



AGENDA

**Ordinary meeting of the
Nelson City Council**

Governance

**Tuesday 11 December 2012
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership:

His Worship the Mayor Aldo Miccio, Councillors Ian Barker, Ali Boswijk (Deputy Mayor), Gail Collingwood, Ruth Copeland (Co-Portfolio Holder), Eric Davy, Kate Fulton, Paul Matheson, Jeff Rackley, Pete Rainey, Rachel Reese, Derek Shaw (Co-Portfolio Holder) and Mike Ward

Apologies

Opening Prayer

1. Conflicts of Interest

- 1.1 Updates to the Interests Register
- 1.2 Identify any conflicts of interest in the agenda

2. Public Forum

- 2.1 Nelson School of Music Board

Mr Neal Deans, or another representative of the Nelson School of Music Board, will address Council regarding the proposal for Council support, and acquisition, of the Nelson School of Music facilities.

- 2.2 Nelson Historic Theatre Trust

Mr Kerry Marshall, or another representative of the Nelson Historic Theatre Trust, will address Council regarding the proposal for Council support, and acquisition, of the Theatre Royal facilities.

- 2.3 Mr Phil Medcalf and Mr Dennis Heiford

Mr Medcalf and Mr Heiford will address Council regarding the access road to Wakapuaka.

3. Confirmation of Minutes

- 3.1 Governance – 30 October 2012

1-9

Document number 1399415

Recommendation

THAT the minutes of the meeting of the Nelson City Council - Governance, held on 30 October 2012, be confirmed as a true and correct record.

3.2 Recruitment of a Chief Executive – 25 October 2012 10-12

Document number 1399797

Recommendation

THAT the minutes of the meeting of the Nelson City Council – Recruitment of a Chief Executive, held on 25 October 2012, be confirmed as a true and correct record.

4. Mayor's Report 13-23

Document number 1410774

Recommendation

THAT the Mayor's report (1410774) be received.

AND THAT Council retrospectively approves travel costs of \$438.00 plus disbursements for the Deputy Mayor Ali Boswijk to attend a meeting between representatives of the Suter and the Minister of Arts, Culture and Heritage on 7 November 2012;

AND THAT Council retrospectively approves registration and travel costs of \$800.50 plus disbursements for Councillor Fulton's attendance at Sustainable Sydney 2030 Masterclass in Wellington on 19 November 2012;

AND THAT Council retrospectively approves ticket costs of \$680 for the Mayor, Mayoress and Councillors Fulton, Ward, Davy, Rainey, Shaw and Copeland to attend the Nelson Sports Awards on 28 November 2012;

AND THAT Council approves travel costs, registration and disbursements for Councillor Barker's attendance at the Society of Local Government Managers Benchmarking Consultation Forum in Christchurch on 12 December 2012;

AND THAT the Memorandum of Understanding with Yangjiang be ratified;

AND THAT Council note the invitation to visit Nelson was extended to the Mayor and a group of officials from Yangjiang;

AND THAT Council note the invitation from the Nelson Regional Economic Development Agency for a delegation from Longyou to visit Nelson;

AND THAT the Memorandum of Understanding with Longyou be approved for signing.

5. Status Report - Governance 24

Document number 1034743 v6

Recommendation

THAT the Status Report - Governance (1034743 v6) be received.

6. Portfolio Holder's Report

During this part of the meeting the Mayor will be joined by the Governance Co-Portfolio Holder, Councillor Shaw.

7. Notice of Motion 25

Document number 1419109

8. Schedule of Council Meetings 2013 26-38

Document number 1412246

Recommendation

THAT the draft schedule of meetings for 2013 (1416463) be adopted.

9. Suter Collection Policy 39-49

Document number 1410261

Recommendation

THAT the Collection Policy of the Suter Art Gallery (RAD 1413423) be approved;

AND THAT the Board of the Bishop Suter Trust be requested to present the Collection Policy for review and approval by Council on a three yearly basis, with the next review taking place in the 2014/15 financial year.

10. Schedule of Documents Sealed 50-52

Document number 1403442

Recommendation

THAT the Schedule of Documents Sealed (1403442) be received.

11. Update on the Implementation and Management of the Nelson Events Strategy 2012 53-58

Document number 1405123

Recommendation

THAT this report (1405123) be received.

REPORTS FROM COMMITTEES

12. Joint Shareholders Committee – 23 November 2012 59-63

Document number 1415934

Recommendation

THAT the minutes of the meeting of the Nelson City Council Tasman District Council Joint Shareholders Meeting, held on 23 November 2012, be received.

12.1 Tasman Bays Heritage Trust Draft Statement of Intent 2012/13 Resubmit

Recommendation to Council

THAT the Tasman Bays Heritage Trust Statement of Intent and Strategic Plan 2012/13 be approved for signing.

Note: The report titled Tasman Bays Heritage Trust Draft Statement of Intent 2012-13 Resubmit (1399487) on the agenda for the Nelson City Council Tasman District Council Joint Shareholders Committee on 23 November 2012 refers. This agenda can be found in the Councillors – Past Agendas folder on Councillors' Google drive. If you require a copy of this report, please speak to an Administration Adviser.

13. Audit, Risk and Finance Committee – 2 October and 13 November 2012

64-74

Document number 1381616 v2

Recommendation

THAT the minutes of the meeting of the Nelson City Council Audit, Risk and Finance Committee, held on 2 October and 13 November 2012, be received.

13.1 Report Back on Audit, Risk and Finance Committee Enquiries

Recommendation to Council

THAT the Council note the information provided in report 1396561 with respect to the Council outdoor noise consent, the profiling of Councillors in Council publicity, the use of staff articles in external publications and public liability with respect to Council structures in public places.

Note: The report titled Report Back on Audit, Risk and Finance Committee Enquiries (1396561) on the agenda for the Nelson City Council Audit, Risk and Finance Committee on 13 November 2012 refers. This agenda can be found in the Councillors – Past Agendas folder on Councillors' Google drive. If you require a copy of this report, please speak to an Administration Adviser.

Recommendation to Council

THAT the development of a formal Council communications policy be considered at an upcoming Council – Governance meeting.

13.2 Leaky Homes Financial Assistance Package

Recommendation to Council

THAT the Council does not become a participating Territorial Authority to the Leaky Homes Financial Assistance Package under the Weather-tight Homes Resolution Services (Financial Assistance Package) Amendment Act 2011;

AND THAT the Council reassess the option of joining the Leaky Homes Financial Assistance Package following the Government led review of the Scheme in 2014;

AND THAT the Chairperson of the Audit, Risk and Finance Committee be authorised to release a media statement to the effect that Nelson City Council will not become a participating Council in the Leaky Homes Financial Assistance Package proposal.

Note: The report titled Leaky Homes Financial Assistance Package (1161393) on the agenda for the Nelson City Council Audit, Risk and Finance Committee on 13 November 2012 refers. This agenda can be found in the Councillors – Past Agendas folder on Councillors’ Google drive. If you require a copy of this report, please speak to an Administration Adviser.

14. Discussion of public forum items

PUBLIC EXCLUDED BUSINESS

15. Exclusion of the Public

Recommendation

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Public Excluded Minutes – Governance – 30 October 2012 These minutes confirmed the public excluded minutes of the Governance meeting of 18 September 2012 and also contain information regarding:	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:

	Information regarding the opportunity to be a Host City for Cricket world Cup 2015		<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations
2	<p>Public Excluded Minutes – Chief Executive Recruitment – 25 October 2012</p> <p>These minutes contain information regarding the selection of a preferred candidate for the role of Chief Executive and include a recommendation to make the appropriate announcements to the public when matters are finalised.</p>	<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"> • Section 7(2)(a) To protect the privacy of natural persons • Section 7(2)(c) To protect information that is subject to an obligation of confidence
3	<p>Public Excluded Status Report – Governance</p> <p>This report contains information regarding:</p>	<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>
	Nelson City Council Tasman District Council Engineering Services Agreement		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Governance Options for, and commercially sensitive information regarding, the Nelson Regional Sewerage Business Unit		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
	Negotiations relating to the Tasman Bays Heritage Trust Draft Statement of Intent and Strategic Plan		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Director appointments and Director fees for Council controlled organisations and includes a recommendation to		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(a)

	<p>release the resolutions to the public when the organisations and individuals involved have been notified.</p>		<p>To protect the privacy of natural persons</p>
	<p>Information regarding the opportunity to be a Host City for Cricket World Cup 2012</p>		<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations
4	<p>Proposed Leases of Maitahi (Maitai) whenua (land) between Nelson City Council and Wakatu Incorporation for the Maitai Shared Path</p> <p>This report contains information on the negotiation of a lease.</p>	<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"> • Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(h) To carry out commercial activities
5	<p>Nelson School of Music and Theatre Royal: Arrangements to Promote Future Viability</p> <p>This report contains information on the proposed transfer of assets, and negotiation of a lease and contract with the Theatre Royal and Nelson School of Music.</p>	<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"> • Section 7(2)(i) To carry out negotiations

6	<p>Potential Review of Nelson Tasman Tourism 2012</p> <p>This report contains information on a proposed review of Nelson Tasman Tourism.</p>	<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"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
7	<p>Request to Amend the Bishop Suter Trust Deed 2012</p> <p>This report contains information on a request to amend the Suter Deed of Trust or the Procedure for Appointment of Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations.</p>	<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"> • Section 7(2)(i) To carry out negotiations
8	<p>Statements of Expectation for The Bishop Suter Trust and Tasman Bays Heritage Trust 2013/14</p> <p>This report contains information on the statements of expectation for The Bishop Suter Trust and Tasman Bays Heritage Trust 2013/14</p>	<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"> • Section 7(2)(i) To carry out negotiations
9	<p>Statements of Expectation for Nelmac and Nelson Regional Economic Development Agency 2013/14</p> <p>This report contains information on the statements of expectation for Nelmac and the Nelson Regional Economic Development Agency.</p>	<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"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

<p>10</p>	<p>Appointment of Director Nelmac 2012</p> <p>This report allows Councillors to suggest individuals for consideration for the role of Director for Nelmac.</p>	<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"> Section 7(2)(a) To protect the privacy of natural persons
<p>11</p>	<p>Reappointment of Trustees to the City of Nelson Civic Trust</p> <p>This report contains a recommendation for the reappointment of Trustees to the City of Nelson Civic Trust.</p>	<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"> Section 7(2)(a) To protect the privacy of natural persons
<p>12</p>	<p>Public Excluded Minutes – Nelson City Council Tasman District Council Joint Shareholders Committee – 23 November 2012</p> <p>These minutes confirmed the public excluded minutes of the Joint Shareholders Committee on 14 September 2012 and contain information regarding:</p>	<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"> Section 7(2)(h) To carry out commercial activities Section 7(2)(h) To carry out commercial activities
<p>The operation of I-Sites in the Nelson Tasman Region and the marketing strategy and Tourism Nelson Tasman Limited.</p>		<ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities 	
<p>A potential review of Tourism Nelson Tasman Limited</p>		<ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities 	

16. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- This meeting is expected to continue until 3.00pm.
- Lunch will be provided at 12.30pm.