

Minutes of a meeting of the Governance Committee

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

On Thursday 21 April 2016, commencing at 9.00am

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: Councillor M Lawrey, Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), Manager Communications (P Shattock), Administration Adviser (S Burgess), and Youth Councillors (C Collins and T Shuker)

1. Apologies

There were no apologies

2. Interests

John Murray advised that as he was no longer involved with Crowe Horwath, the auditors for the Bishop Suter Trust, he no longer had a conflict of interest and could participate in the related item.

The Chairperson advised he would vacate the chair for the public forum item on the Tahunanui Beach Holiday Park.

3. Confirmation of Order of Business

The Chairperson advised of one late item for the public part of the meeting, and that the following resolution needed to be passed for the item to be considered:

3.1 Insurance Renewal 2016/17 Infrastructure Assets - Referral to Council

Resolved GOV/2016/026

THAT the item regarding Insurance Renewal 2016/17 Infrastructure Assets - Referral to Council be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable a timely decision to be made.

Noonan/McGurk

Carried

4. Public Forum

Attendance: Councillor Barker declared an interest and vacated the chair. Deputy Chairperson, Councillor Acland, assumed the chair.

4.1 Tahunanui Beach Holiday Park

Seddon Marshall, Chairperson of Tahunanui Beach Holiday Park Board, spoke about the performance of the Park. He thanked Council for its loan for the installation of heat pumps, and presented a cheque of \$50,000 to Mayor Reese, as payment towards that loan.

Attendance: Councillor Acland departed the chair; Councillor Barker resumed the chair.

5. Confirmation of Minutes

5.1 3 March 2016

Document number M1747, agenda pages 10 - 17 refer.

Resolved GOV/2016/027

THAT the minutes of the extraordinary meeting of the Governance Committee, held on 3 March 2016, be confirmed as a true and correct record.

Murray/Fulton

Carried

6. Status Report - Governance Committee 21 April

It was noted there was no status report.

7. Chairperson's Report

The Chairperson provided detail on ANZAC activities and encouraged councillors to attend the various ceremonies.

Resolved GOV/2016/028

THAT the Chairperson's oral report be received.

Barker/Acland

Carried

8. Sister Cities Update - April 2016

Document number R5529, agenda pages 18 - 22 refer.

Sister Cities Coordinator, Gail Collingwood, presented the report and highlighted key points.

Resolved GOV/2016/029

THAT the report Sister Cities Update - April 2016 (R5529) and its attachment (A1523258) be received.

Davy/Fulton

Carried

9. The Bishop Suter Trust draft Statement of Intent 2016/17 and Half Yearly Report

Document number R5352, agenda pages 23 - 71 refer.

Group Manager Community Services, Chris Ward, presented the report. Bishop Suter Trust Director, Julie Catchpole, and Board Members, Gabrielle Hervey and Ian McLennan, joined the meeting.

Attendance: Her Worship the Mayor left the meeting from 9.24am to 9.26am.

The Committee discussed the Trust's request for \$20,000 to allow free admission to the Suter Art Gallery in 2016/17. In response to questions, Mr McLennan provided detail on previous methods for donations, the development of a draft strategic plan, fundraising, financial statements and Trust beneficiaries.

Ms Catchpole provided detail on the redevelopment of the Suter Art Gallery and spoke about the desire to remove any financial barrier to access.

In response to a question, Mr Ward advised the officer's recommendation would not preclude the Trust from offering free entry to all visitors.

Resolved GOV/2016/030

THAT the report The Bishop Suter Trust draft Statement of Intent 2016/17 and Half Yearly Report (R5352) and its attachments (A1512564, A1512571, A1463949 & A1512573) be received;

AND THAT the Committee notes the delivery of the Bishop Suter Trust Draft Statement of Intent 2016/17 (A1512571) as required under the Local Government Act 2002.

Acland/Rainey

Carried

Councillor Matheson, seconded by Councillor Davy, moved the recommendation to Council in the officer report:

THAT the Bishop Suter Trust Statement of Intent 2016/17 (A1512571) meets Council's expectations and is approved as the final Statement of Intent for 2016/17;

AND THAT a one off grant of \$10,000 be allocated to the Suter to allow free entry for locals for the 2016/17 year;

AND THAT the Trust report back to Council as part of its preparation of the 2017/18 draft Statement of Intent on the positive and negative impacts of free entry for locals.

Councillor Fulton, seconded by Councillor Rainey, moved an amendment to increase the grant to \$15,000 and remove the words 'for locals' in clause two of the motion.

The Committee discussed the amendment. With the agreement of the mover and seconder, the proposed grant was increased to \$20,000 and the reference to 'for locals' in the third clause was removed:

THAT the Bishop Suter Trust Statement of Intent 2016/17 (A1512571) meets Council's expectations and is approved as the final Statement of Intent for 2016/17;

AND THAT a one off grant of \$20,000 be allocated to the Suter to allow free entry for the 2016/17 year;

AND THAT the Trust report back to Council as part of its preparation of the 2017/18 draft Statement of Intent on the positive and negative impacts of free entry.

Committee members spoke for and against the amendment. The amendment was put and carried and became the substantive motion.

Recommendation to Council GOV/2016/031

THAT the Bishop Suter Trust Statement of Intent 2016/17 (A1512571) meets Council's expectations and is approved as the final Statement of Intent for 2016/17;

AND THAT a one off grant of \$20,000 be allocated to the Suter to allow free entry for the 2016/17 year;

AND THAT the Trust report back to Council as part of its preparation of the 2017/18 draft Statement of Intent on the positive and negative impacts of free entry.

Fulton/Rainey

Carried

10. Half Yearly Reports - Nelson Regional Economic Development Agency and Tourism Nelson Tasman Ltd.

Document number R5589, agenda pages 72 - 110 refer.

Group Manager Community Services, Chris Ward, presented the report. Nelson Regional Economic Development Agency (EDA) Chief Executive, Bill Findlater, and Chairperson, Robin Whalley joined the meeting.

Mr Whalley provided an update on progress of the Nelson Regional Economic Development Agency Transition Group.

Attendance: Councillor Fulton left the meeting from 10.14am to 10.16am.

Mr Findlater thanked Council for its support of his role for the past 12 years. He spoke about key projects he had been involved with and highlighted the benefits these projects had brought to the Nelson economy.

The Mayor and Deputy Mayor thanked Mr Findlater for his contribution to Nelson.

In response to a question, Mr Ward advised Council was taking legal advice on the requirements for merging the funds of the EDA and Tourism Nelson Tasman, and the result would be reported back to the Governance Committee.

Resolved GOV/2016/032

THAT the report Half Yearly Reports - Nelson Regional Economic Development Agency and Tourism Nelson Tasman Ltd. (R5589) be received;

AND THAT the Half Yearly report of the Nelson Regional Economic Development Agency (A1511501) be received;

Davy/Matheson

Carried

Tourism Nelson Tasman Director, Sharon McGuire, and Chief Executive, Lynda Keene, joined the meeting.

In response to questions, Ms McGuire provided further detail on brochure advertising, online bookings, social media platforms and the domestic market.

Resolved GOV/2016/033

AND THAT the Half Yearly report of Tourism Nelson Tasman Ltd. (A1511411) be received.

Her Worship the Mayor/Acland

Carried

Attendance: The meeting adjourned for morning tea from 10.41am to 11.00am, during which time Her Worship the Mayor left the meeting.

11. Service Level Reviews Progress Update

Document number R5577, agenda pages 111 - 117 refer.

Policy Adviser, Gabrielle Thorpe, presented the report.

Resolved GOV/2016/034

THAT the report Service Level Reviews Progress Update (R5577) and its attachment (A1528999) be received.

Davy/Noonan

Carried

Attendance: Her Worship the Mayor returned to the meeting and Councillor Fulton left the meeting at 11.02am.

12. Draft Health and Safety Management System Strategic Plan

Document number R4207, agenda pages 118 - 157 refer.

Manager Organisational Assurance and Emergency Management, Roger Ball, presented the report.

It was queried why there was no reference to expectations of councillors in the Strategic Plan. Mr Ball advised the Strategic Plan focussed on expectations of Council at business level, but could cross reference the Health and Safety Management System Governance Charter with respect to expectations of councillors.

Attendance: Councillor Fulton returned to the meeting at 11.06am.

In response to questions, Mr Ball spoke about the planned dissemination of the Strategic Plan to the leadership of the organisation. He explained officers would continue to develop the appropriate level of hazard metrics for Council's mainly office environment.

Resolved GOV/2016/035

THAT the report Draft Health and Safety Management System Strategic Plan (R4207) and its attachment (A1398549) be received;

AND THAT the Draft Health and Safety Management System Strategic Plan be amended to include expectations of Councillors as outlined in the Health and Safety Management System Governance Charter and advice from the Institute of Directors.

McGurk/Peters

Carried

Recommendation to Council GOV/2016/036

THAT the amended Draft Health and Safety Management System Strategic Plan (A1398549) be approved.

McGurk/Peters

Carried

13. Responses to Mr Neal's public forum, 3 March 2016

Document number R5726, agenda pages 158 - 214 refer.

Senior Strategic Advisor, Nicky McDonald, presented the report.

Resolved GOV/2016/037

THAT the report Responses to Mr Neal's public forum, 3 March 2016 (R5726) and its attachments (A1512793, A1530211, A1534021, and A1533960) be received;

AND THAT it be noted that the allegation of collusion has been considered and found to have no basis.

Davy/Fulton

Carried

Attendance: Her Worship the Mayor left the meeting at 11.21am

14. Audit, Risk and Finance Subcommittee - 31 March 2016

Document number M1801, agenda pages 215 - 221 refer.

Resolved GOV/2016/038

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 31 March 2016, be received.

Peters/Murray

Carried

14.1 Extension of loan facility to the Melrose Society

Recommendation to Council GOV/2016/039

THAT the \$15,000 funding allocated towards asbestos remediation in Melrose House in 2016/17 be brought forward to 2015/16 and be used to grant fund the Melrose Society for the purpose of toilet refurbishment;

AND THAT an additional unbudgeted grant of up to \$42,000 is provided to the Melrose Society for the purpose of toilet renovations in the 2015/16 financial year;

AND THAT the Melrose Society be informed that no further grants will be made by Council to the Melrose Society for the toilet refurbishment and chiller installation project.

Peters/Noonan

Carried

14.2 Corporate Report to 31 January 2016

In response to questions, Group Manager Community Services, Chris Ward provided background detail on the proposed funding carry forward.

Recommendation to Council GOV/2016/040

THAT the unspent 2015/16 Community Investment Fund operational budget of \$21,300 be carried forward to the 2016/17 financial year, bringing the total budget for 2016/17 for the Community Investment Fund to \$327,000.

Peters/Noonan

Carried

15. Commercial Subcommittee - 31 March 2016

Document number M1803, agenda pages 222 - 225 refer.

Resolved GOV/2016/041

THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 31 March 2016, be received.

Murray/Noonan

Carried

16. Insurance Renewal 2016/17 Infrastructure Assets - Referral to Council

Document number R5809, late items agenda pages 2 - 3 refer.

In response to a question, Group Manager Corporate Services, Nikki Harrison, explained Council was awaiting a report from Tonkin and Taylor regarding an earthquake and flood assessment of Council's assets for the purposes of assessing insurance cover.

Resolved GOV/2016/042

THAT the report Insurance Renewal 2016/17 Infrastructure Assets - Referral to Council (R5809) be received;

AND THAT the Committee refers the matter of the 2016/17 infrastructure assets insurance renewal to Council for consideration at its meeting on 5 May 2016.

Peters/Davy

Carried

REPORTS FROM COMMITTEES

17. Exclusion of the Public

Rob Gunn and Lee Babe, of Nelmac Ltd, were to be in attendance for Item 5 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved GOV/2016/043

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Rob Gunn and Lee Babe remain after the public has been excluded, for Item 5 of the Public Excluded agenda (Nelmac half yearly report and draft Statement of Intent 2016/17), 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 Rob Gunn and Lee Babe possess relates to Nelmac Limited.

Acland/Matheson

Carried

Resolved GOV/2016/044

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 - 3 March 2016	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)(b)(ii) To protect information where the making available of the information would be

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.	likely unreasonably to prejudice the commercial position of the person who supplied or who is the 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
2	Nelmac half yearly report and draft Statement of Intent 2016/17	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)
3	Potential exit from Ridgeways Joint Venture	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)
4	Commercial Subcommittee Meeting - Public Excluded Minutes - 31 March 2016 These minutes contain a recommendation to Governance Committee and Council regarding Forestry	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. 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)
			To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

The meeting went into public excluded session at 11.32am and resumed in public session at 12.47pm, during which time Her Worship the Mayor returned to the meeting.

18. Re-admittance of the Public

Resolved GOV/2016/045

THAT the public be re-admitted to the meeting.

Peters/Rainey

Carried

There being no further business the meeting ended at 12.48pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date