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## 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

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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	<p><b>Governance Committee Meeting Minutes - Public Excluded - 1 October 2015</b></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"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.</li> </ul>
2	<p><b>Nelmac Statement of Expectation 2016/17</b></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"> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
3	<p><b>Bishop Suter Trust Statement of Expectation 2016/17</b></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"> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
4	<p><b>Commercial Subcommittee Meeting Minutes - Public Excluded - 14 October 2015</b></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"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.</li> <li>• Section 7(2)(h)</li> </ul>

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"> <li>• Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.</li> <li>• 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.</li> </ul>

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