



Minutes of a meeting of the Nelson City Council

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

On Thursday 2 May 2019, commencing at 9.00a.m.

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

In Attendance: Acting Chief Executive (N Harrison), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Strategy and Communications (N McDonald) and Governance Advisers (E-J Ruthven and E Stephenson)

Apologies : Councillors K Fulton and S Walker (for lateness)

Opening Prayer

Councillor Noonan gave the opening prayer.

1. Apologies

Resolved CL/2019/043

That the Council

- 1. Receives and accepts the apologies from Councillors Fulton and Walker for lateness.***

Her Worship the Mayor/Dahlberg

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

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 Steven Grey – on behalf of Friends of the Maitai - Council's leadership on issues surrounding discussions on forestry in the Maitai.

Mr Grey spoke on behalf of Friends of the Maitai. He acknowledged the work undertaken over recent years to improve the health of the Maitai, but noted that plantation forestry continued to effect the Maitai catchment, particularly through sedimentation into the river.

Attendance: Councillor Fulton joined the meeting at 9.04a.m.

Mr Grey suggested that a forum be established by Council to facilitate regular meetings with partners and stakeholders in the Maitai catchment area, including Ngati Koata, Friends of the Maitai, forestry companies, Cawthron Institute, councillors, Council staff and landowners in the catchment area, to consider further remediation, and minimisation of the effects of plantation forestry on the river. Mr Grey suggested a timeline of six to nine months to develop changes to forestry practices in the catchment, and suggested the forum could be a model for other catchments in the area.

Mr Grey answered questions regarding the proposed forum membership, and forestry practices.

Attendance: Councillor Walker joined the meeting at 9.15a.m.

5. Confirmation of Minutes

- 5.1 21 March 2019

Document number M4105, agenda pages 11 - 28 refer.

Resolved CL/2019/044

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 21 March 2019, as a true and correct record.***

Barker/Fulton

Carried

- 5.2 27 March 2019

Document number M4123, agenda pages 29 - 38 refer.

Resolved CL/2019/045

That the Council

1. ***Confirms the minutes of the meeting of the Council, held on 27 March 2019, as a true and correct record.***

Courtney/McGurk

Carried

6. Recommendations from Committees

6.1 Works and Infrastructure Committee - 28 March 2019

6.1.1 Nelson Regional Sewerage Business Unit Wastewater Asset Management Plan

Resolved CL/2019/046

That the Council

1. ***Approves the Nelson Regional Sewerage Business Unit Wastewater Asset Management Plan (A2151474) of report R9495.***

Walker/Rutledge

Carried

6.1.2 Nelson Tasman Regional Landfill Business Unit Terms of Reference and Nelson Regional Sewerage Business Unit Memorandum of Understanding

Recommendation to Council CL/2019/047

That the Council

1. ***Approves the revised Nelson Tasman Regional Landfill Business Unit Terms of Reference (A2144233), Attachment 1 of report R10053; and***
2. ***Approves the Nelson Regional Sewerage Business Unit Memorandum of Understanding (A2144291), Attachment 2 of report R10053; and***
3. ***Removes the requirement for a separate audit of the annual reports of the Nelson Tasman Regional Landfill Business Unit and the Nelson Regional Sewerage Business Unit, subject to similar approval by Tasman District Council.***

Walker/Barker

Carried

6.2 Works and Infrastructure Committee - 28 March 2019

6.2.1 Waimea Road Speed Limit Review – Deliberations

Group Manager Infrastructure, Alec Louverdis, answered questions regarding implementation of changes to the speed limit on Waimea Road.

Recommendation to Council CL/2019/048

That the Council

1. ***Approves the changes to the Speed Limits Bylaw 2011 (No. 210) by removing the section of Waimea Road 240m south of Market Road (Market Road) through to 200m north of the Beatson Road roundabout (being the section of Waimea Road 300m north of its intersection with the northern end of Beatson Road to a point 130m west of Tuckett Place, as described in Schedule H of the Speed Limits Bylaw) from Schedule H (70kph speed limit zones) and adding it to Schedule F (50kph speed limit zones); and***
2. ***Approves the changes to the Speed Limits Bylaw 2011 (No. 210) Schedule A, which includes the maps of the city's speed limit zones; and***
3. ***Approves the implementation of the new speed limit, to take effect four weeks after the Council approval.***

Walker/Rutledge

Carried

6.3 Planning and Regulatory Committee - 4 April 2019

6.3.1 Amendment to Parking Policy - Parking Permits

Resolved CL/2019/049

That the Council

1. ***Approves Part 3.3 of the Parking Policy be amended to include Jurors attending trials at the Nelson Courthouse as detailed in Attachment 1 (A2147652) to Report R9946; and***
2. ***Approves amendments to the Parking Policy that update references to Council officer positions where required as included in Attachment 1 (A2147652) to Report R9946; and***

3. ***Approves an amendment to the first bullet point in section 3.3.1 of the Parking Policy from 'Nelson City Councillors' to 'Nelson City Council Elected and Appointed Members'; and***
4. ***Delegates the Chief Executive the authority to amend the criteria in Part 3.3 of the Parking Policy when required to minimise any negative impacts of the parking permits on the users of the parking resource.***

McGurk/Her Worship the Mayor

Carried

6.3.2 Proposed Dog Control fees and charges

Recommendation to Council CL/2019/050

That the Council

1. ***Approves the Dog Control fees and charges as detailed in Attachment 1 (A2145361) to report R10031 to take effect from 1 July 2019.***

McGurk/Fulton

Carried

6.4 Regional Transport Committee - 15 April 2019

6.4.1 Nelson Future Access: Memorandum of Understanding

Recommendation to Council CL/2019/051

That the Council

1. ***Receives the report Nelson Future Access: Memorandum of Understanding (R10077) and its attachment (A2162709); and***
2. ***Approves the signing of the Memorandum of Understanding (A2162709), by the Mayor on behalf of the Council, with the New Zealand Transport Agency.***

Rutledge/Noonan

Carried

6.5 Governance Committee - 18 April 2019

6.5.1 The Bishop Suter Trust Half Year Performance Report to 31 December 2018, Draft Statement of Intent 2019/2024 and Collection Policy

Resolved CL/2019/052

That the Council

1. ***Agrees that The Bishop Suter Trust Statement of Intent 2019/2024 (A2147853) meets Council's expectations and is approved as the final Statement of Intent for 2019/20;*** and
2. ***Approves the Bishop Suter Trust Collection Policy (A2084139) subject to minor amendments.***

Barker/Dahlberg

Carried

6.5.2 Revised International Relationships Policy

Recommendation to Council CL/2019/053

That the Council

1. ***Adopts the International Relationships Policy (A2076807), as a draft to be consulted on with iwi;***
2. ***Authorises Her Worship the Mayor and the Chair of the Governance Committee to approve alterations raised through this process.***

Barker/Dahlberg

Carried

7. Mayor's Report

Document number R10137, agenda pages 46 - 137 refer.

7.1 Local Government New Zealand Rule Changes

Her Worship the Mayor noted the proposed Local Government New Zealand rules changes. No feedback was provided.

7.2 Local Government New Zealand Conference Attendance

Her Worship the Mayor tabled an addendum regarding elected member attendance at the Local Government New Zealand Conference (A2183443).

Councillor Matheson, seconded by Councillor Walker, moved the recommendation in the tabled addendum:

That that Council

1. ***Notes the attendance of Councillor Skinner at the Local Government New Zealand Conference 2019; and***

2. *Confirms the attendance of Councillor Lawrey at the Local Government New Zealand Conference 2019.*

Councillor Acland, seconded by Councillor Lawrey, moved an amendment to the second clause of the motion:

2. *Confirms the attendance of Councillor Lawrey and Councillor Acland at the Local Government New Zealand Conference 2019.*

The meeting adjourned from 9.34a.m to 9.36a.m.

It was agreed to leave this matter to lie until later in the meeting.

7.3 Remuneration Authority Proposed Policy regarding Childcare Allowance

Her Worship the Mayor Reese explained Council's opportunity to provide feedback regarding the Remuneration Authority's proposed policy for providing a childcare allowance for elected local government members.

The importance of councillor remuneration and allowances being clear prior to people making a decision as to whether to stand for Council was noted. It was further suggested that the Remuneration Authority's proposed policy that childcare allowances be negotiated from the general remuneration pool following an election was difficult for newly-elected councillors, and unreasonable when considering child welfare. It was instead suggested that childcare allowances should be mandated across all local government authorities, and considered in the same manner as vehicle or travel allowances.

Her Worship the Mayor Reese, seconded by Councillor Lawrey, moved:

That the Council

1. *Receives the report Mayor's Report (R10137) and its attachments (A2178702, A2178701, A2178700 and A2176965); and*
2. *Provides feedback to the Remuneration Authority on the proposed policy for providing a childcare allowance for elected local government members, supporting the overall objectives of the proposal, but emphasising the requirement for the policy to be fair, equitable and easily implemented across all Councils; and*
3. *Notes that standing for Council is a significant decision for members of the public, and even more so for people with childcare responsibilities, but that proposed allowance does not provide candidates certainty of access to funding before they put themselves forward for election; and*

4. *Notes that elected members with childcare responsibilities are still likely to be in the minority on Council following the policy change, but if the funding comes from the overall pool, they will be placed in challenging position of having to negotiate for the welfare of the young persons in their care soon after they are elected; and*
5. *Notes that the number of elected representatives who might utilise this funding would vary from Council to Council, from term to term, and possibly change during the triennium; similar to use of mileage allowance. Therefore, given the variability of access to the childcare allowance the most appropriate funding would be from a separate expenses account; and*
6. *Notes that for the reasons covered above that the funding rules should be mandatory across all local authorities, set by the Remuneration Authority; and funded externally to each Council's Remuneration Pool.*

Acting Chief Executive, Nikki Harrison, and Manager Strategy, Mark Tregurtha, answered questions regarding the childcare subsidy provided by Work and Income New Zealand, and whether childcare needed to be provided by a qualified childcare provider.

A further query was raised as to whether the childcare allowance would cover care for grandchildren in the care of grandparents, and it was agreed that if not, this point would be added to the submission.

Resolved CL/2019/054

That the Council

1. ***Receives the report Mayor's Report (R10137) and its attachments (A2178702, A2178701, A2178700 and A2176965); and***
2. ***Provides feedback to the Remuneration Authority on the proposed policy for providing a childcare allowance for elected local government members, supporting the overall objectives of the proposal, but emphasising the requirement for the policy to be fair, equitable and easily implemented across all Councils; and***
3. ***Notes that standing for Council is a significant decision for members of the public, and even more so for people with childcare responsibilities, but that proposed allowance does not provide candidates certainty of access to funding before they put themselves forward for election; and***

4. ***Notes that elected members with childcare responsibilities are still likely to be in the minority on Council following the policy change, but if the funding comes from the overall pool, they will be placed in challenging position of having to negotiate for the welfare of the young persons in their care soon after they are elected; and***
5. ***Notes that the number of elected representatives who might utilise this funding would vary from Council to Council, from term to term, and possibly change during the triennium; similar to use of mileage allowance. Therefore, given the variability of access to the childcare allowance the most appropriate funding would be from a separate expenses account; and***
6. ***Notes that for the reasons covered above that the funding rules should be mandatory across all local authorities, set by the Remuneration Authority; and funded externally to each Council's Remuneration Pool.***

Her Worship the Mayor/Lawrey

Carried

7.4 Local Government New Zealand Conference Attendance (continued)

The Acting Chief Executive, Nikki Harrison, and Manager Governance and Support Services, Mary Birch, answered questions regarding the cost of attending the Local Government New Zealand conference, including accommodation and travel.

There was a discussion regarding the Elected Member Travel and Training Policy (the Policy) criteria regarding conference attendance, and the process set out in the Policy.

Point of order: Councillor Lawrey raised a point of order against Councillor Matheson, that a misrepresentation had been made regarding a statement about the 2018 Council discussion regarding the Local Government Conference attendance. The point of order was upheld.

In response to a question, it was clarified that the two additional elected members who wished to attend the conference still had sufficient individual travel and training budget amounts remaining to attend the conference, however this would be outside of the Policy criteria that 50% of individual travel and training budgets be spent on conference attendance.

During discussion, it was noted that several other elected members had spent more than 50% of their individual travel and training budgets on

conference attendance, Her Worship the Mayor clarified that permission had been sought in order to do so.

Point of order: Councillor Rutledge raised a point of order that a misrepresentation had been made by Councillor Acland regarding another councillor's conference attendance. The point of order was upheld.

The amendment was put and a division was called:

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

The amendment was lost 6 - 7.

The substantive motion was put.

Resolved CL/2019/055

That the Council

- 1. Notes the attendance of Councillor Skinner at the Local Government New Zealand Conference 2019; and***
- 2. Confirms the attendance of Councillor Lawrey at the Local Government New Zealand Conference 2019.***

Matheson/Walker

Carried

Attachments

- 1 A2183443 - Addendum to Mayor's Report - tabled document

8. Council Status Report - 2 May 2019

Document number R10170, agenda pages 138 - 139 refer.

Attendance: Councillors Acland, Lawrey and Rutledge left the meeting from 10.51a.m.

Resolved CL/2019/056

That the Council

1. ***Receives the report Council Status Report - 2 May 2019 (R10170) and its attachment (A1168168).***

Her Worship the Mayor/Courtney

Carried

9. Referral of Pet Cremations Review item

Document number R10171, agenda pages 140 - 141 refer.

Resolved CL/2019/057

That the Council

1. ***Receives the report Referral of Pet Cremations Review item (R10171); and***
2. ***Refers the item Pet Cremations Review, which was left to lie on the table at the 21 March 2019 Council meeting, back to the 30 May 2019 Community Services Committee.***

McGurk/Courtney

Carried

10. Exclusion of the Public

Resolved CL/2019/058

That the Council

1. ***Excludes the public from the following parts of the proceedings of this meeting.***
2. ***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:***

Her Worship the Mayor/Barker

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)
1	Council Meeting - Public Excluded Minutes - 21 March 2019	Section 48(1)(a) The public conduct of this matter would be likely to result in	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		disclosure of information for which good reason exists under section 7.	without prejudice or disadvantage, commercial activities
2	<p>Recommendations from Committees</p> <p>Governance Committee – 18 April</p> <p>Nelmac Statement of Intent</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"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3	<p>Tasman Bays Heritage Trust - Archive, Research and Collections Facility</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"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
4	<p>Council Public Excluded Status Report - 2 May 2019</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"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 10.53a.m. and resumed in public session at 11.00a.m, during which time Councillors Lawrey, Acland and Rutledge returned to the meeting.

11 Exclusion of the Public

Her Worship the Mayor explained that a resolution was required to be carried during the public session, in order for representatives of Tasman Bays Heritage Trust to remain during the public excluded session.

Resolved CL/2019/059

That the Council

- 1. Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Emma Thompson and Darren Mark, as representatives of Tasman Bays Heritage Trust, remain after the public has been excluded for Item 3 of the Public Excluded agenda (Tasman Bays Heritage Trust – Archive, Research and Collections Facility), as they have knowledge relating to Tasman Bays Heritage Trust that will assist the meeting.***

Her Worship the Mayor/Barker

Carried

Resolved CL/2019/060

That the Council

- 1. Excludes the public from the following parts of the proceedings of this meeting.***
- 2. 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:***

Her Worship the Mayor/Barker		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)
1	Council Meeting - Public Excluded Minutes - 21 March 2019	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
2	Recommendations from Committees Governance Committee – 18 April Nelmac Statement of Intent	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3	Tasman Bays Heritage Trust - Archive, Research and Collections Facility	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)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
4	Council Public Excluded Status Report - 2 May 2019	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 Section 7(2)(g) To maintain legal professional privilege Section 7(2)(h) To enable the local authority to carry out,

			without prejudice or disadvantage, commercial activities <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
--	--	--	--

The meeting went into public excluded session at 11.01a.m. and resumed in public session at 11.33a.m.

12 Confirmation of Minutes (continued)

It was noted that the minutes of the Council meeting of 21 March 2019, confirmed earlier in the meeting, contained an error in that at item 13, Councillor Matheson was listed in the division table as being both for the motion, and absent from the meeting.

It was agreed that the error be corrected in the confirmed minutes.

RESTATEMENTS

It was resolved while the public was excluded:

Recommendations from Committees

1	PUBLIC EXCLUDED: Tasman Bays Heritage Trust - Archive, Research and Collections Facility
	<p><i>That the Council</i></p> <p><i>4. Agrees that Report (R10134) and the decision only be released from public excluded business once negotiations are concluded; and</i></p> <p><i>5. Agrees that Attachments (A2028780, A2172095 and A2169975) be excluded from public release at this time.</i></p>
2	PUBLIC EXCLUDED: Council Public Excluded Status Report - 2 May 2019
	<i>That the Council</i>

	2. <u>Agrees</u> that Report (R10174), Attachments (A1166633) and the decision (CL/2019/065) be excluded from public release at this time.
--	---

There being no further business the meeting ended at 11.34a.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date