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## Minutes of a meeting of the Nelson City Council - Governance

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

On Tuesday 27 August 2013, commencing at 9.29am

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Present: His Worship the Mayor A Miccio (Chairperson), Councillors A Boswijk, I Barker, G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, R Reese, D Shaw, and M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Support Services/Acting Executive Manager Community Services (H Kettlewell), Executive Manager Strategy and Planning (M Schruer), Executive Manager Network Services (A Louverdis), Executive Manager Regulatory (R Johnson), Acting Chief Financial Officer (T Hughes), Manager Community Relations (A Ricker), Manager Administration (P Langley), Administration Adviser (L Laird)

Apologies: Councillor J Rackley, and P Rainey, and Councillor E Davy for lateness

### Opening Prayer

Councillor Copeland gave the opening prayer.

#### 1. Apologies

Resolved

***THAT apologies be received and accepted from Councillors J Rackley and P Rainey, and Councillor E Davy for lateness.***

His Worship the Mayor/Boswijk

Carried

#### 2. Interests

There were no updates to the Interests Register and no interests with items on the agenda were noted.

#### 3. Confirmation of Order of Business

His Worship the Mayor confirmed that there were two public excluded late items for the meeting to consider.

Document number 1583566

Resolved

***THAT the public excluded item regarding Renaming of Community Spirit Awards 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 preparations for the 2014 round of awards to take place in a timely manner and to enable the decision to be implemented in a timely manner.***

Collingwood/Copeland

Carried

Resolved

***THAT the public excluded item regarding Potential Sale of Commercial land – Wakatu Square 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 the decision to be implemented in a timely manner.***

Copeland/Fulton

Carried

#### **4. Public Forum**

There were no public forums.

#### **5. Confirmation of Minutes – 16 July 2013**

Document number 1554869, agenda pages 8-18 refer.

It was noted that on page 5 of the minutes, the fifth paragraph read 'Some Councillors were in agreement that because only the outcome of the investigation was noted on the agenda, it was appropriate to be in public session.

Resolved

***THAT the minutes of a meeting of the Nelson City Council - Governance, held on 16 July 2013, be confirmed as a true and correct record, subject to changes made at the meeting.***

Shaw/Boswijk

Carried

It was noted that further advice regarding establishing the membership of a District Licensing Committee would be circulated to councillors.

**6. Mayor's Report**

There was no Mayor's Report.

**7. Status Report - Governance**

Document number 1034743 v11, agenda pages 19 refer.

Resolved

***THAT the Status Report – Governance (1034743 v11) be received.***

His Worship the Mayor/Shaw

Carried

**8. Portfolio Holder's Report**

Councillor Copeland presented the Portfolio Holders report.

***THAT the Portfolio Holder's Report – Governance be received.***

Ward/Shaw

Carried

**9. Credits for Excess Water Arising from Leaks (Commercial Customers)**

Document number 1543633, agenda pages 20-38 refer.

The Principal Adviser Utilities, Phil Ruffell, joined the meeting.

There was a discussion about water losses unaccounted for prior to reaching households. Mr Ruffell confirmed that the amount of water unaccounted for was between 30-40%. He said it was hard to estimate how much this was worth in financial terms but was effectively the cost of treating the water and that this loss was taking place in a number of areas in the city. He also said it was very expensive to fix leaks in pipelines and fittings as often the work required roads and other established landscapes to be disturbed.

Mr Ruffell said the treatment plant had been fitted with various water meters that recorded the flow of water from the plant and comparing this with the metered amount delivered to customers assisted in monitoring water losses.

Attendance: Councillor Davy joined the meeting at 9.55am.

Mr Ruffell said ageing pipelines and fittings would require renewal in the coming years. He explained that this may reduce water losses as those that leak would be replaced.

There was general agreement from the Council that there were many reasons other than leaks that contributed to water losses.

It was confirmed that commercial customers were able to apply for credits for water losses where there was a case of genuine financial hardship.

Resolved

***THAT the report Credits For Excess Water Arising From Leaks (Commercial Customers) (1543633) and its attachments (993846, 1544799, 1544806 and 1549920) be received;***

***AND THAT the criteria for credits for excess water arising from leaks remain un-changed.***

Collingwood/His Worship the Mayor

Carried

## 10. 2013/14 Insurance Renewal

Document number 1561284, agenda pages 39-45 refer.

In response to a question, the Chief Executive said she was confident with the analysis used by the Local Authority Protection Programme to arrive at the contributions increase.

Resolved

***THAT the report 2013/14 Insurance Renewal (1561284) and its attachments (1539615 and 1308992) be received;***

***AND THAT changes to the property insurance schedule cover for the 2013/14 financial year be noted by Council.***

His Worship the Mayor/Collingwood

Carried

## 11. Landowner Approval for Land Transfer at Nelson Airport

Document number 1569062, agenda pages 46-51 refer.

Resolved

***THAT the report Landowner Approval for the Transfer of Land at Nelson Airport (1569062) and its attachment (1568958) be received;***

***AND THAT landowner approval be given for the transfer of land between Nelson Airport and Nelson Golf Club.***

Davy/Ward

Carried

**12. Emissions Trading Scheme – Carbon Credit Strategy for Landfill**

Document number 1538230, agenda pages 52-55 refer.

The Engineering Adviser, Joahn Thiart, joined the meeting. In response to a question he said that the report did not look at actual emissions reduction but sought the approval to purchase units.

Resolved

***THAT the report Emissions Trading Scheme – Carbon Credit Strategy for Landfill (1538230) be received;***

***AND THAT Council purchase outright Emission Reduction Units to meet the estimated 2013 calendar year obligations at an approximate cost of \$3,348;***

***AND THAT Council purchase outright New Zealand Units to meet 50% of the estimated 2014 calendar year obligations at an approximate cost of \$21,500.***

Matheson/Collingwood

Carried

**13. 2012/13 Capital Programme – Carry Forwards into 2013/14**

Document number 1576175, agenda pages 56-58 refer.

In response to questions, the Chief Executive said she was confident that the capital expenditure programme was at a point that it was now deliverable.

It was noted that the criteria used in the review of the carry forwards budget would be circulated to councillors.

Resolved

***THAT the report 2012/13 Capital Programme – Carry Forwards into 2013/14 be received;***

***AND THAT \$742,044 of unspent capital budget from 2012/13 be carried forward for use in 2013/14.***

Ward/Matheson

Carried

**14. Schedule of Documents Sealed**

Document number 1504258, agenda pages 59-61 refer.

Resolved

**THAT the Schedule of Documents Sealed (1504258) be received.**

Collingwood/Shaw

Carried

## REPORTS FROM COMMITTEES

### 15. Audit, Risk and Finance Committee – 23 July 2013

Document number 1560966, agenda pages 62-65 refer.

Resolved

**THAT the minutes of the meeting of the Audit, Risk and Finance Committee, held on 23 July 2013, be received.**

Barker/Copeland

Carried

Resolved

**THAT a message of congratulations be sent to the royal family on the announcement of the birth of a son to the Duke and Duchess of Cambridge.**

Collingwood/His Worship the Mayor

Carried

It was noted that this motion was unanimously passed.

### 16. Remuneration Review Committee – 19 August 2013

Document number 1576395, agenda pages 66-68 refer.

Resolved

**THAT the unconfirmed minutes of the meeting of the Remuneration Review Committee, held on 19 August 2013, be received.**

Boswijk/Ward

Carried

Attendance: the meeting adjourned for morning tea from 10.25am to 10.45am

### 17. 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><b>Potential Sale of Land for Commercial Development – Wakatu Square</b></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"> <li>• Section 7(2)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
2	<p><b>Public Excluded Status Report – Governance – 27 August 2013</b></p> <p>This report contains information relating to:</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>
	<p>Nelson City Council Tasman District Council Engineering Services Agreement.</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Governance Options for, and commercially sensitive information regarding, the Nelson Regional Sewerage Business Unit</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>The proposed transfer of assets, and negotiation of a lease and contract with</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

	the Theatre Royal and Nelson School of Music.		
	Potential Exit from Ridgeway's Joint Venture		<ul style="list-style-type: none"> <li>• Section 7(2)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Theatre Royal Trust Deed		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	The Statement of Intent and Half Yearly report provided by Nelson Tasman Tourism to Council		<ul style="list-style-type: none"> <li>• Section 7(2)(h) To carry out commercial activities</li> </ul>
<b>3</b>	<p><b>Directors' Rotations and Fees 2013/2014</b></p> <p>This report contains information relating to directors rotations and fees for 2013/14 for Nelmac, The Nelson Regional Economic Development Agency, The Bishop Suter Trust, Nelson Airport Limited and Port Nelson Limited; and includes a recommendation to release the resolutions to the public after the individuals and organisations concerned have been advised.</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"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(h) To carry out commercial activities</li> </ul>
<b>4</b>	<p><b>Renaming Community Spirit Awards</b></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"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
<b>5</b>	<p><b>Remuneration Review Committee Public Excluded Minutes – 19 August 2013</b></p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(a)</li> </ul>



	These minutes contain information relating to the Chief Executive's Performance Review 2012/13 and the Chief Executive's Remuneration Review for 2013/14.	be likely to result in disclosure of information for which good reason exists under section 7	To protect the privacy of natural persons
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His Worship the Mayor/Collingwood

Carried

The meeting went into public excluded session at 10.46am and resumed in public session at 12.05pm.

**18. Re-admittance of the Public**

Resolved

***THAT the public be re-admitted to the meeting.***

His Worship the Mayor/Fulton

Carried

There being no further business the meeting ended at 12.05pm.

Confirmed as a correct record of proceedings:

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