



NOTICE OF MEETING

**Notice is hereby given of the Meeting of the
Invercargill City Council
to be held in the Council Chamber,
First Floor, Civic Administration Building,
101 Esk Street, Invercargill on
Tuesday 28 September 2021 at 3.00 PM**

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

CLARE HADLEY
CHIEF EXECUTIVE

Council - Public

28 September 2021 03:00 PM

Agenda Topic	Page
1. Apologies	
2. Declaration of Interest	
a. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.	
b. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.	
3. Public Forum	
4. Minutes of the Risk and Assurance Committee Meeting Held on 24 August 2021 (A3511218)	5
5. Minutes of the Meeting of Council Held on 24 August 2021 (A3511222)	14
6. Minutes of an Emergency Meeting of the Risk and Assurance Committee Held on 6 September 2021 (A3529674)	20
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9. Minutes of the Performance, Policy and Partnerships Committee Meeting Held on 14 September 2021 (A3514251)	33
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12. Mayor's Report (A3543859)	50
13. Urgent Business	
14. Public Excluded Session	

Public Excluded Session

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

- a) *Receiving of Minutes of the Public Excluded Session of the Risk and Assurance Committee held on 24 August 2021*
- b) *Confirmation of Minutes of the Public Excluded Session of Council held on 24 August 2021*
- c) *Receiving of Minutes of the Public Excluded Emergency Session of the Risk and Assurance Committee held on 6 September 2021*
- d) *Receiving of Minutes of the Public Excluded Session of the Infrastructural Services Committee meeting held on 7 September 2021*
- e) *Chief Executive Performance Review*

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) Receiving of Minutes of the Public Excluded Session of the Risk and Assurance Committee held on 24 August 2021	Section 7(2)(i) 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) Confirmation of Minutes of the Public Excluded Session of Council held on 24 August 2021	Section 7(2)(i) 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
c) Receiving of Minutes of the Public Excluded Emergency Session of the Risk and Assurance Committee held on 6 September 2021	Section 7(2)(i) 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

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|-----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| d) Receiving of Minutes of the Public Excluded Session of the Infrastructural Services Committee meeting held on 7 September 2021 | Section 7(2)(i)
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 |
| e) Chief Executive Performance Review | Section 7(2)(a)
Protect the privacy of natural persons, including that of deceased natural persons | 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 |

**MINUTES OF THE MEETING OF THE RISK AND ASSURANCE COMMITTEE HELD
VIA THE AUDIO VISUAL PLATFORM OF ZOOM, ON TUESDAY 24 AUGUST 2021
AT 8.30 AM**

PRESENT: Mr B Robertson (Chair)
Cr R R Amundsen
Cr A J Arnold
Cr W S Clark
Cr A H Crackett
Mr R Jackson
Cr D J Ludlow
Cr I R Pottinger
Mr J Grant – External Appointee
Mr L McKenzie – External Appointee

IN ATTENDANCE: Sir T R Shadbolt, KNZM JP
Cr G Lewis
Cr L F Soper
Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Ms T Hurst – Group Manager – Customer and Environment
Mr S Gibling – Group Manager – Leisure and Recreation
Ms E Moogan – Group Manager – Infrastructure
Mrs J Parfitt – Advisor – Office of the Chief Executive
Mr A Cameron – Strategic Advisor/GM - ICHL
Mr M Morris – Legal Counsel / Deputy Electoral Officer
Mr L Butcher – Project Director – Project Management Office
Ms P Christie – Manager – Financial Services
Ms T Browne – Delivery Manager – Project Management Office
Ms R Suter – Manager – Strategy and Policy
Mr P Patton – Manager – Quality Assurance
Mr J Botting – Team Leader – Finance
Mr S Cook – Manager – Aquatic Services
Mr Nick Bridges – Manager – Procurement
Ms K Davidson – Digital Content Creator
Ms M Cassiere – Executive Governance Officer

1. **APOLOGY**

Nil.

2. **PUBLIC FORUM**

Nil.

3. **MAJOR LATE ITEM**

3.1 Terms of Reference for Independent Review of Electronic Access

Moved Mr Robertson, seconded Cr Ludlow that the Major Late Item, *Terms of Reference for Independent Review of Electronic Access*, be accepted.

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

4. **DECLARATION OF INTEREST**

Nil.

5. **MINUTES OF THE RISK AND ASSURANCE COMMITTEE MEETING HELD ON 21 JUNE 2021**
A3432968

Moved Mr Robertson, seconded Cr Amundsen and **RESOLVED** that the minutes of the Risk and Assurance Committee held on 21 June 2021 be confirmed.

6. **PROJECT MANAGEMENT OFFICE STATUS REPORT**
A3517119

Ms Erin Moogan and Ms Tess Browne were in attendance to speak to this item. Ms Moogan introduced Mr Lee Butcher as the Project Director for the Project Management Office.

Ms Browne spoke about the main projects which were on the escalated list of risk including the museum project, Branxholme and the Stead Street stop bank project. The museum project was on the list due to issues such as scoping and budget although significant progress had been made on the project through the Reimagining phase.

Ms Browne explained the Branxholme project was on the escalated list because of cost escalations from when the budgets were initially set. The PCG would meet next week to look at the costs and understand where they stood. Ms Browne also noted the Three Waters programme faced challenges due to the state of the industry and constraints in the Southland market, i.e. competition for resourcing, the number of dependencies because of resourcing which would have the potential to create delivery issues. Ms Browne noted that the City Centre Streets projects were on hold due to Covid – 19 lockdown.

Ms Moogan stated the Branxholme project was highlighted due to difference in cost from that budgeted in the Long Term Plan. She noted the \$11.5 million budget, which was a mix of Council and Three Waters stimulus money, was a basic budget. This did not include internal time, contingencies, and had planned for a traditional method of open trenching to deliver the project whereas a significant amount of underground directional drilling would have to be undertaken, and a different route from the one initially planned. Ms Moogan also noted Streetscapes may be at risk in achieving target date as a result of lockdown.

Depending on the contract, some contractors would be entitled to a variation of time contract due to the delay which contractors have incurred.

The main issues highlighted with this item were alignment of projects under tight time constraints which were also closely related to the Covid – 19 lockdown, the watermain issue and the Three Waters issue, as well as budgets.

In response to a query about the impact on financial strategy, it was noted that there would not be major concerns on the strategy at this moment.

Moved Mr Robertson, seconded Cr Clark that the Risk and Assurance Committee:

1. Receives the report "Project Management Office Status Report".

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

7. **WORKING ON WORKING TOGETHER (VERBAL UPDATE)**

Mr Jeff Grant and Mr Lindsay McKenzie spoke to the item. Mr Grant noted that the next phase of the Working on Working Together framework would be subject to the recommendations from the Thomson report. He noted four Working Groups were scheduled to meet last week however they had been postponed due to the Covid – 19 lockdown. Mr Grant provided an update on the work done and noted progress had been made around aspects of support for Councillors, work around the members' expenses and allowances policy as well as around the LGOIMA request process which had been developed to track requests in a better way. Councillors' professional development workshops had been underway through the year. A new template for report writing had been completed which would roll – out in September.

Mr McKenzie noted an external resource had been engaged to collate the good practices from the previous Long Term Process; the outcome would be presented to the Working Group, and then be embedded in the processes and systems of the Council. Mr McKenzie also provided an update on the work done in the communications area.

Moved Mr Robertson, seconded Cr Ludlow that the Risk and Assurance Committee receive the verbal update of Working on Working Together.

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

8. **TERMS OF REFERENCE FOR INDEPENDENT REVIEW OF ELECTRONIC ACCESS**

A3518974

Mrs Jane Parfitt was in attendance to speak to this item and noted this item was in relation to events which took place on 17 August 2021 and around the range of understandings as to how Council correspondence was treated.

Mrs Parfitt stated that in April 2021, Council had passed a resolution for the Chief Executive to take the necessary steps to support the Deputy Mayor in supporting the Mayor in representing the City, and the need to utilise electronic access to the Mayor's ICC email account and to share information about the Mayor's activities. Mrs Parfitt noted this report was for Council to review the arrangements implemented for electronic communications, to ensure they are lawful, appropriate and meets expectations.

The Chair suggested that the discussion around the report should be around whether a review should be undertaken to clarify the issue and not to litigate the issue itself.

His Worship the Mayor stated that he understood that the work tried to set out responsibilities and clear lines of communication however, it would not give anyone the right to hack his email. His Worship also stated that neither the Chief Executive nor any of the advisors should play any role in choosing who would conduct the review as the Chief Executive was implicated as the alleged party in

the improper use of an email and that the report does not make any distinction between interception and misuse, which was a serious offence.

The Chair noted the report was about Terms of Reference to seek clarity on what was the Council's policy around electronic access, and to seek understanding of whether the basis for support of His Worship and others to manage email accounts was reasonable. Mr Robertson also cautioned His Worship on his use of the word 'hacking' and noted that the discussion was whether support was done in a reasonable manner.

Cr Ludlow noted that when people had legitimate access to email accounts as was included in the policy, the usage of the word 'hacking' was incorrect, as the word implied an illegal activity. This was not the case here, and was, therefore, not an appropriate term.

Cr Clark stated the process should be allowed to play out as people may have opposing views. He noted the report was from Mrs Parfitt who worked as an independent advisor on Working on Working Together and there were no suggestions it was from the Chief Executive. He further stated he was in favour of the Terms of Reference and the recommendation of an independent reviewer as well.

His Worship stated it would be foolish for Council to expose the Chief Executive to criticism by not treating the Chief Executive or her office as an affected party, by being involved in the choice of the independent reviewer. His Worship further stated that by doing this, the Chief Executive would expose her office to accusations of lack of impartiality.

The Chair noted the report was created by Mrs Parfitt. Mr Robertson further noted that he himself, as the Chair of Risk and Assurance, had been consulted about who would be an appropriate reviewer.

His Worship stated that if the use of the word 'hacking' was incorrect, he asked that the Chair suggest an alternative terminology.

The Chair stated that as per the Terms of Reference, the approach which was anticipated in the policy, and anticipated from the April 2021 Council meeting, the terminology would be electronic access in support of His Worship's email account, which was different from the word 'hacking'.

Cr Clark asked to hear from His Worship why he was opposed to the resolution.

His Worship stated he felt the reviewer would not look into his issues and that having an independent reviewer review the Council's operations would not provide a good perception.

Cr Pottinger queried whether the reviewer would also look into the accusation of bullying. Mrs Parfitt noted that the bullying was a completely different issue. This review would be about the wider and broader situation and accusations of bullying would not fall within this scope.

Mr McKenzie noted the Terms of Reference were principled and solid and would serve the Council well.

Cr Soper stated that the recommendations were high level and well put together. She further stated the proposed reviewer, Robert Buchanan, had impeccable references and there could be no better independent reviewer for this task.

Cr Clark noted with regard to the bullying aspect, the Mayor himself or any Councillor could activate a code of conduct which could dovetail with the independent reviewer's visit.

Moved Mr Robertson, seconded Cr Clark that the Risk and Assurance Committee:

1. Receive the report "Terms of Reference for Independent Review of Electronic Access".

Recommend to Council:

2. That the Terms of Reference for an Independent Review of Electronic Access attached as Appendix 1 (A3518975), be adopted.
3. That Robert Buchanan be appointed to undertake the review.
4. That they note the estimated cost of the review is up to \$10,000+GST and it will be accommodated within existing budgets.

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

Note: His Worship the Mayor voted against the motion.

9. **DRAFT PROCUREMENT POLICY AND MANUAL**
A3505907

Mr Nick Bridges and Ms Rhiannon Suter were in attendance to speak to this item. The procurement policy and manual were to codify the current best practices of the Council to ensure the market would be clear on how Council conducted its procurement activities and how it would support the capital programme. It was noted that this would allow the option for social procurement to be visible as well to support the four well-beings. A workshop on consultation/engagement plans was proposed ahead of the plan being presented to the next Risk and Assurance Committee.

Moved Mr Robertson, seconded Cr Amundsen that the Risk and Assurance Committee:

1. Receive the report "Draft Procurement Policy and Manual"
2. Note the proposed engagement approach and that the draft policy (A3479409) will be brought back for adoption ahead of consultation to the September Risk and Assurance meeting.

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

10. **CONTINUOUS IMPROVEMENT PROGRAMME UPDATE**
A3498820

Mr Peter Patton was in attendance to speak to the item. In response to a query about whether any of the 16 open items would be of concern to the Committee, it was noted that the items were reasonably minor updates.

In response to a query about the timeline to close the open items, it was noted that the items would be closed off on a more regular basis and the delay was to upskill people on the use of the tracking system.

Moved Mr Robertson, seconded Mr Jackson that the Risk and Assurance Committee:

1. Note the ICC Continuous Improvement Programme Update.

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

11. **SENSITIVE EXPENDITURE Q3 & Q4**
A3496877

Mr Jaimee Botting was in attendance to speak to the item and requested an addition to the recommendation of the words 'Note the expenditure and agree that it is appropriate'.

Moved Mr Robertson, seconded Cr Pottinger and **RESOLVED** that the Risk and Assurance Committee:

1. Receive the report "Sensitive Expenditure".
2. Note the expenditure and agree that it is appropriate.

12. **QUARTERLY FINANCIAL REPORT – 30 JUNE 2021**
A3509611

Ms Patricia Christie and Mr Jaimee Botting were in attendance to speak to the item. Ms Christie noted that the report had been presented to the Performance, Policy and Partnerships Committee and brought to the Risk and Attendance Committee in case there were any risk issues within the report.

In response to a question as to which areas needed to be confirmed prior to the operating surplus number being presented, it was confirmed areas such as year – end accruals, confirmation of doubtful debt positions, Three Waters stimulus money and shovel ready money. Work needs to be done on the revenue to be recognised for this year and what liabilities need to be shown in the balance sheet. 90% of the current variance was in relation to the Three Waters stimulus money and recognition of revenue.

When asked whether there were areas under stress due to the inability to fill vacancies and impact on service delivery, it was noted that there were areas which were vacant, due to lack of people with relevant skills, which had impacted on ability to comfortably meet KPIs.

Moved Mr Robertson, seconded Cr Ludlow that the Risk and Assurance Committee:

1. Receive the report "Quarterly Financial Report – 30 June 2021".
2. Notes for the quarter ending 30 June 2021
 - This is the draft quarterly report and not the draft annual report. Year-end accounting adjustments are still to be applied which will lower the current reported operating surplus towards a breakeven performance.

- Council has a draft operating surplus of \$4.9 million
- Capital programme spend was in line with the forecast

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

13. **URGENT BUSINESS**

Nil.

14. **PUBLIC EXCLUDED SESSION**

The Chair noted that there were changes to the reasons to two agenda items for Public Excluded Session and noted that:

The reason for Public Exclusion for the Council Litigation Update would be Section 7(2)(g) - To protect legal professional privilege

The reason for Public Exclusion for the Internal Audit Programme Update would be Section 7(2)(a) - Protect the privacy of natural persons, including that of deceased natural persons legal professional privilege; and Section 7(2)(j) - Prevent the disclosure or use of official information for improper gain or improper advantage.

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

- Confirmation of Minutes of the Public Excluded Session of the Risk and Assurance Committee meeting held on 21 June 2021*
- Council Litigation Update*
- Internal Audit Programme Update*
- 2021 Annual Report and Insurance Renewal Matters*
- EIL Director Appointments*
- ICL Project Update*
- Shadbolt v ICC (Verbal Update)*

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) Confirmation of Minutes of the Public Excluded Session of the Risk and Assurance Committee meeting held on	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and	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

	21 June 2021	industrial negotiations)	exist under Section 7
b)	Council Litigation Update	Section 7(2)(g) To protect 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)	Internal Audit Programme Update	Section 7(2)(a) Protect the privacy of natural persons, including that of deceased natural persons legal professional privilege Section 7(2)(j) Prevent the disclosure or use of official information for improper gain or improper advantage.	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)	2021 Annual Report and Insurance Renewal Matters	Section 7(2)(i) 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
e)	EIL Director Appointments	Section 7(2)(i) 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
f)	ICL Project Update	Section 7(2)(i) 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

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|--------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| g) Shadbolt v ICC
(Verbal Update) | Section 7(2)(g)
Maintain 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 |
|--------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

There being no further business, the meeting finished at 11.40 am.

MINUTES OF THE MEETING OF THE INVERCARGILL CITY COUNCIL, HELD VIA THE AUDIO VISUAL PLATFORM OF ZOOM, ON TUESDAY 24 AUGUST 2021 AT 2.00 PM

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

IN ATTENDANCE: Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Ms T Hurst – Group Manager – Customer and Environment
Mr S Gibling – Group Manager – Leisure and Recreation
Ms E Moogan – Group Manager – Infrastructure
Mrs J Parfitt – Advisor – Office of the Chief Executive
Mr A Cameron – Strategic Advisor/GM - ICHL
Mr M Morris – Legal Counsel / Deputy Electoral Officer
Ms P Christie – Manager – Financial Services
Mr J Botting – Team Leader – Finance
Ms K Davidson – Digital Content Creator
Ms M Cassiere – Executive Governance Officer

His Worship the Mayor opened the meeting and welcomed everyone to the meeting. His Worship advised that in these unusual times having a Councillor with extensive home office facilities and hands on technological skills to chair the meeting should take the role. His Worship nominated Cr Alex Crackett to chair the meeting and recognised her competency in utilising the technology being used for the meeting. He noted his Deputy supported this approach.

Moved His worship, seconded Cr Lewis and **RESOLVED** that Cr Alex Crackett chair the Council meeting on 24 August 2021.

Note: His Worship vacated the Chair.
Note: Cr Alex Crackett took the Chair.

1. **APOLOGIES**

Cr Abbott, Mr J Grant.

2. **PUBLIC FORUM**

Nil.

Note: Cr Kett joined the meeting at 2.05 pm.

3. **MAJOR LATE ITEMS**

3.1 Recommendation from Risk and Assurance meeting on 24 August – Terms of Reference for Independent Review of Electronic Access.

3.2 Recommendation from Risk and Assurance meeting on 24 August – 2021 Annual Report and Insurance Renewal Matters, in Public Excluded Session.

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the Major Late Items, Terms of Reference for Independent Review of Electronic Access and the 2021 Annual Report and Insurance Matters, be accepted.

4. **DECLARATION OF INTEREST**

Nil.

5. **MINUTES OF THE MEETING OF COUNCIL HELD ON 27 JULY 2021**

A3462017

Moved Cr Soper, seconded Cr Kett and **RESOLVED** that the minutes of the Council Meeting held on 27 July 2021 be confirmed.

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

A3479076

Moved Cr Pottinger, seconded Cr Lewis and **RESOLVED** that the minutes of the Extraordinary Meeting of the Infrastructural Services Committee held on 27 July 2021 be received.

7. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING HELD ON 3 AUGUST 2021**

A3479108

Moved Cr Pottinger, seconded Cr Soper and **RESOLVED** that the minutes of the Infrastructural Services Committee meeting held on 3 August 2021 be received.

8. **MINUTES OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE MEETING HELD ON 10 AUGUST 2021**

A3492567

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that the minutes of the Performance, Policy and Partnerships Committee meeting held on 10 August 2021 be received, and the recommendation to Council be confirmed.

RECOMMENDATION TO COUNCIL:

15.2 **IVEM**
A3495543

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

IVEM

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

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

15.1 Number of Directors

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

9. **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 10 AUGUST 2021**

A3505707

Moved Cr Soper, seconded Cr Amundsen and **RESOLVED** that the minutes of the Extraordinary Council meeting held on 10 August 2021 be confirmed.

10. **MINUTES OF THE BLUFF COMMUNITY BOARD MEETING HELD ON 16 AUGUST 2021**

A3510181

Moved Cr Arnold, seconded Cr Soper and **RESOLVED** that the minutes of the Bluff Community Board meeting held 16 August 2021 be received.

11. **GOVERNANCE STATEMENT 2019 – 2022 – AUGUST 2021 AMENDMENT**

A3510031

Mr Michael Morris was in attendance to speak to this item. He noted there were a small number of changes to the Governance Statement which reflected the recent addition of Mana Whenua roles to the two Council Committees and to ensure the roles were placed under the Code of Conduct and Standing Orders for debate.

Moved Cr Ludlow, seconded Cr Soper that Council:

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

The Chair also noted that Council thanked Mrs Thilini Amarasingha for her hard work.

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

12. **DELEGATIONS REGISTER – FIRST REVIEW AND MANA WHENUA UPDATE**
A3486137

Mr Michael Morris spoke to this item. He noted the recent addition of Mana Whenua roles required changes to the Register. Mr Morris explained there were now two registers with the first being the Council and Finance Register and the second Register would contain the list of delegations made by the Chief Executive to enable efficient running of Council.

Mr Morris stated that Council and Finance Register would give effect to the Mana Whenua seats and contained corrections to the financial delegations to work efficiently and provide clarity to staff.

Mr Morris acknowledged Mrs Thilini Amarasingha for her hard work.

Moved Cr Ludlow, seconded Cr Soper that Council:

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

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

13. **MAJOR LATE ITEM**

13.1 **Recommendation to Council from Risk and Assurance Meeting on 24 August – Terms of Reference for Independent Review of Electronic Access**
A351897

Moved Cr Soper, seconded Cr Ludlow that Council:

1. Receive the report “Terms of Reference for Independent Review of Electronic Access”.
2. That the Terms of Reference for an Independent Review of Electronic Access attached as Appendix 1 (A3518975), be adopted.
3. That Robert Buchanan be appointed to undertake the review.
4. That they note the estimated cost of the review is up to \$10,000+GST and it will be accommodated within existing budgets.

It was noted the report had been written by Mrs Jane Parfitt and not by the Chief Executive as stated by His Worship.

His Worship stated that it would be considered foolish for the Council to expose the Chief Executive to criticism by not treating the Chief Executive or her office as

an affected party in the choice of the independent reviewer and that the Chief Executive would lose the feeling of impartiality.

Discussions around the statement by His Worship took place. It was noted the Terms of Reference were from an independent advisor, it was a solid report with a high level set of recommendations arrived at by an independent advisor, and included the recommendation for an independent reviewer with impeccable credentials.

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

Note: His Worship voted against the motion.

Cr Clark noted that His Worship had voted twice against the independent review and queried from His Worship about any alternative outcome which His Worship sought.

His Worship noted that he was concerned with the process.

Cr Clark stated that when His Worship raised a serious matter against the Chief Executive, there was no other option but to engage an independent process, and queried whether His Worship would engage with the independent reviewer.

14. **URGENT BUSINESS**

Nil.

15. **COUNCIL IN PUBLIC EXCLUDED SESSION**

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

- (a) *Confirmation of minutes of the Public Excluded Session of Council held on 27 July 2021*
- (b) *Receiving of minutes of the Public Excluded Session of the Extraordinary Meeting of the Infrastructural Services Committee held on 27 July 2021*
- (c) *Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 3 August 2021*
- (d) *Confirmation of minutes of the Public Excluded Session of the Extraordinary Council held on 10 August 2021*
- (e) *Recommendation from the Risk and Assurance meeting on 24 August – 2021 Annual Report and Insurance Renewal Matters, in Public Excluded Session*

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) Confirmation of minutes of the Public Excluded Session of Council held on 27 July 2021 | Section 7(2)(i)
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) Receiving of minutes of the Public Excluded Session of the Extraordinary Meeting of the Infrastructural Services Committee held on 27 July 2021 | Section 7(2)(i)
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 |
| (c) Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 3 August 2021 | Section 7(2)(i)
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) Confirmation of minutes of the Public Excluded Session of the Extraordinary Council held on 10 August 2021 | Section 7(2)(i)
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 |
| (e) Recommendation from the Risk and Assurance meeting on 24 August – 2021 Annual Report and Insurance Renewal Matters, in Public Excluded Session | Section 7(2)(i)
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 2.38 pm.

**MINUTES OF AN EMERGENCY MEETING OF THE RISK AND ASSURANCE
COMMITTEE HELD VIA THE AUDIO VISUAL PLATFORM OF ZOOM ON MONDAY
6 SEPTEMBER 2021 AT 11.00 AM**

PRESENT: Mr B Robertson (Chair)
Cr R R Amundsen
Cr A J Arnold
Cr W S Clark
Cr A H Crackett
Mr R Jackson
Cr D J Ludlow
Cr I R Pottinger
Mr L McKenzie – External Appointee
Mr J Grant – External Appointee

IN ATTENDANCE: His Worship the Mayor, Sir T R Shadbolt
Cr R L Abbott
Cr P W Kett
Cr G D Lewis
Cr M Lush
Cr N D Skelt
Cr L F Soper
Mrs C Hadley – Chief Executive
Mrs J Parfitt – Advisor – Office of the Chief Executive
Mr R Donnelly – Legal Counsel – Preston Russell
Mr M Day – Group Manager – Finance and Assurance
Mr A Cameron – Strategic Advisor/GM – ICHL

1. **APOLOGY**

Cr Crackett for lateness

Moved Mr Robertson, seconded Cr Arnold and **RESOLVED** that the apology be accepted.

2. **MAJOR LATE ITEM**

2.1 ***Six Month Review – Findings and Next Steps***
A3531024

Moved Cr Amundsen, seconded Mr Jackson and **RESOLVED** that the Major Late Item, *Six Month Review – Findings and Next Steps*, to be considered in Public Excluded Session, be accepted.

Note: The Chair advised that given the subject, he intended that all Councillors (non-members of the committee) would be able to speak and vote on the matter under discussion.

3. **PUBLIC EXCLUDED SESSION**

Moved Mr Robertson, seconded Cr Abbott and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, with the exception of the External Advisors, Mr Jeff Grant and Mr Lindsay McKenzie; Mr Riki Donnelly of Preston Russell, and Mr Richard Thomson, report author; namely:

(a) Six Month Review – Findings and Next Steps

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. Six Month Review – Findings and Next Steps	Section 7(2)(a) Protect the privacy of natural persons, including that of deceased natural persons.	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 12.57 pm.

**MINUTES OF AN EMERGENCY MEETING OF THE INVERCARGILL CITY COUNCIL
HELD VIA THE AUDIO VISUAL PLATFORM OF ZOOM, ON TUESDAY,
7 SEPTEMBER 2021 AT 3.00 PM**

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

IN ATTENDANCE: Mr B Robertson – Chair, Risk & Assurance Committee
Mr R Thomson – Report Author
Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Ms T Hurst – Group Manager – Customer and Environment
Mr S Gibling – Group Manager – Leisure and Recreation
Ms E Moogan – Group Manager – Infrastructure
Mr A Cameron – Strategic Advisor/GM - ICHL
Mr R Pearson – Manager – Roading
Ms R Suter – Manager – Strategy and Policy
Mr A Murray – Manager – Water
Ms S Shameem – Senior Policy Advisor – Southland Mayoral Forum
Ms K Davidson – Digital Content Creator
Ms M Cassiere – Executive Governance Officer

His Worship the Mayor opened the meeting and welcomed everyone to the Emergency Council meeting. His Worship advised that due to technological limitations and to make the meeting seamless, His Worship would nominate Cr Pottinger to chair the Emergency Council meeting. He understood Cr Pottinger had made necessary technological arrangements to chair the Infrastructural Services Committee meeting,

Moved His Worship, seconded Cr Ludlow and **RESOLVED** that Cr Ian Pottinger chair the Emergency Council meeting on 7 September 2021.

Note: His Worship vacated the Chair.

Note: Cr Ian Pottinger took the Chair.

1. **APOLOGIES**

Nil.

2. **DECLARATION OF INTEREST**

Nil.

3. **MAJOR LATE ITEM**

3.1 **SIX MONTH REVIEW – FINDINGS AND NEXT STEPS**

Moved Cr Lewis, seconded Cr Abbott and **RESOLVED** that the Major Late Item, Six Month Review – Findings and Next Steps, be accepted.

4. **SIX MONTH REVIEW – FINDINGS AND NEXT STEPS**

A3532173

Mr Richard Thomson and Mr Bruce Robertson were in attendance to speak to this item. Mr Thomson noted that the original report had been difficult to write; he had been conscious of the impact on the people from the findings of the report. He stated that Council could have dismissed the strong criticisms from the findings of the original report. He felt it important to reinforce the significant changes which had taken place in the past six months, since the original report. He noted much of media focused on His Worship and His Worship had been a key figure in his reports; however it would be unfair and unfortunate if the media continued their focus only on the Mayor at the expense of the very real change which had taken place in the Council since the original report.

Mr Thomson noted that six months ago, the Department of Internal Affairs had concerns whether Invercargill City Council could deliver on its obligations to the ratepayers of Invercargill. The concerns had been around the vacuum of leadership, powerful personalities sometimes at war with each other, failure to differentiate between governance and management by some Councillors and some management behaviours which needed attention in order to fix the issues. The most immediate concern had been whether the Council could deliver appropriately on a Long Term Plan for the city.

Mr Thomson stated that six months after his original report, his findings reflected a Council - governance and management- that had taken on board his criticisms from the original report and largely dealt with them. Councillors largely worked cooperatively and the Deputy Mayor had dealt with the ways of operating of which Mr Thomson had been critical. He had significantly helped fill a leadership vacuum. A new senior management structure had dealt with the challenge of providing better information for Councillors to make good decisions and facilitation of strong workshops to ensure the information was well understood. He also stated that the Long Term Plan was seen by almost all as having been a successful process. Many Councillors had stated a sense of engagement around the Long Term Plan and the view had been reinforced by external parties, as well.

Mr Thomson further stated the people of Invercargill should know and understand this Council was not the same as the one six months ago, and that it was far more than the Mayor. He noted the Mayor was one part of the Council team, who was an important part however he was one vote amongst thirteen. He noted that if the focus were to remain the Mayor at the expense of the real improvement which the Council had shown, it would ignore what this Council has shown that it can achieve.

Mr Thomson also explained the timeline of this report. He stated that while he had completed the interviews in July and wrote the bulk of the report in the first week of August, he had held off completing the report till the separate survey data had been available. During that period, and the subsequent delay in meeting due to Covid, there had been a number of primarily media stories that either themselves or the situations that led to them, caused him to reflect on whether his report would still be accurate. He noted his report had addressed matters that arose through August and as a result, the report went through several iterations. He had asked himself a fundamental question as to whether any of those matters changed any of his key conclusions and arrived at the view that it didn't change his key conclusions; he had however reflected that some of the risks had possibly been escalated as a result. He stated his report noted the Council was a work in progress and he sincerely wished the people of Invercargill recognised the very real progress that had been made. Finally, Mr Thomson noted that in his view, the whole Council as it was currently operating was meeting the fundamental requirements that its ratepayers expect.

Mr Bruce Robertson noted the Risk and Assurance Committee met on 6 September to consider a suitable response to Mr Thomson's report. He stated that this report was to bring a set of recommendations from the Risk and Assurance Committee, for Council to consider positively and to adopt as steps forward. He noted that along with Mr Thomson's request for the ratepayers of Invercargill to have confidence in the Council, this report should enable both the ratepayers and the Minister to have confidence on the gains. Mr Robertson noted that the report from the Risk and Assurance Committee and its key recommendations included embedding the gains made, asking Councillors to consider specifically how to embed gains made through aspects like the Council Charter; and how to ensure appropriate behaviours would lay the foundation for not only this Council but for the new Council as well.

Discussion took place around the report. It was noted the report focused on the good work done by the Council, the hard work done by staff, the changes made by the Deputy Mayor and the respect displayed towards each other irrespective of individual opinions.

Moved Cr Amundsen, seconded Cr Soper that Council:

1. Receives the report "Six Month Review – Findings and Next Steps".
2. Receives the Six Month Review Report prepared by Richard Thomson, dated August 2021 (*Appendix A – A3512986*).
3. Receives the Invercargill City Council Governance Research Report prepared by Impact Consulting, dated 31 July 2021 (*Appendix B – A3512984*).
4. Confirms the Project Governance Group should continue until the end of the triennium, with the purpose revised as follows:
 - To recommend the final formulation of the remaining phases of the Working on Working Together Action Plan to Council's 26 October 2021 meeting.
 - To oversee the delivery and measure progress of the Action Plan.
 - To recommend a transition plan which will ensure the Project Governance Group Chair's role passes to an elected member and the membership of the Group has appropriate elected member representation, to Council's 23 November 2021 meeting, with this

- plan to be in place no later than March 2022 for implementation over the balance of the term.
- To provide regular reports to the Mayor and Councillors.
 - To ensure key stakeholders are kept informed.
5. Noting Mr Thomson's advice that External Appointees be phased out ahead of the election, requests the following steps are taken to inform / identify a managed transition plan for the EAs:
 - The Chair of Risk and Assurance meets with the EAs to discuss their views on a managed transition plan.
 - A stocktake of the deliverables of each Working Group to identify any gaps is completed by October 2021.
 - Based on the outcome of the stocktake, consideration is given to the need for current work groups to continue or any new ones to be convened.
 - Taking into account the comments in the Six Month Review suggesting a linkage between the number of EAs and the progress with Working Group deliverables, a report is prepared for a Risk and Assurance Committee in November 2021 on a recommended transition plan for the EAs, including the format and timing of future reviews of the EA's.
 6. Requests that the media protocols working group gives consideration to the specific recommendations made in paras 104 and 105 of the Six Month Review with regard to media commentary, and that the working group bring a recommendation back to Council in November 2021.
 7. Supports the refresh of the final two phases of the Working on Working Together Action Plan as follows:
 - Phase 3: October 2021 to December 2021 – Implementing the Leadership of Changes and Improvements within the Organisation.
 - Phase 4: January 2022 onwards – Embedding the Leadership of Changes and Improvements within the Organisation.
 8. Endorses the following roles and responsibilities:
 - ELT to take the lead responsibility for ensuring that all the improvements in “**what**” we do are implemented/embedded within the organisation (e.g. an induction programme well ahead of the next election, report writing, and other processes agreed by the Working Groups).
 - The Chairs' Group to take responsibility for leading the “**how**” – they have an added task – ‘to ensure charter behaviours are embedded in Council’.
 9. Notes the Project Secretariat will be staffed by ICC employees with appropriate mentoring, and that this team will have responsibility to provide administrative support and advice to the PGG which ensures the Group's monitoring and reporting functions are met and achieves their purpose.
 10. Adopts the revised Working on Working Together Governance Framework attached as *Appendix C (A3512987)*, noting that new arrangements will be implemented from October 2021.
 11. Notes there are no additional financial implications associated with this course of action.

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

Note: His Worship voted against the motion.

There being no further business, the meeting finished at 3.45 pm.

**MINUTES OF THE MEETING OF THE INFRASTRUCTURAL SERVICES COMMITTEE
HELD VIA THE AUDIO VISUAL PLATFORM OF ZOOM, ON TUESDAY 7 SEPTEMBER
2021 AT 3.00 PM**

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

IN ATTENDANCE: Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Ms T Hurst – Group Manager – Customer and Environment
Mr S Gibling – Group Manager – Leisure and Recreation
Ms E Moogan – Group Manager – Infrastructure
Mr A Cameron – Strategic Advisor/GM - ICHL
Mr R Pearson – Manager – Roading
Ms R Suter – Manager – Strategy and Policy
Mr A Murray – Manager – Water
Ms S Shameem – Senior Policy Advisor – Southland Mayoral Forum
Ms K Davidson – Digital Content Creator
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Nil.

2. **DECLARATION OF INTEREST**

Nil.

3. **PUBLIC FORUM**

Nil.

4. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING
HELD ON 3 AUGUST 2021
A3479108**

Moved Cr Lewis, seconded Cr Soper and **RESOLVED** that the minutes of the Infrastructural Services Committee held on 3 August 2021 be confirmed.

5. **EXPLANATION OF WATER SUPPLY GRADINGS AS APPLIED TO INVERCARGILL AND BLUFF**
A3512701

Mr Alister Murray was in attendance to speak to this item. Mr Murray stated that at the last Infrastructural Services Committee meeting, a question had been raised about a key performance indicator not being met in relation to the Bluff water supply. He noted that the Ministry of Health no longer graded water supplies in this way. Council had worked to reconfigure the water distribution system in Bluff and stated that there is an expectation that Bluff would have received an 'A' grading under the previous grading system. This measure has been replaced with new measures for the 2021 Long Term Plan.

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

1. Receive the report 'Explanation of Water Supply Grading's as Applied to Invercargill and Bluff'.

Note: The meeting was adjourned at 3.08 pm.

Note: The meeting was re-convened at 3.46 pm.

6. **THREE WATERS**

6.1 **MATTERS FOR CONSIDERATION FOR ENGAGEMENT**
A3524438

Ms Rhiannon Suter was in attendance to speak to this item. Ms Suter noted that the report was in regard to consideration of Three Waters consultation or engagement. She noted that while the issue of either opting in or opting out of Three Waters was significant, legal advice provided by Simpson Grierson noted that providing feedback to Government would not trigger significant provisions and that any engagement undertaken would be optional. It would be for Council to decide what level and type of engagement the Council wished to take on this matter, and noted that a decision to either opt in or out could not be made without undertaking a formal consultation process as per the Local Government Act. As such, it would require an amendment to the Long Term Plan and that any engagement undertaken in the mean time could not be the basis for decision making, however it could be used as a basis to provide feedback to the Government.

Discussion around the report took place. Ms Suter noted that if an engagement were to take place in order to provide a feedback, it would not be possible to do so within the current timeframe of September. Ms Moogan noted that Council had already initiated the process of compiling a list of questions to the Government and in response to a query whether the Department of Internal Affairs had responded to the questions, she replied that they hadn't received a response as yet.

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

1. Receive the report "Three Waters Engagement or Consultation – Matters for consideration".

2. Note the following issues:
 - a. Simpson Grierson advice (A3525401) engagement is optional and not required to respond to Government's request for feedback, and under current legislation prior to any decision to opt in or out consultation will be required as it will be an LTP amendment.
 - b. Any engagement now could either inform feedback to Government or be pre-engagement for a future consultation. This could not be delivered before the end of September.
 - c. For any engagement to be effective Council will need to give direction on the issues it wants feedback on. To be meaningful, engagement should provide alternative options, although there is the option to present the Government's position and seek feedback only on that.
 - d. Covid-19 and limited team resources mean a digital led approach will be required due to the challenges of organising physical events and then rearranging them as alert levels change.
 - e. There are risks to undertaking engagement and to not undertaking engagement. The primary risks are as follows:
 - Significant resource will be required to undertake engagement – this will not replace the need for consultation which will be required unless there is legislative change.
 - Undertaking engagement without presenting meaningful alternatives is of limited value. Government has indicated it does not require Councils to consult at this point and that it intends to seek public input at a later date. Unless the Council has alternative proposals it wishes to seek feedback on the benefit of engagement may be limited.
 - Not undertaking engagement also carries risks. There may not be another opportunity for Councils to seek the views of the local community on this matter ahead of national consultation.

Moved Cr Soper, seconded Cr Lewis that the Infrastructural Services Committee adds an amendment to the recommendations that:

- Council undertakes to arrange a workshop on Three Waters issues within the next 14 days.

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

6.2 NOTICE OF MOTION A3527688

Cr Clark spoke to his Notice of Motion and noted that communities around the country had questions around some key issues which included whether there were economies of scale that would benefit the Council, could the water entity recruit and retain enough water specialists to run the programme for which the DIA had advised in the negative, could the current entity upscale to 200 percent to deliver the service outcomes for which the DIA had responded in the negative. Cr Clark noted that other key issues included what would be the actual costs of Three Waters to households a decade from now, and who would own the assets for which Cr Clark stated

that Council would retain the ownership and that the question should be who would govern and control the assets from the two strategic groups that would be set up.

Cr Clark noted that some of the other Councils had undertaken engagement and received significant feedback from their communities, and that this Council should also undertake engagement. He further noted that preliminary analysis show that cost for households would be cheaper if the Council went ahead independently rather than with the water entity. Cr Clark also noted that a question to be asked from the DIA was whether water meters would be required.

Discussion around the item took place. It was noted that Three Waters was a big issue for Council to decide moreover Council was awaiting further information on next steps from DIA which would be forthcoming after the end of September. Most Councils were waiting for this information ahead of making any decision.

Moved Cr Clark, seconded Cr Arnold that the Infrastructural Services Committee:

- (i) That Invercargill City Council (ICC) advise the Minister for Local Government, that ICC will not be making any decisions in regards to participation in the proposed 3 Waters reform program, until it can engage with its' community of these matters of significance.

That the Minister also be advised that the gathering of the necessary information, community engagement and subsequent analysis of the community feedback, is unlikely to be completed before 30 November 2021.

- (ii) That Council activate its Significance and Engagement policy as soon as possible.

A division of vote was called for the motion.

Note: Cr Arnold, Cr Clark, His Worship the Mayor, Cr Lewis, Cr Skelt, and Cr Kett voted in favour of the motion.

Note: Cr Amundsen, Cr Ludlow, Cr Soper, Cr Abbott, Cr Pottinger and Cr Lush voted against the motion.

Note: Cr Crackett abstained from voting.

Due to a six all vote, the Chair abided by the convention of voting for the status quo and casted his vote against the motion.

The motion, now put, was **LOST**.

7. **ACTIVITY REPORT** A3513885

Mr Steve Gibling, Ms Erin Moogan and Mr Michael Day were in attendance to speak to this item. Mr Gibling noted that the key part of the report was the summary about the performance of the hydroslide against the business case, and that the operations had exceeded the business case.

Ms Erin Moogan noted work had recommenced on the city centre streets upgrade under level three and that a booking system had been put into operation for the transfer station system under alert level three and positive feedback have been received for the booking system. She noted loss of revenue due to Covid levels three and four, and a high level analysis showing a reduction of \$0.5 – \$0.75 million for each month. She further noted that Council’s Greenwaste Consent for discharge to air had expired prior to the new consent being approved by Environment Southland. The new consent application had not progressed as quickly as needed due to key staff vacancies. Environment Southland investigated the incident and decided not to take any formal action but did issue Council with a written warning and investigation costs.

Ms Moogan also noted that at a previous Infrastructural Services Committee meeting, staff had reported an outage on the continuous monitoring of water treatment at the Branxholme Plant, and a small risk existed where during the annual audit, Council may be found non – compliant due to a small gap in the data. She stated that analysis of the back – up data sourced the missing nine minutes which would remove the risk of being potentially non - compliant at the year end audit.

Mr Day noted that by going into level two from 8 September, it would trigger the 14 days period for the penalties.

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

1. Receives the report “Activity Report”.
2. Note that the Hydroslide operations have generally exceeded the original business case objectives.

8. **URGENT BUSINESS**

Nil.

9. **PUBLIC EXCLUDED SESSION**

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

- (a) *Confirmation of Minutes of the Public Excluded Session of the Infrastructural Services Committee meeting held on 3 August 2021*
- (b) *Ocean Beach Remedial Issues*
- (c) *Recyclables Acceptance Contract*

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

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(a) Confirmation of Minutes of the Public Excluded Session of the Infrastructural Services Committee meeting held on 3 August 2021</p> | <p>Section 7(2)(i)
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>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</p> |
| <p>(b) Ocean Beach Remedial Issues</p> | <p>Section 7(2)(i)
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>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</p> |
| <p>(c) Recyclables Acceptance Contract</p> | <p>Section 7(2)(i)
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>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</p> |

There being no further business, the meeting finished at 5.25 pm.

**MINUTES OF THE MEETING OF THE PERFORMANCE, POLICY AND PARTNERSHIPS
HELD VIA THE AUDIO VISUAL PLATFORM OF ZOOM ON TUESDAY 14
SEPTEMBER 2021 AT 3.00 PM**

PRESENT: Cr D J Ludlow (Chair)
Cr R R Amundsen (Deputy Chair)
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 M Lush
Cr I R Pottinger
Cr N D Skelt
Cr L F Soper
Mr L McKenzie – External Appointee

IN ATTENDANCE: Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Ms T Hurst – Group Manager – Customer and Environment
Mr S Gibling – Group Manager – Leisure and Recreation
Ms R Suter – Manager – Strategy and Policy
Ms K Davidson – Digital Content Creator
Ms M Cassiere – Executive Governance Officer

1. **APOLOGY**

His Worship the Mayor, Sir T R Shadbolt

Moved Cr Soper, seconded Cr Kett and **RESOLVED** that the apology be accepted.

2. **DECLARATION OF INTEREST**

Cr Ludlow declared his interest on the Saving Grace Project. While he felt it was not a conflict he noted he would abstain from voting.

3. **PUBLIC FORUM**

Nil.

4. **REPORT FROM THE INVERCARGILL YOUTH COUNCIL**
A3527669

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

1. Receive the report "Invercargill Youth Council".

5. **MINUTES OF THE OF PERFORMANCE, POLICY AND PARTNERSHIP COMMITTEE MEETING HELD ON 10 AUGUST 2021**
A3492567

Moved Cr Soper, seconded Cr Lewis and **RESOLVED** that the minutes of the Performance, Policy and Partnership Committee held on 10 August 2021 be confirmed.

6. **PROPOSED RIGHT OF WAY NAME IN RELATION TO THE SUBDIVISION OF 129 REGENT STREET**
A3521165

Mr Michael Day was in attendance to speak to this item and noted that the proposed right of way complied with the Council's policies and frameworks. It was noted that there were no objections to the name.

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

1. Receive the report "*Proposed Right of Way Name in Relation to the Subdivision of 129 Regent Street*".
2. Agree that the proposed Right of Way be named **Callum Way** as it is the developer's preferred name and meets Council's naming convention.

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

7. **SAVING GRACE PROJECT UPDATE**
A3516673

Ms Rhiannon Suter was in attendance to speak to this item. It was noted that this report was brought to the Committee for consideration with regard to the terms for the grant that was given as part of the Long Term Plan.

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

1. Receive the report "Saving Grace Project Update"
2. Note the update on the project provided by IC2 Trust
3. Resolve the following conditions for the funding:
 - a. That the \$100,000 funding allocated by Council as part of the Long-Term Plan towards the Saving Grace project be utilised for the refurbishment of the building to enable a space for delivery of youth services.
 - b. That the funding be available to IC2 Trust upon securing 75% of all other capital funding required to deliver the complete project.
 - c. That the funding be available to IC2 Trust at any time within the first three years of the Long-term Plan, to be reviewed again if it has not been drawn down by the end of June 2024.
 - d. That this \$100,000 funding will be the total funding provided to the project by Council.

Discussion took place around the item. Clarity was sought around point (d) of recommendation 3 and a query was raised whether this point needed to be included in the recommendation. It was noted that one meaning of the point could preclude the Trust from applying for other Council funds in future.

In response to a query whether the preclusion included only around the build or also on any other activities the Trust wished to engage in the future, it was noted that point (d) related to completion of the project to opening, and amendment to the wording might be desirable if the point was to be retained in the recommendation.

Further discussion suggested that amendment to the motion by withdrawing point (d) would enable the project to apply for funding for other activities, e.g. delivery of services from the premises.

Move Cr Clark, seconded Cr Soper that point (d) of recommendation 3 be withdrawn and the recommendation be amended to read:

3. Resolve the following conditions for the funding:
 - a. That the \$100,000 funding allocated by Council as part of the Long-Term Plan towards the Saving Grace project be utilised for the refurbishment of the building to enable a space for delivery of youth services.
 - b. That the funding be available to IC2 Trust upon securing 75% of all other capital funding required to deliver the complete project.
 - c. That the funding be available to IC2 Trust at any time within the first three years of the Long-term Plan, to be reviewed again if it has not been drawn down by the end of June

Further discussion took place around point (d) of recommendation 3 and it was noted that the point had provided a level of ambiguity.

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

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

1. Receive the report "Saving Grace Project Update"
2. Note the update on the project provided by IC2 Trust
3. Resolve the following conditions for the funding:
 - a. That the \$100,000 funding allocated by Council as part of the Long-Term Plan towards the Saving Grace project be utilised for the refurbishment of the building to enable a space for delivery of youth services.
 - b. That the funding be available to IC2 Trust upon securing 75% of all other capital funding required to deliver the complete project.
 - c. That the funding be available to IC2 Trust at any time within the first three years of the Long-term Plan, to be reviewed again if it has not been drawn down by the end of June 2024.

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

8. **HELICOPTER TRUST FUNDING**

A3534401

Cr Clark spoke to the item and noted that a discussion had taken place at the Southland Mayoral Forum with regard to funding for the Trust.

Discussion around the item took place. In response to a query whether the funding could be done through the Community Wellbeing Fund Committee as Council had decided that ad hoc funding applications be directed towards it, it was noted that the point system of the Committee was strict and that the Committee considered applications of activities which would be beneficial to the city.

It was noted that if the decision would be to deal with the application separately, a report could be brought back to the Committee with an indication of what score the application would have obtained, had it been ranked by the point system of the Community Wellbeing Fund Committee.

A query was raised about the contribution amount of Lakes District and it was noted that businesses from the District do contribute an amount ranging from \$10,000 to \$25,000. The Trust also received a significant amount of funding for operational costs from the Central Government, however the funding does not cover specialised equipment and training for which the Trust has requested funding.

Further discussion took place around the percentage of Southlanders who would use the service and it was noted that the service was predominantly used by the people of Southland who travel around Southland.

Moved Cr Abbott, seconded Cr Kett that the Performance, Policy and Partnerships Committee:

1. Requests staff to bring back a report to the Committee on the financial implication of providing \$50,000 to the Helicopter Trust, contingent on support from Southland District Council and the Gore District Council.
2. That the report include the financial implications on the Long Term Plan and details on other Trusts operating in the same sphere

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

9. **ACTIVITY REPORT**

A3521062

Ms Trudie Hurst and Mr Steve Gibling were in attendance to speak to this item. Ms Hurst noted that during lockdown there had been an increase in customer contact, and that assurance was provided to the community that they would not face penalties for dogs and rates. She also noted that the planning team had been impacted after lockdown by the inability to visit sites hence there would be a slight delay in things like building consents. There were noise complaints during lockdown, as well as animal control situations which were managed with the help of the police.

In response to a query whether the animal attacks would result in prosecution, it was noted that the matters were currently resting with the police.

Mr Gibling noted that leisure and recreation had a good start to the year and were anticipating interesting results in the coming months due to the lockdown.

The Chair thanked the staff for their hard work for a seamless transition in providing uninterrupted service deliveries due to the lockdown.

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

1. Receives the report "Activity Report".

10. **URGENT BUSINESS**

Nil.

There being no further business, the meeting finished at 3.30 pm.

APPOINTMENT OF MANA WHENUA REPRESENTATIVES

To:	Council
Meeting Date:	Tuesday 28 September 2021
From:	Michael Morris – Legal Counsel
Approved:	Trudie Hurst - Customer and Environment
Approved Date:	Friday 17 September 2021
Open Agenda:	Yes
Public Excluded Agenda:	No

Purpose and Summary

This report provides details on the two nominees from mana whenua to be appointed to the Performance, Policy and Partnerships and Infrastructural Services Committees. It also provides information on the implementation of the roles.

Recommendations

That Council:

- 1) Receive the report "Appointment of Mana Whenua Representatives";
- 2) Appoint - Pania Coote of Te Rūnanga o Awarua and Evelyn Cook of Waihōpai Rūnaka to be members of the Performance, Policy and Partnerships and Infrastructural Services Committees in accordance with Clause 31 (3) Schedule 7 Local Government Act 2002
- 3) Resolve that the Mana Whenua roles have full voting and speaking rights at the Committee meetings.
- 4) Resolve that the Roles will be able to attend and speak at all Council meetings, noting that it is without voting rights at the Council meetings.
- 5) Determine that the first meeting the Roles will take effect from is the Infrastructural Services Committee meeting on 5 October 2021.
- 6) Appoint Pania Coote as an Advisory Member (Te Rūnanga o Awarua) of the Bluff Community Board with the first meeting being 18 October 2021.
- 7) Confirm that the Advisory Role will be able to speak on all matters in accordance with Standings orders but cannot vote on matters.
- 8) Confirm the Honorarium will be \$19, 291.50 p.a. per role.

Background

On 27 July 2021 Council resolved to establish two seats on its Committees being one each for Te Rūnanga o Awarua and Waihōpai Rūnaka (the Rūnaka) this reports provides the legal mechanism to appoint the Rūnaka Nominees and provides information on the administrative matters that need to be completed for the implementation of the Roles.

Issues and Options

Following the creation of the Mana Whenua appointed roles on 27 July 2021, the Rūnaka were invited to provide the names of the person they wished to represent the Rūnaka and be appointed to the Committees.

Analysis

Te Rūnanga of Awarua have nominated Pania Coote, JP, as their representative.

Ms Coote is a Justice of the Peace and holds a Masters in Social Work and Community Development from the University of Otago. Ms Coote has held a number of national governance roles – including, the National Screening Advisory Committee for the Ministry of Health (as Chair), Hei Āhuru Mōwai (National Maori Cancer Leadership Group) and Hui E! Community Aotearoa. Ms Coote has also been a member of the Bluff Community Board from 2007-2013.

Waihōpai Rūnaka have nominated Evelyn Cook as their representative.

Ms Cook has worked in the Children's Library, the Conon Street Pool the City Treasurer's Department and later at the Gas Department.

Her work for Kāi Tahu has mostly been voluntary roles on the marae and within kā Rūnaka, with areas of expertise are within the tikanga, reo, and kōrero of Kāi Tahu but also many years of Resource Management, customary fisheries advocacy, and working with local and regional government.

Ms Cook is currently the Waihōpai Rūnaka alternate representative to Te Rūnanga o Ngāi Tahu, a member of Waihōpai Rūnaka executive, and kā Rūnaka representative on Emergency Management Southland and Southland Museum and Art Gallery Trust, a SMAG representative on Te Awhi Rito and a member on the current museum vision project.

Legal Requirements

The Local Government Act 2002 (LGA) sets out the requirements for appointments to Committees at Clause 31 (3) of Schedule 7 and it sets out:

The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee.

This clause allows Council to appoint people who are not Councillors to a Committee, where the Council believes that person has skills, attributes or knowledge that will assist the work of the Committee.

Neither Ms Coote nor Ms Cook are elected members of Council.

The purpose of these roles is to allow for a greater voice of mana whenua, the Rūnaka, iwi and all Maori in the decisions made by Council (in the Committees). Both Ms Coote and Ms Cook have the skills, attributes and knowledge to fulfil these roles.

The Roles - Arrangements

It is proposed that the roles have their first meeting at Council on 05 October at the Infrastructural Services Committee meeting. It is noted that there are hearings for the Representation Review pencilled in before this Committee meeting, however it is likely that only a short hearing will be needed as many submitters do not wish to speak to their submissions.

Seats at the Table

The Roles will have seats at the Council table, and will have name plates in the same manner as elected members.

Council Meetings

It is proposed that the appointees also be entitled to have places at the main Council table at a Council meeting and that the Governance Statement provides that they have speaking rights but are unable to vote on the matters before Council given the legislative prohibition on this matter.

First Meeting

The first standing meeting of a Committee that the Appointees could attend is the Infrastructural Services Committee meeting on 5 October. It is recommended that this be the first full meeting that the Appointees attend.

First Extraordinary Meeting/ Hearings

Before this, there is an extraordinary meeting of the Performance, Policy and Partnerships committee to hear the Submissions of the Representation Review Initial Proposal on 5 October 2021 shortly before the Committee meeting. It is recommended that the Appointees not be invited to attend so that the first formal meeting they attend is that of the Infrastructural Services Committee on 5 October.

It is expected that these roles will evolve over time, changes to the roles can be made by amending the Governance Statement and delegations Register, this will be done in full consultation with the Rūnaka and the Appointees.

First Meeting - Welcome

This is a significant moment for this Council, the first time in 150 years of Local Government in Invercargill that Mana Whenua will have formal roles at Council and involvement in Council decision making.

To acknowledge this, there will be a formal welcome to the Council Building and Chamber for the two Mana Whenua Representatives. This will be followed by an afternoon tea before the meeting commences at 3.00 pm.

Honorarium

When the roles were established it was agreed they needed to be remunerated. Councils with similar roles have all taken different approaches. There is no one approach that is the way.

It is proposed that the roles be remunerated at the level of \$19,291.50 p.a each.

This is on the basis of the base Councillor Remuneration of \$38, 583.00 divided in half. The level of honorarium takes into account that the roles are appointed, that they have voting rights on the Committees and speaking rights only on Council. It is also on the basis that the constituents are different and the appointed roles do not have an electoral basis for their appointment.

It also need to be noted that this is for the remainder of this terms. The incoming Council in October 2022 will be able to revisit this honorarium level.

Significance

The decision to create the roles was considered significant but one that did not require public consultation. This decision to make the appointments to the roles, while a major step in Council working together with iwi and Maori, it is not significant in terms of the Significance and Engagement Policy.

Options

There are two options: to appoint the Rūnaka nominees or not to.

In appointing the Rūnaka nominees, Council is giving effect to the decision made on 27 July 2021 and listening to the very clear wishes of iwi for a greater role in decision making at Council. This option is the preferred option as it completes the process started when Council created the Roles.

The other option is to not appoint the Rūnaka nominees. This would see the Mana Whenua roles vacant until such time as Council wishes to make the appointments on the nomination of the Rūnaka. If the Rūnaka nominees are not appointed, it risks great offence to the Runaka and defeats the intent of Council in creating the roles in July 2021. This approach is not recommended.

Community Views

Wider Community views have not been sought on the appointment of the Rūnaka nominees. This consultation was solely for the Rūnaka to determine who they felt could best represent them at the Council table.

It is important to note that there will be consultation now with Maata Waka groups to develop a wider level of co-operation with the Maata Waka groups to ensure that the voice of all Maori in the City district are hear.

Implications and Risk

Strategic Consistency

These appointments strongly aligns with Councils obligations under the LGA and in giving effect to the principles of Te Tiriti o Waitangi. It also accords with the Long term Plan statements regarding great Maori and iwi involvement in Council decision making.

Financial Implications

These roles are to be paid an honorarium. This is still to be determined and is being worked on. Moving forward these roles will be incorporated into the Governance Budgets much in the same way as the roles for the Risk and Assurance Committee.

Legal Implications

This is a decision that the LGA reserves to Council.

There are no other legal implications in this report.

Risk

There are no risks in adopting these recommendations. There is a risk in not adopting the recommendations.

Next steps

Once the recommendations are resolved by Council then staff will prepare the Chamber for the addition of two extra persons, ensure that the agendas are circulated to them, arrange training and induction is completed and arrange a formal Welcome for the Nominees at their first official meeting.

Attachments

None.

TO: COUNCIL

FROM: JEFF GRANT (CHAIR, PROJECT GOVERNANCE GROUP)

PREPARED BY: LIZ WILLIAMS (INTERIM TEAM LEADER GOVERNANCE AND ADMINISTRATION)

AUTHORISED BY: CLARE HADLEY (CHIEF EXECUTIVE)

MEETING DATE: TUESDAY 28 SEPTEMBER 2021

<p>WORKING ON WORKING TOGETHER UPDATE FROM PROJECT GOVERNANCE GROUP</p>

SUMMARY

<p>With the delivery of the Six monthly Review occurring the week following the September Project governance Group (PGG) meeting, while this report updates Council on the work of the Project Governance Group it also notes that the work of the Group will need to be revised following the Council resolutions in relation to the next steps.</p> <p>The Chair also recommends that Council adopt guidelines for audio visual meeting attendance.</p>

RECOMMENDATIONS

The Project Governance Group recommends that Council:

1. Receives the report *“Working on Working Together – Update from the Project Governance Group”*.
2. Notes that the work of the Group will be revised to reflect Council resolutions following from the Six Monthly Review.

The Chair of the Project Governance Group recommends that Council:

3. Adopt the Elected Members Audio Visual meeting attendance guidelines (A3428509) attached as Appendix A.

IMPLICATIONS

1.	<i>Has this been provided for in the Long Term Plan/Annual Plan?</i> No
2.	<i>Is a budget amendment required?</i> No
3.	<i>Is this matter significant in terms of Council's Policy on Significance?</i> No

4.	<i>Implications in terms of other Council Strategic Documents or Council Policy?</i> N/A
5.	<i>Have the views of affected or interested persons been obtained and is any further public consultation required?</i> N/A

FINANCIAL IMPLICATIONS

Council authorised a budget of \$310,000 for 2020/21 financial year. The actual spend for the 2021 financial year was \$243,347.

A budget of \$420,000 has been provided in the Long Term Plan for 2021/22. The current work plan is expected to be delivered within that budget.

BACKGROUND

The Project Governance Group (PGG) was appointed to oversee the final formulation of Council's Action Plan to address the findings of the Independent Governance Review (the Thomson Report), oversee delivery and measure progress of the plan, provide regular reports to Council and the Department of Internal Affairs (DIA), and ensure key stakeholders are kept informed.

Separately, Council's two External Appointees report to Council's Risk and Assurance Committee on a quarterly basis. The six monthly project review which Council received on 7 September, among other things, encompassed their second quarterly review.

This report is based on the meeting the PGG held on Wednesday 1 September so predates the resolutions Council made on Tuesday 7 September.

WORKING ON WORKING TOGETHER FRAMEWORK

At the beginning of the project, the PGG's intent was to modify the different project phases if needed, to respond to any progress/developments. Originally Phase 4 was intended to have a focus of embedding changes. Under Phase 2, work is already in train to embed new systems and processes.

The PGG intends to revise the next phases based on council's resolutions following the six monthly review.

PGG 2021 DRAFT WORK PLAN

This will also be revised to incorporate Council resolutions with regard to the outcomes in the six monthly review.

FUTURE REPORTING AGAINST OUTCOMES

The monitoring framework signed off by council on 25 May was considered by the PGG. The updates showed a current 'stable' status for the following outcomes:

- *the elected Council is able to function as a governing body*
- *elected council members have the understanding required to carry out their local governance role*
- *a lasting legacy for future councils will be provided.*

Outcomes that show an improvement from their current status are:

- *elected council members are able to work effectively with the council Chief Executive and ELT.*

This is based on feedback that suggests trust and confidence is building, based on the back of the LTP development process.

- *A reputation is established as a high performing council.*

All other outcomes are time-based and are not yet due. In general, the outcomes for the month show a stable/positive trend.

WORKGROUP DELIVERABLES

All up, ten out of twelve deliverables are completed or are on track. The remaining two relate to the Media Protocols Working Group.

COMMUNICATIONS UPDATE

Communications continue to plan and develop more direct community communications through owned channels, such as social media, website and electronic newsletters, and through radio and partner networks, to reduce the reliance on media for the sharing of information. An organisational communications strategy is to be developed.

ELECTED MEMBERS AUDIO VISUAL MEETING ATTENDANCE GUIDELINES

Appendix A contains guidelines for Audio Visual meeting attendance by elected members.

Members' attention is drawn to these: they provide guidance regarding attendance at meetings via audio visual conferencing (aka Zoom). The need for this is as a result of increasing use of Zoom conferencing and the need for clear guidance around ensuring that there is alignment with Standing Orders where elected members request, and where approved, use audio visual conferencing in place of their physical attendance at meetings.

Given the continuing need for such meetings to be held, the Chair recommends to Council that they be adopted.

CONCLUSION

The PGG has faced some timing issues with regard to the delivery of the six monthly review but are confident that they will be able to put revised plans in place to deliver the resolutions Council made to continue the Working on Working together project.

LIST OF APPENDICES

Appendix A - Elected Members Audio Visual meeting attendance guidelines (A3428509)



ELECTED MEMBER AUDIO VISUAL CONFERENCING USE GUIDELINES

Effective from TBC

Purpose

This document provides guidance for elected members regarding attendance to meetings via audio visual conferencing (aka Zoom). The need for this is as a result of increasing use of Zoom conferencing and the need for clear guidance around ensuring that there is alignment with Standing Orders where elected members request, and where approved, use audio visual conferencing in place of their physical attendance at meetings.

Scope

ICC Standing Orders

Section 13 of ICC Standing Orders provides for attendance of meetings by elected members. In particular the following sections are specific to the attendance of meetings using audio visual links:

- a) 13.7 Right to attend by audio or audio visual link,
- b) 13.11 Conditions for attending by audio or audio visual link and
- c) 13.12 Request to attend by audio or audio visual link

Guidelines

The guidelines are consistent with good practice and provide further direction around S13 of Standing Orders and the expectations and etiquette on use of audio visual communication. The key points of consideration with regard to this are:

1. The first priority is that elected members must attend meetings in person if they are in the city notwithstanding Standing Orders sections 13.11 and 13.12.
2. If elected members wish to attend the meeting via audio visual link instead (e.g. Zoom) the following applies:
 - a. (*s13.12 Standing Orders*) Elected members should give at least 2 days working notice that they wish to attend by audio visual link.
 - b. This notice should come to the chair of the meeting via an email sent both to the chair of the meeting and to the Chief Executive.
 - c. (*s13.11 Standing Orders*) Approval may be given for attendance via Audio Visual link where:

- i. The member is at a place that makes their physical presence at the meeting impractical or impossible.
 - ii. The member is unwell; note for clarity this means at risk of making others unwell because of proximity.
 - iii. The member is unable to attend due to an emergency.
3. Provision is available for the treatment of transport issues that might otherwise preclude an elected member from attending a meeting in person if they are in the city, for example; transport via taxi if elected members are unable to provide their own.
4. If members are permitted via audio visual link they must ensure that the link is subject to sections:
13.13 Chairperson may terminate link,
13.14 Giving or showing a document,
13.15 Link Failure, and;
13.16 Confidentiality
5. The following audio visual etiquette is expected:
 - a. During the meeting, the video should remain on for the duration of the meeting and only be switched off with the understanding and agreement by the chair.
 - b. When not actively engaged in conversation, the microphone of the remote connection should be muted.
 - c. Confidentiality should be maintained during times that public are excluded.

Reference

Standing Orders

13.7 Right to attend by audio or audio visual link

Provided the conditions in standing orders 13.11 and 13.12 are met, members of the Invercargill City Council and its committees (and members of the public for the purpose of a deputation approved by the Chairperson) have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

13.11 Conditions for attending by audio or audio visual link

Noting standing order 13.7, the Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) Where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) Where a member is unwell; and
- (c) Where a member is unable to attend due to an emergency.

13.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the chief executive at least 2 working days' notice when they want to attend a meeting by audio or audio visual link. Should, due to illness or emergency, this is not be possible the member may give less notice.

Where such a request is made and the technology is available, the chief executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the council has no obligation to make the technology for an audio or audiovisual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the Invercargill City Council or its committees.

13.13 Chairperson may terminate link

The Chairperson may direct that an electronic link should be terminated where:

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) It is distracting to the members who are physically present at the meeting; and
- (d) The quality of the link is no longer suitable.

13.14 Giving or showing a document

A person attending a meeting by audio or audio visual link may give or show a document by:

- (a) Transmitting it electronically;
- (b) Using the audio visual link; or
- (c) Any other manner that the Chairperson thinks fit.

13.15 Link failure

Where an audio or audio visual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

13.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

Reference Number:	a3429509
Effective Date:	TBC
Review Period:	This guidelines will be reviewed every (1) year, unless earlier review is required due to reason requested by Council.
Associated Documents/References:	Standing Orders a2857039
Guidelines Owner:	Executive Manager – Office of the Chief Executive

TO: COUNCIL
FROM: HIS WORSHIP THE MAYOR, SIR TIM SHADBOLT
MEETING DATE: TUESDAY 28 SEPTEMBER 2021

MAYOR'S REPORT

SUMMARY

List of engagements and current issues.

RECOMMENDATION

That the report be received.

LIST OF ENGAGEMENTS

- Chairs Meeting
- Southland Mayoral Forum
- Southern Health System Update for Mayors
- Zone 6 Mayors / CEs Meeting
- Risk and Assurance Committee Meeting
- Chairs Meeting
- Council Meeting
- Covid 19 Regional Leadership Group Discussion
- Bluff Maritime Museum Trust Board Meeting
- Southland Covid 19 Regional Leadership Group Discussion
- Chairs Meeting
- Project Governance Group Meeting
- Bonamia Biosecurity Meeting
- Three Waters Update
- Risk and Assurance Meeting
- Presentation of Joint Otago / Southland Submission on NBA Exposure
- Southland Covid 19 Regional Leadership Group Discussion
- Chairs Meeting

REPORT

There has often been conflict between beef and sheep plus trees.

Zoom technology has given me a greater insight into the educational programs.

I was most impressed with two farmers who were planting Totara. They would both have died before the trees were harvested, but that didn't deter them.

The City Centre guide to make our City user friendly provides useful information for those visiting Invercargill.