

---

## **Minutes of a meeting of the Nelson City Council**

**Held in the Council Chamber, Civic House, Trafalgar Street,  
Nelson**

**On Tuesday 12 November 2013, commencing at 9.04am**

---

**Present:** Her Worship the Mayor (R Reese), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, B McGurk, P Matheson, G Noonan, P Rainey, T Skinner and M Ward

**In Attendance:** Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Support Services/Acting Group Manager Community Services (H Kettlewell), Acting Group Manager Strategy and Environment (N McDonald), Chief Financial Officer (N Harrison), Kaihautuu (G Mullen), Manager Administration (P Langley), Manager Human Resources (S Gully), Manager Communications (A Ricker) and Administration Adviser (L Laird)

**Apology:** Councillor L Acland for early departure

### **Opening Prayer**

Councillor Skinner gave the opening prayer.

#### **1. Apologies**

No apologies were received.

#### **2. Interests**

There were no updates to the Interests Register, and no interests in relation to the items on the agenda were declared.

#### **3. Confirmation of Order of Business**

##### **3.1 Late items**

Her Worship the Mayor explained that there were additional late items to be considered at the meeting, and that procedural resolutions were required before Council could deal with these items.

3.1.1 Chief Executive's Report

Resolved

***THAT the item regarding Chief Executive's Report be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, because it relates to a project currently being implemented that needs a Council decision in order to continue.***

Davy/Barker

Carried

3.1.2 Release of Information from Public Excluded – Strategic Land Purchases

Resolved

***THAT the public excluded item regarding Release of Information from Public Excluded – Strategic Land Purchase be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable officers to respond to a request made under the Official Information Act 1982.***

Davy/Barker

Carried

3.1.3 Public Excluded Chief Executive's Report – Lewis Stanton

Resolved

***THAT the public excluded item regarding Chief Executive's Report – Lewis Stanton be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable councillors to be fully briefed in a timely manner.***

Barker/Noonan

Carried

3.2 Amendments to items in the agenda

Her Worship the Mayor explained that there were amendments to be made to some items on the agenda, and that these would be discussed during each item.

**4. Public Forum**

There were no public forums.

**5. Confirmation of Minutes**

5.1 29 October 2013

Document number 1626648, agenda pages 6-11 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council, held on 29 October 2013, be confirmed as a true and correct record, subject to the following amendments:***

***the name of the Archdeacon Harvey Ruru to "Harvey Whakaruru" on page 6 of the agenda"; and***

***the addition of the words "Other invited guests and members of the public addressed the Council, and congratulated all elected members on their appointments to office" to page 8 of the agenda; and***

***the inclusion of the Mayor's inaugural speech in the minutes.***

Fulton/McGurk

Carried

**6. Mayor's Report**

Document number 1631818, agenda pages 12-25 refer.

6.1 Committee delegations

The meeting discussed the committee delegations outlined in the report (attachment 1) and the proposed changes to these delegations as explained in the tabled document (1628984). Her Worship the Mayor explained why she proposed removing the terms 'co-opting' from committee delegations.

There was a discussion as to why committee delegations included various 'powers to decide'. It was explained that decision making powers would assist to streamline Council processes, but reserved any significant decision for full Council consideration only.

6.2 Chief Executive's Employment Committee and Resource Management Act Procedures Committee delegations and membership

The meeting then turned to consider the additional proposed committees and their delegations, as outlined in the tabled document (1634956). It was noted that this document referred to the Remuneration Review Committee; however its title would be the Chief Executive's Employment Committee.

Resolved

***THAT the Mayor's Report (1631818) and its attachment (1628984) be received;***

Davy/McGurk

Carried

***AND THAT the Committee Delegations as set out in Attachment 1 (1628984) be adopted, with the removal of the words 'or co-opted onto' from page 16, and removal of the words 'co-opted or' from pages 20, 22 and 24;***

Matheson/Rainey

Carried

***AND THAT Council establish two additional Committees as follows:***

<b><i>Committee</i></b>	<b><i>Chair</i></b>	<b><i>Membership</i></b>
<b><i>Chief Executive Employment Committee</i></b>	<b><i>Mayor</i></b>	<b><i>Mayor Deputy Mayor Councillor Acland</i></b>
<b><i>Resource Management Act Procedures Committee</i></b>	<b><i>Mayor</i></b>	<b><i>Mayor Deputy Mayor Councillor Fulton</i></b>

Davy/Rainey

Carried

***AND THAT the delegations for the Chief Executive Employment Committee and the Resource Management Act Procedures Committee, as set out in document 1634956, be adopted.***

Davy/Rainey

Carried

## **7. Application for Leave of Absence**

### 7.1 Councillor McGurk

Resolved

***THAT Councillor McGurk's application for a leave of absence, from 21 August to 16 September 2014, be granted.***

Skinner/Acland

Carried

## **8. Schedule of Council Meetings 2014**

The Chief Executive withdrew this item from the agenda.

## **9. Elected Members' Travel and Training Budget**

Document number 1554994, agenda pages 41-46 refer.

It was noted that an additional criteria would be added to the 'Elected Members' Travel and Training Criteria 2013-2016 (1629741), as per attachment 1 of the report:

"That attendance to fulfil a civic or representative role usually undertaken by the Mayor, and at which they have been required to deputise. On that basis the expense would be deducted from the remaining funding pool."

The Council discussed the options available for allocating this budget and how approval for expenditure should be sought. The Chief Executive confirmed that there would be an appropriate way of reporting back to the Council after attending an event.

The Chief Executive confirmed that, if option 4 was approved, individual elected members would be expected to use their allocation to fund Resource Management Act training; and could approach the Council to use funding from the additional funding pool if required.

## **10. Acknowledgement of Past Service**

### 10.1 Derek Shaw

Her Worship the Mayor welcomed Derek Shaw to the table and gave a speech to acknowledge his 30-year service as an elected member. Gail Collingwood was invited to speak and presented Derek Shaw with gifts.

There was significant acknowledgement of Derek Shaw from councillors noting his institutional knowledge, diligence and application to his work.

Derek Shaw spoke to the meeting about his key moments as an elected member.

Attendance: the meeting adjourned for morning tea from 10.47am to 11.08am

10.2 Aldo Miccio

Her Worship the Mayor acknowledged the previous service of Aldo Miccio. She said Aldo Miccio served as an elected member for six years, three of those as the Mayor of Nelson.

She said Aldo Miccio was unavailable for this meeting however she publicly acknowledged his contributions and said she would arrange an opportunity to deliver him a gift and acknowledgement letter.

**11. Elected Members' Travel and Training Budget (continued)**

Document number 1554994, agenda pages 41-46 refer.

Resolved

***THAT the report Elected Members' Travel and Training Budget (1554994) and its attachment (1629741) be received;***

***AND THAT Council approves the Elected Members' Travel and Training Criteria 2013-2016 (1629741), incorporating any amendments made at this meeting.***

***AND THAT Council approves the use of Option 4 - Whole of Triennium Approach as the most appropriate option for allocation of the elected members' travel and training budget.***

Acland/Rainey

Carried

**12. Amendment to Remuneration of Elected Members 2013-2016**

Document number 1630807, agenda pages 47-54 refer.

The Chief Executive explained the rules set by the Remuneration Authority and said job descriptions showing higher duties were required to approve a higher salary for Committee Chairs.

She said the remuneration rate for Committee Chairs was higher than previous Portfolio Holders, and that this resulted from the final determination from the Remuneration Authority. She further explained that it was not possible to reduce the remuneration of Committee Chairs in order to increase the funding allocated for Resource Management Plan hearings.

The meeting was informed that the Remuneration Authority no longer provided a remuneration pool for the Council to split, and instead operated a more prescriptive approach.

The meeting was informed of proposed amendments to the job descriptions:

- to remove part of the last sentence on page 52 of the agenda, 'but only if delegated to do so by council'
- to include an additional bullet point on page 52 of the agenda 'Ensuring the Deputy Chair of the committee has the opportunity to keep abreast of all issues facing the committee, to allow for relative ease when deputising for the Committee Chair, should the need arise.'
- to include an additional bullet point on page 54 of the agenda 'If the Mayor is absent or unavailable, commenting to the media (or other agencies) as the council spokesperson on issues arising that pertain to their committee or that are on the agenda in the areas of council activity and business within their area of responsibility'

Resolved

***THAT the report Amendment to Remuneration of Elected Members (1630807) and its attachment (1631835) be received;***

***AND THAT it be recommended to the Remuneration Authority that the Remuneration Authority's Local Government Elected Members (2013/14) (Certain Local Authorities) Determination 2013 be amended to remove the position of portfolio holder and to increase the number of Committee Chairs from two to four, and that these positions be paid at a rate of \$43,375 per annum.***

Matheson/Noonan

Carried

### **13. Chief Executive's Report**

Document number 1633452, late item refers.

#### **13.1 Modellers Pond**

The Group Manager Infrastructure, Alec Louverdis, provided an update about the upgrade of Modellers Pond as detailed in the report. He said immediate maintenance work was required to ensure the Pond was brought up to standard before the busy summer holiday period.

Mr Louverdis advised the Council that chemical dosing at this stage was still considered the best option available to achieve the desired outcomes for the Pond, however the long term viability of the Pond would be discussed during Annual Plan discussions in 2014.

### 13.2 Buxton Toilet Upgrade

Mr Louverdis updated the Council on the issues with the Buxton toilet upgrade and sought Council approval for officers to take a more hands on approach to re-instate the toilets.

Her Worship the Mayor added that officers sought further direction as to stage 1-3 of the upgrade project, as provided in the report.

Attendance: Councillor Acland left the meeting at 12.04pm and Councillor Davy left the meeting at 12.35pm.

Resolved

***THAT the Chief Executive's Report - Various issues - Modellers Pond; Buxton toilet upgrade and Bata Building demolition (1633452) and its attachments 1633611, 1482467, 1633231, and 1617997 be received;***

***AND THAT Council agrees that officers take the Buxton Toilet Upgrade project in house in order to make the facilities operational as a priority;***

***AND THAT stage 1 including:***

- ***the installation of new toilets, hand basins, and other hardware,***
- ***Two separate toilets (one disabled one unisex) be created and made available 24 hours,***
- ***Gates on the main facilities to be created and installed by volunteers***

***are proceeded with, with urgency;***

***AND THAT stage 2 including:***

- ***painting the front of the building in plain colours (warm red through to darker purple);***
- ***Mosaics on the main buildings;***
- ***Installation of two one-sided planters and benches***

***be approved;***



**AND THAT if any further questions arise in implementation of stage 1 or 2 that these be referred to Chair and Deputy Chair of Works and Infrastructure Committee;**

**AND THAT the motorcycle parking issue as it relates to the Buxton toilet upgrade be referred to the upcoming 28 November 2013 Works and Infrastructure Committee for deliberation.**

Matheson/Ward

Carried

Resolved

**THAT in light of public interest in the Bata building, the proposed demolition and conversion to carparking be discussed at the upcoming 28 November 2013 Works and Infrastructure Committee with the matter coming back to 12 December 2013 Council meeting for a decision.**

Her Worship the Mayor/Rainey

Carried

## REPORTS FROM COMMITTEES

### 14. Hearings Panel

Document number 1617627, agenda pages 55-59 refer.

Resolved

**THAT the minutes and decision of a hearing of the Hearings Panel, held on 2 October 2013, be received.**

Barker/McGurk

Carried

### 15. Exclusion of the Public

Resolved

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

***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:**

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Appointment of the District Licensing Committee  This report contains information relating to appointments to the District Licensing Committee.	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: • Section 7(2)(a) To protect the privacy of natural persons
2	<b>Chief Executive's Report – Lewis Stanton</b>  This report contains information relating to the position of an individual with matters pending before the court.	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: • Section 7(2)(a) To protect the privacy of natural persons

Her Worship the Mayor/Matheson

Carried

The meeting went into public excluded session at 12.40pm and resumed in public session at 1.30pm. During this time, Councillor Rainey left the meeting at 12.45pm and Councillor Davy returned to the meeting at 1.20pm.

**16. Re-admittance of the Public**

Resolved

**THAT the public be re-admitted to the meeting.**

Her Worship the Mayor/Matheson

Carried

There being no further business the meeting ended at 1.30pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date