

CHATHAM ISLANDS COUNCIL

Minutes of the Statutory Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 28 October 2010, commencing at 11.00 a.m.

PRESENT: His Worship the Mayor, Mr A W M Preece, and Councillors J I Clarke, M Croon, K L Day, G F Horler, N C Ryan, R P Tuuta, and N J Whaitiri (from 11.05 a.m.)

IN ATTENDANCE: General Manager, Owen Pickles
Corporate Services Manager, Deborah Goomes
Council Secretary, Lynette Pickles

APOLOGIES: An apology was received from Councillor D I Whaitiri.

RESOLVED THAT the apology from Councillor D I Whaitiri be received.

N C Ryan / M Croon CARRIED

WELCOME: The General Manager welcomed everyone to the Statutory Meeting. He advised that it was his role to run the meeting until His Worship had been sworn in and could take over chairing the meeting.

The General Manager advised that the meeting was a Statutory Meeting as required under the Local Government Act 2002 and that an oath of office would be required from each member.

DEMOCRACY: **2. Mayoral Declaration and Installation**

The General Manager asked His Worship to read the oath of office. The declaration was duly signed by His Worship the Mayor, Alfred Wesley McAlister Preece, and witnessed by the General Manager, Owen Leslie Pickles.

3. Councillors' Declarations

Each Councillor read the oath of office and their declarations were duly signed in the presence of His Worship the Mayor, Alfred Wesley McAlister Preece, and the General Manager, Owen Leslie Pickles.

Those to take the oath of office were:

Jeffrey Ian Clarke

Monique Croon

Keri Lea Day

Gregory Francis Horler

Nigel Clancy Ryan

Ronald Phillip Tuuta

Nathaniel James Whaitiri

4. Address By His Worship The Mayor

His Worship congratulated all the Councillors, both new and those returning, on being elected to the Chatham Islands Council. He thanked the new Councillors for putting their names forward for election. He believed that the Council had made huge progress in the last couple of terms, but as there were still many things to do, it would be an exciting time moving forward.

He noted that there was an intermingling of the Council and the Enterprise Trust with some past and present Trust members now on the Council.

There were challenges ahead, especially in regard to infrastructure. There had been some progress made in the change of ownership of the Waitangi Wharf, which was a beginning. He believed that the events of the past few days with the receivership of Black Robin Freighters had highlighted the Islands' vulnerability.

His Worship stated that the waste management issue needed to be dealt with quickly as it had been 'sitting round' for quite a long time. Council needed to put a 'stake in the ground' and make things happen. He hoped that when the issue was discussed at the Ordinary Meeting in the afternoon, there would be a 'giant leap forward'.

He was excited about the next three years. He believed that there was a good representation of the community around the Council table, and he welcomed everyone on board. Members thanked His Worship and offered him congratulations on being elected to the position of Mayor of the Chatham Islands.

His Worship also thanked the staff and welcomed their input into the next three years.

5. Report of the Electoral Officer

A report by Deborah Goomes, Electoral Officer for the Chatham Islands Territory, was presented to Council.

The report covered the election process for the Chatham Islands Council, and the processing of votes under the First Past the Post system. There was a 69.4% voter turnout, which was almost 6% up on the 2007 election. The report also covered the Hawkes Bay District Health Board Election which was held under the Single Transferable Vote system.

His Worship invited the Electoral Officer to speak to her report. She congratulated the candidates on their election to the Chatham Islands Council, stating that she looked forward to working with them all in what should be an exciting three years.

Deborah advised that for these elections she had been supported by Tania Whitiri. She had been pleased to see 14 candidates put their names forward for election. It showed that there was a commitment and interest in the community. She stated that the Council played a major role in the community and where it headed in the future. She acknowledged the family members who sit behind the Council Members and the important role they also play.

Deborah then summarised her report, noting the small increase of seven in the residential electors this year. She advised that staff had gone to great lengths to contact non-resident ratepayers, with six enrolling to vote. Nine special votes were processed.

There had been an unusually high number of informal votes at 20, with 19 of these being blank votes for the Mayoralty. She believed that people may have forgotten to turn the voting paper over to the Mayoral voting page.

Overall, the statistics had improved on previous elections, with the Chatham Islands returning the highest percentage of voters in the country.

Deborah had been appointed a Deputy Electoral Officer by Peter Woodroffe, Electoral Officer for the Hawkes Bay District Health Board, to handle votes for the Health Board elections. Eileen Whitiri JP was the appointed Justice of the Peace for the election process

and one Scrutineer, Ada Hough, was appointed by Joe Tapara for the Mayoral election.

Deborah reminded Council members to complete their Election Return so that they could be refunded their candidates' deposits. Returns needed to be in her hands by Friday, 7 December 2010.

RESOLVED THAT the report of the Electoral Officer on the Triennial Elections for 2010 be received.

J I Clarke / M Croon CARRIED

6. General Explanation of Statutory Requirements

The General Manager reported that under the Local Government Act 2002, he was required to give a general explanation of the Local Government Official Information and Meetings Act 1987 and appropriate provisions of:

- the Local Authorities (Members' Interests) Act 1968;
- Sections 99, 105 and 105A of the Crimes Act 1961;
- the Secret Commissions Act 1910; and
- the Securities Act 1978.

The General Manager stated that Local Government New Zealand President, Lawrence Yule, along with a staff member, would be coming to the Islands from 15-17 December 2010 to undertake an Elected Members' Training Seminar. Training for all elected members would be held on Thursday, 16 December 2010.

The Seminar would go into more detail on Local Government matters, but the ones he was about to mention were the most important. He advised that if any Councillor had any doubts about anything, they should talk to him. If he did not know the answer, he could contact someone who would.

The General Manager then proceeded to go through each section of the report highlighting the major points of each subject.

He also advised that the Council had an adopted Code of Conduct which explained the behaviour that was expected from each member at Council meetings, out in the community, and towards staff. Most sanctions would be down to His Worship the Mayor. A copy of

the Code of Conduct would be circulated to each member.

The General Manager advised everyone that the December Council Meeting would be moved back one day to Wednesday, 15 December 2010, to accommodate the Elected Members' Training Seminar on the 16th.

RESOLVED THAT

- the statutory information report, as required under the Local Government Act 2002, be received; and
- that a Local Government New Zealand Elected Members' Training Seminar be held in the Council Chambers on Thursday, 16 December 2010.

K L Day / J I Clarke CARRIED

7. Election of Deputy Mayor

The General Manager reported that the Local Government Act 2002 provided that every local authority should, at the inaugural meeting, elect one of its members to be its Deputy Mayor. The system of voting for a Deputy Mayor was covered under Clause 25 of Schedule 7 of the Act.

His Worship stated that the role of Deputy Mayor was an important one, the person being required to deputise when the Mayor was unavailable. He called for nominations from the floor for the position of Deputy Mayor of the Chatham Islands Council.

Cr J I Clarke was nominated by N C Ryan, seconded by N J Whaitiri.

Cr M Croon was nominated by K L Day, seconded by G F Horler.

The General Manager gave each member a paper with the two nominated names written on it, and asked that the name not wanted be crossed out. The Electoral Officer, Deborah Goomes, counted the votes. Cr Clarke received five votes and Cr Croon three. The voting papers were handed to the Council Secretary for disposal.

His Worship declared Cr J I Clarke to be the Deputy Mayor and stated that he looked forward to working with him over the next three years.

8. Adoption of Ordinary Council Meetings Schedule

The General Manager reported that under the Local Government Act 2002, Council must fix the date and time of the first Ordinary Meeting of the authority or adopt a schedule of Ordinary Meetings. His report included a proposed schedule up until December 2011.

The General Manager advised that the schedule continued on a more or less six weekly meeting basis and avoided holidays and conference events, but if members wished to make changes to the schedule, now was the time to do it. The meeting day stated on the schedule was a Thursday, apart from the December 2010 meeting being changed to a Wednesday to accommodate the Elected Members' Training Seminar.

The schedule listed all the Ordinary Council Meetings up until December 2011. Ordinary Council Meetings were where all Council decisions were made, and were open to the public, apart from the In Camera sections. On occasions, a Special Council Meeting might be called, over and above the Ordinary Meeting Schedule.

The General Manager stated that Workshops were occasionally held, especially where there was a huge amount of information to be imparted. The Workshops allowed for full absorption of the information, but formal Council decisions could not be made at a Workshop.

The Ordinary Council Meetings normally lasted a couple of hours, sometimes a little longer. If a Workshop was held prior to an Ordinary Meeting, normally all the information imparted would assist members to understand an issue, thus there would not be the need for long discussions on that issue at the Ordinary Meeting. This assisted in allowing the Ordinary Meetings to run reasonably well.

RESOLVED THAT pursuant to Clause 21 (5) (a) of Schedule 7 of the Local Government Act 2002, the following meeting schedule for the period November 2010 to December 2011 be adopted by Council:

Thursday, 25 November 2010 @ 1.30 p.m.
Wednesday, 15 December 2010 @ 1.30 p.m.
Thursday, 20 January 2011 @ 1.30 p.m.
Thursday, 3 March 2011 @ 1.30 p.m.
Thursday, 14 April 2011 @ 1.30 p.m.

Thursday, 26 May 2011 @ 1.30 p.m.
Thursday, 7 July 2011 @ 1.30 p.m.
Thursday, 18 August 2011 @ 1.30 p.m.
Thursday, 29 September 2011 @ 1.30 p.m.
Thursday, 10 November 2011 @ 1.30 p.m.
Thursday, 15 December 2011 @ 1.30 p.m.

J I Clarke / R P Tuuta CARRIED

9. Elected Members' Remuneration

The General Manager reported that remuneration for elected members was to be considered within the terms and conditions set by the Remuneration Authority, a Central Government Agency. This Agency set a number of remuneration determinations, right from the Prime Minister to the Chatham Islands Council.

The Authority provided a total pool that Council must allocate to its members, including the level of remuneration that must be paid to the Mayor from that pool. Council could distribute the pool to the members as salaries only or, alternatively, set a mix of base salary and attendance fees to a maximum of the available pool.

The General Manager advised that he had stayed with the 'tried and true' in his recommendation. He had recognised the role that the Deputy Mayor played, setting at 30% of the Mayoral salary, then distributed the remainder of the pool amongst the remaining Council Members.

Elected members were entitled to claim \$0.70 per kilometre for travel. For ease of payment, Council had set a monthly travel allowance, based on kilometres estimated to be travelled within each month. Cr Horler noted that the South Coast had been set at 30 km per month when he knew it to only be 10 km to his home. He was concerned that there could be 'nit-picking' from the community. The Corporate Services Manager explained that the figures arrived at recognised that a member would probably do more than one trip per month on Council duties. She noted that no one had 'nit-picked' about the allowance in the past. His Worship agreed, stating that some months a member could accumulate quite a number of kilometres.

Cr Ryan asked about claiming when travelling on Council business, especially relating to oil spill duties. The General Manager stated that on an occasion such as

that, a claim would be made by the Council to Maritime New Zealand to cover any expenses incurred.

The General Manager advised that Council reimbursed any expenses incurred by a member while on authorised Council business, based on actual and reasonable expenses. These needed to be supported by receipts.

The General Manager explained that the Remuneration Authority became involved in setting salaries for elected members of local authorities after some Councils experienced difficulties in the setting exercise. There would be occasions where some members of a Council would say they did not want to be paid for the position as they were working for the 'good of the community'. By the Remuneration Authority setting the salaries, the politics of the exercise was taken away from elected members. There was a legal obligation to pay all Council Members, but a member could pay the money back if they so wished.

His Worship stated that enquiries had been made with the Authority to increase the Chatham Islands Council pool so that the Councillors' honorariums could be set at least on a par with what other agencies on the Chatham Islands paid their elected members. Council currently had a submission with the Remuneration Authority for the next determination round, showing that Councillors were being paid lightly in comparison with other Islands' agencies.

The General Manager advised that the Chatham Islands Council was both a District and Regional Council. While officially it was not a Unitary Authority because it did not deal with transportation issues that other Regional Councils dealt with, all other functions of a Unitary Authority were undertaken by the Chatham Islands Council.

RESOLVED THAT

- remunerations be paid as salaries only on the following basis:

Mayor	\$44,600 p.a.
Deputy Mayor	\$13,381 p.a.
Councillors	\$7,017 p.a.

- the travel allowance at \$0.70 per kilometre be paid monthly on the following basis:

Mayor 115 km	\$80.50
Deputy Mayor 115 km	\$80.50

Owenga 60 km	\$42.00
South Coast 30 km	\$21.00
Target Hill 10 km	\$7.00
Waitangi 5 km	\$3.50
Kaingaroa 112 km	\$78.40

M Croon / G F Horler CARRIED

CONDOLENCES:

His Worship expressed his condolences on behalf of the community to Crs Dale and Nathaniel Whitiri and the extended Whitiri families on the Chatham Islands and in Bluff, at the tragic loss of their family member in a helicopter accident.

CLOSURE:

Meeting Closure

There being no further business, the meeting was declared closed at 11.52 a.m.

CONFIRMED THIS 25TH DAY OF NOVEMBER 2010

MAYOR