



# AGENDA

**Ordinary meeting of the**

**Governance Committee**

**Thursday 14 July 2016  
Commencing at 9.00am  
Council Chamber  
Civic House  
110 Trafalgar Street, Nelson**

Membership: Councillor Ian Barker (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Luke Acland (Deputy Chairperson), Eric Davy, Kate Fulton, Paul Matheson, Brian McGurk, Gaile Noonan and Pete Rainey, Mr John Murray and Mr John Peters

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)

It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the room for discussion and voting on any of these items.

**1. Apologies**

- 1.1 An apology has been received from Councillor Luke Acland

**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 Extraordinary Meeting - 26 May 2016

**9 - 17**

Document number M1911

Recommendation

***THAT the minutes of the extraordinary meeting of the Governance Committee, held on 26 May 2016, be confirmed as a true and correct record.***

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

**6. Status Report - Governance Committee - 14 July 2016**

There is no Status Report.

**7. Chairperson's Report**

## GOVERNANCE

### 8. Health and Safety: Quarterly Report 18 - 29

Document number R6048

Recommendation

***THAT the report Health and Safety: Quarterly Report (R6048) and its attachment (A1577496) be received.***

### 9. Service Level Review Quarterly Progress Update 30 - 44

Document number R6006

Recommendation

***THAT the report Service Level Review Quarterly Progress Update (R6006) and its attachments (A1531257, A1544548, A1572137 and A1572147) be received.***

## REPORTS FROM COMMITTEES

### 10. Commercial Subcommittee - 26 May 2016 45 - 46

Document number M1910

Recommendation

***THAT the minutes of an extraordinary meeting of the Commercial Subcommittee, held on 26 May 2016, be received.***

### 11. Audit, Risk and Finance Subcommittee - 23 June 2016 47 - 54

Document number M1948

Recommendation

***THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 23 June 2016, be received.***

11.1 Internal Audit Plan - 2016/17

Recommendation to Governance Committee and Council

**THAT the Internal Audit Plan 2016/17 (A1562649) be approved;**

**AND THAT it be noted there will be unbudgeted expenditure required, which will be reported for approval to the Audit, Risk and Finance Subcommittee through the Corporate Report once estimates have been confirmed.**

11.2 Procurement Policy

Recommendation to Governance Committee and Council

**THAT the revised Procurement Policy (A1540508) be adopted.**

11.3 Capital Projects Carry Forwards 2015/16

Recommendation to Governance Committee and Council

**THAT Council approves continuing work on 2015/16 capital projects within the 2015/16 approved budgets, noting a final report on carry forwards will come to the Governance Committee's meeting on 25 August 2016.**

11.4 Operating Expenditure Carry Forwards 2015/16

Recommendation to Governance Committee and Council

**THAT Council approves continuing work on 2015/16 operating projects within the 2015/16 approved budgets, noting a final report on carry forwards will come to the Governance Committee's meeting on 25 August 2016.**

## **12. Commercial Subcommittee - 23 June 2016**

**55 - 60**

Document number M1957

Recommendation

**THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 23 June 2016, be received.**

### **12.1 Haven Precinct Project Progress Report**

Recommendation to Governance Committee and Council

**Approve the visions and goals detailed in report R6077 for the concept design;**

**Approve using a traditional procurement process to appoint a lead consultant, to produce the concept design plans based on the visions and goals advised;**

**Approve the preliminary project timeline included in report R6077;**

**Approve the Haven Precinct Strategic Business Case (A1550230).**

Note: An updated Haven Precinct Business Case is on the Google Drive for Councillors and a copy is available on request to an Administration Adviser.

## **PUBLIC EXCLUDED BUSINESS**

### **13. 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:***

<b>Item</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Particular interests protected (where applicable)</b>
<b>1</b>	<b>Nelson Airport Limited and Port Nelson Limited Director Reappointments</b>	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"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
<b>2</b>	<b>Nelmac Director Reappointments</b>	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"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
<b>3</b>	<b>Director remuneration 2016 - Nelmac</b>	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"> <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>
<b>4</b>	<b>Events Fund Application - Marchfest 2017</b>	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"> <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>
<b>5</b>	<b>Ridgeways Joint Venture</b>	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"> <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>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
6	<p><b>Commercial Subcommittee Meeting - Public Excluded Minutes - 23 June 2016</b></p> <p>These minutes contain recommendations to the Governance Committee and Council regarding:</p> <ul style="list-style-type: none"> <li>Detailed property assessment: Wakapuaka</li> <li>Detailed property assessment: Industrial land in Stoke</li> <li>Property Matters - approaches received on properties to purchase or sell, and leasing matters relating to Civic House</li> </ul>	<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> </ul>

#### 14. Re-admittance of the public

Recommendation

**THAT the public be re-admitted to the meeting.**

#### Note:

- Sharon McGuire will be in attendance for morning tea
- Youth Councillors Jenna Stallard and Daniel Leaper will be in attendance at this meeting.



---

## 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"><li>• Section 7(2)(i)</li></ul> 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)
	<b>- 21 April 2016</b>	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).
<b>2</b>	<b>Commercial Subcommittee Meeting - Public Excluded Minutes - 10 May 2016</b>	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"> <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> </ul>

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

---

## **Health and Safety: Quarterly Report**

---

### **1. Purpose of Report**

- 1.1 To provide the Committee with reporting on data collected by Council's Health and Safety Management System over the quarter April-June 2016 and to update the Committee on Council's Health and Safety work programme.

### **2. Delegations**

- 2.1 The Governance Committee is responsible for oversight of Council's Health and Safety obligations under paragraph 6.2.1 of the Delegations Register.

### **3. Recommendation**

***THAT the report Health and Safety: Quarterly Report (R6048) and its attachment (A1577496) be received.***

### **4. Background**

- 4.1 The Health and Safety Management System (HSMS) Governance Charter was approved by Council on 17 December 2015. Council has been progressively implementing an updated Health and Safety Management System to meet its obligations under the new Health and Safety at Work Act 2015.
- 4.2 The HSMS Governance Charter outlined that monitoring of Health and Safety performance data would be undertaken quarterly by Council to demonstrate due diligence. Reporting was previously received by the Audit Risk and Finance Subcommittee, but is now to be received by the Governance Committee.
- 4.3 This report is designed to inform the Committee of the Health and Safety performance of Council. It provides data analysis on both leading (preventative) and lagging Health and Safety management system indicators, and progress in addressing our critical risks. It also provides a general update on the Health and Safety work programme.

## 5. Discussion

### Performance Data

- 5.1 Comment on the performance data is provided in the attached report from the InControl system. The report covers the quarter April-June 2016 and also includes the first quarter of 2016 for comparison.
- 5.2 Our process for collecting and analysing this data has been bedding in with the introduction of the InControl system. Reporting from Council officers is now flowing and will build further over time. The next area that we want to improve on is capturing reporting from contractors in a more timely manner.
- 5.3 In terms of overall trends identified by the reporting to date, an area of high risk is the number of safety or security threats to workers at Council sites. The introduction of data collection via InControl has enabled us to capture this information more centrally than in the past and to respond to this reporting trend more proactively. A review of controls was subsequently undertaken by the Health and Safety Forum.
- 5.4 Section 3 of the attached report provides an update on progress with our "Top 6" Health and Safety risks. This helps us to keep a focus on "the things that matter". There has been progress with each of the key risks identified here, some of which is reported in the work programme update below. In particular all six risks have now been rated as "partially effective (previously two were "undecided")".

### Health and Safety Work Programme

- 5.5 More generally, the following were highlights of the Health and Safety work programme.
- 5.6 Governance Leadership: Councillors participated in a first safety observation site visit to the York Stream upgrade, as part of their commitment under the Health and Safety Governance Charter to demonstrate positive due diligence. By the time the Committee meets, a visit to the Trafalgar Centre will have also been held.
- 5.7 Management Leadership: Managers have now completed the "Leading the Safeway" training programme, aimed at developing key Health and Safety leadership competencies. The Chief Executive Officer (CEO) is scheduled to undertake a CEO-specific programme alongside other CEO colleagues in July.
- 5.8 Documentation: The Health and Safety Management System Five Year Strategic Plan has now been approved by Council. The Health and Safety Management Plan, and the Health and Safety Contractor Principal Control Plan, are both now being revised and training is due to commence in July 2016.
- 5.9 Employee Engagement: Regular meetings of the Health and Safety Committee (worker forum) and the Health and Safety Forum (senior

leadership plus others) have occurred. We have had guest speakers from key partners to learn from their Health and Safety practices, including Nelmac and Gibbons.

#### 5.10 New initiatives:

- 5.10.1 Establishment of a Council "Wellness Team" consisting of 25 staff across the organisation to lead a work programme around worker wellness issues. This recognises that many of our workers are office staff and we want to ensure a balanced focus on health, as well as safety, issues.
- 5.10.2 Key actions from the Physical Security Review have been compiled and assigned for action. A risk assessment of Council spaces that are open to the public has been targeted as the highest priority for action.
- 5.10.3 In relation to business continuity planning, a Council "Incident Management Team" has been formed to provide coordinated emergency response to events at Council.
- 5.10.4 Council is participating in a regional grouping under the Business Leaders Health and Safety Forum. This consists of Council, Port Nelson, Nelmac, Gibbons, NMIT, Cawthron, and Nelson Forests. The aim of the group is to develop and agree a regional approach to engaging contractors so that all parties involved have a clear understanding of what is expected and how to go about achieving it.

### 6. Options

- 6.1 Accept the recommendation – receive the Health and Safety quarterly report.
- 6.2 Reject the recommendation – not receive the Health and Safety quarterly report.

### 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 Council's Significance and Engagement Policy.

### 9. Consultation

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

### 10. Inclusion of Māori in the decision making process

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

Roger Ball  
**Manager Organisational Assurance and Emergency Management**

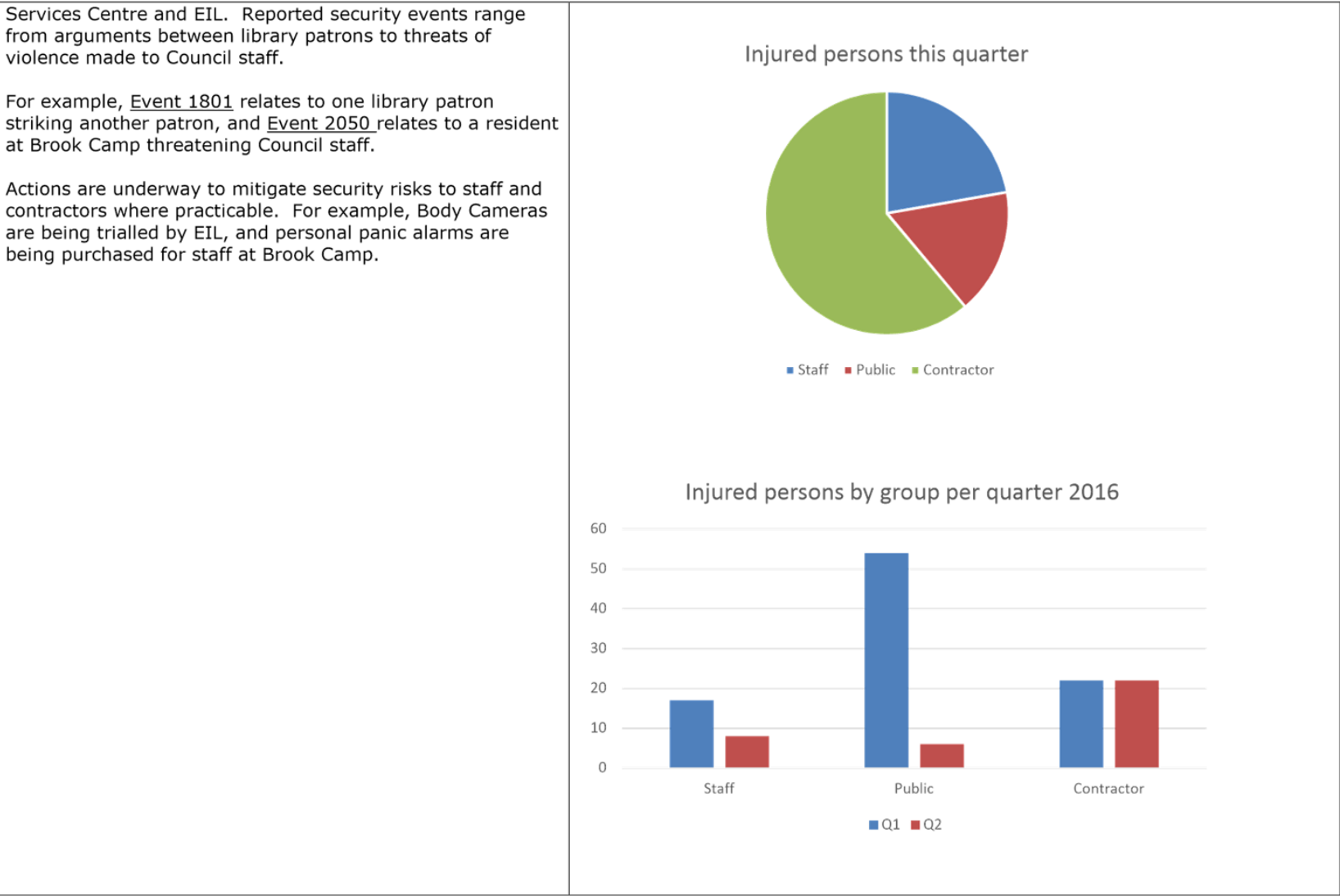
**Attachments**

Attachment 1: Health and Safety Management: Quarterly Report April-June 2016 (A1577496).

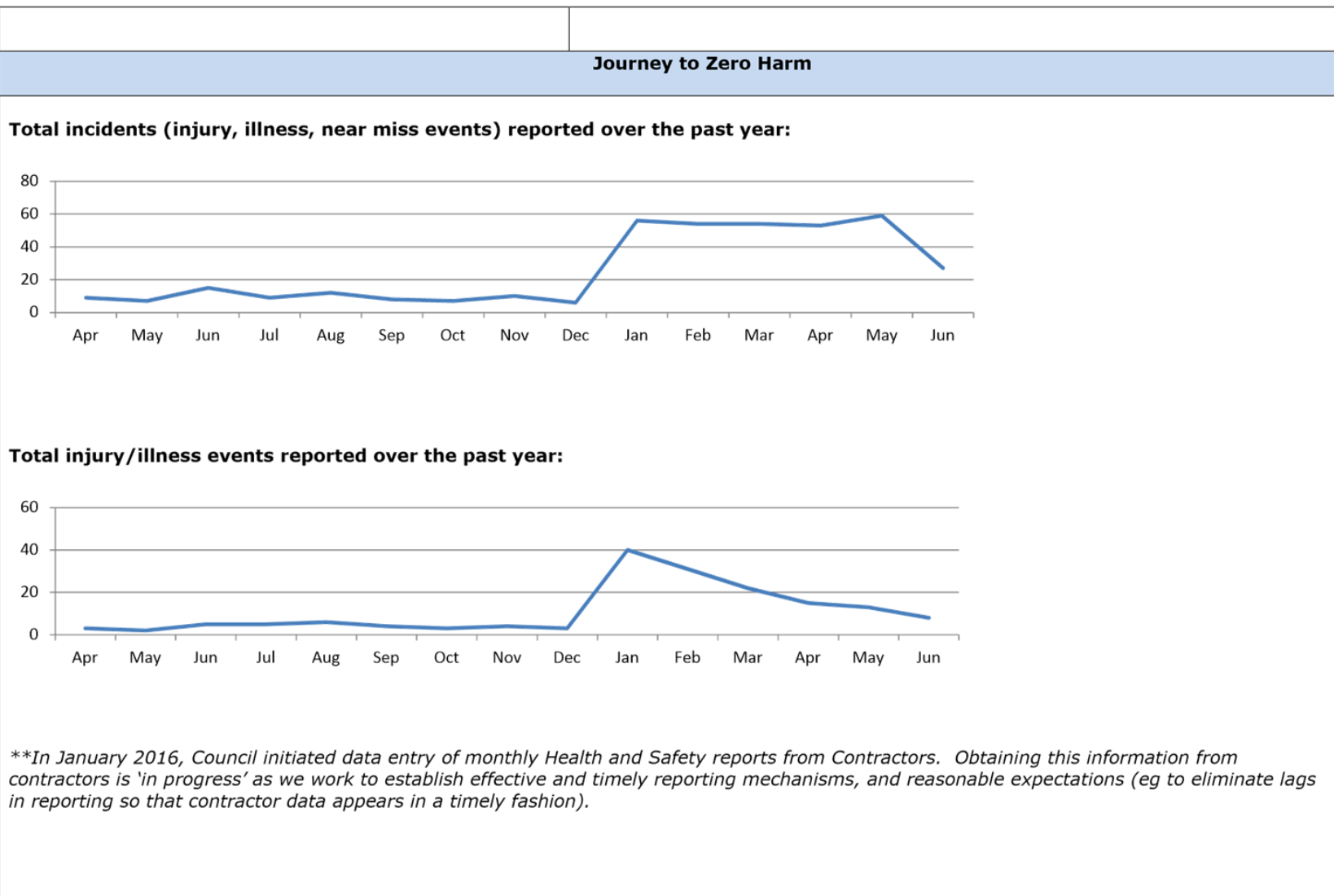
Quarterly Health and Safety Performance Data – April, May, June 2016							
SECTION 1 – Hazards and Incidents							
Hazard Identification							
<p>This report covers April, May, June 2016 (Q2). Data from Q1 (Jan-March 2016) is included for comparison.</p> <p><b>Purpose:</b> The aim of this performance target is to increase hazard identification as a preventative measure for incidents and near miss events. The initial target is aimed at reporting two hazards for every incident occurring.</p> <p><b>Analysis:</b> There were 42 hazards reported through this quarter. This is down slightly compared to the previous quarter. We expect reporting to improve as information from contractors begins to come through in a more timely manner. (At present there is a lag, so contractor reporting for Q2 is not fully reflected.)</p> <p>The number of hazards reported does not meet Council’s KPI of 2 hazards reported to every 1 incident. This indicates that either staff are waiting for something to go wrong before noticing potential sources of harm, OR the reporting culture has not reached a point where all hazards are being reported into the health and safety database.</p> <p><b>Significant/notable new hazards or trends reported:</b> With the onset of winter temperatures, there were a number of issues reported relating to temperature in Council offices. Follow up investigations have looked into ensuring adequate temperature and ventilation in specific areas.</p>	<p>Hazard identifications</p> <table><tr><th>Quarter</th><th>Hazard identifications</th></tr><tr><td>Q1</td><td>54</td></tr><tr><td>Q2</td><td>42</td></tr></table>	Quarter	Hazard identifications	Q1	54	Q2	42
Quarter	Hazard identifications						
Q1	54						
Q2	42						

Incident Data																					
<p><b>Analysis:</b></p> <p>Notable differences between the first and second quarters of 2016 are likely to be affected by the incomplete contractor data for June. On July 1<sup>st</sup> updated Contractor Management procedures were approved which formalise the expectation for contractors to submit monthly incident summary reports. As these new procedures are rolled out, we should see further increases in the number of health and safety events reported each month.</p> <p><b>Notable events:</b></p> <p><u>Event 1878</u> relates to a contractor’s non-compliance with their approved Traffic Management Plan when completing work outside Civic House. This included blocking a major footpath with equipment and putting pedestrians and passing motorists at risk. Once noticed by Council staff, risks at the site were promptly mitigated and an investigation is underway.</p> <p><u>Event 1873</u> relates to an observation by a member of the public of potentially unsafe work at height by Council sub-contractors. WorkSafe became involved, showing up immediately on site to assess the work. Inspectors confirmed that workers had put all measures in place to meet health and safety requirements. No notices were issued and the potential non-conformance has been followed up by the sub-contracting organisation.</p> <p><u>Event 1939</u> relates to a serious injury (notifiable to WorkSafe) to a contractor employee at a Council site. Investigations into this incident are still underway.</p> <p><b>Notable trends:</b></p> <p>We are seeing a significant number of security incidents (where staff feel threatened or are abused, usually by members of the public). These incidents are being reported from a number of areas, including the Libraries, Customer</p>	<p>Event types this quarter</p> <table border="1"><caption>Event types this quarter</caption><thead><tr><th>Event Type</th><th>Count (approx.)</th></tr></thead><tbody><tr><td>Injury/Illness</td><td>35</td></tr><tr><td>Near Miss</td><td>55</td></tr><tr><td>Security</td><td>10</td></tr></tbody></table> <p>■ Injury/Illness ■ Near Miss ■ Security</p> <p>Event types per quarter 2016</p> <table border="1"><caption>Event types per quarter 2016</caption><thead><tr><th>Event Type</th><th>Q1 Count (approx.)</th><th>Q2 Count (approx.)</th></tr></thead><tbody><tr><td>Injury/Illness</td><td>95</td><td>35</td></tr><tr><td>Near Miss</td><td>50</td><td>75</td></tr><tr><td>Security</td><td>20</td><td>22</td></tr></tbody></table> <p>■ Q1 ■ Q2</p>	Event Type	Count (approx.)	Injury/Illness	35	Near Miss	55	Security	10	Event Type	Q1 Count (approx.)	Q2 Count (approx.)	Injury/Illness	95	35	Near Miss	50	75	Security	20	22
Event Type	Count (approx.)																				
Injury/Illness	35																				
Near Miss	55																				
Security	10																				
Event Type	Q1 Count (approx.)	Q2 Count (approx.)																			
Injury/Illness	95	35																			
Near Miss	50	75																			
Security	20	22																			

Quarterly Health and Safety Performance Data – April, May, June 2016      Created 06/07/2016 (A1577496)      Page 2 of 8









<p>integrated this important practice into their 'business as usual'.</p> <p>A notable assurance event was the H&amp;S site visit by Councillors to the York Stream upgrade on 26 May. This was a positive interaction between Councillors and contractors on the project, and gave an opportunity for the governance team demonstrate due diligence on health and safety matters. The next Councillor site visit is programmed for the Trafalgar Centre.</p>					
<p><b>SECTION 3 – Critical Health and Safety Risks</b></p>					
<p><i>These are our "Top 6" Health and Safety risks. This list helps us to keep a focus on "the things that matter".</i></p> <p><i>Reviewed and updated by H&amp;S Forum on 1 July 2016.</i></p>					
Risk Factor	Risk Description	Additional Controls Required	Responsibility	Review Date	Rating*
<b>Contractor Management</b>	Limited contractor oversight, and documentation of this.	Increased contractor oversight and documentation of this.  <i>The Contractor Management Principal Control Plan has been approved and will be rolled out to Council staff and current contractors over July/August 2016. This documents clarifies oversight responsibilities and puts formal expectations in place.</i>	All staff who manage external contractors	31 October 2016	Partially effective
	Lack of standardised	Need to have standardised set of approved	Organisational	31 October	

8. Health and Safety: Quarterly Report - Attachment 1 - Health and Safety Management: Quarterly Report April-June 2016 (A1577496).

	contracts being used.	contracts. <i>SLT has approved engagement of a legal provider. Details around rollout including training now being arranged.</i>	Assurance	2016	
	No independent oversight of contracts prior to awarding	Risk and Procurement Analyst set up to provide oversight where relevant. <i>Complete</i>			
	Basic accreditation process not enabling full understanding of contractors risk.	An improved Pre-Qualification process for contractors, including the use of the SiteWise accreditation process. <i>This process has been approved and will be rolled out to Council staff and current contractors over July/August 2016.</i>	All staff who manage external contractors	31 October 2016	
<b>Safety and Security</b> <i>(of Council Workers)</i>	Enterprise-wide risk assessment on security completed in 2015.	Actions from Physical Security Report (A1422348) to be followed up. <i>SLT received an update in May and approved actions. Actions are listed and assigned to managers.</i>	Business Units - see Physical Security Report (A1422348)	31 August 2016	<i>Partially effective</i>
<b>Lone Work</b>	No lone worker policy.	Develop a Policy. <i>Draft is done, requires roll-out, many actions already underway.</i>	Organisational Assurance	31 August 2016	<i>Partially effective</i>
	Controls across Council for lone work risks not known.	Work with Business Units to record current controls and list these against the risk in InControl. <i>Controls used by Business Units have been identified. Next step is for risk register to be set up in InControl so that this information can be recorded.</i>	Organisational Assurance	31 August 2016	
<b>General Hazardous Works</b>	No scheduled review of high risk activities (e.g., forestry, river works, marina, work at height, confined space work by contractors).	Targeting of high risk activities recommended to Contract Supervisors in Contractor Management Principal Control Plan. <i>Training for Contractor Supervisors has been arranged for July 2016.</i>	All staff who manage external contractors	31 October 2016	<i>Partially effective</i>

	Poor oversight of high risk contractor activities.	Formal requirement in revised contractor management documentation and Contract templates for all incidents (near miss and injury/illness) to be reported by contractors, and this data to be put into InControl for improved understanding of operational risk.  <i>Training has been arranged for July 2016 and a provider for contract templates has been engaged.</i>	All staff who manage external contractors	31 October 2016	
			Organisational Assurance	31 October 2016	
<b>Public Safety (resulting from Council-Controlled Activities)</b> <i>e.g., pedestrian injury, traffic accident, poor worksite security, injury at public event, or injury at Council site used by public</i>	General risk inherent to Council works.	Contractor Management Principal Control Plan to incorporate contract risk assessment tool, requirements for increased oversight of contracted works (relative to the risk), requirements on contractors to record evidence of hazard management on sites with public access.  <i>Training has been arranged for July 2016.</i>	All staff who manage external contractors	31 October 2016	<i>Partially effective</i>
<b>Employee Wellness</b> <i>e.g., stress, fatigue, bullying, workstation related discomfort, pain, injury</i>	No Council-wide Wellness strategy to link existing controls and plan for new controls.	Wellness Plan developed and implemented.  <i>Wellness team has been established and has met twice. Wellness Plan is currently in development.</i>	Clare Barton	31 July 2016 (report)	<i>Partially effective</i>
		Ergonomic Plan (to include formal tracking of workstation assessments for new starters).	Organisational Assurance	31 August 2016	

---

## **Service Level Review Quarterly Progress Update**

---

### **1. Purpose of Report**

- 1.1 To receive the quarterly report on progress of Section 17A Local Government Act review process.

### **2. Delegations**

- 2.1 The Governance Committee has the area of responsibility for the monitoring of Council's financial and service performance and reviews of specific activity areas.

### **3. Recommendation**

***THAT the report Service Level Review Quarterly Progress Update (R6006) and its attachments (A1531257, A1544548, A1572137 and A1572147) be received.***

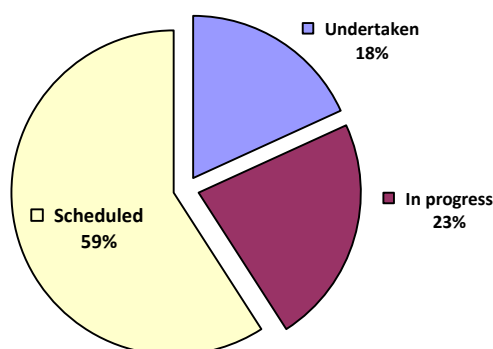
### **4. Background**

- 4.1 Changes to the Local Government Act 2002 (LGA) saw the introduction of new requirements under section 17A to review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions.
- 4.2 Reviews must consider options for the *governance, funding and delivery* of all Council services by 7 August 2017. The reviews are to consider a range of specified arrangements including having services delivered by a council controlled organisation, or by another local authority or other party.
- 4.3 This is the second quarterly progress report on section 17A service reviews as approved under R5014.

### **5. Progress update**

- 5.1 The scheduled timeline for reviews is flexible, to account for variations in timing influenced by external factors such as legislative change, and internal factors such as staff availability.

- 5.2 Current progress is on track in accordance with the scheduled timeline and highlighted below:



- 5.3 Reviews that have been undertaken since the last report are noted in the following table:

Service	Outcome
Civil Defence Emergency Management	Continue with combined Council governance, funding and delivery in collaboration with Tasman District Council
Rural Fire	Continue with Council governance and funding and delivery by an external provider noting that this is proposed to change in 2017
Community Facilities Management	Continue with Council governance and funding and delivery by an external provider with some changes to group all facilities under one contract
Management, Maintenance, Promotion and Development of Nelson City Council's Swimming pools	Continue with Council governance and funding and delivery by an external provider

- 5.4 Reviews that have not already been before Council are attached.

## 6. Alignment with relevant Council policy

- 6.1 The service review process aligns with Council's due diligence obligations and regular reviews of contract performance that are part of business and usual. This work supports the principles of Nelson 2060 and community outcomes in its achievement of work outcomes in the most cost-effective manner.

## **7. Assessment of Significance against the Council's Significance and Engagement Policy**

- 7.1 This paper contains no decisions that are significant in terms of council's Significance and Engagement Policy.

## **8. Consultation**

- 8.1 No consultation has been undertaken as this work is a statutory requirement.

## **9. Inclusion of Māori in the decision making process**

- 9.1 Maori have not been consulted in preparation of this report.

## **10. Conclusion**

- 10.1 Council has a statutory requirement to undertake service level reviews across all its activities.
- 10.2 Current progress is on track in accordance with the scheduled timeline.

Gabrielle Thorpe  
**Community Partnerships Adviser**

### **Attachments**

- Attachment 1: A1531257 -S17A Service Review. Civil Defence Emergency Management
- Attachment 2: A1544548 - S17A Service Review. Rural Fire
- Attachment 3: A1572137 - S17A Service Review. Community Facilities Management
- Attachment 4: A1572147- S17A Service Review. Management, Maintenance, Promotion and Development of Nelson City Council's Swimming Pools



## S17A REVIEW OF SERVICES

PART I: PRESENT ARRANGEMENTS	
<i>Name of the service and scope</i>	<p><b><u>Civil Defence Emergency Management (CDEM)</u></b></p> <p>Emergency Management is a core role of local government under the Civil Defence Emergency Management (CDEM) Act 2002. In addition, Nelson City Council is the Administering Authority for the Nelson Tasman CDEM Group, which consists of two unitary authorities, Nelson City and Tasman District.</p>
<i>Rationale for service provision</i>	<p>The Civil Defence Emergency Management Act 2002 s64 states that a Local Authority must: <i>plan and provide for civil defence emergency management within its district and ensure that it is able to function to the fullest possible extent, even though this may be at a reduced level, during and after an emergency.</i></p> <p>In meeting the requirements of the Act Council also, in collaboration with Tasman District Council, has established and manages a CDEM Group.</p> <p>The service contributes to the community outcome <i>Our communities are healthy, safe, inclusive and resilient, We are a resilient community, able to cope with disasters or emergencies.</i></p>
<i>Present arrangements</i>	<p>The CDEM Group functions are set under the Civil Defence Emergency Management Act 2002.</p> <p>The CDEM Group is jointly resourced and delivered by NCC and TDC.</p> <p>The service is a statutory requirement funded through the general rates. Some funding is accessed from central government grants.</p>
<i>Last review</i>	A review under section 17A has not been previously completed.
<i>Performance</i>	<p>Performance can be measured by:</p> <ul style="list-style-type: none"> <li>• Preparation of a Civil Defence Emergency Management Group Plan</li> <li>• Responding to events</li> </ul>

	<ul style="list-style-type: none"> <li>Meeting service levels as set out in the Long Term Plan 2015-25 (Target is: 100% of EOC management and CDEM Group roles staffed. EOC meets Ministry of CDEM 'monitoring and evaluation requirements'.)</li> <li>EOC used for exercises, training staff and in response to emergency events</li> <li>Monitoring and Evaluation reviews conducted by the Ministry of Civil Defence and Emergency Management. The Ministry ranked the Nelson Tasman CDEM Group as top in the country in the last two rounds of national evaluation (2015 and 2010).</li> </ul>
<i>Cost</i>	Over the ten years of the 2015-25 LTP, Council has budgeted a total of \$4,459,615 for the Civil defence activity. 90% of this budget is provided by way of levy to the Nelson Tasman Civil Defence Emergency Management Joint Committee. There is some capital expenditure for this activity.
<b>PART II: DECISION TO REVIEW</b>	
<i>Why is the review required (S17A(2))</i>	The review is in response to the requirements of s17A.
<i>Does the cost of undertaking the review outweigh the benefits (s17A(3))</i>	The cost of undertaking a detailed review would outweigh the benefits as the service relates to a statutory function that must be provided and is currently being provided jointly with Tasman District Council.
<i>Recommendation whether or not to review this service more fully</i>	The recommendation is to retain the status quo for delivery and not undertake a more detailed review at this time.
<i>Place in review programme</i>	N/A

**Review Completed:**

**Roger Ball      Manager Organisational Assurance 1/4/2016**

**And Emergency Management**

**Review Approved**

**Nikki Harrison Group Manager**

**8/4/2016**

**Corporate Services**

## S17A REVIEW OF SERVICES

PART I: PRESENT ARRANGEMENTS	
<i>Name of the service and scope</i>	<p><b><u>Rural Fire</u></b></p> <p>Council has responsibilities for rural fire.</p>
<i>Rationale for service provision</i>	<p>Council has responsibilities for rural fire suppression as a fire district under the Forest and Rural Fires Act 1977. Council has combined with other regional stakeholders to form an Enlarged Rural Fire District (ERFD), known as the Waimea Rural Fire Authority.</p>
<i>Present arrangements</i>	<p>Rural fire is funded on a regional basis through a mix of levies paid by the stakeholders (including Council), and reimbursements from central government (the National Rural Fire Authority). Council's financial contribution is from general rates.</p>
<i>Last review</i>	<p>A review under section 17A has not been previously completed.</p>
<i>Performance</i>	<p>Performance can be measured by:</p> <ul style="list-style-type: none"> <li>• Preparation of Rural Fire Plans and procedures</li> <li>• Responding to events</li> <li>• Meeting service levels as set out in the contract between the Waimea Rural Fire Authority and Rural Fire Network</li> </ul>
<i>Cost</i>	<p>Over the ten years of the 2015-25 LTP, Council has budgeted a total of \$2,171,542 for expenses for the Rural Fire Control activity. In addition, Council has budgeted a further \$174,316 for capital expenses for this activity.</p>

<b>PART II: DECISION TO REVIEW</b>	
<i>Why is the review required (S17A(2))</i>	The review is in response to the requirements of s17A of the Local Government Act.
<i>Does the cost of undertaking the review outweigh the benefits (s17A(3))</i>	The cost of undertaking a detailed review would outweigh the benefits as the service relates to a statutory function that must be provided and is currently being provided jointly with other stakeholders. In addition, rural fire is the subject of a major national review. The Government has stated its intention to amalgamate rural fire with the urban fire service to create a new national fire and rescue service to be in place by April 2017.
<i>Recommendation whether or not to review this service more fully</i>	<p>The recommendation is to retain the status quo for delivery and not undertake a more detailed review at this time. No further analysis required.</p> <p>Governance and funding by NCC with delivery by a person or agency not listed below is the preferred option for rural fire as:</p> <ul style="list-style-type: none"> <li>• The Enlarged Rural Fire District manages a contract whereby Rural Fire Network delivers rural fire services.</li> <li>• This provides an efficient, region-wide response capability.</li> <li>• The provider has the appropriate skills and Council does not have the skills or resources suitable to deliver the service.</li> </ul> <p>The recommendation is that the contract for rural fire management continues to be delivered.</p>
<i>Place in review programme</i>	N/A

**Review Completed:****Roger Ball      Manager Organisational Assurance 1/4/2016****And Emergency Management****Review Approved:****Nikki Harrison Group Manager****8/4/2016****Corporate Services**

## S17A REVIEW OF SERVICES

The following template is to be used for undertaking a review of services under s17A of the Local Government Act. Appended to the template is further advice to help in completing reviews, and a worksheet which can be used to help determine whether a more extensive review should be undertaken.

PART I: PRESENT ARRANGEMENTS	
<i>Name of the service and scope</i>	<p><b><u>Management, Maintenance, and Cleaning of Nelson City Council's Community Facilities</u></b></p> <p>The scope of this activity is to assess combining the management, internal maintenance, and cleaning of a number of Council's Community Facilities.</p> <p>These facilities include:</p> <ul style="list-style-type: none"> <li>• Trafalgar Centre</li> <li>• Stoke Memorial Hall</li> <li>• Trafalgar Street Hall</li> <li>• Trafalgar Pavilion</li> <li>• Wakapuaka Hall</li> <li>• Stoke Community and Sports Facility (once constructed)</li> </ul> <p>Saxton Oval and Saxton Pavilion are specifically excluded (refer to Part II of this review).</p> <p>The successful Service Provider is expected to secure and enhance the City's community facilities and improve the provision of recreational and sporting facilities.</p> <p>Efficiencies/synergies with bundling contracts is possible.</p> <p>The Service Provider is expected to demonstrate an ability to assist the Council in delivering the outcomes identified in the Property and Facilities Asset Management Plan and Councils Long Term and Annual Plans.</p>
<i>Rationale for service provision</i>	<p>The service is provided because:</p> <ul style="list-style-type: none"> <li>• It contributes to the community outcomes that "our infrastructure is efficient, cost effective and meets current and future needs", "our communities are healthy, safe, inclusive and resilient" and "our communities have access to a range of social, educational and recreational facilities and activities".</li> </ul>

	<ul style="list-style-type: none"><li>• Councils “Long Term Plan 2015-25” states that<ul style="list-style-type: none"><li>○ Council’s urban and rural environments are people-friendly, well planned and sustainably managed. This activity contributes to this outcome by having attractive and functional community facilities and spaces available for the community to use and to bring people together.</li><li>○ Facilities, events and services support community cohesion and an inclusive, welcoming city.</li><li>○ Healthy lifestyles are supported with opportunity to be active and participate in the community.</li></ul></li></ul>																												
<i>Present arrangements</i>	<p>Council operates community facilities under various management contracts secured by way of public tender.</p> <p>A summary of the present arrangements for these contracts is shown in the table below.</p> <table><tr><th>Facility</th><th>Contractor</th><th>Contract Value</th><th>Expiry Date</th></tr><tr><td>Trafalgar Centre</td><td>Sport Tasman</td><td>\$223,469</td><td>*Refer note</td></tr><tr><td>Stoke Memorial Hall</td><td>Spotless</td><td>\$20,468</td><td>30 June 16</td></tr><tr><td>Trafalgar Hall</td><td>Spotless</td><td>\$21,964</td><td>30 June 16</td></tr><tr><td>Wakapuaka Hall</td><td>Spotless</td><td>\$12,700</td><td>30 June 16</td></tr><tr><td>Trafalgar Pavilion</td><td>Spotless</td><td>\$21,491</td><td>30 June 16</td></tr><tr><td>Stoke Community and Sports Facility</td><td>Unknown</td><td>\$0</td><td>Facility not yet built</td></tr></table> <p>* Extended to December 2016 -Agreed by SLT as a transition measure pending outcome of this s17A review.</p>	Facility	Contractor	Contract Value	Expiry Date	Trafalgar Centre	Sport Tasman	\$223,469	*Refer note	Stoke Memorial Hall	Spotless	\$20,468	30 June 16	Trafalgar Hall	Spotless	\$21,964	30 June 16	Wakapuaka Hall	Spotless	\$12,700	30 June 16	Trafalgar Pavilion	Spotless	\$21,491	30 June 16	Stoke Community and Sports Facility	Unknown	\$0	Facility not yet built
Facility	Contractor	Contract Value	Expiry Date																										
Trafalgar Centre	Sport Tasman	\$223,469	*Refer note																										
Stoke Memorial Hall	Spotless	\$20,468	30 June 16																										
Trafalgar Hall	Spotless	\$21,964	30 June 16																										
Wakapuaka Hall	Spotless	\$12,700	30 June 16																										
Trafalgar Pavilion	Spotless	\$21,491	30 June 16																										
Stoke Community and Sports Facility	Unknown	\$0	Facility not yet built																										
<i>Last review</i>	<p>The last extensive review was undertaken in 2011 when these services were last publicly tendered by Council.</p>																												
<i>Performance</i>	<p>Regular monthly contract reviews are carried out by Council Officers. These set targets for service delivery for the coming month and reflect on performance over the preceding month.</p> <p>Performance is measured by a number of key performance indicators (KPI’s).</p> <p>Affordability, quality &amp; sustainability are measured levels of service and there are also contractual service</p>																												

	<p>level measurements and targets in the Property &amp; Facilities AMP.</p> <p>It is proposed to provide a performance measure related to customer service to any new contract agreement.</p>
<i>Cost</i>	The current combined budget for community facilities is \$300,092.
<b>PART II: DECISION TO REVIEW</b>	
<i>Why is the review required (S17A(2))</i>	<ul style="list-style-type: none"> <li>Under s17A of the Local Government Act 2009 there is a requirement for Nelson City Council to conduct a service review which determines whether the existing means for delivering a service remains the most efficient and appropriate means for delivering that service.</li> <li>A service review must be undertaken within two years of expiration of a contract or by 8 August 2017.</li> <li>Existing contracts for the management, maintenance and cleaning of various community facilities expire on 30 June 2016.</li> <li>This review is timely because of changes in the regulatory environment since the last review, in particular the development of New Zealand Standard (NZS) 3917:2013 for maintenance contracts which have a defined contract period and the new health and safety legislation which came into effect in April 2016.</li> </ul>
<i>Does the cost of undertaking the review outweigh the benefits (s17A(3))</i>	No, the cost of the review is relatively low and has been undertaken as part of a review of current levels of service
<i>Recommendation whether or not to review this service more fully</i>	<p>This review is part of a memo to be presented to the Senior Leadership Team (SLT) in May 2016.</p> <p>The recommendation of this review is that the activity is continued to be delivered through a management and maintenance contract with Council's Community Hall, Trafalgar Centre and Trafalgar Pavilion bundled into one contract.</p>
<i>Place in review programme</i>	Changes in delivery recommended as a result of this review are urgent as existing contracts are about to expire. The report to SLT to which this review will be attached recommends the combining of facilities listed in Part I of this review into one facilities management contract.

**Review Completed:**

Peter Anderson - Manager Operations and Asset Management - May 2016

**Review Approved**

Alec Louverdis - Group Manager Infrastructure – May 2016



## S17A REVIEW OF SERVICES

The following template is to be used for undertaking a review of services under s17A of the Local Government Act. Appended to the template is further advice to help in completing reviews, and a worksheet which can be used to help determine whether a more extensive review should be undertaken.

PART I: PRESENT ARRANGEMENTS	
<i>Name of the service and scope</i>	<p><b><u>Contract EC3333 – Management, Maintenance, Promotion and Development of Nelson City Council’s Swimming Pools</u></b></p> <p>The scope of this activity is the management, maintenance, development and promotion of the Council’s Swimming Pools including the services associated infrastructure, assets, amenities and facilities.</p> <p>The successful Service Provider is expected to secure and enhance the City’s swimming opportunities and improve the provision of recreational and sporting swimming facilities.</p> <p>The Service Provider is expected to demonstrate an ability to assist the Council in delivering the outcomes identified in the Property and Facilities Asset Management Plan and Councils Long Term Plan.</p>
<i>Rationale for service provision</i>	<p>The service is provided because:</p> <ul style="list-style-type: none"> <li>It contributes to the community outcomes that “our infrastructure is efficient, cost effective and meets current and future needs”, “our communities are healthy, safe, inclusive and resilient” and “our communities have access to a range of social, educational and recreational facilities and activities”.</li> <li>Councils “Long Term Plan 2015-25” states that Council will provide swimming pools that met the needs of users and provide opportunity for aquatic based recreation activities and learn to swim programmes.</li> </ul>
<i>Present arrangements</i>	Council operates two aquatic facilities, Riverside and Nayland Swimming Pools.

	<p>Community Leisure Management (CLM) operates both the Riverside and Nayland swimming pools under a management contract secured by way of public tender. This contract commenced 1 April 2011 and expires 30 June 2016. CLM are responsible for the management, maintenance, and promotion of the service. Under this contract CLM are to provide learn to swim, casual swim, club access and fitness programmes.</p> <p>Riverside Swimming Pool (indoor pool) is open all year and Nayland Swimming Pool (outdoor pool) is open summer months only (November to March).</p> <p>The swimming pools are currently 100% rates funded as detailed in Council's Funding Policy. Under the current contract model NCC set the fees and charges in consultation with the contractor and CLM keep all the revenue from pool operations.</p>
<i>Last review</i>	<p>The last extensive review was undertaken in 2010 when this service was last publicly tendered by Council.</p>
<i>Performance</i>	<p>An Annual Service Review (ASR) is carried out by Council Officers. This sets the target for service delivery for the coming year and reflects on performance over the preceding year.</p> <p>Performance is measured by a number of key performance indicators (KPI's). These are developed with the service provider and include routine performance indicators, service improvement indicators and service delivery indicators.</p> <p>CLM have performed satisfactorily during past ASR processes.</p> <p>In addition to the ASR a Nelson City Council (NCC) Residents Survey was carried out in 2011, a "People's Panel Report" (A1176355) in November 2012 and NCC is part of the New Zealand Recreation Association (NZRA) and Institute of Public Works Engineering Australasia (IPWEA) "Yardstick" benchmarking project for parks and recreation activities with the latest report completed in 2013.</p>

	<ul style="list-style-type: none"> <li>• General outcome of the Residents Survey was that 57% of respondents were satisfied or very satisfied with swimming pools.</li> <li>• Key findings of The Peoples Panel were that respondents were generally satisfied with the Riverside and Nayland Pools.</li> <li>• The latest Yardstick results indicated that: <ul style="list-style-type: none"> <li>○ The Net Cost per admission for Riverside and Nayland Pools was significantly lower than the national average for the last six years.</li> <li>○ The operating cost for Riverside Pool is slightly higher than the average for indoor pools across the industry.</li> <li>○ The operating cost for Nayland Pool is significantly lower than the average for outdoor pools.</li> </ul> </li> </ul>
Cost	<p>The approved operating budget for managing Nelson City Council swimming pools for 2016/17 is \$491,500/year.</p> <ul style="list-style-type: none"> <li>• \$368,500/year – Riverside Pool</li> <li>• \$123,000/year – Nayland Pool</li> </ul> <p>(Note – Actual contractual figures have not been used for commercial reasons)</p> <p>A comparison of current management/operational costs for other similar pools is:</p> <p><u>Riverside Facility comparison</u></p> <ul style="list-style-type: none"> <li>• \$242,000 – A similar pool in Westland District</li> <li>• \$295,000 – A pool in the central North Island region</li> <li>• \$506,000 – A similar Auckland pool</li> </ul> <p><u>Nayland Facility comparison</u></p> <ul style="list-style-type: none"> <li>• \$186,000 – Central North Island region pool</li> <li>• \$257,000 – Similar Auckland Pool</li> <li>• \$224,000 – a similar Northland region Pool</li> </ul> <p>Historical costs for maintenance of both pools above the current management contract rates have been:</p> <ul style="list-style-type: none"> <li>• 2012/13 - \$21,150</li> <li>• 2013/14 - \$23,570</li> <li>• 2014/15 - \$58,485</li> </ul>

<b>PART II: DECISION TO REVIEW</b>	
<i>Why is the review required (S17A(2))</i>	<ul style="list-style-type: none"> <li>This review has been requested by Council.</li> <li>The existing Contract for "Management, Maintenance, Promotion and Development of Nelson City Council's Swimming Pools" held by CLM expires on 30 June 2016.</li> <li>This review is timely because of changes in the regulatory environment since the last review, in particular the development of New Zealand Standard (NZS) 3917:2013 for maintenance contracts which have a defined contract period and the new health and safety legislation due to come into effect in April 2016.</li> </ul>
<i>Does the cost of undertaking the review outweigh the benefits (s17A(3))</i>	No, the cost of the review is relatively low and has been undertaken as part of a review of current levels of service
<i>Recommendation whether or not to review this service more fully</i>	<p>This review is part of a memo to be presented to the Senior Leadership Team (SLT) in March 2016.</p> <p>The recommendation of this review is that the activity is continued to be delivered through a management and maintenance contract with an alternative financial model in place to allow Council to receive revenue gathered from the operation of the pools.</p>
<i>Place in review programme</i>	Changes in delivery recommended as a result of this review are urgent as the existing contract for the "Management, Maintenance, Promotion and Development of Nelson City Council's Swimming Pools" expires on 30 June 2016. The report to SLT to which this review will be attached recommends extending the current contract with CLM to December 2016 to allow sufficient time for a procurement process to be completed.

**Review Completed:**

Peter Anderson - Manager Operations - March 2016

**Review Approved**

Alec Louverdis - Group Manager Infrastructure - March 2016

---

## Minutes of an extraordinary meeting of the Commercial Subcommittee

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

**On Thursday 26 May 2016, commencing at 1.31pm**

---

Present: Mr J Murray (Chairperson), Councillors L Acland, G Noonan and Mr J Peters

In Attendance: Councillors I Barker, E Davy, K Fulton, P Matheson, B McGurk, and P Rainey, Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), and Administration Adviser (E-J Ruthven)

Apology: Her Worship the Mayor

### 1. Apologies

Resolved COM/2016/019

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

Noonan/Peters

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

##### 4.1 Lincoln Mackenzie

Mr Mackenzie tabled a document (A1555365) and spoke to it. He outlined his concerns regarding the potential development of Bett Carpark, particularly with regards to design, sunlight angles, and parking issues. He suggested that the designation of Bett Carpark as a Special Housing Area was of benefit to potential developers, but not necessarily to Nelson residents.

##### Attachments

- 1 A1555365 - Public Forum - Tabled Document

#### 4. Bett Carpark - Referral to Governance Committee

Document number R5956

The subcommittee discussed whether to refer its delegation regarding Council's property portfolio to the Governance Committee, in respect of the proposal to sell Bett Carpark.

It was acknowledged that the officer recommendation was procedural in nature, however subcommittee members noted that it would have been helpful to understand the details of the proposal to sell Bett Carpark, prior to considering whether to refer its delegations to the Governance Committee.

Resolved COM/2016/021

**THAT the report Bett Carpark - Referral to Governance Committee (R5956) be received.**

Peters/Noonan

Carried

Resolved COM/2016/022

**THAT the Commercial Subcommittee refer its delegation regarding Council's property portfolio to the Governance Committee, in respect of the proposal to sell Bett Carpark.**

Murray/Peters

Carried

There being no further business the meeting ended at 1.50pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date

---

**Minutes of a meeting of the Audit, Risk and Finance Subcommittee**

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

**On Thursday 23 June 2016, commencing at 1.04pm**

---

**Present:** Mr J Peters (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker and B McGurk, and Mr J Murray

**In Attendance:** Councillors E Davy, P Matheson, G Noonan and P Rainey, and Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Accountant (T Hughes), Internal Audit Analyst (L Anderson), Risk and Procurement Analyst (S Vaughan), Manager Capital Projects (S Davies) and Administration Adviser (L Halsall)

**1. Apologies**

The Chairperson said that Her Worship the Mayor had entered an apology, but was now able to attend the meeting.

There were no further apologies.

**2. Confirmation of Order of Business**

There were no 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 10 May 2016

Document number M1874, agenda pages 7 - 12 refer.

Resolved AUD/2016/041

***THAT the minutes of the meeting of the Audit, Risk and Finance Subcommittee, held on 10 May 2016, be confirmed as a true and correct record.***

McGurk/Barker

Carried

## 6. Chairperson's Report

Mr Peters noted that there was a requirement under the Charter that an annual review of the Subcommittee be undertaken and that it would be necessary to hold a discussion with council officers regarding the process to ensure this happened at the Subcommittee's next meeting in August because this was the final meeting of the term.

Resolved AUD/2016/042

***THAT the Chairperson's Report be received.***

Peters/McGurk

Carried

## 7. Internal Audit Plan - 2016/17

Document number R4216, agenda pages 13 - 17 refer.

Internal Audit Analyst, Lynn Anderson presented the report. Ms Anderson said that there were 31 audits planned, and that she would undertake 16 audits, with the remainder split between consultants and expert staff. She reported that there had been a change to the internal audit procedure: extending the response time for corrective action for high risks found in audits to 10 working days.

In response to questions, Ms Anderson said that she believed she would be able to keep progress on track by having a very accurate scope and concentrating on primary risks, although by default some audits may get pushed out. She said suitable separation between officers and internal audit function was achieved by ensuring audits were undertaken by staff not involved in the work being audited and that she would review results.



Resolved AUD/2016/043

***THAT the report Internal Audit Plan - 2016/17 (R4216) and its attachment (A1562649) be received;***

***AND THAT the Subcommittee note the changes in timeframes to the Internal Audit Procedure.***

McGurk/Barker

Carried

Recommendation to Governance Committee and Council AUD/2016/044

***THAT the Internal Audit Plan 2016/17 (A1562649) be approved;***

***AND THAT it be noted there will be unbudgeted expenditure required, which will be reported for approval to the Audit, Risk and Finance Subcommittee through the Corporate Report once estimates have been confirmed.***

Murray/Barker

Carried

## **8. Accounting Policies**

Document number R5504, agenda pages 18 - 34 refer.

Senior Accountant, Tracey Hughes, presented the report.

In response to questions, Group Manager Corporate Services, Nikki Harrison, explained that Council effectively had the delegation of approving accounting policies via the Annual Plan process.

Ms Harrison highlighted that Council did not revalue buildings for accounting purposes at present.

Resolved AUD/2016/045

***THAT the report Accounting Policies (R5504) and its attachment (A1554702) be received;***

***AND THAT the Subcommittee notes the attached accounting policies will be included in the Annual Report 2015/16.***

Murray/Barker

Carried

## 9. Procurement Policy

Document number R5507, agenda pages 35 - 52 refer.

Risk and Procurement Analyst, Steve Vaughan, presented the report.

Mr Vaughan tabled a document summarising the key changes between the 2015 policy and the new 2016 one (A1571292).

In response to questions, Mr Vaughan said that "preferred supplier" arrangements involved having a contract, certain conditions and expected service performance, and that arrangements had been reviewed and approved by legal advisers.

In further response to questions, Mr Vaughan explained that the bandings relating to quotations had changed in the new policy; of particular note was the fact that there was now a lower figure below which Council was not required to obtain quotes.

Resolved AUD/2016/046

***THAT the report Procurement Policy (R5507) and its attachment (A1540508 and A345448) be received.***

McGurk/Murray

Carried

### Attachments

- 1 (A1571292) Tabled document, Procurement policy update: Key changes from old (2015) policy

Recommendation to Governance Committee and Council AUD/2016/047

***THAT the revised Procurement Policy (A1540508) be adopted.***

McGurk/Murray

Carried

## 10. Employee Conflicts of Interest Policy

Document number R5918, agenda pages 53 - 58 refer.

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

Ms Harrison explained that historically employee conflicts of interest had been managed in an ad hoc way with records being kept by the Senior Leadership Team, Building Unit and Resource Consent Unit. She said the InControl system would be used to ensure all conflicts were recorded and reviewed, and that adequate controls were in place.

In response to questions, Ms Harrison said that the policy included both pecuniary and non-pecuniary interests, and there would be the ability to record ongoing and potential short term conflicts. She added that staff were asked relevant questions during the interview process and introduced to policies as part of the induction process.

Resolved AUD/2016/048

***THAT the report Employee Conflicts of Interest Policy (R5918) and its attachment (A1288320) be received.***

Barker/Her Worship the Mayor

Carried

## **11. Theatre Royal Loan**

Document number R6040, agenda pages 59 - 95 refer.

Resolved

***THAT the report Theatre Royal Loan (R6040) and its attachments (A1135204, A912504, and A1145163) be received.***

Her Worship the Mayor/Murray

In response to a question, Group Manager Corporate Services, Nikki Harrison, confirmed that the Theatre Royal Trust had provided audited accounts to Council's Chief Financial Officer within three months of the Trust's balance date.

In response to a question Chief Executive, Clare Hadley, said that the High Court Review found transfer of the asset not to be a barrier to proceeding, but that the proposition was put to one side because of issues relating to earthquake prone buildings.

Concerns were raised about the status of the loan and the fact that there had been no repayments received to date. There was a suggestion that it should be made clear whether it was a loan or a grant and what the Theatre's financial sustainability was moving forward.

Attendance: The meeting adjourned from 2.32pm to 2.37pm.

Resolved AUD/2016/049

***THAT a report of available options in relation to the Theatre Royal Loan is prepared for the Audit, Risk and Finance Subcommittee or its successor.***

McGurk/Murray

Carried

## 12. Interim audit letter for year ending 30 June 2016

Document number R6064, agenda pages 96 - 103 refer.

Group Manager Corporate Services, Nikki Harrison, and Bede Kearney, Audit Director at Audit New Zealand, presented the report.

Ms Harrison reported that the interim audit for the year end was completed in mid April and a number of recommendations were made in relation to contract and project management.

Mr Kearney explained that the recommendations in relation to contract and project management were around moving towards having a more consistent approach across the organisation and that there were no major concerns. In relation to the more traditional financial and non-financial systems, he reported that overall they were designed appropriately and were operating well.

In response to question, Ms Harrison said that Council was looking at a purchasing a centralised system for recording and monitoring contracts.

Resolved AUD/2016/050

**THAT the report Interim audit letter for year ending 30 June 2016 (R6064) and its attachment (A1565622) be received;**

**AND THAT the suggested responses to the recommendations are noted.**

Murray/Barker

Carried

## 13. Capital Projects Carry Forwards 2015/16

Document number R5992, agenda pages 104 - 110 refer.

Senior Accountant, Tracey Hughes, and Manager Capital Projects, Shane Davies, presented the report.

In response to a question, Group Manager Infrastructure, Alec Louverdis, explained he was seeking a global resource consent for gravel extraction. Separately, he said a Code of Practice was being developed relating to working in streams, which would include consultation with iwi and possible inclusion in the Nelson Plan.

Attendance: Councillor Barker left the meeting at 2.54pm.

In response to the Subcommittee's concern at the ongoing delay and the potential risk of flooding, Mr Davies said he would liaise with the operations team with a view to having the issue added to the capital team's "traffic light" report so that progress would be clearly visible.

Resolved AUD/2016/051

***THAT the report Capital Projects Carry Forwards 2015/16 (R5992) and its attachments (A1562956 and A1557401) be received.***

Murray/McGurk

Carried

Recommendation to Governance Committee and Council AUD/2016/052

***THAT Council approves continuing work on 2015/16 capital projects within the 2015/16 approved budgets, noting a final report on carry forwards will come to the Governance Committee's meeting on 25 August 2016.***

Murray/McGurk

Carried

#### **14. Operating Expenditure Carry Forwards 2015/16**

Document number R6071, agenda pages 111 - 116 refer.

Senior Accountant, Tracey Hughes, and Manager Capital Projects, Shane Davies, presented the report.

Resolved AUD/2016/053

***THAT the report Operating Expenditure Carry Forwards 2015/16 (R6071) and its attachment (A1557519) be received.***

Murray/McGurk

Carried

Recommendation to Governance Committee and Council AUD/2016/054

***THAT Council approves continuing work on 2015/16 operating projects within the 2015/16 approved budgets, noting a final report on carry forwards will come to the Governance Committee's meeting on 25 August 2016.***

Murray/McGurk

Carried

#### **15. Corporate Report to 30 April 2016**

Document number R5998, agenda pages 117 - 130 refer.

Senior Accountant, Tracey Hughes, and Manager Capital Projects, Shane Davies, presented the report.

Attendance: Councillor Barker returned to the meeting at 3.00pm.

Ms Hughes said the Subcommittee should note that because of the timing of its final meeting the delegations in respect of the draft Annual Report and final carry forwards report would need to be transferred to the Governance Committee.

In response to a question, Ms Hughes said that the \$104,000 in relation to the book fair was not a sum owing to Council. She confirmed that Founders ran the event, and the money raised went to Founders.

In response to a question, Mr Davies said he believed Council would meet the KPI on capital expenditure.

Resolved AUD/2016/055

**THAT the report Corporate Report to 30 April 2016 (R5998) and its attachments (A1557787 and A1563107) be received;**

**AND THAT the Audit, Risk and Finance Subcommittee refer to the Governance Committee its delegation for the review of the draft Annual Report and the 2015/16 Carry Forwards Report.**

McGurk/Barker

Carried

There being no further business the meeting ended at 3.05pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date

---

## Minutes of a meeting of the Commercial Subcommittee

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

**On Thursday 23 June 2016, commencing at 3.11pm**

---

Present: Mr J Murray (Chairperson), Her Worship the Mayor R Reese,  
Councillors L Acland, and G Noonan, and Mr J Peters

In Attendance: Councillors I Barker, B McGurk, P Matheson and P Rainey,  
Chief Executive (C Hadley), Group Manager Infrastructure (A  
Louverdis), Group Manager Corporate Services (N Harrison),  
and Administration Adviser (E-J Ruthven)

### 1. Apologies

The Chairperson said that Her Worship the Mayor had entered an  
apology, but was now able to attend the meeting.

There were no further apologies.

### 2. Confirmation of Order of Business

The Chairperson advised of two late items for the open part of the  
meeting, and that the following resolutions needed to be passed.

#### 2.1 Haven Precinct Project Progress Report

Resolved COM/2016/019

***THAT the item regarding Haven Precinct Project  
Progress Report 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 and  
therefore to allow sufficient time for the tender  
appointment and delivery of design services.***

Peters/Noonan

Carried

**Attachments**

- 1 A1572345 - Late Item - Haven Precinct Project Progress Report

## 2.2 Ridgeways Joint Venture – Referral to Governance Committee

In response to a question, the Chief Executive, Clare Hadley, explained the late item would allow an offer to be presented to the Governance Committee at its meeting on 14 July 2016, if negotiations regarding the Ridgeways Joint Venture had progressed to this point.

Resolved COM/2016/020

***THAT the item regarding Ridgeways Joint Venture - Referral to Governance Committee 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 and to potentially reduce expenditure on continuing the Joint Venture.***

Noonan/Peters

Carried

**Attachments**

- 1 A1572372 - Late Item - Ridgeways Joint Venture - Referral to Governance Committee

## 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 10 May 2016

Document number M1877, agenda pages 6 - 8 refer.

Resolved COM/2016/021

***THAT the minutes of the meeting of the Commercial Subcommittee, held on 10 May 2016, be confirmed as a true and correct record.***

Noonan/Murray

Carried



5.2 26 May 2016 - Extraordinary Meeting

Document number M1910, agenda pages 9 - 10 refer.

Resolved COM/2016/022

***THAT the minutes of the extraordinary meeting of the Commercial Subcommittee, held on 26 May 2016, be confirmed as a true and correct record.***

Peters/Murray

Carried

6. **Chairperson's Report**

There was no Chairperson's report.

7. **Haven Precinct Project Progress Report**

Document number R6077, late items agenda pages 3 - 21 refer.

Manager Building, Martin Brown, presented the report.

In response to questions, the Chief Executive, Clare Hadley, clarified that early engagement in January/February 2017 would inform development of the project for inclusion in the draft Annual Plan 2017/18, and that further engagement would take place through the Annual Plan process.

There was a discussion regarding the proposed list of stakeholders, and a suggestion was made that additional recreational groups may need to be involved.

A suggestion was made that the vision needed to include access to the coastal marine environment as a whole, rather than being limited to water activities.

Resolved COM/2016/023

***Receive the Haven Precinct Project Progress Report (R6077) and its attachment (A1550230).***

Acland/Peters

Carried

Recommendation to Governance Committee and Council COM/2016/024

***Approve the visions and goals detailed in report R6077 for the concept design;***

***Approve using a traditional procurement process to appoint a lead consultant, to produce the concept design plans based on the visions and goals advised;***

**Approve the preliminary project timeline included in report R6077;**

**Approve the Haven Precinct Strategic Business Case (A1550230).**

Acland/Peters

Carried

Her Worship the Mayor abstained from voting, and requested that this be recorded in the minutes.

## **8. Ridgeways Joint Venture – Referral to Governance Committee**

The Chief Executive, Clare Hadley, presented the report.

Resolved COM/2016/025

**THAT the report Ridgeways Joint Venture - Referral to Governance Committee (R6134) be received;**

**AND THAT the Commercial Subcommittee refer to the Governance Committee the matter of the sale of the sections within the Ridgeways Joint Venture, conditional on receiving a formal offer in time for consideration at the Governance Committee meeting on 14 July 2016.**

Murray/Noonan

Carried

## **9. Exclusion of the Public**

Resolved COM/2016/026

**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:***

Peters/Her Worship the Mayor

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	<b>Commercial Subcommittee Meeting - Public Excluded Minutes - 10 May 2016</b>	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"> <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> </ul>
2	<b>Detailed property assessment: Wakapuaka</b>	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"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> </ul>
3	<b>Detailed property assessment: Industrial land in Stoke - Supplementary Report</b>	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"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> </ul>
4	<b>Property Matters</b>  This report details approaches received on properties to purchase or sell, and leasing matters relating to Civic House	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"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> </ul>

The meeting went into public excluded session at 3.37pm and resumed in public session at 5.14pm, during which time Councillors Acland and Noonan left the meeting.

## 9. Re-admittance of the Public

Resolved COM/2016/027

**THAT the public be re-admitted to the meeting.**

Her Worship the Mayor/Peters

Carried

There being no further business the meeting ended at 5.14pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date