

15 November 2012

Memo To: Mayor and Councillors

Memo From: Administration Advisers

**Subject: COUNCIL - COMMUNITY SERVICES AGENDA –
20 NOVEMBER 2012 - LATE ITEMS**

1. LATE ITEMS: CROSS COUNCIL ITEMS

In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987, a procedural resolution is required before an item that is not on the agenda for the meeting may be dealt with.

In accordance with section 46A(7)(b)(i) the reason why the items were not on the agenda is because they were to be distributed on an agenda for the Council - Infrastructure meeting scheduled for 22 November 2012, which has since been cancelled due to insufficient business.

In accordance with section 46A(7)(b)(ii) the reason why discussion of these items cannot be delayed until a subsequent meeting is because there is not another Council - Infrastructure meeting scheduled this calendar year.

1.1. Public Items

The public late items are attached, together with a cover sheet at page 5 of this memo.

Recommendation

THAT the items regarding:

- **Public Forum, and**
- **the minutes of a meeting of the Nelson City Council – Infrastructure, held on 11 October 2012, and**
- **the Status Report – Infrastructure, and**
- **the minutes of a meeting of the Nelson Regional Transport Committee, held on 18 October 2012, and**
- **the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 31 August 2012, and**
- **the discussion of public forum items**

be considered at this meeting, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987.

1.2 Public Excluded Items

In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987, a procedural resolution is required before an item that is not on the agenda for the meeting may be dealt with. This is equally true for items dealt with in public excluded.

Recommendation

THAT the items regarding:

- ***the minutes of a part of the meeting of the Nelson City Council – Infrastructure, held with the public excluded on 11 October 2012, and***
- ***the Public Excluded Status Report – Infrastructure, and***
- ***the minutes of a part of the meeting of the Nelson Regional Sewerage Business Unit, held with the public excluded on 31 August 2012,***

be considered in the public excluded part this meeting, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987.

1.3 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)
Public Excl. late item 1	Nelson City Council – Public Excluded Infrastructure Minutes – 11 October 2012 These minutes confirm the public excluded minutes of the extraordinary Council meetings – Earthquake Prone Buildings, held on 4	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:

	September and 21 August 2012, and also contain information regarding:		
	Boulder Bank Culvert Agreement, including information regarding the negotiation of a Heads of Agreement regarding the use of a Council owned asset		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Marina Hardstand		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Public Excluded minutes of the Nelson City Council/ Tasman District Council Joint Shareholders Committee meeting of 14 September 2012, including information regarding Directors' rotation and fees for Council Controlled organisations and Council Controlled Trading Organisations		<ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons Section 7(2)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations
	Statement of Proposal – Gambling Policy, including legal advice relating to the Statement of Proposal Draft Class 4 Gaming Venue Policy 2012, Draft New Zealand Racing Board Venue Policy 2012		<ul style="list-style-type: none"> Section 7(2)(g) To maintain legal professional privilege
Public Excl. Late Item 2	Public Excluded Infrastructure Status Report – 22 November 2012 This report contains a brief update regarding progress on the following:	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:
	Airlie Street Slip Repairs		<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

	Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations
	Marina Hardstand		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
Public Excl Late Item 3	Public Excluded Nelson Regional Sewerage Business Unit meeting – 31 August 2012 These minutes confirm the minutes of the public excluded Nelson Regional Sewerage Business Unit meeting held on 22 June 2012, and information relating to:	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:
	Regional Pipeline Upgrade Consultancy Fees, including information regarding negotiations relating to the total fees payable for the regional pipeline upgrade project		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Regional Pipeline Upgrade Liquidated Damages, including information regarding the ability of the Nelson Regional Sewerage Business Unit to recover liquidated damages relating to the regional pipeline upgrade		<ul style="list-style-type: none"> • Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person

CROSS COUNCIL ITEMS - INFRASTRUCTURE

1. Public Forum

1.1. Queens Road Upgrade

Ms Gretchen Rasch will address Council regarding the Queens Road upgrade.

1.2. Camping in Marsden Valley

Mr Craig Gass will address Council regarding camping in Marsden Valley.

1.3. Horse Rides from Tahunanui Beach Reserve

Mr Hugh Briggs will address Council regarding horse rides from Tahunanui Beach Reserve

2. Confirmation of Minutes

1-13

11 October 2012

Document number 1387094

Recommendation

THAT the minutes of the meeting of the Nelson City Council - Infrastructure, held on 11 October 2012, be confirmed as a true and correct record.

3. Status Report – Infrastructure

14-15

Document number 1034781 v5

Recommendation

THAT the Status Report - Infrastructure (1034781 v5) be received.

4. Regional Transport Committee – 18 October 2012 16-20

Document number 1395372

Recommendation

THAT the minutes of a meeting of the Regional Transport Committee, held on 18 October 2012, be received.

5. Nelson Regional Sewerage Business Unit – 31 August 2012 21-30

Document number 1368994

Recommendation

THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 31 August 2012, be received.

6. Discussion of public forum items