 Bridge Disposal Landowner Agreements and C10.3 Pyramid Bridge Replacement Update. 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.

That the Chief Information Officer be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the item C10.4 Core Systems Review - Phase One - Systems Integration. 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.

That the Customer Contact Centre Manager – Jodi Findlay and Systems Engineer – Josh Hollingworth be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the item C10.5 Unbudgeted Expenditure - Telephone System. 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.

The public were excluded at 11.45am.

The meeting adjourned for lunch at 12.47pm and reconvened at 1.19pm.

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 concluded at 1.35pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE COUNCIL HELD ON THURSDAY 1
NOVEMBER 2018.

DATE:.....

CHAIRPERSON:.....