



Minutes of a meeting of the Nelson City Council

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson

On Wednesday 18 October 2017, commencing at 9.04am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, M Courtney, B Dahlberg, K Fulton, M Lawrey, B McGurk, G Noonan, M Rutledge, T Skinner and S Walker

In Attendance: Acting Chief Executive (D Hammond), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald) Manager Communications (P Shattock), Executive Officer (M Joubert) and Governance Adviser (E Stephenson)

Apology: Councillor P Matheson

Opening Prayer

Councillor Tim Skinner said the opening prayer.

1. Apologies

Resolved CL/2017/479

That the Council

Receives and accepts the apology from Councillor Matheson.

Her Worship the Mayor/Courtney

Carried

Apologies for early departure were subsequently tendered by Councillors Barker and Dahlberg.

2. Confirmation of Order of Business

There was no change to the order of items.

3. Interests

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

4. Public Forum

4.1

Community Water Solutions Advisory Group - Waimea Water

Jackie McNae, accompanied by Paul Dalzell and Andrew Fenemor, Community Water Solutions Advisory Group – Waimea Water, spoke about the Waimea Dam and answered questions.

Ms McNae introduced the other representatives and tendered an apology from the Chair of the Group, Dr Morgan Williams. Ms McNae advised the meeting that she had been involved in the Waimea Dam resource consent application and noted that the group had come together as unpaid volunteers in an independent advisory role. A list of members was tabled.

Ms McNae spoke about water supply, noting that:

- security of supply is critical
- industries supplied with Richmond water were significant to Nelson
- the need to adapt management of water supply due to climate change, storm and drought events
- compliance with the National Policy Statement for Freshwater Management
- the Group would welcome engagement with the Council.

Attachments

- 1 A1850849 - Public Forum - Waimea Water tabled document - Council 18 October 2017

4.2

Brook Waimarama Sanctuary Trust

_Derek Shaw, accompanied by Morris Woodhouse, of Brook Waimarama Sanctuary Trust, spoke about release of Annual Plan funding to the Trust and tabled supporting information.

Mr Shaw answered questions regarding what the funding would be spent on, levels of staffing, budgets and contingencies, insurance and breeding programmes.

Attachments

- 1 A1850840 - Public Forum - Brook Waimarama Sanctuary Trust tabled document - Council 18 October 2017

4.3 Nelson Residents Association

Steve Cross, Nelson Residents Association, spoke about the Waimea Dam, noting that:

- he felt that Council was entitled to take a parochial approach to water supply
- a key point was that there was no water problem for Nelson
- danger of overinvestment on the basis of projections
- abundance of water, wastage of leakage
- an unconvincing expert analysis report
- argument to support because of regional development, there is a need to read behind the headlines
- tenuous benefits to ratepayers
- other activities to raise the GDP and better ways to spend money with more benefit
- ratepayers taxed to subsidise irrigators and spoil a pristine river

Mr Cross answered questions about the Maitai Dam, pre-water treatment, the benefits of a regional water authority and water charges.

4.4

Water Information Network Inc

_Murray Dawson, Water Information Network Inc, spoke about the Waimea Dam and tabled supporting information.

Attachments

- 1 A1850832 - Water Information Network Inc tabled document - Council 18 October 2017

5. Brook Waimarama Sanctuary Trust

Document number R8209, agenda pages 6 - 38 refer.

Group Manager Infrastructure (A Louverdis) provided clarification on paragraphs 6.13 and 6.14 of the report, and he and Group Manager Corporate Services (N Harrison) answered questions.

Attendance: Councillor Rutledge left the meeting at 10.48 until 10.50am.

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apology</u>
Her Worship the Mayor Reese (Chairperson)	Cr Barker	Cr Matheson
Cr Acland	Cr Courtney	
Cr Dahlberg	Cr Skinner	
Cr Fulton	Cr Walker	
Cr Lawrey		
Cr McGurk		
Cr Noonan		
Cr Rutledge		

The motion was carried 8 - 4.

Resolved CL/2017/480

That the Council

Receives the report Brook Waimarama Sanctuary Trust (R8209) and its attachments (A1826815; A1826781); and

Approves the revised Brook Waimarama Sanctuary Trust's Business Plan and agrees to release the remaining \$150,000 for 2017/18 to the Trust contingent on:

- (a) The Trust supplying Council annually, by August each year, with respect to their Business Plan and six-monthly updates on cash flows in July and January of each year;***
- (b) A Memorandum of Understanding be developed and agreed by full Council prior to any future funding commitments being made.***

Agrees that the Dun Mountain walkway damaged as a result of the major slip needs to be reinstated to a minimum width of 1.5m to maintain a route for cyclists and pedestrians, noting that the Brook Waimarama Sanctuary Trust has agreed to reinstate this track to that standard at their cost.

Her Worship the Mayor/Fulton

Carried

Attendance: The meeting was adjourned 10.57am and reconvened at 11.07am. Councillor Skinner was not present

6. Waimea Dam: Community Consultation on a Possible Nelson Contribution

Document number R7634, agenda pages 39 - 113 refer.

Discussion took place regarding conflicts of interest and predetermination, the following members requested that their serious concerns regarding Councillor Lawrey staying at the table for consideration of the matter be recorded in the minutes:

- Councillor Fulton
- Councillor Dahlberg
- Councillor Rutledge
- Councillor Noonan
- Her Worship the Mayor Reese

Attendance: Councillor Skinner returned to the meeting at 11.10am.

Following further discussion, Councillor Barker requested that his concerns regarding Councillor Lawrey's involvement in this decision also be recorded.

Group Manager Corporate Services (N Harrison), Senior Strategic Advisor (N McDonald) and Senior Asset Engineer – Utilities (P Ruffell) answered questions.

Attendance: Councillor Dahlberg left the meeting at 11.41am.

Resolved CL/2017/481

That the Council

Receives the report Waimea Dam: Community Consultation on a Possible Nelson Contribution (R7634) and attachments (A1846450, A1847401, A1761653, A1847397, A1766322, A1382534, A1769513; A1840371).

Noonan/Her Worship the Mayor

Carried

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apology</u>
Her Worship the Mayor Reese (Chairperson)	Cr Skinner	Cr Dahlberg Cr Matheson
Cr Acland		
Cr Barker		
Cr Courtney		
Cr Fulton		
Cr Lawrey		
Cr McGurk		
Cr Noonan		
Cr Rutledge		
Cr Walker		

The motion was carried 10 - 1.

Resolved CL/2017/482

That the Council

Agrees that a contribution to the Waimea Dam project of \$5 million (in addition to the \$413,000 contribution to date) is Council's preferred proposal on which to consult the community; and

Agrees that any contribution from Nelson City Council to the Dam project will be as a grant rather than a purchase of equity in the Dam; and

Notes that any Nelson City Council contribution will be made on the basis of the proposed Terms of the new draft Engineering Services Agreement (A1847401), as detailed in an exchange of letters between the chief executives of both councils; and

Approves a Statement of Proposal (A1846450), with any necessary amendments, for the possible contribution by Nelson City Council to the Waimea Dam project; and

Authorises the Mayor and Chief Executive to make minor changes to the Statement of Proposal.

Noonan/Rutledge

Carried

ATTENDANCE: THE MEETING WAS ADJOURNED AT 12.51PM, DURING WHICH TIME COUNCILLOR BARKER LEFT THE MEETING, AND RECONVENED AT 1.28PM.

REPORTS FROM COMMITTEES

7. Planning and Regulatory Committee - 3 October 2017

Resource Management (and Special Housing Area) charges and delegations

Manager Consents and Compliance (M Bishop) noted that the Special Consultative Procedure would commence on Friday 20 October 2017, and answered questions.

Resolved CL/2017/483

That the Council

Approves the draft resource consent charges, planning document charges, monitoring charges and Housing Accord and Special Housing Areas Act charges contained in the Statement of Proposal in Attachment 1 of report R8331 (A1826805) for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002; and

Approves the delegation of powers contained in Attachment 2 of report R8331 (A1825487) to the Chief Executive under the Resource Legislation Amendment Act 2017.

Her Worship the Mayor/McGurk

Carried

8. Exclusion of the Public

Resolved CL/2017/484

That the Council

Excludes the public 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:

Rutledge/Noonan

Carried

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	Revocation of 26 September 2017 Council decision - referral of appointment of a Bishop Suter Trust Trustee	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, including that of a deceased person

The meeting went into public excluded session at 1.34pm and resumed in public session at 1.44pm.

9. Re-admittance of the Public

Resolved CL/2017/486

That the Council

Re-admits the public to the meeting.

Her Worship the Mayor/McGurk

Carried

There being no further business the meeting ended at 1.45pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date