
Minutes of a meeting of the Nelson City Council

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

On Thursday 15 October 2015, commencing at 9.05am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, R Copeland, E Davy, K Fulton, M Lawrey, P Matheson (Deputy Mayor), B McGurk, G Noonan, P Rainey, T Skinner and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Senior Accountant (T Hughes), and Administration Adviser (S McLean)

Apologies: Councillor I Barker for attendance and Councillor P Matheson for lateness

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apologies

Resolved CL/2015/073

THAT apologies be received and accepted from Councillor Barker for attendance, and Councillor Matheson for lateness.

Davy/Skinner

Carried

2. Confirmation of Order of Business

Her Worship the Mayor advised item 12 Adoption of Annual Report 2014/15 would be considered after lunch. She advised a public excluded minor late item would be considered, titled Mayor's Report, which was in public excluded to protect the privacy of natural persons.

Her Worship the Mayor advised of an additional public forum, Linda O'Dea, to speak on behalf of Greypower about walking and cycling in Nelson.

3. Interests

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

Attendance: Councillor Matheson joined the meeting at 9.12am.

4. Public Forum

4.1 CYNTHIA MCCONVILLE, NELSON WALKERS

MS MCCONVILLE TABLED A COPY OF HER SPEECH (A1445842). SHE THANKED OFFICERS FOR THEIR WORK ON THE ACTIVE TRAVEL AND PATHWAY BASED RECREATION POLICY.

ATTENDANCE: COUNCILLOR ACLAND JOINED THE MEETING AT 9.13AM.

MS MCCONVILLE ASKED FOR AN ADDITIONAL OUTCOME FOR THE POLICY OF 'PROVISION OF WALKING OPPORTUNITIES FOR OUR AGEING POPULATION'.

4.2 LINDSAY WOOD

MR WOOD TABLED A COPY OF HIS SPEECH (A1445851) AND COMMENDED THE PLANNING AND REGULATORY COMMITTEE FOR REFERRING THE MATTER OF SHIP TO SHIP FUEL TRANSFERS TO FULL COUNCIL.

MR WOOD SPOKE ABOUT SAFEGUARDING THE ENVIRONMENT, USE OF ANY FUNDS COLLECTED FOR TRANSFERS, AND ASKED THAT TAR-SAND PRODUCTS BE PROHIBITED.

IN RESPONSE TO QUESTIONS, MR WOOD CONFIRMED THAT THE FIGURES IN HIS HANDOUTS WERE HIS INTERPRETATION OF THE INFORMATION PRESENTED. HE AGREED IT WOULD BE BETTER TO HAVE TRANSFERS INSIDE NELSON'S TERRITORIAL WATERS UNDER STRICT CONTROL THAN TO HAVE UNCONTROLLED TRANSFERS OUTSIDE OF THE BOUNDARY.

4.3 LINDA O'DEA - GREYPOWER NELSON AND ROAD SAFE NELSON BAYS

MS O'DEA CONGRATULATED OFFICERS ON THE ACTIVE TRAVEL AND PATHWAY BASED RECREATION POLICY. SHE ENCOURAGED COUNCILLORS TO TRIAL USING MOBILITY SCOOTERS AND WALKERS ON PATHWAYS.

MS O'DEA RAISED POINTS ABOUT ADEQUATE SIGNAGE, EDUCATING YOUNGER USERS, AND CONSIDERING THE COLOUR OF PATHS TO REDUCE GLARE. SHE SUGGESTED THE MAITAI PATH COULD BE SPLIT

AROUND TREES INSTEAD OF REMOVING THEM. MS O'DEA EMPHASISED THE ROCKS ROAD SHARED PATH WOULD NEED TO BE WIDE ENOUGH TO ACCOMMODATE DIFFERENT TYPES OF USERS.

ATTACHMENTS

- 1 A1445842 - CYNTHIA MCCONVILLE NELSON WALKERS HANDOUT PUBLIC FORUM
- 2 A1445851 - LINDSAY WOOD HANDOUT PUBLIC FORUM

5. CONFIRMATION OF MINUTES

5.1 3 September 2015

Document number M1438, agenda pages 20 - 35 refer.

Resolved CL/2015/074

THAT the minutes of the meeting of the Council, held on 3 September 2015, be confirmed as a true and correct record.

McGurk/Copeland

Carried

5.2 15 September 2015

Document number M1473, agenda pages 36 - 38 refer.

Resolved CL/2015/075

THAT the minutes of the meeting of the Council, held on 15 September 2015, be confirmed as a true and correct record.

Her Worship the Mayor/Davy

Carried

6. Status Report - Council - 15 October 2015

Document number R4962, agenda pages 39 - 47 refer.

It was noted the status report update for Nelson Arts Festival was not complete as a report would be presented to Council in November 2015.

Resolved CL/2015/076

THAT the Status Report Council 15 October 2015 (R4962) and its attachment (A1168168) be received.

Davy/Copeland

Carried

7. Ship to Ship Transfer of Fuels

Document number R4350, agenda pages 48 - 68 refer.

Manager Consents and Compliance, Mandy Bishop, and Port Nelson Harbourmaster, David Duncan, presented the report.

Concern was raised about the degree of influence of Council's view on the matter in terms of Maritime New Zealand decision making.

In response to a question, Mr Duncan estimated the number of transfers could range from one every six months to multiple transfers per month.

Attendance: Councillor Rainey left the meeting at 9.56am.

Ms Bishop advised that the Oil Response Team equipment was geared towards more common scenarios such as shore to ship spills. Mr Duncan added that additional response equipment could be charged or leased to a client.

It was noted that no view on the proximity of marine reserve had been provided by the Cawthron Institute.

In response to a question, Mr Duncan advised the main benefit to Nelson of ship to ship transfers was financial, although specific figures could not be provided as no proposal had been received. Mr Duncan pointed out that additional jobs would be created by the additional requirements surrounding ship to ship transfers.

It was requested that further information on legislative requirements and process be presented to the meeting. The meeting agreed to come back to this item once further information was available.

Attendance: The meeting adjourned for morning tea from 10.29am to 10.50am, during which time Councillor Rainey returned to the meeting.

8. Mayor's Report

Document number R4971, agenda pages 72 - 75 refer.

Her Worship the Mayor presented the report and congratulated the Arts Festival Team on the media profile and pre-sales for the event.

Councillor Davy, seconded by Councillor Noonan, moved the recommendation in the report.

In response to a question, Her Worship the Mayor advised that the Stoke Redevelopment Working Party purpose was to partner and liaise with the community.

There was discussion on whether the Working Party influenced officer decision making. It was noted that all councillors were welcome to attend Working Party meetings.

The mover and seconder agreed to an amendment to the Terms of Reference, being to remove the bracketed definition of 'wider Stoke district' under Areas of Responsibility.

Attendance: Councillor Davy left the meeting at 11.20am.

Resolved CL/2015/077

THAT the Mayor's Report (R4971) and its attachment (A1416802) be received;

AND THAT the amended Stoke Redevelopment Working Party terms of reference (A1416802) be received.

Davy/Noonan

Carried

9. Adoption of the Brook Recreation Reserve Management Plan

Document number R4142, agenda pages 76 - 83 refer.

Manager Communications, Paul Shattock, and External Consultant, Rob Greenaway, presented the report.

In response to questions, Mr Greenaway provided further detail on types of reserve classification and the implications of the changes proposed for the Brook Recreation Reserve. He clarified this did not impact the name of the Plan or Reserve.

Attendance: Councillor Davy returned to the meeting at 11.31am.

In response to a question, Mr Greenaway said the occupation agreements with residential campers were between the landowner and occupant, and not controlled under the Residential Tenancies Act.

There was discussion on the word 'community' in the proposed final vision for the Reserve, with some support for it to be removed.

The meeting agreed to come back to this item once further clarification was available.

Attendance: Councillor Copeland left the meeting from 11.51am to 11.53am.

10. Active Travel and Pathway Based Recreation Policy

Document number R4694, agenda pages 84 - 109 refer.

Senior Asset Engineer – Transport and Roading, Rhys Palmer, and Parks and Facilities Asset Planner, Andrew Petheram, presented the report.

Attendance: Councillors Lawrey, McGurk and Skinner left the meeting from 11.55am to 11.57am.

Mr Palmer highlighted the urgency surrounding the Policy as the work programme had been on hold since deliberations on the Long Term Plan 2015-25.

Attendance: Councillor Acland left the meeting from 11.58am to 12.01pm. Councillor Matheson left the meeting from 12.03pm to 12.05pm.

In response to a question, Mr Palmer confirmed that resources were in place to promote and implement the Policy.

There was discussion on the lack of reference to walkers in the Desired Outcomes section of the Policy. It was noted that if specific reference to walking opportunities for Nelson’s ageing population was added, as requested during public forum, then outcomes for other groups in the community would also be required.

It was noted the undeveloped appendices of the Policy would be presented to the Works and Infrastructure Committee on 26 November 2015.

Councillor Davy, seconded by Councillor Copeland, moved the recommendation in the officer’s report.

Councillor Copeland, seconded by Councillor Fulton, moved an amendment to add an additional clause:

AND THAT the last Desired Outcome read 'Sensitive network planning and design ensures tranquil and contemplative areas are available throughout the city for walkers'.

There were a range of views expressed on the amendment.

A division was called:

Councillor Acland	No
Councillor Barker	Apology
Councillor Copeland	Aye
Councillor Davy	Aye
Councillor Fulton	Aye
Councillor Lawrey	No
Councillor Matheson	Aye
Councillor McGurk	No

Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	No
Her Worship the Mayor	No

The amendment was lost, 6-6. The meeting returned to the original motion.

Resolved CL/2015/078

THAT the report Active Travel and Pathway Based Recreation Policy (R4694) and its attachments (A1427375, A1439527, A1439552) be received;

AND THAT the Active Travel and Pathway Based Recreation Policy (A1427375) be adopted in principle.

Davy/Copeland

Carried

Attendance: The meeting adjourned for lunch from 12.37pm to 1.09pm, during which time Councillors Davy and Acland left the meeting.

11. Trafalgar Centre Northern Building - Concept Plans

Document number R4951, agenda pages 127 - 137 refer.

Consultant Engineer, Richard Kirby, presented the report. He highlighted that an additional bullet point under section 5.3 of the report was required for 'consideration of installing a lift'.

In response to a question, Mr Kirby explained that the design of the kitchen would be established after discussions with likely caterers.

Resolved CL/2015/079

THAT the report Trafalgar Centre Northern Building - Concept Plans (R4951) and its attachments (A1439311 and A1439312) be received;

AND THAT the Northern Building Concept Plans as outlined be approved;

AND THAT the Northern Building work package be subject to detailed design, scheduling and pricing including a due diligence process to determine a total out-turn cost;

AND THAT the approval process be followed for the total out-turn cost as resolved by Council 3 September 2015.

Ward/Fulton

Carried

12. Adoption of Annual Report 2014/15

Document number R4764, agenda pages 110 - 113 refer.

External Appointees, Mr John Murray and Mr John Peters, joined the meeting.

Senior Accountant, Tracey Hughes, and Senior Strategic Adviser, Nicky McDonald, presented the report.

Ms Hughes advised the audit had been completed and the minor adjustments required did not affect the wording or figures in the Annual Report.

It was noted that an unmodified audit report was to be congratulated.

Resolved CL/2015/080

THAT the report Adoption of Annual Report 2014/15 (R4764) and its attachment (A1396738) be received;

AND THAT the Annual Report for the year ended 30 June 2015 (A1396738) be adopted in accordance with s98 of the Local Government Act 2002;

AND THAT the Mayor and Chief Executive be delegated the authority to make minor changes, including the addition of the Foreword to the Annual Report 2014-15, and any suggested changes by Audit New Zealand.

Matheson/McGurk

Carried

13. Adoption of the Brook Recreation Reserve Management Plan (continued)

The Chief Executive, Clare Hadley, advised that removing the word 'community' from the final proposed vision for the Reserve was not a significant change therefore would not require re-consultation.

It was queried whether removing the term 'community' from the vision would no longer reflect the purpose of the Reserve.

Questions were raised about the proposed Plan and its impact on the gondola proposal. The meeting agreed to come back to this item once further information was available.

14. Ship to Ship Transfer of Fuels (continued)

Attendance: Councillor Davy returned to the meeting at 1.36pm.

Manager Consents and Compliance, Mandy Bishop, tabled extracts from the Maritime Transport Act 1994 which related to ship to ship fuel transfers (A1446695). She also provided detail on marine protection rules, which included the 48 hour notice to council requirement.

It was noted that potential operators would need to have an operation plan approved by the Maritime New Zealand Director before it could give notice of intention to carry out a ship to ship fuel transfer.

Manager Environmental Inspections Ltd, Stephen Lawrence, advised that Maritime New Zealand would consider the opinion of Council, although their focus was on environmental, technical and practical issues.

It was suggested that Council needed to establish if there was unreasonable threat to the marine environment from a transfer.

Attendance: Councillor Matheson left the meeting at 1.54pm, Councillor Noonan left the meeting at 1.56pm.

Councillor Fulton, seconded by Councillor Ward, moved a motion

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received;

AND THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of fuels operations the Council opposes the ship to ship transfer of fuels in our territorial waters and in waters bordering our territory because of the potential risks posed to our outstanding marine environment.

Those in support of the motion emphasised the risk of spills damaging the marine environment, not relying on the fossil fuel industry for income, and maintaining Nelson's clean and green image. It was pointed out that Council was working on projects to improve the environment and waterways, and conditionally supporting ship to ship fuel transfers would not be aligned with our philosophies.

Attendance: Councillor Noonan returned to the meeting at 1.59pm.

Those against the motion spoke about the need to bring the operation within Nelson's boundary so it could be controlled, and highlighted that history showed the risk of spills as minor.

Attendance: Councillor Noonan left the meeting at 2.16pm.

Her Worship the Mayor, seconded by Councillor Rainey, moved an amendment to add an additional clause to the motion:

AND THAT in light of the enclosed nature of Tasman Bay, Maritime New Zealand be requested to advise Nelson City Council if a ship to ship transfer is proposed to occur in Restricted Waters of Tasman Bay (between Separation Point and the north west tip of Durville Island)

The mover and seconded agreed to extend the reference to Restricted Waters from Farewell Spit to include Golden Bay, as well as add coordinates for clarity.

A division was called:

Councillor Acland	Absent
Councillor Barker	Apology
Councillor Copeland	Aye
Councillor Davy	No
Councillor Fulton	Aye
Councillor Lawrey	Aye
Councillor Matheson	Absent
Councillor McGurk	Aye
Councillor Noonan	Absent
Councillor Rainey	Aye
Councillor Skinner	No
Councillor Ward	Aye
Her Worship the Mayor	Aye

The amendment was passed, 7-2, and became the substantive motion.

The substantive motion was put and a division was called:

Councillor Acland	Absent
Councillor Barker	Apology
Councillor Copeland	Aye
Councillor Davy	No
Councillor Fulton	Aye
Councillor Lawrey	Aye
Councillor Matheson	Absent
Councillor McGurk	Aye

Councillor Noonan	Absent
Councillor Rainey	Aye
Councillor Skinner	No
Councillor Ward	Aye
Her Worship the Mayor	Aye

The substantive motion was passed, 7-2.

Resolved CL/2015/081

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received;

AND THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of fuels operations the Council opposes the ship to ship transfer of fuels in our territorial waters and in waters bordering our territory because of the potential risks posed to our outstanding marine environment;

AND THAT in light of the enclosed nature of Tasman Bay, Maritime New Zealand be requested to advise Nelson City Council if a ship to ship transfer is proposed to occur in Restricted Waters of Tasman Bay and Golden Bay (between Farewell Spit 40 33 33 S, 173 02 21 E, and the north west tip of Durville Island 40 43 41 S, 173 52 14 E).

Her Worship the Mayor/Rainey

Carried

Attachments

- 1 A1446695 - Relevant Legislation for Ship to Ship Fuel Transfers

15. Addendum to Ship to Ship Transfer of Fuels report

Document number R4965, agenda pages 69 - 71 refer.

This document was noted for discussions on ship to ship transfer of fuels.

16. Adoption of the Brook Recreation Reserve Management Plan (continued)

Attendance: Councillor Davy left the meeting from 2.25pm to 2.27pm; Councillor Noonan returned to the meeting at 2.26pm.

Mr Greenaway advised that even if a gondola proposal was permitted under the Plan, if it was to create soil and greenery disturbance then a resource consent would be required. He confirmed that nothing in the draft Plan was more or less supportive towards the gondola proposal than the original Plan which was consulted on.

Resolved CL/2015/082

THAT the report Adoption of the Brook Recreation Reserve Management Plan (R4142) and its attachments (A1436078 and A1438749) be received;

AND THAT the Brook Recreation Reserve Management Plan, as amended by the Hearing Panel following consideration of submissions, be adopted in principle;

AND THAT the vision be amended to 'The Brook Recreation Reserve serves as a centre for environmental education and conservation and as a destination for camping and outdoor recreation, including appropriately-scaled and complementary commercial recreation and tourism development';

AND THAT the Chief Executive be delegated authority to proceed to stop the following two sections of formed legal road as shown on plan (A1438749);

AND THAT the Chief Executive be delegated authority to Gazette the entire area covered by the Brook Recreation Reserve Management Plan, as shown on plan (A1438749), as a Local Purpose Reserve (Recreation); and the road reserve which extends into the Sanctuary lease area as Local Purpose Reserve (Wildlife Sanctuary), noting this will be subject to separate statutory processes under the Reserves Act 1977;

AND THAT, once the Gazettal process is complete, a report be brought back to Council to enable the Brook Recreation Reserve Management Plan to take effect;

AND THAT Officers prepare a Comprehensive Development Plan for the area covered by the Brook Recreation Reserve Management Plan.

Fulton/Ward

Carried

17. Events Strategy Review: Terms of Reference

Document number R4916, agenda pages 114 - 126 refer.

Senior Strategic Adviser, Nicky McDonald, presented the report.

Resolved CL/2015/083

THAT the report Events Strategy Review: Terms of Reference (R4916) and its attachment (A1413546) be received;

AND THAT the draft Terms of Reference (A1413546) for the review of the Events Strategy be approved;

AND THAT the Mayor and Chief Executive be delegated to make any minor editorial changes as required before the Terms of Reference are released.

McGurk/Her Worship the Mayor

Carried

18. Administrative Matters

Document number R4898, agenda pages 138 - 145 refer.

It was pointed out that Schedule 6 should include Urban Design, not Urban Design Panel.

Resolved CL/2015/084

THAT the report Administrative Matters (R4898) and its attachments (A1400594, A1431584 and A1431605) be received;

Her Worship the Mayor/Davy

Carried

Resolved CL/2015/085

AND THAT the Elected Members' Code of Conduct be amended to include the Procedure for Leave of Absence (A1400594);

Davy/Ward

Carried

Resolved CL/2015/086

AND THAT Schedule Five – Other Organisations (A1431584) be updated in the Delegations Register to formalise Councillor Davy's role as a representative at the Accessibility for All organisation;

AND THAT Schedule Six – Appointed Champions (A1431605) be included in the Delegations Register.

Her Worship the Mayor/Davy

Carried

REPORTS FROM COMMITTEES

19. Nelson Regional Sewerage Business Unit - 19 June 2015

Document number M1293, agenda pages 146 - 150 refer.

Resolved CL/2015/087

THAT the confirmed minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 19 June 2015, be received.

Copeland/Davy

Carried

Attendance: Councillor Fulton left the meeting at 2.44pm.

20. Joint Shareholders Committee - 2 September 2015

Document number M1427, agenda pages 151 - 156 refer.

Resolved CL/2015/088

THAT the unconfirmed minutes of a meeting of the Joint Shareholders Committee, held on 2 September 2015, be received.

Davy/McGurk

Carried

21. Civil Defence Emergency Management Group - 2 September 2015

Document number M1429, agenda pages 157 - 158 refer.

Resolved CL/2015/089

THAT the unconfirmed minutes of a meeting of the Civil Defence Emergency Management Group, held on 2 September 2015, be received.

Her Worship the Mayor/Ward

Carried

22. Works and Infrastructure Committee - 10 September 2015

Document number M1457, agenda pages 159 - 166 refer.

Resolved CL/2015/090

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 10 September 2015, be received.

Davy/Ward

Carried

Attendance: Councillor Lawrey left the meeting from 2.40 to 2.45pm; Councillor Fulton returned to the meeting and Councillor Copeland left the meeting at 2.45pm.

- 22.1 Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025

Resolved CL/2015/091

THAT the Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025 (A824126, A824068 and A824368), amended to reflect the approved Long Term Plan 2015- 2025, be adopted.

Davy/Noonan

Carried

- 22.2 Solid Waste: Acceptance of Contaminated Soil from Sites on the Hazardous Activities and Industries List (HAIL)

Resolved CL/2015/092

THAT Council approve the development of a consent practice note that will allow the receiving of up to 25m³ soil (at the York Valley landfill) from a HAIL site (to align with the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health - NESCS), subject to bulk testing at the landfill at current landfill charges;

AND THAT the following concessions for soil from HAIL residential sites be approved (subject to compliance with current York Valley landfill resource consent criteria):

- 40% discount of the applicable landfill charge where the soil has been tested, meets the NESCS recreation standards and can be used as construction/cover material;***
- 15% discount of the applicable landfill charge where the soil has been tested, does not meet the NESCS recreation standards and cannot be***

used as construction/cover material;

AND THAT the following volume concessions for soil from HAIL commercial sites be approved (subject to compliance with current York Valley landfill resource consent criteria), irrespective of whether the material can be used as construction/cover material:

- ***0-10,000m3 - 10% discount of the applicable landfill charge;***
- ***>10,000m3 – 15% discount of the applicable landfill charge.***

Davy/Lawrey

Carried

23. Chief Executive Employment Committee - 14 September 2015

Document number M1471, agenda pages 167 - 170 refer.

Resolved CL/2015/093

THAT the unconfirmed minutes of a meeting of the Chief Executive Employment Committee, held on 14 September 2015, be received.

Her Worship the Mayor/McGurk

Carried

24. Planning and Regulatory Committee - 17 September 2015

Document number M1476, agenda pages 171 - 178 refer.

Resolved CL/2015/094

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 17 September 2015, be received.

McGurk/Ward

Carried

24.1 Nelson Port and Harbour Marine Safety Code

Resolved CL/2015/095

THAT the Council adopts the Nelson Port and Harbour Marine Safety Code (A1418392) dated August 2015.

McGurk/Ward

Carried

24.2 Building and Other Regulatory Activity Management Plan 2015-2025

Resolved CL/2015/096

THAT the Building and Other Regulatory Activity Management Plan 2015-2025 (A1150957), amended to reflect the Long Term Plan 2015-2025, be adopted.

McGurk/Ward

Carried

24.3 Environment Activity Management Plan 2015-2025

Resolved CL/2015/097

THAT the Environment Activity Management Plan 2015-2025 (A1243203), amended to reflect the Long Term Plan 2015-25, be adopted.

McGurk/Fulton

Carried

25. Community Services Committee - 24 September 2015

Document number M1496, agenda pages 179 - 189 refer.

Resolved CL/2015/098

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 24 September 2015, be received.

Rainey/Noonan

Carried

25.1 Arts Activity Management Plan 2015-25

Resolved CL/2015/099

THAT the Arts Activity Management Plan 2015-2025 (A1126659), amended to reflect the Long Term Plan 2015-25, be adopted.

Rainey/Noonan

Carried

25.2 Community Investment Funding Panel Terms of Reference

The Chief Executive, Clare Hadley, advised the Terms of Reference would be updated to include that the minutes would be received by the Community Services Committee, as well as reference to the meetings being treated as public meetings.

Resolved CL/2015/100

THAT the updated Community Investment Funding Panel Terms of Reference (A1381696)

are adopted and four community representatives are appointed to the membership of the Panel from September 2015 to June 2017 to incorporate the 2015/16 and 2016/17 financial years;

AND THAT the delegations register is updated in accordance with document A1426784 to incorporate the Community Investment Funding Panel and amend the name of the fund and delegated role of the Community Services Committee;

AND THAT the Community Assistance Policy is amended to reflect the changes in membership of the Community Investment Funding Panel as proposed in document A1427107.

Rainey/Noonan

Carried

25.3 Broadgreen House - Change Proposal

Resolved CL/2015/101

THAT Broadgreen House operate over winter with reduced opening hours of 11am-3pm and return to full opening hours, 10.30am-4.30pm, from 1 October to 31 May;

AND THAT Broadgreen Society take responsibility for providing volunteer guides necessary to enable Broadgreen House to remain open over winter;

AND THAT Council agrees in principle that all revenue from house entrance fees and souvenir sales be retained by Council and used to fund heritage promotions, exhibitions and other activities;

AND THAT staff negotiate a new Areas of Financial Responsibility agreement with Broadgreen Society to reflect Council decisions.

Rainey/Noonan

Carried

26. Governance Committee - 1 October 2015

Document number M1503, agenda pages 190 - 196 refer.

Resolved CL/2015/102

THAT the unconfirmed minutes of a meeting of

the Governance Committee, held on 1 October 2015, be received.

Davy/Noonan

Carried

26.1 Service Level Reviews Under Section 17A Local Government Act

Resolved CL/2015/103

THAT approval is given for officers to prepare scope of work and resourcing needed for service level review to comply with the requirements of Section 17A of the Local Government Act 2002;

AND THAT officers prepare a draft criteria of factors to be considered to determine if a service level review of an activity or contract is to be implemented;

AND THAT these matters are reported back to the Governance Committee;

AND THAT the Governance Committee maintains oversight of service level reviews.

Davy/McGurk

Carried

26.2 Carry Forwards from 2014/15

Item from Audit, Risk and Finance Subcommittee meeting - 10/09/2015

Resolved CL/2015/104

THAT \$4,233,000 of unspent capital budget from 2014/15 be carried forward for use in 2015/16;

AND THAT \$403,000 of capital spent in 2014/15 be offset against 2015/16 budgets;

AND THAT an amount of \$107,000 operating budget be carried forward for use in 2015/16.

Her Worship the Mayor/McGurk

Carried

26.3 Draft Internal Audit Charter

Item from Audit, Risk and Finance Subcommittee meeting - 10/09/2015

Resolved CL/2015/105

THAT the Draft Internal Audit Charter

(A1395134) as amended as per the Audit, Risk and Finance Subcommittee minutes 10 September 2015 be approved.

Davy/McGurk

Carried

Her Worship the Mayor updated councillors on a number of workshops programmed for the remainder of 2015.

27. Exclusion of the Public

Resolved CL/2015/106

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Her Worship the Mayor/Fulton

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded Minutes - 3 September 2015	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person. • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			commercial activities. <ul style="list-style-type: none"> • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.
2	Status Report - Council - 15 October 2015	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Mayor's Report Update on Economic Development Agency Appointments	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
4	Relocation of Rutherford Park community groups	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		good reason exists under section 7	negotiations (including commercial and industrial negotiations)
5	<p>Expression of Interest - Rugby League World Cup 2017</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
6	<p>Administrative Matters</p> <p>This report contains information relating to:</p> <ul style="list-style-type: none"> • Leave of absence request • Joint regional landfill • Impact of high court decision • Authority for unbudgeted expenditure 	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(c)(ii) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest • Section 7(2)(g) To maintain legal

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			professional privilege <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
7	Supplementary Information to Report R4188 - Akersten Street Land Purchase	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
8	Joint Shareholders Committee Meeting - Public Excluded - 2 September 2015 These minutes contain no recommendations to Council	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person. • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			industrial negotiations).
9	<p>Works and Infrastructure Committee Meeting - Public Excluded - 10 September 2015</p> <p>These minutes contain no recommendations to Council</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person. • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.
10	<p>Chief Executive Employment Committee Meeting - Public Excluded - 14 September 2015</p> <p>These minutes contain a recommendation regarding the Performance Agreement with Chief Executive 2015/16</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
11	<p>Community Services Committee Meeting - Public</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local

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	<p>Excluded - 24 September 2015</p> <p>These minutes contain recommendations regarding:</p> <ul style="list-style-type: none"> • Community Housing Management Contract • Saxton Oval Electricity Upgrade 	<p>likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <ul style="list-style-type: none"> • Section 7(2)(b)(i) To protect information where the making available of the information would disclose a trade secret. • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
12	<p>Governance Committee Meeting - Public Excluded - 1 October 2015</p> <p>These minutes contain recommendations regarding:</p> <ul style="list-style-type: none"> • Akersten Street Land Purchase - Landings Holding Limited • City of Nelson Civic Trust - New Trustee • Bishop Suter Trust - Trustee rotation and remuneration • Economic Development Services Contract with Tasman District Council • Property Asset 	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Review - 3 Precincts Workshop		

The meeting went into public excluded session at 2.55pm and resumed in public session at 3.51pm.

28. Re-admittance of the Public

Resolved CL/2015/107

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Skinner

Carried

There being no further business the meeting ended at 3.51pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date