

Invercargill City Council

# Governance Statement

June 2024 Amendment

2022-2025

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# Governance Statement 2022-2025

(June 2024 Amendment)

## 1. What is a Governance Statement

The Invercargill City Council's Governance Statement explains how the Council works and how it involves the public in decision-making. The aim is to promote local democracy by making sure that our community understands how its Council operates and how they can have their say.

The Council is required to prepare a Governance Statement after each triennial election and make it available to the public. It includes information on:

- Council functions, responsibilities and activities
- How Councillors and Community Board members are elected
- The roles and conduct of those elected members
- Governance structures and processes
- Public access to people and the organisation
- Key planning and policy documents

## 2. The Functions, Responsibilities and Activities of the Local Authority

The purpose of the Invercargill City Council as set out in Section 10 of the Local Government Act 2002 is:

- To enable democratic local decision-making and action by, and on behalf of, communities; and
- To meet the current and future needs of communities for good-quality local public services and performance of regulatory functions in a way that is most cost-effective for households and businesses.

In meeting its purpose, Council's roles are to:

- Facilitate solutions to local needs.
- Advocate on behalf of the Invercargill community with central government, other local authorities and other agencies.
- Develop local resources.
- Manage local network (e.g. roads, stormwater) and community infrastructure (e.g. libraries, parks).
- Manage the environment.
- Plan for the future needs of the Invercargill district.

### 3. Any Local Legislation that Confers Powers on the Local Authority

In addition to the legislation that applies to all local authorities (Appendix 1), the Invercargill City Council is also bound by pieces of local legislation (Acts that apply specifically to it). Those Acts are:

Local Act Name	Purpose
Invercargill Waterworks Reserve Act 1887	Appropriate a portion of the Town belt for the purposes of waterworks.
Southland Land Drainage Act 1935	Make better provision for land drainage within the Counties of Southland and Wallace.
Bluff Water Supply Act 1958	Validate a memorandum of agreement for the supply of water to parties beyond the City of Invercargill boundaries.
Invercargill City Aluminium Smelter Water Supply Act 1971	Validate an agreement with New Zealand Aluminium Smelters Limited for the supply of water.
Invercargill City Council (Reclamations) Empowering Act 1973	Authorise reclamation, validate reclamation, develop and dispose of reclaimed land.
Invercargill City Council Vesting and Empowering (Gasworks Site) Act 1992	Remove statutory restrictions on certain land.

### 4. The Bylaws of the Local Authority, including for each Bylaw, its Title, a General Description of it and when it was made

The following bylaws apply within the district:

#### **2022**

- **Keeping of Animals, Poultry and Bees Bylaw**  
This bylaw regulates the keeping of animals to ensure they do not create nuisance.  
  
The bylaw came in to force 1 September 2022.
- **Dog Control Bylaw**  
This bylaw primarily addresses matters under the Dog Control Act.  
  
The bylaw came in to force 1 September 2022.
- **Roading and Traffic Bylaw**  
The primary purpose of the bylaw is to promote public safety and effectively regulate pedestrian, animal and traffic movement in the road corridor.  
  
The bylaw came in to force 1 July 2022.

- **Stormwater Bylaw**  
The objective of this bylaw is to help manage stormwater within Invercargill city as to protect people, property and the environment by minimising the impact of flooding, erosion and contamination of the stormwater network.

The bylaw came in to force 1 September 2022.

- **Cemeteries and Crematorium Bylaw**  
This bylaw controls the burial procedures and standards for the Council's cemeteries and crematorium.

The bylaw came in to force 1 November 2022.

- **Parking Control Bylaw**  
This bylaw controls parking activities and ensure parking is enforced to protect and enhance the safety and enjoyment of the public, while providing a clear understanding of the use of roads and public walkways as well as parking restrictions.

The bylaw came in to force 1 November 2022.

## **2019**

- **Health and Hygiene Bylaw**  
The purpose of the bylaw is to manage the risk relating to the transfer of communicable diseases that can occur as a result of the various activities listed such as acupuncture, body piercing, tattooing, traditional tattooing, semi-permanent body colouring or electrolysis.

The bylaw came in to force 1 July 2019.

## **2017**

- **Water Supply Bylaw**  
This bylaw details the conditions of water supply to customers and offences.

The bylaw came in to force 7 November 2017.

- **Environmental Health Bylaw**  
This bylaw addresses the issues of mobile traders, alcohol ban, solvent abuse and untidy sections and abandoned vehicles.

The bylaw came in to force 7 November 2017.

- **Trade Waste Bylaw**  
This bylaw controls the discharge of trade waste into Council's sewerage system.

The bylaw came in to force 7 November 2017.

## **2011**

### ▪ **Significant Events Bylaw**

This bylaw enables the management of street trading, distribution of free products or advertising material, advertising and trading / retailing during the hosting of significant events.

The bylaw came in to force 1 August 2011.

The date of its last review 15 August 2017.

## **5. The Electoral System and the Opportunity to Change It**

Invercargill City Council currently operates its elections under the first past the post electoral system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). Electors rank candidates in order of preference (1, 2, 3, 4, etc.). The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all vacancies is achieved first by the counting of first preferences, then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

Under the Local Electoral Act 2001 the Council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5% of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. we cannot change our electoral system for one election and then change back for the next election.

Council's last review of electoral systems was in August 2020. No change was made to Council's electoral system for the 2022 elections, the system will be reviewed in 2023.



## 6. Representation Arrangements, including the Option of Establishing Maori Wards, and the Opportunity to Change Them

The Invercargill City Council is governed by an elected Mayor, 12 elected Councillors, 2 Mana Whenua Representatives and the Bluff Community Board.

### 6.1 Representation Arrangements

Council is required to review its representation arrangements at least once every six years. The representation review was conducted in 2021. Any reviews must include the following:

- The number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the Mayor).
- Whether the elected members (other than the Mayor) shall be elected by the entire district ("at large"), or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of "at large" and "ward" representation.
- If election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward.
- Whether or not to have separate wards for electors on the Māori roll.
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should also follow guidelines published by the Local Government Commission. The Act gives individuals the right to make a written submission to the Council, and the right to be heard if they wish.

Submitters have the right to appeal/object to any decisions on the above to the Local Government Commission which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

The Invercargill City Council determined (26 October 2021) the representation arrangements for the district as:

1. Invercargill City is not divided into wards;
2. The Council comprises the Mayor and 12 members who shall be elected by the electors of the City as a whole;
3. There shall be a Bluff Community Board; and
4. The Bluff Community Board comprises five elected members and one member of the Council appointed to the Community Board by the Council.

### 6.2 Mana Whenua Representatives Roles

On 1 November 2022 Council determined to continue the appointment of two Mana Whenua Representatives being a representative each from Waihōpai Rūnaka and Te Rūnaka o Awarua. They are members of the Infrastructure and Projects and Community Wellbeing and Regulatory Committees.

They are full members of these decision making bodies to which they are appointed and have full rights as members under standing orders to participate in debate and

vote on items. They shall receive all papers and be entitled to attend in-committee parts of any meeting. The Mana Whenua Representatives shall also be able to attend all Council meetings and workshops and have speaking rights at the same, however they are unable to vote at those Committees to which they are not directly appointed.

The Invercargill City Council Code of Conduct shall apply to the appointed representatives in attending meetings.

## **6.2 Māori Wards**

The Local Electoral Act 2001 also gives Council the ability to establish separate wards for Māori electors. Council may resolve to create separate Māori wards or conduct a poll on the matter.

Council has made no resolution with respect to Māori Wards. This means that there are no Māori Wards in the Invercargill City Council district. This question can be considered in 2026.

## **6.3 Community Boards**

The Invercargill City Council has one Community Board – the Bluff Community Board. This Board is constituted under Section 49 of the Local Government Act 2002 to:

- Represent, and act as an advocate for, the interests of their community.
- Consider and report on any matter referred to it by Council and any matter of interest or concern to the Community Board.
- Maintain an overview of services provided by Council within the community.
- Prepare an annual submission to Council on expenditure in the community.
- Communicate with community organisations and special interest groups in the community.
- Undertake any other responsibilities delegated to it by Council.

The Bluff Community Board has a chairperson and five other members. Five members are elected triennially by electors in the community, and the Council appoints a member from its ranks. The Board elects its own chairperson at its first meeting after the triennial election.

Council last reviewed the Community Board representation arrangements in 2021. The next representation review will be undertaken prior to the 2028 elections, unless determined to be earlier.

Using Schedule 6 of the Local Government Act 2002, electors can demand the formation of a new Community Board in the district.

## **6.4 The Reorganisation Process**

The Local Government Act 2002 sets out procedures which must be followed during proposals to:

- Make changes to the boundaries of the district.
- Create a new district.

- Create a unitary authority, i.e. transfer all of the functions of the Southland Regional Council (Environment Southland) to Invercargill City Council.
- Transfer a particular function or functions to another council.

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal from any person, body or group, including the local authority or the Minister of Local Government.

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by one of the affected local authorities, or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with the matter.

Proposals for the establishment of a new district or for the creation of a unitary authority will be dealt with by the Commission. If a petition signed by 10% of electors demands a poll on the reorganisation proposal, the proposal cannot be implemented without a poll of electors.

Further information on these requirements can be found in the Local Government Act 2002.

## 7. Members' Roles and Conduct (with specific reference to the Applicable Statutory Requirements and Code of Conduct)

The Mayor and the Councillors of the Invercargill City Council have the following roles:

- Setting the policy direction of Council.
- Setting rates.
- Adopting Bylaws.
- Monitoring the performance of Council.
- Representing the interests of the district (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district).
- Employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of Council. In addition the Mayor has the following roles:

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Standing Orders).
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests, including lobbying central, regional and local government. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council.
- Ceremonial head of Council.
- Lead the development of Council's plans (including the Long-term Plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.

- Providing leadership and feedback to other elected members on teamwork and chairing committees.

The Deputy Mayor is appointed by the Mayor at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of Council.

The Mayor may establish one or more committees of Council. A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by Council. A committee chairperson may be removed from office by resolution of Council.

The Chief Executive is appointed by the Council in accordance with Section 42 and Clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under Section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of Council.
- Providing advice to Council and Bluff Community Board.
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised.
- Managing the activities of the Council effectively and efficiently.
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council.
- Providing leadership for the staff of the Council.
- Employing staff (including negotiation of the terms of employment for the staff).

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct and Standing Orders.
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect).
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way.
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All elected members are required to adhere to a Code of Conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted such a code may only be amended by a 75% or more vote of Council. The code sets out Council's understanding and expectations of how the Mayor and Councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that Council

may impose if an individual breaches the code. Copies of the full Code of Conduct may be obtained from Council's customer service centre or from the Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)).

## 8. Governance Structures and Processes, Membership and Delegations

### 8.1 The Role of Council, Council Committees and Appointments to the Bluff Community Board

Council reviews its committee structure at least every three years, usually after each triennial election.

#### Council

Council meets every four weeks, being the fourth Tuesday of the month.

From time to time, extraordinary meetings may be called for matters of an urgent nature.

#### Committees

In order to be efficient, effective and timely in delivering its services, ICC has established four committees.

- Infrastructure and Projects Committee
- Community Wellbeing and Regulatory Committee
- Finance and Policy Committee
- Risk and Assurance Committee

The meeting cycle for Council and Committees is as follows;

- Week 1 – Infrastructure and Projects Committee
- Week 2 – Community Wellbeing and Regulatory Committee
- Week 3 – Risk and Assurance Committee or Finance and Policy Committee
- Week 4 – Council

(The Mayor is an ex officio member of all committees.)

#### Council Appointment to Bluff Community Board

One position	Cr G M Dermody (Alternate - Cr B R Stewart)
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#### Bluff Community Board

Chair:	Mr R Fife
Deputy Chair:	Ms T Topi
Members:	Mr S Graham Ms T Stockwell Mr J Sutherland

Advisory Member: Mrs P Coote

There is an advisory role to the Bluff Community Board for Te Rūnanga o Awarua.

Delegations: The Bluff Community Board has the authority to exercise any of the powers granted to the Council, with the exception of:

- a. Those powers specifically excluded by the law.
- b. Those powers which Council delegates to officers.
- c. Those powers which would by the exercise of those powers, have an effect beyond the community of the Community Board involved.
- d. Resource consent applications.
- e. Those matters specifically delegated to the Committees of Council.

Frequency of Meetings: Every six weeks

## **8.2 Committee Terms of Reference**

### **8.2.1 Infrastructure and Projects Committee**

The Infrastructure and Projects Committee is responsible for Council strategies, policies and plans which promotes social, economic, environmental and cultural wellbeing of the community within its field of reference.

#### **Committee Membership**

Membership: Twelve elected members and two appointed Mana Whenua representatives are members of this committee.

Chair: Cr G M Dermody

Deputy Chair: Cr T Campbell

Members:  
Cr A J Arnold  
Cr R I D Bond  
Cr P M Boyle  
Cr S J Broad  
Cr A H Crackett  
Cr P W Kett  
Cr D J Ludlow  
Cr I R Pottinger  
Cr L F Soper  
Cr B R Stewart  
Mana Whenua Representatives

Quorum: A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd.

The Committee is responsible for all Long-term Plan policy development within this field of reference.

The Committee has authority to exercise the powers, functions and duties of Council only in regard to Road Naming, Stopping and Closing.

The list of activities under the committee;

- Community Facilities including public toilets
- Transport networks including passenger transport
- Street lighting
- Traffic control and parking (excluding enforcement)
- Regional Transport Committee
- Water
- Wastewater
- Stormwater
- Solid Waste Management including transfer stations and waste minimisation
- WasteNet Joint Committee
- Recycling
- Property Portfolio, including Investment Property and Housing Care
- Development of bylaws and polices within the areas of responsibility, for recommending to Council
- Policies and strategies relating to items within Infrastructure Terms of Reference
- Road stopping and closures and street naming
- All projects managed by the Project Management Office
- Performance monitoring of non-financial Key Performance Indicators within the scope of activities.

## **8.2.2 Community Wellbeing and Regulatory Committee**

The Community Wellbeing and Regulatory Committee is responsible for Council strategy, policy and planning which promotes the social, economic, environmental and cultural wellbeing of the community within its field of reference.

### **Committee Membership**

Membership: Eleven elected members and two appointed Mana Whenua representatives are members of this committee.

Chair: Cr D J Ludlow

Deputy Chair: Cr T Campbell

Members: Cr R I D Bond  
Cr P M Boyle  
Cr S J Broad  
Cr A H Crackett  
Cr G M Dermody  
Cr P W Kett  
Cr I R Pottinger  
Cr L F Soper  
Cr B R Stewart  
Mana Whenua Representatives

Quorum: A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd.

The committee is responsible for all plan development relating to Long-term Plan within its field of reference.

The Committee has authority to exercise all the powers, functions and duties of Council only in regard to creating Temporary Alcohol Bans.

The list of activities under the committee;

- Arts, Culture and Heritage, including Te Kupeka Tiaki Taoka – Southern Regional Collections Trust, iPAG, Bluff Maritime Museum, Southland Regional Heritage Committee
- Parks and Reserves, including sports fields
- Swimming pools
- Libraries
- Venues (includes Civic Theatre / Scottish Hall)
- Cemetery and Crematorium
- Festivals and Events
- Community Development / External Relationships
- Communications and engagement
- Business, economic development, tourism including Great South
- Environmental regulatory matters including alcohol licensing
- Environmental policy including District Plan
- Policies and strategies related to compliance, monitoring and enforcement
- Development of bylaws and policies within the areas of responsibility, for recommendation to Council
- Youth Council
- Community Wellbeing Fund Committee is a subcommittee and reports to this committee
- Temporary alcohol bans
- Performance monitoring of non-financial Key Performance Indicators within the scope of activities.
- City Centre Heritage Committee is a subcommittee and reports to this committee

### **8.2.3 Risk and Assurance Committee**

The Risk and Assurance Committee has an advisory role in respect of audit, finance and risk management including to assist and advise Council in its responsibility and ownership for enterprise risk management, risk control and compliance framework, and its external accountability responsibilities, including that the financial statements are a fair representation.

The Committee will oversee all aspects of audit, finance and risk management, and ensure risks are defined and analysed, and adequately managed. The Committee should take all necessary steps to fulfil its terms of reference as approved at the beginning of each triennium by the Council. To fulfil its role the Committee will meet as necessary

The Committee's role may also include co-ordination with Council, other committees, and maintenance of strong, positive working relationships with management, external auditors, legal counsel and other external Committee advisors.



## **Establishment**

The Committee shall be established by a formal Council resolution at the commencement of each triennium. The Committee's relationship with the Council is defined as outlined in these Terms of Reference.

## **Committee Membership**

Membership:	Eight members, or such other number of members as the Council may determine, of which at least five are a member of the Council. In all cases, the Committee's total membership will be a minimum of two external independent appointees.
Chair:	The Chair of the Committee shall be an external independent appointee.
Chair:	Mr R Jackson
Deputy Chair:	Cr T Campbell
Members:	Cr R I D Bond Cr G M Dermody Cr D J Ludlow Cr I R Pottinger Cr L F Soper Independent Member (Vacant)
Quorum:	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have at least one external independent appointee.

The Chief Executive and the Executive staff member responsible for the Council's finances at the time, as identified by the Chief Executive, are required to attend meetings of the Risk and Assurance Committee as directed by the Chair.

Ideally the majority of members shall have experience in financial reporting, management reporting and risk management. However membership shall reflect a mix of skills and experience. To that end Council may engage outside experts to strengthen the committee (either as members or advisors).

## **Compliance**

Council is charged with overseeing, reviewing and ensuring the integrity and effectiveness of ICC's compliance systems. As such, compliance is a quality control system that is part of a proactive risk management strategy. To carry out this compliance function, the Council is committed to the following:

- A Risk and Assurance Committee that is responsible for overseeing ICC's compliance systems (including risk management) and reporting to the Council on those systems.
- Ensuring the independence of ICC's external auditor. The Council is also encouraged to develop an open, unimpeded and constructive relationship with the external auditor in line with the Council's responsibilities. The Council

must also be satisfied that the scope of the audit is adequate and carried out thoroughly with the full cooperation of management.

- The Council ensure that systems, processes and procedures are adopted to provide the necessary data it requires to make a reasoned judgment and so discharge duties of care and due diligence.
- Exception reporting on matters on non-compliance forms part of regular Council reporting.

The Council views compliance as an integral function and recognizes that for the compliance system to succeed it must be championed by the Council along with senior management.

The Council has oversight of all Council committees. This means that Council appoints these bodies and are responsible for ensuring they discharge their functions appropriately. All committees report to and are accountable to the Council.

### **Responsibilities of the Committee**

#### **Activities of the Committee**

- Council's treasury policies and functions.
- Council's Annual Report.
- Audit Processes and management of financial risk, including fraud.
- Organisational Risk Management, including business continuity.
- External Audit.
- Internal Controls and internal audit (where necessary).
- Health and Safety.
- Statutory compliance.
- Related party transactions and executive/elected representative expenditure.

### **Terms of Reference**

#### **1. General**

- a) The Committee shall meet at least four times a year to coincide with key dates in the financial reporting and audit calendar.
- b) Recommend to Council an appropriate enterprise risk management strategy and monitor the effectiveness of that strategy, including the advancement of any projects or programmes of work focussing on the appropriate management of risk.
- c) Monitor the Council's external and internal audit process and the resolution of any issues that are raised.
- d) Assist in any investigations of potentially inappropriate actions by Council staff or elected members, including any allegations of fraudulent activity, bribery or corruption.
- e) Monitor compliance with laws and regulations.
- f) Oversee the preparation of and review key formal external accountability documents such as the Long-term Plan, Annual Plan, and Annual Report in order to provide advice and recommendation in respect to the integrity and appropriateness of the documents and the disclosures made.
- g) Provide a forum for communication between management, internal and external auditors, and the governance level of Council.

- h) Ensure the independence and effectiveness of the Council's internal audit processes.
- i) Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable, or illegal activities.
- j) Support measures to improve management performance and internal controls.

## **2. Audit**

- a) Identify and recommend to the Council the external auditor's remuneration and the terms of their engagement.
- b) Confirm consulting services and related fees provided by the external Auditors.
- c) Enquire of management and the external Auditors about significant risks or exposures and assess the steps management has taken to minimize such risk to the Council.
- d) At the commencement of the audit cycle, consider in consultation with the external auditors:
  - The audit scope and plan.
  - The process of the audit to ensure completeness of coverage, reduction of redundant efforts and the effective use of audit resources.
- e) Consider and review with the external auditors, at the conclusion of the annual audit:
  - The adequacy of the Council internal controls, including computerized information system controls and security, and any related significant findings and recommendations together with management's responses.
  - The annual Financial Statements.
  - The audit of the annual Financial Statements.
  - The Auditor's Report.
  - Any significant changes required in the audit plan.
  - Any serious difficulties or dispute which management encountered during the course of the audit.
  - Any other matters related to the conduct of the audit.
  - Significant findings during the audit process and management's responses.
  - Any matters considered appropriate, without the Chief Executive or other Council staff present in the meeting.
  - Any difficulties encountered in the course of the audit including any restrictions on the scope of the work.
  - Any changes required in the planned scope of the audit plan.
  - The audit management letter prior to presentation to the Council.
  - The Annual Report including the Financial Statements and recommend to Council for approval and adoption.
- f) Meet with the external Auditors at any time to consider any exceptional matters of audit significance that arise at times not already scheduled.
- g) Oversee the preparation of and review key formal external accountability documents such as the Long-term Plan, Annual Plan and Annual Report in order to provide advice and recommendation to the Council with respect to the integrity and appropriateness of the documents and the disclosures made.
- h) Review of the effectiveness of the annual audit and Long-term Plan audit.

- i) Monitor the effectiveness of the external auditor's performance and their independence and objectivity.
- j) Consider the appropriateness of the Council internal audit function (if any).including:
  - In conjunction with the Chief Executive and the Group Manager Finance and Corporate Services, agree on the scope of any three-yearly and annual internal audit work programmes and assess whether resources available to Internal Audit are adequate to implement the programme.
- k) Monitor the delivery of any internal audit work programme including the review of any internal audit reports.
- l) Assess whether any significant recommendations of any internal audit work programme have been properly implemented by management. Any reservations the Internal Auditor may have about control risk, accounting and disclosure practices should be discussed by the Committee.

### **3. Financial**

- Review and approve the Council systems of internal control, and changes thereto, with senior management to ensure adequate financial control is maintained during the year.
- Monitor the adequacy of measures taken by Council management to secure and safeguard Council assets and the economical and efficient use of resources.

### **4. Risk Management**

Council is responsible for setting the tolerance to risk and risk culture of Invercargill City Council. The Chief Executive is charged with implementing appropriate risk management systems within ICC.

While the responsibility for risk lies with Council, oversight of the processes to manage risk within ICC is delegated to the Risk and Assurance Committee. The Council receives periodic reporting on those areas of risk identified by the Committee. Management must develop, implement and monitor a risk management process.

The primary objectives of the risk management system of Council are to ensure:

- a) The safeguarding of assets.
- b) All major sources of potential opportunity for harm to ICC (both existing and potential) are identified, analysed and treated appropriately.
- c) Business decisions throughout ICC appropriately balance the risk and reward trade-off.
- d) Regulatory compliance and integrity in reporting are achieved.
- e) Council and senior management understand the risk profile of Invercargill City Council.
- f) ICC undertakes an annual review of strategy and operations to update its risk profile.
- g) Development of suitable risk management practices throughout the organisation.
- h) To monitor compliance with ethics, policies and rules of the Council and staff.
- i) To receive and review the conflicts of interest registers.

- j) To direct and supervise investigations into any matters within the Committee's scope, including but not limited to, effectiveness of internal controls and cases of employee fraud or misconduct.
- k) To undertake post-investment reviews of major transactions or capital investments with the aim of assessing the adequacy of the analysis undertaken before decisions were made to proceed with those transactions or investments, so that Council can learn from those experiences and improve its analytical capabilities and reporting processes.
- l) Where matters identified as a Risk in an Officers report, it need not be referred to this Committee where the risk is minimal, there is no risk or it is within the risk tolerance for that activity (where defined).

#### **Other Matters**

- Review the effectiveness of the system for monitoring the Council's compliance with relevant laws, regulations and associated government policies.
- Review the systems and processes Council has in place to prevent fraud, bribery, and corruption, and assist in any investigations related to these matters.
- Review whether a sound and effective approach has been followed in establishing the Council's business continuity planning arrangements.
- Review the development of the financial strategy and infrastructure strategy as required for the Long-term Plan.
- Engage with internal and external auditors on any specific one-off audit assignments.
- Consider matters referred to the committee by the Chief Executive, Council or other Council committees.
- The Chief Executive and any internal or external auditors will have direct access to the Committee Chairperson for the purpose of raising concerns about matters within the functions and responsibilities of the Committee.

#### **Employees of the Invercargill City Council are advised:**

Under certain limited circumstances they may communicate to the Chairperson of the Risk and Assurance Committee regarding the potential fraud or misappropriation, weakness in internal control, or the adequacy or accuracy of information being provided within the organisation to Senior Managers or to the Council. Such communication (which shall be in writing) shall be treated as confidential. Communications should explain where the matters have previously been discussed with an employee's manager, and if not, why the employee has chosen to report directly to the Risk and Assurance Committee.

#### **ICHL and Group**

- To periodically meet and receive an update from the board of ICHL on its risk management processes and risk profile.
- To be briefed on its annual report and results of its annual external audit prior to the Committee approving the Council and Group's annual report.

## **5. Authorities**

- a) The Committee will make recommendations to Council on all matters requiring a decision. The Committee does not have the power or authority to make a decision in the Council's name or on its behalf.
- b) The Committee is authorised by the Council, at the expense of the Council, to consult with such outside legal or professional advice and services as it considers necessary for carrying out its responsibilities, provided the Committee takes every step to minimize cost to the Council. Such requests will be made through the Chief Executive.
- c) To deal with any other matter requested of the Committee by Council or any of its other Committees.

## **6. Review of Committee**

- a) The Committee will undertake an annual review of its objectives and responsibilities and the extent to which they have been achieved and/or discharged.
- b) The Council and any other person the Council considers appropriate may also be engaged to review the Committee's objectives and responsibilities.

## **7. Reporting Procedures**

- a) After each meeting the Chair will report the Committee's recommendations and findings to the Council.
- b) The minutes of all meetings of the Committee will be presented to Council and to such other persons as the Council directs.
- c) The Chair will present an annual report to the Council summarizing the Committee's activities during the year and any related significant results and findings.

### **8.2.4 Finance and Policy Committee**

The Finance and Policy Committee is responsible for Council's financial performance as well as strategies, policies and plans which promote social, economic, environmental and cultural wellbeing of the community within its field of reference.

#### **Committee Membership**

Membership: Eight elected members are members of this committee.

Chair: Cr L F Soper

Deputy Chair: Cr T Campbell

Members:  
Cr A J Arnold  
Cr G M Dermody  
Cr D J Ludlow  
Cr I R Pottinger  
Cr B R Stewart  
Cr R I D Bond

Quorum: A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd.

The list of activities under the committee;

- Council's financial performance
- Performance of investment property
- Related party transactions and sensitive expenditure
- Statement of Intent, including ICHL.
- Strategic projects - other than those managed by the Project Management Office
- Review the business plan, budget assumptions and budget prior to Council approval.
- Review management accounts, with senior management, during the course of the year to ensure the Council financial situation is being adequately managed and reported to the Council as appropriate.
- Review and approve the Council accounting policies.
- Review and approve the Council financial policies, including the authority to commit expenditure.
- Review forecasts and the underlying methodology during the year to ensure appropriate financial control of the year-end result is in place.
- Review of final year position in conjunction with budget.
- Development of bylaws and policies not within the areas of responsibility for Infrastructure and Projects and Community Wellbeing and Regulatory Committees, for recommendation to Council.

#### **8.2.5 Chief Executive Performance Appraisal Committee**

Chair:	The Mayor, W S Clark
Members:	Cr T Campbell Cr L F Soper
Quorum:	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd.
Frequency of meetings:	Four times per year, as needed.
Purpose:	The purpose of the Committee is to enable Council to meet its good employer obligations to its Chief Executive. These obligations, as well as those of the Chief Executive, are set out in the Local Government Act 2002, in employment law generally and in the Chief Executive's employment agreement.
Scope of Activities:	Effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review.
Delegations:	The Committee has the power to: <ol style="list-style-type: none"><li>1. Agree the annual performance objectives with the Chief Executive.</li><li>2. Conduct the performance review required in the employment agreement between Invercargill City Council and the Chief Executive.</li></ol>

3. Provide feedback and support to the Chief Executive and undertake performance reviews, all consistent with the process and timeline in the relevant performance agreement
4. Report the outcome of the annual review of the Chief Executive's performance and make recommendations to Council on the outcome of that review for approval
5. Review the Chief Executive's remuneration and package in accordance with the employment agreement and make recommendations to Council for approval
6. Agree with the Chief Executive on how the administration needs of the Committee will be met

Limitations: The power to adopt a remuneration and employment policy cannot be delegated by Council (Local Government Act 2002, Schedule 7, clause 32(1)(h)).

### **8.2.6 Community Wellbeing Fund Subcommittee**

Chair: Cr P M Boyle

Members: Cr R I D Bond  
 Cr A H Crackett  
 Cr P W Kett  
 Cr S J Broad  
 Mr N Burdon  
 Ms M Bartlett- McBride  
 Ms Andrea de Vries  
 Ms P Smith (Youth Representative)  
 Cr G M Dermody (alternate)  
 Cr L F Soper (alternate)

Quorum: A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd. In either case, an equal or a majority of members present must be Invercargill City Councillors.

In the event of an elected member being unable to attend, they may appoint another elected member to attend in their place in order to achieve quorum.

Frequency of meetings: Every two months

Administration: The Strategy and Policy team will provide analysis of project applications and advice, and the Governance and Legal team will provide secretarial support.

Scope of Activities: Responsible for considering applications, determining and approving funding for projects promoting community wellbeing within the Invercargill City District.



Responsible for considering applications, determining and approving funding for the applications in line with Council's Community Wellbeing Fund Framework.

### **8.2.7 City Centre Heritage Subcommittee**

The purpose of the subcommittee is to provide a coordinated approach to the support, promotion and preservation of built heritage within Invercargill's City Centre.

Chair: Cr L F Soper

Members: Cr P W Kett  
Cr T Campbell  
Cr A J Arnold

Quorum: A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd.

Frequency of meetings: Every two months

### **8.2.8 Bluff Community Board Bursary Subcommittee**

Chair: Ms T Topi

Members: Ms T Stockwell  
Mr J Sutherland

Quorum: A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd.

Frequency of meetings: One a year or when required

Administration: The Bluff Service Centre will provide required administration support.

Purpose: To facilitate and encourage the opportunities by which members of the Bluff community can undertake tertiary or university education.

Scope of Activities: Responsible for considering applications, determining and approving allocation of the Bursary.

Responsible for considering applications, determining and approving allocation of the Bursary in line with Bluff Community Board Bursary Framework.

Delegations: The Committee to consider applications for Bluff Community Board Bursary funding and allocation of the Bursary.

Confirmation of the award of the Bursary will be made when the committee has received verification of the Bursar's enrolment.

### **8.2.9 Director Appointment Committee**

The Director Appointment Committee is responsible for recommending to Council candidates for directorships on to the ICHL Board and the subsidiary companies of ICHL.

Chair: To be determined by the Committee

Members: The current Chair of ICHL or his/her nominee, and/or  
A Member of the Institute of Chartered Accountants, and/or  
An Employment Specialist (who is a member of the Institute of Directors), and/or  
A member of Institute of Directors

Delegations: Nil

Frequency of meetings: As required.

### **8.2.10 Hearings Panel**

The Hearings Panel is responsible for hearing, considering and deciding applications under the Resource Management Act 1991, Dog Control Act 1996, and Gambling Act 2003.

Its objective is to provide quality decision making through equitable, efficient hearings and the drafting of robust decisions by trained panel members.

Chair: Cr D J Ludlow

Members: Cr R I D Bond  
Cr P M Boyle  
Cr B R Stewart\*  
\* Certification (qualification required)

Quorum: A quorum for each Hearing Panel is three members including a qualified Chairman.

Frequency of meetings: As required

Delegations: (i) Pursuant to Section 34 of the Resource Management Act 1991, the authority to hear and determine any applications for resource consent within the Council's jurisdiction in the Invercargill City District which require a Committee decision or a hearing except where Council resolves to appoint an independent Commissioner or Commissioners to hear and determine an individual consent application.

- (ii) Pursuant to the Dog Control Act 1996 and Section 22 (Probationary Owners); Sections 25 and 26 (Disqualified Owners); Section 31 (Dangerous Dogs); Sections 33B, 33C and 33D (Menacing Dogs), Section 71 (Retention of Dog Threatening Public Safety); Section 55 (Barking Dogs) of that Act, the authority to hear and determine objections under the above sections; and
- (iii) Pursuant to the Gambling Act 2003 and the Council's "Board Venues" and "Class 4 Gambling Venues" policies, the authority to hear and determine applications for territorial authority consent.

The Group Manager of Customer and Environment in consultation with the Chairman, allocate applications to the Hearings Panel as an administrative function.

### **8.2.11 Invercargill District Licensing Committee**

The Invercargill District Licensing Committee is responsible for considering and determining licence applications, renewals, variations, suspensions and cancellations in accordance with the Sale and Supply of Alcohol Act 2012. It is also responsible for considering and determining applications for temporary authority and conducting inquiries and making reports to the Alcohol Regulatory and Licensing Authority under that Act.

Chair: Cr D J Ludlow

Members: Cr R I D Bond  
Cr L F Soper  
Cr P W Kett

These members will be selected from a shared Southland Regional Licensing Committee list.

Frequency of meetings: As required.

Quorum: A quorum is one member, the Chair, for unopposed applications or applications for temporary authorities and a quorum is three members for opposed applications.

Delegations: To consider and determine applications made in accordance with the Sale and Supply of Alcohol Act 2012.

## **8.3 Appointments (and Alternates) to Joint Council Committees**

### **8.3.1 Joint Waste Advisory Group (WasteNet)**

Invercargill City Council Members:  
Cr I R Pottinger  
Cr B R Stewart  
Alternate - Cr P W Kett

### **8.3.2 Southland Regional Heritage Committee**

Invercargill City Council Members:

Cr L F Soper

Cr B R Stewart

Alternate - Cr D J Ludlow

### **8.3.3 Southland Civil Defence Emergency Management Group**

Invercargill City Council Members:

The Mayor, W S Clark

Cr T Campbell (alternate)

### **8.3.4 Regional Transport Committee**

Invercargill City Council Members:

Cr R I D Bond

Alternate - Cr A J Arnold

### **8.3.5 Joint Shareholders Committee – Great South**

Invercargill City Council Members:

The Mayor, W S Clark

### **8.3.6 Connected Murihiku Joint Committee**

Invercargill City Council Members:

Cr Broad

Cr Crackett (alternate)

## **8.4 Appointments to Organisations where the Appointment is Detailed in the Organisations Trust Deed**

### **8.4.1 Invercargill Public Art Gallery Incorporated**

Current Mayor or his/her representative and two other representatives:

Cr L F Soper

Cr P M Boyle

Cr S J Broad

### **8.4.2 Bluff Maritime Museum Trust Board (Incorporated)**

The Mayor or the Mayor's nominee and the Chief Executive or Chief Executive's nominee:

Cr L F Soper

Mr M Day, Chief Executive

An annual Statement of Intent is developed by the Trust.

### **8.4.3 Southland Indoor Leisure Centre Charitable Trust**

One representative:

Cr T Campbell

#### **8.4.4 The Norman Jones Foundation**

One representative:  
(In abeyance)

#### **8.4.5 The Southland Wastebusters Trust**

One representative:  
(In abeyance)

#### **8.4.6 Invercargill City Charitable Trust**

The Invercargill City Charitable Trust aims to provide a number of charitable purposes and objects to the people within the Invercargill district as outlined in the Invercargill City Charitable Trust Deed.

The Trust has a Board (not more than five and not less than two) appointed by the Invercargill City Council:

The Mayor, W S Clark  
Cr T Campbell  
Cr L F Soper  
Cr B R Stewart  
Mr M Day, Chief Executive

An annual Statement of Intent is developed by the Invercargill City Charitable Trust.

### **8.5 Organisations which have Requested a Council Representative and these Requests have been Granted**

#### **8.5.1 Southland Youth Futures**

Cr D J Ludlow or Cr A H Crackett

#### **8.5.2 Invercargill Youth Council**

Cr D J Ludlow or Cr A H Crackett  
Cr S J Broad (alternate)

#### **8.5.3 Iwi Liaison**

Cr D J Ludlow

#### **8.5.4 Invercargill and Districts Citizens Advice Bureau Incorporated**

Cr L F Soper

#### **8.5.5 Southland Warm Homes Trust**

Cr L F Soper

#### **8.5.6 Ride Southland Governance Group**

Cr P M Boyle

### 8.5.7 Creative Communities Scheme Invercargill Fund Committee

Cr D J Ludlow  
Cr P M Boyle

### 8.5.8 Active Southland - Active Communities Fund Committee

Cr D J Ludlow

## 8.6 Details of Council Controlled Organisations and Directors / Trustees

A Council Controlled Organisation is a company or trust in which Council controls 50% of the shares or the voting rights, or appoints more than half the board managing the organisation. They may operate as a trading activity for the purpose of making a profit. Council appoints Directors to Invercargill City Holdings Limited in accordance with Council's appointment policy.

### Invercargill City Holdings Limited

The Invercargill City Council is a 100% shareholder in Invercargill City Holdings Limited, a Council Controlled Organisation under the Local Government Act. Invercargill City Holdings Limited is a company registered under the Companies Act 1993 to provide reasonable returns to its shareholder (Invercargill).

### Subsidiaries of Invercargill City Holdings Limited

	Ownership	Nature and Scope of Activities
Invercargill City Property Limited	100%	Manage the sales and development of properties.
Electricity Invercargill Limited	100%	Operate a successful electricity distribution network and metering service in the Invercargill and Bluff areas. Invest in the infrastructure, electrical and energy sectors.
Invercargill Airport Limited	97.2%	Provision of airport services at the Invercargill Airport.

Invercargill City Holdings Limited's registered office is in the Invercargill City Council Civic Administration Building, 101 Esk Street, Invercargill.

Invercargill City Holdings Limited has a chairperson and four other directors:

Chair: Mr Brian Wood

Directors: Mr Peter Carnahan  
Mr John Schol  
Mr Mervyn English  
Ms Linda Robertson

Directors are usually appointed to serve three-year terms. Under the Companies Act 1993, subsidiary company directors' primary responsibility is to the best interests of Invercargill City Holdings Limited. The Council cannot lawfully "instruct" the directors.

Invercargill City Holdings Limited in consultation with the Council appoints all directors to subsidiary companies.

Council may comment on the Statement of Intent setting out the objectives of Invercargill City Holdings Limited Group for the coming year.

Copies of this statement may be obtained from the General Manager, Invercargill City Holdings Limited, Invercargill City Council, Private Bag 90104, Invercargill.

## **8.7 Council Proxy**

Appointment as proxy for voting purposes on the Council owned or related companies and companies in which the Council has a financial interest.

The Mayor, W S Clark

### **8.7.1 Elector Nominations**

Nomination as "elector" for the purposes of the Southland Electric Power Supply Consumer Trust.

The Mayor, W S Clark

## **8.8 Portfolios**

### **8.8.1 Te Unua - Project 1225**

Cr G M Dermody

### **8.8.2 Southern Institute Of Technology**

The Mayor, W S Clark

### **8.8.3 Health**

Cr L F Soper, Cr R I D Bond

### **8.8.4 Homeless Housing**

Cr T Campbell, Cr L F Soper

### **8.8.5 CCTV**

The Mayor, W S Clark

### **8.8.6 Wachner Place**

Mayor Clark / Cr Dermody

### **8.8.7 LGNZ**

Cr Crackett (This is a national appointment)

**8.8.8 Art Space**

Cr Crackett / Cr Soper

**8.8.9 Shared Accommodation**

Cr Campbell

**8.8.10 WasteNet (contract tender)**

Cr Pottinger

**8.8.11 3Waters (Local Water Done Well)**

Mayor Clark / Cr Campbell

**8.8.12 Rugby Park**

Cr Dermody

**8.8.13 Community Wellbeing Grants**

Cr Boyle

**8.8.14 Southern Trails (GS)**

Mayor Clark

**8.8.15 Additional Revenue**

Mayor Clark / Cr Campbell

**8.8.16 Iwi Relationship / District Licencing / Hearing Commissioner Lead**

Cr Ludlow

## **9. Meeting Processes (with Specific Reference to the Applicable Provisions of the Local Government Official Information and Meetings Act 1987 and Standing Orders)**

The legal requirements for Council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council and committee meetings must be open to the public unless there is reason to consider some item “in committee” (sometimes also called “public excluded”). Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with Council. Council’s Governance Manager should be contacted before the meeting to arrange this.

LGOIMA contains a list of the circumstances where Councils may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the



maintenance of public health, safety and order. The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or Committee Chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of Council who does not comply with Standing Orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of Council, at least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days' notice.

During meetings the Mayor and Councillors must follow Standing Orders (a set of procedures for conducting meetings). The Council may suspend Standing Orders by a vote of 75% of the members present. A copy of the Standing Orders can be obtained from Council's Governance Manager.

## 10. Consultation Policies

The Local Government Act 2002 (Sections 82, 82A and 83) sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, the special consultative procedure, is regarded as a minimum process for significant Council decisions.

The special consultative procedure consists of the following steps:

- **Step One:** Preparation of a Statement of Proposal and, if necessary to enable public understanding, a summary of information contained in the proposal. The Council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the Council office and may be made available elsewhere. That statement must be included on an agenda for a Council meeting.
- **Step Two:** Make it publicly available. The Council must ensure that the statement of proposal, a description of how people can present their views to Council on the proposal and a time period for presenting views on the proposal is publicly available. This has to be made as widely available as is reasonably practicable.
- **Step Three:** Receive views. The Council should acknowledge all written submissions and offer submitters a reasonable opportunity to present their views to Council in a manner that enables spoken (or New Zealand sign language) interaction. The Council must allow at least one month (from the date that the statement is issued) for views to be received.
- **Step Four:** Hear submissions. Council must set aside sufficient time to hear all those submitters who wish to speak to Council on their submission. The hearings must be open to the public.
- **Step Five:** Deliberate in public. All meetings where the Council deliberates on the proposal must be open to the public (unless there is some reason to exclude the public under the LGOIMA).

All submissions or comments made on the proposal must be made available unless there is reason to withhold them under the LGOIMA.

- **Step Six:** Follow up. A copy of the decision and a summary of the reasons should be provided to submitters. There is no prescribed format for such a summary.

By law, the Council must follow the special consultative procedure before it:

- Adopts a Long-term Plan (LTP).
- Amends a Long-term Plan.
- In some circumstances when Council adopts, revokes, reviews or amends a bylaw.

The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

Council's Significance and Engagement Policy also requires it to consult if the matter is deemed to be significant as per the policy or Council decides that it should be treated as significant.

### **Community-Council Engagement Programme**

Council accepts that different communities will prefer different forms of engagement with Council, and when preferences become apparent will tailor programmes and means of engagement to particular community preferences. The programme includes use of the community meetings and administrative funding support to Residents' Associations which meet Council criteria.

### **Support of Residents' Associations**

Council will provide financial support up to \$5,000 per group to Residents' Associations that meet the criteria listed below:

- The group represents a geographically based community (excluding Bluff, which already receives Council assistance and has a Community Board).
- The group has a community wide perspective (rather than a single issue); with a community development focus which includes consultation with Council.
- There is sufficient interest and support from that community to resource and run the association.
- The group has an appropriate constitution, a system of electing officers and an annual budget.
- Council financial assistance will be towards the actual administration costs, for example, venue hire for meetings, stationery and photocopying, postage, advertising of meetings, surveys, running a website.
- Project funding, if required, would be obtained by the individual groups from other sources.
- Council would provide other support on request, for example, assistance with setting up the group and a dedicated Councillor to attend group meetings.

## 11. Policies for Liaison with, and Memoranda or Agreements with Maori

### Appointed Roles

Appointed representatives of Waihōpai Rūnaka and Te Rūnaka o Awarua are members of the Infrastructure and Community Wellbeing Committees.

They are full members of these decision making bodies to which they are appointed and have full rights as members under standing orders to participate in debate and vote on items. They shall receive all papers and be entitled to attend in-committee parts of any meeting.

### Bluff Community Board

Te Rūnaka o Awarua has one advisory role on the Bluff Community Board while they cannot vote, they shall be entitled to debate and receive papers. The Code of Conduct shall also apply.

The Invercargill City Council acknowledges the importance of tikanga Māori and values its relationship with both tangata whenua (Ngāi Tahu) and Ngā Matawaka (other Māori who are not Ngāi Tahu living within Murihiku/Southland).

The four Councils of Southland: Environment Southland (Southland Regional Council), Southland District Council, Gore District Council and Invercargill City Council are charged with fostering Māori capacity to contribute to and participate in local government decision making processes.

The relationship that each Council has with Ngāi Tahu ki Murihiku continues to grow in strength. This has been assisted by the establishment of a Charter of Understanding between Te Ao Marama Incorporated (representing nga runaka) and the councils. This relationship allows Te Ao Marama Inc to form the tomokaka (gateway) for consultation between Māori and the councils.

Councils provide resources such as the provision of technical advice, expertise, information and financial support. Te Ao Marama Inc provides for positive consultation, clarification on matters of significance to Iwi and identifies appropriate persons for consultation. An atmosphere of trust and openness is the cornerstone of the relationship which was formed at the signing of the Charter of Understanding.

The Invercargill City Council remains committed to ensuring that opportunities are promoted and offered for Māori to build capacity and to actively engage across the range of Council's decision-making processes.

## 12. Management Structure and the Relationship Between Management and Elected Members

The Local Government Act 2002 requires Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the Council, implement Council decisions and provide advice to the Council. Under the Local Government Act, the Chief Executive is the only person who may lawfully give instructions to a staff

member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Mayor or Councillors.

The Chief Executive is Mr Michael Day. The Chief Executive has a performance agreement with the Invercargill City Council, and is employed for a term not exceeding five years (subject to possible extension for up to two more years).

Council management is organised as follows:

<b>COUNCIL</b>					
<b>Mayor and Councillors</b>					
<b>Mana Whenua Representatives</b>					
<b>CHIEF EXECUTIVE</b>					
<b>Michael Day</b>					
<b>Democratic Process</b>					
<b>Chief Executive Office</b>	<b>Community Engagement and Corporate Services</b>	<b>Community Spaces and Places</b>	<b>Consenting and Environment</b>	<b>Finance and Assurance</b>	<b>Infrastructure</b>
<ul style="list-style-type: none"> <li>▪ Business Transformation</li> <li>▪ Governance and Legal</li> <li>▪ Health, Safety and Wellbeing</li> <li>▪ Risk</li> </ul>	<ul style="list-style-type: none"> <li>▪ Communications</li> <li>▪ Customer Services</li> <li>▪ Information Management</li> <li>▪ Information Services</li> <li>▪ People and Culture</li> <li>▪ Strategy, Policy and Engagement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Aquatic Services</li> <li>▪ Invercargill Libraries</li> <li>▪ Kaupapa Maori Services</li> <li>▪ Museum and Heritage Services</li> <li>▪ Parks and Recreation</li> <li>▪ Venues and Event Services</li> </ul>	<ul style="list-style-type: none"> <li>▪ Environmental Services</li> <li>▪ Planning and Building Services incl Property Records</li> </ul>	<ul style="list-style-type: none"> <li>▪ ICHL Group</li> <li>▪ Financial Planning</li> <li>▪ Financial Services</li> <li>▪ Quality Assurance</li> <li>▪ Procurement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Engineering Services</li> <li>▪ Infrastructure Operations</li> <li>▪ Project Management Office</li> <li>▪ Strategic Asset Planning</li> <li>▪ Three Waters Operations</li> <li>▪ Three Waters Strategic Advisor</li> </ul>

The Chief Executive and Group Managers can be contacted by phoning (03) 2111 777.

The Chief Executive is responsible for appointing a Privacy Officer in accordance with Privacy Act 2020.

## 13. Equal Employment Opportunities Policy

Council is committed to ensuring equality of opportunity for all current and prospective employees and to meeting the various legal obligations in the equitable recruitment, selection, development and conditions of employment of employees.

## 14. Key Approved Planning and Policy Documents and the Process for their Development and Review

The Council has adopted and approved a number of key planning and policy documents to assist it in fulfilling the purpose of local government, performing its role as a local authority and exercising the powers, responsibilities and duties conferred on it.

### Long-term Plan

The Long-term Plan sets out the Council's priorities over the medium to long-term.

Information to be included in the Long-term Plan is set out in Schedule 10 of the Local Government Act 2002, and includes community outcomes, finance and infrastructure strategies, groups of activities, development of Māori capacity to contribute to decision making processes, funding and financial statements, forecast financial statements, funding impact statement and significant forecasting assumptions.

Council's 2021-2031 Long-term Plan was adopted in June 2021 and can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)). The Long-term Plan is reviewed every three years.

### Annual Plan

An Annual Plan is developed in the two years between Long-term Plans, showing any changes from what was agreed to in the Long-term Plan. The Annual Plan must be adopted by Council before the start of the financial year (1 July). It can be found on Council's website [www.icc.govt.nz](http://www.icc.govt.nz).

### Annual Report

An Annual Report is prepared at the conclusion of every financial year (30 June). It compares Council's actual activities and performance against what was intended by the Long-term Plan or Annual Plan. The Annual Report also includes a copy of the Council's audited accounts. Annual Reports must be adopted by Council within four months of the end of the year. It can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)).

### Asset and Activity Management Plans

These plans identify and describe in detail the current state and value of Council's assets; the levels of service provided, and to be provided by the assets, and the ongoing expenditure requirements to renew, maintain, and operate and/or further develop the assets. They further identify the levels of service provided, and to be provided, by Council's activities and the associated ongoing expenditure. They can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)). Activity Management Plans were adopted in 2021 (and reviewed every three years as a part of Long-term Plan process) for the following Council activities:

- Property
- Parks and Recreation (Including Cemeteries)
- Rooding
- Sewerage
- Stormwater
- Water
- Regulatory Services
- Arts, Culture and Heritage
- Public Toilets
- Democratic Process
- Housing Care
- Libraries
- Public Transport
- Aquatic Services
- Solid Waste
- Investments
- Corporate Services
- Venues and Events Services

### District Plan

The Invercargill City District Plan was prepared in accordance with the Resource Management Act 1991. It contains objectives, policies and methods (including rules and maps) for the sustainable management of the district's natural and physical resources. The Invercargill City District Plan became operative in August 2019. Every section must be reviewed within ten years. District Plans can be found on Council's website ([www.icc.govt.nz](http://www.icc.govt.nz)).

### Triennial Agreement

The Triennial Agreement for Southland local authorities (Invercargill City Council, Gore District Council, Southland District Council and Southland Regional Council) details how the Councils will work together is reviewed every three years, and must be adopted by the Councils no later than 1 March 2023 for the 2022 - 2025 triennium.

## 15. Systems for Public Access to it and its Elected Members

The principal office of Invercargill City Council is located in Invercargill. Contact details for the office are:

Post: Invercargill City Council  
Private Bag 90104  
Invercargill 9840

Hand deliver: Helpdesk  
Te Hīnkai - Civic Building  
101 Esk Street  
Invercargill

Phone: 03 211 1777

Email: [service@icc.govt.nz](mailto:service@icc.govt.nz)

Website: [www.icc.govt.nz](http://www.icc.govt.nz)

Council's Service Centre: Bluff Service Centre, 12 Gore Street, Bluff

The following are the contact details for the elected members:

William (Nobby) Clark, the Mayor 027 859 9313

Tom Campbell, Deputy Mayor	027 267 9760
Allan Arnold	027 433 6408
Ria Bond	021 396 291
Trish Boyle	027 333 1339
Steve Broad	021 847 021
Alex Crackett	021 535 953
Grant Dermody	022 533 6843
Peter Kett	(03) 215 6206, 027 437 7420
Darren Ludlow	(03) 215 4777, 021 217 2848
Ian (Rangi) Pottinger	(03) 217 4579, 027 432 3597
Lesley Soper	(03) 216 6427, 027 603 8037
Barry Stewart	027 573 7327

## Complaints

Council takes complaints seriously and encourages people to come forward if they are not satisfied with the service they have received. As a general rule:

- We do not deal with anonymous complaints.
- Discuss your concern with the Group Manager of the area you are dealing with (if not sure who this is – phone 03 211 1777 and ask).
- If not satisfied with the way things are being handled or the result, write to the Chief Executive.

Complaints are investigated and responded to in accordance with the rules of natural justice.

Complaints about Elected Representatives should be directed to the Mayor.

## 16. Processes for Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made the Council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- Endanger the safety of any person.
- Prejudice maintenance of the law.
- Compromise the privacy of any person.
- Reveal confidential or commercially sensitive information.
- Cause offence to tikanga Māori or would disclose the location of waahi tapu.
- Prejudice public health or safety.
- Compromise legal professional privilege.
- Disadvantage the local authority while carrying out negotiations or commercial activities.
- Allow information to be used for improper gain or advantage.

The Council aims to answer requests for information as soon as reasonably practicable, but must answer requests within 20 working days (although there are

certain circumstances where this time frame may be extended). The Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to:

Chief Executive  
Invercargill City Council  
Private Bag 90104  
Invercargill 9840

Email: [information.management@icc.govt.nz](mailto:information.management@icc.govt.nz)



## Appendix 1 – Legislation which Confers Obligations or Responsibilities on Local Authorities

Airport Authorities Act 1966  
Animal Welfare Act 1999  
Animals Law Reform Act 1989  
Arts Council of New Zealand Toi Aotearoa Act 2014  
Auctioneers Act 2013

Biosecurity Act 1993  
Building Act 2004  
Building Research Levy Act 1969  
Burial and Cremation Act 1964  
Bylaws Act 1910

Cadastral Survey Act 2002  
Charities Act 2005  
Chartered Professional Engineers of New Zealand Act 2002  
Citizenship Act 1977  
Civil Aviation Act 1990  
Civil Defence Emergency Management Act 2002  
Climate Change Response Act 2002  
Commerce Act 1986  
Companies Act 1993  
Conservation Act 1987  
Consumer Guarantees Act 1993  
Copyright Act 1994  
Crimes Act 1961  
Crown Minerals Act 1991

Disabled Persons Community Welfare Act 1975  
District Court Act 2016  
Dog Control Act 1996

Earthquake Commission Act 1993  
Electoral Act 1993  
Electricity Act 1992  
Employment Relations Act 2000  
Energy Companies Act 1992  
Environment Act 1986  
Environmental Protection Authority Act 2011  
Equal Pay Act 1972

Fair Trading Act 1986  
Fees and Travelling Allowances Act 1951  
Fencing Act 1978  
Financial Reporting Act 2013  
Fire and Emergency New Zealand Act 2017  
Food Act 2014

Gambling Act 2003  
Gas Act 1992  
Goods and Services Tax Act 1985

Government Rooding Powers Act 1989

Hazardous Substances and New Organisms Act 1996

Health Act 1956

Health and Safety at Work Act 2015

Heritage New Zealand Pouhere Taonga Act 2014

Holidays Act 2003

Housing Act 1955

Housing Corporation Act 1974

Human Rights Act 1993

Impounding Act 1955

Income Tax Act 2007

Insolvency Act 2006

Interpretation Act 1999

Land Act 1948

Land Drainage Act 1908

Land Transfer Act 2017

Land Transport Act 1998

Land Transport Management Act 2003

Limitation Act 2010

Litter Act 1979

Local Authorities (Members' Interests) Act 1968

Local Electoral Act 2001

Local Government (Rating) Act 2002

Local Government Act 1974

Local Government Act 2002

Local Government Official Information and Meetings Act 1987

Major Events Management Act 2007

Maritime Transport Act 1994

Minimum Wage Act 1983

National Provident Fund Restructuring Act 1990

New Zealand Bill of Rights Act 1990

New Zealand Geographic Board (Nga Pou Taunaha o Aotearoa) Act 2008

New Zealand Library Association Act 1939

New Zealand Public Health and Disability Act 2000

Ngai Tahu Claims Settlement Act 1998

Oaths and Declarations Act 1957

Occupiers Liability Act 1962

Ombudsmen Act 1975

Overseas Investment Act 2005

Parental Leave and Employment Protection Act 1987

Plumbers, Gasfitters and Drainlayers Act 2006

Privacy Act 2020

Property Law Act 2007

Prostitution Reform Act 2003

Protected Disclosures Act 2000

Public Bodies Contracts Act 1959

Public Bodies Leases Act 1969

Public Records Act 2005

Public Works Act 1981

Queen Elizabeth the Second National Trust Act 1977

Racing Act 2003

Railways Act 2005

Rating Valuations Act 1998

Rates Rebate Act 1973

Remuneration Authority Act 1977

Reserves Act 1977

Reserves and Other Lands Disposal Acts 1926-2003

Reserves and Other Lands Disposal and Public Bodies Empowering Acts 1906-1925

Residential Tenancies Act 1986

Resource Management Act 1991

Sale and Supply of Alcohol Act 2012

Search and Surveillance Act 2012

Secret Commissions Act 1910

Shop Trading Hours Act 1990

Smoke-free Environments Act 1990

Soil Conservation and Rivers Control Act 1941

Sovereign's Birthday Observance Act 1952

Standards and Accreditation Act 2015

Summary Offences Act 1981

Summary Proceedings Act 1957

Te Ture Whenua Māori Act 1993

Telecommunications Act 2001

Transit New Zealand Act 1989

Treaty of Waitangi Act 1975

Trespass Act 1980

Trustee Act 1956

Unit Titles Act 2010

Utilities Access Act 2010

Valuers Act 1948

Waste Minimisation Act 2008

Wild Animal Control Act 1977

Wildlife Act 1953