

Minutes of an extraordinary meeting of the Governance Committee

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

On Thursday 3 March 2016, commencing at 1.30pm

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

In Attendance: Councillor M Lawrey, 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 Communications (P Shattock), Administration Adviser (S Burgess), and Nelson Youth Councillors (F Sawyer and L Wilkes)

Apologies: Councillors E Davy and P Rainey

1. Apologies

Resolved GOV/2016/001

THAT apologies be received and accepted from Councillors Davy and Rainey.

McGurk/Noonan

Carried

2. Confirmation of Order of Business

The Chairperson advised that a public forum presentation had been arranged since the agenda was distributed.

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 Kerry Neal

Mr Neal tabled a document (A1512793) and spoke on behalf of the Nelson Residents Association, raising concerns about the Trafalgar Centre budget and unbudgeted amounts for roading for the Trafalgar Centre project. He spoke about health and safety in employment versus safety provisions in the Building Act 2004. Mr Neal suggested that the Victory Room at the Trafalgar Centre had been demolished without adherence to Council's Significance and Engagement Policy.

Mr Neal advised the Nelson Residents Association had no intention of organising at considerable cost any local government candidates meetings in 2016. On a personal note, he raised concerns about the Mayor's interaction with a contractor.

Attachments

- 1 A1512793 - Kerry Neal Tabled Document

5. Confirmation of Minutes

5.1 5 November 2015

Document number M1580, agenda pages 9 - 15 refer.

Resolved GOV/2016/002

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

McGurk/Matheson

Carried

5.2 24 December 2015 - Extraordinary Meeting

Document number M1670, agenda pages 16 - 18 refer.

Resolved GOV/2016/003

THAT the minutes of the extraordinary meeting of the Governance Committee, held on 24 December 2015, be confirmed as a true and correct record.

Matheson/Fulton

Carried

6. Status Report - Governance Committee- 3 March 2016

Document number R5557, agenda pages 19 - 20 refer.

Resolved GOV/2016/004

THAT the Status Report Governance Committee 3 March 2016 (R5557) and its attachment (A1160658) be received.

Noonan/McGurk

Carried

7. Chairperson's Report

The Chairperson noted the recent release of the draft Annual Plan 2016/17 for consultation.

Resolved GOV/2016/005

THAT the verbal Chairperson's Report be received.

Barker/Noonan

Carried

8. Audit, Risk and Finance Subcommittee Terms of Reference and Delegations Update

Document number R4931, agenda pages 21 - 28 refer.

The Chief Executive, Clare Hadley, presented the report.

Resolved GOV/2016/006

THAT the report Audit, Risk and Finance Subcommittee Terms of Reference and Delegations Update (R4931) and its attachments (A1437349 and A1507355) be received.

Peters/Murray

Carried

Recommendation to Council GOV/2016/007

THAT the Audit Risk and Finance Subcommittee draft Terms of Reference (A1437349) be adopted;

AND THAT the Delegations Register be updated as illustrated in (A1507355) to:

- **include a reference to the Audit, Risk and Finance Subcommittee Terms of Reference;**
- **remove Health and Safety from the Audit, Risk and Finance Subcommittee's area of responsibility.**

Peters/Murray

9. Audit, Risk and Finance Subcommittee - 12 November 2015

Document number M1593, agenda pages 29 - 35 refer.

Resolved GOV/2016/008

THAT the minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 12 November 2015, be received.

Peters/Murray

Carried

9.1 Internal Audit Plan and Procedure

Recommendation to Council GOV/2016/009

THAT the Internal Audit Plan to 30 June 2016 (A1452073) be approved, with the amendment:

- Under the heading 'Extension for Action Plans', insert the words "or organisational risk" after the words "no safety-related issues".***

Peters/McGurk

9.2 Liability Management Policy amendment

Recommendation to Council GOV/2016/010

THAT the amended Liability Management Policy (A1450461) be adopted.

Peters/Murray

10. Commercial Subcommittee - 24 December 2015

Document number M1664, agenda pages 36 - 38 refer.

Resolved GOV/2016/011

THAT the unconfirmed minutes of an extraordinary meeting of the Commercial Subcommittee, held on 24 December 2015, be received.

Murray/Noonan

Carried

11. Audit, Risk and Finance Subcommittee - 18 February 2016

Document number M1712, agenda pages 39 - 47 refer.

It was advised there had also been discussion at the Subcommittee meeting regarding risks to elected members.

Attendance: Councillor Matheson left the meeting from 1.50pm to 1.52pm.

Resolved GOV/2016/012

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 18 February 2016, be received.

Peters/Murray

Carried

11.1 Corporate Report to 31 December 2015

Recommendation to Council GOV/2016/013

THAT Council resolves to fund the additional expenditure for Tasman Street from the following activities; Roading subsidised budgets (\$119,000), Roading unsubsidised budgets (\$117,000) and Stormwater budgets (\$92,000), a total of \$328,000, from operational and capital expenditure budgets as appropriate, noting that any individual project underspends which cover this overspend will be reported by 30 June 2016;

Peters/Matheson

Carried

Recommendation to Council GOV/2016/014

AND THAT funding of \$100,000 for the Stoke Foothills Traffic Study be deferred from 2015/16 to 2016/17;

AND THAT funding of \$100,000 for the Atawhai Hills Traffic Study be brought forward from 2016/17 to 2015/16.

Peters/Murray

Carried

11.2 Letter to the Council on the audit for the year ending 30 June 2015

Recommendation to Council GOV/2016/015

THAT Council notes Audit NZ's comments (A1499499) and how officers intend to address the issues raised.

Peters/Her Worship the Mayor

11.3 Internal Audit Report to 31 December 2015

Recommendation to Council GOV/2016/016

THAT Council note the internal audit findings, recommendations and status of action plans up to 31 December 2015 (R5452).

Peters/Murray

12. Exclusion of the Public

Resolved GOV/2016/017

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:

Acland/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 - Public Excluded Minutes - 5 November 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)(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	Extraordinary Governance Committee Meeting - Public Minutes - 24 December 2015	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)(h) To enable the local authority to carry out, without prejudice or

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		good reason exists under section 7.	disadvantage, commercial activities. <ul style="list-style-type: none"> • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.
3	Audit, Risk and Finance Subcommittee Meeting - Public Excluded Minutes - 12 November 2015 These minutes do not contain a recommendation to the Governance Committee	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
4	Extraordinary Commercial Subcommittee Meeting Minutes - Public Excluded Minutes - 24 December 2015 The recommendation to the Governance Committee in these minutes was considered at the extraordinary Governance Committee meeting on 24 December 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)(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.
5	Audit, Risk and Finance Subcommittee Meeting - Public Excluded Minutes - 18 February 2016 These minutes contain a recommendation to the Governance Committee	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	regarding 'Letter to the Council on the audit for the year ending 30 June 2015 - Utilities Contract'		subject of the information. <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

The meeting went into public excluded session at 1.57pm and resumed in public session at 2.04pm.

13. Re-admittance of the Public

Resolved GOV/2016/018

THAT the public be re-admitted to the meeting.

Peters/Acland

Carried

There being no further business the meeting ended at 2.04pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date