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## **NOTICE OF MEETING**

**Notice is hereby given of the Meeting of the  
Invercargill City Council  
to be held in the Council Chamber,  
First Floor, Civic Administration Building,  
101 Esk Street, Invercargill on  
Tuesday 24 July 2018 at 4.00pm**

His Worship the Mayor Mr T R Shadbolt JP  
Cr R R Amundsen (Deputy Mayor)  
Cr R L Abbott  
Cr A J Arnold  
Cr K F Arnold  
Cr T M Biddle  
Cr A H Crackett  
Cr I L Esler  
Cr G D Lewis  
Cr D J Ludlow  
Cr I R Pottinger  
Cr L F Soper  
Cr L S Thomas

CLARE HADLEY  
CHIEF EXECUTIVE

## **Council's Values:**

- Responsibility      Take ownership of decisions and outcomes, both collectively and individually.
- We willingly share our knowledge.
  - We acknowledge our mistakes, work to resolve them and learn from them.
  - We give and receive feedback in a constructive manner to resolve issues.
  - We do our job with total commitment.
- Respect              Everyone is important, as are their views.
- We support and care for each other.
  - We stop to listen, learn and understand.
  - We communicate in an honest, up-front and considerate manner.
  - We maintain confidences and avoid hurtful gossip.
- Positivity           Always look on the bright side of life.
- We are approachable, interested and friendly.
  - We are open and receptive to change.
  - We acknowledge and praise the efforts of others.
  - We work together as a team to get the job done.
- Above and Beyond   Take opportunities to go the extra mile.
- We take the initiative to improve our work practices to get the best results.
  - We challenge ourselves and each other to make it better.
  - We take pride in providing the best possible outcomes.
  - We are ambassadors for our Council at all times.

## **Council's Vision for the City:**

Enhance our City and preserve its character, while embracing innovation and change.

## **Council's Vision:**

We are an energised, fun and innovative team that makes it better for each other and our community.

## **Council's Mission:**

Making it better by making it happen.

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15.	<b>PUBLIC EXCLUDED SESSION</b>	
	Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting; namely	
	(a) <i>Confirming of Minutes of the Public Excluded Session of Council 5 June 2018</i>	
	(b) <i>Confirming of Minutes the Public Excluded Session of Regulatory Services Committee 3 July 2018</i>	
	(c) <i>Confirming of Minutes of Public Excluded Session of Infrastructure and Services Committee 9 July 2018</i>	
	(d) <i>Confirming of Minutes of Finance and Policy Committee 10 July 2018</i>	
	(e) <i>Report of the Director of Works and Services - Stormwater</i>	
	(f) <i>Report of the Chief Executive - Investments Inner City</i>	

- (g) *Action Sheet*
- (h) *Report of the Chief Executive - KPI's for 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)(d) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
(a) Confirming of Minutes – Council 5 June 2018	To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	<b>Section 7(2)(i)</b>
(b) Confirming of Minutes – Finance and Policy 10 July 2018	To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	<b>Section 7(2)(i)</b>
(c) Confirming of Minutes – Infrastructure and Services Committee 9 July 2018	To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	<b>Section 7(2)(i)</b>
(d) Confirming of Minutes – Finance and Policy Committee 10 July 2018	To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	<b>Section 7(2)(i)</b>

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|---|--|------------------------|
| (e) Report of the Director of Works and Services – Stormwater | To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); | <b>Section 7(2)(i)</b> |
| (f) Report of the Chief Executive Investments – Inner City    | To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); | <b>Section 7(2)(i)</b> |
| (g) Action Sheet  | To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); | <b>Section 7(2)(i)</b> |
| (h) Report of the Chief Executive KPI's for Chief Executive   | Protect the privacy of natural persons;  | <b>Section 7(2)(a)</b> |

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**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

<b>ELECTED MEMBERS</b>		
<b>NAME</b>	<b>ENTITY</b>	<b>INTERESTS</b>
<b>RONALD LINDSAY ABBOTT</b>	Invercargill City Council Kiwi-Pie Radio 88FM Invercargill Invercargill Art Gallery Invercargill Venues and Events Management	Councillor Director / Broadcaster Council Representative / Board Member Director
<b>REBECCA R AMUNDSEN</b>	Invercargill City Council Arch Draught Ltd BP Orr Ltd Task Ltd Arts Murihiku Dan Davin Literary Foundation Heritage South Glengarry Community Action Group SMAG Board Venture Southland Southland Regional Heritage Committee	Councillor Director Director Director Trustee Trustee/Chair Contractor Events Co-ordinator (Volunteer) Council Representative Council Representative Council Representative
<b>ALLAN J ARNOLD</b>	Invercargill City Council	Councillor

Council Committee Agenda - Elected Members Interest Register

<b>KAREN FRANCES ARNOLD</b>	Invercargill City Council Electricity Invercargill Ltd Powernet Ltd Pylon Ltd Invercargill Creative Communities Funding Scheme Southland Warm Homes Trust	Councillor Director Director Director Trustee/Chair Trustee
<b>TONI M BIDDLE</b>	Invercargill City Council Invercargill Venue and Events Management Limited Biddle & Malcolm Travel Southland Museum and Art Gallery Trust Board McIntyre and Dick	Councillor Director Ceased trading December 2017 Trustee Partner – Executive Team
<b>ALEX CRACKETT</b>	Invercargill City Council Ride Southland Southland Youth Futures Advisory Board Venture Southland and Sub-Committee	Councillor Chair Chair Council Representative
<b>LLOYD ESLER</b>	Invercargill City Council	Councillor
<b>GRAHAM LEWIS</b>	Invercargill City Council Invercargill City Holdings Limited	Councillor Director



Council Committee Agenda - Elected Members Interest Register

<b>DARREN JAMES LUDLOW</b>	Invercargill City Council Radio Southland Invercargill City Holdings Limited Invercargill City Charitable Trust Invercargill Venue and Events Management Southland Museum and Art Gallery Trust Board Healthy Families Invercargill Murihiku Maori Wardens Southland Community Law Centre	Councillor Manager Director Trustee Director / Chairman Trustee  Board Member Board Member
<b>IAN POTTINGER</b>	Invercargill City Council Southland Electronics Limited	Councillor Director
<b>TIM SHADBOLT</b>	Invercargill City Council Invercargill Airport Limited Kiwi Speakers Limited Sit Ambassador	Mayor Director Director Contractor
<b>LESLEY SOPER</b>	Invercargill City Council Breathing Space Southland Trust (Emergency Housing) Omaui Tracks Trust National Council of Women (NCW) Active Communities Invercargill Public Art Gallery Citizens Advice Bureau Southland ACC Advocacy Trust	Councillor Chair Secretary/Treasurer Member Chair/Trustee Board Member Board Member Employee

Council Committee Agenda - Elected Members Interest Register

<b>LINDSAY STEWART THOMAS</b>	Invercargill City Council Invercargill City Holdings Limited Invercargill City Property Limited HWCP Management Limited	Councillor Director Director Director
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<b>EXECUTIVE STAFF</b>		
<b>NAME</b>	<b>ENTITY</b>	<b>INTERESTS</b>
<b>PAMELA GARE</b>	Invercargill City Council	Director of Environmental and Planning Services
<b>CLARE HADLEY</b>	Invercargill City Council	Chief Executive
<b>DEAN JAMES JOHNSTON</b>	Invercargill City Council Invercargill City Holdings Limited Invercargill City Forests Limited Forest Growth Holdings Limited Netball South Crowe Howarth	Director of Finance and Corporate Services Chief Executive Chief Executive Director Director Donna (wife) is senior accountant
<b>CAMERON MCINTOSH</b>	Invercargill City Council	Director of Works and Services
<b>RACHEL REECE</b>	Invercargill City Council Reece Property Limited	HR Manager Sole Director

**TO: INVERCARGILL CITY COUNCIL**  
**FROM: DIRECTOR OF WORKS AND SERVICES**  
**MEETING DATE: TUESDAY 24 JULY 2018**

**INVERCARGILL YOUTH COUNCIL**

**Report Prepared by:** Mary Napper, Community Development Manager

**SUMMARY**

Hamish Muhl and Mackenzie Fallow will be in attendance to present Council with the Aotearoa Youth Declaration Whakaputanga Rangatahi 2018 on behalf of the youth of New Zealand.

**RECOMMENDATIONS**

**That the report be received.**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Yes
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> N/A
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> N/A
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> Yes

**FINANCIAL IMPLICATIONS**

No implications.

## **AOTEAROA YOUTH DECLARATION WHAKAPUTANGA RANGATAHI 2018**

Hamish and Mackenzie attended the UN Youth Declaration 2018 event held in Auckland in April 2018. They will explain the process they were involved in which resulted in the writing of the youth declaration.

The role of the Youth Declaration is to provide a youth voice for decision-making processes so that young peoples' views are incorporated in a meaningful way. It sets out a vision for Aotearoa, created by youth, which is a future society they want to live in.

The Declaration is presented to Members of Parliament, local government bodies, non-governmental organizations (NGOs), businesses, sponsors and other decision makers. There are action points for decision makers to follow after reading the document.

As part of the ceremony a copy of the Aotearoa Youth Declaration 2018 will be presented to His Worship the Mayor Tim Shadbolt.

Additional hard copies of this document will be made available or it can be viewed at: [https://unyouth.org.nz/event/aotearoa-youth-declaration/detail/?q=the\\_youth\\_declaration\\_2018](https://unyouth.org.nz/event/aotearoa-youth-declaration/detail/?q=the_youth_declaration_2018)

## **COUNCIL AGENDAS**

### **Regulatory Services**

The Youth Council had a lengthy discussion on Bylaw 2018/2 – Dog Control and the Dog Control Policy. Of particular interest was the areas where dogs are allowed off-leash and where dogs are not allowed at any time. A consensus was not reached on whether dogs should be allowed in the CBD on leash.

### **Inner-city Redevelopment**

Kari Garber took the Youth Council through the plans for the CBD redevelopment. The young people have several suggestions which they will submit to the Your City, Your Say process.

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**MINUTES OF THE MEETING OF THE INVERCARGILL CITY COUNCIL HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL, ON TUESDAY 5 JUNE 2018 AT 4.00 PM**

**PRESENT:** His Worship the Mayor Mr T R Shadbolt  
Cr R R Amundsen – Deputy Mayor  
Cr R L Abbott  
Cr A J Arnold  
Cr K F Arnold  
Cr T M Biddle  
Cr A H Crackett  
Cr I L Esler  
Cr G D Lewis  
Cr D J Ludlow  
Cr I R Pottinger  
Cr L F Soper  
Cr L S Thomas

**IN ATTENDANCE:** Mrs C Hadley – Chief Executive  
Mr D J Johnston – Director of Finance and Corporate Services  
Mrs P Gare – Director of Environmental and Planning Services  
Mrs E Harris Mitchell – Manager Communications and Secretarial Services  
Mr D Booth – Manager Financial Services  
Ms M Brook - Manager Strategy and Policy  
Mr R Pagan – Parks Manager  
Mr R Pearson – Roading Manager  
Mr A Cameron – Policy Analyst  
Ms H McLeod – Communications Advisor  
Mr W Cambridge – City Solicitor  
Ms L Kuresa – Governance Officer

1. **APOLOGIES**

Nil.

2. **INTEREST REGISTER**

It was noted that Cr Crackett's interests were not included in the Interest Register and Mrs Hadley apologised and said that it would be rectified going forward.

Cr Thomas also asked that his details be updated to include Invercargill City Property – Director and HWCP Management Limited – Director.

Moved His Worship the Mayor, seconded Cr K Arnold and **RESOLVED** that the report be received.

3. **PUBLIC FORUM**

Nil.

4. **REPORT OF THE INVERCARGILL YOUTH COUNCIL**

The report had been circulated, including a Special Report of the Youth Council that was tabled, and Janaya Stevenson, Caitlin Smith, Libby Flett, Maryanne Sears and Tane Froude took the meeting through a Power Point Presentation with regard to the #Active South Island Youth Connect 2018.

4.1 **#Active South Island Youth Connect 2018**

4.2 **Council Agendas**

Moved Cr Crackett, seconded Cr Lewis and **RESOLVED** that the report be received.

5. **NOTICE OF MOTION**

The Notice of Motion had been circulated and Councillor A Arnold took the meeting through it.

**Moved** Cr A Arnold, seconded Cr Esler that Council requests its Legal Counsel to seek clarification from MBIE and WSNZ on whether, if SMAG was to erect signage declaring the Museum to be Earthquake Prone, would Council's Legal obligations be discharged.

Cr Thomas asked for clarification around the legal obligations of staff being in the building because Council did not own the Museum building, which was why there was some confusion, staff were different to the public because Council employed them.

Cr A Arnold said that at the Extraordinary Meeting that was held on 9 April, the Chief Executive had outlined the legal situation that if Council staff were in a building that she was aware was earthquake prone, she would be held legally responsible. He understood that at that meeting Council gave the Chief Executive the ability to withdraw her staff and the SMAG Trust Board indicated that the Museum could not operate without staff and the Museum would need to close.

Cr Thomas said it was the SMAG Board that recommended that the Museum building needed to close because of the earthquake risk and Council staff were withdrawn because of the earthquake risk. He asked if Council should get clarification on the Water Tower and Anderson House at the same time in relation to the Notice of Motion.

Cr K Arnold said it seemed illogical as to why Council would pay hundreds of dollars an hour to seek legal counsel, or for a lawyer to seek clarification from two government departments on the law, because when legal counsel was engaged, Council would be asking them to supply an opinion based on the actual law and the facts and circumstances that they had before them. If Cr A Arnold wanted to seek clarification from MBIE and WSNZ then all he needed to do was to send them an email or telephone them. It was not a lawyer's job to seek clarification. Lawyers gave legal advice based on the law and she was yet to know of any lawyer in their right mind who would base an opinion on a comment from staff from government department. If Council got a legal opinion to put signage up at the Museum, what would Council do with that information because it was not Council's building.

Council did not have the right to erect a sign let alone open the Museum. The Southland Museum and Art Gallery Trust Board had received legal advice and they did that before they approached the Chief Executive. The Trust also received legal advice about its duties and liabilities as Trustees, so this had nothing to do with Council and its legal obligations.

Cr Abbott said that Cr K Arnold had just clarified the fact that the whole issue was a bit cloudy and he endorsed the motion that Cr A Arnold had put forward. It would vindicate this Council's decision to close the Museum or it could go the other way. He attended a meeting of the Regulatory Services Committee last week and he was impressed with the fact that the Committee recommended that the Health and Hygiene Bylaw not proceed until the Committee received more information from the public. He asked why Council could not do the same thing with the Museum. The submissions that Council had received had been passionate and the responses since the submission and the new information needed to be verified and there were questions that needed to be answered and it should go to an independent authority to be reviewed. He reminded Council that whether Councillors were for or against that decision, the legal opinion could be the start of the process. Council had argued pre-elections that Council would be forthright, open and honest, so if Council had made a mistake on this matter, it should be acknowledged. He noted that His Worship the Mayor had mentioned that he had a great fear if the building collapsed and he had an empathy with that. He had great concerns for people's lives but he still believed that Council should agree to Cr A Arnold's recommendation on the table.

Cr Biddle asked for clarification as to whether she could speak as the Chair of the Southland Museum and Art Gallery Trust Board and Mrs Hadley said that Cr Biddle was here as a Councillor. She was aware that Cr Biddle was Council's appointee to the Museum and she may give the feedback of the Trust Board at some stage but this was a Council debate.

Cr Biddle said she would be happy to give some feedback from the Trust Board's perspective because it was critical in this matter.

Mrs Hadley said that it would be appropriate for Councillors to ask questions and for Cr Biddle to give the Trust Board's view before the Councillors moved into debating the matter. She needed to recognise that Cr Biddle was one of the three Council appointees on the Trust Board. Cr Biddle needed to participate as a Councillor first when asking questions.

Cr Lewis said that there had been a lot of submissions on this matter and some of them had been emotional, which he concurred with to a degree. There had also been some learned people talking about the same issues. When one carried out Google-type searches, they find legal opinions that were clouded with what could be MBIE and WSNZ advice, so it would be good for Council to get its own opinion on this issue.

In response to a question by Cr Amundsen as to whether the recommendation to endorse the Chief Executive's recommendation to remove staff from the Museum was based on a legal opinion, Mrs Hadley said that she had not commissioned a legal opinion as Chief Executive. She did get some oral advice around timeframes. The SMAG Board had received a legal opinion earlier but she had not.

Cr Soper said that there were several things about the Notice of Motion that she was not entirely comfortable with. Firstly, the Notice of Motion asked to seek clarification from government departments but it did not ask for a legal opinion from the legal counsel. That wording matter aside she was presuming the intention was that there would be a legal opinion which would be a reasonably expensive matter. She was reluctant to support spending money on a legal opinion that would provide some clarification that would still be an interpretation that another legal opinion could argue with. Council should be spending the money to further the strengthening and reopening of the Museum building and supporting the SMAG Trust Board to do that. It was not Council's building and it had made its decision on oral advice being aware that the SMAG Trust Board had already received a legal opinion. She was reluctant to spend money unnecessarily on a further legal opinion that could easily lead to another legal opinion that conflicted with that legal opinion. At some point this Council and the Trust Board needed to make a decision and she believed that Council needed to move forward on that point and not be drawn back on an endless round of spending more money on unnecessary matters when Council could be spending it on getting the Museum re-opened.

Cr Pottinger said that the name Caleb Smith had come up many times in Lindsay Buckingham's submission as giving advice to the effect that if you were a PCBU who owned and occupied an earthquake prone building and you were meeting the earthquake performance requirements in the Building Act, a higher standard would not be enforced under Health and Safety law. He contacted Caleb Smith on 25 May and discussed his advice and talked him through Council's liabilities. He was sent a link to their website, which he had read through. It had quite a few fish hooks under Work Safe and he noted a key one that said, *"Are building parts covered under the Health and Safety at Work Act? Building parts are individual building elements that would pose a significant life safety hazard. These include parts such as parapets, heavy ceilings, masonry walls and other features"*. The Museum's floors and ceiling were precast concrete slabs. They were extremely heavy ceilings. *"Work Safe expects PCBU to take steps to identify and eliminate or minimise the risk from these parts"*, so when looking at Win Clark's peer review report it says, *"Further to the areas of structure covered by the Opus Report, the consequential effect of the 14 November 2016 Kaikoura Earthquake on precast concrete flooring systems has relevance for the Southland Museum and Art Gallery Building. A number of multi-storey buildings in Wellington with a precast flooring system was supported on a seismic resistant frame sustaining damage to the flooring units at these supports. As the frames swayed under the earthquake action, hinging the curb in the beams adjacent to the supporting columns, after a number of cycles of yearling that the beam hinges the hinged zone grew in length with the potential for the flooring unit to come off their seating. This loss of support caused three flooring units to collapse in one Wellington building. Considering the Southland Museum and Art Gallery building, there is a potential for a similar flooring system failure to occur in the 1960 and 1988 additions where double T precast concrete flooring units are used to form first and second floors"*. The peer review had identified a building part that was dangerous. He then sent Mr Smith an email pointing this out and asking how he would interpret that. He received an email from Mr Smith this morning saying, *"Hi Ian, I'm just seeking guidance from the wider organisation to assure myself that any response given will align with the rest of Work Safe"*. He had thought that the response would be straight forward. It was either something that needed to be looked at when they said "eliminate" or "minimise", he would think that in this case as a building occupier there was only one option. The Trust Board either needed to reinforce the weak areas or do something different but Council's response to this part of the Health and Safety at Work Act was to remove staff.



It was straight forward. What Win Clark had done in his March 2018 review was he put it together with the 2017 new regulations regarding earthquake effects on buildings but he had also incorporated what had happened in Kaikoura and made Council aware of it. This was new information and Council needed to act on it. As far as he was concerned, Council was acting in accordance with Work Safe and he had just picked out two fish hooks. You could try and dodge this but Council was keeping its staff safe.

Cr Ludlow wondered what the purpose of the Notice of Motion was. It seemed like the purpose was to have the Museum reopened and he understood that there had been some public pressure for that to happen but following on from a point that Cr Soper raised, it would be important for Council to keep in mind and that was the fact that at the moment, the pressure was on around the future of the Museum. For the first time in quite some time they were moving forward with some pressure and some pace to a redevelopment, which had been stalled twice in the past because of issues beyond SMAG's control. Some of the key drivers for what was to happen had not changed, the issue around the fire safety around the ceiling had not gone away. Some of the issues around pressure of space could be dealt with because Council was looking at making art available elsewhere but Council still needed to reshape the Museum to deal with storage. There was a two-stage process to the redevelopment proposal, which would have allowed the collection or exhibitions to be shifted to a new addition and then the existing space to be refurbished. He understood that things had rescaled considerably. For that redevelopment to happen, the building needed to close. There was no way of refurbishing or repairing what was there without closing the Museum and to reopen it now, would slow that process up. Nobody wanted to see the province without a Museum and Art Gallery and nobody wanted to see anybody without their previous employment but if the Museum was to reopen now, who around this table or in a future Council would find the courage to close the Museum for that renovation to happen. If the end result of the Notice of Motion was to have the Museum reopened, he would not be supporting it.

Cr K Arnold said that given the City Solicitor, Mr Cambridge was present at the meeting, she wanted clarification as to when forming a legal opinion would they seek clarification from a government department or would he rely on the law and the facts and circumstances that Mr Cambridge was aware of to form a legal opinion.

Mr Cambridge suggested that rather than giving legal advice in the public session and because it affected what Council's legal liability might be, he was happy to provide the answers to questions and some further information that may assist Councillors under public excluded session to preserve legal privilege.

His Worship the Mayor said that Councillors' questions would be delayed until Council moved into public excluded session and Mrs Hadley said that on behalf of Mr Cambridge that would require him to remain in the meeting for quite for time to deal with this item of business. She suggested that Council could withdraw to the Committee Room for the period of discussing that or Council could go into public excluded session now, asking the public to leave and return after Council had dealt with the legal advice matter.

Cr Soper thanked Mr Cambridge for his expertise in this matter. She said that any suggestion that Mr Cambridge was somehow remiss in not giving that opinion in public was unfair. To ask legal Counsel to do that it was putting him in a rather unfair position. Council had legal privilege for a reason. Ultimately the people sitting around the table were the Council and not Mr Cambridge.

6. **COUNCIL IN PUBLIC EXCLUDED SESSION**

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

(a) *Legal Advice*

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)(d) 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) Closure of the Southland Museum and Art Gallery	Maintain legal professional privilege	<b>Section 7(2)(g)</b>

5. **NOTICE OF MOTION CONTINUED IN PUBLIC SESSION**

His Worship the Mayor apologised to the media and members of the public for Council going into public excluded session. He informed the meeting that Council was dealing with Sections 44, 46, 47, 190 and 194 and as well as that, there were insurance issues that Council needed to deal with and seek legal advice.

Cr Biddle said that earlier she had requested that she speak as the Chair of the SMAG Trust Board because it was important to share the information that could potentially help some of the discussions around this matter and that permission had been given by Council for her to do so. She took the meeting through the 2013 Opus Report and said that the Report identified a total of 13 critical structural weaknesses in the three buildings and pyramid that made up the Museum. This meant that all the buildings were less than 30% of the building standard. In that same Report it outlined some recommendations for the Board to look at achieving a minimum of 34% non-building standard and to recommend trying to get it up to 67%. There had been some allegations that the Board did not do anything about it. The Board was advised in 2014 that it was not possible to strengthen the three existing 1940s, 1959 and 1960s buildings inside the pyramid to achieve the 67% NBS required. The cost to attempt to do so would be more than what it would be if they were to demolish and replace with a new structure giving them a 100% New Building Standard. This design team was made up of project managers, project architects, structural engineers, building services, engineers and quantity surveyors. For that reason she would assume that the Board back then had decided to look into the redevelopment. However, the decision was made on the redevelopment was due to go ahead in January 2015 and the Museum would have opened in June 2018 if the development went ahead. This particular development was an estimate of \$619,000 and for whatever reason, the ratepayer and Council had on many occasions unfortunately shelved that plan. There was also the stadium collapse that had a huge bearing on the Museum redevelopment. It was unfair to say that the Trust Board had done nothing, then one morning woke up and decided to close the Museum building that was precious to the community.

Over several weeks between July and August of 2014 there were parts of the building tested to better understand all the structures including the structural beams, columns and the connection details. Only after this it was determined that it would be possible to achieve a 34% NBS requirement but the cost would outweigh the cost to demolish the building and replace it with a new building. She told Cr A Arnold that the Trust Board had done its homework around this and the Trust had tried to publicly announce in so many ways, different shapes and forms from a Board's perspective that the Board had done its due diligence in making the decision to close the Museum building. She also stressed that it was the Council's decision to withdraw the staff after the Trust Board decided to close the building. The Trust made sure the two reports they received covered the 2016 legislation and policy changes. What the Trust now needed to know how it could be rectified because the Trust Board realised that it was now 2018 and with all the buildings that had been repaired and all the learning since 2013/2014, it could be possible to strengthen the Museum building. The public had not given the Trust Board a chance to look into this. The Trust Board and Council had been consumed with defending its actions but there was a need to move on and get the job done. She said that if she lost her seat because she had put public safety and people first, then she was happy with that but the Trust Board had the courage to do what should have been done in 2013. It was not done and there was supposed to be a redevelopment and now there was no redevelopment for that Museum for another ten years, so the building needed to close. The Trust Board stood by its decision to close the Museum building and it would not be changing as far as the Trust Board was concerned. She asked Cr A Arnold to consider withdrawing his Notice of Motion based on everything that he had heard including the legal advice. She believed that everyone needed to move on and putting a sign on the building doors would not change the liability of the Trustees and it would not mean that the building was not earthquake prone. She reminded everyone about the Indoor Stadium that it was made very clear that in 2006 one of the Trustees wrote a letter with regard to a European Stadium collapse and at the conclusion of his statement he said to the Trustee at the time, *"I want to ensure that based on the information I have that there potentially could be a heavy snowfall resulting in death and we are concerned that a major snowfall, which Southland has not experienced for 12 years is due. We have asked ourselves what the effect would be of a heavy snowfall that did not melt and its weight on a building and we are very concerned with the loading of the roof and concerned about the particular people that maybe in the facility. Would you give your assessment of the roof your full attention for we want to be sure that this building is totally safe"*. They were aware of that in 2006 and on 18 September 2010 the building collapsed and it was lucky that there was nobody in that building. As the Trust Chair of the SMAG Board Trust, the Board was going to put public safety over and above anything else. The Museum building would remain closed until it was fixed.

Cr Thomas referred to the request by Cr Biddle if Cr A Arnold would withdraw his motion on the table.

Mrs Hadley said that Standing Orders did not allow for any amendments to a Notice of Motion and withdrawing the motion was similar to an amendment. The intention behind Standing Orders was that everyone was aware of what would be debated. They came prepared for the debate, so once it was moved and seconded no amendment could be made to a Notice of Motion and to withdraw the motion would be an amendment.

His Worship the Mayor said you could argue that it was a direct contradiction to withdraw the Notice of Motion and ruled that the motion could not be withdrawn.

The motion, now being put, was **LOST**.

**Note:** Cr A Arnold voted for the motion.

7. **MINUTES OF THE MEETING OF COUNCIL HELD ON 24 APRIL 2018**

**Moved** Cr Amundsen, seconded Cr Ludlow that the minutes be approved.

Cr Thomas asked for an update on Item 13.1, Southland Regional Development Agency with regard to funding obligations from other councils and Mrs Hadley said that Council was still working through that. There were a number of steps that needed to be taken as far as the development of the transition plan and those discussions had not been undertaken yet.

The motion, now being put, was **RESOLVED** in the **affirmative**.

8. **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 1 MAY 2018**

Moved Cr Thomas, seconded Cr Amundsen and **RESOLVED** that the minutes be approved.

9. **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 15 MAY 2018**

Moved Cr Amundsen, seconded Cr Ludlow and **RESOLVED** that the minutes be approved.

10. **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 22 MAY 2018**

Moved Cr Amundsen, seconded Cr Ludlow and **RESOLVED** that the minutes be approved.

11. **MINUTES OF THE MEETING OF THE BLUFF COMMUNITY BOARD HELD ON 14 MAY 2018**

Moved Cr Esler, seconded Cr Lewis and **RESOLVED** that the minutes be received.

12. **MINUTES OF COMMITTEES**

12.1 **Community Services Committee 21 May 2018**

Moved Cr Abbott, seconded Cr Soper and **RESOLVED** that the minutes be approved.

12.2 **Finance and Policy Committee 22 May 2018**

Moved Cr Ludlow, seconded Cr Pottinger and **RESOLVED** that the minutes be approved.

12.3 **Infrastructure and Services Committee 28 May 2018**

**Moved** Cr Thomas, seconded Cr Pottinger that the minutes be approved.

Cr K Arnold said that with regard to Item 6.1.4 on Page 97, it had reference to her saying, "Council could successfully run a greenkeepers course through SIT and having established that earn some money and maintenance.", but she was never under the impression that Council would do that. She asked that for that sentence to be deleted from the minutes.

The motion, now being put, was **RESOLVED** in the **affirmative** with the amendment.

12.4 **Regulatory Services Committee**

Moved Cr Amundsen, seconded Cr Biddle and **RESOLVED** that the minutes be approved.

13. **REPORT OF THE CHIEF EXECUTIVE**

13.1 **Update to the Activity Management Plans**

The report had been circulated and Ms Brook took the meeting through it.

Moved Cr Thomas, seconded Cr Ludlow and **RESOLVED** that the report be received;

AND THAT

The amendments outlined in the body of the report are noted by Council and included in the Activity Management Plans when finalised.

13.2 **Governance Arrangements Southland Museum and Art Gallery**

The report had been circulated and Mrs Hadley said she was happy to take the report as read. It was considered and endorsed at the SMAG Board Meeting and both Mayor Hicks and Mayor Tong had asked that their councils receive a similar report. She added that at the SMAG Trust Board Meeting, Cr Amundsen asked that the Southland Regional and Heritage Committee be involved in the process, which they would be.

In response to a question by Cr K Arnold as to whether there was just one report and Mrs Hadley confirmed that was the case.

In response to a question by Cr K Arnold as to whether Mayor Hicks and Mayor Tong had being asked if their councils would be contributing to the Report. Mrs Hadley said that at this stage she had not done that. She had not determined whether the review would be done internally or externally and she flagged that there could be a need for some funding and asking Council to authorise it.

Cr K Arnold asked that if it was authorised and the City Council carried the full costs, would that mean that it was Council's report or was Council funding it for all councils.? Mrs Hadley said that the matter of the Southland Museum had sat with Invercargill City Council to a large degree for quite some time and Cr Amundsen was correct in reminding her that the Southland Regional Heritage Committee had an important role in that process. If Council was looking for any additional funding, she would go to that body rather than the individual councils. It was important to get their buy-in to whatever solution was identified through the review. She was more interested in finding a solution that all of the agency organisations were comfortable with at this stage.

Moved Cr Soper, seconded Cr Ludlow and **RESOLVED** that the report "Governance Arrangements Southland Museum and Art Gallery" be received;

AND THAT

A formal review of the governance arrangements best suited to the management of the property and assets of the Southland Museum and Art Gallery Trust Board Inc. is undertaken;

AND THAT

The Council note that the proposed "Strategic Review and Development Plan" to be completed by Tim Walker on behalf of the Southland Museum and Art Gallery Trust Board Inc. is proposed to include governance, but it is unclear whether this review will be sufficient for Council's purposes;

AND THAT

Terms of reference for the governance review be developed by the Invercargill City Council Chief Executive, after consultation with the Southland Museum and Art Gallery Trust Board and the Southland Territorial Authorities for consideration at the 26 June 2018 Council Meeting;

AND THAT

The Chief Executive is authorised to expend up to \$20,000 to undertake this review.

14. **REPORT OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES**

14.1 **Council Controlled Organisation Exemption**

The report had been circulated and Ms Brook took the meeting through it.

Moved Cr Lewis, seconded Cr Thomas and **RESOLVED** that the Invercargill Community Recreation and Sports Trust be exempt from being a Council Controlled Organisation pursuant to Sections 7(3) and 7(5) of the Local Government Act 2002.

14.2 **Director Remuneration Policy**

**Moved** Cr Soper, seconded Cr Amundsen that the report "Director Remuneration Policy" be received,

AND THAT

A Remuneration Policy be developed that incorporates a 20% public good discount, three yearly external reviews and annual CPI adjustments in the intervening two years.

Cr K Arnold noted that the recommendation was for Council to not do away with the 20% public good discount, which was a good thing.

Cr Pottinger said he would be voting against this report being received because this was written by Mike Stenhouse of Sheffield who was a member of the Appointments Committee. He may not have an objective point of view being a member of that Committee and he envisaged that the author of this report should have been an experienced Director in the sense that they could give a view of skills that were required and skills that elected representatives would bring to the table. There was no disrespect to the current Directors but the reason why he asked for a review to be done on remuneration was because of the gap. Council should not accept this report as it was not relevant.

Cr Abbott said that he thought that this Council determined that Mr Stenhouse would be doing this report.

Cr Ludlow said that Council was seeking a report from a representative of the Institute of Directors and Mr Stenhouse had done that.

Cr Crackett spoke in support of Cr Pottinger's comments because she was of the same opinion that when this matter was debated at a previous meeting, she had thought that it was going provide more information. In terms of the Remuneration Policy, she believed that there was a contradiction with Mr Stenhouse being a member of the Appointments Committee and now he was writing this report.

Cr Ludlow said that Councillors Pottinger and Crackett could be somewhat confused by the Director Appointment Policy, which Council had already discussed.

Cr Pottinger said he was not confused and Mr Stenhouse was a member of the Appointments Committee and was not in a position to be able to write an objective report for remuneration.

Cr Soper said that the request was an independent review of the Director Remuneration Policy. Council had already received a detailed review of the full policy, so what Mr Stenhouse had provided was exactly the Terms of Reference that Council had asked for. Like Cr K Arnold, she was pleased that Council had made the decision for the recommendations to not agree with his suggestion that Council takes away the 20% discount. Mr Stenhouse's report established why Council would not do that. Council had got the illustration that it had been a problem with Council being able to recruit people for these roles. Council had recruited well established and well respected people for these roles with the 20% discount. The public good element was key to Council's organisation and she would never want to see it dispensed with. If anything, she would like to see a 25% discount but she was not going to make that suggestion at this meeting. She believed that the report Council had was an independent report that had given Council some sound basis to agree with the recommendations going forward. It was also sensible to have a three-yearly report rather than a two-yearly report.

Cr Biddle said that she was of the understanding that this particular Remuneration Policy was going to allow Council to discuss the Councillors' remuneration. It was not just for the directors in general, it was around some of the Councillors feeling that City Councillors should not receive a paid directorship. It should be part and parcel of their Council income.

Mr Johnston said that the reason why Sheffield was selected was that it was a firm that provided remuneration advice. On Page 4 of the Policy it outlined the recommendation from Sheffield's and talked about the remuneration of elected Council member directors versus independent. Following the previous Council resolution, the question was put to Sheffield as to whether a Councillor be paid as a Director versus an independent or should there be a difference and they had come back with the view that Councillors Directors had the same workload as independent directors and therefore they should be remunerated on the same basis.

Cr Pottinger said that one of the points he had raised was to do with workload. There was the workload of the Chairs who were remunerated at \$12,000 above the Council remuneration. There was also the workload of Directors and a report that came out in 2014 identified that the Chair of Holdco would work on average 200 hours per year and a Director worked 100 hours. Each Director was covered by liability, so the essence of what he was trying to establish was workload. He believed that the remuneration given to Council directors excessive considering that they had got those roles by a favouritism contest and that was what elections were. He was not being disrespectful, he believed in equal work and responsibilities of Chairs, which were very important. He was not asking for anything different but he expected an independent consultant to look at that and that had not been done.

Cr K Arnold said it was important that Council only discusses Holdco Directors because after the next Triennial Elections next year, there would only be Council appointments of Directors for Holdco and not the other CCOs.

Cr Biddle said she was just reading Page 4 that Mr Johnston had pointed out earlier and it talked about Councillors being directors of particular companies and she was sure that this discussion concerned conflicts. One example given was that Council had Holdco Directors and as a Council it was happy to continue to have Holdco Directors, however those Directors were also the Committee that made up the Finance Committee. She could not see how that Finance Committee could make sound decisions on Holdco issues when they were also Holdco Directors. She did not mean to disrespect the individual Councillors but she struggled at times as an unpaid Chair of SMAG with the workload and to make decisions as Councillors. She was sure that Council had asked for more content around this report and for that reason she would not be supporting the recommendation.

Cr K Arnold said she did not think it had anything to do with the remuneration policy but the issues were not about Holdco Directors, it was about who made up the members of the Finance and Policy Committee. It was something that His Worship the Mayor could change by reorganising the committees and who was on them. She was of the understanding that at the moment Holdco reported to the Finance and Policy Committee and the three Council Members of Holdco sat on that Committee and the Chair was also a Holdco Director. That was the issue, so it was not about Sheffield's but about how the Finance and Policy Committee was made up. For many years, the Finance and Policy Committee was made up of full Council and for a couple of years ago it was deviated from that. It was not an issue before but it was now.



Cr Biddle recalled that Council asked for that issue to be covered in the report, which had not been done.

Cr Pottinger asked for clarification that in the build up to quite a numbered set of resolutions regarding the Appointments Policy, one of them was in a change of Governance Statement, all matters concerning Holdco would be brought to full Council. That was voted on and it was passed as formal resolution. The only catch was whether that was adhered to now or in 2019. His Worship the Mayor confirmed that would be decided in future.

The motion, now being put, was **RESOLVED** in the **affirmative**.

**Note:** Councillors, Biddle, Pottinger, Crackett and A Arnold voted against the motion.

#### 14.3 **2018/2019 Fees and Charges**

**Moved** Cr Ludlow, seconded Cr Thomas that the report be received and;

That the 2018/19 Schedule of Fees and Charges be adopted.

Cr Thomas pointed out some typographical errors in the document, which were noted for amendment.

Cr Pottinger said that on Page 125 regarding Building Consent Fees and Charges where the submitter had concerns with justification of the hours spent in processing a building consent. He asked if that submitter had been sent a response outlining his concerns.

Mrs Hadley said that the submitter would be getting a response separately. It would outline the approach that Council had taken to the charges for Building Consent fees. It would also refer to the fact that there work to be undertaken in the region that seeks to streamline unified to indicate greater alignment between the fees for Southland and Invercargill.

The motion, now being put, was **RESOLVED** in the **affirmative**.

### 15. **REPORT OF THE DIRECTOR OF WORKS AND SERVICES**

#### 15.1 **Friendship Garden Queens Park**

The report had been circulated and Mr Pagan took the meeting through it.

**Moved** Cr Soper, seconded Cr Thomas that buildings and structures to the value provided for in the current budgets be ordered from China, and Parks Department staff continue with landscaping for the Chinese Garden.

Mr Pagan said took the meeting through an explanation on what the cultural corridor was, as requested by Cr K Arnold.

In response to questions, the following answers were given:

- The original concept that was devised through the Arts Group and the Sister City originally estimated the cost at \$600,000. The construction company that could supply the kitset buildings had indicated they would like to build them, supply landscaping, rocks and everything which was substantially more than what the original budget was from the Art Centre.

It has changed but the expectation of the Company has come out wanting to put in an authentic Chinese Garden complete with all the elements except for the plants, which was never our intention. It was always going to be a Friendship Garden with some of the Chinese elements in that garden.

- Council has spent around \$54,000 on services and creating the pond. A lot of the services are running through the area where old services needed to be replaced and updated so they were not going through the Chinese Garden or into the pond. Ove and above that staff will be carrying out the landscape work on the area.
- To date we understand that the New Zealand in Suqian garden is progressing and we had difficulty obtaining information until last weekend when we received detailed drawings of the design that Council sent to China. They have now taken that to full design and added to that and it's a bigger area than what it was planned. They had originally indicated that they would be doing an opening in June/July of this year. I have seen some photos but I can't see anything physically on the ground yet.

Cr K Arnold said she was disappointed that Invercargill would be getting 45% less of a garden than originally suggested.

Cr Pottinger said he had visited the Chinese Garden in Dunedin over the Queen's Birthday weekend and he was impressed. Not one nail was used on the whole structure and it needed to be authentic because the last thing people wanted to see was a Kiwi four-by-two painted up to look like something else. Council needed to show Mr Pagan some empathy because working with foreign contractors to confirm final structures was difficult and the structures in Dunedin were truly amazing. It was hard enough getting a confirmed price from a contractor in Invercargill let alone build the Chinese Garden. He was looking forward to the finished product because it would be set into Queens Park. In Dunedin there were motorways in the background where the Chinese Garden was and even though you were in the Chinese Garden there were roads behind you, so he was looking forward to this being a restricted state. He wondered if there would be the ability to add to it in future. Mr Pagan said that the proposal was the entrance way, a walkway around the pavilion, which was on the far side of the pond, the cultural corridor would be left landscaped, so there could be additional buildings put in at a later date.

Cr Soper said that while she was disappointed about the cultural corridor it always seemed that it was the most concerning element of the design because it was very open, considering the weather conditions. There would still be the most important parts culturally of the Chinese Garden concept that would fit well into Queens Park. Preparations had begun and it was already looking like a good fit with Queens Park. Mr Pagan had just said that there was possibility in future to add the cultural corridor. Council was still getting what it was committed to from the start, which was a Friendship Garden that acknowledged the important relationship between this city and Suqian. She was keen for the assurance that Council would be giving compliant buildings that could be established very quickly.

Cr Thomas said that while he was comfortable with progressing the Chinese Garden, he would like to see an updated budget because the previous Council had signed off on \$600,000. Council needed to see what being done because he did not want to have any delays in this project. It was taking a long time to get to this stage and Council was not aware of it.

Cr Esler said it would be a wonderful cultural addition and it would be a drawcard once it was completed. It was in a great setting and everyone would be able to enjoy it when it was completed and Council needed to progress it.

The motion, now being put, was **RESOLVED** in the **affirmative**.

15.2 **Mason Road Urupa Te Hau Mutunga**

**Moved** Cr Soper, seconded Cr Thomas that Council confirms the gifting of Lot 1 DP 7967 being 118 Mason Road, Invercargill to Waihopai Runaka Limited SUBJECT TO an appropriate Trust being set up to administer the cemetery and giving protection to existing family burials;

AND THAT

The balance of the land (being 116 Mason Road and 83 Lardner Road) previously being held for cemetery purposes at Mason Road be prepared for sale with the proceeds of the sale being held for the purchase of land and development of the Eastern Cemetery as per approval by the Minister of Health.

Cr Esler said he visited the site yesterday and there were not a lot of burials there at the moment. He hoped that once it changed ownership and with more publicity and recognition, people would know that it was an optional cemetery and burials would increase. The land had mostly been grazed so presumably there would be a source of income for the Trust and he wondered if the Council would still be responsible for maintaining the road, the mowing and spraying. The area was protected by a row of trees down the east side and he also wondered if there could be some provisions that the new owner of that block was required to consult the Urupa Trustees because it provided a windbreak for the Urupa.

Mr Pagan said it would be up to the Trustees as to how they wanted to manage it. Preliminary discussions had indicated that the Trustees may want to contract back to Parks to carry out the maintenance and burial. There was a Council Bylaw to cover the way they would be operating the cemetery. In his recommendation there was some protection for the current families of the 15 who were currently buried there. They were buried there under the provision of the Bylaw for partners to be buried with them and there was a concern that if it went to a new body it could change the ways things were managed. With regard to the management side of things, they were working closely with the layout of the cemetery with the current Committee. He had recommended to the Trustees that they should start adding more shelter along that area if they thought it was appropriate but again. The removal of the trees would give a better view and view and slope of that particular site was important for the Urupa.

The motion, now being put, was **RESOLVED** in the **affirmative**.

16. **ACTION SHEET**

The report had been circulated.

**Moved** His Worship the Mayor, seconded Cr Amundsen that the Action Sheet be received.

Cr Biddle asked for an update on the Maori Relations Report and when it would be coming to Council. Mrs Hadley said that a first draft of the report had been considered and there were other matters that needed to be added to the report to ensure it had the robustness Council was looking for. The report would be brought back to the next Council Meeting.

The motion, now being put, was **RESOLVED** in the **affirmative**.

17. **MAYOR'S REPORT**

**Moved** His Worship the Mayor, seconded Cr Amundsen that report be received.

Cr Pottinger asked if His Worship the Mayor would be providing Councillors with some feedback after the interviews he had carried out with Councillors. His Worship the Mayor said that it was a bigger task than he had envisaged. The main aspect he was after was how Councillors felt Council was progressing at the moment and the result was that 70% were content with the way Council handled its business and interrelationships with staff. He would get feedback to Councillors as soon as he could.

The motion, now being put, was **RESOLVED** in the **affirmative**.

18. **URGENT BUSINESS**

Nil.

19. **COUNCIL IN PUBLIC EXCLUDED SESSION**

Moved His Worship the Mayor, seconded Cr Amundsen and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, namely:

- (a) *Confirming of Minutes of the Public Excluded Session of Council 24 April 2018*
- (b) *Confirming of Minutes of the Public Excluded Session of the Finance and Policy Committee 22 May 2018*
- (c) *Confirming of Minutes of the Public Excluded Session Infrastructure and Services Committee 28 May 2018*

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)(d) 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) Confirming of Minutes – Council 24 April 2018	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 7(2)(i)</b>
(b) Confirming Minutes – Finance and Policy Committee 22 May 2018	To protect the privacy of natural persons, including that of deceased natural persons	<b>Section 7(2)(a)</b>
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 7(2)(i)</b>
(c) Confirming of Minutes – Infrastructure and Services 28 May 2018	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 7(2)(i)</b>

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**MINUTES OF THE EXTRAORDINARY MEETING OF THE INVERCARGILL CITY COUNCIL HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL ON TUESDAY 26 JUNE 2018 AT 4.00 PM**

**PRESENT:** His Worship the Mayor Mr T R Shadbolt  
Cr R L Abbott  
Cr A J Arnold  
Cr K F Arnold  
Cr T M Biddle  
Cr G D Lewis  
Cr D J Ludlow  
Cr I R Pottinger  
Cr L F Soper  
Cr L S Thomas

**IN ATTENDANCE:** Mrs C Hadley – Chief Executive  
Mr C A McIntosh – Director of Works and Services  
Mrs P M Gare – Director of Environmental and Planning Services  
Mr D J Johnston – Director of Finance and Corporate Services  
Mrs E Harris Mitchell – Manager Communications and Secretarial Services  
Mr D Booth – Manager Financial Services  
Ms M Brook - Manager Strategy and Policy  
Mr R Pearson – Roading Manager  
Mr A Cameron – Policy Analyst  
Mr J Botting - Management Account  
Mrs K Simmonds - Accounting Technician  
Mrs C Montgomery - Graphic Designer  
Ms L McCoy - Building Assets Administration  
Mr I Lothian – Audit New Zealand  
Ms J Hills – Audit New Zealand  
Ms L Kuresa – Governance Officer

1. **APOLOGIES**

Cr R R Amundsen, Cr A H Crackett and Cr I L Esler.

Moved Cr Biddle, seconded Cr Soper and **RESOLVED** that the apologies be accepted.

2. **INTEREST REGISTER**

The report had been circulated.

Cr Pottinger asked that his details be updated to include Southland Electronics Limited – Manager and Cr Abbott's details to be updated to include Invercargill Venue and Events Limited – Director.

3. **REPORT OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES**

The reports had been circulated.

3.1 **Adoption of the 2018-28 Long-term Plan**

Cr Ludlow took the meeting through the report. He congratulated the staff involved in Long-term Plan process for their hard work in getting the Long-term Plan document completed.

Moved Cr Ludlow, seconded Cr Thomas and **RESOLVED** that the 2018-2028 Long-term Plan be adopted,

AND THAT

The Revenue and Financing Policy contained within the Long-term Plan be adopted.

3.2 **2018/2019 Rates Resolution**

**Moved** Cr Ludlow, seconded Cr Soper that Council adopted the 2018/2019 Rates Resolution.

Cr Ludlow said that there was some comfort in the fact that Council had managed to keep the rates increase below Council's self-imposed threshold and below the levels of many of the other neighbouring local authorities. Even though the rates increase was below that threshold, the increase was something that had not done for frivolous reasons. The Financial Team had worked hard with the variations that Council had given them and it was a good outcome. He had heard from members of the public that they were doing it tough out there and Council was cognisant of it.

Cr K Arnold said that bearing in mind that there was a rates increase, it was not just to cover business as usual. Council was anticipating delivering some very exciting projects for the City. Council had a robust plan and some of these projects would deliver a lot back to the community. They would generate income and Council was always between a rock and a hard place when people wanted a lot from the City but it did not come for free. Council had been mindful and responsible when setting those rates increase caps. This Council had given instruction to the Chief Executive that Council expected savings to be made in the operational side of Council and the Auditors had sent a clear message to Council. It needed to be noted that it was the wish of this Council and Mrs Hadley was carrying out Council's wish. If staff ever questioned any decisions that were made then it was this Council that wanted to operate in the best way it could, delivering for the ratepayers and citizens in a way that it could afford to.

His Worship the Mayor said that one of the biggest projects that had been highlighted was the upgrade of the inner city. There had been some excellent meetings held on the progress of that project. The main concern was the element of risk and the fact that, even though Council tried to be responsible and outlined its responsibilities, there was no getting away from the reality that everything Council did involved substantial risk and it always did.

Trying to achieve a balance between responsibility and progress was something that this Council and all councils were trying to deal with. One day Council would be able to look back with pride to all the construction and achievements that Council had made over the last few decades.

Cr Thomas highlighted the good projects going forward within the rates increase. It showed that Council was investing heavily in its asset management and it was progressing to ensure that the assets endured. While Council tried to maintain those assets, there were other community projects that needed to be done as well.

Cr Biddle said that as a new Councillor coming on board she remembered that when she first became a Councillor there was a very clear message that there needed to be change and she believed that change had occurred. She thanked the more senior Councillors and staff for the guidance. As Councillors they were there to think about the future generations. In five to eight years, Invercargill would have a completely transformed city. She was excited about the future and said, "Let's do this".

Cr Soper said that "let's do this", seemed to be a very good way for her to start off by saying that as another new Councillor, Council had put some thought into the vision of this Council. Council had the balance right in what it was passing today. Council said it was here with the vision to enhance the City and preserve its character while embracing innovation and change. Council had done that and in the Long-term Plan that staff had worked hard to assist Council in producing.

The motion, now being put, was **RESOLVED** in the **affirmative**.

There being no further business, the meeting finished at 4.20 pm.

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**MINUTES OF A MEETING OF THE BLUFF COMMUNITY BOARD HELD IN THE BLUFF  
MUNICIPAL CHAMBERS, GORE STREET, BLUFF ON MONDAY 25 MAY 2018  
AT 7.00 PM**

**PRESENT:** Mr R Fife (Chair)  
Mrs G Henderson  
Mr G A Laidlaw  
Mrs P Young  
Cr I L Esler

**IN ATTENDANCE:** Cr A J Arnold  
Cr L F Soper  
Mrs N Allan – Service Centre Manager  
Mr L Beer – Bluff Publicity/Promotions Officer  
Ms L Kuresa – Committee Secretary

1. **APOLOGY**

Mr W Glassey.

Moved Cr Esler, seconded P Young and **RESOLVED** that the apology be accepted.

2. **PUBLIC FORUM**

Nil.

3. **MINIUTES OF THE MEETING HELD ON 14 MAY 2018**

Moved G Henderson, seconded Cr Esler and **RESOLVED** that minutes be accepted as a true and correct record.

4. **MATTERS ARISING**

4.1 **Road Works on State Highway**

The Chairman said that work was still being carried out on State Highway and he was not sure when the work would be completed.

G Henderson noted that there was no signage across the bridge for walkers and cyclists and the Board was told by NZTA at the previous meeting that there would be signage there. The Chairman said that he would follow that up with NZTA.

P Young asked if the extension of the highway was going to incorporate the walking track and cycling track and the Chairman confirmed that they were two separate things. He said that NZTA would be working on wadding the width of the road and was also in charge of putting in the stop bank.

P Young said she had noticed that a lot more traffic was coming into Bluff since the road works had started. At the end of day when she came back home there were great loads of trucks and vans going out of Bluff. They were not local people, they looked like contractors, so there was a lot of traffic that used that road.

The Chairman said that the biggest concern in Bluff was that there was only one road coming in and out of Bluff and if there was a major emergency, people would not be able to get out.

4.3 **Bus Service Update**

The Chairman informed the meeting that a letter of support on behalf of the Board had been given to Awarua Development for its funding application. He wished them well on their application for funding.

The Board discussed this matter at length and agreed that it was a great service for Bluff and a workshop would be held going forward to discuss this matter after the application for funding was considered.

4.4 **Dogs Off-lead**

The Chairman said that he had not heard anything more on this matter.

Cr Esler said that there was a dog issue on Colyers Island where dogs were roaming free and beyond the boundary of the property and intimidating people who were accessing the public part of the Island. He had been there with a group and there had been dogs that had run out across the mudflat. The other issue was access across the bridge which he understood was public property and the property boundary started several metres on the Island side of the bridge. He had asked Mr Pearson to clarify ownership of the bridge and he would report back to the Board at the next meeting.

5. **REPORT OF THE BLUFF PUBLICITY/PROMOTIONS OFFICER**

The report had been circulated and Mr Beer took the meeting through it.

5.1 **Bluff Oyster and Food Festival – Saturday 26 May 2018**

5.2 **Bluff Craft Market – Saturday 26 May 2018**

5.3 **Promotions Material**

5.4 **Tourism Sustainability Symposium**

**Moved** G Henderson, seconded P Young that the report be received.

Mr Beer said he was invited to a presentation late last week on the big screens operated by Monts Division, which was at Rugby Park for the rugby last Friday. Monts Division is one of the company's that operates big screens at sports events and other major events around New Zealand. There had been a push from various people in the community and around Southland to get one of these big screens stationed in Southland. It was a big undertaking and costs had not been discussed yet.

They were looking at forming a working group here in Southland to liaise with funders and people about storage of a screen in the South and get an organisation to be the management group for it. It was expected to have ten year life.

In response to a question by P Young as to whether there was an influx of campervans at the Festival, Mr Beer said there was quite a few parked down by the Ocean Beach Freezing Works area.

In response to a question by R Fife as to whether there were flights from Auckland for people to attend the Festival this year, Mr Beer said there were two flights from Auckland and Wellington. They had overnight packages on scheduled flights, which was designed to keep people in the South longer. The feedback was a lot better this year because the Air New Zealand packages included people staying overnight. Last year they only stayed for the Festival until around 1.30 pm, which was not good for the food vendors and the Festival as a whole, but this year they were here for the whole day.

The Chairman said it was a big event for Bluff as it showcased Bluff.

In response to a question by G Laidlaw that if Burt Munro wanted to use the big screen for the hill climb, would they need to hire it, Mr Beer said that Burt Munro would need to hire the big screen. That would all need to be sorted by the working group and they were looking at community funders to help. They were looking at getting involved with the filming but there was a lot of work to be done but the cost was bottom line for everything. It would be great for the hill climb if there were sufficient cameras up the hill.

G Laidlaw said that the big screen had a life span of ten years but technology would change a lot in ten years.

Mr Beer agreed with that and said that the redundancy of technology was something that he would feedback to the working group.

The motion, now being put, was **RESOLVED** in the **affirmative**.

## 6. **CHAIRMAN'S REPORT**

The report was tabled and the Chairman took the meeting through it.

### 6.1 **South Port Fishing Berth Upgrade**

The Chairman said he had received an email from Frank O'Boyle from South Port saying that he would like to speak to the Board at some stage over the next two months to discuss this matter. South Port wanted to keep the public informed on progress, so he would email back and invite Mr O'Boyle to attend the next Board Meeting.

### 6.2 **Bluff Strategic Plan**

The Chairman informed the meeting that he was organising another meeting, which would either be Monday 9 July or Monday 23 July. There was a need to keep the momentum going. Once the Strategic Plan was up and running it would need to be adopted as part of Council's Long Term Plan. The Chairman would contact Board Members when a meeting date was confirmed.

6.3 **Foreshore Road**

The Chairman received a letter from the 2024 Rejuvenation Group. It outlined their concerns of erosion around the retaining wall at Foreshore Road where the bitumen tanks were. He had contacted Mr Pearson about it and Mr Pearson had discussed the matter with South Port who are currently responsible for maintenance. They had looked at the footpath area and they were satisfied that there was no risk at this stage but it would be monitored. They had also discussed the erosion at Morrisons Beach and they needed to clarify who was responsible for maintenance of Morrisons Beach.

6.4 **Bluff Environment Trust**

The Chairman informed the meeting of a meeting with the What Now Committee tomorrow. They had sent out their comment cards and they had the online survey monkey. They would meet tomorrow go over what the comments were. They had received a good response and would be looking over the summary and ideas to see what the next step was. They were doing a lot of good work, which was driven by Chris Hankin from the Department of Conservation.

6.5 **Action Plan Update**

- Stirling Point – Mr Pearson had applied with the assistance of Venture Southland for funding for a review of the options.
- Sign Posts – The process would be starting in July with the desire to have it available for the next busy period.
- Bluff to Invercargill Cycleway – Venture Southland had approved funding for a review of the options for around the coast-line route. If this was viable an external consultant would be engaged to review the information and report back on costs and viability.
- Boat Ramp – Resource Consent had been applied for and Environment Southland was waiting for a response on it. The resource consent was to dig away some of the soil from where they wanted to put the boat ramp and make the changes.

G Laidlaw asked if there had been any updates on the asbestos issue around Ocean Beach and Cr Lewis said he had a look around that area and there was no indication at the carpark to stop people accessing the beach.

After discussions, the Chairman said he would follow this matter up with Council and report back to the next Board Meeting.

6.6 **Roadside Activity at Stirling Point**

The Chairman informed the meeting that someone had applied to operate a roadside activity at Stirling Point and Council had declined it due to there being no space in that area.

Moved R Fife, seconded Cr Esler and **RESOLVED** that the report be received.

7. **FINANCIAL STATEMENTS**

The report had been circulated.

Moved R Fife, seconded G Laidlaw and **RESOLVED** that the report be received.

8. **URGENT BUSINESS**

8.1 **Club Hotel**

Cr Esler said he was contacted by Jonathan Howard from Heritage New Zealand based in Dunedin. Mr Howard's point of view with regard to the Club Hotel was that Heritage New Zealand was keen to see the portion of the building closest to the Bluff Service Centre retained, if possible and there would probably be no objection to the demolition of the bulk of the building. He was looking for a possible indication that there could be some enthusiasm for some potential use for that building. It was the oldest part of the building, which was probably the soundest part of the building. He had spoken to Evan Penniall and Kylie Fowler and their attitude was that, if there was a use for it, it could be retained but they wanted to get rid of the bulk of the building. The value of the building was that there was only one heritage building listed in Bluff and Heritage New Zealand was looking for a small concession from the potential demolition.

The Chairman said that the Bluff Oyster Committee was working closely with Heritage New Zealand on what its options were regarding whether to retain the building or demolish it. He was not privy to that information due to the fact that it was confidential but he could see the points raised but there were more questions than answers. It was all down to costs and where the money would come from and also for the upkeep of it. There were a number of empty buildings on the main street of Bluff already. He liked the idea of what the Bluff Oyster Festival Committee had proposed earlier about tidying it up and landscaping it. At the end of the day it was about what was compatible with Heritage New Zealand and the Committee getting an outcome that would work with everyone.

After discussions, it was indicated that a lot of the people in the community supported the new concept.

G Laidlaw said that the Board needed to ask itself as to what buildings it would like to see on the main street of Bluff in 20 to 30 years' time and the Chairman said that needed to be included in the Bluff Concept Plan. That would take into account the old buildings with regard to earthquake standards.

8.2 **Cool Stores**

P Young said she had just found out about the Cool Stores closing and wanted to know if had been confirmed.

The Chairman said that South Port leased the Cool Stores off the owners who lived in Christchurch. The lease was due to expire in September this year but South Port had decided not to renew the lease, so all the activities operating in that area would be transferred to freezers that they had on the Island Harbour. There were a couple of businesses that would be closing down.

8.3 **Railway Lines**

Cr A Arnold asked if there had been any more updates about the railways line and Mr Beer said he had received an email from Kiwi Rail to say that rail was no longer permitted for passenger traffic.

After discussions, it was agreed that this matter would be followed up.

There being no further business, the meeting finished at 8.10 pm.

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**RESOLUTIONS FROM THE COMMUNITY SERVICES COMMITTEE MEETING HELD 2 JULY 2018**

Item	Moved	Seconded	Resolved
8.1.1 <i>Passenger Transport Projects Update</i>	Cr Esler	Cr A Arnold	That the report be received; AND THAT  Council notes that the timing of the projects updated in this report have changed.

**MINUTES OF A MEETING OF THE COMMUNITY SERVICES COMMITTEE HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL ON MONDAY 2 JULY 2018 AT 4.00 PM**

**PRESENT:** His Worship the Mayor Mr T R Shadbolt  
Cr R L Abbott (Chair)  
Cr A J Arnold (Deputy Chair)  
Cr T M Biddle  
Cr I L Esler  
Cr G D Lewis  
Cr L F Soper  
Cr R Currie – Environment Southland

**IN ATTENDANCE:** Cr K F Arnold  
Cr R R Amundsen  
Mrs G Henderson – Bluff Community Board  
Mr C McIntosh – Director of Works and Services  
Mr R Pearson – Manager Roading  
Mr P Thompson – Aquatic Services Manager  
Mr S Ridden – Manager Corporate Services  
Ms M Napper – Community Development Manager  
Mrs M Foster – Manager Library and Archives  
Ms M Sievwright – Personal Assistant

1. **APOLOGIES**

Cr L Soper.

Moved Cr T Biddle, seconded Cr L Esler and **RESOLVED** that the apology be accepted.

2. **INTEREST REGISTER**

No changes.

3. **PUBLIC FORUM**

3.1 **Creative Studios Art Charitable Trust**

Michelle Dawson was in attendance and took the meeting through a PowerPoint presentation, a copy of which is available from Secretarial Services.

In response to a question from Cr Biddle regarding whether artists were referred to the organisation, Ms Dawson said they had outgrown the space they had so they did not have room for referrals. People with disabilities were reticent to put themselves forward.

In response to a question from Cr Esler regarding the age limit, Ms Dawson said it was capped at 15 to 17 years of age. They were funded to cater for people with disabilities so that was the aim.



In response to a question from Cr Lewis about opening hours, Ms Dawson said they were open 9.30 am to 2.30 pm on Tuesdays, Wednesdays and Thursdays.

Cr Abbott thanked Ms Dawson for attending the meeting.

3.2 **Touch Southland**

John Evans was in attendance and took the meeting through a PowerPoint presentation, a copy of which is available from Secretarial Services.

In response to question from Cr Lewis about whether people knew that teams started out with very little budget, Ms Evans said he did not think people knew that this was a very easy sport to play and that as far as accomplishments for Southland went, the province did bat above the average

Cr Abbott thanked Mr Evans for attending the meeting.

4. **COMMUNITY INITIATIVES REPORT**

Moved Cr Biddle, seconded Cr Esler and **RESOLVED** that the report be received.

5. **MONITORING OF SERVICE PERFORMANCE**

The report had been circulated.

5.1 **Levels of Service**

5.1.1 ***Community Development***

5.1.2 ***Libraries and Archives***

5.1.3 ***Pools***

5.1.4 ***Housing Care Services***

5.1.5 ***Bus and Transport***

Moved Cr Biddle, seconded Cr A Arnold and **RESOLVED** that the report be received.

6. **MONITORING OF FINANCIAL PERFORMANCE**

The report had been circulated.

6.1 **Financials**

6.1.1 ***Community Development***

6.1.2 ***Libraries and Archives***

6.1.3 ***Pools***

6.1.4 ***Housing Care Services***

6.1.5 **Bus and Transport**

Moved Cr Lewis, seconded Cr A Arnold and **RESOLVED** that the report be received.

*Housing Care* – Mr Ridden had attended the Local Government Housing Symposium. This was an important step in establishing a collaborative discussion across central and local government and about local government’s role in supporting the delivery of housing. A copy of the Housing 2030 Project was tabled, a copy of which is available from Secretarial Services. His Worship the Mayor asked if there had been any discussion on tiny houses but Mr Ridden said this was not raised at the Symposium. Yet to be decided were issues on funding and how people qualified for KiwiBuild.

*Pools* – Since January it had been reported there was a decline in bookings at the pool but, where possible, alternatives were found for users.

*Library* – Ms Foster wanted to thank the public for the understanding while the library had been closed and said all services were now operating again.

7. **ACTION SHEET**

Nil.

8. **OTHER BUSINESS**

8.1 **Report of the Director of Works and Services**

The report had been circulated.

8.1.1 **Passenger Transport Projects Update**

From 1 July, the Total Mobility service had a new swipe card which replaced the sticker based system. There were 1,200 individuals involved in this new service, with no issues identified.

**Moved** Cr Esler, seconded Cr A Arnold that the report be received

AND THAT

Council notes that the timing of the projects updated in this report have changed.

The motion, now being put was **RESOLVED** in the **affirmative**.

9. **URGENT BUSINESS**

Nil.

There being no further business the meeting closed at 4.35 pm.

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**RESOLUTIONS FROM THE REGULATORY SERVICES COMMITTEE MEETING HELD 3 JULY 2018**

Item	Moved	Seconded	Resolved												
6.1.1 <b><i>Earthquake Prone Buildings Delegations</i></b>	Cr Ludlow	Cr K Arnold	<p>That it be <b>RECOMMENDED</b> to Council that the report be received and forwarded to Council for approval;</p> <p>AND THAT</p> <p>Council authorises following delegations under Section 232 of the Building Act:</p> <table border="1" data-bbox="1133 639 1924 1313"> <thead> <tr> <th data-bbox="1133 639 1554 681">Delegation</th> <th data-bbox="1554 639 1924 681">Sections of the Act</th> </tr> </thead> <tbody> <tr> <td data-bbox="1133 681 1554 743">Development Liaison Manager / Senior Building Inspectors</td> <td data-bbox="1554 681 1924 807">133AF Role of Territorial Authority in identifying certain priority buildings</td> </tr> <tr> <td data-bbox="1133 807 1554 933"></td> <td data-bbox="1554 807 1924 933">133AG Territorial Authority must identify potentially earthquake prone buildings</td> </tr> <tr> <td data-bbox="1133 933 1554 1110"></td> <td data-bbox="1554 933 1924 1110">133AH Territorial Authority must request engineering assessment of potentially earthquake prone buildings</td> </tr> <tr> <td data-bbox="1133 1110 1554 1236"></td> <td data-bbox="1554 1110 1924 1236">133AI Obligations of owner on receiving request for engineering assessment</td> </tr> <tr> <td data-bbox="1133 1236 1554 1313"></td> <td data-bbox="1554 1236 1924 1313">133AJ Owners may apply for extension of time to provide engineering</td> </tr> </tbody> </table>	Delegation	Sections of the Act	Development Liaison Manager / Senior Building Inspectors	133AF Role of Territorial Authority in identifying certain priority buildings		133AG Territorial Authority must identify potentially earthquake prone buildings		133AH Territorial Authority must request engineering assessment of potentially earthquake prone buildings		133AI Obligations of owner on receiving request for engineering assessment		133AJ Owners may apply for extension of time to provide engineering
Delegation	Sections of the Act														
Development Liaison Manager / Senior Building Inspectors	133AF Role of Territorial Authority in identifying certain priority buildings														
	133AG Territorial Authority must identify potentially earthquake prone buildings														
	133AH Territorial Authority must request engineering assessment of potentially earthquake prone buildings														
	133AI Obligations of owner on receiving request for engineering assessment														
	133AJ Owners may apply for extension of time to provide engineering														

				assessment
				133AK Territorial Authority must determine whether building is earthquake prone
				133AL Territorial authority must issue earthquake prone buildings notices for earthquake prone buildings
				133AN Owner may apply for exemption from requirement to carry out seismic work
				133AO Owners of certain heritage buildings may apply for extension of time to complete seismic work
				133AP Earthquake prone building notices and Earthquake prone buildings exemption notices to be attached to earthquake-prone buildings
				133AQ Territorial authority may assess information relating to earthquake-prone building status at any time
				133AR Territorial authority may impose safety requirements

			<p>Director of Environmental and Planning Services</p>	<p>133AS Territorial authority may carry out seismic work</p> <p>133AY What Territorial Authority must do if definition of ultimate capacity or moderate earthquake amended</p> <p>133AJ Owners may apply for extension of time to provide engineering assessment</p> <p>133AN Owner may apply for exemption from requirement to carry out seismic work</p> <p>133AO Owners of certain heritage buildings may apply for extension of time to complete seismic work</p>
			<p>AND THAT</p> <p>Council confirmed the delegation relating to Section 124 (as it relates to Earthquake-prone Building) of the Building Act, which was amended in 2018 by the Amendment Act, be amended in Council's delegations register to remove the wording "earthquake prone".</p>	

6.1.2 <b><i>Health and Hygiene Bylaw</i></b>	Cr K Arnold	Cr Biddle	That it be <b>RECOMMENDED</b> to Council that: report Health and Hygiene Bylaw be received; AND THAT  Council staff report to the next meeting of the Regulatory Services Committee on issues relating to the draft Health and Hygiene Bylaw.
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**MINUTES OF A MEETING OF THE REGULATORY SERVICES COMMITTEE HELD IN  
THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING,  
101 ESK STREET INVERCARGILL ON TUESDAY 3 JULY 2018 AT 4.00 PM**

**PRESENT:** Cr R R Amundsen – Chairperson  
Cr T M Biddle – Deputy Chairperson  
Cr K F Arnold  
Cr D J Ludlow

**IN ATTENDANCE:** Cr L Abbott  
Mrs G Henderson – Bluff Community Board  
Mrs C Hadley – Chief Executive  
Mr C McIntosh – Director of Works and Services  
Mrs P M Gare – Director of Environmental and Planning Services  
Mr T Boylan – Planning Manager  
Mr S Tonkin - Development Liaison Manager  
Mr B Monaghan – Building Regulation Services Manager  
Ms E Dickson – Team Leader Animal Control  
Ms M Brook - Manager Strategy and Policy  
Mr M Morris - Legal Advisor  
Mr A Cameron – Policy Analyst  
Ms H McLeod – Communications Advisor  
Ms M Sievwright – Personal Assistant

1. **APOLOGIES**

Cr Soper, Cr Crackett and His Worship the Mayor, Mr T R Shadbolt

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

2. **PUBLIC FORUM**

2.1 **Dog Control Policy and Bylaw**

2.1.1 *Ken Hadley*

Mr Hadley had previously introduced a Dog Control Bylaw in Dunedin, at a time where most cities were moving to exclude dogs from the inner city, and had experience with the problems dogs cause Animal Services officers. He was involved in an organisation which delivered programmes to young people who had behavioural issues, getting them to train rescue dogs and understand the value of caring for another living being which had been very successful. He encouraged Council to consider relaxing the restrictions of dogs in the CDB, as it encouraged interaction and socialisation.

In response to a question from Cr Ludlow about the steps taken to ensure animals were not being tied to parking meters and abandoned, Mr Hadley said he was not aware of any steps taken.

Cr Amundsen thanked Mr Hadley for submitting.

2.1.2 *Elizabeth Miller*

Ms Miller asked Council to give thought to bags that were not plastic, and that a penalty should be imposed on those not picking up after dogs. She also asked Council to consider more areas in town where people could wander freely with dogs, rather than dog parks and the stopbanks as not all spaces were suitable. Clearer maps were required indicating where people could go with their dogs. Pets helped communities knit together and reduce isolation.

In response to a question from Cr K Arnold about taking dogs to Donovan Park, Ms Miller said it was not very good for her because the ground was too uneven, as was Elizabeth Park and the Dog Park. There was also no fencing between the dogs and the ducks.

Cr Amundsen thanked Ms Miller for submitting.

2.1.2 *Wendy Baker*

Ms Baker read through her submission. She was concerned about dogs in the CBD as there were plenty of other places that dogs could roam. She wanted to know if a survey had been undertaken of all retailers in the CBD to see if they wanted dogs in the CBD; if staff had thought about how shoppers would feel having dogs in close proximity to them walking on the footpath in the CBD; whether staff were aware that dogs may lift their legs; and how many non-dog owners were making decisions for dog owners. There were plenty of other places owners could take their dogs.

In response to a question from Cr Biddle regarding the health and safety in the CBD, Ms Baker said health and safety covered a big area and not everyone liked dogs.

In response to a question from Cr Biddle regarding dogs on leads in Queens Park as opposed to dogs on leads in the CBD, Ms Baker said in the park you could walk around to avoid the dog but the CBD there was only the width of the footpath.

Cr Amundsen thanked Ms Baker for submitting.

2.1.2 *Rodney Tribe*

Mr Tribe said Council had failed to consult properly with those who would be affected. Council was proposing an increase in fees for menacing dog owners, but nowhere in the letter sent out, or in the policy, did it state anything about a new fee for menacing dogs. The proposed policy and bylaw were inconsistent with each other. He also stated that under the Act "power of entry" could not be included in a bylaw.

In response to questions, the following answers were given:

- I would suggest you ask staff to go back to these and actually review them based on what the Act actually says. The reason I say that is when I read the bylaw and your fees and charges, it appears to me you are trying to impose exactly the same effects on menacing dogs as the law passes for a dangerous dog. To me that's a very big worry. It tells me that potentially those who classify dogs, which is the Authority, are doing it wrong.



- On page 11 of the policy, it says “any owner of a dog classified as menacing must follow these additional obligations – ensure that the dog is muzzled in any public place when not confined in a vehicle or cage; and ensure that the dog is desexed within one month of notification”. Then you go to page 6 of the Bylaw which says “any owner of a dog classified as menacing must follow these additional obligations – ensure the provision of a secure area where it is possible to gain unrestricted access”. That’s inconsistent with your policy, also inconsistent with the effects under the Act. “Ensure the dog is muzzled” all well and good. “Not rehome the dog to any other person without the consent of the Council”. That is not an effect under the Act. In actual fact you have used the same wording for a dangerous dog, whereas the Act says that you must get the permission of the Authority whose district it’s going to reside. You can’t stop a person in Invercargill rehoming a dangerous dog to the SDC by getting your permission. They just need the SDC’s and just need to notify you they have disposed of the dog. Your policy is inconsistent with the Act by stating that the owner of a dangerous dog must pay 150% of the standard fee. The Act is quite explicit that the owner must be liable for fees of 150% of the level payable of the dog not being classified. The owner of a dog that is desexed pays \$85. If that dog is subsequently classified as dangerous it’s \$150.
- It is quite robust apart from the fact that you are required to talk about fees and charges or proposed fees. That is a big exception when there are owners paying \$134-\$138 who have no idea. If you look at the letter that came out, it talks about a new fee for rehoming of \$40 and opening up areas for the dogs to go to. There is nothing in there about the potential 76.5% increase for owners of menacing dogs. That is basically from \$85 to \$150 for some people which is higher than the \$40 rehoming fee and people should have a right to know.

Cr Amundsen thanked Mr Tribe for submitting.

### 3. **MONITORING OF SERVICE PERFORMANCE**

#### 3.1 **Levels of Service**

##### 3.1.1 ***Alcohol Licensing***

##### 3.1.2 ***Animal Control***

##### 3.1.3 ***Building Control***

##### 3.1.4 ***Compliance***

##### 3.1.5 ***Total Mobility***

##### 3.1.6 ***Environmental Health***

##### 3.1.7 ***Resource Management***

##### 3.1.8 ***Valuation***

**Moved** Cr K Arnold, seconded Cr Biddle that the report be received.

Cr Amundsen noted there were senior staff leaving Building Consents and asked if options had been identified so this did not become an issue. Mr Monaghan said he was looking at options, which could include bringing in external assistance.

The motion, now being put, was **RESOLVED** in the **affirmative**.

4. **MONITORING OF FINANCIAL PERFORMANCE**

The report had been circulated.

4.1 **Directorate Overview**

4.1.1 ***Support Services***

4.1.2 ***Valuation***

4.1.3 ***Building***

4.1.4 ***Alcohol Licensing***

4.1.5 ***Animal Services***

4.1.6 ***Environmental Health***

4.1.7 ***Compliance***

4.1.8 ***Resource Management***

**Moved** Cr Amundsen, seconded Cr Ludlow that the report be received.

Cr Amundsen said the Animal Services budget was to the end of May and that income was down because issued infringements and animal care facility were down due to a change of procedure with seizing dogs. Ms Gare said this was around seizing unregistered dogs when the captive bolt incident was happening.

The motion, now being put, was **RESOLVED** in the **affirmative**.

5. **ACTION SHEET**

Nil.

6. **OTHER BUSINESS**

6.1 **Report of the Director of Environmental and Planning Services**

6.1.1 ***Earthquake Prone Buildings Delegations***

Moved Cr Ludlow, seconded Cr K Arnold and **RESOLVED** that the report be received and forwarded to Council for approval;

AND THAT

Council authorises following delegations under Section 232 of the Building Act:

Delegation	Sections of the Act
Development Liaison Manager / Senior Building Inspectors	<p>133AF Role of Territorial Authority in identifying certain priority buildings</p> <p>133AG Territorial Authority must identify potentially earthquake prone buildings</p> <p>133AH Territorial Authority must request engineering assessment of potentially earthquake prone buildings</p> <p>133AI Obligations of owner on receiving request for engineering assessment</p> <p>133AJ Owners may apply for extension of time to provide engineering assessment</p> <p>133AK Territorial Authority must determine whether building is earthquake prone</p> <p>133AL Territorial authority must issue earthquake prone buildings notices for earthquake prone buildings</p> <p>133AN Owner may apply for exemption from requirement to carry out seismic work</p> <p>133AO Owners of certain heritage buildings may apply for extension of time to complete seismic work</p> <p>133AP Earthquake prone building notices and Earthquake prone buildings exemption notices to be attached to earthquake-prone buildings</p> <p>133AQ Territorial authority may assess information relating to earthquake-prone building status at any time</p> <p>133AR Territorial authority may impose safety requirements</p> <p>133AS Territorial authority may carry out seismic work</p> <p>133AY What Territorial Authority must do if definition of ultimate capacity or moderate earthquake amended</p>
Director of Environmental and Planning Services	<p>133AJ Owners may apply for extension of time to provide engineering assessment</p> <p>133AN Owner may apply for exemption from requirement to carry out seismic work</p> <p>133AO Owners of certain heritage buildings may apply for extension of time to complete seismic work</p>

AND THAT

Council confirmed the delegation relating to Section 124 (as it relates to Earthquake-prone Building) of the Building Act, which was amended in 2018 by the Amendment Act, be amended in Council's delegations register to remove the wording "earthquake prone".

6.1.2 **Health and Hygiene Bylaw**

Moved Cr K Arnold, seconded Cr Biddle and **RESOLVED** that report Health and Hygiene Bylaw be received;

AND THAT

Council staff report to the next meeting of the Regulatory Services Committee on issues relating to the draft Health and Hygiene Bylaw.

6.1.3 **Dog Control Bylaw and Policy**

Cr K Arnold said she was happy to move the first two recommendations but Council should be sure that the Bylaw was robust for what legislation required and was not sure it was ready to be considered by Council.

Cr Ludlow said he wanted to make sure the process was solid after hearing the concerns around letting dogs back into the CBD. People were not aware of their obligations as dog owners. There were concerns raised from a procedural matter which needed to be brought back.

Cr Biddle said the consultation should be looked into because if it had not been done properly it needed to be done again.

Mr Cameron said the consultation on fees had been done when Council set all the fees. He appreciated it was a large document which many people would not read but in terms of compliance there had been compliance with that process.

Moved Cr K Arnold, seconded Cr Ludlow and **RESOLVED** that the submissions of the Dog Control Bylaw and Policy be received;

AND THAT

The report Dog Control Bylaw and Policy be received.

The Committee gave direction for staff to investigate the inconsistency issues raised by Mr Tribe.

7. **URGENT BUSINESS**

7.1 **Use of Captive Bolt**

Cr Biddle had received several complaints about Animal Services staff using captive bolt and wanted to confirm it had not been used since Council requested it be stopped.

There being no further business, the meeting finished at 4.55 pm.

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**RESOLUTIONS FROM THE INFRASTRUCTURE AND SERVICES COMMITTEE MEETING HELD 9 JULY 2018**

<b>Item</b>	<b>Moved</b>	<b>Seconded</b>	<b>Resolved</b>
6.1.1 <b><i>New Zealand Motor Caravan Association Incorporated – Request to Lease Land</i></b>	Cr Pottinger	Cr K Arnold	That it be <b>RECOMMENDED</b> to Council that Council advertises the proposed amendment to the Reserve Management Plan as required under Section 41 of the Reserves Act 1977 to accommodate this request with submissions being brought back to Council for a final decision.
6.1.2 <b><i>Storage Building – Racecourse Road</i></b>	His Worship the Mayor	Cr Pottinger	That it be <b>RECOMMENDED</b> to Council that the price received from Calder Stewart in the sum of \$237,600 be accepted with \$200,000 funded from budgets carried forward from previous years for this purpose and the balance from the sale of the Bond Street property.

**MINUTES OF A MEETING OF THE INFRASTRUCTURE AND SERVICES COMMITTEE  
HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION  
BUILDING, 101 ESK STREET, INVERCARGILL ON MONDAY 9 JULY 2018 AT 4.00 PM**

**PRESENT:** His Worship the Mayor Mr T R Shadbolt  
Cr L S Thomas – Chairperson  
Cr I R Pottinger – Deputy Chairperson  
Cr K F Arnold  
Cr A H Crackett  
Cr I L Esler

**IN ATTENDANCE:** Cr L F Soper  
Cr R R Amundsen  
Mrs G Henderson – Bluff Community Board  
Mrs C V Hadley – Chief Executive  
Mr R Pearson – Roading Manager  
Mr R Pagan – Parks Manager  
Mr M Loan – Manager - Drainage and Solid Waste  
Mr A Murray – Water Manager  
Ms E Harris Mitchell – Communications Manager  
Ms L McCoy - Building Assets Administration  
Ms D Peterson – Senior Waste Minimisation Officer  
Ms M Sievwright – Personal Assistant

1. **APOLOGIES**

Cr A Arnold.

Moved Cr K Arnold, seconded Cr Crackett and **RESOLVED** that the apology be accepted.

2. **PUBLIC FORUM**

2.1 **Staunton and Fowler Roads - Jonathan Duffy, Bevan Lake, Nick McCleary**

Nick McCleary, Bevan Lake and Jonathan Duffy were in attendance to speak about Staunton and Fowler Roads. Mr McCleary said the gravel roads were no longer good enough to service the increased number of residents caused by subdivisions. They were requesting Council seal these roads for safety reasons.

In response to questions, the following answers were given:

- Over time there have been bits that have been subdivided. There is still a fair bit of land there that is waiting to be sold.
- There are 5 acre blocks along Staunton Road so there are people with 10 or 15 acres that have built on one part, sold that and then built on the next part.
- The houses that have gone up opposite me at the moment, there are three 5 acre blocks, one has just been sold right opposite me and there is a new house on another, and a back section to go on another. That's three in a vicinity of 20 acres. The number of houses that have gone up in the Staunton Road / Fowler Road area is ten-fold in the last 20 years.

- I've been there seven years and about 12 to 14 houses have gone up in that time and I think there is quite a big division there at the moment that could get subdivided again.
- We would like to know if the road that is there now going to service the sections and homes being built there.

Mr Pearson said Council in prior years had decided it did not want development contributions from developers. This is why when someone subdivides a property Council does not ask for contribution to make improvements to the roads. The road has capacity and it depends on how people use the road. No roads had a congestion issue so the impact of land development was part of what the Planning Department looked at. Trucks were permitted to carry 44 tonnes. The maintenance standards applied were consistent and there were times when some roads did not respond as well after rain.

Mr McCleary said not a lot of maintenance had been done on Staunton Road unless they had called Council to complain. Mr Pearson said that under the Long Term Activity Plan there was no allowance for seal extensions or to reseal roads.

Mr McCleary tabled additional Information which is available from Secretarial Services.

Cr Thomas thanked the submitters for taking the time to present to Council.

### 3. **MONITORING OF SERVICE PERFORMANCE**

#### 3.1 **Levels of Services**

##### 3.1.1 ***Parks and Reserves***

##### 3.1.2 ***Public Toilets***

##### 3.1.3 ***Roading***

##### 3.1.4 ***Sewerage***

##### 3.1.5 ***Solid Waste Management***

##### 3.1.6 ***Stormwater***

##### 3.1.7 ***Water Supply Activity***

Moved Cr K Arnold, seconded Cr Pottinger and **RESOLVED** that the report be received.

### 4. **MONITORING OF FINANCIAL PERFORMANCE**

#### 4.1 **Finances**

##### 4.1.1 ***Services***

##### 4.1.2 ***Toilets***

##### 4.1.3 ***Engineering Services***

4.1.4 **3 Waters**

4.1.5 **Drainage**

4.1.6 **Parks Operation**

4.1.7 **Property**

4.1.8 **Roading Services**

4.1.9 **Water**

4.1.10 **Parks Assets**

4.1.11 **Solid Waste**

4.1.12 **Wastenet**

**Moved** Cr Pottinger, seconded Cr Crackett that the report be received.

Cr Pottinger asked for a common template to be used for the commentary to help with understanding. Mr Murray took the meeting through the main reason for underspending. Mrs Hadley explained what a carry forward was. Mr Murray said there would be a recommendation in August about the surplus could be used for. Cr K Arnold said she had an issue with over rating.

Cr Pottinger asked what Special Funds were and Mr Pagan said this was from the Plant Replacement Fund.

Cr Pottinger asked about the forestry in Parks Assets and Mr Pagan said there were still two months to go with further income to come in.

The motion, now being put, was **RESOLVED** in the **affirmative**.

## 5. **ACTION SHEET**

Nil.

## 6. **OTHER BUSINESS**

### 6.1 **Report of the Director of Works and Services**

#### 6.1.1 ***New Zealand Motor Caravan Association Incorporated – Request to Lease Land***

The report had been circulated and Mr Pagan took the meeting through it.

Mr Pagan said there had been discussions for areas where the Motor Caravan Association members could stay within the Invercargill Area. A change to the Management Plan would be required.

Cr Pottinger said this report should be received only and open for submission.



Moved Cr Pottinger, seconded Cr K Arnold and **RESOLVED** that it be **RECOMMENDED** to Council that Council advertises the proposed amendment to the Reserve Management Plan as required under Section 41 of the Reserves Act 1977 to accommodate this request with submissions being brought back to Council for a final decision.

6.1.2 **Storage Building – Racecourse Road**

The report had been circulated and Mr Pagan took the meeting through it.

Cr Pottinger asked about the building design, and Mr Pagan said the same brief was put out to two contractors. Several building contractors were contacted and these were the only two that responded.

Cr Thomas asked where the finances came from and Mr Pagan said this was a carry forward from previous years for this purpose which Council had approved in the past and was more expensive than what had been estimated. The building would be available to store the Christmas lights and other items Council needed stored. It would be used as a workshop and could be fitted out for emergency management for infrastructure recovery in the event of an emergency.

Cr K Arnold asked how many years this had been carried forward and Mr Pagan said it was only one year.

Cr Pottinger wanted to ensure the process was in accordance with Council policy. Mr Pearson said work was being undertaken on a Procurement Policy.

**Moved** His Worship the Mayor, seconded Cr Elser that it be **RECOMMENDED** to Council that the price received from Calder Stewart in the sum of \$237,600 be accepted with \$200,000 funded from budgets carried forward from previous years for this purpose and the balance from the sale of the Bond Street property.

**Note:** A show of hands was carried out. His Worship the Mayor and Crs Thomas and Elser voted for the motion. Crs Crackett, K Arnold and Pottinger voted against the motion. Cr Thomas used his casting vote as Chairman.

The motion, now being put, was **RESOLVED** in the **affirmative**.

Mrs Hadley said the Procurement Policy would be reported at the Audit and Risk Committee.

6.1.3 **Sandy Point Forestry – Income / Expenditure – Budgets and Actuals**

The report had been circulated and Mr Pagan took the meeting through it.

In response to questions, the following answers were given:

- It's very much a guesstimate until we actually get it. There have been cycles in the past where forestry has dropped and dipped below what our financials have predicted, so it's very much at the whim of the market but it appears to be on the increase at this stage. So there is potential as pointed out at the last meeting, that we might be underestimating.
- That's in the balance and reserves at 30 June, the figure of \$879,000.

Under the Reserves Funds or Special Funds that is where it is currently sitting and if that tops over what is considered necessary to keep the forestry running, plus what's already budgeted in the Long Term Plan, then that needs to come back to Council to make a decision on what should happen.

- We are currently looking at Special Funds, Reserve Funds, Policies, so that might change as well. But that's the procedure, how it happens at present.
- That is what needs to be inserted in the future so there is a trigger point once you get to what you have allocated it then needs to signal that there are surpluses.
- It is under the Reserves Act and the Management Plan and the Management Plan is reasonably specific it should go back into any development required at Sandy Point and / or other reserves. In the early days it was suggested that it should all go back into Sandy Point but it was recognised that you could over capitalise Sandy Point by doing that so it would be other reserve projects which are already in the Long Term Plan and the 30 year Infrastructure Plan as well. The items that are currently there are the ones which are infrastructure on reserves, such as play equipment, playgrounds, winter gardens, and various items like that. Anderson Park has not been factored into that, but it could be.
- We don't currently have that \$2 million and as part of the Special Funds is for the ongoing silviculture which is quite extensive for the first ten years of the forestry work.

Moved Cr Thomas, seconded Cr Esler and **RESOLVED** that the report be received.

#### 6.1.4 ***Southland Economic Project – Draft Urban and Industry Technical Report***

Emma Moran and Lucy Hicks were in attendance to speak to this report. This was part of the Southland Water and Land Plan and was to provide an economic tool to assess water quality.

Ms Moran said the National Policy Statement for Freshwater Management required regional councils to set limits for water quantity and quality within their region and the process of setting limits needed to be completed by 2025. The Water and Land Plan that was proposed in 2016 was the first step in implementing the National Policy Statement and introduced a regional policy framework which would be refined over the next few years. The purpose of the project was to develop robust economic tools in advance of that process so knowledge and information could be fed into policy development.

In response to questions, the following answers were given:

- The National Policy Statement contains within it the national objectives framework which contains requirements around ecosystem health and public health as objectives. The National Policy Statement requires that regional councils maintain water quality within a region and set bottom lines for ecosystem health and public health so there are basic requirements that we all have to meet. Then through the community process, that is where you have that discussion about how far does the community want to go and also how fast does it want to achieve these things. This is where this information contained in these reports is absolutely vital. There are minimum scientific requirements but they are really just a starting point and are not the full picture. I think it is extremely valuable to all councils to have this piece of work done in advance of that so you have the opportunity to

- have a more fully-informed discussion about the different implications of how things can be achieved.
- There is a national discussion going on about water services. That's not part of this project or the Water and Land programme. I think what this report does is highlight the challenges that all the councils face in terms of delivery of water services without putting too much on ratepayers.
  - Through the consents monitoring occurs upstream and downstream of discharges. The point is made quite clearly in the report that a lot of these town wastewater schemes are where they are within the catchment and Invercargill City Council was at the bottom of the catchment. The newspaper article that was in the Southland Times unfortunately appeared to misrepresent urban towns' wastewater contribution to water quality issues.
  - The opportunity of having these two reports sitting side by side shows that town and country are very much two components local communities and they have shared interests, and if we can avoid a rural vs urban debate that would be preferable.
  - The two reports clearly identify a range of issues that are contributing to water quality. There are contaminants coming from right across the catchment and what is put in at Mossburn and other places ends up in Invercargill. The report we are working on was the urban and industrial workstream. We did concentrate mainly on that aspect. It does require effort from across the community. The limit setting phase of the programme will help to determine just where the nature of improvements can be made and they can be made in the rural community. The urban centres do have point of discharges.

Mr Loan said there were a number of scenarios for Invercargill's improvements but came at an additional cost to ratepayers. The report did not cover stormwater. This was not only about costs but about who would pay.

Ms Lucy said these reports were just part of the puzzle and were to equip the communities better with what came next. There needed to be a huge amount of input.

Cr Soper said this was a technical report and there was still work to be undertaken. She wanted to acknowledge the staff from all councils who had worked on this report.

Cr Thomas thanked the submitters for taking the time to present to Council.

Moved Cr K Arnold, seconded Cr Crackett and **RESOLVED** that the report be received.

#### 6.1.4 ***Rebooting Recycling Report***

The report had been circulated and Mr Loan and Ms Peterson took the meeting through it.

Ms Peterson said the commodity market had been hit significantly due to a change in China's policy in terms of the quality of products they were receiving. This impact is now starting to affect Southland. This was a national issue that needed to be addressed.

Cr Esler said this was a wake up call to New Zealand with what should have been started 20 years ago. He was concerned people would stay they could not be bothered with recycling any more.

Cr Pottinger said recyclable materials going to landfills could be the next step. He could see many councils getting legal opinions on where the WasteMINZ Act started and where it bailed out. The other key point was product stewardship.

Ms Peterson said WasteNet had not stockpiled product.

Further discussion was held regarding recycling and packaging.

Moved Cr K Arnold, seconded Cr Esler and **RESOLVED** that the report be received.

7. **URGENT BUSINESS**

Nil.

8. **PUBLIC EXCLUDED SESSION**

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

(a) Report of the Director of Works and Services

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) Contract 829 2018-2019 Road Resurfacing	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
(b) Contract 818 Urban Pavement Rehabilitation 2018-2019	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
(c) Contract 550 Right of Extension	Enable any authority holding the information to carry out, without prejudice, or disadvantage, commercial activities.	Section 7(2)(h)

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
(d) Contract 650 Recyclables Acceptance – Urgent Variation	Enable any authority holding the information to carry out, without prejudice, or disadvantage, commercial activities.	Section 7(2)(h)
(e) Contract 831 - St Andrews Street and Newcastle Street Foulsewer Renewal 2018/2019	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)

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**RESOLUTIONS FROM THE FINANCE AND POLICY COMMITTEE MEETING HELD 10 JULY 2018**

<b>Item</b>	<b>Moved</b>	<b>Seconded</b>	<b>Resolved</b>
3. <b>MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD 26 JUNE 2018</b>	Cr Pottinger	Cr Thomas	That the minutes be received; AND That it be <b>RECOMMENDED</b> to Council that the request from Audit New Zealand for an additional audit fee of \$25,895 be approved.
<b>6.1.1 Southland Indoor Leisure Centre Charitable Trust</b>	Cr Thomas	Cr Amundsen	That the report be received;  AND That it be <b>RECOMMENDED</b> to Council that the Finance and Policy Committee appoint Crs Soper, Thomas and Pottinger to identify appropriate Key Performance Indicators to be included in an agreement for the \$300,000 grant to the Southland Indoor Leisure Centre Charitable Trust; AND That Council officers be authorised to make payment of the \$300,000 to the Southland Indoor Leisure Centre Charitable Trust following the establishment of criteria by the Finance and Policy Committee.
<b>6.1.2 Southland Leisure Strategy Review</b>	Cr Ludlow	Cr Amundsen	That the report be received; AND That it be <b>RECOMMENDED</b> to Council that the Terms of Reference for a review of the 2003 Southland Leisure Strategy be adopted; AND That a Councillor or staff member be appointed as a representative of the Invercargill City Council to engage with the review and preliminary report stage.
<b>6.1.3 Invercargill City Charitable Trust Board – Statement of Intent</b>	Cr Pottinger	Cr Ludlow	That the final Statement of Intent for the 2019, 2020 and 2021 years for Invercargill City Charitable Trust Board be received.

6.1.4 <b>Invercargill Venue and Events Management Limited – Statement of Intent</b>	Cr Ludlow	Cr Amundsen	That the final Statement of Intent for the 2019, 2020 and 2021 years for Invercargill Venue and Events Management Limited be received
6.1.5 <b>Southland Museum and Art Gallery Trust – Statement of Intent</b>	Cr Thomas	Cr Pottinger	That the final Statement of Intent for the 2019, 2020 and 2021 years for Southland Museum and Art Gallery Trust be received.
6.1.6 <b>Interest Expenditure End of Year Surplus</b>	Cr Ludlow	Cr Pottinger	That the surplus interest expenditure be applied to reduce Council's current bank debt.
8.1 <b>Late Item</b>	Cr Ludlow	Cr Thomas	That the report titled Debt Write Off be accepted as a Late Item and be taken as Urgent Business under Section 7(2)(a).

**MINUTES OF THE MEETING OF THE FINANCE AND POLICY COMMITTEE HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL, ON TUESDAY 10 JULY 2018 AT 4.00 PM**

**PRESENT:** His Worship the Mayor Mr T R Shadbolt  
Cr D J Ludlow – Chair  
Cr R R Amundsen  
Cr I R Pottinger  
Cr L S Thomas

**IN ATTENDANCE:** Cr L F Soper  
Mrs C V Hadley – Chief Executive  
Mr D Booth – Finance Manager  
Ms M Brook – Strategy and Policy Manager  
Ms E Harris Mitchell – Communications Manager  
Mr A Cameron – Policy Analyst  
Ms M Sievwright – Personal Assistant

1. **APOLOGY**

Cr G D Lewis and Cr R L Abbott

Moved Cr Thomas, seconded Cr Amundsen and **RESOLVED** that the apologies be accepted.

2. **PUBLIC FORUM**

Nil.

3. **MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD 26 JUNE 2018**

Moved Cr Pottinger, seconded Cr Thomas and **RESOLVED** that the minutes be received;

AND

that it be **RECOMMENDED** to Council that the request from Audit New Zealand for an additional audit fee of \$25,895 be approved.

4. **MONITORING OF SERVICE PERFORMANCE**

The reports had been circulated.

4.1 **Levels of Service 1 July 2017 to 31 March 2018**

Moved Cr Amundsen, seconded Cr Pottinger and **RESOLVED** that the report be received.



5. **MONITORING OF FINANCIAL PERFORMANCE**

5.1 **Finance and Corporate Services**

5.1.2 *Museum Operation*

5.1.3 *Finance and Corporate Services – Director*

5.1.4 *Human Services*

5.1.5 *Investment Property*

5.1.6 *Accounting and Finance*

5.1.7 *Accounting and Finance – Treasury*

5.1.8 *Corporate Services*

5.1.9 *Information Services*

5.1.10 *Secretarial Services*

5.1.11 *Hall and Theatre Operation*

5.1.12 *Democratic Responsibility*

5.1.13 *Corporate Planning*

5.1.14 *Grants*

**Moved** Cr Amundsen, seconded Cr Pottinger that the report be received.

Cr Thomas said on page 29, it said the administration expenses were under budget due to less printing owing to agendas being electronic, but the administration expenditure was over budget. He wanted the comments looked at for the next meeting.

Cr Pottinger asked how much was being saved with technology and Ms Harris Mitchell said the paper saving had been about \$28,000 but this had to be against the cost of setting up Boardbooks and technology. She did not know the overall figure.

Cr Amundsen asked if the temporary budget for the Museum would be received and Mrs Hadley it could show as a separate line within the Museum Operations but it could be reported however the Councillors wanted.

Cr Soper said the comment on rates penalty being under budget needed to be expanded. Mr Booth said a lot of ratepayers were set up on direct debit so would not receive penalties.

The motion, now put, was resolved in the **affirmative**.

6. **OTHER BUSINESS**

6.1 **Report of the Director of Finance and Corporate Services**

6.1.1 *Southland Indoor Leisure Centre Charitable Trust*

Ms Brook was seeking direction from the Committee as to what Council was expecting in return for the \$300,000 which was included in the Long Term Plan for this Trust. Officers had recommended a subset of three councillors be formed to work on KPIs which would then be worked through with the Trust.

Cr Arnold was pleased that her concerns about the grant application for this entity was being treated like all other applicants.

Cr Thomas said when this was discussed through the submission process, he understood it was for maintenance of the building and not the ongoing operation.

Cr Pottinger said he was unaware of any strings attached. Council already participated in partnership with \$400,000 and this was an increase to \$700,000. Without this Council would own it which Council did not want. He was unsure why this needed to be done.

Cr Ludlow said there were opinions expressed during the Long Term Plan process about what councillors wanted to see and which staff were unclear about. This was seeking clarification for staff. He said he also expected recommendations on any criteria be checked with the Southland Indoor Leisure Centre Charitable Trust to ensure they were workable before coming back to Council for confirmation.

Cr Pottinger said his understanding was the make-up of the two boards, the Operational Board and the Trust Board and the main concern about around the Trust Board that had been set up and had specifications on who had to be involved.

Cr Amundsen said she had suggested a one off payment because community feedback was that ratepayers should not be contributing.

Cr Soper understood Council was going to re-establish the Council representative. Mrs Hadley said the appointment of Cr Lewis had stood during that time and Cr Lewis had sought information from the Trust because he wanted to understand what liabilities there were.

Cr Thomas said he would like to see this tagged as maintenance so it was not absorbed in the operational costs.

Crs Soper, Thomas and Pottinger volunteered to be appointed to the subset to work with staff before the \$300,000 was paid. Cr K Arnold said she wanted information to be reported back to Council.

Moved Cr Thomas, seconded Cr Amundsen and **RESOLVED** that the report be received;

AND

That the Finance and Policy Committee appoint Crs Soper, Thomas and Pottinger to identify appropriate Key Performance Indicators to be included in an agreement for the \$300,000 grant to the Southland Indoor Leisure Centre Charitable Trust;

AND

That Council officers be authorised to make payment of the \$300,000 to the Southland Indoor Leisure Centre Charitable Trust following the establishment of criteria by the Finance and Policy Committee.

6.1.2 *Southland Leisure Strategy Review*

Nathan Burdon was in attendance to speak to this Item.

Cr Ludlow said a change to the recommendation from 'councillor to 'staff' was required because other councils taking part were looking to put staff of the review committee and if that was happening he was keen for staff to be involved, however if councillors were being involved, Council could look to do the same.

Mr Burdon had received sign off from the Community Trust of Southland, Invercargill Licensing Trust, ILT Foundation and Environment Southland.

Cr Pottinger said his concern was around the word 'leisure', as it was more sport and recreation. Mr Burdon said in 2003 staff were looking at leisure time as a commodity and there was less spare time. Going forward this would be more about sport and rec. He would review this while reviewing the strategy.

Cr K Arnold was concerned about the staff appointment from Environment Southland. Mr Burdon said this staff member was just a conduit to collect the information. A consultant would do a review.

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that the report be received;

AND

That the Terms of Reference for a review of the 2003 Southland Leisure Strategy be adopted;

AND

That a Councillor or staff member be appointed as a representative of the Invercargill City Council to engage with the review and preliminary report stage.

Cr Ludlow thanked Mr Burdon for taking the time to attend the meeting.

6.1.3 *Invercargill City Charitable Trust Board – Statement of Intent*

Moved Cr Pottinger, seconded Cr Ludlow and **RESOLVED** that the final Statement of Intent for the 2019, 2020 and 2021 years for Invercargill City Charitable Trust Board be received.

6.1.4 *Invercargill Venue and Events Management Limited – Statement of Intent*

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that the final Statement of Intent for the 2019, 2020 and 2021 years for Invercargill Venue and Events Management Limited be received

6.1.5 *Southland Museum and Art Gallery Trust – Statement of Intent*

Cr Thomas asked if there was going to be a cull of inventory as they went through the cataloguing. Cr Ludlow said the museum was a repository and staff needed to look at the accessioning.

Cr K Arnold asked if the policy looked at not cataloguing and Mrs Hadley said the work Tim Walker was undertaking was also going to identify principles for the Board so they could get advice and make the call, so staff had clear parameters and could come back to the Board for advice.

Moved Cr Thomas, seconded Cr Pottinger and **RESOLVED** that the final Statement of Intent for the 2019, 2020 and 2021 years for Southland Museum and Art Gallery Trust be received.

6.1.6 *Interest Expenditure End of Year Surplus*

Mr Booth said there was a large surplus of interest from capital projects which had been moved forward. The rate of borrowing was the lowest in the country and it was a good move to pay off bank debt.

Moved Cr Ludlow, seconded Cr Pottinger and **RESOLVED** that the surplus interest expenditure be applied to reduce Council's current bank debt.

7. **ACTION SHEET**

Nil.

8. **URGENT BUSINESS**

8.1 **Late Item**

Cr Ludlow said Councillors had received a tabled report for consideration in the public excluded session of the Finance and Policy Committee meeting. The report was not on the agenda as the details of the offer were only confirmed late last week and the matter had only just come to the attention of the Chief Executive. Council officers had advised that they consider delaying the report to the next meeting would pose a financial risk to Council.

Moved Cr Ludlow, seconded Cr Thomas and **RESOLVED** that the report titled Debt Write Off be accepted as a Late Item and be taken as Urgent Business under Section 7(2)(a).

9. **PUBLIC EXCLUDED SESSION**

Moved Cr Ludlow, seconded Cr Amundsen 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 Audit Committee – 26 June 2018*

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)(d) 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 Audit Committee – 26 June 2018	To enable any Local Authority Trading Enterprise holding this information to carry on, without prejudice or disadvantage, (commercial activities)	Section 7(2)(h)
(b) Debt Write Off	To protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)

There being no further business the meeting closed at 6.19 pm.

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**TO: COUNCIL**  
**FROM: DIRECTOR OF FINANCE AND CORPORATE SERVICES**  
**MEETING DATE: TUESDAY 5 JUNE 2018**

<b>INVERCARGILL CITY COUNCIL AND MAORI RELATIONSHIP BUILDING</b>
--

**Report Prepared by:** Melissa Short, Manager – Strategy and Policy

**SUMMARY**

<p>Council has requested a report on how the Invercargill City Council develops its relationship with Māori. This report outlines Council’s ongoing commitment to developing the relationship, signals the direction of the Chief Executive and staff and recommends further work to be undertaken.</p>
---

**RECOMMENDATIONS**

*That the report be received.*

*And*

*That Council work alongside Te Ao Mārama Inc to develop a strategy to further strengthen our relationship with Māori.*

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long-term Plan/Annual Plan?</i> Yes.
2.	<i>Is a budget amendment required?</i> No.
3.	<i>Is this matter significant in terms of Council’s Policy on Significance?</i> No.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> The recommendation is consistent with Council’s statement on building Māori capacity to contribute to decision-making.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> The Council’s statement on building Māori capacity to contribute to decision-making has been discussed with representatives of Te Ao Mārama Inc prior to inclusion in the supporting documentation for the draft Long-term Plan. Ongoing relationship building and discussions will be required.
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> Yes.

## **LEGISLATIVE CONSIDERATIONS**

The *Local Government Act 2002* provides principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes. This is to recognise the Crown's responsibility to take appropriate account of the principles of Te Tiriti o Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes.

## **CURRENT APPROACH**

Ngāi Tahu are tangata whenua in Southland and have a special status in terms of our resource management activities. Te Ao Mārama Incorporated is the Iwi liaison entity representing Southland rūnanga for resource management and local government issues. The Council continues to evolve its relationships with all Southland rūnanga through this organisation. In the past, representatives of Te Ao Mārama Inc have met with members of the Council's Executive Leadership Team to discuss matters of common interest and to keep both parties up-to-date with current issues or activities. An invitation to re-instate these meetings has been offered to representatives of Te Ao Mārama Inc, who have accepted the invitation, and the meetings have been scheduled.

The Council is a participant and signatory to a Charter of Understanding – He Huaraki mō Ngā Uri Whakatupe – is in place between Clutha District Council, Queenstown Lakes District Council, Otago Regional Council, the four Southland councils, and the four papatipu rūnanga in Murihiku. The Charter sets out the basis and conduct of the councils and rūnanga in the context of the Local Government Act and Resource Management Act, and provides the basis for Māori to contribute to the decision-making process via Te Rōpū Taiao (a joint management committee established in the 1990s to develop relationships between the local authorities and tangata whenua of Murihiku).

Every three years Council updates its statement on building Māori capacity to contribute to decision-making prior to its inclusion in the supporting documentation for the draft Long-term Plan.

Previous work has been undertaken by Council officers to identify methods of building our relationship with Māori and a number of these initiatives (including training in Te Reo, cultural awareness and marae visits and Council's Iwi Liaison representative, alongside Council officers, meeting with representatives of Te Ao Marama to discuss projects and activities to be included in the Long-term Plan and the Annual Plan prior to the consultation document being finalised) have been implemented.

## **PROPOSED APPROACH**

Within Council's statement on building Māori capacity to contribute to decision-making in the Long-term Plan, six opportunities are highlighted. These opportunities are:

- Provision of information to all Māori to underpin the processes that assist effective contribution to the decision-making processes of the Council;
- Council, where practicable, will continue to make available resources such as maps and GIS services;
- Building capacity to enable contribution of all Māori to the decision-making processes of Council. Related to this process is the need for the Council to gain a clear understanding of expectations through hui and ongoing relationships with all Māori to agree and commit to practicable steps to building capacity;

- Ongoing consideration on a case-by-case basis for the provision of support to assist all Māori with resourcing, opportunities for training and engagement and promotion of matters that are of mutual benefit;
- Ongoing promotion and education of staff and elected representatives to develop skills in Māoritanga, Tikanga Māori and Te Reo Māori and gain an appreciation of the needs and expectations of all Māori in relation to the Local Government Act and the Resource Management Act.
- Effective and efficient consultation to improve existing relationships, processes and protocols related to local government and resource management issues.

With the reconvening of meetings between the Te Ao Mārama Inc representatives and Council's Executive Leadership Team there is the opportunity to continue discussions with Iwi representatives to ascertain what they believe the Invercargill City Council can do to improve and grow our relationship. There is a need to discuss with Iwi representatives the strategic plans of both Iwi and the Council to determine the areas of common interest and how we can progress these in partnership.

Council officers recommend the development of a strategy alongside Te Ao Marama Inc representatives that outlines what we would like to achieve and what we could do to achieve it. The strategy would need to contain measurable objectives and would need to be monitored on a regular basis to ensure that we were achieving these objectives.

The ongoing promotion and education of staff to develop skills in Māoritanga, Tikanga Māori and Te Reo Māori and gain an appreciation of the needs and expectations of all Māori in relation to the Local Government Act and the Resource Management Act has been highlighted as an internal method to build the Council's relationship with Māori. Discussions between the Chief Executive and staff have highlighted the need to build the organisation's capability in cultural awareness over the medium-term. Many staff have undertaken short training session(s) in Te Reo Māori, and this knowledge and training should be built on and expanded to lift organisational awareness.

## **CONCLUSION**

Lifting knowledge and skills within staff will assist in building the Invercargill City Council's relationship with Māori. A strategy, developed in partnership with Māori, will help to ensure that the Invercargill City Council meets its requirements under legislation and continues to strengthen its relationship with Māori on an ongoing basis.

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**TO: COUNCIL**  
**FROM: CHIEF EXECUTIVE**  
**MEETING DATE: TUESDAY, 24 JULY 2018**

<b>RESPONSIBLE CAMPING FRAMEWORK</b>
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**Report Prepared by:** Melissa Brook – Manager, Strategy and Policy

**SUMMARY**

At its meeting on 27 September 2017, Council resolved to provide funding for a consultant to undertake work on a responsible camping framework. The report has now been received and Council officers request that direction is given on progressing this work.
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**RECOMMENDATIONS**

**That the report be received; and**

**That the Situation Analysis report authored by TRC Tourism Limited be received; and**

**That on the basis of the Situation Analysis Report, no policy work is undertaken at this time; and**

**That should the funding application to MBIE be successful, monitoring and education programme be undertaken; and**

**Council determine to keep advised of national developments.**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long-term Plan/Annual Plan?</i> No
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council’s Policy on Significance?</i> No
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> This process may result in a new Council Policy.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> TRC Tourism Ltd has undertaken some consultation with interested parties. Further consultation would be required should a policy be drafted. This consultation would be completed as part of the policy development process.

6.	<p><i>Has the Child, Youth and Family Friendly Policy been considered?</i></p> <p>The Child, Youth and Family Friendly Policy, and all other Council policies and strategic documents would need to be considered as part of the development of the policy.</p>
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## **FINANCIAL IMPLICATIONS**

The financial implications of alternative methods of addressing responsible camping will be included in future reports.

## **RESPONSIBLE CAMPING FRAMEWORK**

### *Legislative considerations*

The purpose of local government under the Local Government Act 2002 is:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

The Freedom Camping Act 2011 delegates to the Invercargill City Council the power to regulate freedom camping on land administered by the Council.

### *Background*

At its meeting of 27 September 2017, Council considered a report from Councillor Rebecca Amundsen titled 'Campervan Friendly Destination'. Council resolved that \$10,000 from the Invercargill Development Project Fund be allocated to engage a consultant to undertake the work required to investigate if and how Invercargill and Bluff can become a Camper Friendly Destination.

The report was commissioned to assist Council to answer the following questions:

- Do we want Invercargill and Bluff to be considered Campervan Friendly?
- And if so, what does this look like and what consequences do we need to consider?

The report from TRC Tourism Ltd (the TRC report) is attached as *Appendix 1*.

### *Current Situation*

The TRC report has identified that the Invercargill City Council does not currently have a problem with freedom camping. Page 19 of the TRC report contains a strength, weakness, opportunities and threats analysis of responsible camping in Invercargill. Before any further work is progressed, Council officers recommend that the problem that is to be addressed be better defined. The TRC report identifies a perception of Invercargill not being camper friendly. Analysis of the reasons behind that perception should be undertaken to identify if the perception meets the reality. This analysis will assist in determining other opportunities for, or methods of, addressing the problem. For example, if the perception is that parking is not convenient in the CBD, is the problem that there isn't any available parking, or is it that it is not well advertised?

The Council has recently applied to the Ministry of Business Innovation and Employment, as part of a nation-wide conversation on freedom camping, for funding assistance to monitor freedom camping over the Labour weekend to end of April period, and also for funding assistance to launch an education programme including brochures and digital information outlining where camping sites are available within the Invercargill City District. Should this application be successful, the information gained will assist in better defining the issue to be addressed and the Invercargill City Council's proposed response.

A recommendation of the TRC report is that Council should define and adopt a clearly articulated policy that supports effective management of freedom camping and encourages responsible camping to attract motorhome travellers. Should Council determine that it desires a policy supporting responsible camping be developed; Council officers recommend that a regulatory impact assessment also be completed to provide a further resource to be used in Council's decision-making and for engaging with the community. At a national level regulatory impact statements are required to be presented as part of the formation of policy. While Council does not have that same obligation they are a useful tool in understanding the impact of regulatory actions and for informing the decision-making of Council.

Operationally, Council officers have not noted issues with campers during the last summer period which indicates that there is time for further investigation and preparation to occur without causing unnecessary impacts on the community. A number of councils experienced problems last year and they would appear to have a more pressing need to have an active resolution. The investigation and data gathering will better inform any direction and decisions.

## **CONCLUSION**

Council officers consider that further analysis of the causes of the perception that Invercargill is not camper friendly needs to be undertaken to establish if the perception matches reality. Council officers also consider that further evidence and analysis is required prior to any policy work being undertaken, and that should a policy be drafted, a regulatory impact assessment should also be completed.

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# INVERCARGILL

## Responsible Camping Framework

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### Stage 1. Situation Analysis

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Report | April 2018





**Document Register**

Version	Report	date
V1	Stage 1. Situation analysis	17/4/18



**Acknowledgements**

The Invercargill City Council Responsible Camping Framework Situation Analysis report has been prepared by TRC Tourism Pty Ltd for Invercargill City Council.

**Disclaimer**

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# 1 Introduction

Invercargill City Council through Venture Southland engaged TRC Tourism in December 2017 to develop a Responsible Camping framework and forward options plan for the region.

The purpose of the report is to allow Invercargill City Council to develop a responsible approach to attracting people travelling in campervans to Invercargill and Bluff.

It was agreed that this would be split into a two stage process:

- ▶ Stage 1. Situation Analysis
  - National context and overview of freedom camping in NZ
  - An overview of Invercargill's current services and facilities
  - Assess information required to contribute to the analysis and a method of collection of summer
  - Undertake stakeholder consultation and collate stakeholder perspectives
  - Summarise the regions current strengths and weaknesses, challenges and opportunities
  - Top line recommendations for Stage 2.
- ▶ Stage 2. High-level implementation plan
  - attracting and welcoming campervan travellers to Invercargill and Bluff.



*Image 1 Bluff campground*



## 1.1 Freedom Camping definitions

### 1.1.1 Freedom Camping Act 2011<sup>1</sup>

Freedom camping is a location specific camping activity without a fee. The Act's definition captures camping without a fee, not in a campground and within 200 metres of a road or motor vehicle accessible area.

The Act expressly permits freedom camping on local authority and conservation land unless the administrators of that land prohibit or restrict it as an activity. Prohibitions and restrictions are intended to be the exception and not the rule under the Act.<sup>3</sup>

The Act delegates the power to regulate freedom camping to two types of administrator with overlapping jurisdictions, however their powers may only be exercised in relation to the land that each administers:

- Department of Conservation
- 12 city councils, 53 district councils, Auckland Council and the Chatham Islands Council.

#### Freedom camping under the Act

The Act defines freedom camping as camping other than at a camping ground, within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using one or more of the following:

- a tent or other temporary structure;
- a caravan;
- a car, campervan, house truck, or other motor vehicle.

Freedom camping does not include the following activities:

- temporary and short-term parking of a motor vehicle;
- recreational activities commonly known as day-trip excursions;
- resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.

Camping ground means a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; and includes any site at which a fee is payable for camping at the site.

### 1.1.2 MBIE (Ministry of Business Innovation and Employment)

MBIE define Freedom Camping in their International Visitor Survey as:

“Free camping - staying at a place that is NOT an official camp site, in a tent, caravan, campervan / motorhome”.

Campers are an important sector of New Zealand's tourism industry. They travel widely through the country, tend to stay a long time and spend money on a wide range of good and activities. Many New Zealanders regard it as a birthright to freedom camp.

Freedom Camping Profiles<sup>2</sup>:

- ▶ Gray Nomads and families (usually domestic visitors), mainly private vehicle, predominantly self-contained, includes NZMCA members (who must be certified self contained)
- ▶ Domestic Visitors, hire or own a vehicle, combination self contained and tenting
- ▶ Seasonal / temporary workers, usually international visitors, in NZ for 3-4 months providing seasonal labour, some purchase non-self-contained vehicles on arrival
- ▶ International Visitors, hire vehicle mix of self-contained and non-self contained
- ▶ Rough Sleeping Community, homeless and sometimes transient people.

<sup>1</sup> Managing Freedom Camping in Public Places, National Situational Analysis

<sup>2</sup> Managing Freedom Camping in Public Places, National Situational Analysis



## 2 Current Situation

### 2.1 National Overview and resources

#### 2.1.1 International Freedom Camping Numbers

In April 2018 MBIE released data on international freedom camping in New Zealand<sup>3</sup>.

The analysis is based on data from the International Visitor Survey and focuses on visitors who did at least one night of freedom camping while in New Zealand. The key points from the report are:

- ▶ Freedom camping numbers have grown to 110,000 for the year ended 2017, however still only make up three per cent of all visitors.
- ▶ German visitors were three times more likely to freedom camp than other visitors. However, Australian visitors make up the largest number of freedom campers (25 per cent overall)
- ▶ Freedom campers tended to stay longer; roughly 51 days for the year ended 2017 and therefore spent more, around \$4,700 per visitor. However their daily spend was less at around \$90 (compared with \$190 for all visitors)
- ▶ Freedom campers visit over double the amount of regions; 6.8 on average in 2017, when compared with all visitors (3.1 on average in 2017).

International visitors to New Zealand who did some freedom camping had a tendency to spend more on average. The general trend has seen a very slight increase since the early 2000s, up to around \$4,700 per visitor in 2017, however this was most likely caused by inflation.

One of the major reasons for a high average spend per visitor is that people who did some free camping tended to stay longer. The average length of stay for visitors who did some freedom camping was 51 days in 2017, three times longer than the average of all other visitors (17 days). Even though the last 10 years has shown a slight decline in the average length of stay for all visitors (down from 19 to 17 days), visitors who did some freedom camping are staying even longer (up from 35 to 51 days).

On average, visitors who do some freedom camping spend a lot less per day than all visitors. In 2017, visitors who did some freedom camping spent, on average, less than half as much per day (\$90) compared with all visitors (\$190). The available data does not include a breakdown of what visitors are spending on, so it is not possible to assess what freedom camping visitors are spending less on relative to other visitors. Less spending on accommodation would most likely be a big factor, but this is possibly also related to the regional dispersal these visitors

Visitors who did some freedom camping tend to have dispersed more around the country, visiting around double the amount of regions that total international visitors to New Zealand did. In the year ended 2017, people who did some freedom camping visited 6.8 regions on average, with all visitors only visiting 3.1 on average. This is in addition to the many Kiwis who freedom camp, such as trampers, cyclists, hunters, surfers, seasonal workers and the 70,000 members of the New Zealand Motor Caravan Association.

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<sup>3</sup> <http://www.mbie.govt.nz/info-services/sectors-industries/tourism/tourism-research-data/ivs/ivs-analysis-and-research/freedom-camping-by-international-visitors-in-new-zealand>

### 2.1.2 Responsible Camping Forum

TIA leads the Responsible Camping Forum, set up in 2007 to manage community, social and environmental issues around freedom camping. The forum has around 30 members from the private and public sectors.

The Forum encourages all campers to stay in holiday parks, Department of Conservation (DOC) camping grounds or other designated areas. It has established a framework focussed around responsible camping practices, adequate infrastructure, consistent national messaging including educating campers about acceptable behaviour and where they can and can't camp, and a nationally-aligned approach to enforcement.

The Responsible Camping Forum commissioned the Freedom Camping Literature Review 4 to assess and summarise the research available on freedom camping, plus identify where gaps in information and knowledge exist. The study, published in April 2017 highlighted 22 gaps in knowledge and information around this complex issue including identifying the need for further insight into freedom campers' behaviour and motivations and further understanding of how much New Zealanders value the right to freedom camp.

### 2.1.3 Holiday Parks Association of New Zealand

The Holiday Parks Association of New Zealand released a report in March 2017 stating that visitors staying in holiday parks contributed more than \$1 billion to the New Zealand's economy<sup>5</sup>. New Zealand holiday parks generate 7.7 million guest nights a year, from 3.2 million guide arrivals<sup>6</sup>. This represents 20% of all commercial guest nights in New Zealand for year ended January 2017. The study highlighted that campervan travellers spent an average of \$183.82 per person per day while staying at holiday parks.

The Holiday Parks Association position on freedom camping is as follows:

#### Holiday Parks Association Position of Freedom Camping

As an Association we support freedom camping in New Zealand in appropriate locations. We believe that Councils where necessary should develop bylaws that state:

- Freedom camping is prohibited in urban areas.
- Outside of urban areas freedom camping is restricted to self-contained vehicles which meet NZS5465.

There is no such thing as free camping - there is a cost whether it is to local ratepayers, DOC or tax payers. We fully support the concept that the user should pay.

As part of local communities our members take an active part in the development of policies and bylaws which apply to freedom camping. Our members provide feedback on suggested freedom camping areas. In some cases we will support freedom camping areas and in others we will oppose them; these decisions will be linked to the appropriateness of the location and the mood of the community. We do not consider urban locations as being appropriate for free camping.

While we do not seek special protection for our members from the bylaws it is sensible that some buffer around commercial Holiday Parks be put in place. This can assist in discouraging the unlawful use of facilities e.g. showers toilets and dump stations, which occur at many parks, but also remove the inevitable tension that will arise from campers overnighting for free in close proximity to commercial holiday parks.

HAPNZ has been an active participant in the NZ Responsible Camping Forum and fully supports the key messages and information that has been agreed and promoted by group members.

We believe that strong, consistent national messages, backed by comprehensive regional information will help remove much of the tension that has existed over vehicle-based camping and result in better experiences for campervan holiday-makers and communities.

<sup>4</sup> <https://tia.org.nz/assets/Uploads/Freedom-Camping-Literature-Review-Report-March-2018.pdf>

<sup>5</sup> Holiday Parks Association of NZ: Value of the Holiday Park Sector 2017 by Angus and Associates

<sup>6</sup> Statistics New Zealand Accommodation Survey Year end January 2017

#### **2.1.4 NZMCA - Motorhome Friendly Destination Scheme:**

The NZMCA Motor home Friendly scheme was introduced into New Zealand in 2010 and was modelled on the equivalent scheme initiated by the Campervan and Motorhome Club of Australia. The scheme provides a set of amenities and services that guarantee motor caravanners a warm welcome and an enjoyable visit. Motor Caravanners will only visit areas where they feel welcome and will go out of their way to visit a town that markets themselves as Motor Home Friendly. On-the-road motor home expenditure in NZ exceeds \$650 million annually (\$211 million of which comes from NZMCA members).

NZMCA have a criteria for Councils seeking to become a motor home friendly destination:

- ▶ A legally-compliant Freedom Camping bylaw
- ▶ A public dump station, Council owned
- ▶ Access to potable water at Dump station site
- ▶ Refuse and recycling facilities
- ▶ Access to medical facilities
- ▶ A general shopping area for groceries
- ▶ A vehicle service centre

#### **2.1.5 1.1.1 LGNZ**

LGNZ produced a document which provides guidance for local authorities on the Freedom Camping Act 2011 which considers freedom camping a permitted activity except where specifically prohibited or restricted. <http://www.lgnz.co.nz/assets/Uploads/Our-work/FCA-guidance-for-local-authorities.pdf>

A Freedom Camping Good Practice Guide has been commissioned by LGNZ. This was released to Councils on 19 April 2018 at the LGNZ freedom camping symposium.

#### **2.1.6 Around the Country:**

##### **Central Otago**

Central Otago Council has been working with LINZ to develop sites to manage freedom camping in greater volumes by defining places for overnight camping. Council surveys have confirmed a significant decrease in campers setting up outside the permitted areas since the policy was introduced.

##### **Palmerston North**

In mid-2017 Palmerston North City Council worked with the NZMCA to survey members to support prioritising investment on facilities that would attract more visitation. This included asking members to prioritise what they look for in a site for short term stays, what would make the city more attractive as a motor home friendly city and what they didn't like about visiting the city in a motorhome.

Refer Appendix 3 for the Questions and summary responses.

##### **Gore District Council**

Gore is actively promoting itself as a New Zealand's southernmost Motorhome Friendly Town. There are five locations for overnight camping in and around Gore, four dump stations and four locations with laundry

facilities available. To make it easy to get into town, there are also two sites for daytime parking within five minutes walk of the town centre. <sup>7</sup>

### Te Anau

Since introducing a Freedom Camping Pilot Project that prohibits non-self-contained vehicles from camping anywhere except in a designated site, DOC and Destination Fiordland have observed the following:

- ▶ Commercial Holiday Parks occupancy (particularly unpowered sites) has shown continued growth.
- ▶ Activity at DOC sites is also up.
- ▶ Infringement notices are minimal (so far this year they are in decline from last year)
- ▶ While it is likely that freedom camping has increased (based on DOC activity), it has also resulted in improved behaviour and better performance for commercial operators.

### Queenstown

In February 2018 following high demand from freedom campers Queenstown Lakes District Council sought community feedback on how freedom camping should be managed in the district. Over 1000 people completed the survey. QLDC will be reviewing its Freedom Camping Control Bylaw and relevant aspects of its Reserves Management Plans later this year. A summary of the information provided is now available on the QLDC website – <http://www.qldc.govt.nz/your-council/your-views/freedom-camping-feedback/>

### Catlins

DOC, Clutha District Council and Southland District Council have entered a joint venture to run a pilot programme over the summer of 2017/18 to monitor, survey and educate freedom campers, and enforce freedom camping bylaws through the Catlins. This involves the employment of a full time ranger travelling through the area between the hours of 1 and 10pm. The survey will run for five months from late December and will be collated and analysed.

#### **2.1.7 A call for a National Solution**

In January 2018 following a number of requests from regions for a national approach to managing freedom camping, Tourism Minister Kelvin Davis called a meeting Mayors from across New Zealand.

In a public statement the Minister noted that “responsible freedom campers are welcomed in our regions and the vast majority are respectful. But there are problems in some areas. I’ve been hearing dissatisfaction with the current situation – with complaints relating to noise, litter, human waste, overcrowding and blocked access to public spaces.

I’ve been talking to some mayors but want to get a handle on where the pressure points are across the country, as well as what is and isn’t working under the current regime. We have an opportunity to address some freedom camping issues before next summer’s tourist season. I am also interested in talking to the

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<sup>7</sup> <http://www.goredc.govt.nz/our-district/motorhome-friendly-information/>

mayors about how freedom camping is managed across New Zealand, including taking a broader look at the place of freedom camping in our tourism offering.”<sup>8</sup>

It is recognised that the issues are complex, some regions welcome freedom campers and want to attract more to grow visitor spend while others are seeking ways to actively restrict it.

A working group has been formed. The local government representatives, nominated by Local Government New Zealand, are Rotorua District Mayor Steve Chadwick, Queenstown Lakes District Mayor Jim Boulton, Central Otago District Mayor Tim Cadogan, and Christchurch City Deputy Mayor Andrew Turner, three of whom will be on the working group at any one time.

The tourism industry and campers are represented by Chris Roberts of Tourism Industry Aotearoa, Grant Webster of Tourism Holdings Limited and Bruce Lochore of the New Zealand Motor Caravan Association.

MBIE is developing the terms of reference for the working group. It is the Minister’s expectation that this group will act quickly so some solutions can be in place before the coming summer.

## 2.2 Invercargill

### 2.2.1 Market Summary

- ▶ For the 12 months to October 2017 total visitor spend in the Southland region is estimated to be \$393 million up 8% on the previous year.
- ▶ In the 12 months to September 2017 monthly occupancy levels of Holiday Parks across the Southland Region ranged between 5.7% and 25.4% with February the peak month of the year followed by January and March both at 23% occupancy. This data is based on reporting from 11 establishments across Southland.
- ▶ For the year ended September 2017 total guest nights in all commercial accommodation was down 5.5% for Southland. For the same period guest nights in holiday parks was down 6.2%.
- ▶ Data supplied by GeoZone, a network of free, GPS enabled travel apps used by free independent travellers (FIT) estimates that during 2016 31% of self-drive travellers to the Southland region are going Invercargill on their journey. This is up from 13% the previous year. The route from Lumsden fed from Queenstown had the highest % flow.
- ▶ Using available data from various sources including CAM – Stats NZ, MBIE – MRTE’s and GeoZone Invercargill City Council have estimated Free Independent Travellers (FITs) staying at holiday parks and freedom camping sites around Invercargill City contributed more than \$64.5 million a year YE March 2017, up 35% on previous year. International visitors spend up 62% to \$14.2 million, while the domestic spend is up 27% \$49.2 million.

Overall FIT visitor spend per guest night for **YE Mar 2017** is **\$207.32**

- ▶ **Domestic visitor** spend per guest night is **\$201.49**
- ▶ **International visitor** spend per guest night is **\$213.43**

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<sup>8</sup> <https://www.beehive.govt.nz/release/freedom-camping-solutions-sought>

## 2.3 Current Facilities and Services

### 2.3.1 Invercargill City Council

- ▶ Invercargill City Council do not have any designated sites for overnight parking.
- ▶ The Council does not have a freedom camping bylaw. The Roading and Traffic Bylaw is the controlling authority. The applicable clause is:

#### 21. OCCUPATION OF VEHICLES ON ROADS

21.1 No person shall park and occupy any vehicle overnight on any part of a road that is not specifically designated and signed for such overnight occupational purpose.

- ▶ There is no Council log or record of the number or trend around incidents of freedom camping beyond anecdotal feedback. Council rangers deal with incidents directly and ‘move vehicles on’ either when they come across them during their routine checks of parks and reserves or when approached by a member of the public to notify them of a camper. Security contractors move vehicles on when closing vehicle access to Council facilities. It is recognised by Rangers that if they do not move vehicles on the number escalate.
- ▶ However, Council staff have identified a number hotspots which are:
  - Sandy Point
    - Fosbender
    - Beach and carpark by beach
    - Carpark opposite the sports fields by Lachies house
    - River frontage by ski club to Rover track
    - MTB car park area.
  - Omaui
  - Queens Park – frontage at Feldwick gates
  - Seaward Bush
  - Donovan Park
  - Bluff:
    - Ocean Beach Road Lookout
    - Bluff Ferry Terminal
    - Stirling Point
- ▶ Council provide a number of facilities and services that are suitable for motorhome travellers:<sup>9</sup>
  - Dump stations signposted on major roads to:
    - Bond Street (NPD Petrol Station)
    - Glengarry Cres ( Shopping area)
  - Specified Parking areas:
    - Tay Street ( south side) by Pack n Save, P120 Caravan Only – 5 parks
    - Tay Street by Transport World, All day – 3 parks
  - Easy Access and larger Parks
    - Crescent :Tay to Leven,Metered Spaces
    - Leven Street: West Side opposite Parking Building,Metered Spaces
    - Tay street: (north Side Civic to Deveron Street), Metered Spaces

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<sup>9</sup> Russell Pearson, Invercargill City Council

- Deveron Street : Tay to Don, Metered Spaces & P 60
- Off Street Parking, Pay N Display Machines
  - Esk No 1
  - Don Street
  - Esk No 2
- Bus Parking, All Day
  - Outside Transport World

▶ In addition to this there is a dump facility at the Council owned Bluff Argle Campground.

### **2.3.2 Workingmans Club**

Clubs NZ has a reciprocal rights agreement with the NZMCA that allows NZMCA members access to the Invercargill Workingmans Club and the option to park overnight in the Club carpark. Club Management estimates that there are 3-4 NZMCA members a night using this service, predominantly during the week.

### **2.3.3 Invercargill Licencing Trust**

- ▶ Motorhome travellers haven't traditionally been a target market.
- ▶ Newfield Tavern provides overnight parking for customers but this is not actively promoted.
- ▶ As a community organisation the ILT could become more actively involved in providing services and facilities for motorhome travellers.

### **2.3.4 DOC**

There are no DOC overnight camp sites in the Invercargill/ Bluff region. Forrest Hill DOC site is day use only.

### **2.3.5 NZMCA**

- ▶ As at September 2017 vehicle memberships were 41,439, this has almost doubled since 2012 (25467). The Southland area has 1065 memberships.
- ▶ NZMCA local representatives are actively wanting to improve facilities and services for their members. Of the two Council owned dump stations in the City NZMCA supplied the Glengarry facility and signage. It is the view of NZMCA that both dump stations need upgrading/relocating. Glengarry only caters for small vehicles and cannot be upgraded as site is in wrong location to allow this. A potential new site located in the past at Cable Price/Clyde Street- a good site between Invercargill and Bluff has been identified. NZMCA is prepared to support Council with installing new dump station facilities.
- ▶ The NZMCA successfully used the Basilica as an inner city site until this was stopped due to the Council's requirement for a Resource Consent which the Church declined to apply for.
- ▶ The NZMCA is actively looking for a site in the Invercargill CBD to lease or purchase to provide a facility for their Members. The Association would provide a dump site and manage and maintain the site. NZMCA members are charged \$3 per person per night for use of NZMCA sites.
- ▶ The NZMCA have worked with the Bluff Oyster Festival for the last three years promoting the event to members and establishing an area for certified self-contained motorhomes to park for the event weekend. This attracted 70+ vans in 2017. NZMCA were working alongside Speedworks Events to help manage parking for their February 2018 event.
- ▶ NZMCA have reviewed Invercargill City Council's Management Plans and By Laws and have provided the following observations:
  - It is noted that Section 21.1 of the Roading and Traffic Bylaw 2015 prohibits freedom camping on any part of a road that is not otherwise designated for overnight parking (freedom camping). The definition of 'road' in the bylaw would appear to include all areas accessible by

motor caravans. The Motor Home Friendly Town scheme does not provide for a designated sites approach to freedom camping.

- Section 4.18 of their Environmental Reserves Omnibus Management Plan 2011 prohibits camping in reserves (other than in campground). This is not a concern if the policy only applies to selected environmental reserves that may not be appropriate for freedom camping. Clarification that the policy only applies to environmental reserves (and not all reserves generally) would be helpful.

### **2.3.6 Commercial Accommodation**

There are five commercial campground/holiday parks in Invercargill City and one in Bluff which is Council owned and leased to a private operator.

Rankers website of both free and paid camping sites and facilities available throughout NZ. The Responsible Camping Forum and actively promotes this site as the a 'one stop shop' for information on 'where to camp' in NZ. <https://www.rankers.co.nz/respect/southland>



### 3 Data and Monitoring

One of the primary outcomes of this report was to identify insights as there is currently no active monitoring of freedom camping sites it was important to use the summer season to collect data needed to provide evidence based recommendations to Council.

A process was established for capturing data and qualitative feedback from visitors to establish the scale of freedom camping and profile of freedom campers. Not only will this contribute to the analysis of the current situation, it will provide a benchmark for ongoing monitoring to measure effectiveness of subsequent initiatives. The assessment of what information was needed, why and how it would be sourced is outlined in Table 1.

**Table 1: Summer data collection process**

What we need to know:	Rationale for seeking information	How will the data be sourced
<b>1.The number and sites of freedom camping identified in Invercargill/Bluff.</b>	Assess scale of activity. Benchmark for ongoing monitoring. Measure effectiveness of future change.	ICC staff (Rangers, parking wardens and dog control handlers) (January – 2 April)  By observation of vehicles and recording on data sheets supplied by TRC.
<b>2.What proportion of self-contained vs non-self-contained vehicles.</b>	To inform decisions around where the demand is coming from.	ICC staff (Rangers, parking wardens and dog control handlers) (January – 2 April). By observation of vehicles and recording on data sheets supplied by TRC.
<b>3.Who is freedom camping in Invercargill/Bluff</b>	To inform decisions on selecting the most effective approach to informing and educating visitors about where to camp.	ICC Rangers (January – 2 April). By survey supplied by TRC.
<b>4.What is the motivation for freedom camping.</b>	To understand purpose of visit to inform decisions around location and range of facilities required to meet demand.	ICC Rangers (January – 2 April). By survey supplied by TRC.  Supplemented by DOC Catlins Survey data ( late December – May).
<b>5.What facilities or services would encourage motorhome travellers to spend MORE time in Invercargill/Bluff?</b>	To inform priorities around provision of facilities and services that would encourage motorhome travellers to stay longer.	Invercargill i-SITE Visitor Centre staff, Survey conducted by staff on data sheets supplied by TRC.  Member Survey through NZMCA (to be requested in the New Year)

### 3.1 Implementation of data collection

It was agreed with Council that the monitoring and data collection would take place over the summer peak from late December through to Easter Weekend (ending 2 April) to assemble three months of data.

With a national campaign to encourage visitors to seek information on 'Where to Camp' at i-SITE Visitor Information Centres. The Invercargill i-SITE was identified as a key site to gather visitor insights and to support Council Ranger monitoring by recording the numbers of overnight camping in the carpark outside the i-SITE.

The ICC was encouraged to use Council communication channels pre-Christmas to make the public aware of the active monitoring, and encouraged to support this initiative over summer by proactively reporting to Council incidents of overnight camping in the City.

The templates provided by TRC for Council and i-SITE use was based on the DOC Catlins monitoring and survey to allow comparative analysis to be undertaken with insights from both the local and Catlins results contributing to the recommendations. See Appendix 1 for templates.

#### 3.1.1 Agreed Roles and Responsibilities

##### Invercargill City Council Management

- ▶ Ensure there is resource to support implementing a system to capture and log all reports.
- ▶ Use ICC public communication channels to outline the project as a positive initiative for the region and encourage public participation with assisting with monitoring of overnight camping. Provide details of how to report an incident.
- ▶ Connect into the NZMCA local Committee, Invercargill Chamber of Commerce and Bluff Promotions communication networks to extend reach and awareness.
- ▶ Ensure Council frontline staff and rangers are well informed on the initiative and equipped to respond to public enquiry and for Rangers to engage with freedom campers respectfully.

##### Invercargill City Council Rangers:

- ▶ Observation log to be completed for every freedom camping siting between late December and 2 April 2018.
- ▶ Complete short interview with freedom campers with a target of 20 per week.

Note: Ideally this survey would be conducted by the Council Rangers. The alternative is to bring in and train students over the summer peak to undertake the monitoring and survey work.

##### Invercargill City Council Call Centre/ Customer Service Staff

- ▶ Log all monitoring and survey data from Rangers into spreadsheet.
- ▶ Register all other ratepayer complaints and observations through call centre.

##### Invercargill i-SITE Staff

- ▶ Liaise with Council Rangers how to effectively support the process of actively monitoring and data logging overnight campers in the i-SITE carpark.
- ▶ Manage daily log of freedom camping enquiries to visitor centre. Important to encourage staff to proactively complete this for every enquiry relating to overnight camping.

## 3.2 Results of data and insights

### 3.2.1 Site monitoring and surveys of overnight campers

The primary source of data was planned to come from ICC Rangers or ICC Management designated resource to gather information on:

1. The number and sites of freedom camping identified in Invercargill/Bluff.
2. What proportion of self-contained vs non-self-contained vehicles.
3. Who is freedom camping in Invercargill/Bluff
4. What is the motivation for freedom camping.

Monitoring was not activated by ICC over the summer period. This not only undermines the ability to provide insights for this report it also impacts on Council's ability to make evidence based decisions on the future

On 6 April 2018 a Council representative advised he was unaware of any complaints in relation the Roding and Traffic Bylaw over summer.

### 3.2.2 Freedom Camping enquiries at the i-SITE.

The Invercargill i-SITE staff collated the number of visitors enquiring at the centre for free camping sites. This totalled 596 between 23 December 2017 and 31 March 2018.

As well as a quantitative survey the i-SITE staff collected 35 questionnaires filled out by travellers seeing information in the i-SITE who were enquiring about free camping sites.

- ▶ 28% were travelling in non-self-contained vehicles (plus 1 hitchhiker)
- ▶ 17% were in rentals the rest were privately owned
- ▶ Just under half of those surveyed were New Zealanders
- ▶ International visitors were from Germany, France, Israel, Netherlands, US, Australia and UK
- ▶ One third specifically noted in the survey the need for a free camp site in Invercargill
- ▶ 60% of all enquiries were referred on to Southland to the designated sites
- ▶ Only 3 were able to be upsold to a commercial accommodation alternative
- ▶ 17% specifically said they would not be staying in the city due to the lack of a designated place to camp.
- ▶ There was no one stand out visitor flow. Te Anau, Catlins and West Coast were the most common places to be travelling from or to.
- ▶ Two noted lack of rubbish bins with one disappointed at the lack of information on where to responsibly dispose of rubbish in the City.

### 3.2.3 Invercargill City Council Public Shower facility

A survey of users of the shower in Wachner Place restrooms was conducted for 10 days between 15 February and 25 February 2018. A total of 78 responses were collated. Over 90% of the users were international visitors with the predominant nationalities being Germany and France.

There was consistently positive feedback about the facility including good temperature, value for money and cleanliness.

### **3.2.4 Information monitoring**

Due to the lack of formal data, informal observations have been included in this report to assist in forming an assessment of motorhome visitation:

- ▶ Pak n Save Carpark: Chamber estimate around 10 motorhomes a day utilised this carpark in 2017.
- ▶ Workingmans Club: The Club Manager reported more demand for overnight parking than the previous year. In early April there were still 3-5 vehicles every night. The profile is New Zealanders travelling the country. a busier summer than the previous year with 3-5 vehicles every night.

## 4 Stakeholder Perspectives

In early December 2017 TRC interviewed 25 identified stakeholders to compile insights and views for this report. This included sitting in on a Bluff Community meeting facilitated by local Councillors.

### 4.1.1 Perceptions of Freedom Camping:

- ▶ Freedom camping is not currently considered to be a widespread issue in Invercargill.
- ▶ There is very limited convenient day parking for motorhomes to encourage visitors to spend the day in the city.
- ▶ Local NZMCA representatives report that travelling members perceive Invercargill is not motorhome friendly and it is difficult to park both day and overnight. Concerns that travelling members are passing through and not staying and would like to see facilities provided to embrace them rather than driving them away.
- ▶ The Bluff community have concerns about overnight camping on the main street and at Bluff Hill.
- ▶ Transport World/Motorcycle Mecca customers anecdotally are not travelling in non-self-contained vehicles. Motorhome parking for these visitor attractions is not currently considered an issue by the operator, however they are planning to extend Motorcycle Mecca and build visitation at both attractions and recognise that parking is likely to become a future issue.

### 4.1.2 Growth of the visitor economy

- ▶ There is strong endorsement from the individual business owners consulted and Chamber of Commerce to support:
- ▶ promotion of the region to grow visitation (not just by motorhome travellers).
- ▶ Regional initiatives to grow and support business in the city and increase visitor spend for Invercargill and Bluff.

### 4.1.3 Sites and facilities suggested through consultation:

- ▶ Along the Waihopi, to encourage time in CBD – self contained only
- ▶ Sandy Point, close to town and has facilities and onsite manager
- ▶ NZMCA site close to the city
- ▶ Gala Street Reserve
- ▶ Not to have one at all, send them to Southland

### 4.1.4 Visitor Information

- ▶ i-SITE staff field multiple enquiries each day about where to freedom camp locally for both self-contained and non-self-contained vehicles. As there are no designated sites in the Invercargill City territory, if they are unable to upsell into commercial holiday parks the staff provide a pre-prepared map and guide to designated sites in the Southland District. There has been no log of these enquiries to date.
- ▶ i-SITE staff regularly note when they open in the morning that there have been people staying overnight in the i-SITE carpark resulting in additional rubbish and use of toilet facilities for bathing.

#### 4.1.5 Commercial accommodation sector

- ▶ Holiday Park operators spoken to respect that freedom camping is a travel style, however there is strong resistance to seeing NZMCA and/or Council providing a free overnight camping facility which has the potential to undermine the business for the holiday parks. The vintage car rally was sited as an example of this.
- ▶ One holiday park operator reported that 3-4 groups a day are unwilling to pay the \$20 per person per night tariff. Those seeking to use the showers are referred to the Council swimming pool facility. The operator does offer free dump station facilities and water supplies. This inadvertently results in disposal of rubbish which creates additional cost for the operator to dispose of.



*Image 2 Beach Road holiday park Otatara*

## 5 Regional SWOT Analysis

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> <li>• Invercargill wide streets, easy to navigate, inexpensive parking fees</li> <li>• Geographically flat city suitable for overnight camping in vehicles.</li> <li>• Invercargill visitor attractions in the CBD, ie. Motorcycle Mecca, Transport World and Dig This, Queens Park.</li> <li>• Capacity in commercial holiday parks to accommodate tent, caravan and motorhome travellers overnight.</li> <li>• Council owned parks and reserves that could be considered as sites for providing overnight parking facilities</li> <li>• Bluff daily visitor flows generated by visits to Stirling Point and ferry to Stewart Island.</li> <li>• Supportive Chamber of Commerce, Licencing Trust and business community willing to support initiatives and drive developments that will underpin attracting more visitors to the region and building business sustainability.</li> <li>• Cheaper fuel and selection of grocery stores in Invercargill vs the surrounding districts means the city is an attractive place to stock up.</li> <li>• Part of the established Southern Scenic Route.</li> <li>• Bluff the symbolic start/finish of the TeAraroa Trail.</li> </ul>	<ul style="list-style-type: none"> <li>• 1 hour maximum parking limit in town discourages length of time in CBD.</li> <li>• Lack of oversize parking for campervans in the CBD and adjacent CBD visitor attractions.</li> <li>• No destination management plan that defines the attraction strategy for visitor markets and therefore the priorities for promotion and provision of services for those markets.</li> <li>• Lack of prescribed Council position as to where travellers can and can't camp overnight.</li> <li>• No designated site within the Invercargill City Council boundary to direct visitors looking for a overnight parking (for both self-contained and non-self-contained).</li> <li>• Nearest designated site is out of district in Southland District Council.</li> <li>• No overnight DOC sites within the City boundary to offer a low cost option for both self-contained and non-self-contained vehicles.</li> <li>• No data collection around incident rate of freedom camping to assess if there are issues or the scale of the issue.</li> <li>• Lack of qualitative data on why motorhome travellers are not spending more time in Invercargill and what is needed to grow this market.</li> <li>• Lack of awareness and promotion of current facilities available for motorhome travellers.</li> <li>• The Council's Rooding and Traffic ByLaw precludes the city from applying to become a Motor Home Friendly Town with the NZMCA.</li> </ul>	<ul style="list-style-type: none"> <li>• The Government is actively exploring a more consistent national approach to freedom camping with a view to introducing initiatives by summer 2018/19.</li> <li>• The scale and quality of facilities and services will not grow the visitor market. Visitor attraction must be based on compelling visitor experiences on offer in the region.</li> <li>• Destination positioning around 'Wheels' theme supported by hero experiences has the potential align well with attraction of self-drive travellers as part of the regions proposed destination management plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Almost 20% of current motorhome travellers are not staying in the City due to the lack of a designated site to park overnight.</li> <li>• The approach to freedom camping by neighbouring towns is more welcoming to travellers than Invercargill/Bluff, reducing visitor numbers. ie Riverton, Winton, Lumsden and Gore.</li> <li>• Visitor demand for overnight parking sites increases and there is no provision in place to actively manage demand.</li> <li>• A decision to prohibit freedom camping may impact neighbouring regions and visitor flows.</li> <li>• Provision of facilities for overnight camping developed and funded by Council will be seen as undermining the commercial accommodation sector.</li> <li>• Lack of enforcement of a responsible camping position will impact on the ability to maintain standards, convey consistency of messaging and maintain community support.</li> </ul>

## 6 Conclusions and Next Steps

Visitor numbers are predicted to continue to grow across New Zealand, with that comes the potential for increased demand on regions to deal with visitors seeking free camping sites. Currently it is estimated that 3% of international visitors freedom camp at some point during their stay.

There are several places in New Zealand who are grappling with how to constrain and reduce freedom camping in public spaces. There has been a Mayoral request for Government intervention to provide national leadership on how to responsibly manage freedom camping in a more consistent manner.

Irrespective of this outcome Invercargill City Council needs to be considering the following:

- ▶ Get involved and actively contribute to the national discussion on management of freedom camping in public spaces
- ▶ Collaborate with neighbouring regions to effectively manage visitor flows across the Southern Scenic Route
- ▶ Defining and adopt a clearly articulated policy that supports effective management of freedom camping and encourages responsible camping so as to position the region to attract motorhome travellers as part of the region's destination management plan and visitor attraction strategy
- ▶ Ensure the policy/bylaw complies with NZMCA motor home friendly town criteria
- ▶ Collaborate with NZMCA to put out a survey to their members to gather insights to assist in prioritising any investment in services and facilities in conjunction with NZMCA local branch.
- ▶ Provide the directive and resource to initiate active monitoring of facility use and incident rates which is critical to supporting evidence based decisions on investment and reviewing effectiveness of changes
- ▶ Inform ratepayers on Council's approach and decisions, provide a channel for dialogue.
- ▶ Collaborate with commercial partners and agencies (including DOC and NZMCA to provide a facility on Council owned land to respond to the demand for low cost overnight parking
- ▶ Prepare a business case for infrastructure and facilities required for application to the Tourism Infrastructure Fund.
- ▶ Ensure any published information of camping options for visitors highlights and encourages the use of commercial operators and DOC sites.





## Appendix 2. FREEDOM CAMPING SURVEY

### SURVEY QUESTIONS:

Date: .....

Vehicle Details: Self-contained | Non-Self-Contained (circle one)

Private | Rental (which company): ..... (circle one)

1. Where are you from? (please write numbers)

New Zealand

United Kingdom

Australia

United States

Germany

Israel

Other (please specify) .....

2. If overseas, how long have you been in the country? .....

3. How old are the travellers in your group? (please write numbers)

Under 16

16-19

20-29

30-39

40-49

50-59

60-69

70+

4. Where did you stay last night? .....

5. Why did you stop here? (purpose of visit) .....

6. Where are you going? .....

7. How long are you staying in Invercargill? (# days) .....

Observations: (i.e. Comments about facilities and services in city)

.....

Upsell to commercial accommodation? YES / NO

Referred to Southland District designated sites? YES / NO

### Appendix 3. INVERCARGILL CITY COUNCIL RANGERS FREEDOM CAMPING OBSERVATION SHEET/SURVEY

**OBSERVATION LOG:**

Date: ..... Time: ..... Compliance Ranger: .....

Location: .....

Vehicle Details: Self-contained | Non-Self-Contained (circle one)  
Private | Rental (which company): ..... (circle one)

Ranger Observations: (ie. site impact, camper behaviour) .....

.....

Campers educated and moved on: YES / NO

**SURVEY QUESTIONS:**

1. Where are you from? (please write numbers)

- New Zealand                                      United Kingdom                                      Australia
- United States                                      Germany    Israel
- Other (please specify) .....

2. If overseas, how long have you been in the country? .....

3. How old are the travellers in your group? (please write numbers)

- Under 16    16-19                      20-29                      30-39
- 40-49                      50-59                      60-69                      70+

4. Where did you stay last night? .....

5. Why did you stop here? .....

6. Where are you going? .....

7. How long are you staying in Invercargill? (# days) .....

## Appendix 4. Stakeholder Consultation:

Organisation	Contact
Top 10 Holiday Park	Philip Todd
Invercargill Licencing Trust	Chris Ramsay
Amble on Inn Holiday Park	Mike & Steph
Chamber of Commerce	Carla Forbes
Meccaspresso/Motorcycle Mecca	Hannah Whyte
Ambrosia	Sharnie Hopgood
NZMCA Representation	Els Wilson
NZMCA Member	Ian Rudd
NZMCA Member	Ian Mackay
DOC	Kathryn Pemberton
ICC Councillor	Rebecca Admundsen
ICC Councillor	Allan Arnold
ICC	Cameron McIntosh
ICC	Melissa Short
ICC	Graeme Davies
ICC	Russell Pearson
ICC	Kari Graber
Venture Southland	Warrick Low
Invercargill i-SITE	Julieanna Little
Bluff Community Board	Gloria Henderson
Bluff Community Board	Ray Fife
Bluff 2024 Urban Rejuvenation	Tammy Topi
Bluff Promotions	Lindsay Beer
Lands End (Bluff)	Lynda Jackson
Invercargill Working Mans Club	Simon Anderson

## Appendix 5. NZMCA survey on behalf of Palmerston North City Council, 2017

Q2 What do you look for in a site for short term stays (1-4 days) when on your motor home/caravan travels? Please answer as 1 – 7 in order of importance, with 1 being the most important.

Answered: 297 Skipped: 4

ANSWER CHOICES	RESPONSES	
<input type="checkbox"/> Proximity of river /ocean setting	94.28%	280
<input type="checkbox"/> Privacy and seclusion: in a nice quiet area that is out of the way	92.59%	275
<input type="checkbox"/> Dog friendly area	88.22%	262
<input type="checkbox"/> Recreation activity area (such as walking/cycling tracks, playgrounds, etc.)	93.27%	277
<input type="checkbox"/> A place lots of others don't know about yet	89.23%	265
<input type="checkbox"/> A central location with cafes, shops and other services	94.61%	281
Other (please state what it is)	52.19%	155

Q4 If you answered 'A' or 'B', why do you (or would you) travel to Palmerston North in your motor home/caravan? Please answer as 1 – 7 in order of importance, with 1 being the most important.

Answered: 241 Skipped: 60

ANSWER CHOICES	RESPONSES	
<input type="checkbox"/> For a place to stay for long periods (over 3 days)	74.69%	180
<input type="checkbox"/> For a place to stay overnight on the way to other destinations	84.65%	204
<input type="checkbox"/> To visit friends and family in the city	80.08%	193
<input type="checkbox"/> It's centrality: as a place to stock up on supplies or have work done on your motor home and move on to other more scenic spots	78.42%	189
<input type="checkbox"/> For a place to stay while you go to events, etc.	83.40%	201
<input type="checkbox"/> To use the I-Site, Dump station or other services	77.18%	186
Other (please tell us more)	40.25%	97

**Q5 What would make Palmerston North more attractive as a motor home friendly City? Please answer as 1 – 5 in order of importance, with 1 being the most important**

Answered: 281 Skipped: 20

ANSWER CHOICES	RESPONSES	
Better information and advertising for activities/ services/ events in the city	80.07%	225
More to do (better or more events, recreational activities, etc)	78.29%	220
Better places to park up and stay along the Manawatu River	95.02%	267
More motorhome specific activities and events	74.73%	210
Other (please tell us more)	37.01%	104

**Q6 What do you not like about visiting Palmerston North in your motor home/caravan? Please answer as 1 – 6 in order of importance, with 1 being the most important**

Answered: 264 Skipped: 37

ANSWER CHOICES	RESPONSES	
There's nothing to do	65.91%	174
Lack of scenery/ tourism	67.42%	178
There aren't enough nice places to stay	81.44%	215
You don't really know enough about the city	67.05%	177
The weather	71.21%	188
Other (please tell us more)	38.64%	102

**TO: COUNCIL**  
**FROM: THE CHIEF EXECUTIVE**  
**MEETING DATE: TUESDAY 24 JULY 2018**

**ELECTED MEMBERS' TRAVEL AND TRAINING BUDGET UNTIL 2019  
ELECTION**

**Report Prepared by: Dale Booth  
Eirwen Harris Mitchell**

**SUMMARY**

That Council allocates an individual discretionary budget for Elected Members' travel and training until the Local Body elections in October 2019.

**RECOMMENDATIONS**

**That the Council receives the report;**

**And**

**Confirms the individual Councillor Travel and Training Budget to cover from 1 July 2018 until the Local Body elections in October 2019**

**AND,**

**Notes criteria for expenditure will be brought to the next Council meeting**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Yes.
2.	<i>Is a budget amendment required?</i> No.
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> None.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> N/A

6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> N/A
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**BACKGROUND**

The \$25,000 annual budget for Elected Members’ travel and training covers travel, accommodation, incidental expenses and registration costs for Council-related attendance at governance training and sector meetings, conferences and events. It also includes induction expenses after the local body elections and travel by Councillors to Invercargill’s sister cities in Japan and China.

The funds are located in the Travel and Conference area of the Councillors’ Budget to cover the costs of Councillors only. Resource Management Act training for Councillors is currently paid for by the Environmental and Planning Department, but is not budgeted for.

The Mayor’s travel and training budget costs are paid for from the Mayoral Budget and the Bluff Community Board Budget pays for the costs of travel and training for Community Board Elected Members.

To date, expenditure from this budget on Councillors’ travel and training has been approved on a case-by-case basis by His Worship the Mayor, in consultation with the Chief Executive.

In conjunction with the Chief Executive, His Worship has indicated that he would prefer each Councillor to be allocated an individual budget – that they each have authority to decide how to spend on travel, training or conferences, without having to seek approval.

**PROPOSED NEW APPROACH FROM OCTOBER 2019**

It is proposed, from the 2019 election to change the approach from approving travel and training expenditure on a case-by-case basis, to a whole of triennium approach where each elected member is allocated a discretionary budget to be spent at any point in the triennium in-line with the approved criteria.

This would allow Council to ensure the budget was utilised cost effectively and in-line with consistent criteria, while allowing individual members flexibility and choice in training and conference options.

It would also allow members to take advantage of opportunities that arise at the last minute and would provide a structure for an even spread of expenditure across Councillors.

A report on the Elected Members Travel and Training budget for the 2019-2022 triennium will be brought to the inaugural Council meeting after the 2019 elections, suggesting how this new approach will work over a three year term.

**PROPOSED INTERIM APPROACH UNTIL OCTOBER 2019**

In the interim, it is proposed to allocate each Councillor a budget of \$1,100, for training, travel and conference, or attendance at seminars and events, until October 2019.

This figure was arrived at by taking the annual budget of \$25,000 and deducting from it the estimated costs for three Councillors to attend Local Government Conference in 2019



(estimated at \$2,500 per person) and for the Deputy Mayor to attend Rural and Provincial Meetings in Wellington three times a year (estimated at \$1,400 each time). Please note in 2018, five Councillors attended Local Government Conference. A method to identify the three Councillors to attend the 2019 LGNZ Conference will need to be devised.

This left \$13,300 to be divided among 12 Councillors, resulting in an individual budget allocation of \$1,100.

It means that individual Councillors can themselves decide how to spend their allocation, providing they don't exceed a total of \$1,100. Proposed expenditure over that individual figure will need to come to Council for approval.

The financial year does not align with Local Body elections, so it is proposed that the new budget allocation from 1 July 2019 is not utilised until after the elections in October 2019, which will provide Councillors serving from 2019-2022 with a full three years' individual budget allocation for the next triennium.

If this approach is confirmed, draft criteria will be put before the next Council meeting.

**\*\*\*\*\***

**TO: COUNCIL**  
**FROM: CHIEF EXECUTIVE OFFICER**  
**MEETING DATE: TUESDAY, 24 JULY 2018**

<b>GIFTS POLICY FOR COUNCIL OFFICERS</b>
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**Report Prepared by:** Clare Hadley, Chief Executive

**SUMMARY**

The Executive Leadership Team proposes a gifts policy for the organisation. This is presented to Council, for its endorsement, as part of setting the right 'tone from the top'.
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**RECOMMENDATIONS**

**That the Gifts Policy for officers of Invercargill City Council be endorsed by Council**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> N/A
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> The recommendation is consistent with Council's requirement to be a good employer, and to have guidelines for sensitive matters
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> This policy is internal to the organisation
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> N/A

**FINANCIAL IMPLICATIONS**

There are no financial implications.

**POLICIES FOR COUNCIL ORGANISATION**

Council has a wide range of policies for guidance to employees.

As part of setting clear expectations on how officers should behave when offered gifts and other benefits, an internal policy has been developed.

Council is a publicly funded organisation, and it is important that all those who are associated with Council act with integrity and transparency when offered gifts and other benefits.

The Gifts and Other Benefits Policy has been approved by Council's Executive Leadership Team. It is presented to Council both for information, and for the opportunity to endorse it, and confirm that it sets the right 'tone from the top'.

As part of implementing the policy, a gifts register has been developed, which will be presented to Executive Leadership Team meetings on a regular basis.

**\*\*\*\*\***



# Gifts and Benefits Policy

July 2018

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## Purpose

To provide a framework for employees around the giving and receiving of gifts, benefits and hospitality, while carrying out the duties of their employment and should be read in conjunction with the Code of Conduct.

## Scope

This Policy applies to all gifts, benefits and hospitality which are offered to all employees, including volunteers who work for Invercargill City Council and all other group entities that are wholly managed by Council.

It does not apply to gifts given between employees, genuine personal gifts or benefits from friends and family which have no connection to the recipient acting within the scope of their employment.

## Definitions

For the purposes of this policy, unless otherwise stated, the following definitions shall apply:

<b>Gift</b>	Tangible item of value offered over and above an employee's normal salary or employment entitlements. It may include items such as alcohol, food, flowers, electronic devices, kitchen equipment, books, and hampers.
<b>Benefit</b>	Non-tangible item of value offered over and above an employee's salary or employment entitlements. It may include items such as sponsored travel, hospitality, loyalty bonus points, discounts, preferential treatment, invitations to events, cash, gift cards, and items that may be readily converted to cash.
<b>Hospitality</b>	The provision of meals, refreshments, and entertainment. Hospitality is a gift/benefit. It includes modest meals such as sandwiches, restaurant meals, coffee and tickets to events and functions, such as the movies, sporting events, awards nights, and the theatre.

### **Conflict of Interest**

A conflict between performance of a public duty and a private or personal interest. A 'personal interest' includes the private, professional or business interests of a person, or of the individuals or groups with whom they have a close association, such as relatives, friends or even enemies.

Personal interests may be pecuniary or non-pecuniary. A conflict of interest may be:

- Actual: a conflict between a person's official duties and responsibilities in serving the public interest, and their personal interest;
- Perceived: occurs when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case; or potential: occurs where a person has a personal interest that could conflict with their official duties in the future.

### **Justifiable Business Purpose**

A justifiable business purpose is one that furthers the council's business, relationships and interests. Employees must be able to identify and, if necessary, explain the purpose.

Examples of where gifts or hospitality may have a justifiable business purpose are:

- Being invited to a business networking event
- Being hosted, and the host offers an employee a small token of appreciation.

If it may be unclear on whether there is a justifiable business purpose or not, an employee must:

- Err on the side of caution
- Contact either Human Resources or their manager

When an employee has clarified whether there is a justifiable business purpose, accept or refuse as appropriate, and declare the gift or hospitality.

## **Principles that guide us**

Employees must:

- Declare all gifts, benefits or hospitality (whether accepted or not) to their Manager and ensure that every item is recorded on the gift register.
- Not accept any gift where there is a conflict of interest – perceived or actual.
- Protect Council's reputation and consider how the acceptance or giving of a gift would look to a third party.
- Never accept or give gifts of cash, or cash like gifts or benefits.
- Only accept or give gifts, benefits or hospitality when there is a justifiable business purpose for the Council.

- Be prudent when spending money on gifts.
- Only consider accepting gifts up to the value of \$50, and hospitality of a value estimated around \$85, providing all criteria of this policy has been met.

## Ethics and Overarching Framework

Council is obliged to safeguard and use its resources in a responsible manner. Furthermore, Council employees must guard against actual or perceived conflicts of interest in regard to the use of those resources.

Council expects all employees involved in making or approving expenditure on, or receiving on behalf of Council, gifts or benefits:

- To do so only for Council purposes,
- To exercise professionalism
- Not to derive personal financial gain
- To act impartially
- To ensure that expenditure is moderate and conservative in the context of the given situation
- To have read and adhered to this and other relevant Council policies

## Receiving Gifts, Benefits and Hospitality

Any gift, benefit or hospitality offered to employees must be declared through the reporting process. If employees are unsure about the application of this policy, they should seek advice from their manager in the first instance. Examples of acceptable gifts, benefits or hospitality to receive are:

- Gifts openly distributed by suppliers and clients (e.g. pens, badges and calendars)
- Gifts of a perishable nature (e.g. bouquets, baked goods less than \$50)
- Gifts of nominal value (e.g. less than \$50)
- Hospitality of a value estimated around \$85

The following must not be accepted and should be declined where possible:

- Cash or cash-like gifts or benefits;
- Hospitality where there is a reasonable expectation that it will have value considerably greater than \$85.

*If a prohibited gift cannot be declined without giving offence to the donor – or is not offered in person (e.g. sent via mail), this should be declared through the reporting process and provided to the Chief Executive and is the property of the Invercargill City Council, unless and until the Executive Leadership Team (ELT) decide how the gift will be treated (e.g. donated, shared among employees or retained by the employee).*

### **or**

*Any gift, which cannot be declined, in excess of \$50 is to be provided to the Chief Executive and is the property of the Invercargill City Council, unless and until decided otherwise by the ELT.*

Under no circumstances can gifts be exchanged for cash nor can goods, works and/or services be received, or seen to be received, by employees, their partners or family for private use.

## Giving Gifts or Benefits

Authority is to be sought from managers prior to the purchase of gifts or benefits. Approval should only be given when the approver is satisfied that all the criteria of this policy are met and the expenditure is within pre-approved budgets.

Refer to Invercargill City Council Staff Recognition Guidelines for details relating to long service, leaving Council and special occasion/sympathy gifts.

Gifts for all other events (including births, engagements, weddings, birthdays, Easter and Christmas) should be funded by private donation and under no circumstances should be paid for using Council funds.

If a manager is in doubt as to whether the proposed gift or benefit is appropriate in Council context, and is not covered by this policy or the aforementioned guideline, they should consult the Chief Executive.

Employees who consider there are grounds for enquiry in to inappropriate expenditure may advise their Manager or Director immediately. Alternatively, disclosure may be made under the Protected Disclosures Act 2000.

Specific guidance will be provided to employees in higher risk roles relating to discretionary decision making and procurement.

## What you need to know

<p>How does an employee declare a gift, benefit or hospitality?</p>	<ul style="list-style-type: none"> <li>All gifts, benefits and/or hospitality must be declared through the gift declaration process and entered onto the gift register.</li> <li>The gift register is available to the public via LGOIMA (Local Government Official Information and Meetings Act 1987).</li> </ul>
<p>Do employees need to declare if a supplier buys them a coffee?</p>	<ul style="list-style-type: none"> <li>Coffee and other tokens – low value business courtesy items such as convention pens and water bottles are generally fine to accept. Whilst employees do not need to declare these nominal valued items, employees need to consider that even accepting an inexpensive gift can call an employee's integrity into question if it is offered or accepted in secret, or occurs on a regular basis.</li> <li>If in doubt, declare it.</li> </ul>
<p>Does an employee need to declare if a supplier offers them a benefit, like a discount?</p>	<ul style="list-style-type: none"> <li>An employee should never accept any benefit offered to them, other than those benefits and discounts which are common to all council employees (e.g. n3 card and other Council owned facility discounts)</li> </ul>
<p>Does an employee need to declare if they have been offered tickets to an event?</p>	<ul style="list-style-type: none"> <li>Council employees need to declare all free tickets, whether they chose to accept them or not.</li> </ul>

<p>What should an employee do when a person or organisation awaiting a decision, or who they are likely to be in a decision-making role with, gives them a gift?</p>	<ul style="list-style-type: none"> <li>• Politely decline the gift. Explain that Council employees do not accept gifts or hospitality that may give the impression that favour will be shown to the giver in decision-making.</li> <li>• If any employee is uncomfortable with any offer made to them, it is a requirement to pass this on to their manager or director.</li> </ul>
<p>A customer gives an employee a thank you gift – should they accept it?</p>	<ul style="list-style-type: none"> <li>• An employee can accept a thank you gift like a box of chocolates or other small gift.</li> <li>• Remember to declare the gift on the gift register.</li> </ul>

### Council Bottom Line Expectations

Employees must not:

- Accept a gift of cash of any amount or cash equivalents, such as gift voucher or money card, at any time.
- Accept a gift or hospitality where there is no justifiable business purpose.
- Accept a gift, benefit or hospitality that may give the impression that favour will be given to a particular person or organisation when making decisions.

Breaches of this policy and above expectations will be viewed very seriously and treated as misconduct under Council's Code of Conduct and Discipline and Procedural Fairness Policy.

Authorised By: \_\_\_\_\_

CV Hadley  
Chief Executive

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### DATE OF APPROVAL:

<b>Revision History:</b>	Nil
<b>Effective Date:</b>	1 July 2018
<b>Review Period:</b>	This policy will be reviewed every two years.
<b>New Review Date:</b>	1 July 2020
<b>Associated Documents / References:</b>	Sensitive Expenditure Policy Code of Conduct Staff Recognition Guidelines Conflicts of Interest Policy
<b>Supersedes:</b>	Nil
<b>Policy Owner:</b>	Human Resources



**TO: COUNCIL**

**FROM: DIRECTOR OF FINANCE AND CORPORATE SERVICES**

**MEETING DATE: TUESDAY 24 JULY 2018**

**INVERCARGILL CITY HOLDINGS LIMITED – STATEMENT OF INTENT**

**Report Prepared by:** Dean Johnston, Director of Finance and Corporate Services

**SUMMARY**

The final Statement of Intent for Invercargill City Holdings Limited for the 2018/19, 2019/20 and 2020/21 years have been provided.

**RECOMMENDATIONS**

**That the Invercargill City Holdings Limited Statement of Intent be received.**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> No.
2.	<i>Is a budget amendment required?</i> No.
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> No.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> No.

**FINANCIAL IMPLICATIONS**

Nil.

**REPORT**

The Directors of Invercargill City Holdings Limited have received the recommendation from Council that the Nature and Scope of Activities be amended from the draft Statement of Intent provided.

The clause relating to providing loans to community groups has been removed from the final Statement of Intent that is presented.

The dividend is set to be \$5,850,000 in the 2018/19 year and then \$6,000,000 in 2019/20 and 2020/21 years.

**\*\*\*\*\***



# **INVERCARGILL CITY HOLDINGS LIMITED**

## **STATEMENT OF INTENT FOR THE FINANCIAL YEAR ENDING 2019**

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## **PREAMBLE**

As required by Section 64 of the Local Government Act 2002 the Directors have prepared this Statement of Intent.

## **OBJECTIVES**

The objectives are those as provided in Section 59 of the Local Government Act 2002 including the following specific objectives:

- To provide steadily increasing revenues across the group
- To provide reasonable returns to its shareholder Invercargill City Council that are consistent and steadily increasing
- To keep the Invercargill City Council informed of matters of substance affecting the group.
- To ensure that regular reporting of results occurs to Invercargill City Holdings Limited from subsidiaries.
- To monitor the performance of each subsidiary against their stated performance objectives and ensure they have proper governance procedures in place.
- To promote rigorous health and safety management and reporting within the group.
- To ensure that regular reporting of results occurs to Invercargill City Council.
- To act generally as a responsible corporate citizen.

## **NATURE AND SCOPE OF ACTIVITIES**

The nature of the Invercargill City Holdings Limited activities will be that of normal policy decisions of a Holding Company together with:

- (a) Providing input into the Statement of Intent of each of its subsidiaries to ensure that they reflect the objectives and policies of Invercargill City Council in such manner and to such extent as Invercargill City Holdings Limited is lawfully entitled to do so; and,
- (b) Monitoring the performance of the individual subsidiary companies.
- (c) In relation to Invercargill City Property Limited, no sales will be to an entity that may bring the City into disrepute and all sales will reflect Council's vision of economic and population growth.
- (d) Providing funding and treasury services to the subsidiary companies.

ICHL exercises its monitoring role through a variety of means, including reviewing Statements of Intent provided by subsidiary companies, reviewing periodic financial, strategic and health and safety reporting by the subsidiaries, monitoring business developments, liaising with subsidiary boards as necessary, making director appointments and dealing with other issues as they arise.

The undertaking by Invercargill City Holdings Limited of any activity of a nature or scope not provided for would be subject to the prior approval of the Invercargill City Holdings Limited shareholders.

In particular the prior approval of the shareholder would be required to the company forming, acquiring or divesting an interest in any subsidiary company and in the case of each subsidiary the Directors of Invercargill City Holdings Limited shall not, without the prior approval of the shareholder approve any investment which is contrary to that subsidiary's Constitution.

Activities of the subsidiary companies are as follows:

### **ELECTRICITY INVERCARGILL LIMITED (EIL)**

EIL owns and operates the electricity network in Invercargill which includes 665km of predominantly underground cables. This is one of the best performing networks in New Zealand in terms of reliability and efficiency and has more than 17,000 connections. Electricity retailers pay EIL for this network delivery service and in turn charge homes and businesses for it.

EIL also has partial ownership of PowerNet, the network management company and other energy related entities including OtagoNet, an electricity distribution entity in Otago and Central Otago, and Roaring Forties which owns generation assets including wind and hydro.

EIL continues to make a commitment to reduce the overall age of the network and continuously improve the assets to ensure safety, capacity and reliability.

### **INVERCARGILL AIRPORT LIMITED (IAL)**

IAL provides all airport related services for Invercargill and is the gateway to the city and the wider Southland region, hosting over 294,000 passengers in the 2017 year.

IAL is 97.2% owned by Invercargill City Holdings Limited and the other 2.8% shareholders are the four local Runanga.

The airport provides an important gateway to the City and region.

The focus for the airport is on infrastructure requirements and developing appropriate asset management processes to ensure that the airport remains operational as a key gateway to the city.

### **INVERCARGILL CITY FORESTS LTD (ICFL)**

ICFL own, maintain, manage and harvest forestry assets.

ICFL maintain a harvest strategy to ensure that the dividend flow back to the shareholder is consistent and maintainable.

ICFL owns Forest Growth Holdings Limited, who aggregates forestry assets into economic units.

### **INVERCARGILL CITY PROPERTY LTD (ICPL)**

ICPL activities are that of a property ownership and management company.

<b>PERFORMANCE TARGETS</b>
----------------------------

The following targets relate to the group of companies consisting of Invercargill City Holdings Limited, Electricity Invercargill Limited, Invercargill City Forests Limited, Invercargill Airport Limited and Invercargill City Property Limited.

**Financial**

That the following rates of return on equity funds are attained:

	<i>% Before Tax</i>	<i>% After Tax</i>
2018/19	9.78%	7.04%
2019/20	10.26%	7.39%
2020/21	10.16%	7.32%

**Other performance measures**

In addition to the above financial performance measures, the Invercargill City Holdings Limited board will use the following measures to assess its performance:

All statutory requirements for reporting under the Companies Act 1993 and the Local Government Act 2002 are achieved.

Half yearly financial reports are provided to the shareholder within two months of the end of the period and that the annual statements and report are provided within three months after the end of the financial year.

A draft Statement of Intent will be submitted for approval to Invercargill City Council by 1 March each year.

Invercargill City Holdings Limited will keep Invercargill City Council informed of all significant matters relating to Invercargill City Holdings Limited and its subsidiaries, within the constraints of commercial sensitivity. Invercargill City Holdings Limited will run at least one workshop with Councillors per financial year.

Invercargill City Holdings Limited will maintain contact with subsidiary company boards, and remain aware of their strategic business issues. Invercargill City Holdings will meet subsidiary company boards or their representatives at least once per financial year.

## FINANCIAL FORECASTS

These consolidated financial forecasts are based on information provided by the subsidiary companies and Invercargill City Holdings Limited own forecasts:

	<i>Year Ending 30 June 2019 (\$'000)</i>	<i>Year Ending 30 June 2020 (\$'000)</i>	<i>Year Ending 30 June 2021 (\$'000)</i>
Gross Revenue	24,706	24,499	23,454
Expenditure	<u>15,238</u>	<u>14,377</u>	<u>13,228</u>
Net Profit (Loss)	9,468	10,122	10,226
Tax	<u>2,651</u>	<u>2,834</u>	<u>2,863</u>
Group Net Profit/(Loss) after tax	6,817	7,288	7,363
Dividend – Invercargill City Council	<u>5,850</u>	<u>6,000</u>	<u>6,000</u>
	967	1,288	1,363

The projected equity of the consolidated company at 30 June is estimated to be as follows:

	<i>Year Ending 30 June 2019 (\$'000)</i>	<i>Year Ending 30 June 2020 (\$'000)</i>	<i>Year Ending 30 June 2021 (\$'000)</i>
Equity	96,781	98,669	100,631

## RATIO OF CONSOLIDATED SHAREHOLDER FUNDS TO TOTAL ASSETS

The forecasted ratio of shareholder funds as a percentage of total assets as at 30 June are as follows:

<i>Year</i>	<i>%</i>
2019	31%
2020	30%
2021	30%

For the purpose of this ratio shareholder funds are defined as the paid-up capital plus any retained tax paid profits. They include undistributed profits which have been accumulated in accounts known as either "Revenue Reserves" or "Capital Reserves" and shareholder advances. It is anticipated that the Invercargill City Council shareholder advance (if any) will be subordinated, that is, subject to certain restrictions by the lender.

Total assets are defined as the sum of all current, fixed and investment assets of the group.

## COMMERCIAL VALUE OF THE SHAREHOLDER'S INVESTMENT

The commercial value of the Shareholder's investment in the Company is considered by the Directors to be not less than the Shareholder's funds as disclosed in the Statement of Financial Position published in the last Annual Report.



## **REPORTING TO THE SHAREHOLDER**

The following information will be available to the shareholder based on an annual balance date of 30 June.

### **DRAFT STATEMENT OF INTENT**

On or before 1 March each year, the Directors will deliver to the shareholder a Draft Statement of Intent that fulfils the requirements of Section 64 of the Local Government Act 2002.

### **COMPLETED STATEMENT OF INTENT**

On or before 30 June each year the Directors shall deliver to the shareholder a completed Statement of Intent which fulfils the requirements of Section 64 of the Local Government Act 2002.

### **HALF YEARLY REPORT**

Within two months after the end of the first half of each financial year, the Directors shall deliver to the shareholder an unaudited report containing the following information as a minimum in respect of the half-year under review:

- A revenue statement disclosing actual revenue and expenditure, with comparative figures from the previous half yearly report.
- A statement of financial position at the end of the half year.
- A statement of cash flows.
- A commentary on the results for the first six months together with a report on the outlook for the second six months with reference to any significant factors that are likely to have an effect on Invercargill City Holdings Limited's performance, including an estimate of the financial result for the year based on that outlook.

### **ANNUAL REPORT**

Within three months after the end of each financial year, the Directors shall deliver to the shareholder an annual report and audited financial statements in respect of that financial year, containing the following information as a minimum:

- (a) A Director report including a summary of the financial results, a review of operations, a comparison of performance in relation to objectives and any recommendation as to dividend.
- (b) A revenue statement disclosing actual revenue and expenditure, and comparative figures.
- (c) A statement of financial position at the end of the year.
- (d) A statement of cash flows.
- (e) An Auditor's report on the above statements and on the measurement of performance in relation to objectives.

## **DIVIDEND POLICY**

The Directors have agreed that it is prudent to retain a portion of the Company's earnings as a hedge against movements in interest rates and/or income stream. It is anticipated a dividend will be paid by Invercargill City Holdings Limited to the Invercargill City Council of \$5,850,000 in 2018/2019, \$6,000,000 in 2019/2020 and \$6,000,000 in 2020/2021. Any surplus from the Group operation will be used to repay the Invercargill City Holdings Limited debt.

## **PROCEDURES FOR ACQUISITION OF OTHER INTERESTS**

The Company will only invest in the shares of another company or organisation in accordance with the Constitution of the company.

## **COMPENSATION FROM LOCAL AUTHORITIES**

The Directors do not envisage any circumstances arising that would give rise to any claim from any Local Authority during the year.

## **OTHER MATTERS AGREED AS BETWEEN THE DIRECTORATE AND ITS SHAREHOLDER**

The Company has entered into Deeds of Understanding with its subsidiaries imposing upon the companies certain restrictions, requirements and obligations as set out in the Deed.

Invercargill City Holdings Limited has a written agreement with all subsidiaries to fund each company's operating costs, by way of interest bearing loan, on a monthly basis, subject to the provision of annual budgets.

## **GOVERNANCE**

- The Directors of Invercargill City Holdings Limited are appointed by Invercargill City Council to oversee the governance of the company and its subsidiaries and will act in accordance with the guidelines set by the Shareholder.
- The Directors acknowledge their fiduciary responsibilities however the day to day management of the company is delegated to the management team and the external Treasury Manager.
- The Directors hold regular board meetings at which management reports are received and discussed.
- The Board monitors the performance of the subsidiary companies to ensure performance and capability and to identify any areas for improvement.

## **ACCOUNTING POLICIES**

Invercargill City Holdings Limited's accounting policies are consistent with the accounting policies recognised by the External Reporting Board ('XRB').

The accounting policies which materially affect the measurement and reporting of financial performance and financial position have been applied on a basis consistent with those used in previous years.

The accounting policies are listed in full in in our most recent annual report.

**TO: COUNCIL**

**FROM: DIRECTOR OF FINANCE AND CORPORATE SERVICES**

**MEETING DATE: 24 JULY 2018**

<b>AUDIT AND RISK COMMITTEE</b>
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**Report Prepared by:** Dean Johnston, Director of Finance and Corporate Services

**SUMMARY**

That the Audit Committee role is expanded to include risk management and it becomes a standing committee of Council.
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**RECOMMENDATIONS**

**That the current Audit Committee’s role be expanded to include risk management**

**AND,**

**That the Audit and Risk Charter be reviewed and brought back to Council for adoption.**

**AND,**

**That the Audit and Risk Committee be a standing committee of Council**

**AND,**

**That \$20,000 of unbudgeted expenditure be authorised to engage Bruce Robertson as an external advisor to the Audit and Risk Committee and that the Chief Executive be delegated the authority to negotiate the terms of the engagement.**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Yes
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council’s Policy on Significance?</i> No
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> No
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i>

	No
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> Yes

**REPORT**

At the Inaugural Council Meeting of this triennium, Council established the Audit Committee, with the following rules, as a subcommittee of the Finance and Policy Committee.

*The Audit Committee is responsible for reviewing audit and financial documentation.*

*Its objective is to ensure financial compliance.*

It is proposed to bring the risk management governance functions of Council back to the Audit Committee from the Finance and Policy Committee where it currently resides and make the Audit and Risk Committee a full standing committee of Council. Health and Safety would also be considered by Audit and Risk Committee.

It is further proposed to have Bruce Robertson, (ex Assistant Auditor General) (Local Government) engaged as an external advisor to the Committee. This is expected to cost \$20,000 (plus disbursements) per annum which is unbudgeted at this stage. Pursuant to the current Audit and Risk Charter, Council has not delegated the authority to appoint an external advisor and must therefore appoint the advisor itself. It is recommended that the Chief Executive be delegated the authority to negotiate the terms of engagement for this appointment.

The Audit and Risk Charter needs to be reviewed and, where necessary, amended to reflect the responsibilities of the revised committee. Council Officers recommend that the review be progressed by the Audit and Risk Committee, with an amended draft brought to Council for adoption.

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**TO: COUNCIL**

**FROM: DIRECTOR OF FINANCE AND CORPORATE SERVICES**

**MEETING DATE: TUESDAY 24 JULY 2018**

<b>GOVERNANCE STATEMENT</b>
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**Report Prepared by:** Melissa Brook – Strategy and Policy Manager

**SUMMARY**

<p>The Governance Statement needs to be amended to reflect the appointment of Mrs Clare Hadley as Chief Executive, the amendment made to the Urban Rejuvenation Committee and the creation of the Community Grants Committee and to acknowledge other minor amendments to the governance and management structure of the Invercargill City Council.</p>
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**RECOMMENDATIONS**

**That the report be received; and**

**That Council adopt His Worship the Mayor’s appointment of Councillor Amundsen as Chair of the Community Grants Committee; and**

**That an additional Councillor be appointed to the Neighbourhood Fund Committee; and**

**That Councillors (list 4) be appointed to the Community Grants Committee; and**

**That the Community Grants Committee be delegated authority to allocate the fund within the Community Grants budget in accordance with the Community Grants Policy and Framework; and**

**That the Governance Statement amended as of 24 July 2018 be adopted.**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Yes
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council’s Policy on Significance?</i> No
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> The recommendations would amend the Governance Statement.
5.	<i>Have the views of affected or interested persons been obtained and is any further</i>

	<i>public consultation required?</i> No
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> Yes

### **FINANCIAL IMPLICATIONS**

No financial implications result from this report.

### **THE LEGISLATIVE CONTEXT**

The purpose of Local Government as set out in the Local Government Act 2002 (the Act) is “to enable democratic local decision-making and action by, and on behalf of, communities; and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.” Council is further required, under Section 14, to take into account the social, economic, and cultural interests of people and communities, the need to maintain and enhance the quality of the environment, and to conduct its business in an open, transparent and democratically accountable manner.

Pursuant to section 40 of the Act, Council is required to have a Governance Statement that sets out, among other items, governance structures and processes, membership, and delegations. Section 40(3) requires that Council update the Governance Statement as it considers appropriate.

The Governance Statement was last amended in November 2017.

### **CHIEF EXECUTIVE**

The Chief Executive or their nominee is appointed by virtue of the role to the Bluff Maritime Museum Trust Board Incorporated and to the Invercargill City Charitable Trust. The Chief Executive considers that these appointment policies should be revoked. Council officers are working through how to remove the automatic appointment of the Chief Executive or their nominee from the Trusts. Until this has been completed the Chief Executive will personally fill these positions and the Governance Statement has been amended to reflect this.

The attached Governance Statement (*Appendix One*) has been amended to reflect Mrs Hadley’s appointment as Chief Executive of the Invercargill City Council.

### **NEIGHBOURHOOD FUND COMMITTEE**

At its 30 January 2018 meeting, the Invercargill City Council resolved that the Neighbourhood Fund Framework be adopted; and that a total contestable fund of \$50,000 is established using the Urban Rejuvenation budget and that four funding rounds are held each financial year. The current members of the Urban Rejuvenation Committee will now allocate the Neighbourhood Fund. It is also recommended that an additional Councillor be appointed to the Neighbourhood F

und Committee The attached Governance Statement has been amended to reflect the change in name and purpose of the Committee.

### **COMMUNITY GRANTS COMMITTEE**

At its 30 January 2018 meeting, the Invercargill City Council resolved that a Community Grants Committee be established to allocate the fund and that two funding rounds are held each financial year, the first to close on 31 July and the second to close on 30 March, with the fund split equally between the two rounds. Council did not determine the representatives to the Committee at this meeting. As the first funding round is due to close on 31 July, it is prudent that the membership of the Committee be established and that the delegation to the Committee be formalised.

Council officers recommend a five person Committee be established to allocate the funding from the Community Grants budget. To best ensure that there is a consistency of approach through all three of Council's contestable funding opportunities, officers further recommend that the Community Grants Committee be made up of representatives from both the Neighbourhood Fund Committee (formerly the Urban Rejuvenation Committee) and the Events Committee.

Pursuant to section 41A of the Local Government Act 2002, the Mayor has the authority to appoint the Chair of any committee. His Worship the Mayor has advised that he wishes to appoint Councillor Amundsen as the Chair of the Community Grants Committee.

An alternative option is that the Neighbourhood Fund and Community Grants Committees have a shared list of potential committee members. The two Chairs would be appointed by His Worship the Mayor, noting that Councillor K Arnold has already been appointed as Chair of the Neighbourhood Fund Committee and Councillor Amundsen as Chair of the Community Grants Committee, and the Chair of each committee would determine the sitting members of the Committee for each meeting. A combined list for the Committees would assist when members are absent or in the instance when a potential or perceived conflict arose.

### **MINOR AMENDMENTS**

A number of other minor amendments have been made to the Governance Statement to align with decisions made through the Long-term Plan process and other changes that have occurred within the governance and management structure of the Council. They are attached in the amended Governance Statement.

### **AUDIT AND RISK COMMITTEE**

Council has received a report at this meeting outlining recommendations for the Audit and Risk Committee. These amendments have been included in the draft Governance Statement for Council's consideration.



**CONCLUSION**

To ensure that the Governance Statement accurately reflects the Council's intended governance structures it is important that it be regularly reviewed and amended. The last review was undertaken in November 2017. The appointment of a new Chief Executive, amendments to Council's community grants processes and the adoption of the 2018-28 Long-term Plan make it timely to review and update the Governance Statement.

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# GOVERNANCE STATEMENT

2016-2019 (amended 24 July 2018)

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## Vision

To enhance our City and preserve its character, while embracing innovation and change.

### 1. What is a Governance Statement?

The Invercargill City Council's Governance Statement explains how the Council works and how it involves the public in decision-making. The aim is to promote local democracy by making sure that our community understands how its Council operates and how they can have their say.

The Council is required to prepare a Governance Statement after each triennial election and make it available to the public. It includes information on:

- Council functions, responsibilities and activities.
- How Councillors and Community Board members are elected.
- The roles and conduct of those elected members.
- Governance structures and processes.
- Public access to people and the organisation.
- Key planning and policy documents.

### 2. The Functions, Responsibilities, and Activities of the Local Authority

The purpose of the Invercargill City Council is to enable democratic local decision making and action by, and on behalf of, communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective for households and businesses.

In meeting its purpose, Council's roles are to:

- Facilitate solutions to local needs.
- Advocate on behalf of the Invercargill community with central government, other local authorities and other agencies.
- Develop local resources.
- Manage local network (eg roads, stormwater) and community infrastructure (e.g. libraries, parks).
- Manage the environment.
- Plan for the future needs of the Invercargill district.

### 3. Any Local Legislation that Confers Powers on the Local Authority

In addition to the legislation that applies to all local authorities (Appendix 1), the Invercargill City Council is also bound by pieces of local legislation (Acts that apply specifically to it). Those Acts are:

<b>Local Act Name</b>	<b>Purpose</b>
<i>Invercargill Waterworks Reserve Act 1887</i>	<i>Appropriate a portion of the Town belt for the purposes of waterworks.</i>
<i>Southland Land Drainage Act 1935</i>	<i>Make better provision for land drainage within the Counties of Southland and Wallace.</i>
<i>Bluff Water Supply Act 1958</i>	<i>Validate a memorandum of agreement for the supply of water to parties beyond the City of Invercargill boundaries.</i>
<i>Invercargill City Aluminium Smelter Water Supply Act 1971</i>	<i>Validate an agreement with New Zealand Aluminium Smelters Limited for the supply of water.</i>
<i>Invercargill City Council (Reclamations) Empowering Act 1973</i>	<i>Authorise reclamation, validate reclamation, develop and dispose of reclaimed land.</i>
<i>Invercargill City Council Vesting and Empowering (Gasworks Site) Act 1992</i>	<i>Remove statutory restrictions on certain land.</i>
<i>Southland Flood Relief Committee Empowering Act 1992</i>	<i>Administration of the unexpended balance of the Southland Flood Relief Fund.</i>

### 4. The Bylaws of the Local Authority, Including for each Bylaw, its Title, a General Description of it and When it was Made

The following bylaws apply within the district:

- Invercargill City Council Bylaw 2017/1 – Trade Waste. This Bylaw controls the discharge of trade waste into Council's sewerage system.
- Invercargill City Council Bylaw 2017/2 – Environmental Health. This Bylaw addresses the issues of mobile traders, alcohol ban, solvent abuse and untidy sections and abandoned vehicles.
- Invercargill City Council Bylaw 2017/3 – Cemeteries and Crematorium. This Bylaw controls the burial procedures and standards for the Council's cemeteries and crematorium.

- Invercargill City Council Bylaw 2008/5 – Solid Waste. This Bylaw regulates the collection and transportation of household recyclables and waste and effective and efficient solid waste management.
- Invercargill City Council Bylaw 2017/4 – Water Supply. This Bylaw details the conditions of water supply to customers and offences.
- Invercargill City Council Bylaw 2010/1 – Fire Prevention (Vegetation). This Bylaw controls fire in the rural portions of the district.
- Invercargill City Council Bylaw 2011/1 – Significant Events. This Bylaw enables the management of street trading, distribution of free products or advertising material, advertising and trading / retailing during the hosting of significant events.
- Invercargill City Council Bylaw 2012/1 – Urupā (Māori Burial Site) Te Hau Mutunga. This Bylaw regulates the Urupā Te Hau Mutunga Cemetery at 118 Mason Road, Invercargill.
- Invercargill City Council Bylaw 2013/2 – Keeping of Animals, Poultry and Bees. This Bylaw regulates the keeping of animals to ensure they do not create nuisance.
- Invercargill City Council Bylaw 2015/1 – Dog Control. This Bylaw primarily addresses matters under the Dog Control Act.
- Invercargill City Council Bylaw 2015/2 – Parking Control. This Bylaw controls parking activities.
- Invercargill City Council Bylaw 2015/3 – Roading and Traffic. The primary purpose of the Bylaw is to promote public safety and effectively regulate pedestrian, animal and traffic movement in the road corridor.
- Invercargill City Council Bylaw 2016/1 – Code of Practice for Land Development and Subdivision Infrastructure. The Bylaw enables the management of subdivision and land development works within the Invercargill District.

All Bylaws must be reviewed no later than 10 years after their adoption.

## 5. The Electoral System and the Opportunity to Change It

Invercargill City Council currently operates its elections under the first past the post electoral system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used in District Health Board elections. Electors rank candidates in order of preference (1, 2, 3, 4 etc). The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all vacancies is achieved first by the counting of first preferences, then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

Under the Local Electoral Act 2001 the Council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5% of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. we cannot change our electoral system for one election and then change back for the next election.

Council's last review of electoral systems was in 2015. No change was made to Council's electoral system for the 2016 elections. The Council is required to review its electoral system prior to the 2022 elections.

## 6. Representation Arrangements, Including the Option of Establishing Māori Wards or Constituencies, and the Opportunity to Change Them

The Invercargill City Council is governed by an elected Mayor, 12 elected Councillors and the Bluff Community Board.

### Representation Arrangements

Council is required to review its representation arrangements at least once every six years. The next review is prior to the 2022 elections and must include the following:

- The number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the Mayor).
- Whether the elected members (other than the Mayor) shall be elected by the entire district ("at large"), or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of "at large" and "ward" representation.
- If election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward.
- Whether or not to have separate wards for electors on the Māori roll.
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should also follow guidelines published by the Local Government Commission. The Act gives individuals the right to make a written submission to the Council, and the right to be heard if they wish.

Submitters have the right to appeal/object to any decisions on the above to the Local Government Commission which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

The Invercargill City Council determined (September 2015) the representation arrangements for the district as:

- (1) Invercargill City is not divided into wards;
- (2) The Council comprises the Mayor and 12 members who shall be elected by the electors of the City as a whole;

- (3) There shall be a Bluff Community; and
- (4) The Bluff Community Board comprises five elected members and one member of the Council appointed to the Community Board by the Council.

### **Māori Wards and Constituencies**

The Local Electoral Act 2001 also gives Council the ability to establish separate wards for Māori electors. The Council may resolve to create separate Māori wards or conduct a poll on the matter, or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5% of electors within the district.

Council has made no resolution with respect to Māori Wards and Constituencies. This means that there are no Māori Wards in the Invercargill City Council district.

### **Community Boards**

The Invercargill City Council has one Community Board – the Bluff Community Board. This Board is constituted under Section 49 of the Local Government Act 2002 to:

- Represent, and act as an advocate for, the interests of their community.
- Consider and report on any matter referred to it by the Council and any matter of interest or concern to the Community Board.
- Maintain an overview of services provided by the Council within the community.
- Prepare an annual submission to Council on expenditure in the community.
- Communicate with community organisations and special interest groups in the community.
- Undertake any other responsibilities delegated to it by the Council.

The Bluff Community Board has a chairperson and five other members. Five members are elected triennially by electors in the community, and the Council appoints a member from its ranks. The Board elects its own chairperson at its first meeting after the triennial election.

The Council last reviewed the Community Board representation arrangements in 2015. The next representation review will be undertaken prior to the 2022 elections.

Using Schedule 6 of the Local Government Act 2002, electors can demand the formation of a new Community Board in the district.

### **The Reorganisation Process**

The Local Government Act 2002 sets out procedures which must be followed during proposals to:

- Make changes to the boundaries of the district.
- Create a new district.
- Create a unitary authority, ie transfer all of the functions of the Southland Regional Council (Environment Southland) to Invercargill City Council.
- Transfer a particular function or functions to another council.

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal from any person, body or group, including the local authority or the Minister of Local Government.

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by one of the affected local authorities, or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with the matter.

Proposals for the establishment of a new district or for the creation of a unitary authority will be dealt with by the Commission. If a petition signed by 10% of electors demands a poll on the reorganisation proposal, the proposal cannot be implemented without a poll of electors.

Further information on these requirements can be found in the Local Government Act 2002.

## 7. Members' Roles and Conduct (with Specific Reference to the Applicable Statutory Requirements and Code of Conduct)

The Mayor and the Councillors of the Invercargill City Council have the following roles:

- Setting the policy direction of Council.
- Setting rates.
- Adopting Bylaws.
- Monitoring the performance of the Council.
- Representing the interests of the district (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district).
- Employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of Council. In addition the Mayor has the following roles:

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Standing Orders).
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests, including lobbying central, regional and local government. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council.
- Ceremonial head of Council.
- Lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- Providing leadership and feedback to other elected members on teamwork and chairing committees.

The Deputy Mayor is appointed by the Mayor at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of Council.

The Mayor may establish one or more committees of Council. A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by Council. A committee chairperson may be removed from office by resolution of Council.

The Chief Executive is appointed by the Council in accordance with Section 42 and Clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under Section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the Council.
- Providing advice to the Council and Bluff Community Board.
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised.
- Managing the activities of the Council effectively and efficiently.
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council.
- Providing leadership for the staff of the Council.
- Employing staff (including negotiation of the terms of employment for the staff).

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct and Standing Orders.
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect).
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way.
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.



All elected members are required to adhere to a Code of Conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted such a code may only be amended by a 75% or more vote of the Council. The code sets out the Council's understanding and expectations of how the Mayor and Councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that the Council may impose if an individual breaches the code. Copies of the full Code of Conduct may be obtained from the Council's Secretarial Services and Communications Manager or from the Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)).

## 8. Governance Structures and Processes, Membership, and Delegations

### 8.1 The Role of Council, Council Standing Committees and Appointments to the Bluff Community Board

Council reviews its committee structure at least every three years, usually after each triennial election. The last review was carried out in October 2016.

#### **Council**

Council meets every six weeks.

From time to time, extraordinary meetings may be called for matters of an urgent nature.

#### **Standing Committees**

Council has established five Standing Committees which will meet to monitor performance against the Long-term Plan / Annual Plan, consider matters requiring Council decisions and develop and review policy documents and bylaws pertaining to the activities of the Committee.

(The Mayor is an ex officio member of all committees.)

#### **General Delegation:**

Where any hearing is delegated to a Committee (apart from a hearing of an application for Resource Consent, held under section 34 of the Resource Management Act 1991) then any Councillor who attends the full hearing may participate in the discussions and have a deliberate vote on the Committee decision.

#### **Finance and Policy Standing Committee**

The Finance and Policy Committee is responsible for Council strategy, policy and planning which promotes the social, economic, environmental and cultural well-being of the community and Community Outcomes. Further objectives of the Committee are to manage, control and monitor Council's finances, including the Council Contingency Fund, in accordance with good practice.

The Finance and Policy Committee reviews existing activity plans, policies, bylaws and strategies and, if no longer fit for purpose, refers these back to the full Council for consideration.

The Finance and Policy Committee develops new or revises activity plans, policies, bylaws and strategies for consideration by the full Council.

The Finance and Policy Committee is also responsible for liaising with key stakeholders / partners and Joint Committees.

Chair: Cr D J Ludlow

Deputy Chair: Cr G D Lewis

Members:  
Cr R L Abbott  
Cr R R Amundsen  
Cr I R Pottinger  
Cr L S Thomas

Delegations: To determine hearings that fall within the Finance and Policy Standing Committee list of current Council activities as established in the 2016- 2019 Governance Statement, except where prohibited by Clause 32 of Schedule 7 to the Local Government Act 2002.

Frequency of meetings: Every six weeks

List of current Council activities:

- General Policy and Bylaws.
- Strategic Planning.
- Long-term Plan.
- Democratic Process (Governance, Code of Conduct, Representation Review, Remuneration, Vision).
- Economic Development (includes Venture Southland).
- Shared Services.
- Investment Property.
- Joint Committees – Venture Southland, Regional Heritage Committee, WasteNet.
- Funding for Specialised Community Services (Anderson Park Art Gallery Trust Board, Bluff Maritime Trust Board, Emergency Management Southland, Southland Indoor Leisure Centre Charitable Trust, Southland Museum and Art Gallery Trust Board).
- Sister Cities.
- Financial Reporting.
- Rates Rebates / Rates Relief.
- Rates Review.
- Statements of Intent – Council Controlled Organisations (excluding Invercargill City Holdings Limited which reports directly to Council).

The *Council Contingency Fund Committee* is responsible for considering requests for unbudgeted expenditure.

Its objective is to ensure that Council can respond in a timely manner to requests.

Chair: His Worship The Mayor, Mr T R Shadbolt

Members: Cr D J Ludlow  
Cr L S Thomas

Delegations: Up to \$25,000

Frequency of meetings: As required

*Chief Executive Appraisal Committee:*

Chair: His Worship The Mayor, Mr T R Shadbolt

Deputy Chair: Cr D J Ludlow

Members: Cr R L Abbott  
Cr R R Amundsen  
Cr L S Thomas  
Cr G D Lewis

**Community Services Standing Committee**

The Community Services Committee is responsible for the services and facilities provided by Council for the community's use.

Its objectives are to encourage and monitor the provision of quality, accessible community services and facilities. These and support for specialised community services contribute towards the current and future needs of the district's communities.

*The Community Services Standing Committee:*

- Monitors performance against the Long-term Plan.
- Reviews existing activity plans, policies, bylaws and strategies and, if no longer fit for purpose, refers these back to the full Council for consideration,
- Develops new or revises activity plans, policies, bylaws and strategies for consideration by the full Council.
- Liaises with relevant stakeholders.

Chair: Cr R L Abbott

Deputy Chair: Cr A J Arnold

Members: Cr T M Biddle  
Cr I L Esler  
Cr G D Lewis  
Cr L F Soper

Delegations: To determine hearings that fall within the Community Services Standing Committee list of current Council activities as established in the 2016-2019 Governance Statement, except where prohibited by Clause 32 of Schedule 7 to the Local Government Act 2002.

Frequency of meetings: Every six weeks

List of current Council activities:

- Community Development.
- Housing Care Service.
- Libraries and Archives.
- Passenger Transport.
- Pools.
- Child Youth and Family Friendly Committee.

### **Regulatory Services Standing Committee**

The Regulatory Services Committee is responsible for services which implement and enforce minimum standards for development and behaviour.

Its objectives are to provide and monitor development and regulatory services which implement Government legislation in the Invercargill environment. This is achieved through information and promotion followed by enforcement.

*The Regulatory Services Standing Committee:*

- Monitors performance against the Long-term Plan.
- Reviews existing activity plans, policies, bylaws and strategies and, if no longer fit for purpose, refers these back to the full Council for consideration,
- Develops new or revises activity plans, policies, bylaws and strategies for consideration by the full Council.
- Liaises with relevant stakeholders.

Chair: Cr R R Amundsen

Deputy Chair: Cr T M Biddle

Members:  
Cr K F Arnold  
Cr A H Crackett  
Cr D J Ludlow  
Cr L F Soper

Delegations: To determine hearings that fall within the Regulatory Services Standing Committee list of current Council activities as established in the 2016-2019 Governance Statement, except where prohibited by Clause 32 of Schedule 7 to the Local Government Act 2002.

Frequency of meetings: Every six weeks

List of current Council activities:

- Alcohol Licensing.
- Animal Services.
- Building Services.
- Compliance (including Parking and Mobility Services).
- Environmental Health.

- Resource Management.

### **Infrastructure Services Standing Committee**

The Infrastructure Services Committee is responsible for the provision and control of infrastructure reflecting an area's level of development.

Its objectives are to provide and monitor infrastructure services which enable the district to develop while minimising the effects on the environment. This includes the reliable provision of quality, affordable levels of service.

#### *The Infrastructure Services Standing Committee:*

- Monitors performance against the Long-term Plan.
- Reviews existing activity plans, policies, bylaws and strategies and, if no longer fit for purpose, refers these back to the full Council for consideration,
- Develops new or revises activity plans, policies, bylaws and strategies for consideration by the full Council.
- Liaises with relevant stakeholders.

Chair: Cr L S Thomas

Deputy Chair: Cr I R Pottinger

Members: Cr A J Arnold  
Cr A H Crackett  
Cr K F Arnold  
Cr I L Esler

Delegations: Letting tenders in accordance with approved Annual Plan budgets.

To determine hearings that fall within the Infrastructure Services Standing Committee list of current Council activities as established in the 2016-2019 Governance Statement, except where prohibited by Clause 32 of Schedule 7 to the Local Government Act 2002.

Frequency of meetings: Every six weeks

#### List of current Council activities:

- Cemeteries and Crematorium.
- Council buildings.
- Parks and Reserves (all responsibilities under Reserves Act 1977).
- Public Toilets.
- Regional Transport Committee.
- Roothing.
- Solid Waste Management.
- Stormwater.
- Water Supply.

### **Audit and Risk Standing Committee**

The Audit and Risk Standing Committee is responsible for reviewing audit and financial documentation as well as monitoring risk management processes.

Its objective is to ensure financial compliance and that risk is being adequately managed. The role of the Committee is further outlined in its Charter adopted by Council on 6 March 2012.

Chair:	Cr I R Pottinger
Members:	Cr R L Abbott Cr R R Amundsen Cr D J Ludlow Cr L S Thomas
Delegations:	Nil
Frequency of meetings:	Quarterly and as required

### **Hearings Panel**

The Hearings Panel is responsible for hearing, considering and deciding applications under the Resource Management Act 1991, Dog Control Act 1996, and Gambling Act 2003.

Its objective is to provide quality decision making through equitable, efficient hearings and the drafting of robust decisions by trained panel members.

Chair:	Cr D J Ludlow
Deputy Chair:	Cr K F Arnold
Members:	Cr R R Amundsen Cr T M Biddle Cr A H Crackett * * Certification (qualification required)
Delegations:	(i) Pursuant to Section 34 of the Resource Management Act 1991, the authority to hear and determine any applications for resource consent within the Council's jurisdiction in the Invercargill City district which require a Committee decision or a hearing except where Council resolves to appoint an independent Commissioner or Commissioners to hear and determine an individual consent application.  (ii) Pursuant to the Dog Control Act 1996 and Section 22 (Probationary Owners); Sections 25 and 26 (Disqualified Owners); Section 31 (Dangerous Dogs); Sections 33B, 33C and 33D (Menacing Dogs); Section 55 (Barking Dogs) of

that Act, the authority to hear and determine objections under the above sections; and

- (iii) Pursuant to the Gambling Act 2003 and the Council's "Board Venues" and "Class 4 Gambling Venues" policies, the authority to hear and determine applications for territorial authority consent.

The quorum for each Hearing Panel is two members provided that a qualified Chairman is also present.

The Director of Environmental and Planning Services, in consultation with the Chairman, allocates applications to the Hearings Panel as an administrative function.

Frequency of meetings: As required

#### **Invercargill District Licensing Committee**

The Invercargill District Licensing Committee is responsible for considering and determining licence applications, renewals, variations, suspensions and cancellations in accordance with the Sale and Supply of Alcohol Act 2012. It is also responsible for considering and determining applications for temporary authority and conducting inquiries and making reports to the Alcohol Regulatory and Licensing Authority under that Act.

Chair: Cr D J Ludlow

Deputy Chair: Cr R L Abbott

Members: Cr R R Amundsen  
Cr T M Biddle

A quorum is one member, the Chair, for unopposed applications and three members for opposed applications or applications for temporary authorities. These members will be selected from a shared Southland Regional Licensing Committee list. The appointments expire on 20 December 2019, unless earlier revoked by a Council determination.

Delegations: To consider and determine applications made in accordance with the Sale and Supply of Alcohol Act 2012.

Frequency of meetings: As required.

#### **Council Appointment to Bluff Community Board**

*One position* Cr I L Esler  
(Alternate – Cr A J Arnold)

### **Bluff Community Board**

Chair: Mr R Fife

Deputy Chair: Mrs W Glassey

Members: Mrs G Henderson  
Mr G Laidlaw  
Mrs P Young

Delegations: The Bluff Community Board has the authority to exercise any of the powers granted to the Council, with the exception of:

- (a) Those powers specifically excluded by the law.
- (b) Those powers which Council delegates to officers.
- (c) Those powers which would by the exercise of those powers, have an effect beyond the community of the Community Board involved.
- (d) Resource consent applications.
- (e) Those matters specifically delegated to the Standing Committees of Council.

Frequency of Meetings: Every six weeks

### **Events Committee**

The Events Committee is responsible for considering applications, determining and approving grant funding allocation from the Invercargill City Events Funds.

Its objective is to develop an understanding of the events' sector and the benefits of involvement for the City. The role of the Committee is further outlined in its Terms of Reference adopted by Council on 5 June 2012.

Chair: Cr D J Ludlow

Members: His Worship The Mayor, Mr T R Shadbolt  
Cr T M Biddle  
Cr G D Lewis  
Cr A H Crackett

Delegations: (i) To determine and decide allocations for the Invercargill City Council Iconic Events Fund.  
  
(ii) To determine and decide allocations for the Invercargill City Council Events Development Fund.

Frequency of meetings: Six weekly, but can convene meetings as required for urgent matters.

### **Neighbourhood Fund Committee**

The Neighbourhood Fund Committee is responsible for considering applications, determining and approving grant funding for community-led urban rejuvenation activities within the District from the Neighbourhood Fund.



Its objective is to assess and decide Neighbourhood Fund Funding applications.

Chair:	Cr K F Arnold
Members:	Cr R R Amundsen
Delegations:	To determine and decide applications from the Neighbourhood Fund budget.
Frequency of meetings:	Quarterly, but can convene meetings as required for urgent matters.

### **Community Grants Fund Committee**

The Community Grants Fund Committee is responsible for considering applications, determining and approving grant funding from the Community Grants Fund.

Its objective is to assess and decide Community Grants Funding applications in line with Council's Community Grants Policy and Framework.

Chair:	Cr R R Amundsen
Members:	Four (to be determined at the meeting)
Delegations:	To determine and decide applications from the Community Grants budget.
Frequency of meetings:	Bi-annually, but can convene meetings as required for urgent matters.

### **Council (Director) Appointment Committee**

The Council (Director) Appointment Committee is responsible for recommending to Council the elected officials to be appointed to the ICHL Board and the EIL Board.

Chair:	His Worship The Mayor, Mr T R Shadbolt
Members:	Chairman – ICHL, Mr C McCulloch Member Institute of Chartered Accountants, Mr G Dick Employment Specialist/Institute of Directors, Mr M Stenhouse
Delegations:	Nil
Frequency of meetings:	As required.

### **Child, Youth and Family Friendly Committee**

The Child, Youth and Family Friendly Committee is responsible for providing a co-ordinated and collaborative approach to ensuring that children, youth and families are considered in all strategies, policies and initiatives undertaken and supported by Council.

Its objective is to encourage dialogue between children, youth, families and the Invercargill City Council and develop an annual action plan to implement these goals and objectives. The role of the Committee is further outlined in the Child, Youth and Family Friendly Policy adopted by Council in April 2012.

Chair: Cr D J Ludlow  
Members: Cr A H Crackett  
Delegations: Nil  
Frequency of meetings: Every six weeks

## 8.2 Appointments (and Alternates) to Joint Council Committees

### *Joint Waste Advisory Group Members:*

Cr L S Thomas  
Cr I R Pottinger  
Any other member of the Infrastructure Committee (Alternate)

### *Regional Heritage and Museums Joint Committee:*

Cr I L Esler  
Cr R R Amundsen  
All Other Councillors (Alternate)

### *Regional Land Transport Committee:*

Cr L S Thomas  
All Other Councillors (Alternate)

### *Safe in the South:*

His Worship the Mayor, Mr T Shadbolt  
Cr D J Ludlow  
All Other Councillors (Alternate)

### *Shared Services Forum Members:*

Cr D J Ludlow  
Cr L F Soper  
All Other Councillors (Alternate)

### *Southland Civil Defence Emergency Management Group:*

His Worship The Mayor, Mr T R Shadbolt  
Cr R L Abbott (Alternate)

### *Venture Southland:*

His Worship The Mayor, Mr T R Shadbolt  
Cr A H Crackett  
Cr R R Amundsen (Mayor's Nominee Directorate)

*Southland Regional Licencing Committee Shared List:*

Cr D J Ludlow  
Cr R L Abbott  
Cr R R Amundsen  
Cr T M Biddle

**8.3 Appointments to Organisations where the Appointment is Detailed in the Organisation's Trust Deed**

*Invercargill Public Art Gallery Incorporated (Current Mayor or his/her representative and two other representatives):*

Cr I R Pottinger (Mayor's Nominee)  
Cr R L Abbott  
Cr L F Soper

*Bluff Maritime Museum Trust Board (Incorporated) (The Mayor or the Mayor's nominee and the City Manager or the City Manager's nominee):*

Cr I L Esler  
Mrs C Hadley, Chief Executive

*Southland Historic Buildings Preservation Trust (One representative):*

Cr I L Esler

*Southland Indoor Leisure Centre Charitable Trust (One representative):*

Cr G D Lewis

*The Norman Jones Foundation (One representative):*

Cr R L Abbott  
Cr I R Pottinger (Alternate)

*The Southland Wastebusters Trust (One representative):*

Cr A J Arnold

**8.4 Organisations Which Have Requested a Council Representative and This Request has been Granted**

*Southland Youth Futures:*

Cr A H Crackett

*Invercargill Youth Council:*

Cr A H Crackett

*Iwi Liaison:*

Cr D J Ludlow

*Invercargill and Districts Citizens Advice Bureau Incorporated:*

Cr I R Pottinger

*Age Concern:*

Cr R L Abbott

Cr L F Soper (Alternate)

**8.5 Details of Council Controlled Organisations and Directors/Trustees**

A Council Controlled Organisation is a company or trust in which councils control 50% of the shares or the voting rights, or appoint more than half the board managing the organisation. They may operate as a trading activity for the purpose of making a profit. Council appoints Directors to Invercargill City Holdings Limited in accordance with Council's appointment policy.

*Invercargill City Holdings Limited:*

The Invercargill City Council is a 100% shareholder in Invercargill City Holdings Limited, a Council Controlled Organisation under the Local Government Act. Invercargill City Holdings Limited is a company registered under the Companies Act 1993 to provide reasonable returns to its shareholder (Invercargill).

*Subsidiaries of Invercargill City Holdings Limited*

	<i>Ownership</i>	<i>Nature and Scope of Activities</i>
<i>Invercargill City Forests Limited</i>	<i>100%</i>	<i>Operate a successful forestry business undertaking forestry planting, silviculture and harvesting.</i>
<i>Invercargill City Property Limited</i>	<i>100%</i>	<i>Manage the sales and development of the estate and other properties.</i>
<i>Electricity Invercargill Limited</i>	<i>100%</i>	<i>Operate a successful electricity distribution network and metering service in the Invercargill and Bluff areas.</i>  <i>Invest in the infrastructure, electrical and energy sectors.</i>
<i>Invercargill Airport Limited</i>	<i>97.2%</i>	<i>Provision of airport services at the Invercargill Airport.</i>

Invercargill City Holdings Limited's registered office is in the Invercargill City Council Civic Administration Building, 101 Esk Street, Invercargill.

Invercargill City Holdings Limited has a chairperson and four other directors:

Chair: Mr C McCulloch

Directors: Mr T Loan  
Cr L S Thomas  
Cr D J Ludlow  
Cr G D Lewis

Directors are usually appointed to serve three-year terms. Under the Companies Act 1993, subsidiary company directors' primary responsibility is to the best interests of Invercargill City Holdings Limited. The Council cannot lawfully "instruct" the directors.

Invercargill City Holdings Limited appoints all directors to subsidiary companies.

Council may comment on the Statement of Intent setting out the objectives of Invercargill City Holdings Limited Group for the coming year. Copies of this statement may be obtained from the Director of Finance and Corporate Services, Invercargill City Council, Private Bag 90104, Invercargill.

*Southland Museum and Art Gallery Trust:*

The purpose of the Southland Museum and Art Gallery Trust is to preserve and tell the story of Southland – the experience of people and places over time – and inspire Southlanders to explore and understand the world around them.

The Trust has a Board of eight, including five local authority representatives (three appointed by the Invercargill City Council):

Chair: Cr T M Biddle (Invercargill City Council)

Trustees: Cr D J Ludlow  
Cr R R Amundsen

An annual Statement of Intent is developed by the Trust.

*Invercargill Community Recreation and Sports Trust:*

The Invercargill Community Recreation and Sports Trust aims to increase Invercargill residents' active participation in sports and physical activities and arts and cultural activities. It functions as two entities; Active Communities and Creative Communities.

The Trust has a Board of five, appointed by the Invercargill City Council:

*Creative Communities:*

Trustees: Cr K F Arnold  
Cr G D Lewis

*Active Communities:*

Trustees: Cr A J Arnold  
Cr T M Biddle  
Cr L F Soper

*Invercargill City Charitable Trust:*

The Invercargill City Charitable Trust aims to provide a number of charitable purposes and objects to the people within the Invercargill district as outlined in the Invercargill City Charitable Trust Deed.

The Trust has a Board (not more than five and not less than two) appointed by the Invercargill City Council:

His Worship The Mayor, Mr T R Shadbolt  
Deputy Mayor, Cr R R Amundsen  
Cr G D Lewis  
Chief Executive, Mrs C Hadley

An annual Statement of Intent is developed by the Invercargill City Charitable Trust.

*Invercargill Venue and Events Management Limited:*

Invercargill Venue and Events Management Limited aims to efficiently manage and operate the Civic Theatre and increase greater appropriate use of this facility.

The company has a Board of three appointed by the Invercargill City Council.

Directors: Cr D J Ludlow  
Cr R L Abbott  
Cr T M Biddle

An Annual Statement of Intent is developed by Invercargill Venue and Events Management.

**8.6 Council Proxy**

Appointment as proxy for voting purposes on Council owned or related companies and companies in which Council has a financial interest.

His Worship The Mayor, Mr T R Shadbolt

**8.7 Elector Nomination**

Nomination as "elector" for the purposes of the Southland Electric Power Supply Consumer Trust.

His Worship The Mayor, Mr T R Shadbolt

**9. Meeting Processes (with Specific Reference to the Applicable Provisions of the Local Government Official Information and Meetings Act 1987 and Standing Orders)**

The legal requirements for Council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council and committee meetings must be open to the public unless there is reason to consider some item "in committee" (sometimes also called "public excluded"). Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with Council. Council's Secretarial Services and Communications Manager should be contacted before the meeting to arrange this.

LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order. The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or Committee Chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of Council who does not comply with Standing Orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of Council, at least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days' notice.

During meetings the Mayor and Councillors must follow Standing Orders (a set of procedures for conducting meetings). The Council may suspend Standing Orders by a vote of 75% of the members present. A copy of the Standing Orders can be obtained from Council's Secretarial Services and Communications Manager.

## 10. Consultation Policies

The Local Government Act 2002 (Sections 82, 82A and 83) sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, the special consultative procedure, is regarded as a minimum process for significant Council decisions.

The special consultative procedure consists of the following steps:

- Step One: Preparation of a Statement of Proposal and, if necessary to enable public understanding, a Summary of Information contained in the proposal. The Council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the Council office and may be made available elsewhere. That statement must be included on an agenda for a Council meeting.
- Step Two: Make it publicly available. The Council must ensure that the statement of proposal, a description of how people can present their views to Council on the proposal and a time period for presenting views on the proposal is publicly available. This has to be made as widely available as is reasonably practicable.
- Step Three: Receive views. The Council should acknowledge all written submissions and offer submitters a reasonable opportunity to present their views to Council in a manner that enables spoken (or New Zealand sign language) interaction. The Council must allow at least one month (from the date that the statement is issued) for views to be received.
- Step Four: Hear submissions. Council must set aside sufficient time to hear all those submitters who wish to speak to Council on their submission. The hearings must be open to the public.
- Step Five: Deliberate in public. All meetings where the Council deliberates on the proposal must be open to the public (unless there is some reason to exclude the public under the LGOIMA).
- All submissions or comments made on the proposal must be made available unless there is reason to withhold them under the LGOIMA.
- Step Six: Follow up. A copy of the decision and a summary of the reasons should be provided to submitters. There is no prescribed format for such a summary.



By law, the Council must follow the special consultative procedure before it:

- Adopts a Long-term Plan (LTP).
- Amends a Long-term Plan.
- In some circumstances when Council adopts, revokes, reviews or amends a bylaw.

The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

Council's Significance and Engagement Policy also requires it to consult if the matter is deemed to be significant as per the policy or Council decides that it should be treated as significant.

### **Community-Council Engagement Programme**

Council accepts that different communities will prefer different forms of engagement with Council, and when preferences become apparent will tailor programmes and means of engagement to particular community preferences. The programme includes use of the consultation caravan, community meetings and administrative funding support to Residents' Associations which meet Council criteria.

### **Support of Residents' Associations**

Council will provide financial support up to \$5,000 per group to Residents' Associations that meet the criteria listed below:

- The group represents a geographically based community (excluding Bluff, which already receives Council assistance and has a Community Board).
- The group has a community wide perspective (rather than a single issue); with a community development focus which includes consultation with Council.
- There is sufficient interest and support from that community to resource and run the association.
- The group has an appropriate constitution, a system of electing officers and an annual budget.
- Council financial assistance will be towards the actual administration costs, for example, venue hire for meetings, stationery and photocopying, postage, advertising of meetings, surveys, running a website.
- Project funding, if required, would be obtained by the individual groups from other sources.
- Council would provide other support on request, for example, assistance with setting up the group and a dedicated Councillor to attend group meetings.

## 11. Policies for Liaising with, and Memoranda or Agreements with, Māori

The Invercargill City Council acknowledges the importance of tikanga Māori and values its relationship with both tangata whenua (Ngāi Tahu) and ngā matawaka (other Māori who are not Ngāi Tahu living within Murihiku/Southland).

The four councils of Southland: Environment Southland (Southland Regional Council), Southland District Council, Gore District Council and Invercargill City Council are charged with fostering Māori capacity to contribute to and participate in local government decision making processes.

The relationship that each Council has with Ngāi Tahu ki Murihiku continues to grow in strength. This has been assisted by the establishment of a Charter of Understanding between Te Ao Marama Incorporated (representing nga runanga) and the councils. This relationship allows Te Ao Marama Inc to form the tomokanga (gateway) for consultation between Māori and the councils.

Councils provide resources such as the provision of technical advice, expertise, information and financial support. Te Ao Marama Inc provides for positive consultation, clarification on matters of significance to Iwi and identifies appropriate persons for consultation. An atmosphere of trust and openness is the cornerstone of the relationship which was formed at the signing of the Charter of Understanding.

The Invercargill City Council remains committed to ensuring that opportunities are promoted and offered for Māori to build capacity and to actively engage across the range of Council's decision-making processes.

## 12. Management Structure and the Relationship Between Management and Elected Members

The Local Government Act 2002 requires Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the Council, implement Council decisions and provide advice to the Council. Under the Local Government Act, the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Mayor or Councillors.

The Chief Executive is Mrs Clare Hadley. The Chief Executive has a performance agreement with the Invercargill City Council, and is employed for a term not exceeding five years (subject to possible extension for up to two more years).

Council management is organised as follows:

**Council**  
*Mayor and Councillors*

**Chief Executive**  
**Clare Hadley**  
*Democratic Process  
Destinational Marketing  
Enterprise*

**Environmental and  
Planning Services**

**Director:**  
**Pamela Gare**  
*Animal Services  
Building Services  
Compliance  
Environmental Health  
Resource Management*

**Finance and Corporate  
Services**

**Director:**  
**Dean Johnston**  
*Council Controlled  
Organisations  
Housing Care Service  
Investment Property*

**Works and Services**

**Director:**  
**Cameron McIntosh**  
*Community Development  
Libraries and Archives  
Parks and Reserves  
Passenger Transport  
Pools  
Public Toilets  
Rozing  
Sewerage  
Solid Waste Management  
Management of Southland  
Museum and Art Gallery  
Stormwater  
Water Supply*

The Chief Executive and Directors can be contacted by phoning (03) 2111 777.

### 13. Equal Employment Opportunities Policy

Council is committed to ensuring equality of opportunity for all current and prospective employees and to meeting the various legal obligations in the equitable recruitment, selection, development and conditions of employment of employees.

### 14. Key Approved Planning and Policy Documents and the Process for their Development and Review

The Council has adopted and approved a number of key planning and policy documents to assist it in fulfilling the purpose of local government, performing its role as a local authority and exercising the powers, responsibilities and duties conferred on it.

#### **Long-term Plan**

The Long-term Plan sets out the Council's priorities over the medium to long-term.

Information to be included in the Long-term Plan is set out in Schedule 10 of the Local Government Act 2002, and includes community outcomes, groups of activities, development of Māori capacity to contribute to decision making processes, funding and financial statements, forecast financial statements, funding impact statement and significant forecasting assumptions.

Council's 2018-2028 Long-term Plan was adopted in June 2018 and can be found on

Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)). The Long-term Plan is reviewed every three years.

### **Annual Plan**

An Annual Plan is developed in the two years between Long-term Plans, showing any changes from what was agreed to in the Long-term Plan. The Annual Plan must be adopted by Council before the start of the financial year (1 July). It can be found on Council's website [www.icc.govt.nz](http://www.icc.govt.nz).

### **Annual Report**

An Annual Report is prepared at the conclusion of every financial year (30 June). It compares Council's actual activities and performance against what was intended by the Long-term Plan or Annual Plan. The Annual Report also includes a copy of the Council's audited accounts. Annual Reports must be adopted by Council within four months of the end of the year. It can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)).

### **Activity Management Plans**

These Plans identify and describe in detail the current state and value of Council's assets; the levels of service provided, and to be provided by the assets, and the ongoing expenditure requirements to renew, maintain, and operate and/or further develop the assets. They further identify the levels of service provided, and to be provided, by Council's activities and the associated ongoing expenditure. They can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)). Activity Management Plans were adopted in 2017 (and reviewed every three years) for the following Council activities:

- Buildings Assets.
- Parks and Cemeteries.
- Roothing.
- Sewerage.
- Stormwater.
- Water Supply.
- Regulatory Services
- Community Development.
- Democratic Process.
- Housing Care.
- Libraries and Archives.
- Public Transport.
- Aquatic Services.
- Solid Waste Management.
- Investment Property.

### District Plan

The Invercargill City District Plan was prepared in accordance with the Resource Management Act 1991. It contains objectives, policies and methods (including rules and maps) for the sustainable management of the district's natural and physical resources. The Invercargill City District Plan became operative in February 2005 and every section must be reviewed within ten years. A review of the District Plan commenced in 2011 and culminated with the Proposed District Plan being publicly notified in August 2013. Following a public submission and hearing process, decisions on submissions and further submissions to the Proposed District Plan were notified in October 2016, and the document now has full legal effect. Until such time as all appeals on the Council's decisions on the Proposed District Plan are resolved, both District Plans will continue to operate in parallel. They can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)).

### Triennial Agreement

The Triennial Agreement for Southland local authorities (Invercargill City Council, Gore District Council, Southland District Council and Southland Regional Council) details how the councils will work together through the Southland Shared Services Forum. The Southland Shared Services Forum Memorandum of Understanding and Triennial Agreement were adopted in 2014 and are reviewed every three years.

## 15. Systems for Public Access to it and its Elected Members

The principal office of Invercargill City Council is located in Invercargill. Contact details for the office are:

Post: Invercargill City Council, Private Bag 90104, Invercargill 9840.  
Hand deliver: Helpdesk, Civic Administration Building, 101 Esk Street, Invercargill.  
Phone: 03 211 1777  
Email: [service@icc.govt.nz](mailto:service@icc.govt.nz)  
Website: [www.icc.govt.nz](http://www.icc.govt.nz)

Council's Service Centre: Bluff Service Centre, 12 Gore Street, Bluff

The following are the contact details for the elected members:

<i>Tim Shadbolt, Mayor</i>	<i>(03) 211 1672</i>
<i>Rebecca Amundsen, Deputy Mayor</i>	<i>(03) 214 1755, 027 255 2664</i>
<i>Lindsay Abbott</i>	<i>(03) 216 7111, 027 290 1142</i>
<i>Allan Arnold</i>	<i>027 433 6408</i>
<i>Karen Arnold</i>	<i>027 268 8613</i>
<i>Toni Biddle</i>	<i>027 869 2065</i>
<i>Alex Crackett</i>	<i>021 535 953</i>
<i>Lloyd Esler</i>	<i>(03) 213 0404, 021 176 6580</i>
<i>Graham Lewis</i>	<i>(03) 218 6385, 021 676 647</i>
<i>Darren Ludlow</i>	<i>(03) 215 4777, 021 217 2848</i>
<i>Ian (Rangi) Pottinger</i>	<i>(03) 217 4579, 027 432 3597</i>
<i>Lesley Soper</i>	<i>(03) 216 6427, 027 603 8037</i>
<i>Lindsay Thomas</i>	<i>027 472 4730</i>

## Complaints

Council takes complaints seriously and encourages people to come forward if they are not satisfied with the service they have received. As a general rule:

- We do not deal with anonymous complaints.
- Discuss your concern with the Director of the area you are dealing with (if not sure who this is – phone 03 211 1777 and ask).
- If not satisfied with the way things are being handled or the result, write to the Chief Executive.

Complaints are investigated and responded to in accordance with the rules of natural justice.

Complaints about Elected Representatives should be directed to the Mayor.

## 16. Processes for Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made the Council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- Endanger the safety of any person.
- Prejudice maintenance of the law.
- Compromise the privacy of any person.
- Reveal confidential or commercially sensitive information.
- Cause offence to tikanga Māori or would disclose the location of waahi tapu.
- Prejudice public health or safety.
- Compromise legal professional privilege.
- Disadvantage the local authority while carrying out negotiations or commercial activities.
- Allow information to be used for improper gain or advantage.

The Council must answer requests within 20 working days (although there are certain circumstances where this time frame may be extended). The Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to:

Chief Executive  
Invercargill City Council  
Private Bag 90104  
INVERCARGILL 9840



# Appendix 1

## Legislation which Confers Obligations or Responsibilities on Local Authorities

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Airport Authorities Act 1966  
Animal Welfare Act 1999  
Animals Law Reform Act 1989  
Arts Council of New Zealand Toi Aotearoa Act 1994  
Auctioneers Act 2013

Biosecurity Act 1993  
Building Act 2004  
Building Research Levy Act 1969  
Burial and Cremation Act 1964  
Bylaws Act 1910

Cadastral Survey Act 2002  
Charities Act 2005  
Chartered Professional Engineers of New Zealand Act 2002  
Citizenship Act 1977  
Civil Aviation Act 1990  
Civil Defence Emergency Management Act 2002  
Civil List Act 1979  
Climate Change Response Act 2002  
Commerce Act 1986  
Companies Act 1993  
Conservation Act 1987  
Consumer Guarantees Act 1993  
Copyright Act 1994  
Counties Insurance Empowering Act 1941  
Crimes Act 1961  
Crown Minerals Act 1991

Disabled Persons Community Welfare Act 1975  
District Courts Act 1947  
Dog Control Act 1996

Earthquake Commission Act 1993  
Electoral Act 1993  
Electricity Act 1992  
Employment Relations Act 2000

Energy Companies Act 1992  
Environment Act 1986  
Environmental Protection Authority Act 2011  
Equal Pay Act 1972

Fair Trading Act 1986  
Fees and Travelling Allowances Act 1951  
Fencing Act 1978  
Fencing of Swimming Pools Act 1987  
Financial Reporting Act 2013  
Fire Service Act 1975  
Food Act 2014  
Forest and Rural Fires Act 1977

Gambling Act 2003  
Gas Act 1992  
Goods and Services Tax Act 1985  
Government Roothing Powers Act 1989

Hazardous Substances and New Organisms Act 1996  
Health Act 1956  
Health and Safety at Work Act 2015  
Heritage New Zealand Pouhere Taonga Act 2014  
Holidays Act 2003  
Housing Act 1955  
Housing Corporation Act 1974  
Human Rights Act 1993

Impounding Act 1955  
Income Tax Act 2007  
Insolvency Act 2006  
Interpretation Act 1999

Land Act 1948  
Land Drainage Act 1908  
Land Transfer Act 1952  
Land Transport Act 1998  
Land Transport Management Act 2003  
Limitation Act 2010  
Litter Act 1979  
Local Authorities (Members' Interests) Act 1968  
Local Electoral Act 2001  
Local Government (Rating) Act 2002  
Local Government Act 1974  
Local Government Act 2002  
Local Government Official Information and Meetings Act 1987



Machinery Act 1950  
Major Events Management Act 2007  
Maritime Transport Act 1994  
Minimum Wage Act 1983  
Municipal Insurance Act 1960

National Provident Fund Restructuring Act 1990  
New Zealand Bill of Rights Act 1990  
New Zealand Geographic Board (Nga Pou Taunaha o Aotearoa) Act 2008  
New Zealand Library Association Act 1939  
New Zealand Public Health and Disability Act 2000  
Ngai Tahu Claims Settlement Act 1998

Oaths and Declarations Act 1957  
Occupiers Liability Act 1962  
Ombudsmen Act 1975  
Overseas Investment Act 2005

Parental Leave and Employment Protection Act 1987  
Plumbers, Gasfitters and Drainlayers Act 2006  
Privacy Act 1993  
Property Law Act 2007  
Prostitution Reform Act 2003  
Protected Disclosures Act 2000  
Public Bodies Contracts Act 1959  
Public Bodies Leases Act 1969  
Public Records Act 2005  
Public Works Act 1981

Queen Elizabeth the Second National Trust Act 1977

Railways Act 2005  
Rating Valuations Act 1998  
Rates Rebate Act 1973  
Remuneration Authority Act 1977  
Reserves Act 1977  
Reserves and Other Lands Disposal Acts 1926-2003  
Reserves and Other Lands Disposal and Public Bodies Empowering Acts 1906-1925  
Residential Tenancies Act 1986  
Resource Management Act 1991

Sale and Supply of Alcohol Act 2012  
Search and Surveillance Act 2012  
Secret Commissions Act 1910  
Securities Act 1978  
Securities Transfer Act 1991  
Shop Trading Hours Act 1990  
Smoke-free Environments Act 1990  
Soil Conservation and Rivers Control Act 1941  
Sovereign's Birthday Observance Act 1952

Standards Act 1988  
Statutory Land Charges Registration Act 1928  
Summary Offences Act 1981  
Summary Proceedings Act 1957

Te Ture Whenua Māori Act 1993  
Telecommunications Act 2001  
Transit New Zealand Act 1989  
Transport Act 1962  
Treaty of Waitangi Act 1975  
Trespass Act 1980  
Trustee Act 1956

Unit Titles Act 1972  
Utilities Act 2010

Valuers Act 1948

Waste Minimisation Act 2008  
Wild Animal Control Act 1977  
Wildlife Act 1953

**TO: COUNCIL**  
**FROM: THE DIRECTOR OF WORKS AND SERVICES**  
**MEETING DATE: TUESDAY 24 JULY 2018**

**ARTS AND CREATIVITY INVERCARGILL (ACI)**

**Report Prepared by:** Cameron McIntosh – Director of Works and Services

**SUMMARY**

Council approved the Arts and Creativity Invercargill (ACI) project in the 2018-2028 Long Term Plan. The project is budgeted to commence in the 2018 financial year.

The concept of ACI that was presented to the community and Council envisaged a consolidation of art activities in the inner city including those previously hosted by Southland Museum and Art Gallery (SMAG).

While the SMAG Trust Board carry out a full strategic review of their future purpose, the future location of SMAG related art activities remains unclear.

As both projects (ACI and the new museum) rely on significant Council funding, the ACI project will be placed on hold until it can be confirmed that the budget will be spent in line with the project's original objectives.

**RECOMMENDATIONS**

**That this report be received.**

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Yes
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> No
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> Not at this stage
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> No

**FINANCIAL IMPLICATIONS**

The delayed start to the ACI project may lead to an underspend of the 2018-19 budget.

**BACKGROUND**

An Arts Centre for Invercargill was one of the key recommendations from the Southland Regional Development Strategy (SoRDS). Originally commenced by SoRDS, Council assumed responsibility for the development of the concept, firstly through the Art in the Heart community consultation and finally with the engagement of Tim Walker and Associates.

The Long Term Plan includes the following summary of the project:

*A small majority of submitters supported the development of the Art Centre. Many added that it was time that the cultural projects and facilities within Invercargill received funding and priority. Funding for this project is scheduled to begin in 2018/19 with the development beginning in 2021/22.*

*The tone of submissions changed following the museum closure. Many of the submitters that both indicated they supported, and also those that indicated that they opposed, the Art Centre project raised that the Museum redevelopment was now more important than the development of the Art Centre. The alternative view was that the two projects should be completed together and within one facility.*

*The Art Centre is an important project for Council and will encompass the arts section of the Southland Museum and Art Gallery, leaving the museum redevelopment to focus on the museum functions in whatever form they take.*

*Council decided to develop and operate the Arts Centre. The total cost of the project is estimated at \$16 million, \$6.3 million will be contributed to the project by the Invercargill City Council, with the remaining funding being funded by external funders. Council will also fund part of the operational costs of running Arts and Creativity Invercargill.*

Since the closure of the museum, the SMAG Trust Board has commissioned Tim Walker and Associates to assist with a strategic review of the purpose of SMAG. Extensive community consultation is currently underway. It is expected that the SMAG Trust Board will make a decision on the future location of their art related activities after the review is completed.

The first stage of the of the ACA project delivery involves the recruitment of an appropriate candidate to lead the project. The candidate specification should include the scope of the project and it is not possible to be clear about this without the decision from SMAG.

Council also signalled an intention to assist SMAG with financial support for a redevelopment of the museum.

Since Council is extensively funding both projects, ACI and the museum, it is considered prudent to delay starting the ACI project until the location of SMAG art activity is known.

**RISK**

Delaying the start of ACI will likely mean the project will be late being completed. This risk is minor compared to the risk of Council being put in the position of funding competing projects.

**SUMMARY**

The ACI project start will be delayed until the SMAG decision on location of its art activities is decided.

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## ACTION SHEET

Item	Action Required	Date for Completion	Person Responsible
Directors Remuneration	Report	<i>5 June 2018</i>	CE / Mr Johnston
Maori Relationship	Report	<i>24 July 2018</i>	Ms Short
Proceeds from the Sale of Don Street properties	Report / Discussion	<i>24 July 2018</i>	Mr Johnston / Full Council

**TO: COUNCIL**  
**FROM: HIS WORSHIP THE MAYOR, MR T SHADBOLT**  
**MEETING DATE: TUESDAY, 24 July 2018**

<b>MAYOR'S REPORT</b>
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**Report Prepared by:** His Worship the Mayor, Mr T Shadbolt

**SUMMARY**

List of engagements and current issues.
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**RECOMMENDATION**

That the report be received.

**IMPLICATIONS**

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> N/A.
2.	<i>Is a budget amendment required?</i> N/A.
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> N/A.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> N/A.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> N/A.

**FINANCIAL IMPLICATIONS**

N/A.

**ENGAGEMENTS**

- Workshop with Tim Walker
- Morning Tea with James Hargest College Students
- Meeting with SIT Student R Denisenko
- ILT Southland Sports Awards
- Highlanders vs French Barbarians
- Invercargill Charitable Trust Meeting
- Audit Committee Meeting
- Extraordinary Council Meeting
- NZ Airport Association Reception at Parliament
- Community Services Committee Meeting
- Workshop with Greg Carlyon
- Southern Steel vs Pulse
- Regulatory Services Committee Meeting
- James Hargest College Production of Evita
- NZAS Morning Tea
- Meeting with Ministry of Social Development
- Meet with Massey University Students and Mascot Fergus the Ram
- Opening of FMG Young Farmer of the Year

- Young Farmer of the Year 50<sup>th</sup> Year Celebration Dinner
- AgriKids and TeenAg Prizegiving
- Matariki Powhiri
- Infrastructure and Services Committee Meeting
- Finance and Policy Committee Meeting
- Officially open Kidzone
- SIT Re-O Week
- Local Government New Zealand Conference
- Tourism New Zealand Roadshow
- Mayoral Forum Workshop
- Hon Winston Peters Dinner
- Interview with Dave Gooselink
- Interview with Sky TV – Southern Sting Reunion Game
- Southern Sting Reunion Netball Game
- Citizenship Ceremony

## REPORTS

I found this year's Local Government Conference quite challenging. Our executive members seemed very keen that our role model for Local Government in New Zealand should be based on Switzerland. There was strong support by delegates to the conference because a substantial amount of that small nation's tax revenue is given to Local Government so they can determine their own priorities. However, after discussing the proposal with some of my fellow Mayor's I doubt that their political system would suit New Zealand.

Congratulations to Logan Wallace for winning the New Zealand Young Farmer of the Year Award. Not only was it a tough competition for the Young Farmers of the future but it was also a brilliant opportunity to show off the magnificent facilities we have in Invercargill. Southland Boys High School, Queens Park, Donovan Park and of course our mighty ILT Stadium Southland all hosted segments of this prestigious national event. I had the honour of speaking at the opening of two events and contributed to a video about Fergus the Ram from Massey University. The inner city was also busy thanks to the Matariki celebrations organised by Kari Graber our Inner City Co-ordinator and the James Hargest production of Evita directed by the tireless warrior of theatrical productions Johnathan Tucker. The pop up display on the HWCP proposal for the CBD was also a popular attraction. While the thought of major demolition work excites the passion of the majority of our citizens who wish to see the old structures of our inner city replaced with modern, stylish, spectacular architecturally designed buildings. There are a brave few who will argue in favour of protecting our heritage. That's democracy. In my view, work has begun and commitments made so there is no turning back.

However, we can still tweak the development. I would like to see a large children's playground on the site. Mitre 10, Transport World and McDonalds all work so well because they have an onsite zone for children. The modern retail sector is facing major challenges from Amazon and the internet. It will only survive as a precinct if it includes entertainment. The same rule applies to our new museum. It must be exciting, and interactive with a huge WOW factor. Penny Simmonds the CEO of SIT believes she has found the perfect example and is organising a delegation to visit the venue. I'm convinced that although there is still an element of sadness regarding the closure of the pyramid, the replacement will be absolutely stunning and safe. Our young farmers are also facing a huge challenge from the producers of fake meat. Only with creative, original thinking and marketing will they continue to flourish. When Britain deserted us and joined the common market we thought our agricultural economy would collapse. It didn't. We will survive whatever the future may hurl in our direction!

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