

Minutes of an extraordinary meeting of the Governance Committee

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

On Thursday 26 May 2016, commencing at 1.57pm

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, and Mr J Murray and Mr J Peters

In Attendance: Councillor M Ward, Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications and Acting Manager Libraries and Heritage Facilities (P Shattock), and Administration Adviser (E-J Ruthven)

Apologies: Her Worship the Mayor for lateness, and Mr John Peters for early departure

1. Apologies

Resolved GOV/2016/046

THAT apologies be received and accepted from Her Worship the Mayor for lateness, and Mr John Peters for early departure.

Davy/McGurk

Carried

2. Confirmation of Order of Business

The Chair advised of two late items for the public excluded part of the meeting, and that procedural resolutions needed to be passed for the items to be considered at the meeting.

2.1 Bett Carpark - Referral to Council

Document number 5974, late item refers

In response to a question, Group Manager Strategy and Environment, Clare Barton, explained the timeframes behind the late item.

Resolved GOV/2016/047

THAT the item regarding Bett Carpark - 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.

McGurk/Murray

Carried

Attachments

- 1 A1559027 - Tabled Document - Late Item - Bett Carpark - Referral to Council

2.2 Civic Assurance Directors' Remuneration and Reappointments

Document number 5973, late item refers

Resolved GOV/2016/048

THAT the item regarding Civic Assurance Directors' Remuneration and Reappointments 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.

Davy/Matheson

Carried

3. Public Forum

There was no public forum.

4. Confirmation of Minutes

4.1 21 April 2016

Document number M1845

Resolved GOV/2016/049

THAT the minutes of the meeting of the Governance Committee, held on 21 April 2016, be

confirmed as a true and correct record.

Davy/McGurk

Carried

5. Interests

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

6. Status Report - Governance Committee 26 May 2016

There was no status report.

7. Chairperson's Report

The Chairperson advised that a report regarding directorships of Council Controlled Organisations would be on the agenda of the next Committee meeting.

Resolved GOV/2016/050

THAT the Chairperson's oral report be received.

Barker/Murray

Carried

GOVERNANCE

8. Bett Carpark - Referral to Council

Document number R5974, late item refers.

In response to questions, Ms Barton highlighted that, should a Council decision to sell Bett Carpark be made later than 2 June 2016, the purchaser would face significant time constraints for the resource consent application process.

Attendance: Her Worship the Mayor joined the meeting at 2.12pm.

The Committee discussed whether to refer the item to Council for consideration at its meeting on 2 June 2016.

During discussion, it was noted that Committee members were unaware of the details of the proposals received by Council with respect to the Bett Carpark Special Housing Area, and accordingly, it was difficult to assess whether the matter should be referred to Council at this stage.

Attendance, the meeting adjourned from 2.17pm to 2.33pm, during which time Councillor Fulton left the meeting.

The Chairperson advised that the item would lie on the table, to be considered later in the meeting.

Attendance: Councillor Fulton returned to the meeting at 2.35pm.

9. Civic Assurance Directors' Remuneration and Reappointments

Document number R5973, late item refers.

Group Manager Corporate Services, Nikki Harrison, presented the report.

Attendance: Her Worship the Mayor left the meeting from 2.34pm to 2.35pm.

Resolved GOV/2016/051

THAT the report Civic Assurance Directors' Remuneration and Reappointments (R5973) and its attachment (A1554033) be received.

McGurk/Davy

Carried

Recommendation to Council GOV/2016/052

THAT in the matter of remuneration of directors of the New Zealand Local Government Insurance Corporation Ltd that Nelson City Council submit a proxy vote against the proposal to increase fees by 15%.

Davy/Acland

Carried

There was a discussion regarding the officer recommendation with regards to the reappointment of directors.

In response to a question, Ms Harrison outlined the number of terms that the directors seeking reappointment had served for.

Attendance: Councillor Davy left the meeting from 2.40pm to 2.44pm.

Recommendation to Council GOV/2016/053

THAT in the matter of reappointment of Directors Messrs MA Butcher and AJ Marryatt that Nelson City Council submit a proxy vote against.

Matheson/Noonan

Carried

10. Bett Carpark - Referral to Council (continued)

The meeting returned to consider the item Bett Carpark – Referral to Council.

It was noted that the discussion regarding whether to proceed with any of the Bett Carpark proposals received would be held in public excluded session.

Attendance: Councillor Davy left the meeting at 2.50pm.

Committee members discussed further the time constraints relating to the Special Housing Area process, and a variety of views were expressed as to whether the matter should be referred to Council.

During discussion, Committee members noted the difficulties involved with undertaking robust public engagement with the community regarding the potential developments for Bett Carpark, due to the public excluded nature of the sale process, and confidentiality of proposed designs.

Resolved

THAT the report Bett Carpark - Referral to Council (R5974) be received;

AND THAT the Governance Committee refer to Council its delegation regarding the sale of land, in respect of the proposal to sell Bett Carpark.

Her Worship the Mayor/Fulton

Attendance: Her Worship the Mayor left the meeting at 3.06pm.

11. Uniquely Nelson - Memorandum of Understanding

Document number R5683

Group Manager Community Services, Chris Ward, presented the report and introduced Simon Duffy, of Uniquely Nelson.

Mr Duffy explained that Uniquely Nelson had expanded its view of the concept of the Nelson CBD, and alongside retailers, would now also promote other providers that brought people into the wider CBD area, such as Nelson Marlborough Institute of Technology, The Suter Art Gallery and others.

Attendance: Councillor Acland left the meeting at 3.08pm, and Mr Peters left the meeting at 3.09pm.

In response to a question, Mr Duffy explained that retailers had generally been in favour of Uniquely Nelson taking a broader view, recognising that other activities in the central city often impacted positively on retailers and hospitality providers.

There was a discussion regarding the Memorandum of Understanding. In response to a question, Group Manager Community Services, Chris Ward, explained that Uniquely Nelson's performance had not been specifically measured against the points in the Memorandum of Understanding, but that during the review of the Economic Development Agency and the creation of the Nelson Regional Development Agency, it had been noted that Uniquely Nelson provided good value to the city.

Mr Duffy then outlined a new initiative undertaken by Uniquely Nelson, 'LoveNelson', which allowed Nelson retailers to have an online trading presence.

Resolved GOV/2016/054

THAT the report Uniquely Nelson - Memorandum of Understanding (R5683) and its attachments (A1380525 and A1547869) be received.

Rainey/Noonan

Carried

Recommendation to Council GOV/2016/055

THAT the Memorandum of Understanding (MoU) between Uniquely Nelson and Nelson City Council (A1380525) be approved as the MoU for the 2016/17 year.

Murray/Rainey

Carried

REPORTS FROM COMMITTEES

12. Audit, Risk and Finance Subcommittee - 10 May 2016

Document number M1874, agenda pages 44-49 refer.

Attendance: Councillor Rainey left the meeting from 3.28pm to 3.29pm, and Councillor Fulton left the meeting from 3.28pm to 3.30pm.

Resolved GOV/2016/056

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 10 May 2016, be received.

Murray/McGurk

Carried

12.1 Internal Audit Report to 31 March 2016

Recommendation to Council GOV/2016/057

THAT Council note the internal audit findings, recommendations and status of action plans up to 31 March 2016 (R5793).

Murray/Barker

12.2 Corporate Report to 31 March 2016

Recommendation to Council GOV/2016/058

THAT the transfer of legal budget from the Corporate activity to the Planning activity in 2015/16 in order to obtain economic and traffic evidence for the submission to Tasman District Council on the proposed Progressive Enterprises Ltd Private Plan Change be noted.

Murray/Noonan

Attendance: Councillor Rainey left the meeting at 3.31pm.

13. Commercial Subcommittee - 10 May 2016

Document number M1877, agenda pages 50-52 refer.

Resolved GOV/2016/059

THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 10 May 2016, be received.

Murray/Noonan

Carried

14. Exclusion of the Public

Resolved GOV/2016/060

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:

Matheson/Noonan

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	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)(i) To enable the local

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	- 21 April 2016	likely to result in disclosure of information for which good reason exists under section 7.	authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
2	Commercial Subcommittee Meeting - Public Excluded Minutes - 10 May 2016	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)(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 3.33pm, and resumed in public session at 3.36pm.

Please note that as the only business transacted in public excluded was to confirm the minutes and receive the Commercial Subcommittee minutes, 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.

15. Confirmation of Minutes – Public Excluded

15.1 21 April 2016

Document number M1844

Resolved GOV/2016/061

THAT the minutes of part of a meeting of the Governance Committee, held with the public excluded on 21 April 2016, be confirmed as a true and correct record.

Noonan/Fulton

Carried

REPORTS FROM COMMITTEES

16. Commercial Subcommittee - 10 May 2016 – Public Excluded

Document number M1878, agenda pages 7-9 refer.

Resolved GOV/2016/062

THAT the unconfirmed minutes of part of a meeting of the Commercial Subcommittee, held with the public excluded on 10 May 2016, be received.

Murray/Noonan

Carried

17. Re-admittance of the Public

Resolved GOV/2016/063

THAT the public be re-admitted to the meeting.

Noonan/Barker

Carried

There being no further business the meeting ended at 3.36pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date