



NOTICE OF MEETING

**Notice is hereby given of the Meeting of the
Committee of Council**

**The meeting will be conducted by
Audio / visual link via the Platform of Zoom on
Monday 25 May 2020 at 3.00 pm**

Sir T R Shadbolt, KNZM JP
Cr T M Biddle (Chair)
Cr R R Amundsen
Cr R L Abbott
Cr A J Arnold
Cr W S Clark
Cr A H Crackett
Cr P W Kett
Cr G D Lewis
Cr D J Ludlow
Cr I R Pottinger
Cr N D Skelt
Cr L F Soper

CLARE HADLEY
CHIEF EXECUTIVE

AGENDA

Page

2. **APOLOGIES**
3. **PUBLIC FORUM**
4. **INTEREST REGISTER**
A2279220
5. **MINUTES OF THE MEETING OF THE COMMITTEE OF COUNCIL HELD ON 18 MAY 2020**
A3014495
6. **PARKING EXEMPTIONS POLICY REVIEW FOR ELECTED REPRESENTATIVES, FORMER ELECTED REPRESENTATIVES AND SPECIAL CIRCUMSTANCES**
A2934050
7. **PROPOSED ROAD NAME CHANGED IN RELATION TO THE SUBDIVISION OF 162 PATERSON**
A2940312
 - 7.1 [Appendix 1](#)
8. **POSSIBLE GOVERNANCE STRUCTURE**
A3013703
 - 8.1 [Appendix 1](#)
9. **NEXT STEPS - SMAG**
A3015662
10. **URGENT BUSINESS**
11. **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 the Committee of Council 18 May 2020.*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Confirming of Minutes – of Council 18 May 2020	Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

A2279220

ELECTED MEMBERS			
NAME	ENTITY	INTERESTS	PROPERTY
RONALD LINDSAY ABBOTT	Invercargill City Council Kiwi-Pie Radio 88FM Invercargill	Councillor Director / Broadcaster	
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	Councillor Director Director Director Trustee Trustee/Chair Contractor Events Co-ordinator (Volunteer) Council Representative	

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

A2279220

ALLAN JAMES ARNOLD	Invercargill City Council Ziff's Café Bar Ltd Buster Crabb Ltd Ziff's HR Ltd Ziff's Trust Southland Aero Club Invercargill Club Invercargill East Rotary	Councillor Executive Director Executive Director Executive Director Trustee Administrator Member Member Member	
TONI MARIE BIDDLE	Invercargill City Council Southland Museum and Art Gallery Trust Board McIntyre and Dick	Councillor Trustee Husband (Kris MacLellan) – Chief Executive Officer	
WILLIAM STUART CLARK	Invercargill City Council Invercargill Ratepayers Advocacy Group	Councillor Member	

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

A2279220

ALEX HOLLY CRACKETT	Invercargill City Council Ride Southland Southland Youth Futures Advisory Board Sport Southland McIntyre Dick	Councillor Chair Chair Trustee Marketing Manager	High Street Invercargill
PETER WARREN KETT	Invercargill City Council Age Concern Southland Kite Investments Limited Invercargill Harness Racing Club Board Member Ascot Consortium	Councillor Board Member Director Vice President and Life Member Member	
GRAHAM DAVID LEWIS	Invercargill City Council Bluff 2024 Rejuvenation Hospice Southland City Centre Heritage Steering Group	Councillor Officer Trustee Member	
DARREN JAMES LUDLOW	Invercargill City Council Radio Southland Healthy Families Invercargill Murihiku Maori Wardens Southland Community Law Centre Thrive Community Trust Environment Southland	Councillor Manager Board Member Board Member Board Member Trustee Lyndal Ludlow (wife) – Councillor	770 Queens Drive Invercargill

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

A2279220

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 Kiwi Speakers Limited SIT Ambassador	Mayor Director Member	
NIGEL DEAN SKELT	Invercargill City Council Badminton New Zealand Badminton Oceania Badminton World Federation ILT Stadium Southland	Councillor Board Member Vice President Council Member (Chair of Communications and Media) General Manager	
LESLEY FRANCES SOPER	Invercargill City Council Breathing Space Southland Trust (Emergency Housing) Omaui Tracks Trust National Council of Women (NCW) Citizens Advice Bureau Southland ACC Advocacy Trust Southern District Health Board Southland Warm Homes Trust	Councillor Chair Director Secretary / Treasurer Member Board Member Employee Member Member	137 Morton Street Strathern Invercargill 24 Margaret Street Glengarry Invercargill

**INVERCARGILL CITY COUNCIL ELECTED MEMBERS
INTEREST REGISTER**

A2279220

EXECUTIVE STAFF			
NAME	ENTITY	INTERESTS	PROPERTY
CLARE HADLEY	Invercargill City Council Hadley Family Trust	Chief Executive Trustee	
CAMERON MCINTOSH	Invercargill City Council	Group Manager - Works and Services	
DAVID FOSTER	Invercargill City Council	Acting Group Manager - Finance and Corporate Services Executive Director Foster and Associates Ltd	
DARREN EDWARDS	Invercargill City Council	Group Manager - Environmental and Planning Services	
JANE PARFITT	Invercargill City Council Dementia Canterbury Charitable Trust	Interim Group Manager – Infrastructure Board Member	

**MINUTES OF THE MEETING OF THE COMMITTEE OF COUNCIL
THE MEETING WAS CONDUCTED BY
AUDIO / VISUAL LINK VIA THE PLATFORM OF ZOOM
ON MONDAY 18 MAY 2020 AT 3.00 PM**

PRESENT: Sir T R Shadbolt, KNZM JP
Cr T M Biddle (Chair)
Cr R R Amundsen
Cr A J Arnold
Cr W S Clark
Cr A H Crackett
Cr P W Kett
Cr G D Lewis
Cr D J Ludlow
Cr I R Pottinger
Cr N D Skelt
Cr L F Soper

IN ATTENDANCE: Mrs C Hadley – Chief Executive
Mrs J Parfitt – Interim Group Manager - Infrastructure
Mr D Foster – Interim Group Manager – Finance
Mr P Thompson – Executive Manager – Operations
Mr A Cameron – Strategic Advisor
Ms R Suter - Manager – Strategy and Policy
Ms J Conway – Manager Governance and Administration
Ms H McLeod – Interim Team Leader, Communications
Ms L Kuresa – Governance Officer

2. **APOLOGIES**

Cr Crackett for lateness.

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

3. **INTEREST REGISTER**

Nil.

4. **MINUTES OF THE MEETING OF THE COMMITTEE OF COUNCIL HELD ON
4 MAY 2020**

Moved Cr Clark, seconded Cr Ludlow and **RESOLVED** that the minutes be confirmed as a true and correct record.

5. **MINUTES OF THE EMERGENCY MEETING OF THE COMMITTEE OF COUNCIL HELD ON 5 MAY 2020**

Moved Cr Lewis, seconded Cr Soper and **RESOLVED** that the minutes be confirmed as a true and correct record with the amendment that the day should be Tuesday 5 May.

Note: Cr Crackett joined the meeting at 3.05 pm.

6. **CITY BLOCK CONSULTATION 2**

The Committee asked questions on this item for further clarification. Cr Biddle thanked the Group Managers and staff for completing the Consultation Document in a short amount of time.

Ms Suter explained that the proposed timeframe for the consultation was based on making sure that Council was in line with the legislative requirements. This did not require a special consultative process. It was also enable Council to make a decision within the timeframe that was required by the developers to commence development on their required schedule at the beginning of July 2020. This was a reasonable consultation period because there was no substantial difference in the length of time of the consultation. No one should be disadvantaged with the option to accept late submissions.

Moved Cr Skelt, seconded Cr Ludlow and **RESOLVED** that the report, "City Block Consultation 2" be received; and

1. That Council note consultation would commence Tuesday 19 May and be completed on Friday 12 June; and
2. Determine that Council's preferred Option for Investment in City Block be Option One, resulting in a total investment of \$46 million; and
3. Approve the consultation document "Extra Money for City Block?"

7. **LOCAL GOVERNMENT FUNDING AGENCY DOCUMENT CHANGES**

Mr Foster took the meeting through the report.

Moved Cr Abbott, seconded Cr Biddle and **RESOLVED** that the report, "Local Government Funding Agency Document Changes" be received; and

That the documents be authorised to be signed by any two of, His Worship the Mayor, the Deputy Mayor and the Chair of Finance and Policy Committee.

8. **ADMINISTRATIVE MATTERS**

Ms Conway took the meeting through the report.

Cr Soper asked if Council wanted to submit a remit on the housing issue. The possibility of Government funding being available to other providers but not council providers had been discussed previously.

The Committee agreed that a report would be brought back to the next meeting on this item.

His Worship the Mayor said he was of the understanding that abstention was allowed for under Standing Orders. He had abstained on a few issues, but it was not recorded in the minutes. Councillors should be given that option.

Mrs Hadley explained that it was not usual practise for the Chair to call for abstentions.

Cr Biddle said that if any councillors wished to abstain from voting on issues, it was their responsibility to advise the meeting.

Moved Cr Soper, seconded Cr Amundsen and **RESOLVED** that the report, "Administrative Matters" be received; and

1. That the memorandum 'LGNZ Elections 2020' be received; and that Council note that the nominations must be received no later than 5.00 pm 31 May 2020. The nomination form is attached as Appendix 1.
2. The Amended 2020 Annual General Meeting Remit Process memorandum be received; and Council note that the LGNZ (AGM) has been re-scheduled for Friday 20 November 2020; and that the proposed remits for consideration need to be submitted no later than 5.00 pm, Friday 31 July 2020.

9. **COUNCIL IN PUBLIC EXCLUDED SESSION**

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

Note: His Worship the Mayor abstained from voting.

- (a) *Confirming of Minutes of the Public Excluded Session of the Committee of Council held on 4 May 2020.*
- (b) *Receiving of Minutes of the Emergency Public Excluded Session of the Committee of Council held on 5 May 2020.*
- (c) *Recyclables Processing Services.*
- (d) *Governance Oversight – Contract 886 – Invercargill City Centre Master Plan Design Services.*

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 – Committee of Council 4 May 2020	Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(b) Confirming of Minutes – Emergency Committee of Council 5 May 2020	Section 7(2)(g) legal professional privilege	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(c) Recyclables Processing Services	Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(d) Governance Oversight - Contract 886 – Invercargill City Centre Master Plan Design Services	Section 7(2)(i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

There being no further business, the meeting finished at 6.11 pm.

TO: COMMITTEE OF COUNCIL
FROM: ELLE DICKSON – COMPLIANCE TEAM LEADER
MEETING DATE: MONDAY 25 MAY 2020

PARKING EXEMPTIONS POLICY REVIEW FOR ELECTED REPRESENTATIVES, FORMER ELECTED REPRESENTATIVES AND SPECIAL CIRCUMSTANCES

SUMMARY

Workshops were held in July and November 2019 with elected representatives in relation to parking exemptions. This report seeks to confirm the option to be incorporated into the review of the Parking Exemptions Policy for Elected Representatives, Former Elected Representatives and Special Circumstances.

RECOMMENDATIONS

1. **That the report be received.**
- AND**
2. **That Option A as identified by Elected Members through the workshops is adopted and updated in the Parking Exemptions Policy.**

IMPLICATIONS

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> Parking Compliance is provided for in the Long Term Plan.
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> Nil
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> No public consultation proposed.
6.	<i>Has the Child, Youth and Family Friendly Policy been considered?</i> No

WORKSHOPS

Two workshops have been held which concluded that no change be made to the policy.

OTHER COUNCILS

A review of other Councils range from, no exemptions in place, car parking available for elected members to park in if they are attending a meeting otherwise they are required to pay for parking. Parking permits which allows elected members car parks close to the Council building, former councillors were not entitled. And also similar to Invercargill City Council Parking exemptions for elected members, local MPs, neighbouring CEs but not former councillors, they also change the colour every year.

Option A – Preferred Option:

Existing Elected Representatives

- The Mayor and Councillors to be allocated two parking exemptions, which would provide free parking at any Council provided car park, provided that, the vehicle is parked legally. The exemption label must be shown and the exemption is personal to the elected member.
- Members of the Bluff Community Board would receive one parking exemption which would provide free parking at any Council provided car park, provided the vehicle is parked legally. The exemption label must be shown and the exemption is personal to the elected member.
- Will not be eligible for a parking exemption when they leave office.

Former Elected Representatives

- Elected representatives who have completed three or more terms (and live within the district) would receive one parking exemption which would entitle them to free parking at any Council provided car park, provided the vehicle is parked legally. The exemption label must be shown and the exemption is not transferrable.
- Exemptions will be available to former elected representatives up to the age of 80. They will then be eligible to apply for an annual “Over 80s” parking exemption.

Special Circumstances

- Exemptions may be granted by the Group Manager – Environmental and Planning Services or the Chief Executive.
- Exemptions can be for short-term events or for the three-year electoral term.
- Exemptions issued to Mayor, Southland District; Manager - Te Roopu Taiao and Kaumatua Michael Skerrett.

Option B

Existing Elected Representatives

- The Mayor and Councillors to be allocated one parking exemption, which would provide free parking at any Council provided car park, provided that, the vehicle is parked legally. The exemption label must be shown and the exemption is personal to the elected member.
- Members of the Bluff Community Board would receive one parking exemption which would provide free parking at any Council provided car park, provided the vehicle is parked legally. The exemption label must be shown and the exemption is personal to the elected member.
- Will not be eligible for a parking exemption when they leave office.

Former Elected Representatives

- No exemptions issued.
- Former elected representatives that are 80 years or older will be eligible to apply for an annual “Over 80s” parking exemption.

Special Circumstances

- Exemptions may be granted by the Group Manager – Environmental and Planning Services or the Chief Executive.
- Exemptions can be for short-term events or for the three-year electoral term.
- Exemptions issued to Mayor, Southland District; Manager - Te Roopu Taiao and Kaumatua Michael Skerrett.

Option C:

Existing Elected Representatives

- The Mayor and Councillors to be allocated one parking exemption, which would provide free parking at only **Pay and Display** Council provided car parks, provided that, with the exemption of having paid the fee, the vehicle is parked legally. The exemption label must be shown and the exemption is personal to the elected member.
- Members of the Bluff Community Board would receive one parking exemption which would provide free parking at only **Pay and Display** Council provided car parks, provided the vehicle is parked legally. The exemption label must be shown and the exemption is personal to the elected member.
- Will not be eligible for a parking exemption when they leave office.

Former Elected Representatives

- No exemptions issued.
- Former elected representatives that are 80 years or older will be eligible to apply for an annual “Over 80s” parking exemption.

Special Circumstances – Pay and Display Council Car Parks Only

- Exemptions may be granted by the Group Manager – Environmental and Planning Services or the Chief Executive.
- Exemptions can be for short-term events or for the three-year electoral term.
- Exemptions issued to Mayor, Southland District; Manager - Te Roopu Taiao and Kaumatua Michael Skerrett.

Option D:

- No parking exemptions, Councillors and board members must pay for parking in areas requiring a fee to park.

Special Circumstances – Pay and Display Council Car Parks Only

- Exemptions may be granted by the Group Manager – Environmental and Planning Services or the Chief Executive.
- Exemptions can be for short-term events or for the three-year electoral term.
- Exemptions issued to Mayor, Southland District; Manager - Te Roopu Taiao and Kaumatua Michael Skerrett.

For consideration before deciding on the above options:

1. New parking technology will have the ability to record number plates and these will be registered rather than needing a label for vehicles. This will make it easier to manage the register in which exemptions are recorded and their use.
2. There are currently 49 exemptions in circulation, it should be recognised that the exemptions have a potential for reduction in revenue for the roading asset budgets.
3. If parking is needed for Councillors at the administration building (on short or longer terms) then we should really allocate yellow parks rather than consume the white public paid parks as has been the more recent trends.
4. Exemption holders should lead by example in the community and have the use of any space limited to the time limit of that park e.g. if a park is a P60 then they should only be there for 60 minutes.

TO: COMMITTEE OF COUNCIL
FROM: CHRISTINE NORTH – PROPERTY DATA BASE OFFICER
MEETING DATE: MONDAY 25 MAY 2020

PROPOSED ROAD NAME CHANGED IN RELATION TO THE SUBDIVISION OF 162 PATERSON

RECOMMENDATION

1. That Council receive the report and
2. That Council adopt the following proposed road name:

The proposed road Lot 100 be named **Rutledge Place** as it is the developer’s preferred name and meets Council’s naming convention

IMPLICATIONS

1.	<i>Implications in terms of the Long Term Council Community Plan/Annual Plan?</i> N/A.
2.	<i>Is a budget amendment required?</i> N/A.
3.	<i>Is this matter significant in terms of Council’s Policy on Significance?</i> N/A.
4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> N/A.
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> N/A.

REQUEST FOR ROAD NAME

The Invercargill City Council is responsible for the allocation of road names and numbers within the District. This is an important function because it allows residents, visitors and emergency services to locate properties with the minimum of inconvenience. In issuing rural and urban road names and numbers the Council is guided by the Australian/New Zealand Standard (AS/NZS 4819:2011) Rural and Urban Addressing.

Council’s policy is to allow road names that are short (25 characters or less), single word names, which are readily pronounced and spelt. Road names that closely resemble other names in either spelling or pronunciation should be avoided, as there is the potential for confusion for emergency services. There is also a desire to avoid the same name for a road and an area.

The different Road Types are set out in AS/NZS 4819:2011 which defines ‘Place’ as a “Short, sometimes narrow, enclosed roadway”.

Under a previous subdivision a proposed road names of Pottinger Place was approved in 2009 – this subdivision did not progress.

The new developer wishes to change the proposed name from Pottinger Place and has submitted three proposed names for the Council's consideration for the road Lot 100 on the scheme plan.

Option 1: Rutledge Place - Named after the Rutledge family who have contributed to Southland and Invercargill

***Leicester Rutledge** – Represented Southland at Rugby in over 100 games – coached Southland provincial and sub union age grade and senior rugby teams – Coached NZ age grade rugby teams – Coached and managed the Southland Stags - managed the Highlanders – has completed many community and charity fundraisers over the years and sourced and donated memorabilia for organisations to profit from.*

***Jason Rutledge** – Represented Southland Stags (Rugby) in over 100 games, current record holder for games played, member of the Ranfurly Shield winning team. Represented the Highlanders.*

***Callum Rutledge** – Developer of this property – Callum combined with the Rotary clubs of Invercargill to complete a house on this subdivision as a fundraiser for the Salvation Army, over \$200,000 was raised for this. Brothers Callum, Jason and Andrew completed voluntary work on the project utilising their trades.*

Option 2: Donovan Place - Donovan a name that is associated with the area as Donovan Primary is located just round the corner.

Option 3: Collingwood Place - Collingwood a name associated with the area, Collingwood Intermediate School used to be located in the now Donovan Primary School property.

This option is not suitable as Council already has a Collingwood Street.

The developer's preference: for Road Lot 100 is **Rutledge Place**, which meets all the requirements of AS/NZ 4819:2011.

A diagram showing the proposed development and the road names is attached as **Appendix One**.

Invercargill City Council

Proposed Road Name Change

Road to be created by the subdivision of Lot 9 DP 479316 - 162 Paterson Street
Under a previous subdivision a proposed road names of Pottinger Place was approved in 2009 – this subdivision did not progress. The new developer wishes to change the proposed name from Pottinger to Rutledge Place

RMA/2017/75, Subdivide land into seven allotments in the Residential 1 Zone
Developers: Rutledge Developments Limited

Names submitted by developer in order of preference with their reasoning

Name of Road
for Lot 100 to vest as road

Option 1: Rutledge Place - Named after the Rutledge family who have contributed to Southland and Invercargill

***Leicester Rutledge** – Represented Southland at Ruby in over 100 games – coached Southland provincial and sub union age grade and senior rugby teams – Coached NZ age grade rugby teams – Coached and managed the Stages - managed the Highlanders – has completed many community and charity fundraisers over the years an sourced and donated memorabilia for organisations to profit from*

***Jason Rutledge** – Represented Southland Stags (Rugby) in over 100 games, current record holder for games played, member of the Ranfurly Shield winning team. Represented the Highlanders*

***Callum Rutledge** – Developer of this property – Callum combined with the Rotary clubs of Invercargill to complete a house on this subdivision as a fundraiser for the Salvation Army, over \$200,000 was raised for this. Brothers Callum, Jason and Andrew completed voluntary work on the project utilising their trades*

Option 2: Donavan Place - Donavan a name that is associated with the area as Donavan Primary is located just round the corner.

Option 3: Collingwood Place - Collingwood a name associated with the area, Collingwood Intermediate School used to be located in the now Donavan Primary School property

Invercargill City Council



Road Name - 56
March 2020

TO: COMMITTEE OF COUNCIL
FROM: CLARE HADLEY, CHIEF EXECUTIVE
MEETING DATE: MONDAY 25 MAY 2020

POSSIBLE GOVERNANCE STRUCTURE

RECOMMENDATIONS

1. That the report '*Possible Governance Structure*' be received; and
2. That the Committee determine it does / does not wish to alter its structure in order to better respond to the challenges now facing the community; and
3. That the Committee determine a two committee model, each made up of all elected members is appropriate; and
4. That there be a monthly cycle for committees and Council meetings; and
5. That System [] be chosen for electing the Chair and Deputy Chair of each of the committees; and
6. That any structure is introduced from []; and
7. That the Committee note that a new determination by the Remuneration Authority will be necessary to allocate the Invercargill City Council remuneration pool, and request the Chief Executive to present a report outlining options; and
8. That a review of any consequent changes to the committee structure set out in the Governance Statement be undertaken and reported on as soon as possible; and
9. That the Governance Statement is reviewed and amended to reflect the new committee structure and responsibilities.

LEGISLATIVE CONSIDERATIONS

At the inaugural Council meeting of this triennium, the Mayor proposed the creation of four committees:

- Regulatory
- Community Services
- Infrastructure
- Finance and Policy

The proposed appointment of the committee chairs, deputy chairs and members for each committee.

Under s41A(3) Local Government Act, the Mayor has the authority to establish the committees and appoint the chairpersons.

However s41A(4) provides that the Council may alter the appointments a Mayor can make, by discharging or reconstituting a committee or chair.

Altering any of these governance arrangements must be done in accordance with clause 30 of Schedule 7 of the LGA.

BACKGROUND

Council has had four standing committees, meeting on a six-weekly cycle, for many years. Elected members have typically been appointed to two committees, and while all councillors could attend all meetings, only members of the committee could vote on matters.

Those committees have limited powers to determine matters; rather they have considered the item and made recommendations to Council. The main benefits of such a structure is that it shares the workload across elected members, and allows for a 'two step' decision making process – discussed once at the committee, and then, upon the committee's recommendation to Council, discussed and resolved at the Council meeting. The main dis-benefits are that it is very time consuming, can delay or change decisions and requires comparatively more admin support.

COVID-19 has prompted the question – would the community be better served if Council was able to move more quickly, i.e. if the governance structure was altered to become more agile.

POSSIBLE STRUCTURE

This report is prepared on the basis that the Council has sought advice on its power to change the arrangements for its own committee structure, as set out under clause 30, Schedule 7 Local Government Act.

COVID-19 has made those things which we thought not possible, possible. We have demonstrated that we can be more adaptive than we had previously believed. The current governance arrangements allow us to be faster and more flexible in how we undertake our business. Councillors are now questioning whether a two-step, six weekly cycle enables us to be the most responsive we can. Officers have considered that question, and feel that while there could be some concerns about the time allowed for the preparation of reports, this would be outweighed by the benefit of there being no "second bite at the cherry" as a result of the committees having powers to decide. The point is also made that the shorter cycle means that there is a lesser amount of time to wait for a subsequent meeting, allowing things to move more quickly.

The two-step system is the local government equivalent of a bicameral system of Parliament – it allows a cooling off period before making a final decision. Legislation relating to local government was altered some years ago to allow for workshops. This provides the opportunity for elected members to discuss matters and provide direction without making decisions. In many ways, this negates the need for a two-step system.

In considering potential change, a number of factors have sought to be balanced:

- Workload across the committees
- Sense of inclusion for all elected members
- Timeliness in decision making
- Clarity for community
- Organisational efficiency

Currently, the workload of the existing four committees has been somewhat uneven. Typically, the Infrastructure Committee has had the heaviest workload, with the other three committees having lighter workloads. Reducing the number of committees and reapportioning the workload would go some way to addressing this.

Feedback from some elected members is that they can feel excluded from committee debates where they are able to be present, but not able to vote if they are not part of the membership of that committee. Altering the committee structure, and making committees “committees of the whole” would remove that. Opponents to a ‘committee of the whole’ structure suggest that this places a heavy workload on all. However this is reduced if those committees have decision making authority, and the matter is not relitigated at Council.

It is also possible for a committee to establish its own subcommittees. This would allow matters of importance (e.g. delivery of the capital programme) or particular projects (e.g. museum redevelopment) to have closer governance oversight which could then report back to the Committee. This could also include steering groups and funding allocations. It could provide the opportunity / expectation that Deputy Chairs would lead particular pieces of work, in turn providing a succession planning opportunity.

PROPOSED STRUCTURE

The structure requested for consideration is a two committee structure, with a split in responsibilities as below:

INFRASTRUCTURAL SERVICES
The Infrastructural Services Committee is responsible for Council strategies, policies and plans which promotes social, economic, environmental and cultural wellbeing of the community within its field of reference
It is responsible for all Long Term Plan policy development within this field of reference
<i>OR: The Infrastructural Services Committee has authority to exercise all the powers, functions and duties of Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council</i>
<ul style="list-style-type: none"> • Cemetery and Crematorium
<ul style="list-style-type: none"> • Community Facilities including public toilets
<ul style="list-style-type: none"> • Parks and Reserves, including sports fields
<ul style="list-style-type: none"> • Swimming pools
<ul style="list-style-type: none"> • Transport networks including passenger transport
<ul style="list-style-type: none"> • Street lighting
<ul style="list-style-type: none"> • Traffic control and parking
<ul style="list-style-type: none"> • Regional Transport Committee
<ul style="list-style-type: none"> • Water
<ul style="list-style-type: none"> • Wastewater
<ul style="list-style-type: none"> • Stormwater
<ul style="list-style-type: none"> • Solid Waste management including transfer stations and waste

minimisation
<ul style="list-style-type: none"> WasteNet Joint Committee
<ul style="list-style-type: none"> Property portfolio, including Investment Property and Housing Care
<ul style="list-style-type: none"> Development of bylaws within the areas of responsibility, for recommending to Council

PERFORMANCE, POLICY and PARTNERSHIPS
The PPP Committee is responsible for Council strategy, policy and planning which promotes the social, economic, environmental and cultural wellbeing of the community within its field of reference
Responsible for all plan development relating to LTP within its field of reference:
<i>OR: The Performance, Policy and Partnerships Committee has authority to exercise all the powers, functions and duties of Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council</i>
<ul style="list-style-type: none"> Arts, Culture and Heritage, including SMAG, iPAG, Bluff Maritime Museum, Regional Heritage Committee
<ul style="list-style-type: none"> Festivals and Events, including funding allocations from Events Fund
<ul style="list-style-type: none"> Libraries
<ul style="list-style-type: none"> Sister City Relationships
<ul style="list-style-type: none"> Theatres and halls including Civic Theatre, Scottish Hall
<ul style="list-style-type: none"> Community Development / External Relationships
<ul style="list-style-type: none"> Communications and engagement
<ul style="list-style-type: none"> Council's financial performance
<ul style="list-style-type: none"> Rating systems and policies
<ul style="list-style-type: none"> Business, economic development, tourism including Great South
<ul style="list-style-type: none"> Environmental regulatory matters including alcohol licensing
<ul style="list-style-type: none"> Environmental policy including District Plan
<ul style="list-style-type: none"> Policies and strategies related to compliance, monitoring and enforcement
<ul style="list-style-type: none"> Development of bylaws within the areas of responsibility, for recommendation to Council
<ul style="list-style-type: none"> Long Term Plan strategy development
<ul style="list-style-type: none"> Democratic processes (Representation Review, Remuneration, Code of Conduct)
<ul style="list-style-type: none"> Shared Services
<ul style="list-style-type: none"> Joint committees in field of reference
<ul style="list-style-type: none"> Statements of Intent (excluding ICHL)
<ul style="list-style-type: none"> Youth Council
<ul style="list-style-type: none"> LGNZ membership

• Sister City Relationships
• Neighbourhood Fund Committee, could be subcommittee
• Community Grants Committee, could be subcommittee
• City Centre Heritage Steering Group, could be subcommittee

Council would retain those matters set out in clause 32, Schedule 7, LGA:

- The making of a rate
- The adoption of a bylaw
- Borrowing of money, purchasing or disposal of assets, other than in accordance with the Long Term Plan
- The adoption of a Long Term Plan, Annual Plan or Annual Report
- The appointment of a Chief Executive
- The adoption of policies required to be adopted and consulted on under the LGA in association with the Long Term Plan or developed for the purpose of the local governance statement
- The adoption of a remuneration and employment policy

MEETING CYCLE

The meeting cycle for such a structure could be:

- Week 1 – Infrastructural Services
- Week 2 – Performance, Policy and Partnerships
- Week 4 – Council

The “heavy lifting” of Council matters would be done at committees, so the Council meeting would be shorter than at present. This would allow workshops for LTP and other matters to be held on Week 3, or after the Council meetings.

ALTERNATIVE PROPOSAL FROM CR CLARK

Cr Clark has put forward an alternative proposal, which is provided as Appendix 1 (A3016328).

CONSEQUENTIAL MATTERS

This report has been prepared on the basis that if an altered structure is adopted, there may be some consequential changes which have not been considered at this time. ,

A review of the committee structure as set out in the Governance Statement would be appropriate to consider; there may be committees which could be dis-established (e.g. Child, Youth & Family Friendly) or reconstituted as subcommittees (e.g. Events Committee).

Continuation of the Risk and Assurance Committee should be confirmed, along with the independent Chair and member, although councillor membership may change, and Council may wish to consider where this reports to (ie to Council, or to the Performance, Policy & Partnerships committee).

Remuneration of elected members would need to be reconsidered under an altered committee structure. The process is that Council considers the options and makes a recommendation to the Remuneration Authority. This process would follow resolutions made on the basis of this report.

PROCESS FOR ADOPTION

If the Committee of Council wishes to adopt an altered structure and appoint new committee chairs, it needs to follow the process for appointing the chairs and deputy chairs, as set out in section 5 of Standing Orders, i.e. resolve the system to be used for voting before undertaking any vote:

- **System A:**
The candidate will be elected if s/he receives the votes of a majority of members of the committee who are present and voting. This system has the following characteristics:
 - a) There is a first round of voting for all candidates;
 - b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - c) If no candidate is successful in the second round, there is a third round and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

- **System B:**
The candidate will be elected or appointed if s/he receives more votes than any other candidate. This system has the following characteristics:
 - a) There is only one round of voting; and
 - b) If two or more candidates tie for the most votes, the tie is resolved by lot.

OPTIONS

The Committee has four options before it:

- a) Determine no change is required;

This seems unlikely, after councillors have discussed the need for Council to demonstrate greater speed and agility in decision making than at present.

- b) Determine change is required but make amendments to the recommendations set out above;

Councillors may feel that change is appropriate but request officers undertake further work, either in terms of the number of committees or the meeting cycle.

- c) Consider the proposal from Cr Clark;

or

- d) Adopt the recommendations as set out above. The Committee may feel that the recommendations set out address all matters.

CONCLUSION

COVID-19 has altered what is expected of us – individually and collectively. It has changed our economic conditions for the foreseeable future, and provides the opportunity for innovation to be demonstrated in ways not previously considered.

Elected members requested a report on a different governance structure, feeling that they needed to be flexible and faster in decision making. Feedback from the Committee of Council arrangement, introduced during the pandemic, has been that the committee of the whole has real benefits.

Hi Team

I agree with Cr Pottinger that we need to rethink the way we do business – our governance meetings and their timing. However, I believe his suggestion does not go far enough in its changes.

Doing business in an alternative way under Covid conditions (Committee of Council and ELT meetings) has allowed me to consider if there is a more effective, transparent and collaborative way to do our governance work.

As Cr Pottinger has stated, the current system (Committees and Full Council meetings) does not allow for timely governance – especially in what will be a lengthy Covid recovery period.

The current system has many flaws which I believe could be resolved by trialling and adopting a new way:

- 5-6 weeks between full Council meetings
- No tracking of progress on issues
- Gaps between blocks of Councillors (imbalance in power between Chairs and others)
- Lack of transparency with the public
- Blocking of new ideas
- Inability of management to raise ideas without a discussion paper or lobbying behind the scene
- Some lack of collaboration between governance and management
- Lack of membership on Committees

Most of these flaws have been inadvertently been resolved by the weekly meeting with ELT and the weekly Committee of Council meeting.

I recall at the beginning of this term, that the CE suggested we look to a different way, using a 'whole of Council' Committee of Council approach - but that was not accepted.

I now think, that is the way forward.

My recommendations, for your consideration are:

- We have a Committee of Council meeting every second week - that that meeting is chaired by the Deputy Mayor (who has done well in recent meetings) and that the Mayor retain his casting vote. Both Mayor and Deputy Mayor sit at the top of the table and work together. This fortnightly meeting would include both governance work and ELT updates (in public). The spacing of this meeting would also accommodate any Notice of Motion timeframes.
- That the 4 current committees be disbanded – leaving us reliant on a whole of Council approach – as suggested by the CE.
- That, on alternate weeks, we have space for any urgent work via Extraordinary meeting or workshop.

- That after trialling this system for 3 months, if you wish to continue, we advise the Remuneration Authority that we wish to restructure our payment system within the current cap - taking the current additional allowances for Chairs (about \$44,000) and distributing this evenly between all Councillors – giving effect to a \$4,000 per Councillor increase, and reinforcing the need for equal input and joint work.
- That from time to time, we could set up a temporary Committee for a specific task to give targeted input – eg Housing initiative

The recommended Committee of Council meeting would run the same as our current Full Council meetings, but would incorporate a General Business function with three aspects at the end (before any public excluded session):

- The General Business function would allow for (i) a brief update from each ELT member present (if appropriate) – which shows a collaboration and information share in public (ii) an ability for either ELT or a Councillor to briefly raise a topic which then gets added to the Status Report – for a further work (iii) a review of the new Status Report (managed by the Deputy Mayor) - similar to the one used at the Chairs meeting - this identifies a sponsor, a timeframe and tracks progress on each issue we are dealing with and records (NFA – no further action / WIP - work in progress / completed) – this report is assessed every meeting to ensure issues are not lost.

Submitted for your consideration.

Regards

Nobby

TO: COMMITTEE OF COUNCIL
FROM: CLARE HADLEY – CHIEF EXECUTIVE
MEETING DATE: MONDAY 25 MAY 2020

NEXT STEPS - SMAG

SUMMARY

Council has worked with its partner local authorities and the Southland Museum and Art Gallery (SMAG) Trust Board to come to an agreement that governance and management of the activity of the museum for Invercargill should be transferred to a core department of Council.

That proposal was to be consulted on in the Annual Plan. In the absence of consultation on the Annual Plan, Council needs to determine if consultation or further engagement is now required.

The report also identifies that modification of the SMAG Trust Deed would be for the SMAG Trustees to drive. This is also an opportunity to better recognise the partnership nature of the relationship with iwi.

RECOMMENDATIONS

That the report 'Next Steps – SMAG' be received; and

That Council note and thank the SMAG Trust Board for their endorsement of the proposal to transfer governance and management of the activity of the museum for Invercargill to a core department of Invercargill City Council; and

That Council:

- **determines further consultation is necessary; or**
- **determines engagement with Friends of the Museum and iwi is appropriate and that this be undertaken and reported back before a final decision is made; or**
- **determines no further consultation or engagement is necessary; and**

That Council work with its partner local authorities and request the SMAG Trust Board to modify the SMAG Trust Deed to introduce a skills based board for the guardianship/ownership of the collection; and

That Council request iwi are recognised as partners in the modified Trust Deed; and

That Council revoke the resolution from 24 September 2019 relating to the disestablishment of the SMAG Trust.

IMPLICATIONS

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> N/A
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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 at this time
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> N/A

FINANCIAL IMPLICATIONS

No financial implications at this time.

It should be noted that the next steps for resolving the governance of the Southland Museum and Art Gallery will involve expenditure on legal advice to effect the changes. While this will be a SMAG Trust expense, it will require council support. It can be accommodated within existing budgets.

GOVERNANCE OF SOUTHLAND MUSEUM

In June 2019, Council considered a report on the Southland Museum and Art Gallery, and resolved:

That the governance and management of the activity of the museum for Invercargill be transferred from the Southland Museum and Art Gallery Trust to a core department of Invercargill City Council; and

That the views of Southland and Gore District Councils be sought on the recommendations above; and

That this report be shared with the Southland Museum and Art Gallery Trust Board for their input.

In September 2019 Council received advice that such a transfer would be acceptable to Gore and Southland District Councils. The matter of the ownership of the collection was raised. At that time, it was proposed that the Southland Regional Heritage Committee be strengthened to take on ownership of the collection.

Feedback from the Trust Board endorsed the proposal to transfer governance and management of the museum activity to a core department of Council. Feedback also reflected a desire that ownership of the collection be further discussed and consulted on with iwi and the community.

As a result, the Council resolved:

That Council initiate targeted engagement with iwi on the proposal to transfer the governance of the Southland Museum and Art Gallery to Invercargill City Council, and the proposal to strengthen the Southland Regional Heritage Committee;

AND

That Council request the Chief Executive set out a programme of next steps to implement the disestablishment of the SMAG Trust;

AND

That the Chief Executive be requested to negotiate with the SMAG Trust Board, the Southland Regional Heritage Committee, and Gore and Southland District Councils to find acceptable solutions in relation to the guardianship of the collection assets of the Southland Museum

Between September and March, officers considered the matter of guardianship of the collection assets again. During that process, it was recognised that a repurposed SMAG Trust Deed may be the better approach to the issue – the Trust Deed could be altered to remove the governance aspect of the museum, but to retain the ownership of the collection.

On 3 March 2020, Council considered the matter again. The report identified that officers had met with Evelyn Cook, the iwi appointee on SMAG, and her feedback was that a trust with ownership/guardianship for the collection, which recognised those items not owned by the collection, or on loan from whanau (cared for under the collection principles of the museum) would be acceptable.

The Council resolved:

That with support from Southland and Gore District Councils, the proposal to bring the governance of the Southland Museum into the core of Invercargill City Council be included in the draft Annual Plan 2020/21 as Council's preferred option.

On 24 March 2020, Council resolved to adjust its programme to ensure there were no significant or material differences from Year Three of the 2018/20 Long Term Plan, and resolved not to consult on its Annual Plan. That leaves the question – should Council now consult on this issue alone.

LEGAL REQUIREMENTS

When this matter first came up, the report noted preliminary legal advice was consultation was not necessary as there was no change in the mode of service delivery; Council was not establishing a significant new activity and the financial consequences for Council were not significant. The modifying or repurposing of the Trust Deed would mean there was no new CCO created, and so consultation was not required.

However, knowing matters relating to the museum were of importance to some in the community, and recognising that it was not going to delay matters, Council considered it prudent to consult on the transfer of governance of the Southland Museum in its Annual Plan.

Under the Local Government Act 2002, Council needs to give consideration to s78 LGA *Community Views in relation to decisions*, and Council's *Significance and Engagement Policy*.

S78 requires a local authority must, in the course of its decision-making process in relation to a matter, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter; noting a local authority is not required by this section alone to undertake any consultation process or procedure.

S79 states it is the responsibility of a local authority to make, in its discretion, judgements about how to achieve compliance with s78, and sets out matters for the local authority to consider.

The SMAG Trust Board is a representative body, made up of representatives from Invercargill City, Southland and Gore District Councils; Friends of the Southland Museum and Art Gallery; tangata whenua and community representatives. Council could determine that consultation with this Board has taken place; that it's feedback has been considered and no further consultation is required. Council already has endorsement of the proposal from its regional partners, who are also the partners in the Southland Regional Heritage Committee.

Council also needs to consider its *Significant and Engagement Policy*.

There are eight aspects to this:

- a) *Community outcomes, cultural wellbeings and key projects* - The proposal is agreed by regional stakeholders to be a positive step towards the achievement of cultural outcomes and key projects (SMAG and potentially also regional storage). This weighs against consultation being necessary.
- b) *Consistency with the Long Term Plan* – the proposal is a variation from the Long Term Plan, which had no change in governance signalled. This supports consultation being necessary.
- c) *Net cost to Council* – this proposal sees no change in net cost - This weighs against consultation being necessary.
- d) *Variation of options* – moving governance to Council will bring greater transparency and accountability to the museum's direction in future. It will increase visibility to the public. This weighs against consultation being necessary.
- e) *Reversibility* – the decision is reversible – this weighs against consultation being necessary.
- f) *Level of controversy* – historically matters associated with the museum have been controversial. However, when considering those directly affected, it must be recognised that regional partners support the transfer of governance, and it is difficult to identify those directly affected, as other matters, i.e. operation of the museum is already under Council's control. This weighs against consultation being necessary.

It would be possible to meet with Friends of the Museum and tangata whenua directly as these are the two parties who would lose representation at the governance table.

- g) *Precautionary approach* – there is a high certainty of outcome. This weighs against consultation being necessary.
- h) *Impact on funders* – no forecast change in rates is anticipated at this time. This weighs against consultation being necessary.

Consideration of the views of those who have an interest in, or are affected by the proposed transfer of governance, and Council's Significance and Engagement Policy would tend to the view that consultation is not required.

However, Council is reminded that matters relating to the museum have been controversial. In an editorial dated 29 February 2020¹, Council is criticised for having a poor record on public consultation.

OPTIONS

The options for Council seem to be:

- 1 to determine that the Museum Trust Board is a representative body. It has endorsed the transfer of governance and no further consultation is necessary; or
- 2 that even though the Trust Board is a representative body, Council should engage directly with the Friends of the Museum and also with iwi, to satisfy itself that their views have been heard; or
- 3 to determine the public values its Museum, and irrespective of any legal requirement, Council should offer the public the opportunity to share its view; or
- 4 to determine that the future of the Museum has been discussed in public many times, and consultation is not required.

There are a number of views are likely to prevail

- there has been plenty of consultation, and the community just wants Council to 'get on with it';
- that consultation that is not genuine and meaningful is not consultation; or
- that nothing is lost by undertaking a procedural step.

Feedback to date appears to have shown more concern around the matter of ownership of the collection, than governance of the Museum itself.

RISK

In considering the options, Council should address any risks around its decision.

The difference between the SMAG Trust and Council has not always been understood, and decisions by either body in recent times have been criticised. This may be an opportunity to signal intentions before a final decision is made – this would be the least controversial, risk-free approach.

NEXT STEPS

- 1 Once Council has resolved which option to adopt, the steps after any further engagement would be to engage with the SMAG Trust Board and commence the process for modification of the Trust Deed. Based on the belief that the Trust does not own the building, and that it would retain ownership of the collection, the process would be comparatively simple (Trust resolutions, modifications to documents) and would be driven by the trustees.

¹ <https://www.stuff.co.nz/southland-times/opinion/119900657/smag-ownership-and-consultation--a-double-fail>

- 2 The current Trust Deed is based on representation, and has a majority of councillor members. This would be the appropriate time for council to signal its desire to have iwi recognised as partners in guardianship/ownership of the collection. It would also be appropriate to have a skills-based board to govern the entity. A report on a possible mechanism for the selection and appointment of such a board would need to be prepared.
- 3 It may be appropriate for Council to have discussions with its regional partners around the Regional Heritage Committee. It may be that there would be value in finding commonality in the work and representation of these two groups.
- 4 Council and the Trust Board could agree a date for transfer of governance of the activity. For clarification, it is not intended that a repurposed trust, responsible for ownership of the collection, would have any staff. At the end of a financial quarter would make the most sense – for instance from 1 July, or 1 October as an example.

CONCLUSION

The community is keen to see progress on a revamped museum. The current governance arrangements have long been acknowledged as an inhibitor to progress on a major capital project.

A proposal to transfer governance of the Southland Museum and Art Gallery to Invercargill City Council has been endorsed by the SMAG Trust Board. That Trust Board is a representative board. Whether to consult publicly on the issue is a matter of judgment for the Council – has there been sufficient opportunity for those who will be affected to have been heard.