
Minutes of a meeting of the Nelson City Council – Chief Executive Quarterly Report

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

On Friday 30 March 2012, commencing at 9.04am

Present: His Worship the Mayor (A Miccio), Councillors I Barker, G Collingwood, R Copeland, K Fulton, J Rackley, P Rainey, R Reese, and M Ward

In Attendance: Chief Executive (K Marshall), Executive Manager Support Services (H Kettlewell), Executive Manager Strategy and Planning (M Schruer), Executive Manager Network Services (A Louverdis), Executive Manager Office of the Mayor and Chief Executive (S Birdling), Acting Executive Manager Community Services (R Ball), Acting Executive Manager Regulatory (M Bishop), Manager Strategic Response (C Ward), Manager Policy and Planning (N McDonald), Manager Community Relations (A Ricker), Manager Administration (P Langley), Principal Adviser Resource Management Planning (M Heale), and Administration Adviser (E-J Ryan)

Apologies: Were received and accepted from Councillors A Boswijk, E Davy, P Matheson, D Shaw

Opening Prayer

Councillor Copeland gave the opening prayer.

1. Conflicts of Interest

No updates to the Conflicts of Interest Register were noted, and no conflicts of interest with any agenda items were declared.

2. Late Item – Extraordinary Council Meeting to Approve the Proposed Long Term Plan 2012-2022 for Public Consultation

Document number 1263115, Supplementary Order Paper No 1 refers.

In accordance with Section 46A(7) of the Local Government Official Information and Meetings Act 1987, the reason why this item was not on the agenda, and the reason why discussion of this item could not be delayed until a subsequent meeting, was because it came to hand after the agenda had closed and it

needed to be considered at this meeting because of the need for urgency. Accordingly a procedural resolution was required before any discussion could take place.

Resolved

THAT the item regarding Extraordinary Council Meeting to Approve the Proposed Long Term Plan for Public Consultation be considered at this meeting, pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, because of the need for urgency.

Collingwood/Reese

Carried

The Chief Executive explained that the reason for the Extraordinary Meeting to Approve the Proposed Long Term Plan 2012-2022 for Public Consultation was that Audit New Zealand had advised that its feedback would be delivered later than previously expected, and as a result, the meeting scheduled for 12 April 2012 would not be able to proceed. He said that the recommended date for the Extraordinary Meeting was 16 April 2012.

Resolved

THAT in accordance with clause 22 of Schedule 7 of the Local Government Act 2002, an Extraordinary Meeting of Council be held on Monday 16 April 2012, in the Nelson City Council Chamber, commencing at 9.30am, to consider approval of the Proposed Long Term Plan 2012-2022 for Public Consultation in accordance with sections 87 and 93 of the Local Government Act 2002.

Ward/Fulton

Carried

3. Chief Executive Quarterly Report – March 2012

Document number 1219034, agenda pages 1-29 refer.

It was noted that the meeting had originally been scheduled for 7 March 2012, but had lapsed for want of quorum, and some disappointment was expressed as to the way this had been reported upon in the media.

The Chief Executive explained that the report dealt with the quarter up to 31 December 2011, and in particular, did not take into account the on-going effects of the December weather event.

The meeting considered the report page by page.

Key Focus Areas

3.1 Progress towards Annual KPI's

In response to a question, the Chief Executive explained that several projects, such as the Sustainability Strategy and the City Development Strategy were being delayed until the results of the amalgamation poll were known, as these projects may need to change to consider a whole-of-region approach, if amalgamation occurred. He added that, if the poll were in favour of amalgamation, the Transition Committee would need to consider the major work streams of each Council with relative speed.

Councillors discussed the Sustainability Strategy and several expressed a strong preference that this work stream should not be lost if amalgamation proceeded.

Attendance: Councillor Barker raised a Point of Order under Standing Order 3.13.4(c) and said the meeting was now discussing a question not before the local authority. The Mayor upheld the Point of Order.

Customer Focus

3.2 Customer Service Centre

Councillors acknowledged the effort of the Customer Service Centre during the December weather event, and noted that staff had done a tremendous job dealing with a large number of calls.

3.3 Building Unit Performance

The improvement in the processing times for Building Consents was acknowledged.

3.4 Parking Unit Activity

In response to a question, the Chief Executive explained that service requests relating to Freedom Campers covered a range of matters, including queries from members of the public as to where they could camp, and requests to investigate or take action against Freedom Campers. He added that in the first instance Freedom Campers were directed to places where they could legally camp, and that only a very small number of infringement notices had been issued for breaching the Freedom Camping Bylaw. In response to a question, Manager Strategic Response, Chris Ward, confirmed that a review of the Camping Bylaw was scheduled in this year's work programme in order to ensure compliance with The Freedom Camping Act 2011.

Finance

3.5 The Chief Executive reminded Councillors that the finance part of the report covered the period to 31 December 2011, that Council had already seen due to the changed timing of this meeting.

3.6 Major Projects Financial Performance

In response to a question, the Executive Manager Network Services, Mr Louverdis, explained that the tender that was not let to the lowest tenderer was for the Suter redevelopment plans.

Legal Performance

3.7 Review of Fencing of Swimming Pools Act 1987

There was a discussion regarding the Fencing of Swimming Pools Act 1987. It was noted that the current legislation required pool owners to appear before a hearing of Elected Members in order to apply for an exemption to the Act's requirements, even if their pool complied with the New Zealand Standard. There was general agreement amongst Councillors that this requirement was difficult and expensive for pool owners. It was further noted that there was a central Government review of the Fencing of Swimming Pools Act 1987 underway, and it was agreed that Council should write a letter outlying its concerns with the Act's requirements as part of this review.

3.8 Noise at Council Events

In response to a question, Acting Executive Manager Regulatory, Ms Bishop, explained that the two Resource Consent applications that have been lodged covered events in public reserves and open spaces, whether run by Council or not, and that these resource consents would be publicly notified shortly.

Policy Development Update

3.9 Progress on Notified Plan Changes

In response to a question, Principal Adviser Resource Management Planning, Mr Heale, gave a brief update regarding Plan Changes 14, 17 and 18. He said that draft decisions regarding Plan changes 17 and 18 had been received, and he was awaiting a full decision for Plan Change 14.

Staff

3.10 In response to a question, the Chief Executive explained that the increase in the average number of sick days was largely as a result of some staff members having been on extended periods of sick leave.

Schedule of Sealed Documents

3.11 There was a brief discussion regarding whether a separate resolution was required to receive the schedule of documents sealed. It was agreed that the resolution be amended to include that the schedule of documents executed be received.

Resolved

THAT the Chief Executive Quarterly Report – March 2012 (1219034) be received;

AND THAT the schedule of sealed documents (1223543) be received.

Collingwood/Rainey

Carried

4. Exclusion of the Public

A question was raised as to whether one of the items contained within the Public Excluded Chief Executive Report was appropriately included in the Public Excluded part of the meeting. The Chief Executive advised that the format and content was in accordance with legal advice.

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with section 7 and 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.

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	Chief Executive Quarterly Report – March 2012;- Nelson Gambling Taskforce Incorporated -Judicial review Proceedings Occupation of Footpath Nelson Wastewater Treatment Plant December Civil Emergency Event Requests for Information	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: <ul style="list-style-type: none">• Section 7(2)(a) To protect the privacy of natural persons• Section 7(2)(c) To protect information that is subject to an obligation of confidence• Section 7(2)(g) To maintain legal professional privilege

Collingwood/Rackley

Carried

The meeting went into public excluded session at 10.04am and resumed in public session at 12.04pm.

5. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Rainey/Barker

Carried

There being no further business the meeting ended at 12.05pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date