

**MINUTES OF COUNCIL, HELD IN THE VICTORIA ROOM, CIVIC THEATRE,
88 TAY STREET, INVERCARGILL ON TUESDAY 30 JULY 2024 AT 3.00 PM**

Present: Mayor W S Clark
Cr A J Arnold
Cr P M Boyle
Cr S J Broad
Cr T Campbell
Cr A H Crackett
Cr G M Dermody
Cr P W Kett
Cr D J Ludlow
Cr I R Pottinger
Cr L F Soper
Cr B R Stewart

In Attendance: Rev E Cook – Māngai – Waihōpai
Mrs P Coote – Kaikaunihera Māori – Awarua
Mr M Day – Chief Executive
Ms E Moogan – Group Manager – Infrastructure
Mrs P Christie – Group Manager – Finance and Assurance
Mrs T Hurst – Group Manager – Community Engagement and
Corporate Services
Mr R Capil – Group Manager – Community Spaces and Places
Mr J Shaw – Group Manager - Consenting and Environment
Mr A Cameron – Chief Risk Officer
Mr L Butcher – Programme Director
Mr M Morris – Manager – Governance and Legal
Ms L Knight – Manager – Strategic Communications
Ms G Englert – Social Media Advisor
Ms K Braithwaite – Acting Team Leader Communications
Mrs L Williams – Team Leader Executive Support

1. Apologies

Cr R I D Bond

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the apology be accepted.

2. Declaration of Interest

Nil

The Mayor noted that Mr Michael Skerrett had lost his wife recently, Council's thoughts go out to him and his family at this sad time.

Point of order regarding the Code of Conduct complaint, United Fire Brigade with respect to resolution 9 and an apology to be posted at the first meeting and queried if that would happen.

3. Public Forum

3.1 Feedback Relating to the Live Streaming of Council Meetings - Ms Karen Arnold

Ms Arnold noted that since her request to speak, there had been a meeting held on 26 July 2024 and the now common practice of livestreaming was good for those who had an interest in Council proceedings and served as a record to enable people to search which anyone could access. She added that people could place commentary on platforms and so encouraged Councillors to consider that for significant decisions a division be recorded to enable people to understand who voted and also enable the correct recording of voting. On 21 June 2024 a significant issue was raised and noted that everyone was encouraged to have their say, Councillors were asked to vote by a show of hands, at this point she added that the number of people viewing meetings was low, around 100 people watched and on 21 June 2024 upwards of 1,000 were watching the livestream. It seemed strange to her that the vote counted nine and yet 11 were in attendance and wondered if two had abstained. She emailed Cr Campbell and he provided the resolutions and candidly noted had not counted Cr Pottinger on zoom or himself, which she added felt uncomfortable about. She noted that Councillors did not object and added that must be correct. She added that if good practice occurred by calling for division to be recorded this would not have arisen. Again on 26 July 2024 this again occurred and the Chair in this case used his casting vote. When the minutes were approved the correct numbers were recorded, but she did not understand how that narrative made it to the permanent record. She urged Councillors to take care when confirming minutes and also to consider using division to record notes.

Cr Campbell noted that he had received an email from Ms Arnold following the meeting and advised he had been corrected immediately and did state the correct vote.

4. Minutes of the Connected Murihiku Joint Committee Meeting held on Monday 27 May 2024

A5353046

Moved Cr Broad, seconded Cr Ludlow and **RESOLVED** that the Minutes of the Connected Murihiku Joint Committee Meeting held on Monday 27 May 2024 be received.

5. Minutes of the Bluff Community Board Meeting held on Monday 10 June 2024

A5397323

Moved Cr Dermody, seconded Cr Stewart and **RESOLVED** that the Minutes of the Bluff Community Board meeting held on Monday 10 June 2024 be received.

6. Minutes of the Extraordinary Meeting of Council held on Friday 21 June 2024

A5416352

Moved Cr Campbell, seconded Cr Soper and **RESOLVED** that the Minutes of the Extraordinary Meeting of Council held on Friday 21 June 2024 be confirmed.

7. Minutes of the Meeting of Council held on Tuesday 25 June 2024

A5423951

Moved Cr Boyle, seconded Cr Stewart and **RESOLVED** that the Minutes of the meeting of Council held on Tuesday 25 June 2024 be confirmed.

8. Minutes of the Extraordinary Meeting of Council held on Thursday 27 June 2024

A5429177

Moved Cr Soper, seconded Cr Campbell and **RESOLVED** that the Minutes of the Extraordinary Meeting of Council held on Thursday 27 June 2024 be confirmed.

9. Minutes of the Infrastructure and Projects Committee Meeting held on Tuesday 2 July 2024

A5429177

Moved Cr Broad, seconded Cr Boyle and **RESOLVED** that the Minutes of the Infrastructure and Projects Committee meeting held on Tuesday 2 July 2024 be received and the recommendation to Council be confirmed.

Recommendation to Council

8. Elderly Persons Housing Policy – Pets

A5413794

2. Ask staff to bring a paper to full Council regarding specific parameters allowing dogs to be included in the Elderly Persons Housing Policy.

10. Minutes of the Hearings for the Parking Control Bylaw held on Tuesday 9 July 2024

A5446758

Moved Cr Ludlow, seconded Cr Kett that the Minutes of the Hearings for the Parking Control Bylaw held on Wednesday 10 July 2024 be received and the recommendation to Council be confirmed.

Cr Ludlow, in moving the minutes, noted that in the submission it noted that tyres could be marked and he confirmed that was when there were individual meters and that could not be done now and it had been considered during the hearing process.

Recommendation to Council

4. Parking Control Bylaw Deliberations

A5408685

7. To adopt the Parking Control Bylaw with the changes as agreed in resolution 6.

Resolution 6 - Agrees with the following proposed changes to the Bylaw:

- a. *Replace references to 'Fire Service' with 'Fire and Emergency New Zealand' in the proposed bylaw.*
- b. *Amend Clause (12 b) to provide for false fire alarms, medical events, motor vehicle events, and other emergencies.*
- c. *Reinstate repealed Exemptions Clause as it exists in the 2022 Parking Control Bylaw.*
- d. *Replace "number plates" and "vehicle plates" where used in the Bylaw with "registration plates".*
- e. *Add additional definition clause "Any words, phrases or expressions used in this Bylaw which have meanings assigned to them by the Local Government Act 1974, the Land Transport Act 1998, and Rules made under the Land Transport Act 1998 or any amendments thereof, shall have the meanings as are respectively assigned in those Acts/Rules, unless those meanings would be inconsistent with, the context otherwise requires, or a different definition is given in clause 4.1" to section 4 of the proposed bylaw.*

The motion, now put, was **RESOLVED**.

11. Minutes of the Extraordinary Infrastructure and Projects Committee Meeting held on Tuesday 9 July 2024

A5446785

Moved Cr Soper, seconded Cr Crackett and **RESOLVED** that the Minutes of the Extraordinary Infrastructure and Projects Committee meeting held on Tuesday 9 July 2024 be received.

12. Minutes of the Community Wellbeing and Regulatory Committee Meeting held on Tuesday 9 July 2024

A5446871

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the Minutes of the Community Wellbeing and Regulatory Committee meeting held on Tuesday 9 July 2024 be received.

Note: The recommendations to Council were not confirmed at this point due to an administration error, they were added and confirmed.

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the recommendation to Council from the Community Wellbeing and Regulatory Committee meeting held on Tuesday 9 July 2024 be confirmed.

Recommends that Council:

6. For public consultation to be undertaken, council adopts the draft Donovan Park Masterplan (Attachment 1) and Draft Implementation Plan (Attachment 6).
7. Approves the review of the Donovan Park Reserve Management Plan 2012 two-step public notification process, beginning with Step 1 which will occur 3 August – 4 September 2024.
8. Supports initiating the process to consider the Agriculture and Events areas for land uses, including residential housing.

13. Minutes of the Finance and Policy Committee Meeting held on Tuesday 23 July 2024

A5464749

Moved Cr Soper, seconded Cr Ludlow that the Minutes of the Finance and Policy Committee held on Tuesday 23 July 2024 be received and recommendations to Council be confirmed.

A change was made to the recommendation to Council, **Invercargill City Holdings – Final Statement of Intent 2024 -25** with the words “up to the value of that sale” added.

Recommendations to Council

6. Financial Update - June 2024

A5457395

3. Council close the Clean Air Loan Scheme and continue to manage the remaining eight loans to maturity.
4. The contributions (less outstanding loans) from Environment Southland and Invercargill City Council are repaid as per the terms of the Memorandum of Understanding between Environment Southland and Invercargill City Council.

7. Invercargill City Holdings - Final Statement of Intent 2024-25

A5459905

2. If the sale of the ICHL Group (EIL) share in PowerNet occurs that Council requests that Holdco consider a special donation/dividend to the Museum fund up to the value of that sale.

The motion, now put, was **RESOLVED**.

14. Elderly Persons Housing - Dogs

A5447095

Ms Erin Moogan presented the report and noted staff had advised some parameters.

A query was raised around responsible dog ownership and it was confirmed that the responsible owner policy allowed for a dog owner to receive a discount on the registration fee and the request was for tenants to acknowledge that due to the lack of fencing they may not meet the requirements.

A further question was asked if the fencing criteria would be imposed on those people, it was noted from an operational point of view there may be some areas that could be fenced and that would look at case by case and that the owners would need to pay to have the fencing installed and removed.

A query was raised around the section and picking up dog faeces and if would alter the wording to "may". It was confirmed would get feedback and if could, would soften the wording.

A query was raised around the death of a dog and getting a new dog. It was noted the parameters were based on a tenant that had an existing pet and the desire to take their pet with them and it was noted there had been discussion around this and could look to change to new pets and also the size of pets. It was added that had proposed a trial period to look at a number of changes and also review the parameters.

A query was raised around a toy dog that may use a litter box and therefore fencing would not be required and felt that the fencing clauses were not needed and also if had a pre-existing dog and that died should be allowed another one as companion dogs and requested those areas be changed.

A query was raised around sizes and what would be included and that it could exclude poodles and terriers etc and that should be changed. The other area was around faeces and after a single complaint the owner could be asked to remove the dog. It was felt this should be changed to allow more than one offence.

A query was raised around the fencing and responsible ownership discount and it was noted that hardship could apply to all dog owners and to soften the rule would come with potential problems, and would suggest leaving the clause in.

A further query was raised around the height of fencing. It was added that it was part of the responsibility of owning a dog.

Ms Moogan clarified that the report was not to suggest that must require fencing, it was more around a tenant asking for fencing to be installed and that was not possible, and that the tenant may then approach Council about responsible ownership discount and their inability to comply.

It was noted that the section around vet checks should be as required.

It was noted that had not started the journey and yet already looking at changing the process and it was proposed to allow this one instance and then look at what may

happen rather than looking at what if's. If Council allowed cats to be replaced then needed to look at the ability to replace a dog.

Ms Moogan noted that when talking about replacing a dog that is acceptable, however when looking to enter housing and the request to then get a dog was different.

It was felt could be opening a "pandoras box" and that the legislation may answer some of the issues.

It was noted that had complicated the situation and that the issue facing Council was to look at the issue that there was a possible tenant that was requesting the ability to bring an existing dog to the units. Council did not ask about fencing and the issues around that, Council asked about a specific case of a potential tenant being allowed to bring an existing pet when they move into a unit. It was felt the 12 month trial period would allow time to then have a wider discussion. The size of dogs was also raised and it was noted that staff had looked at the issue and it was considered that a smaller dog would be suitable for the size of the units and to ensure safety of tenants and tripping over larger dogs.

It was noted that if treated a small dog as if a cat and therefore no complexities.

It was raised that with respect to the fencing issue tenants may not have the ability to pay for fencing and that may choose to not get the discount.

It was agreed to start with what was provided in the report and review after the trial period.

A query was then raised around an approach to have a medium dog and if limit to small dogs then a large number would not qualify. Staff were asked to address this when and if it arose before the review in 12 months. Staff were asked to change the wording in the analysis section to allow medium.

Moved Cr Arnold, seconded Cr Soper that Council:

1. Receives the report "Elderly Persons Housing - Dogs".
2. Approves the specific parameters for assessing suitability of keeping a dog as a pet in Council's housing units (noting this does not apply to Disability Assist Dogs).
3. The Group Manager – Infrastructure Services be given delegated authority to approve applications for keeping a dog based on the approved parameters (adding medium sized dogs).
4. Approves the implementation of the policy enabling the keeping of a dog as a pet in Council's housing units after/before the changes to the Residential Tenancies Act to enable a 'pet bond'.
5. Approves a trial period of twelve months prior to adopting any amendment to the Elderly Persons Housing Policy.

The motion, now put, was **RESOLVED**.

15. Appointment to Committee and Amendment to Governance Documents

A5471972

Mr Michael Morris presented the report.

It was noted that the issue had been raised around the Mana Whenua representatives being represented and the ability to vote when talking about policies, as had under the previous Committee structure, and this was a simple administrative change to add them to the Committee.

Moved Cr Ludlow, seconded Cr Dermody and **RESOLVED** that Council:

1. Receives the report "Appointment to Committee and Amendment to Governance Documents".
2. Resolves to appoint Rev Evelyn Cook for Waihōpai Rūnaka and Ms Pania Coote for Te Rūnaka o Awarua to the Finance and Policy Committee with full voting rights.
3. Notes the change made to the Governance Statement and Delegations Register - Council and Finance.
4. Adopts the Governance Statement 2022 – 2025 – July 2024 Amendment as set out in Appendix 1 (A5471165).
5. Adopts the Delegations Register – Council and Finance 2024 – Version 3 as set out in Appendix 2 (A5471221).

16. Suqian

A5469873

Mr Michael Morris presented the report and noted that a letter had been sent to Suqian and they had responded extending an invitation for Council to visit, the report provided options and approximate costs on current information, and further proposed that the visit take place in April 2025.

It was noted that when travelled to Kumagaya, the Ngai Tahu representative had travelled at their own cost.

A query was raised if Suqian had visited us last, it was confirmed that the visits were six vs five in this Council's favour and felt that it was their turn to visit us.

It was confirmed that the last trip had been to collect an award in Wuhan not Suqian although did stop briefly in Suqian, and so would be our turn.

It was noted that there had been benefits of the relationship around trade and education, and proposed Cr Soper attend and in April 2026.

A query was raised around September 2025 and why recommending not to travel then. Mr Morris advised that being so close to the elections that Councillors would want to be in the country.

It was noted that a new Council could put this aside, and needed to be aware that could be changed.

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that Council:

1. Receives the report "Suqian".
2. Determines if it wishes to visit Suqian in April 2026.
3. Recommends to the incoming Council that the Chief Executive, one staff member and an interpreter shall attend as part of the delegation.
4. Determine that a representative of the Mana Whenua shall be invited to attend as part of the delegation.
5. Confirm if a wider business / community delegation shall be invited at their own cost subject to a future determination of the Council 2025 – 2028, includes the Chamber of Commerce.

17. Chief Executive Management Report

A5459700

Mr Michael Day spoke to the report and noted that this report was the first management report presented of this kind and would also have performance reporting that would provide the data, and replaced the two activities reports. This report was intended to be more strategically focussed.

He added that there had been a lot of work on the Local Water Done Well project and that had been reported to the Mayoral Forum and the team at ICC was working closely with Otago and Southland and working on a number of options, he added nothing was binding on Council at this stage.

He added there were a number of reforms coming and highlighted the Holidays Act. The Resource Management reform work was continuing and highlighted that there was still no clarity in that space.

Lastly he wanted to highlight the Regional Infrastructure Fund and noted that the fund was narrowly focused and was focussed on economic growth and therefore meant that could not apply for funding around water, he added that Council did have some projects that would fit.

He noted that the Council Battle of the Bands was won by ICC.

A query was raised around the infrastructure fund and the need to support growth and that water projects may not be in that category, It was clarified that it was economic growth and that the alternative water supply may fit and the need to look at how would connect to creating economic growth.

A query was raised around Bluff and that businesses also discharged to the treatment plant and would that fit. A further query was raised around forestry, transport infrastructure and the Bluff road being poor, it was noted that this was set up for those

that did not have any other funding source and it was noted that with respect to Highway 1 would be Waka Kotahi and that if applied that would probably be steered back in that direction.

Moved Cr Ludlow, seconded Cr Campbell and **RESOLVED** that Council:

1. Receives the "Chief Executive Management Report".

18. 2024 Local Government New Zealand Remits – Staff Recommendations for Annual General Meeting

A5463219

Mr Michael Morris presented the report and outlined the content of the remits.

It was confirmed that a super majority was 75%.

A query was raised around remit three conflicting with remit four. Remit three supported freedom of choice by councils and remit four took that away.

Councillors went through each remit in turn. It was noted that in remit one that review did not align with census data and it was added that both Environment Southland and Southland District Council were doing their representation reviews currently. It was noted this had been a long term issue for a number of organisations and not just councils.

With respect to the community services card it was proposed that could use the card as evidence of income and not have to undertake means testing. It was noted that this did occur now when looking at bus fares.

Remit three sought that the same distinction be made for a Māori ward and the right of councils to make decisions. It was noted that remit four was a continuation of remit three and was not in conflict with remit three.

It was confirmed that the super majority was of Parliament. 64 councils had Māori wards and this was to entrench so that the government could not change. It was noted that "super majority" applied to Parliament or councils. It was noted that two seats were at risk in Canterbury as they could be removed. It was noted that could lose Mana Whenua representatives by one vote and urged to support a super majority being at both Parliament and council tables. The remit as proposed talked of wards but did not include Mana Whenua representation.

It was noted that provide guidance to those voting around the super majority not applying to councils in remit four, just a normal majority required, it was felt that if the remit was changed around the council piece that would support, by show of hands, there was a majority of councillors in favour of that change.

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that Council:

1. Receives the report "2024 Local Government New Zealand Remits – Staff Recommendations for Annual General Meeting".
2. Notes the LGNZ Remits attached to this report as Appendix 1 (A5473633).

3. Notes the recommendations from staff in this report.
4. Resolves to vote as follows:

Remit 1	Representation Reviews: FOR
Remit 2	Community Services Card: FOR
Remit 3	Local government constituencies and wards should not be subject to referendum: FOR
Remit 4	Entrenchment of Māori wards seats for local government: AGAINST
Remit 5	Graduated driver licensing system: FOR
Remit 6	Proactive lever to mitigate the deterioration of unoccupied buildings: FOR
Remit 7	Appropriate funding models for central government initiatives: FOR
Remit 8	Goods and services tax (GST) revenue sharing with local government: FOR
5. Resolves to rank the Remits in the following priority order (with 1st being the highest priority):

1st)	Remit 8
2nd)	Remit 7
3rd)	Remit 6
4th)	Remit
5th)	Remit
6th)	Remit
7th)	Remit
8th)	Remit

It was confirmed that staff would rank the other remits in line with their comments in the report.

Note: Rev Cook left the room at 4.41 pm and returned at 4.45 pm.

Note: At this point the Mayor made a statement and noted that he had apologised to the United Fire Brigade and Miss X and that "to my colleagues I apologise for breaching the code of Conduct and what was expected of me as Mayor and the negative impact on my colleagues and the community. I hope that puts that issue to rest".

Note: Cr Campbell left the room at 4.50 pm and returned at 4.52 pm.

A point of order was raised around the issue of consultation, it was confirmed that no decision had been made by the Mayor and that he was not predetermining that.

The Mayor added that at a workshop staff were advised that there was no appetite to reduce size or impact the foyer.

19. Te Unua Museum of Southland Final Design and Proposed Budget Amendment

A5446944

Ms Erin Moogan, Mrs Patricia Christie and Mr Lee Butcher spoke to the report and provided a presentation.

Ms Moogan noted this report brought back the developed design for the museum building and concept design for the experience side of the museum and the associated costs. It was added that this was also an opportunity to take the community through the building design. She added that there were cost implications that had now been identified.

Mr Butcher took the Councillors through the options in the presentation.

Mrs Christie took Councillors through the funding implications, had initially had \$13 million of external funding and pared that back after the LTP process. Third party funding of \$6 million had been discussed and Council would underwrite. As of today there was a \$6.6 million funding deficit and that was being used to reduce the debt or borrowing required. She added that had not expected the economy to change and that external funding may not be able to be achieved and Council may be required to underwrite. The impact on Council's debt position would mean an increased cost of borrowing. She noted that there was a \$500,000 error in the report and noted this had been corrected.

Mr Capil reinforced the external funding situation and the environment now it had changed significantly, both at a government and local / regional level. The team had presented to ILT and ILT Foundation, CTS and Kanoa and some corporates and noted that there was significant support for what Council was trying to achieve and the opportunities it provided, however primarily when it came to funding the answers were "maxed out" and "no extra funds" but "never say never". He added that the criteria for RIF government funding had changed and would be difficult to fit. He added that staff could not say what the decisions may be around being able to access funding, and that the numbers that were signed off today were the ones that would have to support the debt required. He added that at this point did not fully understand the revenue opportunities.

Mr Andrew Cameron spoke to risk and noted that a number of decisions had been made without the knowledge that had today and that also risk regarding consultation risk of the Long-term Plan and may be seen by the community.

The Mayor noted the need to decide if required to consult or not and that could change the level of questioning.

Clarification was sought around a number of groups associated with the project and read a list and asked what they were and what they did.

- Design control group was comprised of staff and councillors, designers.
- Project control group – project managers and staff.
- Programme steering group was majority of senior staff and looked after projects.
- Museum governance group was established some time ago and were tasked to reimagine the museum, the initial brief.
- Project team - general term.

The issue of consultation needed to be addressed first and there had been a number of meetings around Council's obligations and risk. A question was if work could continue whilst consultation was underway. The unease of that was that if the outcome of the consultation was to start all over again.

It was noted that the \$19.5 million deficit, only occurred if Council did everything, the original plan – experience, Green Star and the carpark were budgeted at \$18.5 million and that left a deficit of \$1 million. The building itself as signed off was only \$1 million over and would suggest can continue and that the consultation was on those three enhancements did not originally consult on those.

It was noted that under the Local Government Act that the requirements to consult were there for a reason. True consultation was to consult on all options. There was a risk of judicial review if did not take the time to consult. The option to consult was a necessity.

The Mayor went through the provisions of the Act that prevailed and read from the Act.

It was noted had consulted as part of the Long-term Plan and had split the project into two areas, the build and the experience. He noted that if took to judicial review would be lengthy and require a large amount of money.

It was noted that if consulted on the three options as were presented in the paper, one would be pausing the project, and that option b would mean that propose the stop of the project and would be a nonsense of consultation and pre-empted the entire consultation.

Clarification was sought of Option A Rev 1 and Option A Rev 2 and clarity around the carpark and Green Star accreditation.

It was noted by the Mayor that staff advice may be the need to borrow more and that came at a cost and impacts future rates, and that there were other options around selling Don Street for example, add to that the PowerNet sale and the possible dividend, and conservatively they would raise \$16 million – \$18 million which would reduce the need to borrow.

Mr Butcher gave a brief overview of Green Star accreditation and the carpark and advised that Green Star would have physical impacts and consultants cost and would be around \$1 million - \$1.5 million, if did not have the carpark would not get Green Star and that was around \$2 million. It was noted that would still be built to energy and sustainability ratings.

A query was asked where the carpark was planned to be, it was Kelvin Street and Jessie Calder gardens and the plan was to move into that area and would be on reserve land.

A query was asked if Ngai Tahu had been approached for funding, it was noted still working through a number of potential funders and Ngai Tahu was one of them.

A query was raised around Green Star and if that had an impact on operating expenses, it was confirmed that no, the build was still being built using sustainable building practices and materials.

A query was raised if a large amount of revenue would be lost if proceeded with Rev 2, it was confirmed that could not substantiate at this time. A large carpark would make it attractive for people to visit, but hard to quantify as a number.

A query was raised if would charge for car parks. It was confirmed no.

A query was raised around the \$18.5 million and that in Rev 2 missing around \$5 million. It was noted that \$13 million had been added for the experience.

A query was raised around comparisons between something like the Langlands and this museum and was there a need for a large museum and should we scale back, and noted that only 5% of the collection was on display at any time. It was felt that carparking was needed. It was further added that people on a pension relied on their pension to live and that impacted over 40% of ratepayers, not just elderly but also young people. Concern was raised around selling Don Street as that was providing an income.

It was noted that did not wish to push rates up and that did have properties that could sell, and also costs involved with the CAB to refurbish and could also sell, also Donovan Park.

It was felt two options, fund by debt or sell something to raise funds.

The issue to address was if Council needed to go to consultation and what to consult on.

A point of order was raised that the Long-term Plan was based on the numbers provided in a report on 22 August 2023.

It was queried that the Long-term Plan did not include the experience, it was noted that the \$71 million included an aspect of the experience and had now identified the cost was higher. The build and experience shortfall was \$12.8 million and that was not included in the budget, the \$6 million was the funding shortfall and confirmed did not have the full picture during the Long-term Plan.

It was also added that now had clarity around Crown funding, and the final numbers that had come through from the final design and build costs.

It was queried if in addition to the \$12.8 million shortfall now \$6.6 million short in funding, it was noted that had to find funding for the \$6.6 million shortfall in external funding. It was noted that could not predict when would know if that funding could be found.

It was noted that \$19.5 million was relative to the budget, there was only \$2 million. It was confirmed that for experience had a fee and build that was \$11 million. It was confirmed not on budget with that element but was included in the budget. \$2 million of design was on budget, the \$8 million build was not in the budget.

Note: The meeting adjourned at 6.05 pm and reconvened at 6.20 pm.

Mr Day provided an update on the Local Government Act and had focussed on sections 80 to 83 and there was a need to make a decision before assessing if significant and then decide the next course of action. This would then lead to the need to consult or

not and took into account prior decision making. Staff had looked at other decisions made by Council in the past.

Note: Cr Arnold returned at 6.24 pm.

Mr Day added that what he had stated had been put in the report and staff recommended that Council consult. Advice would be not to recommend proceeding with contract as that would be proceeding with risk.

It was reiterated that there was a need for a new museum and that if a contract was signed it would not mean that could not claw back on the carpark etc. If did not sign would be a significant delay in time and that would mean would not be able to deliver on time.

A query was asked if delayed in signing would there then be an increase in cost, it was confirmed that the vast majority was fixed but if any delay could open up the risk of re-pricing.

There was discussion around fully exploring corporate opportunities for funding and acknowledged the need to be cautious around that. Felt needed to consult but be very clear around what consulting on and stopping was not an option, did not believe that the community wanted Council to pause the museum.

It was noted that building a modern museum and the community had given a very clear mandate that want done once and right. Did not originally consult on having a carpark, so felt not needed to consult on removing it.

Discussion took place around removing the wow factor and that the community did not want that. It was also noted that did have a large collection that had barely been seen and utilise that. Felt that should not stop the build and continue to move forward.

It was noted that had talked about the museum for eight years and could not stop the build, there were a number of options that could still look at that had been mentioned – the sale of land etc. It was noted that when consulted the community wanted to have a large museum and the experience and needed to be fit for the future. It was hoped that may generate revenue through the experience and the ability to hold events.

It was noted that in August 2023 Council agreed to the additional \$6 million very quickly, and it was noted the cost would be \$71.5 million. In June 2024 it was quoted that the museum was on track and had a contingency of \$5.5 million. Now found that in the report provided at this meeting that could not deliver an on budget option. Queried how Council got to this point and that owed the community answers, from August 2023 now \$13 million short. It was noted that still had projects around Rugby Park and the Civic Building to address, needed to be mindful that this was just one project.

It was noted that this decision would impact the city for 70 to 100 years and if downsized would not be able to have anything more than a small part of the collection on display and when the museum was closed in 2018 the city lost something. The storage facility was only a storage facility, and He Waka Tuia was a temporary facility. There was a need to look at this space that proposing to build, that would give the same sort of experience that Te Papa gives visitors. It was compared to when Splash Palace was built and people

still using it today due to some of the experience that had been included. Look at if could moderate the 70:30 ratio.

Further discussion was around not compromising the build size and reiterated there was an expectation to get on with it, and had been without the facility for too long. Look at where costs could be cut but give people the facility they deserved and had been aching for.

Again reiterated that could not go to consultation around the size of the museum and had received clear direction on that. Had been very clear what done once and right and the wow factor. It was reaffirmed that no-one said they wanted a repeat of the old museum. Needed to consult on the level of experience that people wanted to see and if they believed could reduce the budget.

Again noted that need the wow factor and could take out the carpark do not want two boxes.

Note: Cr Arnold left the meeting at 7.03 pm.

It was noted that required a preferred option to go out to consultation.

Moved Cr Soper, seconded Cr Ludlow and **RESOLVED** that Council:

1. Receives the report "Te Unua Museum of Southland Final Design and Proposed Budget Amendment".

A query was raised if the documents would have the costs and savings involved.

Moved Cr Boyle, seconded Cr Ludlow and **RESOLVED** that Council:

2. Approve that Council is to consult on the following options:
 - a. Retain the status quo
 - b. Remove Green Star accreditation.

Moved Cr Ludlow, seconded Cr Crackett and **RESOLVED** that Council:

- c. Remove Green Star accreditation and delay the carpark (Council's preferred option)

Moved Cr Boyle, seconded Cr Ludlow and **RESOLVED** that Council:

- d. Reduce the digital / static ratio of 70:30 in the experience, in addition to Option c.

Note: Rev Cook left the meeting at 7.13 pm and returned at 7.16 pm

Moved Cr Soper, seconded Cr Stewart and **RESOLVED** that Council:

3. Resolve to undertake a consultation process for the approved options of 2a /b/ c and d (as above), noting that it does trigger the ICC Significance and Engagement Policy

Note: Cr Pottinger voted against.

Moved Cr Campbell, seconded Cr Stewart and **RESOLVED** that Council:

4. Delegate to the Chief Executive the authority to release the consultation document for consultation.

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that Council:

5. Note that the additional costs associated with these options were not included in the Long-term Plan adopted on 28 June 2024 as the developed cost was not available. Any further change to the project budget will be inconsistent with the adopted 2024-34 Long-term Plan.
6. Note the continued uncertainty and risks related to the current projected operational costs and revenue.

Moved Cr Boyle, seconded Cr Kett and **RESOLVED** that Council:

7. Approve the Chief Executive to sign the Naylor Love Construction Contract for the building only, being not inconsistent with the options consulted on.

Note: Cr Crackett voted against on the basis that may be inconsistent with the options now consulting on. Would be getting less experience if did not get the funding.

Mr Butcher noted that the contract entered into would be the build only and the experience was a separate budget and contract and could clarify that in the consultation documents.

A query was raised if needed to note the risk of a judicial review being brought – it was noted that did not.

The Mayor noted that at the Council meeting August that expected this paper to come back to allow discussion around risk factors.

20. Public Excluded Session

Moved Cr Dermody, seconded Cr Stewart and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, namely:

- a. Minutes of the Public Excluded Session of the Connected Murihiku Joint Committee Meeting held on 27 May 2024
- b. Minutes of the Public Excluded Session of the Bluff Community Board Meeting held on 10 June 2024
- c. Minutes of the Public Excluded Session of Council Meeting held on 25 June 2024
- d. Minutes of the Public Excluded Session of the Extraordinary Council Meeting held on 27 June 2024
- e. Minutes of the Public Excluded Session of the Finance and Policy Committee Meeting held on 23 July 2024

- f. Verbal Update - Te Hīnaki Civic Building Temporary Relocation
- g. Verbal Update - Tim Shadbolt Airport Terminal Renaming

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
a. Minutes of the Public Excluded Session of the Connected Murihiku Joint Committee Meeting held on 27 May 2024	Section 7(2)(a) Protect the privacy of natural persons, including that of deceased natural persons Section 7(2)(b)(ii) 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	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
b. Minutes of the Public Excluded Session of the Bluff Community Board Meeting held on 10 June 2024	Section 7(2)(h) Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
c. Minutes of the Public Excluded Session of Council Meeting held on 25 June 2024	Section 7 (b) (ii) Protect information where the making available of the information would be	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good

	likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	reason for withholding would exist under Section 7
	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
d. Minutes of the Public Excluded Session of the Extraordinary Council Meeting held on 27 June 2024	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
e. Minutes of the Public Excluded Session of the Finance and Policy Committee Meeting held on 23 July 2024	Section 7(2)(h) Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
f. Verbal Update - Te Hīnaki Civic Building Temporary Relocation	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

commercial and
industrial negotiations)

- g. Verbal Update - Tim
Shadbolt Airport
Terminal Renaming

Section 7(2)(a)

Protect the privacy of
natural persons, including
that of deceased natural
persons

Section 48(1)(a)

That the public conduct of
this item would be likely to
result in the disclosure of
information for which good
reason for withholding
would exist under Section 7

Note: Cr Ludlow left the meeting at 7.26 pm.

Note: Cr Crackett left the room at 7.26 pm and returned at 7.29 pm

There being no further business, the meeting finished at 8.12 pm.