

MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 20 AUGUST 2009 COMMENCING AT 9.00AM

PRESENT: Deputy Mayor, R Reece (Chairperson), Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A Miccio, A McAlpine, P Rainey, D Shaw and G Thomas

IN ATTENDANCE: Chief Executive (K Marshall), and Administration Adviser (A Rose)

APOLOGIES: An apology was received and accepted from His Worship the Mayor, K Marshall

1.0 OPENING PRAYER

An opening prayer was given by Councillor Thomas.

2.0 CONFIRMATION OF MINUTES

25 June 2009

Resolved

THAT the minutes of the ordinary meeting of the Nelson City Council held on Thursday 25 June 2009 be confirmed as a true and correct record.

Thomas/Holmes

Carried

4/5/8/10/11/12/15 June 2009

Resolved

THAT the minutes of the ordinary meeting of the Nelson City Council held on 4/5/8/10/11/12 and 15 June 2009 be confirmed as a true and correct record subject to

- (i) ***Councillor Thomas' name being substituted for Councillor Reece's name in the last sentence of the 10th paragraph on page 47, and***
- (ii) ***the resolution under paragraph 12 on page 56 being amended to read that the meeting be extended to mid day on Wednesday 17 June 2009.***

Boswijk/McAlpine

Carried

23 July 2009

Resolved

THAT the minutes of the Extraordinary meeting of the Nelson City Council held on Thursday 23 July 2009 be confirmed as a true and correct record subject to the addition of the note that Councillor Henigan abstained from voting being inserted after the resolution regarding R funding on page 62.

McAlpine/Rainey

Carried

3.0 STATUS REPORT – AUGUST 2009

Item 4 - Value Vehicle Site – Renewal of Lease

Confirmation was sought that the new lease agreement was for the whole building.

Item 11 – Governance Finance Report 30 April 2009

It was agreed to report the situation regarding the \$95,000 that was expected from the Trafalgar 2000 Trust.

Resolved

THAT the Status Report for August 2009, be received.

Reece/Thomas

Carried

4.0 DEPUTY MAYOR'S REPORT

The Deputy Mayor gave a brief report on her attendance at the recent Local Government New Zealand annual conference. She said it had been well worth attending and the speakers had included The Prime Minister, Minister of Local Government and the Assistant Minister of Local Government who had emphasised that government focus would be on making New Zealand a more prosperous nation.

5.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES AND WORKING PARTIES**5.1 Audit Committee – 13 July 2009**

Resolved

THAT the minutes of the meeting of the Audit Committee, held on 13 July 2009 be received and the following recommendation adopted:

Financial reporting

That the suggested reporting framework as set out in Section 3 of the Financial Reporting Document No 796762, dated 29 June 2009 be adopted and that it be implemented in the new financial year.

Thomas/Reese

Carried

The Deputy Mayor said that the Council should confirm as a true and correct record the remaining Committee Reports in anticipation that the recommendation for the new governance structure was adopted.

5.2 Community Services Committee – 21 July 2009

Resolved

THAT the minutes of the meeting of the Community Services Committee, held on 21 July 2009 be confirmed as a true and correct record.

Rainey/Miccio

Carried

5.3 Infrastructure Committee – 23 July 2009

Resolved

THAT the minutes of the meeting of the Infrastructure Committee, held on 23 July 2009 be confirmed as a true and correct record subject to Councillor Henigan's name replacing that of Councillor Holmes as the mover of the motion regarding the 2009/10 allocation of the Minor Improvements budget.

Holmes/ShawCarried**5.4 Environment Committee – 30 July 2009**

Resolved

THAT the minutes of a meeting of the Environment Committee held on 30 July 2009 be confirmed as a true and correct record.

Reese/ShawCarried**5.5 Governance Committee – 6 August 2009**

After some discussion it was agreed to consider the two Committee recommendations separately.

Resolved

THAT the minutes of the meeting of the Governance Committee, held on 6 August 2009 be confirmed as a true and correct record subject to clause (i) of the recommendation to Council on page 100 being amended:

- (i) That the Council shall consist of 11 members, including the Mayor.

McAlpine/MiccioCarried**5.6 Presentation and Basis of Election**

The meeting discussed the recommendation made by the Governance Committee. Councillor Barker and Councillor Shaw spoke against reducing the number of Councillors as proposed.

Resolved

THAT in accordance with Section 19H of the Local Electoral Act 2001 the Council resolve that:

- i. The Council shall consist of 11 members, including the Mayor;
- ii. Members of the Council shall be elected by the electors of the city as a whole;

AND THAT in accordance with Section 19J of the Local Electoral Act 2001 the Council resolve that there shall be no Communities or Community Boards established within the City.

Thomas/MiccioCarried

Councillor Barker requested his vote against the motion be recorded.

5.7 Governance Review Implementation

The meeting discussed the recommendation regarding the Governance Review Implementation. Councillor Henigan said she would be happy for Councillor Miccio to take over her role as Deputy Governance portfolio holder.

Councillor Barker said he was opposed to the changes that abolished standing Committees. He said that having standing Committees allowed a process for the public to express a view before Council made a final decision and this in the past had often been very important. The changes, he said, would remove that ability. That view was not shared by the majority of Council.

There was also some discussion regarding clause 5 of the recommendation concerning Public Forum items and it was agreed to insert the word ideally in between the words 'or' and 'have' in the second line of this clause because that would allow more freedom to people who wished to address Council in the Public Forum.

5.8 Standing Orders

The meeting then discussed the proposed changes to the Standing Orders. On page 6 in the definitions it was agreed to change the definition of a Workshop to read Workshop means a "Forum" of Council.

Mayor Ex Officio Section 2.14

It was noted the Mayor could not be an Ex Officio member of the Regional Transport Committee.

Public Forum

It was agreed to change the wording relating to public forum to make it clear that while pre-warning of the subject matter of a persons attendance at a public forum was desirable it was not essential.

5.9 Delegations Register

The Administration Adviser Richard Palmer joined the meeting and spoke to the changes made to the Delegations Register as a result of the Governance Review implications.

He also advised that there were a number of minor corrections which still had to be made.

These included:

- (i) Correcting the name of the Audit Risk & Finance Committee.
- (ii) The list of Committees on page 13 needed to be updated.
- (iii) The names of the Joint Shareholders Committee and Regional Transport Committee needed to be corrected.

- (iv) The delegations to the Nelson Central Relief Fund, from the Council resolution of 2002, had to be added.
- (v) Minor tidying up and completion of the schedules still needed to be attended to.

It was noted that these minor matters could either be regarded as corrections or matters within the authority of the Chief Executive to resolve.

Resolved:

THAT the Council

- i. Meets fortnightly every second Thursday, beginning 3rd September 2009, with a Council Workshop on the preceding Tuesday; and*
- ii. Implements a Councillor portfolio system as part of the Governance Review, with the following Councillors assigned as portfolio holders:*
 - *Community Services: Cr Rainey Deputy Cr Boswijk*
 - *Infrastructure: Cr Holmes Deputy Cr Cotton*
 - *Environment: Cr Reese Deputy Cr Shaw*
 - *Governance Cr Thomas Deputy Cr Miccio; and*
- iii. Agrees that the Council agenda be structured into the following categories; performance, policy, prioritisation and political matters; and notes that a consequence of this change is that fewer reports will be necessary; and*
- iv. Renames the Audit Committee as the Finance, Audit and Risk Committee, to be chaired by Cr Thomas; and*
- v. Requests a new remuneration determination by the Remuneration Authority authorising payment to Council Portfolio holders at the same level as currently paid to Committee Chairs; and*
- vi. Agrees that any public forum items before meetings will either relate to a report on the Council agenda or ideally have a summary of issues included in the agenda; and*
- vii. Holds half-yearly reviews of Council's overall functioning and performance; and*
- viii. Approves the recommended consequential amendments to:*
 - *the Delegations Register (Attachment 1),*
 - *the meetings timetable (Attachment 2), and*
 - *Standing Orders (Attachment 3).*
 - *Delegations for the Finance, Audit and Risk Committee (Attachment 4); and*
- ix. Notes that later changes will be required to the Governance Statement and subsequent Annual/Community Plans.*

Thomas/Miccio

Carried

6.0 SURVEY OF RESIDENTS

The Chief Executive assisted by the Strategic Planning Adviser, Jacqui Irwin, gave a powerpoint presentation on the results of this year's Survey of Residents.

In answer to a question it was advised that the people who took part in the survey were chosen at random from the white pages of the telephone book and were not necessarily ratepayers.

There followed a general discussion on the results of the survey. It was noted that it could not include people who did not have a landline telephone and the answer to some of the questions would depend on where people lived within the City. Generally Councillors felt that the information provided by the survey would be very useful. It was agreed to circulate to all Councillors a full copy of the survey report.

7.0 PUBLIC EXCLUDED BUSINESS

7.1 Exclusion of the Public

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of this part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

- (i) ***Minutes of part of the meeting of the Nelson City Council, Public Excluded Business – 10 and 12 June 2009 and 25 June 2009***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons.

- (ii) ***Council Public Excluded Status Report – August 2009***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons.

- (iii) ***Minutes of part of the Community Services Committee, Public Excluded Business – 21 July 2009***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons.

- (iv) ***Minutes of part of the Governance Committee, Public Excluded Business – 6 August 2009***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons.

(v) Independent Member of the Audit, Risk and Finance Committee

Reason:

To protect the privacy of natural persons.

McAlpine/Boswijk

Carried

The meeting went into Public Excluded session at 11.40pm and resumed in Public session at 11.59am.

7.2 Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Cotton/Rainey

Carried

There being no further business, the meeting ended at 11.59am.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE