

**Minutes of a Meeting of the  
Marlborough District Council  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY 30 OCTOBER 2014 commencing at 2.00 pm**

**Present**

The Mayor A T Sowman, Cllrs J L Andrews (from 2.15 pm), J A Arbuckle, J P Bagge, G S Barsanti (from 2.50 pm), C J Brooks, B G Dawson, G I T Evans, T E Hook, J C Leggett, D D Oddie, L M Shenfield.

**In Attendance**

Messrs A R Besley (Chief Executive) and M J Porter (Democratic Services Manager).

**Prayer**

The meeting opened with the Council prayer.

**Apologies**

Cllrs Arbuckle/Brooks:

That the apologies from Cllrs P J S Jerram and T M Sloan for absence and from Cllrs J L Andrews and G S Barsanti for lateness be received and sustained.

Carried

**C.14/15.162 Confirmation of Minutes -**

The Mayor/Cllr Hook:

That the Minutes of the Council Meeting held on 18 September 2014 (Minute Nos. C.14/15.113 to C.14/15.120) be taken as read and confirmed.

Carried

**Committee Reports****C.14/15.163 Resource Hearing Committee Decisions -**

Cllrs Oddie/Arbuckle:

That the Resource Hearing Committee Decision as contained within the report dated 3 September 2014 (U140413) be received and the recommendations adopted.

Carried

**C.14/15.164 Resource Hearing Commissioner Decisions -**

Cllrs Arbuckle/Shenfield:

That the Resource Hearing Commissioner Decisions as contained within the reports dated 27 August 2014 (U140313) and 29 September 2014 (U090534) be received and the recommendations adopted.

Carried

## **C.14/15.165 Community & Finance Committee -**

**Clrs Leggett/Brooks:**

That the Committee report contained within Minute Nos. A.14/15.121 to A.14/15.133 be received and the recommendations adopted.

Carried

## **C.14/15.166 Assets & Services Committee -**

**Clrs Evans/Hook:**

That the Committee report contained within Minute Nos. P.14/15.134 to P.14/15.142 be received and the recommendations adopted.

Carried

## **C.14/15.167 Environment Committee -**

The recommendation under Minute No. R.14/15.154 (Bylaw - Beauty Therapy, Tattooing and Skin Piercing) was discussed. Following further discussion on this issue it was resolved:

**Clrs Shenfield/Arbuckle:**

That Council lobby Central Government for National Standards and Controls to ensure health and safety practices in the Beauty Therapy, Tattooing and Skin Piercing industries.

Carried

**Clrs Oddie/Brooks:**

That the Committee report contained within Minute Nos. R.14/15.146 to R.14/15.161 be received and the recommendations adopted.

Carried

## **C.14/15.168 Grants Sub-Committee -**

**Clrs Andrews/Brooks:**

That the Sub-Committee report contained within Minute Nos. X.14/15.143 to X.14/15.145 be received and the recommendations adopted.

Carried

## **C.14/15.169 Regional Transport Committee -**

**Clrs Leggett/Evans:**

That the Committee report contained within Minute Nos. X.14/15.107 to X.14/15.112 be received and the recommendations adopted.

Carried

## **C.14/15.170 Annual Report 2013/14**

**F275-A13-01, F275-A13-02**

Members noted that Council considered the interim financial results for the year ended 30 June 2014 at the Community and Finance Committee of 28 August 2014. Subsequent to this meeting the Annual Report has been finalised incorporating the required International Financial Reporting Standards (IFRS) adjustments, subsidiary results and non-financial information. The Annual Report reports the performance of Council against non-financial performance targets and financial forecasts. The final Annual Report was separately attached to the Agenda as was a Summary report. A presentation was also made (filed in Trim – Record No. 14257175).

An unqualified audit opinion was tabled at the meeting and will be incorporated into the Final Annual Report for the financial year ended 30 June 2014. An unqualified audit opinion is a significant achievement for Council and is the result of many months of effort from staff. The opinion forms part of the Annual Report and provides an assurance in regard to the financial and operational performance of Council and its financial position. All involved in the Annual Report process were thanked for their work and efforts in securing a successful outcome.

**The Mayor/Clr Leggett:**

**That the Final Annual Report for the Marlborough District Council for the financial year ended 30 June 2014 be adopted.**

**Carried**

**The Mayor/Clr Andrews:**

**That the unqualified Audit Opinion of Audit New Zealand be received.**

**Carried**

## **C.14/15.171 Enforcement Decision Making**

**C500-011-E04**

The Chief Executive spoke to the report regarding an update to the delegations related to prosecution and enforcement actions.

It was reported that Council Minute No. C.11/12.175 adopted the guidelines of the Auditor General and Solicitor-General and resolved that decisions on enforcement actions and prosecution would be made by the Enforcement and Prosecution Committee. This is to ensure that any decision about prosecution or enforcement is free from actual or perceived political bias.

The appointment of Mr Radich addressed when Mr Radich had a conflict. There are occasions however, when Mr Radich may not be available but a decision is required because of time lines under the prosecution requirements. It is therefore necessary that the delegation be amended to allow Mr Radich to appoint a delegate if he is not available. This person would be a lawyer but not a Council Officer.

**Cirs Barsanti/Hook:**

**That the decision made by Council under C.11/12.175 be modified to the extent that Council delegate the power to decide to take enforcement actions to the Chief Executive (or his delegate) the Assets and Services Manager (or his delegate) and Mr Peter Radich (or his delegate who must be a Lawyer but not a Council Officer) under section 32 of Schedule 7 of the Local Government Act 2002.**

**Carried**

## **C.14/15.172 2015 Council Meeting Schedule**

**D050-001-01**

Attached to the Agenda for consideration was the draft schedule of meetings for 2015.

**Cirs Brooks/Shenfield:**

**That the meeting schedule for 2015 be approved.**

**Carried**

The Mayor acknowledged the expertise and very fair reporting of the Marlborough Express Reporter, Cathie Bell, who was leaving the Marlborough Express at the end of the week.

Cllr Barsanti advised that this meeting was on the 25<sup>th</sup> Anniversary of the first Marlborough District Council held in the same Council Chambers on 30 October 1989.

## **C.14/15.173 Decision to Conduct Business with the Public Excluded**

The Mayor/Cllr Arbuckle:

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Confirmation of Public Excluded Minutes
- Committee Reports (Public Excluded Sections)

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each 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 each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Minutes and Committee Reports	As set out in the Minutes	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

### **Carried**

The meeting closed at 2.55 pm.

Confirmed this 11<sup>th</sup> day of December 2014

A T SOWMAN  
**MAYOR**

Record No. 14259001