



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 5 March 2019 at 4.00 pm**

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

CLARE HADLEY
CHIEF EXECUTIVE

Council's Values:

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

Council's Vision for the City:

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

Council's Vision:

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

Council's Mission:

Making it better by making it happen.

AGENDA

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7.2 REGULATORY SERVICES COMMITTEE 19 FEBRUARY 2019	39
7.2.1 Keeping of Animals Bylaw	
Recommendation to Council	
That Council:	
<u>Approves:</u> that the amended Invercargill City Council Bylaw 2013/2 – Keeping of Animals, Poultry and Bees be adopted.	
7.2.2 Food Act Delegations	
Recommendation to Council	
That Council:	
<u>Approves:</u> that the following delegations under the Food Act 2014 be authorised.	

Council Agenda - AGENDA

Section	Power	Delegated To:
Section 54	Power to refuse to process application for registration.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 55	Power to require further information for registration application.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer Environmental Health Administrator
Section 56	Power to decide to register a Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer Environmental Health Administrator
Section 57	Power to decide to refuse to register a Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 60	Power to impose conditions on registration of a Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 62	Power to suspend Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 63	Power to extend mandatory suspension.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 67	Power to determine to cancel registration of Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 69	Power to decide whether food should be sold after cancellation of registration.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 70	Power to decide to remove food business from coverage of Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 84	Power to refuse to process application for registration (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 85	Power to request further information for registration (National Programme).	Team - Leader, Environmental Health

Council Agenda - AGENDA

		<p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p> <p>Environmental Health Officer</p> <p>Environmental Health Administrator</p>
Section 87	Power to refuse to register food business (National Programme).	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 89	Power to impose conditions on registration of food business (National Programme).	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 90	Power to suspend operations of business (National Programme).	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 91	Power to extend a suspension (National Programme).	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 95	Power to cancel registration of business (National Programme).	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 165	Power to surrender recognition (agency and person).	<p>Director - Environmental and Planning Services</p>
Section 173	Power to carry out functions of a Territorial Authority.	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 176	Power to transfer Territorial Authority functions.	<p>Director - Environmental and Planning Services</p>
Section 182	Power to change, revoke or relinquish transfer of functions.	<p>Director - Environmental and Planning Services</p>
Section 218	Power to lay charging document.	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p>
Section 280	Power to give directions under Sections 281 to 286.	<p>Team - Leader, Environmental Health</p> <p>Manager - Environmental Health</p> <p>Director - Environmental and Planning Services</p> <p>Environmental Health Officer</p> <p>Environmental Health Administrator</p>
Section 294	Verifiers rights of access and certain powers.	<p>Team - Leader, Environmental Health</p>

		Environmental Health Officer
Section 331	Power to apply for a compliance order.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer
Section 355	Power to decide to determine application for review.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 358	Procedure for and power to decide of review of decision.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Food Regulations 2015	Power	Delegated To:
Regulation 106	Power to decide on verification decision.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer

7.2.3 Proposed Road and Right of Way Name – 153 Dunns Road

Recommendation to Council

That Council:

Approves: that the proposed road and right of way be named Blairlogie Close as it is the developer’s preferred name and meets Council’s naming convention.

7.2.4 Proposed Road Name Change for Right of Way – 194 Black Road

Recommendation to Council

That Council:

Approves: that the proposed right of way be named Matipo Way as it is the developer’s preferred name and meets Council’s naming convention.

7.2.5 Proposed Road Name – 33 Sunrise Drive

Recommendation to Council

That Council:

Approved: that the proposed road be named Pegasus

Place as it is the developer's preferred name and meets Council's naming convention.

7.3 **INFRASTRUCTURE AND SERVICES COMMITTEE 25 FEBRUARY 2019** 44

7.3.1 **Amendments to Bylaws Due to Fire and Emergency New Zealand Legislative Changes**

Recommendation to Council

That Council:

Approves: that Invercargill City Council Bylaw 2010/2, Fire Prevention (Vegetation) be revoked as at 6 March 2019,

AND THAT

Invercargill City Council Bylaw 2010/2 - Environmental Health be amended to remove the words, "become a fire danger and/or", from both clauses 5(c) and 5.3(d) as at 6 March 2019.

7.3.2 **Temporary Amendment to Bylaw for Traffic Changes During ILT Hotel Site Demolition Works**

Recommendation to Council

That Council:

Approves: that Bylaw 2015/3 Rooding and Traffic – Schedule 1 – One Way Roads be amended to allow, for the period of demolition, Stage Two of the ILT Demolition Management Plan:

- Don Street from Kelvin Street to Dee Street – Travel be in both directions.
- Esk Street form Kelvin Street to Dee Street – The direction of travel from east to west.

AND THAT

Council resolves that at the conclusion of Stage Two of the work, Schedule 1 will return to:

- Don Street from Kelvin Street to Dee Street – The direction of travel is from east to west.
- Esk Street to Kelvin Street to Dee Street – The direction of travel is from west to east.

7.3.3 **Temporary Road Closures**

Recommendation to Council

That Council:

Approves: that Council resolves under the Local Government Act 1974 (Section 342 and Schedule 10) that it approves the temporary road closure for these events for the times, dates and locations as specified in the report.

7.3.4 **Underground Water Supply Exploration for Emergency Alternative Source**

Recommendation to Council

That Council:

Approves: that Council approves the direction of \$100,000 allocated for supply of water to the Awarua Industrial Development to the project of exploration of underground water sources,

AND THAT

Council commits to Phase 1 and Phase 2 of the project to explore underground water as a source for an emergency / alternative water supply;

AND THAT

Council agrees to Phase 3 and 4 being considered in the 2020/21 Annual Plan process, subject to a peer review of the results of Phase 1 and Phase 2.

7.3.5 **Oamaru Reserve Easement**

Recommendation to Council

That Council:

Resolves: that a right of way easement over Omaui Reserve adjoining the property at 182 Mokomoko Road, Omaui, as per Policy 5,6,9,3,1 "Occupation Agreements" (page 83) in the Environmental Reserve Omnibus Management Plan be granted,

AND THAT

A change in classification from Recreation to Scenic Reserve is gazetted as per Policy 5.6.9.1.2 "Classification" (page 82) in the Environmental Reserves Omnibus Management Plan.

7.3.6 **Storage Building on Racecourse Road**

Recommendation to Council

That Council:

Approves: that construction works on the Racecourse Road storage building continue on the basis that all materials are available and no further associated construction costs are anticipated.

7.3.7 Application for Temporary Camping Permit

Recommendation to Council

That Council:

Approves: that permission be granted to the Southland Branch of the New Zealand Motor Caravan Association (NZMCA) to allow a temporary camp site at the Southland Power Boat Club and Invercargill Rowing Club grounds at Sandy Point on 12-14 April 2019.

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13.	INVERCARGILL COMMUNITY RECREATION AND SPORT TRUST	
	To be circulated separately.	
14.	MAYOR'S REPORT	
	To be tabled.	

15. **PUBLIC EXCLUDED SESSION**

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting; namely

- (a) *Confirming of Minutes of the Public Excluded Session of Council 29 January 2019.*
- (b) *Receiving of Minutes of the Public Excluded Session of Infrastructure and Services Committee 25 February 2019.*
- (c) *Receiving of Minutes of the Public Excluded Session of Finance and Policy Committee 26 February 2019.*
- (d) *Receiving of Minutes of the Public Excluded Session of the Neighbourhood Fund Committee 19 February 2019.*
- (e) *Invercargill City Holdings Limited Letter of Expectation.*
- (f) *Expressions of Interest for Kew Bowl.*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Confirming of Minutes – Council 29 January 2019	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(b) Receiving of Minutes – Infrastructure and Services Committee 25 February 2019	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(c) Receiving of Minutes – Finance and Policy Committee 26 February 2019	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)

- | | | |
|---|--|------------------------|
| (d) Receiving of Minutes
– Neighbourhood
Fund Committee
19 February 2019 | To enable any local
authority holding the
information to carry on,
without prejudice or
disadvantage,
negotiations (including
commercial and industrial
negotiations) | Section 7(2)(i) |
| (e) Invercargill City
Holdings Limited
Letter of Expectation | To enable any local
authority holding the
information to carry on,
without prejudice or
disadvantage,
negotiations (including
commercial and industrial
negotiations) | Section 7(2)(i) |
| (f) Expressions of
Interest for Kew
Bowl | authority holding the
information to carry on,
without prejudice or
disadvantage,
negotiations (including
commercial and industrial
negotiations) | Section 7(2)(i) |

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

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

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

ALLAN JAMES ARNOLD	Invercargill City Council Ziff's Café Bar Ltd Buster Crabb Ltd Ziff's Tour Ltd Ziff's HR Ltd Ziff's Trust NZMCA Southland Aero Club Invercargill Club Invercargill East Rotary Southland Aero Club	Councillor Executive Director Executive Director Executive Director Executive Director Trustee Administrator Member Member Member Member Committee Member	
KAREN FRANCES ARNOLD	Invercargill City Council Funding Scheme	Councillor Trustee/Chair	
TONI MARIE BIDDLE	Invercargill City Council Invercargill Venue and Events Management Limited Southland Museum and Art Gallery Trust Board McIntyre and Dick	Councillor Director Trustee Partner – Executive Team	

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

ALEX HOLLY CRACKETT	Invercargill City Council Ride Southland Southland Youth Futures Advisory Board Venture Southland and Sub Committee Women in Sport Murihiku	Councillor Chair Chair Council Representative Trustee	High Street Invercargill
IRWIN LLOYD ESLER	Invercargill City Council Bluff Community Board Bluff Maritime Museum Otatara Landcare Group	Councillor Council Representative Council Representative Member	
GRAHAM DAVID LEWIS	Invercargill City Council Invercargill City Holdings Limited Southland Indoor Leisure Centre Charitable Trust Bluff 2024 Rejuvenation Invercargill Community Recreation & Sports Trust Hospice Southland	Councillor Director Trustee Officer Trustee Trustee	

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

DARREN JAMES LUDLOW	Invercargill City Council Radio Southland Invercargill City Holdings Limited Invercargill Venue and Events Management Southland Museum and Art Gallery Trust Board Healthy Families Invercargill Murihiku Maori Wardens Southland Community Law Centre	Councillor Manager Director Director / Chairman Trustee Board Member Board Member Board Member	770 Queens Drive Invercargill
IAN REAY POTTINGER	Invercargill City Council Southland Electronics Limited Santa Parade Organiser	Councillor Director Alice Pottinger (Wife)	171 Terrace Street Invercargill 9810
TIMOTHY RICHARD SHADBOLT	Invercargill City Council Invercargill Airport Limited Kiwi Speakers Limited SIT Ambassador	Mayor Director Director Contractor	

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

LESLEY FRANCES SOPER	Invercargill City Council Breathing Space Southland Trust (Emergency Housing) Omaui Tracks Trust National Council of Women (NCW) Active Communities Invercargill Public Art Gallery Citizens Advice Bureau Southland ACC Advocacy Trust	Councillor Chair Secretary/Treasurer Member Chair/Trustee Board Member Board Member Employee	137 Morton Street Strathern Invercargill 24 Margaret Street Richmond Invercargill
LINDSAY STEWART THOMAS	Invercargill City Council Invercargill City Holdings Limited HWCP Management Limited	Councillor Director Director	

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

EXECUTIVE STAFF			
NAME	ENTITY	INTERESTS	PROPERTY
PAMELA GARE	Invercargill City Council DJ & PM Gare Family Trust	Director of Environmental and Planning Services Trustee	
CLARE HADLEY	Invercargill City Council	Chief Executive	
CAMERON MCINTOSH	Invercargill City Council	Director of Works and Services	
DAVID FOSTER	Invercargill City Council	Acting Director of Finance and Corporate Services Executive Director Foster and Associates Ltd	

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 29 JANUARY 2019 AT 4.00 PM

PRESENT: Sir T R Shadbolt, KNZM JP
Cr R R Amundsen – Deputy Mayor
Cr R L Abbott
Cr A J Arnold
Cr K F Arnold
Cr T M Biddle
Cr A H Crackett
Cr G D Lewis
Cr D J Ludlow
Cr I R Pottinger
Cr L F Soper
Cr L S Thomas

IN ATTENDANCE: Mrs C Hadley – Chief Executive
Mr D Foster – Interim Director of Finance
Mrs P Gare – Director of Environmental and Planning Services
Mrs E Harris Mitchell – Manager Communications and Secretarial Services
Mr D Booth – Manager Financial Services
Ms M Brook - Manager Strategy and Policy
Mr R Keen – Manager Three Waters
Mr P Horner – Assets Manager
Mr A Cameron – Policy Analyst
Ms H McLeod – Communications Advisor
Ms L Kuresa – Governance Officer

2. **APOLOGIES**

Cr I L Esler and Cr R L Abbott for lateness.

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

3. **PUBLIC FORUM**

3.1 **Wachner Place Container Bar Proposal**

June Trotter was in attendance to speak to this item.

Ms Trotter tabled a copy of her submission and took the meeting through it, (Document Number A2514783).

In response to a question, as to whether Ms Trotter was aware that the new ACI project that would re-open lower Esk Street to be a left-hand turn only to allow better traffic flow in that area, Ms Trotter said she was aware of the ACI project in that area. She was conscious that there was no space in town to allow people to congregate outside without any restrictions.

3.2 **Wachner Place Container Bar Proposal**

Norman Elder was in attendance to speak to this item.

Mr Elder explained that he represented three concerned citizens of Invercargill on this matter. They were not opposed to the redevelopment of Wachner Place or the Container Bar but they were opposed to the Container Bar being located in Wachner Place. Council may or may not have indicated some pre-determination on this issue as it did come before Council at a previous meeting where it was recommended that the matter would be considered in principle, which was for the Council to decide. He noted that the District Licensing Committee abstained from voting on that recommendation, so they did not show any signs of pre-determination. One of the obstacles for Council to consider was the status of the land on which the Container Bar would be located, which was Reserve Status. The land was reserved for the protection of public access and a Container Bar would show some considerable prohibition or restraint on members of the public accessing that area. Because it had Reserve status, it may need to go to the Minister for determination and it would need to go through public consultation to change the use of a public reserve. The citizens would be given the opportunity to speak at the public consultation process. Given that it would be a Sale and Supply of Alcohol Act matter, including the possible commercial interest between Council and the ILT, it would better for Council to consider using a Commissioner for this purpose. The other reason for using a Commissioner was that if Council was going through consultation, there would be substantial submissions and impact on the environment, including environmental safety, public amenities, noise and pollution, so this matter would need extensive consultation very similar to the process under the Resource Management Act that supports the use of this Council engaging a Commissioner. There was also a major obstacle where Council imposed a liquor ban many years ago in the inner city. This proposal would send mixed signals to the community if Council allowed a Container Bar in this prime public space.

Mr Elder was asked whether the suggestion about a Commissioner was in relation to a hearing if the matter needed to go that far. Mr Elder explained that he believed it would need to go through a Commissioner if Council went through a consultation process, which Council would need to do because of the status of the land being reserved for the protection of public access. Council's Reserve Management Plan would not include the commercial activity and therefore would need public consultation.

4. **NOTICE OF AN URGENT ITEM**

Moved Cr Amundsen, seconded Cr K Arnold and **RESOLVED** that Council considers the report titled Remuneration Authority – Community Board Remuneration as a major late item, as the Council needs to make a submission to the Remuneration Authority by 15 February 2019.

6. **SMOKEFREE AREAS POLICY – SUBMISSIONS TO BE HEARD**

6.1 **Mandy Murphy – Southern District Health Board**

Additional to her submission, Ms Murphy tabled a copy of her presentation and took the meeting through it, (Document Numbers A2514782 and A2514781).

6.2 **Lauren Richardson – Healthy Families Invercargill**

Ms Richardson took the meeting through the key points in the Healthy Families submission.

6.3 **Bridget Forsyth – Southland Cancer Society**

Ms Forsyth took the meeting through the key points in the Southland Cancer Society's submission.

In response to questions, the following answers were given:

- It would be very difficult to enforce what people do in their own vehicles, including smoking.
- Queenstown has been very positive recently and are getting involved with The Fresh Air Project as well. The Fresh Air Project is to have smokefree outdoor dining spaces. Tourists are incredibly supportive of smokefree environments.

His Worship thanked the submitters for taking the time to present to Council.

7. **INTEREST REGISTER**

Councillors advised the following changes to the Interest Register:

- Cr Crackett – Trustee to Sport Southland.
- Cr Lewis - Director of Invercargill City Property.
- Cr Thomas – Has been removed as a Director of Invercargill City Property.
- Cr Ludlow – Director of Invercargill City Property.

8. **MINUTES OF THE MEETING OF COUNCIL HELD ON 11 DECEMBER 2018**

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

9. **MINUTES OF THE RISK AND ASSURANCE COMMITTEE HELD ON 13 DECEMBER 2018**

Moved Cr Pottinger, seconded Cr Thomas and **RESOLVED** that the minutes be received with the amendment that Cr K Arnold needed to be listed under the "in attendance" list and not the "present" as she was not a member of the Committee.

10. **NOTICE OF MOTION – CHINESE GARDEN IN QUEENS PARK**

Moved Cr Soper, seconded Cr Amundsen that the report be received;

AND THAT

A report on altered scope and budget for completion of the Chinese Friendship Garden be presented to Council no later than its 5 March meeting.

Note: Cr Abbott joined the meeting at 4.39 pm.

Cr Biddle said she felt obligated to speak on behalf of a number of people in the community who had never wanted the Chinese Garden. She understood about the relationship with China but the garden would now be reduced to half, the pavilions would be removed and there would be 25% of the original plan for the same price of \$600,000 of ratepayer money. She considered that Council needed to think about spending that money in places that had more priority than the Chinese Garden.

Cr Soper said she had been approached by a number of people who wanted to see this project underway. The motion was clear that Council was asking for staff to report on the completion within the original budget. If people looked at the information attached to the Notice of Motion, they would see there were four points outlined there, so she was comfortable for Council to move forward on this issue and that Council pass the motion on the table.

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

Note: Councillors A Arnold and Biddle voted against the recommendation.

11. **COUNCIL INVOLVEMENT IN HOUSING AVAILABILITY AND AFFORDABILITY**

Cr Soper suggested that each recommendation be considered individually for discussion.

Ms Brook took the meeting through the report.

Cr Amundsen considered it was great that Council had an opportunity to have some discussion about what Council's involvement should be in the housing space. She noted in the report the difference between social housing and affordable housing because they were two very different things.

Moved Cr Amundsen, seconded Cr Soper and **RESOLVED** that the Report, Council Involvement in Housing Availability and Affordability be received.

Moved Cr Abbott, seconded Cr K Arnold that a further report is requested, proving the assumptions of the findings of the Southland Housing Action Forum.

Some Councillors felt there had already been sufficient information collected, including Venture Southland undertaking an analysis of the Government reports and the Southland Housing Assessment Report. There was also the Community Housing Strategy paid for in 2015/2016. There was a need to create houses rather than discussing where the need was.

In response to a question, as to why Ms Brook thought it was necessary to include this recommendation in the motion, Ms Brook explained that when she was doing her research she found a lot of conflicting reports between some of the national reports and local groups, compared to what the national body was saying. There were differences between a lot of statistics but she was happy to take direction from Council on how to proceed.

After further discussions it was agreed that, with the permission of the mover and seconder, the motion now read:

Moved Cr Abbott, seconded Cr K Arnold and **RESOLVED** that Council Officers work with Venture Southland to provide an update on the Southland Housing Action Forum assumptions when the Census data is released.

Moved Cr Soper, seconded Cr Abbott and **RESOLVED** that Council continue holding 215 units as the social housing provider it is now, acknowledging that further work into the condition assessment and ongoing economic viability of these units needs to be undertaken.

Moved Cr Thomas, seconded Cr Abbott that a further report is requested investigating the necessary resource to support the 'social' aspect of Council's housing provision as advised in the Section 17A Review Report.

In response to a question, as when Council would be discussing its vision for the future for Council's involvement with social housing, Mrs Hadley explained that the report covers the social side, the affordable housing side and the enabling side and that was highlighted in different recommendations before Council. If Council wanted to generate discussion on a particular point that had not been covered, a further report could be sought to come back to Council or Councillors could see if there was a point in the report to hang her discussion off today.

Cr Amundsen said she was going to raise that issue under recommendation 6 where it used the word "enabler".

Cr Soper asked for clarification as to whether this recommendation meant that Council would be investigating additional resources such as possibly employing a social worker to care for its residents, which would be an issue as to whether Council's role was to move that far into the social services provision. Or was Council a provider that relied on the Southland District Health Board, Community Health Services and Disability Services to provide the support for Council's residents?

Ms Brook explained that was what the Section 17A Review undertaken by Alicia McKay at Advisian WorleyParsons Group was directing towards. She would also be recommending that the report outlined what Council currently did, what the best practice would be and what Council's options were if they were in that space. That information would allow Council to make a determination as to whether it wanted to be landlord/tenant or move more into the social housing aspect.

In response to a question, as to whether the report would state the current tenants were cared for by particular agencies and reporting on whether they were doing a good job or not, or would it just focus on Council's role, Ms Brook explained that she would need to find out from the Housing Support Officer as to what information she had and what the tenants would be comfortable with. If that was what Council wanted, then she would endeavour to get that information.

In response to a question, as to whether Council needed to change its current housing service role, Mrs Hadley reminded Council that it was referred to as "social housing" and other social housing providers were providing social support. That was what Ms Brook had alluded to in her report. She had also referenced Section 17A Review which talked about the risks as a result of vulnerable tenants that Council was already providing scant support. The 17A Review says that Council either needed to do it more and better, or reconsider Council's ownership of social housing. There were risks to Council in the way it was doing it and the reason for the recommendation to do more on it.

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

Moved Cr K Arnold, seconded Cr Thomas and **RESOLVED** that Council does not have a role in the direct provision of affordable housing.

Cr Amundsen wanted to change the next motion to broaden the scope of it. Rather than just talking about what suitable excess Council had, including any other role that Council had as an enabler for affordable and any kind of housing.

Mrs Hadley explained that the difficulty Council had was that the immediate prior resolution was that Council did not have the role in the direct provision. By broadening the next recommendation would bring some degree of tension with the decision that had previously been made.

Cr Amundsen said she was talking about whether Council could look at its District Plan and other things that Council could do as an enabler, which was not the same as direct provision. Mrs Hadley explained that it would be helpful if there was specific reference to the things that were being proposed.

Cr Crackett informed Council that she had written a report to Council at the end of last year that some people had suggested that Council looked at a rates rebate for affordable housing or something similar to that. She wondered if that was something that could be added to this recommendation.

Moved Cr Soper, seconded Cr Biddle that a further report is requested investigating what suitable excess land is in Council ownership that may be utilised in Council's role as an enabler of affordable housing,

AND THAT

Council investigates other possible financial and policy mechanisms in Council's role as an enabler.

Cr Abbott asked if Council was looking at allowing some incentive or subsidising Kew Bowl, would that allow Council to be an enabler or otherwise.

Note: Cr Ludlow raised a Point of Order and said that this matter was out for Expressions of Interest.

Mrs Hadley explained that she was satisfied that the provision of land was not a direct provider of housing.

Cr Ludlow said that the report would also need to identify that if there were parcels of land available, what costs were still outstanding to Council and how those costs would be covered. Mrs Hadley explained that the officers would identify that as part of the material in the preparation of the report.

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

Moved Cr K Arnold, seconded Cr Lewis that Council determine the priority of this work and, if of high priority, approve additional resource.

Cr Amundsen asked if Council needed to put a number on it today and Mrs Hadley explained that officers needed to look at how much work there was, what timeframes were on that work, what would be sacrificed or what additional resource was needed to assist.

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

Cr Soper noted in the report that there was information about the fact that Council was not currently able to access the income related rent subsidies. That was a fairly important part in what Council's future involvement was in housing and she wondered if it was appropriate to ask staff to write to the Minister of Housing and ask why councils were not currently able to access the income related rent subsidies, if there were Government plans that access would become available, and what alternatives were there for councils to access further funding in this area.

Mrs Hadley explained that at a Rural and Provincial meeting within the last three months, the Minister had made no apology for the fact that he would not allow local government access to income related subsidies. There was a tension in the fact that the Government wanted local government to be involved in housing 100% and the Government was 100% committed to the fact that it would not make this funding available. She liked Cr Soper's suggestion as to what alternatives the Minister might suggest and that could be the area of focus.

Moved Cr Soper, seconded Cr Biddle and **RESOLVED** that Council writes to the Minister regarding the access of councils to income related rent subsidies and if the answer was that councils were not going to access that subsidy, what were the alternatives proposed for councils.

12. **SUBMISSIONS TO THE SMOKEFREE AREAS POLICY**

Moved Cr Ludlow, seconded Cr Soper that the report be received;

AND THAT

The submissions be received and considered;

AND THAT

The Policy be adopted without change.

Cr K Arnold asked if there was an economical way to stamp the international "no smoking" sign at various places along the footpaths. Ms Brook explained that she would take that to the Roading Manager. Staff had been working with Mandy Murphy from Public Health South on what could be done during the Burt Munro Weekend and what could be put on the footpaths to alert people that they were in a "smokefree" area at that time.

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

13. **GOVERNANCE STATEMENT**

Moved Cr Amundsen, seconded Cr Soper that the report be received;

AND THAT

Council notes its preference for gender diversity on the Director Appointment Committee;

AND THAT

The Governance Statement amended as of 30 January 2019 be adopted.

Cr K Arnold stated that she did not support the second recommendation about the preference for gender diversity. She was not a feminist and she did not agree with it.

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

Note: Cr K Arnold voted against the recommendation.

Mrs Hadley explained that the Governance Statement noted a change to the Director Appointment Committee and she noted some surprise from some councillors when the changes to directors were advised at the beginning of the meeting in relation to the Interest Register. She felt that there had been a procedural failure but correct intent and she wondered if Mr Cameron could be given the opportunity to explain that because it was in relation to the integrity of the Director Appointments process.

Mr Cameron reported that with the change to the Chairman of Holdco, it was identified that Invercargill City Property Ltd did not have sufficient directors to enable it to function as an entity. It was coming to the time where Invercargill City Property needed to hold its Annual General Meeting. At the Holdco meeting he recommended that the directors of Holdco be appointed as Directors of Invercargill City Property in unpaid positions, to allow Invercargill City Property to function as an entity. A report should have come to Council but given the longevity of Invercargill City Property as an entity and the need to carry out statutory functions it seemed to be the appropriate course to take at that time. There was also a similar change made with respect to Forest Growth Holdings because it had only a single director, so the directors of Invercargill City Forests had all become directors of Forest Growth Holdings, again in an unpaid capacity, to enable that entity to fulfil its statutory functions in relation to winding up.

Cr Pottinger noted that the appointments occurred on 19 December 2018 and it stated in the Policy that for any vacancies arising on a CCTO the appointment decision would be made by Council. Surely there was time to notify Council rather than hear it as amendments in the Interest Register? Mr Cameron explained that it had been on his list of items to be done and that had not occurred before this meeting, so he took full responsibility for that. He was clear there was no intention of Holdco not informing Council of new appointments.

In response to questions, Mr Cameron gave the following answers:

- The appointment of directors is the decision of Council at the time that the directors are required to be appointed.
- Forest Growth Holdings is being wound up, so the skills required is for a director to sit on the Board and finalise the winding up. The only current investment that Invercargill City Property has is with HWCP and the issue of whether or not that remains with Invercargill City Property or there being a continuing involvement of Invercargill City Property, was currently under discussions between Invercargill City Property, Holdco and Council. There was thought to be no benefit obtained in that interim period to try to appoint on skills, other than to enable that company to continue to fulfil its statutory functions.
- A report will be brought back to the next Council meeting for ratification.
- In terms of legality the appointments are made by the shareholder. The shareholder has acted in a manner inconsistent with Council's wishes.

14. **COUNCIL SUPPORT FOR ANZAC DAY COMMERATIONS**

Moved Cr Soper, seconded His Worship that Council authorises up to \$6,000 expenditure for the official Invercargill Cenotaph ANZAC Day Commemoration for 2019 and following years.

In response to a question, as to which fund this would be funded from, Mrs Hadley explained that the Director of Finance would find somewhere within Council to fund it from.

Cr Ludlow said that it could favourably entertained by the Events Committee as an interim measure until the funding of this matter was finalised.

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

15. **DISPOSAL OF LAND – 116 MASON ROAD AND 83 LARDNER ROAD, INVERCARGILL**

Moved Cr K Arnold, seconded Cr Ludlow that the land situated at 116 Mason Road and 83 Lardner Road, Invercargill be sold unencumbered by placement with a real estate agency as per Council's Parks and Reserves Disposal Policy;

AND THAT

Authority is delegated to the Chief Executive to negotiate and finalise the sale.

In response to a question, as to whether consideration had been given for the neighbouring property owners to purchase the land, Mrs Hadley explained that there was a need to sell. There were no extenuating circumstances to allow for a sale to the neighbour without it going to the open market. The recommendation was that it went to the open market and neighbours would be able to negotiate through the real estate agency and endeavour to purchase that land.

In response to a question, as to whether that land was able to subdivided, so that Council could sell it in four different blocks rather than just one block of land, Mrs Hadley explained that Council needed to look at what the District Plan allowed for and what the costs were of doing that, in comparison with the return.

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

16. **PROVISION OF ELECTORAL SERVICES**

Moved Cr Thomas, seconded Cr Soper and **RESOLVED** that Council revokes the following resolution approved by Council at its meeting on 6 November 2018: That on the basis of cost effectiveness, Council appoint Electionz.com as provider of electoral services, and Anthony Morton of Electionz.com as the Electoral Officer as provided for in section 12 of the Local Electoral Act 2001 for the period 1 December 2018 to 1 October 2019;

AND THAT

Council approves the following resolution: That on the basis of cost effectiveness, Council appoint Electionz.com as provider of electoral services, and Anthony Morton of Electionz.com as the Electoral Officer as provided for in section 12 of the Local Electoral Act 2001 for the period 1 December 2018 to 1 October 2022.

17. **POWER OF ATTORNEY**

Moved Cr Soper, seconded Cr Amundsen that the report be received;

AND THAT

The Invercargill City Council grants a Power of Attorney to Clare Valerie Hadley, Chief Executive to execute deeds and other documents on behalf of Invercargill City Council;

AND THAT

Invercargill City Council approves the forms of Power of Attorney attached as attachment A;

AND THAT

Invercargill City Council authorises the Mayor and Deputy Mayor to sign the Power of Attorney documents as deeds on its behalf.

Mrs Hadley said that “power of attorney” was a scary word, so she had asked Mr Cameron who had carried out the research on this matter to speak to the report and answer any questions. She explained that Mr Cameron was an experienced barrister and had a practising certificate for law in New Zealand.

Mr Cameron explained that a Power of Attorney clarified the legal requirements in executing a document on behalf of Council, in particular Deeds and what was required to execute them other than using two councillors.

In response to questions, the following answers were given:

- The Mayor does not currently have a power of attorney. If Council wanted two Councillors had to sign everything, you will have to give delegation for all councillors to sign at all times or specify delegation to two councillors to sign. Most of these documents are executed on the direction of Council. It's a procedural convenience as much as anything and it makes the process smoother.
- Before 1989, most things were signed off by councillors. Councillors sat on the interview panels for staff in the organisation. After 1989, most things became contracts signed by the Chief Executive but any deed needed the common seal. When this deed came forward in early January for signing on a Don Street lease, it could not be signed by the Chief Executive because it needed the Common Seal. Mr Cameron looked at it and found that the law had changed. A lot of councils may not have picked up on that change. Some councils have delegated and some have granted power of attorney in order for the efficient administration of some matters.
- The sale of land must be a Council decision. A sale of land does not normally mean a deed, it's a contract and the Chief Executive would sign that as it stands, after council has resolved to do it.

- Clause 3 of the Power of Attorney is saying if there was an error in a document being signed, it was a protection for the Chief Executive. In executing a document at the direction of Council, it would stand behind that execution.

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

18. **FINANCE WORKSHOPS REPORT**

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

AND THAT

The directions given at the workshops be integrated into the presentation of financial information to Council.

19. **MAYOR'S REPORT**

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

20. **URGENT BUSINESS**

20.1 **Major Late Item – Remuneration Authority – Community Board Remuneration**

Moved Cr Soper, seconded Cr Thomas that staff prepare a submission to the Remuneration Authority based on the guidance provided at a Council Workshop;

AND THAT

Cr Amundsen and Cr Ludlow be delegated authority to approve the submission before it is sent;

AND THAT

A copy of the submission be provided to the Council Meeting on 5 March 2019.

21. **COUNCIL IN PUBLIC EXCLUDED SESSION**

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

- Confirming of Minutes of the Public Excluded Session of Council 11 December 2018.*
- Receiving of Minutes of the Public Excluded Session of the Risk and Assurance Committee 13 December 2018.*
- Disposal of Stopped Road Land.*
- Sale of 121 Bond Street.*
- Contract 803 – Electrical and Mechanical Utility Maintenance 2018.*
- Invercargill City Council – Office Administration Strategy.*
- Process for Handling Legal Issues.*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Confirming of Minutes – Council 11 December 2018	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(b) Receiving of Minutes – Risk and Assurance Committee 13 December 2018	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(c) Disposal of Stopped Road Land	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(d) Sale of 121 Bond Street	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(e) Contract 803 – Electrical and Mechanical Utility Maintenance 2018	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(f) Invercargill City	To enable any local	Section 7(2)(i)

Council – Office Accommodation Strategy	authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
(g) Process for Hearing Legal Issues	Maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members of officers or employees of any local authority, or any persons to whom Section 2(5) of this Act applies, in the course of their duty	Section 7(2)(f)(i)

Note: Cr Crackett left the meeting at 5.50 pm and returned at 5.53 pm

There being no further business, the meeting closed at 6.43 pm.

MINUTES OF A MEETING OF THE BLUFF COMMUNITY BOARD HELD IN THE BLUFF MUNICIPAL CHAMBERS, GORE STREET, BLUFF ON MONDAY 11 FEBRUARY 2019 AT 7.00 PM

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

IN ATTENDANCE: Cr A J Arnold
Cr G D Lewis
Cr L F Soper
Mr R Pearson – Roading Manager
Mrs D Fife – Service Centre Manager
Mr L Beer – Bluff Publicity/Promotions Officer
Ms L Kuresa – Governance Officer

1. **APOLOGY**

Nil.

2. **PUBLIC FORUM**

Nil.

3. **INTEREST REGISTER**

Moved W Glassey, seconded G Laidlaw and **RESOLVED** that the report be received.

4. **MINUTES OF THE MEETING HELD ON 19 NOVEMBER 2018**

Moved G Henderson, seconded P Young and **RESOLVED** that the minutes be accepted as a true and correct record.

5. **MATTERS ARISING**

Nil.

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

Moved W Glassey, seconded G Henderson that the report be received.

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

Mr Beer reported that the Burt Munro Event brought a bigger crowd than last year. There was a need to work harder to get volunteers this year as they needed up to 60 volunteers to run the event. A Rotary Group from Invercargill helped out and some of the Southland Boys' High School First Fifteen helped with set up. Mr Beer acknowledged Bond Contracts Limited and Angela Molloy, Waste Minimisation Officer from Council for arranging the rubbish bins to be collected at 6.30 am as this clashed with getting the road closure signs put out. He also reported that there were some crash barrier bales stored at the Ravensdown site for nine months, which were starting to deteriorate. He had contacted Lindsay McLean from the Bluff Transfer Station to work out how those bales could be disposed of. There was an issue with the public bin at the top of the hill overflowing with rubbish and they did not notice that until the day of the event, so that was something they needed to check for next year's event.

The Board acknowledged Bluff Promotions and everyone involved for all their hard work to make the Burt Munro Event a success. It was good for businesses in Bluff and Invercargill and great to see it growing each year.

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

7. **BLUFF ACTION SHEET**

Moved P Young, seconded W Glassey that the report be received.

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

In response to a question as to who was responsible for getting rid of the tagging and vandalism of the hedge along the main street not far from Chambers, Mr Pearson explained he would need to find out who owns that hedge as it was on private property and not a road reserve.

W Glassey took the meeting through an email that was sent to her by a Bluff resident with regard to drainage issues at 30 Pilcher Avenue. Council Officers had already been at the property and assessed the issue. The property owner was advised that there was nothing Council could do. After discussions the Board agreed that Mr Pearson would take the information away and investigate this matter further.

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

8. **CHAIRMAN'S REPORT**

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

8.1 **Community Boards Conference**

The Chairman reported that this year's Conference would be held from 11 April to 13 April in New Plymouth. Three Community Board members usually attended, so the Board needed to decide who would attend this year's Conference.

Moved G Laidlaw, seconded Cr Esler and **RESOLVED** that the Community Board sends three delegates to the Community Board Conference held in New Plymouth on 11 to 13 April 2019.

8.2 Tour of Inspection

The Chairman reported that he would organise a date for the Tour of Inspection and send invitations out to Board Members and Council staff involved.

8.3 Community Board Bursaries

W Glassey reported that the Community Board Bursaries Committee consisted of her, P Young and G Henderson due to the fact that the Chairman had a conflict of interest because his son was an applicant. The Committee was impressed with the high calibre of the applicants. A three year bursary was awarded to Makayla Jane Piercy who would be studying towards a Bachelor of Architectural studies followed by Masters in Professional Architecture at Victoria University in Wellington. A three year bursary was also awarded to Damon Fife who would be studying towards a Bachelor of Arts, majoring in Geography and minoring in Anthropology and History at Otago University. A one year extension was awarded to Aleisha May Perkins who was studying Law. She noted that all candidates from previous years were doing well and the Board wished all candidates well for future studies.

8.4 Swimming at Boat Ramp

The Chairman reported that a public meeting was centred on 17 December 2018 on this matter. There was a small turnout and discussion was had on trying to find solutions due to health and safety reasons. There were a lot of good suggestions that came out of the meeting and a combined meeting with South Port, Environment Southland and Invercargill City Council would be organised to talk through the issues going forward.

P Young stressed that parents needed to take responsibility, understand and accept the challenges around safety for their children around water.

8.5 Bluff Survey

The Chairman reported that a meeting was held on 5 December 2018 and Venture Southland presented a paper with the community vision for Bluff. It was colourful and highlighted eco-tourism and set out what made Bluff unique. Another meeting would be held on Thursday 21 February at 5.30 pm to discuss any changes. It was in the early stages and it would get to the stage where it would be put out to the community and then adopted by the Board.

8.6 Bluff Bus Service

The Chairman reported that the Bluff Bus Service had closed since the last Board meeting due to lack of funding.

8.7 Bluff Transfer Station

The Chairman reported that it was unanimously endorsed at the last Council Meeting that the Bluff Transfer Station remained open. He thanked the Invercargill City Councillors for listening to the Board's concerns and realising that there was a need to have a Transfer Station in Bluff.

8.8 **Civil Defence Meeting**

The Chairman reported that a meeting would be held on Monday 18 February. There was a need for a sound Civil Defence plan for Bluff.

8.9 **Site Plan for Sparks New Cell Phone Tower**

The Chairman reported that he had sent all Board members the site details for a new cell phone tower in Bluff for information.

8.10 **Local Body Elections**

The Chairman reminded the Board that the elections would be held in October with nominations opening in July.

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

9. **FINANCIAL STATEMENTS**

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

10. **URGENT BUSINESS**

10.1 **Aluminium Dross**

Moved W Glassey, seconded P Young and **RESOLVED** that the matter with regard to the aluminium dross in relation to Board Member, Graham Laidlaw, be taken under Urgent Business.

Mr Laidlaw apologised to the Board and the Bluff community about the article in the newspaper in relation to the aluminium dross incident reported in last week's newspaper, and the cost that had been put onto the councils and the ratepayers.

Moved G Laidlaw, seconded W Glassey that the Board writes a letter to the Environment Minister, David Parker, asking for an inquiry into aluminium dross in Southland.

The Board discussed this matter further and agreed that something needed to be done about this matter but the Board needed to seek advice on where it stood. It would be best coming from the Invercargill City Council and not the Board. Cr Soper also suggested that the Board speaks to Clare Hadley, Chief Executive and Steve Parry from the Gore District Council could be part of that briefing. It was a delicate situation and the Board needed to tread carefully going forward.

With the permission of the mover and seconder, Cr Esler moved an amendment, seconded by P Young, that the Board writes to the Council expressing concern in view of recent events about the status of the dross in Southland, and that the Board requests an urgent update on the progress in getting the issue resolved.

The recommendation now read:

Moved Cr Esler, seconded P Young and **RESOLVED** that the Board writes to the Council expressing concern in view of recent events about the status of the dross in Southland, and that the Board requests an urgent update on the progress in getting the issue resolved.

P Young acknowledged Mr Laidlaw's formal apology to the Board and his comments in the newspaper in relation to being a Board Member. He had made some valuable contributions to the Bluff Community Board over the years and the Board looked forward to his continuing work on the Board and in the Bluff community.

10.2 **Garden Club Show**

Cr Esler reported that he attended the final Garden Club Show yesterday. It was a shame that it was closing down because it had been a draw card for Bluff. He suggested that the Board write a letter acknowledging and thanking them for their contribution to the community. He said that Marilyn Clark was the Chairperson of the Club.

10.3 **Bluff Bird Count**

Cr Esler reported that he had carried out the Bluff Hill bird count this morning and noted that Bluff Hill Motupohue was doing good work by setting up some good nature tracks in that area. Tui and Bellbird numbers had increased considerably because of the good flax in that area, Kakariki numbers were good but he could not get a count for the Robins.

10.4 **Omaui Track**

Cr Esler reported that he would be doing some gravelling at the Omaui Track on Wednesday night at 6.00 pm, if anyone wanted to assist.

There being no further business, the meeting finished at 8.18 pm.

MINUTES OF A MEETING OF THE COMMUNITY SERVICES COMMITTEE HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL ON TUESDAY 19 FEBRUARY 2019 AT 4.00 PM

PRESENT: Cr R L Abbott (Chair)
Cr A J Arnold (Deputy Chair)
Cr I L Esler
Cr G D Lewis
Cr L F Soper
Cr R Currie – Environment Southland

IN ATTENDANCE: Cr R R Amundsen
Cr D J Ludlow
Cr L S Thomas
Mrs G Henderson- Bluff Community Board
Mr C McIntosh – Director of Works and Services
Mr R Pearson – Manager Roading
Mr P Thompson – Aquatic Services Manager
Mr S Ridden – Manager Corporate Services
Ms M Napper – Community Development Manager
Mrs M Foster – Manager Library and Archives
Ms M Brook – Manager - Strategy & Policy
Ms L Kuresa – Governance Officer

1. **APOLOGIES**

Sir T R Shadbolt, Biddle and Cr A J Arnold for lateness.

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

2. **PUBLIC FORUM**

Nil.

3. **INTEREST REGISTER**

There were no changes to the Interest Register.

4. **COMMUNITY DEVELOPMENT REPORT**

The report had been circulated.

4.1 **Speakers for Waihopai Solutions to Care Scoping Project**

Megan Roskilley, Oranga Tamariki Partnering for Outcomes Advisor, Carol McArthur, Adventure Development Service Leader, Tracey Wright-Tawha, Ngakete Matauranga, Raewyn Hubber, Site Manager for Oranga Tamariki and Candace Bangura, Director of Number 10 were in attendance to speak to this item.

The group reported on the challenges faced by high needs young people in care. A copy of the Waihopai Solutions to Care Scoping Project 2018 was presented to the Committee that outlined the purpose of the project. Many of these young people were put up in hotels and motels by Oranga Tamariki at a high cost with resource workers and security guards. They needed support for basic things like getting a drivers licence, birth certificate or finding a job. It was suggested that a way forward could be to establish a therapeutic hub where agencies could work together with non-government organisations. The information from the project would be used to design a service to meet the needs of the youth, which would be contracted to a provider.

In response to questions, the following answers were given:

1. There are fairly specific stipulations on where young people on remand can reside. On average there are around 130 youths in the care system in Invercargill. In one case a child had been through 60 placements up to when they were the age of 16.
2. Funding is from a mix of government funding and money from some philanthropic organisations.

Moved Cr Soper, seconded Cr Esler and **RESOLVED** that the report, and the minutes of the Child, Youth and Family Friendly Sub-Committee be received.

Note: Cr L S Thomas left the meeting at 4.20 pm.

5. **MINUTES OF THE MEETING HELD ON 26 NOVEMBER 2018**

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

6. **MONITORING OF SERVICE PERFORMANCE**

The report had been circulated.

6.1 **Levels of Service**

Passenger Transport

Mr Pearson reported that the transition fare structure had gone well. In the November/December months the number of trips made was the same so there was no decrease in passengers. The farebox recovery was also the same. During the transition period, the increase of people using the Bus Smart cards had increased from 60% to 80%, which was a good result.

Cr Lewis congratulated Mr Pearson and staff involved for a smooth transition. He had been using the bus service over January and he was impressed by the friendly drivers and the nice ambiance of the customers.

Libraries and Archives

In response to a question as to whether an opening of the new development would be held, Mrs Foster explained that the building first opened on 30 July 1989, so a small opening/celebration was planned for 30 July.

Pools

Cr Abbott informed the meeting that the next Community Services Meeting would be held at Splash Palace and the meeting after that would be held at the Library for Committee members to see the new developments at both buildings.

Mr Thompson reported that Maree McQueen, Swim School Supervisor who had been with Aquatic Services for 22 years, retired in early February. She would be missed and was an asset to the facility.

Note: Cr A Arnold joined the meeting at 4.27 pm.

Housing Services

Mr Ridden reported there were still a lot of enquiries coming through from people wanting to move to Southland. He did not expect to see a lot of change in the waiting list.

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

7. **URGENT BUSINESS**

Nil.

There being no further business the meeting closed at 4.28 pm.

**MINUTES OF A MEETING OF THE REGULATORY SERVICES COMMITTEE HELD IN
THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING,
101 ESK STREET INVERCARGILL ON TUESDAY 19 FEBRUARY 2019 AT 5.00 PM**

PRESENT: Cr R R Amundsen – Chairperson
Cr K F Arnold
Cr D J Ludlow
Cr L F Soper

IN ATTENDANCE: Cr R L Abbott
Cr G D Lewis
Mrs G Henderson – Bluff Community Board
Mrs P Gare – Director of Environmental and Planning Services
Mr T Boylan – Planning Manager
Ms E Dickson - Team Leader - Compliance
Ms M Brook - Manager - Strategy & Policy
Mr M Morris – Environmental Legal / Technical Support Manager
Ms L Kuresa – Governance Officer

1. **APOLOGIES**

Sir T R Shadbolt, Cr T M Biddle and Cr A H Crackett.

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

2. **PUBLIC FORUM**

Nil.

3. **INTEREST REGISTER**

There were no changes to the Interest Register.

4. **MINUTES OF THE MEETING HELD ON 27 NOVEMBER 2018**

Cr K Arnold asked when the Combined Local Alcohol Policy Review Meeting would be held. Mr Morris explained that they were hoping to meet with the ILT, Hospitality New Zealand, the Police and the DHB next week to get feedback. If any changes were to occur, a draft would be ready for the joint committee after that information was received.

Cr Soper said she had expressed her interest in being a member of the joint committee but others had also expressed interest. She was still available to attend meetings if needed.

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

5. **LEVELS OF SERVICE – 1 JULY 2018 TO 31 DECEMBER 2018**

In response to a question as to whether Council was utilising contractors to assist with the workload in Building Consents, Mrs Gare explained that contractors were being used and staff vacancies advertised. The working days were down to two days for inspections.

Cr Amundsen noted an increase in the number of building consent applications received compared to 2017/2018 and asked what had caused that. Mrs Gare explained that Stage 2 of K Mart and the \$30 million redevelopment of Pakn Save were included in the significant increase in application values for 2018/19.

Cr Crackett noted the LIM application were 50% electronic lodgement compared with 48% in the previous year. She asked if the actual numbers could be provided in the commentary, similar to the numbers provided under Building Consent applications. Mrs Gare explained that a footnote would be included in the commentary for the next meeting.

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

6. **KEEPING OF ANIMALS BYLAW**

Ms Brook took the meeting through the report.

In response to a question as to how onerous was the process in proving “nuisance” as the neighbour of someone with a pig, Mr Morris explained that providing “nuisance” was slightly problematic because it was subjective. It came down to whether the pig was causing harm or potential injury to health.

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

AND THAT

It be **RECOMMENDED** to Council that the amended Invercargill City Council Bylaw 2013/2 – Keeping of Animals, Poultry and Bees be adopted.

7. **FOOD ACT DELEGATIONS**

Moved Cr K Arnold, seconded Cr Soper and **RESOLVED** that the report be received;

AND THAT

It be **RECOMMENDED** to Council that the following delegations under the Food Act 2014 be authorised:

Section	Power	Delegated To:
Section 54	Power to refuse to process application for registration.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services

Council Agenda - MINUTES OF COMMITTEES

Section 55	Power to require further information for registration application.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer Environmental Health Administrator
Section 56	Power to decide to register a Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer Environmental Health Administrator
Section 57	Power to decide to refuse to register a Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 60	Power to impose conditions on registration of a Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 62	Power to suspend Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 63	Power to extend mandatory suspension.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 67	Power to determine to cancel registration of Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 69	Power to decide whether food should be sold after cancellation of registration.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 70	Power to decide to remove food business from coverage of Food Control Plan.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 84	Power to refuse to process application for registration (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 85	Power to request further information for registration (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer Environmental Health Administrator

Council Agenda - MINUTES OF COMMITTEES

Section 87	Power to refuse to register food business (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 89	Power to impose conditions on registration of food business (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 90	Power to suspend operations of business (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 91	Power to extend a suspension (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 95	Power to cancel registration of business (National Programme).	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 165	Power to surrender recognition (agency and person).	Director - Environmental and Planning Services
Section 173	Power to carry out functions of a Territorial Authority.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 176	Power to transfer Territorial Authority functions.	Director - Environmental and Planning Services
Section 182	Power to change, revoke or relinquish transfer of functions.	Director - Environmental and Planning Services
Section 218	Power to lay charging document.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Section 280	Power to give directions under Sections 281 to 286.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer Environmental Health Administrator
Section 294	Verifiers rights of access and certain powers.	Team - Leader, Environmental Health Environmental Health Officer
Section 331	Power to apply for a compliance order.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer
Section 355	Power to decide to determine application for review.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services

Section 358	Procedure for and power to decide of review of decision.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services
Food Regulations 2015	Power	Delegated To:
Regulation 106	Power to decide on verification decision.	Team - Leader, Environmental Health Manager - Environmental Health Director - Environmental and Planning Services Environmental Health Officer

8. **PROPOSED ROAD AND RIGHT OF WAY NAME – 153 DUNNS ROAD**

Moved Cr K Arnold, seconded Cr Ludlow and **RESOLVED** that it be **RECOMMENDED** to Council that the proposed road and right of way be named Blairlogie Close as it is the developer’s preferred name and meets Council’s naming convention.

9. **PROPOSED ROAD NAME CHANGE FOR RIGHT OF WAY – 194 BLACK ROAD**

Moved Cr Amundsen, seconded Cr K Arnold and **RESOLVED** that it be **RECOMMENDED** to Council that the proposed right of way be named Matipo Way as it is the developer’s preferred name and meets Council’s naming convention.

10. **PROPOSED ROAD NAME – 33 SUNRISE DRIVE**

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that it be **RECOMMENDED** to Council that the proposed road be named Pegasus Place as it is the developer’s preferred name and meets Council’s naming convention.

11. **URGENT BUSINESS**

Nil.

There being no further business, the meeting finished at 5.23 pm.

**MINUTES OF A MEETING OF THE INFRASTRUCTURE AND SERVICES COMMITTEE
HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION
BUILDING, 101 ESK STREET, INVERCARGILL ON MONDAY 25 FEBRUARY 2019 AT
4.00 PM**

PRESENT: Sir T R Shadbolt, KNZM JP
Cr L S Thomas – Chairperson
Cr I R Pottinger – Deputy Chairperson
Cr A J Arnold
Cr K F Arnold
Cr I L Esler

IN ATTENDANCE: Cr R R Amundsen
Cr L F Soper
Mrs G Henderson – Bluff Community Board
Mr C McIntosh – Director of Works and Services
Mr R Pearson – Roading Manager
Mr P Horner – Building Assets Manager
Mr M Loan – Drainage Manager
Mr A Murray – Water Manager
Ms M Frey – Interim Parks Manager
Ms M Brook – Manager Strategy and Policy
Mr R Keen – Manager Three Waters
Ms L Kuresa – Governance Officer

1. **APOLOGIES**

Cr A H Crackett.

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

2. **PUBLIC FORUM**

2.1 **Dogs on walking tracks at Daffodil Bay**

Mrs Judith Watson was in attendance to speak to this item.

Mrs Watson spoke about the necessity for dogs to be on leads while on walking tracks at Daffodil Bay, in particular, the three kilometre loop track with wooden stairways. She said there was a sign at the beginning of the track stating that dogs needed to be on a leash. During her training sessions at Daffodil Bay Loop Track, she continually encountered dogs off their leads. About two months ago she had a frightening encounter where she was going up and the dog was coming down. The dog was in full flight and very excited but the owner was nowhere in sight. She managed to make a very hasty retreat when she saw the dog coming towards her. The dog bailed her into a corner, barking at her and holding her there until the owner caught up and called him off. Without a word the owner and dog ran off. Since then the joy she had found on her walks on the Loop Track had disappeared. She had checked the brochure available from the Parks Office, titled "Sandy Point Domain" and noted that the Daffodil Bay Loop Track was shown as a dog on leash area.

On Page 79 of the Sandy Point Management Plan, Point 4.19 states, “the control of dogs on the reserve has been an issue from time to time and while there is signage and controls placed on the park, it is difficult to enforce these rules but better education of dog owners has helped”. She outlined three options that Council needed to look into:

1. Have a ranger regularly walking the tracks to enforce the dogs on a lead rule as indicated at the entrance to the track.
2. Remove the signage at the entrance to the track to allow people to believe that they were safe from dogs because they would always be on a lead.
3. Make the three kilometre walk a dog prohibited area.

In response to questions, the following answers were given:

1. I have walked at various times of the day. I may start at 8.00 am and finish around 1.00 pm. It was worse on Saturdays but the earlier I am, the better. It's consistent.
2. It would be good to have some enforcement. There have been young children walking that track with their parents and it only takes one encounter with a dog.

In response to a question by Cr Pottinger as to whether this matter would be coming back to this Committee or Regulatory Services Committee, Cr Thomas explained that the Dog Bylaw had just been changed but Council needed to look at the enforcement side of it.

Ms Brook advised that the Dog Bylaw and Policy had recently been updated to include Sandy Point as a dog off-leash area, so Council needed to ensure that all the policies and guidance documents were consistent.

Cr Thomas thanked Mrs Watson for taking the time to present to Council.

3. **INTEREST REGISTER**

The following changes would be made to the Interest Register:

- Cr A Arnold – Southland Aero Club – Committee Member to be added.
- Cr Thomas – Invercargill City Property Limited needed to be removed.

4. **NOTICE OF AN URGENT BUSINESS**

Moved Cr Thomas, seconded Cr K Arnold and **RESOLVED** that the matter with regard to Application for Temporary Camping Permit be taken under Urgent Business.

5. **MINUTES OF THE MEETING HELD ON 3 DECEMBER 2018**

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

6. **MONITORING OF SERVICE PERFORMANCE**

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

7. **DEVELOPMENT OF POLICIES/BYLAWS**

7.1 **Amendments to Bylaws Due to Fire and Emergency New Zealand Legislative Changes**

Ms Brook took the meeting through the report.

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

AND THAT

It be **RECOMMENDED** to Council that Invercargill City Council Bylaw 2010/2, Fire Prevention (Vegetation) be revoked as at 6 March 2019,

AND THAT

Invercargill City Council Bylaw 2010/2 - Environmental Health be amended to remove the words, "become a fire danger and/or", from both clauses 5(c) and 5.3(d) as at 6 March 2019.

7.2 **Temporary Amendment to Bylaw for Traffic Changes During ILT Hotel Site Demolition Works**

Mr Pearson took the meeting through the report.

In response to questions, the following answers were given:

1. If the retailers came back as a group and said to close Don and Esk Streets, that is the safest option available but it also causes the biggest disruption.
2. Don Street has access to all the carparks under the State Insurance Building and access around the Courts, so it's more disruptive to the people who use the area rather than street traffic.
3. I believe that the ILT will need to pay the costs. It's not a significant cost.

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

AND THAT

It be **RECOMMENDED** to Council that Bylaw 2015/3 Rooding and Traffic – Schedule 1 – One Way Roads be amended to allow, for the period of demolition, Stage Two of the ILT Demolition Management Plan:

- Don Street from Kelvin Street to Dee Street – Travel be in both directions.
- Esk Street from Kelvin Street to Dee Street – The direction of travel from east to west.

AND THAT

Council resolves that at the conclusion of Stage Two of the work, Schedule 1 will return to:

- Don Street from Kelvin Street to Dee Street – The direction of travel is from east to west.
- Esk Street to Kelvin Street to Dee Street – The direction of travel is from west to east.

8. **ACTION SHEET**

Cr Thomas reported that he had spoken to the Chairman of Finance and Policy about the matter on the Action Sheet and a report was to come back to this Committee but he would follow up.

9. **TEMPORARY ROAD CLOSURES**

Mr Pearson took the meeting through the report.

Moved Cr Pottinger, seconded His Worship the Mayor and **RESOLVED** that the report be received,

AND THAT

It be **RECOMMENDED** to Council that the proposed event will not impede traffic unreasonably;

AND THAT

Council resolves under the Local Government Act 1974 (Section 342 and Schedule 10) that it approves the temporary road closure for these events for the times, dates and locations as specified in the report.

10. **UNDERGROUND WATER SUPPLY EXPLORATION FOR EMERGENCY ALTERNATIVE SOURCE**

Mr Murray took the meeting through the report. He explained that through the efforts of Venture Southland, who had facilitated a report from Land and Water Science there was now a stage wise methodology to progress it. He introduced Dr Clint Rissmann who was one of the authors of the Land and Water Science Report and could answer questions from the Committee if required.

In response to questions, the following answers were given:

1. As part of Phase 1 Dr Rissmann has assured that he can estimate what the water parameters or quality might be with using his scientific knowledge. They are estimates and will only be proven when we start to put pilot bores down in Phases 3 or 4 to find out what is down there.
2. We want to minimise the distance between the source and point of use, so it might be better to be closer to Invercargill than Gore. When we look at the population between Gore and Invercargill and assuming the funding will be population based, even if there was a joint Gore/Invercargill system, Invercargill residents will likely be meeting the major part of the cost.
3. Within the Land and Water Science Report there is an extract from an earlier report to the Invercargill City Council outlining the costs of various options. You will see that the lake development costs are three or four times the cost of an underground water supply. From an affordability point of view, it was best to progress the underground source to either discount it or to progress it. The cost for sourcing water from lakes is significant.
4. There is improved technology to treat underground water such as that from the Queens Park supply water and that is part of the exercise. We believe that a deep underground source within the Chatton Formation is a much better supply than what we had at Queens Park.

5. Phase 1 is to estimate what quality the underground water supply will be and then engage a water treatment specialist to assess the given water quality parameters and what treatment it needed.
6. Firstly it's an emergency supply, a supplementary supply to act in emergencies.

Cr K Arnold was concerned that the Committee was not receiving the information needed to make the right decision on matters, and that staff had already decided what was best without presenting the Committee all the information. As decision makers, when staff wanted money taken out of one area and put into another, the Committee needed the information to make those decisions.

Cr Pottinger believed that the report clearly showed the reasons why the Chatton Formation was the preferred option and it was the only option. It was prudent to carry on with this project. The report made so much sense geologically and set out a simple method to proceed with.

Mr McIntosh explained that the team were trying to get as much information as they could as there will be a decision to be made by Council at a subsequent time about the actual investment on this matter. As part of that the questions would be asked on what demands Council was trying to meet, what the need was, what was available and what the treatment cost was. Those were very important governance questions.

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

AND THAT

It be **RECOMMENDED** to Council that Council approves the direction of \$100,000 allocated for supply of water to the Awarua Industrial Development to the project of exploration of underground water sources,

AND THAT

Council commits to Phase 1 and Phase 2 of the project to explore underground water as a source for an emergency / alternative water supply;

AND THAT

Council agrees to Phase 3 and 4 being considered in the 2020/21 Annual Plan process, subject to a peer review of the results of Phase 1 and Phase 2.

11. **OAMARU RESERVE EASEMENT**

Ms Frey took the meeting through the report.

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

AND THAT

It be **RECOMMENDED** to Council that a right of way easement over Omaui Reserve adjoining the property at 182 Mokokoko Road, Omaui, as per Policy 5.6.9.3.1 "Occupation Agreements" (page 83) in the Environmental Reserve Omnibus Management Plan be granted,

AND THAT

A change in classification from Recreation to Scenic Reserve is gazetted as per Policy 5.6.9.1.2 "Classification" (page 82) in the Environmental Reserves Omnibus Management Plan.

12. **STORAGE BUILDING ON RACECOURSE ROAD**

Ms Frey took the meeting through the report.

In response to questions, the following answers were given:

1. The site was former power company had so the contamination was some type of oil substance.
2. When people on site established a lot of extra work needed to be done, they started to look into what the costs were and they then decided not to do any more work until there was justification by the extra expense involved.
3. We now know that the land was purchased at discount because of the contamination.
4. We believe the cost is justified and this is the reason for the increase.

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

AND THAT

It be **RECOMMENDED** to Council that construction works on the Racecourse Road storage building continue on the basis that all materials are available and no further associated construction costs are anticipated.

13. **URGENT BUSINESS**

13.1 **Application for Temporary Camping Permit**

Note: Cr A Arnold declared a conflict of interest and refrained from commenting.

Ms Frey took the meeting through the report.

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

AND THAT

It be **RECOMMENDED** to Council that permission be granted to the Southland Branch of the New Zealand Motor Caravan Association (NZMCA) to allow a temporary camp site at the Southland Power Boat Club and Invercargill Rowing Club grounds at Sandy Point on 12-14 April 2019.

Note: Cr A Arnold abstained from voting.

14. **PUBLIC EXCLUDED SESSION**

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

- (a) *Minutes of meeting held 3 December 2018.*
- (b) *Contract 845 – Windsor Street Drainage Renewal*

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Minutes of meeting held 3 December 2018	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(l)
(b) Contract 845 – Windsor Street Drainage Renewal	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(l)

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

**MINUTES OF THE FINANCE AND POLICY COMMITTEE MEETING OF THE
INVERCARGILL CITY COUNCIL HELD IN THE COUNCIL CHAMBER, FIRST FLOOR,
CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL ON TUESDAY
26 FEBRUARY 2019 AT 4.00 PM**

PRESENT: Sir T R Shadbolt, KNZM JP
Cr D J Ludlow – Chair
Cr G D Lewis – Deputy Chair
Cr R L Abbott
Cr R R Amundsen
Cr I R Pottinger
Cr L S Thomas

IN ATTENDANCE: Cr L F Soper
Cr I L Esler
Cr T M Biddle
Cr K F Arnold
Cr A J Arnold
Mrs C Hadley – Chief Executive
Mr D Foster – Interim Director of Finance
Mrs P Gare – Director of Environmental and Planning Services
Ms M Brook – Manager Strategy and Policy
Mr P Horner – Manager Building Assets
Mr J Botting – Management Accountant
Mr T O'Connor - Financial Accountant
Mrs K Simmonds - Accounting Technician
Ms L Kuresa – Governance Officer

1. **APOLOGIES**

Nil.

2. **PUBLIC FORUM**

Nil.

3. **INTEREST REGISTER**

No changes to be made to the Interest Register.

4. **MINUTES OF THE MEETING HELD 4 DECEMBER 2018**

Moved Cr Ludlow, seconded Cr Lewis that the minutes be approved.

Cr Thomas asked for an update on the five properties being considered by the Southland Museum and Art Gallery Trust Board. Cr Biddle explained that the Southland Museum and Art Gallery Trust Board, in conjunction with Invercargill Public Art Gallery were in the process of signing the lease for the property at 42 Kelvin Street. Due diligence was being completed on that building at present and she would update Council once the Board had received more information.

Note: Cr K Arnold joined the meeting at 4.02 pm.

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

5. **MONITORING OF SERVICE PERFORMANCE**

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

6. **QUARTERLY FINANCIAL REPORT – DECEMBER 2018**

Mr Foster took the meeting through the report.

In response to a question as to whether Holdco was still deliberating on its final dividend or was the \$2 million set out in the report the final dividend amount, Mr Foster explained that it was uncertain on which way it would go. Holdco had a cashflow crunch in the short-to-medium term and the Board was taking steps to address that. Council needed to decide if it wanted to take a dividend from Holdco. If Council pushed Holdco too hard, the Board may have a crunch in the longer term, if not, Holdco would have a short-term issue.

Note: Cr A Arnold joined the meeting at 4.10 pm.

Mr O'Connor was asked to take the meeting through the Funding Impact Statements. Mr Foster explained it was very important for Council to understand the statements going forward into Annual Plans and Quarterly Reporting.

Moved Cr Pottinger, seconded Cr Lewis and **RESOLVED** that the report be received;

AND THAT

Council approves the Schedule of Forecast changes.

7. **URGENT BUSINESS**

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that Council receives the report titled Sensitive Expenditure – Travel as a major late item under Public Excluded Session,

AND THAT

The matter should not be delayed because the earlier the bookings are made the more cost effective they are likely to be.

8. **PUBLIC EXCLUDED SESSION**

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

(a) *Minutes of meeting held 4 December 2018.*

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Minutes of meeting held 4 December 2018	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(b) Freeholding of Land – 14 Yarrow Street, Invercargill	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)
(c) Sensitive Expenditure – Travel	Protect the privacy of natural person, including that of deceased natural persons	Section 7(2)(a)

There being no further business, the meeting finished at 4.26 pm.

MINUTES OF THE MEETING OF THE NEIGHBOURHOOD FUND COMMITTEE HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL, ON TUESDAY 19 FEBRUARY 2019 AT 3.30 PM

PRESENT: Cr K F Arnold - Chair
Cr R R Amundsen
Cr L F Soper

IN ATTENDANCE: Ms M Brook - Manager Strategy and Policy
Ms M Napper - Community Development Manager
Ms A Sleeman – PA to Director of Finance and Corporate Services

2. **APOLOGIES**

Nil.

3. **INTEREST REGISTER**

Nil.

4. **PUBLIC EXCLUDED SESSION**

Moved Cr K Arnold, seconded Cr R Amundsen that the public be excluded from the following parts of the proceedings of this meeting, namely:

(a) *Neighbourhood Fund Report*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) <i>Neighbourhood Fund Report</i>	<i>To enable any Local Authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>	7(2)(f)(i)

TO: COUNCIL

**FROM: ANDREW CAMERON – GENERAL MANAGER
INVERCARGILL CITY HOLDINGS LIMITED**

MEETING DATE: TUESDAY 5 MARCH 2019

APPOINTMENT OF DIRECTORS

SUMMARY

Council has adopted a policy on the appointment and remuneration of directors to Invercargill City Holdings Limited and its subsidiaries. Relevantly that policy requires the approval of Council to the appointment of directors based on the recommendation of the appointment committee. In late 2018 appointments were made to Invercargill City Property Limited and Forest Growth Holdings Limited in breach of that policy. While the appointments were in breach of the Council policy they were otherwise in accordance with the constitutions of the companies and other legal requirements. Council is requested to note the breach of the policy and endorse those appointments.

RECOMMENDATIONS

That the report “Appointment of Directors” be received.

And

That the Invercargill City Council note the breach of the Appointment and Remuneration of Directors Policy by Invercargill City Holdings Limited and Invercargill City Forests Limited.

And

That the Invercargill City Council endorse the appointment of Brian Wood, Darren Ludlow and Graham Lewis as directors of Invercargill City Property Limited.

And

That the Invercargill City Council notes the resignation of Lindsay Thomas as a director of Invercargill City Property Limited.

And

That the Invercargill City Council endorses the appointment of Mel Montgomery and Rebecca Keoghan as directors of Forest Growth Holdings Limited.

IMPLICATIONS

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

1: LEGISLATIVE CONSIDERATIONS

The *Companies Act 1993* (the Act) specifies the requirements in relation to the appointment of directors.

S153 Appointment of first and subsequent directors

- (1) A person named as a director in an application for registration or in an amalgamation proposal holds office as a director from the date of registration or the date the amalgamation proposal is effective, as the case may be, until that person ceases to hold office as a director in accordance with this Act.
- (2) All subsequent directors of a company must, unless the constitution of the company otherwise provides, be appointed by ordinary resolution.

The Act sets out the requirements where a company has a constitution.

S27 Effect of Act on company having a constitution

If a company has a constitution, the company, the board, each director, and each shareholder of the company have the rights, powers, duties, and obligations set out in this Act except to the extent that they are negated or modified, in accordance with this Act, by the constitution of the company.

S31 Effect of constitution

- (1) The constitution of a company has no effect to the extent that it contravenes, or is inconsistent with, this Act.
- (2) Subject to this Act, the constitution of a company is binding between –
 - a. The company and each shareholder; and
 - b. Each shareholder –
In accordance with its terms.

And the capacity and powers of the company.

S16 Capacity and powers:

- (1) Subject to this Act, any other enactment, and the general law, a company has, both within and outside New Zealand, -
 - a. full capacity to carry on or undertake any business or activity, do any act, or enter into any transaction; and
 - b. for the purposes of paragraph (a), full rights, powers and privileges.
- (2) The constitution of a company may contain a provision relating to the capacity, rights, powers, or privileges of the company only if the provision restricts the capacity of the company or those rights, powers, and privileges.

2: CONSTITUTIONS

Invercargill City Property

The constitution of Invercargill City Property Limited (ICPL) relevantly provides.

15.1 Number of Directors

Subject to clause 15.9 the minimum number of directors (other than alternate directors) shall be three (3) and the maximum number of directors (other than alternate directors) shall be four (4) of whom at least two (2) shall be persons who are neither members of the Invercargill City Council nor persons employed by the Invercargill City Council....

15.4 Appointment and Removal of Directors by Resolution

15.4.1 In addition to the appointment and removal of directors under Clauses 15.3.1 and 15.3.2 a director may be appointed or removed from office by an ordinary resolution.

15.4.2 A resolution to appoint two or more directors may be voted on as one resolution without each appointment being voted individually.

Forest Growth Holdings Limited

The constitution of Forest Growth Holdings Limited (FGHL) relevantly provides.

17.2 Subsequent directors of the company must be appointed by ordinary resolution.

FGHL is silent on the number of directors in its constitution. As a result the requirement of the Act that a company must have 1 or more directors applies.

Invercargill City Holdings Limited

Restrictions imposed on Invercargill City Holdings Limited (ICHL) through its constitution.

17.1 Powers of the Board

17.1.3 Notwithstanding anything to the contrary herein contained, the directors shall not without the prior approval of the shareholder in general meeting, approve:

- (a) Any major transaction in any other company or organisation if such transaction would constitute a Major Transaction for the Company if being undertaken by the Company.
- (b) Any changes in the Constitution/Constituent documents of any such company or organisation or any resolution for amalgamation or liquidation, or event of similar effect of such company or organisation.
- (c) The issue or allotment of shares or other voting securities in any such company or organisation and any increase or reduction in the capital of such company or organisation.
- (d) The directors, upon receiving a request for approval of a major transaction or other event set out in (b) or (c) above from any other company or organisation shall

consider such request and either decline such request in which event the directors shall not be required to obtain the approval of the shareholder in general meeting or recommend such major transaction or other event (as the case may be) to the shareholder in general meeting.

- (e) Reference to company or organisation shall include Related Companies.

Invercargill City Forests Limited

Restrictions imposed on Invercargill City Forests Limited (ICFL) through its constitution.

17.1 Powers of the Board.

17.1.3 The directors shall not without the prior approval of the shareholder approve:

- (a) The establishment of any new company or other organisation of acquisition by the company of shares, equity, voting interests or membership of any company or organisation.
- (b) Any changes to the Constitution/Constituent Documents of any such company or organisation or any resolution for amalgamation, liquidation or major transaction or event of similar effect of such company or organisation under the Companies Act 1993 or any analogous legislation.
- (c) The issue or allotment of shares or other voting securities in any such company or organisation and any increase or reduction in the capital of such company or organisation.
- (d) The exercise of any voting share entitlement to appoint or remove/dismiss directors in any such company or organisation.
- (e) The directors, when receiving any Statement of intent or document of similar effect from any such company or organisation, shall forthwith together with its recommendations forward the same to the shareholder and shall not approve or comment on such statement or document to such company or organisation without the approval of the shareholder in general meeting.
- (f) Reference to company or organisation shall include Related Companies.

3: APPOINTMENT AND REMUNERATION OF DIRECTORS POLICY

Section 57(1) of the Act, provides authority that Council must adopt a policy that sets out an objective and transparent process for:

- (a) the identification and consideration of the skills, knowledge, and experience required of Directors of a Council organisation; and
- (b) the appointment of Directors to a Council organisation; and
- (c) the remuneration of Directors of a Council organisation.

Section 57(2) of the Act provides authority that the Council may appoint a person to be a Director of a council organisation only if the person has, in Council's opinion, the skills, knowledge, or experience to:

- (a) guide the organisation, given the nature and scope of its activities; and
- (b) contribute to the achievement of the objectives of the organisation.

Section 2 of the Appointment and Remuneration of Directors Policy (the Policy) provides that the director appointments committee will recommend to Council the appointment of:

- (a) Members of Council as Directors of ICHL (subject to section 3) –
- (b) Independent Directors of ICHL (subject to section 3); and
- (c) Directors of CCTOs.

Section 4 of the Policy provides that where any vacancy arises in any CCTO, the Directors Appointment Committee will conduct the search process and make recommendations to the Council; however, the appointment decision will be made by the Council.

4: COMMON DIRECTORSHIPS

The Policy provides that as a general approach, the Directors of ICHL should not hold directorships on other CCTO's or subsidiaries. However, where it is proposed that an ICHL Director has skills and experience that would, having considered this policy, be beneficial to the operation of any other CCTO or subsidiary, or other good grounds exist for the appointment which gives rise to a common directorship, then such appointment may be made by Council.

In the event that the business operations of either ICPL or FGHL change then ICHL and/or ICFL will review the current director appointments.

5: WHAT OCCURRED

Invercargill City Property Limited

In 2018 there were three directors on Invercargill City Property Limited (ICPL) Cam McCulloch, Tim Loan and Lindsay Thomas. When Cam McCulloch resigned as chairman of ICHL he also resigned from the Board of ICPL. The ICPL constitution requires a minimum of three directors.

No immediate replacement was made for Cam McCulloch pending the appointment of a new director to ICHL and a decision about the future of ICPL, in particular its investment in HWCP Management Limited. It is a requirement of the *Companies Act 1993* that a company either hold an annual general meeting or pass a resolution to not hold an annual general meeting within 6 months of its balance date (s120).

It was not considered necessary for ICPL to hold an annual general meeting. In order to pass a resolution not to hold an annual general meeting it was necessary to appoint a further director to ICPL. As there remained uncertainty about the future of ICPL it was not considered appropriate to go through the process to appoint an independent director to ICPL. In addition the positions on the ICPL Board are not remunerated.

In the end it was resolved by ICHL that Lindsay Thomas would resign as a director of ICPL. This left Mr Thomas as ICPL's appointment to the Board of HWCP Management Limited and provided a degree of oversight of that investment. It was then resolved to appoint the balance of the directors of ICHL who were not already directors of ICHL to the Board of ICPL.

While ICHL acknowledges that this was a breach of Council Policy ICHL considers that Council can be satisfied that:

1. The appointments satisfy the requirements of s57 of the *Local Government Act 2002*; and
2. There are good grounds for the appointments which give rise to a common directorship between ICHL and ICPL and may endorse the appointments.

Forest Growth Holdings Limited

On or about 6 December 2018 ICHL resolved that it would indicate to Forest Growth Holdings Limited (FGHL) that, given the company was to be wound up and had limited transactions to be finalised, it no longer considered payment of the directors was justified. At that time the directors of FGHL were Allister McKenzie and Ben Nettleton. Upon Invercargill City Forests Limited (ICFL) advising FGHL of that fact Mr McKenzie resigned.

While there is no requirement for FGHL to have more than one director it is not an ideal position and ICFL determined to appoint the balance of the ICFL board as directors of FGHL. The positions remain unpaid.

While ICHL and the ultimate holding company and having responsibility for the actions of its subsidiaries acknowledges that this was a breach of Council Policy ICHL considers that Council can be satisfied that:

1. The appointments satisfy the requirements of s57 of the *Local Government Act 2002*; and
2. There are good grounds for the appointments which give rise to a common directorship between ICFL and FGHL and may endorse the appointments.

6: RISKS

There is a risk that in not following the Policy ICHL and ICFL have made appointments which are not in the best interests of Council as the ultimate shareholder. As the appointments were of existing directors it is considered that this risk is negligible.

There is a risk that in having directors on ICHL and ICPL there is a lack of supervision of ICPL. This risk is minimised at the moment as ICHL has advised Council that it will not make any decision with respect to any further investment in HWCP Management Limited without instruction from Council. ICPL does not currently undertake any other activities.

TO: FULL COUNCIL

FROM: PAMELA GARE – DIRECTOR OF ENVIRONMENTAL AND PLANNING SERVICES

MEETING DATE: 5 MARCH 2019

CITY CENTRE HERITAGE STRATEGY

SUMMARY

<p>The City Centre Heritage Steering Group (Cr. Amundsen, Cr. Crackett & Cr. Soper) and staff have been working to refine the draft City Centre Heritage Strategy and have carried out consultation with key stakeholders. The Strategy is now ready to be considered for adoption by Council.</p>
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RECOMMENDATIONS

That the report be received; and

That the City Centre Heritage Strategy be adopted; and

That the City Centre Heritage Strategy be implemented by Council’s Planning staff, with the first monitoring report being presented to Council in August 2019; and

That Council acknowledges that there will be Annual Plan financial implications from implementing the City Centre Heritage Strategy.

IMPLICATIONS

1.	<p><i>Has this been provided for in the Long Term Plan/Annual Plan?</i></p> <p>No, however the Strategy is consistent with the Council’s Vision Statement and the community outcomes adopted in the Long Term Plan.</p>
2.	<p><i>Is a budget amendment required?</i></p> <p>Potentially, considering the actions within the Strategy will have financial implications (some of which are within the current budget but other are not).</p>
3.	<p><i>Is this matter significant in terms of Council’s Policy on Significance?</i></p> <p>No.</p>
4.	<p><i>Implications in terms of other Council Strategic Documents or Council Policy?</i></p> <p>The Strategy is consistent with other Council strategic documents and policies, such as the Proposed Invercargill City District Plan; Invercargill - The Big Picture, Non-statutory Spatial Plan; Invercargill City Centre Outline Action Plan; and the Invercargill City Centre Retail Strategy.</p>
5.	<p><i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i></p> <p>Yes, the views of affected or interested persons have been obtained and further public consultation is not required.</p>

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

While some of the actions listed in this Strategy address work that falls within the existing budget, there are also actions that are not currently budgeted for. Council would need to consider this within their 2020-2021 Annual Plan.

STRATEGY

The Strategy introduces 11 actions that Council will undertake in partnerships with key stakeholders to guide future City Centre heritage decisions and initiatives. It also identifies 25 priority heritage resources within the City Centre that will be eligible for incentives and support. Please refer to **Appendix 1** for the full document.

CONSULTATION

This Strategy is the result of significant background work and consultation. Over the last decade there have been several reports that have acknowledged the role of heritage within Invercargill’s City Centre. Following the receipt of the Origin Consultant report *Heritage Buildings Re-Assessment* in late 2016, Council initiated consultation with property owners, which was delayed due to the introduction of earthquake-prone building legislation. In March 2018, Council staff conducted an online survey and week-long pop-up shop to ascertain the public’s views on heritage within Invercargill’s City Centre. External assistance was received from QuakeCoRE, who aided in facilitating a workshop and held meetings with property owners, and Catalyst Group, who worked with staff and the Council to identify the need for a focused City Centre Heritage Strategy.

Building on this momentum, the City Centre Heritage Steering Group was created in August 2018 with the goal of producing a Heritage Strategy for Invercargill’s City Centre. The City Centre Heritage Steering Group consists of Cr. Amundsen, Cr. Crackett, Cr. Soper and Council staff L. Devery and S. Baxter.

The Strategy was initially drafted based on feedback from the aforementioned public consultations, recommendations from the Origin Consultant report, and several Heritage New Zealand Pouhere Taonga building reports. Council Staff then sent out correspondence to all affected building owners to discuss the draft Strategy. This resulted in meetings with 21 out of 30 building owners (18 owners of priority buildings and 3 owners of buildings included due to their location within the nominated streetscape areas).

Overall, property owners were interested, supportive, and eager to see something happen. The majority of building owners were particularly encouraged by the appointment of a Council staff member as a point of contact/heritage liaison (Action 10). Of greatest concern to most owners were the ramifications of the earthquake-prone building legislation (how to choose a qualified consultant, cost of the initial and detailed reports, cost of strengthening measures, etc.).

Council staff also met with various heritage interest groups (Heritage New Zealand Pouhere Taonga, Heritage South, The Troopers Memorial Corner Charitable Trust and Southland Heritage Building and Preservation Trust). They were very supportive of the Strategy and keen to offer their expertise as needed in regard to maintenance and construction.

The draft Strategy was then further refined based on feedback from building owners and heritage interest groups.

IMPLEMENTATION

Once adopted, the Steering Group and Council staff will commence implementation of the Strategy and its actions. There are several actions identified within the Strategy that are beneficial to owners immediately, such as the identification and promotion of external funding sources and the appointment of a Council staff member as point of contact / heritage liaison.

The Strategy will be regularly monitored and reviewed. A six-monthly progress report will be brought to Council, followed by a review one year after adoption by Council and every three years thereafter.



Invercargill City Centre

HERITAGE STRATEGY 2019

Invercargill City Centre Heritage Strategy 2019

1. Introduction

- 1.1 Why do we need a Strategy?
- 1.2 How does the Strategy work?
- 1.3 What is the role of Council?
- 1.4 What is the scope?

2. The Strategy

- 2.1 Actions
- 2.2 Financial Breakdown
- 2.3 Monitoring and Reporting
- 2.4 Governance Documents

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**"To enhance our City, preserve its character
and embrace innovation and change"**

(Council's Vision Statement, ICC 2018-2028 Long Term Plan)

Goals

This Strategy acknowledges the value heritage brings to our City Centre and seeks to provide tools and incentives to reach the following goals:

Goal 1

A vibrant, sustainable, and active City Centre where heritage is highly valued.

Goal 2

Key heritage resources within the City Centre are, if practicable, actively utilized creating positive community and economic outcomes.

Goal 3

New development and adaptive re-use projects respect our City Centre heritage context.

Goal 4

Heritage values and character of our City Centre are celebrated and protected.



1. Introduction

1.1 Why do we need a Strategy?

The rich variety of built heritage within our City Centre not only tells the stories of our past, but also contributes to the character of our main business area and our sense of place. There are opportunities to develop and maintain an animated City Centre that leverages heritage values. Our City Centre can embrace heritage conservation and also be a great place to do business, shop, work and live. This Strategy sets out a path to make this a reality.

We currently face a number of challenges in managing Invercargill's City Centre heritage:

- a) Earthquake-Prone Building Legislation;
- b) Economics of adaptive re-use;
- c) Balancing the need to conserve heritage and the need for redevelopment;
- d) Lack of incentives to retain heritage buildings;
- e) Loss by neglect (due to poor maintenance);
- f) Potential for unsympathetic development.

We understand that, with these challenges, the value of individual items with heritage value can be lost. It is important to be, protect and preserve heritage, how integral to ensure the stories of our past are not lost completely and that the overall heritage value of our City Centre is protected for current and future generations.

1.2 How does the Strategy work?

This Strategy includes 11 actions that the Council will undertake in partnership with key stakeholders to guide future City Centre heritage decisions and initiatives. This will involve working with property owners, heritage organisations, and the community. The Strategy will evolve as it is regularly monitored and reviewed.

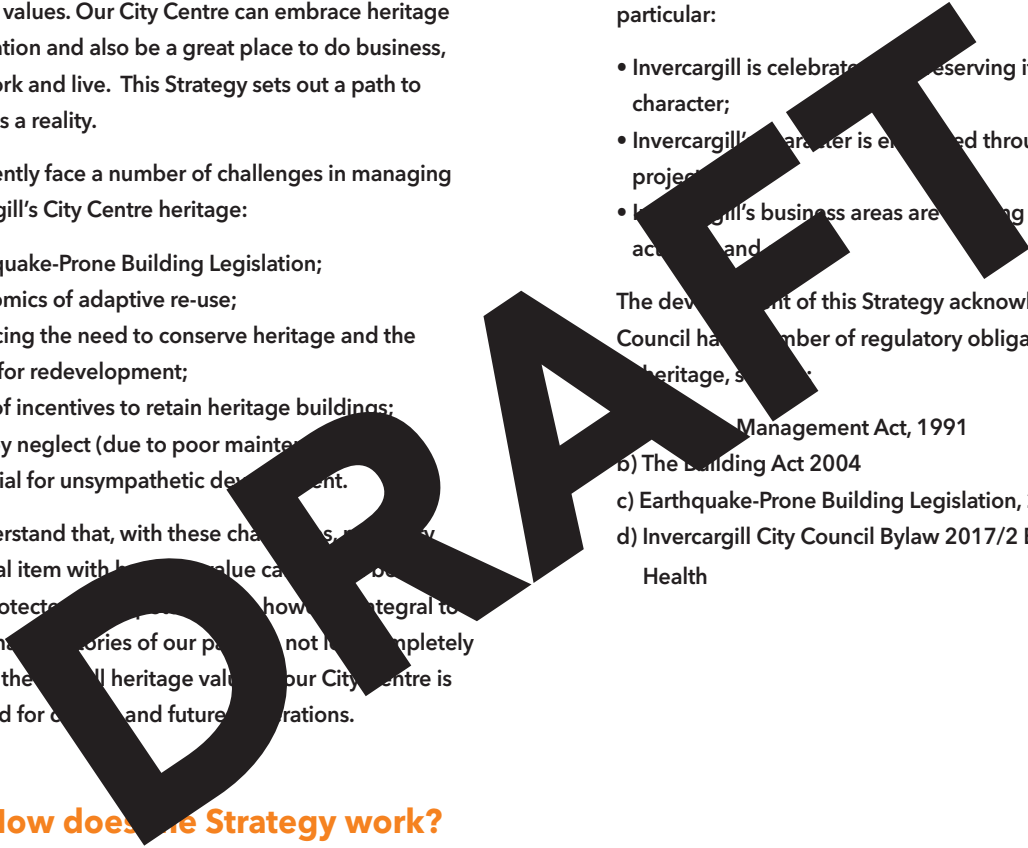
1.3 What is the role of Council?

Council believes it is possible to enhance the City Centre by integrating innovative redevelopment into Invercargill's heritage properties and streetscapes. This Strategy has the potential to contribute to a number of community outcomes identified by the Council, in particular:

- Invercargill is celebrated for preserving its heritage character;
- Invercargill's character is enhanced through community projects;
- Invercargill's business areas are thriving with people, activity and vitality.

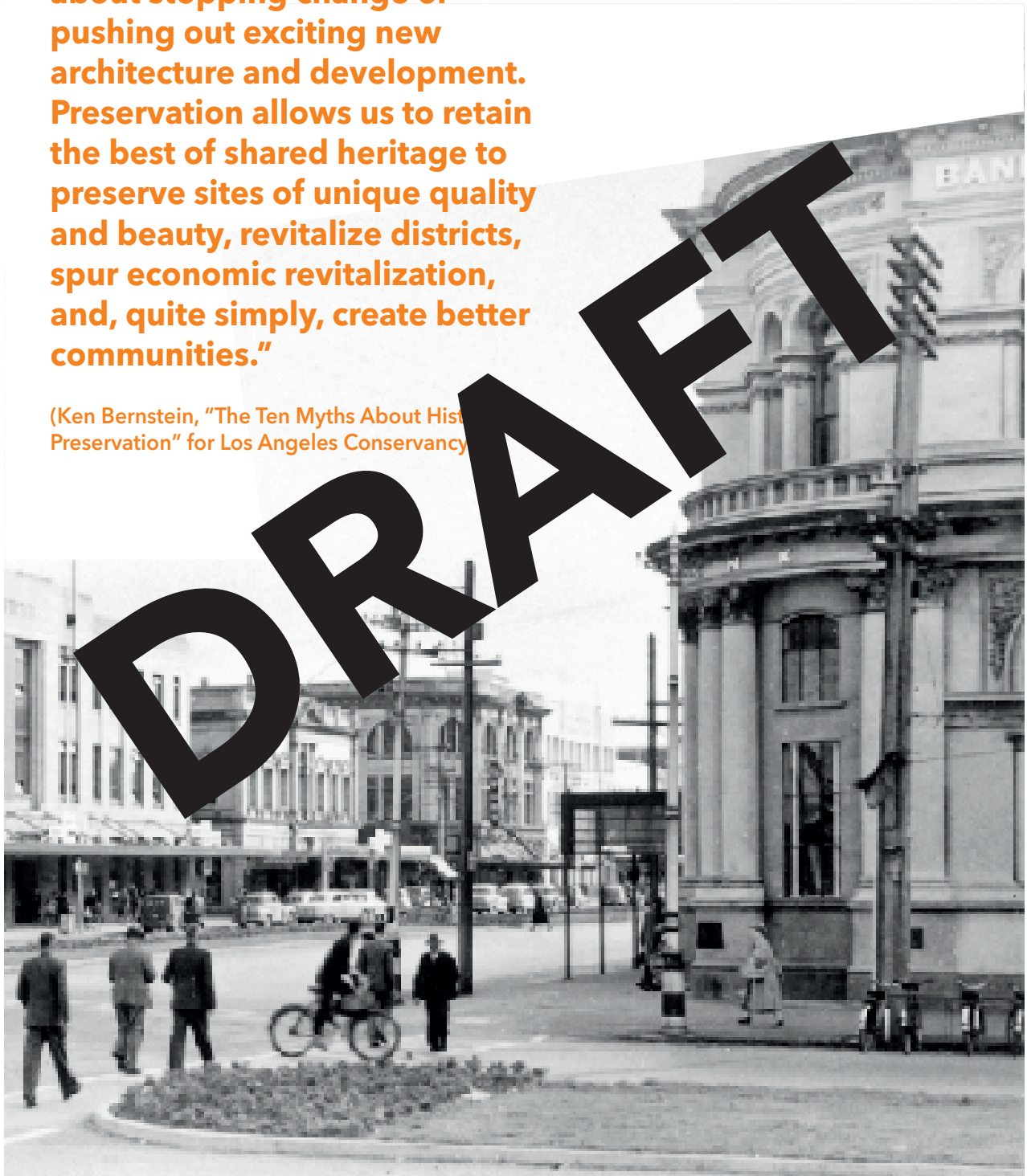
The development of this Strategy acknowledges that Council has a number of regulatory obligations relating to heritage, such as:

- a) The Resource Management Act, 1991
- b) The Building Act 2004
- c) Earthquake-Prone Building Legislation, 2016
- d) Invercargill City Council Bylaw 2017/2 Environmental Health



"Historic preservation is not about stopping change or pushing out exciting new architecture and development. Preservation allows us to retain the best of shared heritage to preserve sites of unique quality and beauty, revitalize districts, spur economic revitalization, and, quite simply, create better communities."

(Ken Bernstein, "The Ten Myths About Historic Preservation" for Los Angeles Conservancy)



1.4 What is the scope?

All heritage resources throughout Invercargill will remain recognized for their heritage value. However, this Strategy focuses on those within the City Centre Heritage Area (indicated on page 7). Within the City Centre Heritage Area there are over 80 buildings with recognized heritage value: 22 have been registered by Heritage New Zealand Pouhere Taonga, 64 are considered locally significant, and respective portions of Tay and Dee Streets are recognised for their high streetscape value.

All actions within this Strategy focus on awareness and retention of heritage values. However, due to Invercargill's large heritage inventory, the Council has created a list of heritage resources of greatest importance to the community to initially focus incentives towards. The list was informed by public feedback in March 2018, recommendations from the Origin Consultant report Heritage Buildings Re-Assessment 2016, and several Heritage New Zealand building reports. The list includes 23 buildings (including one Council-owned building) and two streets.

Although not every building within the City Centre Heritage Area has documented heritage value, the potential redevelopment and use of these buildings is considered to maintain the integrity and character of its heritage surroundings.

The list of priority heritage resources includes:


- **Alexander Building**
83-85 Dee Street & 2 Dee Street
- **Bank of New Zealand Sales (Former)**
1 Dee Street
- **Bank of New Zealand (Former)**
1 Tay Street
- **Blackham Building**
136-144 Dee Street
- **Briscoe and Company Building**
104-106 Dee Street

- **Brown Owl (Former) ****
29 Esk Street
- **Cambridge Arcade ****
59-61 Esk Street & 40 Tay Street
- **Chief Post Office (Former)**
10 Dee Street
- **Civic Theatre ***
88 Tay Street
- **Embassy Theatre (Former)**
110-122 Dee Street
- **Gerrard's Private Rail Hotel**
3 Leven Street & 2 Dee Street
- **Goodalls (Former)**
26 Esk Street
- **Government Life Building**
100 Dee Street
- **Government and Hotel Residence**
100 Dee Street
- **Hunter's Emporium**
68 Dee Street
- **Invercargill Club**
100 Don Street
- **National Bank (Former)**
21 The Crescent
- **Public Trust Office (Former)**
28 Don Street
- **Shaw's Building**
146 Dee Street
- **Southland Daily News Building**
100 Dee Street
- **Southland Provincial Chambers (Former)**
32 Kelvin Street
- **Southland Times Building ****
67 Esk Street
- **Tudor / Rakauhauka House**
36 Don Street
- **Dee Streetscape**
68-146 Dee Street
- **Tay Streetscape**
61-77 Tay Street

* Owned by Council

** Partially owned by Council in partnership with HWCP

Priority Heritage Resources

- LEGEND**
-  City Centre Heritage Area
 -  Priority Heritage Building
 -  Priority Heritage Streetscape



2. The Strategy

2.1 Actions

Action	Deliverables*	Timeline	Estimated Cost**
1. Ongoing development and operation of a City Centre Heritage Steering Group, which will provide input, guidance, and oversee progress of the Strategy.	Create Terms of Reference	Within 6 months	Currently funded
	Identify and promote the availability of external funding sources	Ongoing	\$1,000
2. Work with existing heritage trusts to promote heritage preservation and awareness.	Trusts to offer expertise and advice to property owners where possible	Ongoing	\$2,500 per year
3. Maintain and disseminate information on heritage items and ensure this is reflected in Council's records and policies, and share this information - social media, website, etc.	Posting heritage-related articles (both local and beyond) to Council website	Monthly	Currently funded
	Posting information on Council website, social media, etc. to promote (existing and upcoming) heritage items for purchase	Ongoing	Currently funded
4. Develop advisory information addressing issues of heritage maintenance, alterations and additions, restoration and preservation.	Prepare and promote revised heritage design and maintenance guidelines	Year 1	\$15,000

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2.1 Actions (continued)

Action	Deliverables*	Timeline	Estimated Cost**
5. Support City Centre heritage forums, discussion panels, and heritage exhibitions e.g. local art, cultural and/or architectural displays.	Promote use of Council's existing Community Grant for heritage-related projects	Year 1 and onwards	Currently funded
	Be a sponsor of Heritage Month	Year 1 and onwards	\$3,000
6. Promote best practice by showcasing success stories.	Collect and share existing success stories	Year 1 and onwards	\$1,500
	Manage Council-owned heritage assets in accordance with best practices	Year 1 and onwards	Council has budgeted for Civic Theatre maintenance and upgrades within the MMP
7. Adopt financial and non-financial measures to support the development of heritage resources with an initial focus on protecting priority heritage resources	Prepare an outline of alternative options and funding sources	Year 1	Currently funded
	Implement a specific incentive program to support earthquake strengthening and adaptive re-use of priority heritage resources	Year 1	\$50,000 currently funded per year
8. Ensure that when heritage resources are altered or lost to the community that the effects of that loss on the overall City Centre are offset through means such as compensation policies, promotion of respectful design features, etc.	Consideration of adopting a Heritage Offsetting Policy	Year 1	\$40,000 +
	Impose resource consent conditions on reuse or renovation of heritage items (windows, floors, doors, ceilings, etc.)	Year 1 and onwards	Currently funded

2.1 Actions (continued)

Action	Deliverables*	Timeline	Estimated Cost**
9. Support the Strategy's "City Centre Heritage Area" as the priority area for a wide range of commercial, entertainment and residential activities.	Review District Plan provisions as they relate to the City Centre	Year 2	Currently funded
	Integrate Heritage Strategy goals during resource consent process	Year 2 and onwards	Currently funded
10. Facilitate relationships between Council, heritage interest groups, developers, property owners and heritage tradespeople and experts.	Create Memorandum of Understanding between Council and Heritage NZ	Year 1	Currently funded
	Appoint a Council staff member as point of contact / heritage liaison	6 months	Currently funded
11. Support heritage tourism and products.	Funding and interpretation of interpretative projects	Year 1 and onwards	\$20,000 per year
	Relaunch new City Centre Heritage Walk	Year 1	\$20,000
11. Support heritage tourism and products.	Continue working with the Southland Regional Development Agency (SRDA) to promote heritage tourism	Year 1 and onwards	Currently funded
	Engage SRDA to complete economic assessment of heritage tourism	Year 1 or 2	Currently funded

* The deliverables do not limit Council's work in this space. If additional opportunities arise to protect our heritage these will be considered by the Steering Group.

** These costs are indicative only and may vary based on scope, delivery methods and timing.

2.2 Financial Breakdown

Action	YEAR 1 (2019/2020)	YEAR 2 (2020/2021)	YEAR 3 (2021/2022)	YEAR 4 (2022/2023)	TOTAL
1	\$1,000	-	-	-	\$1,000
2	\$2,500	\$2,500	\$2,500	\$2,500	\$10,000
3	-	-	-	-	-
4	\$15,000	-	-	-	\$15,000
5	\$3,000	-	-	-	\$3,000
6	\$1,500	\$1,500	\$1,500	\$1,500	\$6,000
7*	\$150,000	\$300,000	\$300,000	\$300,000	\$1,050,000
8	\$40,000	-	-	-	\$40,000
9	-	-	-	-	-
10	-	-	-	-	-
11	\$40,000	\$60,000	\$20,000	\$20,000	\$100,000
TOTAL REQUIREMENT	\$253,500	\$301,500	\$324,000	\$324,000	\$1,225,000

* Includes \$50,000 annual funding already included in budget



2.3 Monitoring and Review

A six-monthly progress report will be brought to the Council by the Steering Group. The Strategy will be reviewed as a whole one year after its adoption by Council to monitor its effectiveness in working towards the goals and every three years thereafter.

By continuing to seek input from heritage owners, heritage organisations and the wider community, all efforts will combine in ensuring that the City Centre's heritage character is preserved and potentially enhanced for the benefit of those who visit, shop, work, invest and live in our City Centre.

2.4 Reference Documents

Over the last decade there have been several reports that have acknowledged the role of heritage within Invercargill's City Centre:

Proposed Invercargill City District Plan, (January 2017)

Rejuvenating the CBD: a transformative arts centre for Invercargill, Tim Walker Associates, (September 2017)

Invercargill City Centre Retail Strategy, First Retail Group Ltd, (March 2017)

Invercargill City: Central Area Heritage Buildings Re-Assessment 2011, Dr. A. ... and R. Miller, Origin Consultancy, November 2011

Southland Regional Development Strategy - The Action Plan (September 2012)

Invercargill City Revitalisation, Master Plan Report, Pocock Design: Environment Ltd, (August 2013)

Invercargill: The Big Picture, Non-statutory spatial plan, (January 2012)

Invercargill City Centre Outline Action Plan - Urbanismplus Ltd, William J Watt Consulting Ltd and Pocock Design: Environment Ltd, (December 2011)

Identifying Invercargill's Point of Difference, Mark Blumsky and Elliott Kirton, (June 2010)







Invercargill
CITY COUNCIL

DRAFT

Invercargill City Council

Private Bag 90104 | Invercargill 9840

EMAIL planning@icc.govt.nz | WEBSITE www.icc.govt.nz

Planning Department

PHONE 03 211 1777

TO: COUNCIL

FROM: CAMERON MCINTOSH – DIRECTOR OF WORKS AND SERVICES

MEETING DATE: TUESDAY 5 MARCH 2019

CHINESE FRIENDSHIP GARDEN – QUEENS PARK
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SUMMARY

<p>Following a resolution at its meeting on 11 December 2018 to stop work on the Chinese Friendship Garden, a Notice of Motion was received by Council on 29 January 2019 requesting that the scope of works be altered to allow for completion within the approved budget of \$600,000. This report provides plans showing building and landscape work which can be achieved on site to complete the Garden within the \$600,000 budget.</p>

RECOMMENDATIONS

That report Chinese Friendship Garden – Queens Park be received

AND

That Council approve the revised plans and scope allowing for work to be completed on the Garden within the approved budget of \$600,000.

IMPLICATIONS

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

FINANCIAL IMPLICATIONS

A budget of \$600,000 was provided for the Chinese Friendship Garden in the 2016/2017 Annual Plan.

REVISED FRIENDSHIP GARDEN SCOPE

After signing a sister city agreement with Suqian, China in 2013, a site for the Chinese Friendship Garden was selected during a visit by Suqian Council representatives on 10 and 11 December 2015.

Council was advised in June 2018 that the budget would not allow for all elements of the original concept design and the decision was made to focus on a waterside pavilion, moon gate and entrance structure. Subsequently, it was found that these remaining structures (to come from China) would not easily meet New Zealand building regulations, and a significant budget increase would be necessary if the buildings were to achieve consent.

Council chose instead to stop works at this stage.

A revised scope and plan has been produced which provides Council with information showing what can be achieved to deliver the four elements (mountains / rocks, water, plants, structures) of a Chinese garden and remain within the approved budget.

An aerial photograph showing simplistic landscape details is annexed as **Appendix 1**. Items of note in the landscape plan are retention of the moon gate (incorporating the proposed gift from Suqian of the Bronze Cauldron of Friendship), an arched bridge, waterfall into the pond, seating, paving and plantings. The curved bridge is also provisionally shown in **Appendix 2** but will not be built until the other items are further advanced.

While highly desirable, the larger authentic Chinese buildings intended to be sourced from China cannot happen at this stage; the plan excludes the waterside pavilion and the entrance structure. Careful consideration to landscaping has been given to allow for minimal disruption should future opportunity arise which would enable construction of these excluded structures.

A smaller scale Chinese Friendship Garden can be constructed within the approved budget.

REVISED FRIENDSHIP GARDEN WORK PROGRAMME

In order to remain within the budget, the eastern end of the garden is proposed to be advanced first with the purchase from China and installation of the Moon Gate and the installation of the arched bridge.

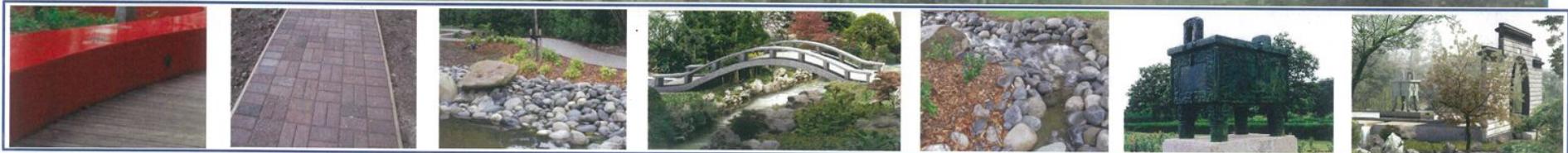
Following that, and provided sufficient funds exist within the budget limit, the curved bridge will be installed at the western end of the garden and the area intended for the waterside pavilion will be landscaped and feature seating created.

If sufficient funds are not available, the curved bridge will not be commissioned and the paths around the pond will be rearranged. The area for the waterside pavilion will be landscaped and feature seating created.

Under either scenario, the intention is to finish the garden within the agreed budget and to a standard appropriate for Queens Park which has status as a Garden of National Significance.

CONCLUSION

A smaller scale Chinese Friendship Garden can be constructed within the approved budget with landscape considerations allowing for future construction should funding arise.



Low curved seating wall

Paved path

Chinese plantings and curved path

Arched bridge

Winding stream

Bronze Cauldron of Friendship

Moon Gate

TrueSouth
SURVEY SERVICES LTD

Phone 03 218 8030 Fax 03 218 8044
78 Doon Street, PO Box 534
Invercargill 9840
www.truesouth.co.nz

Plan Title:

Queen's Park - Chinese Garden
DRAFT Revised Design Concept - 13 February 2019

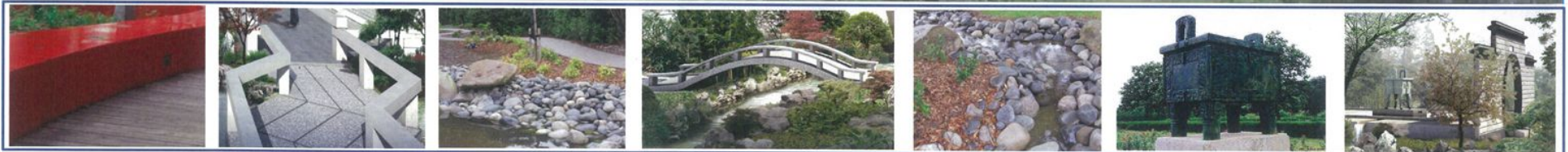
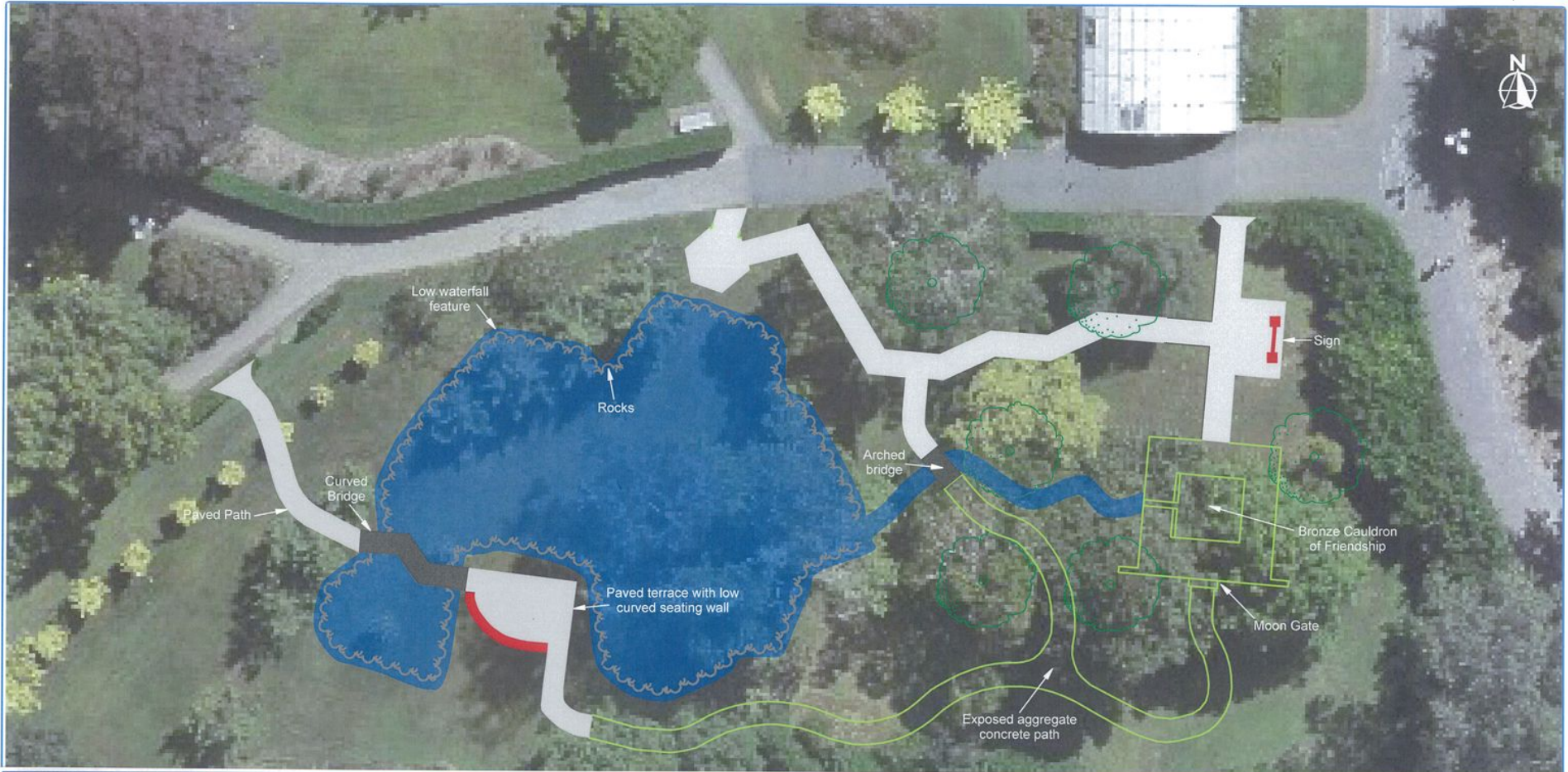
Plan Description:

Project Info:

Project No.: 4930
Client: Invercargill City Council

Plan Info:

Date: Thu Feb 21 11:21:48 2019
Scale Horizontal: 1:200 @ A3



Low curved seating wall

Curved bridge

Chinese plantings and curved path

Arched bridge

Winding stream

Bronze Cauldron of Friendship

Moon Gate

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Plan Title:

Queen's Park - Chinese Garden
DRAFT Revised Design Concept - 27 February 2019

Plan Description:

Project Info:

Project No.: 4930
Client: Invercargill City Council

Plan Info:

Date: Wed Feb 27 14:55:43 2019
Scale Horizontal: 1:200 @ A3

TO: COUNCIL
FROM: CLARE HADLEY, CHIEF EXECUTIVE
MEETING DATE: TUESDAY 5 MARCH 2019

SOUTHLAND REGIONAL HERITAGE COMMITTEE – HEADS OF AGREEMENT

SUMMARY

This report presents the renewed Heads of Agreement for the Southland Regional Heritage Committee for the period 2018-2025.

RECOMMENDATIONS

That the report Southland Regional Heritage Committee – Heads of Agreement be received;

AND

That authority be delegated to the Mayor and Chief Executive to sign the Heads of Agreement.

IMPLICATIONS

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

JOINT COMMITTEE

The Invercargill City Council is partners with Gore and Southland District Councils in a joint committee for the purpose of maintaining agreements and standards for the preservation of collections, and distribution of Regional Heritage Funding to Museums, and the Regional Heritage Development Fund.

This funding comes from a regional heritage rate, in place across the three authorities.

The Joint Committee has been in place for more than five years, and this agreement is updated to cover the period 2018-2025, although it recognises that the closure of the Southland Museum and Art Gallery may prompt an earlier review.

The Joint Committee has been working well, and it is recommended that Council delegate authority to the Mayor and Chief Executive to sign the Heads of Agreement.

OPTIONS

Council could give its partners notice that it intends to withdraw from the Committee, and to stop rating for regional heritage. This option is not recommended as the funding method and the Joint Committee have been working effectively to ensure heritage has a regional approach in Southland.

Council can renew the agreement. This option is recommended as it continues the coordinated, complementary approach which has been in place and working effectively.

Southland Regional Heritage Committee

Heads of Agreement
2018 - 2025



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Document Revision

Date	Amendment	Amended by	Approved by	Approval date

THIS AGREEMENT is made the 1st day of December 2018

BETWEEN Invercargill City Council (ICC)

AND Southland District Council (SDC)

AND Gore District Council (GDC)

BACKGROUND

- I. ICC, SDC and GDC are all incorporated territorial authorities, Local Government Act 2002 (Local Authorities) (“the Parties”).
- II. THE Local Authorities have agreed to establish an Organisation to be known as the Southland Regional Heritage Committee (“the Committee”) for the purpose of maintaining agreements and standards regarding the preservation of collections and overview the distribution of Regional Heritage Funding to Museums and the Regional Heritage Development Fund.
- III. THIS Agreement is to confirm commitment from Local Authorities to advance the establishment of the Committee’s Funding with the intent that:
 - a) The Committee will be carried out by a Joint Committee of Councils (Section 5(1) in Schedule 7, clause 30, Local Government Act 2002) with representatives from the Parties.
 - b) The Parties delegate to the Joint Committee, the authority for governance and coordination of funding for Regional Heritage and Museums in Southland on the terms set out in this Agreement.
 - c) The Joint Committee shall be responsible for the integration and application of the combined resources, including funding and the establishment of priorities, having regard to local programmes and commitments within the Southland Region.
- IV. IT is intended to record the objects, purposes and responsibilities of the Parties.

1. Interpretations

1.1 Definitions

“Commencement Date” means the 1st day of December 2018

The “Committee” and “Southland Regional Heritage Committee” means the Joint Committee formed by this Agreement.

“The parties” means Invercargill City Council (“ICC”), Southland District Council (“SDC”), Gore District Council (“GDC”)

“Territorial Authorities” means ICC, SDC, GDC

“ICC” means the Invercargill City Council

“SDC” means the Southland District Council

“GDC” means the Gore District Council

“LGA” means Local Government Act 2002

“Working day” has the same meaning as Section 2 LGA 2002.

1.2 Headings

Clause and other headings are for ease of reference only and do not form any part of the context nor affect the interpretation of this Agreement.

1.3 Parties

Reference to parties is the parties to this Agreement.

1.4 Defined Expressions

Expressions defined in the main body of this Agreement bear the defined meaning in the whole of this Agreement, including the recitals.

1.5 Plural and Singular

Words importing the singular number shall include the plural and vice versa.

1.6 Negative Obligations

Any obligation not to do anything shall be deemed to include an obligation not to suffer, permit or cause that thing to be done.

1.7 Statutes

A reference to a statute includes reference to the statute, regulations, orders or notices and amendments made pursuant or in substitution to that statute or regulation.

1.8 Clauses

Refers to clauses in this Agreement.

2. Formation

- 2.1 The parties shall cause to be formed immediately after the signing of this Agreement by the parties to have effect from the commencement date a Joint Committee (Section 5(1), Schedule 7, Clause 30 LGA 2002) to be known as “Southland Regional Heritage Committee” on the terms following and with the following objects, purposes and responsibilities as outlined in Clauses 3 – 13 below of this document.

- 2.2 In reaching this agreement, the parties acknowledge that the closure to the public in 2018 of the Southland Museum and Art Gallery for safety reasons may necessitate the review of this Heads of Agreement document prior to 2025.

3. The Committee's Objects and Purposes

- 3.1 To be responsible for the establishment and implementation of a strategy for preserving the Regional Heritage in Southland, including but not limited to the following:
- 3.1.1 Preserving key heritage collections of regional significance by providing regional heritage funding to ensure the preservation and cataloguing of key heritage elements;
 - 3.1.2 To develop collections to portray and promote Southland's Heritage in the context of the "Story of Southland" including the portrayal of elements of Southland Heritage near where the activities occurred adding relevance and context.
 - 3.1.3 To provide the scope for local accountability and priorities and ensuring the opportunity for local Communities to develop their administration and exhibitions in a manner that reflects the importance placed on heritage by the local Communities in Southland and the promotion of visitor interest.
 - 3.1.4 To ensure recognition of heritage as it relates to the whole of the Region including but not limited to:
 - a regional approach crossing territorial boundaries;
 - a recognition of the contribution individual territorial authorities make to Regional Heritage Collection;
 - stimulating co-operation between all governing bodies;
 - increasing the potential for regional expertise and funding to be available to local Museums;
 - providing an integrated regional approach with local accountability;
 - developing the potential for the Regional Heritage Grants to encourage preservation and heritage collections;
 - establishment of grants for the development of heritage as it relates to the "Story of Southland"
 - 3.1.5 To establish strategic plans and identify priorities for (but not exclusively) Museum and heritage development.
 - 3.1.6 To achieve a co-ordinated and complementary approach and the implementation of existing programmes and projects of Southland Museums.
 - 3.1.7 To establish a fund to facilitate, investigate, assess, evaluate and prepare feasibility studies for new initiatives relating to Regional Heritage and Museums.
 - 3.1.8 To take a proactive approach towards accessing and distributing funds for Regional Heritage and Museums. Funding will not be allocated retrospectively and will not be eligible to offset capital development project over runs or operational deficits.

- 3.1.9 To develop and implement further partnerships with key agencies to implement projects and initiatives of benefit for the purposes of advancing regional heritage and museums, in Southland.
- 3.1.10 To promote community heritage projects and initiatives of benefit to Southlanders and visitors to Southland.
- 3.1.11 To encourage the preservation and maintenance of buildings and facilities and the preservation, management and development of collections and exhibits and obtaining of funds to support the objects and purposes of the Committee.
- 3.1.12 To facilitate seminars, public forums and education to develop skills and public awareness of issues and opportunities of Southland's Regional Heritage and Museums.
- 3.1.13 To utilise and manage funds, make necessary investments, enter into joint ventures, service contracts, lease and other agreements upon such securities or in such a manner and upon such terms and conditions as the Joint Committee may deem necessary and to apply funds received for the purposes for which they were granted or advanced or allocated.
- 3.1.14 To maintain close liaison with community groups and local communities throughout Southland to ensure all Local and Regional Museum strategies and initiatives of benefit to Southland are identified, encouraged and addressed.
- 3.1.15 To undertake as necessary any other activities which are incidental or conducive to the attainment of the above objects and purposes.

4. Term

- 4.1 The term of the Agreement shall be for a term of seven (7) years from the date of commencement and thereafter for renewable periods of twelve (12) months each or such longer periods of time as any two or more of ICC, SDC and GDC agree and as otherwise provided in Clause 4.2.
- 4.2 Any of the parties may terminate their further participation in the Committee (subject to Clause 4.1) by giving eighteen (18) calendar months prior written notice to the expiry of any term or renewed term (Clause 4.1) to the other parties that their further participation is cancelled and that their member or members and the rights of appointment of a member or members are discharged ("the date of cessation") without prejudice to any liabilities and responsibilities to the date of cancellation.
- 4.3 The Committee shall (unless sooner discharged), not be deemed to be discharged on the coming into office of the members of the local authority elected or appointed, as the case may be, at or following the general election next after the appointment of the Committee and the provisions of Schedule 7 Clause 31(5) of the Local Government Act 2002 shall apply

5. Representation

- 5.1 ICC, SDC and GDC shall each appoint two voting members both of whom must be elected members of the local authority.
 - 5.1.1 Any other interested Councillors who are not members of the Committee may also attend meetings, but do not have voting rights.

- 5.2 The Committee may jointly appoint an Iwi representative to the Committee.
- 5.3 The Committee may jointly appoint other Committee Members being persons who have the skills, attributes or knowledge that may assist the work of the Committee.
- 5.4 Each local authority shall be at any time and from time to time entitled to appoint or discharge its member or members including alternate members.
- 5.5 Each local authority shall be entitled to appoint an alternate/s to attend a Committee meeting in the event that the appointed member/s is/are not available to attend.
- 5.6 The parties may jointly discharge a member appointed (clauses 5.2 and 5.3)

6. Governance

- 6.1 The Committee shall re-appoint its own Chair and deputy Chair (if any) after each triennial election and the provisions of the Local Government Act 2002 and Local Government Official Information Meetings Act 1987 shall apply and Standing Orders Section 5(1), Schedule 7, Clause 27(1), LGA 2002 shall be adopted by the Committee to order its proceedings.
- 6.2 The Committee shall meet at such times and places as it shall determine.
- 6.3 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 of each local authority to form a quorum.
- 6.4 The Committee shall have such powers, functions and duties as are necessary to carry out the objects and goals set out in this Agreement.
- 6.5 The powers shall include, but not be limited to the following (subject to Clauses 6.6 – 6.7):
 - 6.5.1 To carry and fund surpluses.
 - 6.5.2 To delegate to subcommittees.
 - 6.5.3 The powers shall not include those powers expressly excluded by Section 5(1), Schedule 7, Clause 32 of the Local Government Act 2002 and not include the power to employ staff.
- 6.6 Each of the parties agree to make best endeavours to provide such staff as the Committee reasonably require including a Staff Advisory Group to assist the Committee in the exercising of its functions.

7. Financial Commitment

- 7.1 The parties have each resolved to set and collect a Regional Heritage Uniform Annual Charge (UAC) and make this available to the Committee. As of the date of signing of this agreement, the current UAC is \$41.28 per SUIP in 2017/2018. It is recognised that this amount will vary during the term of this agreement, as referred to in clause 7.5 below.
- 7.2 The amount in clause 7.1 shall be the minimum level of contribution.
- 7.3 Where new initiatives or opportunities arise the parties may agree to provide additional funding as necessary based on the merit of the project.

- 7.4 The parties shall ensure for the term of this Agreement (Clause 4) that funding is provided by each of the Local Authorities’ planning processes for the purposes of Local Government Act 2002 to meet each parties’ financial commitment as contemplated by this Agreement.
- 7.5 Annual contributions made by the parties to this Agreement via clause 7.1 above shall be automatically Local Government Cost Index adjusted annually.
- 7.6 It is agreed that any income or credit balance in the annual accounts of the Committee will be carried forward and will be applied as determined by the Joint Committee-
- 7.7 Any local authority not paying its agreed share when due as agreed under this Agreement, shall not be entitled to continue membership of the Committee.
- 7.8 “Due” (clause 7.7) unless otherwise agreed by the parties shall mean the end of the financial year for which the rates have been set (refer clause 7.1).
- 7.9 Each local authority shall be deemed to have passed a resolution for its members to be discharged until such time as such funding when due shall have been paid, without prejudice to any other rights the other parties may have for non-payment (clause 7.7).

8. Financial Policy

8.1 Fiscal Responsibility

The Committee shall ensure that it operates in a fiscally responsible manner and having due regard to the relevant provisions of the Income Tax Act 2007.

8.1.1 Application of the Committee’s Funds

The Committee’s Funds shall be applied solely towards the advancement and promotion of its objects (refer clause 3 above)

8.1.2 No proportion of the Committee’s Funds shall be paid or transferred directly or indirectly to any Joint Committee member save that nothing shall prevent payment, at a fair and reasonable rate, to any Committee member of any out of pocket expenses.

8.1.3 Remuneration

The Committee members may be paid remuneration pursuant to the provisions of LGA 2002 by each party in accordance with the policies of that party BUT they shall not be an expense of Southland Regional Heritage Committee Funds.

8.1.4 Audit

The books of account of the Committee shall be audited annually by Audit New Zealand and be reported as part of the Local Authorities annual reporting process.

8.1.5 Annual Balance

The annual joint accounts of the Committee will be presented to the parties to this Agreement as early as possible, within three months, after the balance date of the Committee, the annual balance date being 30 June, and otherwise in accordance with the LGA 2002.

8.2 General

The Committee shall ensure that:

- 8.2.1 The financial management complies with the requirements of this Heads of Agreement.
- 8.2.2 Officers with delegated authority shall report to the Committee on their respective areas of activity and shall be accountable for achieving outcomes relevant to those activities.
- 8.2.3 That each party shall put in place a comprehensive risk management plan with adequate insurances established for all areas of activity, asset protection and litigation indemnity for each of its members. Any additional members (clauses 5.2 and 5.3 above) shall be the joint responsibility of the partners unless otherwise agreed.
- 8.2.4 Standard reporting from the Committee will be provided to each of the parties on a biannual basis unless they have ceased to be a member for the purposes of Clause 7.9.

8.3 Budgets

The Committee shall ensure that:

- 8.3.1 Annual budgets be prepared for all activities.
- 8.3.2 Budgets shall identify operational costs, projects, activity funding budgets, specific capital expenditure, major maintenance items and costs associated with meeting the Committee objectives.

8.4 Donations/Contributions

The Committee shall ensure that:

- 8.4.1 Donations received are clearly identified in the Committee's accounts and tagged to identify the purpose for which they were received.
- 8.4.2 Accountability documentation and reporting shall be completed and returned to the "donor organisation" to confirm that a grant has been applied to the purpose for which it was received.
- 8.4.3 A register of donations/grants is maintained under the following categories and reported as part of the annual reporting process:
 - Cash donations
 - Donations of materials
 - Transport
 - Voluntary labour
 - Professional services

8.5 Asset Management

The Committee shall ensure that:

- 8.5.1 All assets including replacements/acquisitions be clearly identified as to which party they belong.

- 8.5.2 An Asset Register is maintained on a regular basis and that items not required by the Committee be offered back for value originally donated or (unless otherwise agreed) to the party from which they were donated.
- 8.5.3 Purchases of \$250.00 or more be considered as capital items and if relevant, be recorded in the Asset Register including donated assets.

8.6 Investment

The Committee shall ensure that investment of the Committee funds be the responsibility of the financial administrator, ICC, as per this agreement. Such investment shall include adoption of appropriate strategies to ensure that:

- 8.6.1 Assets are adequately safeguarded and investment risks minimised.
- 8.6.2 Interest income is maximised (taking into account the need to ensure the security of investments).
- 8.6.3 Funds are available to meet the Committee’s cash flow needs.
- 8.6.4 Fixed term investments shall be secure investments with major registered trading banks or institutions having a Standard and Poors rating of AA or better.
- 8.6.5 Investments be either one lump sum or parcels invested with “staggered” maturation dates. The parties agree spreading investments over secure instruments with a variety of banks and/or financial institutions is the most desirable option.

8.7 Taxation

The Committee shall ensure that taxation payments (including GST if any) are the responsibility of the financial administrator as determined by the Committee.

8.8 Annual Reporting

The Committee’s annual reporting process shall include such information reasonably required by the parties in terms of the LGA 2002.

9. Further Assurances

- 9.1 The parties delegate to the Committee the authority to consider and recommend alternatives to the parties as follows:
 - 9.1.1 Implementation timetable.
 - 9.1.2 Delegation of authority
 - 9.1.3 Provision of assets.
 - 9.1.4 Resources.
- 9.2 The parties agree to make best endeavours to sign and execute all deeds, acts, documents and things as may reasonably be required to effectively carry out and give effect to the provisions and intentions of this Agreement, including the passing of necessary resolutions.

10. Disputes

- 10.1 If a dispute arises between the parties out of or in connection with this Agreement, including any dispute as to its existence or validity, which is not resolved within 14 days after the dispute arises, any party may, by written notice served on the other parties, require the Chief Executive Officers/Chief Executive or other agreed persons of the parties to attempt to resolve the issue. If the parties are unable to resolve the dispute, then any party may require, by written notice served on any other party, for the dispute to be determined by arbitration of a single arbitrator.
- 10.2 If the parties cannot agree on a single arbitrator, then an arbitrator shall be appointed by the President of Local Government New Zealand for the time being.
- 10.3 The arbitration shall be conducted as soon as possible in accordance with and subject to the provisions of the Arbitration Statutes for the time being in force in New Zealand.

11. Dissolution

- 11.1 In the event that the Committee and its members are discharged, then any property and/or funds, real or personal (except those assets identified as belonging to a specific party in terms of Clause 8.5.1), shall be held for such of the local authorities who have appointed members remaining on the Joint Committee at the time of discharge.
- 11.2 The property shall be held in such proportion to the share of contributions each local authority has made to the funding of the Committee during the term of this Agreement (except those assets identified as belonging to a specific party in terms of Clause 8.5.1).

12. Miscellaneous

- 12.1 No delay, grant of time, release, compromise, forbearance (whether partial or otherwise) or other indulgence by one party in respect of any breach of any other party's obligations under this Agreement is to:
 - 12.1.1 Operate as a waiver or prevent the subsequent enforcement of that obligation; or
 - 12.1.2 Be deemed a delay, grant of time, release, compromise, forbearance (whether partial or otherwise) or other indulgence in respect of, or a waiver of, any subsequent or other breach.
- 12.2 If any provision of this Agreement or its application to any party, person or circumstance is invalid or unenforceable, then the remainder of this Agreement or the application of such provision to such other parties, persons or circumstances shall not be affected.

13. NOTICES

- 13.1 Each notice or other communication under this Agreement is to be in writing, is to be made by facsimile, personal delivery, by e-mail or by post to the addressee at its facsimile number, e-mail address or address and is to be marked for the attention of the person or office holder (if any) from time to time designated for the purpose by the addressee to the other party. The initial

facsimile number, e-mail address and address and relevant person or office holder of each party is set out under its name at the end of this Agreement.

13.2 No communication is to be effective until received. A communication will, however, be deemed to be received by the addressee:

13.2.1 In the case of a facsimile, on receipt of confirmation of receipt by the correct facsimile number.

13.2.2 In the case of personal delivery, when delivered.

13.2.3 In the case of a letter, on the sixth working day after posting and

13.2.4 In the case of an email, on receipt of 'received confirmation' by email notification.

Invercargill City Council
Chief Executive
101 Esk Street
Private Bag 90104
Invercargill 9840
Telephone: 03 211 1777
Email: service@icc.govt.nz

Southland District Council
Chief Executive
15 Forth Street
P O Box 803
Invercargill 9810
Telephone: 0800 732 732
E-mail: sdcsouthlanddc.govt.nz

Gore District Council
Chief Executive
29 Bowler Avenue
P O Box 8
Gore 9740
Telephone: 03 209 0330
E-mail: info@goredc.govt.nz

IN WITNESS this Agreement was signed on the date first stated.

THE COMMON SEAL of the)
INVERCARGILL CITY COUNCIL)
was affixed in the presence of:)

..... **Mayor**

..... **Chief Executive**

..... **Date**

THE COMMON SEAL of the)
SOUTHLAND DISTRICT COUNCIL)
was affixed in the presence of:)

..... **Mayor**

..... **Chief Executive**

..... **Date**

THE COMMON SEAL OF THE)
GORE DISTRICT COUNCIL)
was affixed in the presence of:)

..... **Mayor**

..... **Chief Executive**

..... **Date**