
Minutes of a meeting of the Nelson City Council - Governance

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

On Tuesday 7 August 2012, commencing at 9.00am

Present: His Worship the Mayor A Miccio, Councillors I Barker, G Collingwood, R Copeland (Co-Portfolio Holder), E Davy, K Fulton, P Matheson, 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), Acting Executive Manager Regulatory (M Bishop), Manager Administration (P Langley), Manager Community Relations (A Ricker), Executive Manager Kaihoutu/Community Relations (G Mullen) Manager Information Management (S Petch) and Administration Adviser (A Rose)

Apologies: Apologies were received and accepted from Councillors A Boswijk and J Rackley

Opening Prayer

Councillor Davy 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 on the agenda identified.

2. Public Forum

Ms Sharyn Black joined the meeting and said she wanted to address Council on three separate issues.

2.1 Profiling of Callers to Council Customer Service Centre

Ms Black said that it was the practice of Council telephonists to require callers to provide their name and address and questioned why Council needed to profile callers in this way.

2.2 Anniversary of Nuclear Bombing of Hiroshima and Nagasaki

Ms Black asked Council to re-state its non-nuclear policy that was first made by the Council resolution of September 1983. She said that this week marked the anniversary of the nuclear bombing of Hiroshima and Nagasaki at the end of the Second World War and it would be appropriate for Council to make this re-statement at this time.

2.3 Privacy Information Sharing Bill

Ms Black asked Council to act as an advocate and lobby Government, together with other Local Authorities, to seek to increase the notice time under the new bill from 10 days to 28 days.

3. Confirmation of Minutes

3.1 Governance – 26 June 2012

Document No. 1319693, agenda pages 1-9 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council - Governance, held on 26 June 2012, be confirmed as a true and correct record.

Shaw/Copeland

Carried

3.2 Public Excluded Governance – 26 June 2012

Document No. 1320037, agenda pages 10-12 refer.

It was advised that these minutes could be confirmed in public session as they contained no public excluded information.

Resolved

THAT the minutes of part of the meeting of the Nelson City Council - Governance, held with the public excluded on 26 June 2012, be confirmed as a true and correct record.

Copeland/Shaw

Carried

4. Mayor's Report

Document No. 1339864, agenda pages 13-15 refer.

His Worship the Mayor gave a brief verbal report on his attendance at the recent Mayor's Taskforce for Jobs meeting which had been chaired by Mayor Dale Williams.

He also gave a brief verbal report of his attendance at the Economic Development Agency New Zealand (EDANZ) Conference and congratulated the Chief Executive of the Nelson Economic Development Agency, Mr Bill Findlater, on becoming the Chairperson for Economic Development Agency New Zealand (EDANZ).

His Worship said that he had attended two commercially sensitive meetings in Auckland recently and he would report back to Council on these meetings in the public excluded session of the meeting.

4.1 Proposed Visit to China and Japan

Mr Bill Findlater, Chief Executive of the Nelson Bays Economic Development Agency, joined the meeting and spoke about the forthcoming trip to China, outlining the benefits of the trip and the importance of the Mayor leading the delegation and he answered Councillors' questions.

The meeting was in support of the Mayor leading the delegation to China and Japan.

Councillor Shaw tabled his Portfolio Holder's Report dated 7 August 2012, which reported back to Council on his attendance at two recent conferences, the New Zealand Planning Institute Annual Conference 1-4 May 2012 and the Local Government New Zealand Annual Conference 16-17 July 2012. The Mayor thanked him for the report.

This report prompted discussion on the process for reporting back when Councillors attend conferences and similar events. It was agreed that it was important to put these reports on the agenda of the nearest Council meeting to allow questions to be asked and if necessary a workshop convened to enable Councillors to take advantage of any new information coming through from conferences.

THAT Council approves the events and seminar programme costs of \$16,050.00 for the 2012/13 year;

AND THAT Council retrospectively approves travel and accommodation costs of \$561.00 plus disbursements for the Mayor to visit Auckland on 30 and 31 July 2012;

AND THAT Council approves estimated travel and accommodation costs of \$5,200.00 plus disbursements for the Mayor to visit China and Japan from 19 to 29 September 2012;

AND THAT Council approves travel costs of \$400.00 plus disbursements for Councillor Shaw to attend the Energy Cultures Roadshow in Wellington on 16 August 2012;

AND THAT Council approves travel and accommodation costs of \$500.00 plus disbursements for the Mayor to attend a function to meet the Board of Directors of Canadian Helicopters in November 2012.

Copeland/Fulton

Carried

5. Status Report – Governance

Document No. 1034743 v2, agenda page 16 refers.

Resolved

THAT the Status Report – Governance (1034743 v2) be received.

His Worship the Mayor/Davy

Carried

6. Portfolio Holder’s Report

Councillor Copeland introduced herself as the Co-Portfolio Holder for Governance and said she was delighted to be working with Co-Portfolio Holder Councillor Shaw.

She gave a brief outline of her experience saying that she had spent a lot of her life overseas and had experienced, at second hand, how various local government processes worked. She also said she had found the recent amalgamation process and the Maori Ward process most interesting.

Councillor Copeland said she was keen to use the opportunity, provided by her role as Councillor, for the development of cultural diversity in Nelson and the protection of the region’s natural environment. She said that New Zealand was in its adolescence at least culturally and it had not developed far from being the pioneer community of the last century.

She thanked the Mayor for the opportunity of being a Co-Portfolio Holder and said she looked forward to working in this role.

7. iPads for Councillors

Document No. 1294545, agenda pages 17-27 refer.

The Manager Information Management, Steve Petch, joined the meeting and presented the report.

There was generally an acceptance that those Councillors, who wanted them, could be supplied with iPads.

Councillor Fulton moved the recommendation with the alteration that the words “64 gigabyte” were inserted in front of the word “iPads” in the first paragraph and the second paragraph of the recommendation be removed. The motion lapsed through want of a seconder.

There was a general discussion and agreement that the second paragraph of the recommendation should be removed as Councillors did not agree that the communications allowance paid to those Councillors that receive an iPad should be reduced by \$300. It was felt that iPads were only a management tool that was being offered to replace the paper agendas and other Council papers that were currently couriered to Councillors. That was their primary function, not communication with residents.

The Acting Chief Executive advised that, whatever decision Council made, the Remuneration Authority will have a view, and he advised that he would be writing to the Remuneration Authority to advise them of any Council decision on this matter

During discussion it was pointed out that such things as iPads could be subject to the Local Government Official Information and Meetings Act 1987 and this had serious implications for Councillors and therefore Councillors should restrict the use of their Council supplied iPad to purely Council information only.

Proposed Councillor Copeland, seconded Councillor Reese

THAT Councillors be supplied with iPads at an estimated cost of \$13,620.

An amendment was moved and seconded by Councillor Reese and His Worship the Mayor

The amendment was put and carried and became the substantive motion and it was resolved

THAT Council purchase iPads at an estimated cost of \$13,620 to supply agenda and other Council papers to Councillors for Council use;

AND THAT Council advise the Remuneration Authority that it does not intend to reduce the communications allowance paid to those Councillors that receive an iPad.

Reese/His Worship the Mayor

Carried

Attendance: The meeting adjourned for morning tea from 11.00am to 11.15am.

8. Memorandum of Understanding – Shared Services

Document No. 1324370, agenda pages 28-32 refer.

Resolved

THAT Nelson City Council receives the Memorandum of Understanding – Sharing Services Report;

AND THAT Nelson City Council adopts the Memorandum of Understanding – Shared Services (1324820).

Davy/His Worship the Mayor

Carried

9. Governance Statement Review

Document No. 1314831, agenda pages 33-65 refer.

During the discussion of the Governance Statement Review a question was asked regarding the recent art work that had been installed on QEII Drive and how the costs had increased from \$200,000 to \$224,000. The Acting Chief Executive undertook to supply Council with the original budgeted figure for this item.

Also during the discussion there was a request made for more information to go to Councillors regarding the tender process and who was awarded Council tenders. The Executive Manager Network Services said he would address this issue.

The meeting then went through the draft Governance Statement page by page and the following amendments were made:

- 9.1 Page 39, paragraph 2, the words in brackets "(roads and footpaths)" be removed.
- 9.2 Page 42, paragraph 4, second line after the word "Mayor" the words "and that" be inserted.
- 9.3 Page 42, Clarification requested regarding the electoral system in respect to Wards. It was noted that Council could not address the Maori Wards issue again until 2016 and the question was asked whether that was before or after the 2016 election. Clarification was also sought on when was the earliest that Council could reconsider introducing a Ward System.
- 9.4 Page 41, under the section entitled "Deciding on which Electoral System to Use" it was noted that Council would retain the existing First Past the Post System for the 2013 election and the question was asked when was the earliest the Council could reconsider changing this system?

It was noted that none of the points regarding the electoral system would prevent the adoption of the Governance Statement. The Acting Chief Executive undertook to seek clarification on the points raised.

Page 52, under the last paragraph "Regional Policy Statement 1997" it was noted that there needed to be reference made to the fact that the Nelson Regional Policy Statement was overdue for review and that the review of this document was required to take place every 10 years.

- 9.5 Page 54, the cellphone number attributed to Councillor Shaw was incorrect and to be removed from the document.
- 9.6 Page 62, under the "Resource Management Act Procedures Committee" it was agreed that the wording should be changed to match the wording in the Delegations Register, Section 8.11, page 74.
- 9.7 Page 64, in the third column the word "Trust" be added to the Nelson Municipal Band. In the fourth column, it was agreed that Joint Nelson City Council/Tasman District Council organisations be distinguished from solely Nelson City Council organisations.

Resolved

THAT the updated Nelson City Council Governance Statement August 2012 (1302640) be adopted subject to the changes and additions made at the meeting.

Ward/His Worship the Mayor

Carried

10. Schedule of Documents Sealed – 2 April 2012 to 3 July 2012

Document No. 1336566, agenda pages 66-67 refer.

Resolved

THAT the Schedule of Documents Sealed – 2 April 2012 to 3 July 2012, be received subject to the word "Nelson" in the sixth line, fourth column, being spelt correctly.

Collingwood/Shaw

Carried

REPORTS FROM COMMITTEES

11. Economic Development Committee – 8 March 2012

Document No. 1253344, agenda pages 68-71 refer.

It was explained that following the disestablishment of the Economic Development Committee, these minutes of the final meeting of the Committee were being presented to the Council for confirmation.

Resolved

THAT the minutes of the final meeting of the Economic Development Committee, held on 8 March 2012, be confirmed as a true and correct record.

Shaw/Collingwood

Carried

12. Audit, Risk and Finance Committee – 10 July 2012

Document No. 1327154, agenda pages 72-75 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Committee, held on 10 July 2012, be received.

Matheson/Collingwood

Carried

13. Discussion of public forum items

13.1 Nuclear Free

It was agreed that the Mayor put out a press release confirming Council's position on nuclear and biological weapons etc. as stated in the Council resolutions of September 1993.

13.2 Profiling of Callers

The Acting Executive Manager Community Services Roger Ball joined the meeting and outlined the procedure used by the Customer Service Centre when receiving telephone calls. He said that when a customer made a call that resulted in a service request then their name and address were also requested but the supplying of the address was voluntary.

The Acting Chief Executive said that it was important for the people of Nelson to realise that, with the introduction of the Customer Service Centre, a lot of questions can be answered at the Customer Service level without the need to involve other staff. This, he said, saved staff time.

The Acting Executive Manager Community Services said he would take on board the issues raised by the public forum and take the Councillors' feedback back to staff.

13.3 Privacy Information Sharing Bill

The Acting Chief Executive said that this Bill had passed through its Select Committee Hearing and there was now little chance for Council to become involved. He said that Local Government New Zealand was involved in the submission process but he understood that only 20 submissions had been received to the Bill.

During discussion there was some concern raised that media releases were being prepared in advance and, although the recommendation, that was the subject of the media release, was passed by Council, it sometimes occurred that the media release may fail to reflect the actual discussion at the meeting.

PUBLIC EXCLUDED BUSINESS

14. 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	Public Excluded Economic Development Committee Minutes – 13 December 2011 These minutes confirmed the public excluded minutes of the Economic Development Committee - 18 October 2011 and also 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:
	Waimea West Water Augmentation Committee		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities
2	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	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
3	Mayor's Report concerning meetings held with a National Retailer and meeting held with Auckland City Events Agency.	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 this information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

Barker/His Worship the Mayor

Carried

The meeting went into public excluded session at 12.18pm and resumed in public session at 12.45pm.

15. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

His Worship the Mayor/Davy

Carried

There being no further business the meeting ended at 12.45pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date