
MINUTES

THURSDAY 14 NOVEMBER 2013

7.00pm – 7.45pm

**LINDEN SOCIAL CENTRE
10 LINDEN AVENUE
LINDEN**

PRESENT:

Graeme Hansen (7.07pm – 7.45pm)

Richard Herbert

Margaret Lucas

Jack Marshall

Alistair Sutton

Robert Tredger

Councillor Justin Lester (7.02pm – 7.45pm)

Councillor Malcolm Sparrow

IN ATTENDANCE:

Mayor Wade-Brown

Councillor Pannett

Councillor Ritchie

108/13TB APOLOGIES

NOTED:

Kevin Lavery – Chief Executive Officer advised of apologies for lateness from Board Member Elect Graeme Hansen and from Councillor Lester.

109/13TB MAYOR'S WELCOME

NOTED:

Mayor Wade-Brown welcomed those present to the meeting.

110/13TB DECLARATIONS

(Councillor Lester joined the meeting at 7.02pm.)
 (Graeme Hansen joined the meeting at 7.07pm)

NOTED:

Mayor Wade-Brown called each Board member forward. They each made their declaration individually to serve as a member of the Tawa Community Board.

“I, Margaret Ruth Lucas, Richard John Herbert, Jack William Marshall, Malcolm Lloyd Sparrow, Alistair Hall Sutton, Robert Stephen Tredger, Graeme Mark Hansen, Justin Mark Lester and Malcolm Lloyd Sparrow, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the Tawa Community, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Tawa Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other act.”

111/13TB GENERAL EXPLANATION**NOTED:**

Kevin Lavery - Chief Executive Officer, read the general explanation to the Board on the Local Government Official Information and Meetings Act 1987 and other laws affecting the members including the appropriate provisions of the Local Authorities (Member’s Interests) Act 1968; sections 99, 105 and 105A of the Crimes Act 1961; the Secret Commissions Act 1910; and the Securities Act 1978.

“As the representative of the Chief Executive of Wellington City Council, I am required to give a general explanation to elected members of certain legislation which controls the way in which the Community Board’s business may be conducted and the laws affecting elected members. This explanation does not attempt to cover all the detailed points of the legislation, but brings to your attention the key issues affecting your role and functions as Tawa Community Board members.

The Local Government Official Information and Meetings Act 1987 This Act governs the availability of information and is based on the principle that information should be made publicly available, unless one or more of the specific withholding grounds apply. Matters relating to requests and release of information are administered by officers of the Council. This Act also sets meeting procedures and requirements. These include:

- the requirement to give public notice of meetings;

- the public availability of the agenda and supporting papers for the meetings of the Council and its committees, subcommittees and community boards;
- the circumstances when the Council may resolve to exclude the public from meetings, and the procedure that must be followed in such circumstances; and
- the responsibility of the Chair to maintain order at meetings.

There are certain other legislative provisions which elected members must be aware of.

The first is the Local Authorities (Members' Interests) Act 1968, which has two main aspects:

- The Act prohibits certain contracts between the Council and its members, or with persons associated with its members. A breach could result in loss of office.
- The Act also prohibits an elected member from discussing or voting on an issue in which the member, directly or indirectly, has a pecuniary interest. Any member found to have contravened this part of the Act could be prosecuted, and if convicted, would lose office.

Under the Crimes Act 1961 a member of a local authority who obtains or accepts or offers to accept any bribe to do, or not do, something, or who corruptly uses information obtained in an official capacity to get a direct or indirect pecuniary advantage, is liable to a term of imprisonment of up to seven years.

Under the Secret Commissions Act 1910, an elected member who accepts a gift or obtains any advantage from any other party as a reward for doing any act in relation to Council business commits an offence. It is also an offence not to disclose a pecuniary interest in any contract, and also to aid or abet or be involved in any way in an offence under this Act. Conviction can lead to imprisonment for up to two years and a fine of up to \$1,000.

Under the Securities Act 1978, elected members are in the same position as company directors if the Council were to offer stock to the public, such as to issue stock under its borrowing powers. Elected members therefore have the same responsibilities as directors and may be personally liable if investment documents, such as a prospectus, contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

In addition to these key statutory provisions, if an elected member is convicted of an offence that carries a term of two or more years of imprisonment under any Act I have specified, or under any other Act, that member will lose office.”

112/13TB **ELECTION OF CHAIR AND DEPUTY CHAIR**
 Report of Anusha Guler – Manager, Democratic Services. (REPORT 1)

NOTED:

Mayor Wade-Brown conducted proceedings for the election of the Chair and Deputy Chair.

Moved Councillor Lester, seconded Jack Marshall, the procedural motion to suspend standing order 90 to allow nominees for the position of Chair to address the meeting.

The procedural motion was put and declared CARRIED.

Moved Robert Tredger, seconded Jack Marshall, the substantive motion being recommendations 1 – 5 in the officer's report.

The substantive motion was put and declared CARRIED.

Mayor Wade-Brown called for nominations for the position of Chair.

Margaret Lucas nominated Robert Tredger for Chair. This nomination was seconded by Jack Marshall.

Alistair Sutton nominated himself for Chair. His nomination was seconded by Graeme Hansen.

Councillor Lester nominated Graeme Hansen, who in turn declined the nomination.

The two nominees each addressed the meeting.

(The meeting adjourned at 7.28pm and reconvened at 7.31pm.)

Voting for Robert Tredger as Chair was conducted. He received votes from Margaret Lucas, Richard Herbert, Councillor Sparrow, Jack Marshall and Robert Tredger.

Voting for Alistair Sutton as Chair was conducted. He received votes from Alistair Sutton, Councillor Lester and Graeme Hansen.

Mayor Wade-Brown declared that Robert Tredger was elected as Chair of the Tawa Community Board for the 2013/2016 Triennium.

Mayor Wade-Brown called for nominations for the position of Deputy Chair.

Robert Tredger nominated Margaret Lucas for Deputy Chair. This nomination was seconded by Jack Marshall.

Graeme Hansen nominated Alistair Sutton for Deputy Chair. This nomination was seconded by Alistair Sutton.

Voting for Margaret Lucas as Deputy Chair was conducted. She received votes from Margaret Lucas, Richard Herbert, Councillor Lester, Jack Marshall, Councillor Sparrow and Robert Tredger.

Voting for Alistair Sutton as Deputy Chair was conducted. He received votes from Graeme Hansen and Alistair Sutton.

Mayor Wade-Brown declared Margaret Lucas as Deputy Chair of the Tawa Community Board for the 2013/2016 Triennium.

Robert Tredger assumed the Chair and addressed the Board.

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Note the job description for the Chairperson of the Community Board as previously agreed by Council and set out in Appendix One.*
3. *Agree to **Robert Tredger** Chairperson of the Tawa Community Board for the 2013/2016 triennium.*
4. *Agree to **Margaret Lucas** as Deputy Chairperson of the Tawa Community Board for the 2013/2016 triennium.*
5. *Agree that the elected Chair will undergo Chair training facilitated by Democratic Services within six months of their appointment.*

NOTED:

The resolution differs from the recommendations in the officer's report as follows:

The Community Board added the text in **bold**.

113/13TB **SETTING OF THE FIRST ORDINARY MEETING**

Report of Fiona Dunlop – Committee Advisor.

(REPORT 2)

Moved Robert Tredger, seconded Councillor Sparrow, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Agree to set the first ordinary meeting of the triennium for 7.00pm on 12 December 2013 at the Tawa Community Centre.*

114/13TB **ELECTIONS OF THE NEW ZEALAND COMMUNITY BOARDS' EXECUTIVE COMMITTEE**
Report of Charlie Inggs, Electoral Officer and Special Projects, Democratic Services. (REPORT 3)

Moved Robert Tredger, seconded Richard Herbert, the substantive motion.

The substantive motion was put and declared CARRIED.

Councillor Lester, seconded Graeme Hansen, the nomination of Alistair Sutton for the position of Zone Representative.

The nomination was put and declared CARRIED.

Margaret Lucas, seconded Alistair Sutton, the nomination of Jack Marshall for the position of Deputy Zone Representative.

The nomination was put and declared CARRIED.

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Nominate Alistair Sutton for the position of Zone Representative.*
3. *Nominate Jack Marshall for the position of Deputy Zone Representative.*

115/13TB **LETTER OF CONGRATULATIONS**

Moved Graeme Hansen, seconded Margaret Lucas, the motion that the Tawa Community Board send a letter of congratulations to local resident Liz Langham as Education category winner at the 2013 Wellingtonian of the Year awards for her involvement with community development and many voluntary roles.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Tawa Community Board:

1. *Send a letter of congratulations to local resident Liz Langham as Education category winner at the 2013 Wellingtonian of the Year awards for her involvement with community development and many voluntary roles.*

The meeting concluded at 7.45pm.

Confirmed: _____
Chair
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