

MINUTES

TITLE: Tasman District Council Inaugural Meeting
DATE: Thursday 21 October 2010
TIME: 10.30 am
VENUE: Tasman Council Chamber, 189 Queen Street, Richmond

PRESENT: Mayor R G Kempthorne (Chair), Crs M L Bouillir, S G Bryant, B F Dowler, J L Edgar, B W Ensor, G A Glover, J L Inglis, T B King, Z S Mirfin, C M Maling, T E Norriss, N Riley, E J Wilkins

IN ATTENDANCE: Chief Executive (P Wylie), Community Services Manager (L L Kennedy), Corporate Services Manager (M W Staite), Strategic Development Manager (S Edwards), Environment and Planning Manager (D C Bush-King), Executive Assistant (V M Gribble)

WELCOME

Iwi Kaumatua, Mr Andy Joseph made a welcoming statement and said a prayer for the new Council.

1 ELECTORAL OFFICER'S REPORT

Community Services Manager, Mr L Kennedy spoke to the report contained within the agenda.

2 ADDRESS BY CHIEF EXECUTIVE

Chief Executive, Mr P Wylie welcomed the new Council to its first meeting and provided an explanation as per Local Government Act 2002, Part 1, Section 21 and referred to Councillors' obligations under the Local Government Official Information and Meetings Act, the Crimes Act and the Secret Commission Act.

3 DECLARATION BY MAYOR AND COUNCILLORS

The Chief Executive invited Mayor Kempthorne and all Councillors to make declarations pursuant to the Local Government Act 2002 Schedule 7, Part 1, Section 14(3). Mayor Kempthorne and all Councillors proceeded to read and sign those declarations.

A copy of those declarations is attached to these minutes.

4 ADDRESS BY MAYOR

Mayor Kempthorne thanked Andy Joseph for taking part in the ceremony and welcomed friends and families of Councillors to the meeting.

Mayor Kempthorne publicly thanked defeated Councillors M J Higgins, S J Borlase and R G Currie for their work on the previous Council and welcomed new Councillors

M L Bouillir , C M Maling and Z S Mirfin to the Council.

5 ADOPTION OF STANDING ORDERS

The agenda contained a report from Executive Officer – Strategic Development which enabled Council to consider and adopt the NZS 9202:2003 Model Standing Orders, with previous Council amendments, as the Standing Orders of the Council.

**Moved Crs Norriss/Riley
CN10-10-01**

**THAT NZS 9202:2003 Model Standing Orders, with the Council amendments to 2.5.1 (CN04/10/04) and 3.7.5 (CN04/12/14), be adopted by Tasman District Council.
CARRIED**

6 ADOPTION OF CODE OF CONDUCT

The agenda contained a report from Executive Officer – Strategic Development which enabled Council to consider and compare the existing Code of Conduct (Appendix I) and a proposed Code of Conduct (Appendix II), and further to adopt one of these, as required under the Local Government Act 2002.

An amendment was tabled at the meeting which provided for the use of the Code of Conduct by both the Golden Bay Community Board and Motueka Community Board.

Further amendments were made as follows:

Page 75 Item 1-1 Introduction – First sentence in the second paragraph to read: “This Code of Conduct provides guidance on the standards of behaviour that are expected from elected members of the Tasman District Council (Mayor, Councillors) and Community Board members.”

Page 76 Item 1.2 General Principles – Third bullet point, new sentence to read: “Community Board members should also note that, once elected, their primary duty is to the interests of their community.”

Page 77 Item 2.1 Elected Members – Fourth bullet point to read: “Employment of the Chief Executive and overseeing and monitoring his/her performance.”

Page 78 Item 2.6 Chief Executive – second bullet point to read: “Providing advice to Council and its community boards”

Page 78 Item 2.6 Chief Executive – fourth bullet point to read: “Managing the activities of the local authority economically, effectively and efficiently.”

Page 79 Add new section - Role of Community Boards

“The role of a community board is to:

- a) Represent, and act as an advocate for the interests of its community; and
- b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and

- c) Maintain an overview of services provided by the territorial authority within the community; and
- d) Prepare an annual submission to the territorial authority for expenditure within the community; and
- e) Communicate with community organisations and special interest groups within the community; and
- f) Undertake any other responsibilities that are delegated to it by the territorial authority.”

Page 80 Item 3.2 Relationships with Staff – fourth bullet point to be deleted. ~~“Observe any guidelines that the Chief Executive puts in place regarding contact with employees.”~~

Page 81 Item 3.4 Contact with the Media – add the following:

“Community Board members are free to express a personal view in the media, at any time, provided the following rules are observed:

- Community Board members have a role to act as advocates for their community;
- Media comments must not state or imply that they represent the view of the Community Board;
- Where a Community Board member is making a statement that is contrary to a Community Board decision, the member must not state or imply that the statement represents a majority view;
- Media comments must observe the other requirements of the code of conduct, eg not disclose confidential information, or compromise the impartiality or integrity of staff;
- Community Board members may express their own personal view but must not state or imply that they represent the Community Board or a majority view of the Community Board, and must observe the other requirements of the code of conduct.”

It was agreed that the following sections, Internal communications and Representing the Council be included in the new Code of Conduct:

3.3 Internal Communications

3.3.1 The Mayor, Standing Committee Chairs and Chief Executive Officer will meet informally (perhaps six weekly) to maintain and promote effective communication. The function of these meetings is to ensure that all parties are familiar with the work being carried out by each; to improve co-ordination; and to ensure the business of the Council and its Committees is conducted in a timely and effective manner.

3.3.2 At every ordinary meeting of the Council, the Mayor will provide a written report for inclusion in the agenda outlining activities undertaken in the capacity of Mayor (including activities in the community leadership/advocacy role) since the date of the last ordinary meeting or any matters the Mayor wishes to draw to the attention of Council.

3.3.3 At every standing Committee meeting, the Chair of that committee will provide a written report for inclusion in the agenda outlining activities undertaken in the

capacity as Chairperson, or any matters the Chairperson wishes to draw to the attention of the committee.

3.3.4 Other elected members will provide reports on their attendances on behalf of the Council.

3.3.5 All meeting agendas will be finalised by the Chief Executive Officer or Departmental Manager in consultation with the presiding member (the Mayor in the case of Council meetings, the relevant Committee Chair in the case of committee meetings). Agendas will include reference to any deputations to be received at the meeting.

3.4 Representing the Council

3.4.1 Elected members who are invited or wish to represent the Council at an event such as a seminar or conference, must meet the following conditions:

- The Mayor must approve any requests involving members travelling outside the Nelson/Tasman District at Council expense.
- The cost of representation must be within the annual budgeted figure for such activities unless the council makes specific authorisation for additional expenditure.
- Following his or her attendance, the member must forward/present a written/oral report to the Council, or appropriate Standing Committee, which summarises the event including potential significance to the business of the Tasman District Council. Where the Council is represented by a delegation, one member of the party will report back on their behalf.

3.4.2 These requirements apply to situations where members will be participating as representatives of the Tasman District Council. They do not apply to situations where members attend in a private capacity. In such cases the member may wish to report to the Council on items of interest or general value.

Mr Wylie was requested to report back to the Council on appropriate wording for Item 3.6 Conflict of Interest.

**Moved Crs Glover/Inglis
CN10-10-02**

**THAT the Tasman District Council Code of Conduct (Appendix II), as amended, be adopted by Tasman District Council and the Chief Executive report back on the wording of the first bullet point of Item 3.6 Conflict of Interest.
CARRIED**

7 VOTING SYSTEM – CERTAIN APPOINTMENTS

Mr Wylie spoke to the report contained in the agenda which advised the Council on the two systems of voting for the appointments of members, as set out in Schedule 7 of the Local Government Act 2007.

**Moved Crs Ensor/Wilkins
CN10-10-03**

THAT System A under Clause 25, Schedule 7 of the Local Government Act 2002 be adopted by Tasman District Council for the appointments of Deputy Mayor, Chairpersons and Deputy Chairpersons of Committees and Community Boards, and the election or appointment of representatives of this local authority for the term of this Council.

CARRIED

8 ELECTION OF DEPUTY MAYOR

Mayor Kempthorne nominated Cr T B King for the position of Deputy Mayor of the Council.

**Mayor Kempthorne/Cr Norriss
CN10-10-04**

**THAT Cr T B King be elected Deputy Mayor of the Tasman District Council.
CARRIED**

9 DATE OF FIRST ORDINARY MEETING

9.30 am, Thursday 28 October 2010.

The meeting concluded at 11.43 am.

Date Confirmed:

Chair: