



Minutes of a meeting of the Nelson City Council

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

On Thursday 20 June 2019, commencing at 9.03a.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: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Acting Group Manager Environmental Management (M Heale), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne), Governance Adviser (E Stephenson) and Youth Councillors Cassie Hagan and Ryan Martyn

Apologies : Her Worship the Mayor and Councillor Rutledge for lateness

In the absence of the Mayor, the Deputy Mayor assumed the Chair.

Opening Prayer

Councillor Skinner gave the opening prayer.

1. Apologies

Resolved CL/2019/094

That the Council

- 1. Receives and accepts the apologies from Her Worship the Mayor Reese and Councillor Rutledge for lateness.***

Matheson/Courtney

Carried

2. Confirmation of Order of Business

The Deputy Mayor acknowledged the English Language Training for Officials NMIT group in the public gallery and Councillor McGurk welcomed the group who were from Cambodia, Indonesia, Laos, Myanmar and Vietnam.

Attendance: Councillor Fulton entered the meeting at 9.06a.m.

3. Interests

Councillor Matheson subsequently declared an interest in the 1 Kinzett Terrace item on page 17 of the Council public excluded status report.

4. Public Forum

4.1 Action for the Climate Emergency (ACE) - to introduce and inform Council about ACE

Lindsay Wood, Convenor for ACE, provided a PowerPoint presentation and introduced ACE, its background and activities. He noted the other councils in New Zealand that had now declared a climate emergency and the increase in global declarations. He spoke of the economic benefits of investment in flood resilience and the costs of not investing early in climate responses. He advocated for encouraging electric vehicles. Mr Wood answered questions regarding his presentation.

Attachments

- 1 A2211754 Lindsay Wood PowerPoint presentation

Attendance: Councillor Acland left the meeting at 9.19a.m.

Attendance: Her Worship the Mayor entered the meeting at 9.20a.m. and assumed the Chair.

4.2 Nelson Residents Association - Financial position of the Trafalgar Centre, factual information on storm events and tide records, and reference to recent public statements on perceived sea rise

Kerry Neal, from the Nelson Residents Association provided a PowerPoint presentation and spoke about recent public statements on perceived sea rise, climate change and historical weather events.

Attachments

- 1 A2211631 - Kerry Neal PowerPoint presentation

4.3 Nelson Women's Club - Upper Trafalgar Street Closure

Kaye McNabb, President of the Nelson Women's Club, provided a PowerPoint presentation and spoke about the Upper Trafalgar Street closure. She provided a brief history of the Club, its membership and activities.

Ms McNabb said that access was vital for the club and its members, many of whom had mobility difficulties. She noted that the club's chairlift could only be accessed through the Trafalgar Street door.

Ms McNabb spoke of the effect of the street closure, noting that all were supportive of the atmosphere produced by the closure but highlighted that the loss of disabled parking spaces meant a longer walk for those with disability issues and affected deliveries. She felt that the installation of a bollard in January with no discussion, was an impediment, and that single lane access could allow trade deliveries. She felt that traffic issues could be dealt with by bollards or planters and a drop off zone, with more disability car parks. Ms McNabb answered questions regarding her presentation.

Attachments

- 1 A2212279 Kaye McNabb PowerPoint presentation

Attendance: Councillor Acland returned to the meeting at 9.47a.m.

5. Confirmation of Minutes

5.1 29 April 2019

Document number R10285, agenda pages 35 - 35 refer.

Councillor Noonan requested that the title of the draft recommendation from the Community Services Committee (5.5.1 – Stoke Library Remediation), which was no longer required, be added to the minutes.

Resolved CL/2019/095

That the Council

1. ***Confirms the amended minutes of the extraordinary meeting of the Council, held on 29 April 2019, as a true and correct record.***

Courtney/Her Worship the Mayor

Carried

5.2 2 May 2019

Document number M4196, agenda pages 19 - 34 refer.

Resolved CL/2019/096

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 2 May 2019, as a true and correct record.***

Barker/Her Worship the Mayor

Carried

6. Recommendations from Committees

6.1 Civil Defence Emergency Management Group - 22 May 2019

6.1.1 Civil Defence and Emergency Management Removal of Requirement for Annual Audit

Resolved

That the Council

- 1. Agrees that a separate audit of the Civil Defence and Emergency Management Annual Report is not necessary and will not be required from the 30 June 2019 financial year onwards, subject to approval by Nelson City Council, Tasman District Council and Audit New Zealand; and***
- 2. Agrees that the operation of the Civil Defence and Emergency Management Group should be included in the audit of the Administering Council and that any additional cost incurred as a result should be recovered from the Civil Defence and Emergency Management Group.***

Her Worship the Mayor/Fulton

6.2 Sports and Recreation Committee - 23 May 2019

6.2.1 Item 6.2.1 - Fees and Charges relating to Sports and Recreation 2019/20 was deferred until later in the meeting.

6.3 Works and Infrastructure Committee - 23 May 2019

6.3.1 Nelson Tasman Regional Landfill Business Unit 2019-20 Business Plan

Resolved CL/2019/097

That the Council

- 1. Approves the Nelson Tasman Regional Landfill Business Unit 2019-2020 Business Plan (A2170038).***

Walker/Lawrey

Carried

6.3.2 Infrastructure Fees and Charges 2019-2020

Resolved CL/2019/098

That the Council

- 1. Approves the proposed fees and charges as per Attachment (A2167740) of Report R9920, effective 1 July 2019.***

Walker/Lawrey

Carried

6.3.3 Parking Meter Renewal - Referral of powers

Resolved CL/2019/099

That the Council

- 1. Considers the matter of the renewal of parking meters.***

Walker/Lawrey

Carried

6.4 Planning and Regulatory Committee - 28 May 2019

6.4.1 Waimea Inlet Action Plan

Resolved CL/2019/100

That the Council

- 1. Approves Nelson City Council as lead or support agency to the specific targets identified in Report R9513 (highlighted in green in Attachment 2 A2178524); and***
- 2. Approves that Nelson City Council supports, in principle, specific targets identified in Report R9513, subject to future funding decisions (highlighted in yellow in Attachment 2 A2178524); and***
- 3. Adopts the Waimea Inlet Action Plan 2018-2021 (A2099296).***

McGurk/Dahlberg

Carried

6.4.2 Nelson Tasman Land Development Manual (LDM) - Hearing Panel Recommendation and Proposed Plan Change 27

Councillor Barker requested that his concerns regarding the lack of governance involvement in the development of the LDM and that Council's policy for developing pedestrian footpaths was not included, be recorded in the minutes.

Manager Transport and Solid Waste, Marg Parfitt, clarified that when Council built or reinstated a footpath it would be in accordance with policy and that Council would do everything it could to achieve a high level of service, and would depart from the LDM when it needed to. In response to a request that Council further consider mountable kerbs as an answer, Ms Parfitt said that level of service was Council's priority and that may be an option.

Team Leader City Development, Lisa Gibellini, reiterated that the LDM was not the only set of standards, and not 'one size fits all'. She noted that the LDM provided for anyone to take an alternative design and seek the approval of the Group Manager Infrastructure.

Discussion took place regarding changing the term 'mandatory' to 'minimum' standards and whether this could be changed under the delegation for 'minor technical wording amendments' and it was agreed that this would be explored.

It was noted that action on the issue of addressing climate change had only recently come to light and that this was a 'point in time' document. Addressing climate change would require a series of components and systems moving forward for stormwater management across New Zealand, with design profiles and criteria.

The importance of a consistent region-wide approach with Tasman District Council was noted. With the agreement of the mover and seconder, Clause 3. of the motion was changed from 'Chairperson of the Planning and Regulatory Committee', to 'Councillor McGurk'.

Resolved CL/2019/101

That the Council

- 1. Adopts the Nelson Tasman Land Development Manual 2019 (A2184905) under the Local Government Act 2002, noting that it will take effect on 1 July 2019; and***
- 2. Adopts the practice notes on Coastal and Freshwater Inundation (A2184904), Bioretention (A2184908) and Wetlands (A2184906) as guidance documents; and***
- 3. Delegates Councillor McGurk and the Group Manager Environmental Management authority to approve minor technical wording amendments, or correction of errors to the Nelson Tasman Land Development Manual 2019 and proposed Plan Change documents to improve readability and/or consistency prior to 1 July 2019.***

McGurk/Lawrey

Carried

Attendance: Councillor Lawrey left the meeting at 10.25a.m.

6.4.3 Review of Building Unit fees and charges

In response to a suggestion that fees and charges should be increased by actual costs, rather than by the Consumer Price Index (CPI), Her Worship the Mayor requested that officers investigate whether the Local Government Cost Index (LGCI) could be used in future.

Resolved CL/2019/102

That the Council

1. **Approves the fees and charges as proposed in Attachment 1 (A2145308) of Report R10231 to be effective from 1 July 2019.**

McGurk/Her Worship the Mayor

Carried

6.4.4 Navigation Safety Bylaw review

Resolved CL/2019/103

That the Council

1. **Notes the review of the Navigation Safety Bylaw 2012 (No. 218); and**
2. **Determines amendments to the Navigation Safety Bylaw 2012 (No. 218) are the most appropriate way of addressing the navigation safety problems identified by the review; and**
3. **Determines the proposed amendments to the Navigation Safety Bylaw 2012 (No. 218) are the most appropriate form of bylaw and do not give rise to any implications under the New Zealand Bill of Rights Act 1990; and**
4. **Determines a summary of the Statement of Proposal Proposed Changes to the Navigation Safety Bylaw 2012 (No. 218) is not required; and**
5. **Adopts the Statement of Proposal Proposed Changes to the Navigation Safety Bylaw 2012 (No.218) (A2178235); and**
6. **Approves the commencement of the Special Consultative Procedure (A2178235), with the consultation period to run from 21 June to 24 July 2019; and**
7. **Approves the consultation approach (set out in paragraphs 5.9 and 5.10 of Report R10026) and agrees:**
 - (a) **the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and**

(b) the approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.

McGurk/Her Worship the Mayor

Carried

- 6.4.5 Planning and Regulatory Committee - Quarterly Report - 1 January-31 March 2019 – Approval of the Nelson Plan Vision, was deferred until later in the meeting.

6.5 Community Services Committee - 30 May 2019

- 6.5.1 Statement of Intent - Nelson Festivals Trust

Resolved CL/2019/104

That the Council

- 1. Approves the Nelson Festivals Trust draft Statement of Intent 2019/20, with minor amendments, as the final Statement of Intent for 2019/20.***

Noonan/Courtney

Carried

Attendance: Councillor Lawrey returned to the meeting at 10.31a.m.

- 6.5.2 Fees and Charges relating to Community Services 2019/20

Resolved CL/2019/105

That the Council

- 1. Approves the proposed fees and charges as per attachment (A2157289) of Report (R10060) effective from 1 July 2019.***

Noonan/Courtney

Carried

6.6 Governance Committee - 13 June 2019

6.6.1 Uniquely Nelson Memorandum of Understanding 2019/2020

Resolved CL/2019/106

That the Council

- 1. Approves the Uniquely Nelson Memorandum of Understanding 2019/2020 (A2181631).***

Barker/Dahlberg

Carried

6.6.2 Communications and Engagement Strategy

The importance of governance oversight of the strategy and the need to increase trust and confidence in Council was noted.

Discussion took place regarding how the strategy would achieve this and it was noted that the detail on how Council would deliver that would be in an action plan sitting below the strategy. The action plan would need to address some of the shortcomings and look at changing internal processes, giving media questions a high priority, telling Council's story at the same time, and focusing on reducing chances of mistakes.

The importance of seeking political input before issuing media statements and the need to be aware of the Delegations Manual and the Code of Conduct was stressed. It was confirmed that the Communications and Engagement Strategy would be available on Council's website.

Resolved CL/2019/107

That the Council

- 1. Adopts the Communications and Engagement Strategy, with amendments (A2196740).***

Barker/Dahlberg

Carried

The meeting was adjourned at 10.51a.m. and reconvened at 11.10a.m.

6.2. Sports and Recreation Committee - 23 May 2019

6.2.1 Sports and Recreation Committee - Fees and Charges: Supplementary Information

Document number R10294, supplementary agenda pages 2 - 20 refer.

Manager Parks and Facilities, Rosie Bartlett, spoke to the supplementary report, noting the background and the reason for the alternative recommendations. Discussion took place regarding the options in the supplementary report and the reasoning for the original proposed increase in fees for the Brook Camp of 20%, which was to recover an amount closer to the amount stipulated in the fees and charges recovery policy and to minimise the ratepayers' contribution.

Group Manager Community Services, Roger Ball, clarified that a workshop was planned for 2 July, and that the campground review was due in December as part of the Activity Management Plan process.

Discussion took place regarding hire costs for Saxton Oval and the Trafalgar Centre, with further discussion to take place at the future Venues and Marketing 101 workshop in August.

Further discussion took place regarding the fees for Brook Camp permanent residents and it was noted that officers' original recommendation was to increase fees by 20% across the board and the option of excluding the permanent residents was made reflecting feedback from the committee meeting.

The Sports and Recreation Committee Chairperson, Councillor Skinner, noted that he supported the original recommendation to the committee for a 20% increase for the camp and moved option 2a in the supplementary report, seconded by Councillor Acland.

That the Council

1. *Receives the report Sports and Recreation Committee - Fees and Charges: Supplementary Information (R10294) and its attachments (A2157708, A2203637 and A2210534); and*
2. *Notes that further information has been received regarding the impact of not increasing fees for the Brook Camp; and*
3. *Approves the proposed fees and charges as per Attachment 1 (A2157708) of Report 10236, effective from 1 July 2019, with amendments as follows:*
 - a. *That the Brook Valley Holiday Park fees and charges increase by 20%; and*
 - b. *That the fees and charges for Saxton Field Stadium have no increase for the 2019/20 year.*

Skinner/Acland

The low level of fees for the Brook Camp and the option of increasing Brook Camp fees excluding permanent residents was discussed.

Clarification was requested regarding whether Council had a sinking lid policy by not allowing any further permanent residents into the Brook Camp.

The meeting was adjourned at 11.31.a.m. and reconvened at 11.40.a.m. Councillor Matheson was not present.

It was agreed that the issue of a sinking lid policy be covered at the workshop and a future committee meeting.

Attendance: Councillor Matheson returned to the meeting at 11.43a.m.

Further discussion took place regarding subsidies, recovery rates, community housing, length of stay restrictions, loss in revenue and the recovery and finance policy.

It was noted that the 2 July workshop would cover the need for a management and development plans and legal challenges.

Concerns were raised regarding a rise of 20% in fees for vulnerable members of the community and an amendment to raise the fees for permanent residents by the rate of CPI was moved by Councillor Courtney, seconded by Her Worship the Mayor.

That the Council

1. *Receives the report Sports and Recreation Committee - Fees and Charges: Supplementary Information (R10294) and its attachments (A2157708, A2203637 and A2210534); and*
2. *Notes that further information has been received regarding the impact of not increasing fees for the Brook Camp; and*
3. *Approves the proposed fees and charges as per Attachment 1 (A2157708) of Report 10236, effective from 1 July 2019, with amendments as follows:*
 - a. *That the Brook Valley Holiday Park fees and charges increase by 20%; and*
 - b. *That the Brook Valley Holiday Park fees and charges for permanent residents increase by the Consumer Price Index; and*
 - c. *That the fees and charges for Saxton Field Stadium have no increase for the 2019/20 year.*

Courtney/Mayor

The amendment was put and a division was called:

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

The amendment was lost 5 - 7.

The substantive motion was put.

Resolved CL/2019/108

That the Council

- 1. Receives the report Sports and Recreation Committee - Fees and Charges: Supplementary Information (R10294) and its attachments (A2157708, A2203637 and A2210534); and***
- 2. Notes that further information has been received regarding the impact of not increasing fees for the Brook Camp; and***
- 3. Approves the proposed fees and charges as per Attachment 1 (A2157708) of Report 10236, effective from 1 July 2019, with amendments as follows:***
 - a. That the Brook Valley Holiday Park fees and charges increase by 20%; and***
 - b. That the fees and charges for Saxton Field Stadium have no increase for the 2019/20 year.***

Skinner/Acland

Carried

7. Mayor's Report

Document number R10249, agenda pages 35 - 122 refer.

Her Worship the Mayor spoke to her report, noting the recent Eelco Boswijk awards ceremony and thanking the councillors involved.

The meeting indicated levels of support for the Local Government New Zealand AGM remits.

Attendance: Councillor Acland left the meeting at 12.22p.m.

Resolved CL/2019/109

That the Council

- 1. Receives the report Mayor's Report (R10249) and its attachments (A2197280 and A2197215); and***
- 2. Supports the proposed remits to Local Government New Zealand as discussed.***

Matheson/Walker

Carried

The meeting was adjourned at 12.47p.m. and reconvened at 1.15p.m. Councillors Acland, Fulton and Skinner were not present.

Attendance: Councillor Fulton returned to the meeting at 1.17p.m.

8. Council Status Report - 20 June 2019

Document number R10286, agenda pages 123 - 124 refer.

Group Manager Infrastructure, Alec Louverdis, answered questions regarding the Modellers Pond and it was noted that a report would be provided in August.

Resolved CL/2019/110

That the Council

- 1. Receives the report Council Status Report - 20 June 2019 (R10286) and its attachment (A1168168).***

Her Worship the Mayor/Courtney

Carried

9. Planning and Regulatory Committee – Quarterly Report - 1 January – 31 March 2019 (Agenda item 6.4.5) was considered.

Acting Group Manager Environmental Management, Matt Heale, tabled an updated, tracked changes Nelson Plan Vision document, noting that amendments largely updated the strategy regarding climate change and in line with Nelson as the 'Smart Little City'.

Attendance: Councillor Skinner returned to the meeting at 1.21p.m.

Attendance: Councillor Acland returned to the meeting at 1.22p.m.

An error was pointed out in paragraph 2 – *The Vision for Nelson is:... committed to our ~~their~~ natural...*

Attendance: Councillor Noonan left the meeting at 1.25p.m.

Resolved CL/2019/111

That the Council

- 1. Approves the tabled updated Nelson Plan Vision (A2182016) as the working draft for the Nelson Plan.***

Her Worship the Mayor/McGurk

Carried

Attachments

- 1 A2182016 Updated tabled Nelson Plan Vision

10. Kotahitanga mō te Taiao Strategy (Agenda Item 9)

Document number R10260, agenda pages 125 - 174 refer.

Acting Group Manager Environmental Management, Matt Heale, tabled the updated Kotahitanga mō te Taiao Strategy and clarified that the updated strategy included Ngāti Kuri who were still in negotiations with the Department of Conservation when the strategy was presented to the committee and were now included, together with the addition of a paragraph 'Rangatiratanga', which acknowledged them.

Attendance: Councillor Noonan returned to the meeting at 1.27p.m.

Attendance: Councillor Rutledge entered the meeting at 1.28p.m.

During discussion, it was noted that the strategy was a of key piece of work to align alliance members and that it was also useful to provide to philanthropists investing in conservation across the top of the South Island.

Resolved CL/2019/112

That the Council

- 1. Receives the report Kotahitanga mō te Taiao Strategy (R10260) and its attachment (A2203854); and***
- 2. Adopts the Kotahitanga mō te Taiao Strategy (A2203854).***

Her Worship the Mayor/Acland

Carried

Attachments

- 1 A2203854 - Updated Kotahitanga mō te Taio Strategy

11. Statement of Proposal for Declaration of a Pedestrian Mall - Upper Trafalgar Street (Agenda Item 10)

Document number R10139, agenda pages 175 - 200 refer.

Team Leader City Development, Lisa Gibellini, summarised corrections to the agenda report:

- p199 - paragraph 7.3 - the postal address should be Civic House, not Community Housing
- P185 - paragraph 5.37 - since the report was written, there was now a provisional sum of \$250,000, as a result of Annual Plan deliberations
- P180 - Disadvantages, there was now a provisional budget, rather than no budget.

Ms Gibellini answered questions regarding the Statement of Proposal, and clarified that issues of design and consideration of matters raised in submissions would follow consultation and that emergency services would be made aware of the consultation.

The Chief Executive noted that legal advice would be sought regarding the addition of a question asking what people would want to see in the mall and the level of risk regarding public perception of pre-determination of the decision. He said that if the advice was that the risk was low, that was the only thing that would be added to the proposal under 'minor amendments'.

Clause 3. of the recommendation was changed to 'with minor amendments approved by Her Worship the Mayor and the Chief Executive'.

Resolved CL/2019/113

That the Council

- 1. Receives the report Statement of Proposal for Declaration of a Pedestrian Mall - Upper Trafalgar Street (R10139) and its attachment(A2176520); and***
- 2. Agrees that the Statement of Proposal for a Declaration of a Pedestrian Mall - Upper Trafalgar***

Street meets the requirements of the Local Government Act 2002; and

- 3. Adopts the Statement of Proposal for the Pedestrian Mall Declaration - Trafalgar Street - Nelson City(A2176520), with minor amendments approved by Her Worship the Mayor and the Chief Executive; and***
- 4. Agrees that a Summary of the Statement of Proposal for Declaration of a Pedestrian mall - Upper Trafalgar Street is not required, and***
- 5. Approves the consultation approach (set out in section 6 of this report R10139) and agrees:***
 - (a) the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
 - (b) the approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.***

Her Worship the Mayor/Lawrey

Carried

12. Order of candidates' names on 2019 Local Elections voting documents

Document number R9995, agenda pages 204 - 207 refer.

Resolved CL/2019/114

That the Council

- 1. Receives the report Order of candidates' names on 2019 Local Elections voting documents (R9995); and***
- 2. Approves, in accordance with Regulation 31(2) of the Local Electoral Regulations 2001, the candidates' names on voting documents for the 2019 triennial local election be in computerised random order.***

Her Worship the Mayor/Lawrey

Carried

13. Nelson Tasman Future Development Strategy - Authority for Joint Council Committee (Agenda Item 11)

Document number R10164, agenda pages 201 - 203 refer.

Attendance: Councillor Acland left the meeting at 2.16p.m.

Discussion took place on Councillors' availability for the joint meeting and the need for a strong consensus when the issue was considered by the Joint Committee at its public meeting.

In response to questions why the final decision was not being recommended back to Council, it was noted that this was a key regional approach to future development. It gave a strong signal that the two councils could work together and debate each other's concerns in the same forum, but that a degree of compromise was required.

Resolved CL/2019/115

That the Council

- 1. Receives the report Nelson Tasman Future Development Strategy - Authority for Joint Council Committee (R10164); and***
- 2. Delegates all decision-making powers in relation to adopting the Nelson Tasman Future Development Strategy to the Joint Committee; and***
- 3. Updates the Nelson City Council Delegations Register to reflect the above changes.***

The motion was put and a division was called:

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

The motion was carried 11 - 2.

Her Worship the Mayor/McGurk

Carried

14. Exclusion of the Public (Agenda Item 13)

Wayne Wootten, of Telfer Young was in attendance for Item 2.2.3 of the Public Excluded agenda to answer questions and, accordingly, the following resolution is required to be passed:

Resolved CL/2019/116

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 Wayne Wootten, of Telfer Young, remain after the public has been excluded for Item 2.2.3 of the Public Excluded agenda (Founders Park Property Purchase), as he has knowledge relating to the proposed Founders Park property purchase that will assist the meeting.***

Acland/Walker

Carried

Attendance: Councillors McGurk and Lawrey left the meeting from 2.40p.m. until 2.41p.m.

In response to an objection regarding the exclusion of the public for consideration of confirmation of the appointment of iwi representatives to the Nelson Regional Sewerage Business Unit and the Nelson Tasman Regional Landfill Business Unit, Her Worship the Mayor clarified that appointments were always made with the public excluded to protect the privacy of individuals.

Resolved CL/2019/117

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:***

Acland/Walker

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	<p>Council Meeting - Public Excluded Minutes - 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)(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 • 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)
2	<p>Recommendations from Committees</p> <p>Community Services Committee</p> <p>Community Investment Funding Panel Appointments</p> <p>Pet Cremations Activity Review</p> <p>Founders Park – property purchase</p> <p>Governance Committee</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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Nelson Centre of Musical Arts		
3	Council Public Excluded Status Report 20 June 2019	<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, negotiations (including commercial and industrial negotiations)
4	Confirmation of appointment of iwi representatives to Nelson Regional Sewerage Business Unit and Nelson Tasman Regional Landfill Business Unit	<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
5	Update on Provincial Growth Fund applications	<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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			commercial position of the person who supplied or who is the subject of the information
7	Bay Dreams Update and Next Steps	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)(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 2.42p.m. and resumed in public session at 4.11p.m.

RESTATEMENTS

It was resolved while the public was excluded:

2	PUBLIC EXCLUDED: Confirmation of appointment of iwi representatives to Nelson Regional Sewerage Business Unit and Nelson Tasman Regional Landfill Business Unit
	4. <i>Agrees that Report (R10218) and the decision (CL/2019/118) be made public once the representatives have been advised of the Councils' decision.</i>

3	PUBLIC EXCLUDED: Update on Provincial Growth Fund applications
	<p><i>That the Council</i></p> <ol style="list-style-type: none"> 1. <i>Receives the report Update on Provincial Growth Fund applications (R10241) and its attachment (A2198314); and</i> 2. <i>Agrees that Report (R10241) and attachment (A2198314) be excluded from public release at this time.</i>

4	<p>PUBLIC EXCLUDED: Bay Dreams Update and Next Steps</p> <p><i>That the Council</i></p> <ol style="list-style-type: none"> 1. <i><u>Receives</u> the report Bay Dreams Update and Next Steps (R10252) and its attachment (A2203904), (A2203993), (A2203994); and</i> 2. <i><u>Approves</u> the Chief Executive entering into negotiations and, if successful, executing a contract with Bay Dreams South Ltd for a five-year agreement to host Bay Dreams South in Nelson, subject to annual reviews and all consents and permits being obtained; and</i> 3. <i><u>Directs</u> the Chief Executive to seek feedback from the Saxton Field Committee on proposed camping at Saxton Field; and</i> 4. <i><u>Notes</u> that approval for up to 1,500 people to camp at Rutherford Park from 3 – 5 January 2020 as part of the Bay Dreams event will be sought from the Chief Executive and considered in accordance with the Rutherford and Trafalgar Park Reserves Management Plan, and Council’s internal process requirements; and</i> 5. <i><u>Notes</u> that approval for exclusive use of Trafalgar Park and designated areas of Saxton Field will be sought from the Chief Executive and considered in accordance with section 53 of the Reserves Act, taking into account any feedback from the Saxton Field Committee for Saxton Field; and</i> 6. <i><u>Notes</u> that a future report will be brought back to Council to enable consideration of granting consent to the temporary use of Saxton Field as a camping ground under s44(1) of the Reserves Act 1977 and any other decisions required to be made by Council to enable the event to proceed; and</i> 7. <i><u>Agrees</u> that decision (CL/2019/126) be released from Public Excluded upon adoption; and</i> 8. <i>Agrees that Report R10252 and attachments (A2203904, A2203993 and A2203994) be excluded from public release at this time.</i>
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6	PUBLIC EXCLUDED: Community Investment Funding Panel Appointments
	<p>6. <u>Agrees</u> that Report (R10075), Attachments A1854528 and A2093465 only and the decision (CL/2019/119) be released from public excluded business once candidates have been advised of the outcome.</p>

7	PUBLIC EXCLUDED: Pet Cremations Activity Review
	<p><i>That the Council</i></p> <ol style="list-style-type: none"> 1. <u>Approves</u> the cessation of pet cremations by Council at the Wakapuaka Crematorium; and 2. <u>Agrees</u> that Report (R10140), excluding any legal advice within it, the attachment (A2177474) and the decision (CL/2019/121) be released from public excluded business.

8	PUBLIC EXCLUDED: Founders Park - property purchase
	<p><i>That the Council</i></p> <ol style="list-style-type: none"> 1. <u>Defers</u> the item Founders Park – property purchase to be considered at the Council meeting to be held on 27 June 2019.

9	PUBLIC EXCLUDED: Nelson Centre of Musical Arts - Appointment of Trustees
	<p><i>That the Council</i></p> <ol style="list-style-type: none"> 1. <u>Approves</u> undertaking a recruitment process to appoint two trustees to the Nelson Centre of Musical Arts; and 2. <u>Agrees</u> that the decision (CL/2019/120) only be released from public excluded business.

There being no further business the meeting ended at 4.11p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date