



---

## Minutes of a meeting of the Governance Committee

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

**On Thursday 7 March 2019, commencing at 9.00a.m.**

---

Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland, M Courtney, B Dahlberg (Deputy Chairperson), G Noonan, M Rutledge, T Skinner, S Walker, Mr J Murray and Mr J Peters

In Attendance: Councillors B McGurk and P Matheson, Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Manager Communications (P Shattock), Team Leader Governance (R Byrne), Governance Adviser (E-J Ruthven), and Youth Councillors N Frizzell and A Burton

Apologies : Her Worship the Mayor R Reese (for lateness) and Councillor M Rutledge (for early departure)

### 1. Apologies

Resolved GOV/2019/001

***That the Governance Committee***

***Receives and accepts the apologies from Her Worship the Mayor for lateness and Councillor Rutledge for early departure.***

Barker/Courtney

Carried

### 2. Confirmation of Order of Business

Attendance: Councillor Skinner joined the meeting at 9.01a.m.

The Chair noted that one item had been withdrawn from the public excluded agenda.

### **3. Interests**

There were no updates to the Interests Register.

Mr Murray noted a potential interest with item 7 of the public excluded agenda (Update on Strategic Property Matters), depending on which strategic properties were included in the verbal update.

### **4. Public Forum**

- 4.1 James Lazor, General Manager, Rainbow Sports Club Incorporated - update for Elected Members about the Club

Mr Lazor gave a PowerPoint presentation (A2150961), and showed a video (A2151472).

He gave an update on Club activities, the Club committee's strategic goals, and improved social media reach and visitor numbers, as against other commercial and club ski areas. He said the Club's priorities for the upcoming year were maintenance of the alpine road, and the installation of snowmakers to ensure ski days through the winter season.

#### **Attachments**

- 1 A2150961 - Public Forum - Rainbow Sports Club - PowerPoint presentation

- 4.2 Brian Nelson, representing Family Trust - Location of the Montgomery Square Market

Mr Nelson spoke on behalf of his family trust, which owned commercial property in Montgomery Square, and other commercial property owners in Montgomery Square area.

Mr Nelson said the Saturday and Sunday markets blocked access to Montgomery Square retailers on what should be busy shopping days, and that Montgomery Square retailers felt disadvantaged by the market's presence, as they sold little during market hours. He added that market-goers took up inner city carpark spaces, leaving fewer carpark spaces for retailing.

Mr Nelson suggested alternative locations for the market, including the Maitai Walkway/Riverbank, New Street, or Nile Street East, and answered questions.

- 4.3 Jacquie Walters - Renewal of the Nelson Saturday Market

Ms Walters said she was a friend of Nita Knight, had previously given her public relations advice, and also worked with several businesses operating in the market.

She strongly supported the market continuing to operate from Montgomery Square, noting that it provided an exciting community hub for Nelson that may not be easily replicated if moved.

4.4 Pic Picot - Nelson Saturday Market

Mr Picot spoke about his experience of starting a business at the Nelson Market, the importance of the market in being able to test products, and the continued importance of the market to his business.

He said the market was integral to his proposed Inventor Centre, and that the properties around the market should adapt and try to take advantage of the market's presence. Mr Picot then answered questions.

4.5 Nita Knight, representing The Nelson Market Limited - the Nelson Market

Ms Knight gave a PowerPoint presentation (A2151419) and distributed additional material (A2151424 and A2157386). She spoke about the history and growth of the market, the numbers of stallholders who had participated over the years and the importance of the market as a social, politically neutral, space.

Attendance: Her Worship the Mayor joined the meeting at 9.38a.m. Councillor Acland and Her Worship the Mayor left the meeting at 9.39a.m.

Ms Knight answered questions about the market's history, location and business operations.

Attendance: Councillor Acland returned to the meeting at 9.45a.m.

**Attachments**

- 1 A2151419 - Public Forum - The Nelson Market Limited - PowerPoint presentation
- 2 A2151424 - Public Forum - The Nelson Market Limited - tabled document
- 3 A2157386 - Public Forum - The Nelson Market Limited - tabled document

4.6 Graeme O'Brien - Nelson Saturday Market

Mr O'Brien tabled a document (A2151412), and spoke about the history of the market. He said that the market had originally been set up by the Women's Emergency Centre, and had subsequently been taken over by Ms Knight.

Mr O'Brien noted that the market held a space for the local MP, but not other political parties and politicians, and explained his concerns that this resulted in inequality of access. He added that the market acted as the de facto town square, and should include space for a 'speaker's corner'.

He added his concerns that the agenda item relating to the market licence was being held in public excluded session. Mr O'Brien then answered questions.

**Attachments**

- 1 A2151412 - Public Forum - Graeme O'Brien - tabled document

**5. Confirmation of Minutes**

**5.1 29 November 2018**

Document number M3945, agenda pages 8 - 21 refer.

The following corrections were noted:

- Page 11 – to include the time that Mr Murray departed the meeting; and
- Page 15- to correct the spelling of Gail Collingwood's name.

Resolved GOV/2019/002

***That the Governance Committee***

***Confirms the amended minutes of the meeting of the Governance Committee, held on 29 November 2018, as a true and correct record, with corrections.***

Courtney/Peters

Carried

**6. Chairperson's Report**

The Chair gave an oral report, highlighting Council's sound debt management and noting the increase in tourism expenditure in Nelson.

Attendance: Her Worship the Mayor returned to the meeting at 9.55a.m.

**7. International Relationships Policy**

It was noted that this item would come to a later meeting.

**8. Nelson Regional Development Agency - Statement of Expectation 2019/2020**

Document number R9977, agenda pages 22 - 42 refer.

Group Manager Environmental Management, Clare Barton, and Manager Strategy, Mark Tregurtha, presented the report. Ms Barton noted that, going forward, Mr Tregurtha would manage the relationship between Council and the Nelson Regional Development Agency (NRDA).

Attendance: Councillor Skinner left the meeting at 9.57a.m.

NRDA Chief Executive, Mark Rawson, joined the meeting. Mr Rawson and Ms Barton answered questions regarding Tasman District Council's (TDC) change of preference to contract for NRDA services via Nelson City Council, rather than directly with the NRDA, NRDA service delivery to regional areas, the role of the Nelson i-Site as a regional i-Site, and how the NRDA engaged with stakeholders and businesses to progress the centre city development and the vision of Nelson as a 'Smart Little City' and the commercial hub for the top of the South Island.

Attendance: Councillor Skinner returned to the meeting at 10.12a.m.

Committee members discussed Council's priorities as described in the officer report, and noted the importance to the region of resilient primary industries and the value proposition of a secure water supply. Mr Rawson explained how these aspects linked with the Regional Strategy.

During discussion, it was agreed that the Statement of Expectation to the NRDA should include climate change responsiveness and further developing the relationship with TDC.

Resolved GOV/2019/003

***That the Governance Committee***

***Receives the report Nelson Regional Development Agency - Statement of Expectation 2019/2020 (R9977) and its attachment (A2066390).***

Courtney/Dahlberg

Carried

Recommendation to Council GOV/2019/004

***That the Council***

***Confirms the general matters to be included in the Nelson Regional Development Agency Statement of Expectation letter as those identified in paragraphs 4.5 to 4.12 of report R9752; and***

***Confirms the following specific matters to be included in the Nelson Regional Development Agency Statement of Expectation letter as those identified in paragraphs 4.13.1 to 4.13.9 of report R9752 and summarised below:***

- (a) Council priorities***
- (b) Stakeholders***
- (c) Partnerships with iwi and Māori***
- (d) Promoting the regions***
- (e) Funding***

- (f) Deliverables and budget**
  - (g) Advice**
  - (h) Agility**
  - (i) Te Taihu Strategy 2077 Regional Growth Strategy;**
  - (j) Climate Change responsiveness, including risk resilience, mitigation and adaption; and**
  - (k) Development of the relationship with Tasman District Council with a view to increasing funding from that source; and**
- Confirms the Nelson Regional Development Agency's review of Board performance will be completed by 1 November 2019.**

Courtney/Dahlberg

Carried

## **9. Governance Committee Quarterly Report to 31 December 2018**

Document number R9849, agenda pages 43 - 54 refer.

Group Manager Strategy and Communications, Nicky McDonald, presented the report.

In response to a question, Mr Murray, as representative of the Forestry Advisory Group, explained costs, risk factors and the financial return on forestry activities.

Ms McDonald answered questions regarding the nature of requests received under the Local Government Official Information and Meetings Act and how media enquiries are responded to.

During discussion, it was noted that the performance measures related to several activities relied on data being supplied by external organisations such as the NRDA, and that Council could consider whether alternative performance measures would be required through the next Long Term Plan process. It was further noted that factors outside of Council's control affecting performance measures, such as drought, should be included in the commentary.

Resolved GOV/2019/005

***That the Governance Committee***

***Receives the report Governance Committee Quarterly Report to 31 December 2018 (R9849) and its attachments (A2124377, A2131712).***

Dahlberg/Her Worship the Mayor

Carried

Attendance: the meeting adjourned from 10.38a.m. to 10.57a.m, during which time Councillor Acland left the meeting.

## 10. Exclusion of the Public

The Chair explained that Nita Knight, of The Nelson Market Limited, would be in attendance for Item 2 of the Public Excluded agenda, Montgomery Square Market – Licence Expiry, to answer questions and, accordingly, the following resolution was required to be passed:

Resolved GOV/2019/006

***That the Governance Committee***

***Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Nita Knight remain after the public has been excluded, for Item 2 of the Public Excluded agenda (Montgomery Square Market – Licence Expiry), as she has knowledge relating to this matter that will assist the meeting.***

Noonan/Dahlberg

Carried

Resolved GOV/2019/007

***That the Governance 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:***

Noonan/Dahlberg

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Governance Committee Meeting - Public Excluded Minutes	Section 48(1)(a) The public conduct of this matter would be	The withholding of the information is necessary: • Section 7(2)(h)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<b>- 29 November 2018</b>	likely to result in disclosure of information for which good reason exists under section 7.	To enable the local authority to carry out, without prejudice or disadvantage, commercial activities <ul style="list-style-type: none"> <li>Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
<b>2</b>	<b>Montgomery Square Market - Licence Expiry</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
<b>3</b>	<b>Nelson Regional Development Agency - Appointment of Directors and Chair</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person</li> </ul>
<b>4</b>	<b>The Bishop Suter Trust - Trustee Remuneration 2018/19</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
<b>5</b>	<b>Haven Precinct Project: Next Steps</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(i) To enable the local authority to carry on,</li> </ul>



Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		information for which good reason exists under section 7	without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
<b>6</b>	<b>Update on Strategic Property Matters</b>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>

The meeting went into public excluded session at 10.57a.m, during which time Councillor Acland returned to the meeting at 10.59a.m.

During the public excluded session, Mr Murray and Mr Peters declared an interest in relation to item 2 of the public excluded agenda (Montgomery Square Market – Licence Expiry) and left the meeting from 11.02a.m. until 1.20pm, when the meeting resumed following the lunch break.

The meeting resumed in public session at 2.50p.m.

There being no further business the meeting ended at 2.50 p.m.

Confirmed as a correct record of proceedings:

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