

**MINUTES OF A MEETING OF THE INAUGURAL MEETING OF THE
NELSON CITY COUNCIL 2010-2013 HELD IN THE COUNCIL
CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON
THURSDAY 28 OCTOBER 2010 COMMENCING AT 9.30AM**

PRESENT: His Worship the Mayor A Miccio, Councillors I Barker, A Boswijk, G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, J Rackley, P Rainey, R Reese, D Shaw and M Ward

IN ATTENDANCE: Chief Executive (K Marshall), Council Kaumatua (A Joseph), and Administration Adviser (A Rose).

The Chief Executive welcomed everyone to the meeting.

1.0 OPENING PRAYER

The Council Kaumatua, Archdeacon Joseph, gave his opening prayer.

2.0 STATUTORY DECLARATIONS

The meeting was initially chaired by the Chief Executive, pursuant to Schedule 7 Section 21(4) of the Local Government Act 2002. The Chief Executive took and attested the declaration made by His Worship the Mayor Aldo Miccio, as required by Schedule 7 Section 14 of that Act.

His Worship the Mayor then took and attested the declarations made by all the Councillors as required by Schedule 7 Section 14 of the Local Government Act 2002.

The Chief Executive then passed control of the meeting to His Worship the Mayor.

3.0 MIHI

The Council Kaumatua, Archdeacon Joseph, gave the mihi welcoming the new Council.

4.0 PRESENTATION TO MR KERRY MARSHALL

His Worship the Mayor made presentations of gifts and flowers to the past Mayor Kerry Marshall, and his wife Colleen, and paid tribute to the work done by the previous Mayor.

In reply, Mr Marshall said that it had been a real honour to be Mayor of Nelson.

Following a long tradition, Mr Marshall then invested his successor with the Nelson City Mayoral Chains of Office.

5.0 ADOPTION OF STANDING ORDERS

Document No. 997910.

The Chief Executive explained that Section 27 of Schedule 7 of the Local Government Act 2002 required Council to adopt a set of standing orders.

He explained that it was being recommended that Council adopt the most recent New Zealand model standing orders NZS9202:2003 as they were the ones used by most Local Authorities in New Zealand, are more comprehensive and are annotated with the applicable references to the relevant legislation.

During discussion, it was agreed that standing order 2.12.4 should be amended in the fourth line to read "not less than four clear working days" and that standing order 3.3.15 Cellular Phones be amended by inserting the words "as a telephone" in between the words "cellular phones" and "during".

Resolved

THAT the New Zealand model standing orders NZS9202:2003 be adopted with the following amendments:

- ***Clause 2.12.4 amended to read "sent to every member not less than four clear working days before the day appointed".***
- ***The addition of Clause 3.3.15 Cellular Phones, and this clause being amended by inserting the words "as a telephone" between the words "phones" and "during" in the first line of the clause.***
- ***The addition of Clause 3.22, Public Forums.***

Barker/Davy

Carried

6.0 STATUTORY RESPONSIBILITY OF MEMBERS

Document No. 991321, agenda pages 2-88 refer.

The Chief Executive presented the report, pursuant to Schedule 7 Section 21(5)(c) of the Local Government Act 2002, and emphasised key parts of it. In addition, he urged Councillors to make themselves familiar with the booklet from the Controller and Auditor General, entitled 'Guidance for Members of Local Authorities about the Law on Conflicts of Interest', which had been circulated as Attachment 1 to the report.

He also reminded Councillors to complete and return the Member's Interest Register form, which had been tabled.

It was noted that in 3.4.3 of the report, the issues regarding licenses under the Sale of Liquor Act 1989, approvals under the Fencing of Swimming Pools Act 1987 and actions under the Dog Control Act 1996 would not be delegated to the Hearings Panel.

In summing up, the Chief Executive urged Councillors to seek his advice at an early date if there was any doubt about any of the issues in the report.

Resolved

THAT the report 991321 be received.

His Worship the Mayor/Boswijk

Carried

7.0 Mayors Report

Document No. 994052, agenda pages 89-90 refer

His Worship the Mayor presented his report, which contained recommendations in respect of the position of Deputy Mayor, Portfolio Holders and future possible Committee structure and Committee Chairpersons.

During discussion, it was agreed that Graeme Thomas would also be an independent external member of the Audit, Risk and Finance Committee.

It was also agreed that the appointment of a Hearings Panel, comprising Councillors Barker, Collingwood, Reese and Shaw, should be added to the recommendations.

Resolved

THAT Councillor Boswijk be appointed Deputy Mayor;

AND THAT the portfolios and portfolio holders as detailed in the table below be appointed and remain in place until the new Council committee structure and delegations register are approved by Council;

PORTFOLIO	PORTFOLIO HOLDER	DEPUTY	MEMBERS
Governance	Cr Ian Barker	Cr Eric Davy	All Councillors
Community Services	Cr Pete Rainey	Cr Ali Boswijk	All Councillors
Infrastructure	Cr Gail Collingwood	Cr Paul Matheson	All Councillors
Policy and Planning	Cr Rachel Reese	Cr Derek Shaw	All Councillors
Economic Development	Cr Rachel Reese		All Councillors

Remuneration Review	Mayor Aldo Miccio		Cr Ali Boswijk
			Cr Gail Collingwood
Audit, Risk and Finance	Cr Ian Barker		Cr Rachel Reese
			Cr Gail Collingwood
			Bede Carran and Graeme Thomas (independent external members)
Joint Shareholders	Mayor Aldo Miccio		Deputy Mayor
			Cr Rachel Reese
Nelson Regional Sewerage Business Unit	Cr Derek Shaw		Cr Paul Matheson

AND THAT the Mayor be an ex-officio member of all standing Committees;

AND THAT a Hearings Panel be appointed comprising Councillors Barker, Collingwood, Reese and Shaw.

AND THAT a working group of the Council portfolio holders for Governance, Community Services, Infrastructure and Policy and Planning review the committee delegations and make recommendations back to Council by 2 December 2010;

AND THAT Councillor Boswijk be appointed as Chair of the Nelson RWC 2011 Steering Group;

AND THAT the Mayor, Chair of the Nelson RWC 2011 Steering Group and the Executive Manager Community Services be appointed as the official spokespersons for Rugby World Cup 2011, and that any communications be approved by the Executive Manager Community Services;

AND THAT the Executive Manager Community Services has the authority to delegate official spokesperson responsibilities for Rugby World Cup 2011 as appropriate;

AND THAT key partners are the primary media spokespersons for Rugby World Cup 2011 in relation to their core business.

His Worship the Mayor/Boswijk

Carried

8.0 Schedule of Meetings to 31 December 2010

The Chief Executive advised that it was proposed that Council meet on the following days through to the end of December 2010;

- Thursday 4 November,
- Thursday 18 November,
- Thursday 2 December
- Thursday 16 December,

The meetings would all commence at 9.00am, he added.

He further advised that a calendar for 2011 will be presented to Council at its meeting on 2 December 2010.

Resolved

THAT for the remainder of 2010, Council meet on 4 and 18 November, and 2 and 16 December 2010, commencing at 9.00am.

Davy/Barker

Carried

9.0 ANNUAL REPORT 2009/10

Document No. 993043, agenda pages 91-93 refer

The Chief Executive explained that in accordance with Section 98 of the Local Government Act 2002, the Council was required to adopt its Financial Report within four months after the end of the financial year to which it relates.

A copy of the Audit Report was tabled.

The Chief Financial Officer, Nicky Harrison, joined the meeting and presented the report. It was agreed that the word "staff" would be removed from the first line of the paragraph headed "Relationship with Tasman District Council" on page 12.

Resolved

THAT the Annual Report for the year ended 30 June 2010 be adopted in accordance with Section 98 of the Local Government Act 2002, subject to the word "staff" being removed from the first line of the fourth paragraph on page 12.

His Worship the Mayor/Boswijk

Carried

10.0 SUBMISSION ON THE PROPOSAL FOR A UNION OF NELSON AND TASMAN COUNCILS

Document No. 992445, agenda pages 94-107 refer

The Chief Executive presented the report, and after some discussion His Worship the Mayor, seconded by Councillor Barker, moved the recommendation with the words "overall" removed from the first paragraph and the word "a" replacing the word "the" in the second paragraph.

Councillor Boswijk, seconded by Councillor Ward, moved an amendment adding the words "with a view to ensuring sound regional governance and strong local representation" to the second paragraph of the recommendation.

The amendment was put and lost, and the original motion was then considered: It was agreed to amend paragraph 3 of the submission to read, "In support of the resolution the Council proposes to elaborate on the submission at the subsequent hearings".

Resolved

THAT the Local Government Commission be advised that Nelson City Council believes that there may be benefit from the union of Nelson City and Tasman District Councils;

AND THAT Nelson City Council supports the Local Government Commission further investigating a proposed union;

AND THAT the draft submission to the Local Government Commission be approved as amended.

His Worship the Mayor/Barker

Carried

11.0 TRIBUTE TO THE LATE LEONARD GLADSTONE ARDELL

Councillor Collingwood paid tribute to the late Len Ardell, who she said was well remembered and respected in Nelson as Town Clerk and City Manager of Nelson City Council from 1969-1975, as Principal Officer of the Nelson Bays United Council from 1978-1989, as Chairperson of the Nelson Marlborough Regional Council 1989-1992 and as a Nelson City Councillor from 1992-1998, including three years during this time (1992-1995) as Deputy Mayor.

She paid tribute to Mr Ardell and his extensive service to the Nelson community, and to the help he had given her personally when she joined the Nelson City as a new Councillor.

Councillor Shaw and Councillor Barker both paid tribute to Mr Ardell, and Mr Barker also reminded the Council that during the last 12 months, ex Councillor Ian Gourdie, ex Deputy Mayor Pat Tindell and ex Councillor Ivan Ford had all passed away.

There being no further business, the meeting ended at 12.03pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE