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## **NOTICE OF MEETING**

**Notice is hereby given of an  
Extraordinary Meeting of the  
Invercargill City Council  
to be held in the Drawing Room, Civic Theatre,  
Tay Street, Invercargill  
On Tuesday 26 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.

# A G E N D A

- 2. **APOLOGIES**
  
- 3. **INTEREST REGISTER** 5
  
- 4. **2019/20 ANNUAL PLAN – PROPOSAL TO NOT CONSULT** 11
  
- 5. **SUBMISSION ON THE GOVERNMENT’S VOCATIONAL EDUCATION PROPOSAL**

To be circulated separately.

- 6. **CHANGE OF COUNCIL MEETING DATE** 15
  
- 7. **PUBLIC EXCLUDED SESSION**

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

- (a) *Provincial Growth Fund – Application for Funding*
- (b) *Appointment of Directors*
- (c) *Defamation Proceedings – Indemnity 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:

| <b>General subject of each matter to be considered</b> | <b>Reason for passing this resolution in relation to each matter</b>   | <b>Ground(s) under Section 48(1) for the passing of this resolution</b> |
|--|--|---|
| (a) Provincial Growth Fund – Application for Funding   | Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | <b>Section 7(2)(i)</b>  |

- |   |  |                        |
|---|--|------------------------|
| (b) Appointment of Directors                  | Protect the privacy of natural persons, including that of deceased natural persons   | <b>Section 7(2)(a)</b> |
| (c) Defamation Proceedings – Indemnity Issues | Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | <b>Section 7(2)(i)</b> |

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**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

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

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

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

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

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

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

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



**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

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

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS  
INTEREST REGISTER**

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

**TO: COUNCIL**

**FROM: MELISSA BROOK – MANAGER, STRATEGY AND POLICY**

**MEETING DATE: TUESDAY 26 MARCH 2019**

|                            |
|----------------------------|
| <b>2019/20 ANNUAL PLAN</b> |
|----------------------------|

**SUMMARY**

|   |
|---|
| As there are no significant or material changes from the second year of the Long-term Plan included in the 2019/20 Annual Plan, Council officers are recommending that no consultation be undertaken. |
|---|

**RECOMMENDATIONS**

1. That the report '2019/20 Annual Plan' is received; and
2. That Council determines that formal consultation is not required for the 2019/20 Annual Plan as there are no significant or material differences from Year Two of the 2018-2028 Long-term Plan; and
3. That Council notes that the 2019/20 Annual Plan must still be adopted and the rates struck by resolution before 30 June 2019, and include an overview of any minor changes in costs along with all other information required by the Local Government Act 2002; and
4. That Council inform the community by providing balanced and objective information to help them understand the issues and decisions made; and
5. That Council notes that other matters being considered by Council may be subject to stand-alone consultation or engagement with the community prior to decisions being made; and
6. That Council revokes the following resolution approved by Council at its meeting on 2 October 2018: That the draft Annual Plan for 2019/20 and 2020/21 include, for consultation, increasing the financial contribution for Civil Defence Emergency Management by \$77,000, being an annual grant of \$333,972. This figure reflects the commitment Council agreed to in the Shared Service Agreement (that is 28.27% of the operating costs); and
7. In view of ongoing negotiations on the Ouvea clean-up, that Council determine to put on hold the following resolution approved by Council at its meeting on 29 August 2018: That the Council share be taken from General Reserves, be revoked; and notes that consultation will not occur on the method to be used for funding Council's portion of the cost as part of the 2019/20 Annual Plan.

## IMPLICATIONS

|    |   |
|----|---|
| 1. | <i>Has this been provided for in the Long Term Plan/Annual Plan?</i><br>Yes   |
| 2. | <i>Is a budget amendment required?</i><br>The 2019/20 Annual Plan will set the budget for the 2019/20 financial year.   |
| 3. | <i>Is this matter significant in terms of Council's Policy on Significance?</i><br>No   |
| 4. | <i>Implications in terms of other Council Strategic Documents or Council Policy?</i><br>An Annual Plan will be developed and adopted prior to 30 June 2019.             |
| 5. | <i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i><br>No public consultation is required.           |
| 6. | <i>Has the Child, Youth and Family Friendly Policy been considered?</i><br>Council considers this and all Council policies when determining content of the Annual Plan. |

## FINANCIAL IMPLICATIONS

No significant financial implications arise from this report.

## BACKGROUND

In 2014 the Local Government Act 2002 (the Act) was amended to assist councils to reduce development time and remove unnecessary duplication in the preparation of information and consultation processes. The Act now provides that consultation is not required if the plan *“does not include significant or material differences from the content of the long-term plan for the financial year to which the proposed annual plan relates”*.

An internal budget exercise was undertaken with managers in October to identify any significant or material changes to the second year of the Long-term Plan. No significant changes were identified at that time.

Since the changes to the Act were made a number of councils have chosen not to formally consult on an annual plan.

## CONSULTATION REQUIREMENTS

To determine whether consultation is required, Council must first identify if the content of the proposed 2019/20 Annual Plan is different to that proposed in the second year of the Long-term Plan. The Act does not define 'difference', but Section 95A(2) does refer to variations or departures from the financial statements, new spending, or delay to, or abandonment of projects.

Section 95A(5) outlines that a difference is material if it could “*in itself, in conjunction with other differences, influence the decisions on assessment of those reading or responding to the consultation document.*” SOLGM guidance on Annual Plans recommends that councils keep the following tests in mind when assessing materiality or significance:

- Does the difference involve a change to the financial statement or funding impact statement?
- Might the difference(s) alter a reasonable person’s conclusions about the affordability of the plan?
- Might the difference(s) alter a reasonable person’s conclusions about the levels of service contained in the plan?
- Might the difference(s) lead to a reasonable person deciding (or not deciding) to make a submission on any consultation document (for example, has some policy shift been signalled)?

A variation, new spending proposal or project triggers the requirement to consult if it is assessed as significant. Our Significance and Engagement Policy is the primary tool for determining the significance of any of these matters or decisions.

Council’s Management Team has identified the changes to the 2019/20 Annual Plan from that which was included in the second year of the Long-term Plan. None of the changes included in the proposed 2019/20 Annual Plan have been identified as material or significant. This means that there is no financial reason to formally consult on the 2019/20 Annual Plan. These changes will be identified in the adopted 2019/20 Annual Plan with adequate discussion of why they have occurred and what impact it will have on Council and the community.

Council officers recommend that we engage with the community at the ‘Inform’ end of the engagement spectrum included in our Significance and Engagement Policy. The goal of this level of engagement is to provide the community with balanced and objective information to assist them in understanding the problems, opportunities and solutions included in the 2019/20 Annual Plan. At this level of engagement, the Council determines to keep the community informed of decisions made.

## **OTHER CONSULTATION**

Council is currently considering a number of other matters that may require stand-alone consultation. As it will take some time to understand the likely implications of some of these matters, they have not been included in the development of the 2019/20 Annual Plan to date. These matters will likely require community input. By determining not to engage on changes that are not considered significant or material, Council reduces the risk of consultation fatigue and the risk of the community not engaging in areas that are significant.

Not consulting on the 2019/20 Annual Plan has a number of benefits to the Invercargill City Council and the community. It will not only save the City money, but it will allow the community to focus on other important matters that we want to hear their feedback on. Items such as the Council’s investment in the City Block is a critical piece of work for Invercargill’s future and it is matters like this that we want to ensure our community put their energy into. The resources and time saved through bypassing formal consultation for the 2019/20 Annual Plan can be reallocated into planning for this future engagement.

**PRIOR RESOLUTIONS**

In October 2018 Council considered a report titled Emergency Management Southland Shared Services Funding. During the consideration of this report the following resolution was made by Council:

**That the draft Annual Plan for 2019/20 and 2020/21 include, for consultation, increasing the financial contribution for Civil Defence Emergency Management by \$77,000, being an annual grant of \$333,972. This figure reflects the commitment Council agreed to in the Shared Service Agreement (that is 28.27% of the operating costs).**

At the time of preparing the recommendation, Council officers considered it likely that consultation on the 2019/20 Annual Plan would occur. It therefore made sense that this matter be included in a consultation document. As there have not been any significant or material changes from the Long-term Plan that require consultation, Council officers recommend that this minor matter also be determined by Council without requiring public consultation. The matter is minor in monetary terms and the change will ensure that the Invercargill City Council meets its obligations under the Memorandum of Understanding that it has for the operation of Emergency Management Southland and the provision of Civil Defence and Emergency Management services within the Invercargill City area. It is therefore recommended that the above resolution be revoked.

In August 2018 Council considered an In Committee report titled "Ouvea Removal and Processing". During the consideration of this report the following resolution was made by Council:

**That Council share be taken from General Reserves, be revoked.**

And

**That the costs to Invercargill City Council be allocated to all ratepayers via a targeted rate, to be consulted on as part of the 2019/20 Annual Plan and 2020/21 Annual Plan.**

It was expected that this would be underway by now, but as the project negotiations are ongoing and implementation of a new rate would require public consultation, it is recommended that Council not include a new rate within its Annual Plan. Putting the above resolutions on hold will allow Council to determine the most appropriate avenue for meeting this cost, including the potential use of General Reserves.

**CONCLUSION**

As there are no significant or material changes from the second year of the Long-term Plan it is not necessary to consult on the 2019/20 Annual Plan. An Annual Plan will still be developed and adopted by the Council prior to 30 June 2019. Stand-alone consultation may need to be undertaken for some of the other matters that Council is considering or may need to consider during the current or next financial year. It is considered that targeting Council's engagement to these matters will provide the best opportunity for the community to influence Council's decision-making processes.

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**TO: EXTRAORDINARY COUNCIL MEETING**  
**FROM: EIRWEN HARRIS MITCHELL**  
**MANAGER SECRETARIAL SERVICES**  
**MEETING DATE: TUESDAY 26 MARCH 2019**

|                                       |
|---------------------------------------|
| <b>CHANGE OF COUNCIL MEETING DATE</b> |
|---------------------------------------|

The Mayor's Office has requested a change of date for the Council meeting scheduled for 2 July 2019.

**RECOMMENDATION**

**That the Council meeting scheduled for Tuesday 2 July 2019 be held on Thursday 27 June 2019 at 4pm.**

**IMPLICATIONS**

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

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