



AGENDA

Ordinary meeting of the

Community Services Committee

Tuesday 28 November 2017

Commencing at 9.00am

Council Chamber

Civic House

110 Trafalgar Street, Nelson

Membership: Councillor Gaile Noonan (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Mel Courtney (Deputy Chairperson), Kate Fulton, Matt Lawrey, Brian McGurk, Paul Matheson and Mike Rutledge

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Order 12.1:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings
- 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

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 19 October 2017

9 - 18

Document number M3022

Recommendation

That the Community Services Committee***Confirms the minutes of the meeting of the Community Services Committee, held on 19 October 2017, as a true and correct record.*****6. Status Report - Community Services Committee - 28 November 2017****19 - 20**

Document number R8743

Recommendation

That the Community Services Committee***Receives the Status Report Community Services Committee 28 November 2017 (R8743) and its attachment (A1157454).***

7. Chairperson's Report for Community Services 28 November 2017 **21 - 23**

Document number R8760

Recommendation

That the Community Services Committee

Receives the Chairperson's Report for Community Services 28 November 2017 (R8760).

8. Nelson Festivals Trust Deed **24 - 38**

Document number R8605

Recommendation

That the Community Services Committee

Receives the report Nelson Festivals Trust Deed (R8605) and its attachment (A1867010).

Recommendation to Council

That the Council

Approves the draft Nelson Festivals Trust Deed (A1867010).

9. Community Investment Fund - Priorities and Review **39 - 61**

Document number R8606

Recommendation

That the Community Services Committee

Receives the report Community Investment Fund - Priorities and Review (R8606) and its attachments (A1854528), (A1865025), (A1854597) and (A1833653).

Recommendation to Council

That the Council

Approves that the Community Assistance Policy be renamed the Community Investment Policy; and

Approves the amended Community Investment Policy (A1854528); and

Approves the amended Terms of Reference for the Community Investment Funding Panel (A1854597); and

Re-appoints the current Community Investment Funding panel community representatives (Graeme Thomas, Katy Steele, Rachel Saunders, Susan Hawthorne) for the 2018/19 funding allocations; and

Notes that all four community representative roles will be re-advertised prior to 2019/20 funding allocations; and

Approves the Community Investment Fund priorities (A1833653) for funding allocations to be made from the fund in 2018/19.

10. Establishment of Nelson Whakatu Menzshed

62 - 67

Document number R8694

Recommendation

That the Community Services Committee

Receives the report Establishment of Nelson Whakatu Menzshed (R8694) and its attachment (A1860796); and

Recommendation to Council

That the Council

Approves the granting of a Community Lease for Nelson Whakatu Menzshed at 236 Haven Road as outlined in red on Attachment one (A1860796) of report R8694 for a period of one year at an annual rent of \$532 + GST; and

Approves the completion of necessary electrical works (funded from the \$10,000 set aside for development of a Menzshed in the 2017/18 Annual Plan) to the building prior to commencement of a lease; and

Approves the release of residual funding from the \$10,000 set aside in the 2017/18 Annual Plan to the amalgamated Menzshed group to assist with further establishment costs.

11. Nelson Youth Council - 24 October 2017

68 - 73

Document number M3021

Recommendation

That the Community Services Committee

Receives the unconfirmed minutes of a meeting of the Nelson Youth Council, held on 24 October 2017.

12. Exclusion of the Public

Recommendation

That the Community Services Committee

Excludes the public 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	Community Services Committee Meeting - Public	Section 48(1)(a) The public conduct of this matter would be likely to result in	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Excluded Minutes - 19 October 2017	disclosure of information for which good reason exists under section 7.	without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Status Report - Community Services Committee - Public Excluded - 28 November 2017	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)(a) To protect the privacy of natural persons, including that of a deceased person
3	Gifting of the Civic Trust Sculpture	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information • Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied

13. Re-admittance of the public

Recommendation

That the Community Services Committee

Re-admits the public to the meeting.

Note:

- **A workshop is scheduled to commence at 11am. The meeting may need to adjourn for the workshop to commence.**
- **Lunch will be provided.**



Minutes of a meeting of the Community Services Committee

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

On Thursday 19 October 2017, commencing at 9.03am

- Present: Councillor G Noonan (Chairperson), Her Worship the Mayor R Reese, Councillors M Courtney (Deputy Chairperson), K Fulton, M Lawrey, B McGurk and M Rutledge
- In Attendance: Councillors I Barker and S Walker, Acting Chief Executive (D Hammond), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), P Shattock, Youth Councillors A James and J Stallard, Team Leader Governance (R Byrne), and Governance Adviser (L Canton)
- Apology: Her Worship the Mayor R Reese (for lateness), and Councillor P Matheson

1. Apologies

Resolved CS/2017/071

That the Community Services Committee

Receives and accepts the apology from Her Worship the Mayor for lateness, and Councillor Matheson for attendance.

Rutledge/McGurk

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

There was no public forum.

5. Confirmation of Minutes

5.1 31 August 2017

Document number M2861, agenda pages 10 - 15 refer.

Resolved CS/2017/072

That the Community Services Committee

Confirms the minutes of the meeting of the Community Services Committee, held on 31 August 2017, as a true and correct record.

Courtney/McGurk

Carried

6. Status Report - Community Services Committee - 19 October 2017

Document number R8533, agenda pages 16 - 17 refer.

Resolved CS/2017/073

That the Community Services Committee

Receives the Status Report Community Services Committee 19 October 2017 (R8533) and its attachment (A1157454).

McGurk/Courtney

Carried

7. Chairperson's Report

Document number R8535, agenda pages 18 - 19 refer.

Resolved CS/2017/074

That the Community Services Committee

Receives the Chairperson's Report (R8535).

Lawrey/Courtney

Carried

8. Draft Arts Activity Management Plan 2018-28

Document number R7928, agenda pages 20 - 46 refer.

Manager Community Partnerships, Shanine Raggett, and Arts Adviser, Maria Anderson, presented the report and answered questions.

Resolved CS/2017/075

That the Community Services Committee

Receives the report Draft Arts Activity Management Plan 2018-28 (R7928) and its attachment (A1766400).

Courtney/Fulton

Carried

Recommendation to Council CS/2017/076

That the Council

Approves the Draft Arts Activity Management Plan 2018-28 (A1766400) as the version to inform the Long Term Plan 2018-2028.

Courtney/Fulton

Carried

9. Nelson Arts Festival Governance

Document number R7929, agenda pages 47 - 83 refer.

Manager Community Partnerships, Shanine Raggett, presented the report. She explained that the last clause of the officer recommendation in the report had been updated to specify that the Chair of the Trust rather than the interview panel would appoint other trustees to avoid inadvertently creating a Council Controlled Organisation.

Ms Raggett and Group Manager Community Services, Chris Ward, answered questions.

Attendance: Councillor Rutledge left the meeting at 10.10am and returned at 1012.am.

Resolved CS/2017/077

That the Community Services Committee

Receives the report Nelson Arts Festival Governance (R7929) and its attachments (A1786221) and (A1835044).

Rutledge/Courtney

Carried

Recommendation to Council CS/2017/078

That the Council

Establishes a Charitable Trust, registered as the Nelson Festivals Trust, to provide governance and operations of the Nelson Arts Festival as an independent governing body; and

Implements the transition timeframe and actions outlined in this report (R7929), with transfer of operations to occur in time for the Trust to shadow the 2018 Nelson Arts Festival and to operate the Festival from 2019; and

Directs an interview panel comprising of the Chair Community Services, Deputy Chair Community Services and Her Worship the Mayor, to commence recruitment for a Chair of the Trust and recommend a preferred candidate to Council for approval; and

Notes that due to timeframe requirements, the recruitment process for the Chair will commence before formal Council approval on 9 November 2017, identifying within the application process that it is subject to Council approval; and

Acknowledges that the newly appointed Chair will be responsible for appointing the other initial trustees of the Trust.

Rutledge/Courtney

Carried

Cr Fulton asked that her vote against the recommendation to Council be recorded.

Attendance: The meeting adjourned from 10.28am to 10.46am during which time Her Worship the Mayor joined the meeting.

10. Draft Youth Strategy Action Plan

Document number R7927, agenda pages 84 - 99 refer.

Shanine Raggett, and Community Partnerships Advisers, Steve Stiles and Matt Walters, presented the report and answered questions.

Youth Councillors, Jenna Stallard and Alana James, outlined the Youth Council's involvement in the strategy.

Resolved CS/2017/079

That the Community Services Committee

Receives the report Draft Youth Strategy Action Plan (R7927) and its attachment (A1831993); and

Approves the draft Youth Strategy Action Plan (A1831993); and

Allocates the \$78,400 budgeted in the Annual Plan 2017/18 for youth activity towards the following for one year as outlined in report R7927:

- Youth Sector Leadership group and projects \$58,400***
- Youth Forum establishment and actions \$20,000***

Noonan/Fulton

Carried

11. CCTV Services

Document number R8072, agenda pages 100 - 118 refer.

Group Manager Infrastructure, Alec Louverdis, and Asset Engineer Transport, Kayleen Goldthorpe, presented the report. Mr Louverdis explained an update to the final clause of the officer recommendation to make it a recommendation to Council and limit the delegated authority for exceeding budget for the tender to \$50,000. Mr Louverdis answered questions.

Resolved CS/2017/080

That the Community Services Committee

Receives the report CCTV Services (R8072) and its attachments (A1847247 and A1758371); and

Notes that a new CCTV contract will be prepared for tender, including renewal of existing services and addition of new services.

Courtney/Rutledge

Carried

Recommendation to Council CS/2017/081

That the Council

Delegates approval of the successful tender to the Chair of the Community Services Committee and the Chief Executive if the budget is exceeded by up to \$50,000.

Courtney/Rutledge

Carried

12. Community Services Report for 1 July to 30 September 2017

Document number R8048, agenda pages 119 - 125 refer.

Group Manager Community Services, Chris Ward, presented the report.

Resolved CS/2017/082

That the Community Services Committee

Receives the report Community Services Report for 1 July to 30 September 2017 (R8048).

Noonan/McGurk

Carried

13. Youth Council Update

Youth Councillors, Alana James and Jenna Stallard, provided an update on Youth Council activities.

14. Draft Heritage Activity Management Plan 2018 - 2028

Document number R8409, agenda pages 126 - 162 refer.

Attendance: Her Worship the Mayor and Councillors McGurk and Rutledge left the meeting at 11.51am.

Manager Libraries and Heritage Facilities, Jay Robinson, presented the report and answered questions.

Attendance: Councillor McGurk returned to the meeting at 11.54am.

Attendance: Councillor Lawrey left the meeting at 11.54am and returned at 12.03pm.

Resolved CS/2017/083

That the Community Services Committee

Receives the report Draft Heritage Activity Management Plan 2018 - 2028 (R8409) and its attachment (A1826798).

McGurk/Fulton

Carried

Recommendation to Council CS/2017/084

That the Council

Approves the Draft Heritage Activity Management Plan 2018–2028 (A1826798) as the version to inform the Long Term Plan 2018-2028.

Fulton/McGurk

Carried

15. Nelson Youth Council - 15 June 2017

Document number M2659, agenda pages 163 - 168 refer.

Resolved CS/2017/085

That the Community Services Committee

Receives the confirmed minutes of a meeting of the Nelson Youth Council, held on 15 June 2017.

McGurk/Fulton

Carried

16. Nelson Youth Council - 6 July 2017

Document number M2732, agenda pages 169 - 175 refer.

Resolved CS/2017/086

That the Community Services Committee

Receives the confirmed minutes of a meeting of the Nelson Youth Council, held on 6 July 2017.

McGurk/Fulton

Carried

17. Nelson Youth Council - 14 August 2017

Document number M2816, agenda pages 176 - 181 refer.

Resolved CS/2017/087

That the Community Services Committee

Receives the unconfirmed minutes of a meeting of the Nelson Youth Council, held on 14 August 2017.

McGurk/Fulton

Carried

18. Nelson Youth Council - 25 September 2017

Document number M2929, agenda pages 182 - 188 refer.

Resolved CS/2017/088

That the Community Services Committee

Receives the unconfirmed minutes of a meeting of the Nelson Youth Council, held on 25 September 2017.

McGurk/Fulton

Carried

19. Exclusion of the Public

Resolved CS/2017/089

That the Community Services Committee

Excludes the public 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:

Courtney/McGurk

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	Community Services Committee Meeting - Public Excluded Minutes - 31 August 2017	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)(a) To protect the privacy of natural persons, including that of a deceased person
2	Status Report - Community Services Committee - Public Excluded - 19 October 2017	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Commercial Leases - Founders Heritage Park	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 12.14pm and resumed in public session at 12.17pm.

20. Re-admittance of the Public

Resolved CS/2017/090

That the Community Services Committee

Re-admits the public to the meeting.

Courtney/McGurk

Carried

There being no further business the meeting ended at 12.17pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Status Report - Community Services Committee - 28 November 2017

1. Purpose of Report

- 1.1 To provide an update on the status of actions requested and pending.

2. Recommendation

That the Community Services Committee

Receives the Status Report Community Services Committee 28 November 2017 (R8743) and its attachment (A1157454).

Attachments

Attachment 1: A1157454 Status Report 28 November 2017 [↓](#)

Item 6: Status Report - Community Services Committee - 28 November 2017:
Attachment 1

Status Report - Community Services Committee – 28 November 2017				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
07 July 2016	Arts Fund - Approval of Waka Landing Site Concept	<p><u>THAT</u> the report Arts Fund - Approval of Waka Landing Site Concept (R5322) be received;</p> <p><u>THAT</u> the 'Taurapa' concept for artwork at the waka landing site is approved for further development;</p> <p><u>AND THAT</u> the artwork is commissioned subject to successful resource and building consent applications and approval of the budget and final concept plans by Council's Art Selection Panel.</p>	Shanine Raggett	<p>The Art Selection Panel has approved the commission and install of the artwork in principle, with a few items to clarify with the artist around installation.</p> <p>The project will then progress to the installation stage, which is anticipated to be complete no later than June 2018.</p> <p>Ongoing</p>
19 October 2017	CCTV Services	<p>That the Community Services Committee</p> <p><u>Receives</u> the report CCTV Services (R8072) and its attachments (A1847247 and A1758371); and</p> <p><u>Notes</u> that a new CCTV contract will be prepared for tender, including renewal of existing services and addition of new services.</p>	Alec Louverdis	<p>A draft Request for Proposal (RFP) for prospective CCTV services will be reviewed with Police staff on Friday 24th November, advertised before Christmas and close in early in 2018.</p>

Chairperson's Report for Community Services 28 November 2017

1. Purpose of Report

- 1.1 To update the Committee on the activities of the Chairperson and other elected members on their external liaison and representation roles.

2. Recommendation

That the Community Services Committee

***Receives the Chairperson's Report for
Community Services 28 November 2017
(R8760).***

- 1.1 Since our meeting on the 19th October, as Chair of this committee, I have hosted two Youth Councillors who spoke at the Nelson Rotary Club; attended the re-opening of the Nellie Nightingale Memorial Library; Broadgreen House celebration 50 years of volunteering; prize-giving at the Masked Parade; several events for China Week and the Moving Forward – Strengthening Community Governance forum.
- 1.2 Held on Thursday 16th November, the Strengthening Community Governance forum was a partnership between Nelson City Council, the Rata Foundation, The Department of Internal affairs, and Volunteer Nelson, to launch the findings of research conducted on the strengths and issues of governance in the Not for Profit sector in Nelson and Tasman.
- 1.3 The evening engaged with local community governance leaders on the needs/issues and strengths and how capacity can be built. During the evening and through the engagement, one third of all participants indicated they would like to be involved with further actions, including co-ordinated training, mentorship, recruitment and retention of board members and increased diversity on governance boards including more young people. Over 100 people attended with local providers such as the Institute of Directors, Nelson Tasman Business Trust, BoardPro and Volunteer NZ showcasing their current resources.

Liaison Roles in the Community

- 1.4 This meeting the opportunity was made to Councillors with liaison roles to report back and the following have been submitted:

Broadgreen Society – Mel Courtney

- 1.4.1 It is 50 years since volunteering at Broadgreen Historic House first commenced, the anniversary was commemorated on Sunday afternoon the 5th November. The highlights of the afternoon were Her Worship the Mayor and her Mother attending, guests wearing period costume, warm and congratulatory speeches, high tea served and memories shared - the occasion was filled with merriment.
- 1.4.2 The Broadgreen Society values its partnership with the Nelson City Council. The NCC cares for the category 1 Heritage House, the collection displayed within and strives (with dedicated staff) to build visitor numbers by providing programmes that honour the history while keeping it relevant, so people feel attracted, touched or even inspired by it.
- 1.4.3 The Broadgreen Society's main focus is on historical education particularly in respect of preparing Volunteer Guides for when they accompany visitors through the house. The Volunteers also support NCC staff as they prepare and execute the event programmes (at least 15 events) in the 17/18 year.
- 1.4.4 The Society appreciates having a liaison Councillor who provides them with a link through to the Community Services Committee.

A4A – Cr Paul Matheson

- 1.4.5 These meetings are very worthwhile and increasingly important as our regional population ages. All the organisations who interact with those with disabilities in whatever form, come together every 6 weeks to look at issues concerning growth and its effects on this sector. We have recently discussed the increasing use of the footpath area by bikes, mobility scooters, skateboarding etc and how we manage the demand for this space in the future. These meetings are managed by the Tasman District Council and we are a partner in the programme. I really enjoy them.

Arts Council – Mayor Rachel Reese

- 1.4.6 To promote, initiate and support projects and activities that stimulate and strengthen the artistic and cultural life of our community.
- 1.4.7 In my opinion, Arts Council Nelson (ACN) is meeting its mission. ACN held its AGM in late October and reported on another busy

Item 7: Chairperson's Report for Community Services 28 November 2017

and successful year. The Board has been ably chaired by Ian Bowell and is managed by Lloyd Harwood.

- 1.4.8 Ian has stepped down as chair to allow him to focus effort on other Arts initiatives and a new chair will be appointed at ACN's November meeting. I have no concerns about succession.
- 1.4.9 The Board and Management of ACN are an effective and active team. While this is a hands-on Board that regularly supports Arts events and Initiatives, it is also a Board with a strong strategic focus. Good Employer practice is evident as is a focus on financial performance, policy development and compliance, and Health and Safety obligations.
- 1.4.10 ACN's contract for service has been renewed by Council.
- 1.4.11 Challenges moving forward for ACN will be securing a new Treasurer with accountancy expertise. forward planning for capital works for the Refinery Arts Space, continuing to advocate that Artists are rewarded for their work, and managing the pace of community activity - this is a very busy and active organisation.
- 1.4.12 It is a real pleasure to undertake this liaison role and I thank the Committee for this opportunity which I am thoroughly enjoying.
- 1.5 As Chair I would like to thank those who submitted an update on the roles they hold. There will be further opportunities next year for others to report back.
- 1.6 In the meantime I wish all our staff, the community and yourselves a safe and happy Christmas season and a time to refresh for a busy 2018.

Gaile Noonan

Chairperson - Community Services Committee

Attachments

Nil

Nelson Festivals Trust Deed

1. Purpose of Report

- 1.1 To approve the draft Nelson Festivals Trust Deed.

2. Recommendation

That the Community Services Committee

Receives the report Nelson Festivals Trust Deed (R8605) and its attachment (A1867010).

Recommendation to Council

That the Council

Approves the draft Nelson Festivals Trust Deed (A1867010).

3. Background

- 3.1 Council decided in the Long Term Plan 2015-25 to establish an independent governance structure for the Nelson Arts Festival.
- 3.2 After considering the options, feedback from the Nelson Arts Festival Transition Group, risks and community feedback, Council decided to establish an 'independent governing body' with a trust board as a charitable trust as the governance structure, and on 9 November 2017 resolved:

That the Council

Establishes a Charitable Trust, registered as the Nelson Festivals Trust, to provide governance and operations of the Nelson Arts Festival as an independent governing body; and

Implements the transition timeframe and actions outlined in this report (R7929), with transfer of operations to occur in time for the Trust to shadow the 2018 Nelson Arts Festival and to operate the Festival from 2019; and

Item 8: Nelson Festivals Trust Deed

Directs an interview panel comprising of the Chair Community Services, Deputy Chair Community Services and Her Worship the Mayor, to commence recruitment for a Chair of the Trust and recommend a preferred candidate to Council for approval; and

Notes that due to timeframe requirements, the recruitment process for the Chair will commence before formal Council approval on 9 November 2017, identifying within the application process that it is subject to Council approval; and

Acknowledges that the newly appointed Chair will be responsible for appointing the other initial trustees of the Trust.

- 3.3 The transition timeframe (A1835044) notes that the draft Trust Deed will be presented to Council in November for approval, hence this report.

4. Discussion

Establishment Process

- 4.1 Attached for approval is the draft Trust Deed for the establishment of the Nelson Festivals Trust (attachment one – A1867010).
- 4.2 The Trust Deed outlines the name of the Trust, objects of the Trust, its financial year, number of trustees, trustee term of appointment and their rotation. The Trust Deed rules also state that any subsequent changes to the Trust Deed require Council approval.
- 4.3 The name and objects of the Trust has been worded so that if in future the opportunity arises, the Trust can also operate events other than the Nelson Arts Festival if it chooses to do so.
- 4.4 The Deed requires the Board to obtain Council approval before changing the rules of the Trust.
- 4.5 Once the draft Trust Deed is approved, the next steps are:
- Application to the Registrar of Incorporated Societies to incorporate the Trust under the Charitable Trusts Act 1957
 - Application to register the Trust Board with the Charities Commission for charitable status
 - Application to Inland Revenue for Donee Organisation Status

Trust Board relationship with Council

- 4.6 While the Trust Deed sets out the mechanics and function of the Board and the rules by which its members must abide, Council's relationship will be largely managed through the agreement that is to be put in place for the funding provided by Council.

Item 8: Nelson Festivals Trust Deed

- 4.7 The agreement will set the parameters and outcomes that Council seeks to achieve through funding the Trust and allow Council to be satisfied that outcomes are being met satisfactorily as well as reporting timeframes, frequency and requirements.
- 4.8 The agreement is the mechanism to ensure the Trust meet its obligations as Council requires. It is recommended that in this agreement, reporting is specified similar to that of a CCO (Council Controlled Organisation) where the board present a 'statement of intent' each year to Council before funding is released. The agreement would set out how the trust is to deliver the outcomes and maintain its relationship with Council.
- 4.9 A Councillor Liaison role with the Trust Board is also recommended. As per the Council Policy on external appointments (A1554165):
- "There should be consideration given to appoint a Councillor liaison where a group's objectives align with Council's objectives, the group has been initiated by Council or Council is a founding partner, where an organisation is managing a significant asset of Council necessary to achieve Council's objectives, or if Council considers that strategic input is important to the City."*
- "Liaison appointments are made to ensure relationships with Council are maintained, to provide for the exchange of information, to provide strategic advice where appropriate and to highlight any risks the organisations may face, which Council should be aware of. Liaison roles are not formal appointments to Trust boards."*
- 4.10 A Councillor Liaison role will allow for a strong relationship with Council to ensure outcomes are being met and to maintain communication and reporting between both parties.

5. Options

- 5.1 Council can decide to approve the Draft Festivals Trust Deed or make amendments to the Trust Deed before approving.

6. Conclusion

- 6.1 Council resolved to establish an independent Trust to govern and operate the Nelson Arts Festival. This report seeks approval of the Trust Deed for the Nelson Festivals Trust.

Shanine Raggett
Manager Community Partnerships

Attachments

Attachment 1: A1867010 - Draft Deed of Trust - Nelson Arts Festival [↓](#)

<p>Important considerations for decision making</p>
<p>1. Fit with Purpose of Local Government</p> <p>This decision allows Council to make a contribution to the wellbeing of the community and provide vibrancy to the City in a cost-effective way by establishing an external governance structure to oversee the Festival.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>The report aligns with Council's Community outcome: "our communities have opportunities to explore their heritage, identity and creativity" and specifically "We have a strong sense of community, enhanced by activities, festivals, events and celebrations that reflect our distinct environment and people".</p>
<p>3. Risk</p> <p>The recommendations in this report align with Council's previous decision to establish an external governance structure for the Nelson Arts Festival and align with the requirements of establishing a charitable trust.</p>
<p>4. Financial impact</p> <p>There are no costs associated with this decision as the recommendation is within existing budget allocations and Council has previously decided to allocate funding towards the external governance structure to operate the Festival within current funding allocations.</p>
<p>5. Degree of significance and level of engagement</p> <p>The decision to establish an external governance structure for the Nelson Arts Festival was consulted on through the Long Term Plan 2015-25. The Nelson Arts Festival Transition Group consulted with a large number of relevant stakeholders. A public feedback process on establishing a CCO structure resulted in 15 submissions. No further engagement on this decision is recommended.</p>
<p>6. Inclusion of Māori in the decision making process</p> <p>Māori have not specifically been consulted in relation to this report.</p>
<p>7. Delegations</p> <p>The Community Services Committee has the responsibility for considering Community Festivals and Events and has the power to make a recommendation to Council on this matter.</p>

16/11/2017

Nelson Festivals Trust

Deed of Trust

Fletcher Vautier Moore
Lawyers
Nelson

Item 8: Nelson Festivals Trust Deed: Attachment 1

This Deed made the _____ day of _____ 2017

Between

- (1) [name], of [address], [occupation]
 - (2) [name], of [address], [occupation]
 - (3) [name], of [address], [occupation]
 - (4) [name], of [address], [occupation]
 - (5) [name], of [address], [occupation]
- (Trustees)

Background

- A The parties to this deed wish to establish a charitable trust (**Trust**) for the purposes described in clause 4.1 of this deed.
- B The Trustees have agreed to enter into this deed specifying the purposes of the Trust and providing for its control and governance.

This Deed Witnesses:

1. Name and trust property

- 1.1 The name of the Trust shall be Nelson Festivals Trust.
- 1.2 The Trustees acknowledge and declare that they have received the sum of \$100.00 which they hold, together with such other assets as may be added from time to time, upon the trusts declared in this deed.

2. Incorporation

- 2.1 The Trustees will apply for incorporation as a Board under Part 2 of the Charitable Trusts Act 1957.
- 2.2 The name of the Board shall be Nelson Festivals Trust or such other name as the Board may determine from time to time.

3. Registered office

- 3.1 The registered office of the Trust shall be such place in the Nelson/Tasman region as the Board may determine from time to time, and shall first be at the offices of Nelson City Council, 110 Trafalgar Street, Nelson 7010.

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4. Purposes

4.1 To carry out the following charitable purposes within the Nelson/Tasman region:

- (a) To establish, organise, and promote at such intervals as the Board shall determine a festival of the arts (**festival**) for the benefit of the citizens of the Nelson/Tasman region in particular, and New Zealand in general.
- (b) To establish, organise, and promote artistic and cultural events outside the period of the festival for the benefit of the citizens of the Nelson/Tasman region in particular, and New Zealand in general.
- (c) To encourage, promote and support participation in the festival and other artistic and cultural events established or organised by the Trust.
- (d) To assist with the establishment, funding, promotion and ongoing operation of artistic and cultural activities in the Nelson/Tasman region for the benefit of the citizens of the Nelson/Tasman region in particular, and New Zealand in general.
- (e) To encourage, promote and support artistic and cultural performances, and associated educational resources, in schools in the Nelson/Tasman region in conjunction with the Nelson Arts Festival and other artistic and cultural events established or organised by the Trust.
- (f) To co-ordinate and apply funds and other resources from central and local government, and from the private sector, for the attainment of the charitable purposes of the Trust.
- (g) Without restricting the scope of the foregoing, to take all ancillary and related actions to achieve the charitable purposes of the Trust.
- (h) Any private benefit derived by an individual, business or anyone receiving funding from the Trust (other than remuneration for their services as a trustee of employee) will be incidental to the pursuit of the Trust's charitable purposes.

4.2 In this deed, "**special resolution**" means a resolution of the Board, passed by a majority of not less than two thirds of the Trustees.

4.3 In this deed, "**major transaction**" means a transaction, undertaking, agreement or arrangement that has or is likely to have the effect of the Trust acquiring rights or interests or incurring obligations or liabilities, the value of which is more than 25% of the value of the Trust assets at that time.

4.4 In this deed, unless the context otherwise requires:

- (a) Clause headings are inserted for reference only and shall not affect the interpretation of this deed.
- (b) References to statutes, or provisions thereof, include that statute or provision as from time to time amended, or re-enacted, and a statute or provision enacted in substitution thereof.

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- (c) References to the singular include the plural and vice versa.

5. Trustees

- 5.1 There shall be no more than 7 trustees and no fewer than 5 trustees. The initial Trustees shall be the signatories to this deed.
- 5.2 If at any time there are less than the minimum number of Trustees in office, the remaining Trustees shall restore the number of Trustees to the minimum number.
- 5.3 Unless otherwise specified in this deed, a Trustee shall cease to hold office upon the date the Trustee:
- (a) Dies; or
 - (b) Is declared bankrupt; or
 - (c) Is convicted of an offence punishable by a term of imprisonment of two or more years; or
 - (d) Is found to be a mentally disordered person within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992; or
 - (e) Resigns as a Trustee by written notice to the Board; or
 - (f) Fails to attend three consecutive meetings of the Board unless the failure to attend is excused (whether before or after the meeting) at a meeting of the Board; or
 - (g) Is disqualified from being a Trustee under section 16 Charities Act 2005; or
 - (h) Is removed under the power contained in clause 6.4 of this deed.

6. Appointment/ Retirement/ Removal

- 6.1 At the conclusion of each Annual Meeting of the Trust two of the Trustees for the time being shall retire from office. The Trustees who so retire shall be those Trustees who have been longest in office since their appointment or reappointment. As between persons who became Trustees on the same day, those to retire shall, unless they otherwise agree among themselves, be determined by lot.
- 6.2 Subject to clause 6.3 a retiring Trustee will be eligible for reappointment as a Trustee, but the decision to reappoint a Trustee is entirely at the discretion of the Board.
- 6.3 No person shall hold office as a Trustee for more than 7 years.
- 6.4 The power to appoint and remove Trustees is vested in the Board.

7. Board

- 7.1 From the date of incorporation the Board, consisting of the persons who are for the time being the Trustees, shall be responsible for the governance of the Trust.

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- 7.2 The Board shall meet at such times and places as it determines.
- 7.3 The initial chairperson of the Board shall be appointed by Nelson City Council and shall hold office until the conclusion of the second Annual Meeting of the Trust unless that Person ceases to hold office as a Trustee under clauses 5.3(a) to (g) of this deed. Thereafter, the chairperson shall be as elected by the members of the Board from time to time, the Board shall determine the period for which the chairperson is to hold office, and the Board (excluding the chairperson) may at any time by special resolution remove the chairperson.
- 7.4 The chairperson shall preside at all meetings of the Board at which he or she is present. In the absence of the chairperson from any meeting, the members present shall appoint one of their number to preside at that meeting.
- 7.5 A quorum for a meeting of the Board is a majority of the Trustees, and no business shall be transacted unless a quorum is present.
- 7.6 The Board shall exercise its powers and discretions by a majority of votes of members present unless otherwise specified in this deed. If the voting is tied, the chairperson shall have an additional casting vote.
- 7.7 A minute book shall be kept by the Board and all proceedings of the Board shall be entered in the minute book.
- 7.8 The Board shall have the power to appoint and remove a Secretary and/or Treasurer.
- 7.9 Trustees shall be given notice of all meetings by phone, fax, email or letter provided that it will not be necessary to give notice of a meeting of the Board to any Trustee for the time being absent from New Zealand.
- 7.10 The Board shall meet as necessary to conduct the business of the Trust but shall meet not less than once every three months. One of such meetings, to be held not more than three months after the end of the financial year, shall be designated as the Annual Meeting of the Trust. Meetings of the Board shall be convened by the chairperson at such place and time as the chairperson may determine.
- 7.11 A resolution in writing signed by all of the Trustees entitled to receive notice of a meeting of the Board will be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more Trustees.

8. Meetings by Way of Electronic Communication

- 8.1 The contemporaneous linking together by telephone or other means of communication of a number of Trustees being not less than the quorum (whether or not any one or more of the Trustees is out of New Zealand) shall be deemed to constitute a meeting of the Board and all the provisions of this deed in respect of such meetings shall apply, so long as the following conditions are met:
- (a) All the Trustees for the time being entitled to receive notice of a meeting of the Board shall be entitled to notice of the meeting by telephone or other means of communication and to be linked by telephone or other means for

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the purpose of such meeting and shall have received two working days notice prior to such meeting.;

- (b) Each Trustee taking part in a meeting by telephone or other means of communication must throughout the meeting be able to hear each of the Trustees taking part in the meeting; and
- (c) At the commencement of the meeting each Trustee must identify himself/herself to the other Trustees and must acknowledge the Trustee's presence for the purpose of the meeting to all other Trustees taking part.

9. Powers

9.1 In addition to the powers implied at law including the powers contained in the Trustee Act 1956 and the Charitable Trusts Act 1956, the powers which the Board may exercise in order to carry out its charitable purposes are as follows:

- (a) To use the Trust property as the Board thinks necessary or proper in payment of the costs and expenses of the Trust, including the employment of professional advisers, agents, and staff as appears necessary or expedient;
- (b) To purchase, take on lease or in exchange or hire or otherwise acquire any real or personal property and any rights or privileges which the Board thinks necessary or expedient for the purposes of the Trust, and to sell, exchange, bail or lease, with or without option of purchase, or in any manner dispose of any such property, rights or privileges as aforesaid;
- (c) To carry on any business;
- (d) To construct, maintain, improve, manage, develop any real or personal property which, or an interest in which, forms part of the Trust property, in such manner as the Board thinks fit;
- (e) To lend upon such terms and conditions as the Board thinks fit;
- (f) To accept donations and make gifts for the purposes of furthering the charitable purposes of the Trust;
- (g) To invest surplus funds in any way permitted by law for the investment of Trust funds and upon such terms as the Board thinks fit;
- (h) To borrow or raise money from time to time with or without security and upon such terms as to priority and otherwise as the Board thinks fit;
- (i) To appoint, employ, dismiss and remunerate employees;
- (j) To enter into any arrangement with any local authority or the Government that is conducive to the Trust's purposes, or any of them, and to obtain from any such local authority or the Government any rights, privileges and concessions which the Board think is desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;

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- (k) To carry out such fund raising activities for the purposes of the Trust as the Board in their sole and absolute discretion think fit and to expend monies belonging to the Trust for the purposes of carrying out or promoting such activities in such manner as the Board shall in their sole and absolute discretion think fit;
- (l) To acquire, hire, operate and maintain any vehicles;
- (m) To open and maintain bank accounts;
- (n) To advertise the existence and purposes of the Trust;
- (o) To enter into any contract of indemnity, or act as surety, or give any guarantee, provided that any such indemnity, guarantee or security given must relate to the purposes of the Trust;
- (p) To mediate or refer to arbitration any actions, proceedings, disputes, claims or demands against the Board;
- (q) To pay for any Trustee's Liability Insurance cover taken out by the Board from time to time;
- (r) To do all things as may from time to time be necessary or desirable to enable the Board to give effect to and attain the charitable purposes of the Trust.

9.2 The Board may reimburse the Trustees for all reasonable out of pocket expenses incurred by the Trustees in attending meetings of the Board, and attending to the business of the Trust.

10. Professional Trustees

10.1 Any person who is a Trustee shall be entitled to charge and receive fees for professional services performed in relation to the administration or execution of the Trust as he or she would have been entitled to make or receive if he or she had not been a Trustee.

11. Restriction on Exercise of Trustees' Powers

11.1 Trustees may not enter into a major transaction unless the major transaction is:

- (a) authorised by a special resolution; or
- (b) conditional upon the passing of a special resolution.

12. Income, benefit or advantage to be applied to charitable purposes

12.1 Any income, benefit or advantage is derived by the Trustees in trust for charitable purposes and shall be applied to the charitable purposes of the Trust.

12.2 No Trustee or person associated with a Trustee shall derive any income, benefit or advantage from the Trust where they can materially influence the payment of the income, benefit or advantage except where that income, benefit or advantage is remuneration for professional services in accordance with clause 10.1.

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13. Accounts and Audits

- 13.1 The financial year for the Trust shall be from 1 April in each year to 31 March of the following year.
- 13.2 The Board shall keep true and fair accounts of all money received and expended.
- 13.3 The Board shall as soon as practicable after the end of every financial year of the Trust, cause the accounts of the Trust for that financial year to be audited. The audited accounts shall be made available to the public, and a copy of the audited accounts presented to Nelson City Council.
- 13.4 The Board shall report regularly on its activities to Nelson City Council.

14. Delegation by Trustees

- 14.1 The Board may from time to time appoint any committee or person and may delegate any of its powers and duties to such committee or person, and the committee or person may without confirmation by the Board exercise or perform the delegated powers or duties in like manner and with the same effect as the Board could itself have exercised or performed them.
- 14.2 Any committee or person to whom the Board has delegated powers or duties shall be bound by the terms of this deed.
- 14.3 Every such delegation shall be revocable by the Board at will, and no such delegation shall prevent the exercise of any power or the performance of any duty by the Board.
- 14.4 It shall not be necessary that any person who is appointed to be a member of any such committee, or to whom any such delegation is made, be a member of the Board.

15. Execution of Documents

- 15.1 All documents shall be executed in accordance with Section 19 of the Charitable Trusts Act 1957. Upon incorporation as a Board the Trustees shall adopt a common seal, to be held at the office of the Board. A contract which if made by private persons would be by law required to be by deed may be made on behalf of the Board in writing under the common seal of the Board, attested by at least 2 of the Trustees.

16. Alteration/Variation of the Trust Deed

- 16.1 The Board may pursuant to a special resolution by supplemental deed make alterations or additions to the terms of this deed provided that no such alteration or addition shall:
- (a) Detract from the exclusively charitable nature of the Trust or result in the distribution of its assets on winding up or dissolution for any purpose that is not exclusively charitable;
 - (b) Affect the charitable purposes of the Trust, or clauses 12.1, 12.2 or 17.1 of this deed; or

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- (c) Be made without the prior written approval of Nelson City Council.

17. Winding up of the Board

17.1 On the liquidation of the Board or on its dissolution by the Registrar of Incorporated Societies, all surplus assets after the payment of costs, debts and liabilities shall be applied to such charitable purposes within New Zealand as are generally consistent with the purposes of the Trust as set out in this deed, or disposed of in accordance with the directions of the High Court pursuant to section 27 of the Charitable Trusts Act 1957.

17.2 The Board shall not be put into voluntary liquidation unless the Trustees unanimously resolve to liquidate the Board.

18. Trustees' Liability and Indemnity

18.1 No Trustee shall be liable for any losses or liabilities in connection with the Trust not arising out of his or her own dishonesty, wilful default or wilful breach of trust.

18.2 Each Trustee shall be indemnified out of the Trust assets for and in respect of all losses, liabilities and expenses incurred or sustained by him or her in the exercise or attempted exercise of the powers and discretions vested in the Trustees under this deed, unless such losses, liabilities or expenses are attributable to the Trustee's own dishonesty, wilful default or wilful breach of trust.

19. Patron

19.1 The Board may at any time and from time to time appoint a person of its choice as Honorary Patron of the Trust (**Patron**). The Patron shall be entitled to attend, and participate in, any meetings of the Board but shall not be entitled to vote on any matter arising at the meeting.

IN WITNESS WHEREOF this deed is duly executed the day and year hereinbefore written

Signed by [] in the
presence of:

[]

Witness Signature

Witness Name

Witness Occupation

Witness Address

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Signed by [_____ **]** in the
presence of:

_____ [_____]

Witness Signature

Witness Name

Witness Occupation

Witness Address

Signed by [_____ **]** in the
presence of:

_____ [_____]

Witness Signature

Witness Name

Witness Occupation

Witness Address

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Signed by [_____ **]** in the
presence of:

[_____]

Witness Signature

Witness Name

Witness Occupation

Witness Address

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Signed by [_____ **]** in the
presence of:

[_____]

Witness Signature

Witness Name

Witness Occupation

Witness Address

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Community Investment Fund - Priorities and Review

1. Purpose of Report

- 1.1 To approve changes to the Community Assistance Policy in regard to Community Investment Funding and to approve priorities for funding for 2018-19.

2. Summary

- 2.1 In 2015, the Community Assistance Policy was updated to reflect Council's decision to establish the Community Investment Fund and community representative Panel to allocate funding on behalf of Council.
- 2.2 It is timely to review the process and Policy and their effectiveness prior to the Long Term Plan and to consider priorities for funding for 2018/19.

3. Recommendation

That the Community Services Committee

Receives the report Community Investment Fund - Priorities and Review (R8606) and its attachments (A1854528), (A1865025), (A1854597) and (A1833653).

Recommendation to Council

That the Council

Approves that the Community Assistance Policy be renamed the Community Investment Policy; and

Approves the amended Community Investment Policy (A1854528); and

Approves the amended Terms of Reference for the Community Investment Funding Panel (A1854597); and

Re-appoints the current Community Investment Funding panel community representatives

Item 9: Community Investment Fund - Priorities and Review

(Graeme Thomas, Katy Steele, Rachel Saunders, Susan Hawthorne) for the 2018/19 funding allocations; and

Notes that all four community representative roles will be re-advertised prior to 2019/20 funding allocations; and

Approves the Community Investment Fund priorities (A1833653) for funding allocations to be made from the fund in 2018/19.

4. Background

- 4.1 In the Long Term Plan 2015-25 Council established a Community Investment Funding Panel to make decisions on community investment funding allocations to community groups.
- 4.2 Membership of this Panel is outlined in the Community Assistance Policy which was adopted by Council in July 2015.
- 4.3 In October 2015, Council resolved:
 - *THAT the updated Community Investment Funding Panel Terms of Reference (A1381696) are adopted and four community representatives are appointed to the membership of the Panel from September 2015 to June 2017 to incorporate the 2015/16 and 2016/17 financial years;*
 - *AND THAT the delegations register is updated in accordance with document A1426784 to incorporate the Community Investment Funding Panel and amend the name of the fund and delegated role of the Community Services Committee;*
 - *AND THAT the Community Assistance Policy is amended to reflect the changes in membership of the Community Investment Funding Panel as proposed in document A1427107.*
- 4.4 The Community Assistance Policy outlines that community investment funding allocation decisions will be made by the Community Investment Funding panel.
- 4.5 The current appointed Panel comprises four community representatives and the Group Manager Community Services. The community representative Panel roles are undertaken on a voluntary basis.
- 4.6 Current Panel members are:
 - Chris Ward, Group Manager Community Services (Chair)
 - Rachel Saunders
 - Katy Steele
 - Graeme Thomas
 - Susan Hawthorne

Item 9: Community Investment Fund - Priorities and Review

- 4.7 Council's delegations register sets out the Community Investment Funding Panel functions as follows:

Areas of Responsibility:

- The Funding Panel will consider applications for Community Investment Funding and allocate appropriate levels of funding against the criteria set out in the Nelson City Council Community Assistance Policy and the contribution of the project to the vision and objectives of the Fund.

Powers to Decide:

- The allocation of Community Investment Funding

Powers to Recommend:

- None

- 4.8 A report to Council in September 2015 to adopt the Terms of Reference and appoint Panel members, noted that the period of membership would be two financial years. This was to allow for consistency to the membership and the involvement with this area of responsibility. With the appointment period expiring 30 June 2017, Council resolved:

That the Council

Adopts the updated Community Investment Funding Panel Terms of Reference, with minor amendments (A1767345), noting the change in appointment timeframe to align with the end of the 2017/18 funding round; and

Extends the term of appointment of the following members to the Community Investment Funding Panel until November 2017:

- *Group Manager Community Services*
- *Rachel Saunders*
- *Katy Steele*
- *Graeme Thomas*
- *Susan Hawthorne*

That the Committee

Requests that a report be brought to the Community Services Committee following the completion of funding allocations for the 2017/18 year, considering the efficacy of the allocation process, the performance of the Community Investment Funding Panel, and any other relevant issues.

5. Discussion

5.1 Since the changes to Community Assistance Policy and establishment of the Community Investment Fund (CIF) and CIF Panel, key improvements have been made to the allocation of funding including:

- Changes have included an amended timeframe for allocating agreements, to ensure that funding is allocated at the start of the financial year rather than months later.
- Funding allocations have been made only until the end of the 2017/18 financial year, so that funding can be aligned with the Long Term Plan and in the funding round for 2018/19 a full budget will be available to allocate. This will allow for multi-year funding (up to 3 years, subject to Annual Plan sign off) and funding allocations to be assessed against each other.
- Staff assessment templates have been introduced to provide the funding panel with guidance and further information on applications including a risk and financial assessment and peer moderation.

5.2 It is timely to review the process, Policy and panel functionality after three years of funding allocations by the Panel.

Community Investment Funding Panel performance

5.3 The Community Investment Funding Panel has been responsible for assessing and allocating funding from 2015/16-2017/18. During this time, the membership has remained stable with one Panel member standing down due to a relocation out of Nelson. The departing Panel member was replaced in 2015.

5.4 The Panel is made of members who have a strong understanding of the local community and anecdotal feedback is that they have provided a valuable community perspective to funding decisions.

5.5 Officers' note that the Panel has worked effectively in a voluntary capacity to make funding allocations for Council and that the desired changes have been achieved by establishing a Panel to allocate Community Investment Funding. This included allocating funds without using a 'pro rata' approach, this has resulted in fewer projects being funded with greater opportunity for more projects to be successfully completed, as well as a community perspective to funding allocations.

5.6 Since the Panel was established, \$934,200 in funding has been allocated. Throughout the allocation process, decisions were made unanimously and no complaints were received in regards to the allocation process or decisions.

5.7 The Panel were invited to provide feedback on their performance and the process in a 'self-review'. The summary of this feedback is attached (A1865025).

Item 9: Community Investment Fund - Priorities and Review

- 5.8 On reflection of the performance of the Panel, feedback from the panel self-review, and anecdotal feedback, the following recommendations to amend the Policy and process are suggested:

Topic	Recommendation	Actions
Panel membership	<p>Continue with community represented panel</p> <p>Reappoint current members for the following funding round to allow for consistency for the first year of LTP</p> <p>Re-advertise positions and appoint for the 2019/20 funding round</p>	<p>Amend TOR to require rotation of Panel members</p> <p>Seek representative panel members as replaced</p> <p>Add to TOR that panel can co-opt members with a specific focus to provide advice (e.g. Maori, Youth)</p>
Funding round timing and frequency	Continue with current allocation process and timeframe for agreements and small grants	Review in future with panel
Accountability and reporting timing	Review as part of internal processes	Amend internal process accordingly
Allocations made in full	Review as part of internal processes	Amend internal process accordingly
Policy to include principles of partnership, participation and protection as it relates to Māori	Update Policy	Recommended changes to Policy attached to report

Funding level

- 5.9 During the LTP 2015-25 the amount of funding allocated through the Community Assistance Policy was reduced from over \$400,000 to \$300,000. With \$100,000 being redirected towards the warmer healthier homes scheme for the first three years of the LTP.
- 5.10 The table below outlines the amount applied for and the amounts allocated over a three year period:

Item 9: Community Investment Fund - Priorities and Review

Funding year	2017/18	2016/17	2015/16
Total funding allocated	\$307,200	\$327,000 *	\$300,000
Amount available**	\$123,820	\$183,380	\$142,270
Amount requested	\$454,575	\$311,730	\$190,774

*Includes carry forward of \$21,300 due to unspent funds in 2015/16

**these amounts do not include funding pre-allocated from a previous round

- 5.11 Current allocations in the Long Term Plan 2018-28 are \$318,363 per annum from 2018/19 which will be adjusted at the cost of inflation, the community will have the opportunity to provide further feedback through LTP submission process on this allocation.
- 5.12 Further to this funding, it is proposed to continue to provide an allocation towards the warmer healthier homes scheme through the Long Term Plan. In addition, a fund for community events (historically funded through community assistance prior to the focus changing to social development) is proposed in the LTP to meet this gap, with a \$75,000 per annum allocation.
- 5.13 Based on this funding being made available, no additional funding is deemed necessary by officers, though the increasing demand on funding is noted, the refinement of priorities for the fund will help to direct funding to the projects of highest need and benefit to the community.

Funding Priorities

- 5.14 Officers have undertaken an engagement process with the community around priorities for Community Investment Funding for 2018/19. The following was undertaken:
- CIF panel workshop - May 2017
 - Community and Whanau meeting / workshop – June 2017
 - Further consideration of relevant documents / local research
 - Conversations with Strategic Community Funders network partners
 - Conversations with key organisations
 - CIF Panel workshop – August 2017
 - Community and Whanau meeting / workshop – September 2017

Item 9: Community Investment Fund - Priorities and Review

5.15 Engagement with key organisations included the following groups:

Q-Youth	Epilepsy NZ
Adult Learning Support	Nelson Women's centre
District Attendance Service	Nelson City Council
Ministry of Social Development	Citizens Advice Bureau
NCC - Libraries	Red Cross Refugee Services
Volunteer Nelson	Community Action Network
Nelson Budget Service	Community Investment Fund Panel
NMIT Social Work student	Victory Community Centre
Anglican Church	Community Action Network
Age Concern	Neighbourhood Support Nelson
Community Response Forum	National Council for women
Sport Tasman	Nelson Branch
Nelson Tasman Pasifika Community Trust	Whakatu Marae staff
	Nelson Tasman Pasifika Community Trust
Nelson Multi-cultural council	CPAG – Nelson

5.16 Engagement focussed on what the community thought were the key priorities for each funding contribution area as follows:

- Wellbeing and Social development
- Children / Youth / Families
- Older Adults
- Social Cohesion
- Learning and Development
- Social Cohesion

5.17 The recommended priority focus for each contribution area is detailed in attachment four (A1833653).

5.18 It is recommended that these priorities are approved by Council for funding allocations in 2018/19.

Policy Amendments

5.19 In addition to the panel recommendations above, it has become apparent that further changes to the Policy are required to ensure for effective decision making and outcomes of funding allocations.

Item 9: Community Investment Fund - Priorities and Review

- 5.20 Funding religious activity – the Policy has been silent on this to date and the Panel has raised this where applications have come in for religious activity. Other funding bodies and local government community funding processes note that religious activity where the primary purpose is to promote religious activity, will not be funded.
- 5.21 Partnership applications – currently the guidelines for funding allow for one application per organisation for an agreement and/or grant. This does not encourage partnership applications. It is recommended that if an organisation is submitting an application on behalf of a group of multiple organisations for a collaborative project or initiative, that this group would not be exempt from making an individual application in addition to the partnership application.
- 5.22 Umbrella organisation applications – it is also recommended to allow for applications from an organisation on behalf of a group that is not a charitable organisation, and that these applications be considered in addition to an application by the umbrella organisation for their own purpose.
- 5.23 Community Investment – to align the Policy with the name of the key funding mechanism in the Policy, it is recommended to rename the Policy from Community Assistance to Community Investment. This was initially left named Community Assistance as that is what the Policy and Fund were commonly known as and referred to. Now that the new name has been embedded it is more appropriate to name the Policy accordingly as the Community Investment Policy.
- 5.24 It is recommended the Community Assistance Policy is amended accordingly, as outlined in the attachment (A1854528).

Audit outcomes

- 5.25 An internal audit of Community Grants and Agreements was completed in February 2017. The following recommendations require changes to the Community Assistance Policy or Community Investment Panel Terms of Reference:
- Include a statement on the 'basic principles' (OAG Good Practice Guidelines: part 2) in the Community Assistance Policy and Community Investment Fund Policy to ensure all parties understand the principles for funding and use of public funds.
 - Panel appointments and Terms of Reference to include requirement for a Code of Conduct with confidentiality expectations in line with 'generic expectations' (OAG Good Practise Guidelines: part 6.4).
 - Include a statement in the Community Assistance Policy on risk assessment of individual projects and the organisations to ensure risk assessments take place for applications for Community Investment Funding.

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- Amend the Community Assistance Policy to reflect current panel process on receiving late applications.

5.26 It is recommended to make changes to the Community Investment Funding Panel Terms of Reference and Community Assistance Policy, as outlined in the attachments.

6. Options

6.1 Council can decide to agree with the recommendations in this report, amend the Community Assistance Policy, Panel Terms of Reference and priorities for funding for 2018/19, make changes before approval, or not approve the recommendations.

6.2 Approving the recommendations is the preferred option as the proposed priorities have been developed with the community, proposed changes to the Policy and TOR are reflective of the changes required to improve the Community Investment Fund process and allocation Policy.

7. Conclusion

7.1 In 2015 Council established a Panel to oversee funding allocation for Community Investment Fund. This report outlines suggested improvements to the process and Policy as well as setting priorities for the fund in 2018/19.

7.2 It is recommended to reappoint the current Panel for the first year of the LTP, and amend the Terms of Reference and Community Assistance Policy to improve the process of funding allocations.

Shanine Raggett

Manager Community Partnerships

Attachments

Attachment 1: A1854528 - Community Assistance Policy 2017 [↓](#)

Attachment 2: A1865025 - Community Investment Funding Panel self review October 2017 [↓](#)

Attachment 3: A1854597 - Community Investment Funding Panel Terms of Reference [↓](#)

Attachment 4: A1833653 - Community Investment Fund contribution areas and priorities 2018/19 [↓](#)

Important considerations for decision making
<p>1. Fit with Purpose of Local Government</p> <p>The recommended decision is in line with the objectives of Local Government for supporting the provision of good quality local services and is only benefitting our local area.</p> <p>The recommendations allow for a cost effective service by allowing for community input through a Panel to make decisions on funding allocations.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>The Community Assistance Policy 2015 has been considered in preparation of this report.</p> <p>The Community Outcome "Our communities are healthy, safe, inclusive and resilient" is being achieved through the recommendations by enabling everyone to be included, involved and able to participate in decision-making.</p> <p>Nelson 2060 is being achieved through meeting Goal Two, "We are all able to be involved in decisions". The recommendations support the community's involvement in an open process where they can vote for their preferred Community Investment Funding Panel candidate.</p>
<p>3. Risk</p> <p>The recommendations in this report are likely to achieve the desired outcomes and will improve the robustness of the process and Policy for the allocation of funding under the Community Assistance Policy.</p> <p>There is a risk that Panel decisions on funding allocations are influenced by their involvement with community organisations. This is mitigated through an interest's register and the Panel member not being involved in any decisions where there is an interest.</p>
<p>4. Financial impact</p> <p>The recommendations in this report have no financial impact.</p>
<p>5. Degree of significance and level of engagement</p> <p>Extensive feedback was undertaken with the community sector around the priorities for funding for 2018/19, no further engagement is recommended. The Community Investment Funding Panel was asked to provide feedback on the process to date and the recommendations in this report align with that feedback.</p>

6. Inclusion of Māori in the decision making process

Māori have not been consulted with for this report. Whakatu Marae staff provided feedback on the priorities for funding.

7. Delegations

The Community Services Committee has the responsibility for considering Community Development and has the power to recommend to Council on this matter.



Community Investment Policy 2017

Contact: Shanine Raggett, Manager
Community Partnerships
The Mayor and Councillors
Approved by: December 2017
Approval date: June 2020
Review date:

1.0 BACKGROUND

- 1.1 Nelson City Council has been providing assistance to community organisations for many years through a variety of mechanisms such as funding agreements, one-off grants, rates remissions, intermediary loans, and community leases and licences.
- 1.2 This revised policy was approved by Council in December 2017.
- 1.3 Further background information on the history of Community Assistance is outlined in the background paper provided for Council in November 2014 (A1256682).

2.0 VISION

- 2.1 Nelson is known as a centre of community innovation, together we tackle increasingly interconnected issues in thoroughly engaging ways that build resilience and a connected community.

3.0 OBJECTIVE

- 3.1 The purpose of this policy is to guide Council in relation to its support for charitable and non profit organisations that deliver social development outcomes. As a result groups will be assisted to contribute towards Council's Community Outcomes and the vision and goals for Nelson 2060.

4.0 TYPES OF COMMUNITY INVESTMENT

- 4.1 Council provides community investment as outlined in the table below. Council also provides rates remissions to community groups who own their own land. This is covered in a separate policy but the funding comes from the community assistance budget.

Type	Description
Community Investment Grants	Grants are provided for small scale projects or one-off items where the community identify a need for funding to achieve the objective of the fund.
Community Investment Agreements	Agreements are developed based on community needs and contribution to achieving the objective of the fund. There is no specified maximum amount for community investment agreements.
Intermediary loans	Loans obtained by Council on behalf of not-for profit organisations who wish to develop facilities on Council land but as they do not own the land cannot offer sufficient security to obtain loans on the open market.

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Type	Description
Community leases and licences	Agreements with not-for-profit organisations that rent or occupy Council land and/or buildings.

5.0 ELIGIBILITY

- 5.1 Only organisations with "Registered charitable entity" status, or that can demonstrate that for tax purposes they are considered "not for profit", will be eligible for Community **Investment** under this policy.
- 5.2 Retrospective funding or loans will not be considered.
- 5.3 Only initiatives within Nelson and/or benefitting Nelson residents will be funded. Services delivered regionally will have funding eligibility relative to the benefit derived by Nelson residents.

5.4 Council will not fund activities or initiatives where the primary purpose is to promote religious belief activity.

- 5.5 Initiatives will need to contribute to Council's Community Outcomes and the vision and goals of Nelson 2060.

6.0 COMMUNITY INVESTMENT FUNDING

- 6.1 Council recognises its role in Community Investment Funding is in setting the purpose, process and a financial contribution.
- 6.2 The overarching focus of Community Investment Funding is towards social development.
- 6.3 Officers will meet with representatives of other funding and social agencies (including Nelson Marlborough District Health Board, Canterbury Community Trust, Ministry of Social Development, Department of Internal Affairs and Tasman District Council and others experienced in the field of social development) to understand their strategic outcomes for community funding in Nelson which will provide context for the focus for which Council's fund is to be applied.
- 6.4 Council officers will work with the community to identify partnerships that align with the vision and objective of the fund and, where Council financial support is deemed appropriate, officers will prioritise and recommend funding.
- 6.5 Final funding allocations will be made by the Community Investment Funding Panel which comprises four community representatives and the Group Manager Community Services or his/her nominated representative. This panel would also be involved with setting priorities for the fund with the community.
- 6.6 Where financial support is provided, the contribution the project will make to the vision and objectives of the fund must be demonstrated. Agreements must be for and clearly detail a specific service and/or outcome that will result from the funding.
- 6.7 Council officers and community representatives involved in funding decisions are required to note any possible conflicts of interest.

Item 9: Community Investment Fund - Priorities and Review: Attachment 1

6.8 Funding allocations will be made in accordance with the Office of the Auditor General basic principles that will guide all funding arrangements (part 2 – good practice guidelines), including accountability, openness, value for money, lawfulness, fairness, integrity.

6.9 Risk assessments will be undertaken for organisations and projects before funding decisions are made.

6.10 Not-for-Profit organisations without charitable status may nominate an umbrella organisation with this status who has agreed to receive and administer the funds on behalf of an applicant. In this instance the umbrella organisation would be legally accountable to Nelson City Council for the expenditure and outcome measures of the project.

6.11 Organisations can apply for an agreement and/or grant (one of each per year), unless acting as an umbrella organisation.

6.12 In recognition of a desire to support innovative partnerships, organisations may submit more than one application for consideration, provided the application is in partnership with multiple organisations or partners, demonstrating collaboration to achieve outcomes.

6.13 Late applications may be considered at the discretion of the Community Investment Funding Panel, but in general will not be accepted.

6.14 Where Community Investment Grants or Agreements are provided the following need to be considered:

- The level to which the wider community will be involved in the project.
- The past achievements or potential of the organisation and ability of the organisation to successfully administer the grant/agreement and deliver the outcomes.
- How the project achieves priorities that align with the vision and objective of the fund.
- The contribution towards achieving the goals of other Council policies and strategies.
- The principles of partnership, participation and protection: Partnership - working together with iwi, hapū, whānau and Māori communities. Participation - Māori involvement in decision-making, planning, development and delivery of services and projects. Protection - safeguarding Māori cultural concepts, values and practices.
- How the project contributes to community priorities and strategic outcomes of partners.
- Council's intention to be a contributory partner in support of initiatives which are sustainable, and avoid financial dependence on the Council for delivery.

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- The value for ratepayer's investment through the support of high quality initiatives that are effective and can produce clear benefits for communities.
 - The ability of the project to realistically achieve intended outcomes.
 - Council welcomes partnerships that seek to respond to issues and opportunities in innovative ways, and seek collaborative partnerships in their delivery.
 - The level of match funding and/or in-kind support offered.
- 6.15 Successful applicants must acknowledge Nelson City Council support in promotional material wherever possible.
- 6.16 What won't be funded:
- Individual people
 - Individual businesses, government agencies or departments, political parties
 - Duplication of existing public or private programmes within close proximity
 - Purchase or improvement of privately owned facilities
 - Funding activities that involve any alcohol, tobacco, illegal substances and gaming
 - Expenses incurred out of the region such as transport or accommodation etc.
 - Professional fundraising services
 - Activities already completed
 - Projects already funded or part-funded by Council
 - Public services that are the responsibility of central government (e.g. core education, primary health care)
 - Activities or initiatives where the primary purpose is to promote religious belief activity.
- 6.17 In addition to the considerations outlined in this Policy, Council may at times choose to focus grants on particular Council priorities. The decision on focus area can be made during the Annual Plan process or in response to unexpected community need which may arise from time to time.

7.0 INTERMEDIARY LOANS

- 7.1 The value of the intermediary loan pool is capped at \$1.5 million. This figure excludes intermediary loans for regional facilities.
- 7.2 The additional criteria for intermediary loans are:
- Only developments on Council-owned land will be eligible.
 - Intermediary loans will be for a maximum of one third of the value of the development.

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- Council will not provide loan guarantees or interest-free loans.

7.3 Applications for intermediary loans will be considered for approval by the Community Services Committee or the Governance Committee.

8.0 COMMUNITY LEASES AND LICENCES

8.1 Community leases and licences adhere to the following:

- Formal lease agreements shall be required where organisations occupy Council land or buildings.
- Rent for the exclusive use of Council buildings or land will normally be set at 10% of the market rent for a comparable building or land.
- Rent for the non-exclusive use of Council buildings or land will normally be set at 5% of the market rent for a comparable building or land.
- Valuation of land for rental purposes shall be based on the Rateable Value.

8.2 Community leases for whole or part of Council owned buildings will be advertised when they are vacated so that all community groups have an opportunity to submit expressions of interest.

8.3 Buildings on Council land may be sold, conditional on the building being advertised and the prospective buyer obtaining a Council lease to occupy the land.

8.4 Termination of lease. See paragraph 10.2.

8.5 Applications for new community leases and licences will be considered for approval by the Community Services Committee or the Governance Committee using the criteria in paragraph 4 above.

9.0 ACCOUNTABILITY

9.1 All recipients of community **investment** will provide periodic accountability reports documenting how their activities have contributed to the objectives for which the assistance was given. Reporting periods are as follows:

- Community Investment Grants – final report on project completion.
- Community Investment Agreements – annual reports using the Results Based Accountability model where possible. Interim reports may also be required when larger grants are allocated.
- Loans – annual reports
- Leases – annually for leases less than four years, minimum of four times during total lease period for leases over four years

9.2 Recipients that fail to submit accountability reports, or that have not spent the money in accordance with the application/contract, or where the use of the facility/land does not satisfactorily contribute to the community outcome will receive up to two written notices asking them to rectify the situation, and may thereafter be asked to return all or part of the funding or vacate the facility/land if they do not comply.

9.3 Community Investment Funding may continue or be terminated conditional on receipt of satisfactory reports. Recipients that fail to

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submit acceptable accountability reports may forfeit their eligibility to receive any Community Investment Funding in the future.

10.0 WHAT THIS POLICY DOES NOT COVER

- Council Controlled Organisations such as the Tasman Bays Heritage Trust, Bishop Suter Art Museum, Nelson Tasman Tourism and the Regional Economic Development Agency which are funded separately.
- Council funding for major community initiatives budgeted for separately through Council's Long Term and Annual plan processes.
- The Youth Development Fund which provides financial support for young people to attend outdoor education courses.
- Council's Events Marketing and Development Fund.
- Financial assistance to achieve resource management objectives such as fencing subsidies and subsidies to change heating methods. These costs are funded by Council's Resource Management activities.
- Contracts or other commercial arrangements where a not-for-profit organisation is contracted to deliver a service for Council.
- Council support for regional facilities - that is capital projects costing \$500,000 or greater.
- Council owned motor camps.

Community Investment Funding Panel: Self-review

October 2017

This paper outlines feedback received from the Community Investment Funding Panel after three years of Community Investment Fund allocations through the Panel which consists of 4 community representatives and the Group Manager Community Services.

Community Panel members were invited to provide feedback on their performance as well as the process, this is summarised as follows:

Panel functionality:

- The Panel is working well with very little conflict and robust discussion, the Panel has a wide knowledge of community organisations and the areas that need funding.
- The process and Panel is functioning very effectively and efficiently as evidenced by how organised and well-run the meetings are. Decisions are generally easy to make as information is available and NCC staff have done excellent background preparation.
- Decision making is equitable, the Panel has the ability to make good decisions with guidance and advice provided.
- The process of the panel is operating well, improving as we go on and become more familiar with the parameters and constraints. It is helpful to have staff present, to engage in discussion about the background to many applications and possible alternatives to other sources of funding. The quality of guidance is appreciated.
- Generally the process and panel decision making have worked well. Staff guidance is good prior to the meeting.

Panel representation:

- Consideration to be given to the representation of panel volunteers – e.g. different cultural and age representation.
- The Panel is not reflective of the community at large and a greater representation from some of the groups most affected by relevant service would be preferred. There needs to be a greater voice for youth and Maori in particular.
- The panel is not representative of community, age, ethnicity, disability, gender. Should be fixed term appointments.

Funding rounds and timing

- Two rounds of funding for agreements and small grants is helpful as they are run separately which allows for redirection of applications where appropriate
- Funding available at set dates is preferred as this allows the panel to allocate fairly to groups as everyone knows when funding is available.
- It is good to have the timing of applications for agreements and grants separated. It would be good to have the small grants as an open application process with no set dates.

A1865025 - Community Investment Funding Panel: Self-Review October 2017

Item 9: Community Investment Fund - Priorities and Review: Attachment 2

Funding amount

- More funding should be made available as there is a clearly demonstrated community need.
- The amount of funding available does not allow consideration of the merit of many applications in their own right, but rather, in comparison with others, then as a proportion of what is available. Some services are short changed accordingly. During the last LTP, the fund was reduced by \$100,000 towards the warmer healthy homes project and this should be reinjected into the fund.
- The panel noted that the amount of funding is always oversubscribed and would like to see the amount allocated increase.
- Panel feedback is that Council sends a strong message to the community sector with its current low level of funding, making it very clear that it does not value the sector as it does not want to invest much in it, has an expectation that much community activity should be undertaken by volunteers or low paid workers, while the community sector works very hard to achieve a great deal with the time and funding available.

Application process

- The requirements for applicants need to be considered so that the application and accountability process isn't too onerous.
- Succinct applications assist the Panel to make decisions.
- Accountability due date for reporting in May is questionable, as the funding period is not yet complete and this is highly unusual for funders.
- Funding agreements should be allocated in full at the start of the funding agreement rather than a second payment near the end of the funding.

Community Assistance Policy

- Honouring Te Tiriti o Waitangi needs to be reflected in the Policy.

Community Investment Funding Panel

Terms of Reference

November 2017

1. Purpose

The Community Investment Funding Panel is responsible for assessing applications and allocating Community Investment Funding on behalf of the Nelson City Council Community Services Committee.

2. Membership

The Panel consists of four community representatives and the Group Manager Community Services. The Group Manager Community Services will act as the Chairperson. The four community representatives are Susan Hawthorne, Katy Steele, Graeme Thomas and Rachel Saunders.

3. Quorum

The Quorum for the Community Investment Funding Panel is three members, including the Chairperson.

4. Areas of Responsibility

The Funding Panel will consider applications for Community Investment Funding and allocate appropriate levels of funding against the criteria set out in the Nelson City Council Community Assistance Policy and the contribution of the project to the vision and strategic objectives of the Fund.

5. Powers to decide

The Community Investment Funding Panel has the powers to decide the allocation of Community Investment Funding.

6. Powers to recommend

None.

7. Role of the Funding Panel

- To consider applications for Community Investment Funding
- To allocate appropriate levels of funding against the criteria set out in the Nelson City Council Community Assistance Policy
- To consider the contribution of the project to the vision and objectives of the fund when assessing applications
- To be an interface between community and sector groups so that interested members of the public can provide feedback

8. Role of the Chair

- To review the agenda with staff prior to Funding Panel meetings

- To chair meetings according to the agreed agenda and to assist the Funding Panel to make decisions on funding applications
- To act as spokesperson for the Funding Panel

9. Role of staff

Staff provide technical expertise, project management and administrative support to the Funding Panel. Their role is to:

- Provide advice and reports to enable full consideration of the options before the Funding Panel
- Providing advice to the Funding Panel on legal and statutory issues and obligations
- Lead technical discussions on options under consideration
- Manage project resources (budget and staff time)
- Manage project issues, risks, changes and advise the Funding Panel Chair of issues as they arise
- Provide staff reports to meetings at decision making points
- Organising and managing engagement with key stakeholders and the wider community
- Keeping Funding Panel members briefed on key communications with key stakeholders and the public
- Prepare and distribute agendas for Funding Panel meetings
- Maintain records of process used, options considered, key decisions made by the Funding Panel and reasons for decisions, so that the decision making process can be clearly understood.

10. Appointment process

Should a member of the Panel stand down from his or her role, a replacement member should be appointed as soon as practical. The process for appointment is:

- Officers call for nominations for new panel member(s).
- Nominations are reviewed and shortlisted by the Chair and Deputy Chair of the Community Services Committee.
- Shortlisted candidates provide a profile to be used for community voting through Survey Monkey or similar online voting mechanism.
- Community voting is open for a period of no less than two weeks.
- Results from community voting will be presented to Council to approve the final panel appointment and amend the terms of reference with the updated membership of the Panel.
- **Panel representation – the appointment process will endeavour to ensure a representative group is selected.**

The Panel can co-opt members with a specific focus (e.g. Maori, Youth) to ensure wide community representation. Co-opted members would provide advice and are non-voting members.

11. Duration of appointment

Appointments will be made in alignment with Council's electoral term. Should any member of the Panel resign during this time, the newly appointed member will be appointed until the end of the electoral term he or she is appointed in.

At the end of the duration of appointment, Council ~~may choose to extend the existing appointments or will~~ follow the appointment process outlined in item 10 to appoint Panel representatives. ~~This decision will be made by the Chair and Deputy Chair of the Community Services Committee.~~

12. Conflicts of Interest

Conflicts of interest should be declared at the start of Funding Panel meetings.

13. Code of Conduct and confidentiality

Appointed Panel members must comply with a Code of Conduct for the Panel with confidentiality expectations in line with 'generic expectations' (OAG Good Practise Guidelines: part 6.4).

14. Reporting

- Minutes of Funding Panel meetings will be taken and received by the Community Services Committee
- For the purposes of complying with the Local Government Official Information and Meetings Act 1987 (Part 7, 45(1)) Panel meetings will be treated as public meetings as the Panel is delegated to make decisions on the allocation of Community Investment Funding.

Community Investment Funding Contribution Areas and Priorities for 2018/19

- 1. Wellbeing and Social Development - Enabling individuals, families and communities to flourish.**
Priority focus:
To support projects and organisations that will:
 - Increase connection across our local communities and neighbourhoods
 - Increase access to services for residents of Nelson City
 - Support growth of wellbeing for residents of Nelson City
- 2. Children / Youth / Families - Supporting our young people and those that care for them to thrive.**
Priority focus:
To support projects and organisations that will:
 - Increase participation of children / young people and families in local neighbourhoods / communities
 - Increase children / young people and families to express their cultural identity in their local neighbourhoods / Communities
- 3. Older Adults - Supporting our elders to access appropriate services and to engage and participate fully in our community.**
Priority focus:
To support projects and organisations that will:
 - Increase connection
 - Increase participation in local communities and neighbourhoods
 - Increase access to technology that will support increase connection
- 4. Social Cohesion - Increasing inclusiveness and community participation through connection.**
Priority focus:
To support projects and organisations that:
 - Are led by residents in local neighbourhoods and communities.
 - Strengthen local neighbourhood, increase a sense of belonging locally
 - Increase connection in a local neighbourhood
 - Enable diversity to be expressed locally
- 5. Learning and Development - Supporting the capability of our community to succeed through increased skills and knowledge.**
Priority focus:
To support projects and organisations that will:
 - Deliver community learning opportunities to meet a clearly defined community need
 - Increase the literacies of our neighbourhoods and communities
- 6. Diverse Communities - Empowering our diverse communities.**
Priority focus:
To support projects and organisations that will:
 - Enable expression of identity and increase connection
 - Celebrate diversity
 - Enable newcomers and new migrants to connect

Establishment of Nelson Whakatu Menzshed

1. Purpose of Report

- 1.1 To consider a community lease for the Reliance Building and to release funds set aside for the Menzshed.

2. Recommendation

That the Community Services Committee

Receives the report Establishment of Nelson Whakatu Menzshed (R8694) and its attachment (A1860796).

Recommendation to Council

That the Council

Approves the granting of a Community Lease for Nelson Whakatu Menzshed at 236 Haven Road as outlined in red on Attachment one (A1860796) of report R8694 for a period of one year at an annual rent of \$532 + GST; and

Approves the completion of necessary electrical works (funded from the \$10,000 set aside for development of a Menzshed in the 2017/18 Annual Plan) to the building prior to commencement of a lease; and

Approves the release of residual funding from the \$10,000 set aside in the 2017/18 Annual Plan to the amalgamated Menzshed group to assist with further establishment costs.

3. Background

- 3.1 The potential lease discussed in this report is for Nelson Whakatu Menzshed, at the Reliance Building, 236 Haven Road, Nelson. This site was bought from Port Nelson Limited in 2012.

Item 10: Establishment of Nelson Whakatu Menzshed

- 3.2 The building is currently vacant, awaiting decisions on the Haven Precinct project. It is unlikely that the Haven Precinct project will have firm deliverables within the next two years.
- 3.3 The earthquake strength of the building is below 34% NBS but the engineering report reflects it is not considered earthquake prone. The potential tenant is aware of this rating and will receive a copy of the detailed assessment.
- 3.4 The power supply to the building has become a known risk and is unsafe due to its age and changes that have occurred over time. Subsequently the building power has been decommissioned. Power can be upgraded but will result in varying costs to the building user dependant on the size and position of the area needing to be utilised. The approximate costs for the works are \$5,000 + GST.
- 3.5 The Menzshed group have been seeking accommodation in the Nelson area for a number of years and approached Council as part of the 2017/18 Annual Plan process for assistance.
- 3.6 An allocation of \$10,000 was made in the 2017/18 Annual Plan to support the establishment of a Menzshed in Nelson. Officers were tasked to identify whether there were options for Menzshed to lease any Council-owned land or buildings and to work with the group to determine how the \$10,000 could be best used.
- 3.7 Previously two groups were working independently of one another but in recent weeks the groups have amalgamated and leadership has changed to enable a successful establishment of a physical space in the short term.

4. Discussion

- 4.1 The recommendations are discussed in detail below.

Potential Community Lease

- 4.2 The Reliance building is currently vacant and could provide a short term solution to the needs of the group.
- 4.3 Approving a community lease would enable the group to use other funds allocated by Council to successfully establish a Nelson Whakatu Menzshed.
- 4.4 The group is clear that this is a short term arrangement for one year only and they are building this into their strategic planning process for future Nelson Whakatu Menzshed development in Nelson.
- 4.5 Officers have worked with both Menzshed groups during the amalgamation for successful establishment. Both groups are confident that under the new leadership the groups can successfully work together.

Item 10: Establishment of Nelson Whakatu Menzshed

- 4.6 These decisions have been documented at meetings and the practicalities and organisational structure of this amalgamation are currently being clarified.
- 4.7 Officers have identified the Reliance Building as the only viable option available for the Menzshed as no other Council owned buildings are available or suited to the groups' needs.
- 4.8 Due to the groups working through an amalgamation a space for the group to establish a Menzshed rather than a piece of land is best for the current stage of development. A piece of land could be considered once the group are fully functioning at a later date.
- 4.9 This is only a short term fix as the lease is only guaranteed for a one year term and once this expires the group may be faced with the same problem.
- 4.10 The rewiring that will be required before the building can be used would likely cost around \$5,000. This cost could be covered from the funding allocated in the 2017 2018 Annual Plan.

Releasing Funding

- 4.11 As a result of the 2017 submission Council allocated \$10,000 for the establishment of a Menzshed. Both Menzshed groups have been working together focusing on their shared vision to expedite a physical space for a Menzshed.
- 4.12 If a lease is approved a proportion of the allocated funding will be used to cover the necessary electric work required before occupation.
- 4.13 If Council decides not to approve a lease at the Reliance Building, Officers recommend that Council approves the release of the allocated \$10,000 to enable the amalgamated Menzshed to source a space independently. They do not currently have any funds to explore this option further.
- 4.14 The funding needs to be allocated before 30 June 2018 and it is very unlikely that there will be any other suitable Council owned buildings available before this date.

5. Options

- 5.1 Community Lease for the Reliance Building

Option 1: Approve the lease, the upgrade of electricals and release of remaining funds	
Advantages	<ul style="list-style-type: none">• Generates income.• Provides a community group with accommodation.

Item 10: Establishment of Nelson Whakatu Menzshed

Risks and Disadvantages	<ul style="list-style-type: none">• Space not available for other use during the lease term• Council can only commit to a short term lease.
Option 2: Not approve the lease and release of remaining funds (not upgrade electricals)	
Advantages	<ul style="list-style-type: none">• Space available for other use.
Risks and Disadvantages	<ul style="list-style-type: none">• Potential avenue for allocated funds is lost.

If Council Chooses option 2 above, a decision is requested in relation to the funding allocated in the 2017/18 Annual Plan.

Jules Read
Leases Officer

Attachments

Attachment 1: Nelson Wakatu Menzshed - Proposed Lease Area (A1863971) [↓](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	The proposed recommendation fits with the Local Government Act 2002 in by maximising use of public assets while securing some return to the ratepayers.
2. Consistency with Community Outcomes and Council Policy	The recommendations in this report are consistent with Council's Community Outcome 'Our communities have access to a range of social, educational and recreational facilities and activities'.
3. Risk	Risk that Council may be relied on to find another home for the Menzshed at the end of the lease. If Council chooses not to approve the recommendations then there is the risk that an avenue for allocated funding will be lost.
4. Financial impact	If the recommendations are not approved then there will be a potential loss of income to Council.
5. Degree of significance and level of engagement	The signing of community leases is considered of low significance to residents therefore there was no engagement required.
6. Inclusion of Māori in the decision making process	Maori have not been consulted in the preparation of this report.
7. Delegations	The Community Services Committee has the responsibility for considering Community Leases. The Community Services Committee has the power to recommend property transactions to Council.

Item 10: Establishment of Nelson Whakatu Menzshed: Attachment 1



The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Nelson City Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented. Nelson City Council information is licensed under a Creative Commons Attribution-NonCommercial 3.0 New Zealand License. Nelson City Council data must not be sold without prior written consent. For more information please contact us. Cadastral information derived from Land Information New Zealand. CROWN COPYRIGHT RESERVED.

Proposed Lease - Nelson Wakatu Menzshed

RXXXX



Nelson Wakatu Menzshed
Area: 190m²



November 2017



File Ref: A1
JIT: Original map size A4.

PO Box 645 Nelson 7040 New Zealand PH 03 5460200 www.nelson.govt.nz

A1863971



Minutes of a meeting of the Nelson Youth Council

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

On Tuesday 24 October 2017, commencing at 1.01pm

Present: C Hagan (Chair), Youth Councillors S Corkery, S Cronin, E Edwards, A Hunter, A James, L Ly, J Morgan, R Panting, E Rais, J Ripley, C Rollo, B Rumsey, F Sawyer, J Stallard and A Tonks.

In Attendance: Councillor B McGurk and M Courtney, Community Partnerships Manager (S Raggett), Community Partnerships Adviser (S Stiles), Heritage Adviser (T Ransom), Executive Officer (M Joubert) and Cadets-Community Partnerships (K McLean and P Dunlop).

Apologies: C Fearnley-Fitzgerald and L Amos for absence and A Tonks for lateness.

1. Apologies

Apologies were noted from C Fearnley-Fitzgerald and L Amos for absence and A Tonks for lateness.

2. Confirmation of Minutes

2.1 25 September 2017

Document number M2929, agenda pages 4 - 10 refer.

Resolved YC/2017/019

That the Nelson Youth Council

Confirms the minutes of the meeting of the Nelson Youth Council, held on 25 September 2017, as a true and correct record.

Rumsey/Stallard

Carried

3. Heritage Festival 2018

Heritage Adviser, Tom Ransom, presented to the Nelson Youth Council and explained about his work with the community to get everyone excited about heritage. Mr Ransom explained the Heritage Festival and asked Youth Councillors if they would share any youth perspective for this event. Mr Ransom explained the importance of heritage for him and how heritage inspires his life.

A discussion was held around "Old Lumpy", a skate park that has been around for many years and how this could be included in the Heritage Festival. No ideas were passed forward.

Youth Councillor Alana James mentioned that a photo competition was organised in previous Heritage Festivals. Mr Ransom explained he was happy to repeat ideas and make them bigger and better.

4. Upper Trafalgar Street

Executive Officer, Michelle Joubert, explained the initiative of this project to the group and the steps taken to close Upper Trafalgar Street to traffic and to extend the dining areas and community space. Ms Joubert explained that this was a trial and that if it was successful they would come back to Council with a new report.

Youth Councillor Fynn Sawyer offered activity ideas for the community space and asked Ms Joubert if she was open to ideas. Ms Joubert explained that they had ideas floating but time and budget restraints were constricting. Ms Joubert encouraged Youth Council members to make contact with her regarding any activity ideas for the CBD.

Youth Councillor Campbell Rollo asked if the area was smoke free and if there would be an increase in rubbish and recycling bins in the area. Ms Joubert replied, that the amount of bins would be increased and that a smoke free trial would be encouraged.

5. What Now

Youth Councillor Reuben Panting updated the group on this event that Cassandra, Samantha, Lilly-Joy and Alana had attended alongside him. Mr Panting explained that it was a very fun and great promotional day, as they were wearing their Youth Council t-shirts while helping support this event.

6. Tō Tātou Hapari

Community Partnerships Adviser, Steve Stiles, explained that Nelson City Council and the ministry of Youth Development jointly fund this project. Mr Stiles explained the project's three strands; leadership, mentoring and volunteering.

Mr Stiles explained that this project was being delivered in partnership with six other organisations. Volunteer Nelson and Youth and Community Works

were providing training and four organisations would represent the following communities; YMCA in Victory, Tahunanui Community Centre in Tahunanui, Whanake Youth for Stoke and Q-Youth.

Those interested in Youth Council involvement were; Samantha, Emily, Jenna, Ben, Emma, Reuben and Alex.

7. Nelson City Council Sister City Project

Youth Councillor Alex Hunter updated the group on the event held on 29 September 2017. Ms Hunter mentioned the value of this partnership and forming a stronger connection between youth from China and Nelson youth. Ms Hunter mentioned common issues that youth from China were facing, these were; language barriers, teaching methods, being put into family homes and not receiving adequate care. Ms Hunter explained that finding new accommodation was a very hard process.

Youth Councillor Fynn Sawyer led a discussion about having two Youth Council representatives to become part of the committee and make a sustained youth voice. Mr Sawyer explained that this would involve attending a meeting once a month.

Those interested in being part of the committee group were; Samantha, Jenna, Campbell, Reuben and Alex.

8. Rotary Club Presentation

Youth Councillor Ben Rumsey reported back to the group about their engagement with the Rotary Club and mentioned how respectful the club was of what Youth Council does. Mr Rumsey explained the club's interest around mental health and the possibility of Youth Council approaching the Rotary Club for support in the future.

Youth Councillor Jenna Stallard requested a copy of the current Youth Council budget. Mr Stiles agreed to provide this outside of the meeting.

Councillor Courtney encouraged Youth Council to build a relationship with the Rotary Club and explained he is a member of the Rutherford Rotary Club.

9. Nelson Youth Council Recruitment 2017

Community Partnerships Adviser, Steve Stiles, spoke about recruitment applications closing on Wednesday 18 October. Mr Stiles mentioned he received 55 applications for Nelson Youth Council 2018. Mr Stiles gave a breakdown of applications from each school to make up the 55, these were:

- Community - 4
- Garin College - 9
- Home-school / Te Kura - 4

- Nayland College - 4
- Nelson Boys College – 6
- Nelson Girls College - 25
- Waimea College – 3

10. Skatepark Project

Youth Councillor Emma Edwards updated the group on the three winners of the Old Lumpy Skatepark competition. Miss Edwards explained one winner was designing the lettering, the second winner was designing the skate bowl and the third winner was designing another section of the skate park. Ms Edwards spoke about the designs and mentioned they were simple yet effective and anyone could paint them.

Community Partnerships Adviser, Steve Stiles, spoke about the importance of talking to the community before projects start. Mr Stiles mentioned the feedback about the state of the skatepark and to not forget ownership.

Those interested in helping paint the skate park; Linda, Stuart, Samantha, Emma, Cassandra, Alex, Jamie, Josephine, Ben, Fynn, Jenna and Alana.

11. Nelson City Council Social Club Quiz Night

The Chair Cassandra Hagan, informed the group that the cost per person would be \$5.00 and they would need six to eight people per team to participate.

A discussion was held around what a great event this has been in the past and how important it was for Youth Council to go and connect with Nelson City Council staff and vice versa.

All Youth Council members were interested to attend this event.

12. Council Meetings

1.1 Works and Infrastructure Committee meeting – 28 September 2017

The Chair Cassandra Hagan, updated the group on this meeting. Some key points Miss Hagan mentioned were:

- Malcolm Saunders spoke of his concerns about NZ Post Paxster quad bike deliveries
- Critical infrastructure risk with respect to the Marsden Point oil pipeline failure and relevance to Nelson
- Nellie Tuck was presented with a certificate in recognition of her outstanding community spirit, together with a bouquet of flowers

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- Capital works costs, short and long term parking needs and licence-to-occupy fees
- Draft 2018-28 Transport Asset Management Plan was referred to the next meeting

1.2 Sports and Recreation Committee meeting – 05 October 2017

Youth Councillor Alex Hunter reported to the wider group about this meeting. Some key points Miss Hunter mentioned were:

- In Public Forum, Tamika Simpson presented a PowerPoint and spoke about ideas for promoting the Brook Motor Camp
- Draft Parks and Reserves Asset Management Plan 2018-28
- Modellers Pond update – A decision was made to wait until further research has been undertaken

1.3 Community Services Committee meeting – 19 October 2017

Youth Councillor Alana James reported back to the group about this meeting. Some key points Miss James mentioned were:

- Approval of the Draft Youth Strategy Action Plan
- Approval of the Draft Arts Activity Management Plan 2018-28
- Request that more funding goes towards CCTV cameras

Councillor Courtney mentioned the best line he heard in the Community Services meeting was “youth will surprise you if you give them a chance”, from Youth Councillor Alana James.

13 General Business

Councillor McGurk thanked the Nelson Youth Council and spoke about the enjoyment he got from attending Youth Council meetings. Councillor McGurk highlighted three areas that Youth Council excelled in which were; their focus shown on youth issues and what’s important, the respect shown

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to each other and that they were not afraid to be accountable and to hold others accountable.

Youth Councillor Linda Ly informed the group that Sue from Active Transport was coming at 2.30pm for an Active Transport meeting.

A discussion was held around a group proposal to submit on the Waimea Dam. This was declined and the only Youth Council member interested in making an individual submission was Campbell Rollo.

Youth Councillor Alana James held a discussion about Arts Council. It was decided this would be left until induction, so all new members would get a chance to be the representative.

Youth Councillor Fynn Sawyer updated the group on Rob Mokaraka and gave a rough date of March 2018 that he would perform. Mr Sawyer asked for feedback on how they can support the community before and after the show, with mental health. Mr Sawyer asked if any feedback could be emailed to him.

Those interested in helping with mental health in their school; Alex, Emma, Ben and Josephine.

There being no further business the meeting ended at 2.46pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date