

MACKENZIE DISTRICT COUNCIL**MINUTES OF A MEETING OF THE
MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE,
ON TUESDAY 23 AUGUST 2011 AT 9.37 AM****PRESENT:**

Claire Barlow (Mayor)
Crs John Bishop
Peter Maxwell
Annette Money
Graeme Page
Graham Smith
Evan Williams

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
Rosemary Moran (Committee Clerk)

I OPENING:

The Mayor welcomed everyone to the meeting.

IV BEREAVEMENTS:

The Mayor referred to the recent deaths of Martyn Pickard, Dorothy Simmers, Andrew Adie and Terry Brougham. A motion of sympathy was passed and the Chief Executive Officer was directed to pass this on to those concerned.

V MAYORAL REPORT:

This was the report of Mayoral activities for the previous six weeks.

Resolved that the report be received.

Annette Money/John Bishop

VI REPORTS REQUIRING COUNCIL DECISION:**1. AUDIT AND RISK SUBCOMMITTEE – TERMS OF REFERENCE:**

This report from the Manager – Finance and Administration was accompanied by amended terms of reference for the Audit and Risk Subcommittee.

Resolved:

1. That the report be received.
2. That the Audit and Risk Subcommittee Terms of Reference as follows be adopted:

TERMS OF REFERENCE FOR THE AUDIT AND RISK SUBCOMMITTEE

Voting Membership

The Audit and Risk Management Subcommittee will have three Councillors.

Quorum

2

Chair

The Chair will be elected by Council.

Frequency of Meetings

The Audit and Risk Management Subcommittee will meet on a quarterly basis or as required.

Parent Body

The Subcommittee reports to the Finance Committee.

Objectives of the Subcommittee

The objectives of the Audit and Risk Management Subcommittee are to assist the Council to discharge its responsibilities for:

- a) The robustness of the internal control framework and financial management practices;
- b) The integrity and appropriateness of internal and external reporting and accountability Arrangements;
- c) The robustness of risk management systems, processes and practices;
- d) The independence and adequacy of external audit functions;
- e) Compliance with applicable laws, regulations, standard and best practice guidelines; and
- f) The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.

In fulfilling their role on the Audit and Risk Management Subcommittee, members shall be impartial and independent at all times.

Terms of Reference

The Subcommittee will have responsibility and authority to:

1 *Internal Control Framework*

- 1.1.1 review whether management's approach to maintaining an effective internal control framework is sound and effective;
- 1.1.2 review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour;
- 1.1.3 review whether there are appropriate systems, processes and controls in place prevent, detect and effectively investigate fraud;

2 *Internal reporting*

- 2.1.1 consider the processes for ensuring the completeness and quality of financial and operational information being provided to the Council;
- 2.2 seek advice periodically from external auditors regarding the completeness and quality of financial and operational information that is provided to the Council;

3 *External Reporting and Accountability*

- 3.1 agree the appropriateness of the Council's existing accounting policies and principles and any proposed change;

- 3.2 enquire of external auditors for any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to the above;
- 3.3 satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (ie letters of representation), and recommend signing of the financial statements by the Chief Executive/Mayor and adoption of the Annual report.

4 *Risk Management*

- 4.1.1 review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council's significant risks;
- 4.1.2 consider whether appropriate action is being taken by Management to mitigate Council's significant risks.

5 *External Audit*

- 5.1.1 at the start of each audit, confirm the terms of engagement, including the nature and scope of the audit, timetable and fees, with the external auditor;
- 5.1.2 receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within;
- 5.1.3 conduct a members only session (ie without any management present) with external audit to discuss any matters that the auditors wish to bring to the Subcommittee's attention and/or any issues of independence.

6 *Compliance with legislation, Standards and Best Practice Guidelines*

- 6.1.1 review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines as applicable.

Delegated Authority

Due to the Sub-committee not being a Council Committee of the whole, the Sub-committee will not have any decision-making powers but will make its recommendations to Council's Finance Committee.

Graham Smith/Evan Williams

Resolved that Peter Maxwell be appointed Chairman of the Audit and Risk Committee.

Graeme Page/Evan Williams

3. SERVICE PERFORMANCE MEASURES REPORTING REGIME:

This report from the Manager – Finance and Administration sought the adoption of a formal, regular Council-wide reporting regime of all of Council's service performance measures.

Resolved that the report be received.

Graeme Page/Annette Money

Resolved:

1. That Council adopts a six-monthly reporting regime for all of Council's service performance measures.
2. That these measures be presented to Council before 1 March and 30 September each year commencing with the half-year ended 31 December 2011.

Graeme Smith/Annette Money

Cr Page voted against the motion.

VII INFORMATION REPORTS:1. CHIEF EXECUTIVE OFFICER – GENERAL ACTIVITIES REPORT:

This report from the Chief Executive Officer referred to Council, Committee and Board Meetings, Other Meetings and Activities, Annual Plan 2011/12, End of Year Outcome, High Country Health, Tourism Trust, Roding Achievements, Long-Term Plan Steering Group, Policy Review, Staffing Issues and Other Items.

The Chief Executive Officer noted that he had not met with Ashley Parris on 17 August 2011 and that on 19 August he had attended the meeting of the Coordinating Executive Group (the Officers' part of the Emergency Management organisation) in Christchurch.

Resolved that the report be received

Evan William/Peter Maxwell

2. COMMON SEAL

This report from the Committee Clerk advised of documents signed under the Common Seal from 15 July 2011 to 18 August 2011.

Resolved:

1. That the report be received.
2. That the affixing of the Common Seal to document numbers 716 to 719 be endorsed.

Annette Money/Graham Smith

XI ADJOURNMENT:

The meeting was adjourned at 10.32 am for morning tea and reconvened at 10.45 am.

VIII COMMUNITY BOARD RECOMMENDATIONS:

This report from the Chief Executive officer was accompanied by the minutes of the meetings of the Twizel Community Board and Tekapo Community Board held on 8 August 2011 and the Fairlie Community Board held on 3 August 2011.

Resolved:

1. That the report be received.

TWIZEL COMMUNITY BOARD2. **Relay For Life:**

That the Council notes that approval has been given to the Cancer Society to hold a launch party for the *Relay for Life* to be held on the grassed area in the Twizel Market Place on 15 September 2011 and that the event organisers will requested to ensure all litter was removed following the event.

3 **Kaiapoi Brass Band**

That the Council notes that approval has been given for the Kaiapoi Brass Band to play in Market Place on Sunday 21 August 2011.

4. **Liquor Licence for Market Place:**

That the Council notes that the Twizel Community Board has supported the TPDA's application for a special liquor licence for an event in Market Place to be held on the Hard Labour Weekend.

5. **Ruataniwha Reserve:**

That the Council notes the outstanding amount of \$1,000 plus GST owed for the Licence to Occupy land for camping at the Ruataniwha Reserve is to be pursued and that the subject is to be included on the Agenda for the next Community Board meeting.

6. **Twizel Cemetery:**

That the Council notes that provisions for the establishment of a car parking area behind the Twizel cemetery are to be investigated and included in the draft budgets for 2012/13.

7. **Car Parks:**

That the Council notes:

1. That a plan is to be made available to Board members showing the car parks in Twizel which could either be resealed or turned into grassed areas.
2. That, following an inspection of the car parks, decisions are to be made on which should be resealed and which should be grassed.
3. That provision is to be made for the work in the 2012/2013 budgets.

TEKAPO COMMUNITY BOARD:8 **Community Hall Renovations:**

That the Council notes:

1. That a 'ball park' price is to be obtained for the renovations including a covered entrance way and amended men's WC design.
2. That, subject to the 'ball park' price being acceptable, working drawings are to be commissioned.
3. That the plans are to be posted on the Tekapo Community Board website and on the township notice board and that comment is to be sought from the public.

9. **NZMCA – Parking Place/Pines Beach Camping Ground**

That the Council notes that the Tekapo Community Board supports the creation of a park for NZMCA members in conjunction with the Tekapo Regional Park.

FAIRLIE COMMUNITY BOARD:

10. Grant Request from the Fairlie Ice Skating Club:

- a) That the Council approves that that a grant be made to cover the excess water charges incurred by the Fairlie Ice Skating Club subject to the Club making alternative provision to either supply water to the skating rink site or making the pond watertight by April 2012.
- b) That the Council notes that the Ice Skating Club is to be advised:
 - that the level of excess water charges that would be covered in this instance was \$2,650.00,
 - that any further excess water charges would be a cost to the Club
 - that no further grants would be made, and
 - that if future excess water charges were not paid the town water supply to the site would be disconnected.

11 Appointment to the Mackenzie Community Enhancement Board:

That the Council notes that the Fairlie Community Board has endorsed Julia Bremner's appointment as the Community Board's representative on the Mackenzie Community Enhancement Board.

Graham Smith /John Bishop

X CONFIRMATION OF MINUTES:

Resolved:

1. That the Minutes of the Mackenzie District Council Meeting held on 19 July 2011 with the following correction to ***Section X, Confirmation of Minutes***, to read:
Resolved:
That the minutes of the meeting of the Mackenzie District Council held on 31 May 2011, 14 June 2011 and 28 June 2011, excluding such parts of the meetings as were taken with the Public Excluded
be confirmed and adopted as the correct record of the meeting.
2. That the Minutes of the Mackenzie District Council Meetings held on 5 August and 18 August 2011, including such parts as were taken with the Public Excluded, be confirmed and adopted as the correct record of the meeting.

Annette Money/Evan Williams

Code of Conduct - Cr Page:

The Mayor referred to the comments by Cr Page which had been published in the Timaru Herald following the Council meeting held on 5 August 2011. She said that in spite of the Council agreeing that comment on the decisions made at the meeting should come only from the Mayor, Cr Page had spoken to the media. She said objection had also been taken to inaccurate figures provided by Cr Page.

The Mayor referred to the Code of Conduct which had been adopted by the Council and in particular the provisions of the section relating to contact with the media, viz:

Elected members, in their dealings with the media:

- *will recognise the Mayor's role as the primary Council spokesperson and key media contact*
- *may express a personal view on any matter, without implying that that is the official Council view and without attempting to publicly relitigate any matter that has already been debated and decided upon.*

She said that regardless of councillors' personal views, it was important that a united front be expressed publicly about sensitive issues. She reiterated that the Council had specifically agreed that the Mayor would provide a press release in that instance; the impression that Cr Page was the Council's spokesperson had been upsetting for some people.

Cr Money expressed concern that the information which had been discussed in the newspaper had been considered with the Public Excluded.

Cr Page said he had been contacted on the telephone by the Timaru Herald Reporter who had asked him questions which he had considered he was entitled to answer. He maintained that his statement had been factual and that the figures he had quoted could have been inclusive or exclusive of GST.

Cr Smith said that regardless of what Cr Page felt entitled to do, it had been against the express wish of the Council and he was disappointed that a senior Councillor had shown such disrespect.

Cr Page said he had been around long enough to know the rules and he always said to reporters that it was "Graeme Page commenting".

The standard of accuracy in newspaper articles was discussed. The Mayor said it was her practice to ask for her comments to be repeated to her to ensure that the reporting was correct.

MATTERS UNDER ACTION:

Alps2Ocean Cycleway:

Cr Smith requested that copies of the final documentation with regard to Alps2Ocean Cycle Trail Ltd and the Shareholders' Agreement, be circulated to Councillors.

Purchase of Land for Twizel Sewerage Purposes:

In response to concerns expressed about the length of time the land purchase was taking, the Chief Executive Officer explained the difficulties which had been encountered. He said that Mr Lyons wanted to link his subdivisional developments with Council's desire to buy some of his land for sewerage purposes – this was not possible.

The Mayor asked if negotiations could be more accommodating as the matter needed to be progressed.

The Chief Executive Officer reiterated that Mr Lyons had been reluctant to conclude the land negotiations and staff had not been holding the process up.

Cr Smith agreed that it was important to resolve the issues, but not at any cost.

XII VISITORS:

The Mayor welcomed Geoff Matthews, Chief Executive Officer of Mt Cook Alpine Salmon, Dr Terry Bradley, Professor of Aquaculture at Rhode Island University and Rick Ramsay, Manager - Mt Cook Alpine Salmon.

The Mayor explained that Mr Matthews had recently taken her on a tour of the company's salmon farms and apprised her of plans for future developments.

Councillors were invited to sample the company's premier product - tequila cured gravalax.

IX PUBLIC EXCLUDED:

Resolved that the public be excluded from the following part of the proceedings of this meeting namely:

1. Mt Cook Alpine Salmon.

Reason for passing General subject of each matter to be considered	Ground(s) under this resolution in relation to each matter	Section 48(1) for the passing of this resolution
Mt Cook Alpine Salmon	Commercial Sensitivity	48(1)(a)(i)
Public Excluded Minutes of Council meeting of 19 July 2011 - Corrections		48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Mt Cook Alpine Salmon*, section 7(2)(b)(ii).

Graeme Page/Evan Williams

**THERE BEING NO FURTHER BUSINESS,
THE MAYOR DECLARED THE MEETING CLOSED AT 12,34 PM**

MAYOR: _____

DATE: _____