



AGENDA

Extraordinary meeting of the

Nelson City Council

Thursday 1 December 2016

Commencing at 12.45pm

Council Chamber

Civic House

110 Trafalgar Street, Nelson

Membership: Her Worship the Mayor Rachel Reese (Chairperson), Councillors Luke Acland, Ian Barker, Mel Courtney, Bill Dahlberg, Kate Fulton, Matt Lawrey, Paul Matheson, Brian McGurk, Gaile Noonan, Mike Rutledge, Tim Skinner and Stuart Walker

Opening Prayer

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. Mayor's Report

6. Appointment of NZTA Representative to Regional Transport Committee

4 - 6

Document number R6874

Recommendation

That the Council

Receives the report Appointment of NZTA Representative to Regional Transport Committee (R6874); and

Appoints the New Zealand Transport Agency's nominated representative to the Nelson City Council Regional Transport Committee.

7. Appointment of External Representatives to NRSBU 7 - 9

Document number R6877

Recommendation

That the Council

Receives the report Appointment of External Representatives to NRSBU (R6877); and

Appoints one non-voting member to the NRSBU representing Major Industrial Customers (Philip Wilson); and

Appoints one non-voting member to the NRSBU to represent local iwi (Matt Hippolite).

Appointment of NZTA Representative to Regional Transport Committee

1. Purpose of Report

- 1.1 To appoint the New Zealand Transport Agency representative to the Regional Transport Committee.

2. Recommendation

That the Council

Receives the report Appointment of NZTA Representative to Regional Transport Committee (R6874); and

Appoints the New Zealand Transport Agency's nominated representative to the Nelson City Council Regional Transport Committee.

3. Background

- 3.1 As a unitary authority, Nelson City Council needs to appoint a Regional Transport Committee (RTC) in accordance with section 105 of the Land Transport Management Act 2003 (the LTMA).
- 3.2 At the Council meeting on 27 October 2016, Council appointed four elected representatives to the RTC in accordance with the LTMA: Her Worship the Mayor Rachel Reese, and Councillors Paul Matheson, Gaile Noonan, and Mike Rutledge.
- 3.3 Section 105(3) of the LTMA also requires that Council appoints one person to represent the New Zealand Transport Agency (NZTA). Due to an oversight, this appointment was not included in the Mayor's Report of 27 October 2016.

4. Discussion

- 4.1 Council now needs to appoint the NZTA representative to the RTC in order that the Committee is fully appointed in time for its first meeting on 5 December 2016.

4.2 The LTMA section 105(4) requires that the relevant entity, in this case NZTA, must nominate the person to be appointed to represent the Agency. The NZTA Regional Director Central, Raewyn Bleakley, is currently the nominated NZTA representative for the RTC.

5. Options

5.1 Option 1 – Do not appoint NZTA representative

5.1.1 Council can decide not to appoint an NZTA representative to the RTC. This would mean that Council would not meet its legislative requirement under the LTMA, and the RTC would not be able to meet or carry out its functions. Officers do not recommend this option.

5.2 Option 2 – Appoint NZTA representative

5.3 Council can decide to appoint an NZTA representative to the RTC. This is a procedural matter to address an oversight at the time Council resolved its appointments to committees on 27 October 2016. It would ensure Council meets its legislative requirements and allow the RTC to meet and carry out its functions for the triennium.

6. Conclusion

6.1 Officers recommend that Council appoints an NZTA representative to the Regional Transport Committee.

Chris Ward
Group Manager Community Services

Attachments

Nil

<p>Important considerations for decision making</p>
<p>1. Fit with Purpose of Local Government</p> <p>This appointment ensures Council’s Regional Transport Committee can carry out its functions as required by the Land Transport Management Act 2003.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>The Regional Transport Committee must be properly appointed in order to carry out its delegated responsibilities.</p>
<p>3. Risk</p> <p>There are no risks associated with making this appointment.</p>
<p>4. Financial impact</p> <p>There is no cost associated with making this appointment.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of low significance because a decision to make the appointment is in line with legislative requirements, it will result in a continuation of level of service, and does not have a financial impact.</p>
<p>6. Inclusion of Māori in the decision making process</p> <p>Māori have not been consulted on this decision.</p>
<p>7. Delegations</p> <p>This decision is a matter for Council.</p>

Appointment of External Representatives to NRSBU

1. Purpose of Report

- 1.1 To appoint the iwi and Major Industrial Customer representatives to the Nelson Regional Sewerage Business Unit (NRSBU).

2. Recommendation

That the Council

Receives the report Appointment of External Representatives to NRSBU (R6877); and

Appoints one non-voting member to the NRSBU representing Major Industrial Customers (Philip Wilson); and

Appoints one non-voting member to the NRSBU to represent local iwi (Matt Hippolite).

3. Background

- 3.1 The purpose of the NRSBU is to manage and operate the wastewater treatment facilities at Bell Island, and its associated reticulation network. It is governed by a Memorandum of Understanding (MoU) between Nelson City and Tasman District Councils.

4. Discussion

- 4.1 Clause 4.2 of the MoU, requires the NRSBU Board to be comprised of either six or seven members. The six members required are two members appointed each by Nelson City and Tasman District Councils, one non-voting member representing the NRSBU Major Industrial Customers, and one non-voting member representing local iwi. There is provision for an independent member to be appointed by mutual agreement of both Councils. Currently, no independent member is anticipated.
- 4.2 Nelson City and Tasman District Councils each appointed two members to the NRSBU Board at their inaugural meetings of the 2016 triennium.

However, due to an oversight, neither Council has yet resolved the appointment of the Major Industrial Customer and local iwi representatives.

- 4.3 These representatives must be appointed to the Board before it can meet. The first meeting of the NRSBU for the triennium is scheduled for 9 December 2016.
- 4.4 The representatives during the previous triennium were Philip Wilson (Major Industrial Customers) and Matt Hippolite (local iwi). The General Manager of the NRSBU has contacted both, and they have confirmed that their respective organisations have made no changes to their appointments to the NRSBU. It is possible that each group may review the appointments in 2017. If any changes are required, these will be reported to Council for consideration.
- 4.5 Tasman District Council is considering an identical report at its Council meeting on 1 December 2016.

5. Options

- 5.1 Option 1 – Do not appoint Major Industrial Customer and local iwi representatives.
 - 5.1.1 Council can decide not to appoint Major Industrial Customer and local iwi representatives to the NRSBU. However, this would mean that the NRSBU would not be able to meet or carry out its functions under the MoU. Officers do not recommend this option.
- 5.2 Option 2 – Appoint Major Industrial Customer and local iwi representatives.
- 5.3 Council can decide to appoint Major Industrial Customer and local iwi representatives to the NRSBU. This would ensure that the NRSBU was fully constituted, and able to meet and carry out its functions in line with the MoU. This is the recommended option.

6. Conclusion

- 6.1 Officers recommend that Council appoints Major Industrial Customer and local iwi representatives to the NRSBU.

Chris Ward
Group Manager Community Services

Attachments

Nil

Important considerations for decision making	
1. Fit with Purpose of Local Government	This appointment ensures that the NRSBU can carry out its functions in line with the MoU.
2. Consistency with Community Outcomes and Council Policy	The NRSBU must be properly appointed in order to carry out its delegated responsibilities.
3. Risk	There are no risks associated with making this appointment.
4. Financial impact	There is no cost associated with making this appointment.
5. Degree of significance and level of engagement	This matter is of low significance because a decision to make the appointment is in line with the governing MoU, it will result in a continuation of level of service, and does not have a financial impact.
6. Inclusion of Māori in the decision making process	One of the proposed members is to represent local iwi on the NRSBU.
7. Delegations	This decision is a matter for Council.