



AGENDA

Ordinary meeting of the

Commercial Subcommittee

Thursday 4 August 2016

**Commencing at the conclusion of Audit, Risk and Finance
Subcommittee**

Council Chamber, Floor 2A

Civic House

110 Trafalgar Street, Nelson

Membership: Mr John Murray (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Luke Acland and Gaile Noonan 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

Nil

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 23 June 2016

6 - 11

Document number M1957

Recommendation

THAT the minutes of the meeting of the Commercial Subcommittee, held on 23 June 2016, be confirmed as a true and correct record.

6. Chairperson's Report**PUBLIC EXCLUDED BUSINESS****7. 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:

| 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 | Commercial Subcommittee Meeting - Public Excluded Minutes - 23 June 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). |
| 2 | Detailed Property Assessment: Emano | 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 |
| 3 | Review of Forestry | Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7 | The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities |
| 4 | Property matters - 1 Kinzett Terrace | 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 |
| 5 | State Advances - way forward | Section 48(1)(a) The public conduct of | The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h) |

| Item | General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Particular interests protected (where applicable) |
|------|---|---|--|
| | | this matter would be likely to result in disclosure of information for which good reason exists under section 7 | To enable the local authority to carry out, without prejudice or disadvantage, commercial activities |

8. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

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) |
|------|---|---|---|
|------|---|---|---|

| 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 | 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). |
| 2 | Detailed property assessment: Wakapuaka | 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 |
| 3 | Detailed property assessment: Industrial land in Stoke - Supplementary Report | 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 |
| 4 | Property Matters 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"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities |

The meeting went into public excluded session at 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