

# MINUTES OF THE COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 17 FEBRUARY 2016 AT MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.

**PRESENT:** Mayor W Gray (Chair), Councillors T Blunt, J Diver, G Harmon, J Howden, C Mackle, D Millton, D Morgan.

**IN ATTENDANCE:** A Oosthuizen (Chief Executive Officer), S Syme (Committee Secretary).

**APOLOGIES:** Councillor C Mackle (lateness)  
***Moved by Councillor Diver, seconded by Councillor Howden and resolved that apologies be accepted.***

## **1. OPEN FORUM**

### **Ralph Hogan – Footpath Report**

R Hogan felt the Footpath report fell short on specifications in meeting the demands of the community. He felt some of the specifications he had previously submitted should be developed prior to commencing with the Plan. These included;

- 1 metre wide grassy strip between the kerb and the footpath. It was suggested this could be a place for undergrounding of services.
- A footpath width of 1.8m. This allowed prams, wheelchairs or mobility scooters to pass side by side.
- 5mm to every 500mm flatness specification.

R Hogan felt the prior approach of selecting the most cost effective specification had left unsafe, barren asphalt and metal landscapes. He felt moving ahead without new direction would not be cost effective in the long term. The community had made it clear that improving footpaths was a high priority and he felt the notion in the report that the budget may be cut in half form to what had been agreed was antithetical to that.

R Hogan advised the Pedestrian Planning and Design Guide was New Zealand's comprehensive official guide to planning and design for walking. It set out ways to improve New Zealand's walking environment and he felt it should be used as the benchmark going forward. He noted higher footpath design standards were required for two reasons; falls on footpaths were a serious problem and existing designs were difficult to negotiate by people with impairments.

***The meeting adjourned at 9.17am and resumed at 12.57pm.***

***Councillor Mackle entered the meeting.***

## **2. COUNCIL PUBLIC EXCLUDED SESSION**

***Moved by Mayor Gray, seconded by Councillor Harmon and resolved that the public be excluded from the following parts of the proceedings of this meeting namely;***

- a) Appointment of New Civil Defence Controller***
- b) New Zealand Police Update.***

### **3. MATTERS OF IMPORTANT TO BE RAISED AS URGENT BUSINESS**

1. Options for Library

(Councillor Blunt)

### **4. PUBLIC FORUM**

#### **Paul Stemmer – Civic Building**

P Stemmer advised he had a number of concerns and he was trying to obtain resolution. He advised his main concern was the Elected Members were not working together. He felt the new Civic Building was a beautiful building and it had to proceed because Council had debt.

P Stemmer raised concerns regarding the doors of the Civic building being left open when no one was on site. He was concerned about an account which had been paid twice for erosion control. P Stemmer was requested to provide further details. He was also concerned regarding maintenance on plant and equipment at Innovative Waste.

#### **Ralph Hogan – Accountability Improvement Resolutions**

Included in the agenda was a request for Council to change Standing Orders to require all votes by members of Council in public meetings to be recorded for the public record. The second request was for Council to resolve to include identifying information on all Council reports.

R Hogan noted the inclusion of officer's names on the reports in the agenda and advised he was happy to meet with the Chief Executive Officer at another time regarding inclusion of other information on the front page of Council reports.

R Hogan advised all votes taken at a meeting were public and the public had a right to know what the votes were. He advised many democracies around the world recognised that the individual voting records of their public servants were an important aspect of an informed electorate.

R Hogan went through the arguments which had previously been put forward as to why individual votes should not be recorded as normal practice and provided a counter argument for recording individual votes.

### **5. GOVERNANCE OF INNOVATIVE WASTE KAIKOURA LIMITED**

Included in the agenda was a report on the Governance of Innovative Waste. The report provided an overview of how Innovative Waste operated, the governance model and how it complied with the Local Government Act.

It was noted the operations of Innovative Waste had changed and because of that it was suggested that more information was required to be provided to Council from Innovative Waste. It was suggested there should be quarterly reporting. It was also suggested that Council was poorly represented on the board of Innovative Waste and an enquiry was made as to whether it was normal practice for the Chief Executive Officer to sit on the board. The Chief Executive Officer advised it would depend on the skill set required by the company. The Elected Members had nominated the Trustees to be Council's representatives on the Kaikoura Enhancement

Trust. Potential directors should be appointed by Trustees. A discussion was held regarding staffing at Innovative Waste. The Chief Executive Officer advised Council their role related to governance which concerned who was appointed to the board as directors of Innovative Waste as per the Statement of Intent. Councillors should not be involved in operational decisions e.g. recruitment. This was the role of the General Manager of Innovative Waste.

The Chief Executive Officer advised the role of the Enhancement Trust Trustees was to review information provided by Innovative Waste and ask robust questions. The information was then presented to Council once it had been reviewed.

***Moved by Mayor Gray, seconded by Councillor Howden and resolved that the Governance of Innovative Waste Kaikoura Limited report be received and Council approve that;***

- 1. The Statement of Intent be approved by the Enhancement Trust for onward submission to the Council for adoption.***
- 2. The Half Yearly report be received by Council by the end of February 2016.***
- 3. Quarterly financial reports for Innovative Waste Kaikoura be forwarded to Council for information purposes.***
- 4. Council consider amending the ability to enter joint ventures with the prior approval of the Enhancement Trust and Council in the 2016/17 Innovative Waste Kaikoura Statement of Intent.***
- 5. The Enhancement Trust and Council consider amending the health and safety, cost efficiency and quality assurance targets and measures to incorporate targets and measures relative to the Water and Wastewater services undertaken by Innovative Waste Kaikoura in the 2016/17 IWK Statement of Intent.***

## **6. FINANCE AUDIT AND RISK SUB-COMMITTEE**

Included in the agenda was a report which provided advice in regard to the formation of a Finance Audit and Risk Committee as well as potential terms of reference and delegated powers. The report outlined;

- The importance of an Audit and Risk committee
- Why Audit and Risk Committees are necessary
- Managing risk
- Areas of focus for a Committee.

The first step in setting up an Audit and Risk Committee was to establish the role and responsibility of the Committee and the form and function. This had to be agreed by full Council. The next step would be to select membership. It was possible to have external appointees which could bring additional skills to the Committee that would not normally be available. It was proposed that the Finance and Policy Committee be disbanded and a Finance Audit and Risk Committee be formed. It was noted financial information would not be available for the Committee to meet the week prior to Council and a day or two prior was suggested.

It was suggested that all elected members could be on the Finance, Audit and Risk Committee as was currently the case on the Finance and Policy Committee. It was noted in other local authorities the Chair of the Finance, Audit and Risk Committee would report to Council. It was possible that Council and the Committee would receive the same papers however there would not be the opportunity to work through them at such a detailed level if the items were dealt with only as part of the Council meeting day.

It was generally felt the Finance and Policy Committee would change to a Finance, Audit and Risk Committee. The Committee would meet on the Monday before Council. The Mayor would be in charge of forming the Committee.

The Chief Executive Officer advised a formal work plan was to be completed for the Committee and the Governance Statement would need to be amended to reflect the formation of the new Committee and the new Terms of Reference of the Committee.

***Moved by Councillor Millton, seconded by Mayor Gray and resolved that Council;***

- 1. Receive the report entitled Finance, Audit and Risk Sub-Committee and agree to form a Finance, Audit and Risk Committee.***
- 2. Appoint elected members to the respective committee formed***
- 3. Agree and approve the Terms of Reference and delegated powers to the Committee formed.***
- 4. Amend the Governance Statement.***

#### **7. SIX MONTH UPDATE REPORT**

Included in the agenda was an update on how Council was progressing against targets which had been set in the Long Term Plan.

***Moved by Mayor Gray, seconded by Councillor Howden and resolved that the Six Month Update Report be received.***

#### **8. 2016 WORK PLAN**

Included in the agenda was a Work Plan for the 2016 calendar year. This included scheduled meeting dates, proposed dates for extraordinary meetings, workshops and consultation dates. It was noted there may be instances where dates would be changed.

***Moved by Mayor Gray, seconded by Councillor Millton and resolved that the 2016 Work Plan be received.***

#### **9. NOTICE OF MOTION**

***Moved by Councillor Morgan, seconded by Councillor Blunt that Council amend Standing Orders NZS 9202:2003 as adopted by Kaikoura for the conduct of all Council meetings to which these Standing Orders apply as follows;***

***(Page 36) Members ~~may~~ must have their votes recorded. 3.14.5 ~~Any~~ All member's votes or abstentions must be recorded in the minutes. ~~if so requested by that member.~~***

***(Page 38) Keeping of minutes 3.17.2 ...; names of ~~any~~ all members requesting the recording of and their abstentions or votes; ...***

**Discussion:**

It was acknowledged that Council did not have a lot of public engaged at meetings however it was felt by recording votes it would make it clear on the public record what people were voting for. It was also noted that because there were a small number of Councillors it would be easy to record all votes. It was suggested that this was one way of obtaining transparency. It was noted if there was a full public gallery then all of those people would know which way each member had voted and the press could also record 'for and against' votes.

On talking to other Councils it was noted that no one in Canterbury recorded all votes. There was concern that a new Councillor may vote the same as other Councillors for fear of being recorded. The debate on a decision was the opportunity for individual member to have their say.

The Chief Executive Officer advised she had been involved with similar debates and best practice was that the minutes be concise to reflect the resolution. It was best not to enter into detail about who said what and not record who voted which way unless it was requested by the individual member. Once a decision was made how individual Councillors voted was irrelevant as it was a Council decision/approach.

***The motion was put and lost. A division was called  
For: Councillors Blunt, Millton, Morgan.  
Against: Mayor Gray, Councillors Diver, Harmon, Howden.  
Abstained: Councillor Mackle.***

## **10. COMMITTEE UPDATES**

### **Destination Kaikoura**

The i-Site had reported its strongest season ever. 83% of visitors were international with the highest proportion from Germany in January. Visitors from the United Kingdom were the largest spenders and the Chinese were the biggest item spenders.

It was suggested there was scope within the tourism industry for funding infrastructure without having to increase rates.

### **Kaikoura Zone Water Committee**

The Committee had visited the Clarence Broom Gall Mite release site in November which had been funded through the Immediate Steps programme. To date the Committee had funded 16 projects totalling \$383,420.

## **11. MAYOR'S REPORT**

Mayor Gray provided an overview of recent events attended and an update on progress in developing a Canterbury Regional Economic Development Strategy.

## **12. CONFIRMATION OF MINUTES**

**Council 16/12/2015**

***Moved by Mayor Gray, seconded by Councillor Mackle and resolved that the minutes of the Council meeting held on 16 December 2015 be confirmed a true and accurate record.***

## **13. ADOPTION OF REPORTS**

**Works and Services Committee 16/12/2015**

***Moved by Councillor Harmon, seconded by Councillor Mackle and resolved that the report of the Works & Services Committee meeting held on 16 December 2015 be adopted.***

**Environmental Services Committee 16/12/2015**

***Moved by Councillor Morgan, seconded by Mayor Gray and resolved that the report of the Environmental Services Committee meeting held on 16 December 2015 be adopted.***

**Finance & Policy Committee 16/12/2015**

***Moved by Councillor Millton, seconded by Councillor Howden and resolved that the report of the Finance & Policy Committee meeting held on 16 December 2015.***

## **14. MINUTES TO BE RECEIVED**

**Kaikoura Zone Water Committee 28/10/2015**

***Moved by Mayor Gray, seconded by Councillor Blunt and resolved that the minutes of the Kaikoura Zone Water Committee meeting held on 28 October 2015 be received.***

## **15. URGENT BUSINESS**

### **Options for Library**

A number of comments had been received from people stating they liked the Library in its current location. It was suggested Council ask the community where it thought the Library should be located.

It was noted that the Civic Centre was a very accessible building. Financial contributions had been able to be used to fund the Civic Centre because the building would house the Library. It was also noted schools were not currently using the Library because it was too small.

The Chief Executive Officer advised if Council had already consulted the community then it should be mindful of that if it was thinking about changing locations.

## **16. COUNCIL PUBLIC EXCLUDED SESSION**

***Moved by Mayor Gray, seconded by Councillor Harmon and resolved that the public be excluded from the following parts of the proceedings of this meeting namely;***

- c) Sale of Council Properties***
- d) Civic Centre Building Report***
- e) Confirmation of Minutes***

***f) Development Contributions Subcommittee Minutes.***

***There being no further business the meeting closed at 4.40pm.***