

**REPORT 2**  
*(1215/11/IM)*

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**APPOINTMENT OF ACTING DEPUTY MAYOR AND  
ADJUSTMENTS TO COUNCIL MEETING DATES**

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**1. Purpose of Report**

To seek Council approval for:

- the appointment of a Councillor as the Acting Deputy Mayor for the period 20 – 27 October 2009 during which time both the Mayor and Deputy Mayor will be out of the country, and
- the rescheduling of the meeting dates for the September, October, November and December 2009 Council meetings.

**2. Recommendations**

It is recommended that the Council:

1. *Receive the information.*
2. *Agree to appoint a Councillor as the Acting Deputy Mayor for the period 20-27 October 2009 inclusive during which time both the Mayor and Deputy Mayor will be out of New Zealand.*
3. *Agree to the 2009 meeting dates for the September, October, November and December meetings of Council being rescheduled as follows:*

<i>Current Meeting Dates</i>	<i>Proposed (New) Meeting Dates</i>
<i>Wednesday 30 September 2009 (5.30pm)</i>	<i>Thursday 17 September 2009 (5.30pm)</i>
<i>Wednesday 28 October 2009 (5.30pm)</i>	<i>Wednesday 11 November 2009 (5.30pm)</i>
<i>Wednesday 28 November 2009 (5.30pm)</i>	<i>Cancelled</i>
<i>Wednesday 16 December 2009 (9.15am)</i>	<i>Friday 11 December 2009 (1.00pm)</i>

### **3. Background**

Both the Mayor and Deputy Mayor will be out of Wellington during the period 20-27 October 2009 inclusive. The Mayor will be absent from 27 September to 30 October 2009 inclusive and the Deputy Mayor will be away from 20-27 October 2009 inclusive.

Because of this and timing issues relating to both the initiation of the Special Consultative Procedure for the revocation of the 'pedestrian mall' status of Manners Mall and consideration of the feedback on that consultation, it is necessary to adjust the Council meeting dates for the remainder of the 2009 year.

### **4. Discussion**

#### ***4.1 Appointment of Acting Deputy Mayor***

There is precedent for both the Mayor and Deputy Mayor to be absent overseas at the same time. In these circumstances the Council has, as a matter of good practice, appointed an Acting Deputy Mayor for the period during which both the Mayor and Deputy Mayor are absent. It is recommended that Council follow that procedure again on this occasion.

This recommendation, if agreed to, will mean that the Acting Deputy Mayor can act in those situations where the Mayor would be called on (eg. to exercise the Mayor's role in a Civil Defence Emergency). Under the Local Government Act 2002, the Deputy Mayor, or in this case the Acting Deputy Mayor, can act for the Mayor in the Mayor's absence.

As a result of the proposed rescheduling of Council meetings for the remainder of the year there will be no full Council meetings during this period and no official commitments will be entered into during the period both the Mayor and Deputy Mayor are out of the country (i.e. between 20-27 October 2009).

#### ***4.2 Adjustment of Council meeting dates***

##### ***4.2.1 September Council***

The proposal to commence the Special Consultative Procedure for the revocation of the 'pedestrian mall' status of Manners Mall is to be considered by the Strategy and Policy Committee (SPC) on 17 September 2009. Given the high level of public interest in the proposal, the opportunity for the Council to initiate a council meeting on the same day as the SPC meeting avoids scheduling two council meetings in one month. It also enables the Council to communicate to the community with certainty its decision and the process going forward in a timely manner. On this basis, it is proposed that the Council meeting scheduled for 30 September be moved forward to 5.30pm on 17 September. After the 17 September meeting there are no further SPC meetings scheduled for September so there is no issue with some reports having to wait until October to be considered by Council.

#### **4.2.2 October Council**

Both the Mayor and Deputy Mayor are out of the country leading up to the Council meeting scheduled for 28 October 2009. It is therefore proposed that the Council meeting scheduled for 28 October 2009 be moved to Wednesday 11 November 2009, by which time both the Mayor and Deputy Mayor will be back in the country.

#### **4.2.3 November Council**

As a result of the proposal to move the October Council meeting to 11 November and a recommendation that the December meeting be moved forward to 11 December, there is no need to hold two Council meetings in one month. It is therefore recommended that the Council meeting scheduled for 28 November 2009 be cancelled.

#### **4.2.4 December Council**

If the Council decides (at its meeting in September) to undertake a Special Consultative Procedure in relation to the proposed revocation of the 'pedestrian mall' status of Manners Mall, the Strategy and Policy Committee is scheduled to receive a report back on the submissions received to its proposal at its meeting on 10 December 2009. A recommendation from the Strategy and Policy Committee will be referred to Council for its decision following that meeting.

The Council is required to publicly notify its decision and to give notice that the decision can be appealed to the Environment Court, under section 336(3) of the Local Government Act 1974. The legislation requires any appeal to be lodged within one month of Council's notification of its decision. Because the one month appeal period does not freeze over the Christmas period, it would be desirable to have the decision made and notified two weeks before the Christmas break rather than leaving the decision and subsequent notification until the week prior to Christmas.

It is therefore proposed that the Council meeting scheduled for 16 December be brought forward to Friday 11 December 2009.

## **5. Conclusion**

Because both the Mayor and Deputy Mayor will be absent from New Zealand during the period 20-27 October 2009 it is considered appropriate to appoint an Acting Deputy Mayor for the period they are both away.

It is also necessary to seek Council's approval to some adjustments to the Council meeting dates scheduled for the balance of the 2009 year. These changes are required to accommodate the absences of both the Mayor and Deputy Mayor overseas at the same time and to align with timing issues relating to the initiation of and feed back on the Special Consultative Procedure around the revocation of the pedestrian mall status of Manners Mall.

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## Supporting information

### **1) Strategic Fit/Strategic Outcome**

*This project supports Long-term outcome 7.2.2 “Wellington will operate an open and honest decision making process that generates confidence and trust in the democratic system”.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*The project relates to C534: Elections, Governance and Democratic Process.*

### **3) Treaty of Waitangi implications**

*There are no Treaty of Waitangi implications.*

### **4) Decision-making**

*This is not a significant decision.*

### **5) Consultation**

*No public consultation or consultation with Maori is required.*

### **6) Legal implications**

*There are no legal implications.*

### **7) Consistency with existing policy**

*This report is consistent with existing Wellington City Council policy.*