

WAIROA DISTRICT COUNCIL

INAUGURAL MEETING OF COUNCIL

Minutes of the Inaugural Meeting of Council held in the Wairoa District Council Chambers, Coronation Square, Wairoa on Tuesday 23 October 2007 at 10.30am.

PRESENT: His Worship the Mayor Mr L Probert (Chair)

COUNCILLORS

D Eaglesome, D Caves, B McKinnon, B Cairns, J Heron.

IN ATTENDANCE: P J Freeman (Chief Executive Officer)
T Cook (Administration Officer)
N Cook (Engineering Manager)
R Snow (Finance Manager)

His Worship the Mayor commenced the meeting by welcoming new councillors and conveying his personal thanks to the previous Councillors for their work throughout their term.

GENERAL EXPLANATION FROM THE CHIEF EXECUTIVE OFFICER

The Chief Executive Officer began by welcoming new and returning Councillors on behalf of the staff.

The Chief Executive Officer outlined options for providing Councillors with information and advised of an opportunity for newly elected members to attend a Professional Development Course in Napier in November. His Worship the Mayor and the Chief Executive Officer emphasised that the course was open to all Councillors. All Councillors indicated that they would like to attend the Professional Development Course.

The Chief Executive Officer provided an overview of the Local Government Official Information & Meetings Act 1987, outlining Councillors responsibilities regarding open debate and privacy matters, and the Local Government Act 2002, pointing out the requirements for Council to consider the social, economic, environmental and cultural wellbeing in terms of decision making and also the strong commitment required by Council to get Maori and the community involved in decision-making processes. Also highlighted were the governance principles enshrined in the Act, the review of Bylaws, and the statutory role of the Chief Executive Officer.

In explaining the structure of Council, the Chief Executive Officer emphasised that while the Council employs the Chief Executive Officer, it is the Chief Executive Officer who employs all other members of staff. As such, matters pertaining to Council were not to be taken directly to staff members by Councillors. In all instances Councillors are to approach the Chief Executive Officer or a Senior Manager.

Councillors were informed of the implications of a resolution of the former Council as related to the Resource Management Hearings Committee. It was now a requirement for Councillors wishing to sit on this Committee to have achieved competency in the 'Making Good Decisions' programme.' Councillors were advised that they could sit in as observers of hearings, thereby ensuring that they gained experience through exposure to resource management processes. Councillor's would be advised when the next Making Good Decisions Programme was being facilitated.

Councillors were introduced to the Local Authorities (Member Interests) Act 1968 along with an overview of the Crimes Act 1961, the Secret Commissions Act 1910 and the Securities Act 1978 as they pertain to Councillor behaviour and decision making processes.

The document 'Guidance for Members of Local Authorities About the Law on Conflicts of Interest' was provided to Councillor's and explained in detail. Councillors were advised of the need to complete the attached personal declaration form and return it to the Administration Manger prior to the meeting of Council in November.

His Worship the Mayor asked that 'Calls for Conflicts of Interest' be included in future Agenda's of Meetings of Council. This would allow Councillor's to advise of any conflict of interest that may exist as pertains to individual Agendas. All Councillors supported this proposal.

His Worship the Mayor expressed concern at the number of accusations made against Council during the election campaign. His Worship emphasised that it was Councillor's who made decisions by resolution of Council, not the Chief Executive Officer, or Managers of Council.

His Worship the Mayor informed Councillors of his intent to implement more formal procedures during Meetings of Council. Councillors were to rise to their feet, thereby giving them the floor, when commenting on matters on the Agenda, and all items of Urgent General Business were to be urgent as against items that could be addressed by approaching the Manager concerned directly. Items deemed to be urgent requiring a resolution of Council, should be brought to the attention of the Chief Executive Officer to allow its inclusion in the Agenda, or to be presented as a late item.

APPOINTMENT OF DEPUTY MAYOR

A06.03

The above report informing Councillors on the process for appointment and duties of the Deputy Mayor was presented.

<u>Resolved:</u>	<i>That the report be received.</i>	McKinnon/Heron
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<u>Resolved:</u>	<i>That Council appoints a Deputy Mayor in accordance with the requirements and procedures laid down in the Local Government Act 2002.</i>	McKinnon/Heron
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<u>Resolved:</u>	<i>That Councillor Eaglesome is appointed Deputy Mayor.</i>	His Worship the Mayor/Caves
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STANDING ORDERS

A06.09.02

The Administration Manager spoke to this report advising Councillors that they needed to determine whether they wished to amend the Model Standing Orders for Meetings of Local Authorities and Community Boards, to include a variation to clauses 2.5.2[2] and 3.14.2, to allow the Mayor to have a casting vote. The Chief Executive Officer advised of situations where a casting vote may be required, and that historically the casting vote was used to maintain the status quo.

<u>Resolved:</u>	<i>That the report be received.</i>	McKinnon/Cairns
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<u>Resolved:</u>	<i>That the Mayor, Chairperson, or other presiding person is to have a casting vote.</i>	Heron/Eaglesome
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<u>Resolved:</u>	<i>That the Wairoa District Council adopts "New Zealand Standing Orders For Meetings of Local Authorities and Community Boards NZS9202 2003" with the following amendments as Standing Orders:</i>	
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Clause 2.5.2 [2] – shall be amended by the deletion of the word "NOT", And the Deletion of The Last Sentence Therein, And Shall Now Read "... THE MAYOR OR CHAIRPERSON ... PRESIDING AT THE MEETING HAS A DELIBERATIVE VOTE AND IN THE CASE OF EQUALITY OF VOTES, DOES HAVE A CASTING VOTE".

Clause 3.14.2 – shall be amended by the deletion of the word "NOT" and the deletion of the last sentence therein, and shall now read "...THE CHAIRPERSON AT ANY MEETING HAS A DELIBERATIVE VOTE AND IN THE CASE OF EQUALITY OF VOTES, DOES HAVE A CASTING VOTE".

Eaglesome/Caves

CODE OF CONDUCT

A06.03

Resolved: *That the report be received.* **Eaglesome/Heron**

The Chief Executive Officer explained in detail to Councillors all parts of the Code of Conduct.

His Worship the Mayor emphasised that the only person authorised to speak to the Media on behalf of Council was the Mayor, not Councillors. Councillors had the individual right to express personal opinions to the media, but in doing so must ensure that their views are conveyed by media as those of a member of the public, not as a Councillor.

Councillor's raised the issue of addressing concerns raised during the election campaign as related to communicating effectively with the wider public. His Worship the Mayor advised that the matter was being addressed by the Chief Executive Officer and that a Draft Communications Policy was being put together for Council's consideration.

Resolved: *That Council reconfirms its adoption of the Code of Conduct.* **Cairns/Caves**

POLICY IN RESPECT TO PAYMENT OF SALARIES & ALLOWANCES

A06.06.01

Resolved: *That the report be received.* **McKinnon/Heron**

The Administration Manager spoke to this report outlining that until a resolution was forwarded to the Remuneration Authority for approval each Councillor would be receiving the equivalent of \$17,500 pa. The Administration Manager sought a direction from Council as to how the indicative pool should be divided. Councillors were informed the previous Council had resolved that the Deputy Mayor receive 1.5 times the payment of a Councillor, with the remaining pool to be split evenly amongst Councillors.

His Worship the Mayor informed Councillors of his satisfaction in the conducting of affairs on behalf of the Mayor by the Deputy Mayor, and in representing the Mayor when he was unavailable to carry out duties.

Councillors were of the opinion that while the position of Deputy Mayor held some status, all Councillors carried out additional duties as portfolio holders, and as such the margin of 1.5 was deemed to be too high. Councillor's advised that a margin of 1.25 would be acceptable.

Resolved: *That Wairoa District Council adopts payment of Councillors on the basis that the Deputy Mayor receives 1.25 times the payment of a Councillor and that the salary pool is split equally amongst remaining Councillors.* **McKinnon/Heron**

MEMBERSHIP OF OTHER THAN COUNCIL ORGANISATIONS

A.06.03

The Administration Manager spoke to the report advising of the need for Council to review representation on each of the organisations. The Chief Executive Officer asked that the Tairāwhiti Development Partnership Trust be included, and that one representative was required.

Resolved: *That the report be received.* **Caves/Heron**

Resolved: *That Council reviews the need for membership/representation in each case, and appoint as necessary* **McKinnon/Cairns**

His Worship the Mayor informed Councillors of the purpose of the Hawke's Bay Medical Foundation, which met in Napier. Due to there being no immediate interest by Councillors to be represented on the Hawke's Bay Medical Research Foundation, His Worship the Mayor asked that consideration be given, and an appointment made, at a later date.

Councillors were informed that due to Road Safe Hawke's Bay becoming a part of the Hawke's Bay Regional Council, the Road Safe Hawke's Bay Committee would not meet under its current structure. The new structure, and representation if any, was still to be advised.

His Worship the Mayor informed Councillors that he had previously represented Council at Hawke's Bay Land Transport Committee meetings, and was available to do so again.

<u>Resolved:</u>	<i>That His Worship the Mayor be Council's representative on the Hawke's Bay Land Transport Committee.</i>	McKinnon/Eaglesome
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Councillors were advised that the current representative on the Tourism Eastland Board was the Administration Manager and that meetings were held monthly in Gisborne, on a Wednesday. Councillor Cairns informed Councillors of her interest in Tourism and Economic Development and that she would be interested in becoming Council's representative on Tourism Eastland. Councillor Eaglesome advised that in the advent of Councillor Cairns being unavailable to attend a meeting of Tourism Eastland, she would make herself available to attend to ensure representation was maintained. Councillor Eaglesome also expressed interest in ensuring close links were maintained with tourism committees in the Hawke's Bay

<u>Resolved:</u>	<i>That Councillor Cairns be Council's representative on the Tourism Eastland Board.</i>	Eaglesome/Caves
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Councillor McKinnon informed Councillors of the current make up of the Wairoa District Heritage & Museum Trust and that the previous representatives appointed by Council, Messrs Harrison and Burton, had advised of their availability to continue in their role as Trustees.

<u>Resolved:</u>	<i>That Mr Ellis Harrison and Mr Michael Burton continue as Council representatives on the Wairoa District Heritage & Museum Trust.</i>	Caves Heron
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The Chief Executive Officer expressed concern that as the representatives were not Councillors there was no avenue by which to ensure that the views expressed would be reflective of the position of Council, rather than the view of the individuals appointed. A reporting procedure needed to be established to ensure representatives were informed by, and in turn informed Council, of matters pertaining to the Wairoa District Heritage & Museum Trust.

<u>Resolved:</u>	<i>That the Chief Executive Officer write to Messrs Harrison and Burton, stipulating the process to be applied to ensure that they represented the position of Council when attending meetings of the Wairoa District Heritage & Museum Trust.</i>	His Worship the Mayor/McKinnon
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The Chief Executive Officer informed Councillor's of the purpose of the Tairāwhiti Development Partnership Trust, and its value as a vehicle by which to receive funding for Economic Development initiatives in the District. Council's previous representative had been Councillor McKinnon.

<u>Resolved:</u>	<i>That Councillor McKinnon be reappointed as Council's representative on the Tairāwhiti Development Partnership Trust.</i>	His Worship the Mayor/Eaglesome
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His Worship the Mayor emphasised the importance in representatives ensuring that where they were unable to attend a meeting of respective organisations, that they were responsible for ensuring someone attended in their place.

COUNCIL MEETING SCHEDULE **A06.09.01**

The Chief Executive Officer spoke to this report outlining the rationale behind the recommended schedule, and the close of date for receipt of reports if they were to be included in a meetings agenda.

<u>Resolved:</u>	<i>That the report be received.</i>	Caves/Heron
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<u>Resolved:</u> <i>That Wairoa District Council adopts the Schedule of Meetings as listed below.</i>					
<i>Caves/Heron</i>					
Information Report Closes	Report	Information Report Forwarded to Councillors	Council Closes	Agenda	Council Meeting
31 October 2007		2 November 2007	31 October 2007		13 November 2007
30 November 2007		2 December 2007	30 November 2007		11 December 2007
31 January 2008		2 February 2008	31 January 2008		12 February 2008
28 February 2008		2 March 2008	28 February 2008		11 March 2008
31 March 2008		2 April 2008	31 March 2008		8 April 2008
30 April 2008		2 May 2008	30 April 2008		13 May 2008
31 May 2008		2 June 2008	31 May 2008		10 June 2008
30 June 2008		2 July 2008	30 June 2008		8 July 2008
31 July 2008		2 August 2008	31 July 2008		12 August 2008
31 August 2008		2 September 2008	31 August 2008		9 September 2008
30 September 2008		2 October 2008	30 September 2008		14 October 2008
31 October 2008		2 November 2008	31 October 2008		11 November 2008
30 November 2008		2 December 2008	30 November 2008		9 December 2008
Notes:					
1. <i>Information Reports to Councillors will be sent on the 2nd of each month or the closest working day after that day if it falls on a weekend or public holiday.</i>					
2. <i>Council meeting days are based upon the second Tuesday in each calendar month.</i>					
3. <i>No Council meetings are scheduled in January of each year.</i>					

His Worship the Mayor and Councillors discussed the value in continuing the practice of holding a Councillor's Forum Day on the fourth Tuesday of every month.

<u>Resolved:</u> <i>That a Councillor's Forum Day be held on the fourth Tuesday of the month, commencing at 9:00am.</i>	<i>McKinnon/Eaglesome</i>
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General Business

QUALITY ROADING SERVICES (WAIROA) LIMITED

B04.01

The Chief Executive Officer informed Councillors of the function of the Director Appointment Sub-Committee, consisting of the Chief Executive Officer, His Worship the Mayor, the Chairman of Quality Roading Services (Wairoa) Limited, and former Councillor, Mr W Shortt. The Chief Executive Officer sought direction as to whether another Councillor needed to be appointed to the sub-committee to allow the process of appointing a Director to be completed. Councillors were of the opinion that one of their number should be appointed. This could not be done however until the issue of portfolios had been addressed.

COMMUNITY ENGAGEMENT

A14.02

The Chief Executive Officer informed Councillors that a number of suggestions had been made during the election campaign that Councillors go out to the community and engage in open discussion. The suggestion was that 'Meet Your New Council' community meetings be arranged, in the absence of, a set Agenda, and Council Staff and Managers. The Chief Executive Officer advised that he would draft a programme and present it to Councillors for their consideration at the next full meeting of Council.

COMMUNICATIONS STRATEGY

A06.11

Following on from the previous item, the Chief Executive Officer informed Councillors that while Council was effective in engaging in consultation for high profile/priority items, there was a tendency to fail to engage effectively with the community on other issues. Discussion ensued as to when consultation meetings should take place, and ways by which the community could be better informed, such as the production of a regular newsletter. Councillor Cairns emphasised the value in engaging members of the Maori Committee in consultation in that they were their community's representatives.

Councillors acknowledged the value in developing an effective communications strategy, and emphasised the need to fit in with the timetable of communities when seeking engagement in consultation, as against working around the availability of Councillors and Council staff. The Chief Executive Officer advised that a number of options would be presented to Councillors for their consideration.

COUNCILLOR FORUM

A06.03

Councillor Caves asked whether there would be an opportunity for a Councillor Forum Day to be held prior to the November meeting of Council.

The Chief Executive Officer advised that as Council were meeting on 31st October 2007 to adopt the Annual Report, a forum day could be facilitated following that meeting.

PORTFOLIO HOLDERS

A06.03

As there was a need to appoint a Councillor to the Director Appointment Sub-Committee, Councillors discussed the appointment of Portfolio Holders to the activities of Assets, Finance, and Community/Regulatory. It was agreed that the following appointments be made:

- Assets – Councillors Caves and Petersen
- Finance – Councillors Heron and McKinnon
- Community/Regulatory – Councillors Eaglesome/Cairns

<u>Resolved:</u> That the appointment of portfolio holders to the activities within Assets, Finance, and Community/Regulatory be confirmed. His Worship the Mayor/Eaglesome			
Key Activity	Significant Activity	Activity Plan Responsibility	Portfolio Holder
1. Water Services	Water Reticulation Water Production Stormwater Drainage	Neil Cook Neil Cook Neil Cook	Crs Caves & Petersen Crs Caves & Petersen Crs Caves & Petersen
2. Solid Waste	Sewerage Waste Management	Neil Cook Neil Cook	Crs Caves & Petersen Crs Caves & Petersen
3. Transport	Road Access (District Road Access (Transfund) Parking Airport	Neil Cook Neil Cook Neil Cook Neil Cook	Crs Caves & Petersen Crs Caves & Petersen Crs Caves & Petersen Crs Caves & Petersen
4. Community Facilities	Cemeteries Parks & Reserves Library Information Centre Museum Community Support Community Centre Community Halls Pensioner Housing	Neil Cook Neil Cook TeAroha Cook TeAroha Cook TeAroha Cook TeAroha Cook TeAroha Cook TeAroha Cook TeAroha Cook	Crs Caves & Petersen Crs Caves & Petersen Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns
5. Planning & Regulatory	Resource Planning Environmental Health Dog Control Livestock Control Building inspection Liquor Licensing Bylaw/Parking Control Dangerous Goods Safer Communities Emergency Management	Peter Freeman Peter Freeman Peter Freeman Peter Freeman Peter Freeman Peter Freeman Peter Freeman Peter Freeman Peter Freeman TeAroha Cook	Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns Crs Eaglesome & Cairns
6. Leadership & Governance	Community Representation Maori Liaison Economic Development	TeAroha Cook TeAroha Cook Peter Freeman	Crs Eaglesome & Cairns His Worship the Mayor
7. Corporate Functions	Management Administration Financial Management Property Management Asset Management Information Systems	Peter Freeman TeAroha Cook Russell Snow Russell Snow Neil Cook Russell Snow	Crs McKinnon & Heron Crs McKinnon & Heron Crs McKinnon & Heron
8. Trading Activities	Commercial Properties Funds Management Council Controlled Organisations	Russell Snow Russell Snow Russell Snow	Crs McKinnon & Heron Crs McKinnon & Heron Crs McKinnon & Heron

His Worship the Mayor informed Portfolio Holders that they were responsible for ensuring regular meetings were held with the Manager responsible for each activity, and that a report on their activities for the month be made at Councillor Forums.

Councillors then discussed the appointment of a member of the Finance Portfolio to the Director Appointment Sub-Committee of Quality Roding Services (Wairoa) Limited.

<u>Resolved:</u>	<i>That Councillor McKinnon be appointed to the Quality Roding Services (Wairoa) Limited Director Appointment Sub-Committee.</i>	Caves/Heron
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There being no further business, His Worship the Mayor declared the meeting closed.

CLOSED: The meeting closed at 12.17 PM

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Chair