



**Notice of the Extraordinary meeting of**

# **Nelson City Council**

## ***Te Kaunihera o Whakatū***

Date:	Thursday 22 October 2020
Time:	9.00a.m.
Location:	Council Chamber Civic House 110 Trafalgar Street, Nelson

## **Agenda**

### ***Rārangi take***

<b>Mayor</b>	Her Worship the Mayor Rachel Reese
<b>Deputy Mayor</b>	Cr Judene Edgar
<b>Members</b>	Cr Yvonne Bowater Cr Trudie Brand Cr Mel Courtney Cr Kate Fulton Cr Matt Lawrey Cr Brian McGurk Cr Gaile Noonan Cr Rohan O'Neill-Stevens Cr Pete Rainey Cr Rachel Sanson Cr Tim Skinner

**Quorum**        7

**Pat Dougherty**  
**Chief Executive Officer**

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision. For enquiries call (03) 5460436.

## **Council Values**

**Following are the values agreed during the 2019 - 2022 term:**

- A. Whakautetanga: respect
- B. Kōrero Pono: integrity
- C. Māiatanga: courage
- D. Whakamanatanga: effectiveness
- E. Whakamōwaitanga: humility
- F. Kaitiakitanga: stewardship
- G. Manaakitanga: generosity of spirit

## Opening Prayer

### 1. Apologies

Nil

### 2. Confirmation of Order of Business

### 3. Interests

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

### 4. Public Forum

### 5. Mayor's Report

5 - 14

Document number R21418

Recommendation

#### ***That the Council***

1. ***Receives the report Mayor's Report (R21418) and its attachment (A2497914); and***
2. ***Ceases the operation of the Governance and Finance Committee from 16 November 2020; and***
3. ***Ceases the operation of the Sports and Recreation Committee from 16 November 2020;***
4. ***Ceases the operation of the Community Services Committee from 16 November 2020; and***
5. ***Ceases the operation of the City Centre Working Group from 16 November 2020; and***
6. ***Amends the name of the Environment Committee to be the Environment and Climate Committee from 16 November 2020, to better reflect the priority of its***

*oversight role with regard to climate change policy, issues and monitoring; and*

- 7. Establishes a new governing committee from 16 November 2020, being the Community and Recreation Committee; and*
- 8. Confirms that the Community and Recreation Committee, the Environment and Climate Committee, and the Infrastructure Committee, being Council's three governing committees, are committees of the whole; and*
- 9. Increases the functions and responsibilities of the Audit and Risk Subcommittee from 16 November 2020 to include finance matters, noting that the subcommittee name will also be updated to the Audit, Risk and Finance Subcommittee from 16 November 2020; and*
- 10. Establishes two additional single purpose subcommittees from 16 November 2020, being the Urban Development Subcommittee and the Strategic Development and Property Subcommittee; and*
- 11. Establishes a City Centre Engagement Group to report to the Urban Development Subcommittee; and*
- 12. Notes that a report will be brought to Council prior to 16 November 2020, to:*
  - transfer the delegations of the Governance and Finance Committee to Council and/or other committees/subcommittees*
  - establish the delegations of the Community and Recreation Committee*
  - update the delegations of the Environment and Climate Committee*
  - update the delegations of the Audit, Risk and Finance Subcommittee*
  - confirm the membership and establish the delegations of the Urban Development Subcommittee*
  - confirm the membership and establish the delegations of the Strategic Development and Property Subcommittee, and*
  - confirm the membership and establish the delegations of the City Centre Engagement Group, and*

- **confirm any consequential changes to Council's Delegations Register arising from changes to Council's committee structure; and**

**13. Appoints elected members to be Chair and Deputies of governing committees as follows:**

<b>Committee</b>	<b>Chair</b>	<b>Deputies</b>
<b>Community and Recreation</b>	<b>Cr Tim Skinner</b>	<b>Cr Trudie Brand</b> <b>Cr Yvonne Bowater</b>
<b>Environment and Climate</b>	<b>Cr Kate Fulton</b>	<b>Cr Mel Courtney</b> <b>Cr Brian McGurk</b>

**14. Confirms Cr Brian McGurk and Cr Rohan O'Neill-Stevens remain Chair and Deputy Chair of the Infrastructure Committee; and**

**15. Appoints elected members to be Chair of the new single purpose subcommittees as follows:**

<b>Subcommittee</b>	<b>Chair</b>
<b>Urban Development</b>	<b>Cr Judene Edgar</b>
<b>Strategic Development and Property</b>	<b>Cr Gaile Noonan</b>

**16. Appoints Councillor Mel Courtney as Chair of the City Centre Engagement Group; and**

**17. Approves the proposed amendments to Standing Orders relating to quorum for decision-making bodies as set out in Attachment 1 (A2497914); and**

**18. Ceases the operation of the Emergency Committee.**

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## **Mayor's Report**

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### **1. Purpose of Report**

- 1.1 To propose a revised governance structure to respond to Covid-19 impacts and recovery, the triennium priorities, and to enable major projects and opportunities for strategic development to be advanced, recognising the need for enhanced engagement and an efficient and effective functioning of Council.

### **2. Recommendation**

*That the Council*

1. ***Receives the report Mayor's Report (R21418) and its attachment (A2497914); and***
2. ***Ceases the operation of the Governance and Finance Committee from 16 November 2020; and***
3. ***Ceases the operation of the Sports and Recreation Committee from 16 November 2020;***
4. ***Ceases the operation of the Community Services Committee from 16 November 2020; and***
5. ***Ceases the operation of the City Centre Working Group from 16 November 2020; and***
6. ***Amends the name of the Environment Committee to be the Environment and Climate Committee from 16 November 2020, to better reflect the priority of its oversight role with regard to climate change policy, issues and monitoring; and***
7. ***Establishes a new governing committee from 16 November 2020, being the Community and Recreation Committee; and***
8. ***Confirms that the Community and Recreation Committee, the Environment and Climate Committee, and the Infrastructure Committee, being Council's three governing committees, are committees of the whole; and***

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9. ***Increases the functions and responsibilities of the Audit and Risk Subcommittee from 16 November 2020 to include finance matters, noting that the subcommittee name will also be updated to the Audit, Risk and Finance Subcommittee from 16 November 2020; and***
10. ***Establishes two additional single purpose subcommittees from 16 November 2020, being the Urban Development Subcommittee and the Strategic Development and Property Subcommittee; and***
11. ***Establishes a City Centre Engagement Group to report to the Urban Development Subcommittee; and***
12. ***Notes that a report will be brought to Council prior to 16 November 2020, to:***
  - ***transfer the delegations of the Governance and Finance Committee to Council and/or other committees/subcommittees***
  - ***establish the delegations of the Community and Recreation Committee***
  - ***update the delegations of the Environment and Climate Committee***
  - ***update the delegations of the Audit, Risk and Finance Subcommittee***
  - ***confirm the membership and establish the delegations of the Urban Development Subcommittee***
  - ***confirm the membership and establish the delegations of the Strategic Development and Property Subcommittee, and***
  - ***confirm the membership and establish the delegations of the City Centre Engagement Group, and***
  - ***confirm any consequential changes to Council's Delegations Register arising from changes to Council's committee structure; and***
13. ***Appoints elected members to be Chair and Deputies of governing committees as follows:***

<b>Committee</b>	<b>Chair</b>	<b>Deputies</b>
<b><i>Community and Recreation</i></b>	<b><i>Cr Tim Skinner</i></b>	<b><i>Cr Trudie Brand</i></b>

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		<b>Cr Yvonne Bowater</b>
<b>Environment and Climate</b>	<b>Cr Kate Fulton</b>	<b>Cr Mel Courtney</b> <b>Cr Brian McGurk</b>

**14. Confirms Cr Brian McGurk and Cr Rohan O'Neill-Stevens remain Chair and Deputy Chair of the Infrastructure Committee; and**

**15. Appoints elected members to be Chair of the new single purpose subcommittees as follows:**

<b>Subcommittee</b>	<b>Chair</b>
<b>Urban Development</b>	<b>Cr Judene Edgar</b>
<b>Strategic Development and Property</b>	<b>Cr Gaile Noonan</b>

**16. Appoints Councillor Mel Courtney as Chair of the City Centre Engagement Group; and**

**17. Approves the proposed amendments to Standing Orders relating to quorum for decision-making bodies as set out in Attachment 1 (A2497914); and**

**18. Ceases the operation of the Emergency Committee.**

### **3. Background**

3.1 At the Inaugural Council Meeting, held on 31 October 2019, Council established five governing committees, being the Community Services, Environment, Governance and Finance, Infrastructure and Sports and Recreation Committees. These committees were established as committees of the whole – that is all elected members are members of every governing committee.

3.2 This allocation of responsibilities amongst the committees was a carry forward from the previous triennium and a pragmatic way to allow all councillors, especially first term councillors, to gain a broad understanding of Council operations. The committees were given full decision-making powers to support a timely decision-making process.

3.3 Subsequently Council has established its three triennium focus areas; creating a sustainable transport culture, Maitai River Precinct, and housing affordability and intensification.

3.4 As a result of COVID-19 Council has and will continue to play a major role in supporting our community in responding to and rebuilding from



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the global pandemic and its impacts. It is important our resources are used as effectively as possible.

### **4. Changes Required**

4.1 It is evident that maintaining a business as usual structure is sub-optimal with the challenges, opportunities and limited resources in front of us. The key drivers for the proposed structural changes are:

- 4.1.1 Using the existing structure the 2021 calendar schedule requires a high level of committee meeting time – this is not sustainable and needs to be addressed urgently;
- 4.1.2 Freeing up time and structures to allow greater collaboration and engagement with central government, iwi, other councils, private sector, NGOs, and citizens' groups is essential to progress priority areas and strategic projects;
- 4.1.3 Efficiency for officers – streamlining the committee structure to three governing committees will provide a more functional system for officers seeking governance direction;
- 4.1.4 Health and safety and organisational risk needs a direct link to Council;
- 4.1.5 Reducing duplication of financial reporting;
- 4.1.6 Giving climate matters greater prominence at a committee level with the inclusion of a regular reporting and monitoring function;
- 4.1.7 Single purpose subcommittees - there is a need to increase specialist committees to give Council the ability and the appropriate forum to discuss and develop key strategic issues to a point where they can be brought with recommendations to Council for implementation;
- 4.1.8 Quorum – increase quorum from a minimum of two members back to the majority of members for each decision-making body;
- 4.1.9 Delegations – changes are required to ensure that the most appropriate committee deals with each matter;

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### 5. Committee Structure

5.1 The proposed changes to the committee structure are as follows:

Committee	Comments
Infrastructure Committee	No change – committee of the whole.
Community and Recreation Committee	<p>This is a newly established committee – some functions from the Community Services Committee and the Sports and Recreation Committee combine to form this Committee.</p> <p>Functions will be fully outlined in the subsequent delegations report but include matters such as: arts, heritage and culture, community facilities, social development, community events, parks and reserves, recreation facilities and services.</p> <p>It is proposed that given the breadth of subject matter under this Committee that the Chair be supported by two Deputy Chairs. This is a committee of the whole.</p>
Environment and Climate Change Policy Committee	<p>The name of the Environment Committee is proposed to change to the Environment and Climate Committee to better reflect the priority of its oversight role with regard to climate change policy, issues and monitoring, and the Climate Change Reserve Fund. This is appropriate given the importance Council attaches to the issue of climate change and the focus it will receive in the Long Term Plan. This Committee will also include the delegation for the Urban Greening Plan. This Committee will retain all science and environment matters and Council's flagship environmental programmes especially those related to biodiversity, pest and weed management, and coastal, riparian and freshwater. Progressing the Nelson Plan remains a significant part of this Committee's work and the next 2 years will be time intensive, particularly for Cr McGurk who leads this area. This is a committee of the whole.</p> <p>Given the breadth of the subject matter of this committee, it is proposed that the Chair be supported by an additional Deputy Chair. This is a committee of the whole.</p>
Governance and Finance Committee	This committee has been dis-established. The work undertaken by this committee will be transferred to Council and committees/subcommittees. Council will retain the delegation for the Communications and Engagement Strategy, Residents' Survey and Events Strategy.
Urban Development Subcommittee	<p>Newly established single purpose subcommittee. Membership of six to eight members, to be confirmed in a report to be brought to Council.</p> <p>This subcommittee will have recommending functions in relation to housing, any Housing Reserve established, the Land Development Manual, development contributions, the Intensification Action Plan, the City Centre Programme Plan including the Spatial Plan, and matters relating to the National Policy Statement Urban Development.</p>

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	<p>Reporting to this subcommittee will be the:</p> <ul style="list-style-type: none"> <li>• City Centre Engagement Group – this group have a focused role in supporting the city centre engagement</li> </ul> <p>This subcommittee will report directly to Council.</p>
Strategic Development and Property Subcommittee	<p>Newly established single purpose subcommittee. Membership of six to eight members, to be confirmed in a report to be brought to Council.</p> <p>This subcommittee will have recommending functions in relation to matters such as the Haven precinct, marina and marina precinct, campgrounds, strategic and commercial property (Civic House remains with Council), Nelson Regional Development Agency, Nelmac and Uniquely Nelson.</p> <p>This subcommittee will report directly to Council.</p>
Audit, Risk and Finance Subcommittee	<p>The existing Audit and Risk Subcommittee is proposed to take on oversight of financial matters from the dis-established Governance and Finance Committee, including the Procurement Policy. Its name will change to Audit, Risk and Finance Subcommittee. Membership of five members.</p> <p>This subcommittee will report directly to Council.</p>

## 6. Committee Matters

### Committee Membership

- 6.1 Following a decision on the revised governance structure, and prior to the proposed structure taking effect, a report will be brought to Council to confirm the membership of each subordinate decision-making body.

### Delegations

- 6.2 The Delegations Register was adopted on 14 November 2019. Following a decision on the revised governance structure, and prior to the proposed structure taking effect on 16 November 2020, a report will be brought to Council to consider Council, Committee and Subcommittee delegations and to approve updates to the Delegations Register.

### Remuneration

- 6.3 In accordance with the Remuneration Authority Determination, Council has been allocated a pool of \$603,300, from which all councillors are remunerated. This pool is divided between the councillors, recognising the various levels of responsibility.
- 6.4 The current levels of remuneration will need to be considered and potentially adjusted to reflect a revised governance structure. A report will be brought to Council to consider options for future councillor remuneration at the same time as committee membership and delegations are considered.

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### **Committee and Quorum changes to respond to COVID-19**

- 6.5 At the 24 March 2020 Council Meeting, in response to the emerging COVID-19 issues and the potential risks associated with meeting in person, Council Standing Orders were updated to confirm that the minimum quorum of a committee or subcommittee "is not less than two elected members".
- 6.6 The Emergency Committee was also established at the 24 March 2020 Council meeting, to enable urgent and essential decision making and governance processes to continue during the COVID-19 pandemic. The Emergency Committee was never convened during the alert level 4 lockdown period, or through the subsequent alert level changes, due to legislative changes that allowed Council and its subordinate decision-making bodies to meet via audio-visual means during the various COVID-19 alert level stages.
- 6.7 It is now appropriate to cease the operation of the Emergency Committee, and to increase the quorum of each committee, subcommittee and subordinate decision-making body back to half of, or the majority of members, as set out in attachment one (A2497914).

### **7. Conclusion**

- 7.1 The revised governance structure provides an all of organisation focus on priorities, efficiencies, allocation of resources, community need and strategic opportunities.

**Author:** Rachel Reese, Mayor of Nelson

### **Attachments**

Attachment 1: A2497914 - update to Standing Orders - Quorum [↓](#)

<b>Important considerations for decision making</b>
<b>1. Fit with Purpose of Local Government</b>  Review of the committee structure assists Council in enabling democratic decision-making as efficiently and effectively as possible.
<b>2. Consistency with Community Outcomes and Council Policy</b>  By seeking to improve the efficiency and effectiveness of Council decision-making this report contributes to the community outcome that our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.
<b>3. Risk</b>  The changes to the committee structure are low risk as they are consolidating and rationalising Council's governance framework.
<b>4. Financial impact</b>  There are no direct budgetary consequences related to the decision to approve the new committee structure.
<b>5. Degree of significance and level of engagement</b>  This matter is considered to be of low significance as it relates to a procedural governance matter and therefore no public engagement is planned.
<b>6. Climate Impact</b>  This decision will have no impact on the ability of the Council or District to proactively respond to the impacts of climate change now or in the future.
<b>7. Inclusion of Māori in the decision making process</b>  No engagement with Māori has been undertaken in preparing this report. The Mayor outlined the proposed establishment of the new subcommittees of Council at the Iwi-Council Partnership Group.
<b>8. Delegations</b>  Council has full responsibility for matters relating to the committee structure.

## 10.2 Committees and subcommittees

The quorum for a meeting of a committee or a subcommittee is not less than two elected members, and: ~~in the case of a committee other than a subcommittee, must include at least one elected member.~~

- (a) half of the members physically present, where the number of members (including vacancies) is even; and
- (b) a majority of the members physically present, where the number of members (including vacancies) is odd.

In the case of subordinate decision-making bodies with external members, at least one member of the quorum must be an elected member

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