



Notice is hereby given that a meeting of the Executive Committee will be held on:

Date: Wednesday, 27 October 2021
Time: 1pm
Meeting room: Southland District Council Wallace Room
Venue: 15 Forth Street
Invercargill

Executive Committee Agenda OPEN

MEMBERSHIP

Chairperson Mayor Gary Tong
Councillors Paul Duffy (Chair – Regulatory and Consents Committee)
Julie Keast (Chair – Community and Strategy Committee)
Ebel Kremer (Deputy Mayor and Chair – Services and Assets Committee)
Mr Bruce Robertson (External member, Chair – Finance and Assurance Committee)

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Full agendas **are available on Council's website**
www.southlanddc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

Terms of Reference – Executive Committee

TYPE OF COMMITTEE	Council committee
RESPONSIBLE TO	Council
SUBCOMMITTEES	None
LEGISLATIVE BASIS	Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002. Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.
MEMBERSHIP	Mayor (chairperson), deputy mayor, chairperson Regulatory and Consents Committee, chairperson Services and Assets Committee, chairperson Finance and Assurance Committee, chairperson Community and Strategy Committee
FREQUENCY OF MEETINGS	As required
QUORUM	Three members
SCOPE OF ACTIVITIES	The Executive Committee is responsible for: <ul style="list-style-type: none"> • overseeing the employment of the chief executive • managing code of conduct issues relating to elected members • making decisions on urgent matters arising between scheduled Council meetings or on specific matters referred to it by Council.
DELEGATIONS	Council delegates to the Executive Committee the following powers: <ol style="list-style-type: none"> (a) oversee the employment of the chief executive in accordance with the provisions of the Local Government Act 2002 (b) development of the chief executive's performance agreement for review and approval by Council (c) monitoring the chief executive's performance against the approved performance agreement (d) commissioning any market data required to assess appropriate remuneration for the chief executive for their annual review (e) developing a remuneration arrangement for the chief executive and making recommendations to Council. (f) authority to investigate any complaints or issues about the actions of an elected member under the code of conduct (g) authority to make decisions on urgent matters between Council meetings or on matters specifically referred to it by Council including the approval of unbudgeted expenditure requests that do not include the purchase of an asset not provided for in the Long Term Plan. (h) the authority to engage the independent member of the Finance and Audit Committee to assist with the investigation of a code of conduct issue/complaint should they consider that desirable.

FINANCIAL DELEGATIONS	<p>Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee's jurisdiction.</p> <p>Contract Acceptance:</p> <ul style="list-style-type: none"> • accept or decline any contract for the purchase of goods, services, capital works or other assets where the total value of the lump sum contract does not exceed the sum allocated in the Long Term Plan/Annual Plan and the contract relates to an activity that is within the scope of activities relating to the work of the Executive Committee • accept or decline any contract for the disposal of goods, plant or other assets other than property or land that is provided for in the Long Term Plan. <p>Budget Reallocation.</p> <p>Committee is authorised to reallocate funds from one existing budget item to another. Reallocation of this kind must not impact on current or future levels of service and must be:</p> <ul style="list-style-type: none"> • funded by way of savings on existing budget items • within the jurisdiction of the committee • consistent with the Revenue and Financing Policy.
CONTACT WITH MEDIA	<p>The mayor is the authorised spokesperson for the committee in all matters where the committee has authority or a particular interest. Committee members do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the committee's delegations unless expressly given.</p>

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1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of interest

Committee members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Public forum

Notification to speak is required by 12noon at least one clear day before the meeting. Further information is available at www.southlanddc.govt.nz or by phoning 0800 732 732.

5 Extraordinary/urgent items

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the chairperson must advise:

- (i) the reason why the item was not on the agenda, and
- (ii) the reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further **discussion."**

6 Confirmation of minutes

6.1 Meeting minutes of Executive Committee, 03 December 2019



Executive Committee

OPEN MINUTES

Minutes of a meeting of Executive Committee held in the Committee Room, First Floor, Southland District Council, 15 Forth Street, Invercargill on Tuesday, 3 December 2019 at 3.30pm.

PRESENT

Chairperson	Mayor Gary Tong
Councillors	Paul Duffy
	Julie Keast
	Ebel Kremer

IN ATTENDANCE

Chief Executive	Steve Ruru
Group Manager Services and Assets	Matt Russell
Group Manager Customer Delivery	Trudie Hurst
Communications and Engagement Manager	Louise Pagan
Communications Specialist	Chris Chilton
Chief Executive Support	Liz Williams

The meeting commenced at 3.30pm.

Moved Mayor Tong, seconded Cr Duffy and resolved:

That the Executive Committee adjourns until the conclusion of the Community and Strategy Committee.

The meeting adjourned at 3.31pm.

The meeting reconvened at 4pm.

1 Apologies

There were no 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.

6 Confirmation of Minutes

There were no minutes for confirmation as this was the first meeting of the Committee for the triennium.

Public Excluded

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

Resolution

Moved Mayor Tong, seconded Cr Kremer and resolved:

That the public be excluded from the following part(s) of the proceedings of this meeting.

C7.1 Unbudgeted expenditure approval for Invercargill building project

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
Unbudgeted expenditure approval for Invercargill building project	s7(2)(d) - The withholding of the information is necessary to avoid	That the public conduct of the whole or the relevant part of the

	prejudice to measures protecting the health and safety of members of the public. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
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That the Chief Executive, Group Manager, Services and Assets, Group Manager, Customer Delivery, Communications Manager, Communications Specialist, and Chief Executive Support be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C7.1 Unbudgeted expenditure approval for Invercargill building project. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public were excluded at 4.01pm.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available unless released here.

The meeting concluded at 5.03pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A
MEETING OF THE EXECUTIVE COMMITTEE HELD ON
TUESDAY 3 DECEMBER 2019.

DATE:.....

CHAIRPERSON:.....

Exclusion of the public: Local Government Official Information and Meetings Act 1987

Recommendation

That the public be excluded from the following part(s) of the proceedings of this meeting.

C7.1 Chief Executive Performance Review - Self Assessment 2020/2021

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
Chief Executive Performance Review - Self Assessment 2020/2021	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.