



Nelson City Council

te kaunihera o whakatū

AGENDA

Ordinary meeting of the

Nelson City Council

Thursday 20 November 2014

Commencing at 9.00am

Council Chamber

Civic House

110 Trafalgar Street, Nelson

Membership: Her Worship the Mayor Rachel Reese, Councillors Luke Acland, Ian Barker, Ruth Copeland, Eric Davy, Kate Fulton, Matt Lawrey, Brian McGurk, Paul Matheson (Deputy Mayor), Gaile Noonan, Pete Rainey, Tim Skinner, and Mike Ward

Opening Prayer

Apologies

1. Confirmation of Order of Business

2. Interests

2.1 Updates to the Interests Register

2.2 Identify any conflicts of interest in the agenda

3. Public Forum

4. Confirmation of Minutes – 30 October 2014 13-25

Document number A1271581

Recommendation

THAT the minutes of the meeting of the Nelson City Council, held on 30 October 2014, be confirmed as a true and correct record.

5. Status Report – Council 20 November 2014 26-27

Document number A1168168

Recommendation

THAT the Status Report – Council 20 November 2014 (A1168168) be received.

6. Mayor's Report 28

Document number A1260502

Recommendation

THAT the Mayor's Report (A1260502) and be received.

7. Administrative Matters 29-42

Document number A1260516

Recommendation

THAT the report Administrative Matters (A1260516) and its attachments (A1166734, A1168076, A1006782 and A1235615) be received.

8. 2015 Council Meeting Calendar 43-58

Document number A1260517

Recommendation

THAT the report Schedule of Council Meetings 2015 (A1260517) and its attachment (A1272968) be received;

AND THAT the schedule of meetings outlined in Attachment 1 (A1272968) be adopted.

9. Code of Conduct Review 59-97

Document number A1215877

Recommendation

THAT the report Review of Elected Members' Code of Conduct (A1215877) and its attachments (A1181923) be received;

AND THAT the Elected Members' Code of Conduct (A1181923) be adopted;

AND THAT Communications Policy for Elected Members' (A1134091) be adopted;

AND THAT Her Worship the Mayor, Councillors _____ and _____ be appointed to the Conduct Review Panel;

AND THAT Councillors _____, _____ and _____ be appointed to replace any member on the Conduct Review Panel in the event of a conflict of interest or unavailability.

10. Delegations Register Review

98-142

Document number A1215669

Recommendation

THAT the report Delegations Register Review and its attachments (A1183061 and A1183062) be received;

AND THAT the Delegations Register (A1183061) be adopted.

Note: Attachment 2, Officer Delegations Manual has been circulated separately.

11. Draft Regional Land Transport Plan – Release for Consultation

143-147

Document number A1272158

Recommendation

THAT the report draft Regional Land Transport Programme – Release for Consultation (A1272158) and its attachments (A1271105 and A1272010) be received;

AND THAT the Draft Regional Land Transport Plan (A1271105) and the Summary of Statement of Proposal (A1272010), incorporating any changes resolved by the Council, be released for consultation in accordance with Section 83 of the Local Government Act 2002;

AND THAT the Chief Executive is delegated authority to make any minor editorial changes;

AND THAT the Nelson Regional Transport Committee hear submissions on the draft Regional Land Transport Programme in February 2015 and report back to Council thereafter for adoption and submission to the New Zealand Transport Agency.

Note: Attachment 1, Draft Regional Land Transport Plan has been circulated separately.

12. Waimea Community Dam (Lee Valley Dam), Water Take from the Roding River, Maitai/Roding Resource Consent Matters and the Nelson City Council/Tasman District Council Engineering Services Agreement

148-181

Document number A1269513

Recommendation

THAT the report Waimea Community Dam (Lee Valley), Water Take from the Roding River, Maitai/Roding Resource Consent Matters and the Nelson City Council/Tasman District Council Engineering Services Agreement (A1269513) and its attachments (A1247016, A1248296, A1246928, A1273950, A1222713, A1270411) be received;

AND THAT Council note an independent report on the economic benefit/cost to Nelson City that may arise from the construction and operation of the Waimea Community Dam has been commissioned;

AND THAT following completion of this work, Council consider appropriate provision in the Long Term Plan 2015-25 for a contribution towards the construction of the Waimea Community Dam, to allow consultation with the community as to quantum and conditions;

AND THAT the submission to the Tasman District Council Statement of Proposal for the Proposed Waimea Community Dam Funding & Governance Options be endorsed;

AND THAT the underlying philosophy of the Nelson City Council/Tasman District Council Engineering Services Agreement set out in this report be included in the upcoming Long Term Plan 2015-25;

AND THAT following consultation the Chief Executive be delegated the authority to complete the new agreement with Tasman District Council.

13. Development Contributions Policy Review Statement

182-209

Document number A1264778

Recommendation

THAT the report Development Contributions Policy Review Statement (A1264778) and its attachments (A1264147 and A1273776) be received;

AND THAT the broad direction of the review of the Nelson City Council Development Contributions Policy is agreed;

AND THAT this direction be made publicly available by 1 December 2014.

Note: This recommendation relates to item 19.3 from the Governance Committee minutes

REPORTS FROM COMMITTEES

14. Nelson Tasman Civil Defence Emergency Management Group - 7 October 2014

210-212

Document number A1265545

Recommendation

THAT the unconfirmed minutes of a meeting of the Nelson Tasman Civil Defence Emergency Management Group, held on 7 October 2014, be received.

15. Planning and Regulatory Committee – 23 October 2014

213-219

Document number A1265534

Recommendation

THAT the unconfirmed minutes of a meeting of the Nelson City Council Planning and Regulatory Committee, held on 23 October 2014, be received.

15.1 Environment Activity Management Plan

Recommendation to Council

THAT the Draft Environment Activity Management Plan 2015-2025 (A1243203) be approved, subject to increasing the heritage incentives amount to \$270,000, as the version that will inform the Long Term Plan 2015-25;

AND THAT the Chief Executive investigates a range of options that could be available for earthquake strengthening of heritage buildings within the CBD.

15.2 Plan Change 16 – Inner City Noise – operative date

Recommendation to Council

THAT Council resolves to make the provisions within the commissioners decision on Plan Change 16 – Inner City Noise (A1206051) operative on 1 December 2014, pursuant to Clause 20(1) of the First Schedule of the Resource Management Act 1991.

15.3 Draft Building and Other Regulatory Activity Management Plan

Recommendation to Council

THAT the Draft Building and Other Regulatory Activity Management Plan be approved as the version that will inform the Long Term Plan 2015-2025.

16. Community Services Committee – 30 October 2014

220-228

Document number A1267887

Recommendation

THAT the unconfirmed minutes of a meeting of the Nelson City Council Community Services Committee, held on 30 October 2014, be received.

Note: As the only business transacted in public excluded was to confirm minutes and receive the status report, this business has been recorded in the public minutes. There are no public minutes for 30 October 2014.

16.1 Arts Activity Management Plan

Recommendation to Council

THAT the Draft Arts Activity Management Plan 2015-2025 (A1126659) be approved as the version that will inform the Long Term Plan 2015-2025.

16.2 Tahuna Beach Camp Incorporated Annual Report

Recommendation to Council

THAT Council commission an external review of its three campgrounds, to understand their financial trends, and to assist in establishing a strategic direction for these properties.

16.3 Community Partnerships Activity Management Plan

Recommendation to Council

THAT the Draft Community Partnerships Activity Management Plan 2015-2025 (A1236577) be approved as the version that will inform the Long Term Plan 2015-25.

17. Chief Executive Employment Committee – 3 November 2014

229-231

Document number A1269404

Recommendation

THAT the unconfirmed minutes of a meeting of the Nelson City Council Chief Executive Employment Committee, held on 3 November 2014, be received.

18. Extraordinary meeting of the Community Services Committee – 4 November 2014 232-234

Document number A1269607

THAT the unconfirmed minutes of an extraordinary meeting of the Nelson City Council Community Services Committee, held on 4 November 2014, be received.

18.1 Property and Facilities Asset Management Plan

Recommendation to Council

THAT the amended draft Property and Facilities Asset Management Plan 2015-2025 (A1224345) be approved to inform the Long Term Plan 2015-2025.

19. Governance Committee – 6 November 2014 235-244

Document number A1272971

Recommendation

THAT the unconfirmed minutes of a meeting of the Nelson City Council Governance Committee, held on 6 November 2014, be received.

19.1 Nelson Enterprise Loan Trust Interest Free Loan (NELT)

Recommendation to Council

THAT the \$25,000 interest free loan to Nelson Enterprise Loan Trust be rolled for a further three years through to September 2017.

19.2 Finance Report for period ending 30 September 2014

Recommendation to Council

THAT Council approves unbudgeted operating expenditure of \$13,557 for the 2014/15 year to continue to provide free WiFi to the Central Business District;

AND THAT Council approves additional capital expenditure of up to \$62,000 for capital works at Saxton Field.

19.3 Development Contributions Policy Review Statement

Recommendation to Council

THAT the principles guiding the review of the Development Contributions Policy be considered and that this direction be made publicly available by 1 December 2014.

Note: This recommendation relates to item 13 of the agenda.

19.4 Community Outcomes Descriptors

Recommendation to Council

THAT the descriptors explaining the Community Outcomes be adopted to inform the Long Term Plan 2015-25.

19.5 Adoption of the Significance and Engagement Policy

Recommendation to Council

THAT the Significance and Engagement Policy be adopted.

PUBLIC EXCLUDED BUSINESS

20. 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	<p>Council – Public Excluded – 30 October 2014</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
2	<p>Public Excluded Status Report – 20 November 2014</p> <p>This report contains information regarding:</p> <ul style="list-style-type: none"> • Plan Change 18 Appeals 	<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)(j) To prevent improper gain or advantage
3	<p>Farmers Development – Nelson CBD</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
4	<p>Nelson Tasman Civil Defence Emergency Management Group - Public Excluded Minutes – 7 October 2014</p> <p>These minutes contain information regarding:</p> <ul style="list-style-type: none"> • Appointments 	<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
5	<p>Chief Executive Employment Committee – Public Excluded Minutes – 3</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in</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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<p>November 2014</p> <p>These minutes contain information regarding:</p> <ul style="list-style-type: none"> • Chief Executives Performance Review • Staff Statistics 	disclosure of information for which good reason exists under section 7	<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence
6	<p>Governance Committee – Public Excluded Minutes – 6 November 2014</p> <p>These minutes contain information regarding:</p> <ul style="list-style-type: none"> • Additional Trustee for Economic Development Agency 	<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

21. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- **This meeting is expected to continue beyond lunchtime. The Regional Joint Landfill deliberations will follow at the conclusion of the ordinary Council meeting.**
- **Lunch will be provided at 12.30pm.**

Minutes of a meeting of the Nelson City Council

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

On Thursday 30 October 2014, commencing at 9.02am

Present: Her Worship the Mayor (R Reese), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, P Matheson, B McGurk, G Noonan, P Rainey, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), Administration Adviser (G Brown) and Youth Councillors (H Malpas and S Stephens)

Opening Prayer

Councillor Fulton gave the opening prayer.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

2.1 Refinery Artspace Update

Resolved

THAT the public excluded item regarding Refinery Artspace Update be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable any issues which arise to be addressed in a timely manner.

Barker/Her Worship the Mayor

Carried

3. Interests

Councillor Rainey declared a conflict of interest with item 12 on the agenda.

4. Public Forum

Julie Baxendine, from Intepeople, provided an update on Gigatown. She advised that more than 500 individuals were required to use Twitter to bring Nelson to fourth position in the competition, and she encouraged councillors to inform family and their business networks to help raise the numbers.

In response to a question, she said that the instagram competition involved a 15 second video competition to illustrate how individuals supported Gigatown.

It was noted that the target market for Twitter was 20-50 year olds, and that there were monetary incentives for sport and community groups. It was suggested that it should be promoted in colleges.

5. Confirmation of Minutes – 9 October 2014

Document number A1260919, agenda pages 8-25 refer.

Resolved

THAT the unconfirmed minutes of the meeting of the Nelson City Council, held on 9 October 2014, be confirmed as a true and correct record.

Her Worship the Mayor/Copeland

Carried

6. Status Report – Council 30 October 2014

Document number A1168168, agenda pages 26-27 refer.

Resolved

THAT the Status Report – Council 30 October 2014 (A1168168) be received

Davy/Copeland

Carried

7. Mayor's Report

Document number A1260470, agenda pages 28-30 refer.

Her Worship the Mayor indicated that she would provide a more comprehensive update on her visit to Miyazu in Japan at a later date however, she advised that it was a worthwhile visit, and that it was worth noting Miyazu's population used to be similar to Nelson's but had

decreased to 20,000 residents. She said that technology was important for communities to keep up with the rest of the world.

Resolved

THAT the Mayor's Report (A1260470) and its attachment (A1265038) be received;

Her Worship the Mayor/Noonan

Carried

8. Adoption of the Annual Report for the year ending 30 June 2014

Document number A1262054, agenda pages 31-34 refer.

Group Manager Corporate Services, Nikki Harrison presented the report.

In response to a question, Ms Harrison explained that the public debt of \$71.8 million included debt from previous years.

In response to a question, Chief Executive, Clare Hadley advised that building and resource consents showing as 'not achieved' on page 50 and 51 of the Annual Report was not a capacity issue and that the percentage of non compliance was due to reaccreditation and Council was working hard to achieve the 100% in the future.

Resolved

THAT the report Adoption of the Annual Report for the year ending 30 June 2014 (A1262054) and its attachment (A484986) be received;

AND THAT the Annual Report for the year ended 30 June 2014 be adopted in accordance with s98 of the Local Government Act 2002;

AND THAT the Mayor and Chief Executive be delegated the authority to make minor changes, including the addition of the Foreword to the Annual Report 2013-14, and any suggested changes by Audit New Zealand.

Davy/Rainey

Carried

9. Rock's Road Walking and Cycling Project – Engagement Summary

Document number A1262602, agenda pages 35-42 refer.

Team Leader Rooding and Solid Waste, Marg Parfitt, Senior Asset Engineer – Transport and Rooding, Rhys Palmer and Lyndon Hammond from New Zealand Transport Agency (NZTA), presented the report.

Rhys Palmer advised councillors that Nelson City Council (NCC) had won an award for the best cycle facility project for the St Vincent separated bicycle lanes at the 2walkandcycle conference.

There was a discussion that the Regional Transport Committee included the Rocks Road Walking and Cycling Project into the Regional Land Transport Plan (RLTP) as a joint project with NZTA as it was a key component of the walking cycling schools package. It was discussed that this was not about design, it was about prioritisation and it would be a placeholder in the RLTP for the following 3 years.

In response to a question, Mr Palmer advised that Concept 2 a 4.0 metre wide path shared path had been considered however, the steering group believed that faster, confident cyclists would continue to cycle on the road and that a 2.9m shared path was adequate to cater for those who were less confident.

In response to a further question, Mr Palmer said that twice as many people cycled to Tahunanui rather than coming back to the CBD so a higher level of service needed for this route. He advised that consideration was given to increase the width of the shared path however, an emergency corridor of 9m was required through this area. He informed councillors that the design may look different in February as further investigation work to refine Option 1 was underway as well as peer and safety reviews. He confirmed that neither Council or NZ Transport Agency had committed to a final design at this stage.

Mr Palmer advised that a sensitivity analysis was needed to work out the level of service on 2.9m shared path. He also added that option 2 was estimated at \$22.7 million and that this figure did not include the rest of the current design. He advised that an investigation in February would provide the costs of the design which would come back to Council and NZ Transport Agency.

There were discussions that \$16 million of the cost of the project would not be paid by the ratepayer, and that this was only a placeholder which was indicative of what you could purchase for that amount of money.

It was raised that a number of options should be included in consulting with the community.

In response to a question, Mr Palmer indicated that there were narrow shoulders on each side of the road for Option 2 and that Option 2 had a 4m shared path. There was general support for the recommendations, although a 4m shared pathway was the preferred more logical option, however it was appreciated that this would be at a further cost. It was discussed that there was no easy solution for

parking, but it was clear that the RLTP requires that this project needed to be prioritised regardless of the finer details.

Resolved

THAT the motion under debate be now put.

Davy/Noonan

Carried

Resolved

THAT the report Rocks Road Walking and Cycling Investigation Engagement Summary and Regional Land Transport Plan option. (A1262602) and its attachments (A1263740, A1255562, A1263957) be received;

AND THAT Council thank the community and stakeholders for their feedback and provide them with a summary of the findings;

AND THAT the Steering Groups interim advice for a 2.9m shared path with on road cycle facilities for a total cost of \$16.8 million is included as a placeholder in the Draft Regional Land Transport Plan.

Her Worship the Mayor/Matheson

Carried

Councillor Barker wanted it noted that he was not in support of the recommendation.

10. Trial of Online Voting

Document number A1255279, agenda pages 43-46 refer.

Administration Manager, Penny Langley and Group Manager Community Services, Chris Ward presented the report.

In response to a question, Ms Langley indicated that the number of Council's who participated in the online voting trial was irrelevant to the costs involved.

In response to questions, Mr Ward informed councillors that the online trial was being promoted by Local Government New Zealand (LGNZ), and there was not a commitment from Central Government. In addition, he advised that there would be extra costs involved in having two election processes, and if Council was to pursue an online voting trial it would require staff resources. He also indicated that there were risks involved in relation to IT systems.

There were discussions around the costs involved with the online trial and that there was no conclusive evidence in relation to voter

participation with online voting. It was also discussed that community engagement was dependent on the big issues facing the community and not in the method of voting and that Council had other priorities at this time.

Concerns were raised about the cost if Council was not involved in the online voting trial, and that any tool which could potentially increase demographic participation should be pursued. It was also mentioned that Council should be a leader in this area, and that online voting would inevitably happen in the future.

A division was called:

Councillor Acland	No
Councillor Barker	Aye
Councillor Copeland	No
Councillor Davy	Aye
Councillor Fulton	No
Councillor Lawrey	No
Councillor Matheson	Aye
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	No
Her Worship the Mayor	Aye

The motion was passed, 7-6.

Resolved

THAT the report Trial of Online Voting (A1255279) be received;

AND THAT after making further enquiries, and given the increased risk and cost, Council not pursue the possibility of being involved in a trial of online voting for the 2016 local body elections any further.

Davy/Skinner

Carried

11. Waimea Community Dam – Submission to Tasman District Council

Document number A1264246, agenda pages 69-72 refer.

Senior Assets Engineer – Utilities, Phil Ruffell presented the report.

In response to a question, Chief Executive, Clare Hadley advised councillors that Council had no position on the Waimea Community Dam and that a report would be considered on 20 November 2014 Council meeting as the Statement of Proposal closed on 14 November 2014 from Tasman District Council (TDC). It was advised that the submission would be brief.

Mr Ruffell reminded councillors of the workshop where TDC's resource consent was discussed and that the workshop supported Nelson City Council (NCC) making a submission on the resource consent for the construction of the Waimea Community Dam.

He advised that the development of the Waimea Community Dam affected both TDC and NCC, and that NCC received economic benefits from the ongoing success of the Waimea Plains, Port Nelson and Nelson Airport. He said that the Dam needed to be seen by the wider community to recognise this link, and if NCC were to be silent and not submit then this would send a confusing message to TDC.

In response to a question, Mr Ruffell explained that if NCC were to sign funding for the Dam then NCC needed to be represented on the Board of Directors. In addition, he advised that the submission could include general matters and a view about the Governance arrangements however, he indicated that further comments could be given during the Long Term Plan (LTP) process.

Concerns were raised that not enough attention had been given on alternative and more sustainable options.

Mrs Hadley explained that on page 29 of the LTP it commented on the importance of the Waimea Community Dam, however no position was stated. She advised that TDC would be consulting with the community, and that the same process would happen at NCC, there was no commitment to funding at this time.

Attendance: The meeting adjourned from 11.03am until 11.05am, during which time Her Worship the Mayor left the meeting and Deputy Mayor Matheson assumed the Chair. The meeting then adjourned for morning tea from 11.05am until 11.16am

Attendance: Councillor Davy declared a conflict of interest with item 11 of the agenda, and left the meeting for the remainder of the item.

There was a discussion that further information was required on the content of the submission before a decision could be made.

Mr Ruffell indicated it had been suggested that TDC bulk bill NCC for water who would then distribute the bills accordingly.

Attendance: Councillor McGurk left the meeting at 11.22am

There were concerns that NCC would not be able to influence how the land was used in relation to TDC Resource Management Plan, therefore it was difficult to decide whether to support the Dam.

Mrs Hadley indicated that Council officers were working with TDC staff on intensification and that NCC could make submissions on plan changes, however negotiations needed to be excluded from the submission.

In response to a question, Mrs Hadley said that if NCC did not lodge a submission then NCC may lose the opportunity for a governance role and therefore TDC would make decisions without knowing NCC's position.

There was general support of the recommendation due to the flow on effect of Tasman's economy and that the finer details would be discussed at the appropriate time.

Resolved

THAT the report Waimea Community Dam-Submission to Tasman District Council (A1264246) be received;

AND THAT the Mayor and Chief Executive be delegated the authority to make a submission to the Tasman District Council on its Statement of Proposal for Funding and Governance of the Waimea Community Dam, provided that the submission is conditional on the two points:

- **THAT the quantum and conditions of any future contribution to the construction of the dam be subject to consultation with the Nelson community through its Long Term Plan 2015-2025**
- **AND THAT if Nelson City Council contributed funding, it would expect the appointment to any board of directors to be in its own right, rather than as part of a second tier grouping;**

AND THAT the submission be reported back to the next Council Meeting.

Barker/Rainey

Carried

12. Nelson School of Music

Document number A1256469, agenda pages 73-78 refer.

Group Manager Community Services, Chris Ward presented the report, and advised that the Nelson School of Music (NSOM) were going through transitional changes with a new Board and the closure of the auditorium.

In response to a question, Mr Ward indicated that the sum illustrated in 5.6 of the report of \$80,000 included salary costs, but he was unaware of exact figures.

In response to a further question, Mr Ward explained that the four performance events mentioned under Community Outcomes were performed by groups associated with NSOM.

Mr Ward advised that discussions were being had with NSOM in relation to the Winter Festival however, the Chair of the Board had accepted that this may not come to fruition next year. Mr Ward added that Council could choose to support the Winter Festival if that was what the community wanted.

There was a discussion that the Winter Festival was a local event and had been conducted this year in the existing space. Mrs Hadley advised that the Board's priorities were to deliver on remediating and strengthening the auditorium.

Resolved

THAT the report Nelson School of Music Funding 2014 (A1256469) and its attachments (A1259654) be received;

AND THAT the sum of \$80,000 (excluding GST) be granted to the Nelson School of Music for the delivery of outcomes identified in report A1256469

Fulton/Lawrey

Carried

Attendance: Councillor Rainey declared a conflict of interest and moved away from the table.

Resolved

AND THAT the following community assistance grants be confirmed:

- **Nelson Civic Choir (\$4,150 per annum for four years)**
- **Nelson Male Voice Choir (\$1,200 per annum for four years)**

- **Nelson Symphony Orchestra (\$1,600 per annum for two years)**

Matheson/Noonan

Carried

13. Delivery of Projects – Update on Internal Review

Document number A1260612, agenda pages 47-68 refer.

Resolved

THAT the report Delivery of Projects – Update on Internal Review (A1260612) and its attachment (A1261333) be received.

Noonan/Davy

Carried

REPORTS FROM COMMITTEES

14. Joint Shareholders Committee – 7 October 2014

Document number A1259620, agenda pages 79-83 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Tasman District Council Joint Shareholders Committee, held on 7 October 2014, be received.

Barker/Davy

Carried

15. Works and Infrastructure Committee – 16 October 2014

Document number A1263244, agenda pages 84-93 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Works and Infrastructure Committee held on 16 October 2014, be received.

Davy/Lawrey

Carried

Resolved

THAT Council approve unbudgeted operational expenditure of \$50,000 to demolish the building and make good the site currently occupied by the Highland Pipe Band Hall this financial year.

Noonan/Davy

Carried

PUBLIC EXCLUDED BUSINESS

16. Exclusion of the Public

Resolved

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	<p>Council minutes Public Excluded – 9 October 2014</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 • Section 7(2)(a) To protect the privacy of natural persons
2	<p>Public Excluded Status Report - 30 October 2014</p> <p>This report contains information regarding :</p> <p>Plan Change 18 Appeals</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)(j) To prevent improper gain or advantage

Nelson City Council Minutes
30 October 2014

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
3	Refinery Artspace Update	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 carry out negotiations
4	Joint Shareholders Committee Public Excluded Minutes – 7 October 2014 These minutes 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: <ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations Section 7(2)(a) To protect the privacy of natural persons
5	Works and Infrastructure Committee - Public Excluded Minutes – 16 October 2014 These minutes 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: <ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations

Her Worship the Mayor/Copeland

Carried

Attendance: The meeting adjourned for lunch from 12.32pm until 12.50pm, during which time Councillor Acland left the meeting and Her Worship the Mayor assumed the position of Chair.

The meeting went into public excluded session at 12.55pm and resumed in public session at 2.10pm.

17. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/McGurk

Carried

There being no further business the meeting ended at 2.10pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Public Status Report – Council 20 November 2014

Date of meeting/Item	Action Resolution	Officer	Status
<p>27/3/2014 - Council</p> <p>Regional Landfill Proposal - Update</p>	<p><u>AND THAT</u> no formal reference to a regional landfill proposal be included in the draft Annual Plan 2014/15 but that reference to the proposal be included in media around the draft Annual Plan seeking preliminary feedback on the possibility, whilst making it clear there will be formal consultation if/when it comes to a proposal formally negotiated and agreed;</p> <p><u>AND THAT</u> the Mayor be the sole Council spokesperson on this matter;</p> <p><u>AND THAT</u> the Mayor and Chief Executive continue discussions with Tasman District Council to advance a regional landfill proposal</p>	<p>Alec Louverdis/Nikki Harrison</p>	<p>20/11/2014 - The SCP closed on 25 August, Council heard submissions 2 September and Council met on 25 September to analyse the submissions and re-convened on 2 October 2014. That meeting will be reconvened once officers have collated further information that will further inform council on this matter.</p> <p>Ongoing</p>
<p>2/4/2013 - Council</p> <p>Nelson Gondola and Adventure Park: Feasibility Study</p>	<p><u>THAT</u> the Nelson Cycle Lift Society Incorporated be granted \$15,000 towards a feasibility study for the establishment of a gondola and adventure park, subject to the Cycle Lift Society:</p> <ul style="list-style-type: none"> • funding the remaining costs of the feasibility study; • undertaking to provide Council with the results of the feasibility study by 31 December 2013; <p><u>AND THAT</u> it be noted that Council has neither considered nor taken a position on, the proposal for a gondola and adventure park in either of its roles as landowner and/or regulator.</p>	<p>Chief Executive</p>	<p>20/11/2014 - Officers have requested an independent peer review of the feasibility study.</p> <p>Report went to the 30 October Community Services Committee meeting.</p> <p>Ongoing</p>

Date of meeting/Item	Action Resolution	Officer	Status
19/6/2014 – Council Trafalgar Centre – Way Forward to Reopening	<u>AND THAT</u> Council approve up to \$450,000 to appoint a project manager, who will drive the investigation process necessary to inform the preparation of concept design and deliver first iteration plans to Council;	Alec Louverdis	20/11/2014 – Project managers have been appointed, commenced work and working to December 2014 deadline for concept design. Underway
26/6/2014 – Council Support for Nelson CBD – Winter Incentives	<u>AND THAT</u> the Chief Executive work with SBL to vary the contract to allow for ‘wrapping’ of the NBus for promotion of Nelson attractions; <u>AND THAT</u> a focus group with CBD businesses be undertaken by officers at the end of the period to understand the value of and issues with the initiative.	Chief Executive	20/11/2014 – officers working with SBL to determine costs for ‘wrapping’ and a meeting was held on 2 September with stakeholders. Ongoing

Mayor's Report

1. Purpose of Report

- 1.1 To provide an update to Council.

2. Recommendation

THAT the Mayor's Report (A1260502) be received.

3. Discussion

Nelson Digital Future Working Party

- 3.1 Her Worship the Mayor will be forming a working party with a focus on Nelson's Digital Future. Following the work around the Gigatown competition, it is intended that the working party will seek to leverage opportunities from the economic and community collaboration that has occurred in Nelson.
- 3.2 Councillor Copeland approached Her Worship the Mayor some months ago about establishing a group to focus on economic development opportunities. This suggestion will be combined with the opportunities arising from Gigatown.
- 3.3 Terms of Reference will be developed for the Working Party over the coming weeks and Her Worship the Mayor will work with Councillor Copeland in developing these.

4. Conclusion

- 4.1 That Council notes the updates in this report.

Rachel Reese
Mayor of Nelson

Attachments

None

Administrative Matters

1. Purpose of Report

- 1.1 To report on a number of administrative matters in order to keep Council up to date.

2. Delegations

- 2.1 This is a report for consideration by full Council.

3. Recommendation

THAT the report Administrative Matters (A1260516) and its attachments (A1166734, A1168076, A1006782 and A1235615) be received;

4. Elected Members Travel and Training Expenditure

- 4.1 At the 12 November 2013 Council meeting it was resolved to take a whole of triennium based approach to budgeting for elected members travel and training.
- 4.2 It was agreed that expenditure would be reported back to every alternate Council meeting.
- 4.3 It was also agreed that following attendance at an event, elected members would provide a report back to the Chief Executive for sharing with fellow Councillors via the Councillors Newsletter. Councillors are reminded to ensure a report back from any training is provided in a timely manner.
- 4.4 Attachment 1 is a table showing expenditure to 9 October 2014.

5. Meeting attendance

- 5.1 Elected members meeting attendance is recorded for purposes such as official information requests.
- 5.2 In order to improve transparency on this matter and in line with good practice it seems prudent to routinely report meeting attendance. Providing it this way also allows elected members an opportunity to ensure the record is correct.

5.3 Attachment 2 is a table showing meeting attendance from 30 June 2014 – 9 October 2014.

6. Interests Register

6.1 At the start of the triennium all elected members were requested to declare their interests.

6.2 There is a standing item on each Council and Committee meeting agenda asking for updates to the Interests Register and for elected members to identify any conflicts of interest in the agenda. The Interests Register has been attached (Attachment 3).

6.3 In order to improve transparency and in line with good practice it seems prudent to routinely report on elected members interests. This allows elected members an opportunity to ensure the Register is correct.

7. Leaves of Absence

There are no leaves of absence applied for at this time.

8. Schedule of Documents Sealed

Attachment 4 is the Schedule of Documents sealed.

9. Other Matters

There are no other matters that need to be raised at this time.

Fiona O'Brien

Administration Adviser

Attachments

Attachment 1: Elected Members Travel and Training from 30 June – 9 October 2014 [A1166734](#)

Attachment 2: Elected Members Meeting Attendance to 9 October 2014 [A1168076](#)

Attachment 3: Elected Members Interests Register 2013 – 2016 [A1006782](#)

Attachment 4: Schedule of Documents Sealed to 29 October 2014 [A1235615](#)

Travel and training budget 1 November 2013 to 30 June 2014

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
Prev Triennium	1/7-31/10/13	Expenditure by previous Council	\$ 3,470.00	\$ 3,470.00	\$ -
Induction			\$ 20,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 18,953.55	
		No expenditure this period		\$ -	
				\$ 18,953.55	\$ 1,046.45
Mayor: LGNZ			\$ 22,200.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 915.70	
		No expenditure this period		\$ -	
				\$ 915.70	\$ 21,284.30
Mayor: Non-LGNZ			\$ 12,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,996.34	
	22/07/2014	Travel to ChCh to visit Chinese Consulate		\$ 302.59	
				\$ 2,298.93	\$ 9,701.07
Acland			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,575.26	
	19/06/2014	LGNZ Conf		\$ 626.09	
	11/07/2014	LGNZ Conference Dinner		\$ 134.78	
				\$ 2,336.13	\$ 2,663.87

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
Barker			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 2,417.92	
	19/06/2014	LGNZ Conf		\$ 1,226.09	
				\$ 3,644.01	\$ 1,355.99
Copeland			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,664.34	
		No expenditure this period		\$ -	
				\$ 1,664.34	\$ 3,335.66
Davy			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 2,586.08	
		No expenditure this period		\$ -	
				\$ 2,586.08	\$ 2,413.92
Fulton			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 2,695.71	
		No expenditure this period		\$ -	
				\$ 2,695.71	\$ 2,304.29
Lawrey			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,256.52	
		No expenditure this period		\$ -	
				\$ 1,256.52	\$ 3,743.48

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
McGurk			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 2,149.17	
	19/06/2014	LGNZ Conf		\$ 1,226.09	
				\$ 3,375.26	\$ 1,624.74
Matheson			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 790.00	
		No expenditure this period		\$ -	
				\$ 790.00	\$ 4,210.00
Noonan			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,875.26	
	4/08/2014	A Productive Ageing Workforce Symposium, registration (incl lunch)		\$ 39.13	
				\$ 1,914.39	\$ 3,085.61
Rainey			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,360.87	
	13/06/2014	Reimbursement of partner's dinner ticket		-\$ 134.78	
				\$ 1,226.09	\$ 3,773.91
Skinner			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 2,726.09	
		No expenditure this period		\$ -	
				\$ 2,726.09	\$ 2,273.91
Ward			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-30 June 2014		\$ 1,191.30	
		No expenditure this period		\$ -	
				\$ 1,191.30	\$ 3,808.70

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
One-off Funding Pool			\$ 28,765.00	\$ -	\$ 28,765.00
TOTAL			\$ 146,435.00	\$ 51,044.10	\$ 95,390.90

Elected Members Meeting Attendance 30 June 2014-9 October 2014

Legend:

Yes: Attended as member, for more than 50% of meeting duration

Apol: Did not attend, apology entered

DNA: Did not attend, no apology entered

Other LG: Did not attend due to attendance at another Council commitment

Partly: Attended as member for 50% or less of the meeting (by duration)

Att: In attendance, as a non-member of the committee.

n/a: Not a member, did not attend

Meeting Name	Date of meeting	Meeting Type - Council, Committee	Mayor Rachel Reese	Cr Luke Acland	Cr Ian Barker	Cr Ruth Copeland	Cr Eric Davy	Cr Kate Fulton	Cr Matt Lawrey	Cr Paul Matheson	Cr Brian McGurk	Cr Gaile Noonan	Cr Pete Rainey	Cr Tim Skinner	Cr Mike Ward	External Appointee - Glenice Paine	External Appointee - John Murray	External Appointee - John Peters
RMA Procedures Committee	1-Jul-14	Committee	Yes	N/A	N/A	N/A	N/A	Yes	N/A	Yes	N/A	N/A	N/A	N/A	N/A	n/a	n/a	n/a
Governance Committee	3-Jul-14	Committee	Apol	Yes	Yes	N/A	Apol	Yes	N/A	Yes	Yes	Yes	Yes	Yes	N/A	n/a	Yes	Yes
CE Employment Committee - postponed from 16 June	7-Jul-14	Committee	Yes	Yes	n/a	n/a	n/a	n/a	n/a	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Council - Ordinary	17-Jul-14	Council	Yes	Yes	Yes	Apol	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a
Works and Infrastructure Committee	24-Jul-14	Committee	Yes	Yes	Yes	Apol	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a
Planning and Regulatory Committee	31-Jul-14	Committee	Apol	n/a	Yes	DNA	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	Yes	Yes	n/a	n/a
Regional Transport Committee	1-Aug-14	Committee	Apol	n/a	n/a	yes	yes	n/a	n/a	DNA	yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Community Services Committee	7-Aug-14	Committee	Apol	n/a	Att	Yes	n/a	Att	Yes	Apol	Att	Yes	Yes	Yes	Yes	n/a	n/a	n/a
Governance Committee	14-Aug-14	Committee	Yes	Yes	Yes	Yes	Yes	Yes	n/a	Apol	Yes	Yes	Yes	n/a	Yes	n/a	Yes	Yes
Council - Ordinary	28-Aug-14	Council	Apol	Apol	Yes	Yes	Yes	Yes	Yes	Apol	Apol	Yes	Yes	Yes	Yes	n/a	n/a	n/a
NRSBU	29-Aug-14	Committee	n/a	n/a	n/a	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Council - to hear submissions to the Implementation of a Regional Landfill	2-Sep-14	Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Apol	Apol	Yes	Apol	Yes	Yes	n/a	n/a	n/a
Works and Infrastructure Committee	4-Sep-14	Committee	Apol	Yes	Yes	Yes	Yes	N/A	Yes	N/A	N/A	Yes	N/A	Yes	Att	n/a	n/a	n/a
Community Services Committee	11-Sep-14	Committee	Yes	n/a	Att	Yes	n/a	n/a	Apol	Apol	n/a	Yes	Yes	Yes	Yes	n/a	n/a	n/a
Works and Infrastructure Committee	16-Sep-14	Committee	Yes	Apol	Yes	Yes	Yes	n/a	Yes	n/a	Att	Apol	n/a	Yes	n/a	n/a	n/a	n/a
Regional Transport Committee	17-Sep-14	Committee	Yes	n/a	Att	Yes	Yes	n/a	n/a	n/a	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Planning and Regulatory Committee	18-Sep-14	Committee	Yes	Att	Yes	Yes	Yes	Apol	Yes	Att	Yes	Att	N/A	Att	Yes	n/a	n/a	n/a
Governance Committee	25-Sep-14	Committee	Yes	Yes	Yes	n/a	Yes	Yes	dna	Yes	Yes	n/a	Yes	n/a	n/a	n/a	Apol	Apol
Council - to deliberate on submissions to the Implementation of a Regional Landfill (moved from 16 September)	25-Sep-14	Council	Yes	Yes	Yes	Apol	Yes	Yes	Yes	Yes	Yes	Yes	Apol	Yes	Yes	n/a	n/a	n/a
RMA Procedures Committee	3-Oct-14	Committee	Yes	n/a	n/a	n/a	n/a	DNA	n/a	yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Regional Transport Committee	3-Oct-14	Committee	Yes	n/a	n/a	Apol	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Joint Shareholders Committee - (originally postponed from 15 August and then postponed again from 26 September) 7 October meeting reconvened to 16 October 8.30am NCC	7-Oct-14	Committee	Apol	n/a	Yes	n/a	n/a	n/a	n/a	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Council - Ordinary	9-Oct-14	Council	Yes	Apol	Yes	Apol	Apol	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a

Members' Interest Register – 2013-2016

Last updated June 2014

Elected Members:

Member	Last Update	Elected Member Declared Business Interest and value	Spouse/Partner Declared Interest
Her Worship the Mayor Rachel Reese	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Property co-owner 4A Allan Street Shareholder/Director - Rachel Reese Consulting Ltd Shareholder - Wharehunga Forestry 2004 Ltd Beneficiary - TuJaes Trust Minor Shareholder - AMP Ltp Minor Shareholder - Manus Resources Ltd Trustee - Hilda and Auty Harley Trust <u>Council-related appointments</u> Patron - Civic Trust Trustee - Nelson Municipal Band Trustee - Cawthron Trust Board	Property co-owner 4A Allan Street Director/Shareholder - RH Investments Ltd
Councillor Luke Acland	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Property owner 15 Cambria Street	No declared interests
Councillor Ian Barker	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Member – Nelson Residents Association Member – Age Concern Board member – Tahuna Beach Holiday Park Chairman – Guardian of Nightingale Library Trustee – Network Tasman Trust	No declared interests

Councillor Ruth Copeland	5 June 2014 <i>(Interests Register received at Council meeting)</i>	No declared interests	Event Manager - Nelson Arts Festival (2013) \$4,500 per annum Nelson Arts Festival Hireages (2013) \$2,500 Event Manager - Isel in Bloom (October 2013) and Broadgreen Rose Day (November 2013) \$3,000 Event Manager - New Years Eve Event (December 2013) CEL Trafalgar Centre - event preparation and packdown (\$7,500)
Councillor Eric Davy	5 June 2014 <i>(Interests Register received at Council meeting)</i>	No declared interests	No declared interests
Councillor Kate Fulton	5 June 2014 <i>(Interests Register received at Council meeting)</i>	No declared interests	No declared interests
Councillor Matt Lawrey	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Properties (owner): 13/15, 31 and 33 Orsman Cres Contributor - 2013 Nelson Arts Festival 2013 Race Unity Day (MC) 2013 Little Day Out (MC) Contributor - 2014 Nelson Arts Festival 2014 Race Unity Day (MC) Organiser of 'First Responders Parade 2014' - this event received \$575 of NCC Heritage Week Funding.	No declared interests

Councillor Paul Matheson	5 June 2014 <i>(Interests Register received at Council meeting)</i>	NZ Community Trust Nelson Cancer Society	No declared interests
Councillor Brian McGurk	18 August 2014	Trustee and beneficiary of BJ and DA McGurk Family Trust	No declared interests
Councillor Gaile Noonan	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Deputy Chair - Big Brothers Big Sisters Nelson Foodbank Volunteer	No declared interests
Councillor Pete Rainey	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Director of Rockquest Promotions Ltd providing events partially funded by proceeds of gaming trusts, as well as having technical production contracts with NCC potentially in excess of \$25,000.00. Approval for this is being sought from the Office of the Auditor General. Artistic Director Opera in the park Trustee - Youth and Community Facilities Trust Trustee - Tawhiri Trust	Sales manager at Media Works Nelson
Councillor Tim Skinner	5 June 2014 <i>(Interests Register received at Council meeting)</i>	No declared interests	No declared interests

Councillor Mike Ward	5 June 2014 <i>(Interests Register received at Council meeting)</i>	Business: Studio (244 Hardy Street), and jewellery sales through Suter Gallery shop Property owner 10 Russell Street	No declared interests
----------------------	--	---	-----------------------

Externally Appointed Committee Members:

Governance Committee Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
John Murray	Aug 2014	<p>Personal interest in two properties in Nelson City through my family trust. One at 41 Marybank Rd and the other at 72 Trafalgar Street.</p> <p>Various commercial and residential interests in property in the Nelson City boundary. This arises because of various trusteeships held directly and indirectly on behalf of clients of Crowe Horwath.</p> <p>Principal of Crowe Horwath in Nelson. Various relationships with business and property owners which operate in the Nelson City.</p> <p>Trustee of the Saxton Velodrome Trust.</p> <p>Secretary and financial adviser to Te Atiawa O Te Waka a Maui Trust.</p> <p>Director of Te Atiawa Asset Holding Company Limited.</p> <p>Secretary and financial adviser to Ngati Rarua Atiawa Iwi Trust.</p>	
John Peters	July 2014	Co-owner of property at 37 Tresillian Avenue Chairman of the Nelson Tasman Region Hospice Trust	

Planning and Regulatory Committee Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
Glenice Paine			

Members of Joint Committees administered by Nelson City Council:

NRSBU Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
Councillor Michael Higgins (TDC Councillor)	20 June 2014	No declared interests	No declared interests
Councillor Barry Dowler (TDC Councillor)	20 June 2014	No declared interests	No declared interests
Councillor Ruth Copeland (NCC Councillor)	5 June 2014 <i>(Interests Register received at Council meeting)</i>	No declared	Event Manager - Nelson Arts Festival (2013) \$4,500 per annum Nelson Arts Festival Hireages (2013) \$2,500 Event Manager - Isel in Bloom (October 2013) and Broadgreen Rose Day (November 2013) \$3,000 Event Manager - New Years Eve Event (December 2013) CEL Trafalgar Centre - event preparation and packdown (\$7,500)

Derek Shaw (NCC appointee)	29 August 2014	Nikau Press – sole trader Brook Waimarama Sanctuary Trust – Trustee Nelson Environment Centre – Board Chairperson Tasman Regional Sports Event Trust – Trustee Saxton Velodrome Trust – Trustee NZ Masters Athletics Association – Executive member District Licensing Committee – panel member	
Matthew Hippolite (Iwi representative)	16 June 2014	NCC Kotahitanga (Ngati Koata Rep) NCC Compliance and Monitoring Group (Waste Water Overflow RMA Consent compliance) Solid Waste Joint Working Party (NCC & TDC combined Management Strategy) Nelson Biodiversity Forum (Ngati Koata Rep) Waimea Plains Freshwater (Quality) and Land Management Group (Iwi Rep) Tiakina Te Taiao Ltd Board of Directors (Koata Alternate Director) Marlborough District Council Iwi Working Group (Ngati Koata Rep) Ngati Koata Trust – Projects Manager (Employer)	No declared interests
Phillip Wilson (Industry Representative)	20 June 2014	No declared interests	No declared interests

Schedule of Documents Sealed: 18 August 2014 to 29 October 2014

DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
18/8/2014		Deed of Agreement in respect of loan repayment between Nelson City Council and The Tahuna Beach Camp Incorporated	
18/8/2014	NL5D/1145	Deed of Lease between Nelson City Council and The Tasman Broadcasting Trust	Fresh FM, Founders Heritage Park
8/9/2014		Nelson Tasman Tourism Statement of Intent	
15/9/2014		Appointment of Enforcement Officer (EIL)	
17/9/2014		Appointment of Enforcement Officers (2 Planners)	
17/10/2014	Part Section 1 District of Suburban, North CFR NL74/30	Deed of Gift between The Nelson Diocesan Trust Board and Nelson City Council	Wakapuaka Cemetery
23/10/2014	NL 2B/1147	Deed of Variation of Lease between Nelson City Council, FKR Limited and Nicholas Fowler	Tahunanui Recreation Reserve
28/10/2014		Appointment of Enforcement Officers (5 Armourguard officers)	
29/10/2014		Appointment of Enforcement/Authorised Officer (Building Officer)	

Schedule of Council Meetings 2015

1. Purpose of Report

- 1.1 To adopt a schedule of Council meetings for the 2015 calendar year, in accordance with clause 19(6), Schedule 7 of the Local Government Act 2002.

2. Delegations

- 2.1 The adoption of a schedule of meetings is a decision for Council.

3. Recommendation

THAT the report Schedule of Council Meetings 2015 (A1260517) and its attachment (A1272968) be received;

AND THAT the schedule of meetings outlined in Attachment 1 (A1272968) be adopted.

4. Background

- 4.1 A draft schedule of meetings for 2015 is included as Attachment 1. This schedule can also be viewed in the Councillors' Meetings Outlook calendar.
- 4.2 Adoption of a schedule of meetings in accordance with clause 19(6), Schedule 7 of the Local Government Act 2002 constitutes notification of 2015 meetings to councillors, and provides a degree of certainty by which councillors can plan other activities around Council business.

5. Discussion

Council and Committee Meetings

- 5.1 The draft schedule of meetings includes Council and Committee meetings generally occurring in a six weekly cycle. The meeting cycle proposed is: Works and Infrastructure Committee in week one, Planning and Regulatory Committee in week two, Community Services Committee in week three, Governance Committee in week four, and a Council meeting in week six.

- 5.2 Council and Committee meetings have generally been scheduled for Thursdays, commencing at 9.00am.
- 5.3 Some adjustments to this cycle have been made to allow for deadlines around things such as the Long Term Plan, the Regional Land Transport Plan, the Urban Environments Bylaw and the Brook Reserve Management Plan which require use of the Special Consultative Procedure or similar. This means that in some cases extra Council or Committee meetings are required in the normal six weekly cycle or meetings may be on a different day or have a different start time.
- 5.4 The draft schedule also includes dates for Community Assistance Funding, the Chief Executive Employment Committee, the Regional Transport Committee, and Council meetings to report back from Councillor Representatives on External Organisations.
- 5.5 The draft schedule also includes dates for joint committees including the Joint Committee of Tasman District and Nelson City Councils, the Joint Shareholders Committee, the Civil Defence Emergency Management Group and Nelson Regional Sewerage Business Unit. These dates are also required to be approved by Tasman District Council and are subject to change.

Workshops

- 5.6 Long Term Plan workshops have been scheduled for 19 – 21 February 2015.
- 5.7 Other Council workshops have been scheduled for Tuesdays and best attempts will be made to link workshops with Committee meetings to which the subject matter of the workshop most closely relates.
- 5.8 It is possible that not all of these dates will be required, and every effort will be made to ensure that councillors are given as much notice as possible if these dates are not to be utilised. Any surplus workshop time will be used as a first option in scheduling any extra meetings as the year progresses.

Hearings Panel Meetings

- 5.9 The schedule includes fortnightly Hearings Panel meetings, occurring on Wednesdays. These recurrent bookings allow for matters requiring a decision of the Hearings Panel – Resource Management Act to occur in a timely manner. These bookings may also be utilised for Resource Management Act matters heard by independent commissioner(s).
- 5.10 Every fourth Hearings Panel meeting (that is, roughly once every two months) has been reserved for considering matters outside of the Resource Management Act 1991, for example the fencing of swimming pools, or hearing applications for street naming. It is anticipated that there will be a relatively large number of applications for exemptions to the Fencing of Swimming Pools Act 1987, and these specific dates have been provided to ensure this process moves as efficiently as possible.

Council-free Weeks

- 5.11 Four weeks free of Council and Committee meetings and workshops have been set during the year to coincide with school holidays. The first week is that starting 3 February, the second starting 6 April, the third starting 13 July and the fourth starting 5 October 2015.

What is not included?

- 5.12 It is intended that dates for the District Licensing Committee will be reserved in anticipation of any applications for which hearings are required. Where possible dates not required for Hearings Panel meetings will be used first.
- 5.13 The draft schedule of meetings currently includes only some of the meetings of external agencies to which councillors have been appointed. These dates are currently being gathered, and will be added to the meetings calendar as they become available.
- 5.14 Dates for Local Government New Zealand Regional Sector Group and Zone meetings will be added to the meetings calendar as they become available. The Local Government New Zealand conference dates are included already.

6. Options

- 6.1 Council can choose to either adopt the draft Schedule of meetings, or not adopt the draft Schedule, or propose an alternative schedule.
- 6.2 The preferred option is for the draft schedule to be adopted. The schedule has been developed in consultation with a number of parties including Her Worship the Mayor and the Chief Executive. The draft takes into consideration a number of factors and is considered to be the best option for balancing those often competing factors.

7. Assessment of Significance against the Council's Significance Policy

- 7.1 This decision is not considered to be significant in terms of Council's Significance Policy.

8. Alignment with relevant Council Policy

- 8.1 The setting of a schedule of meetings allows officers to establish a work programme around when resolutions can be made by Council and committees to ensure the content of the Annual and Long Term Plans can be delivered.
- 8.2 Additional costs in terms of meeting advertising and staff time can be incurred when a schedule is not in place or when changes to the schedule are made.

9. Consultation

9.1 No consultation has been undertaken on this matter.

10. Inclusion of Māori in the decision making process

10.1 Māori have not been consulted on this matter.

11. Conclusion

11.1 The attached draft schedule of meetings for 2015 provides a degree of certainty for councillors, and is recommended to be adopted.

Penny Langley
Manager Administration

Attachments

Attachment 1: Draft Schedule of Meetings for 2015 [A1272968](#)

2015 Meetings Calendar

January 2015

January 2015							February 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	

	Monday	Tuesday	Wednesday	Thursday	Friday
29 Dec - 2 Jan	29 Dec	30	31	1 Jan 15	2
				Civic House Closed 5:00p.m. ...	
5 - 9 Jan	5	6 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	7	8	9
12 - 16 Jan	12	13	14 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	15	16 9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
19 - 23 Jan	19 9:00a.m. 4:00p.m. Council workshop - LTP - all elected members (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	20 9:00a.m. 4:00p.m. Council workshop - LTP - all elected members (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	21 9:00a.m. 4:00p.m. Council workshop - LTP - all elected members (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	22	23 School holidays end
26 - 30 Jan	26	27 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	28 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 3:30p.m. 5:00p.m. Citizenship Ceremony - Mayor (Chamber)	29	30

2015 Meetings Calendar

February 2015

February 2015							March 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
						1							1
2	3	4	5	6	7	8	2	3	4	5	6	7	8
9	10	11	12	13	14	15	9	10	11	12	13	14	15
16	17	18	19	20	21	22	16	17	18	19	20	21	22
23	24	25	26	27	28		23	24	25	26	27	28	29
							30	31					

	Monday	Tuesday	Wednesday	Thursday	Friday
	2 Feb	3	4	5	6
	No Council or Committee meetings for Councillors this week				
2 - 6 Feb	Nelson Anniversary	4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman			Waitangi Day
9 - 13 Feb	9	10	11	12	13
		9:00a.m. 4:00p.m. Regional Transport Committee to hear submissions to the Regional Land Transport Programme - Mayor, Cllrs Davy, McGurk and Copeland (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 5:00p.m. Hearings Panel (Chamber) 1:00p.m. 3:00p.m. Hui for the Community and Whanau Network - Cllrs Rainey and Noonan (Whakatu Mārae) 3:30p.m. 5:00p.m. Citizenship Ceremony - Mayor (Chamber)	9:00a.m. 10:00a.m. Council meeting to approve LTP for Audit - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 10:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner - to follow Council meeting (Resource - MR - Council Chamber P) - Ruth Killman	
16 - 20 Feb	16	17	18	19	20
		9:00a.m. 12:00p.m. Joint Regional Transport Committee with TDC and MDC - Mayor and Cllrs Davy, McGurk and Copeland (Resource - MR - Council Chamber P) - Ruth Killman	3:00p.m. 5:00p.m. Sister City Coordinating Group meeting - Mayor, Cllr Davy (Ruma Marama, Floor 2A, Civic House) - Ruth Killman	9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman 12:00p.m. 5:00p.m. Mayor has requested no meetings in the afternoon - Check with Catherine (26/06/2014)	9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
23 - 27 Feb	23	24	25	26	27
	12:00p.m. 2:00p.m. Chief Executive Employment Committee - Mayor, Councillors Acland and Matheson (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman 1:00p.m. 3:00p.m. Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room) - Ruth Killman	9:00a.m. 4:00p.m. Council Workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	9:00a.m. 4:00p.m. Regional Transport Committee - to deliberate on Regional Land Transport Programme submissions - Mayor, Cllrs Davy, McGurk and Copeland (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman	
2 - 6 Mar	2	3	4	5	6

2015 Meetings Calendar

March 2015 -
April 2015

March 2015							April 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

	Monday	Tuesday	Wednesday	Thursday	Friday
2 - 6 Mar	2 Mar	3 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	4	5 9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	6
9 - 13 Mar	9	10	11 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 10:00a.m. 2:00p.m. Combined Community and Whanau Networks meeting - Cllrs Rainey and Noonan (although all Councillors are invited) (Trafalgar Pavilion)	12 9:00a.m. 12:00p.m. Planning and Regulatory Committee to hear submissions to the Consolidated Urban Bylaw - Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward and External Appointee Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman	13 1:00p.m. 5:00p.m. NRSBU Board Meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman
16 - 20 Mar	16	17 9:00a.m. 4:00p.m. Council Workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	18 9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	19 9:00a.m. 4:00p.m. Council Meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	20 9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
23 - 27 Mar	23 9:00a.m. 10:00a.m. Council meeting to approve LTP for consultation - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	24 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	25 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 3:30p.m. 5:00p.m. Citizenship Ceremony (Chamber)	26 10:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner - to follow Council meeting (Resource - MR - Council Chamber P) - Ruth Killman	27 10:00a.m. 3:00p.m. Positive Ageing Expo (Headingly Centre, Richmond) - Ruth Killman 1:00p.m. 4:00p.m. Regional Transport Committee Meeting - Mayor and Crs Davy, Copeland and McGurk (Resource - MR - Council Chamber P) - Ruth Killman
30 Mar - 3 Apr	30	31 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	1 Apr	2	3
6 - 10 Apr	6	7	8	9	10

2015 Meetings Calendar

April 2015

April 2015							May 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
		1	2	3	4	5				1	2	3	
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

	Monday	Tuesday	Wednesday	Thursday	Friday
30 Mar - 3 Apr	30 Mar	31	1 Apr	2	3
				9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Planning and Regulatory Committee to deliberate on submissions to the Consolidated Urban Bylaw - Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward and External Appointee Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman	school holidays - start 3 April, finish 17 To 18 Apr → Good Friday
6 - 10 Apr	6	7	8	9	10
	school holidays - start 3 April, finish 17 April To 18 Apr → No Council or Committee meetings for Councillors this week				
	Easter Monday	4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)		
13 - 17 Apr	13	14	15	16	17
		9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman		9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman 1:30p.m. 5:00p.m. Joint Shareholders Committee - Mayor and Cllrs Rainey, McGurk, Davy, Matheson and Barker; followed by CDEM - Mayor and Cr Matheson (Resource - MR - Council Chamber P) - Ruth Killman
20 - 24 Apr	20	21	22	23	24
		9:00a.m. 12:00p.m. Joint Committee - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 5:00p.m. Hearings Panel - non RMA matters (Chamber)		
27 Apr - 1 May	27	28	29	30	1 May
	ANZAC Day - actual day is Saturday 25 April but fi	9:00a.m. 12:00p.m. Community Services Committee to hear submissions to Brook Reserve Management Plan - Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner and Ward (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	3:00p.m. 5:00p.m. Sister City Coordinating Group - Mayor, Cllr Davy (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	9:00a.m. 4:00p.m. Council Meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	

2015 Meetings Calendar

April 2015 -
May 2015

May 2015							June 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

	Monday	Tuesday	Wednesday	Thursday	Friday
	27 Apr	28	29	30	1 May
27 Apr - 1 May					
	4	5	6	7	8
4 - 8 May	1:00p.m. 3:00p.m. Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room) - Ruth Killman	9:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	1:00p.m. 7:00p.m. Council meeting - all elected members - to hear submissions to the LTP (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council meeting - all elected members - to hear submissions to the LTP (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council meeting - all elected members - to hear submissions to the LTP (Resource - MR - Council Chamber P) - Ruth Killman
	11	12	13	14	15
11 - 15 May	9:00a.m. 4:00p.m. Council meeting - all elected members - to hear submissions to the LTP (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Hearings Panel (Resource - MR - Council Chamber P) - Ruth Killman 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman	9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
	18	19	20	21	22
18 - 22 May		9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Community Services Committee to deliberate on submissions to Brook Reserve Management Plan - Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner and Ward (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council meeting - all elected members - LTP deliberations (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council meeting - all elected members - LTP deliberations (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 4:00p.m. Council meeting - all elected members - LTP deliberations (Resource - MR - Council Chamber P) - Ruth Killman

2015 Meetings Calendar

June 2015

June 2015							July 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7	6	7	8	9	10	11	12
8	9	10	11	12	13	14	13	14	15	16	17	18	19
15	16	17	18	19	20	21	20	21	22	23	24	25	26
22	23	24	25	26	27	28	27	28	29	30	31		
29	30												

	Monday	Tuesday	Wednesday	Thursday	Friday
1 - 5 Jun	1 Jun Queen's Birthday	2 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	3 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	4	5
8 - 12 Jun	8	9 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	10 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	11 9:00a.m. 12:30p.m. Council Meeting for Report Back from Councillor Representatives on External Organisations - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	12
15 - 19 Jun	15 12:00p.m. 2:00p.m. Chief Executive Employment Committee - Mayor, Councillors Acland and Matheson (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman	16 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	17 9:00a.m. 5:00p.m. Hearings Panel - non RMA matters (Chamber)	18 9:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner (Resource - MR - Council Chamber P) - Ruth Killman	19 9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman 1:00p.m. 5:00p.m. NRSBU Board Meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman
22 - 26 Jun	22	23 9:00a.m. 12:00p.m. Council meeting - all elected members - to adopt LTP (Resource - MR - Council Chamber P) - Ruth Killman	24 9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	25 9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine - to follow Council meeting (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	26
29 Jun - 3 Jul	29	30 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	1 Jul	2	3

2015 Meetings Calendar

July 2015

July 2015							August 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30
							31						

	Monday	Tuesday	Wednesday	Thursday	Friday
29 Jun - 3 Jul	29 Jun	30	1 Jul	2	3
			9:00a.m. 5:00p.m. Hearings Panel (Chamber)	9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman	
6 - 10 Jul	6	7	8	9	10
		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	1:00p.m. 4:00p.m. Regional Transport Committee Meeting - Mayor and Crs Davy, Copeland and McGurk (Resource - MR - Council Chamber P) - Ruth Killman
13 - 17 Jul	13	14	15	16	17
	1:00p.m. 3:00p.m. Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room) - Ruth Killman		school holidays - start 6 July, finish 17 July No Council or Committee meetings this week for Councillors		9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
20 - 24 Jul	20	21	22	23	24
	From 19 Jul LGNZ Conference 19-21 July 2015 (Rotorua Energy Events Centre, Rotorua)	9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber) 2:00p.m. 4:00p.m. Sister City Coordinating Group - Mayor, Cllr Davy (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman		
27 - 31 Jul	27	28	29	30	31
		9:00a.m. 4:00p.m. Council Meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	9:00a.m. 5:00p.m. Hearings Panel (Chamber)	9:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner (Resource - MR - Council Chamber P) - Ruth Killman	

2015 Meetings Calendar

August 2015

August 2015							September 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

	Monday	Tuesday	Wednesday	Thursday	Friday
3 - 7 Aug	3 Aug	4 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	5	6 9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman	7
10 - 14 Aug	10	11 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	12 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	13 9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman	14 1:30p.m. 5:00p.m. Joint Shareholders Committee - Mayor and Cllrs Rainey, McGurk, Davy, Matheson and Barker; followed by CDEM - Mayor and Cr Matheson (Resource - MR - Council Chamber P) - Ruth Killman
17 - 21 Aug	17 12:00p.m. 2:00p.m. Chief Executive Employment Committee - Mayor, Councillors Acland and Matheson (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman	18 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	19 9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	20 9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	21 9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
24 - 28 Aug	24	25 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	26 9:00a.m. 5:00p.m. Hearings Panel - non RMA matters (Chamber)	27	28
31 Aug - 4 Sep	31	1 Sep	2	3	4

2015 Meetings Calendar

September 2015

September 2015							October 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
	1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

	Monday	Tuesday	Wednesday	Thursday	Friday
31 Aug - 4 Sep	31 Aug	1 Sep 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	2	3 9:00a.m. 4:00p.m. Council Meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	4
7 - 11 Sep	7 9:00a.m. 4:00p.m. Community Assistance Funding - Community Services Committee (Resource - MR - Council Chamber P) - Ruth Killman	8 9:00a.m. 4:00p.m. Community Assistance Funding - Community Services Committee (Resource - MR - Council Chamber P) - Ruth Killman	9 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	10 9:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner (Resource - MR - Council Chamber P) - Ruth Killman	11
14 - 18 Sep	14	15 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	16 9:30a.m. 11:30a.m. Citizenship Ceremony - Mayor (Ruma Marama)	17 9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman	18 1:00p.m. 5:00p.m. NRSBU Board Meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman
21 - 25 Sep	21 1:00p.m. 3:00p.m. Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room) - Ruth Killman	22 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	23 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	24 9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman	25 10:00a.m. 12:00p.m. Broadgreen Society AGM - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman
28 Sep - 2 Oct	28	29 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	30 3:30p.m. 5:00p.m. Citizenship Ceremony (Chamber)	1 Oct	2

2015 Meetings Calendar

October 2015

October 2015							November 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Monday	Tuesday	Wednesday	Thursday	Friday
	28 Sep	29	30	1 Oct	2
28 Sep - 2 Oct				school holidays - start 28 September, finish 9 October To 9 Oct	
				9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	
	5	6	7	8	9
	school holidays - start 28 September, finish 9 October				
	No Council or Committee meetings for Councillors this week				
5 - 9 Oct		4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman			
	12	13	14	15	16
12 - 16 Oct		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion) 3:30p.m. 5:00p.m. Citizenship Ceremony - Mayor (Whakatu Mārae)	9:00a.m. 4:00p.m. Council Meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman 1:00p.m. 4:00p.m. Regional Transport Committee Meeting - Mayor and Crs Davy, Copeland and McGurk (Resource - MR - Council Chamber P) - Ruth Killman
	19	20	21	22	23
19 - 23 Oct		9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9:00a.m. 5:00p.m. Hearings Panel - non RMA matters (Chamber)	9:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner (Resource - MR - Council Chamber P) - Ruth Killman	
	26	27	28	29	30
26 - 30 Oct	Labour Day	9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)		9:00a.m. 12:30p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource - MR - Council Chamber P) - Ruth Killman	

2015 Meetings Calendar

November 2015 -
December 2015

November 2015							December 2015						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
						1		1	2	3	4	5	6
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Monday	Tuesday	Wednesday	Thursday	Friday
2 - 6 Nov	2 Nov	3 9:00a.m. 12:00p.m. Joint Committee - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	4 9:00a.m. 5:00p.m. Hearings Panel (Chamber) 3:00p.m. 5:00p.m. Sister City Coordinating Group - Mayor, Cllr Davy (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman	5 9:00a.m. 12:30p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	6
9 - 13 Nov	9	10 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	11 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	12	13
16 - 20 Nov	16	17	18 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	19 9:00a.m. 4:00p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	20 9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman 1:30p.m. 5:00p.m. Joint Shareholders Committee - Mayor and Cllrs Rainey, McGurk, Davy, Matheson and Barker; followed by CDEM - Mayor and Cr Matheson (Resource - MR - Council Chamber P) - Ruth Killman
23 - 27 Nov	23 12:00p.m. 2:00p.m. Chief Executive Employment Committee - Mayor, Councillors Acland and Matheson (Resource - MR - Ruma Ana (Level 2B)) - Ruth Killman	24 9:00a.m. 12:30p.m. Council Meeting for Report Back from Councillor Representatives on External Organisations - all elected members (Resource - MR - Council Chamber P) - Ruth Kill 1:00p.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	25 9:30a.m. 11:00a.m. Citizenship Ceremony - Mayor (Chamber)	26 9:00a.m. 12:30p.m. Works and Infrastructure Committee meeting - members Cllrs Davy, Lawrey, Acland, Barker, Copeland, Noonan, Skinner (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Planning and Regulatory Committee meeting - members Cllrs McGurk, Fulton, Barker, Copeland, Davy, Lawrey, Ward, External Appointee - Glenice Paine (Resource -	27
30 Nov - 4 Dec	30 1:00p.m. 3:00p.m. Positive Ageing Forum - Cllr Noonan (Richmond Libraries Constance Barnicoat Room) - Ruth Killman	1 Dec	2	3	4
7 - 11 Dec	7	8	9	10	11

2015 Meetings Calendar

December 2015

December 2015						
Mo	Tu	We	Th	Fr	Sa	Su
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January 2016						
Mo	Tu	We	Th	Fr	Sa	Su
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

	Monday	Tuesday	Wednesday	Thursday	Friday
30 Nov - 4 Dec	30 Nov	1 Dec 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman 4:00p.m. 6:30p.m. Nelson Tasman Business Trust Meetings for 2014 - Cllr Copeland (Boardroom, 39 Halifax Street, Nelson) - Ruth Killman	2 9:00a.m. 5:00p.m. Hearings Panel (Chamber)	3 9:00a.m. 12:30p.m. Community Services Committee meeting - members Cllrs Rainey, Noonan, Copeland, Lawrey, Matheson, Skinner, Ward (Resource - MR - Council Chamber P) - Ruth Killman 1:00p.m. 4:00p.m. Governance Committee meeting - members Cllrs Barker, Acland, Davy, Fulton, McGurk, Matheson, Noonan, Rainey, External Appointees - John Peters and John Murray (Resource - MR - Council Chamber P) - Ruth Killman	4
7 - 11 Dec	7	8 9:00a.m. 4:00p.m. Council workshop - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	9 12:00p.m. 1:30p.m. Community and Whanau Network - Cllrs Noonan and Rainey (Trafalgar Pavilion)	10	11 9:30a.m. 12:00p.m. Broadgreen Society Meeting - Cllr Noonan (Broadgreen Historic House Meeting Room) - Ruth Killman 1:00p.m. 5:00p.m. NRSBU Board meeting - Cllr Copeland (Resource - MR - Ruma Marama (Level 2A)) - Ruth Killman
14 - 18 Dec	14	15	16 9:00a.m. 5:00p.m. Hearings Panel - non RMA matters (Chamber)	17 9:00a.m. 12:30p.m. Council meeting - all elected members (Resource - MR - Council Chamber P) - Ruth Killman	18
21 - 25 Dec	21	22	23	24	25
	school holidays start 16 December, finish January 2016				To 22 Jan
					Christmas Day
28 Dec - 1 Jan	28	29 5:30p.m. 7:30p.m. Youth and Community Trust (YACT) - Cllr Acland (260 Hardy Street)	30	31	1 Jan 16
	school holidays start 16 December, finish January 2016				To 22 Jan

Review of Elected Members' Code of Conduct

1. Purpose of Report

- 1.1 To adopt the reviewed Elected Members' Code of Conduct.

2. Delegations

- 2.1 The adoption of an Elected Members' Code of Conduct is a decision for Council.

3. Recommendation

THAT the report Review of Elected Members' Code of Conduct (A1215877) and its attachments (A1181923) be received;

AND THAT the Elected Members' Code of Conduct (A1181923) be adopted;

AND THAT Communications Policy for Elected Members' (A1134091) be adopted;

AND THAT Her Worship the Mayor, Councillors _____ and _____ be appointed to the Conduct Review Panel;

AND THAT Councillors _____, _____ and _____ be appointed to replace any member on the Conduct Review Panel in the event of a conflict of interest or unavailability.

4. Background

- 4.1 Council currently has a Code of Conduct in place. This code was adopted at the 29 October 2013 Council meeting. At that meeting it was resolved that the Code of Conduct be reviewed and returned to Council for adoption as soon as possible.
- 4.2 At the request of Her Worship the Mayor a small group of Councillors (Deputy Mayor Matheson, Councillors McGurk and Acland) was tasked with working with officers to undertake a review of the Code of Conduct.

- 4.3 Officers produced a draft Code of Conduct as a starting point. In addition to this draft the review involved consideration of the
- 2006 Auditor General's Good Practice Guide for Local Authority Codes of Conduct
 - Local Government New Zealand, Society of Local Government Managers and the Department of Internal Affairs Model Code of Conduct provided in the Knowhow Guide to Governance
 - Codes of Conduct from other local authorities
- 4.4 Council is required under the Local Government Act 2002 to have a Code of Conduct. Under this legislation it is also required that if the code is to be replaced or amended, any motion to that end must be supported for 75% of the members present.

5. Discussion

- 5.1 The reviewed Code of Conduct incorporates all the aspects of the previous code and expands on it.
- 5.2 The thinking behind this expansion derives from the Auditor General's Good Practice Guide for Local Authority Codes of Conduct which indicates that Council's consider codes to be most useful as:
- A prompt, to require members periodically to turn their minds to, and agree on, what constitutes acceptable standards
 - A documented reference, so it is always clear what those acceptable standards are
 - A tool for educating new members, who may have varying levels of understanding of local government (especially practices and expectations about decision making, use of confidential information, and the distinction between governance and management)
 - A risk management tool, to reduce the risk of conduct that may lead to personal grievances by staff
- 5.3 The reviewed code meets the legal requirements for a code of conduct as outlined in Schedule 7 Clause 15 of the Local Government Act 2002.
- 5.4 In conducting the review it was considered that there was a need to develop a Communications Policy for Elected Members which the code can refer Elected Members to in reference to interaction with media. This policy is included as Attachment 1 and requires adoption by Council.
- 5.5 The section regarding compliance with the code has undergone considerable review. In the unlikely event that a complaint is received about the conduct of an elected member, it is proposed that it be dealt with by a Conduct Review Panel. The detail around this is described in the Code. Should Council adopt the reviewed code, appointments to this

panel will also need to be made. This has been incorporated in the recommendation in this report.

- 5.6 It is acknowledged that the reviewed code is a longer document than the previous code. It is thought that the benefit of a more comprehensive code is that it can operate, as suggested by the Office of the Auditor General, as a reference document for newly elected members.
- 5.7 In an effort to reduce the amount of information required for newly elected members to digest, the Chief Executive in advance of the inaugural meeting of Council in 2016 will consider whether Appendix B – Legislative Requirements, may be used to fulfil a further legal requirement.
- 5.8 The Local Government Act 2002 Schedule 7 Clause 21 requires the Chief Executive to give a general explanation of the Local Government Official Information and Meetings Act 1987, the appropriate provisions of the Local Authorities (Members' Interests) Act 1968; the Crimes Act 1961; the Secret Commissions Act 1910 and the Securities Act 1978. Each of these is covered in Appendix B.
- 5.9 The review of the Code of Conduct has been robust and comprehensive and it is thought that the resulting code reflects that.

6. Options

- 6.1 Council has two options in respect of the reviewed Code of Conduct. Council may decide to adopt the code or to not adopt the code. Should the reviewed code not be adopted, the existing code would remain operative.
- 6.2 It is the preferred option that the reviewed Code of Conduct be adopted.

7. Assessment of Significance against the Council's Significance Policy

- 7.1 This decision is not considered a significant decision in terms of the Council's Significance Policy.

8. Consultation

- 8.1 No public consultation has been undertaken on this matter.

9. Alignment with relevant Council Policy

- 9.1 It is a legal requirement that Council have a Code of Conduct in place. Adoption of this reviewed code will supersede the code which was previously in place.
- 9.2 A copy of the reviewed code, once adopted, will be provided to the external appointees to the Governance and Planning and Regulatory Committees.

10. Inclusion of Māori in the decision making process

10.1 Māori have not been consulted in the making of this decision.

11. Conclusion

11.1 Following a comprehensive review of the Elected Members' Code of Conduct, it is proposed to adopt the reviewed code, along with the Communications Policy for Elected Members and to appoint a Conduct Review Panel.

Penny Langley
Manager Administration

Attachments

Attachment 1: Elected Members' Code of Conduct [A1181923](#)

Attachment 2: Communications Policy for Elected Members [A1134091](#)



Elected Members' Code of Conduct

Adopted (date)

Contents

1. Introduction.....	3
2. Principles of Governance	3
3. Roles and Responsibilities	4
4. Decision Making	7
5. Relationships and Behaviours	8
6. General Protocols	11
7. Legislative responsibilities.....	14
8. Compliance.....	17
9. Review of the Code of Conduct.....	19
10. Availability of the Code.....	19

Appendix A – Local Government Act 2002 Purpose of Local Government and Role of Local Authorities – Decision Making and Consultation, Committees and Delegations

20

1. Introduction to the Local Government Act 2002	20
2. Purpose of Local Government	20
3. Role of a Local Authority.....	20
4. Governance Principles	21
5. Representative and Participatory Democracy	22
6. Decision making process under the Local Government Act 2002.....	25

Appendix B – Legislative Responsibilities.....

27

1. Local Authorities (Members' Interests) Act 1968.....	27
2. Local Government Official Information and Meetings Act 1987.....	27
3. Liability of Elected Members under the Local Government Act 2002.....	28
4. Secret Commissions Act 1910	28
5. Securities Act 1978.....	28
6. The Crimes Act 1961.....	28
7. Health and Safety in Employment Act 1992	29
8. Protected Disclosures Act 2000 (Whistle-Blower Protection).....	29
9. Privacy Act 1993	30

1. Introduction

Legal Background

- 1.1 This Code of Conduct has been adopted by the Nelson City Council (the Council) to comply with clause 15 of Schedule 7 of the Local Government Act 2002 (the Code).
- 1.2 The Code is intended to complement the Council's Standing Orders.

Purpose

- 1.3 The Code provides guidance on the standards of behaviour that are expected from elected members of the Council in their dealings with:
- each other;
 - the Chief Executive;
 - officers employed by the Chief Executive on behalf of the Council;
 - contractors undertaking work or commissions on behalf of the Council;
 - the media; and
 - the general public.
- 1.4 The objectives of the Code are to enhance:
- the effectiveness of the Council as an autonomous local authority with statutory responsibilities for good local government in Nelson City;
 - the credibility and accountability of the Council within its community; and
 - mutual trust, respect and tolerance between the elected members as a group and between elected members those people with whom elected members may deal with in the course of their duties as elected members.
- 1.5 The Code can also be of value to newly elected members by detailing information relating to the roles and responsibilities of elected members and the governance environment in which they are expected to operate.
- 1.6 In adopting the Code, elected members are in agreement to act in accordance with the Code.

2. Principles of Governance

- 2.1 In the exercise of their governance responsibilities, elected members will observe the following principles:
- 2.2 **Public Interest:** Elected members must serve the interests of Nelson City as a whole. Elected Members should never improperly confer an advantage or disadvantage on any one person.
- 2.3 **Honesty and Integrity:** Elected members must not place themselves in situations where their honesty and integrity may be questioned or is in doubt.

- 2.4 **Objectivity:** Elected members must make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- 2.5 **Accountability:** Elected members must be accountable to the public for their actions and the manner in which they carry out their responsibilities.
- 2.6 **Openness:** Elected members must be open about their actions and those of Council, and be prepared to justify their actions.
- 2.7 **Personal Judgment:** Elected members can and will take account of the view of others, but must reach their own conclusions on the issues before them, and act in accordance with those conclusions.
- 2.8 **Respect for Others:** Elected members must promote equality by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability. They must respect the impartiality and integrity of the Council officers.
- 2.9 **Duty to Uphold the Law:** Elected members must uphold the law, and on all occasions, act in accordance with the trust the public places in them.
- 2.10 **Stewardship:** Elected Members must ensure that the Council uses resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations to both present and future generations.
- 2.11 **Leadership:** Elected members are leaders in their community and must at all times provide leadership by example.

3. Roles and Responsibilities

Declaration by a Member

- 3.1 The member declares that he or she will faithfully and impartially, and according to the best of his or her skill and judgment, execute and perform, in the best interests of Nelson City, the powers, authorities and duties vested in, or imposed upon, him or her by any Act.

Elected Members

- 3.2 Elected members are the elected governing body of the Council including the Mayor.
- 3.3 Elected members acting as the Council, are responsible for:
- the development and adoption of Council policy;
 - monitoring the performance of the Council against its stated objectives and policies;
 - prudent stewardship of Council resources;
 - employment of the Chief Executive;
 - representing the interests of all the residents and ratepayers of Nelson City;

- ensuring overall compliance by the Council with its obligations and responsibilities under the Local Government Act 2002 and all other legislation which prescribe statutory duties for territorial authorities; and
- promoting good relationships with neighbouring local authorities.

3.4 Elected Members, as individuals, must comply with:

- the requirements of the Code;
- those enactments and other rules of law applicable to the conduct of Elected Members. Summaries of those enactments are set out in Appendix B;
- relevant Council Policies such as the Communications Policy for Elected Members and the Expenses Policy for Elected Members 2013-2016.

Mayor

3.5 The Mayor is elected by the city as a whole. In addition to his or her responsibilities as an elected member, section 41A of the Local Government Act 2002 states that the role of a Mayor is to provide leadership to other elected members of the Council and to the people in Nelson City. The Local Government Act also states that the role of a Mayor is to lead in the development of the Council's plan (including the long-term plan and the annual plan), policies, and budgets for consideration by the elected members of the Council.

3.6 Section 41A (3) of the Local Government Act 2002 provides for the Mayor to:

- appoint the Deputy Mayor;
- establish committees of the Council;
- appoint the chairperson of each committee established and make the appointment before the other elected members of the committee are determined; and
- choose whether to appoint himself or herself to the committees.

3.7 However, nothing in that subsection limits or prevents a Council from discharging the Deputy Mayor or reconstituting committees or chairpersons of committees established by the Mayor by way of Council resolution at a later date. Additionally, the Mayor may decline to exercise the powers of appointment.

3.8 The Mayor is the ceremonial head of the Council and is often the first point of contact for residents, ratepayers and interest groups on political matters. The Mayor is also responsible for:

- presiding at Council meetings and ensuring the conduct of meetings is in accordance with Standing Orders;
- keeping Council informed on matters brought to his/her attention and formally presenting to Council those matters that need to be considered;

- advocacy on behalf of the community. This role may include promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- providing leadership and feedback to other elected members on teamwork, information sharing and chairpersonship of committees; and
- assuming the role of Justice of the Peace for the period the Mayor holds office.

Deputy Mayor

- 3.9 The Deputy Mayor may either be appointed by the Mayor or, if the Mayor declines to use the powers of appointment, the Deputy Mayor can then be elected by the Council. This must occur at the first meeting of the Council.
- 3.10 The Deputy Mayor exercises the same role as any other member. If the Mayor is on a leave of absence or incapacitated the Deputy Mayor must perform all of the responsibilities and duties of the Mayor, and may exercise the Mayor's powers. The Deputy Mayor may be removed from office by resolution of the Council.

Committee Chairperson

- 3.11 A committee chairperson exercises the same role as any other member but has responsibility to preside over all meetings of the relevant Committee and to ensure that the committee acts within the powers delegated to it by the Council (as set out in the Council's Delegations Register A1183061). A committee chairperson may be removed from office by resolution of the Council.

Chief Executive

- 3.12 The Chief Executive is responsible for implementing and managing the Council's policies and objectives within the budgetary constraints established by the Council. In terms of section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:
- implementing the decisions of the Council;
 - providing advice to the Council;
 - ensuring that all responsibilities, duties and powers delegated to him or her, or to any person employed by him or her, or imposed or conferred by an Act, regulation or bylaw, are properly performed or exercised;
 - managing the Council's activities effectively and efficiently;
 - maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council;
 - providing leadership for Council's officers; and
 - employing officers on behalf of Council (including negotiation of the terms of employment for Council officers).

- 3.13 Under section 42 of the Local Government Act 2002 the Chief Executive employs all other officers on behalf of the Council.

4. Decision Making

Predetermination or bias

- 4.1 The Council must apply the principles of administrative law and natural justice when making decisions. In decision-making, the Council must act within lawful authority, according to lawful procedure and produce rational results. This includes decisions of the Council, whether made by the elected members in a formal meeting of the Council, or its committees and also decisions of officers of the Council to whom the power of decision making has been delegated. The overriding obligation is to act in accordance with the law and to act in a fair and reasonable manner.
- 4.2 Elected members are expected to approach decision making with an open mind ("faithfully and impartially"). This process requires elected members to listen carefully to competing advice and to weigh up the pros and cons before making their decision. Where Council or a committee is hearing formal submissions at a hearing elected members should carefully avoid prior public comments, which may indicate a predetermined bias or non flexible attitude.

Delegation

- 4.3 Decisions are made at various levels within the Council. Effective governance occurs when an organisation's structure and operating principles recognise, through effective delegation, the empowerment of both elected members and officers to make decisions at levels appropriate to their role. The Delegations Register (A1183061) sets out the delegations to committees and officers.
- 4.4 The legal provisions that apply to delegation are set out in Clause 32 of Schedule 7 of the Local Government act 2002.

Requirements in relation to decisions

- 4.5 The Local Government Act 2002 sets out the purpose of local government and the role of local authorities. Refer to Appendix A of this Code for details of the legislation.
- 4.6 Every decision made by a local authority must be made in accordance with sections 77, 78, 80, 81 and 82 of the Local Government Act 2002. Refer to Appendix A for the process the Council must follow during the course of the decision making process.

Consultation

- 4.7 The Council is required to make decisions that take into account and balance the various needs and preferences of its residents. Section 82 of the Local Government Act 2002 sets out the principles of consultation, which the Council must undertake in relation to any decision.

Officer reports

- 4.8 Given the obligations on the Council in regard to decision making, the Council should only make decisions at Council meetings on those matters that are accompanied by officer reports.
- 4.9 While the Council may hear submissions and public forums, and, within the limits of the legislation, discuss matters raised from the meeting, no decisions should be made unless the matter is accompanied by a written officer report.
- 4.10 While the Council is ultimately accountable, its function is not to make detailed decisions on operational matters. The Council, committee structures and elected members day to day dealings with the Chief Executive should recognise the statutory responsibilities of the Chief Executive for the effective management of the officers and for implementing the decisions of the Council.

5. Relationships and Behaviours

Relationships with other elected members

- 5.1 All elected members shall in their dealings with each other, management, the public and the media show respect and behave in a manner consistent with the dignity of their office. Elected members should act in good faith (that is, honestly, for the proper purpose and without exceeding their powers) in the interests of the Council and the community.
- 5.2 Successful teamwork is a critical element in the success of any organisation. No team will be effective unless mutual respect exists between elected members. Elected members must conduct their dealings with each other in ways that:
- maintain public confidence in the office to which they have been elected;
 - are open and honest;
 - focus on issues rather than personalities;
 - avoid conduct which is aggressive, offensive or abusive or which may constitute unlawful or inappropriate behaviour (including sexual harassment).

Conduct at Meetings

- 5.3 In order to develop and maintain an atmosphere of mutual respect and facilitate good decision making, the following conduct is expected at meetings:
- elected members should aim to be punctual so that meetings start on time;
 - elected members must be prepared to discuss issues at meetings;
 - elected members are encouraged whenever practical to make requests for additional information or clarification of times prior to the meeting so that officers have time to undertake the necessary research and prepare answers;

- elected members are expected to vote on every issue unless they have declared a conflict of interest;
- elected members who have declared an interest must leave the meeting for the duration of that item;
- elected members should endeavour to attend all meetings for the full duration of the meeting;
- elected members who are aware that they will be unable to attend meetings of the Council over a certain period of time, are encouraged to seek leave of absence in advance.

Relationships with Council officers

5.4 An effective working relationship between elected members and officers is critical to the success of any Council. Mutual respect between elected members and Council officers is essential to good government.

5.5 To ensure the required level of co-operation and trust is maintained, elected members must:

- recognise that the Chief Executive is the employer (on behalf of Council) of all officers. Only the Chief executive may hire or dismiss, or instruct or censure, an employee;
- understand that employees have a statutory right to a safe work environment free from both physical harm and mental harm caused by work related stress;
- acknowledge that any actions (or statements) by Councillors which may in any way harm an officer (including mental harm) may result in the Council being liable under the Health and Safety in Employment Act 1992;
- treat all officers with courtesy and respect, avoiding conduct which is aggressive, offensive or abusive or may constitute unlawful or inappropriate harassment;
- avoid personal criticism of an officer in public in any way that reflects on the competence and/or integrity of the officer;
- preserve the anonymity of individual officers and not comment publicly on the management of officers of the Council;
- raise concerns about officers only with the Chief Executive;
- raise concerns about the Chief Executive only with the Mayor.

5.6 Elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to act as a good employer and may expose the Council to civil litigation and audit sanctions.

Relationships with the Community

5.7 Elected members must act in a manner that encourages and values community involvement in local democracy. The views of members of the public must be accorded respect with elected members listening to and deliberating on concerns

carefully and patiently. Elected members must avoid aggressive or abusive behaviour towards members of the public.

Contact with the media

- 5.8 The media plays an important role in the effective operation of local government. In order to fulfil this role the media needs access to accurate, timely information about the affairs of Council.
- 5.9 The following rules apply for media contact on behalf of Council:
- elected members remain free to express a personal view in the media at any time but any comments made must observe all requirements of this Code and must state that:
 - the comments represent a personal view only; and
 - (if the comment is contrary to a Council decision or Council policy) the comments are a minority view;
 - the Mayor is the first point of contact for the Council view on any policy issue. The Mayor is authorised to make statements accurately reporting decisions of Council meetings. If the Mayor is absent, or unable to act, a matter may be referred to the Deputy Mayor or to the relevant committee chairperson for a response;
 - the Mayor may refer any matter to the relevant committee chairperson, a member or to the Chief Executive for comment;
 - committee chairpersons are authorised to make statements accurately reporting decisions of their committees;
 - the Chief Executive is responsible for reporting to the media on policy implementation and operational matters.
- 5.10 Elected members public statements expressing their opinion on matters before the Council shall not criticise the conduct of the Council, other elected members or officers of the Council.
- 5.11 The Mayor may deal with the news media and make public statements relevant to the non-statutory role as a community leader. Where the views expressed are the Mayor's own and are not made on behalf of the Council, this must be clearly stated. No statements made in this capacity shall undermine any existing policy or decision of the Council.
- 5.12 See also the Council's Communications Policy for Elected Members (A1134091).

Confidential Information

- 5.13 In the course of their duties, elected members will receive information that is confidential (Public Excluded). Information is confidential according to the provisions of the Local Government Official Information and Meetings Act 1987. Elected members must not use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the elected member. Any failure to observe these provisions may affect the Council's performance, by inhibiting information flows and undermining public

confidence in the Council. Failure to observe these provisions may also expose the Council to prosecution under the Privacy Act 1993 or civil litigation, and may expose individual elected members to responsibility for loss under section 46 of the Local Government Act 2002.

- 5.14 From time to time elected members may become aware of personal information about members of the community. It is vital that elected members respect the confidentiality of such information.
- 5.15 Occasionally an elected member may believe that there is genuine public interest in a public excluded item. A member holding such a belief may:
- move at the appropriate Council meeting that the matter be moved into public business;
 - if the elected member is unsuccessful with that motion and still believes that the information should be made public, then the correct process is to seek release under the Local Government Official Information and Meetings Act 1987 as follows:
 - the elected member makes an official information request to the Chief Executive seeking the release of that information;
 - if the Chief Executive declines to release the information, then the elected member can apply to the Office of the Ombudsman for that information to be released;
 - if the Chief Executive decides to release information at the request of an elected member, the Chief Executive would advise the Mayor and Councillors of the release.
- 5.16 By following this process, elected members will ensure that the rights of all parties potentially affected by the release of confidential information have been given proper consideration.

6. General Protocols

Accepting Gifts/Hospitality/Expenses

- 6.1 There is the possibility that the acceptance of gifts, favours or hospitality could be construed as a bribe or perceived as undue influence. Elected members need to treat with caution any offer, gift, favour or hospitality made to them personally, to avoid the risk of damage to public confidence in local government.
- 6.2 Sister City gift exchanges can be considered differently. Gifts made to the Mayor from a Sister City are accepted as gifts made to the Office of the Mayor and remain as property of the Council. It is also appropriate for elected members to accept small gifts made to them personally for example, in appreciation for home hosting delegates from a Sister City.
- 6.3 The Council has a register of gifts made to the Council. When an elected member receives a gift in their official capacity, the gift should be reported to the Chief Executive for recording in the Gift Register.

Expenses and Allowances

- 6.4 An elected member is entitled to claim expenses and allowances in connection with their duties. Rules for reimbursement of elected members' expenses are approved by the Remuneration Authority.
- 6.5 See also the Council's Expenses Policy for Elected Members 2013-2016 (A1132101).

Dress Code

Elected members should maintain an appropriate standard of dress at Council and committee meetings. It is recognised that the standard of dress will be in accordance with the level of formality of the meeting they are attending. Some principles for guidance are:

- casual dress is appropriate at workshops;
- Committee meetings involve engaging with members of the public, therefore a neat and tidy standard of dress is appropriate;
- Council meetings are a formal occasion therefore a more formal standard of dress is appropriate (for example, jacket, tie and dress trousers for men and equivalent formal attire for women). Jeans should be avoided for both men and women.

Use of Resources and Facilities

- 6.6 The Councillors' Lounge is located opposite the Council Chamber. This space is not used by Council officers. This space is intended for you to be able to meet with people or just as a space to work when needed. In addition to the Councillors Lounge the Councillors Office can also be found on the same floor as the Council Chamber. The Councillors Office is off the side of Ruma Marama. Provided in the Councillors' Office are individual pigeon holes for items awaiting collection or delivery to elected members by courier. There is also a desk, small meeting table and a telephone. This area is not open to the public as often public excluded information is stored in here.
- 6.7 Council has a small number of fleet vehicles. Councillors are able to use these if necessary however they must be booked in advance. Should you wish to make a booking, contact an Administration Adviser admin.advisors@ncc.govt.nz.
- 6.8 Formal and informal name badges will be provided.
- 6.9 Business Cards and Councillors letterhead are available on request, contact an Administration Adviser admin.advisors@ncc.govt.nz.
- 6.10 Photocopying in relation to Council business will be provided by the Administration Advisers.
- 6.11 Elected members may not use Council resources for personal business (including campaigning).

Procedures for Raising Operational Matters

- 6.12 Elected members may be contacted by the public regarding routine service requests, for example, leaking water tobies. These service requests need to be forwarded to the Customer Service Centre. Alternatively the elected members could relay operational matters directly to the Chief Executive or Group Managers.
- 6.13 Council officers recognise that when an elected member has been asked by a member of the public to deal with a matter that the outcome of the matter needs to be reported back to the elected member. This is so that the elected member is aware of what action has been taken when next approached by the member of the public.
- 6.14 While elected members should refrain from getting involved in the 'hands on' role of officers, they should approach the Chief Executive if they have concerns.

Procedures for Raising Policy Matters

- 6.15 The options for raising a policy matter for consideration by the Council are as follows:
- liaise with the Mayor or with the Chairperson of the appropriate committee. If it is agreed that the matter is one for political consideration, then the Mayor or Chairperson may include it within their report on an agenda or will request the Chief Executive to have the appropriate report compiled;
 - follow the procedure for submitting a Notice of Motion as outlined in the Council's Standing Orders;
 - call for an officer report in response to a public forum as outlined in Council's Standing Orders.

Responding to approaches regarding potential or actual litigation against the Council

- 6.16 When responding to approaches from citizens or the media on such matters, elected members should:
- listen to concerns;
 - seek clarification;
 - relay information to the Chief Executive of the Council;
 - notify the Chief Executive where notice of intention to make a claim against the Council is given, or there are facts present that involve the assertion of action against the Council.
- 6.17 Elected members should take care not to:
- admit liability;
 - settle or make or promise any payment;
 - do anything that may prejudice the insurers' defence of litigation;

- disclose any information that the elected member has received by way of confidential briefings on the litigation matter.
- 6.18 The Council has to notify its insurers of any occurrence that may give rise to a claim. Elected members should notify the Chief Executive when they are given notice of intention by a citizen to make a claim against the Council, or an elected member is made aware of the presence of facts that directly or indirectly involve the assertion of a claim against the Council.
- 6.19 The Council is not permitted under the conditions of indemnity to admit liability or to settle a claim. Therefore elected members need to be aware that when engaging in conversation where a claim has been made or threatened, they should not give any undertaking, promise or opinion that may be construed as an admission of liability, nor make any offer to settle or do any act that may prejudice in any way the insurers' later defence of the claim in litigation.

7. Legislative responsibilities

Local Authorities (Members' Interests) Act 1968

- 7.1 The phrase "*Conflicts of Interest*" is used to describe three distinct and separate circumstances where there is or may be a conflict between the personal interests, or the conduct of a member, and that member's duties as an elected member.
- 7.2 The statutory and common law rules relating to conflicts of interest are part of the rules of natural justice. They reflect the expectation of the community that, when making decisions on behalf of the community, elected members will act impartially and in a manner appropriate to the nature of the decision. Elected Members performing their duties will on occasion be making political decisions (for example when making policy or adopting planning documents) and on other occasions be acting in a judicial or semi judicial capacity (for example when considering resource consent applications). There is some limited scope for flexibility in respect of political decisions, but absolutely no scope for flexibility in relation to judicial or semi judicial decisions.
- 7.3 The three classes of conflict of interest are:
- A pecuniary interest in the matter before the Council, which gives rise to a presumption that there is a conflict with the elected member's duties. The pecuniary interest may be direct or indirect and involve either financial gain or financial loss;
 - non-pecuniary interest, which may give rise to a perception of conflict between interest and duty. These may be interests or relationships arising out of kinship, marriage, domestic relationships, wider family relationships, employment or membership of community organisations;
 - demonstrated bias that is the circumstances where a member by words or action has indicated a commitment to a particular view in respect of an issue such that it is unlikely that the member may approach the consideration of a decision on that issue with an open mind.

- 7.4 If the elected member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive.
- 7.5 Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made, or the action taken, by Council.
- 7.6 Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.
- 7.7 In a case of doubt, a member should withdraw. Elected members withdrawing:
- must leave the meeting room;
 - should (in protection of their own and the Council's interests) ensure that their actions are appropriately recorded in the minutes.
- 7.8 The issue of conflicts of interest is a difficult one for elected members. Commonly, issues may arise on short notice. Matters which seem straightforward at the outset can also commonly become less clear as a matter progresses. Vigilance by elected members is required. While the decision to disqualify is ultimately a matter for the elected member alone, elected members are encouraged to seek guidance and assistance from the Mayor, other councillors or the Chief Executive.
- 7.9 See Appendix B for further information on interests and other legislative responsibilities.

Interests Register

- 7.10 The Council has adopted the suggestion of the Office of the Controller and Auditor General and requested all elected members to make a written declaration of their personal and financial interests that may at times conflict with their roles. This information will be kept in an Interests Register. Elected members are responsible for keeping their written declarations up to date. The Nelson City Council Elected Members' Interests Register is attached to Council meeting agendas for updates to be received.

Standing Orders

- 7.11 Standing Orders apply principally to the conduct of meetings (Schedule 7 of the Local Government Act 2002, clause 27). A question concerning the conduct of an elected member during a meeting should be dealt with at the meeting under the relevant provisions of Standing Orders. Where it is not possible at a meeting to deal with a matter of conduct under Standing Orders, the conduct may be raised under the Code.
- 7.12 Standing Orders are a set of rules of debate that provide greater formality in the way that a Council conducts its meetings. Standing Orders are also a means of recording the Council's agreed principles of behaviour within meetings. Using Standing Orders as a guide to the way that the Council conducts its meetings helps to promote teamwork by:

- allowing structured discussion of topics;
- ensuring respect for the opinions of others;
- ensuring tact and appropriate language is used in resolving conflict;
- promoting the use of persuasion and influencing skills to gain a team outcome.

7.13 Elected members must abide by the Standing Orders adopted by Council. A copy of the Standing Orders is provided to each member and after the adoption of the first Standing Orders, an amendment of the Standing Orders or the adoption of a new set of Standing Orders requires in every case a vote of not less than 75% of the elected members present. The Council or committee may temporarily suspend Standing Orders during a meeting by a vote of not less than 75% of the elected members present and voting, and the reason for the suspension must be stated in the resolution of suspension.

Disqualification of Elected Members from Office

- 7.14 The Local Government Act 2002 and Standing Orders provide for disqualification of Elected members from office for example, if they:
- are convicted of a criminal offence punishable by two or more years imprisonment;
 - cease to be an elector or becomes disqualified for registration as an elector under the Electoral Act 1993;
 - breach the Local Authorities (Members' Interests) Act 1968
 - are absent without leave from the Council from four consecutive ordinary meetings of the Council.

Declaration of Bankruptcy

7.15 Under the Local Government Act 2002 local authorities, when adopting a code of conduct, must consider whether or not they will require elected members to declare whether they are an undischarged bankrupt. The Council requires elected members who are undischarged bankrupts when elected or are declared bankrupt during the term of office, to notify the Mayor and the Chief Executive as soon as practicable after being declared bankrupt and record the fact in the Interests Register.

Legislation bearing on the role and conduct of Elected Members

- 7.16 Refer to Appendix B for a summary of the legislation requirements that has some bearing on the duties and conduct of elected members, which includes:
- Local Authorities (Members' Interests) Act 1968
 - Local Government Official Information and Meetings Act 1987;
 - Liability of Elected Members under the Local Government Act 2002;
 - Secret Commissions Act 1910;
 - Securities Act 1978;

- The Crimes Act 1961;
- Health and Safety in Employment Act 1992;
- Protected Disclosures Act 2000 (Whistle-blowers legislation).

8. Compliance

Obligation to comply

8.1 The Local Government Act 2002 requires elected members to comply with the provisions of the Code (clause 15(4) of Schedule 7):

"A member of a local authority must comply with the code of conduct of that local authority".

8.2 However the Local Government Act 2002 states a breach of the Code is not an offence (clause 15(7) of Schedule 7):

"To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act".

8.3 However, Council has chosen to provide an enforcement mechanism and penalties for breaches of the Code.

8.4 The exact nature of the action Council may take in respect to any alleged breach of the Code may depend on the nature of the issue and whether there are statutory provisions dealing with the issue. If there are statutory provisions dealing with the issue then it will not be considered to constitute a breach of the Code and will instead be addressed in accordance with the relevant statutory provisions. In the case of a breach of the provisions of the Code, it will be dealt with in accordance with the procedure set out below.

Breaches of Legislation

8.5 In addition to the provisions of the Code, elected members are also bound by the Local Government Act 2002, the Local Authorities (Members' Interests) Act 1968, the Local Government Official Information and Meetings Act 1987, the Secret Commissions Act 1910, the Crimes Act 1961, the Securities Act 1978, and the Health and Safety in Employment Act 1992. Explanations of the obligations that each of these has with respect to conduct of elected members is set out in Appendix B.

8.6 Where there are statutory provisions:

- issues relating to elected member's interests render elected members liable for prosecution by the Auditor General under the Local Authorities (Members' Interests) Act 1968 and if convicted the member can be removed from office;
- issues which result in the Council suffering financial loss or damage may be reported on by the Auditor General under the Local Government Act 2002, which may result in the member having to make good the loss or damage;

- issues relating to the commission of a criminal offence may leave the elected member liable for criminal prosecution and if convicted, removal from office.
- issues relating to the commission of a breach of legislation may leave the elected member liable to civil proceedings.

Compliance with the Code

- 8.7 The compliance process must not be trivialised, abused or overly politicised. Elected members should accept that there is a degree of robust and blunt debate in the nature of the political environment of Council.
- 8.8 Only elected members may complain that the code has been breached. Elected members should exercise restraint before alleging a breach of the Code.
- 8.9 An elected member's complaint must be in writing addressed to the Mayor or Chief Executive. The complaint must be treated as confidential.
- 8.10 The complaint must particularise:
- the name of the member alleged to have breached the Code (the respondent);
 - the part of the Code alleged to have been breached;
 - the conduct alleged to have been in breach of the Code; and
 - an outcome the complainant considers suitable.
- 8.11 The Mayor or Chief Executive will forward the complaint to the Conduct Review Panel (the Panel) for assessment.
- 8.12 The Panel shall advise the respondent of the complaint and the respondent shall treat the complaint as confidential.
- 8.13 The Panel shall meet to assess the complaint and keep a note of the meeting. The Panel may either:
- dismiss the complaint if it is considered to be technical, trivial or vexatious;
 - engage with the complainant and the respondent with a view to mediating the complaint;
 - investigate the complaint (set out below); or
 - refer the complaint to the Chief Executive for referral to the Auditor General or other relevant body for investigation.
- 8.14 Elected members agree that the Panel will be guided by the principle that complaints will be resolved at the lowest possible level. The Panel will determine its own process for assessing complaints. With the exception of an investigation, the Panel will not report back to Council on the complaint.
- 8.15 In the event of an investigation into a complaint the Panel shall determine the facts of the alleged breach of the Code. The Panel shall control its own investigation process ensuring the complainant and the respondent are treated

fairly, the investigation is conducted expeditiously and is consistent with the principles of natural justice. The Panel may obtain legal advice and assistance.

- 8.16 Following that investigation, the Panel shall report the facts to Council. Based on those facts the Council shall determine if the respondent has breached the Code. In the event of a breach, the Council shall then determine what, if any, consequence will be imposed.
- 8.17 The Council's meeting to determine the breach after an investigation will be under Standing Orders. The Council's decision will be made in the public excluded part of the meeting in accordance with the Local Government Official Information and Meetings Act 1987. However, any consequence imposed for a breach of the Code may be conducted in a public meeting.
- 8.18 The Panel shall consist of three elected members. One member shall be the Mayor and the other two members shall be nominated by the Council at the Council meeting when this code is adopted (normally the first meeting after an election). The Council shall appoint three other elected members (in order of priority) to replace any member on the Panel in the event of a conflict of interest or unavailability.

Consequences for breaching the Code

- 8.19 The following consequences/actions may be imposed on an elected member in breach of the Code:
- censure the member by letter and/or in open meeting;
 - withdrawal of representation rights to an outside organisation;
 - withdraw of membership or position on a committee or sub-committee
- 8.20 If it appears that a breach of the Code may also constitute a statutory offence, the panel shall refer the circumstances of the breach to the Chief Executive for referral to the relevant body for further action.

9. Review of the Code of Conduct

- 9.1 Once adopted, the Code continues in force until amended by Council.
- 9.2 The Code can be amended at any time, but cannot be revoked unless the Council replaces it with another Code. Once adopted, amendments to the Code of Conduct require a resolution supported by 75 per cent or more of the elected members of Council present.

10. Availability of the Code

This Elected Members' Code of Conduct will be available for inspection at the Council's office at 110 Trafalgar Street during ordinary business hours (Monday – Friday 8.30am to 5.00pm) or at Council's website www.nelsoncitycouncil.co.nz.

Copies are also available to the public on request by contacting an Administration Adviser on 03 546 0200, or by writing to Nelson City Council, PO Box 645, Nelson 7040, New Zealand.

Appendix A – Local Government Act 2002 Purpose of Local Government and Role of Local Authorities – Decision Making and Consultation, Committees and Delegations

1. Introduction to the Local Government Act 2002

- 1.1 The Local Government Act 2002 (LGA 2002) spells out local government's purpose, its general powers, its specific bylaw making powers and the principles and processes that councils must abide by when making decisions.
- 1.2 The LGA 2002 is based on the principle of general competency, which enables a council to do whatever is necessary to fulfil its role. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out. It states that the overall role of the Council is to ensure democratic local decision-making and action by, and on behalf of, communities.

2. Purpose of Local Government

- 2.1 A local authority is a body corporate with perpetual succession.
- 2.2 All councils must comply with the roles and functions identified within the legislative framework. The LGA 2002 defines the overall direction and strategy local government will take. Section 10 of the Act defines the reason local authorities exist.
- 2.3 The purpose of local government is:
- to enable democratic local decision-making and action by, and on behalf of, communities; and
 - to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses
- 2.4 In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are:
- efficient; and
 - effective; and
 - appropriate to present and anticipated future circumstances

3. Role of a Local Authority

- 3.1 The role of a local authority as set out in section 11 of the LGA 2002 is to:
- give effect, in relation to its district or region, to the purpose of local government stated in section 10;
 - perform the duties, and exercise the rights, conferred on it by or under this Act or any other enactment.

3.2 Section 11A sets out a list of services described as "core services" that a local authority when performing its role must have particular regard to the contribution that the following services make to its communities:

- network infrastructure;
- public transport services;
- solid waste collection and disposal;
- the avoidance or mitigation of natural hazards;
- libraries, museums, reserves, recreational facilities and other community infrastructure.

4. Governance Principles

4.1 In performing its role the Council must act in accordance with nine broad principles as set out in section 14 (1) of the Local Government Act 2002 as follows:

- conduct its business in an open, transparent, and democratically accountable manner; and
- give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- make itself aware of and have regard to the views of all its communities;
- when making a decision take account of the diversity of the community and the various community's interests; the interests of future as well as current communities and the likely impact of any decision on these interests;
- provide opportunities for Māori to contribute to its decision-making process;
- collaborate and cooperate with other local authorities;
- undertake commercial transactions in accordance with sound business practices and assess periodically the expected returns from investing in or undertaking a commercial activity;
- ensure prudent stewardship and efficient and effective use of its resources in the interests of the district;
- take a sustainable development approach that takes into account the social, economic and cultural interests of people and communities and the need to maintain and enhance the quality of the environment and the reasonably foreseeable needs of future generations.

4.2 If any of the principles are in conflict, the local authority must resolve that conflict in an open, transparent and democratically accountable manner. These principles are helpful in determining the governance structure as they are indicative of the spirit and intent of the Local Government Act 2002 and govern the way in which the Council undertakes decision-making. A Council that is seen to act in conflict with these principles can be subject to judicial review.

4.3 A number of the principles are supported by specific requirements in the Local Government Act 2002.

4.4 In deciding on a governance structure section 39 is also helpful to consider as it defines the following governance principles:

- a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and
- a local authority should ensure that the governance structures and processes are effective, open and transparent; and
- a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and
- a local authority should be a good employer; and
- a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.

5. Representative and Participatory Democracy

5.1 Among the various forms of democracy, 'representative' democracy and 'participatory' democracy are possibly the most well-known.

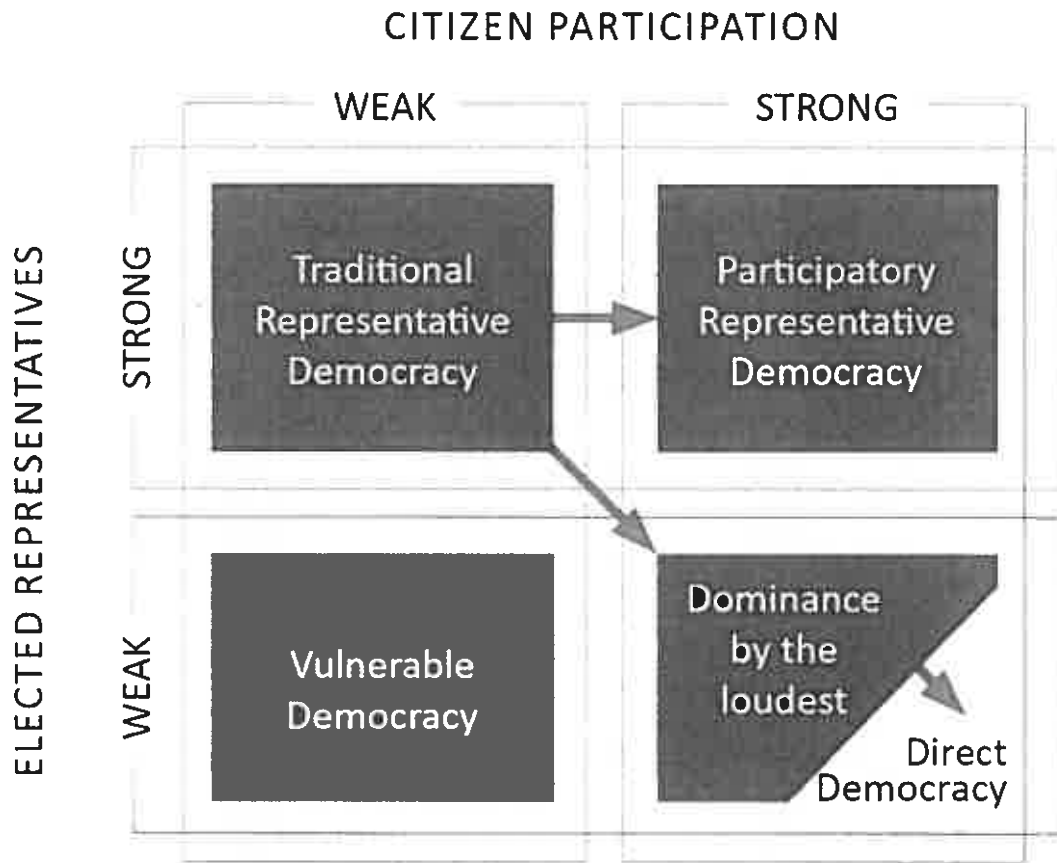
5.1.1. Representative democracy. The essence of representative democracy lies in the concept of delegation: citizens delegate their sovereign rights to elected members, to act as their agents (more accurately, as their fiduciaries).

5.1.2. Participatory democracy. Citizens can have greater involvement and participation in decision making. Elected members try to ensure all voices are heard, balance competing demands and encourage citizens to find solutions and make sustainable decisions. Elected members tend to actively work in partnership with citizens, other agencies and providers, community and lobby groups.

5.2 Figure (1) below, outlines the interaction between representative and participative democracy. It is suggested that the desirable quadrant is at top right- elected representatives who display leadership but take community views into account.

Figure 1: Styles of Governance

Styles of Governance



- 5.3 Strong leadership must be supported by a structure that encourages citizen and stakeholder engagement and participation. The result is that citizens have the opportunity to have greater control over their lives, are consulted and involved in the delivery and quality of services they receive and have more information to hold agencies accountable.
- 5.4 It is useful to consider the benefits that effective and robust governance structures will bring to the citizen, the elected member, and to the organisation.
- 5.4.1. For the citizen: a robust governance structure will be democratic, accessible to the citizen and enable decisions to be made in an open forum, that are transparent and accountable in terms of providing checks and balances.
- 5.4.2. For the elected member: structures must provide regular opportunities to overview the activities of the organisation and provide:
- a balanced workload;
 - a workable meeting schedule;
 - ensure elected members are not required to make low level decisions;

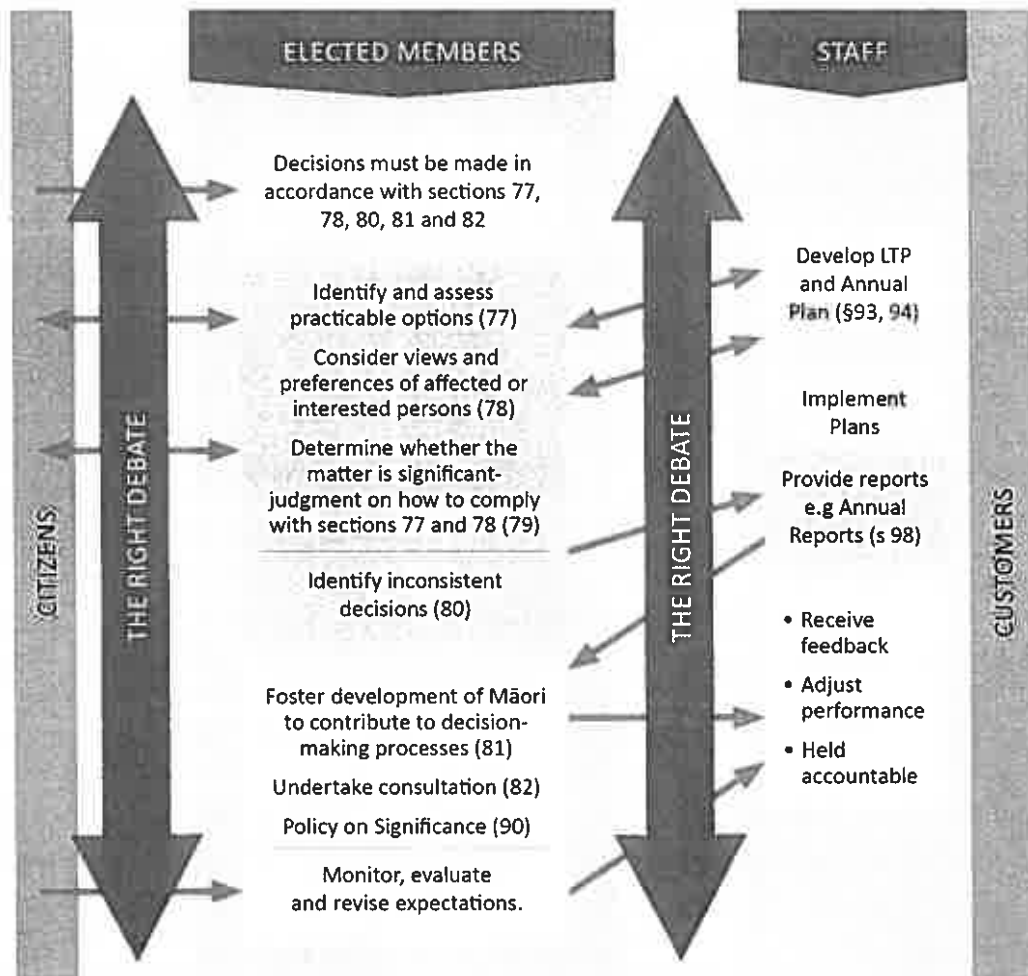
- regular training and information opportunities to enhance decision making and community leadership.

5.4.3. For the organisation: the structure will facilitate the achievement of strategic objectives and the determination of appropriate policy direction. The structure will also ensure there are clear and timely entry points for decision making, clear delegations and lines of reporting.

5.5 Figure 2 (below) sets out the Local Government Act 2002 as a Governance Model.

Figure 2: The Local Government Act 2002 as a Governance Model

The LGA 2002 as a Governance Model



6. Decision making process under the Local Government Act 2002

6.1 Every decision made by a local authority, including a decision not to take any action, must be made in accordance with sections 77, 78, 80, 81 and 82 of the Local Government Act 2002. Specifically the Council must during the course of the decision making process:

- seek to identify all reasonably practicable options for the achievement of the objective of a decision; and (section 77 (1) (a))
- assess the options in terms of their advantages and disadvantages; and
- identify those options which involve a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wahi tapu, valued flora and fauna and other taonga; (section 77 (1) (c))
- give consideration to the views and preferences of persons likely to be affected by, or to have an interest in the matter; (section 78)
- determine the matters significance in relation to Council's Significance and Engagement Policy; (section 79)
- identify whether the proposed decision would be significantly inconsistent with any existing policy or plan; (section 80)
- establish and maintain processes to provide opportunities for Māori to contribute to the decision making process; (section 81 (1) (a))
- consider ways in which the Council may foster the development of Māori capacity to contribute to the decision making process; (section 81 (1) (b)) and
- provide relevant information to Māori; (section 81 (1) (c))
- undertake consultation in accordance with the principles of consultation as set out in section 82.

The Right Debate

6.2 The Long Term Plan (LTP) provides the opportunity for the Council to engage with their communities and focus on the most important issues in what is known as "the right debate". The Office of the Auditor-General (OAG) recommends that in order to engage in "the right debate" an LTP needs to provide information on the following:

- strategic and major issues;
- the choices and options for addressing these issues; and
- the implications (financial, levels of service and effect on well-being) of each option.

- 6.3** The LTP provides a basis for consultation and decision-making and also helps the community hold the local authority to account. Decisions outside of the LTP must be made in compliance with Part 6 of the LGA 2002.

Appendix B – Legislative Responsibilities

1. Local Authorities (Members' Interests) Act 1968

- 1.1 The Local Authorities (Members' Interests) Act 1968 deals with the positions of elected members who may have an interest in contracts to be let by the Council. It also prohibits elected members from voting or taking part in any matter in which they have a direct or indirect financial interest.
- 1.2 The essence of the Act is to ensure that elected members follow high ethical standards in their public obligations so that the public can have confidence that their decisions are taken entirely properly, without any suspicion of improper interests influencing elected members' actions.
- 1.3 Details of these requirements are given in the guide to the legislation published by the Office of the Controller and Auditor General.
- 1.4 Elected members must be careful that they maintain a clear separation between their personal interests and their duties as elected members. This is also to ensure that people who fill positions of authority carry out their duties free from bias (whether real or perceived). Elected Members therefore need to familiarise themselves with the provisions of the Local Authorities (Member's Interests) Act 1968 which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.
- 1.5 Refer to section 8.1 in the body of the Code for further information on interests.

2. Local Government Official Information and Meetings Act 1987

- 2.1 The Local Government Official Information and Meetings Act 1987 establishes procedures to provide for the admission of the public to meetings of Councils while providing for the protection of deliberations of Councils to the extent consistent with the public interest and the preservation of personal privacy. All of the Council's meetings are required to be open to the public, unless the public is expressly excluded. The public can only be excluded from a meeting on the grounds and in the manner outlined in Section 48 of the Local Government Official Information and Meetings Act 1987.
- 2.2 This Act requires Council to make all information relating to their operation public unless there is a good reason for withholding it. Good reasons for withholding information may include privacy of an individual, commercial sensitivity of a company, damage to the public interest, safety of an individual or that the maintenance of law may be prejudiced.
- 2.3 The decision on whether to withhold or release such information lies with the Chief Executive. Members of the public may challenge any decision to withhold information, by making an Official Information Request to the Chief Executive. If the Chief Executive declines to release the information, then the member of the public can apply to the Office of the Ombudsman to have the information released.

- 2.4 The Act requires Councils to publish a list of all their meetings, their time and place in advance each month. Councils must also make the agendas and reports to be considered available for inspection by the public at least two working days before the meeting.
- 2.5 The Act requires the Chairperson of the meeting to maintain order at the meeting. The Chairperson has the ability to require members of the public to leave the meeting if the Chairperson believes the behaviour of any member of the public is likely to prejudice the orderly conduct of the meeting.

3. Liability of Elected Members under the Local Government Act 2002

- 3.1 Section 46 of the Local Government Act 2002 makes elected members liable for loss both jointly and severally which is reported by the Auditor General.
- 3.2 Section 47 of the Local Government Act 2002 states that elected members may be required to pay costs of proceedings in certain cases.

4. Secret Commissions Act 1910

- 4.1 Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.
- 4.2 If convicted of any offence under this Act a person can be imprisoned for up to two years, or fined up to \$1,000, or both.
- 4.3 A conviction would therefore trigger the ouster provisions of the Local Government Act 2002 and result in the removal of the member from office.

5. Securities Act 1978

- 5.1 This legislation governs the raising of money by the offer to the public of the opportunity to invest through shares in an enterprise or to lend money to an organisation. Its application to Council would arise if Council wished to borrow money by public stock issues. In such a case, Council would be required to publish an investment statement and a prospectus. Where published documents relating to an issue of securities are found to contain untrue statements the directors (in this case Councillors) of the issuer may be held both criminally liable and civilly liable.

6. The Crimes Act 1961

- 6.1 Under this Act it is unlawful for an elected member (or officer) to:
- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council;
 - use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

- 6.2 These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will also be automatically ousted from office.

7. Health and Safety in Employment Act 1992

- 7.1 This Act imposes duties and responsibilities on the Council as an employer. The main object of the Act is to promote the prevention of harm to all persons at work. It requires employers to take all practicable steps to safeguard the health of employees. The Act requires employers to protect employees from physical and mental harm caused by work-related stress. This includes identifying potential hazards and monitoring the health of employees.
- 7.2 Should an employer fail to take all practical steps to ensure the safety of its employee, the employer could be found guilty of an offence and is liable on summary conviction to a fine of up to \$250,000 (or \$500,000 if serious harm is caused).
- 7.3 The Council is ultimately accountable for the actions of its councillors and must ensure they do not behave in a way which is going to result in any of its employees being harmed (either physically or mentally). This could include, for example, any unfair or unwarranted comments or remarks by Councillors about a Council employee, which could foreseeably result in that employee suffering mental harm which may precipitate a claim by either the Department of Labour or an employee against the Council under this Act. Further the disaffected employee may also be able to bring a personal grievance claim under the Employment Relations Act 2000 if he or she is subjected to an unjustified attack or unjustifiable comments by Councillors.
- 7.4 A breach by a Councillor of obligations owed towards employees has serious implications for the Council and for an individual member.

8. Protected Disclosures Act 2000 (Whistle-Blower Protection)

- 8.1 The amendment to the Protected Disclosures Act 2000 which came into force on 6 May 2009 expanded the eligibility for protection. Under the Act the definition of an employee of a public sector organisation (PSO) includes elected members of a local authority.
- 8.2 Under the Act an employee who discloses information about a serious wrongdoing by the PSO is protected from civil or criminal liability that might arise from such a disclosure and from retaliatory action against the employee. Serious wrongdoing under the Act includes unlawful or irregular use of funds or resources, conduct that risks public health and safety; conduct that risks the maintenance of law; conduct that constitutes an offence; and oppressive, improper discriminatory conduct, gross negligence or gross mismanagement by a public official.
- 8.3 Protection under the Act applies where an employee has information about a serious wrongdoing; a reasonable belief that the information is true or likely to be true; the employee wishes to have the matter investigated; and desires protection under the Act.

8.4 The Act requires disclosure by an employee to follow the internal procedures of the PSO. The Council is required to establish internal procedures to address the receipt of and dealing with information about serious wrongdoing in or by the Council.

9. Privacy Act 1993

9.1 The purpose of the Privacy Act 1993 is to protect the privacy of individuals and in particular to:

- limit the extent to which personal information about any person may be disclosed to others; and
- enable individuals to have access to information about them and to request the correction of any inaccurate detail.

9.2 The Act also imposes restriction on the collection of personal information and how this information may be used.

9.3 The Act is relevant to the business of Council because of the detailed information Council often holds about individuals.



Communications Policy for Elected Members

20 November 2014

DRAFT

1. Application and definition

- 1.1. This policy applies to Nelson City Council funded communications as defined in 1.2.
- 1.2. Communications means any communication by an elected member where:
 - The Council meets the cost (wholly or in part), or
 - The person making the communication does so in an official capacity on behalf of the Council.
- 1.3. This policy does not apply to communications by elected members using their own resources and making the communication in their personal capacity.
- 1.4. Council's communications will comply with any applicable Council policies and guidelines as to process, authorisation, style and content and be clearly attributed with Nelson City Council as the publisher.

2. Council funded communications

- 2.1. Communications include but may not be limited to:
 - Communications in the Council's own publications and the news media generally
 - Council-funded advertisements and other forms of publicity
 - Electronic communications including website, e-mail, texting and social media
 - Any public speaking engagements at a variety of events on behalf of Council
 - Communications undertaken for the purpose of research and community consultation and engagement
- 2.2. Council funds appropriate communications to meet the needs of Nelson for information about Council's role and activities.
- 2.3. Council's communications will be consistent with the statutory purpose of local government and any other relevant statutory provisions.
- 2.4. Council's communications will present information in an accurate, complete, fair, and politically neutral manner. Factual and explanatory information will be provided to foster understanding of issues.
- 2.5. Criticism of decisions of the governing body, its committees and sub-committees, or of CCOs and CCTOs by any elected member is unacceptable in any Council funded communication.
- 2.6. Criticism of Council officers by any elected member is unacceptable in any Council funded communication.

3. Council publications and adverts

- 3.1. Council's communications will reflect decisions from meetings of the governing body, committees and will support Council's strategic direction, brand and reputation.

Live Nelson

- 3.2. Elected members feature in *Live Nelson* when they are acting in an official Council capacity representing decisions of the Council, committees or communicating a Council position.
- 3.3. To ensure Nelson residents see elected members as faces of Council, *Live Nelson* publishes a Mayor's Column and Councillor's Comment.
- 3.4. All copy submitted for both Mayor and Councillor's columns is subject to review by the Live Nelson Editor; a word count is in effect and some editing/changes may be required. The Chief Executive and Mayor have final oversight of elected member content, which must adhere to this Policy and the Councillor's Code of Conduct.
- 3.5. Further guidance on the Mayor's Column and the Councillor's Comment can be found in the Live Nelson Editorial Policy.

4. Media

- 4.1. This section is consistent with Council's Media Policy 2013, which guides officers.
- 4.2. Council's elected members have a responsibility to conduct Council business in an open and democratic manner mindful of the role that the media plays in the democratic process.

Spokespeople

- 4.3. In keeping with the organisation's Media Policy 2013, in general terms, Council's spokespeople will be:
- The Mayor, on all governance, policy and issues of significance to the city
 - Committee Chairs, where the Mayor delegates authority
 - Chief Executive
 - Group Managers
 - Manager Communications
 - Kaihautū on iwi/Māori related issues of Council
- 4.4. The Mayor and Councillors are the only ones able to comment on governance decisions made by elected members and policy. In addition, where there are issues of significance to the city and region, the Mayor and elected members are to take the lead with media.
- 4.5. The Mayor is the first point of contact for the official view on issues.
- 4.6. The Mayor may delegate issues to Committee Chairs or individual Councillors for public comment.

- 4.7. No other member may comment on behalf of Council without first obtaining the approval of the Mayor.
- 4.8. Elected members, including the Mayor, are free to express a personal view in the media at any time, provided the following rules are observed:
 - 4.8.1. Media comments must not state or imply that they represent the views of Council;
 - 4.8.2. Where an elected member is making a statement that is contrary to a Council decision or Council policy, the member must not state or imply that their view represents a majority view; and
 - 4.8.3. Media comments must observe the other requirements of the code of conduct including that members must not disclose confidential information or compromise the impartiality or integrity of staff.

Council meetings

- 4.9. The Mayor and Councillors make comment on all matters at the Council table. If officer comment is needed, only the Chief Executive, Group Managers, or Manager Communications may make comment to media during or after Council meetings if more information is needed.
- 4.10. News resulting from Council meetings is to be prepared by the Manager Communications with final approval by the Mayor or Committee Chair and the Chief Executive or Group Manager.

5. Electronic communications

- 5.1. This policy applies to all electronic communications including, but not limited to, web, email, text messaging, and social media.

6. Speaking engagements

- 6.1. This policy applies to all public events and speaking engagements for which an elected member is representing Nelson City Council.

7. Community engagement

- 7.1. This policy applies to all community engagement activities for which an elected member is representing Nelson City Council.
- 7.2. Council will fund communications to consult and engage with Nelson's communities. It will provide fair and meaningful opportunities for Nelson residents to communicate their opinions to Council to support democratic decision-making.
- 7.3. Council's communications resource and support will be provided to elected members to meet the needs of communities for information, consultation and engagement on Council's role and activities.

8. Elections

- 8.1. Council communications will not promote, or be perceived to promote, the re-election prospects or personal profile of a sitting member or candidate for election. The use of Council resources for election purposes is unacceptable.
- 8.2. Criticism of an elected member or candidate for election by an elected member is unacceptable in any Council funded communication.
- 8.3. In an election period, Council will be guided exclusively by The Controller and Auditor-General's Guide, "Good Practice for Managing Public Communications by Local Authorities (April 2004)" and guidance from the Electoral Officer.

9. Civil Defence and Emergency Management events

- 9.1. This policy does not apply to the role of public information and media management for civil defence events or emergencies. Public communications for those activities are managed from the Nelson Tasman Emergency Management office.

10. Responsibility

- 10.1. This policy is signed off by Council on a triennial basis.
- 10.2. The Chief Executive has overall responsibility for decisions resourcing for communications in accordance with this policy to meet the needs of Nelson communities for information, consultation and engagement on Council's role and activities.

11. Update and other policies

- 11.1. This policy is updated triennially to coincide with the current term of Council.
- 11.2. The following guidelines and policies should be read in conjunction with this policy:
 - Elected Members' Code of Conduct (A1181923)
 - Media Policy 2013 (operational policy) (A309851)
 - Live Nelson Editorial Policy 2012 (operational policy) (A424722)

Delegations Register Review

1. Purpose of Report

- 1.1 To adopt the updated Delegations Register.

2. Delegations

- 2.1 Adopting the Delegations Register is a decision for Council.

3. Recommendation

THAT the report Delegations Register Review and its attachments (A1183061 and A1183062) be received;

AND THAT the Delegations Register (A1183061) be adopted.

4. Background

- 4.1 Council has not yet adopted a Delegations Register for the 2013-2016 triennium. There is no legal requirement for Council to adopt a Delegations Register, however it is considered best practice for Council to adopt the Delegations Register for each triennium.
- 4.2 The Council adopted committee delegations at Council meetings through the course of late 2013, following the local body elections. These have been incorporated into the Delegations Register for adoption with this report.
- 4.3 Committee Chairs have reviewed the delegations for their respective committees, as well as considering the relevant officer delegations as relating to the areas of responsibility for the respective committees.

5. Discussion

- 5.1 Previously, the Delegations Register has been presented to the Council as one document, detailing both Council and committee delegations and officer delegations.
- 5.2 During this review, the approach to separate governance delegations (Council and committees) from management (officer) delegations has been made. The reason for this is to increase Council's focus on

governance delegations, recognising that it is a critical Council decision to extend delegated power to committees and/or the Chief Executive. The previous document placed a larger focus on officer delegations; the approach taken during this review ensures that the document focuses on the governance activities of the Nelson City Council.

- 5.3 The two documents created through this review are the 'Delegations Register' (covering governance functions), and the 'Officer Delegations Manual'

Delegations Register

- 5.4 The Delegations Register (Attachment 1) outlines the functions, duties and powers prescribed on Council, and sets out the functions, duties and powers Council has chosen to delegate to committees and/or the Chief Executive.
- 5.5 Aside from splitting the document into the Delegations Register and the Officer Delegations Manual, the review of the Delegations Register document has resulted in the following being incorporated into the Delegations Register:
- 5.5.1 There is an expanded introductory section, covering an introduction and purpose statement, the legal framework of the Delegations Register, Delegations from Council to the Chief Executive, and Council policy regarding delegations. This introductory section is more comprehensive than previously included in the Delegations Register, and particular focus is given to the framework within which delegations from Council to subordinate decision-making bodies and/or officers operates.
- 5.5.2 There is an expanded section relating to the general functions and delegations of committees, including how committees operate. This includes reference to the Council policies regarding the appointment of external members to committees, and significance and engagement.
- 5.5.3 All Committees of Council, along with their delegations as previously approved by Council, have been included. This includes the District Licensing Committee functions and delegations, which derive directly from the Sale and Supply of Alcohol Act 2012.
- 5.5.4 A minor alteration has been made to these delegations in respect of the power of committees to approve statements of proposal for special consultative procedures. The approval of the statements of proposal and final decisions will sit with Council, while hearing of submissions, deliberations and recommendations for changes will sit with committees.
- 5.5.5 A minor addition has also been made to the Governance Committee delegations at the level of power to recommend. This covers off which committee should handle any matters arising in respect of governance relationships with external organisations.

- 5.5.6 An additional section relating to the establishment of working parties has been included. This section outlines the general functions of working parties, and provides general parameters relating to the establishment of terms of reference for working parties.
- 5.5.7 In Schedule Two – Council Controlled Trading Organisations, a minor point of clarification is made regarding voting at annual general meetings.

Officer Delegations Manual

- 5.6 The Officer Delegations Manual (Attachment 2) is a separate document to the Delegations Register and details delegations from the Chief Executive to particular officers. It is governed by the same principle relating to the Delegations Register.
- 5.7 The Officer Delegations Manual includes delegations to the Chief Executive through a number of provisions in various pieces of legislation applying to the Council, which provide for powers, duties and functions to be exercised on behalf of Council. The Chief Executive is required to ensure these are carried out, but for practical reasons, and to ensure efficiency and effectiveness, must delegate these on to officers.
- 5.8 The Officer Delegations Manual is linked to the Delegations Register in this regard. However it is kept as a separate document, and may be updated by the Chief Executive as required, in line with the principles governing the document.
- 5.9 The review of the Officer Delegations Manual has resulted in the following major alterations:
- Deletion of officer delegation O4, which previously provided for officer approval of designs for new and improved community facilities within the design brief for facilities costing less than \$750,000;
 - Revision of officer delegation O8 (previously O9), to provide for the renewal of leases and licences for parks and reserves and community facilities up to 15 years (previously this applied to leases or licences less than ten years);
 - Inclusion of new officer delegations O11 and O12, delegating officers the power to grant, terminate, extend, or vary the terms and conditions of leases and licences of Council land and/or facilities in accordance with Council's leasing policy, and to acquire easements over private land;
 - Inclusion of the new officer delegation CE6, to negotiate sale and purchase agreements for Ridgeways Joint Venture section sales;
 - Alterations to various delegations deriving from statute, to reflect any changes to statutes (including removing sections that are no longer applicable), and to clarify statutory wording;

- Inclusion of relevant delegations from the Sale and Supply of Alcohol Act 2012;
- Updating of relevant officer titles to reflect recent alterations as a result of officer reorganisations;
- Other general re-formatting and re-numbering of sections, to create a tidier document.

6. Options

- 6.1 There is no legal requirement for Council to adopt a Delegations Register, although it is considered best practice to do so. Accordingly, the recommended option to Council is to adopt the Delegations Register, although it is open to Council not to adopt it.

7. Assessment of Significance against the Council's Significance Policy

- 7.1 This section is not applicable, and the decision is not significant in terms of the Council's Significance Policy.

8. Consultation

- 8.1 Her Worship the Mayor, Committee Chairs, and a small group of Councillors have been involved in the review of the Delegations Register.

9. Alignment with relevant Council Policy

- 9.1 The Delegations Register and the Officer Delegations Manual seek to give effect to relevant Council policies by providing a means by which decision-making powers and management activities can be undertaken in an efficient and effective manner.

10. Inclusion of Māori in the decision making process

- 10.1 This section is not applicable.

11. Conclusion

- 11.1 That the updated Delegations Register be adopted.

Penny Langley
Manager Administration

Attachments

Attachment 1: Delegations Register ([A1183061](#))

Attachment 2: Officer Delegations Manual ([A1183062](#))



Nelson City Council
te kaunihera o whakatū

Delegations

Register

2014

Nelson City Council	Policy
Contact for queries:	Administration Advisers
Approved by:	Council
Date:	[insert date] 2014

This document will be available for inspection at the Council's office at 110 Trafalgar Street during ordinary business hours (Monday – Friday 8.30am to 5.00pm) or at Council's website www.nelson.govt.nz.

Alternatively, you can write to the Council and request a copy at:

PO Box 645
Nelson 7040
New Zealand

Or by fax:

+64 3 546 0239

Copies will also be provided to interested members of the community upon request to an Administration Adviser by phoning the Council on 03 546 0200.

CONTENTS

1.0	Introduction and Purpose	1
1.1	Delegations	1
1.2	Governance and Management Activities	1
1.3	Structure of the Delegations Register	2
2.0	Legal Framework	3
2.1	Transfer of Delegated Powers	3
2.2	Other Statutory Limitations	4
2.3	The Council’s Principal Responsibilities	4
2.4	The Responsibilities of the Chief Executive	5
2.5	Onward Delegation of Powers to Officers.....	6
3.0	Delegations from Council to the Chief Executive	7
4.0	Policy Regarding Delegations.....	8
4.1	Signing and Sealing of Formal Documents.....	8
4.2	Power to Enter into Contracts	8
5.0	Committee Functions and Delegations.....	9
5.1	General Terms of Reference	9
5.2	Joint Local Authority Committees	10
5.3	Appointing External Persons onto Council Committees	10
5.4	Payment for Committee Meetings.....	10
5.5	Operation of Hearings Panels.....	11
6.0	Committees Established by Nelson City Council	12
6.1	Community Services Committee	12
6.2	Governance Committee	13
6.3	Planning and Regulatory Committee	14
6.4	Works and Infrastructure Committee.....	15
6.5	Chief Executive Employment Committee	17
6.6	Civil Defence Emergency Management Group	17
6.7	District Licensing Committee	18
6.8	Joint Committee of Tasman District and Nelson City Councils.....	19
6.9	Nelson City Council Tasman District Council Joint Shareholders Committee	19
6.10	Nelson Regional Sewerage Business Unit.....	20
6.11	Regional Transport Committee.....	20
6.12	Resource Management Act Procedures Committee	20
6.13	Hearings Panel – Resource Management Act.....	21
6.14	Hearings Panel – Other	22
6.15	Advertising Commercial Sexual Services Panel.....	23

7.0	Working Parties.....	24
7.1	Establish Working Parties.....	24
8.0	Council-Controlled Organisations and Other Organisations	25
8.1	Appointments to Council Controlled Organisations.....	25
8.2	Appointments to Other Organisations	25

SCHEDULES

Schedule One - Members of Committees.....	26
Committees.....	26
Schedule Two - Council Controlled Trading Organisations (CCTOs)	30
Other Commercial Trading Enterprises, but not classified as a CCTO	31
Schedule Three - Council Controlled Organisations (CCOs)	32
Schedule Four - Council Organisations (COs).....	34
Schedule Five - Other Organisations/Groups with Official Council Representation	36

1.0 Introduction and Purpose

This document is the Nelson City Council Delegations Register (the Delegations Register).

The purpose of the Delegations Register is to set out the manner in which Nelson City Council (the Council) gives effect to its statutory duties, responsibilities and powers. It outlines the functions, duties and powers for which Council must retain responsibility, as prescribed by statute. It also sets out Council's policy on what functions, duties and powers it wishes to delegate pursuant to the Local Government Act 2002 and other relevant legislation, and ensures that responsibility and processes for decision-making in relation to regulatory responsibilities is separated from those for non-regulatory responsibilities.

Nelson City Council is a unitary authority and therefore has responsibilities both of territorial and regional authorities. This Delegations Register reflects both the territorial and regional responsibilities of the Council.

The Council fulfils its responsibilities through the decisions of its elected members, and subsequent actions undertaken by the Chief Executive, officers, contractors and advisers that give effect to such decisions.

1.1 Delegations

A delegation is the transfer of a responsibility, duty or power from Council to another subordinate decision-making body (such as a committee) or to the Chief Executive, and from the Chief Executive to officers. It includes the authority to make decisions under delegated authority on behalf of the Council.

It is important that Council delegates certain responsibilities, duties or powers to subordinate decision-making bodies or officers, in order to promote effective and efficient decision-making. Doing so allows elected members sitting as the Council to focus on strategic issues and the long term needs of the Nelson area, while detailed consideration and decision making can be carried out by subordinate decision-making bodies, and the operation or administration of services or functions can be carried out by officers.

1.2 Governance and Management Activities

The nature of local government activities rests on a division between governance activities and management activities. Delegations to subordinate decision-making bodies remain governance activities, while delegations to the Chief Executive, and from the Chief Executive to specific officers, fall within the realm of management activities.

It is a fundamental aspect of local authority activities that elected members make decisions, either at Council or committee level, whereas the Chief Executive is responsible for providing policy advice and carrying out and implementing the decisions of elected members as well as managing the day to day requirements of Council.

The Chief Executive is the sole employee of the elected members, and employs all other officers of the local authority. For a local authority to work efficiently and effectively, it is vital that the Chief Executive delegates onwards to his or her officers the ability to provide advice to Council and its committees, and to carry out elected members' decisions.

1.3 Structure of the Delegations Register

The Delegations Register focuses on the governance activities of Nelson City Council. It identifies the powers which Council has chosen to retain, and those that it has chosen to delegate to subordinate decision-making bodies. It outlines how sub-ordinate decision-making bodies function and their powers to decide or make recommendations on various matters.

The Register also includes specific delegations from Council to the Chief Executive, which in practice are necessary to be delegated onwards to various officers so that decisions and statutory functions of Council may be carried out in an efficient and effective manner, and in compliance with legislative obligations.

As well as the discretionary delegations listed within this Delegations Register, there are a number of provisions in various pieces of legislation applying to the Council, which provide for powers, duties and functions to be exercised on behalf of Council. In practice, it is also necessary for the Chief Executive to delegate these powers to officers so that they may also be carried out in an efficient and effective manner.

Every delegation made by Council to a committee or other subordinate decision-making body will be made by resolution, and will be included in this Delegations Register. Every such delegation is structured to clearly define the nature, purpose and limitation of the power, function or duty delegated. Any required changes to the Delegations Register will be made by resolution.

Every delegation made from the Chief Executive to any of his or her officers will be recorded in a separate register kept for this purpose. This register is called the Officer Delegations Manual. Although inherently linked to the Delegations Register and governed by the same general principles, the Officer Delegations Manual is a separate document, and delegations in the Manual may be changed or updated at any time by the Chief Executive, as necessary.

2.0 Legal Framework

Schedule 7, clause 32 of the Local Government Act 2002 sets out Council's authority to delegate its responsibilities, duties or powers to subordinate decision-making bodies or officers.

Schedule 7, clause 32 states

- (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or power except
 - (a) the power to make a rate; or
 - (b) the power to make a bylaw; or
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - (d) the power to adopt a long-term plan, annual plan, or annual report; or
 - (e) the power to appoint a chief executive; or
 - (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
 - (g) the power to adopt a remuneration and employment policy.

2.1 Transfer of Delegated Powers

There is no restriction on Council's ability to delegate the power to do any preparatory work or undertake anything precedent to the exercise of power by Council for any of the items listed above.¹ For example, it is open to Council to delegate the development of a bylaw, along with any consultation process required, to a committee or other subordinate decision-making body, while reserving the final decision on the bylaw to Council itself.

Once a power is delegated to a subordinate decision-making body or officer, where permitted by legislation, it may then be delegated onwards again to another subordinate decision-making body or officer, subject to any conditions or limitations in the original delegation.² It is also open to a subordinate decision-making body or officer to elect, for good reason, not to exercise a delegated power. Use of delegated powers is discretionary rather than an obligation, and it is open for the person holding the responsibility, duty or power to consider whether to refer the matter back to the original holder of the power.

Once a responsibility, duty or power has been delegated, the subordinate decision-making body or officer has full authority to exercise or perform such

¹ Schedule 7, clause 32(2)

² Schedule 7, clause 32(3)

responsibilities, duties and powers.³ The delegated power cannot be over-ridden by the original holder of the power, unless the holder of the delegated power chooses to refer the power back in any particular instance.⁴ In practice, this means that, once Council has delegated a power to a committee or any other subordinate decision-making body, it may not over-ride the committee's authority to consider the issue, or requisition the delegated power back. It must respect the authority of the committee or subordinate decision-making body, which may choose, on occasion, to refer the delegated power back to Council. The delegation remains until revoked by Council.

No delegation relieves Council or any officer to whom power has been delegated, of the liability or legal responsibility to perform or ensure performance of any function or duty.⁵ In this way, Council retains an important role of over-seeing any delegated power, whilst respecting the authority of the body to which the power has been delegated.

2.2 Other Statutory Limitations

Aside from the provisions of the Local Government Act 2002, several other statutes restrict the ability of Council to delegate its decision-making powers and duties. Examples are⁶:

- Council may not delegate its power to decide whether to accept any recommendation of the Ombudsman;⁷
- Council may delegate its powers and functions under the Fencing of Swimming Pools Act 1987 to a committee which comprises members of Council only;⁸
- Council may not delegate its power to approve a proposed policy statement or plan under clause 17 of Schedule 1 to the Resource Management Act 1991⁹.

2.3 The Council's Principal Responsibilities

The Council's principal responsibility is to uphold the purpose of local government as set out in section 10 of the Local Government Act 2002 (the Act):

- (1) (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
(b) To meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- (2) In this Act, good-quality in relation to local infrastructure, local public services, and performance of regulatory functions means infrastructure, service and performance that are:-

³ Schedule 7, clause 32(4)

⁴ Schedule 7, clauses 30(6) and 32(4)

⁵ Schedule 7, clause 32(7)

⁶ This is not a definitive list, and there may be other examples throughout legislation of powers that are reserved to Council and/or elected members only.

⁷ Local Government Official Information and Meetings Act 1987, sections 42 and 32

⁸ Fencing of Swimming Pools Act 1987, section 12

⁹ Resource Management Act 1991 section 34A

- (a) efficient; and
- (b) effective; and
- (c) appropriate to present and anticipated future circumstances.

The governance principles of local government as set out in section 39 of the Act are:

- (a) A local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and
- (b) A local authority should ensure that the governance structures and processes are effective, open, and transparent; and
- (c) A local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and
- (d) A local authority should be a good employer; and
- (e) A local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.

2.4 The Responsibilities of the Chief Executive

The Act provides for the Council to delegate the management of the organisation to the Chief Executive in accordance with s42 and Schedule 7 s33 – s36, on the terms and conditions the Council sees fit.

The Chief Executive is responsible to the elected Council for:

- (a) Implementing the decisions of the local authority; and
- (b) Providing advice to members of the local authority and to its community boards, if any; and
- (c) Ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
- (d) Ensuring the effective and efficient management of the activities of the local authority; and
- (e) Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- (f) Providing leadership for the staff of the local authority; and
- (g) Employing, on behalf of the local authority, the staff of the local authority; and
- (h) Negotiating the terms of employment of the staff of the local authority.

Furthermore, the Chief Executive is also responsible for:

- (a) Ensuring, as far as practicable, that the management structure of the local authority reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes;

- (b) Ensuring, as far as practicable, that the management structure of the local authority is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives;
- (c) Appointment of independent commissioner(s) to hear, consider, and determine all contested resource consent applications in respect of which the Council, or a Council Controlled Organisation (CCO), is or could be perceived to be an interested party;
- (d) Delegating to the Hearings Panel – Resource Management Act all of Council’s regulatory powers in respect of hearing, considering and determining all matters relating to resource consents under the Resource Management Act 1991; and to the Hearings Panel – Other all approvals under the Fencing of Swimming Pools Act 1987 and actions under the Dog Control Act 1996;
- (e) Delegating to appropriate officers Council’s powers to undertake compliance, inspection and enforcement in accordance with Council’s approved procedures.

2.5 Onward Delegation of Powers to Officers

Schedule 7 (s32B) of the Act provides, with some restrictions, powers for an officer to further delegate their delegations to any other officer.

The main purpose of the Officer Delegations Manual is to record all delegations from the Chief Executive to any other officer positions.

3.0 Delegations from Council to the Chief Executive

The Council delegates to the Chief Executive all arrangements and contracts for the supply of goods, services, plant and labour, including execution of all documents, agreements and contracts aside from those required by legislation to be signed by elected representatives, to enable the implementation of decisions made by the Council, its committees and any further subordinate decision-making bodies.

The Council delegates to the Chief Executive the management of capital expenditure, and operations and maintenance expenditure, up to the limits approved in the estimates and in the relevant Annual Plan/Long Term Plan.

During a state of emergency, the Chief Executive may also enter into any contract on behalf of Nelson City Council.

The Council further delegates to the Chief Executive all powers conferred on the Council by legislation, as captured within the Officer Delegations Manual.

Council may choose to delegate any further powers, responsibilities and duties to the Chief Executive, aside from those which may not be delegated by statute. The Chief Executive has the power to delegate such powers, responsibilities and duties on to any officer he or she employs, or any other contractor or advisor. Any powers, responsibilities and duties delegated from the Chief Executive to officers, contractors or advisors will be recorded in the Officer Delegations Manual.

Unless explicitly stated in this Delegations Register or the Officer Delegations Manual, the Chief Executive retains the authority to carry out all responsibilities, duties and powers listed within the Officer Delegations Manual, whether derived from Council, its committees or any other subordinate decision-making body, directly from legislation or elsewhere.

The Chief Executive has the delegated authority to release information from public excluded within the bounds of the Local Government Official Information and Meetings Act 1987 without an explicit resolution of Council being required.

The Chief Executive when operating within these delegations should be mindful of Council's Significance and Engagement Policy and give thought to whether a matter considered to be of high significance may need to be referred to an appropriate committee or in some cases to Council.

The Chief Executive may appoint one or more senior officers to undertake his or her functions and delegated authority during planned absences or sick leave.

4.0 Policy Regarding Delegations

The Council and Chief Executive may delegate a wide range of their powers and functions, within the bounds imposed by legislation, as described in this document and in the Officer Delegations Manual.

When deciding which powers to delegate, and to which officer position(s), the Council and Chief Executive will take account of the following requirements and needs:

- (a) For the Council to operate efficiently and effectively;
- (b) For the Council to concentrate on its policy making role;
- (c) For the Chief Executive and officers to implement Council policy and administer Council facilities and provide the agreed services;
- (d) For the Council operations to be carried out in an open and fair manner;
- (e) For those with responsibility for a task or function to have the authority necessary to carry it out effectively;
- (f) For all statutory requirements to be properly observed.

Other principles followed within the Officer Delegations Manual are that:

- (a) Delegations will normally be made to positions, not to specific people, unless required otherwise by statute or special circumstances;
- (b) Delegations, and any changes to delegations, must be recorded in the Officer Delegations Manual; and
- (c) Decisions made by officers under delegated authority cannot be subsequently overturned by the Council.

The Officer Delegations Manual is central to the concept of the division between governance and management activities, and defines and authorises the scope of Council's delegations to the Chief Executive, and the Chief Executive's delegations to other Group Managers and officers. Other aspects of the local authority's work programme can be delegated by Council resolution, including the work programmes included in each Annual Plan – separate delegations are not required for officers to undertake any work included in such plans as adopted by Council resolution.

The Officer Delegations Manual also includes specific delegations relating to finance, the regulatory functions of Council, and specific responsibilities conferred on Council through legislation.

4.1 Signing and Sealing of Formal Documents

The Mayor, Deputy Mayor, or any other two elected members acting at the specific request of the Mayor or Chief Executive, are authorised to sign (including under seal if required by law), all formal documents (including leases), provided those documents have been checked and approved by a Council officer or legal adviser. All documents so signed shall be reported to a subsequent meeting of the Council.

4.2 Power to Enter into Contracts

The Council may delegate to any committee or to the Chief Executive or any other officer the power to enter into contracts.

5.0 Committee Functions and Delegations

5.1 General Terms of Reference

The following principles are applicable to all committees of Nelson City Council.

- 5.1.1 Committees must have at least three members, at least one of whom must be an elected member of Nelson City Council. The Mayor is a member of every Governing committee. Nelson City Council officers may not be appointed as committee members.
- 5.1.2 A person who is not an elected member of Nelson City Council may be appointed to any committee or sub-committee, within the constraints of relevant legislation, if they have skills, attributes or knowledge that will assist the work of the committee.
- 5.1.3 Committees are not obliged to exercise their delegations. Where there is significant difference of opinion amongst committee members, the Committee should consider referring the matter to Council for debate and determination.
- 5.1.4 Committees may appoint sub-committees and/or further delegate their responsibilities. Any further delegations of an on-going nature are to be recorded in writing and included within the Delegations Register.
- 5.1.5 Any policies set by Committees under delegated authority must comply with any applicable legislation, and must not conflict with Council policy or provide for expenditure for which Council has made no allocation.
- 5.1.6 A committee may consider new policy proposals not allowed for in Council's estimates of expenditure, Annual Plan or Long Term Plan, with a view to recommending its adoption by Council.
- 5.1.7 A committee may consider new expenditure not allowed for in Council's estimates of expenditure, Annual Plan or Long Term Plan, with a view to recommending its adoption by Council.
- 5.1.8 Where a committee has the delegated authority to formulate policy in respect of any matter, it shall also have the delegated authority to make decisions on any application made to the Council in accordance with or pursuant to that policy, unless or until such authority is specifically delegated to any other committee or officer.
- 5.1.9 A committee should be conscious of the needs and wishes of the community when setting policy, and to that end may consult with interested groups or organisations, within the context of consultation processes established by Council.
- 5.1.10 In conjunction with points 5.1.3 and 5.1.9 a committee should be mindful of Council's Significance and Engagement Policy and consider whether matters of high significance should be considered by the Committee or referred to Council.
- 5.1.11 Unless explicitly specified, each committee's powers are restricted to the areas of responsibility of that committee.
- 5.1.12 All committee have the following responsibilities:
 - Identifying and monitoring outcomes, visions, performance measures and indicators in their areas of responsibility, for input into the Council's Long Term Plan and Annual Plans;
 - Developing policy within their areas of responsibility;
 - Monitoring performance, including budget and performance targets and indicators for the Long Term Plan within their areas of responsibility;

- Making recommendations to Council in relation to the setting of Council fees, charges and subsidies in respect of their areas of responsibility;
- Providing legislation and policy responses relevant to their areas of responsibility.

5.2 Joint Local Authority Committees

The Council may unite with any one or more local authority or other public bodies in appointing a joint committee in accordance with Schedule 7 clause 30A of the Local Government Act 2002.

Any committee so appointed will be considered to be both a committee of Nelson City Council and a committee of the other local authority or public body, unless otherwise specified by legislation. In forming any such committee Council must reach agreement with the other local authorities or public bodies involved which must specify the number of members, how the chairperson and deputy are to be appointed, the terms of reference of the committee, what responsibilities are to be delegated to the committee and how the agreement may be varied.

The powers to discharge any individual member and appoint another will be exercisable by the local authority or public body that made the appointment.

5.3 Appointing External Persons onto Council Committees

Council has adopted a 'Policy for the Selection, Appointment and Remuneration for External Appointees on Council Committees' (A1181155). The current policy provides:

- (a) The selection process for potential external appointees;
- (b) The process for appointment of external appointees;
- (c) Remuneration for external appointees to Governing Committees
- (d) Remuneration for external appointees to Single Purpose Committees;
- (e) Training for external appointees; and
- (f) Provision for a mid-triennium effectiveness review of the addition of external appointees.

This policy applies to external appointments of all committees, aside from the District Licensing Committee (governed by the Sale and Supply of Alcohol Act 2012), the appointment of an NZTA representative to the Regional Transport Committee (governed by the Land Transport Management Act 2003), and the appointment of Independent Commissioners to Hearings Panel – Resource Management Act or Hearing Panel – Other (see section 5.5 below).

5.4 Payment for Committee Meetings

As a general rule, under the Council's remuneration system for elected members, no meeting allowance is payable to Nelson City Councillors or the Mayor for attending Committee meetings, whether joint committees or otherwise.

Exceptions to this general rule exist for the District Licensing Committee (remuneration for which is determined by legislation) and the Hearings Panel – Resource Management Act (remuneration for which is determined by the Remuneration Authority).

Where the Council appoints a person from outside the Council to represent its interests on any committee or organisation a meeting fee will be paid in accordance with the Policy for the Selection, Appointment and Remuneration for External Appointees on Council Committees.

5.5 Operation of Hearings Panels

The Hearings Panel – Resource Management Act, and the Hearings Panel – Other relate to Council's Regulatory functions. Neither has a set membership of particular elected or externally appointed members, nor a standing chairperson.

Hearings Panels are scheduled to occur fortnightly, as and when required.

Each meeting of either Hearings Panel is convened as a new meeting and a Chairperson is appointed from among the pool of:

- Commissioners, in the case of a Hearings Panel – Resource Management Act; or
- Councillors, in the case of a Hearings Panel – Other.

A fee payable to the Chairperson or Members of a Hearings Panel – Resource Management Act is set by the Remuneration Authority.¹⁰

The current fee is:

- Chairperson - \$100/hour
- Members - \$80/hour

Preparation time of up to the time of the duration of the hearing may be remunerated at the same rates.

No fees are payable to any Councillors or other externally appointed members sitting on a Hearings Panel – Other.

¹⁰ Remuneration Authority – Local Authority Elected Member Remuneration Setting 2013.

6.0 Committees Established by Nelson City Council

6.1 Community Services Committee

6.1.1 Areas of Responsibility:

- Arts and culture grants
- Arts Strategy
- Festivals and Events, including related policies
- Community Development, including related policies
- The provision and operation of recreation and leisure facilities and services, including reserves, parks, sports fields, swimming pool facilities and motor camps
- The provision and operation of cemeteries and crematoria
- The provision and operation of libraries
- The provision and operation of community housing
- Heritage facilities
- The provision and operation of the Marina and Marina activities
- Youth Council

6.1.2 Powers to Decide:

- Community Assistance Grants
- Approval of projects within the areas of responsibility of this committee, and included in Council's Annual Plan/Long Term Plan
- The approval of tenders for new capital and renewal projects, within the areas of responsibility of this committee, and included in Council's Annual Plan/Long Term Plan
- To hear and deliberate on submissions for Special Consultative Procedures falling within the areas of responsibility
- Lodge and present submissions to external bodies on policies and legislation relevant to the areas of responsibility

6.1.3 Powers to Recommend:

- To approve statements of proposals for Special Consultative Procedures falling within the areas of responsibility
- Final decisions on Special Consultative Procedures falling within the areas of responsibility
- Asset and Activity Management Plans falling within the areas of responsibility
- Development or review of policies and strategies relating to areas of responsibility
- Any other matters within the areas of responsibility noted above

6.2 Governance Committee

6.2.1 Areas of Responsibility:

- Coordination and development of all policies specified in the Local Government Act 2002 for Annual Plan and Long Term Plan development
- Rating systems and policies, including policies regarding rates relief, rates remission and rates postponement
- Council's Treasury function
- Audit of Council's Annual Report and annual accounts (with approval of these by full Council)
- Development contributions
- Oversight of audit process and management of financial risks
- Liabilities and corporate risk management
- All matters relating to Council Controlled Organisations and Council Controlled Trading Organisations, including statements of intent, half yearly reports, and the appointment of directors
- Monitoring the performance of Council-Controlled Organisations and Council Controlled Trading Organisations
- Business, economic development and tourism in Nelson
- Monitoring of Council's financial and service performance
- Monitoring of health and safety in the organisation
- Reviews of specific activity areas within Council
- Forestry
- Civil Defence Emergency Management activities
- Rural Fire activities
- Oversight of Council's Health and Safety obligations
- Iwi Memorandum of Understanding
- Sister City relationships and issues

6.2.2 Powers to Decide:

- To write off outstanding accounts receivable or remit fees and charges of amounts over \$2500
- Events Strategy Fund Applications up to \$100,000
- To hear and deliberate on submissions for Special Consultative Procedures falling within the areas of responsibility
- Lodge and present submissions to external bodies on policies and legislation relevant to the areas of responsibility

6.2.3 Powers to Recommend:

- To approve statements of proposals for Special Consultative Procedures falling within the areas of responsibility
- Final decisions on Special Consultative Procedures falling within the areas of responsibility
- To monitor and report on the overall financial performance of Council
- Activity Management Plans falling within the areas of responsibility
- To recommend the Annual Report to Council for adoption

- To review rating systems, including any necessary public consultation, for recommendation to full Council
- Sale or purchase of any land or buildings
- To approve relationships including governance structures with external organisations where transfer of assets may result
- To approve, alter, amend or otherwise require documents from Nelson City Council Controlled Organisations and Nelson City Council Controlled Trading Organisations, including statements of intent, half yearly reports and appointments of directors
- Development or review of policies and strategies relating to areas of responsibility
- Iwi memorandum of understanding
- Any other matters within the areas of responsibility noted above

6.3 Planning and Regulatory Committee

6.3.1 Areas of Responsibility:

- Developing and monitoring policies relating to:
 - Environmental matters
 - Public health and safety
 - Resource management
 - Discharges, including noise, natural and physical hazards
 - Building control
 - Parking Policy and Regulation
 - Animals and dogs
 - Amusement Devices
 - Food handling
 - Maritime and harbour safety and control
 - Marine pollution and coastal management
- Reviewing and developing amendments where necessary to the Land Development Manual, the Regional Policy Statement and the Nelson Resource Management Plan
- Environmental monitoring
- Performance monitoring of Council's regulatory activities
- Heritage policies and strategies

6.3.2 Powers to Decide:

- To perform all functions, powers and duties relating to the areas of responsibility conferred on Council by relevant legislation
- To hear and deliberate on submissions for Special Consultative Procedures falling within the areas of responsibility
- Lodge and present submissions to external bodies on policies and legislation relevant to the areas of responsibility

6.3.3 Powers to Recommend:

- To approve statements of proposals for Special Consultative Procedures falling within the areas of responsibility
- Final decisions on Special Consultative Procedures falling within the areas of responsibility
- Activity Management Plans falling within the areas of responsibility
- Any alterations necessary to the Land Development Manual, the Regional Policy Statement and Nelson Resource Management Plan
- Development or review of policies and strategies relating to the areas of responsibility
- Any other matters within the areas of responsibility noted above

6.4 Works and Infrastructure Committee

6.4.1 Areas of Responsibility:

- The provision, operation and maintenance of roads, streets, bridges, cycleways and walkways and public transport (including footpaths, landscaping and ancillary services and facilities, street lighting, and traffic management control)
- The provision, operation and maintenance of water, wastewater and storm water, including collection, treatment, reticulation and disposal
- The provision, operation and maintenance of solid waste services, including kerbside solid waste and recycling collection services, landfills and transfer stations, and community education
- The operation and maintenance of building services and structures
- To the extent required to serve the areas of responsibility of the Works and Infrastructure Committee, any land acquisition, sale, leasing or disposal, management and development

6.4.2 Powers to Decide:

- To perform all functions, powers and duties relating to the areas of responsibility conferred on Council by relevant legislation
- Hear and consider applications for road stopping
- The approval of tenders for new capital and renewal projects, within the areas of responsibility of this committee, which are included in Council's Annual Plan/Long Term Plan
- Approval of leases and licences relating to any land and buildings falling within the areas of responsibility
- To hear and deliberate on submissions for Special Consultative Procedures falling within the areas of responsibility
- Lodge and present submissions to external bodies on policies and legislation relevant to the areas of responsibility

6.4.3 Powers to Recommend:

- To approve statements of proposals for Special Consultative Procedures falling within the areas of responsibility
- Final decisions on Special Consultative Procedures falling within the areas of responsibility
- Asset and Activity Management Plans falling within the areas of responsibility

- Any actions required under the Public Works Act 1981 falling within the areas of responsibility
- Land sales and purchases falling within the Committee's area of responsibility
- Development or review of policies and strategies relating to areas of responsibility
- Any other matters within the areas of responsibility noted above

6.5 Chief Executive Employment Committee

6.5.1 Areas of Responsibility:

- To review the Chief Executive's performance
- To review the Chief Executive's remuneration
- To address any employment related issues as may from time to time arise between the Chief Executive and Council

6.5.2 Powers to Recommend:

- To recommend to Council a performance agreement between the Chief Executive and Council
- To recommend to Council the outcome of an externally facilitated performance review involving the whole of Council
- To recommend to Council any personal development opportunities for the Chief Executive
- To review annually the Chief Executive's remuneration and make recommendations to Council
- To recommend to Council any action arising from employment related issues

6.6 Civil Defence Emergency Management Group

The Committee consists of the Mayor and Deputy Mayors of Nelson City Council and Tasman District Council.

6.6.1 Functions:

- Under the Civil Defence Emergency Management Act 2002, the functions of a Civil Defence Emergency Management Group, and of each member, are to—
 - in relation to relevant hazards and risks:
 - ❖ identify, assess, and manage those hazards and risks
 - ❖ consult and communicate about risks
 - ❖ identify and implement cost-effective risk reduction
 - take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management in its area
 - take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information, and any other resources for effective civil defence emergency management in its area
 - respond to and manage the adverse effects of emergencies in its area
 - carry out recovery activities
 - when requested, assist other Groups in the implementation of civil defence emergency management in their areas (having regard to the competing civil defence emergency management demands within the Group's own area and any other requests for assistance from other Groups)
 - within its area, promote and raise public awareness of, and compliance with, this Act and legislative provisions relevant to the purpose of this Act
 - monitor and report on compliance within its area with this Act and legislative provisions relevant to the purpose of this Act

- develop, approve, implement, and monitor a civil defence emergency management group plan and regularly review the plan
- participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan
- promote civil defence emergency management in its area that is consistent with the purpose of this Act.
- The Civil Defence Emergency Management Group also has any other functions that are conferred or imposed by or under this Act or any other enactment.

6.6.2 Specific delegations:

- The Civil Defence Emergency Management Group has all the powers that are reasonably necessary or expedient to enable it to perform its functions, including the power to delegate any of its functions to members, the Group Controller, or other persons.
- Without limiting the generality of section 6.6.1. above, the Group may:
 - recruit and train volunteers for civil defence emergency management tasks
 - conduct civil defence emergency management training exercises, practices, and rehearsals
 - issue and control the use of signs, badges, insignia, and identification passes authorised under this Act, regulations made under this Act, or any civil defence emergency management plan
 - provide, maintain, control, and operate warning systems
 - provide communications, equipment, accommodation, and facilities for the exercise of its functions and powers during an emergency
 - exercise any other powers that are necessary to give effect to any civil defence emergency management plan or in response to a civil defence emergency
- The Chairperson alternates between the Mayors of Nelson City Council and Tasman District Council.

6.7 District Licensing Committee

Appointment of members to, and operation of the District Licensing Committee, is governed by the Sale and Supply of Alcohol Act 2012.

6.7.1 Functions and Delegations:

- To consider and determine applications for licences and manager's certificates, applications for renewals of licences and manager's certificates, applications for variations of licences, applications for temporary authority to carry on the sale and supply of alcohol, applications for special licences and applications for the variation, suspension or cancellation of special licences.
- To refer applications to the licensing authority, with the leave of the Chairperson of the licensing authority
- To conduct inquiries and make reports as required by the licensing authority
- To carry out any other functions conferred on licensing committees by the Sale and Supply of Alcohol Act 2012 or any other enactment

6.8 Joint Committee of Tasman District and Nelson City Councils

6.8.1 Areas of Responsibility:

- Matters relating to Statements of Expectation for all jointly owned Council Controlled Organisations and Council Controlled Trading Organisations
- Receipt of six monthly presentations from Port Nelson Limited, Nelson Airport Limited and Tasman Bays Heritage Trust and from Nelson Tasman Tourism and the Nelson Regional Economic Development Agency (owned solely by Nelson City Council)

6.8.2 Powers to Decide:

- To determine the strategic direction to be given to jointly owned CCOs and CCTOs through Statements of Expectation

6.8.3 Quorum:

- The quorum at a meeting of the Joint Committee is set as outlined in Model Standing Orders NZS 9202:2003 at 14, being a majority of members as the membership is an odd number. Of that quorum of 14 members at least five must be from each local authority.

6.8.4 Procedure:

- Standing Orders to be applied at each meeting shall be Model Standing Orders NZS 9202:2003
- The Chairperson shall alternate each meeting between the Mayor of Nelson City Council and the Mayor of Tasman District Council. In the absence of either Mayor, the committee will elect a chair as its first item of business for that meeting. No deputy chairperson shall be appointed.
- The Chairperson shall not have a casting vote
- These delegations/terms of reference may be varied by resolution of both Councils and any such resolution shall carry the rider that it shall be subject to adoption by the other Council
- The power to discharge any individual member and appoint another in his or her stead must be exercised by the local authority that made the appointment
- Minutes of meetings of the Joint Committee will be resolved to be received by each Council for record keeping purposes

6.9 Nelson City Council Tasman District Council Joint Shareholders Committee

6.9.1 Areas of Responsibility:

- All matters relating to jointly owned Council Controlled Organisations and Council Controlled Trading Organisations, including statements of intent, statements of corporate intent, half yearly reports, the appointment of directors and setting of directors' fees

6.9.2 Powers to Decide:

- All matters relating to jointly owned Council Controlled Organisations and Council Controlled Trading Organisations, including statements of intent, statements of corporate intent, half yearly reports, the appointment of directors and setting of directors' fees

6.9.3 Quorum:

- The quorum at a meeting of the Joint Shareholders Committee is set as outlined in Model Standing Orders NZS 9202:2003 at 6, being half of the

members as the membership is an even number. Of that quorum of 6 members at least 3 must be from each local authority.

6.9.4 Procedure:

- Standing Orders to be applied at each meeting shall be Model Standing Orders NZS 9202:2003
- The Chairperson shall alternate each meeting between the Mayor of Nelson City Council and the Mayor of Tasman District Council. In the absence of either Mayor, the committee will elect a chair as its first item of business for that meeting. No deputy chairperson shall be appointed.
- The Chairperson shall not have a casting vote
- These delegations/terms of reference may be varied by resolution of both Councils and any such resolution shall carry the rider that it shall be subject to adoption by the other Council
- The power to discharge any individual member and appoint another in his or her stead must be exercised by the local authority that made the appointment
- Minutes of meetings of the Joint Shareholders Committee will be resolved to be received by each Council for record keeping purposes

6.10 Nelson Regional Sewerage Business Unit

6.10.1 Delegations:

- Power to represent the Nelson City Council on all matters of management, administration and operation of the Nelson Regional Sewerage Business Unit

6.11 Regional Transport Committee

Operation of the Regional Transport Committee is governed by the Land Transport Management Act 2003.

6.11.1 Functions:

- To prepare a Regional Land Transport Plan, or any variation of the Plan, for the approval of Council
- To provide Council with any advice and assistance Council may request in relation to its transport responsibilities

6.11.2 Specific Delegations:

- To develop a Regional Land Transport Strategy (RLTS)
- To develop a Regional Land Transport Programme (RLTP)
- To undertake any variations or changes to the RLTS or RLTP
- To develop any Regional fuel tax scheme authorised by the legislation

6.12 Resource Management Act Procedures Committee

6.12.1 Functions:

- To deal with administrative and procedural matters related to appeals to the Nelson Resource Management Plan (NRMP) and regional plans and policy statements and any changes thereto
- The Committee is to report all matters that it considers may have policy or wider implication for the Council or Nelson community, to the Council
- To determine the strategy or extent of any changes or variations to decisions which Council has made on the NRMP, regional plans or policy statements, to

be followed in any arbitration, mediation, or appeal before the Environment Court

- To deal with administrative and procedural matters related to matters of national significance and matters arising from resource consents and plan changes to be determined by a Board of Inquiry or direct referral to the Environment Court including decisions to lodge appeals on resource consents

6.12.2 Delegations:

- In consultation with Council's legal advisers and Group Manager Strategy and Environment, power to enter into negotiations about and agreeing to, costs, consent orders, withdrawals and modifications during the course of any reference (and associated appeals on the NRMP, Regional Plan, or policy statements) before the Environment Court. The Committee is to report all outcomes to the Council
- Power to authorise staff to negotiate, mediate or arbitrate consent orders where appropriate and consistent with the above
- Authority to waive requirements as to time limits, service, documentation and related administrative and procedural matters
- Power to decide to lodge submissions to resource consent in another jurisdiction
- Power to lodge appeals on resource consents in other jurisdictions where the Council was a submitter
- Power to lodge appeals on the decisions of a requiring authority or heritage protection authority
- Power to lodge appeals at the High Court on points of law arising from a decision of a Board of Inquiry or Environment Court in consultation with the solicitors acting for the Council. All decisions are to be reported to the Council

6.13 Hearings Panel – Resource Management Act

6.13.1 Functions:

- To conduct hearings and/or determine under delegated authority applications for consent and all other matters required to be heard and determined by way of hearing under the Resource Management Act 1991

6.13.2 Membership:

- All Commissioners, being Councillors who have successfully completed a "Making Good Decisions" or other appropriate Resource Management Act Course
- The Group Manager Strategy and Environment may appoint a Chairperson, and one or more Commissioners, to constitute the Hearings Panel – Resource Management Act in relation to any particular application under the Resource Management Act 1991
- The Group Manager Strategy and Environment may appoint one or more Independent Commissioners to either assist the Hearings Panel or to hear and determine any particular application, such as when Council is an interested party

6.13.3 Specific delegations:

- Power to hear and determine contested resource consent applications
- Power to hear and determine uncontested resource consent applications, or applications for reduction of esplanade reserve or proposals for reserves, not consented to by the Group Manager Strategy and Planning, Manager Resource Consents or Team Leader Resource Consents

- Power to hear and determine all objections to decisions on fees and extensions of time, and changes of conditions
- Power to hear and determine all publicly notified applications for Certificate of Compliance or Existing Use Certificates or cancellations of consents
- Power to review the conditions of a resource consent and the power to hear and determine the same. (Section 128 RMA)
- Power to refuse subdivision consent (section 106 RMA)

6.14 Hearings Panel – Other

6.14.1 Functions:

- To conduct hearings and/or determine under delegated authority applications relating to the Dog Control Act 1996, the Fencing of Swimming Pools Act 1987, and any other legislation as determined by the Council

6.14.2 Membership:

- All Councillors, for matters relating to the Dog Control Act 1996, the Fencing of Swimming Pools Act 1987, and other matters not covered by the Resource Management Act 1991
- Councillors appointed as Chair of any panel shall be drawn from those who have successfully completed the Chairs' course of the "Making Good Decisions" or other appropriate training course
- The Group Manager Strategy and Environment may appoint one or more Independent Commissioners to either assist the Hearings Panel or to hear and determine any particular application, such as when Council is an interested party, other than applications made under the Fencing of Swimming Pools Act 1987

6.14.3 Specific delegations:

- The power to appoint a panel to hear and determine with any other consent authority any application requiring a joint hearing
- The power to hear and recommend appropriate actions from hearings of designations and heritage orders
- The power to hear, consider and attempt to resolve contested road stopping procedures
- The power to hear and determine all matters arising from the administration of the Building Act 1991, and the Building Act 2004
- The power to consider and determine applications for exemptions from the Fencing of Swimming Pools Act 1987
- The power to hear and determine objections to the classification of dogs, and all other procedural matters for which a right of objection and hearing is provided for under the Dog Control Act, 1996; and to recommend changes to the Council's Dog Control Policy and Dog Control Bylaw
- The power to name all features within the city requiring naming including roads, streets, service lanes, plazas, parking areas, parks, reserves, gardens and all public facilities or infrastructure¹¹
- The power to provide advice to applicants on appropriate names for private roads, rights of way or other legal forms of private access to property

¹¹ Where the naming of a feature impacts upon an existing or potential naming rights agreement (as defined by the Naming Rights and Sponsorship Policy for Community Services Facilities), it should be approved by Council.

6.15 Advertising Commercial Sexual Services Panel

6.15.1 Functions:

- The Advertising Commercial Sexual Services Bylaw (No. 208) establishes an Advertising Commercial Sexual Services Panel made up of the Mayor and two other elected members

6.15.2 Delegations:

- Under the Bylaw, the Panel has the authority to determine whether any sign or material for the purposes of advertising any commercial sexual service may reasonably be deemed likely to:
 - cause nuisance or serious offence to any ordinary member of the public, or
 - be incompatible with the existing character of the area.

7.0 Working Parties

7.1 Establish Working Parties

From time to time, Council or committees may choose to establish working parties. Working parties may provide a useful way for Councillors/committee members to engage on a particular issue, particularly in an investigative, advisory or fact-finding role with regards to the issue.

7.1.1 Functions:

- Working parties are groups set up with delegated authority to undertake any investigation, fact-finding or consultation on a particular issue, as required by the terms of reference, and within the scope of the terms of reference of the working party
- As a general rule, working parties have no power to decide on matters within the terms of reference. However, they retain the power to make recommendations to the extent allowed under the working party's terms of reference, and on matters which are within the scope of the terms of reference

7.1.2 Establishment of Working Parties:

- Working parties must be established by Council or Committee resolution, following consideration of whether a working party will provide the best outcome in relation to an issue. The Council/Committee may consider whether arrangements, such as holding workshops or engaging in community engagement may provide a better outcome for a particular issue.
- Any resolution establishing a Working Party should utilise the Template to create a Working Party (A1216182) and clearly define:
 - The terms of reference for the working party, including its purpose, and the scope of its investigative, fact-finding roles or any other role as specified in the terms of reference;
 - Membership of the working party, including council or committee members by name, and any other stakeholders or community representatives to be included in the process;
 - The Chairperson of the Working Party;
 - The role of the chair, staff and any other stakeholders;
 - Processes around conflicts of interest by any working party members; and
 - Reporting of work undertaken by the working party
- If not otherwise established in the terms of reference, all working parties should be disbanded by resolution once final recommendations have been made to Council/the relevant committee.
- In the absence of any such resolution, and unless otherwise specified, all working parties will be considered to have been disbanded if they have not met for a period of six months.

8.0 Council-Controlled Organisations and Other Organisations

8.1 Appointments to Council Controlled Organisations

From time to time the Council may appoint directors or trustees to the boards or management committees of companies and organisations associated with the Council. These appointments will be made in accordance with the Council's policy for the appointment of directors and trustees (A284857).

8.1.1 The current policy provides:

- The selection of potential directors;
- The process for appointment of directors;
- The remuneration of directors; and
- The re-appointment of directors

The Council may also make appointments to Council Controlled Organisations jointly with the Tasman District Council, as set out in the policy regarding the joint appointment to Council Controlled Organisations (A537882).

8.1.2 The current policy also provides:

- The selection of potential directors;
- The process for appointment of directors;
- The remuneration of directors; and
- The re-appointment of directors

8.2 Appointments to Other Organisations

From time to time, Council may appoint elected members or other persons to Council organisations or other organisations.

8.2.1 Elected members appointed to other organisations have the following roles:

- **Liaison:** to be an interface between the Council and the organisation;
- **Engagement:** to involve people and organisations in the decisions that affect them; and
- **Representation:** to represent Council's financial or other interests in an organisation.

SCHEDULES

Schedule One - Members of Committees

Mayor

- Rachel Reese

Deputy Mayor

- Paul Matheson

Committees

Community Services Committee

- Councillor Rainey (Chairperson)
- Councillor Noonan (Deputy Chairperson)
- Councillor Copeland
- Councillor Lawrey
- Councillor Matheson
- Councillor Skinner
- Councillor Ward
- Mayor

Governance Committee

- Councillor Barker (Chairperson)
- Councillor Acland (Deputy Chairperson)
- Councillor Davy
- Councillor Fulton
- Councillor McGurk
- Councillor Matheson
- Councillor Noonan
- Councillor Rainey
- Mayor
- John Murray (external appointment)
- John Peters (external appointment)

Planning and Regulatory Committee

- Councillor McGurk (Chairperson)
- Councillor Fulton (Deputy Chairperson)
- Councillor Barker
- Councillor Copeland
- Councillor Davy
- Councillor Lawrey
- Councillor Ward
- Mayor
- Glenice Paine (external appointment)

Works and Infrastructure Committee

- Councillor Davy (Chairperson)
- Councillor Lawrey (Deputy Chairperson)
- Councillor Acland
- Councillor Barker
- Councillor Copeland
- Councillor Noonan
- Councillor Skinner
- Mayor

Chief Executive Employment Committee

- Mayor
- Deputy Mayor
- Councillor Acland

Civil Defence Emergency Management Group

- Mayor
- Deputy Mayor

Note: This Committee also includes the Mayor and Deputy Mayor of Tasman District Council.

District Licensing Committee

- Oke Blaikie (Chairperson, external appointment)
- Councillor Barker (Deputy Chairperson)
- Councillor Fulton
- Councillor Matheson
- Mayor
- Gail Collingwood (external appointment)
- Derek Shaw (external appointment)

Joint Committee of Tasman District and Nelson City

Chairperson: Alternating (see procedure)

Deputy Chairperson: None

- Mayor
- Deputy Mayor
- All Councillors (11)

Note: This committee also includes The Mayor, Deputy Mayor and 12 Councillors of Tasman District Council giving a total of 27 members for the Committee

Nelson City Council Tasman District Council Joint Shareholders Committee

Chairperson: Alternating (see procedure)

Deputy Chairperson: None

- Mayor
- Deputy Mayor
- Chairperson Community Services Committee
- Chairperson Governance Committee
- Chairperson Planning and Regulatory Committee
- Chairperson Works and Infrastructure Committee

Note: This Committee also includes The Mayor, Deputy Mayor and Committee Chairs (3 not including the Deputy Mayor) and Deputy Chair of the Corporate Services Committee of Tasman District Council giving a total of 12 members for the Committee

Nelson Regional Sewerage Business Unit

- Councillor Copeland
- Derek Shaw (external appointment)

Note: This Committee also includes two representatives from Tasman District Council, an independent member, a representative of the Nelson Regional Sewerage Scheme Customer Group, and an Iwi representative.

Regional Transport Committee

- Councillor Davy (Chairperson)
- Councillor Copeland (Deputy Chairperson)
- Councillor McGurk
- Mayor
- New Zealand Transport Agency Representative

Resource Management Act Procedures Committee

- Mayor
- Deputy Mayor
- Councillor Fulton

Hearings Panel – Resource Management Act

- Commissioner Barker (Chair accredited)
- Commissioner Davy
- Commissioner Fulton
- Commissioner McGurk
- Commissioner Reese (Chair accredited)
- Commissioner Skinner

Hearings Panel - Other

- All Councillors

Advertising Commercial Sexual Services Bylaw Panel

- Mayor
- Councillor Acland
- Councillor Matheson

Schedule Two - Council Controlled Trading Organisations (CCTOs)

Note: As shareholder, Council has one vote at Annual General Meetings for Council Controlled Trading Organisations which are companies not trusts. In these cases that vote cascades as follows, depending on attendance:

Mayor

Deputy Mayor

Chairperson Governance Committee

Other Committee Chairperson

Other Councillors

Nelmac Ltd

Directors:

- Agnieszka Grudzinska
- Robert Gunn
- David Kenning
- Sara Jane Weir

Nelson Airport Ltd (Joint CCTO with Tasman District Council)

Directors jointly appointed with Tasman District Council:

- Matt Clarke
- Paul Steere
- Catherine Taylor

Director appointed by Nelson City Council:

- Paul McGuinness

Director appointed by Tasman District Council:

- Judene Edgar

Tourism Nelson/Tasman Ltd

Directors jointly appointed with Tasman District Council:

- Terry Horne
- Larry Lumsden
- Sharon McGuire
- Phillip Taylor

Other Commercial Trading Enterprises, but not classified as a CCTO

Port Nelson Ltd (Joint with Tasman District Council)

Directors jointly appointed with Tasman District Council:

- Phil Lough
- Bronwyn Monopoli
- Nick Patterson
- Peter Schuyt

Director appointed by Nelson City Council:

- Paul Le Gros

Director appointed by Tasman District Council:

- Tim King

Schedule Three - Council Controlled Organisations (CCOs)

CCOs are organisations that a local authority controls 50% or more of the voting rights, or rights to appoint directors.

The Nelson Regional Economic Development Agency

This is an independent trust.

There are no Councillor representatives.

Members of the Trust are:

- Paul Dalzell
- Ifor Ffowcs-Williams
- Ropata Taylor
- Robin Whalley

The Bishop Suter Trust

This is an independent Trust.

There are no Councillor representatives.

Members of the Trust are:

- John Hambleton
- Gabrielle Hervey
- Ian McLennan
- Craig Potton
- Vacant

The Tasman Bays Heritage Trust (Joint with Tasman District Council)

This is an independent trust.

There are no Council representatives.

Members of the Trust are:

- Aaron Brown
- Chris Bowater
- Olivia Hall
- Phillip Thomason
- Liz Richards
- Terry Horne

The City of Nelson Civic Trust

The Mayor is Patron, and the Chief Executive is an ex officio member.

Other members of the Trust are:

- Roger Nicholson (Chair)
- Rachel Dodd
- Murray Farrant
- Mary Gavin
- Jeremy Glasgow
- Kay Hill
- Cathy Knight
- Hamish Neale
- Glenn Roberts

Nelson Municipal Band

- Mayor
- Manager of the Council's Bank, Jane McSpirit
- President of the Band, Pat Heaphy

Schedule Four - Council Organisations (COs)

COs are organisations in which one or more local authorities controls any proportion of the voting rights or rights to appoint a director/trustee.

Arts Council Nelson

- Councillor Ward

Broadgreen Society

- Councillor Noonan

Cawthron Institute Board

- Mayor (appointed by Parliament to the Mayor)

Eelco Boswijk Civic Awards (previously Community Spirit Awards)

- Mayor
- Councillor Davy
- Councillor Fulton
- Councillor Matheson
- Councillor Rainey
- Councillor Skinner

Kahurangi Employment Trust

- Councillor Fulton
- Councillor Lawrey

Nelson Tasman Business Trust

- Councillor Copeland

Nelson Tasman Mayoral Relief Trust

- Mayor
- Deputy Mayor

Note: the Trust also includes the Mayor and one Councillor of Tasman District Council plus one other member appointed by the four elected members.

Safer Community Council

- Councillor McGurk

Sport Tasman Trust

- Councillor Skinner

Tahunanui Beach Holiday Park

- Councillor Davy

Talking Heads

- Mayor
- Deputy Mayor

Top of the South Scenic and Heritage Trails Trust

- Mayor

Trustpower Community Awards

- Mayor
- Councillor Barker

Whakatu Marae

- Mayor

Youth and Community Facilities Trust (The New Hub)

- Councillor Acland

Youth Nelson

- Councillor Acland

Council may also appoint elected representatives to organisations or forums where voting rights are not held. These include:

Community and Whanau Group

- Councillor Noonan
- Councillor Rainey

Nelson Youth Council

- Councillor Lawrey
- Councillor Rainey

Schedule Five - Other Organisations/Groups with Official Council Representation

Marina Users Group

- Councillor Barker
- Councillor Rainey

Sustainability Forum

- Councillor Copeland
- Councillor Fulton
- Councillor Lawrey
- Councillor Ward

Nelson Biodiversity Forum

- Councillor Davy
- Councillor Fulton
- Councillor McGurk

Nelson Tasman Connections Steering Group

- Mayor

Positive Ageing Forum

- Councillor Noonan

Sister Cities

- Mrs Gail Collingwood (Coordinator)
- Mayor
- Councillor Davy

Tasman Bay Heritage Trust Appointments Committee

- Councillor Barker
- Councillor Ward

Waimea Water Augmentation Committee

- Councillor Matheson

Community Action Youth and Drugs (CAYAD)

- Councillor Fulton
- Councillor McGurk

Nelson Tasman Housing Forum

- Councillor Ward

Waimea Inlet Forum

- Councillor Copeland
- Councillor McGurk
- Councillor Ward

Kotahitanga Hui

- All Councillors

Note: From time to time the Kotahitanga Hui may also include the Mayor and Councillors from Tasman District Council and Marlborough District Council.

Draft Regional Land Transport Plan – Release for Consultation

1. Purpose of Report

- 1.1 To approve the release of the draft Regional Land Transport Programme (RLTP)2015 - 2021 for consultation.

2. Delegations

- 2.1 The Regional Transport Committee (RTC) has delegated authority to prepare the RLTP in accordance with the requirements of the Land Transport Management Act 2003, and as amended by the Land Transport Management Amendment Act 2013.
- 2.2 The Regional Transport Committee at its meeting on 3 September 2014 delegated approval of the draft RLTP to Council for consultation.

AND THAT the Committee delegate approval to Council to amend the draft Regional Land Transport Plan following New Zealand Transport Agency moderation as the version to commence the Special Consultation Procedure with respect to the draft;

3. Recommendation

THAT the report draft Regional Land Transport Programme – Release for Consultation (A1272158) and its attachments (A1271105 and A1272010) be received;

AND THAT the Draft Regional Land Transport Plan (A1271105) and the Summary of Statement of Proposal (A1272010), incorporating any changes resolved by the Council, be released for consultation in accordance with Section 83 of the Local Government Act 2002;

AND THAT the Chief Executive is delegated authority to make any minor editorial changes;

AND THAT the Nelson Regional Transport Committee hear submissions on the draft Regional Land Transport Programme in February

2015 and report back to Council thereafter for adoption and submission to the New Zealand Transport Agency.

4. Background

- 4.1 The Land Transport Management Act 2003 requires Unitary Authorities to prepare a RLTP every six years and update it every three years.
- 4.2 The RLTP sets out how the region's land transport system will develop and identifies proposed regional transport activities for investment (local and/or central government) over the next ten years.
- 4.3 The plan's scope includes policy and activities related to road maintenance and improvements, public transport services and infrastructure, walking and cycling infrastructure, road safety education and transport planning.
- 4.4 The draft RLTP is a joint document with Tasman District Council and Marlborough District Council to enable the key transport objectives and policies to provide a joint voice when competing for central government funding. A section is also included in the plan for the objectives and policies that are more relevant to Nelson. This joint approach was endorsed by the RTC on 1 August 2014 and approved by Council on 28 August 2014.
- 4.5 The approved RLTP will replace the Regional Land Transport Strategy 2009 and Regional Land Transport Programme 2012-2022.
- 4.6 On the 9 October 2014 Council resolved as follows:

THAT Council approve the draft Regional Land Transport Plan as amended by the Regional Transport Committee on the 3 October 2014;

AND THAT Council approve the upload of the draft Regional Land Transport Plan onto the New Zealand Transport Agency website for moderation by 17 October 2014.

- 4.7 This moderation has not formally occurred as the NZ Transport Agency is unable to give formal feedback until the Government Policy Statement on Land Transport has been confirmed by the Government.
- 4.8 When the Regional Transport Committee has completed the special consultative procedure on the draft Regional Land Transport Plan, and completed hearings, it forwards it to Council for adoption and submission to the NZ Transport Agency by the 30 April 2015.

5. Discussion

- 5.1 The NZ Transport Agency have been unable to provide their moderation on the RLTP as originally intended as the Government Policy Statement

on Land Transport has yet to be confirmed by the Government. Officers propose in the absence of anything formal from NZ Transport Agency that the draft RLTP is released for public consultation with any changes or amendments from the NZ Transport Agency moderation be included either during the deliberations or just prior to final submission to the NZ Transport Agency.

5.2 Since the Council last received the Draft Regional Land Transport Plan on the 9 October 2014 the following sections have been altered.

- The Executive Summary has been completed
- The Regional Public Transport Plan has been included in Part G
- Appendix 5 has been populated with descriptions of the significant projects

6. Options

6.1 Consulting on the Draft RLTP is required by the Land Transport Management Act. It is not an option to not consult.

7. Assessment of Significance against the Council's Significance Policy

7.1 This is not a significant decision in terms of the Council's Significance Policy.

8. Alignment with relevant Council Policy

8.1 The draft RLTP will inform the preparation of the Long Term Plan 2015-25 and aligns with the Council's strategic documents. Any issues will be consulted on as part of the Long Term Plan and future Annual Plan process.

9. Consultation

9.1 The Council is required to give consideration to the views and preferences of affected or interested persons (LGA 2002 s78)

9.2 The Land Transport Management Act requires the Regional Transport Committee to consult in accordance with the consultation principles specified in section 82 of the Local Government Act 2002. The Regional Transport Committee may use the special consultative procedure specified in section 83 of the Local Government Act 2002. As the decisions arising from the draft RLTP are considered to be significant consultation in accordance with Section 83 of the Local Government Act 2002 is recommended.

10. Inclusion of Māori in the decision making process

10.1 Maori will have the opportunity to provide consultation feedback as part of the special consultative procedure.

11. Conclusion

- 11.1 The draft Regional Land Transport Programme has been discussed at a number of Council and Regional Transport Committee meetings over the last six months and is ready to go out to the public to seek their feedback.

Rhys Palmer

Senior Asset Manager –Transport and Roading

Attachments

Attachment 1: Draft Regional Land Transport Plan [A1271105](#)

Attachment 2: Summary of Statement of Proposal [A1272010](#)

Summary of Statement of Proposal - Nelson Regional Land Transport Plan

Nelson City Council is seeking submissions on the Draft Nelson Regional Land Transport Plan which also contains the Regional Public Transport Plan.

The Plan prioritises the transport projects for the next ten years and seeks funding for them.

The draft Plan has been prepared by the Regional Transport Committee and approved for public consultation by Nelson City Council.

The full Statement of Proposal – Draft Regional Land Transport Plan for Nelson 2015 -2021 is available from the Council office, Trafalgar Street or the Nelson, Tahunanui and Stoke Libraries. You can also view a copy on line at www.nelson.govt.nz. (search phrase = Regional Land Transport Plan).

Submissions are invited from Friday 21 November 2014 until 5pm Monday 22 December 2014.

Submissions are to be in writing and can be posted to Nelson City Council, PO Box 645, Nelson 7040 or emailed to submissions@ncc.govt.nz.

Anyone who wishes to speak in support of their submissions will be given an opportunity to do so.

For more information contact: Rhys Palmer, Senior Asset Manager - Roading and Transport, phone 546 0263 or email rhys.palmer@ncc.govt.nz.

Waimea Community Dam (Lee Valley Dam), Water Take from the Roding River, Maitai/Roding Resource Consent Matters and the Nelson City Council/Tasman District Council Engineering Services Agreement

1. Purpose of Report

- 1.1 To update Council on strategic issues and options for Nelson City arising from the water supply activity, including:
- Nelson City Council Water Supply and options for Council's future involvement with the construction and operation of the proposed water augmentation dam (Waimea Community Dam) at the Lee Valley in Brightwater;
 - The upcoming application for resource consents for the city's water supply abstraction and infrastructure in the Maitai River and Roding River; and
 - The Nelson City Council (NCC)/Tasman District Council (TDC) Engineering Services Agreement.

2. Delegations

- 2.1 The development of the Waimea Community Dam is a complex project that links environmental issues, water supply issues and governance issue relating to NCC and TDC. As no single committee of Council has the delegation to respond to all three issues this report comes directly to the full Council.

3. Recommendation

THAT the report Waimea Community Dam (Lee Valley), Water Take from the Roding River, Maitai/Roding Resource Consent Matters and the Nelson City Council/Tasman District Council Engineering Services Agreement (A1269513) and its attachments (A1247016, A1248296, A1246928, A1273950, A1222713, A1270411) be received;

AND THAT Council note an independent report on the economic benefit/cost to Nelson City that may arise from the construction and operation of the Waimea Community Dam has been commissioned;

AND THAT following completion of this work, Council consider appropriate provision in the Long Term Plan 2015-25 for a contribution towards the construction of the Waimea Community Dam, to allow consultation with the community as to quantum and conditions;

AND THAT the submission to the Tasman District Council Statement of Proposal for the Proposed Waimea Community Dam Funding & Governance Options be endorsed;

AND THAT the underlying philosophy of the Nelson City Council/Tasman District Council Engineering Services Agreement set out in this report be included in the upcoming Long Term Plan 2015-25;

AND THAT following consultation the Chief Executive be delegated the authority to complete the new agreement with Tasman District Council.

4. Executive Summary

- 4.1 The development of the proposed Waimea Community Dam is important to the economic future of the Waimea Plains. It is likewise pertinent to NCC at this point in time for the following reasons:
- TDC is coming to decision making time for the future stages of the proposed Waimea Community Dam and are looking for funders;
 - NCC draws water (under a resource consent) from the Roding River, a tributary of the Waimea River;
 - This water supply needs to be re-consented. Irrigators on the Waimea plains, through the Waimea Water Augmentation Committee, sees an inter-relationship between the above two bullet points.
- 4.2 The renewal of resource consents for water abstraction from, and structures in, the Maitai River and Roding River is due in 2017. Freshwater, planning and engineering consultants have been engaged to deliver separate programmes of work to support the resource consent application. The engagement of an experienced legal practitioner to lead the team will shortly be made.
- 4.3 TDC provides utility services to the Nelson South area of Wakatu Industrial estate and residential, educational and commercial properties adjacent Champion Road. These services are provided under an existing Engineering Services Agreement that is currently being re-negotiated.

5. NCC Water Supply – Water Take From the Roding River - Waimea Community Dam

Background

- 5.1 The background to the NCC Water Supply is outlined in detail in Attachment 1. The following section summarises that document.
- 5.2 NCC draws water from three sources, the dam on the north branch of the Maitai River (operational 1987), direct from the south branch of the Maitai River (since the early 1960's) and direct from the Roding River (since the 1940's).
- 5.3 Having three raw water sources for the city provides significant flexibility and security for the city. The day to day selection of water source is made by the operators of the Water Treatment Plant within the limits set by the appropriate resource consents. The Roding River supply makes up approximately 40% of the total volume abstracted and supplied to the city and is a critical part of the supply.
- 5.4 NCC has an obligation to supply TDC with 909m³ of water per day or 1/15 of the allowable abstraction from the Roding scheme as part of an agreement dating from July 1944 and confirmed as a result of arbitration in 1971.
- 5.5 Currently TDC takes only a fraction of the 909m³ per day, preferring to utilise their own sources. Should NCC be required to supply the full volume it is possible that approximately 300,000m³ per year would be supplied to TDC, closely approximating the volume supplied by TDC to Nelson City.
- 5.6 NCC abstracts approximately 7,200,000m³ - 8,500,000m³ of water per year from all sources and records supply through meters of approximately 5,000,000m³-6,000,000m³ of water per year. The balance is considered to be "un-accounted for water" and is made up of a number of items such as water used to flush lines, test fire flows, use by contractors, meter inaccuracy and losses through leaks and breaks.
- 5.7 NCC can currently treat (through the ultra filtration membrane treatment facility at the Tantragee) approximately 40,000m³ of water per day, rising to approximately 50,000m³ of water per day with the installation of the fifth filter train over the next two years. At 50,000m³ of water per day the raw water sources and treatment plant have sufficient capacity to supply and treat the water demand for the whole of Nelson City including the Nelson South section of the city up to Champion Road. However the city currently lacks the reticulation capacity to supply adequate fire flows to Nelson South. It is a fairly straightforward exercise for the city to provide these trunk mains at an estimated cost of \$3M.
- 5.8 TDC supplies water to the Nelson South area of the Wakatu industrial estate, properties on the North side of Champion Road, the Alliance Group Ltd (Alliance) processing plant and ENZA Group Services Ltd

(ENZA). This water is sourced from a well field adjacent the Waimea River, downstream of the Appleby Bridge, that draws from the underground aquifers feeding the Waimea Plains. Refer Attachment 2 for location plan.

- 5.9 TDC undertakes the administration, network operations and maintenance functions. Invoices are sent directly to customers by TDC.
- 5.10 As the new residential subdivisions adjacent to Champion Road have been developed, TDC has undertaken to supply these with water. Subdivision consents granted for these developments have recognised TDC as the water utility supplier for this area and advised consent holders that Development Contributions, or their equivalent, are payable to TDC by the developers as subdivisions are completed. Currently, payments amounting to approximately \$900,000 have been made to TDC.
- 5.11 TDC supplies approximately 485,000m³ of water per year to NCC residents and businesses. By way of comparison NCC supplies approximately 5,000,000m³ of water per year to other customers throughout the city.

6. Waimea Community Dam (Lee Valley)

Background

- 6.1 The background to the development of the proposed Waimea Community Dam is outlined in more detail in Attachment 3. The following section summarises that document.
- 6.2 Over allocation of water from the Waimea Plains aquifers has lead to the situation where the Waimea River has run dry over summer months and salt water from Tasman Bay has migrated through the aquifer and threatened the various near coastal wells.
- 6.3 To respond to the over allocation issue TDC facilitated the establishment of the Waimea Water Augmentation Committee in 2003 to look into options to resolve the issue. The committee comprises representatives from the irrigators, iwi, TDC, NCC, Fish & Game and the Department Of Conservation.
- 6.4 This committee commissioned consulting engineers Tonkin and Taylor Limited to review options for the augmentation of water flow to the Waimea Plains. A minimum storage capacity of 5Mm³ was identified as the smallest that would be considered further. Eighteen sites were investigated between Wakefield and Brightwater on larger and smaller watercourses. These were ranked through an iterative process that left the construction of a water storage dam on the upper reaches of the Lee River as the preferred option to address the issue. Previous studies by the TDC investigated a limited number of augmentation dams as well as the option of piping water from Lake Rotoiti.

- 6.5 As part of the district water demand investigations TDC have also considered future residential, commercial and industrial demand on the Waimea Plains. NCC planning officers have attended meetings with their counterparts at TDC looking at residential intensification, particularly in Richmond. The demand for irrigation water on the Waimea Plains is the primary driver of the water augmentation project.
- 6.6 The design of the proposed dam is now 80%-90% complete. Final design work will be completed once the resource consent (lodged with TDC in June 2014) has been granted and the impacts of any conditions have been evaluated.
- 6.7 The dam has been sized to supply water for irrigation of the Waimea Plains, public water supplies and provide a reliable residual flow in the river at the Appleby Bridge of 1,100 litres/sec, to enhance the environmental values of the river. Approximately 70% of the water to be released from the dam is earmarked for abstraction and 30% for environmental/community values.
- 6.8 The final design, construction and commissioning cost of the dam is expected to be well in excess of the 2009 estimate of \$42M, with TDC placing it in the region of \$60M-\$80M. Final cost is dependent upon completing the design, the impact of any resource consent conditions and the tender process.
- 6.9 Funding for the project to date has come from a variety of sources including central government, TDC, Fish & Game and Irrigators. NCC has contributed \$413,000 to date. To allow the construction of the dam to proceed the construction cost has to be met.
- 6.10 Initially the Waimea Water Augmentation Committee proposed a private co-operative company be formed for this purpose, funded by a central government grant, user contributions and Council rates. Central government has remained a strong supporter of the proposed dam but has a primary focus on pure irrigation schemes through the Community Irrigation Fund. Whether they will provide any further funding for the construction of the dam is not clear.
- 6.11 TDC is now facing the prospect of providing funding for the construction and operation of the dam from within the Tasman District community.
- 6.12 To date the construction and operation cost model is based on 70% being recovered from the abstractive users of the water, and 30% from the wider community for the environmental/community values.
- 6.13 The governance structure is a current work stream of the Waimea Water Augmentation Committee and TDC, but preliminary indications are that TDC has a preferred option of a TDC Council Controlled Organisation with a board made up of representatives of users. To maintain the Council Controlled Organisation status TDC would have to be a majority shareholder.

- 6.14 How the construction and operation of the dam is to be funded and the shape of the future governance arrangement is the subject of a special consultative process currently being undertaken by the TDC.
- 6.15 The submission made by NCC to this consultation, in line with Council Resolution of 30 October 2014, can be found in attachment 4.

Discussion

- 6.16 Although NCC is not a direct abstractor from the Waimea Plains underground aquifers, the Waimea Water Augmentation Committee and TDC have identified NCC as a potential partner in funding the construction and operation of the proposed dam in the following capacities:
 - As one of the water users (water supplied to Nelson South by TDC and to the city in times of emergency);
 - As a player in the wider regional economy;
 - As a beneficiary of the environmental and amenity values of the Waimea River and its tributaries.
- 6.17 The Waimea Water Augmentation Committee has made an assessment of what they believe the current and future (next 100yrs) water supply volumes to the Waimea Plains and NCC could look like. This results in the following "water user" apportionment for Nelson City:
 - Water abstractors will use 70% of the total water released and are expected to bear 70% of the construction and operation costs;
 - The NCC component of the water use is currently 1.8% but could include the approximately 6.6% of the total water available for abstraction, that has been set aside for future regional growth.
- 6.18 The regional growth assessment is three to four times the current demand in Nelson South and is likely to be far more than will be expected to be used in the medium term given the trend for industry to reduce water usage.
- 6.19 Should the NCC wish to continue with the present arrangement of TDC being the abstractor and water supplier to NCC, it is inevitable that TDC would seek to recover a share of the dam construction and operation costs, as well as renewal and upgrading costs of the existing network, through bulk water charges.
- 6.20 Over the last 40 years TDC has established significant infrastructure from the Waimea River to Nayland Road to supply the large industrial customers of Alliance Group Ltd and ENZAfoods New Zealand Ltd. This same infrastructure is used to supply the residential area of Nelson South and the Wakatu industrial estate. Should NCC wish or need to become an abstractor from the underground aquifers on the Waimea River in its own right (only an option if the Waimea Community Dam is

constructed) then costs will be incurred for resource consents and constructing independent facilities such as separate well(s), supply pipeline, reservoir and treatment plant, before this source could be utilised. The current TDC well field on the banks of the Waimea River is approximately 8.5km from Champion Road. The cost of these standalone facilities for Nelson were estimated at \$14.7M in 2008.

- 6.21 Given that NCC has existing infrastructure in place in both the Roding River and Maitai River, with capacity to cope with growth into the foreseeable future, a third source of supply is not recommended at this stage.
- 6.22 Putting a price on the value of the Waimea Plains and the Lee and Waimea Rivers is a difficult task. The New Zealand Institute for Economic Research has recently updated estimates of the economic benefits and impacts on the Nelson-Tasman Region arising from the dam and no-dam scenarios. They conclude that there is an expected increase in regional Gross Domestic Product of \$600 - \$750 million (present values) over the 25 years following the construction of the dam.
- 6.23 No attempt has been made at this stage by either TDC or the Waimea Water Augmentation Committee to quantify downstream direct benefits and/or costs to the Nelson economy from the dam construction or future increased productivity on the Waimea Plains. The benefits and costs would be expected to arise from increased demand for commercial services, increased activity through Nelson Airport and Port Nelson, increased commercial and retail activity and the construction of infrastructure.
- 6.24 The more general amenity, recreation, aesthetics and environmental benefits from enhanced flows in the rivers are very subjective and unlikely to be successfully quantified. These benefits are identified as deriving from 30% of the total water released from the dam and as such are expected to bear 30% of the construction and operation costs. Although discussions with central government regarding funding opportunities are ongoing, TDC is currently facing the prospect of funding this component by themselves.
- 6.25 The table below sets out a summary of the major features of the Waimea Community Dam.

Summary	
Dam Volume	13M cubic metres
Design and Construction Cost	\$60M-\$80M
Operation and Maintenance Cost	Approx \$650k/annum

Economic benefit to Nelson-Tasman region over 25 years (Present Value)	\$600M - \$750M
NCC cost to establish well field, reservoir, treatment plant and reticulation from the Waimea River if required	\$10M - \$15M
NCC cost to upgrade existing reticulation to Nelson South	\$3M - \$4M

6.26 NCC has maintained an involvement with the Waimea Water Augmentation Committee since its inception and has provided funding to date of \$413,000. Currently there is no formal agreement for NCC to join with TDC in the construction and management of the proposed dam.

Options

6.27 There are two options for Council to consider.

- Option 1: NCC can contribute to the construction of the proposed Waimea Community Dam as a water user and/or for the wider regional economic / environmental / amenity benefits.
- Option 2: NCC can decline to contribute to the construction of the proposed Waimea Community Dam.

6.28 Option 1 recognises that the future fortunes of Nelson City and Tasman District are linked by proximity and common regional economics. As there is no specific study of the monetary value of economic and environmental costs and benefits to Nelson City arising from the construction and operation of the Waimea Community Dam this work has been commissioned to aid Council's deliberations.

6.29 As TDC currently has a water reticulation network in place to service Nelson South it makes economic sense to keep this in place and use it until demand, approaches from industrial users or renewal requirements force a reconsideration. A contribution to the dam construction as a water user can be supported but at a fairly modest level.

6.30 Option 2 highlights the difficulty both Councils have faced over many years in establishing the value to their ratepayers of each other's development. The wider regional benefits from development in each area suggest this option is not appropriate.

6.31 Should Council choose to contribute to the construction of the dam the contribution should be secured by a seat(s) on the board of directors for NCC in its own right, rather than as part of a second tier grouping. This requirement has been signalled to TDC through the NCC submission to the current consultation.

7. Maitai/Roding Resource Consent Matters

Background

- 7.1 Resource consents for the Roding River water abstraction plus headworks expire 1 October 2017. Maitai abstraction and headworks consents expire 1 February 2017. Work to renew these consents began in 2013/14 with Council approving the appointment of Cawthron Institute to advise on freshwater issues.
- 7.2 A planning consultant has been engaged to begin the work of developing the resource consent for lodgement in early 2016. Consulting engineers are providing engineering advice. These companies have been engaged under the individual Professional Services contracts for planning and engineering services that Council has with local consultants.
- 7.3 Cawthron Institute is in the middle of a number work streams that are aimed at updating and filling the gaps in our knowledge of the impacts on both rivers from the water supply activity. The earliest that this programme of work could be completed, to provide a comprehensive assessment of the impacts of the water abstraction on both rivers, is mid-2015.
- 7.4 The consulting engineers are carrying out a number of engineering investigations including:
- Reviewing the integrity and functioning of all the structures covered by the consents, to identify any repairs, maintenance or replacements that may be required over the term of any new consent(s);
 - Reviewing the levels of un-accounted for water and comparing the NCC figures with other areas in New Zealand and;
 - Investigating the feasibility of gravel removal from the Roding Dam and improving long term storage capacity.
- 7.5 The planning consultant has begun the task of addressing the planning context for the consent applications including:
- Reviewing the previous consent documentation and the relevant areas of the Resource Management Act 1991 and the Nelson Resource Management Plan;
 - Advising Council on any issues that require research and investigation;
 - Identifying potentially affected parties and co-ordinating early consultation with them.
- 7.6 See Attachment 5 for an outline of the various work streams and timeframes.

- 7.7 The engagement by Council of an experienced resource management legal adviser is now required and will shortly be made to complete the applications team.
- 7.8 The work programmes for the renewal of the resource consents have been integrated with the wider programme of Project Maitai/Mahitahi. Specialist reports (especially those of Cawthron Institute) and any future community engagement has been scoped to ensure that their outputs further both work programmes.
- 7.9 Nelson's water reticulation comprises a network of older pipes, with some water losses. Council has been reinvesting in its network, through its programme of water renewals. Activities have occurred to identify and address water losses, and a strategy for water loss reduction is being developed.

Discussion

- 7.10 It is proposed to lodge applications for resource consents for all abstractions and structures for both rivers as early as possible in 2016 and at the latest by 1 June 2016.
- 7.11 It is possible for Council to lodge separate resource consent applications for the Roding River and the Maitai River soon after the work programme and consultation for each of the rivers has been completed, if necessary. The exact date would be dependent upon completing other work streams and consultation. The earliest this might be possible is mid-2015. As the summer of 2015/16 offers an opportunity to complete any final investigations and monitoring if issues arise from consultation, an early or split consent application is not recommended.
- 7.12 The resource consent applications are expected to be publicly notified and will likely attract a range of submissions, particularly in regard to the Roding water abstraction. Representatives of the Waimea Water Augmentation Committee presented their proposal for a dam to Councillors earlier this year. They highlighted the inter-relationship they see between the abstraction from the Roding, and their need to augment the water resource for Waimea Plains irrigation.
- 7.13 The environmental health of both the Maitai and Roding Rivers is also expected to figure highly in the submissions. This is closely linked to the total volumes of water abstracted. Council has a programme of works that seeks to mitigate any environmental impacts associated with its infrastructure on the Maitai River. This programme (see 7.8) has been developed with the support of the community, and will be critical to Council meeting the National Policy Statement: Freshwater objectives.

Options

- 7.14 As Council requires resource consents for the abstraction of water and for the ongoing maintenance of structures in each river the decisions to be made are whether the applications are lodged separately for each river and the date when the applications are lodged.

- 7.15 With regards to separate consents, there are two options for Council to consider.
- Option 1: NCC can lodge one package of documents that contains two applications for abstraction of water plus the structures in each river and seek a single hearing or;
 - Option 2: NCC can lodge separate applications for abstraction of water plus the structures in each river and seek separate hearings.
- 7.16 Option 1 recognises that NCC operates the water supply as a single integrated activity, although the sources are fed from different rivers in adjoining catchments. It is appropriate for the water supply to be seen as one activity with the daily balancing of abstractions from the three sources being considered in that light. For this option a single hearing would be sought.
- 7.17 Option 2 would require the development of duplicate documents that would inevitably refer to each other. This would lead to two full hearings and could create issues for commissioners hearing the application as they try to evaluate the linked nature of the activity and consider the impacts.
- 7.18 With regards timing of the application, Council is expecting to lodge the application at least six months prior to the expiry of the existing consents. As long as Council meets this timeframe the Resource Management Act 1991 confirms that the current activity can be continued until such time as all decisions are made and any appeals resolved.
- 7.19 Subject to advice from Legal Counsel, Council Officers recommend Option 1 with resource consent applications lodged as early as possible in 2016 and at the latest by 1 June 2016.

8. NCC/TDC Engineering Services Agreement

Background

- 8.1 TDC currently supplies water services to residential areas of NCC adjacent Champion Road, the Raeward Fresh complex and the Wakatu Industrial Estate. A small number of properties on Champion Road also discharge wastewater to TDC reticulation(see Attachment 6 for areas serviced by TDC).
- 8.2 The current water and wastewater utility supply arrangements between TDC and NCC are documented in an Engineering Services Agreement that was due to be renewed on or about 19 September 2010 and by mutual agreement is now due to be renewed before 30 June 2015.
- 8.3 Officers from both Councils have worked closely to prepare a draft replacement document that generally retains the NCC to TDC water supply arrangements and the TDC wastewater arrangements, but fundamentally changes the TDC to NCC water supply arrangements.

8.4 The following sets out the underlying philosophy in the agreement:

- The term of the Proposed Agreement is in two parts - Part A supply to the residential area will terminate on 30 June 2050 and Part B supply to the industrial area will terminate on 30 June 2020 unless either are terminated earlier;
- TDC will become a bulk water supplier to NCC for the residential section and part of the industrial area of Nelson South;
- NCC continues to supply water to TDC, up to 909m³per day, honouring the earlier Roding Dam agreement;
- TDC will continue to supply water to Alliance and ENZA. However these agreements are also subject to termination clauses and the possibility of NCC needing to supply these areas remains;
- TDC can terminate the agreement, by three years notice in writing to NCC, if TDC decide to construct, or not to construct, a Waimea Community Dam in the Lee Valley (Should the dam not be constructed TDC's water abstraction is immediately subject to restrictions based on river flows, as set out in the Tasman Resource Management Plan. TDC will also have to renew their own abstraction consents under the new rules with no guarantee as to volumes);
- Wastewater services provided by TDC continue without change.

8.5 Responsibility for charging and repairs/maintenance of the residential area water network will pass to NCC and will be catered for in future Asset Management Plans.

Discussion

8.6 Council Officers are supportive of the underlying philosophy contained in the proposed Engineering Services Agreement document. Some final detail has yet to be agreed but it is anticipated that these will be resolved by the end of 2014, to allow any details to be added to the Long Term Plan 2015-25 (LTP).

8.7 The Proposed Agreement has some risks to NCC as follows:

- TDC is able to terminate the agreement within the term of the agreement (with three years notice in writing to NCC);
- Limits are introduced for the volume of water TDC is obligated to supply;
- TDC is required to renew their water abstraction consent in the near future. The decision to construct or not construct the Waimea Community Dam will impact on this.

Options

- 8.8 There are two options for Council to consider:
- Option 1: NCC can complete the current negotiations with TDC for the supply of utility services to Nelson South;
 - Option 2: NCC can terminate negotiations and choose to take over the responsibility to supply utility services to the Nelson South area.
- 8.9 Option 1 recognises the following positive and negatives:
- Positive:
 - Current supply arrangements have been in place for many years with no particular adverse issues to NCC being apparent;
 - The infrastructure has been in place since the 1960's and has a further 30-40 years service life remaining (until approximately 2050).
 - Negative:
 - The move to NCC taking on invoicing and maintenance responsibility for these properties will have a small impact on the NCC's water accounts and operational sections;
 - The Engineering Services Agreement can be terminated by TDC.
- 8.10 Option 2 would require NCC to construct water reticulation to the Nelson South Area at a cost of approximately \$3M and wastewater services at a cost of approximately \$750,000. The actual cost of the water reticulation would depend upon whether or not use could be made of the existing TDC reticulation in this area. Wastewater services would require the construction of pump stations and approximately 300m of pumping main.
- 8.11 Provision to increase the water supply capacity to the Nelson South area has been proposed in the Water Supply Asset Management Plan 2015-25. This is primarily for security of supply between both Councils in event of emergency and to augment flows should TDC be unable to supply sufficient volumes for any of the reasons outlined in 8.7. This construction will also allow NCC to make provision for the supply of water to Nelson South should the need arise. Construction is proposed for post the completion of the NCC resource consents for the Maitai and Roding river abstractions and is expected to cost approximately \$3M.
- 8.12 Council Officers recommend Option 1, with the proviso that NCC makes provision for the extension of water supply reticulation to Nelson South, in the LTP 2015-25.

9. Assessment of Significance against the Council's Significance Policy

9.1 The decision to contribute to the funding of the Waimea Community Dam is considered to be a significant decision for the following reasons:

- The construction of the dam is linked to the future social, economic, environmental wellbeing of the region;
- The financial cost of the decision to the Council and community.

10. Alignment with relevant Council Policy

10.1 Provision of a water supply services is one of the Council's core activities, as outlined in the LTP 2012-22.

10.2 The renewal of the water supply resource consents and the NCC - TDC Engineering Services Agreement have both been signalled in the LTP 2012-22.

10.3 Funding to date for the Waimea Community Dam has been identified in the appropriate Annual Plans for the years of contribution.

10.4 The community's views on any additional contribution by NCC for the construction of the dam will be sought through the LTP.

10.5 Controlling impacts on the water supply network supports the health of the community and the wider environment, which fits with Goal Three of Nelson 2060, that 'our natural environment is protected and healthy'.

11. Consultation

11.1 Community consultation on any contribution to the Proposed Waimea Community Dam and on the proposal for TDC to become a bulk water supplier will be undertaken as part of the upcoming LTP.

12. Inclusion of Māori in the decision making process

12.1 Specific consultation with Māori will be undertaken as part of the work to complete the resource consent application for the Maitai River and Roding River abstractions. Further opportunities for Māori participation will arise as part of the submission process for the LTP 2015-25.

13. Conclusion

13.1 NCC has been asked to contribute to the cost of the construction and ongoing maintenance of the Waimea Community Dam on the Lee River.

13.2 It is not possible at this stage to quantify the economic and environmental benefits that will accrue directly to Nelson City from the construction and operation of the dam. The community's views on any additional contribution by NCC for the construction of the dam will be sought through the LTP.

- 13.3 Additionally, a study of the direct monetary benefits and costs to the city from the construction and ongoing operation of the Waimea Community Dam has been commissioned.
- 13.4 It is necessary to replace the NCC/TDC Engineering Services Agreement to provide a basis for the provision of utility services between the two Councils. The basis of this should also be signalled in the upcoming LTP.

Phil Ruffell
Senior Asset Engineer - Utilities

Attachments

- Attachment 1: NCC Water Supply Background [A1247016](#)
- Attachment 2: Locality Plan [A1248296](#)
- Attachment 3: Waimea Water Augmentation Committee Background [A1246928](#)
- Attachment 4: NCC submission to TDC Waimea Community Dam consultation [A1273950](#)
- Attachment 5: Maitai & Roding Resource Consent Program of Works [A1222713](#)
- Attachment 6: NCC - TDC Areas of Utility Services [A1270411](#)

Nelson City Council Water Supply

Background

- 1.1 Nelson City Council draws water from three sources, the dam on the north branch of the Maitai River (operational 1987), direct from the south branch of the Maitai River (since the early 1960's) and direct from the Roding River. The three sources allow flexibility in the choice of water source when bad weather or headworks maintenance operations remove one source temporarily.
- 1.2 Water from the Roding river is taken via a run of river flow over the Roding dam. This dam was designed in the late 1930's and water flowed in the scheme by 1940. Ongoing problems with gravel build up behind the dam reduced its value as a water storage dam and lead to the current use of abstraction direct from the spillway.
- 1.3 Nelson City Council also has an obligation to supply Tasman District Council with 909m³ of water per day or 1/15 of the allowable abstraction from the Roding scheme as part of an agreement dating from July 1944 (post the Nelson Waterworks Extension Act 1935 and the construction of the Roding Water Supply) and confirmed as a result of arbitration in 1971.
- 1.4 Currently Tasman District Council takes only a fraction of the 909m³ per day, preferring to utilise their own sources. Should Nelson City Council be required to supply the full volume it is possible that approximately 300,000m³ per year would be supplied to Tasman District Council, closely approximating the volume supplied by Tasman District Council to Nelson City.
- 1.5 The allowable abstraction volumes from the sources are set by resource consent. For the Roding River, Council may abstract up to 254litres per second (22,000m³per day) but must ensure a residual flow in the river of 100litres per second (8,640m³per day) or the natural flow if this is less than 100litres per second. For the Maitai River sources, Council may abstract up to 300litres per second (25,920m³per day) from the South Branch and the full flow from the North Branch (site of the Maitai Dam) but must ensure a residual flow of 175 litres per second (15,120m³per day) 1 November to 30 April and between 190-300 litres per second during the balance of the year (depending on the flow in the South Branch). The residual flow can come from both branches of the river.
- 1.6 The raw water pipeline from the Roding River can deliver 22,000m³ per day and the Maitai pipelines between 17,000 and

37,000 m³ per day depending upon which pipeline is used and whether or not pumps are operated.

- 1.7 Since the year 2000 the peak water demand for the city over the summer months has varied between 27,160 -35,000m³per day.
- 1.8 Records of volumes supplied from the Maitai and Roding Rivers for the years July 2007 to June 2014 are shown in Table 1 below. Table 2 shows the use by month for the 2013/14 year.

Year	Total Volume abstracted (000m ³)		
	Maitai(combined)	Roding	Total
2007-2008	4,592 (54%)	3,974 (46%)	8,566
2008-2009	4,696 (62%)	2,908 (38%)	7,604
2009-2010	4,995 (63%)	2,977 (37%)	7,972
2010-2011	NA	NA	7,188
2011-2012	4,119 (56%)	3,221 (44%)	7,340
2012-2013	4,722 (63%)	2,734 (37%)	7,456
2013-2014	4,508 (62%)	2,815 (38%)	7,323

Table 1: Yearly volumes supplied from the Maitai River (combined) and Roding River. The figures in brackets are the relative percentages.

Month -2013/14 year	Maitai (combined aveg daily) m ³	Roding (aveg daily) m ³	Maitai maximum allowable abstraction-flow dependent (daily) m ³	Roding maximum allowable abstraction -flow dependent(daily) m ³
July	336,000 (10,838)	239,000 (7,710)	803,520 (25,920)	682,000 (22,000)
August	367,000 (11,839)	212,000 (6,839)	803,520 (25,920)	682,000 (22,000)
September	330,000 (11,000)	226,000 (7,533)	777,600 (25,920)	660,000 (22,000)
October	403,000 (13,000)	172,000 (5,548)	803,520 (25,920)	682,000 (22,000)

November	355,000 (11,833)	286,000 (9,533)	777,600 (25,920)	660,000 (22,000)
December	421,000 (13,580)	273,000 (8,806)	803,520 (25,920)	682,000 (22,000)
January 2014	443,000 (14,290)	241,000 (7,774)	803,520 (25,920)	682,000 (22,000)
February	361,000 (12,893)	309,000 (11,035)	725,760 (25,920)	616,000 (22,000)
March	458,000 (14,774)	225,000 (7,258)	803,520 (25,920)	682,000 (22,000)
April	418,000 (13,933)	173,310 (5,777)	777,600 (25,920)	660,000 (22,000)
May	298,000 (9,613)	247,686 (7,990)	803,520 (25,920)	682,000 (22,000)
June	318,000 (10,600)	211,125 (7,037)	777,600 (25,920)	660,000 (22,000)
Total	4,508,000	2,815,121	9,460,800	8,096,000

Table 2: Monthly volumes of water abstracted from the Maitai River (combined) and Roding River 2013-14.

- 1.9 Nelson City Council abstracts approximately 7,200,000m³ - 8,500,000m³ of water per year from all sources and records supply through meters of approximately 5,000,000m³- 6,000,000m³ of water per year. The balance is considered to be "un-accounted for water" and is made up of a number of items such as water used to flush lines, test fire flows, use by contractors, meter inaccuracy and lost through leaks and breaks.
- 1.10 Nelson City Council can currently treat approximately 40,000m³ of water per day, rising to approximately 50,000m³ of water per day with the installation of the fifth filter train over the next two years. At 50,000m³ of water per day the raw water sources and treatment plant have sufficient capacity to supply the water demand for the Nelson South section of the

city. However we currently lack the reticulation capacity to supply adequate fire flows.

- 1.11 Tasman District Council supplies water to the Wakatu industrial estate, properties on the North side of Champion Road, the Alliance Group Ltd processing plant and ENZA Ltd.
- 1.12 Prior to the 1989 Local Government reorganisations these areas were part of the Waimea County Council, one of the forerunners to the Tasman District Council. Infrastructure was installed in the 1960's to create an industrial supply for the Alliance freezing works on Main Road Stoke and the ENZA fruit processing factory on Nayland Road. The network consisted of the well field on the Waimea River, a trunk main from that point to a concrete reservoir at the head of Champion Road, the trunk main to Alliance and ENZA and a reticulation main along Hill Street North. Industrial supply contracts under the control of the Waimea County Council have been left in place since that time and Tasman District Council has continued to manage the main in Hill Street North.
- 1.13 As the new residential subdivisions adjacent Champion Road have been developed Tasman District Council has undertaken to supply these with water.
- 1.14 Tasman District Council supplies water to the large industrial users under separate individual supply agreements. The residential demand and small industrial users are supplied under the same terms and conditions as the Richmond residential users and Tasman District Council undertakes the administration, network operations and maintenance functions.
- 1.15 The large industrial users in Nelson South have a combined demand of approximately 30,000-40,000 m³ per month over a six-seven month peak season. The demand in the balance of the year is still fairly consistent, although at slightly lower volumes. The long peak season results from the processing seasons starting at different times for the various industries.

Nelson water use	South	Volume invoiced by Tasman District Council (m³ of water per year)	Volume invoiced by Nelson City Council (m³ of water per year)
Residential		approximately 50,000 (rising to 120,000 when fully developed)	approximately 2,900,000

Small industrial	volume	approximately 70,000	approximately 2,100,000
Large industrial		approximately 365,000	
Total		approximately 485,000	approximately 5,000,000

Table 3: Nelson South Water use

- 1.16 Tasman District Council supplies approximately 485,000m³ of water per year to Nelson City Council customers as shown in Table 1. By way of comparison Nelson City Council supplies approximately 5,000,000m³ of water per year to other customers throughout the city.

12 September 2014



www.topofthesouthmaps.co.nz

Waimea Community Dam (Lee River)



10 September 2014

Waimea Community Dam (Lee Valley)

1.0 Background

- 1.1 Water from both the Wai-iti and Wairoa rivers merge downstream of Brightwater to become the Waimea River. These rivers and their associated underground aquifers supply most of the urban/industrial/irrigation water demands in Richmond/Mapua township/Nelson South and the Waimea Plains.
- 1.2 Most of the urban and the industrial demand is supplied via the Tasman District Council water supply network. This network is fed from two major sources. A bore adjacent the Medium Density Fibreboard Plant in lower Queen Street Richmond and a well field downstream of the Appleby Bridge, where it crosses the Waimea River. Submersible pumps are used to raise the water and pump it into the reticulation. Tasman District Council is in the process of constructing a new water treatment plant in Headingly Lane that mixes water from both sources before supply to customers.
- 1.3 Irrigation demand is met by abstraction direct from the river (Waimea East Irrigation Scheme at Brightwater) or through individual wells and bores.
- 1.4 Tasman District Council administers the various abstractions through rules in the Tasman Resource Management Plan and the resource consent process.
- 1.5 Extensive studies of the groundwater resource and aquifer interaction on the Waimea Plains has shown that the reliable supply has been over-allocated as demand for water has increased over the years.
- 1.6 Over allocation of water from the Waimea Plains aquifers has lead to the situation where the Waimea river has run dry over summer months and salt water from Tasman Bay has migrated through the aquifer and threatened the near coastal wells.
- 1.7 Summertime water use restrictions have been imposed by Tasman District Council in seven out of the last ten years. Tasman District Council estimates that the demand exceeds supply by 50%-70%.
- 1.8 Tasman District Council has already constructed a lower level (20m) dam in the headwaters of the Wai-iti river on the Kainui stream, above Eighty-Eight Valley, to augment the flows through the Wai-iti zone in dry periods.

- 1.9 As a further response to the over allocation issue Tasman District Council facilitated the establishment of the Waimea Water Augmentation Committee in 2003 to look into options to resolve the issue. The committee comprises representatives from the irrigators, iwi, TDC, NCC, Fish & Game and DOC.
- 1.10 Consultants Tonkin and Taylor were appointed to advise the committee on possible options for the construction of one or more water storage dams on or adjacent the Waimea Plains.
- 1.11 18 sites were initially identified across the rivers and tributaries that feed into the Waimea River (including the lower reaches of the Roding River). From the 18 options considered a short list of four sites was further reviewed, with the preferred option of a dam on the upper reaches of the Lee River being identified.
- 1.12 Tasman District Council has recently undertaken a plan change to the Tasman Resource Management Plan that addressed the water shortage issue in two parts. One part outlined likely limits to future water abstraction consents without the dam being constructed and the other part developed rules that allow for the construction of the dam and reflected the abstraction limits that would follow its construction.
- 1.13 The parts of the plan change relating to the construction of the dam are now operative although a small number of appeals have been lodged relating to the appropriate level of residual flow in the Waimea River for the "no dam" option. The resource consent for the construction of the dam has been lodged with Tasman District Council who publicly notified the application on 19 June 2014.
- 1.14 The design of the proposed dam is now 80%-90% complete. Final design work will be completed once the resource consent has been granted and the impacts of any conditions have been evaluated.
- 1.15 The proposed dam is expected to be 52m high and hold approximately 13.4million cubic metres of water (By way of comparison the Maitai dam is 39m high and has a reservoir of approximately 4.5million cubic metres).
- 1.16 The dam has been sized to supply water for irrigation of the Waimea Plains, public water supplies and provide a reliable residual flow in the river at the Appleby Bridge of 1,100 litres/sec, to enhance the environmental values of the river. Approximately 70% of the water is earmarked for abstraction and 30% for environmental/community values.
- 1.17 Irrigation demand is based on 30mm of water per hectare per week. To allow easy comparison of the other abstraction

components they have been converted to a "per hectare equivalent" based on the likely supply volumes being divided by 30mm/ha to give the "per hectare equivalent". The following table sets out the expected supply categories in hectare equivalent:

Location	Area equivalent (ha eq)
Waimea Plains Irrigable Area	5,850ha
TDC Current	544
NCC Current (Nelson South)	136
TDC Future	720
Future Regional (NCC?)	515
Total	7,765

Table 1: Water allocation as ha equivalent

- 1.18 The construction cost of the dam is expected to be well in excess of \$42million and closer to \$60M-\$80M. Final cost is dependent upon final design, the impact of any resource consent conditions and the tender process.
- 1.19 Funding for the project to date has come from a variety of sources including central government, Tasman District Council, NZ Fish & Game and Irrigators. Nelson City Council has contributed \$413,000. How the construction and operation of the dam is to be funded has been looked at by both the Waimea Water Augmentation Committee and Tasman District Council in some detail and is the subject of much vigorous debate within the wider Tasman District community.
- 1.20 To date the construction and operation cost model is based on 70% being recovered from the abstractive users of the water, referred to as "A" users, and 30% from the wider community for the environmental/community values, "B" users. The makeup of these groups is likely to be as follows:

Construction Cost Contributor	Allocation %	Who?
Abstractive "A" users	70	Irrigators, Community Water Supplies eg TDC, private bores, NCC?
Environmental / Community values "B" users	30	TDC, NCC? Central Government? NZ Fish & Game? Iwi?

Table 2: Possible cost allocation structure

"A" users are expected to be appointed by Tasman District Council and user groups.

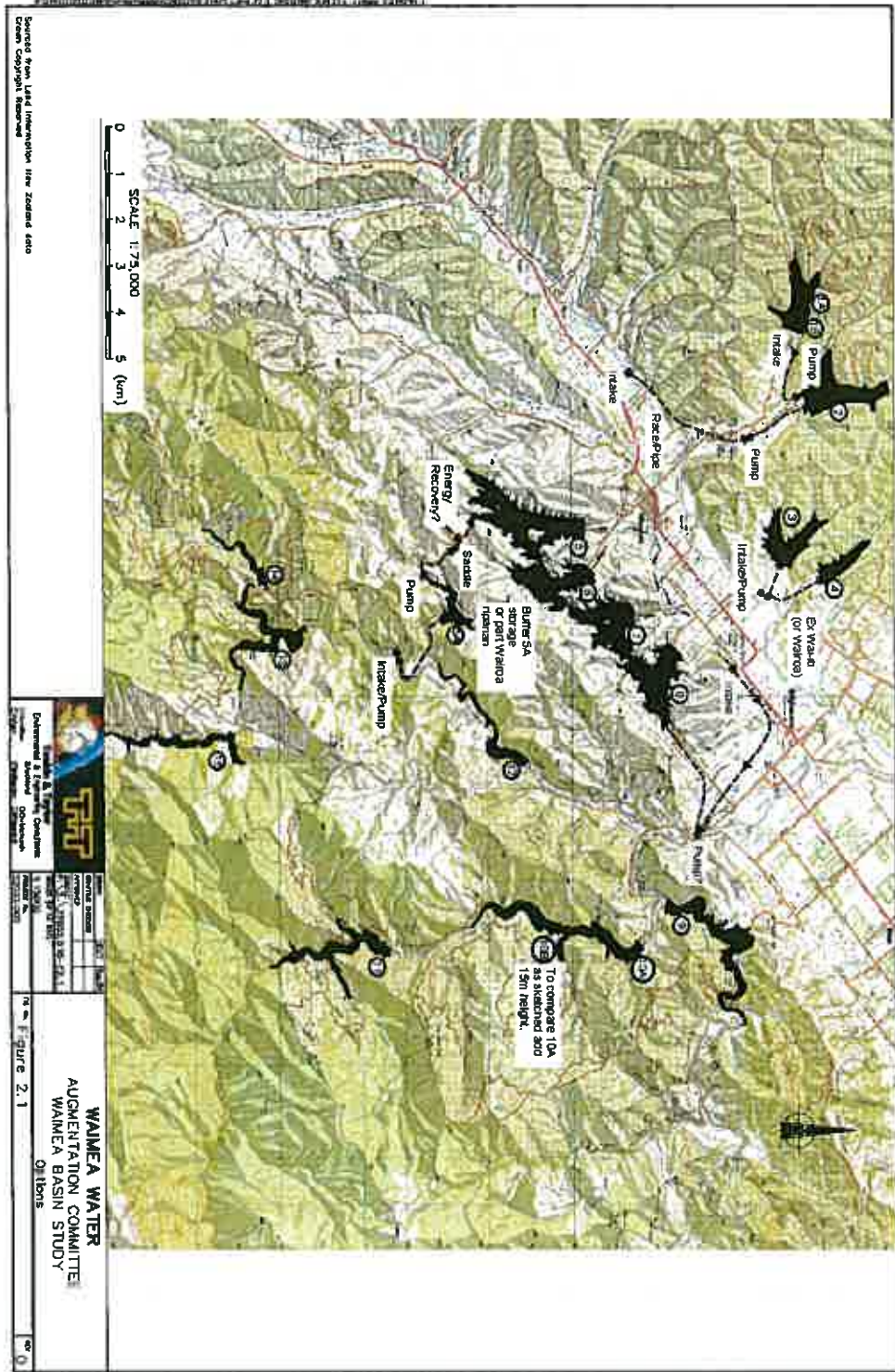
"B" users are expected to be represented by a trust structure.

- 1.21 At this point in time the construction and ongoing operation of the proposed dam would be managed by a new entity "DAMCO". This entity needs to be established in order for contracts to be entered into and loans arranged. "DAMCO" is likely to be a Council Controlled Organisation of Tasman District Council.
- 1.22 The governance structure of "DAMCO" is a current work stream of Waimea Water Augmentation Committee and Tasman District Council but preliminary indications are that it would be a board made up of representatives of the "A" and "B" users. To maintain the Council Ccontrolled Organisation status the entity would either have to be at least 50% owned by Tasman District Council or they would have to be represented by 50% or more of the board members.
- 1.23 One scenario has a "DAMCO" board of 8 members with Tasman District Council having 4 members (3 as a result of "A" user activity, 1 as a "B" user), Irrigators 3 members (all "A" user status) and iwi 1 member ("B" user activity). The final board arrangement has some distance to go before being confirmed and the makeup may vary.
- 1.24 To maintain progress a further company "Waimea Community Dam Ltd" was established as a vehicle to lodge the resource

consent applications for the construction of the dam. These have been notified by Tasman District Council in July 2014.

- 1.25 Considerable work is still required by Tasman District Council to finalise funding and governance arrangements before the dam design can be completed and tenders for construction called.
- 1.26 The following map identifies the sites investigated in 2007 by Tonkin and Taylor Limited on behalf of the Waimea Water Augmentation Committee.

Waimea Community Dam. Preliminary Options for Water Augmentation C



Submission Form

PROPOSED WAIMEA COMMUNITY DAM FUNDING & GOVERNANCE OPTIONS

Submitter details (please print clearly):

Your name: Rachel Reese 

Your postal address: Street: P.O. box 645

Suburb: _____

Town: Nelson Postcode: 7010

Your daytime phone number: 03-5460200

Your email address: Mayor@ncc.govt.nz

Would you like to speak to your submission at a Council meeting held for this purpose?

YES NO

If yes, please indicate your preferred location with a "1" and your second preference with a "2":

Richmond Takaka Motueka

Are you writing this submission as: an individual or on behalf of an organisation

If an organisation, please name the organisation and your position: NELSON CITY COUNCIL - Mayor

Place for your comments overleaf.

Please note: All submissions, including names and contact details, will be made available to Councillors and the public at Council offices and libraries, and a summary of submissions may also be made publicly available and posted on the Council's website.

Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of hearings and decisions. All information will be held by the Tasman District Council with submitters having the right to access and correct personal information.

Please send your submission to:

Proposed Waimea Community Dam Funding & Governance
Tasman District Council
Private Bag 4
Richmond 7050

Or drop your submission into Council at 189 Queen Street, Richmond, or your local library or service centre.

Alternatively you can make your submission online at www.waimeacommunitydam.co.nz or email your submission to: info@tasman.govt.nz or fax to 03 543 9524. Submission forms are available for download from Council's website (www.tasman.govt.nz).

We need to receive your submission by 4.00pm on Friday 14 November 2014.

Tape here

Proposed Waimea Community Dam Funding & Governance Options - Submission Form

2. Fold here

Freepost Authority 172255

Free 



Tasman District Council
Private Bag 4
Richmond 7050



tasman
district council

Please fold both ends of this form inwards along the dotted lines in order and fasten with tape where indicated above.

1. Fold here

If, following consultation on the Long Term Plan 2015-2025, the Council decides to proceed with the proposed Waimea Community Dam:

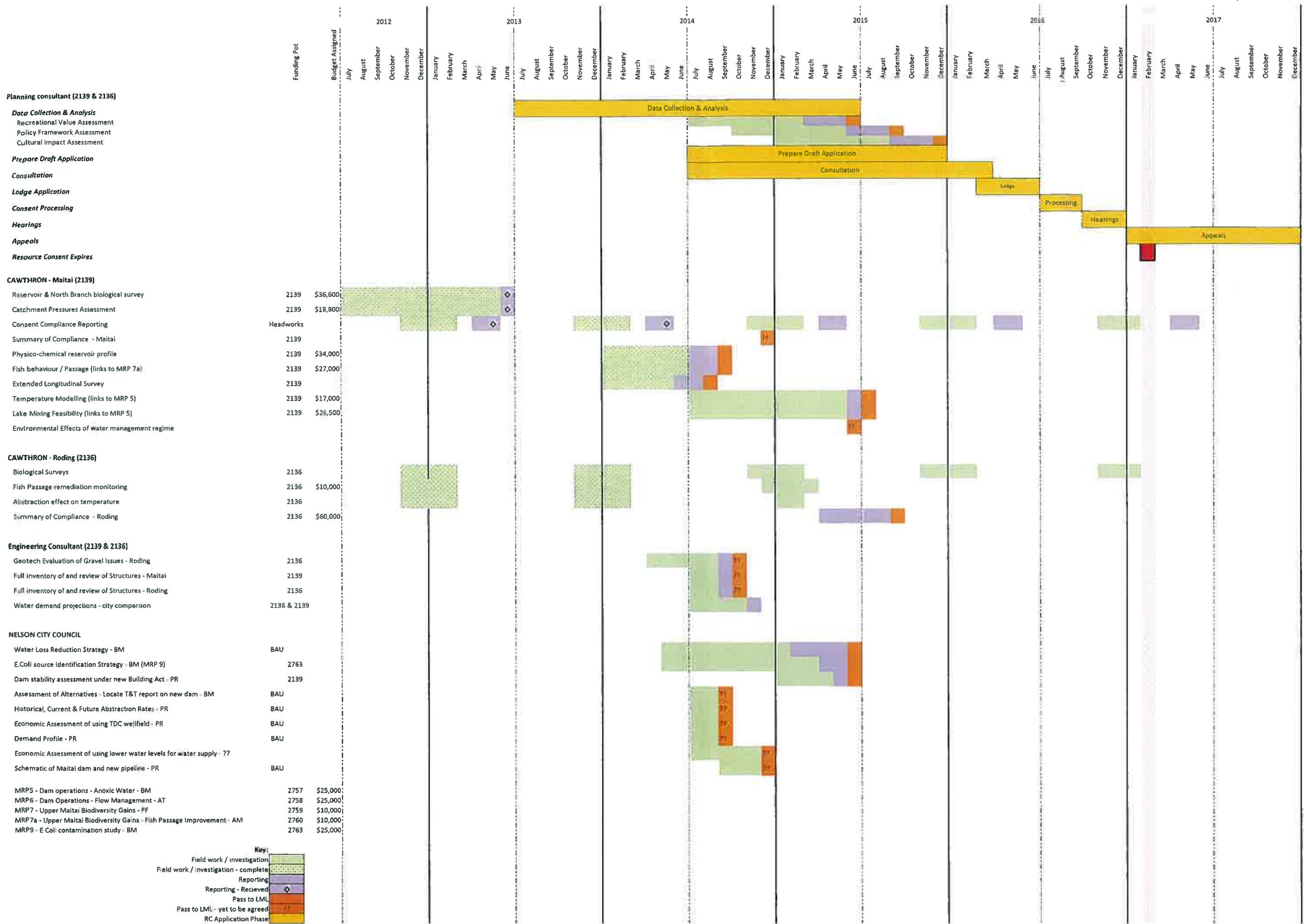
1. How do you think the Waimea Dam should be funded?

As the community decides. Before making any decision regarding quantum and conditions of any future contribution Nelson City Council wishes to consult with the Nelson Community through its Long Term Plan 2015-2025.

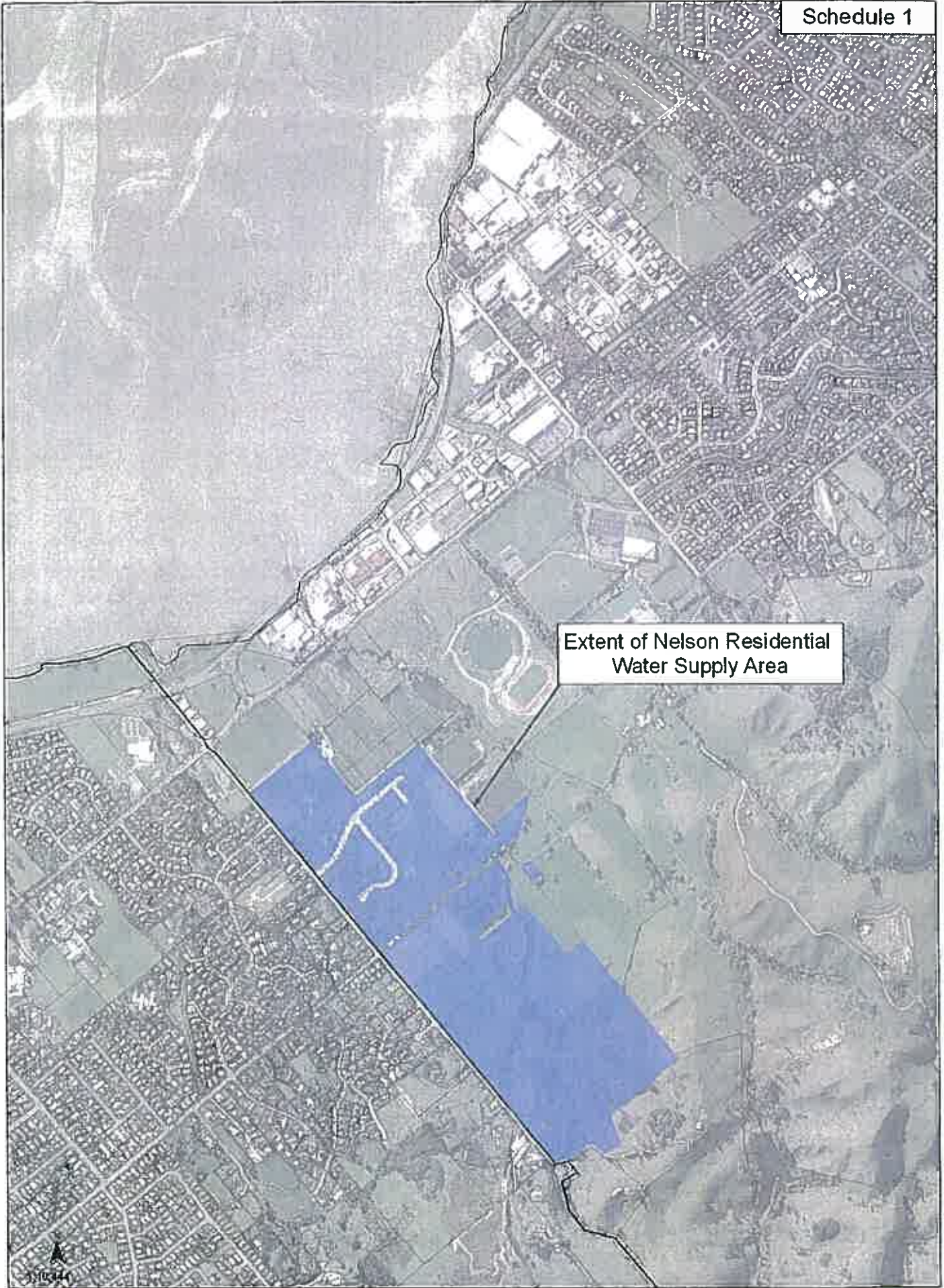
2. What is your preferred model for governance for the Waimea Community Dam?

Council Controlled Organisation. If Nelson City Council contributed funding it would expect to be appointed to any board of directors in its own right, rather than as part of a second tier grouping.

(please continue on a separate page if needed).



Schedule 1



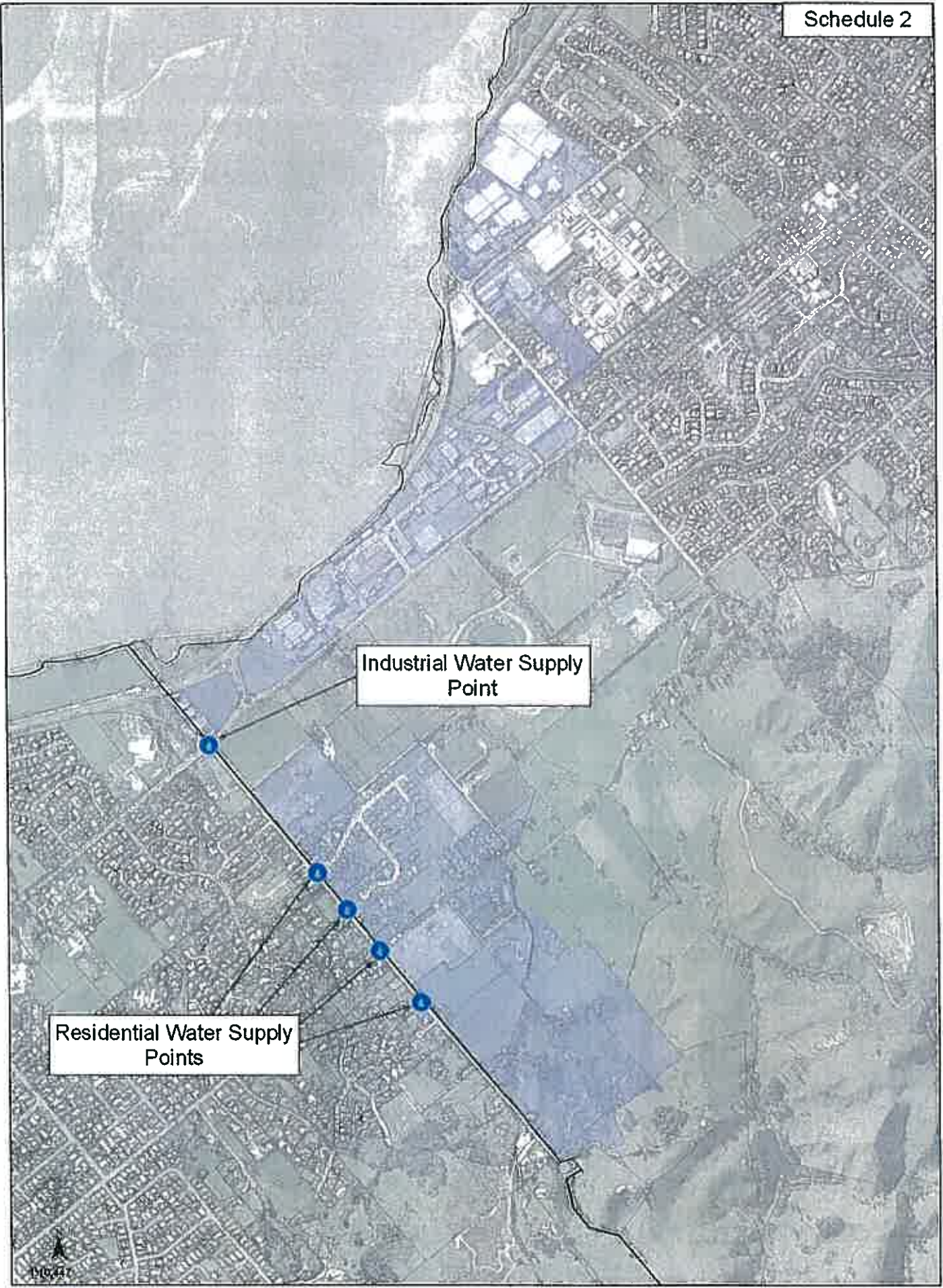
Extent of Nelson Residential Water Supply Area

Cadastral source from Land Information New Zealand data. Crown Copyright reserved. Contact Tasman DC regarding Copyright on Aerial Photography. The information on this map is prepared for indicative use only and is not intended for definitive legal, location or formal reference purposes.

Nelson Residential Water Supply Area

Schedule 1





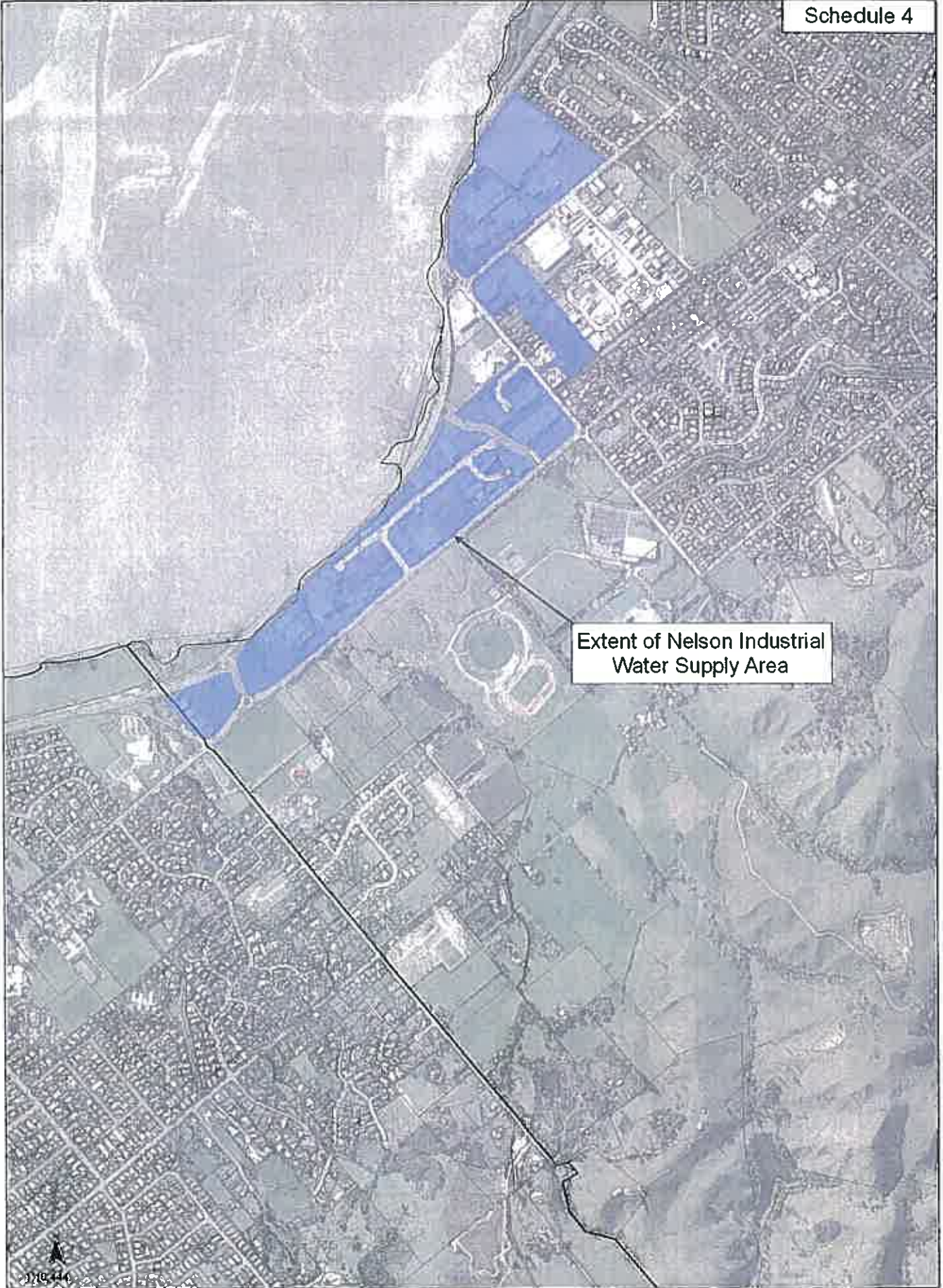
Residential Water Supply Points

Industrial Water Supply Point

Water Supply Points Schedule 2



Schedule 4



Extent of Nelson Industrial Water Supply Area



Nelson Industrial Water Supply Area

Schedule 4



Cadastral data sourced from Land Information New Zealand data. Crown Copyright reserved. Contact Tasman DC regarding Copyright on Aerial Photography. The information on this map is prepared for indicative use only and is not intended for definitive legal, location or formal reference purposes.



Extent of Nelson Sewerage Services Area

Nelson Sewerage Services Area

Schedule 7



Cadastral information from Land Information New Zealand data. Crown Copyright reserved. Contact Tasman DC regarding Copyright on Aerial Photography. The information on this map is prepared for indicative use only and is not intended for definitive legal, location or formal reference purposes.

Development Contributions Policy Review Statement

1. Purpose of Report

- 1.1 To consider the broad changes proposed for the revised Development Contributions Policy, which must be made publicly available by 1 December 2014.

2. Delegations

- 2.1 The Governance Committee has delegated authority to consider matters in relation to Development Contributions and to make recommendations to Council. The Committee delegated to the Council, the decision on approval of the principles for the draft Development Contributions Policy.

3. Recommendation

THAT the report Development Contributions Policy Review Statement (A1264778) and its attachments (A1264147 and A1273776) be received;

AND THAT the broad direction of the review of the Nelson City Council Development Contributions Policy is agreed;

AND THAT this direction be made publicly available by 1 December 2014.

4. Background

- 4.1 The Local Government Act 2002 Amendment Bill (No 3) 2013 was passed in August this year and resulted in several changes to development contributions provisions in the Local Government Act 2002 (the Act). Required changes to enable a process for the reconsideration of, or objection to, development contributions have already been incorporated into Nelson City Council's Development Contribution Policy, including provision of development agreements to encourage greater private provision of infrastructure.
- 4.2 Nelson City Council does not collect for development contributions for reserves and community infrastructure so amendments in these areas do not affect the policy.

- 4.3 The Development Contributions Policy must, however, address the new purpose for development contributions, principles to direct and guide their use, and changes to improve the transparency of the policy.
- 4.4 Consultancy firm Rationale Ltd has been contracted to develop the draft Development Contributions Policy. A two day workshop was held in October 2014 with Rationale Ltd involving Council officers, and a separate workshop was held with members of the development community. Following these workshops, a business case was prepared to scope what work needs to be undertaken and a Scoping Report was produced which reflects this (see Attachment 1).
- 4.5 At its meeting of 6 November 2014, the Governance Committee referred consideration of the policy direction to a meeting of the full Council.

5. Discussion

Issues Identified In Current Policy

- 5.1 The Scoping Report identifies the following issues in the existing policy on development contributions:
- the basis of the calculations are not well understood, reducing confidence in the assessments for staff and developers;
 - there are opportunities to better integrate land use planning, development and infrastructure provision;
 - the policy is complex resulting in confusion and frequent negotiations with developers;
 - uncertainty about Council's preferences for development, limits the policy's ability to drive behaviour.
- 5.2 The preferred approach for addressing these concerns is to:
- review and update the development contributions calculations;
 - amend the policy, including reflecting the recent legislative amendments;
 - introduce and improve some incentives in the policy which will support Council's strategic outcomes.
- 5.3 The review will give effect to the Strategic Outcomes, prioritise the growth infrastructure, and prepare a transitional Development Contributions and Financial Contributions Policy.
- 5.4 Consideration was also given to fully aligning the policy with the Nelson Plan in relation to the provision of infrastructure, including land transport planning. Given statutory timeframes for the policy adoption, and the timeline of 2016 for completion of the Nelson Plan, this is not achievable at this time. Work will continue, however, on achieving this in the future.

Requirement to Make Intended Amendments Public

- 5.5 By 1 December 2014, Council is required, under clause 9(2) of Schedule 1AA of the Local Government Act 2002, to have prepared information on changes to development contributions that reflect the new purpose of development contributions (section 197AA) and development contributions principles (section 197AB).
- 5.6 This information will be made available through a broad statement of intended changes to the Development Contributions Policy being proposed (outlined under section 5.2 above), with the draft policy completed and ready for public consultation through the Long Term Plan. The new Development Contributions Policy must be in place by 30 June 2015.
- 5.7 The proposed statement of intended changes to the policy is attached to this report (Attachment 2).

Draft Development Contributions Policy

- 5.8 A discussion about the proposed changes to the draft Development Contributions Policy was considered with Councillors at a meeting on 10 November 2014. Rationale Ltd will continue to work with Council officers, elected members, and with the development community, to ensure a collaborative approach to the policy development.
- 5.9 It is expected that a draft policy will be considered by the Governance Committee at its meeting on 4 December 2014. Once the draft Long Term Plan 2015-25 has been prepared, updated schedules and calculations for the draft policy can be included. The draft policy will then be included in the Long Term Plan and submissions invited as part of that process.

6. Options

- 6.1 Council is required to make amendments to its Development Contributions Policy, and must make public what the intended amendments will be by 1 December 2014.
- 6.2 Aspects of these amendments are required by legislation therefore there are no options to Council in relation to making these amendments.
- 6.3 There are options in relation to other changes in the policy. Council could simply update the policy to reflect the amended legislation and improve its calculations process. However this was not considered sufficient to deliver the desired outcomes including encouraging growth and development in ways that give effect to Council's strategic direction. The proposed changes as identified above, are considered to best meet the legislative requirements, as well as achieving Council's strategic outcomes.

7. Assessment of Significance against the Council's Significance Policy

7.1 This decision is not considered significant against the Council's Significance Policy.

8. Alignment with relevant Council Policy

8.1 Council is required to make public its intention to amend the Development Contributions Policy, and what these amendments will be, by 1 December 2014.

8.2 The proposed amendments align with Council's strategic outcomes under the Nelson Plan, community outcomes, and Nelson 2060.

9. Consultation

9.1 Representatives of the development community were consulted with in identifying issues that exist with the current policy. Once a draft policy has been prepared, broader consultation on that policy will take place. It is expected that in developing the draft policy, Council will be working collaboratively with the development community to ensure its concerns are taken into account.

9.2 This collaborative approach may be restricted by Council's obligations to meet statutory timeframes, however the policy development is a staged process and there will be various opportunities for collaboration leading up to the adoption of the final policy.

10. Inclusion of Māori in the decision making process

10.1 Consultation with Maori will take place as part of the broader consultation on the draft policy which will take place once developed.

Susan Moore-Lavo
Policy Adviser

Attachments

Attachment 1: Development Contributions Policy Scoping Stage – Business Case [A1264147](#)

Attachment 2: Development Contributions [A1273776](#)

Nelson City Council

Development Contributions Policy

Scoping Stage - Business Case

rationale >

IMPROVING INFRASTRUCTURE OUTCOMES



17 October 2014

Status: DRAFT FOR CLIENT

Quality Assurance Statement

Rationale Limited
5 Arrow Lane
PO Box 226
Arrowtown 9302
New Zealand
Phone: +64 3 442 1156

Project Manager: Edward Guy
Prepared by: Edward Guy
Reviewed by: Walter Clarke
Approved for issue by: Edward Guy

Document Control

G:\11 - Local Government\Nelson City Council\Development Contributions\LMNCC DC Policy -
Scoping Stage Business Case.docx

Rev No.	Date	Revision Details	Prepared by	Reviewed by	Approved by
1	17/10/14	Draft for Client	EG	WC/TL	EG

Table of Contents

Executive Summary	1
1 Purpose	2
2 Strategic Case	3
2.1 Strategic Context	3
2.2 Financial Management and Infrastructure Investment:	4
2.3 Strategic Assessment	5
3 The Preferred Option	9
3.1 Critical Success Factors	9
3.2 Identify Short listed Options	10
3.3 The Preferred Option	11
4 Commercial Case	12
5 Financial Case	12
6 Management Case	12
7 Next Steps	14
Appendix A – Workshop Issues	15
Appendix B – Options Assessment Matrix	1

Executive Summary

Nelson City Council is looking into its current Development Contribution Policy and practices. This document is essentially a scoping document setting out whether anything needs to be done with the Policy. The NZ Treasury Better Business Case (BBC) framework has been adapted for this purpose.

To develop the scope-business case the following facilitated workshops were undertaken.

- Problems and benefits workshop – NCC Staff (1 October 2014)
- Issues workshop – Developers via the Chamber of Commerce Nelson – Tasman (1 October 2014)
- Options workshop - NCC Staff (2 October 2014)

An Investment Logic Map (ILM), a Preferred Option matrix and this report have been developed from these workshops.

The BBC framework is broken down into specific cases.

The **Strategic Case** determines if there is a compelling case for change. This is broken down into the Strategic Context (alignment with the organisational needs) and the Strategic Assessment (business needs). Both of these elements suggest that change is required. From a **strategic context** perspective there are legislative, strategic, policy and financial management reasons to change the policy. From a **strategic assessment** perspective, the ILM process identified a number of problems from a business needs perspective, these being:

- The calculations are not well understood, reducing confidence in the assessments for staff and developers.
- Land use planning, development and infrastructure provision are not integrated, leading to inefficient development.
- The policy is complex and incomplete, leading to confusion and frequent negotiations with developers.
- Uncertainty about Councils preferences for development, limits the policies ability to drive behaviour.

Given the above there is a compelling case for change.

In summary the **preferred option** is to review/update the calculations, improve policy and improve (some) incentives. The review will give effect to the Strategic Outcomes, prioritise the growth infrastructure and prepare a transitional Development Contributions and Financial Contributions Policy. The project will be supported by internal leadership and delivery, with external competent assistance and be undertaken in collaboration with the development community. This option was chosen as it met the benefits and the critical success factors more than any other option.

There are a number of risks to the project as identified in the Management Case. These will require good management to ensure the project progresses well. These are:

- Project not aligned to Council objectives.
- The project is too big, too ambitious.
- Not owned by the Senior Leadership Team.
- Not engaged with Stakeholders.
- Poor project management and process.

1 Purpose

This business case has been prepared to scope what needs to be undertaken to the existing Nelson City Council (NCC) Updated Development Contributions Policy 2012 (the DCP). To do this the following facilitated workshops were undertaken:

- Problems and benefits workshop – NCC Staff (1 October 2014)
- Issues workshop – Developers via the Chamber of Commerce Nelson – Tasman (1 October 2014)
- Options workshop – NCC Staff (2 October 2014)

This document has been prepared to assist with informing the public, elected members and council staff.

The NZ Treasury Better Business Case framework has been adapted to undertake this scoping stage. This provides a systematic method to identify what is the best option for undertaking the review.

This business case has been organised around the five case model, namely it:

- is supported by a compelling case for change – the ‘strategic case’*
- optimises value for money – the ‘economic case’ – Renamed for the purpose of this document to ‘The Preferred Option’.*
- is commercially viable – the ‘commercial case’*
- is financially affordable – the ‘financial case’, and*
- is achievable – the ‘management case’.*

2 Strategic Case

The strategic case outlines whether there is a compelling case for change or not. Typically this is broken down into the strategic context (alignment with the organisations direction) and the strategic assessment (business needs).

SUMMARY - the strategic case demonstrates there is a compelling case for change from both a strategic context and strategic assessment basis.

2.1 Strategic Context

The strategic context provides an overview of the organisation and, in particular, reference to relevant legislation, strategies, programmes and plans. It summarises any decisions already made and references existing documents, where possible.

From below it is clear the DCP is a document that is aligned with many of the organisational objectives and requirements of the NCC. This is set out in detail below.

2.1.1 Legislative:

- Legislation changes were enacted in August 2014. The relevant changes for NCC are:
 - New purpose and principles of development contributions that provide more clarity on what development contributions should try to achieve.

The purpose of development contributions is to enable territorial authorities to recover a fair, equitable, and proportionate portion of the capital costs necessary to service growth over the long term.
 - Greater transparency in the DCP is now required – specifically the inclusion of a schedule of assets that clearly show the costs the contributions are used to fund.
 - Private Developer Agreements must now be considered. These may be relevant in greenfield areas where there is a services overlay.
 - Easier course for appeal for developers via the reconsiderations and objections process. Therefore there is now a greater chance of legal challenge.
 - In addition to the DIA have also flagged they may investigate two further relevant aspects:
 - Whether having both development and financial contributions adds to the public confusion,
 - Whether development contributions should be charged at a single charging point.

2.1.2 Growth:

- Recent growth and existing projections –
 - Over the past 12 years the resident population of Nelson has grown to over 46,430, an increase of nearly 5,000 people overall or 400 people per year. The growth rate was significantly higher in the last seven years.
 - Over the same period there have been nearly 3,000 dwellings built, increasing the total number of private dwellings to over 20,000. This equates to an average growth rate of 250 dwellings per year, with the growth rate being slightly slower in the last seven years.
 - The latest growth projections from Statistics New Zealand forecast this population growth to continue. The projected increase over the next 30 years is around 8,000, with over half this growth projected to occur in the next 10 years.
 - This population growth and the effect of decreasing household size will result in additional dwellings being required. The projections predict between 4,000 and 5,000 new dwellings being required.

2.1.3 Resource Management:

- Nelson Resource Management Plan
 - NCC has large parcels of residential zoned area with services overlay. A services overlay means the land cannot be subdivided until additional infrastructure is provided, either by Council or by the developer.
 - Estimate of potential capacity is 3,300 lots in the residential zoned greenfield areas and 615 in the existing urban areas.
 - There is no industrial land available in NCC.
 - Tasman District Council has a large supply of industrial land and there is potential for large residential development in Richmond.
- Nelson Plan (late 2016), recent NCC Strategic Outcomes define the outcomes the Nelson Plan is trying to achieve.
 - 1) The City will be a vibrant, attractive place in which to live, work and play, and in which business can operate successfully now and into the future.
 - 2) Natural resources should be managed in an integrated and sustainable way to maintain and enhance natural, ecological, recreational, human health and safety and cultural values. The relevant mechanisms identified to achieve these outcomes are:
 - Enable housing choices,
 - Prioritise urban intensification over expansion,
 - Encourage high density clusters around key centres (Central City, Victory, Tahunanui and Stoke),
 - Co-ordinate growth and infrastructure'
 - Considers demand for improvements in infrastructure assets and prioritise supply based on the achievement of strategic outcomes.
 - Recognises and provides for key regional infrastructure (Port, Airport, water infrastructure, Quarries and landfills).
 - Connect communities
 - Strategically links transport networks to provide for ease of access across the city and to the central city.
 - Achieves Natural Resource outcome

2.2 Financial Management and Infrastructure Investment:

The core activities of the organisation are to provide core services and recreational facilities to the NCC community.

Based on the figures in the 2012 LTP for the 2015/16 financial year, NCC will spend:

- \$77M on operational costs funded from \$58M rates and \$42M grants, interest, fees and targeted water rates.
- \$40M capex – funded by \$2M DCs and FCs.
- NCC Long Term Plan and Infrastructure Strategy:
 - The LTP includes the projects NCC intends to complete in the 10 year time frame.
 - The Infrastructure Strategy shows the long term intentions of NCC regarding provision of infrastructure.
 - The total cost to provide infrastructure to the existing residential zoned greenfield areas is estimated to be around \$73M.

- Existing DCP
 - Calculations are not well understood reducing confidence in the assessments for staff and developers.
 - The policy is complex and incomplete leading to confusion and frequent negotiations with developers.
 - The historical average revenue from development and financial contributions over the past 10 years is \$1.5M and \$1.7M per year respectively.

From above, the DCP is a document that needs to be strongly aligned to NCC's strategic direction. There is some current misalignment and a need to meet the new legislative requirements.

2.3 Strategic Assessment

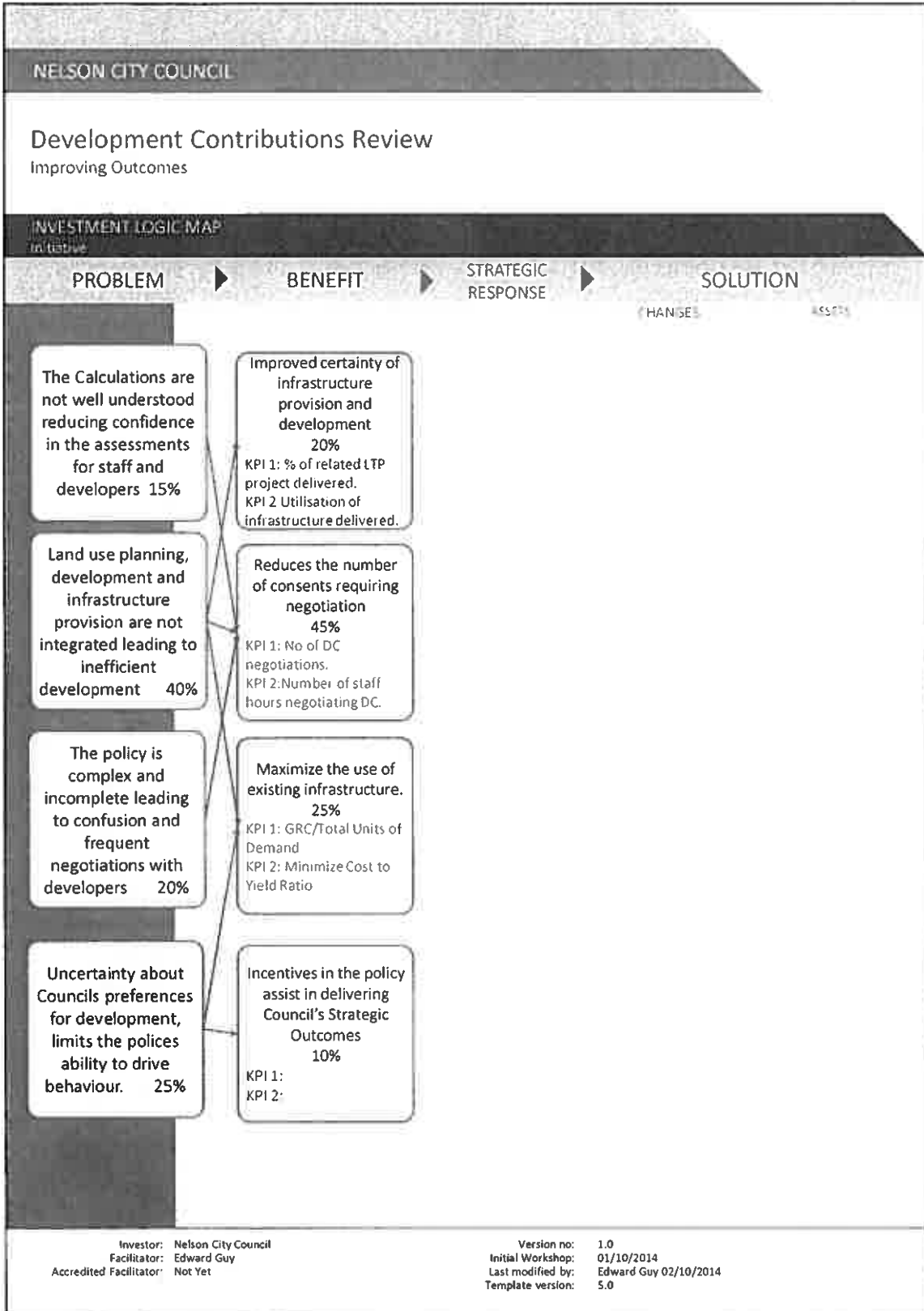
From the Strategic Context above it is clear that the DCP needs to be aligned with Council's legislative requirements, resource management requirements, financial management and infrastructure investment.

Following this, it is important to assess whether there is a need to change and therefore invest in the current DCP from a business needs perspective. To answer this we need to consider the following:

- What are the key drivers for considering an investment in change?
- Is there evidence to confirm both the root causes and effects of any problems?
- Are the potential gains of successful change likely to be worthwhile?
- Is the investment proposal a good idea?
- Is there strong evidence of support from management and other key stakeholders?

Two facilitated workshops were held on 1 October 2014. The first was with Council staff. The second was with local developers through the Chamber of Commerce – Nelson Tasman. The purpose of these workshops was to better understand if there is a compelling case for changing anything about the DCP. The following Investment Logic Map (ILM) sets out the Problem and Benefit Statements. The ILM was derived from the issues identified in the two workshops. Appendix A lists the issues identified in the two separate workshops.

Table 1 – Investment Logic Map – Problems and Benefits



Investor: Nelson City Council
Facilitator: Edward Guy
Accredited Facilitator: Not Yet

Version no: 1.0
Initial Workshop: 01/10/2014
Last modified by: Edward Guy 02/10/2014
Template version: 5.0

The issues identified in the workshops and the problem statements developed from the ILM process have clearly set out that there is a compelling case for change. This has strong support from NCC management and stakeholders also.

From the ILM above, the following tables define the outcomes that NCC are planning to achieve, including the current business gap.

Investment Objective One	Improved certainty of infrastructure provision and development timing.
Existing Arrangements	The function of providing infrastructure to meet development demand is not well understood, co-ordinated or integrated. In addition the DCP is not effective in describing how NCC will share the costs of providing infrastructure to support development.
Business Needs	Greater co-ordination and setting of policy around how infrastructure will be provided and who has the financial responsibility for the costs.
Potential Scope	Modifying the DCP to provide greater clarity on infrastructure development and provision to support development.
Potential Benefits	Council and developers will have improved certainty around development timing, provision of infrastructure to support development and how the costs will be shared.
Potential Risks	The policy becomes more complex.
Constraints and Dependencies	NCC needs to publicly identify what it intends to do with the DCP on 1 December 2014. The new policy will need to be in place for the 2015-25 Long Term Plan.
Investment Objective Two	Reduce the number of consents requiring negotiation.
Existing Arrangements	At present, many consents are requiring negotiation. This is a function of uncertainty about the timing of infrastructure provision and a lack of confidence in the DCP.
Business Needs	Greater certainty about when infrastructure will be provided to support the development process and improving the confidence of those using the DCP.
Potential Scope	Provide greater clarity in terms of the programme for infrastructure development, ensuring the DCP provides clarity in terms of who will be financially responsible for infrastructure costs.
Potential Benefits	Reducing the amount of negotiation will free up time for other activities, the process is more transparent for NCC and developers, improving developer cost certainty.
Potential Risks	The policy becomes more complex. Confidence in the DCP is not improved.
Constraints and Dependencies	It will be essential that the DCP has strong ownership and alignment with Council Policy and Strategy. Ownership by the Senior Leadership Team will be essential to improve overall confidence in the policy.

Investment Objective Three	Maximising the use of existing infrastructure.
Existing Arrangements	This is identified in the Strategic Outcomes document. Work is being undertaken to understand the servicing costs of specific developable land, the property yield and therefore cost per unit of land supplied. Growth projections have been developed to improve the understanding of the supply and demand for developable land.
Business Needs	The DCP should be strategically aligned with Council's intentions to maximise the use of existing infrastructure.
Potential Scope	The DCP has the potential to provide greater clarity about Council's intentions to provide infrastructure to support development and when this is likely to occur.
Potential Benefits	Providing clarity on this issue will assist developers and Council to understand what implications this type of policy setting will have on development.
Potential Risks	Land is not serviced in time, land supply is reduced and land becomes less affordable.
Constraints and Dependencies	Understanding the costs to service both greenfield and brownfield developments. What delivers the best outcomes in terms of affordability and cost per lot. Identifying where there is existing asset capacity that could be utilised to service new lots.

Investment Objective Three	Incentives in the Policy assist in delivering Council's Strategic Outcomes.
Existing Arrangements	There is limited alignment between the DCP and the Strategic Outcomes published recently.
Business Needs	The DCP needs to be aligned with the Strategic Outcomes where practical to do so.
Potential Scope	Align the DCP with the Strategic Outcomes where possible and utilise incentives if practical to achieve any desired outcomes. This includes Council's intention to provide a high density, more compact city.
Potential Benefits	Development occurs that is in line with Council's intentions.
Potential Risks	Incentives have no impact on delivering Council objectives.
Constraints and Dependencies	The Nelson Plan 2016 is a key document that will define the development direction for Nelson City. This is a work in progress. The Strategic Outcomes are providing the current direction. These were released on the 18 September 2014. Incentives can only be developed based on what we know today.

From the strategic assessment above, and the results of the strategic context, it is clear that there is a compelling case for change.

3 The Preferred Option

The Strategic Case shows clearly that there is a compelling case for change. This section (previously known as the Economic Case) sets out the process by which the preferred option has been derived. A facilitated workshop on 2 October 2014 with Council staff involved in development, land use planning, infrastructure and finance was undertaken to determine the preferred way forward.

SUMMARY - the preferred option is to review/update the calculations, improve policy and improve (some) incentives. The review will give effect to the Strategic Outcomes, prioritise the growth infrastructure and prepare a transitional DC and FC Policy. The project will be supported by internal leadership and delivery, with external competent assistance and in collaboration with the development community. This option was chosen as it met the benefits and the critical success factors more than any other option.

3.1 Critical Success Factors

In addition to the investment objectives identified in the strategic case, the following critical success factors have been identified for the use of assessing different options. The five critical success factors identified below are generic and have been modified to fit this project.

Table 2: Critical Success Factors.

Generic Critical Success Factors	Broad Description	Proposal-Specific Critical Success Factors
Strategic fit and business needs	How well the option meets the agreed investment objectives, related business needs and service requirements, and integrates with other strategies, programmes and projects.	Alignment with NCC Strategic Direction.
Potential value for money	How well the option optimises value for money (ie, the optimal mix of potential benefits, costs and risks).	Will this assist in delivering the right infrastructure, at the right time at the right price?
Supplier capacity and capability	How well the option matches the ability of potential suppliers to deliver the required services, and is likely to result in a sustainable arrangement that optimises value for money.	Are competent people with capacity available to deliver?
Potential affordability	How well the option can be met from likely available funding, and matches other funding constraints.	Can we afford this?
Potential achievability	How well the option is likely to be delivered given the organisations ability to respond to the changes required, and matches the level of available skills required for successful delivery.	Is this achievable in the timeframe available and implementable?

3.2 Identify Short listed Options

Within the potential scope of this proposal, the following long list options for providing the identified services were identified by key stakeholders:

Table 3: Possible long-list options classified by the three dimensions of choice.

Dimension	Description	Options within each Dimension
Scale, scope and location (What)	<i>In relation to the proposal, what levels of service (supply) and coverage (user) are possible? For example, by levels of functionality, geographic coverage, population/user base, etc.</i>	<ol style="list-style-type: none"> 1. status quo – do nothing 2. Charge nothing 3. Improve calculations 4. Improve calculations and policy 5. Improve calculations, policy and incentives. 6. Improve calculations, policy, incentives and the infrastructure provision and development integration.
Service solution (How)	<i>How can services be provided? For example, alternative processes, mixes of enablers, etc.</i>	<ol style="list-style-type: none"> 1. Do nothing 2. Give effect to the Strategic Outcomes 3. Give effect to the Strategic Outcomes and prioritise growth infrastructure. 4. Give effect to the Strategic Outcomes, prioritise growth infrastructure and deliver a transitional DCP. 5. Give effect to the Strategic Outcomes, prioritise growth infrastructure, deliver a transitional DCP and give effect to the Nelson Plan 2016. 6. Give effect to the Strategic Outcomes, prioritise growth infrastructure, deliver a transitional DCP, give effect to the Nelson Plan 2016 and fully integrate the DC & FC policy.
Service delivery (Who)	<i>Who can help us to deliver the services? e.g. in-house or out-sourced or alternative partnering arrangements.</i>	<ol style="list-style-type: none"> 1. Internal Leadership and Delivery 2. Internal Leadership and Delivery plus External Competent assistance. 3. Internal Leadership and Delivery plus External Competent assistance and collaboration with developers.

Appendix B is the options matrix that was completed during the workshop with Council staff. This effectively sets out the long list of options, short list of options and the preferred option.

The following short listed options were considered:

- Option one: **Status quo** or do nothing.
- Option two: **Do Minimum** - Improve the calculations, give effect to the Strategic Outcomes and deliver with internal leadership and delivery, plus external competent assistance
- Option three: **The Preferred Option** – Improve calculations, improve policy and improve (some) incentives. Give effect to the Strategic Outcomes, prioritise the growth infrastructure and prepare a transitional Development Contributions and Financial Contributions Policy. Deliver using internal leadership and delivery, with external competent assistance and in collaboration with the development community.
- Option four: **Less Ambitious** – Improve calculations and improve the Policy, give effect to the Strategic Outcomes, prioritise growth infrastructure and deliver with internal leadership and delivery, plus external competent assistance

3.3 The Preferred Option

Appendix B identifies the technique used to derive the preferred option. The options for scope, service solutions and service delivery option were assessed by Council staff in a workshop environment.

The preferred option is to improve calculations, improve policy and improve (some) incentives. Give effect to the Strategic Outcomes, prioritise the growth infrastructure and prepare a transitional DC and FC Policy. Deliver using internal leadership and delivery, with competent external assistance and in collaboration with the development community. This option was chosen as it meets the benefits and the critical success factors more than any other option.

4 Commercial Case

The preferred option to review the calculations, policy and provide some incentives is to deliver this through internal leadership and delivery, with competent external assistance and in collaboration with the development community.

Selecting the internal team will be an essential step due to the wide-ranging nature of the Policy.

Council has gone out to tender for provision of external resources. A contract has been awarded to Rationale Ltd who to date have already run the workshops and delivered this scoping document. A formal proposal will be provided by Rationale including a programme and approach to move through the update process.

5 Financial Case

The purpose of the Financial Case is to consider the overall affordability of the project over the life of the investment and to identify capital and operating funding requirements.

The financial case for delivering the review, as identified in the preferred option, is affordable within the existing resources.

The outcome of reviewing the DCP may have more significant financial impacts. These will need to be considered during the project delivery.

6 Management Case

During the project it will be essential to develop 1) a Project Management Plan and 2) a Change Management Plan. Below are a number of ideas regarding these two plans.

Table 4: Project Management and Change Management Plans.

What	How	Who	When	Detail
Management Plans				
Project Management Plan	Regular reporting to the project team on progress, issues and changing direction. Progress on delivering the preferred option and any changes in thinking regarding the preferred option.	Governance: Who? PM Leader: Who?	Ongoing until new Policy is consulted on and being delivered – Estimate 1 July 2015.	The implementation of the preferred option will require significant project management input. It may require rethinking of the preferred option as the project progresses depending on direction/decisions of Council.
Change Management Plan	Develop a programme of change management activities that will make the setting of development contributions more efficient, with greater confidence from users and less unnecessary negotiation.	Governance: ?? Change Management Leader: ?? Embracing Change: Regularly involve those involved in the relevant elements of the development contributions project.	Ongoing and continuously progressing towards the benefits sought.	What needs to be undertaken to ensure the changes are as effective, efficient and timely as possible? <i>Skills and delegations:</i> <i>Processes:</i> <i>Stakeholder Engagement (Developers, Councillors, Senior Leadership Team etc):</i>

Risk is a further consideration of the management/implementation phase. The following risk schedule should be considered. At this stage this is not considered to be exhaustive.

Table 5: Risk Management Plan

Risk	Consequence (H/M/L)	Probability (H/M/L)	Risk Management Approach
Project not aligned to Council objectives	Medium	Medium	This is a medium risk to the project, as the Nelson Plan 2016 will drive many of the development objectives and this will not be available in time for the review of this DCP.
To big, ambitious.	High	Low	The project has been structured to ensure it is adequately broken down with milestones.
Not owned by the Senior Leadership Team.	High	Medium	This is considered one of the higher risks in the project. Currently the DCP has no defined owner within NCC. The DCP is a multi-disciplinary document requiring inputs from throughout the organisation and externally also.
Not engaged with stakeholders	Medium	Medium	The project has identified that collaborating with the development community will be essential to get alignment within the project and to assist in resolving specific items together.
Poor project management and process	Medium	Medium	Due to the multi-disciplinary nature of the project and the number of people involved it will require strong project management.

7 Next Steps

The proposed approach for the next stage (Stage 2) of the project is outlined below.

1. Present the preferred option to Council – 6 November 2014. Present policy options to councillors to get guidance/direction on:
 - a. The use of both financial and development contributions to fund network infrastructure (water, wastewater, stormwater and transportation).
 - b. The Reserves financial contribution and consideration of Community Infrastructure development contribution.
 - c. Consider including all information on financial contributions in the policy.
 - d. Consideration of catchments, specifically stormwater. Balance of administrative efficiency versus fairness and equity versus incentives.
 - e. Options for incentives – location, activity, land use, demand based considerations, credits (brownfields, greenfields).
 - f. Timing of payment.
 - g. Developer provision of assets and/or private developer agreements (PDA). This needs to be considered in conjunction with the developers to ensure on-going collaboration.
2. Rationale to facilitate a cost apportionment workshop with key council officers. This would include historic and future capital expenditure related to growth for all network infrastructure – proposed date 5 November 2014.
3. Develop an improved calculation tool that includes:
 - a. Linkages to the infrastructure strategy and long term plan.
 - b. Consideration of capacity life of growth related assets.
 - c. Consideration of incentives.
 - d. Transparent disclosure of interest/debt servicing costs.
 - e. Disclosure tables improving transparency and understanding.
4. Publish a brief public document detailing the proposed changes to the policy - 1 December 2014.
5. Hold a workshop with councillors and council officers to review the outcome of the above steps. We also recommend the applicable policy components be developed in conjunction with a development community representative (incentives, provision of assets, PDAs).
6. Update policy – to be consulted on via the 2015/16 LTP process.

The final stage of the project (Stage 3) would occur once the policy is adopted - the implementation of the policy. This stage will assist in meeting the change management needs of council and includes:

- Assessment of developments – calculation of contributions.
- Financial management of growth related costs and contribution income.

The key milestones and dates are:

- 5 November 2014 Cost apportionment workshop.
- 6 November 2014 Initial Council workshop – endorse approach and provide direction.
- 1 December 2014 Brief public consultation document detailing the proposed changes to the policy.
- TBC Second Council workshop – review outcomes from Stage 2.
- TBC Draft DC and FC Policy – to be consulted on with draft 2015/16 LTP.
- TBC Final DC and FC Policy – to be published with final 2015/16 LTP.

Appendix A – Workshop Issues

Review of the NCC DCs/FCs Policy – Improving Outcomes

Council officer's workshop – 1 October 2014

In Attendance: Nicky McDonald, Don Bartkowiak, Shane Overend, Clare Barton, Alec Louverdis, Kevin Patterson, Andrew Bishop, Susan Moore-Lavo, Edward Guy (Rationale), Walter Clarke (Rationale)

Apologies: Lisa Gibellini

1. Confusion between the two charges (DCs and FCs) in the Policy, including the transitional provisions. Also paying water supply DCs to Tasman District Council.
2. Negotiating contributions is difficult for staff and developers.
3. There is no clear view on incentives for different development types.
4. Developers want to see a tangible link to visible assets.
5. Use of the Extraordinary Circumstances rule is too frequent, perhaps due to the Policy being seen as inequitable. PDAs have been included in interim policy (Sep 2014).
6. More robust cost allocation and a link to capacity lives as the calculations may require greater defence.
7. Developers may feel that deferred projects are distorting charges.
8. Developers are seeking different timing of payment, i.e. post 224(c).
9. Timing of development versus timing of infrastructure provision.
10. Dealing with multiple developers in a single catchment.
11. 10-15 years of residential capacity remaining. There are no plans for intensification or re-zoning of land and infrastructure to support this. There is also no Industrial land. Climate change also needs to be considered.
12. Developers want to see alignment with DC/FC Policy in TDC and NCC. NCC DCs are currently lower.
13. Transport DC based on number of car parks, even if car parks are not required to be provided, i.e. CBD policy on carpark provision used as the assessment even if parks not provided.
14. Different views about catchments including Administrative Efficiency versus Fairness and Equity versus Incentives. Acknowledged that more catchments requires greater input.
15. Assessment of growth debt and calculating interest charges.
16. The multi-unit development charge of 5% of building may not meet intensification incentives and the rule is being abused.

Developers meeting 1 October 2014

Attendees for NCC: Susan Moore-Lavo, Don Bartkowiak, Edward Guy (Rationale), Walter Clarke (Rationale)

Chamber Members: (Seeking List of Attendees)

- 1) Provision for intensification and/or multi-unit development (excludes existing sub-division) to reflect different demand.
- 2) Policy for incentives to develop in a preferred manner.
- 3) Meeting the needs for affordable housing, i.e. 4 bed versus 2 bed – housing choice.
- 4) DCs reduce the affordability of housing.
- 5) Subdivision feasibility is often impacted by the demand for contributions at the time of 224(c), as opposed to the time of sale. This is due to borrowing constraints. Developers also pay a 2 year bond and are responsible for 2 years maintenance.
- 6) Keep it simple, assessed once (consistent) and fixed value – current multiple charging points creates inefficiency.
- 7) The 2% FC on new building on existing subdivided land is confusing and catches house builders out.
- 8) TDC vs NCC contributions are significantly different (NCC is lower) including at TDC \$3,500 service connection.
- 9) It is unclear what is preferred where DC/FCs sit as long as it is consistent.
- 10) Double dipping, paying a contribution and upgrading network elements that benefit other parts of the community. This can be a consequence of a project not being in the LTP.
- 11) Disconnect between infrastructure provision and development.
- 12) Transparency – sometimes the contributions income isn't there as planned/forecast.
- 13) Transparency of assessments and fair negotiation.
- 14) Double dipping for depreciation.
- 15) Transparency of the calculation methodology for what has been paid for by the developer – PDAs.
- 16) Policy needs to be clear about shared costs.
- 17) Removing jam jars – using contributions for one activity to fund another activity. Cannot be legally achieved.
- 18) Obtaining Consent – the time taken to get consent approved is too long.
- 19) Intensification rules in the Nelson Plan (NCC Strategic Objectives) – Notified end 2016.
- 20) Catchment – do we have incentives driving development towards areas with existing infrastructure capacity?
- 21) Improve the understanding of the DCs calculations.

Appendix B – Options Assessment Matrix

Review of the NCC DCs/FCs Policy – Improving Outcomes

Options Workshop – 2 October 2014

In Attendance: Nicky McDonald, Don Bartkowiak, Shane Overend, Kevin Patterson, Andrew Bishop, Susan Moore-Lavo, Alec Louverdis, Matt Heale, Edward Guy (Rationale), Walter Clarke (Rationale)

Apologies: Lisa Gibellini

NCC Development and Financial Contributions Policy Review - Improving Outcomes Summary Presentation of the Long-list Options Assessment

Description of Option:	Status Quo - Mixed (M)						Status Quo - Mixed (M)						Status Quo - Mixed (M)		
	1) Status Quo - Do Nothing	2) Charge Nothing	3) Improve Calculations	4) 3 + Improve Policy	5) 4 + Improve Incentives	6) 5 + Improve Infrastructure and Development Incentives	1) Do Nothing	2) Give Effect to Strategic Outcomes	3) 2 + Prioritise Growth Infrastructure	4) 3 + Transitional DC & FC Policy	5) 4 + Give Effect to the Nelson Plan	6) 5 + Fully Integrated DC & FC Policy	1) Internal Leadership and Delivery	2) 1 + External Competent Assistance	3) 2 + Collaboration with Developers
Benefits															
Benefit 1 - Improve certainty and timing of infrastructure provision and development				Partial				Partial	Partial	Partial	Partial	Partial			
Benefit 2 - Reduces the number of consents requiring negotiation and collect the contributions defined by the policy			Partial					Partial	Partial	Partial	Partial	Partial	Partial	Partial	
Benefit 3 - Maximize the use of existing infrastructure				Partial									Partial	Partial	
Benefit 4 - Incentives in the Policy assist in delivering Council's Strategic Outcomes				Partial									Partial		
Critical Success Factors:															
Strategic fit and business needs alignment with NCC Strategic Direction	Partial		Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial	Partial
Potential value for money - Will this assist in delivering the right infrastructure, at the right time at the right price?				Partial	Partial		Partial							Partial	
Supplier capacity and capability - Are competent people with capacity available to deliver?	Partial		Partial	Partial	Partial	Partial			Partial						
Potential affordability - Can we afford this?															
Potential achievability - Is this achievable in the timeframe available and implementable?					Partial				Partial						Partial
Summary of Advantages and Disadvantages:															
Overall Assessment:			Possible	Possible				Possible	Possible	Possible	Possible	Possible		Possible	Possible
Short-listed options:															
Status Quo option	Status Quo - Do Nothing						Status Quo - Mixed Strategic						1) Internal Leadership and Delivery		
Low Minimum Option	3) Improve Calculations						2) Give Effect to Strategic Outcomes						2) 1 + External Competent Assistance		
Less Ambitious	4) 3 + Improve Policy						3) 2 + Prioritise Growth Infrastructure						2) 1 + External Competent Assistance		
Preferred	3) Improve calculations, improve policy and improve (some) incentives						4) Give effect to strategic outcomes, prioritise growth infrastructure and transitional DC & FC Policy						3) Internal leadership and delivery, external competent assistance and collaboration with developers		
More Ambitious															

Development Contributions

1. Nelson City Council is reviewing its Development Contributions Policy to: reflect new legislative requirements which came into force in August this year; and to provide greater clarity to the community on the collection and use of development contributions under the Local Government Act 2002 (the Act).
2. A draft policy is being prepared, and this will be consulted on as part of the consultation for the Long Term Plan in 2015.
3. Some amendments to the Act have already been incorporated into Nelson City Council's Development Contributions Policy: the introduction of a reconsideration process, the introduction of an objections process, and the provision to allow for private development agreements. These amendments were approved by the Governance Committee on 25 September 2014, and adopted by Council on 9 October 2014 and can be found on Council's website.
4. A further requirement is that, by 01 December 2014, councils must make information available to the public about changes being made to development contributions policies.
5. The Act has three provisions, two of which do not apply to Nelson City Council's Development Contributions Policy: the definition of community infrastructure for which development contributions can be collected; and restrictions on charging development contributions for reserves where a development is not residential in nature. Nelson City Council does not collect development contributions for community facilities or reserves.
6. The Council will continue to collect financial contributions primarily for reserves and community facilities under the Nelson Resource Management Plan (Chapter 6).
7. The third provision is to ensure that policies comply with the new "purpose and principles" clauses of the amended Act. Nelson City Council has identified changes to more clearly comply with these clauses.
8. The Act now states that the purpose of charging development contributions is to *enable territorial authorities to recover from those persons undertaking development, a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term.*
9. The following principles have also been introduced to guide development contributions policies:
 - a. *Development contributions should only be required if the effects or cumulative effects of developments will create or have created a requirement for the territorial authority to provide or to have provided new or additional assets or assets of increased capacity*

- b. *Development contributions should be determined in a manner that is generally consistent with the capacity life of the assets for which they are intended to be used and in a way that avoids over-recovery of costs allocated to development contribution funding*
- c. *Cost allocations used to establish development contributions should be determined according to, and be proportional to, the persons who will benefit from the assets to be provided (including the community as a whole) as well as those who create the need for those assets*
- d. *Development contributions must be used-*
 - i. *For or towards the purpose of the activity or the group of activities for which the contributions were required; and*
 - ii. *For the benefit of the district or the part of the district that is identified in the development contributions policy in which the development contributions were required*
- e. *Territorial authorities should make sufficient information available to demonstrate what development contributions are being used for and why they are being used*
- f. *Development contributions should be predictable and be consistent with the methodology and schedules of the territorial authority's development contributions policy*
- g. *When calculating and requiring development contributions, territorial authorities may group together certain developments by geographic area or categories of land use, provided that-*
 - i. *the grouping is done in a manner that balances practical and administrative efficiencies with considerations of fairness and equity; and*
 - ii. *grouping by geographic area avoids grouping across an entire district wherever practical.*

10. The Council is reviewing its current Development Contributions Policy. This review is taking into account a range of matters including: Council's strategic outcomes (including Nelson 2060) particularly in relation to housing affordability and choice, matters raised by the development community, and growth projections for the Nelson region along with the related costs of infrastructure provision.

11. The options that have been identified to guide the draft Development Contributions Policy for Nelson City Council are as follows:

- The calculations used to assess the level of development contributions payable will be reviewed and updated with a view to simplifying them
- The policy will be improved to ensure greater clarity for developers on what must be paid, when this must be paid, and where development contributions will be used.
- Consideration will be given to introducing and improving some incentives in the policy to assist in giving effect to Nelson City Council's strategic outcomes.

12. The proposed changes to the policy meet the “purpose and principles” provisions of the Act, as well as Nelson City Council’s strategic documents, including in the following ways:

Proposed change to policy	Legislated requirements and NCC strategic documents
Review and update the calculations that are used to assess the level of development contribution to be paid	<p>LGA sections 197AA, 197AB(a), 197AB(b), 197AB(c)</p> <p>This proposal will assist in ensuring that DCs will:</p> <ul style="list-style-type: none"> • only be charged when a development results in a requirement to provide new or upgraded assets (including increasing capacity of existing assets) • be proportionate to those benefitting from the assets taking into account the wider community as well as those who created the need for the asset – balancing the cost between rates/DCs • be charged so they are consistent with the capacity life of the asset and not over-recovered • be used for the purpose for which they were collected
Provide a schedule of projects for which development contributions are being collected	<p>LGA sections 197AA, 197AB(d), 197AB(e)</p> <p>This will provide transparency to show that DCs have been collected and used for the group of activities for which they were charged (note that NCC already provide such a schedule in its policy)</p>
Improve the policy to provide greater clarity on the assessment of, charging for, and use of development contributions	<p>LGA sections 197AA, 197AB(f)</p> <ul style="list-style-type: none"> • The level of DCs charged will be predictable, and consistent enabling those being charged DCs are given clarity “upfront” on what, when and how they will be charged • Deliver a transitional DCs/FCs policy • Provide information on private developer agreements.

<p>Consider introducing incentives to give effect to Council's strategic objectives.</p>	<p>LGA 197AA, Nelson 2060, Nelson City Council strategic and community outcomes</p> <p>The policy review is considering the introduction of incentives that will help to deliver the type and location of housing that will address issues of housing affordability, housing choice, and maximising use of existing infrastructure.</p>
<p>Ensure administrative efficiency and certainty of levels of contributions payable by the developer.</p>	<p>LGA sections 197AA, 197AB(g)</p> <p>The calculations and policy will be administratively efficient to implement while also ensuring a fair, equitable proportion of the distributed costs.</p>

**Minutes of a meeting of the Nelson Tasman Civil Defence
Emergency Management Group**

**Held in Tasman District Council Chamber, Queen Street,
Richmond**

On Tuesday 7 October 2014, commencing at 2.50pm

- Present: His Worship the Mayor of Tasman R Kempthorne
(Chairperson), Nelson City Councillor P Matheson
- In Attendance: Tasman District Council Chief Executive (L McKenzie), Nelson
City Council Manager Emergency Management (R Ball), and
Nelson City Council Administration Adviser (E Farrell)
- Apology: Her Worship the Mayor of Nelson R Reese

1. Apologies

Resolved

***THAT apologies be received and accepted from
Her Worship the Mayor of Nelson.***

Matheson/His Worship the Mayor of Tasman

Carried

2. Interests

No conflicts of interest were declared with any agenda items.

3. Confirmation of Minutes

- 3.1 Nelson Tasman Civil Defence Emergency Management Group -
4 April 2014

Document number A1166432, agenda pages 4-6 refer

Resolved

***THAT the minutes of a meeting of the Nelson
Tasman Civil Defence Emergency Management
Group, held on 4 April 2014, be confirmed as a
true and correct record.***

Matheson/His Worship the Mayor of Tasman

Carried

- 3.2 Nelson Tasman Civil Defence Emergency Management Co-ordinating Executive Group (CEG) Meeting - 28 May 2014

Document number A1256020, agenda pages 7-16 refer.

Resolved

THAT the minutes of the Nelson Tasman Civil Defence Emergency Management Co-ordinating Executive Group (CEG) meeting held on 28 May 2014, be received.

Matheson/His Worship the Mayor of Tasman

Carried

4. Report of the Emergency Management Office

Document number A1185171, agenda pages 17-45 refer.

Resolved

THAT the Report of the Emergency Management Office (A1185171) be received.

Matheson/His Worship the Mayor of Tasman

Carried

5. 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	Nelson Tasman Civil Defence Emergency Management Group Public Excluded Minutes- 4 April 2014	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure	The withholding of the information is necessary. * Section 7(2)(a) To protect the privacy of natural

	These minutes contain information regarding preferred candidates recommended for appointment as Local Controllers.	of information for which good reason exists under section 7.	persons
--	--	--	---------

Matheson/His Worship the Mayor of Tasman

Carried

The meeting went into public excluded session at 2.55pm and resumed in public session at 3.04pm.

6. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Matheson/His Worship the Mayor of Tasman

Carried

There being no further business the meeting ended at 3.04pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

**Minutes of a meeting of the Planning and Regulatory Committee
Held in the Victory Community Centre, 2 Totara Street, Nelson
On Thursday 23 October 2014, commencing at 9.00am**

Present: Councillor B McGurk (Chairperson), Councillors I Barker, R Copeland, K Fulton (Deputy Chairperson), M Lawrey, M Ward, and G Paine

In Attendance: Councillors L Acland, Group Manager Strategy and Environment (C Barton), Manager Operations (S Davies), Kaihautū (G Mullen), Environment Programmes Officer (R Frizzell), Manager Building (M Brown), Manager Operations (S Davies), Team Leader Resource Consents (C Jenkins), Administration Manager (P Langley) and Administration Adviser (E Farrell)

Apologies: Her Worship the Mayor, R Reese and Councillor E Davy

1. Apologies

Resolved

THAT apologies be received and accepted from her Worship the Mayor and Councillor Davy.

Lawrey/Barker

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

No updates were made to the Interests Register and no conflicts with items on the agenda were declared.

4. Public Forum

4.1 Victory Primary School

Ms. Suzy Garlick and Ngā Mana Kākano from Victory Primary School sang a waiata and spoke to the Committee about the work they had carried out on the York Stream. The Committee expressed their

gratitude to the students for their work on York Stream and for their presentation to Council in December 2013.

The Committee presented a Certificate of Acknowledgement (A1263899) to the students.

5. Petition for dogs to be allowed to run on the Monaco Reserve.

Mrs Chris Keay and Mrs Lois Morgan presented a "Petition for dogs to be allowed to run on the Monaco Reserve".

In reply to questions from the Committee it was explained that the petitioners concerns arose from an incident where two local dog owners had received fines for \$150 following a complaint. The Committee told the petitioners that they would request Council officers to investigate the matter and prepare a report.

Resolved

THAT a report on dogs off the leash on Monaco Reserve be prepared.

McGurk/Copeland

Carried

6. Confirmation of Minutes – 18 September 2014

Document number A1251236, agenda pages 12-22 refer.

Resolved

THAT the minutes of the meeting of the Nelson City Council – Planning and Regulatory Committee, held on 18 September 2014, be confirmed as a true and correct record.

McGurk/Paine

Carried

7. Status Report – Planning and Regulatory Committee 23 October 2014

Document number A1155974, agenda pages 23-24 refer.

Resolved

THAT the Status Report – Planning and Regulatory Committee 23 October 2014 (A1155974) be received.

McGurk/Barker

Carried

8. Chairperson's Report

The Chairperson informed the Committee of the threat posed to the local ecosystem by Taiwan Cherry plants (*Prunus Campanulata*).

The Chairperson referenced the report of Dr Peter Williams (A1255269) and spoke of the history of the plant beginning with its introduction to the area in Dodson's Valley. The Committee was told that the Taiwan Cherry plant posed a major biodiversity threat and weed problem for the Nelson area. The committee was told that an opportunity existed at the moment to address the problem in a cost effective manner and that where eradication was concerned acting immediately was always the cheapest option.

The Chairperson also told the Committee that HAIL (Hazardous Activities and Industries List) sites were added to the NCC website and an interactive searchable map was also available. The Chairperson told the Committee that the availability of the HAIL site map would enable the public and contractors to identify these sites.

9. Environment Activity Management Plan

Document number A1252228, agenda pages 25-54 refer.

Environmental Programmes Officer, Mr Richard Frizzell, Manager Planning, Mr Matt Heale and Team Leader Resource Consents, Mr Carl Jenkins spoke on the report.

The Committee spoke of its concerns about the level of detail in the report as it related to Nelson 2060. Mr Heale informed the Committee that additional goals could be added to paragraphs 1.9 and 1.10 of the report that reflected the vision and goals of Nelson 2060.

The Committee spoke of its concerns about the level of funding for heritage buildings and formed the opinion that the amount contained in the plan was not adequate.

The Committee was also concerned that the plan did not provide for funding earthquake strengthening of heritage buildings within the CBD.

Resolved

THAT the report Draft Environment Activity Management Plan (A1252228) and its attachment (A1243203) be received.

McGurk/Fulton

Carried

Planning and Regulatory Committee
23 October 2014

Recommendation to Council

THAT the Draft Environment Activity Management Plan 2015-2025 (A1243203) be approved, subject to increasing the heritage incentives amount to \$270,000, as the version that will inform the Long Term Plan 2015-25.

AND THAT the Chief Executive investigates a range of options that could be available for earthquake strengthening of heritage buildings within the CBD.

McGurk/Fulton

Carried

10. Plan Change 16 – Inner City Noise – operative date

Document number A1238640, agenda pages 55-150 refer.

Manager Planning, Mr Heale and Planning Adviser, Mr Reuben Peterson presented the report.

Resolved

THAT the report Plan Change 16 – Inner City Noise – operative date (A1238640) and its attachments (A1206051) and (A1254607) be received.

Barker/Copeland

Carried

Recommendation to Council

THAT Council resolves to make the provisions within the commissioners decision on Plan Change 16 – Inner City Noise (A1206051) operative on 1 December 2014, pursuant to Clause 20(1) of the First Schedule of the Resource Management Act 1991.

Barker/Fulton

Carried

Attendance: The Committee adjourned for morning tea from 10.30am to 10.50am

11. Strategy and Environment Report 1 July to 30 September 2014

Document number A1237437, agenda pages 151-174 refer.

Manager Building, Mr Martin Brown and Team Leader Resource Consents, Mr Carl Jenkins spoke on the report.

The Committee was told the 20 day statutory time limit was breached six times over the last quarter. It was explained that the cause of these breaches were two-fold. Firstly, staff had experienced issues with the new "GoGet" processing tool. The Committee was told that this issue had been addressed by further training. The second cause was a capacity issue for commercial consents. This issue had been addressed by using external resources to assist when capacity was not available in house and an experienced commercial building consents processor had been recruited.

The Committee was told that the general quality of information from external agents was a concern and that recruiting staff was difficult due to limited availability and competition from other areas.

The Committee noted the positive feedback from the public to parking staff around the issue of the free parking trial.

The issue of algae and bacteria in the Maitai River was raised and the Committee was told that this was difficult to deal with. The Committee was told that bacteria was naturally occurring and was a long term project for Council.

The Committee noted the success of the logo for the Maitai walkway and spoke of the idea of utilising it further. The Committee spoke of the desirability of feedback on the success of Second Hand Sunday.

Resolved

THAT the Strategy and Environment Report for 1 July to 30 September 2014 (A1237437) and its attachments (A1255054, A1246625, A1249836 and A1259196) be received.

McGurk/Copeland

Carried

12. Draft Building and Other Regulatory Activity Management Plan

Document number A1261318, agenda pages 175-189 refer.

Resolved

THAT the report Draft Building and Other Regulatory Activity Management Plan (A1261318) and its attachment (A1150957) be received.

Barker/Copeland

Carried

Recommendation to Council

THAT the Draft Building and Other Regulatory Activity Management Plan be approved as the version that will inform the Long Term Plan 2015-2025.

McGurk/Copeland

Carried

13. Parking and Vehicle Control Bylaw (2011), No.207 Amendments to Schedule

Document number A1255440, agenda pages 190-195 refer.

Manager Operations, Mr Shane Davies presented the report to the Committee.

In reply to a question the Committee was told that the amendments to the bylaw included the prohibition of long term parking at Millers Acre and that would address the issue of freedom camping in that area.

Resolved

THAT the report Parking Vehicle Control Bylaw (2011), No. 207 Amendments to Schedules (A1255440) and its attachments (A1255861, A1256003 and A1255878) be received;

AND THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:

- **Schedule 4: Special Parking Areas;**
- **Schedule 9: No Stopping**

Lawrey/Ward

Carried

14. Council Submission on Proposed Registration of Te Taero a Kereopa – Te Tāhuna a Tama-i-ea (Nelson Boulder Bank) – as a Wahi Tapu Area

Document number A1258280, agenda pages 196-247 refer.

Group Manager Strategy and Environment, Ms Clare Barton presented the report.

Resolved

THAT the report Council Submission on Proposed Registration of Te Taero a Kereopa – Te Tāhuna a Tama-i-ea (Nelson Boulder Bank) – as a Wāhi Tapu Area (A1258280) and its attachment (A1258080) be received;

AND THAT the submission (A1258080) on the Proposed Registration of Te Taero a Kereopa – Te Tāhuna a Tama-i-ea (Nelson Boulder Bank) – as a Wāhi Tapu Area is confirmed.

McGurk/Ward

Carried

There being no further business the meeting ended at 11.41am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Community Services Committee

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

On Thursday 30 October 2014, commencing at 12.05pm

Present: Councillor P Rainey (Chairperson), Her Worship the Mayor R Reese, Councillors G Noonan (Deputy Chairperson), R Copeland, M Lawrey, P Matheson, T Skinner, and M Ward

In Attendance: Councillors I Barker, L Acland, B McGurk, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Senior Strategic Adviser (N McDonald), Administration Manager (P Langley), Manager Communications (P Shattock), Manager Community Partnerships (S Hermsen), Arts and Heritage Advisor (Debbie Daniell-Smith), Youth Councillors (S Stephens and H Malpas), Administration Advisers (G Brown and E Farrell)

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Gayle Petch of Keep Victory Safe informed the Committee that she was unable to attend. Accordingly, item 3.1 on the agenda "Placing CCTV cameras in Victory Square" was removed.

3. Interests

The Chairman, Councillor Rainey, declared an interest in item 7 on the agenda, "Gondola Feasibility Study".

Councillor Barker declared an interest in item 3.2, "Upgrading coal fire burners at Tahuna Beach Holiday Park".

4. Public Forum

4.1 Removal of Dead Pine Trees from Haulashore Island.

Mr Mike Rodwell spoke about the removal of eight dead pine trees from the eastern side of Haulashore Island before the summer season. He showed a Maryan Andrews painting showing pohutakawas on

Haulashore Island along with a photo of Fifeshire Rock to illustrate that these were iconic land marks.

4.2 Upgrading of coal fire boilers at Tahuna Beach Holiday Park

Tabled Document A1258202 refers.

Attendance: Councillor Barker left the meeting for the duration of this item.

Marshall Seddon and Colin Reeves discussed the upgrading of coal fire burners at Tahuna Beach Holiday Camp (TBHC). The Committee was told that the camp had two original coal burners which were old and difficult to maintain.

In reply to a question, the Committee was told that a conversion to diesel could result in operational savings of 75% when compared to coal.

It was explained that TBHC needed to borrow the capital through Council because Council owned the assets. TBHC had a historical arrangement with Council whereby TBHC paid interest on loans required for investment in facilities. It was explained that the cost of the upgrade would be \$120,000 plus GST.

Attendance: The Committee adjourned from 12.31pm to 2.13pm

5. Confirmation of Minutes

5.1 Community Services Committee – Community Assistance Funding 8 and 9 September 2014

Document number A1247085, agenda pages 8-32 refer.

The Committee noted some minor discrepancies with regard to dates, times and attendances in the minutes of the Community Services Committee – Community Assistance Funding, held on 8-9 September 2014 and the meeting of the Community Services Committee of the 11 September 2014.

Resolved

THAT the minutes of a meeting of the Community Services Committee – Community Assistance Funding, held on 8-9 September 2014, be received, subject to minor amendments on dates, times and attendance to be confirmed by the Chairperson and Deputy Chairperson.

Matheson/Rainey

Carried

Community Services Committee
30 October 2014

5.2 Community Services Committee 11 September 2014

Document number A1247833, agenda pages 33-40 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council - Community Services Committee, held on 11 September 2014, be received, subject to minor amendments on dates, times and attendance to be confirmed by the Chairperson and Deputy Chairperson.

Rainey/Ward

Carried

6. Status Report – Community Services 30 October 2014

Document number A1157454, agenda page 41 refers.

Resolved

THAT the Status Report – Community Services 30 October (A1157454) be received.

Rainey/Noonan

Carried

7. Chairpersons Report

The Chairman told the Committee that he had met with the Guardians of the Nellie Nightingale Library regarding proposed alterations to the library. The Chairman reported that the proposed alterations included internalising the public toilets adjoining the building and better utilisation of space. The Chairman told the committee that the proposals would need to come back to Council for approval through the Long Term Plan.

The Chairman noted that it was Team Leader Festivals, Sophie Kelly's last day at work for the Council. On behalf of the Committee, the Chairman thanked Sophie for her contribution to the success of Nelson City Council's arts festival's programmes.

Recreation and Leisure

8. Gondola Feasibility Study

Document number A1194716, agenda pages 42-109 and tabled documents A1267155 and A1268815 refer.

Attendance: Councillor Rainey left the meeting for the duration of this item. Councillor Noonan chaired the meeting for this item.

Group Manager Community Services, Chris Ward informed the Committee that the Gondola Feasibility Study resulted from an approach to Council by the Nelson Cycle Lift Society (NCLS).

Mr Ward informed the Committee that NCLS required an indication of Councils attitude to the study in order to allow them to make their own plans on this project.

The Committee adjourned from 2.25pm to 2.30pm.

Upon resuming, members of the Committee advised that they felt they were not in a position to make a decision on the matter because the two tabled documents received required further consideration.

Resolved

THAT the Gondola Feasibility Study be referred to Council for consideration.

Matheson/Her Worship the Mayor

Carried

9. Arts Activity Management Plan

Document number A1255556, agenda pages 110-157 refer.

Arts and Heritage Adviser, Debbie Daniell-Smith and Senior Strategic Advisor, Nicky McDonald presented the report.

Ms McDonald informed the Committee that the Arts Activity Management Plan was one of the documents that formed the basis of meeting Council's obligations under the Local Government Act 2002.

The Committee requested that more references were inserted to Nelson 2060. Ms Daniell-Smith informed the Committee that work was underway on constructing a map that located all of the artwork contained in the plan.

Resolved

THAT the report Arts Activity Management Plan (A1255556) and its attachment (A1126659) be received

Rainey/Noonan

Carried

Recommendation to Council

THAT the Draft Arts Activity Management Plan 2015-2025 (A1126659) be approved as the version that will inform the Long Term Plan 2015-2025.

Rainey/Copeland

Carried

10. Tahuna Beach Camp Incorporated Annual Report

Document number A1264122, tabled document A1265535 and agenda pages 158-181 refer.

The Committee received the Tahuna Beach Camp Incorporated Annual Report.

In light of the contents of the Tahuna Beach Camp Incorporated Annual Report, the Committee addressed the issue of the financial trends of the three Council controlled campgrounds and how they impacted on the results of the Tahuna Beach Camp.

The Committee formed the opinion that more information on the financial trends of all of Council's camp grounds was necessary in order to place the Tahuna Beach Camp Incorporated Annual Report into a proper perspective. Committee members believed that this could be best achieved through an external report.

Some Committee members suggested that any review of Council controlled campgrounds should address the issue of campgrounds being used to accommodate social housing needs.

The Committee addressed the issue of coal fired boilers at Tahuna Beach Camp and requested that a report be prepared on their feasibility and possible replacement.

Resolved

THAT the report Tahuna Beach Camp Incorporated Annual Report (A1264122) and its attachments (A1250020 and A1265535) be received.

Rainey/Noonan

Carried

Recommendation to Council

That Council commission an external review of its three campgrounds, to understand their financial trends, and to assist in establishing a strategic direction for these properties.

Rainey/Her Worship the Mayor

Carried

RECREATION AND LEISURE

11. Community Partnerships Activity Management Plan

Document number A1258364, agenda pages 182-201 refer.

Manager Community Partnerships, Ms Shanine Hermsen presented the report.

Ms Hermsen told the Committee that the Community Partnerships Activity Management Plan incorporated feedback from the workshop of the 18 October 2014.

In reply to questions from the Committee concerning the level of funding for "Safe City", the Committee was informed that feedback from workshops indicated that this issue was not as high a priority as other issues.

Members of the Committee raised their concerns about the level of funding allocated to "Older Adults" and requested that further work is carried out on budgets.

Resolved

THAT the report Community Partnerships Activity Management Plan (A1258364) and its attachment (A1236577) be received.

Rainey/Noonan

Carried

Recommendation to Council

THAT the Draft Community Partnerships Activity Management Plan 2015-2025 (A1236577) be approved as the version that will inform the Long Term Plan 2015-25.

Rainey/Ward

Carried

REPORTS FROM COMMITTEES

12. Youth Council

12.1 Youth Council Minutes 12 August 2014

Document number A1231448, agenda pages 202-208 refer.

Youth Councillors Hannah Malpas and Samantha Stephens informed the Committee of matters arising from the Youth Council. They discussed commissioning artists for youth parks, the success of the masked parade, heritage week and the Top of the South Forum.

Resolved

THAT the minutes of a meeting of the Nelson Youth Council, held on 12 August 2014, be received.

Rainey/Lawrey

Carried

Resolved

THAT the minutes of a meeting of the Nelson Youth Council, held on 17 September 2014, be received.

Rainey/Lawrey

Carried

13. Exclusion of the Public

Resolved

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	Community Services Committee - Public Excluded - 11 September 2014	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: • Section 7(2)(i) To carry out negotiations
2	Status Report Public Excluded - 30 October 2014	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:

Community Services Committee
30 October 2014

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	This report contains information regarding: Stoke Community and Sports Facility Property Purchase	information for which good reason exists under section 7	<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations

Rainey/Ward

Carried

The meeting went into public excluded session at 3.43pm and resumed in public session at 3.50pm.

During the public excluded part of the meeting, the Committee confirmed the public excluded minutes of the 11 September 2014 and received the public excluded status report of 30 October 2014.

14. Confirmation of Minutes – 11 September 2014

Document number A1247835, agenda pages 3-7 refer.

Resolved

THAT the minutes of the part of a meeting of the Nelson City Council – Community Services Committee, held with the public excluded on 11 September 2014, be confirmed as a true and correct record.

Rainey/Skinner

Carried

15. Public Excluded Status Report – 30 October 2014

Document number A1157456, agenda pages 8 refer.

Resolved

THAT the public excluded Status Report – Community Services Committee 30 October 2014 (A1157456) be received.

Rainey/Ward

Carried

16. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Rainey/Noonan

Carried

There being no further business the meeting ended at 3.50pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Unconfirmed

Minutes of a meeting of the Chief Executive Employment Committee

Held in Ruma Ana, Civic House, 110 Trafalgar Street, Nelson

On Monday 3 November 2014, commencing at 12.30pm

Present: Her Worship the Mayor, R Reese, Councillors L Acland and P Matheson

In Attendance: External Adviser to the Chief Executive Employment Committee (P Bell), External Facilitator (P Le Gros), Chief Executive (C Hadley) and Administration Adviser (G Brown)

1. Apologies

There were no apologies.

2. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

3. Confirmation of Order of Business

There were no changes to the order of business.

4. Confirmation of Minutes – 7 July 2014

Document number A1215393, agenda pages 5-8 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council - Chief Executive Employment Committee, held on 7 July 2014, be confirmed as a true and correct record.

Matheson/Acland

Carried

PUBLIC EXCLUDED BUSINESS

5. Exclusion of the Public

Her Worship the Mayor explained that Paul Bell, of Intepeople, and Paul Le Gros, an external facilitator, would be in attendance for the items on the Public Excluded agenda to provide advice to the Committee and, accordingly, a procedural resolution was required to be passed.

Resolved

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Paul Bell and Paul Le Gros remain after the public has been excluded, for Items 4 and 5 of the Public Excluded agenda (Chief Executive's Performance Review and Staff Statistics – quarterly report to 30 September 2014), as they have knowledge that will assist the Committee;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Paul Bell and Paul Le Gros possess relates to performance review methods, which is relevant to the Chief Executive Employment Committee to undertake the Chief Executive's performance review, and make recommendations to Council.

Her Worship the Mayor/Acland

Carried

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	Chief Executive Employment Committee Minutes – Public Excluded – 7 July 2014	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 • Section 7(2)(i) To carry out negotiations

Chief Executive Employment Committee
03 November 2014

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
2	<p>Chief Executive's Performance Review</p> <p>This report contains information regarding the review of the Chief Executive's performance.</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
3	<p>Staff Statistics – quarterly report to 30 September 2014</p> <p>This report contains information regarding staff statistics.</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)(c) To protect information that is subject to an obligation of confidence

Her Worship the Mayor/Acland

Carried

The meeting went into public excluded session at 12.38pm and resumed in public session at 2.17pm.

6. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Acland

Carried

There being no further business the meeting ended at 2.17pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an Extraordinary meeting of the Community Services Committee

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

On Tuesday, 4 November 2014, commencing at 9.00am

Present: Councillor P Rainey (Chairperson), Councillors R Copeland, M Lawrey, G Noonan (Deputy Chairperson), T Skinner and M Ward.

In Attendance: Councillors I Barker, B McGurk, K Fulton, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Senior Strategic Adviser (N McDonald), Property and Facilities Asset Manager Administration Manager (M Homan), Asset Analyst (D Bartkowiak), Manager Asset Administration (K Patterson), Manager Administration (P Langley), Administration Adviser (E Farrell).

Apology: Her Worship the Mayor R Reese

1. Apologies

Resolved

THAT apologies be received and accepted from Her Worship the Mayor.

Rainey/Noonan

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

There were no updates to the interest register and no conflicts of interest with agenda items were declared.

4. Chairpersons Report

The Chairman, Councillor Rainey, thanked staff who prepared the Property and Facilities Asset Management Plan 2015-2025. He reminded the Committee that the Asset Management Plan deals with

over \$60 million worth of community owned assets. The Chairman stated that of those assets, very few were related to the arts. The Chairman compared the position of assets and facilities for arts activities to that of sport activities and stated his belief that this was a situation that needed to be addressed.

5. Property and Facilities Asset Management Plan

Document number A1143129 refers.

Property and Facilities Asset Manager, Michael Homan and Asset Analyst Don Bartkowiak presented the report.

There were concerns about the tight timeframe Councillors had to review the document.

Group Manager Community Services, Mr Chris Ward informed Councillors that the document was a draft only and that changes could be made by Councillors. Councillors were informed that a workshop on the draft LTP was scheduled for 12 November 2014 to allow them to incorporate any amendments to the document that they saw fit.

The Chairperson informed Councillors that if they had any suggested amendments to the draft AMP, they should inform him or the Deputy Chairperson by 12 November 2014.

Councillors addressed a number of issues with officers.

Councillors sought clarification on different population statistics used in different Council reports.

Councillors were informed that "Interest rates" on page 258 and "Maintenance Contracts" on page 271 of the draft AMP would need to be updated.

There was a discussion about the upgrade of the toilet facilities at Buxton Square. Officers were requested to provide information relating to the level of use of these facilities by the public and what impact the recent upgrade of these facilities had on vandalism. Officers were also requested to provide information on whether the upgrade of the Buxton Square facilities had impacted on the level of use of the toilet block in Montgomery Square.

There was a suggestion that a similar upgrade to the facilities at Buxton Square could be carried out at Tahunanui and Millers Acre. It was stated that this would leave a particularly favourable impression with visitors to the city.

Councillors requested that any proposed changes by Nelson City Council's Senior Leadership Team be highlighted to Committee.

Councillors suggested that steps needed to be taken to highlight public awareness of the AMP and proposed that an article in Live Nelson along with hard copies for the public would be beneficial.

Attendance: The Committee adjourned from 10.20am to 10.24am.

Resolved

THAT the report Property and Facilities Asset Management Plan 2015-2025 (A1233602) and its attachment (A1224345) be received.

Rainey/Copeland

Carried

Resolved

THAT the draft Property and Facilities Asset Management Plan 2015-2025 (A1224345) be amended by the Chair and Deputy Chair as per suggestion received by Wednesday 12 November 2014

Rainey/Noonan

Carried

Recommendation to Council

THAT the amended draft Property and Facilities Asset Management Plan 2015-2025 (A1224345) be approved to inform the Long Term Plan 2015-2025.

Rainey /Noonan

Carried

There being no further business the meeting ended at 10.30am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Governance Committee

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

On 6 November 2014, commencing at 9.01am

Present: Her Worship the Mayor (R Reese), Councillors I Barker, K Fulton, E Davy, P Matheson, B McGurk, G Noonan, P Rainey, John Peters, John Murray.

In Attendance: Chief Executive (C Hadley), Manager Communications (P Shattock), Group Manager Corporate Services (N Harrison), Senior Strategic Advisor (N McDonald), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Senior Accountant (T Hughes), Manager Administration (P Langley), and Administration Adviser (F O'Brien)

Apology: Councillor L Acland

1. Apologies

Resolved

THAT apologies be received and accepted from Councillor Acland.

Davy/McGurk

Carried

2. Confirmation of Order of Business

The Chairperson advised that the Nelson Enterprise Loan Trust Public Forum item would be dealt with later in the meeting.

3. Interests

Councillor Rainey stated that he had a conflict of interest with the item regarding Nelson Enterprise Loan Trust of the Public Forum and that he would leave for this portion of the meeting.

4. Public Forum

4.1 Campaign to make Nelson a Fairtrade City

John Marshall and Rebecca Sheehy tabled documents (A1269606 and A1269600), which clearly outlined what they were requesting from Council and also which gave a brief introduction to Fair Trade Nelson and their campaign goals.

It was explained that there would be an initial joining fee of \$500 and an annual fee of \$400 associated with belonging to the Fair Trade Cities Organisation. Council would be expected to support one Fair Trade event each year to increase media coverage and have a link on the Nelson City Council webpage. It was noted that promotion could be tied into Nelson events, specifically Ecofest which could be an excellent vehicle to endorse this.

In response to a question it was clarified that Nelson could become the fourth New Zealand Fair Trade city following Wellington, Dunedin and Auckland.

In answer to a further question regarding labour and employment conditions within its system it was clarified that these were included in the campaign against child labour and the promotion fair wages. It was clarified, as an advocacy group, that none of its members were involved in fair trade companies.

4.2 Significance and Engagement Policy

Chris Allison and John Paul Pochin spoke on behalf of Bicycle Nelson Bays about past engagement with Council. They indicated this helped to identify problems before projects were finalised. They voiced their opinion that they no longer had the opportunity to comment on projects. Councillors were surprised at these comments and it was stated that there had been excellent engagement on recent key projects such as Rocks Road.

The speakers clarified that they wished for informal engagement on all projects for feedback, especially those on a small scale. They stated they had expertise, training and knowledge of best practice which would have been beneficial to Council. They noted that they had always supported and promoted Council projects.

5. Confirmation of Minutes – 25 September 2014

Document number A1255587, agenda pages 8-17 refer.

It was noted that the minutes be confirmed subject to the following changes:

- That the spelling of Her Worship the Mayor's name be corrected in the attendees list.
- That the spelling of the word Princes Drive be corrected in item 7.

Resolved

THAT the minutes of the meeting of the Nelson City Council – Governance Committee, held on 25 September 2014 with corrections, be confirmed as a true and correct record.

Noonan/McGurk

Carried

6. Status Report

There were no Status Report updates.

7. Chairperson's Report

The Chairperson gave a verbal report noting his personal concerns regarding the number of empty properties in Nelson City. He referenced agenda item 10 regarding Community Outcome Descriptors and proposed the importance that the CBD remained a vibrant area.

8. Rural Fire: Proposed Funding Model

Document number A1259473, agenda pages 18-26 refer.

Manager Emergency Management, Roger Ball and Ian Reide presented the report introduced explained their positions on Waimea Rural Fire Committee. They outlined their report which proposed a new capability based funding model and a request for a figure to be set to go forward for the Long Term Plan. This would not result in a change to operations.

Mr Ball advised that the capability model was based on a third split between Council, Department of Conservation and Tasman District Council meaning that in the event of a fire all localities would be able to assist. This split was questioned and it was explained that the funding model sought to address complex factors dealing with mainly risk and response. Nelson City Council has a large urban rural interface and would need to call on the services of Waimea Rural Fire Association and other agencies in case of a fire. A multi agency

exercise took place replicating the Atawhai and this proved the case. Taking into account 95-98% of fires to date were man-made this risk was even more apparent in the decision. It was noted that a table would have been helpful in the report to clarify the figures.

In answer to a question it was stated that small forest owners currently pay a levy of \$40000 and fire authority carry insurance to the value of \$21000 as they do not carry their own. It was questioned why Hira was treated differently and clarified that this was for training and testing of equipment with stakeholders holding equipment.

Councillors Fulton and McGurk moved and seconded the recommendation in the officer's report. With their agreement the second clause of the motion was amended to include "that the document be used as the basis to commence negotiation" in substitution of "be confirmed".

Resolved

THAT the report Rural Fire: Proposed Funding Model (A1259473) and its attachment (A1261150) be received;

AND THAT the proposed capability funding model as set out in document A1261150 be used as a basis to commence negotiations.

AND THAT officers negotiate with the Waimea Rural Fire Committee and other stakeholders over Nelson City Council's contribution to the new funding model and submit a recommended figure for approval in the Long Term Plan 2015/2025.

Fulton/McGurk

Carried

Attendance: Councillor Rainey left the meeting at 10.03am

9. Nelson Enterprise Loan Trust Interest Free Loan

Document number A1258529, agenda pages 75-86 refer.

Bruce Dyer gave a Powerpoint presentation (A1270720) and tabled a newsletter (A1270793).

He explained the 17 year history of Nelson Enterprise Loan Trust and illustrated the various successes that had emerged from investment.

Attendance: Councillor Noonan left the meeting at 10.12am.

In response to a question about the history of the Trust Mr Dyer explained that the initial loan was provided to give them the ability to offer small loans to businesses which would not otherwise be able to attain them. As the loan amount to the Trust and the following loans given out were of low amounts it was stated that there was little risk to all involved.

In response to a question regarding the type of grants that the Trust had received from Tasman District Council Mr Dyer stated that there had been three grants altogether, all similar amounts. The most recent of which had been for \$2500.

There was a suggestion that the loan should be written off as there was little intention to repay. It was noted that the system in place showed commitment to Nelson Enterprise Loan Trust and the process should continue.

Resolved

THAT the report Nelson Enterprise Loan Trust Interest free loan (A1258529) and its attachments (A1251733, A1261929, A1262026) be received;

Mayor/Barker

Carried

Recommendation to Council

THAT the \$25000 interest free loan to Nelson Enterprise Loan Trust be rolled for a further three years through to September 2017.

Mayor/Barker

Carried

Attendance: The meeting adjourned from 10.25am to 10.30am during which time Councillor Noonan and Councillor Rainey returned to the meeting and Councillor Fulton left the meeting.

10. Finance Report for period ending 30 September 2014

Document number A1262300, agenda pages 27-43 refer.

Group Manager Corporate Services, Nikki Harrison presented the report.

The upgrades to be done on Saxton field were questioned regarding the breakdown of costs. Group Manager Community Services, Chris Ward explained that staff have been working on Saxton field to make sure it is available for large events, such as cricket. He advised some infrastructure needed to be upgraded. The buildings in question were the cricket/athletics and utilities buildings.

Regarding the Bank lane canopy, councillors expressed their disappointment that this work would not proceed in the current financial year and it was suggested that Saxton Stadium not be developed in exchange for Bank Lane Canopy.

A query was raised regarding increasing WIFI costs and whether there would eventually be a set annual fee. Funds had been set aside to support teething problems and requests for enhancements such as data increase. This was a conservative amount and the full amount was unlikely to be used.

Attendance: Councillor Fulton returned to the meeting at 10.43am.

Councillors queried whether the figures for parking were surprising. Ms Harrison clarified that these met expectations and stated that there had been some changes which accounted for this. Officers had begun to issue Warrant of Fitness and Registration renewal warnings and the effect of this would be more pronounced in the next quarter.

It was queried whether there were any figures to reflect whether parking changes had affected the CBD business. It was noted that the effect may be significant and figures were requested.

In response to a question whether rates would be able to compensate for the entire \$800000 parking shortfall it was stated that this was a permanent deficit and needed to be considered. It was queried as to whether there were any other costs that contributed to parking not reflected in figures and it was noted that the bulk were incurred through staff time.

Progress on the Southern Arterial was mentioned and Her Worship the Mayor said she aimed to meet with the new Minister of Transport to gather further information.

It was agreed that the recommendations would be moved in parts.

Resolved

THAT the report Finance Report for the Period ending 30 September 2014 (A1262300) and its attachments (A1263456, A1263699, A1258411, A793514, and A1265270) be received and the variations noted.

AND THAT the Committee note the impact on revenue of the free parking initiative to 30 September 2014 per attachment eight.

Murray/Davy

Carried

Recommendation to Council

THAT Council approves unbudgeted operating expenditure of \$13,557 for the 2014/15 year to continue to provide free WiFi to the Central Business District;

Mayor/Peters

Carried

Deputy Mayor Matheson and Councillor Rainey moved the second clause of the recommendation in the officer report.

Councillor Noonan seconded by Councillor Davy moved the following amendment.

AND THAT Council approves additional capital expenditure of up to \$62,000 for capital works at Saxton Field.

The amendment was put and carried and became the substantive motion.

Recommendation to Council

AND THAT Council approves additional capital expenditure of up to \$62,000 for capital works at Saxton Field.

Matheson/Rainey

Carried

11. Development Contributions Policy Review Statement

Policy Advisor, Susan Moore-Lavo presented the report.

Document number A1264142, agenda pages 44-46 refer.

Resolved

THAT the report Development Contributions Policy Review Statement (A1264142) be received;

AND THAT the matter of the principles guiding the review of the Development Contributions Policy be considered by full Council on 20 November 2014 to enable statutory timeframes to be met.

Davy/Barker

Carried

Recommendation to Council

THAT the principles guiding the review of the Development Contributions Policy be considered and that this direction be made publicly available by 1 December 2014.

Davy/Barker

Carried

12. Community Outcomes Descriptors

Document number A1247915, agenda pages 47-52 refer.

Policy Advisor, Susan Moore-Lavo presented the report.

Resolved

THAT the report Community Outcomes Descriptors (A1247915) and its attachment (A1250263) be received.

Noonan/Fulton

Carried

Recommendation to Council

THAT the descriptors explaining the Community Outcomes be adopted to inform the Long Term Plan 2015-25.

Noonan/Fulton

Carried

13. Adoption of the Significance and Engagement Policy

Document number A1262170, agenda pages 53-74 refer.

Policy Advisor, Susan Moore-Lavo presented the report.

In response to a question, Senior Strategic Adviser Nicky McDonald clarified that engagement was very good with Bicycle Nelson Bays, but that she would request examples from Bicycle Nelson Bays of poor engagement.

Resolved

THAT the report Adoption of the Significance and Engagement Policy (A1262170) and its attachments (A1262973, A1241702 and A1264506) be received;

Rainey/McGurk

Carried

Recommendation to Council

THAT the Significance and Engagement Policy be adopted.

Rainey/McGurk

Carried

14. Exclusion of the Public

Resolved

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	Governance Committee - Public Excluded - 25 September 2014	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 carry out negotiations• Section 7(2)(a) To protect the privacy of natural persons• Section 7(2)(b) To carry out commercial activities

Governance Committee
6 November 2014

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
2	Additional Trustee for Economic Development Agency	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

Noonan/Peters

Carried

The meeting went into public excluded session at 11.26am and resumed in public session at 11.42.

15. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Barker/Matheson

Carried

There being no further business the meeting ended at 11.42am

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date