

TO: COUNCIL
FROM: CLARE HADLEY, CHIEF EXECUTIVE
MEETING DATE: TUESDAY 25 AUGUST 2020

IN COMMITTEE

Reason for Exclusion:

Local Government Information and Meetings Act 1987 –

(7) *Other reasons for withholding official information:*

(2) (f) *Maintain the effective conduct of public affairs through –*

- (i) *the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty; or*
- (ii) *the protection of such members, officers, employees and persons from improper pressure or harassment.*

DEPARTMENT OF INTERNAL AFFAIRS – REQUEST FOR INFORMATION

SUMMARY

The Department of Internal Affairs has written to the Mayor and Chief Executive, expressing concern around conflict among elected representatives and the Chief Executive at Council, questioning the capacity of Council to provide strong and unified governance and leadership, and requesting that Council enter into a process to restore trust and confidence in its ability to meet the Crown's expectation of a high performing Council.

RECOMMENDATIONS

1. That the report "*Department of Internal Affairs – Request for Information*" be received; and
2. That Council determine to proactively address the issues by coming up with a plan as requested by the DIA; and
3. That Council appoint Bruce Robertson as their independent governance expert; and
4. That Council request the Chief Executive and Council Leadership Group, with guidance from Mr Robertson, to outline a draft plan for consideration at an Extraordinary Council meeting on Thursday 27 August at 3pm; and
5. That the final plan be considered in public at an Extraordinary Council meeting on Thursday 3 September at 3pm; and
6. That the Chief Executive and Mayor advise the DIA of Council's immediate response, and timeframe for further work.

IMPLICATIONS

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> N/A
2.	<i>Is a budget amendment required?</i> Not at this stage.
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

FINANCIAL CONSIDERATIONS

There are no costs at this stage, but if the recommended option is adopted, there will be costs to Council. These will be estimated and reported back to Council the next time it considers this issue.

BACKGROUND

Recent events involving elected members and the Chief Executive and between elected members have led to a degree of media attention on the functioning of Council. These articles damage public confidence in the performance of Council, and question the ability of elected members to focus on important issues, including decisions leading to the 2021-31 Long Term Plan (LTP). It appears the Department of Internal Affairs (DIA) have also received correspondence relating to this.

Given the significant strides made recently on a new vision for the city, a prioritisation framework for investment in projects, the introduction of a new and more agile committee structure it is important that steps are taken to restore trust and confidence in how Council functions.

DEPARTMENT OF INTERNAL AFFAIRS

As already stated, these matters have recently come to the attention of the Department of Internal Affairs (DIA), who have communicated with Council as a result of a request from the Minister for Local Government.

On Tuesday 18 August, the Mayor and Chief Executive received a letter from DIA officials requesting information and assurance as to Council's performance. The letter is attached as Appendix A (A3135039). The letter encourages Council to seek high-quality, independent advice to guide and support the Council. This report has been prepared to enable Council to consider the matter. Richard Hardie from DIA will be available to join the meeting by Zoom between 4-5pm.

The letter seeks further information from Council and requires “assurance and evidence” of the Council’s proactive steps to “restore trust and confidence in its ability to meet the Crown’s expectations of a high performing Council”. Although not stated to be a Ministerial request for information pursuant to Part 10 (Ministerial powers of assistance and intervention) of the Local Government Act 2002 (LGA), it should be considered to hold similar weight.

The letter specifically requests:

- An independent evaluation of the current standard of governance performance by elected representatives against the expectations set out in the Council’s Code of Conduct, particularly in relation to sections 5 *Relationships* and 11 *Creating a supportive and inclusive environment*;
- A summary of the key issues that elected representatives and the Chief Executive agree are impacting the Council’s performance;
- A clear plan on how the Council will address the issues, including a timeline and framework for how success will be measured; and
- A summary of key decisions that Council needs to make through to 30 June 2021 to deliver the next LTP.

LEGISLATIVE FRAMEWORK

It is appropriate for Council to consider the matters raised in the letter from DIA, particularly the framework pursuant to Part 10 of the LGA which would potentially be applicable.

Part 10 of the Act provides the Minister with a range of options in relation to a local authority that has a problem. The options vary according to the nature and scale of assistance required to address the problem. The LGA defines a problem as “*a matter or circumstance relating to the management or governance of the local authority that detracts from, or is likely to detract from, its ability to give effect to the purpose of local government within its district or region*” and includes ‘*a potential problem*’¹

The options available to the Minister under the LGA are:

- a) Require information where the local authority has not publicly acknowledged the nature and extent of the problem or may be unable or unwilling to effectively address the problem;
- b) Appoint a Crown Review Team with power to investigate, review and recommend to the Minister;
- c) Appoint a Crown Observer with power to assist, monitor and recommend to the Minister;
- d) Appoint a Crown Manager with power to direct the local authority to act and recommend to the Minister;
- e) Appoint a Commission (where a Crown Review Team, Crown Observer or Crown Manager is unlikely to address this issue).

In determining whether intervention is required the Minister is to have regard to matters or circumstances that the Minister considers are likely to detract from the ability of the Council to give effect to the purpose to local government. One of the matters likely to detract from that purpose is “dysfunctional governance” including “failure or breakdown of key relationships”.

¹ Local Government Act s256(a)

It should also be remembered that the LGA provides Council with the opportunity to appoint non-voting members to the Council² and/or voting members to its committees³. Council could determine that it would welcome the contribution of others to its governing body to assist with its processes and performance.

PROCESS FROM HERE

Issues

Both the elected arm of Council and the organisation itself have been undergoing change over the past 2½ years. At a governance level, this has meant the introduction of a new committee structure; this is the first such change in more than a decade. The organisation has recently been restructured and recruitment is underway for three roles within the executive leadership team. Prior to that there had been no significant change for about a decade also. The current Covid-19 operating environment is also creating challenges which are likely to continue for the foreseeable future. This, coupled with water reforms, mean that in the short-medium term, Council will be dealing with externalities which will substantially impact on Council and its decision making.

Council therefore finds itself in particularly challenging circumstances which requires a culture of mutual trust, respect and tolerance within an environment where robust discussion and debate can thrive in accordance with good practice governance.

Council now needs to determine the best way to respond to the DIA. A response has been requested no later than Friday 28 August outlining how Council will address and remedy the concerns raised so that trust and confidence can be restored.

The first step is for Council to consider assistance/support for the process.

It is also worth noting that the Chief Executive has confirmed with the DIA that any costs incurred in seeking to address the matter – proactively by Council, or imposed by the Minister – will be funded by Council. These could be significant.

With the support of other members of the Council Leadership Group, the Chair of Risk and Assurance, Bruce Robertson, has been approached and asked if he will provide independent advice to support Council through its process. He has confirmed his willingness to assist.

The second step is to come up with a plan of action by Thursday 3 September.

OPTIONS

There are three broad options for Council to consider:

- 1 Thank the DIA for its interest and take no further action; or
- 2 Determine to proactively address the problem, using other tools in the LGA; or
- 3 Request the Minister take action under the LGA.

² Local Government Act s43

³ Schedule 7, Clause 31

Option One: Take no further action

This option would be seen as Council unwilling to address relationship problems and to improve the decision making environment which has developed. This has the risk of the Minister concluding under s257(1)(b)(ii) that the Council is '*unable or unwilling to effectively address the problem*'.

This option would almost certainly result in exacerbating an already serious situation and would result in the Minister determining to take further steps.

This option is not recommended.

Option Two: Produce a plan as requested

This option would be Council taking control of the situation. It would enable a process which is agreed by the majority to be appropriate in the circumstances. It would reduce the likelihood of direct Ministerial intervention under Part 10 of the Act.

The first component of the plan would be to clearly address the four bullet points in the letter. Given the timeframes and the importance of the issues to be addressed, it is suggested that we request an extension until Thursday 3 September to produce this plan. Council also needs time to commence the process for three other investigations: firstly, the work of James Crichton in investigating the leak of publicly excluded information; and secondly, two Code of Conduct complaints. There would be value in recognising their outputs may contribute to the overall plan.

We could also include the application of other tools in the LGA – for example, Council could appoint a non-voting member or members to the Council and its committees. Being a non-voting member would ensure that the focus was on influence and not control, and would not alter democratic representation for the community. There would be similarities with the arrangements the Minister could instigate under the LGA.

It is suggested appointments on this basis could be:

- A minimum of one and a maximum of two persons;
- Made up of individuals with appropriate skills and experience in the local government sector and governance;
- Appointed for an initial term through to 30 June 2021, with a progress review at or around 31 March 2021 as to the need for any extension;
- Focused on support, monitoring and reporting on improvements in the City's governance practices.

Given that the DIA letter was received on Tuesday 18 August, we believe that an extension of time to provide robust advice sufficient for Council to agree the way forward should be acceptable.

Option two is the recommended option.

Option Three: Request the Minister to take action under Local Government Act 2002

This option would be a formal Council resolution under Part 10. Council should be aware that if it requests the Minister to take action, the Minister would be required to take into account certain matters in deciding what action to take. Council cannot request a particular action.

She would see the advantage of this option as being that elected members would be removed from the process. The disadvantage of this option is that elected members have significantly less opportunity to contribute to and influence the approach. This option runs the risk that the Minister may remove elected members entirely.

This option is not recommended.

NEXT STEPS

If the recommended option is approved, it is intended that:

- a) The Council Leadership Group, Chief Executive and Mr Robertson meet to consider options on Thursday 27 August at 2pm, before an Extraordinary Meeting of Council at 3pm.
- b) Feedback from that meeting will be used to prepare a report on Council's plan for an Extraordinary Meeting of Council on Thursday 3 September.
- c) The Chief Executive and Mayor respond to the DIA with advice of steps taken to date, and a timeframe for further development of the plan.

Proactively Released



**Te Tari Taiwhenua
Internal Affairs**

18 August 2020

Sir Tim Shadbolt, Mayor
Clare Hadley, Chief Executive
Invercargill City Council
101 Esk Street
Invercargill 9840

45 Pipitea Street
Wellington 6014
Phone +64 4 495 7200
dia.govt.nz

Tēnā koe Sir Tim and Ms Hadley,

I am writing to you following concerns raised through recent media articles and correspondence received by us and the Minister of Local Government regarding significant conflict among elected representatives and the Chief Executive at Invercargill City Council (the Council).

I recognise the Council is currently managing several high-profile capital projects, such as the City Block development, investing in the Museum storage facility, and Rugby Park, among others. However, it appears that these projects are testing the capacity of the Council to provide strong, unified governance and leadership particularly when it comes to the prudent allocation of council funding for capital projects.

It is also disappointing to note the behaviour of elected representatives that has resulted in a series of Code of Conduct complaints, some of which have been leaked to the public through social media and news channels. It is not apparent that there is any willingness to settle these conflicts. This does not give confidence that the Council can resolve its differences and represent its community with unified leadership.

In advising the Minister of Local Government on action she may need to take pursuant to Part 10 of the Local Government Act 2002, I require assurance and evidence that the Council is taking proactive steps to restore trust and confidence in its ability to meet the Crown's expectations of a high-performing Council. Specifically, I request:

- an independent evaluation of the current standard of governance performance by elected representatives against the expectations set out in the Council's Code of Conduct, particularly section 5 *Relationships* and section 11 *Creating a supportive and inclusive environment*;
- a summary of the key issues that elected representatives and Chief Executive agree are impacting the Council's performance;
- a clear plan on how the Council will address the issues, including a timeline and framework for how success will be measured; and
- a summary of key decisions that the Council needs to make through to 30 June 2021 to deliver the 2021-2031 Long-Term Plan.

In considering how to address my concerns, I encourage you to seek high-quality, independent advice to guide and support the Council through this process. I would appreciate a response by Friday 28 August 2020 on how the Council will achieve this outcome.

Should you have any questions regarding this request, please contact me at Anita.Balakrishnan@dia.govt.nz, or Richard Hardie, Manager Operational Policy, at Richard.Hardie@dia.govt.nz or 027 540 6014.

Heoi anō



Anita Balakrishnan
Director Ministerial Advice, Monitoring, and Operations
Policy, Regulation, and Communities Branch

Proactively Released

Late Report to Invercargill City Council Meeting 25th August 2020

By Mayor Sir Tim Shadbolt

1. DEPARTMENT OF INTERNAL AFFAIRS

The letter attached was addressed to myself and the Chief Executive from Anita Balakrishnan at the Department of Internal Affairs dated 18th August 2020.

I have discussed this matter with the Chief Executive who advised me that we needn't respond with any more than a simple direct plan.

From my many years of experience, I do not agree that this will satisfy the Department, the Minister nor myself.

From the contents of the letter it is fair to say that the most likely source of the leaks and communications is from within the Council itself.

It is my view that the best and most prudent way to address these extremely serious allegations is to hear exactly from the persons who made these complaints to the Media, the Department of Internal Affairs, the Minister of Local Government, and/or any other elected representatives or Chief Executives of other Local Authorities so we can more fully understand and address the issues raised.

1.1 CONCERNS RAISED

1. ...**“through recent media articles and correspondence received by us and the Minister of Local Government regarding Significant conflict among elected representatives and the Chief Executive at Invercargill City Council (the Council)”**

It is my belief that this issue if not responded to with the necessary vigour will escalate into a fully-fledged investigation, so I ask the following;

- a. *Did any councillors or the Chief Executive correspond or communicate in any way with the Media, Department of Internal Affairs, the Minister of Local Government, and/or any other elected representatives or Chief Executives of other Local Authorities?*
 - i. *If so please outline the concerns you shared with “the Council” preferably in writing before the Council Meeting of 25th August, this will add context and assist understanding the serious and urgent situation that Council finds itself in.*

Following receiving these responses I will move the following;

Notice of Motion; that Cr Abbott chairs an AdHoc committee comprising Cr Crackett, Cr Kett, and Cr Skelt and that they be empowered to urgently convene interviews and or de-briefs with all respondents who affirmed they had communicated with any of the following, Media, Department of Internal Affairs, the Minister of Local Government, and/or any other elected representatives or Chief Executives of other Local Authorities with a view to presenting its findings and/or recommendations back to me by Thursday 27th August 2020 so as to inform my response to the Department of Internal Affairs 28th August 2020.

Moved; His Worship the Mayor

Seconded; Cr Abbott

2. “.... recognise the Council is currently managing several high-profile capital projects However it appears that these projects are testing the capability of the Council to provide strong, unified governance and leadership being tested particularly when it comes to the prudent allocation of council funding for capital projects”

- a. Do any councillors or the Chief Executive agree that these projects are testing the capability of the Council to provide strong, unified governance and leadership being tested particularly when it comes to the prudent allocation of council funding for capital projects?
- b. If so please outline those concerns with “the Council” preferably in writing before the Council Meeting of 25th August, this will add context and assist understanding the serious and urgent situation that Council finds itself in.

Following receiving these responses I will move the following.

Notice of Motion;

1. that the Performance, Policy and Partnerships Committee be requested to urgently convene interviews and/or de-briefs with all respondents who affirmed they had communicated with any of the following, Media, Department of Internal Affairs, the Minister of Local Government, and/or any other elected representatives or Chief Executives of other Local Authorities with a view to presenting its findings/recommendations back to me by Thursday 27th August 2020 so as to inform my response to the Department of Internal Affairs 28th August 2020.

2. that the Performance, Policy and Partnerships Committee be requested to urgently convene and present a paper to the Council outlining the prudence of decision making to date by Thursday 27th August 2020 so as to inform my response to the Department of Internal Affairs 28th August 2020.

Moved; His Worship the Mayor

Seconded; Cr Abbott

3. “It is also disappointing to note the behaviour of elected representatives that has resulted in a series of Code of Conduct complaints, some of which have been leaked to the media It is not apparent that there is a willingness to settle these conflicts. This does not give confidence that the Council can resolve its difference and represent its community with unified leadership.”

With reference to the code of conduct complaints I do not recall in 25 years as Mayor of this City that I have ever presided over any other complaints relating to conduct until the past 3 years.

My meeting chairmanship skills have been publicly questioned by some councillors as a contributing factor, however I would like to point out that in this current term that none of the code of conduct complaints have been associated with the meetings I chair.

Notice of Motion; that the independent members of the Audit and Risk committee be empowered to urgently interview as many councillors and staff as it feels necessary and reports back to the me by Thursday 27th August 2020 so as to inform my response to the Department of Internal Affairs 28th August 2020.

Moved; His Worship the Mayor

Seconded; Cr Abbott

- 4. “In advising the Minister of Local Government on action she may take pursuant to Part 10 of the Local Government Act 2002, I require assurance and evidence that the Council is taking proactive steps to restore trust and confidence in its ability to meet the Crown’s expectations of a high-performing Council”**

- a. “..independent evaluation....”
- b. “summary of key issues that elected representatives and Chief Executive agree are impacting the Council’s performance”
- c. “a clear plan on how the Council will address the issues, including a timeline and framework for how success will be measured”
- d. “summary of key decisions .. to deliver the 2021-2031 Long-Term Plan”

In considering how to address my concern, I encourage you to seek high-quality, independent advice to guide and support council through this process.

Notice of Motion; that the independent members of the Audit and Risk committee be empowered to urgently submit a list of suitably qualified high-quality independent advisors to support the Council through this process. We would expect the advisor to have more of a Governance background than Financial. If practical a list of likely prospects with CV’s to be reported back to me by Thursday 27th August 2020 so as to inform my response to the Department of Internal Affairs 28th August 2020.

Moved; His Worship the Mayor

Seconded; Cr Abbott

5. Mayoral response

- a. *I am loathe to continue expending rate payers cash on this plethora of consultants, investigators and lawyers until "the Council" can assure itself of a genuine desire to cease and desist from what I believe is its current factional mentality.*
- b. *If today's meeting cannot achieve this type of commitment, then this Council and Chief Executive do not deserve to stay in office.*

RECOMMENDATION

- a. *That the Invercargill City Council formally receives the letter from Anita Balakrishnan and undertakes to seek appropriate High Quality Independent Advice to assist in achieving the objectives contained within the letter.*

Proactively Released

TO: COUNCIL

**FROM: COUNCIL LEADERSHIP GROUP
BRUCE ROBERTSON
CHIEF EXECUTIVE**

MEETING DATE: THURSDAY 27 AUGUST 2020

IN COMMITTEE

Reason for Exclusion:

Local Government Information and Meetings Act 1987 –

(7) *Other reasons for withholding official information:*

(2) (f) *Maintain the effective conduct of public affairs through –*

(i) *the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty.*

FRAMEWORK FOR DEPARTMENT OF INTERNAL AFFAIRS PLAN

SUMMARY

In response to a letter from DIA requesting that Council provide “assurance and evidence” of the proactive steps it will take to “restore trust and confidence in its ability to meet the Crown’s expectations of a high performing Council”, Council resolved to consider a draft plan on 27 August; this plan would then incorporate feedback from Council to enable it to be finalised for Council sign off on 3 September.

The suggested framework in this report has been put together as requested by the Chief Executive and the Council Leadership Group with guidance from Mr Robertson. A series of discussion points are included to shape the debate. The outcome of the meeting will enable the final plan to be formulated.

RECOMMENDATIONS

- 1. That the report “*Framework for Department of Internal Affairs Plan*” be received; and**
- 2. Council requests the Chief Executive and Mr Robertson to prepare a list of candidates for Council to commission one to undertake the evaluation of the current standard of governance performance**

Or

Provide direction on how they wish to address the Independent Evaluation requested by DIA

3. Councillors to provide feedback to Mr Robertson by end of day, Saturday 29 August, on the key issues they see as impacting Council's performance, for inclusion within Council's overall plan for presentation to the DIA;

Or

Provide direction on how they wish to capture the key issues they see (and the Chief Executive sees) as requested by DIA

4. Provide a comment to the Chief Executive on their training requests for inclusion in the final draft plan;
5. Endorse the plan approach to addressing the issues

Or

Provide direction on how they wish to frame the plan requested by DIA

6. Provide feedback to the Chief Executive no later than end of Monday 31 August on the key decisions to be made

Or

Provide direction on how they wish to complete the list of key decisions requested by DIA

7. Identify any other issues they wish to have included in the draft plan;
8. Request that the Chief Executive provide budget advice on the financial implications of the final draft plan;
9. Recognise in the final draft plan incorporates an action for the Chief Executive to engage in regular dialogue with the DIA and endorse this;
10. Request that the communications plan be updated and provided to all elected members, confirm that the Mayor and Chief Executive are the nominated spokespersons, and incorporate the communications strategy in the final draft plan.

FINANCIAL CONSIDERATIONS

When the final draft is prepared, it will include the estimated costs.

BACKGROUND

The letter from the DIA specifically requests:

- An **independent evaluation** of the current standard of governance performance by elected representatives against the expectations set out in the Council's Code of Conduct, particularly section 5 Relationships and section 11 Creating a supportive and inclusive environment;

- **A summary of the key issues** that elected representatives and Chief Executive agree are impacting the Council's performance;
- **A clear plan on how the Council will address the issues**, including a timeline and framework for how success will be measure; and
- **A summary of key decisions** that the Council needs to make through to 30 June 2021 to deliver the 2021-2031 Long Term Plan.

A copy of the letter is attached as Appendix 1 (A3135039).

Council's initial response to the letter was discussed at an Extraordinary Council meeting on 25 August.

Resolutions from that meeting were as follows:

1. That the report "Department of Internal Affairs – Request for Information" be received; and
2. That Council determine to proactively address the issues by coming up with a plan as requested by the DIA; and
3. That Council appoint Bruce Robertson as their independent governance expert; and
4. That Council request the Chief Executive and Council Leadership Group, with guidance from Mr Robertson, to outline a draft plan for consideration at an EO Council meeting on Thursday 27 August at 3pm; and
5. That the final plan be considered in public at an EO Council meeting on Thursday 3 September at 3pm; and
6. That the Chief Executive and Mayor advise the DIA of Council's immediate response, and timeframe for further work; and
7. That the Mayor and Chief Executive release a joint media statement advising the timeline and process agreed.

Given the need to address the reply to the letter in a timely fashion, Mr Robertson has commenced this role while specific Terms of Reference are being developed by the Chief Executive and Mr Robertson.

DISCUSSION POINTS

These points are intended to provide a framework which will stimulate debate and provide direction which will enable a final draft plan to be formulated.

The first four headings cover the specific information requested by DIA. The final sections cover other points which Council may wish to provide direction on.

This is not an exhaustive list and Council is encouraged to add to it.

INDEPENDENT EVALUATION

The DIA seeks an independent evaluation of current governance performance. The independent evaluation should be used to resolve differences and provide leadership to the community. It could also provide a helpful reference point for governance training, and insights into other actions council can take to resolve its differences and provide leadership to the community. The most effective way for this step may be for Mr Robertson to provide suggestions to Council on who might undertake this work; for Council to confirm up to three

possible candidates, for approaches to be made as to availability with a view to confirming this at Council's meeting on 3 September.

This stocktake may then lead on to council using other tools under LGA, such as appointment of a non-voting member at Council. It would be helpful for this to be kept in mind when considering candidates for this work, and it may be appropriate to request a Terms of Reference to be developed for such a role, for Council's consideration.

Relevant to this also is that the Chief Executive awaits the report back from James Crichton into the leak of confidential information from a committee agenda, and there are two Code of Conduct complaints awaiting referral to investigators. These findings could usefully be incorporated into the stocktake.

KEY ISSUES

The Department seeks to understand the issues impacting on Council's performance, and have asked for feedback on that from elected members and the Chief Executive. As a first step, it would be appropriate to provide that feedback to Mr Robertson, in order that he may distil that information in such a way as to be useful to Council and to DIA. In order to contribute to Council's plan, this would need to be provided to Mr Robertson by XXXX.

ADDRESSING THE ISSUES

Attached to this report as Appendix 2 (A3143023) is a table which is designed to capture the actions associated with each issue along with responsibilities and dates for completion. This will form the outline or framework for the plan, and enable progress to be monitored. Feedback on this approach is sought to enable the Council Leadership Group to work with Mr Robertson and develop this into a plan for adoption at Council on 3 September.

KEY DECISIONS

Attached to this report as Appendix 3 (A3142272) is a first draft of the summary of key decisions for the LTP. It would be appropriate for elected members to provide feedback to the Chief Executive no later than XXX in order that this can be incorporated into the draft plan.

BUILDING THE RELATIONSHIP WITH DIA

Mr Hardie from DIA made it clear, when he met with Council via Zoom on 25 August, that working with a Mayor and Chief Executive was not unusual for the Department. Council should equally recognize and endorse the Chief Executive engaging in regular dialogue with the DIA and incorporate this into their plan.

TRANSPARENCY AND PRO-ACTIVE COMMUNICATION

The best process for this work will be a transparent one, shared with our community regularly and positively. A communications plan has been prepared and this will continue to be updated and provided to all elected members. For clarity, Council should confirm in their plan that the Mayor and Chief Executive are the nominated spokespersons

BUDGET IMPLICATIONS

This work will all come at additional, unbudgeted cost however Council really has no alternative. If the Minister takes any action under statute, the cost will be to Council. Taking responsibility and shaping the work means that community representation continues at Invercargill. The Chief Executive will work to prepare a draft budget for consideration at the first quarter financial performance review. The issue – both in terms of reputation and financial – should be acknowledged at the Risk and Assurance Committee also.

OPTIONS FOR TRAINING/PROFESSIONAL DEVELOPMENT

Council can give consideration to training programmes in the meantime, and initial suggestions would include:

- a. Training on the role of the Chief Executive, the role of Councillors, and the role of statutory officers such as Auditor, Ombudsman, Minister.
- b. Standing orders/meeting procedures.

RMA certification – while at first glance this may not seem relevant for all Councillors, it is a short course that adds tremendous value to understanding the decision making for statutory processes. Most elected members, whether interested in resource management or not, speak of the value of the course.

Mr Hardie has made it clear to the Chief Executive that as part of adopting the plan, the Department expects all councillors to participate in Council wide training, as per Section 11 of the Code of Conduct.

Issue	Actions to address	Involved	Lead	Timeframe
Response to DIA		Chief Executive	Chief Executive	28 August 2020
Independent evaluation: 1. List of candidates to be prepared for Council consideration 2. Terms of Reference for evaluation		Bruce Robertson Chief Executive	Bruce Robertson	02 September
Key Issues	Councillors to provide to Bruce Robertson in writing by end of Saturday, 29 August at: Bruce.robertson@rbrl.co.nz	All councillors Chief Executive	Bruce Robertson	02 September
Key decisions	Chief Executive will prepare a further draft	All councillors Chief Executive	Chief Executive	02 September
Budget advice	Chief Executive to prepare	Chief Executive	Chief Executive	
Training requests	Councillors to identify Chief Executive to seek further guidance from LGNZ	All councillors Chief Executive	Chief Executive	02 September
Development of overall plan	Compiled from feedback above, Further refinement after evaluation	All councillors Bruce Robertson Chief Executive		02 September
Ongoing dialogue with DIA				
Communications plan / ongoing communications				

DRAFT PRELIMINARY LIST OF KEY DECISIONS

LTP Key Decision	Due Date
Adoption of principles for non-rates policies	8 September
Confirmation of grants framework to support strategic priorities and wellbeings	13 October
Confirmation of Levels of Service and Key Performance Indicators	13 October
Adoption of principles for rates and capital funding	13 October
Strategic projects - confirmation of options for Anderson House	10 November
Confirmation of significance and engagement policy	10 November
Confirmation of Infrastructure Strategy, including key infrastructure assumptions (climate change, three waters, renewals)	1 December
Confirmation of draft revenue and finance and rates policies and financial assumptions	8 December
Confirmation of Financial Strategy and Draft Financial Statements	8 December
Strategic projects - confirmation of any city centre related issues and options	
Strategic projects - confirmation of options for Museum OR that issue will be consulted on post LTP	8 December
Strategic projects - confirmation of options for Rugby Park/ Surrey Park	8 December
Confirmation of consultation document (prior to audit review in February)	January
Confirmation of consultation plan (consultation commences 1 March)	January
Confirmation of any additional spend required as a result of community support post-Covid19	TBC

	Due Date
Infrastructure Strategy underpinning the LTP	November 2020
Financial Strategy underpinning the LTP	November 2020
Capital programme associated with the LTP	November 2020
Council owned buildings	September to December 2020
Central City Master Plan	December 2020
Streetscape and other city centre capital works	2021
Procurement Strategy for Recycling Services Contract	March 2021
Decisions related to Water Reforms	September 2020 to June 2021
Adoption of the Draft LTP – hearings and final decision	February to June 2021
Statutory Responsibilities – Bylaw reviews, District Plan review, Statements of Intent	
Further decisions relating to City Block	TBC

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