



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

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MEETING AGENDA

YARROW STADIUM JOINT COMMITTEE

Wednesday 21 May 2014

at 3.00pm

Plymouth Room, Civic Centre

Members:

Mayor Andrew Judd (NPDC)

Cr Craig McFarlane (NPDC)

Cr Peter Horton (TRC)

Cr Michael Joyce (TRC)

YARROW STADIUM JOINT COMMITTEE
WEDNESDAY 21 MAY 2014

Addressing the subcommittee

Members of the public have an opportunity to address subcommittees during the public forum section or as a deputation.

A public forum section of up to 30 minutes precedes all subcommittee meetings. Each speaker during the public forum section of a meeting may speak for up to 10 minutes. In the case of a group a maximum of 20 minutes will be allowed.

A request to make a *deputation* should be made to the secretariat within two working days before the meeting. The chairperson will decide whether your deputation is accepted. The chairperson may approve a shorter notice period. No more than four members of a deputation may address a meeting. A limit of 10 minutes is placed on a speaker making a presentation. In the case of a group a maximum of 20 minutes will be allowed.

Definitions in reports

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. For the purpose of clarity, the following definitions apply:

Significance assessment refers to the degree of importance in terms of its likely impact on the current and future well-being of the district, as articulated by the seven Community Outcomes (Connected, Prosperous, Secure and Healthy, Skilled, Sustainable, Together and Vibrant); the persons likely to be affected by, or interested in, the matter; and the extent to which strength of feeling exists or is known to exist on the issue; changes or potential changes to the levels of services currently offered to the community and therefore the current and future capacity of the council to perform its roles, and the financial and other costs of doing so.

Views of those affected refers to those persons, including tangata whenua, who are likely to be affected by, or have an interest in, the issue. A description of the affected parties, a description of the processes, methods and levels of consultation used to identify their views, along with a summary of those views will provide a means of presenting the community viewpoint on the issue. Where the views of those affected have not yet been sought, the future means of seeking those views will be set out)

Tangata whenua considerations refers to those matters that the local authority must assess in relation to its undertaking of decisions. Where an option for the achievement of the objective of a decision involves a significant matter in relation to land or bodies of water, the local authority must take into account the relationship of Maori, and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna and other taonga.

**YARROW STADIUM JOINT COMMITTEE
WEDNESDAY 21 MAY 2014**

APOLOGIES

None advised.

PUBLIC FORUM

None advised.

DEPUTATIONS

None advised.

A ITEMS FOR DECISION BY COMMITTEE

A1 UNCONFIRMED MINUTES OF THE YARROW STADIUM JOINT COMMITTEE

Recommendation:

That the minutes of the Yarrow Stadium Joint Committee meeting held on 18 February 2014 be confirmed as a true and accurate record.

A2 YARROW STADIUM: MAJOR MAINTENANCE AND CAPITAL EXPENDITURE - REPORT TO YARROW STADIUM JOINT COMMITTEE

The purpose of this report is to present a progress report to the Projects and Asset Management Direction Group on the various Major Maintenance and Capital Expenditure projects since approval was given by the Taranaki Stadium Trust (TST) to proceed with the projects in late 2013.

A3 QUORUM FOR YARROW STADIUM JOINT COMMITTEE

This report advises of the quorum requirements for the Yarrow Stadium Joint Committee.

A4 EXCLUSION OF THE PUBLIC FROM THE REMAINDER OF THE MEETING

This report details items that are recommended should be considered with the public excluded, and the reason for excluding the public. The reports relate to matters undergoing a commercial negotiation. At the conclusion of the negotiations, and upon signing of the relevant contracts, the reports would be made available to the public upon request.

YARROW STADIUM JOINT COMMITTEE

FILE REFERENCE: DP-14-02 DM 1523956
MEETING DATE: Tuesday 18 February 2014 at 3pm.
VENUE: Council Chamber
MEMBERS PRESENT: Councillor Peter Horton (TRC), Councillor Michael Joyce (TRC); Mayor Andrew Judd (NPDC) and Councillor Craig McFarlane (NPDC)
NON-MEMBERS PRESENT: NPDC Councillors John McLeod and Grant Coward
STAFF IN ATTENDANCE: Mike Nield, Cathy Thurston, Jan Higley, Jim Willson, Jeremy Wichman, Andrew Barron, Ron Murray

PART A**MATTERS FINALLY DETERMINED BY THE COMMITTEE UNDER DELEGATED AUTHORITY AND REFERRED TO BOTH COUNCILS FOR INFORMATION AND RECORD****1. Election of Chairperson****FILE REFERENCE:** DM 1511729

The purpose of this report is to outline the process for the election of a chairperson for the Yarrow Stadium Joint Committee.

Resolved:

That having considered all matters raised in the report:

- a) Voting System A be used to elect the chairperson of the Yarrow Stadium Joint Committee.
- b) Peter Horton be elected chairperson of the Yarrow Stadium Joint Committee.

2. Adoption of Terms of Reference, Adoption of Management Agreement and Background Briefing**FILE REFERENCE:** DP-14-01, DM1521966

The purpose of this report is to provide for the:

- noting of the Joint Committee terms of reference; and
- noting of the Management Agreement between the Taranaki Stadium Trust (TST) and the New Plymouth District Council (NPDC); and
- receipt of a briefing on the background to the arrangements between the NPDC, the Taranaki Regional Council (TRC) and the TST.

Resolved:

That having considered all matters raised in this report:

- a) notes the Joint Committee's terms of reference with an amendment to 6.3 to read:

Without limiting the Local Government Act 2002, the Committee may not make any decision unless there is present and voting an equal number of NPDC members and TRC members representing the Committee, being not less, in total, than 2.

- b) notes the Management Agreement between the Taranaki Stadium Trust and the New Plymouth District Council.
- c) notes the briefing provided by Mr M J Nield, Director – Corporate Services, Taranaki Regional Council.

3. **Yarrow Stadium: Major Maintenance and Capital Expenditure – report to Yarrow Stadium Joint Committee**

FILE REFERENCE: CM 08 04 21 10; DM 1516854

The purpose of this report is to present a progress report on the various Major Maintenance and Capital Expenditure projects since approval was given by the Taranaki Stadium Trust (TST) to proceed with the projects in late 2013.

Resolved:

That having considered all matters raised in the report:

- a) The report be received.
- b) Approval be given for the early expenditure (in this current financial year), of \$11,000 from the Road Sealing budget for the 2014/2015 financial year. This can be covered in this financial year as it can be accommodated within this year's budget due to potential savings in other areas.

4. **Taranaki Stadium Trust – Draft Asset Management Plan 2015-2025**

FILE REFERENCE: CM 08 16 10 04, v01, ID 108125, DM 1522055

The purpose of this report is to:

- Outline the requirements and timelines for the preparation of the draft Asset Management Plan (AMP), by the Council in accord with the Taranaki Stadium Management Agreement dated 27 June 2013 and the Terms of Reference for the Yarrow Stadium Joint Committee.
- Outline the process for District/Taranaki Regional Council endorsement via recommendation by the Stadium Joint Committee for eventual final approval by the Taranaki Stadium Trust.

Resolved:

That having considered all matters raised in the report:

- a) It is noted that following restructure in 2013 that Yarrow Stadium is under the control of the Taranaki Regional Council, through the Taranaki Stadium Trust, under oversight of a new Joint Stadium Committee, and is subject to a new Stadium Management Agreement with the District Council.
- b) It is noted that the District Council within the terms of the Management Agreement is responsible for the preparation of the inaugural 10 year Asset Management Plan (AMP) , in association with the Joint Stadium Committee and once the Joint Committee is comfortable with the draft plan to seek formal approvals of both Councils and then the eventual final approval of the Taranaki Stadium Trust.
- c) It is noted that in addition to the proposed Joint Committee meetings dates of 15 May and 14 August, that up to three workshops with the Joint Committee and the District Council officers, may be required in order to have the draft plan completed by the end of September 2014.

5. **Meeting Schedule 2014**

FILE REFERENCE: DM 1511736

The purpose of this report is to recommend a schedule of meetings for the Yarrow Stadium Joint Committee.

Resolved:

That having considered all matters raised in the report, that the following schedule of meetings be adopted:

Wednesday 21 May 2014
 Thursday 21 August 2014
 Wednesday 19 November 2014

6. **Exclusion of the Public from the Remainder of the Meeting**

FILE REFERENCE: DM 1522389

This report details items that are recommended should be considered with the public excluded, and the reason for excluding the public. The reports relate to matters undergoing a commercial negotiation. At the conclusion of the negotiations, and upon signing of the relevant contracts, the reports would be made available to the public upon request.

Resolved:

That having considered all matters raised in the report, the Councils hereby resolve that, pursuant to the Local Government Official Information and Meetings Act 1987, the public be excluded from the following parts of the proceedings of this meeting:

- a) Yarrow Stadium: Major Maintenance and Capital Expenditure: Roofs and Roof Structures only

ITEM A1**ITEM FOR DECISION**

(To enable the Councils to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations), this particular interest being protected by section 7(2)(i) of the Act.);

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987.



YARROW STADIUM: MAJOR MAINTENANCE AND CAPITAL EXPENDITURE - REPORT TO JOINT COMMITTEE

PREPARED BY: John O'Mahony (Team Leader Building Projects)
TEAM: Infrastructure
APPROVED BY: Andrew Barron (Manager Projects)
WARD/COMMUNITY: Region Wide
DATE: 6 May 2014
FILE REFERENCE: CM 08 04 21 10; DM 1549375

PURPOSE

The purpose of this report is to present a progress report to the Joint committee on the various Major Maintenance and Capital Expenditure projects since approval was given by the Taranaki Stadium Trust (TST) to proceed with the projects in late 2013 and an update on the asset Management Plan.

EXECUTIVE SUMMARY

Progress on the following projects is reported on:

- ICT infrastructure.
- Scoreboard Upgrade.
- Roofs And Roofs Structures.
- Lift upgrades.
- Legends Lounge refurbishment.
- Speaker replacement.
- Road sealing.

All projects are on schedule. Expenditure committed to date is \$410,000

RECOMMENDATION

That having considered all matters raised in the report that the report be received.

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as low significance because it provides an update on implementation of decisions that have already been made by the Taranaki Regional Council (TRC) and the Taranaki Stadium Trust.

BACKGROUND

This report, broken into separate work packages, advises of activities being undertaken to give effect to the projects approved as described in the letters referred to in "Purpose" above.

DISCUSSION

1. PROJECT MANAGEMENT

- **Project Organisation:** The Project Control Group continues to meet to achieve the agreed purpose and reports to the Projects and Asset Management Direction Group.
- **Timeline:** The projects referred to in the discussion below are on schedule. The projects are timed around the major events for the 2014 season. The stadium has two Chiefs games, 9 May and 31 May, which require the ICT infrastructure and road sealing to the north of Yarrow Stand to be completed by 8 May to be able to deliver these events. The ITM Rugby starts 14th August and finishes in late October if the Taranaki team makes the finals.
- **Budget:** To date the Project commitments are within budget.

2. ICT INFRASTRUCTURE

A contract has been let to Datatalk for \$93,683 for the installation of a fibre connection from Yarrow Stadium to the NPDC Civic Centre. This work is now complete.

All Ethernet cabling for wireless access points is complete

The scoping for wireless connectivity within the stadium is underway. All on-site works are underway and are due for completion within the next two weeks.

The approved budget amount for this work package is \$160,000.

The anticipated out-turn cost is \$160,164.

3. ROOFS AND ROOF STRUCTURE

3.1 TSB Stand Roof Strengthening

Approval was granted by Yarrow Stadium Joint Committee to negotiate a lump sum contract with Fitzroy Engineering Limited to carry out the roof truss strengthening works on the TSB Stand. The rationale behind this was to strengthen the roof as quickly as possible and in particular before the Chiefs game scheduled for 9 May 2014.

Beca have designed an engineering solution which gave a good level of programme certainty and minimum time on site.

Based on this a lump sum was agreed and a contract was entered into with Fitzroy Engineering in the amount of \$163,560 (excluding GST). This price was in line with an estimate of costs prepared by Beca.

Fabrication and site installation progressed according to plan and the works are now complete ahead of schedule.

The approved budget amount for this work package is \$380,000.

The anticipated out-turn cost is \$245,000.

3.2 Yarrow Stand Roof

Planning is continuing with the Yarrow Stand Roof Strengthening as indicated in the current timeline.

4. SCOREBOARD UPGRADE

An Expressions of Interest (EOI) document was sent out to the market in January. Eight submissions were received, and these have been reviewed. A tender document for the supply of a scoreboard was sent out to three preferred tenderers. These were returned on 20 March 2014 and are currently being evaluated. One was rejected from consideration because of low scoring attributes. The remaining tenderers have offered various screens ranging in price between \$260,000 and \$490,000.

A report has been drafted recommending a tender acceptance.

The approved budget amount for this work package is \$576,000.

The anticipated out-turn cost will depend on the solution chosen but all are within budget.

5. LIFT UPGRADES

A lift consultant has been briefed with the proposed scope of works and their recommendation was to negotiate with the original lift installation company. To ensure compliance with NPDC's procurement policy tenders for this work will be sought. The lift consultant has prepared specifications. Once drawings are compiled the package will be tendered. This is expected over the next week.

The approved budget amount for this work package is \$230,000.

The anticipated out-turn cost is \$230,000.

6. LEGENDS LOUNGE REFURBISHMENT

A local architect has been briefed with the preferred scope of works. Preliminary design and costing information has now been received.

Samples and colours are currently being reviewed.

The approved budget amount for this work package is \$160,000.

The anticipated out-turn cost is \$168,000 (this cost does not include soft fit-out or a partitioning system)

7. SPEAKER REPLACEMENT

The scope of works has been clarified, being the replacement of the seven rear speakers in the Yarrow Stand. These speakers have been ordered and installation is expected in early May.

The approved budget amount for this work package is \$25,000.

The anticipated out-turn cost is \$23,000.

8. ROAD SEALING

A price for the sealing of the metalled area just to the north of the Yarrow Stand has been received, for \$11,000. Approval was received from the Joint Committee for the early expenditure of this portion of the budget. The works are now complete.

The sealing of this area was required prior to 9 May 2014 to allow a bouncy castle and interactive activities to be placed beside the family zone seating at the Yarrow Stand. This is an integral part of the Chiefs' ticket offer and marketing plan.

The approved budget amount for the total work package is \$46,000.

The anticipated out-turn cost is \$46,000.

ASSET MANAGEMENT PLAN (AMP) PREPARATION

In order to complete the first draft AMP by end September 2014, stakeholder engagement meetings and workshops will be scheduled during June and July 2014. The participant list has been built up from advice from the Projects & Assets Management Direction Group as follows:

- Taranaki Rugby Football Union
- Sport Taranaki
- FIFA
- Sponsors – TSB Community Trust, TSB Bank, Yarrow
- Service Providers
- Venture Taranaki
- NP District Council – relevant business teams
- NZRL
- NZ Cricket
- Chiefs
- Promoters

The options for engagement are one on one meetings with each group or a series of workshops with all groups participating to obtain a collective vision.

Feedback will be sought from the Joint Committee as to which option is likely to yield the most productive outcome.

The co-ordination of meetings, development of workshop agendas and research and preparation of the AMP has been assigned to Gaye Batty, Senior Project Manager – Building Projects.

OPTIONS

This report provides an update on progress on matters which have already been approved by the TRC and the TST.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of both Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002 (LGA). The matter will enable both Councils to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

- Local Infrastructure Local public services Performance of regulatory function

ITEM A2**ITEM FOR DECISION****Community Outcomes**

This matter contributes to the following community outcomes:

- Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

Community outcomes are the outcomes that both Councils aim to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

Reporting to the Yarrow Stadium Joint Committee is an administrative matter.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

The TST and TRC have approved budgets for the work described in this report.

Costs arising from Major Maintenance and Capital Expenditure projects will be reimbursed to NPDC by the TST.

Consistency with Policy and Plans

The matter is consistent with both Council's plans and policies.

Legal

There are no legal issues.

Tangata Whenua Maori

There are no specific tangata whenua considerations that need to be addressed in terms of any requirements under the Local Government Act 2002.

Community Views and Preferences

Users and lessees at the Stadium will be kept informed as part of the construction process.

Risk Analysis

A risk analysis process is being used by the project manager, and the risks are reviewed at each PCG meeting, and actions taken as necessary. The following potential serious risks have been identified, and mitigation measures put in place:

- Health and safety risks during construction works. Mitigation: safety in design processes; contractors must be Council H and S approved before being allowed to tender for works; contractors are required to submit H and S plans for their works; H and S audits will be carried out during the works.
- Loss of income from tenants, and from the stadium, due to disruption from the works. Mitigation: discuss the works, and in particular the timing, with the tenants/ users of the facilities. Works to be planned for non-utilised periods.

There are a number of less serious risks which are under review as well.

QUORUM FOR YARROW STADIUM JOINT COMMITTEE

PREPARED BY: Jan Higley (Democracy Advisor)
 TEAM: Democratic Services
 APPROVED BY: Julie Straka (Manager Democratic Services)
 WARD/COMMUNITY: District Wide
 DATE: 22 April 2014
 FILE REFERENCE: DM 1545188

PURPOSE

This report advises of the quorum requirements for the Yarrow Stadium Joint Committee.

EXECUTIVE SUMMARY

Following a discussion relating to amending the quorum for the Yarrow Stadium Joint Committee, this report advises that the Local Government Act (the Act) restricts the quorum to the status quo.

RECOMMENDATION

That having considered all matters raised in the report, it be noted that the quorum of the Yarrow Stadium Joint Committee is half of the members if the number of members (including vacancies) is even; or

- a) **a majority of members if the number of members (including vacancies) is odd.**

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as low significance because there is no impact on either Council's stated levels of service or the capacity of either Council to perform its role. This matter is administrative and there are no financial or resourcing implications.

BACKGROUND

When the joint committee was established the Terms of Reference, prepared by Simpson Grierson, included the Rules Applying to Committee Meetings (refer appendix 2 of this report). Item 6.1 noted that subject to clauses 6.2 and 6.3, the New Plymouth District Council's Standing Orders would apply to the Committee.

Item 6.3 referred to the quorum at a meeting consisting of two members, even if there are vacancies in the Committee's membership, in accordance with clause 30(9)(b) in Schedule 7 of the Act. The quorum requirements are reflected in clause 2.4.3 of the Standing Orders.

ITEM A3**ITEM FOR DECISION**

The Terms of Reference were adopted at the meeting on 18 February 2014.

DISCUSSION

Local Government New Zealand's Standing Orders NZS9202:2003 provide requirements for joint committee quorums. This is reflected in clause 2.4.3 of the New Plymouth District Council Standing Orders.

Committee members indicated a preference to amend the quorum, to enable equal Taranaki Regional Council and New Plymouth District Council representatives voting at each meeting. For example, should there be an apology from a New Plymouth District Council representative, one of the Taranaki Regional Council representatives would be excluded from voting.

Although this is the preference of the committee members, such an arrangement is not permissible under the Act.

OPTIONS

1. Retain the status quo
The requirements of the Act in relation to the quorum for a joint committee means the only reasonably practicable option is to retain the status quo.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of the both Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable both Councils to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

This matter is administrative.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

This is an administrative matter. There are no impacts on the community outcomes.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

The partnership arrangements between the NPDC, the TRC and the TST are provided for in both Council's Long Term Plans and Annual Plans.

Consistency with Policy and Plans

The matter is consistent with both Council's plans and policies.

Legal

The matter is consistent with the Local Government Act 2002.

Tangata Whenua Maori

This matter has no Tangata Whenua Maori implications.

Community Views and Preferences

This matter is administrative. It is not anticipated that the quorum of the Yarrow Stadium Joint Committee will be of interest to the region.

Risk Analysis

The risk associated with this matter is assessed as low.

APPENDICES

1. New Zealand Standards Model Standing Orders NZS9202:2003 s2.4.3
2. Yarrow Stadium Joint Committee Terms of Reference – section 6

APPENDIX 1

Extract from New Zealand Standards Model Standing Orders NZS9202:2003 – New Plymouth District Council

2.4 QUORUM AT MEETINGS

Requirement for a quorum	<p>2.4.1 “A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote.” [cl. 23(1), Schedule 7, LGA]</p>
Quorum to be present throughout meeting	<p>2.4.2 “Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted.” [cl. 23(2), Schedule 7, LGA]</p>
Definition of quorum for local authority or joint committee meetings	<p>2.4.3 “The quorum at a meeting of –</p> <p style="margin-left: 2em;">(a) a local authority or joint committee consists of –</p> <p style="margin-left: 4em;">(i) half of the members if the number of members (including vacancies) is even; or</p> <p style="margin-left: 4em;">(ii) a majority of members if the number of members (including vacancies) is odd.” [cl. 23(3), cl. 30(9), Schedule 7, LGA]</p>

APPENDIX 2

Extract from Terms of Reference for Yarrow Stadium Joint Committee

6. RULES APPLYING TO COMMITTEE MEETINGS

- 6.1** Subject to clauses 6.2 and 6.3, the New Plymouth District Council's Standing Orders will apply to the Committee.
- 6.2** Each member of the Committee has one vote only on any motion before the Committee. No member will have a casting vote.
- 6.3** The quorum at a Committee meeting consists of 2 members, even if there are vacancies in the Committee's membership, in accordance with clause 30(9)(b) in Schedule 7 of the Local Government Act 2002.

EXCLUSION OF THE PUBLIC FROM THE REMAINDER OF THE MEETING

PREPARED BY: Jan Higley (Democracy Advisor)
TEAM: Democratic Services
APPROVED BY: Julie Straka (Manager Democratic Services)
WARD/COMMUNITY: Region Wide
DATE: 6 May 2014
FILE REFERENCE: DM 1549405

PURPOSE

This report details items that are recommended should be considered with the public excluded, and the reason for excluding the public. The reports relate to matters undergoing a commercial negotiation. At the conclusion of the negotiations, and upon signing of the relevant contracts, the reports would be made available to the public upon request.

EXECUTIVE SUMMARY

This report details items that are recommended should be considered with the public excluded, and the reason for excluding the public.

RECOMMENDATION

That having considered all matters raised in the report, the Councils hereby resolve that, pursuant to the Local Government Official Information and Meetings Act 1987, the public be excluded from the following part of the proceedings of this meeting:

- a) **Confirmation of Previous Minutes**
Yarrow Stadium: Major Maintenance and Capital Expenditure: Roofs and Roof Structures only
(To enable the Councils to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations), this particular interest being protected by section 7(2)(i) of the Act.;
- b) **Yarrow Stadium: Current Status of Roof Works**
(To enable the Councils to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations), this particular interest being protected by section 7(2)(i) of the Act.;

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987.

SIGNIFICANCE ASSESSMENT

In terms of the Council's Significance Policy this matter is of:

Low significance Medium significance High significance

This matter has been assessed as low significance because the exclusion of the public is a statutory procedure that will have little or no impact on both Councils strategic issues.

BACKGROUND

This report details items that are recommended should be considered with the public excluded, and the reason for excluding the public.

DISCUSSION

The items recommended for debate with the public excluded relate to information of a private and personal nature.

There is an option available to the council to not pass this resolution and to hold the meeting in the open or to release information regarding a public excluded decision following the meeting.

OPTIONS

The Councils can choose to consider these matters in open meeting. However, excluding the public from meetings can prevent information becoming released, which may adversely affect those dealing with both Councils.

IMPLICATIONS ASSESSMENT**Local Government Purpose**

The matter comes within the scope of the Council's lawful powers, including satisfying the purpose statement in section 10 of the Local Government Act 2002. The matter will enable both Councils to meet the current and future needs of communities for good quality (i.e. efficient, effective and appropriate to present and anticipated future circumstances):

Local Infrastructure Local public services Performance of regulatory function

The exclusion of the public is a procedural matter.

Community Outcomes

This matter contributes to the following community outcomes:

Connected Skilled Prosperous Secure and Healthy
 Together Vibrant Sustainable

ITEM FOR DECISION**ITEM A4**

Community outcomes are the outcomes that both Councils aims to achieve in meeting the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions.

The consideration of community outcomes under section 77(1)(b)(ii) of the Local Government Act 2002 is addressed under 'Options' in this report.

The exclusion of the public is a statutory procedure that will have a little or no impact on both Council's strategic issues.

LTP / Annual Plan

Is this matter currently budgeted for? Yes No

There are no budget considerations.

Consistency with Policy and Plans

There are no policy implications.

Legal

The Local Government Official Information and Meetings Act 1987 allows for the public to be excluded from the proceedings (or part thereof) of any meeting provided that the relevant parts are identified as follows:

- a) The general subject of each matter to be considered while the public is excluded.
- b) The reason for passing of a resolution for the exclusion of the public and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.
- c) The specific grounds under Section 48(1) of the said Act for the passing of any resolution excluding the public.

Tangata Whenua Maori

This is a statutory procedure with no implications specific to tangata whenua.

Community Views and Preferences

This is a statutory procedure that enables the councils to perform their functions legally.

Risk Analysis

Excluding the public from meetings can prevent information becoming released, which may adversely affect those dealing with the councils.