



Emergency Council

OPEN MINUTES

Minutes of a meeting of Emergency Council held in the Council Chamber, 15 Forth Street, Invercargill on Tuesday, 24 March 2020 at 3.30pm.

PRESENT

Mayor

Mayor Gary Tong

Deputy Mayor

Ebel Kremer

Councillors

John Douglas

Paul Duffy

Darren Frazer

George Harpur (via audio link)

Julie Keast (via audio link)

Christine Menzies

Karyn Owen

Margie Ruddenklau

Rob Scott

APOLOGIES

Councillor Byars

Councillor Ford

IN ATTENDANCE

Chief Executive - Steve Ruru

Group Manager Community and Futures – Rex Capil

Communications Manager – Louise Pagan

Committee Advisor - Fiona Dunlop

1 Apologies

There were apologies from Councillors Byars and Ford.

Moved Cr Kremer, seconded Cr Frazer **and resolved:**

That Council accepts the apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

There was no public forum.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

Reports - Operational Matters

6.1 Services and Assets Committee delegations and Emergency Committee for the COVID-19 response

Record No: R/20/3/6793

Chief Executive – Steve Ruru was in attendance for this item.

Mr Ruru advised that the purpose of the report was to seek approval for changes to the delegations for the Services and Assets Committee and to form an Emergency Committee during the period of the COVID-19 pandemic event.

Resolution

Moved Cr Scott, seconded Cr Owen **recommendations a to g, h with changes (as indicated) and a new i (as indicated) and resolved:**

That the Council:

- a) **Receives the report titled “Services and Assets Committee delegations and Emergency Committee for the COVID-19 response” dated 23 March 2020.**

- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Approves the revised delegations to the Services and Assets Committee during the period of the COVID-19 pandemic event, specifically being:**
 - (i) **Change the quorum from being 'Not less than seven members' to being 'A minimum of two members physically present with at least five other members attending by way of being physically present, by audio link or by audio visual link.'**
 - (ii) **Add into scope of activities 'The committee is also responsible for making decisions on urgent matters relating to all Council services during the period of the COVID-19 pandemic event.'**
 - (iii) **Add to the delegations power to act '(i) approve and/or assign all contracts for work, services or supplies for unbudgeted expenditure up to \$10 million and noting this excludes the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.'**
- e) **Approves the formation of an Emergency Committee for the period of the COVID-19 pandemic event with a membership of three councillors being Mayor Tong, Deputy Mayor Kremer and Cr Douglas.**
- f) **Agrees that in the event that a member of the Emergency Committee is not able to fulfil their duties as a member of that committee then Cr Menzies, will in the first instance become a member of the committee followed by Cr Scott in the second instance.**
- g) **Approves the terms of reference for the Emergency Committee outlined in Attachment B.**
- h) **Directs the Chief Executive to report back to Council by December 2020 or earlier to enable it to determine whether the COVID-19 pandemic emergency is continuing or has ended.**
- ~~h) **Directs the Chief Executive to report back to Council in December 2020 to enable it to determine whether the COVID-19 pandemic is continuing or has ended.**~~
- New i) Agrees that subject to the limitations set out in clause 32(1) of the Seventh Schedule to the Local Government Act 2002, the Council delegates all of its**

responsibilities, duties, and powers to the Chief Executive for the period from the COVID 19 pandemic subject to a requirement that the Chief Executive may only exercise this delegation after the following:

- (a) the delegated powers, duties, and responsibilities may be exercised only in circumstances where the Council, its committees, or its community boards are unable or unavailable to hold meetings that comply with the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987**
- (b) consultation with the Mayor and/or Deputy Mayor**

(c) shall be reported to the first available meeting of the Council.

The meeting concluded at 3.50pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE COUNCIL HELD ON TUESDAY 24 MARCH 2020.

DATE:.....

CHAIRPERSON:.....