



Minutes of a meeting of the Nelson City Council

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson

On Thursday 31 October 2019, commencing at 1.34p.m.

Present: Her Worship the Mayor R Reese (Chairperson), Councillors T Brand, M Courtney, J Edgar, K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk, G Noonan, P Rainey, R Sanson and T Skinner

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Kaihautū, (P Lee), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)

Apology: Councillor Elect Yvonne Bowater

Council's Chief Executive, Pat Dougherty, opened the meeting.

Elected Members, led by Her Worship the Mayor, processed into the Chamber to a karanga from Whaea Mel.

1. Karakia

Kaumātua Shane gave the karakia and mihi whakatau and the Council waiata was sung.

2. Statutory Declarations

Document number R12544, agenda pages 9 - 10 refer.

Her Worship the Mayor made her statutory declaration, witnessed by the Chief Executive and assumed the chair at 1.40p.m.

Her Worship the Mayor then called on each of the Councillors to make their statutory declarations.

3 Mayor's Speech

Her Worship the Mayor gave her inaugural speech.

Kaumātua Shane gave a closing karakia for the ceremonial part of the meeting.

The meeting was adjourned at 2.09p.m. and reconvened at 2.56p.m.

4. Apologies

Resolved CL/2019/216

That the Council

- 1. Receives and accepts the apology from Councillor Elect Yvonne Bowater.***

Noonan/Edgar

Carried

5. Confirmation of Order of Business

There was no change to the order of business.

6. Interests

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

7. Statutory Responsibilities of Members

Document number R12511, agenda pages 11 - 18 refer.

Chief Executive, Pat Dougherty noted the requirement under the Local Government Act 2002 to provide explanations of the Local Government Official Information and Meetings Act 1987 and other laws affecting elected members. Mr Dougherty summarised the information in the report.

Resolved CL/2019/217

That the Council

- 1. Receives the report Statutory Responsibilities of Members (R12511).***

Her Worship the Mayor/Sanson

Carried

8. Mayor's Report

Document number R12551, agenda pages 19 - 23 refer.

Her Worship the Mayor spoke to her report, noting the change in the name of the City Centre Revitalisation Group to the City Centre Working Group.

The motion was taken in parts.

Resolved CL/2019/218

That the Council

1. Receives the report Mayor's Report (R12551).

Her Worship the Mayor/Fulton

Carried

Resolved CL/2019/219

That the Council

2. Appoints Judene Edgar as Deputy Mayor.

Her Worship the Mayor/Noonan

Carried

Resolved CL/2019/220

That the Council

3. Establishes five Governing Committees as follows:

Committee	Chair	Deputy Chair	Membership
Infrastructure	Brian McGurk	Rohan O'Neill-Stevens	Trudie Brand Yvonne Bowater Mel Courtney Judene Edgar Kate Fulton Matt Lawrey Gaile Noonan Pete Rainey Rachel Sanson Tim Skinner
Governance and Finance	Rachel Sanson	Gaile Noonan	Trudie Brand Yvonne Bowater Mel Courtney Judene Edgar Kate Fulton Matt Lawrey Brian McGurk

			Rohan O'Neill-Stevens Pete Rainey Tim Skinner External Appointees x 2
Environment	Kate Fulton	Brian McGurk (Nelson Plan Lead Role)	Trudie Brand Yvonne Bowater Mel Courtney Judene Edgar Matt Lawrey Gaile Noonan Rohan O'Neill-Stevens Pete Rainey Rachel Sanson Tim Skinner External Appointee x 1
Community Services	Matt Lawrey	Yvonne Bowater	Trudie Brand Mel Courtney Judene Edgar Kate Fulton Brian McGurk Gaile Noonan Rohan O'Neill-Stevens Pete Rainey Rachel Sanson Tim Skinner
Sports and Recreation	Tim Skinner	Trudie Brand	Yvonne Bowater Mel Courtney Judene Edgar Kate Fulton Matt Lawrey Brian McGurk Gaile Noonan Rohan O'Neill-Stevens Pete Rainey Rachel Sanson

4. Appoints the following elected members to Single Purpose Committees:

Committee	Chair	Deputy Chair	Membership
Regional Transport	Brian McGurk	Judene Edgar	Mayor Rachel Reese

			Rohan O'Neill-Stevens NZTA Representative
Chief Executive Employment Committee	Mayor Rachel Reese	Deputy Mayor	Gaile Noonan Pete Rainey
Joint Committee	Alternates between Mayors of each district	None appointed	All Councillors
Civil Defence Emergency Management Group	Alternates between Mayors of each district	None appointed	Mayor Deputy Mayor

5. Appoints the following elected members to a Single Purpose Subcommittee:

Subcommittee	Chair	Deputy Chair	Membership
Audit and Risk	External Appointee	External Appointee	Mayor Deputy Mayor Chair of Governance

6. Appoints the following elected members to the City Centre Working Group:

Group	Chair	Deputy Chair	
City Centre Working Group	Pete Rainey	Mel Courtney	Mayor Rachel Reese Gaile Noonan Matt Lawrey Trudie Brand

Her Worship the Mayor/McGurk

Carried

9. Annual Report 2018/19 (Agenda Item 9)

Document number R11504, agenda pages 24 - 41 refer.

Group Manager Corporate Services, Nikki Harrison, and Manager Strategy, Mark Tregurtha, were present for this item. Mr Tregurtha spoke to the report and answered questions on Council's performance and targets.

Jacques Coetzee and Jaco Meintjes, representing Audit NZ, confirmed that the Annual Report 2018/19 appropriately reflected Council's financial position and performance and that Audit NZ's final report to Council on areas of improvement would be available in a few weeks.

Resolved CL/2019/221

That the Council

1. ***Receives the report Annual Report 2018/19 (R11504) and its attachments (A2280336 and A2288268); and***
2. ***Adopts the Annual Report for the year ended 30 June 2019 (A2280336) in accordance with s98 of the Local Government Act 2002; and***
3. ***Receives the draft Audit New Zealand Opinion; and***
4. ***Delegates the Mayor and Chief Executive to approve minor editorial changes as necessary.***

Her Worship the Mayor/O'Neill-Stevens

Carried

10. Elected Members' Code of Conduct

Document number R12553, agenda pages 42 - 70 refer.

Manager Governance and Support Services, Mary Birch, tabled amendments to the proposed Elected Members' Code of Conduct (A2292439).

Ms Birch spoke to the amendments and answered questions regarding the complaints process. She noted that Appendices C and D of the Code of Conduct would need to be amended for alignment as a result of the changes. It was clarified that the Code of Conduct could be amended throughout the triennium with a 75% majority of those present.

Resolved CL/2019/222

That the Council

1. ***Receives the report Elected Members' Code of Conduct (R12553) and its attachment (A1745031); and***
2. ***Adopts the Nelson City Council Code of Conduct (A1745031), subject to the changes tabled at the 31 October 2019 Council Meeting (A2292439); and***
3. ***Confirms that the final wording to give effect to these changes is to be approved by the Mayor, Deputy Mayor and Chair of Governance and Finance Committee;***
4. ***Directs the Chief Executive to develop a panel of independent investigators for approval by Council; and***
5. ***Notes that a Code of Conduct Committee will be established as part of the process to appoint Elected Members to committees.***

Her Worship the Mayor/McGurk

Carried

Attachments

- 1 A2292439 Proposed Changes to the Draft Nelson City Council Code of Conduct

11. Elected Members' Remuneration

Document number R12555, agenda pages 71 - 77 refer.

Manager Governance and Support Services, Mary Birch, was present for this item.

Her Worship the Mayor expressed a desire to gain the agreement of the meeting on the preferred way forward and discussion took place on the options.

Councillor Lawrey, seconded by Councillor Rainey, moved the officer's recommendation (Scenario 1).

That the Council

1. ***Receives the report Elected Members' Remuneration (R12555); and***
2. ***Approves the allocation of Elected Member Remuneration from the Pool in accordance with the Remuneration Authority Local***

Government Members (2019/2020) Determination Part 2 outlined in Scenario 1:

- *Deputy Mayor: \$62,662*
- *Chair Infrastructure, Regional Transport Committees, Deputy Chair Environment Committee (Nelson Plan Lead): \$62,662*
- *Chair: \$52,143*
- *Deputy Chair: \$44,900*
- *Councillor: \$44,900.*

Lawrey/Rainey

Councillor Fulton, seconded by Councillor Noonan, moved the following amendment (Scenario 4):

That the Council

1. *Receives the report Elected Members' Remuneration (R12555); and*
2. *Approves the allocation of Elected Member Remuneration from the Pool in accordance with the Remuneration Authority Local Government Members (2019/2020) Determination Part 2 outlined in Scenario 4:*

- *Deputy Mayor: \$62,662*
- *Chair Infrastructure, Regional Transport Committees, Deputy Chair Environment Committee (Nelson Plan Lead): \$57,406*
- *Chair: \$52,669*
- *Deputy Chair: \$45,426*
- *Councillor: \$45,426*

Fulton/Noonan

Debate took place on the amendment.

Her Worship the Mayor, Deputy Mayor Edgar and Councillor Courtney abstained from voting on both the amendment and the substantive motion.

The amendment was put and lost.

The substantive motion was put and carried.

Resolved CL/2019/223

That the Council

1. ***Receives the report Elected Members' Remuneration (R12555); and***

2. Approves the allocation of Elected Member Remuneration from the Pool in accordance with the Remuneration Authority Local Government Members (2019/2020) Determination Part 2 outlined in Scenario 1:

- **Deputy Mayor: \$62,662**
- **Chair Infrastructure, Regional Transport Committees, Deputy Chair Environment Committee (Nelson Plan Lead): \$62,662**
- **Chair: \$52,143**
- **Deputy Chair: \$44,900**
- **Councillor: \$44,900.**

Lawrey/Rainey

Carried

12. Next meeting date

Document number R12545, agenda pages 78 - 78 refer.

Resolved CL/2019/224

That the Council

- 1. Confirms the next meeting of the Nelson City Council will be held on Thursday 14 November 2019, commencing at 9.00am.**

Her Worship the Mayor/McGurk

Carried

There being no further business the meeting ended at 4.27p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date