



Rangitikei District Council

Council Meeting

Agenda – Thursday 31 October 2019 – 1:00 p.m.

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*Public excluded items are distributed to Elected Members only.
The quorum for Council is six.

1 Welcome

2 Council Prayer

3 Public Forum

4 Apologies/Leave of Absence

That the apology for absence for Cr Tracey Hiroa be received.

5 Members' conflict of interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of items on this agenda.

6 Confirmation of order of business

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting,.....be dealt with as late items at this meeting.

7 Confirmation of minutes

The minutes from the Council meeting held 24 October 2019 are attached.

Recommendation:

That the minutes of the Council meeting on 24 October 2019 [as amended/without amendment] be taken as read and verified as an accurate and correct record of the meeting, and that the Mayor's electronic signature be attached to the electronic copy of these minutes.

8 Mayor's Report

The Mayor's report and schedule are attached.

File ref: 3-EP-3-5

Recommendation:

That the 'Mayor's report and schedule' to the 31 October 2019 Council meeting be received.

9 Adoption of the 2018/19 Annual Report

Once oral clearance has been provided, the final drafts of the Annual Report will be distributed to Elected Members.

The Audit Director will be present at the meeting to present his opinion.

Section 98 of the Local Government Act 2002 requires every local authority to prepare and adopt in respect of each financial year an audited annual report containing in respect of that year the information required by Part 3 of Schedule 10. The specified purposes of an annual report are:

(a) to compare the actual activities and the actual performance of the local authority in the year with the intended activities and the intended level of performance as set out in respect of the year in the long-term plan and the annual plan; and

(b) to promote the local authority's accountability to the community for the decisions made throughout the year by the local authority.

Each annual report must be completed and adopted, by resolution, within 4 months after the end of the financial year to which it relates. It (and the audited Summary Annual Report) must be publicly available within one month of adoption. Both documents will be uploaded to the Council's website and printed copies placed in the District libraries. In addition, two copies are required by the Legal Deposit Office in the National Library.

File ref: 5-FR-1

Recommendations:

1. That the Mayor and Chief Executive be authorised to sign the letters of representation addressed to the Council's auditor for the year ended 30 June 2019.
2. That the Annual Report 2017/18 be amended by adding the final Audit opinion and that both be adopted as amended.
3. That the Summary Annual Report 2018/19 be adopted subject to adding the final Audit opinion and making any changes (as agreed with the Chief Executive) to allow that.

10 Standing Orders and Order of Business for the 2019-22 Triennium

It is mandatory that councils adopt standing orders for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees *cl. 27 Schedule 7 of the Local Government Act 2002*.

Council last adopted its Standing Orders on 3 November 2016. Since then there have been some changes from Local Government New Zealand which staff have amended and can be seen as tracked changes in the attached document.

Council staff will provide further commentary at the meeting, in brief the changes are:

- *Addition of definitions (2.0)*
 - Chief Executive (amendment)
 - Emergency meeting
 - Internet Site
 - Leave of absence
 - Open voting (amendment)
 - Present at the meeting to constitute quorum

- Public notice
- Working day (amendment)
- *Meeting duration (4.2)*
 - A meeting can sit for no more than two hours continuously without a break of at least ten minutes, previously this was three hours (unless the meeting resolves to extend the time before a break).
- *Membership of the Mayor (7.6)*
 - The Mayor is a member of all committees unless legislation states otherwise.
- Emergency meetings is an addition to the Standing Orders. Sections 8.5 -8.7 cover this amendment.
- When quorum is lost during a meeting, the meeting will lapse if quorum is not present within 15 minutes (11.5).
- *Leave of absence (13.3)* was in the Standing orders but has been reworded for clarification.
- Incorporating a casting vote in a council's Standing Orders is optional under cl. 24 (2) Schedule 7, LGA 2002. The casting vote provisions are left as they are in the default standing orders (20.3)
 - Council has three options for adopting a casting vote in their standing orders:
 - a. Status quo: *The Mayor, Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, has a casting vote.*
 - b. The casting vote provision is removed from the draft standing orders.
 - c. The standing orders are amended to provide for a "limited casting vote" that would be limited to a prescribed set of decisions only such as statutory decisions. For example, adopting the Long Term Plan or Annual Plan.
- Disrespect (21.2) has been changed to *Behaviour consistent with the code of conduct*. Code of conduct will be discussed in item 11.
- Clarity around speaking rights at committee and sub-committee meetings has been added to 22.5 for clarification.
- *Chairperson may recommend amendment* is a new section (24.6)
- There is an additional paragraph added to *Procedural motions must be taken immediately* (26.1)

- Some wording has been added to 29.1 to allow for electronic copies and electronic signatures.
- Section 30 on *Keeping a record* (of minutes) has two new additions and inspection also been reworded.

File ref: 3-OR-3-4

Recommendation:

That Council replace its Standing Orders by adopting* those proposed by Local Government New Zealand with the following changes to sections:

- Definitions in 2.0; and
- Meeting duration 4.2; and
- Membership of the Mayor 7.6; and
- Emergency meeting 8.5-8.7; and
- Casting vote 20.3; and
- Losing quorum 11.5; and
- Leave of absence 13.3; and
- Behaviour is consistent with code of conduct 21.2; and
- Speaking rights 22.5; and
- Chairperson recommending amendment 24.6; and
- Procedural motions 26.1; and
- Electronic signatures 29.1; and
- Keeping a record of minutes 30.0; and
- Any minor amendments to wording for clarity.

*75% vote required.

11 Code of Conduct

Code of Conduct Changes

Under cl 15 of Schedule 7 of the Local Government Act 2002 it is mandatory for councils to adopt a code of conduct.

The Code is designed to deal with the behaviour of members towards:

- each other, the chief executive and staff;
- the media; and
- the general public

Council last updated its code of conduct on 23 February 2017. Since the last update in 2017, there have been some changes from Local Government New Zealand which staff have amended and can be seen as tracked changes in the attached document.

Council staff will provide further commentary at the meeting, in brief the changes are:

- Under section 7 some additional points have been added on how contact with the media should be handled. Point one highlights that when dealing with media it must be clarified in what view you are providing comment.
- Further detail has been added to Section 13, Breaches of the code (Subsection 13.2, complaints) with it been referred to the Mayor/Chair and referred to an independent investigator.
- Appendix B further details the changes in regards to complaints and a revamped process that will be carried out.
- Section 13.1 also has an added principle

File ref: 3-OR-3-4

Recommendation:

That Council adopt* the proposed Code of Conduct with the tracked changes to the following sections:

- Contact with the media Section 7; and
- Principles Section 13.1; and
- Complaints section 13.2; and
- Any minor amendments to wording for clarity.

*75% vote required.

12 Committee structure and governance arrangements for the 2019-22 triennium

A report is attached.

File ref: 3-OR-3-4

Recommendations:

1. That the report 'Committee structures and governance arrangements for the 2019-22 triennium be received.

Committees for which Council solely determines membership

2. That the normal meeting time for Council, its standing committees and workshops is between 9.30 am and 5.00 pm on the second, third and last Thursdays of each month.
3. That Council endorses the criteria for establishing successful specialised standing committees as being
 - (i) committee membership open to all members of the Council,
 - (ii) committee meetings being at the same frequency as Council or at intervals consistent with Council's needs,

- (iii) the committees having the maximum legal delegations; and
 - (iv) the committees collectively covering the full scope of Council's business.
4. That Council notes the Mayor's decision for the broad delineation of the four specialised standing committees in the 2016-19 triennium continuing for the 2019-22 triennium as Finance/Performance; Assets/Infrastructure; Policy/Planning; and Audit/Risk, and endorses continuing the purpose statements, detailed terms of reference and delegations agreed for these committees in the 2016-19 triennium, with the proposed amendments, but subject to review after the strategic planning day on 20 November 2019.
 5. That Council notes the Mayor's decision to continue the Youth Council for the 2019-22 triennium, continuing the purpose statement, detailed terms of reference and delegations agreed during the 2016-19 triennium.
 6. That the Council notes the Mayor's decision to establish (and chair) a separate Hearings Committee to meet on an as-required basis only to determine panels for hearings under the Resource Management Act and to conduct hearings as required by other enactments.
 7. That the Council note the Mayor's preference
 - a. for the whole Council to meet on a quarterly basis (March, June, September, December) to review the strategic environment and priorities for the Rangitikei District and the local government sector;
 - b. for the whole Council to meet on a quarterly basis (April, May, August, November) with the chairs of the Community Boards and the Community Committees; and
 - c. for the Mayor and the Deputy Mayor to meet with the Chief Executive and Senior Leadership Team at their first meeting each month.
 8. That the Council notes the Mayor's decision that the chairs of the four specialist standing specialist committees in the 2019-22 triennium will be:

Finance/Performance	Cr Belsham
Assets/Infrastructure	Cr Wilson
Policy/Planning	Cr Gordon
Audit/Risk	Mr Craig O'Connell

and that each of these committees will appoint their deputy chairs.
 9. That Te Rōpu Ahi Kā continue to be able to nominate a representative as a full member for each of the Assets/Infrastructure, Finance/Performance and Policy/Planning Committees in the 2019-22 triennium.
 10. That the authority to set the remuneration for the independent Chair of the Audit/Risk Committee lie with the Chief Executive, within an annual cap of \$10,000.

11. That the full Council conduct any reviews of the Chief Executive’s performance with the review process being managed as a specified additional responsibility by

Committees which comprise members elected by the wider community.

12. That Council confirms for the 2019-22 triennium the existing terms of reference and delegations [as amended] for Te Rōpu Ahi Kā, the Māori Land Rates Remission Sub-committee, the Creative Communities Assessment Committee, the Sport New Zealand Rural Travel Fund Assessment Committee, the reserve management committees at Turakina and Mangaweka, and the rural water supply management sub-committees at Hunterville, Erewhon, Omatane and Putorino.
13. That for the 2019-22 triennium His Worship the Mayor and Councillor.....be the Rangitikei District Council’s representatives on Te Rōpu Ahi Kā.
14. That for the 2019-22 triennium His Worship the Mayor (as Chair), Councillor and Councillor be Council’s members on the Māori Land Rates Remission Committee.
15. That for the 2019-22 triennium His Worship the Mayor and Councillor be appointed to the Creative New Zealand Assessment Committee, together with Hari Benevides (representing Te Rōpu Ahi Kā) and confirms the nominations received for the community representatives following public advertisements as Mr Paul Marcroft, Ms Jan Harris, Ms Mary Laki, Ms Gemma Cameron, Mr Richard Aslett, Ms Katarina Hina, Ms Raewyn Turner, Ms Laura Morrison and Ms Deborah Jorgenson with the Chair being appointed annually by the Committee.
16. That for the 2019-22 triennium the Sport New Zealand Rural Travel Fund Assessment Committee comprise His Worship the Mayor, Councillor..... and Councillor....., with appointed as Chair.
17. That for the 2019-22 triennium, Councillor..... be the Rangitikei District Council’s representative on the Rangitikei Youth Council.
18. That for the 2019-22 triennium, Councillor..... be the Rangitikei District Council’s representative on the Hunterville Rural Water Supply Management Sub-Committee in addition to His Worship the Mayor (ex officio).
19. That for the 2019-22 triennium, Councillor be the Rangitikei District Council’s representative on the Erewhon Rural Water Supply Management Sub-Committee in addition to His Worship the Mayor (ex officio).
20. That for the 2019-22 triennium, Councillor be the Rangitikei District Council’s representative on the Omatane Rural Water Supply Management Sub-Committee in addition to His Worship the Mayor (ex officio).
21. That for the 2019-22 triennium, the following be appointed liaison councillors for community committees, with His Worship the Mayor appointed ex officio:

Turakina: Cr..... and Cr.....

Bulls: Cr..... and Cr.....

Marton: Cr..... and Cr.....

Huntermville: Cr..... and Cr.....

22. That for the 2019-22 triennium the following be appointed liaison councillors for reserve management committees, with His Worship the Mayor appointed ex officio:

Turakina: Cr.....

Santoft: Cr.....

McIntyre: Cr.....

13 Council appointments to Community Boards in the 2019-22 triennium

A report is attached.

File ref: 3-OR-3-4

Recommendations:

1. That the report 'Council appointments to Community Boards in the 2019-22 Triennium' to the 31 October 2019 Council meeting be received.
2. That the three Northern Ward Councillors are appointed to the Taihape Community Board on a rotating basis so that

Councillor A..... and Councillor B..... are members from November 2019 to October 2020;

Councillor A..... and Councillor C are members from November 2020 to October 2021;

Councillor B..... and Councillor C are members from November 2021 to October 2022;

and that, at its inaugural meeting, the Taihape Community Board be asked to allow the third Northern Ward Councillor not formally appointed in any year to the Board to have speaking (but not voting) rights at any meeting of the Board during that year.

3. That Councillor be appointed to the Rātana Community Board.
4. That both Community Boards be invited, early in 2020, to consider and recommend on any changes to their delegations for Council to consider.

14 Council appointments to other organisations 2019-22 triennium

A memorandum is attached.

File ref: 3-EP-2

Recommendations:

1. That the memorandum 'Council appointments to other organisations in the 2019-22 triennium' be received.
2. That..... be appointed as the Rangitikei District Council representative to the Regional Land Transport Committee and that be appointed as the alternate.
3. That..... be appointed as Rangitikei District Council's advisory member of the Horizons Regional Council's Passenger Transport Committee and that be appointed as the alternate.
4. That.....and..... be appointed as the Rangitikei District Council representatives to the John Beresford Swan Dudding Trust Advisory Committee.
5. That..... be nominated as Council's representative on the Otaihape Health Trust and that be appointed as the alternate.
6. That..... be appointed as the Rangitikei District Council representative to the Electoral College for the Whanganui Regional Museum.
7. That be appointed as the Rangitikei District Council representative to the Bonny Glen Community Trust and thatbe appointed as the alternate.
8. That His Worship the Mayor, Andy Watson, be appointed as the Rangitikei District Council representative to Civil Defence Emergency Management Group, Governance Body.

15 Gambling Venue policy (Class 4) – oral submissions

Submissions close on 28 October 2019. Submissions received by 24 October 2019 are attached. Any submission received later and by the closing date will be uploaded on 29 October 2019 (and tabled at the meeting).

Oral submissions from 3.15 pm

The following submitter's have been confirmed to speak:

- Bonnie Lovich-Howitt, Problem Gambling Foundation
- Martin Cheer, Pub Charity Limited

Voice messages and emails have been left with the following who have indicated they wish to speak:

- Whanganui District Health Board

A revised list will be tabled at the meeting if there are other submitters who wish to speak

16 Rangitikei District Licensing Committee

The term of the current Committee expires on 31 January 2020.

Section 189 of the Sale and Supply of Alcohol Act prescribes that any licensing committee comprises three people, drawn from the list of approved people. However, the chair must be either an elected member of the Council or a commissioner appointed by Council to the committee. The latter has been the case for the present committee. In Rangitikei, most of the functions prescribed by the Act are carried out by the chair; during 2018/19, the Committee met twice.

A public notice has been prepared inviting nominations from people to be considered for appointment. The outcome of that will be reported to Council's next meeting (on 5 December 2019)

Section 192 of the Sale and Supply of Alcohol Act 2012 requires that, to be eligible, a person must have experience relevant to alcohol licensing matters. The Act also specifies two exclusions:

- No actual or perceived involvement (or a relationship with someone who has actual or perceived involvement) with the alcohol industry that he or she could not perform his or her duties without actual bias or the appearance of bias;
- Ineligible for appointment is anyone who is a constable, a Medical Officer of Health, an inspector, or an employee of the territorial authority.

The term of consecutive membership is limited to ten years so all existing members are eligible to reapply. The relevant information will be passed to them.

Section 195 of the Act provides that the level of fees and allowances payable to members (including commissioners appointed to the Committee) is set by the Government.

17 Updated induction timetable

The updated induction timetable will be tabled at the meeting.

18 Additional remuneration for Councillors in the 2019-22 triennium

A memorandum is attached.

File: 3-OR-3-5

Recommendations:

1. That the memorandum 'Additional remuneration for Councillors in the 2019-22 triennium' to the 31 October 2019 Council meeting be received.
2. That Council adopts as the basis for additional remuneration for Councillors in the 2019-22 triennium

EITHER Option 1 – allocate the full governance remuneration pool evenly among all Councillors.

OR Option 2 – allocate the full governance remuneration pool to specific additional responsibilities (i.e. Deputy Mayor, Committee Chair and Deputy Chairs and the Chair of the Chief Executive Review Committee).

OR Option 3 – adopt a mixed allocation on the basis that ...% recognises additional representation responsibilities discharged by all Councillors (this increasing their minimum allowable annual remuneration) and the balance (...%) recognises specific additional responsibilities (i.e. Deputy Mayor, Committee Chair and Deputy Chairs and the Chair of the Chief Executive Review Committee).

OR

19 Expenses and Allowances Policy

A memorandum will be tabled at the meeting.

File ref: 3-OR-3-4

Recommendations:

1. That the memorandum 'Expenses and Allowances Policy' to the 31 October 2019 Council meeting be received.
2. That....

20 Sale of house at 8 Walton Street, Bulls

The auction (by Bayleys) will take place at the site on Saturday 2 November 2019. Council is asked to nominate a reserve price.

Recommendation:

That the reserve price for the house at 8 Walton Street, Bulls, be(GST inclusive).

21 Administrative Matters – October 2019 (2019-22 triennium)

A report is attached.

File ref: 5-EX-4

Recommendations:

1. That the report 'Administrative Matters – October 2019 (2019-22 triennium)' to the 31 October 2019 Council meeting be received.

2. That Council approve the minor amendments proposed to the Rates remission policy –incentivising residential development, to take immediate effect (i.e. from 1 November 2019).
3. That His Worship the Mayor be authorised to sign on behalf of the Council the submission to the Parliamentary Environment Committee on the Resource Management Amendment Bill.
4. That any objections to the road closures requested for the purpose of holding Christmas Parades in Bulls, Marton, Hunterville and Marton be considered by His Worship the Mayor, the Deputy Mayor and the Chief Executive and their decision reported to the next meeting of Council.
5. That the normal meeting time for Council, its standing committees and workshops is

EITHER between 9.30 am and 5.00 pm on the second, third and last Thursdays of each month

OR.....

22 Top Ten Projects – status update, October 2019

A memorandum is attached.

File ref: 5-EX-4

Recommendation:

That the memorandum ‘Top Ten Projects – status update, October 2019’ to the 31 October 2019 Council meeting be received.

23 Receipt of minutes from the last meeting in the 2016-19 triennium of Council

Standing Orders 3.18.2 specifies that the Chair and the Chief Executive authenticate the minutes of the last meeting of a Local Authority.

Recommendation:

That the minutes and public excluded minutes of Council’s meeting on 10 October 2019 be received.

24 Minutes and recommendations from Committees

The minutes are attached.

Recommendations:

1. That the following minutes be received:
 - Hunterville Community Committee, 7 October 2019
 - Te Rōpu Ahi Kā, 8 October 2019
 - Bulls Community Committee, 8 October 2019
 - Ratana Community Board, 8 October 2019 – *to be tabled at the meeting*
 - Taihape Community Board, 9 October 2019
 - Marton Community Committee, 9 October 2019
 - Youth Council, 15 October 2019 – *to be tabled at the meeting*

2. That the following recommendation from the Hunterville Community Committee meeting held on 7 October 2019:

19/HCC/027

That the Hunterville Community Committee recommend to Council that Council revamp the gardens at the southern end of the township on State highway 1, around the NZTA speed signs.

3. That the following recommendations from the Marton Community Committee meeting held on 9 October 2019:

19/MCC/040

That the Marton Community Committee recommend to Council that Council keep the current Gambling Venue (Class 4) Policy with no changes.

19/MCC/043

The Marton Community Committee recommend to Council that Council approach Project Marton to remove the all the Heart-branded signs and replace it with the approved branded Marton township signs.

25 Late items

As agreed at Item 6.

26 Public Excluded**Recommendation:**

I move that the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Property matters
2. Remission of rates

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to this 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 the matter to be considered	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for passing of this resolution
Item 1 Property matters	To enable the local authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations) – <i>section 7(2)(i)</i> .	Section 48(1)(a)(i)
Item 2 Remission of rates	To enable the local authority holding the information to protect the privacy of natural persons, including that of deceased natural persons) – <i>section 7(2)(a)</i> .	Section 48(1)(a)(i)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding or the whole or the relevant part of the proceedings of the meeting in public as specified above.

27 Next Meeting

5 December 2019, 1.00pm

28 Meeting Closed