
Minutes of a meeting of the Nelson City Council - Governance
Held in the Council Chamber, Civic House, Trafalgar Street, Nelson
On Tuesday 26 June 2012, commencing at 9.00am

Present: His Worship the Mayor A Miccio, Councillors A Boswijk (Deputy Mayor), G Collingwood, R Copeland (Co-portfolio Holder), K Fulton, P Rainey, R Reese, D Shaw (Co-portfolio Holder) and M Ward

In Attendance: Acting Chief Executive (R Johnson), Executive Manager Strategy and Planning (M Schruer), Acting Executive Manager Community Services (R Ball), Executive Manager Network Services (A Louverdis), Chief Financial Officer (N Harrison), Executive Manager Support Services (H Kettlewell) and Administration Adviser (A Rose)

Apologies: Apologies were received and accepted from Councillors I Barker, E Davy, P Matheson and J Rackley

Opening Prayer

His Worship the Mayor gave the opening prayer.

1. Conflicts of Interest

There were no updates to the Conflicts of Interest Register indicated or any conflicts of interest with items in the agenda identified.

2. Confirmation of Minutes

2.1 Chief Executive Quarterly Report – 6 June 2012

Resolved

THAT the minutes of a meeting of the Nelson City Council – Chief Executive Quarterly Report, held on 6 June 2012, be confirmed as a true and correct record.

His Worship the Mayor/Ward

Carried

2.2 Recruitment of Chief Executive – 16 May 2012

Resolved

THAT the minutes of a meeting of the Nelson City Council to consider the recruitment of a Chief Executive, held on 16 May 2012, be confirmed as a true and correct record.

His Worship the Mayor/Boswijk

Carried

2.3 Governance – 15 May 2012

Resolved

THAT the minutes of a meeting of the Nelson City Council – Governance, held on 15 May 2012, be confirmed as a true and correct record.

His Worship the Mayor/Boswijk

Carried

2.4 Approve the Proposed Long Term Plan 2012-2022 for Public Consultation – 16 April 2012

Resolved

THAT the minutes of a meeting of the Nelson City Council to approve the proposed Long Term Plan 2012-2022 for public consultation, held on 16 April 2012, be confirmed as a true and correct record.

His Worship the Mayor/Boswijk

Carried

2.5 Chief Executive Quarterly Report – 30 March 2012

Resolved

THAT the minutes of a meeting of the Nelson City Council – Chief Executive Quarterly Report – 30 March 2012, held on 30 March 2012, be confirmed as a true and correct record.

His Worship the Mayor/Boswijk

Carried

2.6 Next meeting of Council to Consider the Recruitment of a Chief Executive

Councillor Boswijk advised that the next meeting of Council to consider the recruitment of a Chief Executive will be held on 24 July 2012.

3. Mayor's Report

There was no Mayor's Report.

4. Status Report - Governance

Document No. 1034743, agenda pages 32-33 refer.

Resolved

THAT the Status Report – Governance (1034743) be received.

His Worship the Mayor/Shaw

Carried

5. Portfolio Holder's Report

Councillor Shaw invited Councillors to give him their ideas regarding economic development and how it related to Council's Framing Our Future initiative.

6. Delegations Register Review 2012

Document No. 1308179, agenda pages 34-40 refer.

The Administration Adviser, EJ Ryan, joined the meeting and presented the report.

6.1 Delegations Register – Page 9

With regard to paragraph c 2 iii), Ms Ryan said that details showing how the Local Authority would ensure that processes for decision making in relation to regulatory responsibilities are separated from responsibility and processes for decision making for non regulatory responsibilities will be incorporated in the next review of the Delegations Register.

6.2 Delegations Register – Page 22

It was noted that the words "and Committee Chairs" would be removed from section f 3 vii).

6.3 Delegations Register – Page 35

It was noted that the words "Amendments Officer" in Delegation BA2 would be clarified to read "Building Amendment Officer"

Delegations Register – Page 79

It was agreed that in the eighth bullet point under the heading Governance, the word "growth" in the second line would be changed to "development".

6.4 Delegations Register – Page 80

It was noted that in the first bullet point under the heading Information Regarding How Hearings Panels Operate the word "management" would have a capital letter.

It was also requested that it be noted that the fees payable to the members of a Hearings Panel- Resource Management Act are set by the Remuneration Authority.

6.5 Delegations Register – Page 87

It was noted that under the heading Membership in the second section the word “manager” and “management” should have capital M.

6.6 Delegations Register – Page 104

It was pointed out that there did not appear to be a Delegation for the Economic Development Agency Liaison Group.

Resolved

THAT the updated Delegations Register, July 2012 (1068492v3) with the various amendments agreed at the meeting be adopted.

His Worship the Mayor/Copeland

Carried

Attendance: Councillor Reese arrived at 9.16am.

7. Survey of Residents 2012 Results

Document number 1311011, agenda pages 41-96 refer.

The Manager Monitoring and Research, Martin Workman, accompanied by the Strategy and Planning Analyst, Brylee Wayman, joined the meeting and presented the report. The Councillors expressed pleasure with the good results from the Survey of Residents 2012 Results report.

Resolved

THAT the Survey of Residents 2012 Results report (1311011) be received.

His Worship the Mayor/Collingwood

Carried

8. Local Government Act 2002 Amendment Act

Document No. 1310189, agenda pages 97-99 refer.

The Manager Strategic Response, Chris Ward, joined the meeting and presented the report which he said was to seek feedback from Councillors on the proposed Bill amending the Local Government Act 2002. Mr Ward asked Councillors to email their comments to him or the Mayor by the end of the first week in July.

During the discussion of this item, concern was raised about the proposed “Mayoral Powers” section in the proposed Local Government Act 2002 Amendment Act and some Councillors indicated that they would

not be happy to sign off a submission on the proposed Amendment Act if it supported that aspect. It was felt that the submission should fully reflect any diversity of views there may be from respective Councillors.

A view was expressed that Council could be well placed to provide comment on the proposals relating to reorganisation processes contained within the Bill, as this community had recent experience of the current process

During the course of the discussion His Worship the Mayor confirmed that he was not personally working on any proposal for amalgamation nor did he know of any proposal that was being worked on in either Tasman District or Nelson City.

A view was expressed that it was important for the submission to articulate what the Council did want from the proposed Amendment Act rather than what it did not want. Also the Council submission should be advocating for the activities that it is currently involved in and explain why it was important for Council to continue to be involved in those activities.

Resolved

THAT His Worship the Mayor be delegated responsibility for finalising a submission to the Local Government Act 2002 Amendment Act;

AND THAT the submission be confirmed at a future Council meeting.

His Worship the Mayor/Boswijk

Carried

REPORTS FROM COMMITTEES

9. Joint Shareholders Committee – 18 May 2012

Document No. 1295462, agenda pages 100-101 refer.

Resolved

THAT that unconfirmed minutes of the meeting of the Nelson City Council Tasman District Council Joint Shareholders Committee, held on 18 May 2012, be received.

Shaw/Boswijk

Carried

10. Audit, Risk and Finance Committee – 29 May 2012

Document No. 1305164, agenda pages 102-106 refer.

Resolved

THAT the minutes of the meeting of the Audit, Risk and Finance Committee, held on 29 May 2012, be received.

Collingwood/Rainey

Carried

PUBLIC EXCLUDED BUSINESS

11. Exclusion of the Public

Recommendation

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	Public Excluded Chief Executive Quarterly Report minutes – 6 June 2012 These minutes contain information regarding:	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:
	Lewis Stanton - Legal issues relating to occupation of footpath		• Section 7(2)(g) To maintain legal professional privilege
	Requests for Information		• Section 7(2)(a) To protect the privacy of natural persons
2	Public Excluded Recruitment of Chief Executive Minutes - 16 May 2012 These minutes contain information regarding:	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:

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2 cont	The appointment of a recruitment consultant.		<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
	Position requirements.		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities
3	Public Excluded Governance Minutes - 15 May 2012 These minutes contain information regarding:	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:
	The appointment of Directors to the Nelson Regional Economic Development Agency and the Bishop Suter Trust. Details of appointees have since been released to the public.		<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons
	Negotiations relating to the Tasman Bays Heritage Trust Draft Statement of Intent.		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
4	Public Excluded Chief Executive Quarterly Report minutes – 30 March 2012 These minutes contain information regarding:	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:
	Nelson Gambling Taskforce incorporated – Judicial Review Proceedings		<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(g) To maintain legal professional privilege
	Occupation of footpath		<ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege

5	Public Excluded Status Report – Governance This report contains information regarding:	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:
	The Nelson City Council /Tasman District Council Engineering Services Agreement		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Governance options for, and commercially sensitive information regarding, the Nelson Regional Sewerage Business Unit		<ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations
	Appointment of Directors to Nelson Regional Economic Development Agency and the Bishop Suter Trust, since released to the public.		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Negotiations relating to the Tasman Bays Heritage Trust Draft Statement of Intent and Strategic Plan		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations

His Worship the Mayor/Rainey

Carried

The meeting went into public excluded session at 10.03am and resumed in public session at 10.08am.

12. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

His Worship the Mayor/Shaw

Carried

There being no further business the meeting ended at 10.08am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date