



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

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## **MEETING AGENDA**

# **YARROW STADIUM JOINT COMMITTEE**

**Wednesday 2 July 2014**

**at 8.30am**

**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 2 JULY 2014**

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**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 2 JULY 2014**

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**APOLOGIES**

Mayor Andrew Judd

**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 21 May 2014 be confirmed as a true and accurate record.

**A2 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 1567878  
**MEETING DATE:** Wednesday 21 May 2014 at 3pm  
**VENUE:** Plymouth Room, Civic Centre  
**MEMBERS PRESENT:** Councillor Peter Horton (Chairperson); Councillors Craig McFarlane and Michael Joyce  
**NON-MEMBERS PRESENT:** Councillors John McLeod, Grant Coward and Howie Tamati  
**STAFF IN ATTENDANCE:** Mike Nield (TRC), Cathy Thurston, Jan Higley, Jim Willson, Andrew Barron, John O'Mahony, Gaye Batty, Peter Handcock, Ron Murray (NPDC)

**APOLOGIES**Yarrow Stadium Joint Committee Resolution:

Cr Horton )

Cr McFarlane )

That the apologies for absence from Mayor Andrew Judd be received.

Carried.**PART A****MATTERS FINALLY DETERMINED BY THE COMMITTEE UNDER DELEGATED AUTHORITY AND REFERRED TO BOTH COUNCILS FOR INFORMATION AND RECORD**1. **Minutes**

File Reference: DP-14-02 DM 1523956

Yarrow Stadium Joint Committee Resolution:

Cr Horton )

Cr McFarlane )

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

Carried2. **Yarrow Stadium Major Maintenance and Capital Expenditure****FILE REFERENCE:** CM 08 04 21 10; DM 1549375

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.

Yarrow Stadium Joint Committee Resolution:

Cr Horton )

Cr Joyce )

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

Carried

**3. Quorum for Yarrow Stadium Joint Committee****FILE REFERENCE:** DM 1545188

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

Yarrow Stadium Joint Committee Resolution:

Cr McFarlane )

Cr Joyce )

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.

Carried**4. Exclusion of the Public from the Remainder of the Meeting****FILE REFERENCE:** DM 1549405

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 Resolution:

Cr Horton )

Cr McFarlane )

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) 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.

Carried

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**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: 23 June 2014  
FILE REFERENCE: DM 1567908

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**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: 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.);**
- 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

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.