



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

Date: Monday, 15 April 2024
Time: 11am
Meeting room: Wallace Room
Venue: Southland District Council
Level 1,
15 Forth Street,
Invercargill

Executive Committee Agenda OPEN

MEMBERSHIP

Chairperson	Rob Scott
Councillor	Christine Menzies 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

Health and safety – emergency procedures

Toilets – The location of the toilets will be advised at the meeting.

Evacuation – Should there be an evacuation for any reason please exit via the exits indicated at the venue.

Earthquake – Drop, cover and hold applies in this situation and, if necessary, once the shaking has stopped we will evacuate the building to a safe location.

Phones – Please turn your mobile devices to silent mode.

Recording - These proceedings may be recorded for the purpose of live video, both live streaming and downloading. By remaining in this meeting, you are consenting to being filmed for viewing by the public.

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 Finance and Assurance Committee.
FREQUENCY OF MEETINGS	As required
QUORUM	Two 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 • making decisions 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 (not to appoint a chief executive) (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 (h) authority to make decisions 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.
FINANCIAL DELEGATIONS	Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee’s jurisdiction.

	<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 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.”

5 Confirmation of minutes

5.1 Meeting minutes of Executive Committee, 26 March 2024

6 Public participation

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.



Executive Committee

OPEN MINUTES

Minutes of a meeting of Executive Committee held in the Council Chamber, 20 Don Street, Invercargill on Tuesday, 26 March 2024 at 10:02am. (10.02am – 11.30am (PE 10.07am – 11.30am))

PRESENT

Chairperson

Rob Scott

Councillors

Christine Menzies

Mr Bruce Robertson – Finance and Assurance Committee chair

IN ATTENDANCE

RDC Group Ltd director - Doug Craig (via video link)

1 Apologies

There were no apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of interest

Mr Bruce Robertson advised that the external consultant to the Committee Doug Craig of the RDC Group Ltd is his brother in law and believes that there is no conflict for the process being undertaken.

4 Extraordinary/urgent items

Mayor Scott advised that there was a late item/paper for the meeting being the chief executive's performance review. He advised that whilst the agenda indicated that the chief executive's performance review is to be circulated, that it would be wise to agree to the confirmation of the item chief executive performance review being considered at the meeting.

The reason why the item/paper were not on the agenda was because the information to be considered by the Committee was still being collated at the time the agenda was circulated.

The reason why the discussion of the item/paper cannot be delayed until a subsequent meeting is that there needs to be a timely resolution to the matter before the Council meeting to approve the outcomes of the report.

Moved Chairperson Scott, seconded Mr Robertson **and resolved:**

That the Executive Committee pursuant to section 46A of the Local Government Information and Meetings Act 1987, considers the late item.

5 Confirmation of minutes

Resolution

Moved Mr Bruce Robertson, seconded Deputy Mayor Menzies **and resolved:**

That the Executive Committee confirms the minutes of the meeting held on 14 December 2023 as a true and correct record of that meeting.

6 Public participation

There was no public participation.

Public excluded

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

Resolution

Moved Chairperson Scott, seconded Deputy Mayor Menzies **and resolved:**

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

C7.1 Chief executive performance review

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Chief executive performance review	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.

The public were excluded at 10.07am.

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 11.30am.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE EXECUTIVE COMMITTEE HELD ON TUESDAY 26 MARCH 2024.

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 Code of conduct matter

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
Code of conduct matter	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. s7(2)(h) - the withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	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.