



---

## **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 August 2021 at 2.00 pm**

His Worship the Mayor, Sir T R Shadbolt  
Cr R L Abbott  
Cr R R Amundsen  
Cr A J Arnold  
Cr W S Clark  
Cr A H Crackett  
Cr P W Kett  
Cr G D Lewis  
Cr M Lush  
Cr D J Ludlow  
Cr I R Pottinger  
Cr N D Skelt  
Cr L F Soper

CLARE HADLEY  
CHIEF EXECUTIVE

# AGENDA

1. **Apologies**
2. **Public Forum**
3. **Declaration of Interest**
  1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
  2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.
4. **Minutes of the Meeting of Council Held on 27 July 2021**  
A3462017  
  
To be moved:  
That the minutes of Council held on 27 July 2021 be confirmed.
5. **Minutes of the Extraordinary Meeting of the Infrastructural Services Committee Held on 27 July 2021**  
A3479076  
  
To be moved:  
That the minutes of the Extraordinary meeting of the Infrastructural Services Committee held on 27 July 2021 be received
6. **Minutes of the Infrastructural Services Committee Meeting Held on 3 August 2021**  
A3479108  
  
To be moved:  
That the minutes of the Infrastructural Services Committee meeting held on 3 August 2021 be received
7. **Minutes of the Performance, Policy and Partnerships Committee Meeting Held on 10 August 2021**  
A3492567  
  
To be moved:  
That the minutes of the Performance, Policy and Partnerships Committee meeting held on 10 August 2021 be received, and the recommendations to Council be confirmed.

## RECOMMENDATION TO COUNCIL:

### 15.2 IVEM A3495543

1. That clause 15.1 of the Invercargill Venue and Events Management Limited (IVEM) constitution, as set out below, be changed to a minimum number of Directors of two.

**IVEM**

*The shareholder resolves as a special resolution of Invercargill Venue and Events Management Limited (the Company) under section 122 of the Companies Act 1993 that:*

1. *Clause 15.1 of the Company's constitution be revoked and the following new clause 15.1 be substituted:*

**15.1 Number of Directors**

*The minimum number of directors (other than alternate directors) shall be two (2) and the maximum number of directors (other than alternate directors) shall be five (5). The shareholders may change the minimum and maximum number of directors by special resolution.*

8. **Minutes of the Extraordinary Meeting of Council Held on 10 August 2021**  
A3505707

To be moved:

That the minutes of the Extraordinary meeting of Council held on 10 August 2021 be confirmed.

9. **Minutes of the Bluff Community Board Meeting Held on 16 August 2021**  
A3510181

To be moved:

That the minutes of the Bluff Community Board meeting held on 16 August 2021 be received

10. **Governance Statement 2019 – 2022 – August 2021 Amendment**  
A3510031

- 10.1 **Appendix 1 - Governance Statement 2019 – 2022 – August 2021 Amendment**  
A3500010

11. **Delegations Register – First Review and Mana Whenua Update**  
A3486137

- 11.1 **Delegations Register – Council and Finance**  
A3481914

12. **Urgent Business**

13. **Public Excluded Session**

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting; with the exception of the external appointees, Mr Jeff Grant and Mr Lindsay McKenzie, namely,

- (a) *Confirmation of minutes of the Public Excluded Session of Council held on 27 July 2021*
- (b) *Receiving of minutes of the Public Excluded Session of the Extraordinary Meeting of the Infrastructural Services Committee held on 27 July 2021*

A3510315

- (c) *Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 3 August 2021*
- (d) *Confirmation of minutes of the Public Excluded Session of the Extraordinary Council held on 10 August 2021*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the local government official information and meetings act 1987 for the passing of this resolution are as follows:

<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) Confirmation of minutes of the Public Excluded Session of Council held on 27 July 2021	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(b) Receiving of minutes of the Public Excluded Session of the Extraordinary Meeting of the Infrastructural Services Committee held on 27 July 2021	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(c) Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 3 August 2021	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(d) Confirmation of minutes of the Public Excluded Session of the Extraordinary Council held on 10 August 2021	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

**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 27 JULY 2021 AT 3.00 PM**

**PRESENT:** His Worship the Mayor, Sir T R Shadbolt  
Cr R L Abbott  
Cr R R Amundsen  
Cr A J Arnold  
Cr W S Clark  
Cr A H Crackett  
Cr P W Kett  
Cr G D Lewis  
Cr D J Ludlow  
Cr M Lush  
Cr I R Pottinger  
Cr N D Skelt  
Cr L F Soper  
Mr L McKenzie – External Appointee

**IN ATTENDANCE:** Mrs G Henderson – Bluff Community Board  
Mr N Peterson – Bluff Community Board  
Mrs C Hadley – Chief Executive  
Ms E Moogan – Group Manager – Infrastructure  
Mr M Day – Group Manager – Finance and Assurance  
Mr S Gibling – Group Manager – Leisure and Recreation  
Ms T Hurst – Group Manager – Customer and Environment  
Mr P Thompson – Executive Manager – Office of the Chief Executive  
Mr M Morris – Legal Counsel  
Mr R Pearson – Manager – Roading  
Ms T Browne – Delivery Manager – Project Management Office  
Ms L Knight – Manager – Strategic Communications  
Ms H McLeod – Strategic Projects Communications Lead  
Ms R Pou – Health and Safety Coordinator  
Ms K Davidson – Digital Content Creator  
Mrs T Amarasingha – Governance Support Advisor  
Ms M Tupara – Governance Operational Administrator  
Ms M Cassiere – Executive Governance Officer

1. **APOLOGY**

Mr J Grant

Moved the Mayor, seconded Cr Abbott and **RESOLVED** that the apology be accepted.

2. **PUBLIC FORUM**

Nil.

3. **DECLARATIONS OF INTEREST**

Nil.

4. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING HELD ON 1 JUNE 2021**  
A3420991

Moved Cr Pottinger, seconded Cr Soper and **RESOLVED** that the recommendations from the Infrastructural Services Committee meeting held on 1 June 2021 be received.

5. **MINUTES OF THE MEETING OF COUNCIL HELD ON 30 JUNE 2021**  
A3432971

Moved Cr Lewis, seconded Cr Amundsen and **RESOLVED** that the minutes of the Council meeting held on 30 June 2021 be confirmed.

6. **MINUTES OF THE EXTRAORDINARY MEETING OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE HELD ON 30 JUNE 2021**  
A3434645

Moved Cr Ludlow, seconded Cr Lewis and **RESOLVED** that the minutes of the Extraordinary meeting of the Performance, Policy and Partnerships Committee meeting held on 30 June 2021 be received.

7. **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 13 JULY 2021**  
A3486477

Moved Cr Abbott, seconded Cr Soper and **RESOLVED** that the minutes of the Extraordinary meeting of the Council held on 13 July 2021 be confirmed.

8. **MINUTES OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE MEETING HELD ON 13 JULY 2021**  
A3461424

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that the minutes of the Performance, Policy and Partnerships Committee meeting held on 13 July 2021 be received, and the following recommendations be confirmed:

**9. 2 Mana Whenua Appointed Roles**  
A3438025

**Recommendations to Council:**

1. Establish two roles (one for each *Rūnaka*) on the Performance, Policy and Partnerships Committee and Infrastructural Services Committee with full voting rights.
2. Offers an advisory role to the Bluff Community Board for Te *Rūnanga o Awarua*.
3. Resolves to consult with Takata Whenua on the persons to be appointed to the roles and implementation issues.

4. Resolves to consult with Maata Waka on the creation of mana whenua appointed roles and the role of all *Māori* within the Local Government Act 2002 framework.
5. Resolves to appoint the persons to the roles from 24 August 2021.
6. Resolves to commence the roles from September 2021.

**10.2 2021 Representation Review – The Initial Proposal**  
A3456362

**Recommendations to Council:**

1. Adopts the Initial Proposal as contained and set out in Appendix 2 of this Report.
2. Requests a report from the Chief Executive on options to address the 'Additional Comments' of the Community Panel in accordance with her obligations under the Local Government Act 2002 in relation to Local Elections.

9. **WORKING ON WORKING TOGETHER – UPDATE FROM PROJECT GOVERNANCE GROUP**  
A3471495

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

1. Receives the report "*Working on Working Together – Update from the Project Governance Group*".
2. Note that the Group have changed their approach to their meetings.

10. **REPORT OF HIS WORSHIP THE MAYOR**  
A3473435

Moved Cr Abbott, seconded Cr Lewis and **RESOLVED** that Council:

1. That the report 'Report of His Worship the Mayor' be received.

11. **URGENT BUSINESS**

Nil.

12. **COUNCIL IN PUBLIC EXCLUDED SESSION**

Moved Cr Soper, seconded Cr Abbott and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, with the exception of the External Appointee, Mr Lindsay McKenzie, namely:

- (a) *Confirmation of Minutes of the Public Excluded Session of Council held on 30 June 2021*
- (b) *Receiving of Minutes of the Public Excluded Session of the*

*Extraordinary meeting of the Performance, Policy and Partnerships Committee held on 30 June 2021*

- (c) *Confirmation of Minutes of the Public Excluded Session of the Extraordinary meeting of Council held on 13 July 2021*
- (d) *Receiving of Minutes of the Public Excluded Session of the Performance, Policy and Partnerships Committee meeting held on 13 July 2021*

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

<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) <i>Confirmation of Minutes of the Public Excluded Session of Council held on 30 June 2021</i>	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(b) <i>Receiving of Minutes of the Public Excluded Session of the Extraordinary meeting of the Performance, Policy and Partnerships Committee held on 30 June 2021</i>	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(c) <i>Confirmation of Minutes of the Public Excluded Session of the Extraordinary meeting of Council held on 13 July 2021</i>	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(d) <i>Receiving of Minutes of the Public Excluded</i>	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on,	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to



<i>Session of the Performance, Policy and Partnerships Committee held on 13 July 2021</i>	without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	result in the disclosure of information for which good reason for withholding would exist under Section 7
---	--	---

**Note:** The meeting adjourned at 3.10 pm to allow for the Extraordinary meeting of the Infrastructural Services Committee to commence.

There being no further business, the meeting finished at 5.15 pm.

**MINUTES OF THE EXTRAORDINARY MEETING OF THE INFRASTRUCTURAL SERVICES COMMITTEE HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL ON TUESDAY 27 JULY 2021 AT 3.10 PM**

**PRESENT:** Cr I R Pottinger (Chair)  
Cr A H Crackett (Deputy Chair)  
His Worship the Mayor, Sir T R Shadbolt  
Cr R L Abbott  
Cr R R Amundsen  
Cr A J Arnold  
Cr W S Clark  
Cr P W Kett  
Cr G D Lewis  
Cr D J Ludlow  
Cr M Lush  
Cr N D Skelt  
Cr L F Soper  
Mr J Grant – External Appointee  
Mr L McKenzie – External Appointee

**IN ATTENDANCE:** Mrs G Henderson – Bluff Community Board  
Mr N Peterson – Bluff Community Board  
Mrs C Hadley – Chief Executive  
Ms E Moogan – Group Manager – Infrastructure  
Mr M Day – Group Manager – Finance and Assurance  
Mr S Gibling – Group Manager – Leisure and Recreation  
Ms T Hurst – Group Manager – Customer and Environment  
Mr P Thompson – Executive Manager – Office of the Chief Executive  
Mr R Pearson – Manager – Roading  
Ms T Browne – Delivery Manager – Project Management Office  
Ms L Knight – Manager – Strategic Communications  
Ms H McLeod – Strategic Projects Communications Lead  
Ms K Davidson – Digital Content Creator  
Ms M Cassiere – Executive Governance Officer

**1. MAJOR LATE ITEM**

Moved Cr Pottinger, seconded Cr Crackett and **RESOLVED** that the Major Late Item, City Streets Upgrade – Detailed Cost Information, be accepted and that it be considered in Public Excluded.

**2. APOLOGIES**

Nil.

**3. PUBLIC FORUM**

**3.1 Closure of Don and Esk Streets**

Mr Ben Fokkens of Shoe Clinic was in attendance to speak about the closure of Don Street and Esk Street. He said that he was in favour of the city build development however, the closure of the streets for 14 months seemed extremely long and unreasonable. He explained that two years

ago, during the upgrade of pipes in Tay Street for two months, the retailers experienced a decrease of 30% in trade and queried what should the retailers expect with the closure of Don Street and Esk Street for 14 months. Mr Fokkens proposed that the contractor, Downers, increase man-power and work schedule to complete the street works at an accelerated pace.

In response to queries, Mr Fokkens said that the majority of the retailers understood the need for the work however, they were distressed with the time frame of the streets' closure. He also noted that that reduction in the operating costs would be helpful, however a reduction of 30% in trade would be hard for most retailers. Mr Fokkens stated that free or limited car parking could entice people back to the Esk Street area however, those would have to be policed. He further stated that incentivised parking based on receipt of a purchase would be of help with the issue of limited parking.

The Chair thanked Mr Fokkens for taking the time to attend the meeting.

### 3.2 Closure of Don and Esk Streets

Mr Bernie Brown of McKnight and Brown was in attendance to speak about the closure of Don Street and Esk Street. He queried whether the current state of the streets would allow access for all people including the elderly and disabled. Mr Brown stated that there had to be a better way to complete the street work.

In response to a query about whether he had any thoughts or solutions, Mr Brown said that looking at ways to reduce the timeframe of road closures would be helpful.

In response to a query about Barnes Dance crossings, Mr Brown said that it could be a huge plus.

In response to a query whether shuttles could be arranged for customers, Mr Brown said that for customers who were elderly or disabled, they already provided shuttle service. Mr Brown also suggested that perhaps the contractor could use shuttle service for their workers who would be working at the sites which would free up parking spaces around the areas.

The Chair thanked Mr Brown for taking the time to attend the meeting.

## 4. DECLARATIONS OF INTEREST

Nil.

## 5. CITY STREETS UPGRADE – DESIGN COMPLETION

A3479316

Mr John Green, Chair of the City Centre governance group, Mr Russell Pearson and Ms Tess Browne were in attendance to speak to this item. Mr Pearson took the meeting through a power point presentation of the City Streets Upgrade (A3500363).

**Note:** Cr Lush left the meeting at 3.43 pm.

**Note:** Cr Lush re-joined the meeting at 3.46 pm.

Mr Pearson noted that aspects of the City Streets Upgrade had been completed and that the implementation of the Upgrade plan would now begin.

Mr Green said that there were three aspects of the build which should be considered: timeline of the build, mitigation of impact and how do we think and act differently. He said that some of these aspects were already being discussed and although each impact may not be mitigated, it would reduce the impact as much as possible.

In response to several queries about drop – off zones, free or receipted parking areas, Barnes Dance crossings, and difficulty of getting from Wachner Place across to Hallensteins, Mr Pearson noted that the left turn area near Esk Street could be turned into a drop – off zone and also stated that the public bus service was available to drop people off in the city center. Mr Pearson noted that places which could be turned into short term parking need to be identified, and he stated there were discussions in place to reduce some of the issues.

In response to a query about rates relief for the retailers to help with the potential drop off of 30% in trade, Ms Moogan said that rates relief would become part of the costs of the project and those costs would be borne by the community of ratepayers. Ms Moogan also noted that the benefit and disruption of the project would have to be balanced, as well as keeping the streets promoted and activated. Ms Moogan further elaborated that there had been heavy infrastructure builds around the country with significantly longer closures during which rates relief had not been granted, and that Invercargill had undergone long closures in the past without providing rates relief, and from staff perspective rates relief would not be recommended.

In response to a query whether the contractor would have the capacity for a double work force, which would also include the health and safety aspect of the work force, Mr Pearson stated that the work schedule included work from Monday to Friday which would start from seven am to six pm during these months, while work hours may increase and vary during the summer months. Mr Pearson also noted that some type of work will have to be done in the night due to the nature of the work and noise levels, while some parts of the work would have to be completed in a sequential manner.

In response to a query about whether the opening of Farmers would provide impact to the issue of parking, Mr Pearson noted that the opening would create a parking for 250 cars which would provide access to Esk Street and significantly lessen the impact of loss of traffic.

In response to a query about providing incentives to the contractor to expedite the delivery timeframe, Mr Pearson noted that the type of contract was that of cost reimbursement. He stated that the approach with the contractor was that of penalties in case of delay in deliveries and that creating incentive programmes would not be a way to go. He noted that the programmes designed with the contractor would be to deliver at the fastest possible time frame.

Ms Moogan noted that staff had worked with specialists on the contract and had looked at all types of contracts. She also noted that there were constraints in Esk Street that would contribute for the stated time frame of 14 months closure. These included the existing hoardings for building works, the number of underground utilities contractors requiring access to the street, the placement of the existing streets, etc., which all narrow the corridor.

**Note:** Mr Jeff Grant joined the meeting at 4.29 pm.

In response to a query about why the work could not be done during the night, Mr Pearson noted that this project has aspects which would require daylight. He stated that this project would require work on the roads and there could be a risk of disrupting a utility line hence the need for some aspects to be done during daylight.

In response to a query about Barnes Dance crossing at the Kelvin Street end to make it more useful for pedestrians, Mr Pearson noted that they could look into it although he did not believe it would enhance level of service for pedestrians as at this point.

In response to a query about improvement of surface at Wachner Place crossing for elderly and disabled people, Mr Pearson noted that the surface would be improved and an asphalt surface laid to provide a better surface.

In response to a query about the idea of a shuttle service for workers to open up parking spaces for other people, Mr Green noted that the idea had merit and would be discussed with the contractor and sub - contactors.

In response to queries about whether the Māori Celtic Wall would be a visual barrier to crossing of Dee Street and about the future of the wall, Mr Pearson stated at present there were no plans for it, and that whether the wall would be a visual barrier would depend on individual people.

In response to a query about moving the crossing nearer to Hallensteins with a shelter instead of a crossing at Dee Street, Mr Pearson said that installation of signal lights would require a technical aspect and noted that they would look into it.

Moved Cr Clark, seconded Cr Skelt and **RESOLVED** that the Infrastructural Services Committee:

1. Receives the report "City Streets Upgrade – Design Completion".
2. Notes that Downer NZ Limited (Downer) has been selected as the Construction Delivery Contractor for Stage 1 of the City Streets Upgrade project, through a publically offered process and is being considered in the Public Excluded agenda for this meeting.
3. Confirms that a future contract extension (Stage 2) may be available to Downer at Council discretion. If exercised, Council approval would be sought for this.
4. Confirms that a number of road closures are required to undertake the works in Esk and Don Streets to meet the programme timelines for adjacent developments and that these closures are for extended periods necessary to safely undertake the works.

## 6. **PUBLIC EXCLUDED SESSION**

Moved Cr Soper, seconded Cr Abbott and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, with the

exception of the External Appointees, Mr Jeff Grant and Mr Lindsay McKenzie, and Mr John Green, namely:

(a) *City Streets Upgrade – Detailed Cost Information*

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

<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) City Streets Upgrade – Detailed Cost Information	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

There being no further business, the meeting finished at 5.10 pm.

**MINUTES OF A MEETING OF THE INFRASTRUCTURAL SERVICES COMMITTEE HELD  
IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING,  
101 ESK STREET, INVERCARGILL ON TUESDAY 3 AUGUST 2021 AT 3.00 PM**

**PRESENT:** Cr I R Pottinger (Chair)  
Cr A H Crackett (Deputy Chair)  
His Worship the Mayor, Sir T R Shadbolt  
Cr R L Abbott  
Cr R R Amundsen  
Cr A J Arnold  
Cr W S Clark  
Cr P W Kett  
Cr G D Lewis  
Cr M Lush  
Cr D J Ludlow  
Cr N D Skelt  
Cr L F Soper  
Mr J Grant – External Appointee  
Mr L McKenzie – External Appointee (via zoom)

**IN ATTENDANCE:** Mrs G Henderson– Bluff Community Board Member  
Mr N Peterson – Bluff Community Board Member  
Mrs C Hadley – Chief Executive  
Ms E Moogan – Group Manager – Infrastructure  
Mr M Day – Group Manager – Finance and Assurance  
Ms T Hurst – Group Manager – Customer and Environment  
Mr S Gibling – Group Manager – Leisure and Recreation  
Mr A Cameron – Strategic Advisor / GM - ICHL  
Mr R Pearson – Manager – Roading  
Mr A Cocker – Operations Technologist  
Ms H McLeod – Strategic Projects Communications Lead  
Ms K Davidson – Digital Content Creator  
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Nil.

2. **PUBLIC FORUM**

Audio Crossing Signals – Mr Vic West

Mr Vic West was in attendance to speak to this item. He noted that he represented the Blind Citizens Association and spoke about issues with audio crossing signals. He noted that the length of time required to fix the issues were too long and requested that some action be taken to restore the audio signals to their original states.

Mr Pearson was invited to provide a background to the functionalities of the audio crossing signals. He noted that maintenance and checks were conducted on a fairly regular basis with the most recent being done in March 2021. He stated that he would arrange for a team to look into the issues.

The Chair thanked Mr West for taking the time to attend the meeting.

3. **MAJOR LATE ITEM**

Moved Cr Abbott, seconded Cr Kett and **RESOLVED** that the Infrastructural Services Committee receive the major late item in Public Excluded session.

1. Change to Delegations in Relation to Property Sale Lower Esk Street.

4. **DECLARATIONS OF INTEREST**

Nil.

5. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING HELD ON 1 JUNE 2021**

A3420991

Moved Cr Soper, seconded Cr Amundsen and **RESOLVED** that the minutes of the Infrastructural Services Committee held on 1 June 2021 be confirmed.

6. **MINUTES OF THE EXTRAORDINARY MEETING OF THE INFRASTRUCTURAL SERVICES COMMITTEE HELD ON 27 JULY 2021**

A3479076

Moved Cr Crackett, seconded Cr Lewis and **RESOLVED** that the minutes of the Extraordinary meeting of the Infrastructural Services Committee held on 27 July 2021 be confirmed.

7. **WATER REFORM UPDATE**

Ms Moogan provided a verbal update of this item and noted that this report was to initiate a discussion among the elected members around the 3 Waters Reform.

Discussion around the Reform took place over a range of topics and included the \$2.5 Billion package, whether the assets would be privatised, whether the cost of water would increase, and whether ICC would gain any benefits of discounts by opting in to the Reform.

It was noted that as per current legislation, Council could not make a decision on the assets without going out to public for a special consultation. Discussions took place on whether the legislation would change to allow for the Reform to take place or whether being part of the Reform would be mandated.

8. **DRINKING WATER COMPLIANCE WITH DRINKING WATER STANDARDS OF NEW ZEALAND**

A3495739

Mr Adrian Cocker was in attendance to speak to this report. He noted that future of reporting would potentially change from Public Health South to Taumata Arowai.



Moved Cr Abbott, seconded Cr Lewis and **RESOLVED** that the Infrastructural Services Committee:

1. Receive the report "Compliance with Drinking Water Standards of New Zealand".

9. **ELECTRICITY INFRASTRUCTURE CAPACITY TO SUPPORT ELECTRIC VEHICLES**

A3495112

Mr Andrew Cameron was in attendance to speak to this item and noted that information from Electricity Invercargill Limited was at a high level at this stage. Mr Cameron also noted that Electricity Invercargill Limited were satisfied that they could meet the projected demand for electricity through the increase in usage of electric vehicles.

Moved Cr Soper, seconded Cr Ludlow and **RESOLVED** that the Infrastructural Services Committee:

1. Receives the report "Electricity Invercargill Limited – Electric Vehicle Capacity".
2. Notes that Electricity Invercargill Limited is well placed to meet projected demand as a result of vehicle electrification and decarbonisation.

10. **ACTIVITY REPORT**

A3482028

Mr Gibling spoke to the item on the Leisure and Recreation part of the report. He noted that performance reviews of 182 parks were undertaken of which 6 parks were in poor condition and for which resources would be focused in the coming months. In response to a query whether the data on the users of the hydro slides could be financially quantified, Mr Gibling said that he would bring a report at the next meeting.

In response to a query about lack of sufficient car parking at venues during events which attract high volumes of people and whether these issues would be addressed in the future, Mr Gibling said that the standards of car parking in infrastructure and reserves were undergoing an assessment, and stated that some of the parks may be included in the master planning. He further noted that some of the parks were jointly owned with other stakeholders, and identification of responsibilities for the parks were being worked on by his team.

Ms Moogan spoke to the Infrastructure part of the report. In response to a query about abandoned bus shelters, Ms Moogan said that they were working on them and noted that some of the bus shelters were owned by a range of stakeholders. She further explained that they were working on either getting them tidied up or be removed.

Moved Cr Pottinger, seconded Cr Clark and **RESOLVED** that the Infrastructural Services Committee:

1. Receives the report "Activity Report".

11. **URGENT BUSINESS**

Nil.

12. **PUBLIC EXCLUDED SESSION**

Moved Cr Abbott, seconded Cr Soper and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, with the exception of the External Advisors, Mr Jeff Grant and Mr Lindsay McKenzie; namely:

- (a) *Confirmation of Minutes of the Public Excluded Session of the Infrastructural Services Committee meeting held on 1 June 2021*
- (b) *Confirmation of Minutes of the Public Excluded Session of the Extraordinary meeting of the Infrastructural Services Committee held on 27 July 2021*

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

<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) Confirmation of Minutes of the Public Excluded Session of the Infrastructural Services Committee meeting held on 1 June 2021	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(b) Confirmation of Minutes of the Public Excluded Session of the Extraordinary meeting of the Infrastructural Services Committee held on 27 July 2021	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

There being no further business, the meeting finished at 3.59 pm.

**MINUTES OF A MEETING OF THE PERFORMANCE, POLICY AND PARTNERSHIPS  
HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION  
BUILDING, 101 ESK STREET, INVERCARGILL ON TUESDAY 10 AUGUST 2021  
AT 3.00 PM**

**PRESENT:** Cr D J Ludlow (Chair)  
Cr R R Amundsen (Deputy Chair)  
Cr R L Abbott (via zoom)  
Cr A J Arnold  
Cr W S Clark  
Cr A H Crackett  
Cr P W Kett  
Cr G D Lewis  
Cr M Lush  
Cr I R Pottinger  
Cr N D Skelt  
Cr L F Soper  
Mr J Grant – External Appointee  
Mr L McKenzie – External Appointee (via zoom)

**IN ATTENDANCE:** Mr N Peterson – Bluff Community Board Member  
Mrs C Hadley – Chief Executive  
Ms E Moogan – Group Manager – Infrastructure  
Mr M Day – Group Manager – Finance and Assurance  
Ms T Hurst – Group Manager – Customer and Environment  
Mr S Gibling – Group Manager – Leisure and Recreation  
Mr A Cameron – Strategic Advisor / GM - ICHL  
Ms L McCoy – Manager – Parks Planning  
Ms C Rain – Parks and Recreation  
Ms R Suter – Manager – Strategy and Policy  
Ms P Christie – Manager Finance  
Ms L Knight – Manager – Strategic Communications  
Ms C Horton – Parks and Recreation Planner  
Mr J Botting – Team Leader – Finance  
Ms L Williams – Executive Officer/Interim Team Leader  
Ms H Guise – Senior Council Land Advisor  
Ms G Crawford – Engagement and Partnerships Officer  
Ms H McLeod – Strategic Projects Communications Lead  
Ms K Davidson – Digital Content Creator  
Mrs T Amarasingha – Governance Support Advisor  
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Nil.

2. **PUBLIC FORUM**

Nil.

3. **DECLARATION OF INTEREST**

Nil.

4. **REPORT FROM THE INVERCARGILL YOUTH COUNCIL**  
A3496831

Ryan Frost and Brooklyn Folesi were in attendance to speak to this item. They provided an update about their experience at the Festival for the Future in Wellington and thanked the Council and the ratepayers for sponsoring their visit to the Festival.

**Note:** Cr Kett joined the meeting at 3.04 pm.

Moved Cr Crackett, seconded Cr Soper and **RESOLVED** that the Performance, Policy and Partnerships Committee:

1. Receive the report "Invercargill Youth Council".

The Chair thanked Ryan and Brooklyn for taking the time to attend the meeting.

5. **UPDATE FROM SOUTHLAND AND OTAGO REGIONAL ENGINEERING COLLECTIVE – MS CERI MACLEOD**

Ms Ceri Macleod was in attendance to speak to this item and provided an overview about the Southland and Otago Regional Engineering Collective (SOREC). Ms Macleod took the meeting through a power point presentation (A3506690).

Ms Macleod answered questions from councillors. The Chair thanked Ms Macleod for taking the time to attend the meeting.

6. **UPDATE FROM THRIVING SOUTHLAND – MR RICHARD KYTE**

**Note:** Mr Grant declared his interest in Thriving Southland.

Mr Richard Kyte was in attendance to speak to this item and provided an overview of Thriving Southland. Mr Kyte took the meeting through a power point presentation (A3506691).

Mr Kyte answered questions from councillors. The Chair thanked Mr Kyte for taking the time to attend the meeting.

7. **MINUTES OF THE COMMUNITY WELLBEING FUND COMMITTEE MEETING HELD ON 17 JUNE 2021**  
A3467478

Moved Cr Lewis, seconded Cr Skelt and **RESOLVED** that the minutes of the Community Wellbeing Fund Committee held on 17 June 2021 be received.

Cr Lewis thanked the staff for their hard work.

8. **MINUTES OF THE HEARINGS FOR THE ENVIRONMENTAL RESERVES OMNIBUS DRAFT MANAGEMENT PLAN HELD ON 6 JULY 2021**  
A3460532

Moved Cr Ludlow, seconded Cr Lewis and **RESOLVED** that the minutes of the Hearings for the Environmental Reserves Omnibus Draft Management Plan held on 6 July 2021 be received.

9. **MINUTES OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE MEETING HELD ON 13 JULY 2021**  
A3461424

Moved Cr Amundsen, seconded Cr Soper and **RESOLVED** that the minutes of the Performance, Policy and Partnerships Committee held on 13 July 2021 be confirmed.

10. **QUARTERLY REPORT TO 30 JUNE 2021**  
A3496451

Ms Christie and Mr Botting were in attendance to speak to this item. Ms Christie noted that the numbers in the report were draft numbers and provided an indication of where Council currently stood. It was noted that the numbers showed an operating surplus of \$4.9 million and that Council was at breakeven rather than at loss.

Moved Cr Pottinger, seconded Cr Clark that the Performance, Policy and Partnerships Committee:

1. Receive the report "Quarterly Financial Report – 30 June 2021".
2. Notes for the quarter ending 30 June 2021
  - This is the draft quarterly report and not the draft annual report. Year-end accounting adjustments are still to be applied which will lower the current reported operating surplus towards a breakeven performance.
  - Council has a draft operating surplus of \$4.9 million.
  - Capital programme spend was in line with the forecast.

In response to queries about the financial numbers in the report, it was noted that the forecasted shortfall of \$660,000 in rental revenue was from Parks and that the \$12.3 million proceeds of sale were from Term Deposits.

In response to a query about a potential capacity of \$14 million to spend towards museum or for the City Block, it was noted that most of the cash deposit was already earmarked for other projects for next year.

In response to queries about the service delivery issues with the water supply in Bluff, Ms Moogan noted that the item did not have a change in status and was about the condition of water reticulation network in Bluff.

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

11. **PROPOSED RIGHT OF WAY NAME IN RELATION TO THE SUBDIVISION OF 159 DUNNS ROAD**  
A3463113

Moved Cr Kett, seconded Cr Lewis and **RESOLVED** that the Performance, Policy and Partnerships Committee:

1. Receive the report "*Proposed Right of Way Name in Relation to the Subdivision of 159 Dunns Road*"; and
2. Adopt that the proposed Right of Way from Blairlogie Close required due to the subdivision of 159 Dunns Road be named **Ochail Way** as it is the developer's preferred name and meets Council's naming convention.

12. **ENVIRONMENTAL RESERVES OMNIBUS DRAFT MANAGEMENT PLAN 2021 - 2031**  
A3410146

The Chair noted that the process had been done very well and thanked the staff for their hard work, as did Crs Soper and Lewis.

Ms Horton and Ms Rain were in attendance to speak to this item.

Moved Cr Soper, seconded Cr Lewis that the Performance, Policy and Partnerships Committee:

1. Receive the report "Environmental Reserves Omnibus Draft Management Plan 2021-2031".
2. Endorse the inclusion of information that arose through the hearings panel on 6 July 2021 as summarised in the Response to Submissions.
3. Adopts the draft Omnibus Management Plan for Environmental Reserves as the approved Plan.

In response to a query about whether the prohibition of expansion of the Ōtatara Community Hall also included the car park, it was noted that the prohibition of expansion was only for the hall.

In response to a query about additional land in the Reserves area for use as a car park, it was noted that a formal public consultation process would have to be undertaken as per the Reserves Act.

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

13. **ADOPTION OF ELECTED MEMBER ALLOWANCE AND EXPENSES POLICY**  
A3484082

Mrs Williams and Mr Day were in attendance to speak to this item. Mrs Williams noted the recommendations for the childcare allowance proposal and for the ability for Council to charge Councillors for personal use of Council supplied ICT, were for these matters to be referred to the incoming Council after the next triennium election in 2022.

Discussion around the recommendations took place. Councillors spoke in support of adopting policy positions before the election so that candidates knew what support they might expect. It was suggested that the two recommendations be deferred until workshops were arranged for Councillors to make an informed decision.

Moved Cr Soper, seconded Cr Amundsen that the Performance, Policy and Partnerships Committee:

1. Approve the Elected Member Allowances and Expenses Policy to take effect from 1 July 2021 (Appendix 1 – A3439871);
2. Requests officers to undertake research and hold a workshop for Councillors on the issues of childcare allowance for elected members and the ability of the Council to charge a reasonable portion for the personal use of Council supplied ICT;
3. Request a report to Council following the workshop, so Council can adopt policy positions on these matters.

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

14. **YOUNG ELECTED MEMBERS' HUI ATTENDANCE**  
A3503517

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the Performance, Policy and Partnerships Committee:

1. Receive the report "Young Elected Members Hui Attendance".
2. That the Committee approves Cr Alex Crackett as Council's representative at the Young Elected Members Hui in October 2021.

15. **ACTIVITY REPORT**  
A3495543

Mr Gibling was in attendance to speak to this item. He provided an update on the patronage of the Civic Theatre and the trends in people's engagement with the events. Mr Gibling noted that the engagement had been similar as past years, although last minute bookings were a trend which could cause issues with promotions.

Mr Gibling also noted the number of engagements which the Library had with community through various events, as well as the increase of community engagement with He Waka Tuia.

Moved Cr Lewis, seconded Cr Skelt and **RESOLVED** that the Performance, Policy and Partnerships Committee:

1. That the Performance, Policy and Partnerships Committee receives the report "Activity Report".

**RECOMMENDS TO COUNCIL**

2. That clause 15.1 of the Invercargill Venue and Events Management Limited (IVEM) constitution, as set out below, be changed to a minimum number of Directors of two.

**IVEM**

*The shareholder resolves as a special resolution of Invercargill Venue and Events Management Limited (the Company) under section 122 of the Companies Act 1993 that:*

1. *Clause 15.1 of the Company's constitution be revoked and the following new clause 15.1 be substituted:*

**15.1 Number of Directors**

*The minimum number of directors (other than alternate directors) shall be two (2) and the maximum number of directors (other than alternate directors) shall be five (5). The shareholders may change the minimum and maximum number of directors by special resolution.*

16. **URGENT BUSINESS**

Nil.

17. **MINUTES OF THE PUBLIC EXCLUDED SESSION OF THE COMMUNITY WELLBEING FUND COMMITTEE HELD ON 17 JUNE 2021.**

A3467506

Moved Cr Amundsen, seconded Cr Pottinger and **RESOLVED** that the minutes of the Public Excluded Session of the Community Wellbeing Fund Committee held on 17 June 2021 be received.

18. **MINUTES OF THE PUBLIC EXCLUDED SESSION OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE MEETING HELD ON 13 JULY 2021**

A3461543

Moved Cr Amundsen, seconded Cr Pottinger and **RESOLVED** that the minutes of the Public Excluded Session of the Performance, Policy and Partnerships Committee held on 13 July 2021 be confirmed.

There being no further business, the meeting finished at 4.27 pm.



**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 10 AUGUST 2021 AT 4.30 PM**

**PRESENT:** His Worship the Mayor, Sir T R Shadbolt  
Cr R L Abbott (via zoom)  
Cr R R Amundsen  
Cr A J Arnold  
Cr W S Clark  
Cr A H Crackett  
Cr P W Kett  
Cr G D Lewis  
Cr D J Ludlow  
Cr M Lush  
Cr I R Pottinger  
Cr N D Skelt  
Cr L F Soper  
Mr J Grant – External Appointee  
Mr L McKenzie – External Appointee (via zoom)

**IN ATTENDANCE:** Mr N Peterson – Bluff Community Board Member  
Mrs C Hadley – Chief Executive  
Ms E Moogan – Group Manager – Infrastructure  
Mr M Day – Group Manager – Finance and Assurance  
Ms T Hurst – Group Manager – Customer and Environment  
Mr S Gibling – Group Manager – Leisure and Recreation  
Mr A Cameron – Strategic Advisor / GM - ICHL  
Ms P Christie – Manager Finance  
Ms L Knight – Manager – Strategic Communications  
Mr J Botting – Team Leader – Finance  
Ms H Guise – Senior Council Land Advisor  
Ms H McLeod – Strategic Projects Communications Lead  
Ms K Davidson – Digital Content Creator  
Mrs T Amarasingha – Governance Support Advisor  
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Nil.

2. **DECLARATION OF INTEREST**

Nil.

3. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING  
HELD ON 1 JUNE 2021**

A3420991

Moved Cr Pottinger, seconded Cr Crackett and **RESOLVED** that the recommendation from the Infrastructural Services Committee meeting held on 1 June 2021 be confirmed:

**RECOMMENDATION TO COUNCIL:**

**7. 2 Disposal of Land for State Highway Purposes**

A3420706

1. The land is disposed of by way of vesting in the Crown as road (State Highway purposes) pursuant to Section 114(2)(c) of the Public Works Act 1981.
2. The Chief Executive be given delegated authority to sign the Consent in the form presented as Appendix 1 (A3421080) hereto.

**4. PUBLIC EXCLUDED SESSION**

Moved Cr Soper, seconded Cr Pottinger that the public be excluded from the following parts of the proceedings of this meeting; with the exception of the external appointees, Mr Jeff Grant and Mr Lindsay McKenzie, namely;

(a) *Esk Street West Properties*

Moved Cr Clark, that the item be discussed in public session.

The motion lapsed for want of a seconder.

**Note:** Cr Clark stated that he wished to have his vote against recorded.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the local government official information and meetings act 1987 for the passing of this resolution are as follows:

<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) Esk Street West Properties	<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	<b>Section 48(1)(a)</b> That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

There being no further business, the meeting finished at 4.57 pm.

**MINUTES OF A MEETING OF THE BLUFF COMMUNITY BOARD HELD IN THE BLUFF MUNICIPAL CHAMBERS, GORE STREET, BLUFF ON MONDAY 16 AUGUST 2021 AT 7.00 PM**

**PRESENT:** Mr R Fife (Chair)  
Mrs G Henderson (Deputy Chair)  
Mr G Laidlaw  
Mr N Peterson  
Miss T Topi  
Cr A J Arnold

**IN ATTENDANCE:** Cr L F Soper  
Mrs N Allan – Bluff Service Centre Manager  
Mr L Beer – Bluff Publicity/Promotions Officer  
Mr R Pearson – Manager – Roading  
Ms S Shameem – Senior Policy officer – Southland Mayoral Forum/ICC  
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Nil.

2. **PUBLIC FORUM**

**2.1 Bluff Hill / Motupōhue Environment Trust - Mrs Debbie Fife and Mr David Swann**

Mrs Fife and Mr Swann were in attendance to speak to this item and noted that the Department of Conservation organised and funded a programme called 'Jobs for Nature' for which Mr Swann was the Project lead.

Mrs Fife provided an update on the work done by the Trust and noted that volunteers had put in 2700 hours of work in the past year.

Mr Swann provided an update on the work programme of Jobs for Nature and noted plans to control and remove gorse, wilding pine and feral cats, which would not include sprays and herbicides. He stated that there were plans to plant 150,000 plants in Motupōhue to provide a shelterbelt of native trees on the fringes of the township.

In response to a query about potential job vacancies for the Bluff community, Mr Swann said that there would be a six week period for survey and planning related work, after which vacancies would be available for entry level jobs.

The Chair thanked Mrs Fife and Mr Swann for taking the time to attend the meeting.

## 2.2 Southland Mountain Bike Club – Mr Marcus Roy and Mr John Jones

Mr Marcus Roy and Mr John Jones were in attendance to speak to this item and provided an update on the work done by the Club. They noted that they had received funding through the Invercargill City Council (ICC) Long Term Plan towards a transformation of Bluff Hill.

Mr Roy noted that the Club submitted a proposal to the Tourism Infrastructure Fund (TIF) to co – fund the development and transformation of Bluff Hill. He stated that feedback from ICC had been positive on the proposal and for the Club to do a public consultation on the proposal. He further stated that the Club sought feedback from the Bluff Community Board on the proposal and advice on the stakeholders with whom the Club should engage.

In response to a query about the proposal, Mr Roy said that the proposal was to develop an Active Recreation Precinct at Bluff Hill / Motupōhue and would include 13 tracks of all levels, a skill area with pump and a dual skills tracks, and picnic area. He stated that he would ask an ICC staff member to share the proposal with the Bluff Community Board.

In response to a query about the funding received from the ICC Long Term Plan, Mr Roy noted that the Club sought \$1.5 million to develop the proposal and had received partial funding from ICC. He stated that they would submit applications to other groups and sought support from the Bluff Community Board for their applications.

The Chair thanked Mr Roy for taking the time to attend the meeting.

Moved Mr Fife, seconded Mrs Henderson and **RESOLVED** that the Bluff Community Board:

1. Supports in principle the application by the Southland Mountain Bike Club to the Tourism Infrastructure Fund.

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

Moved Mrs Henderson, seconded Mr Peterson and **RESOLVED** that the Bluff Community Board:

1. Congratulate the Bluff Hill / Motupōhue Environment Trust and fully support the programme.

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

## 3. **INTEREST REGISTER** A2411889

Cr Arnold declared a change in his interests and asked that the Bluff Interest Register be updated to reflect the change in his interests.

Moved Ms Topi, seconded Mrs Laidlaw and **RESOLVED** that the Bluff Community Board:

1. The Bluff Interest Register be received.

4. **BLUFF INTEREST REGISTER ON ICC WEBSITE**

The Chair noted that the Bluff Interest Register is expected to be uploaded on the ICC Website.

Moved Ms Topi, seconded Mr Peterson and Noel **RESOLVED** that the Bluff Community Board:

1. Confirm the upload of the Bluff Interest Register on the ICC website.

5. **MINUTES OF THE BLUFF COMMUNITY BOARD MEETING HELD ON 14 JUNE 2021**  
A3432964

Moved Cr Arnold, seconded Mrs Henderson and **RESOLVED** that the minutes of the Bluff Community Board meeting held on 17 June 2021 be confirmed.

6. **REPORT OF THE BLUFF PUBLICITY/PROMOTIONS OFFICER**  
A3506255

Mr Beer was in attendance to speak to this item and provided an update on the activities and events to date.

6.1 **A Fishermans' Tale**

Mr Beer noted that the footage of "A Fishermans Tale" funded by Great South to film promotional footage around the Bluff Oyster and Food Festival as well as various parts of Bluff as a promotional video would be ready for viewing.

6.2 **Information Kiosk Project**

Mr Beer noted that work on funding from various sourced was on track.

6.3 **SOUTHLAND CHEESE ROLL- SUNDAY 21 NOVEMBER 2021**

Mr Beer noted that he had been asked to provide support towards the Southland Cheese Roll event to be held on 21 November 2021.

6.4 **BLUFF WEBSITE**

Mr Beer noted that he had received authority for the re – development of the Bluff website by Bluff Promotions.

Moved Mr Laidlaw, seconded Mr Peterson that the Bluff Community Board:

1. Receive the "Report of the Bluff Publicity / Promotions Officer".

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

6. **BLUFF ACTION SHEET**  
A3500223

Mr Pearson was in attendance to speak to this item. Mr Pearson provided an update on the work done to date in areas such as Stirling Point, Shannon Street, and Bluff Hill.

Mr Pearson also noted some key issues which would require advice from the Bluff Community Board to progress.

6.1 **Bluff to Invercargill Cycle Trail**

Princes Road

Mr Pearson raised the question whether the road should be in-gravel or should the cycle trail be sealed. He also questioned whether this sealing could be justified against the sealing of another road such as Omaui Road. The Board agreed that this was a complex issue and the most likely solution was to leave the area in gravel.

6.2 **Edge Delineation Posts**

Mr Pearson noted that more posts would be installed to highlight the separation of the road and trail.

6.3 **Separation of Shared Path with Signage**

It was noted that some signage and bollards were required at locations to ensure that vehicles were kept off the trail and indicate the end of the roadway.

A query was raised about the section from the Kiosk to Stirling Point. It was noted that NZTA would look at a speed review and it would be likely this would be a shared area with road markings (sharrows) painted to reflect a lower speed.

6.4 **Interpretative Panels**

Mr Pearson noted that Great South was working with Awarua and Waihopai Runaka for the interpretative panels. Three areas were likely to be developed. He also noted that the work would tie into the Cultural narrative being developed and used for all the strategic projects.

6.5 **Ongoing Maintenance Costs**

Mr Pearson noted challenges with regard to ongoing maintenance costs and noted that only a quarter funding was received from NZTA for the trail maintenance. Bark chips from log trucks being blown onto the track seemed to be a big problem. There had also been some four - wheel motorcycles using the trail which could cause damage.

6.6 **Events / Opening of the Bluff to Invercargill Cycle Trail.**

Mr Pearson commented that a number of new events could be developed to increase the use of the trail in coming years.

Discussion took place around the update.

Mr Pearson stated the he was disappointed with the improvement on maintenance progress thus far and noted that they were still well short of target. He also provided updates on the Bluff boat ramp and noted that detailed design would be completed by the end of this week. He further stated that the engineering team would negotiate with piling contractors to work in the Bluff boat ramp. With regard to Gunpit Road carpark, Mr Pearson said that teams from Great South and Parks were working on information to be ready for TIF funding and would be presented back to the Bluff Community Board.

Moved Cr Arnold, seconded Mr Peterson and **RESOLVED** that the Bluff Community Board:

1. Receive the report "Bluff Action Sheet".

7. **PERFORMANCE REPORT – BLUFF COMMUNITY BOARD YTD JUNE 2021**  
A3506245

Moved Cr Arnold, seconded Mr Peterson and **RESOLVED** that the Bluff Community Board:

1. Receive the Report "Performance Report – Bluff Community Board YTD June 2021".

8. **CHAIRPERSON'S REPORT – VERBAL REPORT**

The Chair welcomed Ms Shameem to the meeting. Ms Shameem introduced herself as the Senior Policy Advisor to the Southland Mayoral Forum and ICC and provided a brief update on the key areas of responsibility.

The Chair provided a verbal update and noted that he, along with Ms Topi, had attended the Bluff Motupōhue Tourism Masterplan Working Group meeting. He noted that suggestions at the meeting included removing the word 'draft' from the title of the plan, conducting workshops with the stakeholders and ensuring all stakeholders were of the same understanding. The Chair also noted that Great South would lead the finalisation of the Masterplan document and overall ownership would be discussed later.

The Chair spoke about the ICC Representation Review Consultation and noted the formation of Mana Whenua seats in the ICC Committees and an advisory position at the Bluff Community Board. The Chair stated that while he and the Board welcomed the news, he was disappointed that the Board were not consulted about the advisory position. The Chair noted that the Board would have a submission for the Representation Review Consultation which would close in September 2021.

The Chair discussed about the next Bluff Community Board meeting scheduled for 18 October 2021 and proposed re-scheduling the meeting to 11 October 2021.

Moved Mr Fife, seconded Mr Peterson that the Bluff Community Board:

1. Resolves to change the 2021 meeting schedule for the Bluff Community Board meeting on 18 October 2021 to 11 October 2021.

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

Moved Mr Fife, seconded Mr Peterson that the Bluff Community Board:

1. Receives the Chairperson's Report.

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

## 9. **URGENT BUSINESS**

Ms Topi discussed about communication issues and raised points for which support was required from ICC.

### 9.1 **Technology**

The Bluff Municipal Chambers did not have Wi-Fi capabilities and lacked other types of technological facilities.

Ms Topi stated that facilities for zoom meetings should be supported.

### 9.2 **Group email**

A group email address for the Bluff Community Board for the community to have ease of reach to the Board members.

Ms Topi noted that while an email address had been created, there were issues which had to be resolved through support from ICC.

### 9.3 **Social media page**

Support from the communications team at ICC required for social media pages of the Bluff Community Board.

Ms Topi stated that support for social media pages would be required from ICC.

### 9.4 **Lack of communication**

The Bluff Community Board did not receive information about the Motupōhue MoU from ICC.

Ms Topi noted that the Board should be informed in advance of activities to do with Bluff and that the Board should not receive the information from sources other than ICC.

Discussion around the points took place and it was noted that a request could be made to the Chief Executive to address these issues.

There being no further business, the meeting finished at 8.45 pm.



**TO: COUNCIL**

**FROM: MICHAEL MORRIS, LEGAL COUNCEL AND THILINI AMARASINGHA - GOVERNANCE SUPPORT ADVISOR**

**AUTHORISED BY: CLARE HADLEY, CHIEF EXECUTIVE**

**MEETING DATE: TUESDAY 24 AUGUST 2021**

**GOVERNANCE STATEMENT 2019-2022- AUGUST 2020 AMENDMENT**

**SUMMARY**

The Governance Statement needs to be amended to reflect the changes to the Governance structure of the Invercargill City Council.

There have also been new Bylaws coming into force - Parking Control Bylaw 2015/2, and Road and Traffic Bylaw 2015/3 repealed and Invercargill City Council Bylaw 2020 – Rooding and Traffic and Invercargill City Council Bylaw 2020 – Parking Control came in to force on 1 July 2021.

**RECOMMENDATIONS**

**That Council**

1. Received the report ‘Governance Statement 2019-2022 – August 2021 Amendment’.
2. Adopts the amended Governance Statement 2019-2020 as from August 24th 2021 as set out in Appendix 1 (A3500010).

**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 recommendations would amend the Governance Statement.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> N/A

## **FINANCIAL IMPLICATIONS**

No financial implications result from this report.

## **THE LEGISLATIVE CONTEXT**

Section 40 of the Local Government Act 2002 requires Council to make publicly available a Local Governance Statement providing up to date information about the governance structure and management of Council.

Section 40(3) requires that Council update the Governance Statement as it considers appropriate.

## **BACKGROUND**

On 27 July 2021 Council resolved to establish mana whenua appointed roles on the Infrastructural Services Committee and the Performance, Policy and Partnerships Committee as well as an advisory role on the Bluff Community Board.

The establishment of the mana whenua appointed roles is a changes to Council's governance structure that needs to be reflected in an up-to date Governance Statement.

## **CHANGES TO THE GOVERNANCE STATEMENT**

### **Page 4 and 5 – The Bylaws of the Local Authority**

Parking Control Bylaw 2015/2, and Road and Traffic Bylaw 2015/3 repealed and Invercargill City Council Bylaw 2020 – Roading and Traffic and Invercargill City Council Bylaw 2020 – Parking Control came in to force on 1 July 2021.

The amendments were made to reflect above changes.

### **Page 9 – Māori Wards and Constituencies**

Removed the following wordings – “or the community any demand a poll. The demand for a pool can be initiated by a petition signed by 5% of electors within the district”.

This wording is removed following the changes to the Local Electoral Act 2001 in February 2021 by the Government.

### **Page 15 – Bluff Community Board**

The following wordings added under “members” – “There is an advisory role to the Bluff Community Board for Te Rūnanga o Awarua”.

### **Page 16 – Infrastructure Services Committee**

The following wordings added under “members” – “and two appointed Mana Whenua representatives”.

**Page 17 – Performance, Policy and Partnerships Committee**

The following wordings added under “members” – “and two appointed Mana Whenua representatives”.

**Page 41 – Policies for Liaising with, and Memorandum or Agreements with, Māori**

Added five paragraphs under a new sub heading “New Appointed Roles”, and a new paragraph added under the sub heading “Bluff Community Board”.

**CONCLUSION**

Council is required to update the Governance Statement as it considers appropriate. The amendments to the Governance Statement accurately reflects the changes to Council’s governance structure.



# GOVERNANCE STATEMENT

**2019-2022**  
August 2021 Amendment

**[THIS PAGE IS INTENTIONALLY LEFT BLANK]**

## Table of Contents

1. What is a Governance Statement? .....	1
2. The Functions, Responsibilities, and Activities of the Local Authority .....	2
3. Any Local Legislation that Confers Powers on the Local Authority.....	3
4. The Bylaws of the Local Authority, Including for each Bylaw, its Title, a General Description of it and when it was made.....	4
5. The Electoral System and the Opportunity to Change It .....	7
6. Representation Arrangements, Including the Option of Establishing Māori Wards or Constituencies, and the Opportunity to Change Them.....	8
Representation Arrangements .....	8
Māori Wards and Constituencies .....	9
Community Boards .....	9
The Reorganisation Process .....	10
7. Members' Roles and Conduct (with Specific Reference to the Applicable Statutory Requirements and Code of Conduct).....	11
8. Governance Structures and Processes, Membership, and Delegations.....	14
8.1 The Role of Council, Council Committees and Appointments to the Bluff Community Board.....	14
Council Appointment to Bluff Community Board .....	15
Bluff Community Board.....	15
8.2 Committee Terms of Reference.....	16
8.2.1 Infrastructural Services Committee .....	16
8.2.2 Performance, Policy and Partnerships Committee .....	17
8.2.3 Risk and Assurance Committee .....	19
8.2.4 Community Wellbeing Fund Committee .....	27
8.2.5 City Centre Heritage Steering Group .....	28
8.2.6 Director Appointment Committee .....	29
8.2.7 Hearings Panel .....	30
8.2.8 Invercargill District Licensing Committee.....	31
8.3 Appointments (and Alternates) to Joint Council Committees.....	32
Joint Waste Advisory Group (WasteNet).....	32
Regional Heritage and Museums Joint Committee .....	32
Southland Civil Defence Emergency Management Group .....	32
Regional Transport Committee .....	32
Joint Shareholders Committee – Great South.....	32
Safe in the South: .....	32
8.4 Appointments to Organisations where the Appointment is Detailed in the Organisation's Trust Deed .....	33

8.5 Organisations which have Requested a Council Representative and these Requests have been Granted .....	35
8.6 Details of Council Controlled Organisations and Directors/Trustees .....	36
8.7 Council Proxy .....	37
8.8 Elector Nomination .....	37
9. Meeting Processes (with Specific Reference to the Applicable Provisions of the Local Government Official Information and Meetings Act 1987 and Standing Orders) .....	38
10. Consultation Policies .....	39
11. Policies for Liaising with, and Memoranda or Agreements with Maori.....	41
12. Management Structure and the Relationship between Management and Elected Members .....	43
13. Equal Employment Opportunities Policy .....	44
14. Key Approved Planning and Policy Documents and the Process for their Development and Review.....	44
15. Systems for Public Access to it and its Elected Members .....	46
16. Processes for Requests for Official Information .....	47
Appendix 1 .....	48



# GOVERNANCE STATEMENT

2019-2022 (Updated March-August 2021 Amendment)

---

## 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 as set out in Section 10 of the Local Government Act 2002 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 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 (e.g. 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:

Local Act Name	Purpose
Invercargill Waterworks Reserve Act 1887	Appropriate a portion of the Town belt for the purposes of waterworks.
Southland Land Drainage Act 1935	Make better provision for land drainage within the Counties of Southland and Wallace.
Bluff Water Supply Act 1958	Validate a memorandum of agreement for the supply of water to parties beyond the City of Invercargill boundaries.
Invercargill City Aluminium Smelter Water Supply Act 1971	Validate an agreement with New Zealand Aluminium Smelters Limited for the supply of water.
Invercargill City Council (Reclamations) Empowering Act 1973	Authorise reclamation, validate reclamation, develop and dispose of reclaimed land.
Invercargill City Council Vesting and Empowering (Gasworks Site) Act 1992	Remove statutory restrictions on certain land.

#### 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:

##### **2021**

###### **Roading and Traffic Bylaw**

The primary purpose of the bylaw is to promote public safety and effectively regulate pedestrian, animal and traffic movement in the road corridor.

The bylaw came in to force 1 July 2021.

###### **Parking Control Bylaw**

This bylaw controls parking activities and ensure parking is enforced to protect and enhance the safety and enjoyment of the public, while providing a clear understanding of the use of roads and public walkways as well as parking restrictions.

The bylaw came in to force 1 July 2021.

##### **2019**

###### **Health and Hygiene Bylaw**

The purpose of the bylaw is to manage the risk relating to the transfer of communicable diseases that can occur as a result of the various activities listed such as acupuncture, body piercing, tattooing, traditional tattooing, semi-permanent body colouring or electrolysis.

The bylaw came in to force 1 July 2019.

##### **2018**

###### **Dog Control Bylaw**

This bylaw primarily addresses matters under the Dog Control Act.

The bylaw came in to force 28 August 2018.

##### **2017**

###### **Water Supply Bylaw**

This bylaw details the conditions of water supply to customers and offences.

The bylaw came in to force 7 November 2017.

- **Cemeteries and Crematorium Bylaw**

This bylaw controls the burial procedures and standards for the Council's cemeteries and crematorium.

The bylaw came in to force 7 November 2017.

- **Environmental Health Bylaw**

This bylaw addresses the issues of mobile traders, alcohol ban, solvent abuse and untidy sections and abandoned vehicles.

The bylaw came in to force 7 November 2017.

- **Trade Waste Bylaw**

This bylaw controls the discharge of trade waste into Council's sewerage system.

The bylaw came in to force 7 November 2017.

## **2016**

- **Code of Practice for Land Development and Subdivision Infrastructure Bylaw**

The bylaw enables the management of subdivision and land development works within the Invercargill District.

The bylaw came in to force 1 July 2016.

## **2015**

- ~~▪ **Roading and Traffic Bylaw**~~

~~The primary purpose of the bylaw is to promote public safety and effectively regulate pedestrian, animal and traffic movement in the road corridor.~~

~~The bylaw came in to force 7 March 2016.~~

- ~~▪ **Parking Control Bylaw**~~

~~This bylaw controls parking activities.~~

~~The bylaw came in to force 7 March 2016.~~

## **2013**

- **Keeping of Animals, Poultry and Bees Bylaw**

This bylaw regulates the keeping of animals to ensure they do not create nuisance.

The bylaw came in to force 2 September 2013.

The date of its last review 6 March 2019.

- **Significant Events Bylaw**

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.

The bylaw came in to force 1 August 2011.

The date of its last review 15 August 2017.

All bylaws must be reviewed within five years after the day on which the bylaw was made and bylaws must further reviewed no later than 10 years after it was last reviewed.

## 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 August 2020. No change was made to Council's electoral system for 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 Board; 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 council'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 customer service centre 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 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 May 2020.

#### **Council**

Council meets every four weeks.

From time to time, extraordinary meetings may be called for matters of an urgent nature.

#### **Committees**

In order to be efficient, effective and timely in delivering its services, ICC has established two committees, all elected members are members of both committees;

- Infrastructural Service Committee
- Performance, Policy and Partnership Committee

The meeting cycle for Council and Committees as follows;

- Week 1 - Infrastructural Services Committee
- Week 2 - Performance, Policy and Partnership Committee
- Week 4 - Council

(The Mayor is an ex officio member of all committees.)

### **Council Appointment to Bluff Community Board**

One position                     Cr A J Arnold  
  (Alternate - Cr P Kett)

### **Bluff Community Board**

Chair:                                 Mr R Fife

Deputy Chair:                   Mrs G Henderson

Members:                         Mr G Laidlaw  
  Mr N Peterson  
  Ms T Topi

[There is an advisory role to the Bluff Community Board for Te Rūnanga o Awarua.](#)

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 Committees of Council.

Frequency of Meetings: Every six weeks

## 8.2 Committee Terms of Reference

### 8.2.1 Infrastructural Services Committee

The Infrastructural Services Committee is responsible for Council strategies, policies and plans which promotes social, economic, environmental and cultural wellbeing of the community within its field of reference.

#### Committee Membership

Membership: All elected members and two appointed Mana Whenua representatives are members of this committee.

Chair: Cr I R Pottinger

Deputy Chair: Cr A H Cracket

Quorum: A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd.

The Committee is responsible for all Long Term Plan policy development within this field of reference.

The Committee has authority to exercise all the powers, functions and duties of Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference.

The list of activities under the committee;

- Cemetery and Crematorium
- Community Facilities including public toilets
- Parks and Reserves, including sports fields
- Swimming pools
- Transport networks including passenger transport
- Street lighting
- Traffic control and parking (excluding enforcement)
- Regional Transport Committee
- Water
- Wastewater
- Stormwater
- Solid Waste Management including transfer stations and waste minimisation
- WasteNet Joint Committee
- Property Portfolio, including Investment Property and Housing Care
- Development of bylaws within the areas of responsibility, for recommending to Council

## 8.2.2 Performance, Policy and Partnerships Committee

The Performance, Policy and Partnerships (PPP) Committee is responsible for Council strategy, policy and planning which promotes the social, economic, environmental and cultural wellbeing of the community within its field of reference.

### Committee Membership

Membership: All elected members and two appointed Mana Whenua representatives are members of this committee.

Chair: Cr D J Ludlow

Deputy Chair: Cr R R Amundsen

Quorum: A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd.

The committee is responsible for all plan development relating to Long Term Plan within its field of reference.

The Committee has authority to exercise all the powers, functions and duties of Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference.

The list of activities under the committee;

- Arts, Culture and Heritage, including SMAG, iPAG, Bluff Maritime Museum, Regional Heritage Committee
- Festivals and Events, including funding allocations from Events Fund
- Libraries
- Theatres and halls including Civic Theatre, Scottish Hall
- Community Development / External Relationships
- Communications and engagement
- Council's financial performance
- Rating systems and policies
- Business, economic development, tourism including Great South
- Environmental regulatory matters including alcohol licensing
- Environmental policy including District Plan
- Policies and strategies related to compliance, monitoring and enforcement
- Development of bylaws within the areas of responsibility, for recommendation to Council
- Long Term Plan strategy development
- Shared Services



- Joint committees in field of reference
- Statements of Intent (excluding ICHL)
- Youth Council
- LGNZ membership
- Sister City Relationships
- Democratic processes (Representation Review, Remuneration, Code of Conduct)
- Community Wellbeing Fund Committee could be a subcommittee
- City Centre Heritage Steering Group could be a subcommittee

### **8.2.3 Risk and Assurance Committee**

Invercargill City Council (ICC) has delegated to the Risk and Assurance Committee (the Committee) its responsibilities and role in respect of audit, finance and risk management including to assist and advise Council in its responsibility and ownership for enterprise risk management, risk control and compliance framework, and its external accountability responsibilities, including that the financial statements are a fair representation.

The Committee will oversee all aspects of audit, finance and risk management, and ensure risks are defined and analysed, and adequately managed. The Committee should take all necessary steps to fulfill its terms of reference as approved at the beginning of each triennium by the Council. To fulfill its role the Committee will meet as necessary.

The Committee's role may also include co-ordination with Council, other committees, and maintenance of strong, positive working relationships with management, external auditors, legal counsel and other external Committee advisors.

#### **Establishment**

The Committee shall be established by a formal Council resolution at the commencement of each triennium. The Committee's relationship with the Council is defined as outlined in these Terms of Reference.

#### **Committee Membership**

**Membership:** Seven members, or such other number of members as the Council may determine, of which at least five are a member of the Council. In all cases, the Committee's total membership will be a minimum of two external independent appointees.

**Chair:** The Chair of the Committee shall be an external independent appointee.

**Quorum:** A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have at least one external independent appointee.

The Chief Executive and the Executive staff member responsible for the Council's finances at the time, as identified by the Chief Executive, are required to attend meetings of the Risk and Assurance Committee as directed by the Chair.

Ideally the majority of members shall have experience in financial reporting, management reporting and risk management. However membership shall reflect a mix of skills and experience. To that end Council may engage outside experts to strengthen the committee (either as members or advisors).

### **Compliance**

Council is charged with overseeing, reviewing and ensuring the integrity and effectiveness of ICC's compliance systems. As such, compliance is a quality control system that is part of a proactive risk management strategy. To carry out this compliance function, the Council is committed to the following:

- A Risk and Assurance Committee that is responsible for overseeing ICC's compliance systems (including risk management) and reporting to the Council on those systems.
- Ensuring the independence of ICC's external auditor. The Council is also encouraged to develop an open, unimpeded and constructive relationship with the external auditor in line with the Council's responsibilities. The Council must also be satisfied that the scope of the audit is adequate and carried out thoroughly with the full cooperation of management.
- The Council ensure that systems, processes and procedures are adopted to provide the necessary data it requires to make a reasoned judgment and so discharge duties of care and due diligence.
- Exception reporting on matters on non-compliance forms part of regular Council reporting.

The Council views compliance as an integral function and recognizes that for the compliance system to succeed it must be championed by the Council along with senior management.

The Council has oversight of all Council committees. This means that Council appoints these bodies and are responsible for ensuring they discharge their functions appropriately. All committees report to and are accountable to the Council.

## **Responsibilities of the Committee**

### **Activities of the Committee**

- Council's treasury policies and functions.
- Council's Annual Report.
- Audit Processes and management of financial risk, including fraud.
- Organisational Risk Management, including business continuity.
- External Audit.
- Internal Controls and internal audit (where necessary).
- Health and Safety.
- Statutory compliance.
- Related party transactions and executive/elected representative expenditure.

### **Terms of Reference**

#### **1. General**

- a. The Committee shall meet at least four times a year to coincide with key dates in the financial reporting and audit calendar.
- b. Recommend to Council an appropriate enterprise risk management strategy and monitor the effectiveness of that strategy, including the advancement of any projects or programmes of work focussing on the appropriate management of risk.
- c. Monitor the Council's external and internal audit process and the resolution of any issues that are raised.
- d. Assist in any investigations of potentially inappropriate actions by Council staff or elected members, including any allegations of fraudulent activity, bribery or corruption.
- e. Monitor compliance with laws and regulations.
- f. Oversee the preparation of and review key formal external accountability documents such as the Long-term Plan, Annual Plan, and Annual Report in order to provide advice and recommendation in respect to the integrity and appropriateness of the documents and the disclosures made.
- g. Provide a forum for communication between management, internal and external auditors, and the governance level of Council.
- h. Ensure the independence and effectiveness of the Council's internal audit processes.
- i. Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable, or illegal activities.

- j. Support measures to improve management performance and internal controls.

## 2. Audit

- a. Identify and recommend to the Council the external auditor's remuneration and the terms of their engagement.
- b. Confirm consulting services and related fees provided by the external Auditors.
- c. Enquire of management and the external Auditors about significant risks or exposures and assess the steps management has taken to minimize such risk to the Council.
- d. At the commencement of the audit cycle, consider in consultation with the external auditors:
  - The audit scope and plan.
  - The process of the audit to ensure completeness of coverage, reduction of redundant efforts and the effective use of audit resources.
- e. Consider and review with the external auditors, at the conclusion of the annual audit:
  - The adequacy of the Council internal controls, including computerized information system controls and security, and any related significant findings and recommendations together with management's responses.
  - The annual Financial Statements.
  - The audit of the annual Financial Statements.
  - The Auditor's Report.
  - Any significant changes required in the audit plan.
  - Any serious difficulties or dispute which management encountered during the course of the audit.
  - Any other matters related to the conduct of the audit.
  - Significant findings during the audit process and management's responses.
  - Any matters considered appropriate, without the Chief Executive or other Council staff present in the meeting.
  - Any difficulties encountered in the course of the audit including any restrictions on the scope of the work.
  - Any changes required in the planned scope of the audit plan.
  - The audit management letter prior to presentation to the Council.

- The Annual Report including the Financial Statements and recommend to Council for approval and adoption.
- f. Meet with the external Auditors at any time to consider any exceptional matters of audit significance that arise at times not already scheduled.
- g. Oversee the preparation of and review key formal external accountability documents such as the Long-term Plan, Annual Plan and Annual Report in order to provide advice and recommendation to the Council with respect to the integrity and appropriateness of the documents and the disclosures made.
- h. Review of the effectiveness of the annual audit and Long-term Plan audit.
- i. Monitor the effectiveness of the external auditor's performance and their independence and objectivity.
- j. Consider the appropriateness of the Council internal audit function (if any).including:  
In conjunction with the Chief Executive and the Group Manager Finance and Corporate Services, agree on the scope of any three-yearly and annual internal audit work programmes and assess whether resources available to Internal Audit are adequate to implement the programme.
- k. Monitor the delivery of any internal audit work programme including the review of any internal audit reports.
- l. Assess whether any significant recommendations of any internal audit work programme have been properly implemented by management. Any reservations the Internal Auditor may have about control risk, accounting and disclosure practices should be discussed by the Committee.

### 3. Finance

- a. Review the business plan, budget assumptions and budget prior to Council approval.
- b. Review management accounts, with senior management, during the course of the year to ensure the Council financial situation is being adequately managed and reported to the Council as appropriate.
- c. Review and approve the Council systems of internal control, and changes thereto, with senior management to ensure adequate financial control is maintained during the year.
- d. Monitor the adequacy of measures taken by Council management to secure and safeguard Council assets and the economical and efficient use of resources.
- e. Review and approve the Council accounting policies.

- f. Review and approve the Council financial policies, including the authority to commit expenditure.
- g. Review forecasts and the underlying methodology during the year to ensure appropriate financial control of the year-end result is in place.
- h. Review of final year position in conjunction with budget.

#### **4. Risk Management**

Council is responsible for setting the tolerance to risk and risk culture of Invercargill City Council. The Chief Executive is charged with implementing appropriate risk management systems within ICC.

While the responsibility for risk lies with Council, oversight of the processes to manage risk within ICC is delegated to the Risk and Assurance Committee. The Council receives periodic reporting on those areas of risk identified by the Committee. Management must develop, implement and monitor a risk management process.

The primary objectives of the risk management system of Council are to ensure:

- a. The safeguarding of assets.
- b. All major sources of potential opportunity for harm to ICC (both existing and potential) are identified, analysed and treated appropriately.
- c. Business decisions throughout ICC appropriately balance the risk and reward trade-off.
- d. Regulatory compliance and integrity in reporting are achieved.
- e. Council and senior management understand the risk profile of Invercargill City Council.
- f. ICC undertakes an annual review of strategy and operations to update its risk profile.
- g. Development of suitable risk management practices throughout the organisation.
- h. To monitor compliance with ethics, policies and rules of the Council and staff.
- i. To receive and review the conflicts of interest registers.
- j. To direct and supervise investigations into any matters within the Committee's scope, including but not limited to, effectiveness of internal controls and cases of employee fraud or misconduct.
- k. To undertake post-investment reviews of major transactions or capital investments with the aim of assessing the adequacy of the analysis

undertaken before decisions were made to proceed with those transactions or investments, so that Council can learn from those experiences and improve its analytical capabilities and reporting processes.

### **Other Matters**

- Review the effectiveness of the system for monitoring the Council's compliance with relevant laws, regulations and associated government policies.
- Review the systems and processes Council has in place to prevent fraud, bribery, and corruption, and assist in any investigations related to these matters.
- Review whether a sound and effective approach has been followed in establishing the Council's business continuity planning arrangements.
- Review the development of the financial strategy and infrastructure strategy as required for the long-term plan.
- Engage with internal and external auditors on any specific one-off audit assignments.
- Consider matters referred to the committee by the Chief Executive, Council or other Council committees.
- The Chief Executive and any internal or external auditors will have direct access to the Committee Chairperson for the purpose of raising concerns about matters within the functions and responsibilities of the Committee.

### **Employees of the Invercargill City Council are advised:**

Under certain limited circumstances they may communicate to the Chairperson of the Risk and Assurance Committee regarding the potential fraud or misappropriation, weakness in internal control, or the adequacy or accuracy of information being provided within the organisation to Senior Managers or to the Council. Such communication (which shall be in writing) shall be treated as confidential. Communications should explain where the matters have previously been discussed with an employee's manager, and if not, why the employee has chosen to report directly to the Risk and Assurance Committee



### **ICHL and Group**

- To periodically meet and receive an update from the board of ICHL on its risk management processes and risk profile.
- To be briefed on its annual report and results of its annual external audit prior to the Committee approving the Council and Group's annual report.

### **5. Authorities**

- a. The Committee will make recommendations to Council on all matters requiring a decision. The Committee does not have the power or authority to make a decision in the Council's name or on its behalf.
- b. The Committee is authorised by the Council, at the expense of the Council, to consult with such outside legal or professional advice and services as it considers necessary for carrying out its responsibilities, provided the Committee takes every step to minimize cost to the Council. Such requests will be made through the Chief Executive.
- c. To deal with any other matter requested of the Committee by Council or any of its other Committees.

### **6. Review of Committee**

- a. The Committee will undertake an annual review of its objectives and responsibilities and the extent to which they have been achieved and/or discharged.
- b. The Council and any other person the Council considers appropriate may also be engaged to review the Committee's objectives and responsibilities.

### **7. Reporting Procedures**

- a. After each meeting the Chair will report the Committee's recommendations and findings to the Council.
- b. The minutes of all meetings of the Committee will be presented to Council and to such other persons as the Council directs.
- c. The Chair will present an annual report to the Council summarizing the Committee's activities during the year and any related significant results and findings.

## 8.2.4 Community Wellbeing Fund Committee

Chair: Cr G D Lewis

Members: Cr R L Abbott  
Cr R R Amundsen  
Cr A H Crackett  
Cr P W Lett  
Mr N Burdon  
Ms A Blair  
Ms M Bartlett- Mc Bride

Quorum: A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd. In either case, a majority of members present must be Invercargill City Councillors.

Frequency of meetings: Every two months

Administration: The Strategy and Policy team will provide analysis of project applications and advice, and the Governance and Administration team will provide secretarial support.

Scope of Activities: Responsible for considering applications, determining and approving funding for projects promoting community wellbeing within the Invercargill City District.  
Responsible for considering applications, determining and approving funding for the applications in line with Council's Community Wellbeing Fund Framework.

### **8.2.5 City Centre Heritage Steering Group**

The purpose of the group is to provide a coordinated approach to the support, promotion and preservation of built heritage within Invercargill's City Centre.

Members:                   Cr R R Amundsen  
                                  Cr P W Kett  
                                  Cr G D Lewis  
                                  Cr L F Soper

Quorum:                   A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd.

Frequency of meetings: Bi-monthly

### **8.2.6 Director Appointment Committee**

The Director Appointment Committee is responsible for recommending to Council candidates for directorships on to the ICHL Board and the subsidiary companies of ICHL.

Chair: To be determined by the Committee

Members: The current Chair of ICHL or his/her nominee, and/or  
A Member of the Institute of Chartered Accountants, and/or  
An Employment Specialist (who is a member of the  
Institute of Directors), and/or  
A member of Institute of Directors

Delegations: Nil

Frequency of meetings: As required.

### 8.2.7 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 R R Amundsen

Members: Cr A H Crackett\*

\* Certification (qualification required)

Quorum: A quorum for each Hearing Panel is three members including a qualified Chairman.

Frequency of meetings: As 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 71 (Retention of Dog Threatening Public Safety); 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 Group Manager of Environmental and Planning Services, in consultation with the Chairman, allocate applications to the Hearings Panel as an administrative function.

### 8.2.8 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 R R Amundsen

Members: Cr R L Abbott  
Cr D J Ludlow  
Cr A H Crackett

Frequency of meetings: As required.

Quorum: A quorum is one member, the Chair, for unopposed applications or applications for temporary authorities and a quorum is three members for opposed applications.

These members will be selected from a shared Southland Regional Licensing Committee list.

Delegations: To consider and determine applications made in accordance with the Sale and Supply of Alcohol Act 2012.

### **8.3 Appointments (and Alternates) to Joint Council Committees**

#### **Joint Waste Advisory Group (WasteNet)**

Invercargill City Council Members:

Cr A H Crackett

Cr D J Ludlow

Alternate - Cr A J Arnold or Cr I R Pottinger

#### **Regional Heritage and Museums Joint Committee**

Invercargill City Council Members:

Cr R R Amundsen

Cr G D Lewis

Alternate - Cr P W Kett

#### **Southland Civil Defence Emergency Management Group**

Invercargill City Council Members:

His Worship the Mayor, Sir T R Shadbolt

Alternate - Deputy Mayor, Cr W S Clark

#### **Regional Transport Committee**

Invercargill City Council Members:

Cr I R Pottinger

Alternate - Cr A H Crackett

#### **Joint Shareholders Committee – Great South**

Invercargill City Council Members:

Deputy Mayor, Cr W S Clark

#### **Safe in the South:**

Invercargill City Council Members:

His Worship the Mayor, Sir T R Shadbolt

Cr P W Kett

#### **8.4 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 P W Kett (Mayor's Nominee)

Cr G D Lewis

Cr L F Soper

**Bluff Maritime Museum Trust Board (Incorporated)** (The Mayor or the Mayor's nominee and the Chief Executive or Chief Executive's nominee):

His Worship the Mayor, Sir T R Shadbolt

Mrs C Hadley, Chief Executive

#### **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):

Cr R R Amundsen

Cr D J Ludlow

Cr L F Soper

An annual Statement of Intent is developed by the Trust.

**Southland Historic Buildings Preservation Trust** (One representative):

Cr R R Amundsen

**Southland Indoor Leisure Centre Charitable Trust** (One representative):

Cr W S Clark

**The Norman Jones Foundation** (One representative):

Cr R L Abbott

His Worship the Mayor, Sir T R Shadbolt (Alternate)

**The Southland Wastebusters Trust** (One representative):



Cr A J Arnold

**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 Trust:**

Trustees: Cr P W Kett  
Cr G D Lewis

**Active Communities Trust:**

Trustees: Cr A H Crackett  
Cr P W Kett  
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, Sir T R Shadbolt  
Cr W S Clark  
Chief Executive, Mrs C Hadley

An annual Statement of Intent is developed by the Invercargill City Charitable Trust.

## **8.5 Organisations which have Requested a Council Representative and these Requests have been Granted**

### **Southland Youth Futures:**

Cr A H Crackett

### **Invercargill Youth Council:**

Cr A H Crackett

### **New Zealand Historic Places Trust**

Cr R R Amundsen

### **Iwi Liaison:**

Cr D J Ludlow

### **Invercargill and Districts Citizens Advice Bureau Incorporated:**

Cr L F Soper

### **Age Concern:**

Cr R L Abbott  
Cr P W Kett (Alternate)

### **Southland Warm Homes Trust**

Cr L F Soper

## 8.6 Details of Council Controlled Organisations and Directors/Trustees

A Council Controlled Organisation is a company or trust in which council controls 50% of the shares or the voting rights, or appoints 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**

	<b>Ownership</b>	<b>Nature and Scope of Activities</b>
Invercargill City Forests Limited	100%	Operate a successful forestry business.
Invercargill City Property Limited	100%	Manage the sales and development of properties.
Electricity Invercargill Limited	100%	Operate a successful electricity distribution network and metering service in the Invercargill and Bluff areas.  Invest in the infrastructure, electrical and energy sectors.
Invercargill Airport Limited	97.2%	Provision of airport services at the Invercargill Airport.

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 Brian Wood

Directors: Mr Tim Loan  
Mr Peter Carnahan  
Ms Jenn Bestwick  
Mr John Schol

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 in consultation with the Council 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 General Manager, Invercargill City Holdings Limited, Invercargill City Council, Private Bag 90104, Invercargill.

### **8.7 Council Proxy**

Appointment as proxy for voting purposes on the Council owned or related companies and companies in which the Council has a financial interest.

His Worship the Mayor, Sir T R Shadbolt

### **8.8 Elector Nomination**

Nomination as "elector" for the purposes of the Southland Electric Power Supply Consumer Trust.

His Worship the Mayor, Sir 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 Governance 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 Governance 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.

Bylaw, 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

### New Appointed Roles

Appointed representatives of Waihopai Tunaka and Te Rūnanga o Awarua are members of the Infrastructural and Performance, Policy and Partnerships Committees.

They are full members of these decision making bodies to which they are appointed and have full rights as members under standing orders to participate in debate and vote on items.

The appointed representatives have a right to attend all Council and Committee meetings (but debate and vote in the infrastructural and Performance, Policy and Partnerships Committees only). They shall receive all papers and be entitled to attend in-committee parts of any meeting.

The ICC Code of Conduct shall apply to the appointed representatives in attending meetings.

### Bluff Community Board

Te Rūnanga o Awarua has one advisory role on the Bluff Community Board while they cannot vote, they shall be entitled to debate and receive papers. The Code of Conduct shall also apply.

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

Group Manager - Customer and Environment	Group Manager - Finance and Assurance	Group Manager - Infrastructure	Group Manager - Leisure and Recreation	Office of the Chief Executive
<ul style="list-style-type: none"> <li>▪ Customer Services</li> <li>▪ Environmental Services</li> <li>▪ Legal Counsel</li> <li>▪ Planning and Building Services</li> <li>▪ Property Records</li> </ul>	<ul style="list-style-type: none"> <li>▪ Finance Services</li> <li>▪ Information Systems</li> <li>▪ Procurement Services</li> <li>▪ Quality Assurance</li> <li>▪ Records and Archives</li> <li>▪ <u>Strategy and Policy</u></li> </ul>	<ul style="list-style-type: none"> <li>▪ Three Waters Operations</li> <li>▪ Engineering Services</li> <li>▪ Project Management Office</li> <li>▪ Property</li> <li>▪ Roading</li> <li>▪ Water</li> </ul>	<ul style="list-style-type: none"> <li>▪ Aquatic Services</li> <li>▪ Invercargill Venues and Events</li> <li>▪ Library</li> <li>▪ Museum and Heritage Services</li> <li>▪ Parks and Recreation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Governance and Administration</li> <li>▪ Strategic Communications</li> <li>▪ <u>Strategy and Policy</u></li> </ul>

The Chief Executive and Group Managers can be contacted by phoning (03) 2111 777. The Chief Executive is responsible for appointing a Privacy Officer in accordance with Privacy Act 1993.

### **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 as a part of long term plan process) for the following Council activities:

- Buildings Assets
- Parks and Cemeteries.
- Roading.
- Sewerage.
- Stormwater.
- Water Supply.
- Regulatory Services
- Community Development.
- Democratic Process.
- Housing Care.
- Libraries and Archives.
- Public Transport.
- Aquatic Services.
- Solid Waste Management.
- Investment Property.
- Democratic Process.

### **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 is reviewed every three years, and must be adopted by the Councils no later than 1 March 2020 for the 2019-2022 triennium.

## 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:

Sir Tim Shadbolt, His Worship the Mayor	(03) 211 1672
William (Nobby) Clark, Deputy Mayor	027 859 9313
Lindsay Abbott	(03) 216 7111, 027 290 1142
Rebecca Amundsen	027 225 2664
Allan Arnold	027 433 6408
William (Nobby) Clark	027 859 9313
Alex Crackett	021 535 953
Peter Kett	(03) 215 6206, 027 437 7420
Graham Lewis	(03) 218 6385, 021 676 647
Darren Ludlow	(03) 215 4777, 021 217 2848
Marcus Lush	021 377 793
Ian (Rangi) Pottinger	(03) 217 4579, 027 432 3597
Nigel Skelt	027 226 4621
Lesley Soper	(03) 216 6427, 027 603 8037

### 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 Group Manager 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 aims to answer requests for information as soon as reasonably practicable, but 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

---

Airport Authorities Act 1966  
Animal Welfare Act 1999  
Animals Law Reform Act 1989  
Arts Council of New Zealand Toi Aotearoa Act 2014  
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  
Climate Change Response Act 2002  
Commerce Act 1986  
Companies Act 1993  
Conservation Act 1987  
Consumer Guarantees Act 1993  
Copyright Act 1994  
Crimes Act 1961  
Crown Minerals Act 1991

Disabled Persons Community Welfare Act 1975  
District Court Act 2016  
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  
Financial Reporting Act 2013  
Fire and Emergency New Zealand Act 2017  
Food Act 2014

Gambling Act 2003  
Gas Act 1992  
Goods and Services Tax Act 1985  
Government Rooding 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 2017  
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  
Major Events Management Act 2007  
Maritime Transport Act 1994  
Minimum Wage Act 1983



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

Racing Act 2003  
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  
Shop Trading Hours Act 1990  
Smoke-free Environments Act 1990  
Soil Conservation and Rivers Control Act 1941  
Sovereign's Birthday Observance Act 1952  
Standards and Accreditation Act 2015  
Summary Offences Act 1981  
Summary Proceedings Act 1957

Te Ture Whenua Māori Act 1993  
Telecommunications Act 2001  
Transit New Zealand Act 1989  
Treaty of Waitangi Act 1975

Trespass Act 1980

Trustee Act 1956

Unit Titles Act 2010

Utilities Access Act 2010

Valuers Act 1948

Waste Minimisation Act 2008

Wild Animal Control Act 1977

Wildlife Act 1953

**TO: COUNCIL**

**FROM: MICHAEL MORRIS - LEGAL COUNSEL AND THILINI AMARASINGHA - GOVERNANCE SUPPORT ADVISOR**

**AUTHORISED BY: TRUDIE HURST - GROUP MANAGER - CUSTOMER AND ENVIRONMENT**

**MEETING DATE: TUESDAY 24 AUGUST 2021**

**DELEGATIONS REGISTER – FIRST REVIEW AND MANA WHENUA UPDATE**

**SUMMARY**

The Council is required to have an up-to-date Delegations Register.

The Register has been reviewed and updated to reflect changes to the financial delegations and changes reflecting the creation of Mana Whenua appointed roles to the Infrastructural Services and Performance, Policy and Partnerships Committees.

**RECOMMENDATIONS**

**That Council:**

- 1. Receives the report Delegations Register – First Review and Mana Whenua Update.**
- 2. Revokes the Delegations Register – October 2020.**
- 3. Adopts the Delegation Register – Council and Finance - Version 1 (A3481914).**

**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> No
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> No

## **FINANCIAL IMPLICATIONS**

No Financial Implications.

## **BACKGROUND**

The Delegations Register – October 2021 has been reviewed to ensure that it is up-to-date with the needs of Council, and to make the changes required following the adoption of the Mana Whenua appointed roles.

Council must resolve to make the changes in Part A and B in the Register.

The Delegations Register formerly included the Chief Executive delegations to staff. These are now in a separate Register “Delegations Register – Chief Executive”. The register before Council now is called the “Delegations Register – Council and Finance”.

## **CHANGES TO THE DELEGATIONS REGISTER**

### **Changes to Part B – Governance Delegations**

The terms of reference for the Events Committee and the Community Grant Fund Committee have been removed as these committees were dissolved on 13 October 2020.

The terms of reference for the Community Wellbeing Fund Committee have been added as this committee was established on 13 October 2020.

The memberships of both the Infrastructural Services and Performance, Policy and Partnerships Committees have been updated to reflect the Mana Whenua appointed roles created by Council on 27 July 2021.

The Bluff Community Board membership has also been amended to include the Advisory Role that has been created for Te Runanga O Awarua.

Repealed legislative references have also been removed.

There has also been wording changes to reflect that the Chief Executive Delegations are now in a new and separate Register.

### **Changes to Part B – Financial Delegations**

#### **6.1.2 - Delegation to Others**

Deleted the wordings “A copy of any delegation must be forwarded to the Group Manager - Finance and Assurance” and inserted the wordings “The delegations must be recorded on the purpose of audit”.

#### **6.3.1 – Exceptions to Standard Delegated Authorities**

“Payroll. PAYE, ACC” inserted into the Commitment Type.

## 6.5.2 – Public Relations, Legal Commitments and Donations

Amendments in red colour font.

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Delegation Possible?	Notes
Advertising	Unlimited within the overall annual budget.	<u>No authority except for health &amp; safety and operational issues-Yes, within the limit of \$10,000 per advertisement</u>	<u>Comms Manager only-Yes, within the limit of \$5,000 per advertisement</u>	<u>No authority Yes, within the limit of \$1,000 per advertisement</u>	Yes for recurrent advertisements	
Donations/ Sponsorship	Unlimited within the overall annual budget, except no donations to political parties	<u>No authority Contra Sponsorship allowed once valued and approval is at GM level</u>	No authority except Comms Manager up to a value of \$10,000.	No authority	No	

### CONCLUSION

The Delegations Register is a living document and it is important that it is regularly reviewed to ensure that it meets the need of Elected Members and staff to ensure the smooth and efficient running of Council.

This first review achieves that by making the changes needed to reflect changes to the organisation as well as the creation of Mana Whenua roles.



# DELEGATIONS REGISTER – COUNCIL AND FINANCE

Version 1

2021

**[THIS PAGE IS INTENTIONALLY LEFT BLANK]**

**Contents**

Part A.....	1
1. Introduction .....	1
1.1 Purpose.....	1
1.2 Structure of the Document.....	2
2. Statutory Framework .....	3
2.1 Legal Authority.....	3
2.2 Key Principles.....	3
2.3 Council’s Principle Responsibilities.....	4
2.4 Responsibilities of the Chief Executive .....	4
2.5 Delegation of Powers to any Other Officer.....	5
3. Authority .....	6
4. Conduct of Affairs.....	6
Part B.....	7
5. Governance Delegations .....	7
5.1 Introduction.....	7
5.2 Expectations of Committees .....	7
5.3 Committees .....	8
5.3.1 Infrastructural Services Committee .....	9
5.3.2 Performance, Policy and Partnerships Committee .....	10
5.4 Other Committees .....	11
5.4.1 Risk and Assurance Committee.....	11
5.4.2 Hearing Panel.....	12
5.4.3 Invercargill District Licensing Committee.....	13
5.4.4 Community Wellbeing Fund Committee.....	14
5.4.5 Director Appointment Committee .....	15
5.4.6 City Centre Heritage Steering Group .....	16
5.5 Joint Committees.....	17
5.5.1 Joint Waste Advisory Group (WasteNet).....	18
5.5.2 Regional Heritage and Museums Joint Committee .....	20
5.6 Bluff Community Board.....	21



6. Financial Delegations.....	23
6.1 Introduction.....	23
6.1.1 Delegation Process.....	23
6.1.2 Delegation to Others.....	23
6.1.3 Consultation with Others.....	23
6.1.4 Conflict.....	23
6.1.5 Fiscal Prudence.....	23
6.1.6 Variations.....	23
6.1.7 Policy Review.....	23
6.1.8. Related Documents.....	23
6.2 Expenditure.....	24
6.2.1 Capital Expenditure.....	24
6.2.2 Operational Expenditure (OPEX).....	26
6.3 Commitment and Approvals for payment.....	27
6.3.1 Exceptions to Standard Delegated Authorities.....	27
6.4 Other Financial commitments.....	27
6.4.1 Capital Expenditure.....	27
6.4.2 Operating Expenditure.....	27
6.5 General Delegations.....	28
6.5.1 Staff Establishment, Employment, Compensation and Benefits.....	28
6.5.2 Public Relations, Legal Commitments and Donations.....	29
7. Statutory Delegations.....	30
7.1 Introduction.....	30
7.2 Delegations to Council Committees.....	30
7.3 Delegations to the Chief Executive.....	30
7.3.1 Legislation and Regulations.....	30
7.3.2 Bylaws.....	30
7.3.3 Warrants.....	30



## Delegations Register – Council and Finance

### Invercargill City Council

August 2021

Version 1

#### Part A

##### 1. Introduction

The Delegations Register sets out the delegations made by the Invercargill City Council (Council).

Invercargill City Council relies on a clear distinction between governance and management activities for effective operations. Council is comprised of:

- **Elected Members** – including Councillors, ~~and~~ Bluff Community Board members and Mana Whenua appointed representatives who have overall responsibilities for Council decisions and activities; and
- **The Chief Executive** – who is the sole employee of the Elected Members, and
- **Council Officers** – who are employed by the Chief Executive.

Governance activities are the remit of Elected Members. Management activities are the remit of the Chief Executive, which includes the provisions of the policy advice, as well as implementing the governance decisions made by Elected Members.

In order for a Council to operate efficiently and effectively, the Chief Executive delegates provision of policy advice and decision implementation to Council Officers.

##### 1.1 Purpose

The purpose of the Delegations Register is to define and authorise the scope of:

1. The division between governance and management activities.
2. Council's delegations of governance activities to Council Committees and Bluff Community Board.
3. Council delegations of management activities to the Chief Executive.
4. The Chief Executive's delegations to Council Officers, including the Executive Leadership Team, with these being recorded in the Delegations Register – Chief Executive.

Other aspects of Council's work programmes can be delegated by Council resolution. Separate delegations are not required for Council Officers to undertake any work included in these documents, which are adopted by Council.

The Delegations Register also provides for specific delegations relating to finance, regulatory functions, and specific statutory responsibilities devolved to Council through legislation.

## **1.2 Structure of the Document**

The Delegations Register is structured as follows:

### **1. Part A**

#### **Delegations Framework**

This section outlines Council's guiding principles for delegating authority and establishes the legal power for making these delegations. It then establishes the framework through which the delegation are made and structured.

### **2. Part B**

#### **Governance Delegations**

This section sets out the delegation of governance powers from Council to Committees and Bluff Community Board.

#### **Financial Delegations**

The delegation of financial powers enables the achievement of Council's objectives and work programme, as adopted in the Long Term Plan and Annual Plan. This section sets the limits of financial delegations to Council Sub-Committees and Council Officers.

## **2. Statutory Framework**

### **2.1 Legal Authority**

The powers, functions and duties of a Council are prescribed through various Government Acts and Regulations. The main Acts that impact Council include but are not limited to:

- Local Government Act 2002
- Resource Management Act 1991
- Building Act 2004
- Reserves Act 1977
- Local Authorities (Members' Interests) Act 1968

Council cannot delegate any power which is required by law to require a resolution of Council, including under Schedule 7 Clause 32 of the Local Government Act 2002.

Council cannot delegate the power to:

- set a rate
- adopt a bylaw
- borrow money, purchase or dispose of assets, outside of the Long Term Plan
- adopt a Long Term Plan, Annual Plan or Annual Report
- appoint the Chief Executive
- adopt policies with consultation requirements prescribed by the Local Government Act 2002, including those associated with the Long Term Plan or developed for the purpose of the Governance Statement
- approve, adopt and set operative dates for changes and/or variations to resource management plans and policies under the Resource Management Act 1991
- adopt a remuneration and employment policy
- to determine not to follow a recommendation of the Ombudsman following an investigation
- approve or amend Council's Standing Orders
- approve and amend the Code of Conduct for Elected Members
- establish and determine the structure, terms of reference, and delegated authorities of Committees
- appoint and discharge member of Committees
- establish a joint Committee with another local authority or public body

### **2.2 Key Principles**

In making decisions about delegated authority, Council and the Chief Executive will take into account the following principles, to enable Council to:

- operate efficiently and effectively
- concentrate on its policy making role, empowering the Chief Executive and Council Officers to implement and administer those policies
- carry out Council functions openly and fairly
- provide delegates with the necessary authority to effectively carry out delegated responsibilities
- properly observe all statutory requirements

Other principles observed in the development of the Delegations Register are that delegations will:

- be made to positions, not people
- be recorded in the Delegations Register
- have any updates recorded in an Appendix of subsequent delegations
- commit Council to decisions made by staff with delegated authority
- be reviewed and amended as required, including a review in line with triennial elections

Council retains full responsibility for governance, statutory and financial powers, duties and responsibilities and contract specifications at all times.

### **2.3 Council's Principle Responsibilities**

The purpose of the local government as per Section 10 of the Local Government Act 2002 is:

- to enable democratic local decision-making and action by, and on behalf of, communities, and
- to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future

The governance principles of local government as set out in Section 39 of the Local Government Act 2002 are:

- a local authority should ensure that the role of democratic governance of the community, and the expected conduct of Elected Members, is clear and understood by Elected Members and the community
- a local authority should ensure that the governance structure and processes are effective, open and transparent
- a local authority should ensure that, so far as is practicable, responsibility and processes for decision making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities
- a local authority should be a good employer
- a local authority should ensure that the relationship between Elected Members and management of the local authority is effective and understood

### **2.4 Responsibilities of the Chief Executive**

The Local Government Act 2002 requires Council to delegate the management of the organisation to the Chief Executive in accordance with Section 42 and Schedule 7 Clause 33 – 36, on the terms and conditions that Council consider appropriate.

The Chief Executive is responsible to the elected Council for:

- implementing the decisions of the local authority
- providing advice to members of the local authority and to its community boards, if any
- ensuring that all responsibilities, duties and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised
- ensuring the effective and efficient management of the activities of the local authority
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority
- providing leadership for the staff of the local authority
- employing, on behalf of the local authority, the staff of the local authority,(in accordance with any remuneration and employment policy)

- negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy)

The Chief Executive is responsible for:

- ensuring, as far as practicable, that the management structure of the local authority:
  - reflects and reinforces the separation of regulatory responsibilities and decision making processes from other responsibilities and decision making processes
  - is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives
- appointment of independent commissioner(s) to hear, consider and determine all contested resource consent application in respect of which Council, or a Council Controlled Organisation (CCO), is or could be perceived to be an interested party
- delegating to the Hearing Panel all of Council's regulatory powers in respect of hearing, considering and determining all matters relating to resource consents under the Resource Management Act 1991; ~~approvals under the Fencing of Swimming Pools Act 1987;~~ and action under the Dog Control Act 1996
- delegating to appropriate staff Council's powers to undertake compliance inspection and enforcement in accordance with Council's approved procedures

[The Chief Executive is able to delegate any of these power other than the power to delegate.](#)

## **2.5 Delegation of Powers to any Other Officer**

The Delegation Register – [Chief Executive](#) records all delegations from the Chief Executive to Council Officers.

Clause 32B of Schedule 7 of the Local Government Act 2002 provides further delegations of power (with some restrictions) to another Officer of the Council.

### **3. Authority**

All previous delegations were revoked by the resolution, and the delegation made in the governance section of the Delegations Register and other delegations of statutory and finance powers to Committees and sub-Committees and all the delegations made to the Chief Executive and Executive Leadership Team were adopted by Council at its meeting **on 24 August 2020**.

### **4. Conduct of Affairs**

All Elected Members, Bluff Community Board, Committees, Sub Committees and Joint Committees shall conduct their affairs in accordance with the Local Government Act 2002, Local Government Official Information and Meetings Act (LGOIMA) 1987, Local Authorities (Member's Interest) Act 1968, Council Code of Conduct (with respect to all Elected Members) and Standing Orders 2019.

## Part B

### 5. Governance Delegations

#### 5.1 Introduction

Invercargill City Council's delegation model is designed to enable Committees of Council to undertake their roles consistent with their terms of reference. The use of delegated authority to the most appropriate level of the organisation enables Council to achieve the purpose of local government as prescribed in the Local Government Act 2002; which is:

- To enable democratic local decision-making and action by and on behalf of, communities; and
- To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

When a statute or regulation empowers Council to carry out a decision making function, that decision must be made by resolution of the full governing body, unless the statute or regulation permits delegation to a Committee, Sub Committee or Council Officer.

The business to be delivered and administered by Council is significant and wide-ranging, implementing the requirements of many statutes, and associated regulations, Council plans, policies, bylaws and other services. Without delegation, Council's operations and administration would not be efficient, effective or timely in delivering services.

The body or person to whom powers are delegated will usually exercise the delegated power, but is not obliged to do so. Delegates may choose not to exercise authority when a matter becomes of high public interest, or the issues involved continues or are high risk.

#### 5.2 Expectations of Committees

Within the areas of jurisdiction, each Committee is expected to:

- Report minutes of all meetings to Council
- Observe and pursue the goals, objectives and strategies in any strategic plan adopted by full Council
- Maintain regular communication with other Committees and full Council to ensure that the widest possible good is achieved for the community
- Approve expenditure that exceeds delegated authority of Council Officers, within the financial parameters of Long Term Plan and Annual Plan
- Ensure appropriate consultation and communication is undertaken with the community and affected stakeholders
- Monitor and respond to change in legislation governing their jurisdiction
- Support Council staff to achieve programmes and projects contained in the Long Term Plan

All Committees will operate within:

- The policies, plans, standards or guidelines established and approved by Council
- The overall priorities of Council
- The needs of people in the Invercargill City District
- The approved budgets for the activity



### 5.3 Committees

In order to be efficient, effective and timely in delivering its services, ICC has established two Committees that all Elected Members are members of both Committee:

- Infrastructural Services Committee
- Performance, Policy and Partnerships Committee

#### Legislative Basis for the Committees:

<b>Legislative Basis</b>	Committee constituted by Council as per Clause 30 (1) (a) Schedule 7 of the Local Government Act 2002 Committee delegated powers by Council as per Clause 32 Schedule 7 of the Local Government Act 2002
--------------------------	---

Legislative basis for all Committees are the same as set above unless it stated otherwise in the following pages.

### 5.3.1 Infrastructural Services Committee

<b>Type of Committee</b>	Committee
<b>Responsible to</b>	Council
<b>Membership</b>	All Elected Members <a href="#">and two appointed Mana Whenua representatives</a>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
<b>Frequency of Meetings</b>	Week 1 of each month
<b>Scope of Activities</b>	<ul style="list-style-type: none"> <li>▪ Cemetery and Crematorium</li> <li>▪ Community facilities including public toilets</li> <li>▪ Parks and Reserves, including sports fields</li> <li>▪ Swimming pools</li> <li>▪ Transport networks including passenger transport</li> <li>▪ Street lighting</li> <li>▪ Traffic control and parking (excluding enforcement)</li> <li>▪ Regional Transport Committee</li> <li>▪ Water</li> <li>▪ Wastewater</li> <li>▪ Stormwater</li> <li>▪ Solid Waste Management including transfer stations and waste minimisation</li> <li>▪ WasteNet Joint Committee</li> <li>▪ Property portfolio, including Investment Property and Housing Care</li> <li>▪ Development of bylaws within the areas of responsibility, for recommending to Council</li> </ul>
<b>Delegations</b>	The Committee has authority to exercise all the powers, functions and duties of the Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference
<b>Financial Delegations</b>	<p>Approve expenditure above authority delegated to the Chief Executive</p> <p>Approve expenditure not provided in the Long Term Plan or Annual Plan</p>
<b>Relationship with Other Parties</b>	The Committee is also responsible for liaising with key stakeholders/partners and Joint Committees with in the field of references
<b>Contact with Media</b>	Responsibility of Chair and Deputy Chair unless otherwise determined

### 5.3.2 Performance, Policy and Partnerships Committee

<b>Type of Committee</b>	Committee
<b>Responsible to</b>	Council
<b>Membership</b>	All Elected Members <a href="#">and two appointed Mana Whenua representatives</a>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
<b>Frequency of Meetings</b>	Week 2 of each month
<b>Scope of Activities</b>	<ul style="list-style-type: none"> <li>▪ Arts, Culture and Heritage, including SMAG, IPAG, Bluff Maritime Museum, Regional Heritage Committee</li> <li>▪ Festivals and Events, including funding allocations from Events Fund</li> <li>▪ Libraries</li> <li>▪ Theatres and Halls including Civic Theatre, Scottish Hall</li> <li>▪ Community Development / External Relationships</li> <li>▪ Communications and engagement</li> <li>▪ Council's financial performance</li> <li>▪ Rating systems and policies</li> <li>▪ Business, economic development, tourism including Great South</li> <li>▪ Environmental regulatory matters including alcohol licensing</li> <li>▪ Environmental policy including District Plan</li> <li>▪ Policies and strategies related to compliance, monitoring and enforcement</li> <li>▪ Development of bylaws within the areas of responsibility, for recommendation to Council</li> <li>▪ Long Term Plan strategy development</li> <li>▪ Shared Services</li> <li>▪ Joint Committees in field of reference</li> <li>▪ Statements of Intent (excluding ICHL)</li> <li>▪ Youth Council</li> <li>▪ LGNZ membership</li> <li>▪ Sister City Relationships</li> <li>▪ Democratic processes (Representation Review, Remuneration, Code of Conduct)</li> <li>▪ Neighbourhood Fund Committee could be a Sub Committee</li> <li>▪ Community Grants Committee could be a Sub Committee</li> <li>▪ City Centre Heritage Steering Group could be a Sub Committee</li> </ul>
<b>Delegations</b>	The Committee has authority to exercise all the powers, functions and duties of the Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference

### 5.3.2 Performance, Policy and Partnerships Committee continued

<b>Financial Delegations</b>	Approve expenditure above authority delegated to the Chief Executive Approve expenditure not provided in Long Term Plan or Annual Plan
<b>Relationship with Other Parties</b>	The Committee also responsible for liaising with key stakeholders/partners and Joint Committees with in the field of references
<b>Contact with Media</b>	Responsibility of Chair and Deputy Chair unless otherwise determined

## 5.4 Other Committees

### 5.4.1 Risk and Assurance Committee

<b>Type of Committee</b>	Committee
<b>Responsible to</b>	Council
<b>Membership</b>	Seven members, or such other number of members as the Council may determine, of which at least five are a member of the Council. In all cases, the Committee's total membership will be a minimum of two external independent appointees  The Chair of the Committee shall be an external independent appointee
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have at least one external independent appointee
<b>Frequency of Meetings</b>	The Committee shall meet at least four times a year to coincide with key dates in the financial reporting and audit calendar
<b>Delegations</b>	The Committee has authority to exercise all the powers, functions and duties of the Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference <ul style="list-style-type: none"> <li>▪ Council's treasury policies and functions</li> <li>▪ Council's Annual Report</li> <li>▪ Audit processes and management of financial risk, including fraud</li> <li>▪ Organisational Risk Management, including business continuity</li> <li>▪ External Audit</li> <li>▪ Internal controls and internal audit (where necessary)</li> <li>▪ Health and Safety</li> <li>▪ Statutory compliance</li> <li>▪ Related party transactions and executive/elected representative expenditure</li> </ul>

#### 5.4.2 Hearing Panel

<b>Type of Committee</b>	Committee
<b>Membership</b>	Four (4) Councillors (Chair, Deputy Chair and two members)
<b>Quorum</b>	The quorum for each Hearing Panel is three (3) members including a qualified Chairman.
<b>Frequency of Meetings</b>	As required
<b>Scope of Activities</b>	The hearing panel is responsible for hearing, considering and deciding applications under the Resource Management Act 1991, Dog Control Act 1996 and Gambling Act 2003
<b>Delegations</b>	<ul style="list-style-type: none"> <li>▪ 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</li> <li>▪ Pursuant to the Dog Control Act 1996 and Section 22 (Probationary Owners); Section 25 and 26(Disqualify Owners); Section 31 (Dangerous Dogs); Section 33B, 33C and 33D (Menacing Dogs); Section 71 (Retention of Dogs Threatening Public Safety); Section 55 (Barking Dogs) of that Act, the authority to hear and determine objections under the above sections; and</li> <li>▪ 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</li> </ul>

### 5.4.3 Invercargill District Licensing Committee

<b>Type of Committee</b>	Committee
<b>Responsible to</b>	The Alcohol and Regulatory Licencing Authority
<b>Legislative Basis</b>	Section 186 of Sales and Supply of Alcohol Act 2012 Committee constituted by Council as per Clause 30 (1) (a) Schedule 7 of the Local Government Act 2002 Committee delegated powers by Council as per Clause 32 Schedule 7 of the Local Government Act 2002
<b>Membership</b>	Four (4) Councillors (Chair and three members)
<b>Quorum</b>	A quorum is one member, the Chair, for unopposed applications or applications for temporary authorities and a quorum is three members for opposed applications
<b>Frequency of Meetings</b>	As required
<b>Scope of Activities</b>	The Invercargill District Licensing Committee is responsible for considering and determining license 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 the Act
<b>Delegations</b>	To consider and determine applications made in accordance with the Sale and Supply of Alcohol Act 2012

#### 5.4.4 Community Wellbeing Fund Committee

<b>Type of Committee</b>	Sub-committee
<b>Responsible to</b>	Performance, Policy and Partnership Committee
<b>Legislative Basis</b>	<p>Committee constituted by Council as per Clause 30 (1) (a) Schedule 7 of the Local Government Act 2002</p> <p>Committee delegated powers by Council as per Clause 32 Schedule 7 of the Local Government Act 2002</p>
<b>Membership</b>	<p>Five members to be elected representatives, with the Mayor also able to join in his role on all committees.</p> <p>Up to three additional members to be nominated from the community, via recognised community groups.</p> <p>Chair to be an elected member of Invercargill City Council.</p> <p>Membership will be determined in line with the Standing Orders of Council.</p>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd. In either case, a majority of members present must be Invercargill City Councillors.
<b>Frequency of Meetings</b>	Every two months
<b>Administration</b>	The Strategy and Policy team will provide analysis of project applications and advice, and the Governance and Administration team will provide secretarial support.
<b>Scope of Activities</b>	<ul style="list-style-type: none"> <li>▪ Responsible for considering applications, determining and approving funding for projects promoting community wellbeing within the Invercargill City District.</li> <li>▪ Responsible for considering applications, determining and approving funding for the applications in line with Council's Community Wellbeing Fund Framework.</li> </ul>

#### 5.4.5 Director Appointment Committee

<b>Type of Committee</b>	Committee
<b>Responsible to</b>	Council
<b>Membership</b>	<p>Four (4) members:</p> <ul style="list-style-type: none"> <li>▪ The current chair of ICHL or his/her nominee, and /or</li> <li>▪ A member of the Institute of Chartered Accountants, and/or</li> <li>▪ An employment specialist (who is a member of Institute of Directors), and/or</li> <li>▪ A member of Institute of Directors</li> </ul> <p>(Chair will be determined by the Committee)</p>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
<b>Frequency of Meetings</b>	As required
<b>Scope of Activities</b>	The Committee is responsible for recommending to Council candidates for directorships on the ICHL Board and the subsidiary companies of ICHL
<b>Delegations</b>	Nil



#### 5.4.6 City Centre Heritage Steering Group

<b>Type of Committee</b>	Committee
<b>Responsible to</b>	Performance, Policy and Partnerships Committee
<b>Membership</b>	Four (4) Councillors
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
<b>Frequency of Meetings</b>	Bi-monthly
<b>Scope of Activities</b>	The purpose of the group is to provide a coordinated approach to the support, promotion and preservation of built heritage within Invercargill City Centre
<b>Delegations</b>	To determine and decide allocations of City Centre Heritage Strategy-related funding and repainting funding, with an authorisation limit of \$50,000 per application

## **5.5 Joint Committees**

Council may unite with any one or more local authorities or other public bodies in appointing a joint committee in accordance with Clause 30A Schedule 7 of the Local Government Act 2002.

Invercargill City Council and other local authorities within the region have formed a number of joint committees, with terms of reference to address the specific subject matters.

Any committee appointed will be considered to be both a Committee of Invercargill City Council and a Committee of the other local authority or public body, unless otherwise specified by legislation. In forming any such committee, Council must reach agreement with the other local authorities or public bodies involved which must specify the number of members, how the chairperson and deputy chairperson are to be appointed, the terms of reference of the Committee, what responsibilities are to be delegated to the Committee and how the agreement may be varied.

The powers to discharge any individual member and appoint another will be exercisable by the local authority or public body that made the appointment.

### 5.5.1 Joint Waste Advisory Group (WasteNet)

<b>Type of Committee</b>	Joint Committee
<b>Subordinate to</b>	Council
<b>Legislative Basis</b>	Joint Committees delegated powers by Council as per Schedule 7, Clause 30A, Local Government Act 2002
<b>Membership</b>	Membership of the joint Committee shall comprise of the following: <ul style="list-style-type: none"> <li>▪ Two Councillors, Invercargill City Council</li> <li>▪ The Mayor and one Councillor, Southland District Council</li> <li>▪ Two Councillors, Gore District Council</li> </ul>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member from each local authority
<b>Meetings</b>	The Joint Committee will meet on an as required basis
<b>Standing Orders</b>	The current Standing Orders of the administering authority (Invercargill City Council) shall govern the conduct of the meetings
<b>Administering Authority</b>	The administering authority will be Invercargill City Council and will provide administrative support and leadership of the Joint Committee
<b>Reporting</b>	The Committee will report to each member authority
<b>Delegations</b>	<p>The functions and responsibilities of the Waste Management Advisory Group are to:</p> <ol style="list-style-type: none"> <li>1. Be the high level decision making Committee for the implementation and carrying out of the WasteNet activities within the delegations from each of the WasteNet Councils</li> <li>2. Receive and approve financial monitoring reports as to the accounting between the WasteNet Councils in relation to the WasteNet activities</li> <li>3. Report to each constituent WasteNet Council as to the WasteNet activities outcomes</li> <li>4. Develop policies to ensure the smooth implementation and operation of the WasteNet activities</li> <li>5. Provide a forum for: <ol style="list-style-type: none"> <li>a) The exchange of views and information relevant to the management of waste for each of the WasteNet Council territories;</li> <li>b) Discussion as to the effectiveness of the services contracts including ways in which value can be added to the parties through the services contracts and the implementation of the WasteNet Southland Business Plan;</li> <li>c) The identification of opportunities for joint waste management and minimisation initiatives</li> <li>d) Identification and resolution of points of tension or difficulties between the WasteNet Councils as to their respective roles under the services contracts and this agreement</li> </ol> </li> <li>6. Receive reports and recommendations from the WMG and approve recommendations as permitted by each separate</li> </ol>

	<p>WasteNet Council's delegations</p> <ol style="list-style-type: none"> <li>7. Formulate recommendations in relation to the services contracts, waste disposal and minimisation strategies and the implementation of the WasteNet Southland Business Plan for consideration by the joint Committee and each of the WasteNet Councils as appropriate</li> <li>8. Make recommendations to the WasteNet Councils in relation to the following:             <ol style="list-style-type: none"> <li>a) The exit by the WasteNet Council from any or all of the services contracts;</li> <li>b) The inclusion of other territorial authorities into any of the services contracts or into WasteNet Southland</li> </ol> </li> <li>9. Make decisions generally (in accordance with each Council's delegations) in relation to the implementation of the WasteNet Southland Business Plan</li> <li>10. Make recommendations to the WasteNet Councils and/or decisions (in accordance with each WasteNet Council's delegations) in relation to the Regional Landfill Contract as to the following:             <ol style="list-style-type: none"> <li>a) The portion of funding of general waste management and waste minimisation costs to be recovered through landfill charges;</li> <li>b) Landfill pricing for authorised users and requests from the landfill operator for approval of major industrial users</li> </ol> </li> <li>11. Make recommendations to the WasteNet Councils and/or decisions (in accordance with each WasteNet Council's delegations) in relation to the Recyclables Acceptance Contract as to the following:             <ol style="list-style-type: none"> <li>a) The exercise of the WasteNet extension right pursuant to clause 2.5;</li> <li>b) The modification of the contract conditions in connection with exercise of the WasteNet extension right pursuant to clause 2.5;</li> <li>c) The allocation of the contract price payable under the contract as between the WasteNet Councils;</li> <li>d) The apportionment of the revenue share payment received by the WasteNet Councils under the contract</li> </ol> </li> <li>12. Make recommendations to the WasteNet Councils and/or decisions (in accordance with each WasteNet Council's delegations) in relation to the Collection and Transfer Stations Contract as to the following:             <ol style="list-style-type: none"> <li>a) The exercise of the WasteNet Extension Right pursuant to clause 2.3;</li> <li>b) The modification of the contract conditions in connection with exercise of the WasteNet extension right pursuant to clause 2.3</li> </ol> </li> <li>13. Exercise such powers or functions as shall be delegated to the WAG by the WasteNet Councils (either together or separately)</li> <li>14. Carry out such other functions and responsibilities as the WasteNet Councils shall agree shall be functions and responsibilities of the WAG</li> </ol>
--	---

### 5.5.2 Regional Heritage and Museums Joint Committee

<b>Type of Committee</b>	Joint Committee
<b>Subordinate to</b>	Council
<b>Legislative Basis</b>	Joint Committees delegated powers by Council as per Schedule 7, Clause 30A, Local Government Act 2002
<b>Membership</b>	<p>Membership of the joint Committee shall comprise of the following:</p> <ul style="list-style-type: none"> <li>▪ Two Councillors, Invercargill City Council</li> <li>▪ Two Councillors, Southland District Council</li> <li>▪ Two Councillors, Gore District Council</li> <li>▪ One iwi representative may be appointed by the Committee</li> </ul> <p>Other Committee members may be appointed by the Committee being persons who have the skills, attributes or knowledge that may assist the work of the Committee</p>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member from each local authority
<b>Meetings</b>	The Joint Committee will meet on an as required basis
<b>Standing Orders</b>	The current Standing Orders of the administering authority (Invercargill City Council) shall govern the conduct of the meetings
<b>Administering Authority</b>	The administering authority will be Invercargill City Council and will provide administrative support and leadership of the Joint Committee
<b>Reporting</b>	The Committee will report to each member authority
<b>Delegations</b>	The Committee shall have such powers, functions and duties as are necessary to carry out the objects and goals set out in the Southland Regional Heritage Joint Committee Heads of Agreement 2017-24

## 5.6 Bluff Community Board

Pursuant to Clause 32 of Schedule 7 of the Local Government Act 2002, Council delegates the responsibilities, duties and powers listed below to community boards to exercise within their communities.

Any decision by the Bluff Community Board must be consistent with policies or standards or resolutions adopted by Council (whether or not specifically referred to in the delegations below), the needs of their local communities and the approved budget for the activity.

It is Council's intention that Bluff Community Board exercises their delegations in respect of local activities. For District activities which are the responsibility of Council, Community Board will have the power to review and make recommendations to Council on the levels of services on the understanding that Council will be operating on a district-wide minimum levels of service.

<b>Type of Committee</b>	Community Board
<b>Responsible to</b>	Council
<b>Membership</b>	Five (5) members elected by the local authority triennial elections and a member appointed by the Council. (Chair, Deputy Chair, three (3) members and a member appointed by Council) <a href="#">There is an advisory role to the Bluff Community Board for Te Rūnanga o Awarua.</a>
<b>Quorum</b>	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
<b>Frequency of Meetings</b>	Every six weeks
<b>Key Functions</b>	<ul style="list-style-type: none"> <li>▪ To promote the social, economic, environmental and cultural well-being of local communities and in doing so contribute to the realisation of Council's vision of one District offering endless opportunities</li> <li>▪ To provide leadership to local communities on the strategic issues and opportunities that they face</li> <li>▪ To be advocates and representatives for their local community and in doing so ensure that Council and other agencies have a clear understanding of local needs and aspirations</li> <li>▪ To be decision-makers on issues that are delegated to the Board by Invercargill City Council</li> <li>▪ To develop relationships and communicate with key community organisations, special interest groups, residents and business within the community organisations, special interest groups, residents and business within the community</li> <li>▪ To maintain an overview of the services Council delivers to its communities and assess the extent to which these services meet community needs</li> <li>▪ To recommend the settings of levels and budgets for local activities</li> </ul>
<b>Delegations</b>	The Bluff Community Board has the authority to exercise any of the powers granted to the Council, with the exceptions of: <ul style="list-style-type: none"> <li>▪ Those powers specially excluded by the law</li> <li>▪ Those powers delegated to Officers by Council</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Those powers which would by the exercise of those powers, have an effect beyond the community of the Community Board Involved</li> <li>▪ Resource consent applications</li> <li>▪ Those matters specifically delegated to the Standing Committees of Council</li> </ul>
<b>Limits to Delegations</b>	<ul style="list-style-type: none"> <li>▪ No financial or decision making delegations other than those specifically delegated by Council</li> <li>▪ The Community Board shall not expand funding on purposes for which that funding was originally raised and in accordance with the budgets approved by Council through its Long Term Plan / Annual Plan</li> <li>▪ In accordance with the provisions with section 39(2) of Schedule 7 of the Local Government Act the Board may not incur expenditure in excess of the approved budget</li> </ul>
<b>Contact with Media</b>	Responsibility of Chair only

## **6. Financial Delegations**

### **6.1 Introduction**

This policy applies to all procurement and expenditure of Invercargill City Council.

#### **6.1.1 Delegation Process**

Ultimate authority for the conduct of business by and within Invercargill City Council rests with the Council. The Council delegated authority, within certain prescribed parameters to the Chief Executive so as to facilitate and encourage effective and efficient management of the Council. In turn, the Chief Executive delegated aspects of her authority to the members of Senior Management.

#### **6.1.2 Delegation to Others**

Delegated authority cannot be passed on to others or changed in any way, unless it is able to be authorised as noted under the “Delegation Possible?” column in the tables within sections 6.2 to 6.5 of this policy. Authority delegated to others must be temporary and must specify the period for which the delegation is to apply. The delegation must be recorded on the purpose of audit.

This delegation of authority does not amount to the delegation of responsibility.

#### **6.1.3 Consultation with Others**

Even if an employee has apparent authority, it is often prudent to consult with your manager to ensure the best decision is made.

#### **6.1.4 Conflict**

If there is any possible conflict with Council policy, dispute, appearance of impropriety or conflict of interest, it is also necessary to consult with your manager prior to action being taken. Behaviour is governed by the Employee Handbook and Code of Conduct found on the intranet.

#### **6.1.5 Fiscal Prudence**

A manager must operate within the constraints of the budget and managers must be prepared to account for and explain any expenditure incurred.

#### **6.1.6 Variations**

Where any final invoice from a creditor varies by more than 10% of the approved commitment, the invoice must be authorised by a staff member with appropriate authority to approve the new total value of the invoice.

#### **6.1.7 Policy Review**

This policy will be reviewed on an annual basis by the Group Manager - Finance and Assurance.

#### **6.1.8. Related Documents**

The delegations will be subject to a range of policies which cover how staff can procure services, which are currently under development.



### 6.1.9 GST

All figures in the tables below are GST exclusive.

## 6.2 Expenditure

Expenditure commitment is the point where staff will incur a liability on the company, for example, the issue of a Purchase Order to a supplier. Where a Purchase Order has not been issued, the approval will be given prior to payment of the invoice. Staff have the authority to incur all necessary expenditure for achieving business goals provided they have pre-approval (refer Section 6.2), consideration has been given to the budget, and is within the limits shown below. Refer to Purchasing Policy for methods of purchase (expenditure commitment).

### 6.2.1 Capital Expenditure

Capital expenditure is for an item that is not an operating expense. It includes renewals, level of service capital and growth capital work. Capital work is included in the LTP and Annual Plans and all capital expenses must reference back to the Annual Plan adopted by Council. It is important to note that the adoption of the Annual Plan, or the LTP does not authorise the expenditure to be incurred. The Plan makes funding provision for the work and authorisation for spending is within delegations.

This policy includes a concept of “pre-approval”. Pre-approval is authorisation from the appropriate delegation level for the spending to be committed. Pre-approval needs to be obtained prior to the procurement process commencing.

## Committee Financial Delegations

For ease of reference the following table is provided to clearly set out the specific financial delegations of the Council Committees that have them.

<b>Financial Delegations of the Committees</b>	
<b>Performance, Policy and Partnerships Committee</b>	Approve expenditure above authority delegated to the Chief Executive Approve expenditure not provided in Long Term Plan or Annual Plan
<b>Infrastructural Services Committee</b>	Approve expenditure above authority delegated to the Chief Executive Approve expenditure not provided in Long Term Plan or Annual Plan
<b>City Centre Heritage Steering Group</b>	\$50,000 per application

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
<b>PRE-APPROVAL</b>							
Budget and AMP Expenditure	\$2,000,000	\$500,000	\$10,000	No authority	No authority	No	Approvals over \$500,000 and are not budgeted are to be detailed in the Quarterly Management Report to PPP
It Software & Hardware, Mobile Phones & Motor Vehicles <sup>1</sup>		Information Services standard issue only (like for like basis)	No authority	No authority	No authority	No	
Expenditure not in budget and AMP	\$200,000	\$10,000	\$2,000	No authority	No authority	No	
<b>COMMITMENT AND PAYMENT</b>							
Contract Acceptance for Approved Capital Projects	Unlimited All items over \$500,000 reported to the Council	\$500,000	\$100,000	No authority	No authority	No	Pre-approval required. Refer Purchasing Policy. Approvals reported in Quarterly Management report
Capital Expenditure <sup>2</sup> including Purchase Orders	\$2,000,000	\$100,000	\$50,000	\$20,000	\$10,000	Yes with written approval by CE	
Progress Payments for Approved Contracts	Unlimited	Unlimited	\$1,000,000	Up to \$500,000	No authority	Yes with written approval by CE	Authority to approve payments subject to the contract terms where satisfied that the services have been delivered. Dual signature requirements will remain
Contract Variations for Approved Projects <sup>3</sup>	\$500,000	\$200,000	\$20,000	No authority	No authority	No	

<sup>1</sup> This applies to all NEW requirements for Information Services & Phone equipment. Replacement equipment for existing roles is to be approved by the GM.

<sup>2</sup> The Delegated Authority for individual staff members is managed within the Purchasing Requisition System (PRS).

<sup>3</sup> Contract variations that exceed the original contract approval require re-approval. Contract variations that exceed the original capex request by the lesser of 10% of the project value or \$100,000 requires further approval by the original approver and therefore section 6.1 applies.

**6.2.2 Operational Expenditure (OPEX)**

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
<b>PRE-APPROVAL</b>							
Hiring of Professional Advisors/ Consultants	Unlimited within the annual budget	\$50,000	\$10,000	No authority	No authority	No	
Training, Conferences and Courses	Unlimited within the annual budget	3 day, single attendance in New Zealand up to a value of \$5,000 <sup>4</sup> . No employee to authorise their own	3 day, single attendance in New Zealand up to a value of \$2,500. No employee to authorise their own	1 day, single attendance up to a value of \$1,000. No employee to authorise their own	No authority	No	Papers to be published or given at a Conference must be approved by the CE. All attendees must be notified to People and Capability
Travel	Unlimited within the annual budget	Within budget limits. No employee to authorise their own.	Within budget limits. No employee to authorise their own.	Within budget limits. No employee to authorise their own travel	No authority	No	
- Domestic <sup>5</sup>							
- Overseas	Unlimited within the annual budget	No authority	No authority	No authority	No authority	No	All requests by memorandum justification to the CE
<b>COMMITMENT AND PAYMENT</b>							
Operating Expenditure <sup>4</sup> including Purchase Orders	Unlimited within the annual budget	\$100,000 Refer 6.3.1 for exceptions	\$50,000 Refer 6.3.1 for exceptions	\$20,000 Refer 6.3.1 for exceptions	\$10,000 Refer 6.3.1 for exceptions	Yes with written approval by CE	Refer Purchasing Policy. Approvals reporting in Quarterly Management Report
Establishing Expenditure Construction & Supply Contracts	Unlimited within the annual budget	Up to \$2,000,000 and 36 months duration per contract	\$200,000	No authority	No authority	Yes with written approval by CE only	
Operating Leases or multi-year commitments	\$1,000,000	\$20,000 of annual value	\$10,000 of annual value	No authority	No authority	Yes with written approval by CE only	

<sup>4</sup> Includes travel, accommodation and related expenses.

<sup>5</sup> This applies to external booking of travel services only.

### 6.3 Commitment and Approvals for payment

#### 6.3.1 Exceptions to Standard Delegated Authorities

The table below describes approved exceptions to the above general policy for operating expenditure commitments of a specific nature. Only the Chief Executive may approve changes to these exceptions.

Position Description	Business Group	Delegated Authority	Commitment Type
Group Manager - Finance and Assurance	Finance	NB: value limit deleted	FBT, GST, Income tax, Insurance, Payment of Interest, and repayment of loans, Payroll, PAYE, ACC
Manager - People and Capability	<del>Office of the Chief Executive</del> Office	NB: value limit deleted	Payroll, PAYE, ACC

The Group Manager – Finance and Assurance is delegated to undertake the necessary entries to reflect revenue appropriately when parking infringements are passed to the Courts.

### 6.4 Other Financial commitments

Other financial transactions and external agreements that impact the liabilities of the company.

#### 6.4.1 Capital Expenditure

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
Single Item Asset Sales or Write-Off - if budgeted	\$100,000 NBV <sup>6</sup>	\$10,000 NBV	\$5,000 NBV	No authority	No authority	No	

#### 6.4.2 Operating Expenditure

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
Bad Debt Write-Off or Credit Notes to settle Claims	Unlimited within the annual budget	Up to \$5,000 (Also to be signed by GM Finance and Assurance)	No authority	No authority	No authority	No	
Employee Expense Claims	Unlimited within the annual budget	Up to \$1,000, no employee can authorise their own	Up to \$200, no employee can authorise their own	\$100, no employee can authorise their own	No authority	No	

<sup>6</sup> NBV = Net Book Value.

## 6.5 General Delegations

### 6.5.1 Staff Establishment, Employment, Compensation and Benefits

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Delegation Possible?	Notes
Approve structure changes, including changes in reporting lines, job size, and job titles	Unlimited within the overall annual budget. <sup>7</sup>	No authority	No authority	No authority	No	Appropriate documents to People and Capability
Approve Employment of Additional Permanent Staff, Making Staff Redundant	Unlimited within the overall annual budget. <sup>7</sup>	No authority	No authority	No authority	No	
Replacing Staff (same job, same grade and on standard contract and within budget)	Unlimited within the overall annual budget. <sup>7</sup>	Unlimited but direct reports requires Chief Executive approval required		No authority	No	Appropriate documents to People and Capability
Employment of Temporary staff	Unlimited within the overall annual budget.	Within budgeted limits Report to the <a href="#">Chief Executive</a> in monthly report Jointly approved by People and Capability	Jointly approved by People and Capability		No	Details are to be included in the Quarterly Management Report
Temporary contractors from employment agencies or independent contractors	Unlimited within the overall annual budget	Up to three months Report to the <a href="#">Chief Executive</a> in monthly report	Up to three months Report to the <a href="#">Chief Executive</a> in monthly report	Up to one week Report to the <a href="#">Chief Executive</a> in monthly report	No	Appropriate documents to People and Capability
Salary increases or other changes in benefits	Unlimited within the overall annual budget	No authority	No authority	No authority	No	
Wage increases or other changes in benefits.	Unlimited within the overall annual budget	No authority	No authority	No authority	No	

<sup>7</sup> For Senior Management positions reporting directly to the Chief Executive, the Chief Executive will consult with the Chairman of the Board of Directors on all appointments and terminations.

**6.5.2 Public Relations, Legal Commitments and Donations**

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Delegation Possible?	Notes
Advertising	Unlimited within the overall annual budget.	Yes, within the limit of \$10,000 per advertisement	Yes, within the limit of \$5,000 per advertisement	Yes, within the limit of \$1,000 per advertisement	Yes for recurrent advertisements	
<a href="#">Expenditure for Media Releases, Press Interviews, or Comments</a>	Unlimited	No authority	<a href="#">Comms Manager – Strategic Communications</a> only	No authority	Yes by Chief Executive only	
Designations, Planning Requests, objections, submissions to Local, National or Regional Regulatory Agencies	Unlimited	<a href="#">CIO Group Manager – Customer and Environment</a>	No authority	No authority except <a href="#">Manager - Planning and Building Manager</a> for local submissions only	Yes by Chief Executive only	Details are to be included in the Quarterly Management Report
Court Action	Unlimited	No authority	No authority	No authority	No	Details are to be included in the Quarterly Management Report
Settlement of Disputes whether by payment, credit, apology, carrying out work or otherwise	Unlimited within the overall annual budget.	\$10,000	\$5,000	No authority	No	Details are to be included in the Quarterly Management Report
Loans to Employees	As appropriate	No authority	No authority	No authority	No	Details are to be included in the Quarterly Management Report
Donations/ Sponsorship	Unlimited within the overall annual budget, except no donations to political parties	Contra Sponsorship allowed once valued and approval is at <a href="#">Group Manager</a> level	No authority except <a href="#">Comms Manager – Strategic Communications</a> up to a value of \$10,000.	No authority	No	

## **7. Statutory Delegations**

### **7.1 Introduction**

Local authorities have a wide range of legislative responsibilities. Some of these are general, in that they apply to all organisations in New Zealand. These include the Employment Relations Act 2000, Health and Safety at Work Act 2015 and Goods and Services Tax Act 1985. However, many statutes contain provisions specific to local government, setting out specific powers and responsibilities.

Most of Council's regulatory powers, along with the rules around their implementation, are contained in statute. These include the Resource Management Act 1991 and Building Act 2004.

This section of the Delegation Register sets out the delegations of these statutory responsibilities to Committees, Council Officers and external service providers.

Section 145 of the Local Government Act 2002 empowers Council to develop bylaws. The purpose of any bylaw must be one or more of the following:

- Protect the public from nuisance
- Protect, promote and maintain public health and safety
- Minimise the potential for offensive behaviour in public places.

Bylaw development and adoption cannot be delegated, although the powers created by bylaws and their enforcement of bylaw can be.

The delegation of these powers, duties and functions is also specified in this section.

### **7.2 Delegations to Council Committees**

Council Committees have the delegated authority to make policy and financial decisions within the limits of relevant legislation. Specific delegations are contained in governance terms of reference section.

### **7.3 Delegations to the Chief Executive**

This section sets out the delegations to the Chief Executive.

#### **7.3.1 Legislation and Regulations**

The Chief Executive has delegated authority for all powers, duties and responsibilities conferred by Acts and Regulations. This includes, but not limited to, the list below. This authority specifically excludes the power to adopt plans, strategies, policies or bylaw; See section 8 below for sub delegations for these Acts and Regulations from the Chief Executive to Officers.

#### **7.3.2 Bylaws**

The Chief Executive has the delegated authority for all powers, duties and functions of all Council adopted bylaws. This includes, but is not limited to, the following. See section 8 below for sub delegations for these bylaws from the Chief Executive to Officers.

#### **7.3.3 Warrants**

The Chief Executive has been delegated authority to issue warrants to Council Officers under all relevant legislation, as per Schedule 7 Clause 32A of the Local Government Act 2002.