

# MINUTES

## First Meeting (Inaugural)

*The Chief Executive, Mr S Hanne, will chair the meeting until the District Mayor has completed his declaration (Item 4.1).*

**Date: Tuesday 25 October 2022 at 2.40 PM**

**Venue: Council Chambers, 63 Miranda Street, Stratford**

### Present

The District Mayor N C Volzke (*part meeting* – the Chairman) Councillors S J Beck, G W Boyde, A M C Dudley, J M S Erwood, E E Hall, A K Harris, V R Jones, M McKay, W J Sandford, C M Tongaawhikau, M J Watt

### In attendance

The Chief Executive – Mr S Hanne (*part meeting* - the Chairman), the Director – Community Services – Ms K Whareaitu, the Director Assets – Mrs V Araba, the Committee Advisor and Executive Assistant – Mrs E Bishop, the Communications Manager – Ms G Gibson, the Revenue Manager – Mrs J Erwood (*part meeting*), the HR & Governance Administrator – Mrs C Reynolds (*part meeting*), the Parks and Reserve Officer – Mrs M McBain (*part meeting*), 43 members of the public (*part meeting*), and 4 members of the media (Stratford Press, Te Korimako o Taranaki and Taranaki Daily News)

#### 1. Welcome

The Chief Executive welcomed Elected Members, staff, members of the public and the media to the meeting.

##### **1.1 Opening Karakia** D21/40748 Page 4

The opening karakia was read.

##### **1.2 Health and Safety Message** D21/26210 Page 5

The Chief Executive reiterated the health and safety message and emergency procedures.

#### 2. Apologies

Apologies were noted from the Director – Environmental Services – Mr B Sutherland and the Director – Corporate Services – Mrs T Radich

#### 3. Announcements

The Chief Executive noted that following the declarations from elected members, the appointment of the Deputy Mayor and the establishment of committees the meeting will adjourn to allow members of the public to depart the meeting should they wish.

## 4. Declarations

### 4.1 District Mayor

The Chief Executive invited Neil Volzke to the lectern at the front to stand and make his declaration as District Mayor.

#### **"DECLARATION BY MAYOR**

*"I, Neil Volzke, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Stratford District, the powers, authorities, and duties vested in, or imposed upon, me as Mayor of the Stratford District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act."*

The Chief Executive invited Mrs Debbie Volzke to present the Mayor with the mayoral chains. The Chief Executive vacated the chair for the District Mayor to chair the remainder of the meeting

### 4.2 Elected Members

The District Mayor received the individual declarations of the Elected Members as follows:

#### **"DECLARATION BY MEMBER**

*"Ko ahau, ko \_\_\_\_\_, e oati ana ka whai ahau i te pono me te tōkeke, I runga hoki i te mutunga kē mai nei o āku pūkenga, o āku whakatau hoki kia whakatutuki, kia mahi anō hoki i te mana whakahaere, te mana whakatau me ngā momo mahi kua uhia ki runga i a au kia whiwhi painga mō te takiwā o Te Whakaahurangi hei kaikaunihera o te Kaunihera ā Rohe o Whakaahurangi, e ai hoki ki te Ture Kāwanatanga-ā-Taiao 2002, ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui 1987, me ētahi Ture anō rānei"*

*"I, \_\_\_\_\_, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Stratford District, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Stratford District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act."*

Each declaration was individually signed by each elected member with the Chief Executive as the witness.

5. Decision Report - Appointment of Deputy Mayor  
D22/38411 Page 12

**Recommendations**

1. THAT the report be received.

JONES/BOYDE  
Carried  
CL/22/94

2. THAT the Council notes that under Section 41A of the Local Government Act 2002 the Mayor has the power to appoint the Deputy Mayor.

HALL/TONGAAWHIKAU  
Carried  
CL/22/95

3. THAT the Council notes the Mayor's decision ~~whether~~ to exercise his power to appoint the Deputy Mayor ~~or leave this task to Council~~.

VOLZKE/BOYDE  
Carried  
CL/22/96

*If the mayor exercises his power to appoint:*

4. THAT the Council notes that the Mayor has appointed Councillor MIN MCKAY as Deputy Mayor.

VOLZKE/HARRIS  
Carried  
CL/22/97

5. THAT the Council endorses the appointment of Councillor MIN MCKAY as Deputy Mayor.

BOYDE/SANDFORD  
Carried  
CL/22/98

*If the mayor does not exercise his power to appoint:*

6. ~~THAT where there is more than one candidate for the position of Deputy Mayor, Council choose voting system A or B to decide the successful appointee.~~

7. ~~THAT the Council elects Councillor \_\_\_\_\_ as Deputy Mayor of the Stratford District Council.~~

**Recommended Reason**

The Local Government Act requires the appointment of the Deputy Mayor in the first meeting of Council following an election. Under Section 41A of the Local Government Act 2002 the Mayor has the power to appoint the Deputy Mayor. If the Mayor decides not to exercise his power to appoint, Council has the responsibility to appoint the Deputy Mayor.

The Chief Executive noted the following points:

- The appointment of the Deputy Mayor was a legal requirement for completion at the first meeting following an election.
- The report is presented by the Chief Executive however the recommendations are to be completed by the District Mayor or Elected Members.
- The District Mayor has the ability to appoint the Deputy Mayor directly or can put that decision to Elected Members.

The District Mayor noted that following discussions with all Elected Members and members of the community he would exercise his ability to appoint Min McKay as the Deputy Mayor.

Points noted in discussion:

- Councillor Boyde endorsed the appointment of Councillor McKay and noted her youthful energy and well rounded knowledge of council activities with a real passion to see Stratford thrive.
- Councillor Sandford noted that being elected to Council required decisions to be made which were not always easy and sometimes are a no win situation. He noted that most councillors use their first term to get comfortable with the surroundings, however he noted Councillor McKay had arrived with two guns blazing and has turned this council around in its thinking, particularly around the establishment of the māori ward.

## 6. Decision Report - Establishment of Committees

D22/38429 Page 17

### Recommendations

1. THAT the report be received.

ERWOOD/HARRIS  
Carried  
CL/22/99

2. THAT the Council notes the Committee structure established by the Mayor as follows:

<b>Committee</b>	<b>Chairperson</b>
Policy and Services Committee	The Deputy Mayor
Executive Committee	The Mayor
Audit and Risk Committee	External ( <i>currently Philip Jones</i> )
Sport New Zealand Rural Travel Fund Committee	Councillor A Harris
Council Farm and Aerodrome Committee	Councillor G Boyde

VOLZKE/SANDFORD  
Carried  
CL/22/100

3. THAT the Committee structure and Chairpersons appointed to each Committee be confirmed.

JONES/HARRIS  
Carried  
CL/22/101

### Recommended Reason

Under Section 41A Subsection 3 of the Local Government Act 2002 the Mayor has the power to establish committees, and to appoint the Chairperson of each of those committees. The Mayor has chosen to exercise this power. Council has however got the ability to discharge or reconstitute the committees established by the Mayor or to discharge a chairperson appointed by the Mayor. The confirmation sought as per point 2 above serves to ensure the robustness of the proposed structure and appointments.

The Chief Executive noted that this report provided a vehicle for the District Mayor to set the committee structures and appoint the chair to each committee.

The District Mayor noted the following points:

- The intention is not to change the committee structure from the last three years as it has worked well, and has developed and evolved over time.
- The following committee chairs were recommended:
  - Policy and Services Committee – The Deputy Mayor
  - Executive Committee – The District Mayor
  - Audit and Risk Committee – External Chair (Philip Jones)
  - Sport New Zealand Rural Travel Fund – Councillor A Harris
  - Farm and Aerodrome Committee – Councillor G Boyde

*The meeting adjourned at 3.10pm and reconvened at 3.19pm.*

*Those remaining in attendance were: The Chief Executive, the Director – Community Services, the Director – Assets, the Communications Manager, the Committee Advisor and Executive Assistant and one member of the media (Stratford Press).*

## 7. Information Report - General Explanation of Various Acts

D22/38408 Page 22

### Recommendations

1. THAT the report be received.

DUDLEY/BECK  
Carried  
CL/22/102

2. THAT the Council notes the general explanation of various Acts pursuant to Section 21 of Schedule 7 of the Local Government Act 2002 as provided by the Chief Executive.

McKAY/JONES  
Carried  
CL/22/103

### Recommended Reason

Elected members should be informed of various statutory matters that impact on their responsibilities.

The Chief Executive provided a general explanation on the following legislation:

- The Local Government Official Information and Meetings Act 1987, and
- The Local Authorities (Members Interests) Act 1968,
- Sections 99, 105 and 105A of the Crimes Act 1961,
- The Secret Commissions Act 1910, and the
- The Financial Markets Conduct Act 2013.
- The Health and Safety at Work Act 2015,
- The Public Records Act 2005 Act, and
- The Local Government (Pecuniary Interests Register) Amendment Act 2022

Questions/Points of Clarification:

- A council email address will be set up for all elected members, however any form council business qualifies as discoverable under LGOIMA however any personal emails may not be retrievable. Council is obligated to provide any personal emails used for council business if requested.
- It was clarified that any gifts or reimbursement given following speaking at an event or being an invited guest should ideally be declined but alternatively can be declared and an appropriate use be identified. If you have incurred costs (taking your own vehicle) then a petrol voucher may be kept for legitimate reasons, however any gift should be declared which can be done by emailing the Committee Advisor and Executive Assistant. Gifts can be donated it is just important to note what has been done with

these. In some cases it can cause offence to decline a gift/koha and therefore donating the gift can be the best outcome. Any monitory koha could be allocated to the Mayor's Relief Fund or similar purpose.

- In the event of a Health and Safety incident. liability under the Health and Safety Act would commonly fall on the Chief Executive and could result in council being prosecuted with some of the liability being assigned to Elected Members due to the decision-making process. Liability could also be assigned to the other staff depending on the circumstances and the incident. It is important to note that while elected members can be identified as having played a role in an event, they are exempt from the liabilities under the act.
- It was clarified that the public records act covers any correspondence including text messages and emails and a request under LGOIMA could go back years.
- Mr Hanne noted that council was waiting for definition of the level of property ownership that needed to be declared under the Local Government (Pecuniary Interests Register) Amendment Act 2022. Some councils just state Property Owner – Stratford District, some are defining if residential, commercial or rural and some are providing full property details. This will be communicated to Elected Members when officers are given more information.

## 8. Decision Report - Setting of Date of First Meeting of Council

D22/38427 Page 223

### Recommendations

1. THAT the report be received.

VOLZKE/WATT  
Carried  
CL/22/104

2. THAT Council confirms the first meeting of Council will be held on Tuesday 8 November at 3.30pm.

TONGAAWHIKAU/ERWOOD  
Carried  
CL/22/105

### Recommended Reason

Meetings are required to be held to effectively and efficiently conduct Council business in a clear and open manner. The Local Government Act requires the fixing of the date and time of the first meeting of the local authority or the adoption of a schedule of meetings at its first meeting.

The Chief Executive noted that the setting of the first meeting of the Local Authority was a requirement at the first meeting under the Local Government Act. The proposed meeting follows the previous meeting schedule with a full meeting schedule to be presented for approval and discussion in November.

## 9. Decision Report - Appointments to External Bodies

D22/38430 Page 228

### Recommendations

1. THAT the report be received.

VOLZKE/HALL  
Carried  
CL/22/106

2. THAT the Council appoints primary and alternative representatives as per Option 1 contained in this report.

VOLZKE/BOYDE  
Carried  
CL/22/107

3. THAT the Council appoints the following primary and alternative representatives to the following Taranaki Regional Council Committees and Joint Committees:

Committee	Appointment	Alternative Appointment
Taranaki Regional Council Policy and Planning Committee	Councillor G Boyde	N/A
Regional Land Transport Committee	The District Mayor – N C Volzke	Councillor A Harris
Civil Defence Emergency Management Group (CDEM)	The District Mayor – N C Volzke	The Deputy Mayor M McKay
Taranaki Regional Solid Waste Management Committee	The Deputy Mayor M McKay	Councillor A Harris
Central Landfill Joint Committee	The Deputy Mayor M McKay	The District Mayor – N C Volzke

VOLZKE/DUDLEY  
Carried  
CL/22/108

### Recommended Reason

At the beginning of each triennium of Council, Council needs to appoint its representatives to external bodies. Council representation on these is important to enable it to fulfil its statutory roles.

The Chief Executive noted this report provided the ability to make appointments to external organisations, some of which we have statutory requirements to be a part of and others that council has been invited to participate in.

Points noted in discussion:

- Councillor Sandford noted that a lot of council staff were involved with these committees as well, although it was noted that staff generally were attending in advisory roles.

## 10. Questions

- It was clarified that Elected Members receive a bill from ACC as they are classed as private contractors. This cannot be changed due to legislation.

## 11. Closing Karakia

D21/40748 Page 233

The closing karakia was read.

*The meeting closed at 4.32pm.*

N C Volzke  
**Chairman**

Confirmed this 8<sup>th</sup> day of November 2022.

N C Volzke  
**District Mayor**