



AGENDA

Ordinary meeting of the

Nelson City Council

Thursday 19 November 2015

Commencing at 9.00am

Council Chamber

Civic House

110 Trafalgar Street, Nelson

Membership: Her Worship the Mayor Rachel Reese (Chairperson), Councillors Luke Acland, Ian Barker, Ruth Copeland, Eric Davy, Kate Fulton, Matt Lawrey, Paul Matheson (Deputy Mayor), Brian McGurk, Gaile Noonan, Pete Rainey, Tim Skinner and Mike Ward

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. Confirmation of Minutes**5.1 15 October 2015 **16 - 41**

Document number M1531

Recommendation

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

5.2 Extraordinary Meeting - 5 November 2015 **42 - 44**

Document number M1582

Recommendation

***THAT the minutes of the extraordinary meeting of
the Council, held on 5 November 2015, be
confirmed as a true and correct record.***

6. Status Report - Council - 19 November 2015 45 - 51

Document number R5141

Recommendation

THAT the Status Report Council 19 November 2015 (R5141) and its attachment (A1168168) be received.

7. Mayor's Report 52 - 52

Document number R5128

Recommendation

THAT the Mayor's Report (R5128) be received.

8. QV Revaluation Presentation

Gail Smits and Richard Kolff of Quotable Value will be in attendance to present the 2015 revaluation of Nelson properties.

9. Rutherford Park - Roothing and Parking Concept Plan 53 - 61

Document number R5079

Recommendation

THAT the report Rutherford Park - Roothing and Parking Concept Plan (R5079) and its attachments (A1457554, A1457555 and A1451682) be received;

AND THAT the Rutherford Park – Option 2 Roothing and Parking Concept Plan (A1457555) at an estimated cost of \$2,415,000 be approved and funded from the \$2 million for rooding, carparking and landscaping and \$300,000 for walk/cycle connections budgeted in the Long Term Plan 2015/25;

AND THAT the shortfall, estimated to be \$100,000, for the Rutherford Park – Option 2 Roothing and Parking Concept Plan be approved.

10. Review of the District Licensing Committee 62 - 65

Document number R4885

Recommendation

THAT the report Review of the District Licensing Committee (R4885) be received;

AND THAT the Nelson City Council confirm the appointment term for the current District Licensing Committee members for:

- ***non-elected members is to 12 November 2018; and***
- ***elected members is to coincide with the term of Council ending on the day after the final election results.***

11. Draft Health and Safety Management System Governance Charter 66 - 91

Document number R4947

Recommendation

THAT the report Draft Health and Safety Management System Governance Charter (R4947) and its attachments (A1448669, A1451891, A1394804 and A1455112) be received;

AND THAT the Health and Safety Management System Governance Charter (A1394804) be approved.

12. External Appointee Remuneration for Subcommittee Involvement 92 - 103

Document number R4932

Recommendation

THAT the report External Appointee Remuneration for Subcommittee Involvement (R4932) and its attachments (A118115, A1137622 and A1103868) be received;

AND THAT Council confirms no change is required to the Selection, Appointment and Remuneration Policy for External Appointees on Council Committees.

13. Schedule of Council Meetings 2016 104 - 117

Document number R5121

Recommendation

THAT the report Schedule of Council Meetings 2016 (R5121) and its attachment (A1458547) be received;

AND THAT the schedule of meetings outlined in Attachment 1 (A1458547) be adopted.

14. Administrative Matters Report 118 - 119

Document number R5134

Recommendation

THAT the report Administrative Matters Report (R5134) be received.

15. Hearings Panel - Other 120 - 125

Document number R5140

15.1 21 September 2015

Document number A1431061

Recommendation

THAT the minutes of a meeting of the Hearings Panel - Other, held on 21 September 2015, be received.

15.2 19 October 2015

Document number A1447931

Recommendation

THAT the minutes of a meeting of the Hearings Panel - Other, held on 19 October 2015, be received.

15.3 5 November 2015

Document number A1455223

Recommendation

THAT the minutes of a meeting of the Hearings Panel - Other, held on 5 November 2015, be received.

REPORTS FROM COMMITTEES

16. Regional Transport Committee - 16 October 2015 126 - 130

Document number M1537

Recommendation

THAT the unconfirmed minutes of a meeting of the Regional Transport Committee, held on 16 October 2015, be received.

17. Works and Infrastructure Committee - 22 October 2015 131 - 137

Document number M1543

Recommendation

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 22 October 2015, be received.

Note: As the only business transacted in public excluded was to confirm the minutes and receive the status report, this business has been recorded in the public minutes. In accordance with the Local Government Official Information Meetings Act, no reason for withholding this information from the public exists.

17.1 Transportation Asset Management Plan 2015-2025

Recommendation to Council

THAT the Transportation Asset Management Plan 2015-2025 (A1156705), amended to reflect the Long Term Plan 2015-25, be adopted.

17.2 Greenmeadows Stormwater Easement Consent

Recommendation to Council

THAT Council grant the Nelson City Council an easement pursuant to Section 48(1) of the Reserves Act 1977 under delegated authority from the Minister of Conservation, over Part Section 50 District of Suburban South defined on DP4585, as described in report (R4822).

17.3 Solid Waste Asset Management Plan 2015-2025

Recommendation to Council

THAT the Solid Waste Asset Management Plan 2015-2025 (A1428146), amended to reflect the Long Term Plan 2015-25, be adopted.

18. Planning and Regulatory Committee - 29 October 2015

138 - 144

Document number M1558

Recommendation

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 29 October 2015, be received.

18.1 Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality

Recommendation to Council

THAT a Plan change to alter the woodburner provisions of the Nelson Air Quality Plan is notified in January 2016;

AND THAT in respect of the plan change for the Air Quality Plan an independent hearing panel be decided by Her Worship the Mayor, the Chair and Deputy Chair of the Planning and Regulatory Committee and be given delegations to hear and make decisions on the Woodburner Plan Change.

19. Joint Committee - 3 November 2015 145 - 149

Document number M1570

Recommendation

THAT the unconfirmed minutes of a meeting of the Joint Committee, held on 3 November 2015, be received.

20. Community Services Committee - 3 November 2015 150 - 156

Document number M1568

Recommendation

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 3 November 2015, be received.

20.1 Heritage Activity Management Plan 2015-25

Recommendation to Council

THAT the Heritage Activity Management Plan 2015-2025 (A372602), amended to reflect the Long Term Plan 2015-25, be adopted.

20.2 Parks and Reserves Asset Management Plan 2015-25

Recommendation to Council

THAT the Parks and Reserves Asset Management Plan 2015-25 (A1225419), amended to reflect the Long Term Plan 2015-25, be adopted.

Note: The amended Parks and Reserves Asset Management Plan can be found on the Google Drive for Councillors and is available on request from an Administration Adviser.

20.3 Property and Facilities Asset Management Plan 2015-25

Recommendation to Council

THAT the Property and Facilities Asset Management Plan 2015-25 (A1448986), amended to reflect the Long Term Plan 2015-2025, be adopted.

20.4 Community Partnerships Activity Management Plan 2015-25

Recommendation to Council

THAT the Community Partnerships Activity Management Plan 2015-2025 (A1236577), amended to reflect the Long Term Plan 2015-25, be adopted.

21. Governance Committee - 5 November 2015 157 - 163

Document number M1580

Recommendation

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 5 November 2015, be received.

21.1 Review of Nelson City Council's Policy for Appointing Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations

Recommendation to Council

THAT the reviewed and amended Nelson City Council Policy for the Appointment of Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations (A284857) be adopted.

Note: The amended Policy can be found on the Google Drive for Councillors and is available on request from an Administration Adviser.

21.2 Service Level Reviews: Process, Criteria, Resourcing

Recommendation to Council

THAT approval is given for the proposed approach (as detailed in R5014) to review all applicable services in order to comply with the requirements of Section 17A of the Local Government Act 2002;

AND THAT a quarterly report back on the progress of the review be prepared for the Governance Committee.

- 21.3 Draft Asset Disposal Policy
Item from Audit, Risk and Finance Subcommittee meeting - 14/10/2015

Recommendation to Council

THAT the Draft Asset Disposal Policy (A1412442) with amendments be approved;

AND THAT the Delegations Manual is updated to reflect the delegations in the Asset Disposal Policy.

- 21.4 Draft Risk Management Framework
Item from Audit, Risk and Finance Subcommittee meeting - 14/10/2015

Recommendation to Council GOV/2015/078

THAT the Draft Risk Management Framework (A1431591) with amendments be approved.

- 21.5 Corporate Report to 31 August 2015
Item from Audit, Risk and Finance Subcommittee meeting - 14/10/2015

Recommendation to Council GOV/2015/078

THAT \$350,000 for the upgrade of the Civic House verandah be deferred until 2017/18;

AND THAT \$200,000 for the upgrade of the Hunter Furniture roof be deferred until 2016/17.

22. Chief Executive Employment Committee - 10 November 2015 **164 - 168**

Document number M1586

Recommendation

THAT the unconfirmed minutes of a meeting of the Chief Executive Employment Committee, held on 10 November 2015, be received.

PUBLIC EXCLUDED BUSINESS

23. Exclusion of the Public

Recommendation

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:

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 - 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).• 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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			<p>supplied or who is the subject of the information.</p> <ul style="list-style-type: none"> • 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)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.
2	Extraordinary Council Meeting - Public Excluded Minutes - 5 November 2015	<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).
3	Request for Leave of Absence	<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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
4	Status Report - Council - 19 November 2015	<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)
5	Nelson Events Fund application	<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
6	Appointment of Board Members to Economic Development Services Council Controlled Organisation	<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
7	<p>Planning and Regulatory Committee Meeting - Public Excluded Minutes - 29 October 2015</p> <p>These minutes</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</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)(i)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	contain a recommendation regarding an amendment to the Agreement for the Appointment of Harbourmaster for the Nelson Region	under section 7.	To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
8	<p>Joint Committee Meeting - Public Excluded Minutes - 3 November 2015</p> <p>These minutes do not contain a recommendation 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)(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).
9	<p>Community Services Committee Meeting - Public Excluded Minutes - 3 November 2015</p> <p>These minutes contain a recommendation regarding community leases</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)(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.
10	<p>Governance Committee Meeting - Public Excluded Minutes - 5 November 2015</p> <p>These minutes contain recommendations regarding:</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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<p>Nelmac Statement of Expectation 2016/17</p> <p>Bishop Suter Trust Statement of Expectation 2016/17</p> <p>Strategic Stoke Land Purchase</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>Chief Executive Employment Committee Meeting - Public Excluded Minutes - 10 November 2015</p> <p>These minutes contain recommendations regarding:</p> <p>Chief Executive Performance Assessment 2014/15</p> <p>Chief Executive Remuneration Review 2014/15</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)(c)(i) 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 to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.

24. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- This meeting is expected to continue beyond lunchtime.**
- Lunch will be provided at 12.30pm.**

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

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'.

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.

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/2015/075

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/2015/076

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/2015/077

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/2015/078

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 divided views on the amendment. Some councillors were not in support of exclusivity for walkers; some felt there were inadequate tranquil spaces for walkers.

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/2015/079

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/2015/080

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/2015/081

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/2015/082

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/2015/083

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/2015/084

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/2015/085

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

Her Worship the Mayor/Davy

Carried

Resolved CL/2015/086

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

Davy/Ward

Carried

Resolved CL/2015/087

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/2015/088

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/2015/089

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/2015/090

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/2015/091

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/2015/092

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/2015/093

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/2015/094

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/2015/095

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/2015/096

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/2015/097

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/2015/098

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/2015/099

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/2015/100

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/2015/101

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/2015/102

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/2015/103

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/2015/104

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/2015/105

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/2015/106

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/2015/107

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	<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)(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, commercial activities. • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
2	Status Report - Council - 15 October 2015	<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)(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	<p>Mayor's Report</p> <p>Update on Economic Development Agency Appointments</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.
4	Relocation of Rutherford Park community groups	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
5	Expression of Interest - Rugby League World Cup 2017	<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)(b)(ii) To protect information

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		likely to result in disclosure of information for which good reason exists under section 7	<p>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</p> <ul style="list-style-type: none"> 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 professional privilege Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities Section 7(2)(i)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			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 industrial negotiations).
9	Works and Infrastructure Committee Meeting - Public Excluded - 10 September 2015	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	These minutes contain no recommendations to Council	information for which good reason exists under section 7.	<p>deceased person.</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)(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 Excluded - 24 September 2015</p> <p>These minutes contain recommendations regarding:</p> <ul style="list-style-type: none"> Community 	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). Section 7(2)(b)(i) To protect information

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<p>Housing Management Contract</p> <ul style="list-style-type: none"> Saxton Oval Electricity Upgrade 		<p>where the making available of the information would disclose a trade secret.</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.
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 Review - 3 Precincts Workshop 	<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.

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/2015/108

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

Minutes of an extraordinary meeting of the Nelson City Council

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

On Thursday 5 November 2015, commencing at 10.58am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, 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 Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), and Administration Adviser (G Brown)

Apology: Councillor R Copeland

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apology

Resolved CL/2015/108

***THAT an apology be received and accepted from
Councillor Copeland.***

Her Worship the Mayor/Skinner

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Exclusion of the Public

Resolved CL/2015/109

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/Barker

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	Regional Landfill	<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)

The meeting went into public excluded session at 11.04am and resumed in public session at 12.13pm.

5. Re-admittance of the Public

Resolved CL/2015/110

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Ward

Carried

There being no further business the meeting ended at 12.13pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R5141

Status Report - Council - 19 November 2015

1. Purpose of Report

- 1.1 To provide an update on the status of actions requested and pending.

2. Recommendation

THAT the Status Report Council 19 November 2015 (R5141) and its attachment (A1168168) be received.

Shailey McLean
Administration Adviser

Attachments

Attachment 1: Status Report - Council - November 2015

Outstanding Actions

Status Report – Council – 19 November 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
11 December 2014	Solid Waste: Regional Landfill Implementation	<p>Resolved CL/2014/008</p> <p><u>AND THAT</u> the binding deed be brought back to Council before signing for ratification;</p> <p><u>AND THAT</u> in line with the 20 November 2014 resolution, further work be undertaken in 2015 to determine whether the effectiveness and efficiency of solid waste management activities can be improved across the two districts, and if so to undertake a more fundamental review of the activities;</p>	Alec Louverdis	<p>Work continues with Tasman District Council on achieving a regional landfill.</p> <p>Ongoing</p>
30 April 2015	Rutherford Park Upgrade - Roothing and Carparking	<p>Resolved CL/2015/001</p> <p><u>AND THAT</u> approval be given to initiate detailed design and consenting work for the roading and carpark components of the Concept Plan April 2015, with the intention of completing the detailed design and the physical works concurrently with the Trafalgar Centre Project as part of the Early Contractor Involvement process;</p>	Andrew Petheram	<p>Councillors workshopped the roading and carparking aspects of the concept plan on 27 October. A report is on this agenda to confirm the layout/budget and the work will form part of the Trafalgar Centre strengthening upgrade.</p> <p>Complete</p>
20 May 2015	Cycling	<p>Resolved CL/2015/014</p> <p><u>THAT</u> a Councillor workshop be held to discuss the cycling activity, both as a means of transport and for recreational activity, and its impacts on other users of shared paths and off road walking tracks;</p> <p><u>AND THAT</u> following the workshop, officers engage with</p>	Alec Louverdis	<p>Council approved an Active Travel and Pathway Based Recreation Policy in October 2015 and a programme of work will be reported back to the November 2015 Works and Infrastructure</p>

Status Report – Council – 19 November 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>key stakeholders from organisations such as Bicycle Nelson Bays, Greypower, Positive Ageing Forum, NZ Transport Agency, Tasman District Council, Nelson Marlborough District Health Board and others, such as Friends of the Maitai, for site specific issues, to investigate solutions to conflict between cyclists and pedestrians on Council's shared tracks and paths;</p> <p><u>AND THAT</u> the principles agreed in any workshop and subsequent community engagement be developed into policy to be reported back to Council by September 2015;</p> <p><u>AND THAT</u> a programme of work from that engagement be reported back to Council by November 2015;</p> <p><u>AND THAT</u> after feedback from the workshop, off road cycling stakeholders be encouraged to identify a lead agency to gather information for an off road track strategy, which establishes priorities within allocated budgets for agreed areas, with a budget contribution of up to \$10,000 for contracted outcomes.</p>		<p>Committee.</p> <p>Consultation with key stakeholders for the development of the Active Travel and Path Based Recreation Policy has been undertaken.</p> <p>Consultation with off road cycling stakeholders, and development of an off road strategy, will begin in the New Year.</p> <p>Ongoing</p>

Outstanding Actions

Status Report – Council – 19 November 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Marina Strategy	Resolved CL/2015/037 <u>THAT</u> \$50,000 funding be provided for developing and consulting on a Marina Strategy, with \$30,000 being charged to general rates and \$20,000 being charged to the Marina Account; <u>AND THAT</u> the Marina Strategy be delivered by February 2016.	Alec Louverdis	The appointed consultants have completed their stakeholders engagement and presented their findings to councillors on 29 October. Draft report programmed for January 2016. Ongoing
20 May 2015	Nelson Arts Festival	Resolved CL/2015/023 <u>THAT</u> an independent governance structure be established for the Nelson Arts Festival with transfer of operations to occur in time for the new entity to be responsible for the 2017 Arts Festival.	Chris Ward	Report being prepared for Council in December 2015 on structure options following workshop direction. Ongoing
11 June 2015	Modellers' Pond - Detailed Assessment of Options	Resolved CL/2015/012 <u>AND THAT</u> further information be sought based on questions raised at today's Council meeting 11 June 2015; <u>AND THAT</u> the detailed design of Option 3 – Modify Pond be undertaken and (in report R4199) be consulted on; <u>AND THAT</u> Council invite the Nelson Society of Modellers to confirm community support and funding for option 3; <u>AND THAT</u> the option to return the pond to an estuarine environment be investigated; <u>AND THAT</u> Council signals that whilst it has a \$1million	Alec Louverdis	Officers have appointed consultants to undertake the detailed design of Option 3 'Modify Pond' and to investigate and advise on the option to return the pond to an estuarine environment. Once the detailed design is complete the Nelson Society of Modellers will be asked to confirm their support and funding. It is anticipated that an

Status Report – Council – 19 November 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		provision for capital expenditure in its Long Term Plan 2015-25, this be capped at \$600,000, for option 3 (modify pond) and that operational expenditure be \$15,000 per annum.		update report will be ready for the March 2016 Works and Infrastructure Committee. Ongoing

Outstanding Actions

Status Report – Council – 19 November 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
23 July 2015	Reserve Management Plan: Sports Ground Reserves	Resolved CL/2015/025 <u>THAT</u> a Reserve Management Plan for the Sports Ground Reserves is developed under The Reserves Act 1977 for the provision of areas for recreation and sporting activities, and the physical welfare and enjoyment of the public.	Susan Moore-Lavo	Consultant has begun work on the RMP. Workshop was held with Councillors on 27 October. RMP due for review late February. Ongoing
15 October 2015	Adoption of the Brook Recreation Reserve Management Plan	Resolved CL/2015/083 <u>THAT</u> the report Adoption of the Brook Recreation Reserve Management Plan (R4142) and its attachments (A1436078 and A1438749) be received; <u>AND THAT</u> the Brook Recreation Reserve Management Plan, as amended by the Hearing Panel following consideration of submissions, be adopted in principle; <u>AND THAT</u> 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'; <u>AND THAT</u> the Chief Executive be delegated authority to proceed to stop the following two sections of formed legal road as shown on plan (A1438749); <u>AND THAT</u> 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	Chris Ward	Legal advice being taken on scheduling of different legal processes required prior to commencing road stopping and reserve reclassification. Clause 1-3 Complete Clause 4-6 Ongoing Clause 7 dependant on completion of gazettal process

Outstanding Actions

Status Report – Council – 19 November 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>Local Purpose Reserve (Wildlife Sanctuary), noting this will be subject to separate statutory processes under the Reserves Act 1977;</p> <p><u>AND THAT</u>, once the Gazettal process is complete, a report be brought back to Council to enable the Brook Recreation Reserve Management Plan to take effect;</p> <p><u>AND THAT</u> Officers prepare a Comprehensive Development Plan for the area covered by the Brook Recreation Reserve Management Plan.</p>		

Mayor's Report

Purpose of Report

- 1.1 To update Council on various matters.

2. Recommendation

THAT the Mayor's Report (R5128) be received.

3. Discussion

Royal Visit

- 3.1 The Mayor would like to acknowledge the efforts of Nelson City Council officers who went above and beyond in serving their community during the Royal visit on Saturday 7 November. Many hours of time, including a considerable voluntary effort, went into delivering what was a successful civic event. The behind the scenes attention to detail and careful planning paid off, and only a few things were beyond our control on the logistical front, such as Their Royal Highnesses' enthusiasm for talking with the crowds.
- 3.2 Our team of officers did Nelson City Council proud and it was very special to see the smiling faces of Nelson Hosts out and about throughout the city.

Central Business District Enhancement Panel

- 3.3 As indicated in the Consultation Document for Nelson's Long Term Plan 2015–25, the Central Business District (CBD) Enhancement Panel has been established to inform Council on the views of key CBD stakeholders as it considers priorities for CBD enhancement.
- 3.4 The Panel met for the first time on Wednesday 11 November.

Rachel Reese
Mayor of Nelson

Attachments

Nil

Rutherford Park - Roothing and Parking Concept Plan

1. Purpose of Report

- 1.1 To approve the concept plan for the roading, carparking and footpaths in Rutherford Park in conjunction with the Trafalgar Centre reopening project.
- 1.2 To approve additional funding.

2. Delegations

- 2.1 Council resolved in June 2014 for updates related to the Trafalgar Centre to be reported to full Council. This concept plan for Rutherford Park is directly related to the Trafalgar Centre Reopening Project.

3. Recommendation

THAT the report Rutherford Park - Roothing and Parking Concept Plan (R5079) and its attachments (A1457554, A1457555 and A1451682) be received;

AND THAT the Rutherford Park – Option 2 Roothing and Parking Concept Plan (A1457555) at an estimated cost of \$2,415,000 be approved and funded from the \$2 million for roading, carparking and landscaping and \$300,000 for walk/cycle connections budgeted in the Long Term Plan 2015/25;

AND THAT the shortfall, estimated to be \$100,000, for the Rutherford Park – Option 2 Roothing and Parking Concept Plan be approved.

4. Background

- 4.1 Council carried out comprehensive public consultation on a Rutherford Park Development Plan in 2011. A draft of that development plan was included in the draft Long Term Plan 2012-2022.

- 4.2 The Development Plan was finally adopted by Council in July 2013 as shown in Attachment 3. There was initial funding for the Development Plan, however it was understood that this was a long term process and funding was to be amended as the plan was implemented.
- 4.3 At its meeting 3 September 2015, Council considered a report on the Trafalgar Centre Reopening. Although this report was primarily focused on the Trafalgar Centre Reopening it did refer to the development of Rutherford Park. Council resolved to include this as a separate work package within the Trafalgar Centre Reopening project.

5. Discussion

- 5.1 Council had always planned to upgrade Rutherford Park and had finalised a Development Plan in consultation with its community.
- 5.2 The Trafalgar Centre Reopening project is largely a strengthening project. However it proved more cost-effective to demolish and rebuild the northern building than strengthen it. This gave Council the opportunity to accelerate the upgrade of Rutherford Park in conjunction with the strengthening work on Trafalgar Centre. This will enhance good linkages between the park and the facility.
- 5.3 The current consent for the Trafalgar Centre has no stipulation on carparking requirements. However it is important that for a facility of this size Council does provide adequate carparking within reasonable walking distance.

6. Options

- 6.1 The Development Plan July 2013 largely identified a conceptual layout of the roading, footpaths and carparking within Rutherford Park.
- 6.2 Councillors met on three occasions to develop the concept design for the Northern Building of the Trafalgar Centre. The linkages with Rutherford Park were also incorporated into these workshops.
- 6.3 During these workshops several scenarios were considered for the development of Rutherford Park. Most of the scenarios focused around ensuring good linkages to the upgraded Trafalgar Centre, particularly to the new northern building and its relocated main entrance to the east.
- 6.4 The objectives adopted in developing the final design of the Rutherford Park concept plan were;
- Aligning the access road (extension of Paru Paru Road) directly towards the new main entrance in the Northern Building;
 - Minimising the conflict between pedestrian movements and traffic movements to and from the Trafalgar Centre and within Rutherford Park;

- Providing drop off zones for buses adjacent to the main entrance;
- Providing small number of carparks and turnaround area adjacent to the main entrance;
- Enhancing the amenity of Rutherford Park by appropriately managing vehicle movements and carparking;
- Removing the road access around the north of the Trafalgar Centre and creating alternative access around the southern extension. (It should be noted that with the main entrance now facing east, the traffic to the west of the building will now primarily be service vehicles);
- Retaining as many of the existing trees as feasibly possible.
- Maintaining footpath linkages to the Maitai Walkway, Trafalgar Park and Haven Road.
- A preference for providing fewer carparks and more greenspace, but with the flexibility to use the greenspace for carparking if required.

6.5 These objectives were incorporated into the development of two options;

- **Option 1** – The main access road aligned directly towards the main entrance with a small carpark, bus park and turnaround to the east of and adjacent to the main entrance. The main carpark would be located south east of the southern extension accommodating up to 160 carparks. This is shown on Attachment 1 (A1451682)
- **Option 2** – The main access road aligned directly towards the main entrance with a small carpark, bus park and turnaround to the east of and adjacent to the main entrance. The main carpark would be located essentially where the current carpark is located; that is to the north east of the northern building. This could accommodate just over 100 carparks. This option is shown on Attachment 2 (A1457555)

6.6 Councillors have informally stated a preference for Option 1 over Option 2. Option 1 meets the objectives better than Option 2. Option 1 creates a larger green space to the north and east of the Trafalgar Centre.

6.7 Option 2 is more aligned to the Development Plan July 2013 in respect of the main carparking. However Councillors have indicated that although Option 1 carparking is different to the Development Plan July 2013 it has a better outcome for Rutherford Park.

7. Option Estimates

7.1 The Long Term Plan 2015-25 outlines a programme of works planned for Rutherford Park. They focus on improving the facilities, access and

functional amenity within the park. The programme of works budgeted include:

- \$2.0 million in 2015/16 for roading, carparking and landscaping;
- \$300,000 in 2015/16 for walk/cycle connections;
- \$50,000 in 2015/16 for demolition of the Smallbore Rifle Club and Community Art Works buildings;
- \$614,000 in 2016/17 for a playground - this is 50% new funding with the other 50% funding from its budget for new playgrounds. This funding is intended to be augmented by external sponsorship;
- \$527,000 in 2017/18 for public toilets and landscaping;
- \$445,000 in 2019/20 for landscaping and connections to support city to sea links.

7.2 Both the proposed concept plans would implement the programme of works in 2015/16 related to walk/cycle connections, roading, carparking and landscaping. The total budget for these is \$2.3 million.

7.3 The estimates for the two options are as follows;

Option 1

• Paru Paru Road to Northern Building	\$ 760,000
• Remove old Paru Paru Rd/car-park	\$ 90,000
• Southern Main Carpark/Service Lane	\$1,125,000
• Entrance carpark/roundabout	\$ 630,000
• Landscaping	<u>\$ 300,000</u>
Option 1 Estimate	\$2,905,000

Option 2

• Paru Paru Road to Northern Building	\$ 760,000
• Remove old Paru Paru Rd	\$ 50,000
• Eastern Main Carpark/Service Lane	\$ 745,000
• Entrance carpark/roundabout	\$ 580,000
• Landscaping	<u>\$ 280,000</u>
Option 2 Estimate	\$2,415,000

- 7.4 The estimates indicate that Option 2 could largely be completed utilising the budgets allowed for in the Long Term Plan 2015/16, however there is still a \$100,000 shortfall. Option 1 would require additional funding of around \$600,000 from what has been budgeted.
- 7.5 Although Councillors have indicated a preference for Option 1, there is a funding shortfall and the recommendation is to adopt the option that more closely aligns with the budget allowed for. In this case Option 2 is recommended.
- 7.6 As already stated Option 1 meets the objectives better than Option 2. If Council were to adopt Option 1 then substantial additional funding would be required.

8. Alignment with relevant Council policy

- 8.1 This report is in line with Council's policy for the development of Rutherford Park and the previous decision to upgrade the Trafalgar Centre and rebuild the Northern Building.
- 8.2 A plan for the development of Rutherford and Trafalgar Parks was adopted by Council in July 2013 and outlined a programme of possible future works. The remedial works required for the Trafalgar Centre has led to the wider enhancement projects being placed on hold.

9. Assessment of Significance against the Council's Significance and Engagement Policy

- 9.1 This decision is not a significant decision in terms of the Council's Significance and Engagement Policy, as it does not deviate from the project outlined in the Long Term Plan 2015/25.

10. Consultation

- 10.1 Council signalled its intention to re-open the Centre as part of its 2014/15 Annual Plan. Council has also included the project in its Long Term Plan 2015-25.

11. Inclusion of Māori in the decision making process

- 11.1 Consultation with Māori occurred through the Long Term Plan process.

12. Conclusion

- 12.1 Council carried out comprehensive public consultation on a Rutherford Park Concept Development Plan in 2011. The Development Plan was finally adopted by Council in July 2013 (A1457554).
- 12.2 Councillors held three workshops in which several scenarios were considered for the development of Rutherford Park. Most of the scenarios focused around ensuring good linkages to the upgraded Trafalgar Centre, particularly to the new northern building and its

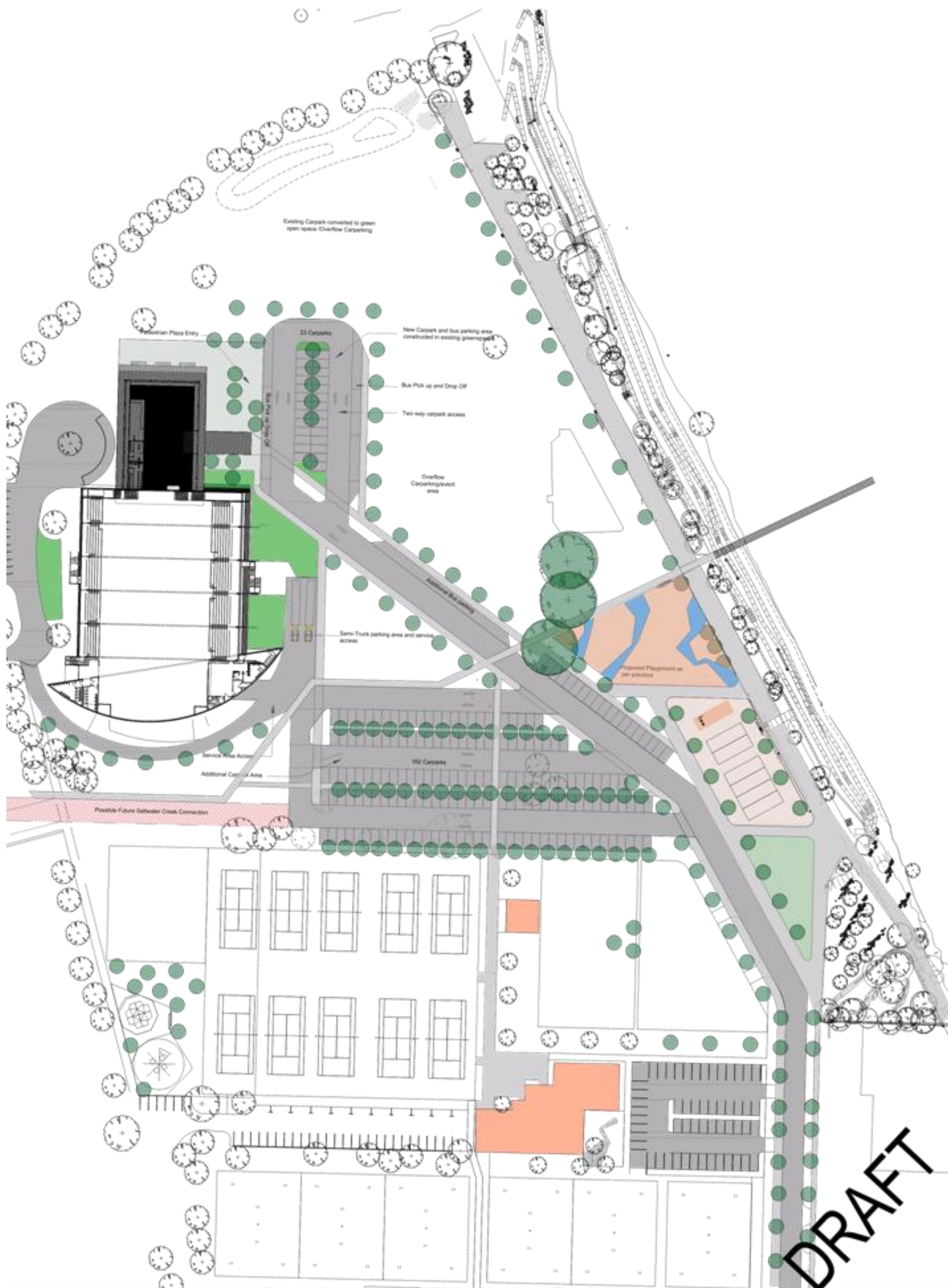
relocated main entrance to the east. Councillors established some objectives for the development of Rutherford Park.

- 12.3 Two options were developed. The first option met the objectives better than the second option, even though the second option is more closely aligned to the original Development Plan.
- 12.4 The budget in the Long Term Plan 2015-25 that covers the scope of these options is \$2.3 million.
- 12.5 The estimates indicate that Option 2 has a \$100,000 shortfall in funding however it could be completed utilising the budgets allowed for in the Long Term Plan 2015/16. Option 1 would require additional funding of around \$600,000.
- 12.6 Although Councillors have indicated a preference for Option 1, there is a funding shortfall and the recommendation is to adopt the option that more closely aligns with the budget allowed for. In this case Option 2 is recommended.
- 12.7 As already stated Option 1 meets the objectives better than Option 2, so if Council can confirm additional funding then it could adopt Option 1.

Richard Kirby
Consulting Engineer

Attachments

- Attachment 1: A1451682 - Rutherford Park Roading and Parking Concept Plan Option 1 - November 2015
- Attachment 2: A1457555 - Rutherford Park Roading and Parking Concept Plan Option 2 - November 2015
- Attachment 3: A1457554 - Wraight Associated Rutherford & Trafalgar Park July 2013 Concept



THE CONCEPT PLAN



- 1 Central Pedestrian Spine
- 1a Pedestrian Spine further consideration required
- 2 Paru Paru Road - Park Boulevard
- 2a Paru Paru Road - Potential future extension
- 3 Flexible events lawns
- 4 Maitai Walkway River Promenade
- 5 Point Park marking old shoreline with stone seating wall and estuary edge gardens
- 6 Small scale events / sculpture lawn
- 7 Flexible petanque, performance, and temporary sculpture space
- 8 Playscape - children's landscaped playground with kiosk / public toilet / changing facility adjacent
- 9 Playscape - youth play & skate park - further work required to determine optimum location.
- 10 Croquet Courts
- 11 Halifax Street & Anzac Park Pedestrian Connections
- 12 Saltwater Creek edge enhancement & pathways
- 13 Moller Fountain parkland
- 14 Trafalgar Centre with Northern Extension and East Entry Foyer / Gallery
- 15 Multi-use plaza accommodating service, events space/parking
- 16 Trafalgar Centre drop off
- 17 New landscaped car parks - potential alternative youth play location, with carpa at 9
- 18 The Landing including improved small boat launching
- 19 New footpath & river walkway with boardwalk / deck access & outlook to Maitai River edge
- 20 Multi functional community facilities
- 21 Trafalgar Park river lawn - flexible events space
- 22 Estuarine ecological gardens including boardwalks, islands, and bird hides
- 23 Kinzett Terrace flexible events lawn
- 24 Nelson gateway sculpture
- 25 Boardwalk / Pier
- 26 New eastern Grandstand & Multi functional recreation facility
- 27 Boardwalk to Peach Grove and Haven Holes
- 28 Railway society future station and line from Founders Heritage Park
- 29 Potential future tennis courts (4)
- 30 Potential future path in front of Trailways
- New building
- Existing building
- Existing trees
- New trees
- Lawn
- Limechip
- Vehicle path and footpath
- Boardwalk / Bridge / Deck

0m 100m

SCALE 1:1,500 @ A1

WRAIGHT + ASSOCIATES LTD FOR NELSON CITY COUNCIL, RUTHERFORD & TRAFALGAR PARKS & MAITAI WALKWAY : PLAN No. 1232139

Review of the District Licensing Committee

1. Purpose of Report

- 1.1 To consider the composition and decide the term of the District Licensing Committee (DLC) two years after it was established.

2. Delegations

- 2.1 There is no delegation for this DLC matter to any committee so this is a matter for Council to consider. The Planning and Regulatory Committee has performance monitoring of Council's regulatory activities as an area of responsibility but the composition and term of the DLC is not a performance monitoring issue.

3. Recommendation

THAT the report Review of the District Licensing Committee (R4885) be received;

AND THAT the Nelson City Council confirm the appointment term for the current District Licensing Committee members for:

- ***non-elected members is to 12 November 2018; and***
- ***elected members is to coincide with the term of Council ending on the day after the final election results.***

4. Background

- 4.1 Section 192 of the Sale and Supply of Alcohol Act 2012 (the Act) requires a territorial authority to establish (by 18 December 2013) and maintain a list of DLC members. The Council decided in July 2013 that the DLC should be comprised of elected members and suitably qualified persons.
- 4.2 The Chief Executive advertised for expressions of interest from suitably qualified persons. Sixteen applications were received.

- 4.3 In November 2013 the Council appointed retired District Court Judge E.O.K. (Oke) Blaikie as Commissioner (with all the functions, powers and duties of the chairperson of the licensing committee) and Councillor Ian Barker as Deputy Chairperson. DLC members were Mayor Rachel Reese, Deputy Mayor Paul Matheson, Councillor Kate Fulton, Derek Shaw and Gail Collingwood.
- 4.4 In July 2015 the Council appointed two additional DLC members David Lewis and Laurie Gabites who are also on the Tasman DLC to provide back up for situations when the other members of the Nelson DLC are conflicted. At the time of adding two additional DLC members, a hearing was required for the Victory Liquor Store licence renewals. A Councillor had submitted on the applications and another DLC member was conflicted due to a family relative also submitting. The applications have since been withdrawn so no hearing was required.

5. Discussion

Level of DLC duties

- 5.1 The Act enables the Chairperson, acting on their own, to decide on uncontested applications. The majority of applications are uncontested and the level of work required by the Chair for these duties averages one hour per week.
- 5.2 Temporary authority licenses and contested applications require a quorum of three members, one being the Chairperson. Temporary authority applications have required between 30 minutes and one hour to decide. There have been nine temporary authority applications in the last two years.
- 5.3 There have been three contested applications in the last two years. One went to a hearing (bottle store in Gloucester Street) that was heard by Oke Blaikie, Derek Shaw and Gail Collingwood due to a Councillor making a submission on the application (thereby conflicting the elected members of the DLC). The Victory Liquor Store applications were withdrawn and Countdown eventually amended their application so there was no longer any opposition from the licensing inspector.

Term of the DLC

- 5.4 Sections 192 and 193 of the Act state a DLC member or commissioner may be approved for a period of up to five years and may be approved for any one or more further periods of up to five years. Section 194 states a member or commissioner may resign from the DLC at any time by written notice. The territorial authority can remove a member or commissioner for inability to perform the DLC functions, bankruptcy and neglect of duty or misconduct.
- 5.5 When the original members and commissioner were appointed by Council on 12 November 2013 the term of appointment was not stated. The DLC was a new committee and a review of the list of approved members of

the DLC after at a year was resolved. Due to administrative oversight and insufficient activity of the DLC by November 2014, this review is only now taking place.

- 5.6 A five year term does not align with the three year election cycle for Council members of the DLC but members of a DLC only have to be without bias for the alcohol industry, have experience relevant to alcohol licensing matters and not be an employee of the territorial authority. The exception is for the deputy chairperson role who must be a member of the territorial authority (section 189).
- 5.7 It is necessary to now determine an appropriate term of tenure for the DLC. A term of five years provides continuity for decision making, enables members (other than the chairperson) to gain experience over a reasonable period of time and there is the option for members to resign from the DLC at any time. Should there be any new members appointed within the term due to a resignation for example, their term should align with the original term of other members.

6. Options

- 6.1 The composition of the DLC should have a sufficient number of non-elected members to decide on applications that involve a submission from a Councillor. The current membership includes one commissioner and four non-elected members. This is considered sufficient to provide a quorum of three when elected members are conflicted or are unavailable due to other Council meetings and duties.
- 6.2 There is no need to limit the number of members of the DLC as long as they meet the criteria of appointment as stated in the Act.
- 6.3 Aside from the criteria stated in the Act all members of the DLC should have hearing experience, preferably have completed the Making Good Decisions course or similar.
- 6.4 The term of appointment of members can be up to five years and they can then be re-appointed for another term. The term for elected members should be aligned with the election cycle of three years but the preferred option for non-elected members is to confirm a term of five years to enable a continuity of services and enable sufficient time for members to gain experience.
- 6.5 A five year term is considered an appropriate time frame for non-elected members to experience a range of application types. During the last two years there have been a low number of applications where members other than the Chairperson make decisions.
- 6.6 Having the same appointment end date for any subsequent non-elected members is the most cost effective option as the expenses associated with advertising for new members can then occur in the main every five years rather than a shorter timeframe.

7. Alignment with relevant Council policy

- 7.1 There are no implications for Council strategic documents as DLC members are only paid for their time making decisions on licensing applications. Overall the income from licence application and monitoring fees are meeting the costs of the alcohol licensing service.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This decision is not significant under the Council's Significance and Engagement Policy.

9. Consultation

- 9.1 No consultation has been undertaken.

10. Inclusion of Māori in the decision making process

- 10.1 No consultation with Māori has been undertaken.

11. Conclusion

- 11.1 The current composition of the DLC of one Commissioner, four non-elected members and four elected members (one of whom is the deputy Chairperson) is considered sufficient to provide a quorum of three members under all circumstances.
- 11.2 Elected members should have the same term of appointment as the election cycle. Non-elected members preferably have a term of five years from the original members' appointment on 12 November 2013 to enable time for members to gain experience and to minimise the frequency of advertising and appointing new members.

Mandy Bishop

Manager Consents and Compliance

Attachments

Nil

Draft Health and Safety Management System Governance Charter

1. Purpose of Report

- 1.1 To approve the Draft Health and Safety Management System Governance Charter.

2. Delegations

- 2.1 Oversight of Council's health and safety obligations and monitoring of health and safety in the organisation are currently areas of responsibility delegated to the Audit, Risk and Finance Subcommittee, through the Governance Committee. This matter is being presented to full Council to consider as the Charter aims to define Council's overarching expectations in the areas of health and safety.

3. Recommendation

THAT the report Draft Health and Safety Management System Governance Charter (R4947) and its attachments (A1448669, A1451891, A1394804 and A1455112) be received;

AND THAT the Health and Safety Management System Governance Charter (A1394804) be approved.

4. Background

- 4.1 Council is implementing a new Health and Safety Management System following the establishment of the Organisational Assurance team, with a specialist Health and Safety Manager.
- 4.2 The Health and Safety Management System Governance Charter is the key document in this system and defines how Council sets Health and Safety expectations and strategy. It identifies how Health and Safety is managed at every level in the organisation.

5. Discussion

- 5.1 Under the new Health and Safety at Work Act 2015 which comes into effect on 1 April 2016, the Council and the Senior Leadership Team assume many of these standard responsibilities that would normally sit with a Board of Directors and will be classed as “officers” under the new Act.
- 5.2 Under Section 18 of the Act, an officer of PCBU (a person in control of a business or undertaking), is either a director of that company or any other person occupying a position that has significant influence over the management of that company e.g. elected members and Senior Leadership Team. That officer has a duty of due diligence.
- 5.3 Under Section 52 of the Act elected members of councils cannot be prosecuted for failing to fulfil the duties of officers (Attachment 2). Although this means that elected members cannot be held personally liable for Health and Safety in the Council, the entity can still be prosecuted. Good governance means supporting the Chief Executive and Senior Leadership Team, who can be prosecuted, in meeting their duties through good decision making and ensuring appropriate resourcing in the organisation.
- 5.4 Section 44 of the Act outlines the duty of officers and is included as Attachment 1. An officer must exercise due diligence to ensure that the business or undertaking complies with Health and Safety duties or obligations under the Act. Section 44 (4) outlines due diligence which includes keeping up to date in Health and Safety matters; understanding the business, its hazards and risks; allocating appropriate resources to H&S and ensuring that the business has appropriate processes for collecting and considering H&S data.
- 5.5 The New Zealand Institute of Directors Good Governance Practices Guideline for Managing Health and Safety Risks has been adopted as the guiding principles for Health and Safety Governance.
- 5.6 The Health and Safety Management System Governance Charter is included as Attachment 3 to be approved by Council.

6. Options

- 6.1 Accept the recommendation – approve the Draft Health and Safety Management System Governance Charter.
- 6.2 Reject the recommendation – not approve the Draft Health and Safety Management System Governance Charter. However not having the Charter in place would mean that ensuring sound Health and Safety practices were in place in the organisation would be difficult.

7. Alignment with relevant Council policy

- 7.1 This decision is not inconsistent with any other previous Council decision.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This is not a significant decision under the Council's Significance and Engagement Policy.

9. Consultation

- 9.1 No consultation has been undertaken in preparing this Charter.

10. Inclusion of Māori in the decision making process

- 10.1 No consultation with Maori has been undertaken in preparing this Charter.

Nikki Harrison

Group Manager Corporate Services

Attachments

- Attachment 1: A1451891 - Section 52 - Liability of certain office holders - H&S at Work Act 2015
- Attachment 2: A1394804 - Draft H&S Management System Governance Charter
- Attachment 3: A1448669 - Section 44 Duty of Officers - H&S at Work Act 2015

52 Liability of certain office holders

(1) An office holder listed in subsection (2), when acting in that capacity, does not commit an offence under section 47, 48, or 49 for a failure to comply with the duty imposed by section 44 (duties of officers).

(2) The office holders are—

(a) a member of the governing body of a territorial authority or regional council elected in accordance with the Local Electoral Act 2001:

(b) a member of a local board elected or appointed under the Local Electoral Act 2001:

(c) a member of a community board elected or appointed in accordance with the Local Electoral Act 2001:

(d) a trustee of a board of a school appointed or elected under the Education Act 1989.

(3) In this section,—

board and **trustee**, in relation to a school, have the same meanings as in section 92(1) of the Education Act 1989

community board means a board established under section 49(1) of the Local Government Act 2002

2015 No 70 **Health and Safety at Work Act 2015** Part 2 s 52

43 **local authority** and **local board** have the same meanings as in section 5(1) of the Local Government Act 2002.

Health and Safety Management System Governance Charter

Effective: October 2015

Review Date: October 2016

Contact: Manager Organisational Assurance

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1. Health and Safety Management System Governance Charter Statement

- 1.1 Nelson City Council (Council) will establish and maintain an effective governance framework in accordance with relevant legislative and published principles to ensure a thorough Health and Safety Management oversight process is in place across its scope of operating activities.
- 1.2 This framework will be implemented and routinely reviewed to ensure that Council is continuously acting in accordance with leading practice governance principles and managing its business Health and Safety risk.
- 1.3 **Purpose of the Health and Safety Management System Governance Charter**
- 1.4 The Health and Safety Management System Governance Charter is Council's highest level stand-alone Health and Safety document. It defines how Council set health and safety expectations and strategy, and identifies how health and safety is managed at every level in the organisation.
- 1.5 The Charter contains:
 - A description of how all Council Health and Safety Management System governance and management processes relate
 - The approach to setting expectations for health and safety performance
 - How the Senior Leadership Team (SLT) and other senior management responsibilities for health and safety relate
 - The approach to developing and implementing health and safety strategy
- 1.6 The Health and Safety Management System Governance Charter is reviewed annually by SLT and recommended for approval to Council.

2. Objectives

- 2.1 The key objectives of this charter are:
 - To have the governance principles recognised as an integral component of Council
 - Provide direction for SLT Health and Safety activities and decision-making requirements
 - Ensure governance principles are integrated into Council organisational philosophies, culture, practices and organisational plans
 - Recognise that the governance function is a component of the Council Health and Safety Management System and SLT responsibilities
 - Confirm expectations that all Council employees and contractors are also accountable for their own Health and Safety, ensuring they do not do anything that could affect the Health and Safety of others and they take an active role in ensuring Health and Safety risks are managed to a level as

low as reasonably practicable (ALARP) in their area of responsibility and day to day work activities

3. Scope

- 3.1 This Council Health and Safety Management Governance Charter requirements apply to all Council controlled activities. This includes all Council workplaces and workers (employees, contractors or volunteers) where Council acts as principal to the contract or has significant influence or control over the workers in the workplace. It shall only apply to relevant CCO's and CCTO's unless they are used as contractors).

4. Expectations for Health and Safety

- 4.1 Specific expectations for Council Health and Safety performance are set and approved by the Council SLT. This is detailed in the Council Health and Safety Management System (HSMS) Strategic Plan and reported on monthly.
- 4.2 Council has a range of active Health and Safety Policy Statements and Management Standards that contribute to how we shape strategy, demonstrate how Council manage its specific risks, confirm Council's obligations and commitment to legislation, and form the underlying foundations of the Council Health and Safety Management System.
- 4.3 The main documents include:
- Health and Safety Policy
 - Council Values and Purpose Statements
 - HSMS Strategic Plan
 - Health and Safety Management System Standards
 - HSMS Legislation Compliance Matrix
 - Council Risk Registers
- 4.4 Through Council's internal systems and leadership, it is expected that Council SLT will also achieve the following key principles for Health and Safety Governance:
- Setting clear values and standards - Be clear about the terms of responsibility (with all stakeholders), set explicit standards and values for the organisation;
 - Think strategically about Council's responsibility - Understand the problems in organisation and design a model that manages them effectively;
 - Be constructive about regulation - Support both self-regulation and external intervention to correct/identify problems and determine solutions in aid of continuous improvement but realise Council's duty is about managing its specific risk to prevent harm in the workplace in addition to achieving compliance with legislation;

- Create a culture of integrity – Set the right tone at the top and entrench the right values in the organisational culture;
- Use internal control to secure responsibility – Safeguard the organisation's standards with robust internal audit, oversight and control systems.

5. Council Health and Safety Policy

- 5.1 Council shall establish and maintain a policy that establishes a clear set of values and objectives for the effective management of Health and Safety performance. The Health and Safety Policy must be appropriate to the nature, scale and health and safety impact of the activities and services being managed or provided by Council.
- 5.2 The Council Health and Safety Policy must be:
- Documented, implemented and maintained.
 - Approved by the SLT and signed off by the Council Chief Executive.
 - Communicated and made available to all relevant internal and external stakeholders and interested parties.
 - Annually reviewed to ensure it reflects the needs and priorities of the organisation.
 - Displayed in key Council work locations, and available to all relevant workers.
- 5.3 Council Health and Safety Policy is located here [A115020](#)

6. Responsibility for Health and Safety Management System

- 6.1 Health and Safety management is the responsibility of everyone in the organisation, at every location, at all times. All Council employees have the responsibility and the authority to act to prevent unsafe actions or conditions by themselves or others in the workplace where it is considered further reasonably practicable steps could be taken to mitigate an unacceptable risk.
- 6.2 Council approves the Health and Safety Management Governance Charter and the organisation's overarching Health and Safety Strategy.
- 6.3 The SLT has overall responsibility for setting Health and Safety expectations, and overall accountability for Health and Safety performance.
- 6.4 The CEO is responsible for implementing the strategy and providing the resources to achieve the expectations set by the SLT.
- 6.5 Specific roles, responsibilities and accountabilities for Health and Safety management are described in the table below:

Health and Safety Management Governance Charter

Level	Health and Safety Management System Components	Responsibility									
		Council (Elected)	SLT	CEO	Corporate Management	Organisational Assurance	Frontline Management	Employees	H&S Committee	H&S Officers	Contractors, Volunteers and Visitors
Governance	Setting Organisational wide Health and Safety Expectations and Goals		•	•							
	Health and Safety Management System Charter (Develop or approve)	Approve	Develop	Develop							
	Health and Safety Policy Statement (Develop, maintain and approve)		•	•					•		
	Health and Safety Strategic Plan (Develop and deliver objectives)	Approve	Develop	Develop	•	•					
	Health and Safety Management System Standards (OA Develop and maintain, SLT approve)		•	•		•					
	Health and Safety Management System Induction (Programme development)				•	•					
	Providing Health and Safety Resources		•	•							
	Health and Safety Oversight Programme (Develop, maintain and monitor)		•	•		•					
	Health and Safety Maturity Review		•	•	•	•					
	Monitoring Organisational Wide Risk	•	•	•	•	•					
Operational	Monitoring and Managing Operational Risk		•	•	•	•	•	•	•	•	•
	Setting Operational BU Health and Safety Expectations and Goals (in line with strategic plan)		•	•	•	•	•	•	•		
	Health and Safety Management Plans (Input into and compliance)				•		•		•	•	•
	Health and Safety Improvement Plans (Develop and maintain by Business Unit)				•		•		•	•	

Health and Safety Management Governance Charter

Level	Health and Safety Management System Components	Responsibility									
		Council (Elected)	SLT	CEO	Corporate Management	Organisational Assurance	Frontline Management	Employees	H&S Committee	H&S Officers	Contractors, Volunteers and Visitors
	Health and Safety Management System Induction (Delivery)				•	•	•		•	•	
	Reviewing Operational Health and Safety Management Systems				•	•	•		•	•	
	Embedding Council Health and Safety Management requirements in area of responsibility (including contractors)				•		•	•	•	•	•

- 6.6 The SLT will maintain appropriate oversight over matters relating to health and safety, including both personal safety (occupational health) and process safety (major accident hazard risk exposure).
- 6.7 In carrying out its role, the SLT's core responsibilities include:
- Reviewing and approving the organisation's health and safety policies;
 - Reviewing assessments of the effectiveness of Management's health and safety programs, including but not limited to, periodic performance metrics and audits;
 - Periodically reviewing, with the Corporate Management team, its health and safety activity with respect to significant legal matters, emerging or proposed laws or regulations that may have a material effect on the organisation's financial or physical exposure; and
 - Reviewing, at least annually, Management's report on contingency planning and emergency response activities.

7 Principles of Health and Safety Governance

- 7.1 The fundamental principle underlying the "officers" role in health and safety management is leadership. All elected members and some SLT members will be classed as "officers" of the PCBU (Persons conducting a business or undertaking) under the Health and Safety at Work Act 2015. Duties relating to the function of Officer are detailed in the HSMS standards for which role they apply to specifically relate to (noting some "officers" duties may differ between SLT members and elected members). In general terms, persons who have a very senior governance role in the organisation that allows them to exercise

significant influence over the management of the business or undertaking will be classed as "officers".

7.2 The New Zealand Institute of Directors (IOD) Good Governance Practices Guideline for Managing Health and Safety Risks has been adopted as the guiding principles for Health and Safety Governance by Council "officers". This requires them to lead the Health and Safety Management System by:

- Setting the policy direction for health and safety management. These policies will reflect the organisation's responsibility to provide a safe and healthy work environment, not just for its workers but for contractors, visitors, customers, and anyone else who may be affected by the organisation's activities;
- Ensuring that their behaviour is aligned with the organisation's health and safety goals in order to encourage a positive workplace culture. Financial and other targets shall not be of higher priority than addressing health and safety concerns;
- Engaging with workers and management to ensure that workers are encouraged to contribute to improvements to system development and that management is held to account for meeting expectations;
- Ensuring that the leadership is "informed leadership". Officers of the PCBU cannot measure health and safety performance without an understanding of the organisation's hazards, safety risks, and hazard control methods, therefore, must have mechanisms to remain informed about organisational health and safety performance;
- Establishing, overseeing and regularly reviewing systems of internal compliance, risk management and control, systems of legal compliance that govern the operations of the organisation, and ensuring they are operating effectively.

7.3 In addition to providing leadership, a PCBU officers must always comply with relevant laws and regulations and ensure their organisation's compliance.

7.4 Specific SLT Health and Safety Responsibilities

There are numerous duties required by the SLT relating to Health and Safety Management, these are categorised into four core areas of responsibility in their health and safety management role:

- a. policy and planning;
- b. deliver;
- c. monitor; and
- d. review.

Below is the agreed list of the general Health and Safety management responsibilities for Council SLT:

Health and Safety Management Governance Charter

7.4.1 Policy and planning:

- To determine, develop and maintain the SLT's Health and Safety Governance Charter and structure for leading health and safety;
- To determine high level health and safety strategy and policy, including providing a mission statement, and policy demonstrating the SLT's commitment to, and beliefs about, the management of health and safety for the organisation;
- To hold organisational management to account for implementing strategy;
- To specify targets that will enable them to track the organisation's performance in implementing SLT strategy and policy;

7.4.2 Deliver:

- To lay down a clear expectation for the organisation to have a fit-for-purpose health and safety management system;
- To exercise due diligence to ensure that the system is fit-for-purpose, being effectively implemented, regularly reviewed and continuously improved;
- To be sufficiently informed about the generic requirements for a modern, 'best practice' health and safety management system and about their organisation, its hazards and risks to know whether its system is fit-for-purpose, and being effectively implemented;
- To ensure sufficient resources are available for the development, implementation and maintenance of the system.

7.4.3 Monitor:

- To monitor the health and safety performance of the organisation;
- To outline clear expectations on what should be reported to the SLT and in what timeframes;
- To review reports to determine whether intervention is required to achieve, or support organisational improvements;
- To make themselves familiar with processes such as audit, risk assessment, incident investigation, sufficient to enable them to properly evaluate the information before them;
- To seek independent expert advice when required to gain the required degree of assurance.

7.4.4 Review:

- To ensure the SLT conducts a periodic (at least annual), formal review of health and safety to determine the effectiveness of the system and whether any changes are required;
- To ensure the SLT considers whether an external review is required for an independent opinion.

- 7.4.5 A "good practice" approach to health and safety governance is taken by Council to ensure its operational workplaces with hazards and safety risks are managed to a level as low as reasonably practicable (ALARP).
- 7.4.6 The following shall be standard agenda functions for each quarterly Health and Safety forum for which all SLT shall be in attendance:
- Review of any amended and new Health and Safety Policy or principal Health and Safety control plans;
 - Review of any significant risk assessments for operations;
 - Review of high risk operational activity for the period (update from management);
 - Review of any significant change planned within the reporting period to Health and Safety including personal, legislation, equipment;
 - Review of Health and Safety Performance reporting for period (lead and lag indicators);
 - Annual review of strategic objectives
 - Review of any significant incidents for period (high potential risk or serious harm events).

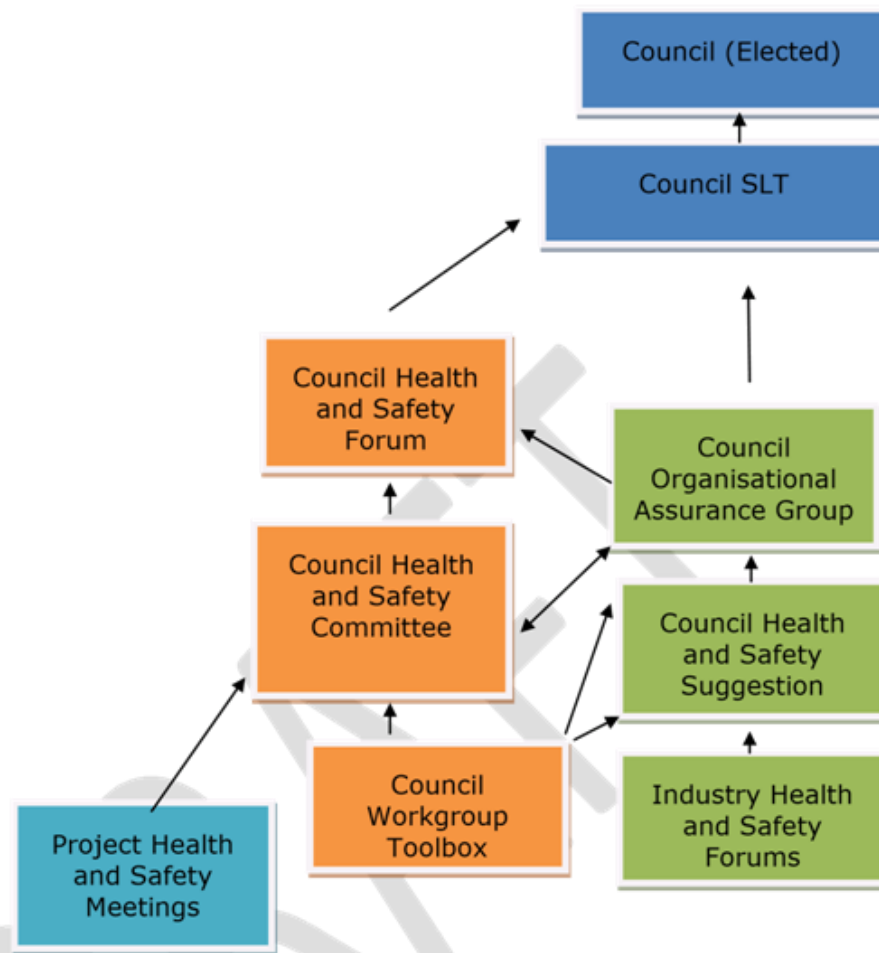
A standard agenda template is included as an appendix to this charter.

- 7.5 Full Health and Safety responsibilities for all positions are detailed within the Council Health and Safety Management System Standards.

8 Communication, Consultation and Employee Participation

- 8.1 Communication, consultation and employee participation are vital components to the success of the Council HSMS. At Council, the following functions have been developed to ensure Health and Safety links from the sub-contractor supply chain to Council employees and executive management:

- 8.1.1 A quarterly Health and Safety Forum (SLT and invitees)
- 8.1.2 Council employees workplace Health and Safety Committee Meetings
- 8.1.3 Council workgroups Health and Safety Meetings
- 8.1.4 Projects which Council have direct control of project specific Health and Safety Meetings and workgroup toolbox meetings/talks
- 8.1.5 Industry Health and Safety forums (attended by Council employees)
- 8.1.6 Employee suggestion and reporting scheme



8.2 Health and Safety Forum

8.2.1 The Health and Safety Forum is the highest form of formal Health and Safety Meeting in Council. The forum meets as a minimum every three months to set direction, monitor performance and to identify continuous improvement initiatives. The purpose of the Health and Safety Forum is to provide assurance to the SLT that the Health and Safety objectives are being met, and to:

- 8.2.2 Support the development and implementation of the Health and Safety Management System and monitor their effectiveness
- 8.2.3 Develop annual Health and Safety plans and improvement processes and monitor performance against defined goals and action plan
- 8.2.4 Review amendments to the Health and Safety Management system and ensure that all operations are made aware of changes and that they must comply with these unless otherwise approved by the CEO in writing

- 8.2.5 Identify and analyse activities with high consequential risks and monitor control for effectiveness
- 8.2.6 Approve annual audit programme and review results of audit
- 8.2.7 Review proposed changes to legislation and agree on a Council response
- 8.2.8 Review significant incidents and issues and ensure that appropriate measures are being taken to respond
- 8.3 It is chaired by the SLT representative (or agreed delegate) of the forum in accordance with the Terms of Reference as set out below.
- 8.4 Agenda/Minutes for the Forum meetings shall be circulated to the CEO and Forum members.
- 8.5 Health and Safety Forum Terms of Reference**
- 8.6 Constitution: A forum established to recommend and develop policy, standards, strategy and plans and to provide assurance to the SLT that Health and Safety objectives are being met.
- 8.7 Objectives:

Health and Safety Element	Health and Safety Forum Objectives
1. H & S Expectations and Goals	Develop new H & S expectations and goals. (<i>New legislation, industry requirements, areas of improvement etc.</i>)
2. H & S Policy Statements	Review any major non-compliance to established organisational Policy Statements. Review development opportunities to achieve/exceed compliance to organisation H & S management systems, policies and standards
3. H & S Strategy Objectives	Develop new HSMS strategy objectives where identified.
4. H & S Strategy	Review organisation performance to existing H & S strategy
5. H & S Performance Targets	Develop new H & S targets and opportunities Review organisation H & S performance to existing targets (including contractors)
6. H & S Assurance Programme	Development of the H & S Operational Assurance plan required to maintain oversight Review H & S assurance programme performance and corrective actions status for the period Review and report on all H & S significant incident investigations and corrective actions

	status for the period Review all H & S corporate external and internal audit results and corrective actions status for the period
7.Organisational Improvement Action Plans to deliver H & S Strategy	Report on status and make recommendations on: Business Units H & S improvement plans performance/requirements

8.8 Membership:

- SLT
- CEO
- Organisational Assurance Manager
- Health and Safety Committee representative
- Others by invitation

8.9 Health and Safety Committee

8.9.1 Council recognises that it is the responsibility of all staff to keep each other safe and all contribute to us achieving the Council goal of being a great, safe and supportive place to work. It is for this reason that we have established a driven team of individuals, including senior leaders within the organisation to help us achieve objectives for health and safety.

8.9.2 The Health and Safety Committee shall plan, review and evaluate all operational health and safety activity in their respective workgroups. The Health and Safety Committee meets at least quarterly and represents all working groups within the organisation.

8.9.3 An overview of the key responsibilities of the Health and Safety Committee are as follows:

- 8.9.4 Contribute to setting of the health and safety vision and objectives for the organisation
- 8.9.5 Review and evaluate the effectiveness of operational hazard management
- 8.9.6 Review accident updates, trends and key learnings
- 8.9.7 Develop new initiatives on how we can keep improving health and safety practices
- 8.9.8 Contribute in the organisation induction programmes – for both staff and contractors
- 8.9.9 Continued revision of policies and procedures

8.9.10 Be involved in employee rehabilitation programmes where required

8.9.11 Contribute to organisation wellness programmes and initiatives

- 8.10 Nominations and/or volunteers are sought from each Council workgroup for members of the Health and Safety Committee. Each area/department of the organisation (including key contractors on large ongoing projects) is represented.
- 8.11 NOTE: Some projects will establish contractor health and safety teams or committees which may include members of Council Management.
- 8.12 The terms of reference for the operational Health and Safety Committee are defined in the Council Health and Safety Management Plan.
- 8.13 Committee members will require training in Health and Safety Management and any further needs as required
- 8.14 NOTE: Some Council business units may have Council Health and Safety Officers in place, their role is primarily to provide support to the Health and Safety Management System function.

9 Developing Health and Safety Strategy

- 9.1 Council's approach to health and safety is based around the Health and Safety Management System which provides the framework for continuous improvement in health, safety and risk management to achieve an increasing maturity in both health and safety culture and performance.
- 9.2 Council's Health and Safety management performance is to be reviewed annually to measure performance against planned objectives and to identify areas of excellence and improvement opportunities.
- 9.3 The review must evaluate any need for change, the maturity of the safety culture and establish actions to improve the system, its processes and resource needs to allow Council to make a step change in safety culture and maturity.
- 9.4 The process for developing Health and Safety strategy considers four sets of strategic drivers:
- The knowledge of the organisation and its requirements (through reports, audits, risk reviews etc)
 - The current position in the health and safety maturity scale and requirements to enable the next step change required (from surveys etc)
 - Relevant Industry good practice
 - Legislative compliance requirements
- 9.5 These lead to Council setting their **Health and Safety Expectations**, which are both behaviour and performance based. They are expressed as:
- Health and Safety Goals, defined in Council's Health and Safety Policy Statement

- Health and Safety Strategic Objectives set and approved by the management through the Council HSMS Strategic Plan.
- 9.6 Business units develop their **Health and Safety Improvement Plans** to achieve these objectives.
- Council's Health and Safety Improvement Plans are set targets and specific performance measures based on the strategies and general areas of improvement.
- 9.7 Business units shall use all these together with risk assessment to determine the most appropriate health and safety management approach for the organisation at any time. Priorities in managing risk are always in compliance with the Hierarchy of Controls.

10 Implementing Health and Safety Management

- 10.1 Health and Safety Management is implemented through the Health and Safety Management System (HSMS) Standards (setting the expectation in a form of 'must do's') and Council Health and Safety Management Plan (HSMP) for operational functions (i.e. 'how we do health and safety').
- 10.2 The HSMS Standards framework comprises of various elements and integrates these into operating functions that combined drive the Plan, Do (Implementation), Check and Review cycle as the model for continuous improvement.
- 10.3 The HSMS Plan is developed to meet the requirements of the Standards and all personnel are expected to comply with the requirements of both documents, including contractors when engaged for services.
- 10.4 HSMS Operational management plans, registers and procedures are to be developed for each specific project that Council is in control of to address specific site Health and Safety risks and hazards. These include Procedures, and Work Instructions, Risk Management Plans and Hazard/Risk and Compliance Registers. It is expected that any contractors either associated or responsible for certain elements of a project will contribute to this process.
- 10.5 The illustrated models displayed below (*figure 1 & 2*) demonstrate how the HSMS has been developed and the hierarchy of Health and Safety Management documentation and the assigned level of responsibility:

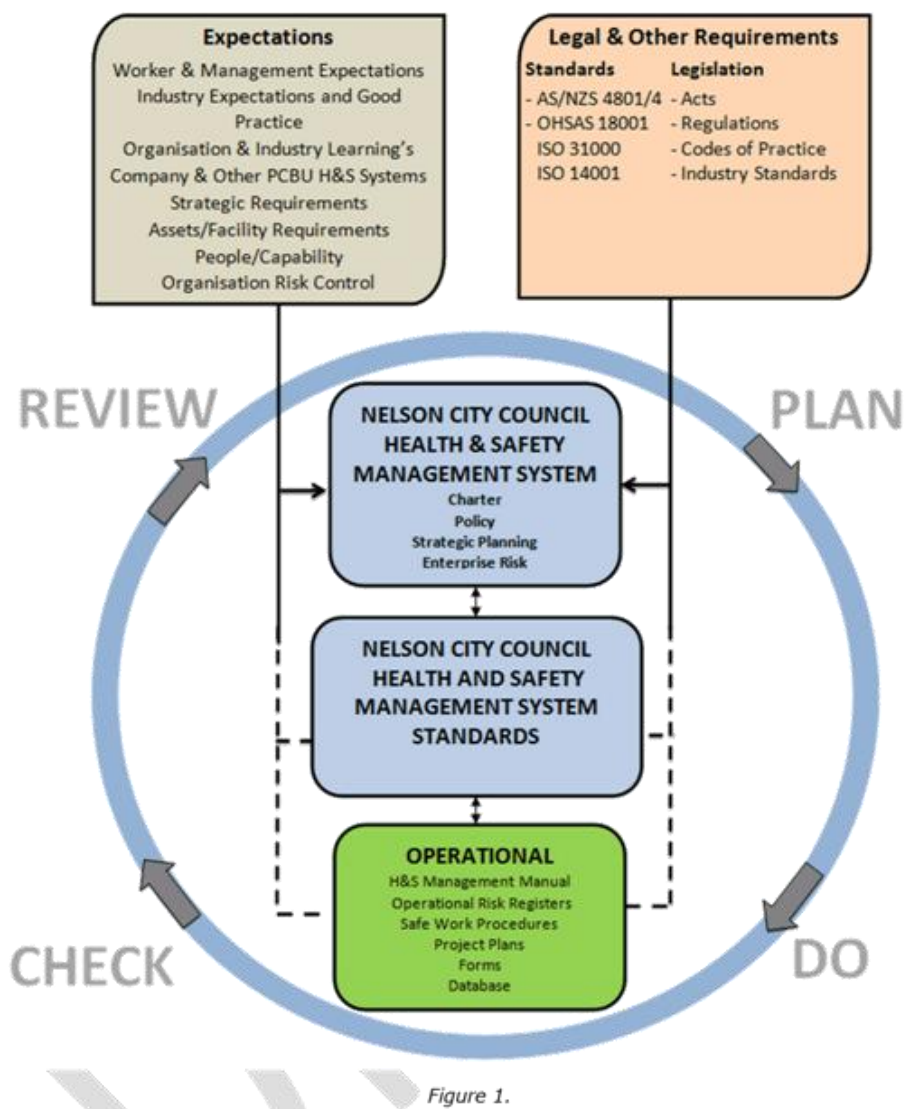


Figure 1.

Health and Safety Management Governance Charter

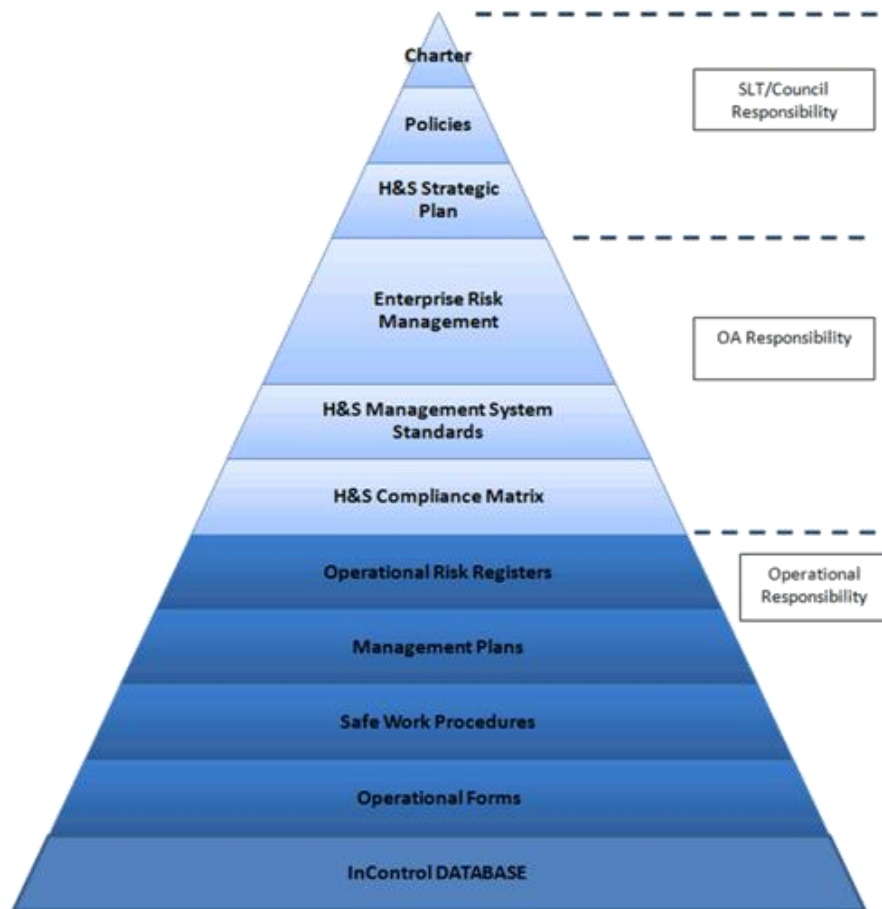


Figure 2.

11 Monitoring Performance of Health and Safety Management

- 11.1 The Health and Safety Management System performance will be regularly reviewed to ensure its continuing suitability, adequacy and effectiveness. Management will review the Council Health and Safety Strategic Plan annually to ensure objectives and targets are being achieved.
- 11.2 The Council Health and Safety Forum will meet at least quarterly to review performance against individual operations improvement plans and general Council Health and Safety performance as per the terms of reference for the forum.
- 11.3 All management reviews will assess the need for changes in policy, objectives and other elements of the Health and Safety Management System.

12 Appendix 1. SLT Annual Activity Schedule

The following functions and activities represent the Council SLT members' annual schedule:

Item	Freq	Month	Item to be Addressed	Completed
1	Annual		Health and Safety Policy review	
2	Annual		Council Health and Safety Charter review and recommend changes for Council approval	
3	Annual		Health and Safety Management Standards review	
4	As Req.		SLT Health and Safety Training (to be determined)	
5	Annual		Health and Safety Maturity Assessment (led by SLT)	
6	Annual		Review of Strategic Health and Safety Plan	
7	Annual		Establish targets for Health and Safety strategy and goals for next 12 months	
8	Quarterly		SLT Site visits (Site inspections including engagement with staff)	
9			a) Projects	
10			b) Other (Compare against similar businesses)	
11	Annual		Annual Health and Safety Review (External audits of operational H&S Management Systems)	
12	Quarterly		Review Health and Safety Risk Register	
13	Quarterly		SLT Meetings - Review of Quarterly Health and Safety performance data	
14	Annual		IOD Health and Safety annual self-assessment for Directors (Checklist)	
15				

13 Appendix 2. Council Annual Activity Schedule

The following functions and activities represent the Council annual schedule:

Item	Freq	Month	Item to be Addressed	Completed
1	Annual		Health and Safety Charter – review and approve any recommended change by SLT	
2	Annual		Health and Safety Strategic Plan - review	
3	Quarterly		Operational visits (Site/workplace inspections/engaging with staff)	
4	Annual		Review of CEO and SLT Health and Safety performance	
5	Quarterly		Review Health and Safety performance data	

14 Appendix 3. Council Health and Safety Forum Agenda Items

The following items shall be standard agenda items at each Health and Safety Forum meeting:

Item	Topics
1	Safety Moment
2	Acceptance and signing of previous minutes
3	Follow up last meeting's business and confirm corrective action taken
Health and Safety Performance (Quarterly Report)	
4	Health and Safety significant events Investigations and corrective actions status for the period: Hazards event data Incident/Near Miss Events event data Review of significant investigation for period
5	Health and Safety Assurance Programme Performance and corrective actions status for the period: Organisation Oversight/Audits Conducted External Audits Conducted Major Activity Schedule items planned for next quarter
6	Non-compliance occurrences <i>(to establish organisational Policy/process Statements)</i> Policy/Standards Regulatory Breaches
7	Review of Health and Safety Risk Register <i>(relating to controlled Health and Safety Processes planned/occurring)</i> Top 5 Health and Safety Risks across the organisation: Any planned change to organisation that may impact upon Health and Safety:
Health and Safety Management System Development	
8	8.1) Strategic Planning a) Operational Health and Safety Improvement Plans <i>(to achieve Strategic objectives, status, progress, new items - Presented by 1 operational unit manager per meeting on a rotating basis)</i> Corporate/Organisational Assurance Improvement Plan <i>(relevant to SLT)</i> 8.2) Health and Safety System Development Opportunities
9	Health and Safety Management System Training Completed: Planned:

10	Health and Safety Expectations, Change and Goals. Legislation changes Industry Expectations Organisational Goals/Improvement Opportunities
11	Changes to the organisation Health and Safety Management Systems for Approval/Awareness Policy Standards Other
12	Visible Felt leadership Safe Work Observations (as per Management KPI) Onsite visits for CEO (as per KPI) Leadership activities Rewards for Health and Safety
13	New Business
13.1	
13.2	
13.3	
13.4	
14	Close, fix next meeting, date, time, place

44 Duty of officers

(1) If a PCBU has a duty or an obligation under this Act, an officer of the PCBU must exercise due diligence to ensure that the PCBU complies with that duty or obligation.

(2) For the purposes of subsection (1), an officer of a PCBU must exercise the care, diligence, and skill that a reasonable officer would exercise in the same circumstances, taking into account (without limitation)—

(a) the nature of the business or undertaking; and

(b) the position of the officer and the nature of the responsibilities undertaken by the officer.

(3) Despite subsection (1), a member of the governing body of a territorial authority or regional council elected in accordance with the [Local Electoral Act 2001](#) does not have a duty to exercise due diligence to ensure that any council-controlled organisation (as defined in [section 6](#) of the Local Government Act 2002) complies with its duties or obligations under this Act unless that member is also an officer of that council-controlled organisation.

(4) In this section, **due diligence** includes taking reasonable steps—

(a) to acquire, and keep up to date, knowledge of work health and safety matters; and

(b) to gain an understanding of the nature of the operations of the business or undertaking of the PCBU and generally of the hazards and risks associated with those operations; and

(c) to ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and

(d) to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards, and risks and for responding in a timely way to that information; and

(e) to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act; and

(f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

External Appointee Remuneration for Subcommittee Involvement

1. Purpose of Report

- 1.1 To determine whether the Nelson City Council Selection, Appointment and Remuneration Policy for External Appointees on Council Committees should be amended to reflect subcommittees, including selection, appointment and remuneration.

2. Delegations

- 2.1 The Selection, Appointment and Remuneration Policy for External Appointees on Council Committees (the Policy) was adopted by full Council, therefore it is appropriate for Council to consider this matter.

3. Recommendation

THAT the report External Appointee Remuneration for Subcommittee Involvement (R4932) and its attachments (A118115, A1137622 and A1103868) be received;

AND THAT Council confirms no change is required to the Selection, Appointment and Remuneration Policy for External Appointees on Council Committees.

4. Background

- 4.1 This report comes before Council to answer a question regarding whether remuneration for external appointees of governing committees should be altered to reflect subcommittee involvement. This report therefore focuses on remuneration, and accordingly discussion of this report should relate to the remuneration section of the Policy.
- 4.2 External appointments were first considered by Council through the Mayor's Report on 12 December 2013. It was considered that two external members could be appointed to the Governance Committee and one external member to the Planning and Regulatory Committee. The report noted that the breadth of business for those Committees warranted remuneration appropriate to the workload.

- 4.3 On 15 May 2014 Council adopted the Nelson City Council Selection, Appointment and Remuneration Policy for External Appointees on Council Committees (the Policy) (Attachment 1). The intention was to adopt a Policy which was fair, administratively simple, and recognised the community contribution appointees make.
- 4.4 When establishing the remuneration for external appointees, guidance was taken from other authorities who use the Directors Fees Report produced by the Institute of Directors, and the base councillor salary determined by the Remuneration Authority. In conjunction with this, Council needed to balance following industry practice with the obvious 'community service' element in the role. Taking those factors into account, the remuneration level was set at \$12,000 per annum.
- 4.5 On 5 June 2014, Council resolved the external appointments to the Governance Committee and Planning and Regulatory Committee in accordance with the Policy.
- 4.6 Council then determined that establishing an Audit, Risk and Finance Subcommittee and a Commercial Subcommittee would be beneficial. On 12 February 2015, after communication with members of the Governance Committee, Council resolved to appoint the external appointees Mr John Murray and Mr John Peters to both the Audit, Risk and Finance Subcommittee and the Commercial Subcommittee. At that stage it was envisaged that the subcommittees would meet quarterly.
- 4.7 The 12 February 2015 report made it clear that the proposed external appointees to each subcommittee were currently remunerated under the Policy, and no additional remuneration was provided for involvement and membership on a subcommittee. It was noted the subcommittees covered areas already within the Governance Committee delegations.
- 4.8 At the 3 March 2015 Governance Committee meeting, it was decided the external appointees would each Chair one of the subcommittees. At that meeting it was agreed that a six-weekly meeting pattern for subcommittees was appropriate.

5. Discussion

- 5.1 The position description for external appointments to the Governance Committee (Attachment 2) covers the areas of responsibility of the Committee, within which the two subcommittee's delegations fall.
- 5.2 The full recruitment process under the Policy was not carried out in making external appointments to the Audit, Risk and Finance Subcommittee or Commercial Subcommittee. As the subcommittee delegations were derived from the Governance Committee's responsibilities, it was considered Mr Murray and Mr Peters could be appointed by virtue of their appointment to the Governance Committee.
- 5.3 The points made in the 15 May 2014 report to Council (referenced in the Background section of this report) regarding remuneration have been reassessed and are still considered to be valid. It may be considered that

\$12,000 per annum is appropriate remuneration considering other councils' rates start as low as \$140 per meeting.

- 5.4 In comparison with elected members' base salary, those with additional responsibility such as Committee Chairperson or Deputy Mayor do receive additional remuneration in accordance with stringent rules of the Remuneration Authority. A number of councillors are involved in subcommittees, working parties and workshops and receive no additional remuneration for this work. It is widely acknowledged that there is a large component of community good involved in elected members' roles.
- 5.5 In light of the above points regarding subcommittee delegations being extracted from the Governance Committee areas of responsibility, Council may wish to consider whether external appointees are still required on the Governance Committee.
- 5.6 Council may also wish to consider if the current frequency of subcommittee meetings is appropriate. Research on other councils' audit, risk and finance committees suggest that a less frequent meeting cycle may be more appropriate. It may also be more suitable that the Commercial Subcommittee meet on an 'as required' basis. These changes would not alter workloads but could make time commitments more efficient.
- 5.7 The Policy will be reviewed at the beginning of the next triennium of Council. This may be a more appropriate time to consider any changes such as working group and subcommittee involvement.

6. Options

- 6.1 Do not amend the Policy. This is the recommended option.
- 6.2 Amend the Policy to cover subcommittees, including selection, appointment and remuneration.

7. Alignment with relevant Council policy

- 7.1 There is no budget in the Long Term Plan 2015-25 for additional remuneration for external appointees.
- 7.2 The recommendation is not inconsistent with any previous Council decision or any Council policy.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This is not a significant decision in terms of the Council's Significance and Engagement Policy.

9. Consultation

- 9.1 No consultation on this matter is required.

10. Inclusion of Māori in the decision making process

10.1 Maori have not been consulted on this matter.

11. Conclusion

11.1 In line with previous consideration during the establishment of subcommittees to the Governance Committee, it is believed the additional involvement is adequately remunerated for under the Selection, Appointment and Remuneration Policy for External Appointees on Council Committees.

Shailey McLean
Administration Adviser

Attachments

Attachment 1: A1181155 - Selection appointment and remuneration of external appointees on Council committees policy

Attachment 2: A1137622 - Appointed External Members Governance Committee Position Description 2013-2016

Nelson City Council Selection, Appointment and Remuneration Policy for External Appointees on Council Committees

1. Purpose

- 1.1. This policy sets out the process for selection, appointment and remuneration of external appointees to Council committees, in accordance with Schedule 7, clause 31 of the Local Government Act 2002.

2. Definitions

Governing Committee

- 2.1. A governing committee is a committee which has a broad terms of reference, and where there may be consultation and deliberations on proposals. Such committees contribute to the overall governance of the City. Examples of these committees are the Planning and Regulatory; Works and Infrastructure; Community Services or Governance Committees.

Single Purpose Committee

- 2.2. A single purpose committee is a committee which has terms of reference that are related to one subject matter. Examples of these committees are the Nelson Regional Sewerage Business Unit, District Licensing Committee or Resource Consent Hearing Panels.

3. Selection and Appointment

- 3.1. Council may appoint to a committee a person who is not an elected member if, in the opinion of Council, that person has the skills, attributes, or knowledge that will assist the work of the committee.
- 3.2. The Mayor, Committee Chair and Chief Executive (or their delegate) will agree the skills, attributes, and knowledge required to assist the work of the committee. This will be reflected in a position description for each committee to which an appointment is to be made.
- 3.3. This position description will guide the selection process. Based in this description, appropriate advertising will be undertaken. This may be via the New Zealand Planning

Institute, the Institute of Directors, the local newspaper or any other means deemed to be appropriate.

- 3.4. Applicants will be shortlisted by the Mayor and Committee Chair and interviews will be conducted.
- 3.5. Any person appointed to a committee must demonstrate sufficient experience in the relevant subject field to be able to add considerable value to the committee's discussion.
- 3.6. The following requirements of candidates for appointment, must be considered:

Person and skills requirement

- Strong and effective communication skills
- Competence and understanding of Council's needs relating to committee requirements, and of the issues and risks facing the Council
- Ability to apply relevant and specialist technical capability to the role required by the committee
- Ability to engage in effective relationships with the Council and Committee on an ongoing basis over the term of the contract
- Proven experience in operating practices at a governance level in organisations with public accountability requirements, including those outlined in 'Governance requirements' below

Governance requirements

- Understanding and ensuring that basic principles of good governance are a part of the decision-making approach of the Council
- Balancing the need to advocate for specific interests against the needs of the wider community
- A commitment to promoting the long term effectiveness of the Committee and the Council
- Understanding and respecting the differing roles of Mayor, Deputy Mayor, committee chairs, and councillors
- Recognising that the governance role does not extend to operational matters or to the management of any implementation

- Having a good understanding of the Council processes set out in the Standing Orders that determine how committee meetings are run
 - Developing and maintaining a working knowledge of Council services, management processes, powers, duties and constraints that fall under the Committee's delegated areas of responsibility
 - Ensuring familiarity with agendas and other Council reports before committee meetings
 - Being familiar with and complying with the statutory requirements of a committee member
 - Compliance with the principles of the Elected Members Code of Conduct adopted by the Council
 - Identifying, being aware of and declaring any potential personal conflicts of interest, whether of a pecuniary or non-pecuniary nature.
- 3.7. At the conclusion of the interviews, the preferred candidate will be contacted and informed that they are the preferred candidate.
- 3.8. A report will be presented to Council recommending the appointment of that candidate and setting the appropriate remuneration for the role.
- 3.9. The appointment will be considered to have commenced from the date of the Council resolution making that appointment.
- 3.10. This process for selection and appointment can be followed for appointments to both governing committees and single purpose committees. It is expected that the process would be varied to meet the requirements of the committee, provided that such variation meets the requirements of the Local Government Act 2002.
- 3.11. This policy covers only appointments made via a resolution of Council.
- 4. Remuneration for Governing Committees**
- 4.1. Council recognises that attracting strong candidates requires such positions on committees to be remunerated.

- 4.2. Council wishes to ensure that it offers remuneration which is fair; which is administratively simple; and which recognises the community contribution appointees make.
- 4.3. On this basis guidance is taken from other authorities referencing the Directors Fees Report produced by the Institute of Directors, and the base councillor salary determined by the Remuneration Authority.
- 4.4. Remuneration for external appointees to council governing committees is therefore set at \$12,000 per annum.
- 4.5. No reimbursement of expenses will be offered. However, the remuneration will be considered total remuneration. If appointees incur travel costs, they may seek the tax efficiency of some remuneration being reimbursed as expenses.
- 4.6. The Chief Executive will have the discretion to reduce the remuneration paid by up to one third, and to pay this as reimbursement of expenses if an appointee makes such a request. In this event appointees are required to fill out and submit a claim form (A319932) to seek reimbursement. Any such claim must be made within the relevant financial year.

5. Remuneration for Single Purpose Committees

- 5.1. As defined, single purpose committees include the District Licensing Committee and Resource Consent Hearing Panels.
- 5.2. Remuneration for these committees is set by legislation. However, this is not true for all committees defined as single purpose committees.
- 5.3. Again, Council wishes to ensure that it offers remuneration which is fair; which is administratively simple; and which recognises the community contribution appointees make.
- 5.4. It seems prudent to provide consistent remuneration across similar committees. For this reason, external appointees to single purpose committees will be remunerated in accordance with the rates set out in the Local Government Elected Members (certain Local Authorities) Determination for resource consent hearings.
- 5.5. A minimum fee rate of one hour and a maximum fee rate of three hours will be paid to external appointees, per legally constituted meeting.

- 5.6. Reimbursement of expenses relating to vehicle mileage and travel time will be done in accordance with the Nelson City Council Expenses Policy for Elected Members (A355751). To claim expenses appointees are required to fill out and submit a claim form (A319932) to seek reimbursement. Any such claim must be made within the relevant financial year.

6. Training

- 6.1. On the basis that appointees to both governing and single purpose committees are selected for their existing skills, they would not be eligible for any financial support for training. Where Council is organising any in-house training, appointees may attend with written approval of the relevant committee chair.

7. Effectiveness Review

- 7.1. Council will conduct a review of the effectiveness of the addition of external appointees at the mid-point of the triennium.

8. Policy Review

- 8.1. This policy shall be reviewed three yearly at the commencement of each triennium.

NELSON CITY COUNCIL GOVERNANCE COMMITTEE APPOINTED EXTERNAL MEMBER POSITION DESCRIPTION

Governance Committee areas of responsibility

- Coordination and development of all policies specified in the Local Government Act 2002 for Annual Plan and Long Term Plan development
- Rating systems and policies, including policies regarding rates relief, rates remission and rates postponement
- Council's Treasury function
- Audit of Council's Annual Report (with approval by full Council)
- Development contributions
- Oversight of audit process and management of financial risks
- Liabilities and corporate risk management
- All matters relating to Council Controlled Organisations and Council Controlled Trading Organisations, including statements of intent, half yearly reports, and the appointment of directors
- Monitoring the performance of Council-Controlled Organisations and Council Controlled Trading Organisations
- Monitoring Business, economic development and tourism in Nelson
- Monitoring of Council's financial and service performance
- Monitoring of health and safety in the organisation
- Reviews of specific activity areas within Council
- Forestry
- Civil Defence Emergency Management activities
- Rural Fire activities
- Oversight of Council's Health and Safety obligations
- Iwi Memorandum of Understanding
- Sister City relationships and issues

A1137622

1

Person and skills requirement

- Strong and effective communication skills
- Competence and understanding of Council's needs relating to governance requirements, and of the issues and risks facing the Council
- Expertise at governance level in the following:
 - Performance monitoring
 - Effectiveness/efficiency of organisations, including Council Controlled Organisations and Council Controlled Trading Organisations
 - Wide knowledge of financial management systems
 - Proven experience in risk management particularly as it relates to fiduciary risk
 - Policy making
 - Knowledge of the Local Government Act preferred
- Relevant tertiary qualification in accounting, business or finance
- Ability to apply relevant and specialist technical capability to the role required by the Committee
- Ability to engage in effective relationships with the Council and Committee on an ongoing basis over the term of the contract
- Proven experience in operating practices at a governance level in organisations with public accountability requirements, including those outlined in 'Governance requirements' below

Governance requirements

- Understanding and ensuring that basic principles of good governance are a part of the decision-making approach of the Committee and Council
- Balancing the need to advocate for specific interests against the needs of the wider community
- A commitment to promoting the long term effectiveness of the Governance Committee and the Council
- Understanding and respecting the differing roles of Mayor, Deputy Mayor, committee chairs, and councillors
- Recognising that the governance role does not extend to operational matters or to the management of any implementation

- Having a good understanding of the Council processes set out in the Standing Orders that determine how committee meetings are run
- Developing and maintaining a working knowledge of Council services, management processes, powers, duties and constraints that fall under the Governance Committee's delegated areas of responsibility
- Ensuring familiarity with agendas and other Council reports before committee meetings
- Being familiar with and complying with the statutory requirements of a committee member
- Compliance with the principles of the Elected Members Code of Conduct adopted by the Council
- Identifying, being aware of and declaring any potential personal conflicts of interest, whether of a pecuniary or non-pecuniary nature.

A1137622

3

REPORT R5121

Schedule of Council Meetings 2016

1. Purpose of Report

- 1.1 To adopt a schedule of Council meetings for the 2016 calendar year up to the Local Body Election, in accordance with clause 19(6), Schedule 7 of the Local Government Act 2002.

2. Delegations

- 2.1 The adoption of a schedule of meetings is a decision for Council.

3. Recommendation

THAT the report *Schedule of Council Meetings 2016 (R5121)* and its attachment (A1458547) be received;

AND THAT the schedule of meetings outlined in Attachment 1 (A1458547) be adopted.

4. Background

- 4.1 A draft schedule of meetings for 2016 is included as Attachment 1. This schedule can also be viewed in the Councillors' Meetings Outlook calendar.
- 4.2 Adoption of a schedule of meetings in accordance with clause 19(6), Schedule 7 of the Local Government Act 2002 constitutes notification of 2016 meetings to councillors, and provides a degree of certainty by which councillors can plan other activities around Council business.

5. Discussion**Council and Committee Meetings**

- 5.1 The draft schedule of meetings has the last regular meeting of this triennium scheduled for 8 September 2016 to allow for the Local Body Elections. Election Day in 2016 is 8 October. A further Council meeting is scheduled on 22 September to consider the draft Annual Report, valedictory speeches and any other business.

- 5.2 The draft schedule includes Council and Committee meetings generally occurring in a six weekly cycle. The meeting cycle proposed is: Works and Infrastructure Committee in week one, Planning and Regulatory Committee in week two, Community Services Committee in week three, Governance Committee in week four, and a Council meeting in week six.
- 5.3 Council and Committee meetings have generally been scheduled for Thursdays, commencing at 9.00am.
- 5.4 Some adjustments to this cycle have been made to allow for deadlines around things such as the Annual Plan and Committee Chairperson availability. This means that in some cases extra Council or Committee meetings are required in the normal six weekly cycle or meetings may be on a different day or have a different start time.
- 5.5 In addition, an extra Council meeting has been scheduled for 18 February. This is in case there is need for any last minute decisions to be made to feed into the Annual Plan process.
- 5.6 Meetings for the two subcommittees (Audit, Risk and Finance and Commercial) have been scheduled six weekly and timed to on the same day as the Works and Infrastructure Committee meetings. This is to allow for the subcommittee minutes to be done and feed into the Governance Committee agendas.
- 5.7 The draft schedule also includes dates for the Chief Executive Employment Committee, the Regional Transport Committee, and sessions to report back from Councillor Representatives on External Organisations.
- 5.8 It is envisaged that the Chief Executive's performance review will be completed prior to the election.
- 5.9 The draft schedule also includes dates for joint committees including the Joint Committee of Tasman District and Nelson City Councils, the Joint Shareholders Committee, the Civil Defence Emergency Management Group and Nelson Regional Sewerage Business Unit. These dates are also required to be approved by Tasman District Council and are subject to change.

Workshops

- 5.10 Annual Plan workshops have been scheduled for 10 and 11 February 2016.
- 5.11 Other Council workshops have been scheduled for Tuesdays and best attempts will be made to link workshops with Committee meetings to which the subject matter of the workshop most closely relates.
- 5.12 The content of each workshop will be confirmed in due course through either a Council or Committee meeting.

- 5.13 It is possible that not all of these dates will be required, and every effort will be made to ensure that councillors are given as much notice as possible if these dates are not to be utilised. Any surplus workshop time will be used as a first option in scheduling any extra meetings as the year progresses.

Hearings Panel Meetings

- 5.14 The schedule includes fortnightly Hearings Panel meetings, occurring on Wednesdays. These recurrent bookings allow for matters requiring a decision of the Hearings Panel – Resource Management Act to occur in a timely manner. These bookings may also be utilised for Resource Management Act matters heard by independent commissioner(s).
- 5.15 Every fourth Hearings Panel meeting (that is, roughly once every two months) has been reserved for considering matters outside of the Resource Management Act 1991, for example the fencing of swimming pools, or hearing applications for street naming. Hearings Panel – Other meetings to consider road closures for events will be scheduled as and when required.

Council-free Weeks

- 5.16 Three weeks free of Council and Committee meetings and workshops have been set aside in the schedule to coincide with school holidays. The first week is starting 1 February, the second starting 25 April and the third starting 18 July 2016.

What is not included?

- 5.17 It is intended that dates for the District Licensing Committee will be reserved when an application is received for which hearings may be required. Where possible dates not required for Hearings Panel meetings will be used first.
- 5.18 The draft schedule of meetings currently includes some of the meetings of external agencies to which councillors have been appointed. These dates are currently being gathered, and will be added to the meetings calendar as they become available.
- 5.19 The dates for Local Government New Zealand Zone meetings will be added to the meetings calendar as they become available. The Local Government New Zealand conference dates are included already.
- 5.20 The legislative deadline for the adoption of Council's Annual Report is 30 October each year. Officers are working with Audit New Zealand to try to bring forward the timeline to enable the Annual Report to be signed off at Council on 22 September but this possibility has not been confirmed. If this is not possible, officers propose Council considers the draft Annual Report making recommendations to the incoming Council. This would be required as time constraints would not allow the draft Annual Report to be considered through the six weekly meeting cycle. If

the timeline is not brought forward, it is likely that the Annual Report would need to be adopted at the inaugural meeting of the 2016-19 triennium.

- 5.21 In reference to the inaugural meeting it is proposed that it be held at the northern end of the Trafalgar Centre. This new space may be a more appropriate option for a large civic event.
- 5.22 No provisions have been made here for meetings which may be required to deal with any potential changes in legislation or directives from central Government.

6. Options

- 6.1 Council can choose to either adopt the draft Schedule of meetings, or not adopt the draft Schedule, or propose an alternative schedule.
- 6.2 The preferred option is for the draft schedule to be adopted. The schedule has been developed in consultation with a number of parties including Her Worship the Mayor and the Chief Executive. The draft takes into consideration a number of factors and is considered to be the best option for balancing those often competing factors.

7. Alignment with relevant Council policy

- 7.1 The setting of a schedule of meetings allows officers to establish a work programme around when resolutions can be made by Council and committees to ensure the content of the Annual and Long Term Plans can be delivered.
- 7.2 Additional costs in terms of meeting advertising and staff time can be incurred when a schedule is not in place or when changes to the schedule are made.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This decision is not considered to be significant in terms of Council's Significance and Engagement Policy.

9. Consultation

- 9.1 No consultation has been undertaken on this matter.

10. Inclusion of Māori in the decision making process

- 10.1 Māori have not been consulted on this matter.

11. Conclusion

- 11.1 The attached draft schedule of meetings for 2016 provides a degree of certainty for councillors, and is recommended to be adopted.

Penny Langley
Manager Administration

Attachments

Attachment 1: A1458547 - Draft Schedule of Council Meetings 2016 - 19
November 2015

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Council 19 November 2015

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29 Feb - 6 Mar	29 Feb	1 Mar 9:00a.m. 4:00p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward and Mayor (Reso) 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street,	2	3 9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	4	5	6
7 - 13 Mar	7	8 9:00a.m. 4:00p.m. Council meeting (for Report back from Councillor Representatives) - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 6:00p.m. 8:00p.m. Arts Council Nelson - Cllr Ward (Refinery Artspace - Cllr Ward's studio)	9 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	10 9:00a.m. 4:00p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, Mayor and External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	11 1:00p.m. 5:00p.m. NRSBU Board Meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	12	13
14 - 20 Mar	14	15 7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Davy (Tahuna Event Centre)	16 9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	17	18	19	20
21 - 27 Mar	21	22	23 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	24 9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	25 Good Friday	26	27
28 Mar - 3 Apr	28 Easter Monday	29 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 9:30a.m. 12:00p.m. Joint Committee - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	30	31 9:00a.m. 4:00p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, 1:00p.m. 3:00p.m. Audit, Risk and Finance Subcommittee - John Peters, John Murray, Cllrs McG 3:00p.m. 5:00p.m. Commercial Subcommittee - John Murray, John Peters, Cllrs Acland and N	1 Apr	2	3

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Council 19 November 2015

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																												2:00p.m. 5:00p.m. Regional Transport Committee Meeting - Mayor and Cllrs Davy, Copeland and McGurk (Resource - MR - Council Chamber P) - Ruth Killman														Daylight Saving Ends						
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							9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman							9:00a.m. 5:00p.m. Hearings Panel - non RMA (Chamber)							9:00a.m. 4:00p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, Mayor and External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman																											
11							12							13							14							15							16							17						
							9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 6:00p.m. 8:00p.m. Arts Council Nelson - Cllr Ward (Refinery Artspace / Cllr Ward's studio)							12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)							9:00a.m. 4:00p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward and Mayor (Resource - MR - Council Chamber P) - Ruth Killman							1:30p.m. 5:00p.m. Joint Shareholders Committee - Mayor and Cllrs Rainey, McGurk, Davy, Matheson and Barker; followed by CDEM - Mayor and Cr Matheson (Resource - MR - Council Chamber P) - Ruth Killman																				
18							19							20							21							22							23							24						
							9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Davy (Tahuna Event Centre)							9:00a.m. 5:00p.m. Hearings Panel (Chamber) 3:00p.m. 5:00p.m. Sister City Coordinating Group - Mayor, Cllr Davy (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman							9:00a.m. 4:00p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, Mayor and External Appointees - John Peters and John Murray (Resource - MR - Council Cham																											
25							26							27							28							29							30							1 May						

A1458547

4
Council 19 November 2015

12/11/2015 9:37 a.m.

May 2016 - June 2016

May 2016							June 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2 - 8 May	2 May 1:00p.m. 3:00p.m. Nelson Tasman Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room)	3 11:00a.m. 7:00p.m. Council meeting to hear submissions to the draft Annual Plan - all elects 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 201 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cll	4 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 9:00a.m. 4:00p.m. Council meeting to hear submissions to the draft Annual Plan (if required) - all elected members (Resource - MR - Council Cham	5 9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	6	7	8
	9 12:00a.m. 12:30a.m.	10 9:00a.m. 4:00p.m. Works and Infrastructure Committee meetin 1:00p.m. 3:00p.m. Audit, Risk and Finance Subcommittee - John P 3:00p.m. 5:00p.m. Commercial Subcommittee - John Murray, J 6:00p.m. 8:00p.m. Arts Council N	11 9:00a.m. 4:00p.m. Council meeting to deliberate on submissions to the draft Annual Plan - all elected members (Res 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar P	12 9:00a.m. 4:00p.m. Council meeting to deliberate on submissions to the draft Annual Plan - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	13	14	15
9 - 15 May							
16 - 22 May	16	17 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Dav	18 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	19 9:00a.m. 4:00p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, Mayor and External Appointee - Glenice Paine (Resource - MR -	20	21	22
23 - 29 May	23 1:00p.m. 3:00p.m. Chief Executive Employment Committee - Mayor, Cllrs Matheson and Acland (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman	24 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	25 9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	26 9:00a.m. 4:00p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward and Mayor (Resource - MR - Council Chamber P) - Ruth Killman	27	28	29
30 May - 5 Jun	30	31 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	1 Jun	2	3	4	5
6 - 12 Jun	6	7	8	9	10	11	12

A1458547

5
Council 19 November 2015

12/11/2015 9:37 a.m.

June 2016							June 2016							July 2016						
							Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
									1	2	3	4	5					1	2	3
							6	7	8	9	10	11	12	4	5	6	7	8	9	10
							13	14	15	16	17	18	19	11	12	13	14	15	16	17
							20	21	22	23	24	25	26	18	19	20	21	22	23	24
							27	28	29	30				25	26	27	28	29	30	31
							Monday							Tuesday						
							Wednesday							Thursday						
							Friday							Saturday						
							Sunday													
30 May - 5 Jun	30 May	31	1 Jun	2	3	4	5													
			9:00a.m. 5:00p.m. Hearings Panel - non RMA (Chamber)	9:00a.m. 11:00a.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 11:00a.m. 4:00p.m. Governance Committee meeting (to commence at conclusion of Council meeting) - members Cllrs Barker, Acland, Davy, Ful																
	6	7	8	9	10	11	12													
	Queen's Birthday	4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)																	
6 - 12 Jun																				
	13	14	15	16	17	18	19													
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 6:00p.m. 8:00p.m. Arts Council Nelson - Cllr Ward (Refinery Artspace / Cllr Ward's studio)	9:00a.m. 5:00p.m. Hearings Panel (Chamber)	9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman																
	20	21	22	23	24	25	26													
20 - 26 Jun	1:00p.m. 3:00p.m. Chief Executive Employment Committee - Mayor, Councillors Acland and Matheson (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman	9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Davy (Tahuna Event Centre)	9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	9:00a.m. 4:00p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, 1:00p.m. 3:00p.m. Audit, Risk and Finance Subcommittee - John Peters, John Murray, Cllrs McG 3:00p.m. 5:00p.m. Commercial Subcommittee - John Murray, John Peters, Cllrs Acland and N	1:00p.m. 5:00p.m. NRSBU Board meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman															
	27	28	29	30	1 Jul	2	3													
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 5:00p.m. Hearings Panel (Chamber) 1:00p.m. 4:00p.m. Public Excluded Facilitated Session Chief Executive Employment - all elected members, Paul Bell and Paul Le Gros (TBC)	9:00a.m. 4:00p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, Mayor and External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman																
27 Jun - 3 Jul																				

July 2016

July 2016							August 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30	31				

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	27 Jun	28	29	30	1 Jul	2	3
27 Jun - 3 Jul							
	4	5	6	7	8	9	10
4 - 10 Jul	2:00p.m. 5:00p.m. Regional Transport Committee Meeting - Mayor and Cllrs Davy, Copeland and McGurk (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	9:00a.m. 4:00p.m. Community Services Committee to hear submissions to the RMP - Sportsground Reserves consultation (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward and Mayor (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Community Services Committee to hear submissions to the RMA - Sportsground Reserves consulta			
	11	12	13	14	15	16	17
11 - 17 Jul	School holidays - start 11 July, finish 22 July						
	1:00p.m. 3:00p.m. Nelson Tasman Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room)	9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 6:00p.m. 8:00p.m. Arts Council Nelson - Cllr Ward (Refinery Artspace / Cllr Ward's studio)	9:00a.m. 5:00p.m. Hearings Panel (Chamber) 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar P 3:00p.m. 5:00p.m. Sister City Coordinating Group - Mayor, Cllr Davy (Resource - MR - Ru	9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, Mayor and External Appointees - John Peters and John Murray (Resource - MR - Council Cham	9:00a.m. 11:00a.m. Chief Executive Employment Committee - Mayor, Cllrs Matheson and Acland (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman		
	18	19	20	21	22	23	24
18 - 24 Jul	School holidays - start 11 July, finish 22 July No Council or Committee meetings for Councillors this week						
		7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Davy (Tahuna Event Centre)					LGNZ 2016 Conference (24-26 July)
	25	26	27	28	29	30	31
25 - 31 Jul	LGNZ 2016 Conference (24-26 July) (Dunedin)						
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	9:00a.m. 5:00p.m. Hearings Panel (Chamber) 9:00a.m. 4:00p.m. Community Services Committee - deliberations on submissions to RMP - Sportsground Reserves consultation (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman			

A1458547

7
Council 19 November 2015

12/11/2015 9:37 a.m.

August 2016							September 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 - 7 Aug	1 Aug	2	3	4	5	6	7
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	9:00a.m. 4:00p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, 1:00p.m. 3:00p.m. Audit, Risk and Finance Subcommittee - John Peters, John Murray, Cllrs McG 3:00p.m. 5:00p.m. Commercial Subcommittee - John Murray, John Peters, Cllrs Acland and N			
8 - 14 Aug	8	9	10	11	12	13	14
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 6:00p.m. 8:00p.m. Arts Council Nelson - Cllr Ward (Refineray Artspace / Cllr Ward's studio)	9:00a.m. 5:00p.m. Hearings Panel - non RMA (Chamber) 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	9:00a.m. 4:00p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, Mayor and External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman			
15 - 21 Aug	15	16	17	18	19	20	21
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Davy (Tahuna Event Centre)		9:00a.m. 4:00p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward and Mayor (Resource - MR - Council Chamber P) - Ruth Killman			
22 - 28 Aug	22	23	24	25	26	27	28
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 1:30p.m. 5:00p.m. Joint Shareholders Committee - Mayor and Cllrs Rainey, McGurk, Davy, Matheson and Barker; followed by CDEM - M	9:00a.m. 5:00p.m. Hearings Panel (Chamber)	9:00a.m. 4:00p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, Mayor and External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman			
29 Aug - 4 Sep	29	30	31	1 Sep	2	3	4

September 2016

September 2016							October 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29 Aug - 4 Sep	29 Aug	30	31	1 Sep	2	3	4
5 - 11 Sep	5	6 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	7 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 3:30p.m. 5:00p.m. Citizenship Ceremony - Mayor (Chamber)	8 9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9	10	11
12 - 18 Sep	12	13 6:00p.m. 8:00p.m. Arts Council Nelson - Cllr Ward (Refinery Artspace / Cllr Ward's studio)	14 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	15	16 10:00a.m. 12:00p.m. Broadgreen Society Incorporated AGM (Broadgreen Centre Meeting Room) 1:00p.m. 5:00p.m. NRSBU Board meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	17	18
19 - 25 Sep	19	20 7:00p.m. 9:00p.m. Tahunanui Beach Holiday Park Incorporated Society - Cllr Davy (Tahuna Event Centre)	21 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	22 9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	23	24	25 Daylight Saving Starts
26 Sep - 2 Oct	26 1:00p.m. 3:00p.m. Nelson Tasman Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room)	27 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	28	29	30	1 Oct	2
	School holidays - start 26 September, finish 7 October						

A1458547

9
Council 19 November 2015

12/11/2015 2:02 p.m.

Administrative Matters Report

1. Purpose of Report

- 1.1 To update Council on a number of matters.

2. Delegations

- 2.1 This is a report for consideration by full Council.

3. Recommendation

THAT the report Administrative Matters Report (R5134) be received.

4. Final Representation Arrangements

- 4.1 On 15 September 2015, following deliberations on submissions to its initial representation proposal, Council decided its final representation proposal to apply for the 2016 and 2019 elections. The proposal was that Council consist of 12 members plus the Mayor, elected on an at large basis, with no communities or community boards established.
- 4.2 The final proposal was publicly notified on 19 September 2015. Notification of the right to appeal or object was also given. No appeals or objections were received, therefore the representation arrangements for the 2016 local elections became the same as in the final proposal. A further public notice to this effect was published on 31 October 2015.

4.3 Update on Delegated Authority to Approve Trafalgar Centre Packages

- 4.4 At the Council meeting on 3 September 2015, it was agreed:

AND THAT the Chief Executive, Her Worship the Mayor, Chair of Community Services and Chair of Works and Infrastructure (or their Deputies) be given delegated authority to approve the total out-turn cost for each package provided it is equal to or below the relevant July 2015 estimate for that package.

- 4.5 The detailed design has largely been completed for packages 1-3: compliance and ground improvements; southern extension strengthening; and main building/maintenance.
- 4.6 Although final costings have not been finalised or peer reviewed, due to the urgency to commence physical works, the total out-turn costs (TOC) for packages 1-3 have been prepared based on draft schedules.
- 4.7 On 4 November 2015 the TOC for packages 1-3 were presented to and signed off by the persons listed in the resolution above. The TOC was approved at \$6,445,608 excluding GST; the guaranteed maximum price was approved at \$7,570,920.
- 4.8 The Project Control Group (PCG) will consider variations to the total outturn costs as and when costings are completed and peer reviewed, provided they remain within the guaranteed maximum price.
- 4.9 Approvals for work packages 4-5 (Northern building and Rutherford Park) are yet to be made.
- 4.10 At the meeting on 4 November, the possibility of additional work within the main stadium to install fixtures for drapes to reduce the size, effectively an inner 'Trafalgar Theatre', was raised. This work is currently out of the scope of the work packages above.
- 4.11 Early enquiries show that this work could be undertaken outside of the work described in 4.7 above. Closure of the stadium for installation would be 2-3 days only.
- 4.12 The draft estimates suggest to achieve all desired outcomes for this work, it would require budget of >\$300,000 (excluding seating). On that basis, it is appropriate to refer this to the draft Annual Plan 2016/17 process.

Linda Canton
Administration Adviser

Attachments

Nil

Minutes of a meeting of the Hearings Panel - Other

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

On Monday 21 September 2015, commencing at 9.56am

Present: Councillors I Barker (Chairperson) and B McGurk

In Attendance: Team Leader Roding and Solid Waste (M Parfitt) and
Administration Adviser (S McLean)

1. Confirmation of Order of Business

There was no change to the order of business.

2. Interests

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

**3. Temporary Road Closures (Masked Parade and Policy
Station Open Day)**

Document number A1404212, agenda pages 3-10 refer.

Team Leader Roding and Solid Waste, Marg Parfitt, presented the
report.

Resolved

***THAT the report Temporary Road Closures
(Masked Parade and Police Station Open Day)
(A1404212) and its attachment (A1407573) be
received;***

***AND THAT the Hearings Panel - Other approve
the application for the temporary road closures
for the Masked Parade on 16-17 October 2015;***

***AND THAT the Hearings Panel - Other approve
the application for the temporary road closures
for the Police Station Open Day on Sunday 18
October 2015.***

Barker/McGurk

Carried

Hearings Panel - Other
21 September 2015

There being no further business the meeting ended at 10.01am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Hearings Panel - Other

**Held in Ruma Ana, Level 2B, Civic House, 110 Trafalgar Street,
Nelson**

On Monday 19 October 2015, commencing at 2.01pm

Present: Councillors P Matheson (Chairperson) and L Acland

In Attendance: Team Leader Roding and Solid Waste (M Parfitt) and
Administration Adviser (S McLean)

1. Confirmation of Order of Business

There was no change to the order of business.

2. Interests

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

**3. Temporary Road Closures (Hampden Street School Gala,
Christmas Carols by Candlelight, Jazz & Blues Festival,
Port Nelson Motorcycle Street Races)**

Team Leader Roding and Solid Waste, Marg Parfitt, presented the
report and confirmed no submissions or objections had been received
for any of the applications.

Resolved

***THAT the report Temporary Road Closures
(Hampden Street School Gala, Christmas Carols
by Candlelight, Jazz & Blues Festival, Port
Nelson Motorcycle Street Races) (A1427905)
and its attachment (A1438309) be received;***

***AND THAT the Hearings Panel approve the
application for the temporary road closure for
the Hampden Street School Gala on Friday 20
November 2015;***

Hearings Panel - Other
19 October 2015

AND THAT the Hearings Panel approve the application for the temporary road closures for the Christmas Carols by Candlelight on 24 December 2015;

AND THAT the Hearings Panel approve the application for the temporary road closure for the Jazz & Blues Festival on 1 January 2016;

AND THAT the Hearings Panel approve the application for the temporary road closures for the Port Nelson motorcycle street races on Saturday 2 January 2016.

Acland/Matheson

Carried

There being no further business the meeting ended at 2.02pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Hearings Panel - Other
19 October 2015

Minutes of a meeting of the Hearings Panel - Other

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

On Thursday 5 November 2015, commencing at 12.17pm

Present: Deputy Mayor P Matheson (Chairperson) and Councillor B McGurk

In Attendance: Investigator/Contracts Supervisor (M Hollows), and
Administration Adviser (G Brown)

1. Confirmation of Order of Business

There was no change to the order of business.

2. Interests

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

3. Temporary Road Closures (Santa Parade, Twilight Market, New Year's Eve Countdown, Tug of Peace, Busker's Festival, Trafalgar Market and Opera in the Park)

Document number A1446549, agenda pages 4-26 refer.

Investigator/Contracts Supervisor, Mark Hollows, presented the report.

Resolved

THAT the report Temporary Road Closures (Santa Parade, Twilight Market, New Year's Eve Countdown, Tug of Peace, Busker's Festival, Trafalgar Market and Opera in the Park) (A1446549) and its attachment (A1451793) be received;

AND THAT the Hearings Panel approve the application for the temporary road closures for the Santa Parade on Sunday 6 December 2015 (or Sunday 13 December 2015 if 6 December has inclement weather);

Hearings Panel - Other
5 November 2015

AND THAT the Hearings Panel approve the application for the temporary road closure for the Twilight Christmas Market on Thursday 17 December 2015;

AND THAT the Hearings Panel approve the application for the temporary road closures for the New Year's Eve Countdown on 31 December 2015 until 1 January 2016;

AND THAT the Hearings Panel approve the application for the temporary road closure for the Tug of Peace on Wednesday 27 January 2016;

AND THAT the Hearings Panel approve the application for the temporary road closures for the Busker's Festival from Thursday 28 January until Sunday 31 January 2016;

AND THAT the Hearings Panel approve the application for the temporary road closure for the Trafalgar Street Market Day on Saturday 30 January 2016;

AND THAT the Hearings Panel approve the application for the temporary road closure for Opera in the Park on Saturday 13 February 2016.

Matheson/McGurk

Carried

There being no further business the meeting ended at 12.18pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

A1455223

2

Hearings Panel - Other
5 November 2015

15. A1455223 - Hearings Panel - Other Minutes 5Nov2015

Minutes of a meeting of the Regional Transport Committee

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

On Friday 16 October 2015, commencing at 1.01pm

Present: Councillor E Davy (Chairperson), Councillors R Copeland (Deputy Chairperson), Her Worship the Mayor R Reese, B McGurk and Ms R Bleakley

In Attendance: Councillors L Acland, M Lawrey and P Rainey, Group Manager Infrastructure (A Louverdis), Senior Asset Engineer – Transport and Roading (R Palmer), Administration Adviser (S McLean), and New Zealand Transport Agency representatives (M Owen and P Hooker)

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

4.1 Dr John Moore, Ms Helen Watson, and Helen Taylor Young, Guardians of Victory

Mr Moore provided detail about the history of the Guardians of Victory and tabled his speech (A1447368) and questions to the Committee (A1445868).

Mr Moore advised that a memorandum of understanding between Guardians of Victory and the New Zealand Transport Agency (NZTA) had been prepared but not signed. He highlighted that the group had received no communication from Council or the NZTA since early 2015

Mr Moore suggested that governance processes surrounding the Nelson Southern Link had been inadequate.

4.2 Craig Dennis and Gary Stocker, Progress Nelson Tasman

Craig Dennis and Gary Stocker tabled speaking notes (A1447406).

Mr Dennis said Progress Nelson Tasman supported the construction of a properly designed Southern Arterial route.

Mr Dennis summarised the history of Progress Nelson Tasman, its membership, role, and focus on the Southern Arterial. He said the Southern Arterial should be seen as an enabler, and highlighted the potential of Rocks Road.

Mr Dennis said it was difficult to see why New Zealand Transport Agency (NZTA) funding was low in Nelson given the high growth rates.

4.3 Robert Stevenson and John Gilbertson, Tahunanui Business Association

Mr Stevenson spoke about the history of the proposed Southern Arterial route. He highlighted that the state highway dissected the Tahunanui community. Mr Stevenson said there would be social, economic and safety benefits in releasing the waterfront and Tahunanui by providing an alternative highway route.

Mr Gilbertson gave a PowerPoint presentation (A1447400) and spoke about the need for a pedestrian refuge in Tahunanui, which had been previously confirmed by the NZTA but not built. He spoke about a recent parking study and highlighted the safety issues in crossing the state highway.

4.4 Paul Anderson, Waimea Road Business and Residents Society Incorporated

Mr Anderson spoke about traffic congestion and the potential for a suburban arterial along Waimea Road. He reminded the Committee of a previous request for trees and greenery along Waimea Road. Mr Anderson raised concerns about the narrowness of Waimea Road and the difficulty turning right onto the Road.

Mr Anderson said the Society supported the completion of the Southern Link. He asked that any consultation be equal and fair. Mr Anderson highlighted the need for mitigation if the Southern Link was built, and if it wasn't, mitigation was required for Waimea Road.

Attachments

- 1 A1447368 - Dr John Moore Guardians of Victory - Speaking Notes - Tabled Document
- 2 A1445868 - Dr John Moore Guardians of Victory - Questions to Committee - Tabled Document
- 3 A1447406 - Craig Dennis Progress Nelson Tasman - Speaking Notes

- Tabled Document

- 4 A1447400 - John Gilbertson Tahunanui Business Association
Powerpoint

5. Confirmation of Minutes

5.1 25 February 2015

Document number M1313, agenda pages 6 - 12 refer.

Resolved RTC/2015/001

THAT the minutes of the meeting of the Regional Transport Committee, held on 25 February 2015, be confirmed as a true and correct record.

McGurk/Copeland

Carried

5.2 10 February 2015

Document number R5011, agenda pages 12 - 17 refer.

Resolved RTC/2015/003

THAT the minutes of the meeting of the Regional Transport Committee, to hear submissions to the draft Nelson Regional Land Transport Plan, held on 10 February 2015, be confirmed as a true and correct record.

McGurk/Copeland

Carried

5.3 5 December 2014

Document number R5012, agenda pages 18 - 22 refer.

Resolved RTC/2015/004

THAT the minutes of the meeting of the Regional Transport Committee, held on 5 December 2014, be confirmed as a true and correct record.

McGurk/Copeland

Carried

6. Chairperson's Report

Document number R4483, agenda pages 23 - 26 refer.

The Chairperson pointed out the Committee had not been involved in any discussions or provided any input to the New Zealand Transport Agency (NZTA) regarding the Nelson Southern Link. He advised it was a project determined by central government which had been placed on an accelerated investment program.

The Chairperson acknowledged that the process surrounding the project may have been different to what the community would usually expect because it was not a Council project.

Attendance: Councillor Copeland left the meeting from 1.55pm to 1.57pm.

Ms Bleakley abstained from the vote.

Resolved RTC/2015/005

THAT the Chairperson's Report (R4483) and its attachment (A1377050) be received;

Copeland/McGurk

Carried

Resolved RTC/2015/006

AND THAT a letter be sent to New Zealand Transport Agency Canterbury Region requesting that Nelson be signed from Waipara via the Lewis Pass.

McGurk/Davy

Carried

Attendance: The meeting adjourned from 2.01pm to 2.06pm.

7. National Land Transport Fund - Nelson Outcomes

Document number R4979, agenda pages 27 - 36 refer.

Senior Asset Engineer – Transport and Roading, Rhys Palmer, presented the report.

Comments were made on the timing of urban cycleway linkages and the proposed Rocks Road development.

Mr Palmer advised that a programme of walking and cycling projects would be presented to the upcoming Works and Infrastructure Committee meeting. It was suggested that commentary around funding could be included with the programme information.

Resolved RTC/2015/007

THAT the report National Land Transport Fund - Nelson Outcomes (R4979) and its attachment (A1434647) be received.

Davy/McGurk

Carried

8. New Zealand Transport Agency Update

Document number R4989, agenda pages 37 - 44 refer.

New Zealand Transport Agency (NZTA) Regional Director, Raewyn Bleakley, presented the report and advised that the NZTA Chief Executive had resigned.

Ms Bleakley spoke about the Nelson Southern Link and tabled a guide to the NZTA business case approach (A1452555) which was available on the NZTA website. She advised previous relevant studies would be drawn on when developing the business case, and said the air, noise and transport modelling had been completed.

Ms Bleakley said NZTA was in the process of completing the strategic business case phase and this would be published by the end of 2015. She pointed out that once this phase of work was complete, the focus would shift to identifying solutions.

Ms Bleakley advised that local community feedback would be sought as part of the investigation currently planned for early 2016. She highlighted that NZTA was committed to engagement as well as informing the public of investigation outcomes.

In response to a question, Ms Bleakley advised that, if requested, NZTA could hold a briefing for Council once the strategic business case was published.

Point of Order: A Point of Order was raised under Standing Order 3.13.4(a), questioning why non-members were unable to participate in the meeting. The Chairperson declined the point of order due to the controversial nature of the Nelson Southern Link.

Attendance: The meeting adjourned from 2.29pm to 2.41pm.

Resolved RTC/2015/008

THAT the report New Zealand Transport Agency Update (R4989) and its attachments (A1438448 and A1438451) be received.

Davy/McGurk

Carried

Attachments

- 1 A1452555 - NZTA Business Case Approach - Tabled Document

There being no further business the meeting ended at 2.44pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Works and Infrastructure Committee

**Held in the Wakapuaka Hall, 460 State Highway 6, Main Road,
Wakapuaka, Nelson**

On Thursday 22 October 2015, commencing at 9.02am

Present: Councillor E Davy (Chairperson), Councillors I Barker, L Acland, R Copeland, M Lawrey (Deputy Chairperson) and T Skinner

In Attendance: Group Manager Infrastructure (A Louverdis), and Administration Adviser (G Brown)

Apologies: Her Worship the Mayor R Reese and Councillor G Noonan

1. Apologies

Resolved WI/2015/001

***THAT apologies be received and accepted from
Her Worship the Mayor R Reese and Councillor G Noonan.***

Lawrey/Skinner

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

The Chairperson advised that there would be a public forum.

4.1 Pip Murdoch spoke about traffic concerns at Lud Valley Road.

She advised the Committee that trucks used the road frequently and many road users were driving to speeds of up to 100kph.

Ms Murdoch said she sought improvements to the road width, implementation of speed restrictions and sealing of the remainder of the road.

In response to questions, Ms Murdoch said many of the residents had the same concerns. She added that the length of the unsealed road was less than 1km and that four residents were situated along this area.

5. Confirmation of Minutes

5.1 10 September 2015

Document number M1457, agenda pages 7 - 14 refer.

Resolved WI/2015/030

THAT the minutes of the meeting of the Works and Infrastructure Committee, held on 10 September 2015, be confirmed as a true and correct record.

Davy/Copeland

Carried

6. Status Report - Works and Infrastructure Committee - 22 October 2015

Document number R5009, agenda pages 15 - 19 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report.

Mr Louverdis answered questions on the status report items.

Resolved WI/2015/031

THAT the Status Report Works and Infrastructure Committee 22 October 2015 (R5009) and its attachment (A1150321) be received.

Lawrey/Barker

Carried

7. Chairperson's Report

There was no Chairperson's Report.

TRANSPORT AND ROADING

8. Transportation Asset Management Plan 2015-2025

Document number R4863, agenda pages 20 - 25 refer.

Senior Asset Engineer – Transport and Roading, Rhys Palmer, presented the report.

Group Manager Infrastructure, Alec Louverdis, highlighted that the Transportation Asset Management Plan 2015-2025 was a living document and would continue to be updated.

In response to a question, Mr Palmer advised that the New Zealand Transport Agency (NZTA) continued to invest in transport infrastructure in Nelson at the standard funding rate, which equated to approximately \$350,000.

In response to a further question, Mr Palmer explained that for the same ratepayer investment as in previous years there would now be a wider bus route coverage for the Nelson bus service due to an increase in subsidy from NZTA.

Resolved WI/2015/032

THAT the report Transportation Asset Management Plan 2015-2025 (R4863) and its attachments (A1427524, A1156705 and A1435841) be received.

Barker/Skinner

Carried

Recommendation to Council WI/2015/033

THAT the Transportation Asset Management Plan 2015-2025 (A1156705), amended to reflect the Long Term Plan 2015-25, be adopted.

Barker/Skinner

Carried

WATER, WASTEWATER, STORMWATER

9. Greenmeadows Stormwater Easement Consent

Document number R4822, agenda pages 26 - 29 refer.

Team Leader Engineer, Mel Large, presented the report.

In response to a question, Ms Large, clarified that the easement was outside the footprint for the Stoke Community and Sports Facility development.

Resolved WI/2015/034

THAT the report Greenmeadows Stormwater Easement Consent (R4822) and its attachment (A1436622) be received.

Lawrey/Barker

Carried

Recommendation to Council WI/2015/035

THAT Council grant the Nelson City Council an easement pursuant to Section 48(1) of the Reserves Act 1977 under delegated authority from the Minister of Conservation, over Part Section 50 District of Suburban South defined on DP4585, as described in report (R4822).

Lawrey/Barker

Carried

SOLID WASTE

10. Solid Waste Asset Management Plan 2015-2025

Document number R4295, agenda pages 30 - 132 refer.

Senior Asset Engineer – Solid Waste, Johan Thiart, presented the report.

Resolved WI/2015/036

THAT the report Solid Waste Asset Management Plan 2015-2025 (R4295) and its attachments (A1428173 and A1428146) be received.

Lawrey/Copeland

Carried

Recommendation to Council WI/2015/037

THAT the Solid Waste Asset Management Plan 2015-2025 (A1428146), amended to reflect the Long Term Plan 2015-25, be adopted.

Lawrey/Copeland

Carried

Attendance: The meeting adjourned for morning tea from 9.30am until 9.46am.

11. Exclusion of the Public

Resolved WI/2015/038

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:

Davy/Acland

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	Works and Infrastructure Committee Meeting Minutes - Public Excluded - 10 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)(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.
2	Status Report - Works and Infrastructure Committee - 22	Section 48(1)(a) The public conduct of this matter would be	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(b)(i) To protect information

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	October 2015	likely to result in disclosure of information for which good reason exists under section 7	where the making available of the information would disclose a trade secret

The meeting went into public excluded session at 9.47am and resumed in public session at 9.55am.

As the only business transacted in public excluded was to confirm the minutes and receive the status report, this business has been recorded in the public minutes. In accordance with the Local Government Official Information Meetings Act, no reason for withholding this information from the public exists.

12. Confirmation of Minutes

12.1 10 September 2015

Document number M1458, agenda pages 3 - 6 refer.

Resolved WI/2015/039

THAT the minutes of part of the meeting of the Works and Infrastructure Committee, held with the public excluded on 10 September 2015, be confirmed as a true and correct record.

Barker/Skinner

Carried

13. Status Report - Works and Infrastructure Committee - 22 October 2015

Document number R5010, agenda pages 7 - 8 refer.

Resolved WI/2015/040

THAT the public excluded Status Report Works and Infrastructure Committee 22 October 2015 (R5010) and its attachment (A1150333) be received.

Acland/Lawrey

Carried

12. Re-admittance of the Public

Resolved WI/2015/041

THAT the public be re-admitted to the meeting.

Davy/Acland

Carried

There being no further business the meeting ended at 9.55am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Planning and Regulatory Committee

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

On Thursday 29 October 2015, commencing at 9.00am

Present: Councillor B McGurk (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker, E Davy, K Fulton (Deputy Chairperson), M Lawrey, M Ward and Ms G Paine

In Attendance: Councillors P Matheson and T Skinner, Group Manager Strategy and Environment (C Barton), Manager Administration (P Langle), and Administration Adviser (G Brown)

Apology: Councillor R Copeland

1. Apology

Resolved PR/2015/051

***THAT an apology be received and accepted from
Councillor Copeland.***

Davy/Barker

Carried

2. Confirmation of Order of Business

The Chairperson advised there would be two public forum speakers.

3. Interests

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

4. Public Forum

4.1 Peter Olorenshaw spoke about air quality and cold homes.

Mr Olorenshaw spoke to a tabled document (A1452216).

Attendance: Councillor Lawrey joined the meeting at 9.03am.

In response to questions, Mr Olorenshaw said the increase in respiratory illnesses could be from cold homes due to high electricity costs.

In response to a question, Mr Olorenshaw said he sought an increase in more efficient woodburners. He stated that it was clear damp houses contributed to respiratory illnesses.

Attachments

- 1 A1452216 - Tabled Document - Peter Olorenshaw Woodburners in Nelson

Attendance: Her Worship the Mayor joined the meeting at 9.13am.

4.2 Chamian Koed spoke about warmer homes.

Ms Koed spoke to a tabled document (A1452532).

In response to a question, Ms Koed said insulation played an important part in warmer homes.

She added that wood was not a cheap option to warm homes.

Attachments

- 1 A1452532 - Tabled Document - Charmian Koed Warmer Homes

5. Confirmation of Minutes

5.1 17 September 2015

Document number M1476, agenda pages 7 - 14 refer.

Resolved PR/2015/052

THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 17 September 2015, be confirmed as a true and correct record.

McGurk/Ward

Carried

6. Status Report - Planning and Regulatory Committee - 29 October 2015

Document number R5048, agenda pages 15 - 16 refer.

Resolved PR/2015/053

THAT the Status Report Planning and Regulatory Committee 29 October 2015 (R5048) and its attachment (A1155974) be received.

McGurk/Paine

Carried

7. Chairperson's Report

Document number R5050, agenda pages 17 - 19 refer.

It was highlighted that the Nelson Tasman Land Development Manual Steering Group was working well and there was a willingness to cooperate between the parties.

Resolved PR/2015/054

THAT the Chairperson's Report (R5050) be received and the contents noted.

McGurk/Ward

Carried

POLICY AND PLANNING

8. Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality

Document number R4973, agenda pages 20 - 24 refer.

Manager Planning, Matt Heale, presented the report.

In response to a question, Mr Heale advised the Air Quality Plan Change would cost approximately \$100,000 in the current financial year, however this would flatten out over time with the Nelson Plan review.

In response to a question, Mr Heale advised that air quality modelling data was currently being finalised.

Councillor Fulton, seconded by Councillor McGurk moved the recommendation in the Officer's report.

With the agreement of the mover and seconder, the second clause of the recommendation to Council was amended so the independent hearing panel would be decided by Her Worship the Mayor, the Chair and Deputy Chair of the Planning and Regulatory Committee.

Attendance: The meeting adjourned from 9.40am until 9.44am.

There was agreement that it was important to have an independent panel to ensure there was no predetermination in relation to woodburners.

It was highlighted that expectations needed to remain modest as the National Environmental Standards needed to be adhered to.

Resolved PR/2015/055

THAT the report Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality (R4973) be received;

AND THAT the Planning and Regulatory Committee refers the Woodburner Plan Change provisions and notification decision to Council for consideration in December 2015.

Fulton/McGurk

Carried

Recommendation to Council PR/2015/056

THAT a Plan change to alter the woodburner provisions of the Nelson Air Quality Plan is notified in January 2016;

AND THAT in respect of the plan change for the Air Quality Plan an independent hearing panel be decided by Her Worship the Mayor, the Chair and Deputy Chair of the Planning and Regulatory Committee and be given delegations to hear and make decisions on the Woodburner Plan Change.

Fulton/McGurk

Carried

9. Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules

Document number R4793, agenda pages 25 - 35 refer.

Team Leader Roading and Solid Waste, Marg Parfitt, presented the report.

Ms Parfitt advised the Committee there was an error in 4.1 of the report which read 'The bylaw requires updating since the last update in 2012' it should read 'last update in June 2015'.

Attendance: Councillor Barker left the meeting from 10.03am until 10.04am.

Resolved PR/2015/057

THAT the report Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R4793) and its attachments (A1422439, A1422090, A1422460, A1422470. A1422471, A1422472, A1422474) be received;

AND THAT the following alterations (as detailed in report R4793) to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:

Schedule 4: Special Parking Areas;

***Schedule 9: No Stopping;
Schedule 14: Give Way Signs.***

Davy/Ward

Carried

10. Adding Further Building Consent Exemptions for Work which does not require a Building Consent

Document number R4379, agenda pages 36 - 41 refer.

Manager Building, Martin Brown, presented the report.

Resolved PR/2015/058

THAT the report Adding Further Building Consent Exemptions for Work which does not require a Building Consent (R4379) be received;

AND THAT the Planning and Regulatory Committee approve the further exemptions detailed under point 6.1 (in report R4379) in full.

McGurk/Paine

Carried

11. Strategy and Environment Report for 1 July to 30 September 2015

Document number R4816, agenda pages 42 - 67 refer.

Manager Planning, Matt Heale, Manager Building, Martin Brown, Manager Consents and Compliance, Mandy Bishop and Manager Environmental Programmes, Dean Evans, presented the report.

In response to a question, Mr Brown advised that Council sought feedback from individuals in relation to their experience with the building consent process.

In response to a question, Group Manager Strategy and Environment, Clare Barton explained that there would be a consultation process in relation to the Nelson Plan outcomes in November. The Nelson Plan notification would be pushed out to early 2017.

Mr Heale also indicated that the Flooding and Coastal Hazards workshop would need to be moved to early 2016 due to the difficulty finding dates in December 2016.

Resolved PR/2015/059

THAT the report Strategy and Environment Report for 1 July to 30 September 2015 (R4816) and its attachments (A1422892, A1438034, A1420863, A1439736 and A1378644) be received.

McGurk/Davy

Carried

12. Exclusion of the Public

Resolved PR/2015/060

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:

Davy/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	Amendment to the Agreement Regarding the Appointment of Harbourmaster for the Nelson Region and Related Matters	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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 10.22am and resumed in public session at 10.27am.

13. Re-admittance of the Public

Resolved PR/2015/061

THAT the public be re-admitted to the meeting.

McGurk/Ward

Carried

There being no further business the meeting ended at 10.27am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Joint Committee of Tasman District and Nelson City Councils

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

On Tuesday 3 November 2015, commencing at 9.04am

Present: Her Worship the Mayor R Reese (Chairperson), Nelson City Councillors Ian Barker, Ruth Copeland, Eric Davy, Matt Lawrey, Brian McGurk, Pete Rainey, Tim Skinner, and Mike Ward, His Worship the Mayor of Tasman Richard Kempthorne, Tasman District Councillors Stuart Bryant, Pete Canton, Barry Dowler, Brian Ensor, Mark Greening, Jack Inglis, Tim King (Deputy Mayor), and Zane Mirfin

In Attendance: Tasman District Council Corporate Services Manager (M Drummond), Nelson City Council Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Manager Library and Heritage Facilities (I Littleworth), Manager Administration (P Langley), and Administration Adviser (E-J Ruthven)

Apologies: Nelson City Councillors Paul Matheson (Deputy Mayor) and Gaile Noonan

Tasman District Councillors Martine Bouillir, Judene Edgar, Trevor Norriss, and Paul Sangster

1. Apologies

Resolved JC/2015/001

THAT apologies be received and accepted from Nelson City Councillors Matheson and Noonan, and Tasman District Councillors Bouillir, Edgar, Norriss and Sangster.

Her Worship Mayor Reese/His Worship Mayor Kempthorne

Carried

2. Confirmation of Order of Business

Her Worship Mayor Reese said there would be a public forum presentation from Councillor Barker.

3. Interests

There were no updates to the Interests Register. Her Worship Mayor Reese reminded councillors to declare interests in relation to each agenda item as they arose.

4. Public Forum

Councillor Barker acknowledged the recent success of the All Blacks at the Rugby World Cup 2015, and noted that several members of the team hailed from the Nelson and Tasman area.

Resolved JC/2015/002

THAT a message be sent to the All Blacks, congratulating them for their victory at Rugby World Cup 2015, and acknowledging members of the All Blacks team from the Nelson/Tasman area.

Barker/Dowler

Carried

5. Confirmation of Minutes

5.1 3 March 2015

Document number M1549, agenda pages 6 - 9 refer.

Resolved JC/2015/003

THAT the minutes of the meeting of the Joint Committee of Tasman District and Nelson City Councils, held on 3 March 2015, be confirmed as a true and correct record.

Her Worship Mayor Reese/His Worship Mayor Kempthorne

Carried

6. Exclusion of the Public

Her Worship Mayor Reese explained that Olivia Hall of Tasman Bays Heritage Trust, Bronwyn Monopoli and Matthew McDonald of Port Nelson Limited, and Paul Steere, Rob Evans and Simon Orr of Nelson Airport Limited, would be in attendance for Items 4, 5 and 6 respectively of the

Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved JC/2015/004

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Olivia Hall, Bronwyn Monopoli, Matthew McDonald, Paul Steere, Rob Evans and Simon Orr remain after the public has been excluded, for Items 4,5 and 6 respectively of the Public Excluded agenda Presentations, as they have knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Olivia Hall, Bronwyn Monopoli, Matthew McDonald, Paul Steere, Rob Evans and Simon Orr possess relates to Council Controlled Organisations and Council Controlled Trading Organisations.

Davy/Dowler

Carried

Resolved JC/2015/005

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:

Davy/Dowler

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	Joint Committee Meeting - Public Excluded Minutes - 3 March 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)(b) To protect information that may disclose a trade secret or the commercial position of a person • Section 7(2)(h) To carry out

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 • Section 7(2)(i) To carry out negotiations
2	Tasman Bays Heritage Trust Presentation	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: • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3	Port Nelson Ltd Presentation	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: • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
4	Nelson Airport Ltd Presentation	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: • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
5	Joint Council Controlled Organisations - matters for the Statements of Expectations (Port, Airport, TBHT)	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: • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 9.09am and resumed in public session at 10.51am, during which time Councillor Mirfin joined the meeting.

7. Re-admittance of the Public

Resolved JC/2015/006

THAT the public be re-admitted to the meeting.

Her Worship Mayor Reese/His Worship Mayor Kempthorne

Carried

There being no further business the meeting ended at 10.51am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Community Services Committee

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

On Tuesday 3 November 2015, commencing at 1.03pm

Present: Councillor P Rainey (Chairperson), Her Worship the Mayor R Reese, Councillors R Copeland, M Lawrey, T Skinner and M Ward

In Attendance: Councillors I Barker and B McGurk, Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), Administration Adviser (S McLean), and Nelson Youth Councillors (T Shuker and K Phipps)

Apologies: Councillors P Matheson and G Noonan

1. Apologies

Resolved CS/2015/065

***THAT apologies be received and accepted from
Councillors Noonan and Matheson.***

Ward/Skinner

Carried

2. Confirmation of Order of Business

The Chairperson noted the meeting would be recorded for live-streaming to Council's YouTube channel.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 24 September 2015

Document number M1496, agenda pages 8 - 18 refer.

A correction was requested to page 9 of the minutes, replacing 'would be attending' with 'may be attending' in paragraph three.

Resolved CS/2015/066

THAT the amended minutes of the meeting of the Community Services Committee, held on 24 September 2015, be confirmed as a true and correct record.

Lawrey/Ward

Carried

6. Status Report - Community Services Committee - 3 November 2015

Document number R5075, agenda pages 19 - 21 refer.

Resolved CS/2015/067

THAT the Status Report Community Services Committee 3 November 2015 (R5075) and its attachment (A1157454) be received.

Lawrey/Ward

Carried

7. Chairperson's Report

The Chairperson congratulated Council officers on the success of the Arts Festival.

ARTS, FESTIVALS AND EVENTS

8. Heritage Activity Management Plan 2015-25

Document number R4449, agenda pages 22 - 84 refer.

Manager Community Partnerships, Shanine Hermsen, presented the report.

In response to questions, Manager Library and Heritage Facilities, Ian Littleworth, advised the process had commenced for the review of staffing costs in heritage facilities.

Mr Littleworth said Council was hopeful to have Isel House open four days per week and this took priority over development of a strategic business plan.

Resolved CS/2015/068

THAT the report Heritage Activity Management Plan 2015-25 (R4449) and its attachments (A372602 and A1446536) be received.

Rainey/Copeland

Carried

Recommendation to Council CS/2015/069

THAT the Heritage Activity Management Plan 2015-2025 (A372602), amended to reflect the Long Term Plan 2015-25, be adopted.

Copeland/Ward

Carried

RECREATION AND LEISURE

9. Parks and Reserves Asset Management Plan 2015-25

Document number R4643, agenda pages 85 - 273 refer.

Parks and Facilities Asset Planner, Andrew Petheram, presented the report.

In response to a question, Mr Petheram advised that progress on new Lifesaving Clubrooms was with Tahunanui Beach Surf Lifesaving Club to make contact with Council. He said this project had been recognised in the Asset Management Plan (AMP) but no funding had been allocated.

In response to questions, Mr Petheram confirmed the AMP reflected the recent Active Travel and Pathway Based Recreation Policy. He said a shoreline management plan would be presented to councillors towards the end of this financial year.

Resolved CS/2015/070

THAT the report Parks and Reserves Asset Management Plan 2015-25 (R4643) and its attachment (A1225419) be received.

Lawrey/Ward

Carried

Recommendation to Council CS/2015/071

THAT the Parks and Reserves Asset Management Plan 2015-25 (A1225419), amended to reflect the Long Term Plan 2015-25, be adopted.

Rainey/Ward

Carried

10. Property and Facilities Asset Management Plan 2015-25

Document number R4278, agenda pages 274 - 276 refer.

Property and Facilities Asset Manager, Michael Homan, presented the report.

Resolved CS/2015/072

THAT the report Property and Facilities Asset Management Plan 2015-25 (R4278) and its attachments (A1448982, A1448986) be received.

Rainey/Ward

Carried

Recommendation to Council CS/2015/073

THAT the Property and Facilities Asset Management Plan 2015-25 (A1448986), amended to reflect the Long Term Plan 2015-2025, be adopted.

Rainey/Skinner

Carried

COMMUNITY DEVELOPMENT

11. Community Partnerships Activity Management Plan 2015-25

Document number R4447, agenda pages 277 - 299 refer.

Manager Community Partnerships, Shanine Hermsen, presented the report.

The Chairperson asked that officers consider how Activity and Asset Management Plans reference crossovers between plans in future.

In response to a question, Ms Hermsen said only minor changes had been made to city safety initiatives in the last few years. She confirmed the Ministry of Justice funding in this area had ceased and the Council budget in this area remained unchanged.

Feedback on the success of the CCTV cameras was requested.

It was noted there was discrepancy in plans regarding demographic projections and this would be addressed by officers.

Resolved CS/2015/074

THAT the report Community Partnerships Activity Management Plan 2015-25 (R4447) and its attachments (A1236577 and A1437886) be received.

Rainey/Copeland

Carried

Recommendation to Council CS/2015/075

THAT the Community Partnerships Activity Management Plan 2015-2025 (A1236577), amended to reflect the Long Term Plan 2015-25, be adopted.

Ward/Skinner

Carried

REPORTS FROM COMMITTEES

12. Nelson Youth Council - Update

Nelson Youth Councillor, Keegan Phipps, spoke about his involvement in the Active Travel and Pathway Based Recreation Policy. He highlighted that the development of a route through Tahunanui and on to the city centre was of interest to youth.

Mr Phipps spoke about a recent meeting with the Youth Health Alliance regarding methods for obtaining feedback from youth. He said the Masked Parade had been a success.

Nelson Youth Councillor, Taylah Shuker, spoke about planning and recruitment for youth in emergency services and the induction for the 2016 Youth Council.

The Youth Councillors thanked Council and the Committee for the continued support for Nelson Youth Council.

The Committee congratulated Mr Phipps on his Youth Member of Parliament position.

13. Nelson Youth Council - 18 September 2015

Document number M1466, agenda pages 300 - 307 refer.

Resolved CS/2015/076

THAT the minutes of a meeting of the Nelson Youth Council, held on 18 September 2015, be received.

Rainey/Lawrey

Carried

14. Exclusion of the Public

Resolved CS/2015/077

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:

Rainey/Skinner

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	Community Services Committee Meeting Minutes - Public Excluded - 24 September 2015	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • 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.
2	Status Report - Community Services Committee - 3 November 2015	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Community Leases - Omnibus Report	<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)(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)

The meeting went into public excluded session at 1.42pm and resumed in public session at 2.33pm, during which time Councillor Copeland left the meeting.

15. Re-admittance of the Public

Resolved CS/2015/078

THAT the public be re-admitted to the meeting.

Ward/Skinner

Carried

There being no further business the meeting ended at 2.33pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Governance Committee

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

On Thursday 5 November 2015, commencing at 9.01am

Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland (Deputy Chairperson), E Davy, K Fulton, P Matheson, B McGurk, G Noonan, and P Rainey, Mr J Murray and Mr J Peters

In Attendance: Chief Executive (C Hadley), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Administration Manager (P Langley), and Administration Adviser (G Brown)

Apology: Her Worship the Mayor R Reese for lateness

1. **Apology**

Resolved GOV/2015/068

***THAT an apology be received and accepted from
Her Worship the Mayor for lateness.***

Davy/Noonan

Carried

2. **Confirmation of Order of Business**

The Chairperson advised that item 8, Audit, Risk and Finance Subcommittee Terms of Reference, would not be considered at this meeting and the following resolution was passed.

Resolved GOV/2015/069

***THAT the item Audit, Risk and Finance
Subcommittee Terms of Reference be deferred to
the next Governance Committee meeting.***

Barker/Fulton

Carried

There were no further changes to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 1 October 2015

Document number M1503, agenda pages 9 - 16 refer.

Resolved GOV/2015/070

THAT the minutes of the meeting of the Governance Committee, held on 1 October 2015, be confirmed as a true and correct record.

Matheson/Davy

Carried

6. Chairperson's Report

The Chairperson highlighted the Royal Visit on 7 November 2015 and said it would be a great occasion for the City.

He acknowledged the recent success of the All Blacks at Rugby World Cup 2015 and advised that a letter of congratulations would be sent to them.

Attendance: Her Worship the Mayor joined the meeting at 9.04am.

7. Review of Nelson City Council's Policy for Appointing Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations

Document number R4276, agenda pages 17 - 26 refer.

Group Manager Community Services, Chris Ward, presented the report. He advised the Committee that an additional bullet point in section 4 of the procedure was required to allow for flexibility and would read:

'4.1.3 Decide on the composition of the interview panel.'

He added that due to this additional bullet point consequential changes would be required to section 4.

It was noted that the numbering in section 3 needed to be rectified.

In response to a question, Mr Ward clarified that the Procedure was to provide guidance to the Board who would decide on the criteria for the appointment of directors and trustees.

In response to a further question, Mr Ward explained that if a trustee or director chose to stand for election they would not need to resign from their position as they were not appointed by Council.

Attendance: Councillor Matheson left the meeting at 9.18am.

It was suggested that a robust process was required for assessing a Board's performance.

Resolved GOV/2015/071

THAT the report Review of Nelson City Council's Policy for Appointing Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations (R4276) and its attachments (A1417327 and A284857) be received.

Acland/McGurk

Carried

Recommendation to Council GOV/2015/072

THAT the reviewed and amended Nelson City Council Policy for the Appointment of Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations (A284857) be adopted.

Acland/McGurk

Carried

8. Service Level Reviews: Process, Criteria, Resourcing

Document number R5014, agenda pages 34 - 43 refer.

Senior Strategic Adviser, Nicky McDonald, presented the report.

In response to a question, Ms McDonald advised there was a robust system for service level review of contracts for services under \$100,000.

In response to a further question, Ms McDonald explained that the 'Estimated resource required' column in attachment 1 was a conservative estimate by officers and 'Low' resource could mean some work had already been done in that area. She added there was the risk that officers would need to direct their time away from other workloads to respond to this statutory requirement.

In response to a question, Ms McDonald advised that in relation to timeframes for reporting back on service level reviews she would have a better estimation once several reviews had been conducted.

Resolved GOV/2015/073

THAT the report Service Level Reviews: Process, Criteria, Resourcing (R5014) and its attachment (A1445250) be received.

Davy/McGurk

Carried

Recommendation to Council GOV/2015/074

THAT approval is given for the proposed approach (as detailed in R5014) to review all applicable services in order to comply with the requirements of Section 17A of the Local Government Act 2002;

AND THAT a quarterly report back on the progress of the review be prepared for the Governance Committee.

Davy/McGurk

Carried

REPORTS FROM COMMITTEES

9. Commercial Subcommittee - 14 October 2015

Document number M1527, agenda pages 44 - 46 refer.

Resolved GOV/2015/075

THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 14 October 2015, be received.

Murray/Rainey

Carried

10. Audit, Risk and Finance Subcommittee - 14 October 2015

Document number M1529, agenda pages 47 - 51 refer.

Resolved GOV/2015/076

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 14 October 2015, be received.

Peters/Murray

Carried

10.1 Draft Asset Disposal Policy

Recommendation to Council GOV/2015/077

THAT the Draft Asset Disposal Policy (A1412442) with amendments be approved;

AND THAT the Delegations Manual is updated to reflect the delegations in the Asset Disposal Policy.

Peters/Rainey

Carried

10.2 Draft Risk Management Framework

Recommendation to Council GOV/2015/078

THAT the Draft Risk Management Framework (A1431591) with amendments be approved.

Peters/Rainey

Carried

10.3 Corporate Report to 31 August 2015

Recommendation to Council GOV/2015/078

THAT \$350,000 for the upgrade of the Civic House verandah be deferred until 2017/18;

AND THAT \$200,000 for the upgrade of the Hunter Furniture roof be deferred until 2016/17.

Peters/Rainey

Carried

Attendance: The meeting adjourned from 9.43am until 9.55am.

11. Exclusion of the Public

Resolved GOV/2015/078

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:

Rainey/Matheson

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	Governance Committee Meeting Minutes - Public Excluded - 1 October 2015	<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.
2	Nelmac Statement of Expectation 2016/17	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Bishop Suter Trust Statement of Expectation 2016/17	<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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	<p>Commercial Subcommittee Meeting Minutes - Public Excluded - 14 October 2015</p> <p>These minutes contain a</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</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)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	recommendation regarding land purchase in Stoke	under section 7.	<p>To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <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. • 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.

The meeting went into public excluded session at 9.56am and resumed in public session at 10.50am.

12. Re-admittance of the Public

Resolved GOV/2015/079

THAT the public be re-admitted to the meeting.

Barker/Acland

Carried

There being no further business the meeting ended at 10.50am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Chief Executive Employment Committee

Held in Ruma Ana, Level 2B, Civic House, 110 Trafalgar Street, Nelson

On Tuesday 10 November 2015, commencing at 3.03pm

Present: Her Worship the Mayor R Reese (Chairperson), and Councillor P Matheson (Deputy Mayor)

In Attendance: External Adviser to the Chief Executive Employment Committee (P Bell), Chief Executive (C Hadley), and Administration Adviser (G Brown)

Apology: Councillor L Acland

1. Apologies

Resolved CEE/2015/021

THAT an apology be received and accepted from Councillor Acland.

Her Worship the Mayor/Matheson

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 14 September 2015

Document number M1471, agenda pages 7 - 10 refer.

Resolved CEE/2015/022

THAT the minutes of the meeting of the Chief Executive Employment Committee, held on 14 September 2015, be confirmed as a true and correct record.

Her Worship the Mayor/Matheson

Carried

6. Discussion on Meeting Dates for 2016

Document number A1435804

Manager Administration, Penny Langley, joined the meeting.

A document was tabled (A1435804) regarding proposed 2016 dates for the Chief Executive Employment Committee.

It was discussed that further conversations were required in relation to the 2016 dates before they were considered by Council on 19 November.

It was highlighted the intention was to complete the Chief Executive Remuneration review before the 2016 election.

Resolved CEE/2015/023

THAT the proposed Chief Executive Employment Committee dates 2016 (A1435804) be received.

Her Worship the Mayor/Matheson

Carried

Attachments

- 1 A1435804 - Tabled Document - Chief Executive Employment Committee 2016 dates

7. Exclusion of the Public

Resolved CEE/2015/024

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Paul Bell remain after the public has been excluded, for Items 3-6 of the Public Excluded agenda (Performance Assessment 2014/15, Remuneration Review 2014/15, Risk Management KPI and Staff Statistics Quarterly Report), as he has knowledge that will assist the Committee;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and

Meetings Act 1987, the knowledge that Paul Bell possesses relates to the Chief Executive's performance, remuneration and development, which is relevant to the Chief Executive Employment Committee.

Her Worship the Mayor/Matheson

Carried

Resolved CEE/2015/025

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/Matheson

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	Chief Executive Employment Committee Meeting Minutes - Public Excluded - 14 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)(a) To protect the privacy of natural persons, including that of a deceased person.
2	Chairperson's Report	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
3	Chief Executive Performance Assessment 2014/15	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)(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)
		good reason exists under section 7	
4	Chief Executive Remuneration Review 2014/15	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
5	Risk Management KPI	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
6	Staff Statistics - Quarterly Report for the Quarters ending 30 June 2015 and 30 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)(c)(i) 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 to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied

The meeting went into public excluded session at 3.15pm and resumed in public session at 4.43pm.

8. Re-admittance of the Public

Resolved CEE/2015/026

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Matheson

Carried

There being no further business the meeting ended at 4.43pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date